

**City of Charlottesville  
Board of Architectural Review  
January 20, 2009  
Minutes**

**Present:**

Fred Wolf, Chair  
Syd Knight, Vice Chair  
Amy Gardner (arrived 6:24 p.m.)  
Brian Hogg (arrived 5:48 p.m.)  
William Adams  
Eryn Brennan  
Rebecca Schoenthal

**Not Present:**

Michael Osteen  
James Wall

**Also Present:**

Mary Joy Scala

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

**A. Matters from the public not on the agenda  
ACHS kiosk request**

Mr. Steven Meeks, president of the Albemarle Charlottesville Historical Society, stated the Society had had a kiosk at the courthouse. During the renovations of the courthouse complex, the kiosk was removed. He sought permission to install the kiosk next to the library. The Board decided it could be handled administratively by Staff.

**B. Consent Agenda  
Certificate of Appropriateness Application  
BAR 09-01-04  
11th Street SW  
Tax Map 10 Parcel 81  
UVA Foundation, Applicant  
Parking lot improvements**

Ms. Scala stated this item had been placed on the consent agenda before she realized it would need landscaping planned.

Mr. Adams wanted to know if there were any sustainability requirements on the part of the Foundation since the University's projects have to be LEED projects. Ms. Scala did not know.

Mr. Wolf pulled the item from the consent agenda so questions could be put to the applicant.

Ms. Scala gave the staff report. The applicant seeks to improve an existing 63 space parking lot behind the UVa parking garage. After repaving and restriping so it is entirely on their property, there will be approximately 52 spaces. The applicant will be adding bumper blocks, lighting, fencing, and a sidewalk along Eleventh Street. The lot is not currently landscaped. The City has standard landscaping requirements for parking lots with more than 20 cars.

Mr. Fred Missel, Director of Development for the Foundation, stated the Foundation did not have the requirement the University had to have a minimum of LEED certified. However, they were pushing all efforts toward sustainability in their design.

**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 improvements to an existing parking lot satisfy 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 addition of a required landscaping including the suggestion to both the owner and City reviewer that strong consideration be given to not only street trees on the Eleventh Street side, but also the possible inclusion of trees on the south side of the property if at all possible. Mr. Adams seconded the motion. The motion carried unanimously.**

**C. Certificate of Appropriateness Application**

**BAR 09-01-01**

**301 East Market Street**

**Tax Map 33 Parcel 215**

**George & Company, Inc., Applicant/Peoples Mortgage Corp., Owner**

**Replace windows**

Ms. Scala gave the staff report. This was before the Board in December, 2005, when the applicant wanted to replace the front steps. The applicant now proposes to replace three half-round windows in the attic. The proposed replacement windows are MW windows and doors which are wood windows with insulated glass with six divided panes. The original windows have eight panes and a scallop design. Before replacing

windows on a historic building, they should be evaluated to determine the extent of deterioration and possible repair technique. If beyond repair, they can be considered for replacement with replacement techniques that closely match the original. The building is a significant structure in a prominent location with windows of an unusual design that may be difficult to reproduce. Repair is the recommended option.

Mr. Larry Rothman was present on behalf of the owner. He stated two of the windows were beyond repair; the third was on its way.

#### QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

#### QUESTIONS FROM THE BOARD:

Mr. Wolf wanted to know if the window was meant to operate. The applicant stated they were not.

Ms. Schoenthal wanted to know if the applicant had looked into custom replacement. Mr. Rothman stated they could be duplicated; however, it raises the price of the windows almost four times.

#### COMMENTS FROM THE BOARD:

Mr. Wolf was sympathetic to the difficulty of trying to replace the windows. However, the three small windows were highly unique in terms of their detail and he was more inclined to support a serious effort at restoration or a more accurate custom iteration done by someone locally. He could not support replacing these windows.

Ms. Brennan thought restoration or replication was doable in this case and would benefit greatly maintaining the integrity of the historic building.

Ms. Schoenthal stated she could not support it either.

