

**City of Charlottesville**  
**Board of Architectural Review**

**May 15, 2007**

**Minutes**

Present: Not Present:

Fred Wolf, Chair Lynne Heetderks

Syd Knight, Vice Chair

Wade Tremblay Also Present:

Preston Coiner Mary Joy Scala

Amy Gardner

Brian Hogg

Michael Osteen

William Adams

Mr. Wolf convened the meeting at 5:05 p.m.

**A. Matters from the public not on the agenda**

Mr. Wolf called for matters not on the agenda. There were none.

**B. Consent Agenda**

**March 20, 2007 Minutes**

**April 17, 2007 Minutes**

Mr. Wolf called for any issues with the items on the consent agenda. There being none, he asked if anyone cared to move the consent agenda. Mr. Hogg so moved. Mr. Knight seconded the motion. The motion carried unanimously.

**C. Certificate of Appropriateness Application**

**BAR 07-05-04**

**414 4th Street NE**

**Tax Map 53 Parcel 26**

**Installation of guardrails and plantings**

**Heyward Boyd Architects, Applicant/Scott Hendrix, City of Charlottesville, Owner**

Ms. Scala gave the staff report. This is a contributing structure in the North Downtown ADC District. The applicant is requesting approval to: install new painted steel guardrails at 3 feet, 6 inches above grade; new plantings above the existing fieldstone retaining wall; and to replace the existing concrete slab which is between the stairs. The applicant also seeks to repair cracks in the fieldstone retaining wall. The guardrails will be painted matte black. Staff finds the proposed new plantings meet the criteria specified in Chapter 2, Section 2.3 pertaining to plantings. The new guardrail is consistent with existing guardrails on the property. The applicant is attempting to conceal the guardrail behind the new plantings. The proposed guardrail is below the 4 foot height as suggested in the Guidelines; however, the combined height of the existing retaining wall and the proposed plantings and guardrail will equal 7 feet, 4 inches at the highest point.

Mr. Wolf called for questions of staff. There were none. Mr. Wolf then recognized the applicant.

Ms. Lisa Cohen, of Heyward Boyd Architects, was present as the applicant's representative. Ms. Cohen was present to answer any questions the Board members might have.

Mr. Wolf wanted to know how far the guardrail was set back from the retaining wall. Ms. Cohen stated it was two and-a-half feet of the inside face of the retaining wall.

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

Mr. Osteen suggested the last two feet of rail be turned to buttress the end.

Mr. Knight thought it was heavy handed and unattractive. He did not think it was an appropriate response. He stated it was not a Code issue but was a risk management issue. Mr. Knight stated he could not find anything in the Guidelines to deny it.

Mr. Tremblay, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed guardrail and landscape plan 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. Mr. Coiner seconded it and asked Mr. Osteen to make an amendment requiring the turnback. Mr. Osteen offered a friendly amendment that the final 2 foot, 4-and-a-half inches of each end of the rail should turn at 90 degrees perpendicular to the long run of the rail to provide more stability. Mr. Tremblay and Mr. Coiner accepted the friendly amendment. Ms. Gardner asked if the applicant could be asked to lower the height to 36 inches. Mr. Scott Hendrix, representing the applicant, stated they would be willing to lower the height from 42 to 36 inches if Code was to allow it. Mr. Tremblay amended

his motion to 36 inches unless Code requires 42 as previously indicated. Mr. Coiner seconded the amendment. Mr. Wolf called a voice vote. The motion carried, 6-2; Mr. Knight and Mr. Hogg voted against.

#### **D. BAR Recommendation**

**BAR 07-05-05**

#### **South Lawn Project**

#### **Valley Road cul-de-sac design, layout, and site plan**

#### **University of Virginia, Applicant**

Mr. Hogg recused himself from the matter.

Ms. Scala gave the staff report. This is within the Oakhurst Circle/Gildersleeve Wood Neighborhood ADC District. The proposed closing of the end of Valley Road near Brandon Avenue will be considered by City Council in the near future. The application is for a cul-de-sac with a landscaped area, approximately 28 feet by 36 feet. The cul-de-sac is not located within the ADC District but will impact the district visually and will physically impact pedestrian and vehicular circulation.

Mr. Coiner disclosed that a property owner had contacted him prior to receiving his packet.

