

**City of Charlottesville  
Board of Architectural Review  
July 15, 2008  
Minutes**

**Present: Not Present:**

Fred Wolf, Chair Syd Knight, Vice Chair

Amy Gardner (arrived 5:06 p.m.)

Brian Hogg (arrived 5:20 p.m.) **Also Present:**

William Adams Mary Joy Scala

Michael Osteen

James Wall (arrived 5:12 p.m.)

Eryn Brennan

Rebecca Schoenthal

Mr. Wolf convened the meeting at 5:04 p.m.

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

There were no matters from the public.

**B. Consent Agenda**

1. Minutes -- May 20, 2008

Mr. Wolf moved to approve the consent agenda. Mr. Adams seconded the motion. The motion carried unanimously.

**C. BAR Recommendation: Zoning Text Amendment for the Historic Conservation District Ordinance**

Ms. Gardner joined the meeting at 5:06 p.m.

Ms. Scala gave the staff report. At the June meeting the Board asked for this item to come back with the following changes: as part of a neighborhood conservation district survey, identify any properties for potential individual protection; every ten to 15 years reevaluate contributing and noncontributing properties; to reconsider the definition of demolition. Statements were added to the ordinance: Before an area is designated as a conservation district, each of the structures that may qualify for designation as an Individually Protected Property under Section 34-273 within that area shall be identified; Before an area is designated as a conservation district, each structure shall be determined to be either contributing or noncontributing and then thereafter at least once every 15 years the determination shall be reconfirmed; anything equal to or greater than 33 percent of the total gross floor area and also anything located in whole or part on the front and side of the structure is still included.

**QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

#### QUESTIONS FROM THE BOARD:

Mr. Adams sought clarification that everything that came through had to go through the BAR rather than staff. Ms. Scala explained that Assistant City Attorney Francesca Fornari had read the state enabling legislation and found there was very limited discretion for administrative approval.

#### COMMENTS FROM THE BOARD:

Mr. Wall joined the meeting at 5:12 p.m.

Mr. Wolf noted they had been working on this for awhile and that it had been refined. He thought it was going to be an important tool to help in the preservation of important structures in neighborhoods that might not otherwise qualify as a design control district.

**Ms. Schoenthal moved that the BAR recommend that City Council adopt the proposed historic conservation district ordinance and related guidelines as proposed. Mr. Adams seconded the motion. The motion carried unanimously.**

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

##### **BAR 08-07-01**

**320 East Main Street**

**Tax Map 28 Parcel 43**

**W.D. Gilpin, Jr., FAIA, Applicant/Dr. Virgil H. Marshall, Owner**

**Revise existing openings to create doors and windows**

Ms. Scala gave the staff report. This is a renovation of the former Gilmore Furniture Company building dated 1909-1910. It is a contributing property in the Downtown ADC district. The historic survey of 1979 noted a black painted band on the rear elevation read Gilmore, Hamm & Snyder, Inc, Furniture. The applicant requests approval of a redesign of three warehouse doors on the basement level of the Water Street elevation. The existing wooden bifold doors and the overhead coiling metal door will be replaced with new Marvin clad doors with transoms and sidelights. The existing masonry opening should be maintained. The new doors will be wood with aluminum clad facing and permanently affixed exterior muntins with spacer bars.

Mr. Doug Gilpin was present on behalf of the owner. Due to the needs of a new tenant, the owner wanted to improve access into the space and to anticipate improvements for the other spaces on that level.

#### QUESTIONS FROM THE PUBLIC:

There were no questions from the public

#### QUESTIONS FROM THE BOARD:

Mr. Adams wanted to know if the new doors would be in the same place as the existing doors. Mr. Gilpin said they would so the inside face of the door would be flush with the inside of the wall finish.

Mr. Adams wanted to know if the existing doors would be saved. Mr. Gilpin had not considered it.

Mr. Hogg joined the meeting at 5:20 p.m.

