

**City of Charlottesville
Board of Architectural Review
January 17, 2006
Minutes**

Present: Also Present:

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

Mr. Atkins convened the meeting at 5:01 p.m.

A. Matters from the public not on the agenda

There were no matters from the public.

B. Certificate of Appropriateness Application

**400-402 East Market Street
Tax Map 53 Parcel 55
Monticello Lodge #97 IOOF
Paint gray the rear unpainted brick wall**

Ms. Scala gave the staff report. The Odd Fellows Hall is dated 1884 and is a contributing structure in the Downtown District. Window replacements had been approved in 2003 and 2005. Staff recently gave administrative approval to repaint the painted brick. The building is now painted gray. The unpainted brick arch over the Fourth Street entrance is left unpainted. The applicant requests approval to paint the rear south brick wall. It is barely visible from Fourth Street near the Mall nor is it visible from either parking garage. Ms. Scala sent an E-mail requesting permission to approve this administratively; she received three yes responses, three noes, and three "let Ms. Scala decide." The guidelines say, generally, not to paint unpainted masonry.

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

Ms. Swenson asked if there was any structural necessity requiring the painting. Ms. Scala stated the applicants' thought the building would be more stable and the painting would keep the joints from falling out. Ms. Swenson asked if the applicants had submitted a report from a mason. Ms. Scala stated they had not.

Mr. Coiner stated one of his concerns was the view from the apartments on the Mall.

Mr. Atkins urged the Board to allow the applicants to choose between painting or not painting.

Mr. Knight, having considered the Standards set forth within the City Code, including City Design Guidelines for Rehabilitation, moved to find that the proposed change satisfies the BAR's criteria and is compatible with this property and other properties in the District because of the precedent established on the rest of the painted surfaces on the building and that the BAR approves the application as submitted. Mr. Tremblay seconded the motion. The motion passed, 7-2; Ms. Swenson and Mr. Coiner voted against.

C. Certificate of Appropriateness Application

BAR 05-10-04

614 East High Street

Tax Map 53 Parcel 111

Add shutters to new addition

Silvercrest Asset Management, Applicant

City and County, Owners

Ms. Scala gave the staff report. This had been before the Board in October at which time the applicant's request to replace the front door and change paint colors had been approved; however the applicant then deferred the request to add shutters to the rear addition. The applicant is seeking approval to add painted wood shutters with a horizontal rail to all the windows on the rear addition. The rail would match the horizontal bar on the contemporary windows. At the October meeting, the Board indicated they would approve the shutters if designed properly. The contemporary windows are divided differently on the first and second floors therefore the rail location should be adjusted for each of the floors. The shutters should be wood mounted on hinges sized to fit the windows if closed.

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

Mr. Knight stated his belief that this perpetuates an unfortunate choice to install the contemporary windows that was made many years ago. He stated he was reluctant to approve this.

Ms. Swenson stated that, while leaning toward approval, she did not want to stipulate that the rail match.

Mr. Coiner concurred with Ms. Swenson.

Mr. Wolf commented that the alignment made sense. He stated he would support that condition be echoed on the second floor.

Mr. Atkins asked if there was a consensus of the Board on echoing the existing shutters on the older portion of the building.

Mr. Tremblay, having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitation, moved to find that the proposed shutters, without defining where the dividing element will fall, leaving that to the applicant, satisfies the BAR's criteria and are compatible with this property and other properties in the District, the BAR approves the application as submitted. Mr. Lucy seconded the motion. The motion passed, 7-2; Ms. Heetderks and Mr. Knight voted against.

D. Certificate of Appropriateness Application

BAR 06-01-01

1618, 1620, 1622 JPA and 103 Valley Road

Tax Map 11 Parcel 7

Jefferson Commons - New Apartment Building

Wade Apartments, LLC, Applicant

Mitchell/Matthews, Architects and Urban Planners

Mr. Tremblay noted he would be abstaining from participating in the discussion and vote on this matter.

Ms. Scala gave the staff report. The properties are located within the Oakhurst Circle/Gildersleeve Wood Neighborhood ADC District. The apartments at 1618, 1620 and 1622 JPA were built in 1958 and are noncontributing due to age and will be removed. The brick and stone duplex at 103 Valley Road was built in 1950 and is a contributing structure and will be retained. The applicant seeks approval to build a new, four-story, nineteen-unit apartment building with 26 parking spaces under the building, 14 surface parking spaces, and five existing on-site spaces on Valley Road. Proposed materials are brick veneer, painted fiber, cement walls, siding and panels and charcoal gray architectural asphalt roof shingles. The proposed windows are white vinyl clad cottage style windows. The existing rock wall will be retained where possible. The existing concrete walks and retaining walls and asphalt paving will be removed and new walks and paving provided. Two deodara cedars and two Norway spruce will be preserved; two other Norway spruce trees would be removed. Staff had provided an addendum to the proposal that a pre-application conference with the BAR was mandatory for any project having projected construction costs of \$350,000 or more; therefore, action could not be taken at this meeting but must be considered a preliminary submittal. Staff commends the applicant for working with the neighborhood, for saving the contributing structure, and for saving most of the large trees. More information is needed on the type of windows. The building was generally compatible with the character of the district. Staff felt there was a conflict with the maximum building width guideline. Staff recommends a preliminary discussion at this time and ask the applicant to return for the application to be approved.