Mr. Charlie Hurt, of the Real Estate Department at the University of Virginia, stated they had applied for the partial closure of Valley Road.

Mr. Wolf called for questions from the public and the Board.

Mr. Osteen sought the dimensions of the driving surface around the circle. Mr. Hurt stated he did not know the dimensions but appropriate coordination had been made with the fire department and fire trucks could make the turn.

Ms. Sharon Luke wanted to know where the public could find drawings of the proposal. Mr. Osteen gave her an extra copy.

Mr. Wolf called for comments from the public and the Board.

Mr. Russell Mooney, a property owner in the district, stated he had contacted Mr. Coiner for information and not to pressure him. He expressed concern that ladder trucks or large fire engines would not be able to get in.

Mr. Coiner suggested any recommendation they make include a concern about fire engines.

Mr. Wolf stated the city had verified that they could get fire trucks in there, but he echoed Mr. Coiner's comments that Council make sure it was considered in their deliberations.

Mr. Knight stated it was probably the most extensive planting he had seen on a cul-de-sac. It was a bit grand, but there was nothing in the guidelines to recommend against it. He stated his only concern would be parking. He felt Council, when considering the dimensions for fire truck access should take parking into consideration and stipulate that there not be any parking along that area.

Mr. Knight moved that the BAR recommend to Council the plan for the cul-de-sac as submitted with the suggestion that parking be considered -- or no parking -- prohibition of parking be considered around the circle and that adequate clearance for emergency vehicles be taken into consideration as well or be verified. Mr. Tremblay seconded the motion. The motion carried unanimously; Mr. Hogg did not vote as he had recused himself from the matter.

Mr. Osteen stated he hoped the University's surveys of parking areas on Brandon Avenue were better. He stated there were impressive oaks and walnuts on the properties and he asked that the University take utmost care in maintaining those trees.

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

**BAR 07-03-02**

**314-316 East Main Street**

**Tax Map 28 Parcel 42**

**Rehabilitation and conversion to mixed-use -- former Hardware Store building**

**Mike Stoneking, Applicant/Octagon Partners, Owner**

Ms. Scala gave the staff report. On 20 March the Board approved all the changes proposed for the Mall-side elevation. The applicant is requesting approval of changes made to the Water Street elevation. The applicant had considered the recommendations given in the March meeting and altered the design proposal in a manner consistent with the Guidelines. Staff recommends approval as submitted.

Mr. Mike Stoneking stated they wished to replace all of the fixed glass replacement windows with operable double hung aluminum-clad windows with a muntin pattern to match a prior window.

Mr. Wolf called for questions from the public and the Board.

Mr. Coiner wanted to know if there would be a guardrail for the showroom windows. Mr. Stoneking stated there would and that it would be on the interior.

Mr. Wolf called for comments from the public and the Board.

Mr. Hogg suggested getting rid of the middle light of the three bays since it did not line up with the others. He thought the proposal addressed the Board's concerns terrifically well. He had no problem with changing the upstairs windows.

Mr. Adams thought it was a big improvement over the previous submission.

Mr. Wolf stated he would support replacing the windows.

Mr. Wolf, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed Rehabilitation Design Changes satisfies the BAR's criteria and Guidelines and are compatible with this property and other properties in this district, and that the BAR approves the application as submitted including with staff approval for the replacement of the additional windows on the south facade with an aluminum clad wood window with a light pattern in simulated divided light to match the existing and coordinate it with Staff for approval, the elimination of the middle exterior light fixture over the previous loading bay doors, and the allowance of the consideration by the applicant of the alternate storefront infill without the frontal guards as an option to satisfy the historic resources for tax credit if that's so desired. Mr. Knight seconded the motion. Mr. Wolf called a voice vote. The motion carried unanimously.

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

**BAR 07-01-01**

**222 South Street**

**Tax Map 28 Parcel 95**

**Landscape changes and repaint exterior**

**Michael Stoneking, Applicant /EAM Commercial Investments, LLC, Owner**

Ms. Scala gave the staff report. On February 20<sup>th</sup>, the Board approved the application to raise the elevation of the front porch, to continue the handicapped ramp, the color palette as discussed at the meeting but recommended the use of a simpler palette, the front walkway and general concept of the front yard design but not the monument sign and with a recommendation that the cheek walls be revised or eliminated. The applicant seeks approval of a revised landscape plan with a variety of plant materials. The building color palette has changed to a medium blue siding with pale blue trim and a darker blue front door muntins and casings. The monument sign was left on the application by mistake and will be removed.