#### COMMENTS FROM THE BOARD:

Mr. Adams thought opening storefronts was a nice idea; however, he was concerned that these looked residential. He wanted to see a way to preserve the existing doors.

Mr. Wolf thought the scale could be reduced by breaking the number of muntin bars on the doors.

Ms. Schoenthal agreed with Mr. Wolf.

Mr. Wall agreed that the muntins were too busy with too many muntins and panes.

Ms. Brennan agreed with her colleagues. She felt that they should see it drawn out.

Mr. Wolf felt that removing the one horizontal muntin would make the doors not appear as residential.

**Ms. Gardner, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, specifically Part 4.2 Facades and Storefronts, moved to find that the proposed rehabilitation with the applicant's proposed change of three horizontal muntin bars, 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 amended during their discussion. Mr. Wall seconded the motion. Mr. Wolf called a vote by acclamation. The motion passed, 5-2-1; Mr. Adams and Ms. Schoenthal voted against the motion and Mr. Hogg abstained.**

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

**BAR 08-07-03  
213 2nd Street SW  
Tax Map 28 Parcel 76  
Two Chefs LLC, Applicant  
Replace windows**

Ms. Scala gave the staff report. This application is for the Bang! restaurant. The applicant seeks to replace all windows with double hung solid vinyl windows. The BAR should first decide if it is appropriate to replace the windows and secondly if the proposed window choice is appropriate

on this building in this location. Staff had recommended wood or aluminum-clad wood window with permanently affixed exterior muntins, no changes to the existing window opening or exterior window trim. Before approval the following items should be resolved: windows should be wood or aluminum-clad wood; should not alter the shape or dimensions of the existing openings; the trim should remain intact and not be covered with aluminum; the windows should match existing light patterns of six-over-six; the muntins should be permanently affixed to the exterior with a spacer bar between the glass; the muntin profile, type, and dimension should be determined.

Mr. Vincent Derquenne stated they were concerned about safety. They felt that wood was a problem because it could be broken; he would check into aluminum.

#### QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

#### QUESTIONS FROM THE BOARD:

Ms. Brennan sought clarification on how many windows were involved. Mr. Derquenne explained there would be nine.

Mr. Wolf wanted to know if it was a sash replacement or the entire unit. Mr. Derquenne stated it was the whole window. Mr. Wolf followed up by wanting to know if the exterior brick trim stay intact. Mr. Derquenne stated that was a question they had. He added they would try to keep it.

#### COMMENTS FROM THE BOARD:

Mr. Hogg felt there wasn't enough information on which to base a decision. He felt the application was incomplete. He saw no way to approve anything.

Mr. Wolf thought that was a good point. He stated they would need to see more details: drawings demonstrating the jamb condition; cut through of the actual window; detail of the window drawn in place. He suggested a sash replacement instead of replacing the whole unit. He stated the Board usually did not allow vinyl in historic structures.

Mr. Hogg thought the photographs that were submitted suggest that the condition of those windows warrant their replacement. He stated the vinyl windows would be gigantic.

Mr. Adams stated the best course of action for the applicant was deferral.

The applicant requested a deferral. Mr. Wolf accepted the deferral.

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

**BAR 08-07-04**  
**25 University Circle**

**Tax Map 60 Parcel 77  
Carrie Douglass & Fernando Opere, Applicant  
Replace asphalt tile roof with metal roof**

Ms. Scala gave the staff report. This is a contributing building in the Rugby Road-University Circle-Venable Neighborhood ADC District. It was constructed in 1922 and has an asphalt shingled hip roof. The applicants are requesting to replace the roof with prepainted Colonial Red metal double lock standing seam roof.

Mr. Bruce Martin, of Blue Ridge Roofing, was present on behalf of the applicants to answer any questions.

**QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

**QUESTIONS FROM THE BOARD:**

Mr. Wolf wanted to know if Mr. Martin had a sample. Mr. Martin provided several samples for the Board members.

