

**City of Charlottesville
Board of Architectural Review
April 15, 2008**

Minutes

Present:

Fred Wolf, Chair
Syd Knight, Vice Chair
Amy Gardner (arrived at 5:13 p.m.)
Brian Hogg (arrived at 5:39 p.m.)
William Adams
Michael Osteen
Eryn Brennan
Rebecca Schoenthal

Not Present:

James Wall

Also Present:

Mary Joy Scala

Mr. Wolf convened the meeting at 5:07 p.m.

A. Matters from the public not on the agenda

Mr. Wolf called for matters from the public not on the agenda; there were none.

B. Consent Agenda

1. Minutes – March 18, 2008

2. BAR recommendation regarding SP-08-04-04 (application for increased

density from 21 to 62 DUA to allow 2 additional dwelling units at 1311 Wertland Street with no exterior changes)

3. Certificate of Appropriateness Application

BAR 08-04-07
202 2nd Street NW
Tax Map 33 Parcel 175
Gate Pratt, Applicant/ Lu Mei Chang, Owner
Storefront Changes to Monsoon

Mr. Osteen asked that item 2 be pulled for discussion. He wanted to know if increasing the density to 62 would allow the applicant the capacity to put more units on the site. Ms. Scala did not know. She suggested the Board recommend that the applicant just be allowed to do those two units. Mr. Wolf stated item 2 would be pulled to the end of the meeting.

Mr. Knight moved to approve the Consent Agenda, items 1 and 3. Mr. Osteen seconded the motion. The motion carried unanimously.

C. Certificate of Appropriateness Application

BAR 08-02-04
700 East Main Street
Tax Map 53 Parcel 160
City of Charlottesville
New Entrance Sign at Charlottesville Pavilion

Ms. Scala gave the staff report. At the March meeting the Board had a motion to approve the sign as presented with no conditions; however, it failed to pass. The Board must take action by either approving, approving with conditions, or denying the application.

Ms. Gardner joined the meeting at 5:13 p.m.

Mr. Wolf recognized the applicant, who did not identify himself for the record, had nothing to add but stated comments on the record would be helpful.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Ms. Brennan expressed concern that the LCD screen would survive and wanted to know if it could be successful. The applicant stated the display would be enclosed behind a Plexiglas panel which could be replaced.

COMMENTS FROM THE BOARD:

Mr. Osteen stated he still had the same concerns that the design was of the vocabulary and design elements of the transit center and not the pavilion.

Mr. Knight had no concerns with the location. He was concerned with the precedent which would be set by allowing an LCD screen.

Ms. Brennan stated she was still concerned with the location of the sign. She felt she could approve the location if the sign was lower.

Mr. Adams stated he did not like the idea of the LCD as it seemed like a dangerous precedent.

Mr. Wolf suggested it be turned 90 degrees to minimize the view from the Mall. The applicant stated that did not serve their purpose. He also explained that he could, under the current lease, place as many temporary LCD displays as he wanted to during performances wherever he wanted them.

Ms. Gardner stated the purpose of the sign is to enhance the architecture of the building and this sign was inappropriate for the Pavilion.

Mr. Knight, having considered the standards set forth within the City Code including the City Design Guidelines for Signs and for Public Improvements and considering the City's sign regulations, moved to find that the proposed Pavilion monument sign 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 modified to stipulate that the sign be turned 90 degrees so that the long axis is parallel with the long axis of the Mall and it be understood that the LCD screen will be covered except for the event hours as already approved by the City. Mr. Wolf seconded the motion. Mr. Wolf called a vote by acclamation. The motion passed, 5-2; Mr. Adams and Ms. Gardner voted against.

Mr. Hogg joined the meeting at 5:39 p.m.

D. Certificate of Appropriateness Application

BAR 08-03-09
534 Park Street
Tax Map 53 Parcel 126
David Heilbronner and Lynn Valentine
Window Replacement

Ms. Scala gave the staff report. At the March meeting, the Board accepted the applicant's deferral. The Board had wanted to know if the window would be installed from the interior or exterior of the building.