Mr. Stoneking stated his understanding had been that the cheek wall was approved with a recommendation to consider simplifying it; they chose not to on behalf of the applicant's wishes. He had a pattern of the blue stone for the Board.

Mr. Wolf called for questions and comments.

Mr. Knight thought Mr. Stoneking did accurately characterize the discussion about the cheek walls. Mr. Knight thought it would be a better project with out them. He also thought the planting plan was a little over the top. He thought it was within the bounds of the guidelines and thought the building colors were much improved.

Mr. Hogg stated he would disagree with the color on a house of this vintage.

Ms. Gardner concurred with Mr. Hogg and cited the Guidelines: Choose colors that blend with and complement the overall color schemes on the street.

Mr. Tremblay, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation and Site Design and Elements, moved to find that the proposed project details 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 with the exception of the paint color which will be decided upon after appropriately sized panels are painted on the house itself. Mr. Hogg seconded the motion. The motion carried unanimously.

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

**BAR 07-04-02**

**130 Madison Lane**

**Tax Map 9 Parcel 138**

**Final approval of proposed courtyard renovations**

**Gregg Donovan, Applicant/W.V. Daniel, Owner**

Ms. Scala gave the staff report. This had been before the Board on April 17<sup>th</sup>; the applicant's request for deferral to revise the plan was accepted. The applicant seeks to remove the existing storage shed behind the main structure and remove the wood fence along the south patio in order to build a brick wall along the south edge of the property. The applicant proposes to construct an 8 foot, 2 inch brick wall along the east edge of the property to enclose the east courtyard, and replace the two windows on the southeast facade with two french doors that match the existing french doors on the south facade. The applicant intends to use Trex decking which will match the existing decking. The existing shed does not contribute to the historic integrity of the main structure. The proposed site design, alterations, and demolition of existing shed comply with the ADC guidelines. The applicant has provided more detail of the courtyard design. Staff does not recommend the conversion of the original six-over-six windows into french doors as it would compromise the architectural integrity of a building that has remained unaltered for nearly 100 years. The proposed alteration is also not recommended according to guidelines pertaining to alterations in Chapter 4, Section 4.4. Staff recommends three motions: the demolition of the shed; enlargement of existing window openings; and site design with reconstructed patio area.

Mr. Wolf called for questions of staff; there were none.

Mr. Wolf recognized the applicant.

The applicant's representative, who did not identify himself for the record, stated he had nothing to add but would be glad to answer any questions.

Mr. Tremblay sought explanation for french doors instead of windows. The applicant stated he wanted to facilitate use of the space.

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

Mr. Tremblay stated the demolition of the shed and the site design were not controversial and the conversion of windows to french doors, Guidelines aside, was an acceptable use.

Mr. Hogg stated he didn't have any issue with the conversion to french doors. He stated this was going to be a tremendous improvement when viewed from the south.

Mr. Knight thanked the applicant for the responsiveness and effort made. He thought this was a vast improvement. He agreed with Mr. Hogg that there is lot going on, but that did not bother him.

Mr. Wolf echoed his colleagues and did not have a problem with any of the motions.

Ms. Gardner wanted to know why they were okay with converting two windows into doors. As a practical person she was okay with the conversion, but in reading the Guidelines she was not okay with it. Mr. Knight stated his reasons: it was on the back of the building; it matches an existing feature of the house; and it vastly improves the flow and relationship of indoor to outdoor space; as well as the safety feature of egress from the main living area. Mr. Hogg stated the conversion was occurring within the width of the existing opening so it was just the sill being lowered.

Mr. Knight, having considered the standards set forth within the City Code including the City Design Guidelines for Demolition and Moving, moved to find that the proposed Shed Demolition satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in this district, and that the BAR approves this element of the application as submitted. Mr. Coiner seconded the motion. The motion carried unanimously.

Mr. Wolf, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed Enlargement of the Existing Window Opening satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in this district, and that the BAR approves this element of the application as submitted. Mr. Tremblay seconded the motion. Mr. Osteen questioned the use of the word "enlargement" in that it implies increasing the width. Mr. Hogg suggested "lowering the sill of the window to allow for a door." Mr. Wolf asked if that was a friendly amendment; it was.