Mr. Adams sought clarification of the flashing on the dormer. Mr. Martin stated the existing was an asbestos tile which could be specially removed by an asbestos tile abatement contractor, or leave it in place and not create any dust. If left in place, a counter flashing would be applied.

Mr. Adams wanted to know why Colonial Red was chosen. Mr. Martin explained it was the owners' selection which they felt was compatible with the brick.

**COMMENTS FROM THE BOARD:**

Mr. Hogg stated he was slightly uncomfortable with the Colonial Red; he thought grey would be better as this house would probably have had a slate roof.

Mr. Osteen felt the color was too close to the color of the house.

Mr. Wolf felt a contrasting color should be used such as hartford green, slate grey, or charcoal grey. He asked that the applicant choose a different color which could either be approved administratively or E-mailed to the Board members for them to decide upon.

Mr. Hogg agreed with Mr. Wolf.

**Mr. Wolf, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, moved to find that the proposed roof replacement satisfies the BAR criteria and Guidelines and is compatible with this property and other properties in the district, and that the BAR approves the application with the condition that the applicant consider an alternative color and that the Board is willing to have**

**hartford green, charcoal grey, or slate grey administratively approved if any one of those is acceptable to the applicant or if they would like to select another color that it works in concert with the brick in a better fashion. Ms. Brennan seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

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

**BAR 08-07-02**

**301 West Main Street**

**Tax Map 32 Parcel 197**

**Edge Development, Morrison Seifert Murphy, Applicant/Robert Mooney, Owner**

**New mixed use**

Ms. Scala gave the staff report. The current application is similar to what was seen in the preliminary hearing of the May meeting. Comments had been favorable. The applicant is seeking a Certificate of Appropriateness for the nine-story mixed use building with two levels of parking. Parking includes 111 spaces for resident parking on the lower level and 47 spaces for retail and resident guest parking on the street level. There are some major design changes: the southwest side of the condominium tower is now more transparent; the retail and terrace level have been notched out; a brick bulkhead has been added to the base of the retail storefront; windows on the terrace level are more consistently small paned. The BAR should discuss materials and colors. All signage must come back to the Board for approval.

The applicant, who did not identify himself for the record, stated they had specifically tried to address each of the issues which had been brought up by the Board.

#### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

#### **QUESTIONS FROM THE BOARD:**

Mr. Hogg sought clarification as to whether the roof of the western terrace building becomes a terrace now that the tower engages the roof. The applicant confirmed that it did.

Mr. Hogg wondered if the monumental stair was visually substantial enough to perform the role it was assigned. Mr. Adams noted it looked like a fire stair. Mr. Hogg noted the stair was performing a major public function for this building and should be something fancy and beautiful, yet it needs to not be inviting in order to discourage people from going up. The stair as designed does not belong in the middle of the elevation of a very highly designed building.

Mr. Adams wanted to know where the security point was. The applicant explained it was in the lobby.

Mr. Adams wanted to know if the limestone was going to be applied like a veneer. The applicant confirmed that.

Ms. Gardner wanted to know how the brick was chosen. The applicant stated it seemed compatible with what was found in the city.

#### COMMENTS FROM THE PUBLIC:

Mr. Zack Carter read a prepared statement asking that the Board make sure that level of architectural detail and the quality of material to be used at the site is commensurate with the location's importance.

#### COMMENTS FROM THE BOARD:

Ms. Brennan liked the changes that had been made. She expressed concern about the signage.

Mr. Wall also liked the changes. He thought the switch to aluminum made the design cleaner. He was still concerned with the stair and the square window.

Ms. Brennan thought the scale of the building was out of context with the surrounding district. She felt there could be a better resolution for the stair. She also thought the balcony was out of context.