Mr. David Heilbronner was present with a representative of Andersen windows to display a sample of the window. He stated the window would be installed from the exterior to avoid as much interior damage as possible.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Ms. Gardner wanted to know if the windows would be painted. The applicant stated they would remain the stock white.

COMMENTS FROM THE BOARD:

Mr. Wolf thought this window could work in this house.

Mr. Hogg stated he was inclined to support it with the understanding that this was not carte blanche to start installing these windows all through the historic neighborhoods. He suggested reserving the right to review the installation after it was finished to see what it looked like before any additional applications would be approved.

Mr. Adams thought it was fairly subtle, but he did think it would change the apparent proportions of the windows in the house.

Mr. Hogg, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed Replacement windows 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 as submitted. Mr. Knight seconded the motion. Mr. Wolf called a vote by acclamation. The motion carried unanimously.

E. Certificate of Appropriateness Application

BAR 08-03-03

534 East Main Street

Tax Map 53 Parcel 76 and 77

Water Main LLC

Construction of metal fire regress stairs, create new door opening, other door opening changes

This application was withdrawn by the applicant.

F. Certificate of Appropriateness Application

BAR 08-03-08

306 and 308 East Main Street

Tax Map 28 Parcel 40

Gate Pratt, Applicant/Jeffrey Kahn

Facade Renovations, New Storefront

Ms. Scala gave the staff report. At the March 18th meeting, a vitrine storefront was approved for 306 as well as a new anodized aluminum and glass storefront for 308 provided the transoms were aligned. The applicant seeks to paint the green upper metal panels Navajo White. The existing cast stone of 308 would be painted white to match the painted cast stone of 306; the brick would not be painted.

Mr. Gate Pratt was present to answer questions.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Adams wanted to know if a window was being removed. Mr. Pratt stated it was and would be replaced with anodized aluminum to match the new storefront.

COMMENTS FROM THE BOARD:

Mr. Hogg stated the applicant had responded to the previous comments made by the Board. He felt the proposal was consistent with the Board's direction.

Ms. Brennan agreed with her colleague. However, she was concerned with the blue paint which was proposed for the awning as it seemed too bright. Mr. Wolf agreed, expressing a preference for a darker blue. Mr. Pratt stated he would be willing to take a darker blue color to Staff for approval.

Ms. Gardner, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed Storefront and renovations 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 that the applicant will come back to Staff with a slight change in color for the facade for Staff approval. Mr. Hogg seconded the motion. Mr. Wolf called a vote by acclamation. The motion carried unanimously.

G. Certificate of Appropriateness Application

BAR 08-04-01
608 Preston Avenue
Tax Map 32 Parcel 14
McKee Carson, Applicant
King Lumber final site plan

Ms. Scala gave the staff report. Demolition of the rear shed and other portions of the site was approved at the March meeting. Also approved were the rehabilitation of the King building and additions to the annex. The heights of both wall fences are excessive based on the guidelines. The front landscaping has been simplified.

Mr. Hunter McCardle, of McKee Carson, stated the design had been altered from the previous presentation and from the information Ms. Scala had. He stated the wall height had been reduced to 8 feet.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight wanted to know if there was a functional reason for the seat wall. Mr. McCardle stated it was not necessary other than to sit on.

Mr. Osteen sought clarification that the change was made because the previous sidewalk was not accessible. Mr. McCardle stated it had been driven by the fact that the earlier entry wall was not compliant with the Code.

COMMENTS FROM THE BOARD:

Mr. Wolf sought clarification that accessibility was gained by accessing the property by vehicle first. Mr. McCardle confirmed this.

Mr. Wolf felt the difference between the packet of information suggested this was not ready for approval and suggested this be treated as another preliminary discussion. His colleagues concurred.

Mr. Hogg felt this submittal was an improvement over the previous submittal.

Mr. Knight agreed that what he saw being presented was much improved over what had been submitted in the packet.