Mr. Wolf and Mr. Tremblay accepted the friendly amendment. The motion carried, 7-1; Ms. Gardner voted against.

Mr. Tremblay, having considered the standards set forth within the City Code including the City Design Guidelines for Site Design, New Construction, and Additions and Rehabilitation, moved to find that the Proposed Site Design to Reconstruct the Patio Area satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in this district, and that the BAR approves these elements of the application as submitted. Mr. Knight seconded the motion. The motion carried unanimously.

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

**BAR 06-09-04**

**100 West Jefferson Street**

**Tax Map 33 Parcel 180**

**Christ Episcopal Church, Applicant**

### **Replace front porch decking and handrails (as built)**

Ms. Scala gave the staff report. On September 19, 2006, the Board approved the application to replace the porch decking and steps with the condition they be replaced with tongue in groove material, either painted wood or composite material to be approved by staff with recommendation by the Board of Architectural Review and approved the new painted wood handrail as submitted. The applicant chose to install materials that were not approved and the design did not conform to the original design. The applicant now seeks approval of the project as it was built which incorporates materials not approved by the BAR. Five items were identified by Board members as inconsistent with the application as it was approved: the stairs were built of unapproved composite material with unfinished ends; stair railings have been reconstructed since then with wood spindles but the top railings did not match the original in design; a synthetic bullnose molding on the porch decking; the porch skirt board is unapproved composite material; a base board was installed down the porch where previously there was quarter round molding painted to match the floor of the porch -- the correct quarter round has now been replaced. The applicant is asking to keep the stair treads, the handrail material, the bullnose trim, and the synthetic skirting material. Given the significance of the building, the proposal sets an unfortunate precedence. Staff recommends that the applicant reconstruct the top railings of wood in correct design and dimensions to match other top railings on the porch. The BAR may also choose to have the applicant replace the bullnose trim with wood trim, to replace the stair treads or cover the exposed ends, and replace the synthetic skirting material.

Mr. David Franzen, Esquire, was present as the applicant's representative. He understood the concerns of the Board that the applicant did not follow the proper procedures. The hand railings have been replaced with Spanish Cedar to match the existing. The pickets, also of Spanish Cedar, were moved. The Trex material which was not preapproved was chosen by the contractor as a



material which would not be tongue in groove to allow water to pass through and be nonslip. He stated that they had the best marriage of safety and longevity of material. He stated they had removed the baseboard and replaced it with the quarter round wood which had been there previously.

Mr. Wolf called for questions from the public and the Board.

Mr. Coiner wanted to know why the BAR was not extended the courtesy of a phone call to see if a substitute material would be acceptable. Mr. Franzen stated the applicant had submitted materials previously and the period of time to get a response was significant. He further stated that in hindsight, he agreed the appropriate thing to do would have been to call Ms. Scala or send an E-mail. He stated that given the fact the contractor was from Northern Virginia, given the fact that they were in the throes of construction, given the fact they needed to replace those porch steps, and given their concerns it would take a significant period of time to get a sample of the material as the Board would have required, a description of the product as had happened previously, they knew it would take many days. Mr. Franzen stated they had never attempted to slip this under the radar.

Mr. Knight wanted to know why one of the columns was engaged in the tread while the other was not. Mr. Franzen stated one had not been original and was added as a safety factor.

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

Mr. Coiner stated he did not want to see churches spending their money on redoing improperly done work as there were a lot better uses for the many ministries a church has. He stated the Board of Architectural Review worked within the Guidelines which were the same for everyone. He stated they did not hold a church to a higher standard than anyone else, but the community at large might. Mr. Coiner disagreed that the structure looked okay. He hadn't supported the synthetic material in the first place and didn't think he could support what had been done. He stated no one was trying to accuse the church of trying to circumvent the system but perhaps they were too anxious to get it done.

Mr. Knight echoed Mr. Coiner's comments. He stated he was disappointed in the way it had played out procedurally. He thought the Board needed to look at the substance of the finished product which he did not think measured up to what it should. He also found other problems with the detailing and the form of the porch: while the top rail has been painted to match, there is trim missing, and the spacing is different. He stated he thought this was less than carefully constructed stairs and did not meet the Guidelines.