Mr. Wolf thought some of the concerns about the size of it would be mitigated. His greatest concerns involved the stair. He stated that in general he would feel comfortable with approving the project conceptually but felt there were a host of details he would expect to come back.

Ms. Gardner appreciated the level of detail. She felt it met the Guidelines nicely.

Mr. Hogg liked the idea of the screen coming to the ground instead of the open passage into the garage.

Mr. Adams wished more context had been shown. He felt there were a lot of conditions to be resolved. Mr. Adams expressed concern about the use of limestone. He felt materials were one way to tie the building to the region.

Mr. Hogg agreed that limestone was not seen everywhere, but felt it could be used in a larger composition depending on where it was placed. He thought a brick that was more red than orange would look better. He thought the building was in keeping with the Guidelines.

Mr. Osteen thought the project was very nice. He expressed concern about the cantilever balconies.

**Mr. Hogg having considered the standards set forth within the City Code including the City Design Guidelines for New Construction, moved to find that the proposed building satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in the district, and that the BAR approves the concept of the application as submitted in relation to its massing, general articulation, and disposition of the materials, but requires that the following details be restudied and returned to the BAR for further**

**approval: the balconies at the southwest corner of the tower; the brick color; that the juliette balcony be either eliminated or substantially redesigned; the stair be revisited; understanding that the specific signs will come back, that the signage be reviewed in light of the discussion of the zoning ordinance so the Board was not asked to approve something that isn't legal; detailing of the cast stone sections; detail sections of the wall sections and windows; railings; and screen wall. Ms. Gardner seconded the motion. Mr. Adams felt lighting should be included. Mr. Hogg and Ms. Gardner accepted that as a friendly amendment. Mr. Wolf called the vote by acclamation. The motion passed, 6-2; Ms. Schoenthal and Ms. Brennan voted against.**

Mr. Wolf called for a brief recess whereupon the meeting stood at recess at 7:25 p.m.

Mr. Wolf reconvened the meeting at 7:45 p.m.

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

**BAR 08-07-05**

**1901 East Market Street**

**Tax Map 55A Parcel 149**

**Dave Ackerman, Applicant/ Jon Fink, Owner**

**Demolish shed and build two-car garage**

Mr. Wolf recused himself from the matter and called upon Mr. Hogg to act as Chair.

Ms. Scala gave the staff report. The shed faces Riverside Avenue. The applicant has submitted texts describing previous modifications to the shed as well as responses to arguments from the August, 2007, meeting. The older part of the shed has been in place for so many years and outbuildings, in general, contribute to the overall character of a historic district. The shed existed prior to September, 1902, based on Sandbourne insurance maps. It is estimated to be as early as 1870-1880. The more recent addition to the shed was approved by the BAR in 1994. Arguments against demolition include the age of the shed. Woolen Mills is not currently a historic district, but Individually Protected Properties include this property and the adjacent property at 202 Riverside Avenue and Woolen Mills Church on the opposite side of Riverside Avenue. However, the shed is an insignificant structure that has been altered over the years. Possible alternatives to demolition may be moving the structure on site or reusing historic materials. Ideally the older part of the shed could be incorporated into a new design.

Mr. Dave Ackerman, of Wolfe Ackerman Designs, stated their plan was not to demolish a historically significant structure or Individually Protected Property. He stated this shed had been modified extensively over the course of its life and had been added on to in order to double its size as well as having a garage door installed and the roof framing adjusted. He stated the Sandbourne maps show that a lot of the outbuildings have been relocated, removed, and demolished.

**QUESTIONS FROM THE PUBLIC:**



There were no questions from the public.

#### QUESTIONS FROM THE BOARD:

Mr. Adams wanted to know if the retaining wall would be demolished. Mr. Ackerman stated it would be incorporated into the design. He noted the retaining wall and the entrance from Riverside were from 1991.

#### COMMENTS FROM THE PUBLIC:

Ms. Beverly Catlin, of 202 Riverside Avenue, stated she was also speaking on behalf of the co-owner of the property, Dimitra Costan. She read a prepared statement in opposition of the proposal.