Mr. Osteen expressed concern that the ability to walk up to the building without utilizing stairs has gone away in the new scheme. He stated he would not support a solution that did not include the possibility of walking to the front of the building without going up two staircases.

Mr. Wolf agreed with Mr. Osteen's concerns for pedestrian access.

Mr. McCardle requested deferral of the application.

Mr. Osteen encouraged the applicant to read the Code more closely.

H. Certificate of Appropriateness Application

BAR 08-04-05
512 North First Street
Tax Map 33 Parcel 18
Paul St. Pierre, Applicant/Mark and Barbara Fried
Install ornamental steel fence

Ms. Scala gave the staff report. This is a 1920, 1925 dwelling which is a contributing structure in the North Downtown ADC. The design is intended to match existing gates on the property. The proposed fence meets the material and height guidelines.

The applicant was present to answer questions but had nothing to add to Staff's presentation.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Hogg wanted to know the purpose of the fence. The applicant stated the property line was in an unsafe condition.

Mr. Wolf expressed concern that the issue was more of an establishing of barriers rather than safety concerns.

Mr. Knight wanted to know if any other materials had been considered for the fence rather than metal. The applicant stated he had not seen any that were compatible with the house.

Ms. Brennan wanted to know how the fence would be placed in relation to the neighboring hedge. The applicant stated it would be inside the curb and in the hedge. He stated none of the hedging would be taken out.

COMMENTS FROM THE PUBLIC:

Ms. Rhoda Cohen asked the Board members to go past the house. She felt they were making a compound. She stated there had never been any fence on this property.

Ms. Scala stated Staff had received a letter in support of the application from the Towers Limited Partnership.

COMMENTS FROM THE BOARD:

Mr. Knight stated he had serious reservations on this from many points of view. He felt the configuration was heavy handed and would create a compound. He stated wood was more appropriate for a Craftsman-style home. Mr. Knight stated the material was a cheap, commercial grade fencing which was not appropriate in a historic district on a historic home.

Mr. Hogg thought the height was completely unacceptable. He stated there was no way a fence on that porch was an appropriate addition to the house. He thought the fortification of the property was not neighborly.

Mr. Adams thought hedging would be more appropriate.

Mr. Wolf shared the concerns of his colleagues. He expressed a preference for a landscape or wood component.

Ms. Brennan and Ms. Schoenthal agreed with their colleagues.

Mr. Hogg thought the front corner of the house was an ideal place for a hedge. He did not think a manmade barrier was appropriate in that area.

Ms. Gardner felt a hedge would accomplish the same as a fence.

The applicant requested a deferral of the application.

Mr. Wolf called for a brief recess. The meeting stood recessed at 7:27 p.m. Mr. Wolf reconvened the meeting at 7:50 p.m.

I. Certificate of Appropriateness Application

BAR 08-04-02

415 Fourth Street NE

Tax Map 33 Parcel 59

415 Fourth Street NE Land Trust

Remove two holly trees and replace with crape myrtle or flowering plum

Ms. Scala gave the staff report. This is a noncontributing structure in the North Downtown ADC district. The holly trees are close to the building and pose potential damage to the foundation. Staff agrees the trees can be removed; however, there is room to replace them with an upright variety of shade trees as was approved at 619 East High Street. A letter of support was received from the Towers Limited Partnership.

Mr. David Cook, representative of the 415 Land Trust, was present. He stated they had suggested the crape myrtle and flowering plum because of the distance between the sidewalk and the mulched area was about 14 feet and over time a larger tree would start to encroach on the building.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight wanted to know why the applicant had settled on crape myrtle and flowering plum. Mr. Cook explained they had had nursery contractors come look at the building and they had recommended the crape myrtle or flowering plum.

COMMENTS FROM THE BOARD:

Mr. Knight had no issue with removing the holly trees. He thought there were better choices than the crape myrtle or the plum. He thought one good shade tree would be better than two ornamental trees.

Mr. Osteen agreed with Mr. Knight.

Mr. Wolf expressed his support for the comments which had been made.