Mr. Hogg asked if this was work they would have approved had it been proposed initially. He stated he could live with the minor differences with the handrail, but he was put off by the stair tread.

Ms. Gardner stated the applicant had such a jewel within such an important part of the city and to allow a non-design professional to solve a seemingly simple problem as adding a new handrail

and adding some details was a shame. She added it was a shame for a building this important to be treated so sloppily.

Mr. Wolf stated it all came down to the skirtboard and the steps and risers which all had a plastic appearance. He wished there had been more exploration of other ways to deal with the safety or traction issue on wood steps. Mr. Wolf stated the way it was now, he could not support the tread and skirt. He appreciated the attempts, but it was not acceptable.

Mr. Osteen agreed with his colleagues as did Mr. Adams.

Mr. Wolf stated the Board would support any natural wood the applicant chose to use. He stated there were processes in terms of painting the steps to add grit and traction. He stated alternatives could be brought back to the Board or to staff for consideration. He thought Tendura worked well on the porch floor.

Mr. Coiner asked that the Board be as flexible as possible for the timeframe as he did not want to penalize them further by putting time constraints on them that may not be achievable.

Mr. Wolf, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the handrails for the stair, the bullnose trim, and the three-quarter inch molding at the intersection of the porch floor and brick masonry exterior wall satisfy the BAR's criteria and Guidelines and are compatible with this property and other properties in this district, and that the BAR approves the application of those items as submitted. Mr. Tremblay seconded the motion. The motion carried unanimously.

Mr. Wolf, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the stair treads, stair risers, the skirtboard of the porch, and the detail of the manner in which the stair engages the newel post for the handrail to the left portion of the stair do not satisfy the BAR's criteria and Guidelines and are not compatible with this property and other properties in this district, and that the BAR denies the application for these items as submitted and that those items would be required to be brought into compliance within a matter of 90 days. Mr. Tremblay seconded the motion. Mr. Wolf asked if the Board wanted a drawing brought back for staff approval; the Board did. Mr. Wolf accepted that as an amendment to the motion. Mr. Coiner suggested they require the plan to be submitted in one month and the work to be completed in three months. Mr. Wolf accepted the amendment as did Mr. Tremblay. Mr. Wolf suggested that it be changed to a total of 120 days to have the plan submitted and implemented. Mr. Coiner withdrew his amendment of 30/90 and suggested 120 days total. Mr. Wolf and Mr. Tremblay accepted the amendment. Mr. Knight sought clarification that the intent of the motion was to make all of the treads symmetrical with the appearance of the other side. Mr. Wolf stated his intent was that the condition that exists on the right hand side, the existing condition that existed prior to the addition of the new hand rail, be mirrored and copied on the left hand side. Mr. Wolf called the vote by voice acclamation. The motion carried unanimously.

Mr. Wolf called for a recess at 7:20 p.m.

Mr. Wolf reconvened the meeting at 7:40 p.m.

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

**BAR 07-05-03**

**501 East Water Street**

**Tax Map 53 Parcel 72**

### **Amendment of Comprehensive Signage Plan -- Holsinger Building**

#### **Chad Hornik, Applicant**

Ms. Scala gave the staff report. A comprehensive signage plan had been approved April 18, 2006. At that time three wall signs were proposed for Water Street, one wall sign on Fifth Street and three projecting signs on Water Street and two projecting signs on Fifth Street. The Melting Pot recently added four awnings with signage and Salad Creations added an awning with signage; neither had approval for the awnings or the new signage. The applicant requests approval of existing awnings and signage. The awnings with signage are not consistent with the Holsinger Building's comprehensive signage plan. In addition the signage also violates building ordinance sign regulations in terms of location on the awning. Staff recommends the awnings be permitted in lieu of projecting signs, that all signage be removed from the awnings except on the single vertical face parallel with the building, and that the hanging sign be removed from the one awning over the main entrance to The Melting Pot.

Mr. Chad Hornik was present to talk about the signage plan. He stated the package which was approved had awnings over every window. He provided the Board with pictures of other buildings on the Mall with awnings.