Mr. John Matthews, of Mitchell/Matthews Architects, stated they had tried to present a comprehensive package. He stated they had met with the neighborhood twice and took their comments to heart and incorporated a number of them into the proposal. The building footprint and its configuration was a result of a long, narrow, shallow site. Mr. Matthews stated an arborist had been consulted who had recommended removal of two of the Norway spruce.

Ms. Swenson asked if they had considered putting an entrance on Valley Road. Mr. Matthews stated they did not think that was the optimum location.

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

Mr. Michael Osteen stated he did not know of any buildings on JPA that were wider than this proposed building.

Mr. Gene Foster asked for additional information on the lighting at the front of the building. Mr. Matthews stated they liked indirect lighting so that, wherever possible, the lamp could not be seen; most of the lighting would be below grade.

Ms. Jane Foster asked if there would be parking on Valley Road. Mr. Matthews stated they were required to provide 38 spaces and were providing 45. He stated the existing parking would remain. The neighborhood had asked for a traffic island; the architects had complied.

A member of the public, who did not identify himself for the record, commended Mr. Matthews for meeting with the neighborhood. However, he stated the consensus of the neighborhood was for the on street parking to go away. He also expressed concern for two existing pine trees which were not shown on the final plan. Mr. Matthews stated there were currently no plans to remove the pines.

Mr. Ian McCarra stated his concerns were noise abatement and asked for plantings to cut down the noise.

Mr. Coiner asked if there would be exterior mechanical units and where they would be located. Mr. Matthews stated there would be high efficiency heat pumps on the back side of the building in a recessed area.

Mr. Coiner sought clarification from Ms. Scala if there was anything protected in the project on which they needed to act. Ms. Scala stated landscaping and site objects were included in contributing properties; however, most of this property was noncontributing.

Mr. Coiner sought clarification as to whether the Planning Commission would review this under the Entrance Corridor Review. Ms. Scala stated they would not.

Mr. Coiner sought Mr. Knight's opinion on the site's trees. Mr. Knight commended the applicant for involving an arborist. Mr. Knight concurred that two spruces needed to go. However, he was concerned about the potential impact on the oak tree and the deodara cedars.

Mr. Knight wanted to know the ramifications of trying to separate this into two perceived rectangular structures and eliminating the angle at the traffic intersection. Mr. Matthews stated they had looked at many different options. He stated they felt the proposal was a nice solution to defining that awkward corner. Mr. Matthews stated some of the reasons why it would be difficult to split it up included setbacks, and a number of Code issues.

Mr. Knight asked if the retaining wall would be poured concrete. Mr. Matthews concurred.

Mr. Lucy wanted a comparison of the existing and proposed width. Mr. Matthews stated they were very close.

Mr. Wolf wanted to know if the parking beneath the building utilized the entire footprint or part of it. Mr. Matthews stated it used the entire footprint.

Mr. Atkins called for comments from the public.

Mr. Michael Osteen read a prepared statement to the Board siting other buildings in the neighborhood and asking that the scale of the proposed building be mediated.

Mr. Atkins called for comments from the Board.

Mr. Knight wanted to know if other Board members felt as he did that the building should be separated into two portions.

Ms. Swenson concurred. She also wanted to know if the number of units could be accommodated within a smaller scale. Ms. Swenson sought clarification from Ms. Scala as to whether the proposal met the Guidelines for scale; Ms. Scala stated it did for height but she was unsure about the width.

Ms. Swenson stated they needed to consider that a large space was needed for this building and this site allows for that. However, she felt the lack of a pedestrian opening on Valley Road made no engagement with the person.

Mr. Matthews stated the proposed building was 12 feet taller than the existing buildings.

Mr. Wolf wondered if there could be a trade off for scale and massing by reducing the amount of parking below ground thereby pushing down one side of the building.

Ms. Swenson recommended the applicant look through the section of the Guidelines dealing with street engagement again. She also suggested the builder and applicant look through the section on sustainability. She reiterated her support of the density of the building. However, she was interested in ways of articulating the building so it could be the most pedestrian friendly scale.

Mr. Atkins sought the opinion of the Board whether the applicant should return with a 3-D model of the proposal. He stated he was comfortable with the perspective strategy and the competent, accurate measured drawing. Mr. Lucy concurred. Mr. Knight felt a massing model would be helpful. Mr. Coiner, citing a previously received computer generated model for a different project, sought clarification as to whether Mr. Knight wanted a physical model. Mr. Knight did. Mr. Coiner sought clarification of what should be included. Mr. Knight stated he would argue for looking at the whole of JPA all the way to the service station to set the baseline for the mass of the building with the caveat that they were not just looking at JPA but also Valley Road.

Mr. Atkins stated the proposal seemed to be right at the limits of 200 percent. He reiterated comments and suggestions that had been given by other Board members: sinking the building down, if possible based on the ground plane; lowering the roof form; breaking the building into two pieces. Mr. Atkins stated that some of the most difficult things in larger density housing projects had been handled very well: parking is screened almost completely from the street; preservation of the stone wall; restored green space. He stated they would like to see more about: the mechanical units and their screening; street front engagement on Valley Road; clarification on site materials.