Mr. Knight having considered the standards set forth within the City Code including the City Design Guidelines for Site Design and Elements, moved to find that the proposed Removal of the two existing holly trees satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in this district, and that the BAR approves their removal and that the applicant submits a revised replacement plan to staff for approval by staff in consultation with the BAR as needed. Mr. Osteen seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.

J. Certificate of Appropriateness Application

BAR 08-04-06
528 Ridge Street
Tax Map 29 Parcel 267
Otis Lee, Jr.
Exterior Renovations and extend driveway

Ms. Scala gave the staff report. The Board had approved the replacement of existing windows at the March meeting. The applicant is requesting approval: of exterior paint colors; new pressure treated and painted stairs and railing in the rear; adding a metal handrail to the front steps; and extending and paving the driveway. The paint colors are appropriate and the other repairs are improvements over existing conditions. Staff felt this was a good effort to fix up a house that is currently not in repair.

Mr. Otis Lee, Jr. was present and had nothing to add.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight wanted to know if the paving would be asphalt or gravel. Mr. Lee stated it would be asphalt.

COMMENTS FROM THE BOARD:

Mr. Hogg thought this was a fine project. His only suggestion was that the wall color might be better as an ivory or tan color.

Mr. Knight, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed repairs, replacement stairs and railings, painting, and driveway extension 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 with the following stipulations: first, that the main wall color for the building be

changed to a creamier white and that that color be submitted to Staff for approval; and that the driveway not diverge from the alley until a point east of the front corner of the house. Mr. Osteen seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.

K. Preliminary Discussion

BAR 08-04-03
1003 West Main Street
Tax Map 10 Parcel 51
William Atwood, Atwood Architects
New Construction

Ms. Gardner and Mr. Hogg recused themselves from this matter.

Ms. Scala gave the staff report. This had been submitted for final approval but Staff pointed out the Zoning upon which it depended had not yet been passed by City Council. The proposal is for a six-story building with a roof appurtenance and underground parking. The building would also have a rainwater harvesting system on the roof.

Mr. William Atwood gave a PowerPoint presentation.

QUESTIONS AND COMMENTS FROM THE PUBLIC AND THE BOARD:

Mr. Dale Chapman wanted to know if neighboring structures were protected structures which would stay as one- and two-story buildings. Ms. Scala stated Stacy Hall was not contributing, but there were two dwellings on Ten-and-a-half Street which were Individually Protected Properties or contributing structures.

Mr. Adams wanted to know to what degree the fins cantilevering were actually engineered with solar considerations in mind. Mr. Atwood stated they would have to measure the solar benefit, but the vast majority of the criteria used was collective surfaces to catch as much water as possible.

Ms. Brennan wanted to know if the trees on the second story were for aesthetic reasons. Mr. Atwood explained they helped cool the building.

Mr. Wolf thought it was quite beautiful. He stated he would need to be convinced there was a reason to have a tree on the second story. He liked the idea of using the hedge. He expressed concern about the way the domes were articulated relative to the rest of the language. He opposed the trees and tree play as currently depicted.

Ms. Brennan agreed with Mr. Wolf. She thanked Mr. Atwood for taking down the size of the towers. She was not sure the trees on the second floor could grow successfully.

Mr. Osteen liked the building and thought it could be a landmark on West Main. His strongest concern was the tree plate.

Mr. Adams thought the proposal had improved a lot. He thought breaking the building into bays was an improvement.

Mr. Knight wanted more information on the blank panels. He also wanted to know more about how the building sits on the ground plain. Mr. Knight thought the applicant would need to prepare himself for the vegetation not growing as planned.

L. Preliminary Discussion

BAR 08-04-04
100, 102, 104 Oakhurst Circle
Tax Map 11 Parcels 1, 2, 3
Neal Deputy, Applicant/Tenth and Main, LLC
New Construction, Road Realignment, Conversion to B&B

Ms. Gardner recused herself from the matter.