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

Ms. Gardner wanted to know if, when the applicant was touring downtown to determine what signage they would like to have, there was any discussion about the fact that a comprehensive sign package had already been approved. Mr. Hornik stated there had. Ms. Gardner then asked if, even though something had been approved, the applicant was under the understanding they could do anything they wanted after it was approved. Mr. Hornik stated, no, they were only allowed to do what the developer said they were allowed to do. Ms. Gardner wanted to know where the developer got his information. Mr. Hornik did not know. He stated he never saw the comprehensive sign package, nor did his sign company. Ms. Gardner stated his sign company had been present when the signage package was approved. Mr. Hornik stated it had not referred to the awnings which was the part they were trying to get approved. Ms. Gardner stated the awnings were not approved because the existing awnings were not part of the building design that was approved.

Mr. Wolf called for comments from the public.

Mr. David Wyatt, Director of the Holsinger Condominium Association, and owner of one of the 16 residential units, stated the residents' comments were positive. He stated they were pleased with what they thought was a nice, dignified look. He stated they were pleased with the harmony of the neighborhood.

Mr. Wolf called for comments from the Board.

Mr. Coiner assumed both of these restaurants were national chains and stated the Board did not allow national logos on umbrellas on the mall. He expressed concern with the signage on the slope of the awnings.

Mr. Knight stated he was not necessarily opposed to the awnings but could not support them as erected.

Ms. Gardner stated one part of the sign ordinance that was being ignored was that the signage was supposed to complement the building and this building was being cluttered with awnings. She stated she could not support the signage due to the placement and the lettering.

Mr. Hogg expressed concern about the historical relationship. He also expressed concern that some awnings span two openings.

Mr. Osteen agreed with everything that had been said. He added he had very little positive to say.

Mr. Wolf stated he would echo a lot of the comments made this evening. He did not think he would have supported this if it had come before the Board.

Ms. Gardner, having considered the standards set forth within the City Code including the City Design Guidelines for Public Improvement and Signs, Awnings, Vending and Cafes, moved to find that the proposed awnings submitted as an amendment to the comprehensive sign package do not meet the Guidelines and are not compatible with this property and other properties in this district, and that the BAR does not approve the application as submitted. Mr. Osteen seconded the motion. Mr. Wolf called a vote by voice acclamation. The motion carried unanimously.

## **J. Certificate of Appropriateness Application**

**BAR 07-05-01**

**120 East Main Street, Unit B**

**Tax Map 28 Parcel 26**

**Apply dark stain to wood patio furniture for Sushi Ten restaurant**

**Red Light Management, Applicant/120 East Main Street, LLC, Owner**

Ms. Scala gave the staff report. The applicant is seeking approval to place five tables and 20 chairs of dark stained wood and glass table tops in front of Sushi Ten for use as cafe furniture. There is no cafe furniture located on the mall similar to that proposed. Chapter 6, Section 6.6, Guideline 3 asks applicants to make street furniture compatible in design, color, and materials with existing elements. Chapter 5, Section 5.9, Guideline 2 addresses the material palette for tables and chairs in historic districts when it states they should be made of wrought iron, black painted or silver tone metal, or dark plastic with preference given to metal over plastic.

The applicant, who did not identify himself for the record, stated the management of the restaurant purchased the furniture and realized they had run afoul of the guidelines.

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

Mr. Coiner wanted to know if the glass was inset or an overlay. The applicant affirmed it was inset.

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

Mr. Coiner did not think wood was proper for the Mall. He reiterated the Guidelines prohibit it.

Mr. Knight agreed with Mr. Coiner. He stated his reading of the Guidelines found that the wood and the color were problems.

Mr. Adams stated the color was the issue for him.

Mr. Hogg appreciated what the Guidelines say but had a problem with expressing a preference for plastic over wood.

Mr. Wolf did not think wood was an appropriate outdoor furniture.

Ms. Gardner expressed concern about how the wood would look as it weathered.

Ms. Gardner, having considered the standards set forth within the City Code including the City Design Guidelines for Public Improvements and Signs, Awnings, Vending and Cafes, moved to find that the proposed cafe furniture does not satisfy the BAR's criteria and is not compatible with this property and other properties in this district, and that the BAR does not approve the application as submitted. Mr. Knight seconded the motion. Mr. Wolf called for a vote by voice acclamation. The motion passed, 6-2; Mr. Wolf and Mr. Adams voted against.