Mr. Fran Lawrence, Esquire, of 1729 Chesapeake Street, stated he was speaking not only on his behalf, but also on behalf of his wife. He also noted that Ms. Catlin was his sister-in-law. He stated the property was protected historically. He noted the staff report suggested the shed was in good condition overall. He stated the shed could not be easily reproduced. He stated they were relying on the Board to protect the neighborhood and asked that the demolition not be permitted.

Ms. Victoria Dunham, of 2000 Marchant Street, was present as President of the Woolen Mills Neighborhood Association. She stated the applicant did not present a compelling case and asked that the application be denied.

Mr. Bill Emory noted that sheds were an integral part of the Woolen Mills neighborhood.

Ms. Laura Covert, of 1809 East Market Street, reminded the Board the neighborhood was on the cusp of being designated historic. She reminded the Board it was in their charge to protect old buildings.

#### COMMENTS FROM THE BOARD:

Ms. Brennan expressed her understanding of the applicant's needs for the site; however, she thought the outbuildings were significant. She thought the changes made over time did not compromise the historical importance of the building. She stated demolition was permanent and she could not support it.

Mr. Wall stated he would not be comfortable with demolition either as the building had great character and added to the unified feel of the whole corner with the other buildings. He stated he would entertain alternatives to demolition.

Ms. Gardner thought moving the building would be a good compromise on the part of the applicant; however, she did not have a problem with the shed being taken down.

Mr. Adams stated he was uncomfortable about tearing it down.

Mr. Osteen, while sympathetic to the applicant, stated he would have a problem with demolishing or moving the shed.

Ms. Schoenthal expressed concern about the character of the corner should something be built there.

Mr. Fink asked if he could get the will of the Board as to whether they would entertain the idea of moving the shed. Ms. Gardner stated she would be in support of moving the shed. Ms. Brennan stated she would not be.

Mr. Fink requested a deferral to consider moving the outbuilding to a better location.

Mr. Hogg accepted the deferral.

Mr. Hogg returned control of the meeting to Mr. Wolf.

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

**BAR 08-07-06**

**407 Altamont Circle**

**Tax Map 33 Parcel 114**

**Jeff Dreyfus, Applicant/Charles & Lynn Mills, Owner**

**Replace porch, demo garage and deck and rebuild**

Ms. Scala gave the staff report. This is a contributing structure in the North Downtown ADC district and was constructed about 1922. The applicant believes the brick porch is not original to the house. The applicant requests approval to replace the existing brick front porch railings and columns with painted white wood, placing a new wood porch floor over the existing concrete and quarry tiles floor. The applicant also requests approval to add painted shutters to all four elevations of the house. Colors are anticipated to be dark green black with black hardware. Other improvements include demolishing the existing rear garage and deck and replacing them with a new garage and screen porch. The applicant submitted photos, site plans, elevations, and a copy of the 1929 Sanborn map which is evidence that the porch was probably frame to begin with. The demolition of the garage is not of grave concern due to its condition and location. It will be replaced with a new sun porch of painted wood.

Mr. Jeff Dreyfus, of Bushman Dreyfus Architects, stated they had done the research that was requested relative to the front porch. He stated the brick size and color as well as the lack of alignment indicated it was not originally brick.

#### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

#### **QUESTIONS FROM THE BOARD:**

Mr. Adams wanted to know if the new screen porch would open up the back wall of the house. Mr. Dreyfus stated they were taking a single window and putting in a pair of double doors from the dining room onto the porch and would rebuild the jack arch.

Mr. Hogg wanted to know if the Board needed to approve the demolition to enlarge the opening. Ms. Scala stated they would.

Mr. Adams wanted to know why there were no shutters proposed for the three windows on the south elevation. Mr. Dreyfus explained it would be awkward to do on that elevation.