**Ms. Schoenthal, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, moved to find that the proposed window replacements 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. Ms. Brennan wanted to know if the applicant would need to come back to the Board if they restored the windows. Mr.**

**Wolf stated that would be a window restoration; however, if they replaced them with something identical, they would need to come back for at least administrative approval. Mr. Knight seconded the motion. The motion carried unanimously.**

The meeting was briefly recessed to allow applicants to arrive at the meeting location.

**D. Certificate of Appropriateness Application  
BAR 09-01-03  
118-120 West Main Street & 108 2nd Street SW  
Tax Map 28 Parcel 16  
Oliver Kuttner/M & O Corp., Applicant  
Add wall and gate to alleyway**

Ms. Scala gave the staff report. Due to concerns about trespassing in the trash area, the applicant seeks approval to add a gate at the rear of the Elliot & Carter building. The gate would span the width of the alley. The applicant has proposed three design options, all of which include a seven foot high gate with approximately seven foot high opaque windows above and a three foot high railing on the top. Options show brick or steel frames, black metal gates with copper or wood backing, panels of opaque glass or copper or stucco, and a metal black railing or grill on top. Staff finds a gate is appropriate in this location. The proposed materials are appropriate.

The applicant was not present.

**QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

**QUESTIONS FROM THE BOARD:**

Mr. Knight stated he had questions he would need to ask the applicant.

**COMMENTS FROM THE BOARD:**

Ms. Brennan stated this did not seem like a wall or a fence but a faux facade. She felt there was not enough guidance from the Guidelines on how to consider this proposal. She agreed a gate was appropriate for this location, but a faux facade was not.

Mr. Wolf agreed it was trying to create a building facade out of a gate. He thought there were too many vertical layers and that it was too tall.

**Mr. Knight moved to defer this application and ask Staff to pass their comments to the applicant, especially that they provide one alternate for them to act on at the next meeting. Ms. Brennan seconded the motion. The motion carried unanimously.**

**E. Certificate of Appropriateness Application  
BAR 07-12-03  
Charlottesville Downtown Pedestrian Mall  
MMM Design group, Applicant/City of Charlottesville, Owner  
West end plaza design**

Ms. Scala gave the staff report. The applicant requests approval of a paving design for the west end plaza where old Preston Avenue meets the Mall. Three options were submitted, with concept 3 preferred by the applicant. Staff agrees that concept 3 is decorative, but simple.

Mr. Taylor Gould, landscape architect with MMM, explained that concept 3 was the most prudent to the space, trying to get away from the fact that this area was not originally designed by Halperin.

**QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

**QUESTIONS FROM THE BOARD:**

Mr. Knight wanted to know if there was any concern about how the granite pattern would interact with the design of the runnels. Mr. Gould explained the City had told them to leave the runnels as is since there was no drainage issue with them.

Mr. Hogg joined the meeting.

**COMMENTS FROM THE BOARD:**

Mr. Knight thought he would have to agree the third concept was preferable and was consistent with the overall pattern language while being different from the original Halperin portions of the Mall. His only concern was the relationship between the runnel which was perpendicular to Main Street and how it came in at such a shallow angle.

Mr. Wolf agreed that concept 3 was the most straightforward and was best in terms of being understated and simple.

**Mr. Knight, having considered the standards set forth within the City Code including City Design Guidelines for Public Improvements, moved to find that the proposed design for the west end plaza, specifically concept 3, 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 with the strong recommendation that the angle of the brick runnel which is just east of the plaza be realigned to make it parallel with the east edge of the outer granite band. Ms. Brennan seconded the motion. The motion passed, 5-0-1; Mr. Hogg, having not been present for the whole presentation, abstained from voting.**

**F. Certificate of Appropriateness Application  
BAR 08-09-05  
625 Park Street  
Tax Map 52 Parcel 189  
Ovation Builders LLC, Applicant/Shaffrey, Owner  
Rear addition; changes to approved plan**

Ms. Scala gave the staff report. This was last before the Board in October when a new rear addition was approved. The design has been revised. The new drawings are a further refined version from the previous approval. The indicated changes are appropriate. A neighbor raised a concern about protecting the large elm tree during construction. The contractor E-mailed staff to list specific measures they were taking and would continue to take to protect the tree.

The applicant, who did not identify herself for the record, stated there had been quite a few changes which had been client- and structure-driven. Removing the foundation would provide a much more uniform brick wall.

#### QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

#### QUESTIONS FROM THE BOARD:

Mr. Wolf wanted to know if the applicant planned to salvage the bricks. The applicant stated the back wall was a different brick than the front and side wall and they were going to try to match the back wall brick.

Mr. Knight wanted additional information on the tree protection plan. The applicant explained the contractor had photographs of what is currently in place. The contractor explained an orange construction fence would be set up around the tree at the drip line. He stated they would go out of their way to protect this tree in any way. Mr. Knight wanted to know what would happen when they had to work within the drip line of the tree. The contractor stated they would be digging with the excavator and would consider what they might be able to do digging by hand.

#### COMMENTS FROM THE BOARD:

Mr. Wolf stated he saw no changes that would change his support of the project.

Mr. Knight expressed concern about the planting serving as screening. He thought the efforts to protect the elm tree were laudable, but thought more could be done.

Mr. Hogg thought the revision was an improvement but still was not proper. He felt its size, massing, details, and relationship to the house would ultimately detract from the character of the building rather than complementing it.

Mr. Adams stated he had not been present for the approval and did not think he could vote on the changes. Ms. Schoenthal noted she also had not been present for that vote and would not be voting.

**Mr. Wolf stated his concerns were about the HVAC equipment and the tree. He thought the tree was outside the scope of what they were looking at although it was of grave interest to the neighbors and the Board and should be to the client and that it be addressed as enthusiastically and as diligently as possible taking all sorts of recommendations into account. On the HVAC equipment and its location, Mr. Wolf stated he would support all the other changes with the exception of that one and say that the previous location that was approved would be acceptable and he would recommend that another location that moved it further back from the street would also be supported and could be approved administratively by Staff if there was a way to work out the side entrance. Mr. Knight seconded Mr. Wolf's statements. Mr. Wolf stated he would let that be his motion. The motion passed, 3-1-2; Mr. Hogg voted against while Mr. Adams and Ms. Schoenthal abstained from voting.**

**G. Preliminary Discussion**

**BAR 09-01-02**

**Corner of Ridge Street and Cherry Avenue**

**Tax Map 29 Parcels 145, 146, 147, 149, 150, 151, 157**

**Train & Partners Architects, Applicant/Cherry Avenue Investment, LLC,  
Owner**

**New Construction**

Mr. Adams recused himself from the discussion.

Ms. Scala gave the staff report. The current owner is requesting a preliminary discussion regarding new construction of a Mixed Use Planned Unit Development to be built on 2.09 acres of private property in two lots formerly owned by the City. The applicant proposes: commercial office space; 40 single family units of one-, two-, and three-bedrooms; and a parking structure. The applicant states 22.5 percent of the site is undeveloped with structures or impervious surfaces. The lots fronting on Ridge Street are zoned R-2 and are in an ADC district. Two parcels in the back are zoned R-3 and are not in the historic district. The last parcel on Cherry Avenue is zoned Cherry Avenue Corridor, a mixed use district. The proposed PUD would require a rezoning and would allow variations in height, area and location arrangements of buildings, density, required yards, and required landscaping. The developer would be making voluntary proffers that would mitigate any impacts of development. The project proposes a new curb cut on Ridge Street and one on Cherry Avenue. Staff recommends it be kept to a minimum width.

Ms. Gardner joined the meeting at 6:24 p.m.

The applicant, who did not identify himself for the record, gave a brief presentation.

**QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

**QUESTIONS FROM THE BOARD:**

Mr. Knight, noting the curb cut was out of character with the rest of the street, wanted to know if it was an absolute necessity. The applicant stated it was an important part of the project.



## COMMENTS FROM THE BOARD:

Mr. Knight thanked the applicant for the model. He stated the presentation was very helpful. He found the thrust of the project to be very sound. He did want more thought given to the access, especially the proposed curb cut as it flew in the face of the Guidelines and respect for the established neighborhood pattern and context.

Ms. Brennan thought this was an opportune site for dense development. She applauded the tree conservation proposed for the site as well as the sustainable and green design.

Mr. Hogg thought this was a nice proposal and seemed sympathetic in its assumptions. He stated that the corner where the two office buildings met was wildly unresolved. He did not think the roof treatment was right.

