

**City of Charlottesville
Board of Architectural Review
November 18, 2008
Minutes**

Present:

Fred Wolf, Chair
Syd Knight, Vice Chair
Amy Gardner (arrives at 5:08 p.m.)
Brian Hogg
William Adams
Michael Osteen
James Wall
Eryn Brennan
Rebecca Schoenthal

Also Present:

Mary Joy Scala

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

A. Matters from the public not on the agenda

There were no matters from the public.

B. Consent Agenda

1. Minutes – July 15, 2008
2. Certificate of Appropriateness Application
BAR 08-11-02
702 Ridge Street
TM 25 P 65
Giovanna Galfione-Cox, Applicant/Maurice D. Cox, Owner
Rear renovations and new patio
3. Certificate of Appropriateness Application
BAR 08-11-04
413 2nd Street NE
TM 33 P 89
Robert Klonoski, Owner
Revised shutter color and material and porch column design
4. Certificate of Appropriateness Application
BAR 08-11-06
503 2nd Street NE
TM 33 P 21
Gaffney Homes, Applicant/ Frank & Judy Mueller, Owner
Replace rear awning with shed roof

5. Certificate of Appropriateness Application
BAR 08-11-07
505 2nd Street NE
TM 33 P 21
Gaffney Homes, Applicant/ Garry & Denny Berry, Owner
Replace rear awning with shed roof

Mr. Knight noted he had not attended the July meeting and would abstain from voting on those minutes.

Mr. Hogg moved approval of the consent agenda. Mr. Knight seconded the motion. The motion carried unanimously; however, Mr. Knight abstained from voting on the July minutes.

- C. **Certificate of Appropriateness Application**
BAR 08-11-08
500 Ridge Street
TM 29 P 278
Irene and William Burton, Owners
Replace 16 wood windows with vinyl sash replacements

Ms. Scala gave the staff report. This house was built in 1872 or 1881 and is a contributing structure. It is one of the most picturesque and important buildings in the Ridge Street historic district. The applicant is seeking to replace 16 wood windows with Comfort World solid vinyl one-over-one, double hung sash replacements. The existing brick openings would be maintained and the wood trim would be repaired and painted. The ten windows in the brick portion of the house are either four over four or six over six; some appear to be original. Solid vinyl or vinyl clad windows have rarely been permitted.

Ms. Irene Allen Burton and Mr. William Burton were present with a representative of Window World, Mr. Greg Bowen, to answer questions.

Ms. Gardner joined the meeting.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Wolf sought clarification that it was a sash replacement. Mr. Bowen confirmed it was. Mr. Wolf then wanted to know if it was simulated divided light with a spacer bar. Mr. Bowen stated it was.

Ms. Gardner wanted to know if there was a product with exterior muntin bars. Mr. Bowen stated there was not yet.

Mr. Wall wanted to know how many windows were on the main structure of the house. There were ten.

COMMENTS FROM THE BOARD:

Ms. Gardner stated the Guidelines were clear about vinyl not being an acceptable option in window replacement. Considering the quality of the homes in the neighborhood, she found vinyl to be an incompatible material.

Mr. Wolf also noted the Guidelines call for replacement windows with true divided lights or interior and exterior fixed muntin bars. He stated he would support a suggestion that the six windows on the addition could be a lesser quality.

Ms. Gardner, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, moved to find that the proposed windows do not satisfy the BAR's criteria and are not compatible with this property and other properties in the district, and that the BAR denies the application as submitted. Mr. Hogg seconded the motion. Mr. Osteen sought the opinion of the Board as to whether these windows would be acceptable in the addition to the rear of the building. Ms. Gardner stated she would accept a friendly amendment to allow the vinyl product presented without interior spacer bars or a vinyl product with an exterior muntin bar to be allowed in the rear addition. Mr. Hogg also accepted the friendly amendment. The motion carried unanimously.

D. Certificate of Appropriateness Application

BAR 08-10-03

1824 University Circle

TM 6 P 97

Bruce Wardell, Applicant/Hillel Jewish Center at the University of Virginia, Owner

New construction details

Ms. Scala gave the staff report. This was last before the Board in October at which time they approved the application in concept for its site plan, massing, use of materials, and general design distribution. A revised design was submitted to meet the Board's concerns.

Mr. Bruce Wardell gave a brief PowerPoint presentation on the revised proposal.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Wolf wanted to know if the fence was to be painted or left natural. Mr. Wardell stated it would be left natural.

COMMENTS FROM THE PUBLIC:

Ms. Karen Dougald, of 20 University Circle, explained the neighborhood felt the entry from the parking lot had improved, but thought the windows were different. She stated the neighbors were glad to see the awnings gone.