#### COMMENTS FROM THE PUBLIC:

There were no comments from the public.

#### COMMENTS FROM THE BOARD:

Mr. Wall thought the changes would be a marked improvement to the house. The existing front porch was clunky.

Mr. Wolf stated he was comfortable with the changes. The reworking of the back was an improvement. The addition of the shutters, while selective, adds a nice touch. He was comfortable with the evidence in terms of whether the existing porch was original.

**Mr. Wall, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, 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. Ms. Brennan seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

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

**BAR 08-07-07**

**705 Park Street**

**Tax Map 52 Parcel 58**

**Theresa Elron, Applicant**

**Re-enclose side porch, paint the house, replace wooden steps w/ brick; replace door**

Ms. Scala gave the staff report. The Judge Robertson house is dated 1859 and is a contributing structure in the North Downtown ADC District. The applicant proposes: enclosing the existing north side porch with wood windows, stucco base walls and lattice over the stucco base in some areas; replace the existing wood front steps with brick; replace the existing rear door with a glass pane door or double door; and paint the exterior stucco walls in an off white. The applicant does have a picture which shows the front steps were masonry at one time. The porch is not original but does date from 1920. An example of the original purple paint color was found in the basement.

Ms. Theresa Elron provided the Board with paint chips and photos of the original sunroom and masonry front steps as well as a photo of the pane glass door she hoped to use as the replacement for the back door if they were able to enclose the porch.

#### QUESTIONS FROM THE PUBLIC:

Ms. Colette Hall, of 101 Robertson Lane, sought clarification of the finding of the purple color. Ms. Scala explained the National Register nomination said that the original color was probably a grayish-mauvish color; a sample of that remained in the basement. Ms. Scala stated she was not implying the applicant should paint the house that color.

#### QUESTIONS FROM THE BOARD:

Mr. Hogg wanted to know if the applicant had considered anything more transparent for the enclosed porch rather than the stucco walls. Ms. Elron explained they only intended to enclose the bottom with stucco and keep the chamfered posts.

#### COMMENTS FROM THE PUBLIC:

Mr. Kelton Flynn, of 101 Robertson Lane, was opposed to the proposal.

Ms. Colette Hall read a prepared statement in opposition to the proposal. Ms. Hall was opposed to any renovations due to the history of the house and its placement on the National Historic Registry.

#### COMMENTS FROM THE BOARD:

Mr. Hogg thought enclosing the porch was a fine idea but would prefer it be done in a more traditional manner. He stated masonry steps made sense to him also. He expressed a preference for a more monochromatic color.

Ms. Gardner wondered if it would be important to see details and drawings for the proposed masonry steps.

Mr. Wolf wondered if the original steps had not been masonry, but had been wood. He thought the provided drawings were done carefully; however, he felt there was a lot of missing information so he would not feel comfortable just saying yes without seeing the details.

Ms. Elron sought clarification of what details the Board wanted to see. Ms. Gardner explained the Board had issues with: replacing the wood stairs with brick; the applicant should consider a wood infill panel rather than the stucco panel proposal for the enclosed porch; the stucco was heavy; the lattice was not compatible with the structure; the lack of information on the back door.

Ms. Elron asked to defer the application.

**J. Special Use Permit Recommendation: SP-08-06-16 (Dance Hall at 110 East Main Street)**

Ms. Scala explained that items J, K, and L were similar in that the Board was being asked to make recommendations as to the impact on the historic district of Special Use Permit applications and if the Board determines they might have an inverse impact, they were being asked to recommend possible mitigating conditions.

Ms. Scala gave the staff report. This was for the Jefferson Theatre. The applicant is requesting an entertainment venue which is defined in the ordinance as a dance hall. The applicant is renovating the interior of the structure. No exterior changes are anticipated.

Mr. Gate Pratt was present on behalf of the applicant. He had nothing to add, but would answer any questions.