## **K. Certificate of Appropriateness Application**

**BAR 06-04-03**

**218 West Water Street**

**Tax Map 28 Parcel 84**

## **Revision of rooftop appurtenance -- Waterhouse**

### **Atwood Architects, Applicant**

Ms. Gardner recused herself from the matter.

Ms. Scala gave the staff report. The applicant is requesting approval to increase the penthouse area to the maximum permitted under zoning, 25 percent of the total area, or 6,450 square feet. An additional plan drawing was submitted. Staff recommends approval subject to receiving approval from the Zoning Administrator.

Mr. Bill Atwood stated he had a signed, approved site plan that was bonded. He gave a history of the project.

Mr. Wolf called for questions from the public.

Mr. Brent Nelson asked for an explanation of the drawings as they could not be seen clearly. Mr. Atwood explained the drawings for the benefit of Mr. Nelson and Ms. Mary Gilliam.

Ms. Gilliam wanted to know if the chillers could be heard. Mr. Atwood stated they shouldn't as it would be enclosed.

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

Mr. Tremblay stated it seemed to be consistent with the Guidelines.

Mr. Hogg stated he always thought this building was the best part of the project and part of what he thought was good about it was that it was a nice, clean, simple box. However, this proposal undermines everything that made the building appealing and compromised the geometry of the building.

Mr. Adams agreed with his colleague.

Mr. Tremblay, having considered the standards set forth within the City Code including the City Design Guidelines for New Construction and Additions, moved to find that the proposed additional appurtenance area satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in this district, and that the BAR approves the application as submitted. Mr. Coiner seconded the motion. Mr. Wolf called the vote. The motion failed, 3-4; Mr. Coiner, Mr. Tremblay, and Mr. Wolf voted in favor while Ms. Gardner did not vote, having recused herself from the matter.

Mr. Atwood stated they would defer.

Mr. Knight moved to accept the applicant's request for deferral. Mr. Coiner seconded the motion. The motion carried unanimously; Ms. Gardner did not vote, having recused herself from the matter.

## **L. Certificate of Appropriateness Application**

**BAR 07-02-04**

**214 West Water Street (at La Cucina)**

**Tax Map 28 Parcel 80.1**

### **Rooftop addition**

#### **Atwood Architects, Applicant**

Ms. Gardner recused herself from the matter.

Ms. Scala gave the staff report. The applicant seeks approval to construct a two story rooftop addition that will extend one story above the existing two story historic building in the front and will extend two stories above the rear one story historic building. The applicant proposes to paint the existing unpainted brick first-floor patio addition on Water Street to match the facade above. The applicant has reduced the height as suggested in the preliminary discussion. The proposal complies with all guidelines for additions except Chapter 3, Section 3.18, Guideline 6b: The new design should not use the same wall plane as the existing structure. The Board may want to consider the appropriateness of stucco.

Mr. Mark Kestner, of Atwood Architects, gave a brief presentation.

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

Mr. Knight wanted to know if this should be considered a partial demolition. Mr. Kestner stated it was more of a rearrangement than a demolition.

Mr. Wolf called for comments from the public and the Board.

Mr. Knight thought this was a big improvement over the last time it had been before the Board. There were a number of detail questions he would like to see come back. Mr. Knight thought the Board should frame the partial demolition separately.

Mr. Hogg agreed with Mr. Knight.

Mr. Wolf agreed as well. He thought stucco was a good choice.

Mr. Osteen thought painting the brick was appropriate.

Mr. Tremblay moved to accept the partial demolition in concept subject to seeing the specifics. Mr. Hogg offered a friendly amendment that the rear facade offers the understanding that it is not a significant historic feature of the building so the character of the building will not be diminished by the removal of these windows and this door. Mr. Tremblay accepted the amendment. Mr. Knight seconded the amended motion. The motion carried unanimously; Ms. Gardner did not vote, having recused herself from the matter.

Mr. Knight, having considered the standards set forth within the City Code including the City Design Guidelines for New Construction and Additions, moved to find that the general form and materials of the proposed addition satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in this district, and that the BAR approves the application as submitted with the stipulation that further articulation of details and items such as windows, storefronts, any exterior lighting, exterior colors, and exterior wall sections come back to the BAR for further approval. Mr. Tremblay seconded the motion. Mr. Wolf offered a friendly amendment that they accepted the concept of painting the new brick extension in front of the original building with the understanding that acceptance was due to the fact that the brick is not historic and was a late addition to the original structure. Mr. Knight and Mr. Tremblay accepted the friendly amendment. The motion carried unanimously; Ms. Gardner did not vote, having recused herself from the matter.