COMMENTS FROM THE BOARD:

Mr. Hogg thought there were still some problems with the fenestration on the project. He also thought the size of the openings was fundamentally wrong.

Ms. Schoenthal thought the large opaque portion of the canopy was disconcerting as a solid mixture in the middle. She thought the panel was disruptive to the overall window composition.

Ms. Brennan expressed concern about the different types of windows on the entrance elevation not presenting a cohesive, unified appearance. She also agreed with Ms. Schoenthal.

Ms. Gardner expressed appreciation for the changes the applicant made since the last presentation of the project. She thought the proposal met the Guidelines.

Mr. Adams thought the new articulation was at odds with the existing building.

Mr. Osteen thought the buffer to the neighbors in back of the building had not been addressed.

Mr. Wolf thought a lot of good changes had been made in response to the earlier comments. He was also concerned about the different languages of the stair window versus the entrance bay. He thought the addition could pay some homage to the character and rhythm of the fabric of the existing house.

Mr. Wardell requested a deferral.

Mr. Knight moved that they accept the applicant's request for a deferral. Mr. Hogg seconded the motion. The motion carried unanimously.

E. Certificate of Appropriateness Application

BAR 08-11-10

200 E. Main Street

TM 28 P 32

Minor Family Hotels, Applicant

Changes to approved design

Ms. Scala gave the staff report. This submittal came about after the applicant met with the Chair and Vice Chair regarding several items. The applicant had provided a listing of all of the unapproved changes to the hotel design that the BAR had observed over several meetings with the applicant.

Mr. Lee Danielson was present on behalf of the applicants. He stated the intent was not to change the building but to try to make the building work from a structural and a practical standpoint. Mr. Nitin Kilkerney, of MJB Architecture, provided additional details on the proposed changes.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

QUESTIONS FROM THE BOARD:

Ms. Brennan wanted to know if the loading area on Water Street was still fenestrated. Mr. Kilkerney stated that was not their property.

COMMENTS FROM THE BOARD:

Mr. Knight thanked the applicants for the presentation. He thought most of the changes, individually, were small, but he was concerned about the downward extension of the brick channels on the east facade. He was also concerned about the parapet at the top.

Ms. Gardner thought the substitution for panels with fenestration of a similar dimension on the Water Street elevation did not help the facade.

Ms. Brennan concurred with Ms. Gardner. She thought something could be done to relate the windows on the first floor to the windows above. She also agreed with Mr. Knight about the east facade.

Mr. Wall also agreed with Ms. Gardner. He thought the channels added visual interest.

Mr. Wolf was concerned about the window articulation. While sympathetic to the condition created by lowering the canopy on Water Street, he did not think changing the solid panels of glass was appropriate. Mr. Wolf thanked the applicant for highlighting these points and clarifying them.

Mr. Wolf, having considered the standards set forth within the City Code including City Design Guidelines for New Construction, moved to find that the proposed changes satisfy the BAR's criteria and are compatible with this property and others in the district, and that the BAR approves this application as submitted with the following conditions: one, that the horizontal division in the window configuration that bisects the thinner sidelight is reintroduced at height and proportion that matches what was represented in the rendering; two, that the condition that is highlighted in the application packet as note

number 6 on the west elevation facing Second Street be reworked so that rather than it being a solid panel, it be presented as an open guardrail condition that could be either metal or glass and would be submitted to Mary Joy for administrative approval; and, three, that the door openings onto the terrace above the black granite existing facade align with the proposed window openings directly above them in all three bays. Mr. Wolf also requested the applicant consider the possibility of investigating the Water Street elevation with respect to the metal panels. Mr. Knight seconded the motion. Ms. Gardner offered a friendly amendment that a reinvestigation of the Water Street elevation come back to the Board in light of the changes of fenestration. Mr. Wolf and Mr. Knight accepted the friendly amendment. The motion passed, 8-1; Mr. Osteen voted against.

F. Certificate of Appropriateness Application

BAR 07-12-03

Charlottesville Downtown pedestrian Mall

MMM Design group, Applicant/City of Charlottesville, Owner

Vehicular crossings design

Ms. Scala gave the staff report. This was last before the Board in October when fire lane demarcation, drinking fountain, and brick and granite colors were approved. The design intention of the vehicular crossing was approved, but not the level of detail. The design now includes tactile strips in the runnel; the strips would be in a V shape so as not to disrupt the work of the runnels. The applicant had provided three new alternate designs.

Mr. Joseph Schinstock, of MMM, explained the design was an attempt to be sensitive to the Mall being included on the National Register and to serviceability issues.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight wanted to know if there were any ADA requirements that a tactile warning strip must be a straight line. Mr. Schinstock stated there were allowances for interruptions.