Ms. Scala gave the staff report. This project was last before the Board in December, 2007. The applicant proposes to convert two of the buildings on Oakhurst which now contain 17 apartments into a bed and breakfast that will feature 24 guest rooms. The conversion will be completed in conformance with Secretary of Interior standards. The applicant is also seeking approval to construct a new 32 bedroom apartment building fronting on JPA. The applicant proposes realignment of the intersection of JPA and Emmett Street. The bed and breakfast is a by-right use; however, many neighbors were concerned about that being a by-right use for that number of units. Neighbors were concerned about traffic generated by the bed and breakfast and the taking up of parking spaces on the Circle which is permit parking. The neighbors were also concerned about the removal of the stone wall.

Mr. Neal Deputy gave a brief presentation. The most significant revision made since the last submittal was the reduction of units and number of parking spaces.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Adams sought clarification that the wall in the rendering was all rock. Mr. Deputy confirmed it was their intention for it to be.

COMMENTS FROM THE PUBLIC AND THE BOARD:

Mr. Tom Petro stated he owned the only single-family house on the block. He expressed concern about the redesign of the slip lane at the intersection of JPA and Emmett Street as it would cause back up traffic during rush hour.

Ms. Nancy Haynes spoke in opposition of the proposal. She had concerns about: the stone wall which is being removed, that it remain stone; the pop outs which eliminate three parking spaces; and the amount of traffic.

Ms. Cyane Williams, of 108 Oakhurst Circle, stated she had some of the same concerns as Ms. Haynes.

Mr. Hogg stated the JPA/Emmett Street intersection was a nasty place for a pedestrian to cross and the proposal would make it a more navigable corner. He suggested the applicant reconsider the dormers; he felt they belonged on the other side of the building. He felt the design could be substantially improved if the mass of the stairs and terraces was reduced by making the railings more transparent. Mr. Hogg felt the polychrome facade treatment was chopping up the facade rather than articulating it.

Mr. Wolf stated it was critical that the stone wall, if moved, be readdressed using the same stone. He agreed with Mr. Hogg about flipping the dormers. He expressed concern about the scale of the deck.

Ms. Brennan expressed concern about the window fenestration and window design; she felt it had an institutional feeling.

Mr. Adams stated he was not against the elimination of the slip lane. He agreed with what his colleagues had said. Mr. Adams did not think the walnut and elm would survive. He suggested ivy for the poured-in-place walls. Mr. Adams thought this submittal was an improvement from the last submission. He felt there was a lot of stuff on a fairly small site.

Mr. Knight concurred with the architectural comments made by his colleagues. He thought some of the busyness of the design was gone. He cautioned the applicant to keep a close watch on the grading plan because the existing trees could be killed if the applicant was not careful.

Mr. Osteen agreed with the prior comments. He expressed concern about the flat roofs. Mr. Osteen thought the mass and articulation has improved. He felt 24 rooms was pushing the definition of bed and breakfast and was an issue that would need to be addressed as the project moves forward.

M. Matters from the public not on the agenda

There were no matters from the public.

B. Consent Agenda (Item 2 pulled for discussion)

2. BAR recommendation regarding SP-08-04-04 (application for increased density from 21 to 62 DUA to allow 2 additional dwelling units at 1311 Wertland Street with no exterior changes)

Ms. Scala stated she had talked to the applicant during the recess. He said he did not intend to do more than two units. He has a cooperative parking arrangement with a Baptist church around the corner. Nothing on the exterior will change.

Mr. Wolf moved that the Board recommend the approval of an increase in density as requested for 1311 Wertland Street to allow two additional units with no exterior changes. Mr. Osteen seconded the motion. Mr. Wolf called a voice vote. The motion carried unanimously.

N. Other Business

Ms. Scala had provided the Board members with a memo from the City Attorney's office regarding doing a demolition only ordinance. The City Attorney felt it was not enabled.

Ms. Scala stated the only condition remaining on 1115 Wertland Street was the color scheme.

O. Adjournment

Mr. Hogg moved to adjourn. Mr. Adams seconded the motion. Mr. Wolf called the vote by voice acclimation. The motion carried unanimously whereupon the meeting stood adjourned at 10:10 p.m.