## **M. Preliminary Discussion**

### **BAR 07-02-03**

#### **1003 West Main Street (Studio House)**

#### **Tax Map 10 Parcel 51**

#### **New construction at Under the Roof**

#### **Atwood Architects, Applicant**

Mr. Hogg recused himself from the matter.

Ms. Scala gave the staff report. The applicant is requesting preliminary discussion and comments on the proposed four addition to the Under the Roof building. Under the Roof is a noncontributing structure in the West Main Street ADC District. The building is a utilitarian mid-20th century store.

Mr. Bill Atwood, of Atwood Architects, stated they were proposing taking down the existing building and starting all over.

Mr. Coiner stated he liked the Main Street elevation.



Mr. Wolf expressed concern about the combination of the parts; he could read four different strata in the building elevation and a fifth in the demarcation of the bay. He also expressed concern about the scale of the 10th Street and 10th and-a-half elevation.

Mr. Adams thought the ground floor looked crushed but the rest of the massing looked comfortable in that location.

## **N. Preliminary Discussion**

**BAR 07-05-02**

**605 East Market Street**

**Tax Map 53 Parcel 80**

**Window replacement**

**City of Charlottesville, Applicant**

Ms. Scala gave the staff report. The proposal is for a preliminary discussion of the replacement of all the window sashes in the Michie Annex. The applicant proposes to either shop manufacture a matching sash or purchase sash replacement units which can be supplied with insulating glass. The existing windows are currently painted ecru and probably date from the 1950s or '60s. Ms. Scala stated she did have a vested interest as her window is one being considered for replacement.

Ms. Patricia Jessee, of Heyward Boyd Architects, was present on behalf of the applicant. She stated they did not think the windows were original to the structure.

Mr. Wolf called for questions from the Board.

Mr. Hogg wanted to know if anyone had checked to see if this was the original configuration. He stated he was not a big fan of the idea of a bright, white window on this building.

Mr. Coiner wanted to know if the windows would be operable. Ms. Jessee stated that was the intent.

Mr. Adams expressed a preference for an entire replacement.

Mr. Wolf expressed support for a wood sash with insulated glass and a sash liner if it was carefully picked and matched the trim color and the sash.

## **O. Matters from the public not on the agenda**

There were no matters from the public.

## **P. Other Business**

### **Mel's Diner sign**

Ms. Scala gave the staff report. Hi-Tech signs is proposing to make a new sign for Mel. They want to cut off the arrow and the neon knobs of the existing sign to make it a flat surface and repaint it. Ms. Scala stated she was bothered by the idea of the arrow being cut off.

Mr. Tremblay sought confirmation that the building was non-contributing. Ms. Gardner wondered if they had purview over the sign if the building was non-contributing. Ms. Scala stated they had purview over any sign in the historic district.

Ms. Scala stated the sign maker would keep the arrow if the Board felt it was a good idea. Mr. Osteen thought it was essential. Ms. Gardner agreed. Mr. Coiner thought removing the neon knobs would change the whole sign.

Ms. Gardner wanted to be sure that whatever was done could be undone if anyone wanted to restore the sign in the future.

Mr. Wolf asked if there was any other business.

Mr. Osteen wanted to discuss 513 Dice Street. He reminded the Board they had unanimously decided the structure must defer to the existing house. He informed the Board the applicant had come to the Planning Commission with a drawn plan of a two and-a-half story building as large as the existing house and in line with it, fronting on Dice Street; the Planning Commission approved a one drive entrance into the two properties with the idea the new property could park as many cars as they wanted to in the backyard. It would be going to City Council based on a 6-1 vote with Mr. Osteen being the only dissenting vote. Ms. Scala stated the Commission was aware of the Board's recommendations; however, they were also aware that the applicant preferred a different plan. Mr. Osteen suggested the Board have a spokesperson at City Council representing the BAR with as many other members as possible there in support of the speaker.

## **Q. Adjournment**

Mr. Tremblay moved to adjourn. Mr. Knight seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 10:26 p.m.