COMMENTS FROM THE BOARD:

Mr. Knight appreciated the extra effort that had gone into this. He thought it might make more sense to continue the standard orientation of the brick even within the crossings.

Mr. Osteen stated he did not like the cruciform design and would like to see a scheme that did not include that.

Ms. Schoenthal expressed a preference for proposals one and two.

Mr. Hogg expressed a preference for proposal one due to its simplicity.

Mr. Wolf agreed there was a strong argument for the simplicity of proposal one; it helped avoid the feeling of the traffic bifurcating the Mall.

Mr. Knight was bothered by the tactile interruption in proposal one. He expressed a preference for proposal three.

Mr. Hogg, having considered the standards set forth within the City Code including City Design Guidelines for Public Improvements, moved to find that the proposed Vehicular Crossing Design, specifically identified as Fourth Street Mall Crossing Layout Number 1 satisfies the BAR's criteria and is compatible with this property and other properties in this district, and that the BAR approves the application as submitted. Ms. Schoenthal seconded the motion. The motion passed, 8-1; Mr. Knight voted against.

G. Certificate of Appropriateness Application

BAR 08-11-01

413 and 425 7th Street

TM 53 P 122 and 122.1

Nelson Byrd Woltz, Landscape Architects, Applicant/Seventh Street properties, Owner
New parking lot entrance, landscape plan, tree removal

Mr. Wolf recused himself from the matter as his wife works for the firm making the application.

Mr. Adams recused himself as well.

Ms. Scala gave the staff report. A preliminary discussion was held on this in 2007. The plan includes lowering the existing lot, construction of retaining walls, landscaping and lighting. The applicant also is requesting to remove four trees: two 12-inch walnut trees on the north side of the building, a 24-inch pin oak on the north side, and a 22-inch ash on the west side of the building. Some HVAC equipment is shown on the Maple Street side. Staff feels there is justification for the removal of at least two trees growing next to the building.

Mr. Osteen wanted to know if there was any discussion on the idea that no sidewalk was provided along Seventh Street. Ms. Scala explained this had not completed site plan review yet; she expected they would request a sidewalk waiver at that time. Mr. Evan Grimm, of Nelson Byrd Woltz, stated nothing was showing right now because it would require the removal of two 15-inch ash trees which were a predominant part of the tree canopy on that corner of the block.

Mr. Grimm stated native shrubs and ground covers would be used to screen the HVAC units. He stated they were planning to add 20 to 22 trees but had not yet developed a specific plant schedule.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Osteen sought clarification of the front edge of the parking. Mr. Grimm stated it was the existing asphalt edge.

COMMENTS FROM THE BOARD:

Mr. Hogg thought this was a fine development of the ideas presented at the preliminary discussion.

Ms. Brennan agreed with Mr. Hogg. Her only concern was the HVAC equipment possibly obscuring architectural elements of the building.

Mr. Osteen thought this was a very nice plan and he appreciated the sensitivities being brought to the project. He thought it would be appropriate for a sidewalk waiver since it would protect the trees.

Ms. Gardner thought it was a thoughtful proposal. She thought an architectural element to screen the HVAC could be within the Guidelines.

Mr. Osteen expressed concern about the service parking space; there had never been a curb cut. He wondered if the applicant would be required to have a compliant curb cut there. Ms. Scala thought that would be taken care of on the site plan.

Mr. Knight agreed with Mr. Osteen about the service parking space. He suggested extending the enclosure for the garbage to help screen the HVAC. Mr. Knight thought they should look beyond saving the ash trees as they were old and not in great shape. He expressed support for the sidewalk waiver.

Mr. Knight, having considered the standards set forth within the City Code including City Design Guidelines for Site Design, moved to find that the proposed site plan changes and the removal of the trees satisfies the BAR's criteria and Guidelines and are compatible with this property and other properties in the district, and that the BAR approves the application with the following modifications: one, that the service parking space be eliminated and that the enclosure for the HVAC condensers and the garbage be reconfigured, and that the ADA access be reconsidered and that that be submitted to Staff for approval, and that the BAR supports the sidewalk waiver along Seventh Street with the stipulation that when the ash trees do come down eventually that the BAR recommends that a sidewalk be built at that future date. Ms. Brennan offered a friendly amendment that they make sure that the HVAC comes off Maple Street; Mr. Knight stated that was the intention of his motion. Ms. Brennan seconded the motion. The motion passed, 7-0-2; Mr. Wolf and Mr. Adams recused themselves from the matter.

H. Certificate of Appropriateness Application

BAR 08-11-03
608 Preston Avenue
TM 32 P 14
Andrew McGinty
Changes to approved design

Deferred by the applicant.