**COMMENTS FROM THE BOARD:**

Mr. Hogg could not imagine a more sympathetic use for a theatre than an entertainment venue.

Mr. Osteen thought it was the perfect place and saw no reason to mitigate any issues.

**Mr. Wolf moved to find that the proposed Special Use Permit to allow a restaurant/dance hall at 110 and 112 East Main Street in existing building will not have an adverse impact on the Downtown ADC district. Mr. Hogg seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

**K. Special Use Permit Recommendation: SP-08-07-xx (Dance Hall at 608 Preston Avenue)**

Ms. Scala gave the staff report. This is located behind the former King Lumber building. The venue will operate from September through December of next year when it will move to the Jefferson Theatre location after the renovations are complete. There will be ten to 12 performances a month with beer and wine sales. The applicant wants to add a handicapped ramp and has asked if that could be approved administratively. Signage will come back to Staff or the Board at the Board's discretion.

Ms. Gardner wanted to know how this would coincide with the renovation of the King Lumber building. Mr. Gate Pratt did not know the timeline for the King Lumber building.

Mr. Adams wanted to know what the capacity would be for the venue. Mr. Pratt thought it could be between 400 and 600.

**Mr. Hogg moved to find that the proposed Special Use Permit to allow a dance hall at 608 Preston Avenue in an existing building will not have an adverse impact on the Individually Protected Property. Ms. Brennan seconded the motion. Mr. Wolf called a vote by acclamation. The motion carried unanimously.**

**L. Special Use Permit Recommendation: SP-08-07-xx (Additional height at 1003 West Main Street)**

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

Ms. Scala gave the staff report. This is the Under the Roof property. The Board had seen a preliminary plan for the building. The maximum allowable height was recently changed from 4 stories to 60 feet, which is 5 stories, with 70 feet, or 6 stories permitted with Special Use Permit. The maximum height of the street wall was changed to 60 feet with minimum 25 feet setback after 60 feet. The applicant has filed a Special Use Permit to add the ten feet extra height which would add 8,368 square feet to the building's floor area.

Mr. Bill Atwood was present on behalf of the applicant. He noted that the property was surrounded by seven-, eight-, and nine-story buildings.

**QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

**QUESTIONS AND COMMENTS FROM THE BOARD:**

Mr. Wolf sought clarification that all previous iterations of the project had had the same number of stories as presented. Mr. Atwood stated they had.

Mr. Wolf noted he had been quite taken by the systems and the approach of the building and the development that had happened. He thought that, to the degree that the building in its mass and its shape are partially derivative of the systems it is trying to deploy, was reason to argue for some latitude in terms of the Special Use.

Mr. Osteen expressed objection to expanding over the front sidewalk. He felt more street trees would be more valuable. He wanted to see the wall system engage the street at some level.

Ms. Brennan stated she had no problem with the height. She wanted to know if there was a way to not encroach on the front, but on the side.

Mr. Wolf felt that was a fair trade off to say don't encroach on the right of way on Main Street but allow the encroachment into the setback on the side.

**Mr. Wolf moved to find that the proposed Special Use Permit to allow increased height from 60 feet in five stories to 70 feet in six stories and to allow a five foot canopy encroachment into the 10 1/2 Street setback at 1003 West Main Street in a proposed new building will not have an adverse impact on the West Main Street ADC District with the condition that the building not encroach into the public right of way on the facade facing West Main Street itself. Mr. Adams seconded the motion. Mr. Wolf called a vote by acclamation. The motion passed, 6-0-2; Mr. Hogg and Ms. Gardner had recused themselves from the matter.**

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

There were no matters from the public.

**N. Other Business**

There was no other business.

**O. Adjournment**

Mr. Wolf moved to adjourn. Mr. Osteen seconded the motion. Mr. Wolf called a vote by acclamation. The motion carried unanimously, whereupon the meeting stood adjourned at 10:15 p.m.