Mr. Matthews sought clarification of the timeframe allowed by the Board to make a new submission addressing all of the issues brought up. Mr. Atkins stated the Board would allow a two week extension.

E. Approval of Minutes:

November 1, 2005 (Work session)

November 15, 2005

December 20, 2005

Mr. Atkins suggested approval of the minutes be postponed until the February meeting.

F. Work Session:

Update on Fifeville Neighborhood Meeting

Conservation Districts

Ms. Scala stated Ms. Kelley, from the City Attorney's Office, would be joining them to talk about Conservation Districts.

Ms. Scala stated Fifeville residents had been told that the City would begin surveying their area. The National Registry District would be done first. This would allow the residents a chance to get used to the idea that the neighborhood may become a historic district. This would also give the City time to work on the Conservation District. Residents present at the meeting were interested in the history of the neighborhood, but they were worried about the added cost and trouble to go through the ADC process.

Ms. Kelley stated she did not think the Board needed a change in the enabling legislation; if the Board figures out what they would like to accomplish with the Conservation District, it could probably be fit into one of the categories allowed in the enabling legislation. One category included a definition of a historic area which goes beyond historic significance but also includes architectural, archaeological, or cultural interest. Ms. Kelley stated there was even language which actually uses the term "Conservation District"; this talk about areas of unique architectural value located within designated conservation rehabilitation or redevelopment districts.

Mr. Coiner sought clarification whether a Conservation District could be in an ADC. Ms. Kelley thought that was probable.

Mr. Coiner sought clarification of what problems Ms. Kelley could foresee. Ms. Kelley stated the most important thing was to keep it as simple as possible.

Mr. Atkins polled the Board to see if they agreed this was a different kind of district for residential neighborhoods -- Fifeville, Belmont, Tenth and Page, Starr Hill, Woolen Mills -- and that there is a quality to those neighborhoods that needs to be protected but to a lesser degree. The members concurred.

Mr. Lucy sought clarification of the 25 percent rule. Mr. Atkins stated a discussion had been begun on that previously but additional discussion was needed to prevent serial demolition. Mr. Atkins also stated any demolition would automatically go to administrative review to check that it did comply with the 25 percent; the review would be kicked back to the Board if there were any oddities. Mr. Lucy asked if the 25 percent was based on enclosed space or habitable space. Mr. Atkins wasn't sure if unfinished basements would count in the total.

Ms. Scala stated it would be helpful if the Board would think about what would be most important to review if they were called upon to review a lot in the new districts. Ms. Gardner stated scale and massing were at the top of her list. Ms. Swenson concurred that, intellectually, scale and massing were important, but experientially, vinyl siding and Prestone windows were the things hurting a lot of the neighborhoods' character.

Ms. Gardner stated that the neighborhoods being considered for Conservation District seemed to be the lower rent areas within the City. She expressed concern for tear downs in those areas as those would be done by speculators doing new construction. She asked if they could use the Guidelines but specify that the Material Guidelines were not applicable especially since so many of the houses already had vinyl siding.

Mr. Atkins stated they needed to concentrate on the new Conservation District Guidelines and get what needed to be in there, in there.

Ms. Scala sought clarification from Ms. Kelley that the Individually Protected Properties already in the neighborhoods would retain their designation. Ms. Scala felt it was essential to maintain the level of protection on those properties. Ms. Kelley stated the point of having an individually designated property was that it would have the same level of review as was in an ADC district outside the ADC district. Ms. Kelley further stated that, within a Conservation District, with a lower level of review, there could be an argument for saying the individually designated properties stand alone and are not subject to the Conservation District rules.

Mr. Atkins wanted to know what was necessary to get in line with the Planning Commission and City Council so the Conservation District could be a sanctioned idea. Ms. Kelley stated she and Ms. Scala needed to draft an ordinance and a set of guidelines to go with it, make sure the text of the ordinance and guidelines meets with the Board's approval, and then send them forward for a

proposal; as the Board completes each survey, they would make a recommendation to Council as to whether it was appropriate for an ADC or a Conservation District.

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

There were no matters from the public.

H. Other Business

Mr. Coiner asked if there had been any response from the Paramount. Ms. Scala stated she had not been in contact with them yet. She had looked in the file and found a drawing for a gate and would ask them if they intended to build that if that was what the Board wanted to see.

Mr. Coiner stated the Rules of Conduct signs on the Mall had been placed by Parks & Recreation and the City Police Department. He stated they were the most absurd thing on earth. Mr. Coiner felt, as BAR members, they should be concerned about this kind of signage.

Mr. Coiner stated the Mall locator signs were confusing. Mr. Knight concurred that the signs were not oriented.

Mr. Coiner asked the status of a new appointment to the Board. Mr. Atkins stated two applicants were to be interviewed by City Council in February.

I. Adjournment

Mr. Tremblay made a motion to adjourn. Mr. Wolf seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 7:38 p.m.