I. Certificate of Appropriateness Application

BAR 08-11-05
University Avenue and 14th Street NW
TM 9 P 160
Phi Eta Sigma Honor Society, Applicant/Buckingham Branch RR, Owner
Paint mural on RR abutment wall

Ms. Scala gave the staff report. The subject of the mural is the many faces of Charlottesville and their connection to UVA students through volunteerism, athletics, and recreation. There are six archways that depict the James River, Millers Pool Hall, outdoor recreation, Downtown Mall, and Carter's Mountain. Flanking the archway are students, children, and community figures. There are few specific guidelines for murals. The location of the wall suggests using guidelines for public art. The scale of the project, colors, materials, and compatibility with existing buildings in the area are also considerations. Staff feels the mural is appropriate in this location.

Mr. John Pappas, president of Phi Eta Sigma Honor Society, stated this was meant to beautify an area which is heavily trafficked.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

QUESTIONS FROM THE BOARD:

Ms. Schoenthal wanted to know the height of the archways. Mr. Pappas explained it would be about three and-a-half feet tall.

Mr. Hogg wanted to know how the applicant would handle graffiti. Mr. Pappas stated there were many ways to handle it including a process of layering an acrylic finish covered by two coats of varnish. Mr. Hogg stressed the need for constant maintenance at the beginning to remove graffiti as quickly as possible to discourage future graffiti.

COMMENTS FROM THE BOARD:

Ms. Brennan thought it was a great project. She thought Mr. Hogg had made a valid point in terms of graffiti and maintenance.

Mr. Hogg had serious reservations about the project. He expressed concern that something this bright could draw attention from the surrounding architecture.

Mr. Wolf was not sure he could support the application.

Mr. Knight expressed concern about the scale of the arches and thought there might be a different way to go into providing scenes of Charlottesville. Mr. Wolf wanted to know if Mr. Knight was suggesting there be some abstraction in terms of the architecture so it doesn't try to become a building. Mr. Knight stated the literal quality was one of the things which gave him pause about the proposal. Mr. Hogg thought they needed to be careful talking about the content and a redesign since this was not a sign but was an art object. Mr. Hogg thought there were laws governing artists' rights. Mr. Knight stated they were charged with upholding the Guidelines and if they were talking about doing something other than that, they needed guidance from the City Attorney.

Mr. Wall, while supportive of the mural, expressed concern about graffiti.

Mr. Adams thought this was an engaging proposal, but there was a certain rawness and calmness drawn to these industrial things which run all through town that is welcome.

Ms. Gardner wondered if there was some sort of compromise in reducing the scale of the mural, limiting it to the Fourteenth Street side of the bridge.

Mr. Wolf expressed concern about the undermining the intersection between the transportation infrastructure and the architecture of The Corner.

Mr. Pappas requested deferral.

Ms. Brennan moved to accept the applicant's deferral. Mr. Wall seconded the motion. The motion carried unanimously.

J. Certificate of Appropriateness Application

BAR 08-11-09

Alley behind 219-221 W. Main Street

TM 33 P 272

Joe Gieck, Owner

Demolish cinder block shed

Ms. Schoenthal recused herself from the matter.

Ms. Scala gave the staff report. This simple structure was of unknown age as it was not on the 1920 Sandbourne maps. The building could be improved and turned into a viable use. It was not significant architecturally.

Ms. Sally Gieck stated the building could not get electricity and could not be insured. The roof leaks and the windows are continually broken.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

QUESTIONS AND COMMENTS FROM THE BOARD:

Ms. Gardner noted that within the past five years, the previous owners had had architectural drawings done to add a second floor and the plan was beautiful.

Mr. Hogg suggested the applicant save the cast iron lintel or sell it to Caravati's.

Mr. Hogg, having considered the standards set forth within the City Code including City Design Guidelines for Demolition, moved to find that the proposed complete demolition of the shed satisfies the BAR's criteria and is compatible with this property and other properties in the district, and that the BAR approves the application as submitted. Ms. Gardner seconded the motion. The motion passed, 8-1; Mr. Osteen voted against.

K. Matters from the public not on the agenda

There were no matters from the public.

L. Other Business

Election of BAR Chair and Vice-Chair for 2009

Mr. Hogg moved to defer the election until the December meeting. Ms. Gardner seconded the motion. The motion carried unanimously.

110 10-1/2 Street Demolition Appeal

Ms. Scala had provided the Board members with a letter from Bill Chapman. City Council had upheld the Board's decision to deny the demolition request. Under state law, Mr. Chapman has the right to offer the property for sale for one year; if no person comes forward to buy it with the intent to preserve it, he has the right to demolish the building.

M. Adjournment

Mr. Wolf moved to adjourn. Mr. Hogg seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 8:57 p.m.