Mr. Wolf expressed support for the sophisticated model of design at this early stage and the presentation. He thought several of the choices that had been made were compelling. He felt comfortable supporting changes to the zoning to support increased density and height and massing on the site. He stated his interest was more focussed on Ridge than on Cherry. Mr. Wolf thought primacy should be established along Ridge in how the corner was dealt with. He found the corner piazza/plaza space to be oddly anti-urban in the midst of something which was making a very urban gesture. His concerns were centered on the drive, the abruptness of the transition from the smaller pieces to the big piece, and the way that piece intersected with the portion turning the corner.

### **H. Preliminary Discussion**

**BAR 09-01-05**

**Cherry Avenue, Ridge Street, and Elliot Street**

**Tax Map 29 Parcel 265**

**Habitat for Humanity of Greater Charlottesville, Applicant/ City of Charlottesville, Owner**

**New single family ecoMOD house**

Ms. Scala gave the staff report. The property is being redivided. This house is proposed to go behind the existing house on the property. However, the proposed house would front on Elliot Avenue. There is an existing curb cut and sidewalk on Elliot Avenue. Options for mounting the solar panels should be discussed. Parking should be located in the rear yard rather than the front.

Mr. John Quale was present on behalf of the ecoMOD project with Audrey Storm and Bruce Hogshead of Habitat for Humanity of Greater Charlottesville. Mr. Quale stated

they were trying to provide a modest home of a scale appropriate to the site. He stated they sought feedback on the attachment of solar panels on the roof.

#### QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

#### QUESTIONS FROM THE BOARD:

Mr. Hogg wanted to know why none of the plans seemed to match the rendering or the elevation. Mr. Quale stated those were all consistent of the same thing; however, a different window configuration was shown.

Mr. Adams wanted to know if any trees needed to be cleared. Mr. Quale stated there were some trees that would come out to be able to build on the property. He also noted there were a lot of invasive species which weren't worth saving.

#### COMMENTS FROM THE BOARD:

Mr. Hogg thought it was a terrific project. His was concerned with the way the building engaged the street expressing qualms about the street elevation being so entirely opaque. He stated he had no problem with the solar panels floating on sticks in the backyard.

Ms. Brennan thought it was appropriate in terms of massing and scale. She also did not mind the photovoltaic panels on sticks. She also agreed with Mr. Hogg that a better street facade was necessary.

Mr. Knight agreed with much of what had been said. He thought it was a great project. He suggested the applicant find a way to help define the progression from parking to house. He suggested the applicant seek an arborists recommendations about the black locust.

Mr. Adams thought the scale was right. He agreed with Mr. Hogg's comments.

Ms. Schoenthal expressed support for the project but thought the site plan needed work.

Mr. Wolf agreed this was going to be a great project. He expressed a preference for integrating the panels with the roof. He did not like the parking in front of the house.

**I. Discussion**  
**ADC District Guidelines: Vending and Cafes**

Ms. Scala gave the staff report. Because the Downtown Mall is undergoing restoration, all the cafes and vendors will be returning to a clean slate in May. The Director of NDS has requested the Board review the Guidelines for vending and cafes to see if they are consistent with the BAR's current vision for the Mall. If the Board recommends any changes, they will be forwarded to City Council for approval.

Ms. Brennan wanted to know why plywood was being eliminated. Ms. Scala explained that vending cart materials other than black or silver tone metal require approval by the BAR. Ms. Schoenthal expressed concern about applications coming forward with materials that were not specified and wanted to ensure plywood could not be used.

Mr. Hogg thought it was good to regulate the height of bookcases and racks and suggested the width be regulated as well.

Mr. Hogg suggested tables and chairs be a dark color and not just black.

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

Mr. Oliver Kuttner apologized to the Board for arriving late and asked if his application could be heard. Mr. Knight explained comments had been given to Ms. Scala to provide to him and the matter had been deferred until the February meeting.

**K. Other Business**

There was no other business.

**Mr. Wolf asked if there was a motion to adjourn. Mr. Hogg so moved. Ms. Gardner seconded the motion. The motion carried unanimously, whereupon the meeting was adjourned at 8:18 p.m.**