

**City of Charlottesville
Board of Architectural Review
March 17, 2009
Minutes**

Present:

Fred Wolf, Chair
Syd Knight, Vice Chair
Amy Gardner
Brian Hogg
William Adams
Michael Osteen (arrives at 6:52 p.m.)
Eryn Brennan
Rebecca Schoenthal (leaves at 6:17 p.m.)

Not Present:

James Wall

Also Present:

Mary Joy Scala

Mr. Wolf convened the meeting at 5:04 p.m. He announced that City Council had adopted the new Conservation District ordinance at its meeting on 16 March.

A. Matters from the public not on the agenda

There were no matters from the public.

B. Consent Agenda

1. Minutes -- September 16, 2008

Mr. Knight stated he had some potential revisions. Mr. Wolf stated they would discuss this at the end of the meeting.

C. Certificate of Appropriateness Application

BAR 09-03-01

501 East Jefferson Street

Tax Map 53, Parcel 39

County of Albemarle, Owner

Erect a monument honoring Meriwether Lewis

Ms. Scala gave the staff report. Albemarle County has given permission for the Lewis and Clark Trail Heritage Foundation to pursue installation of a monument at the County Circuit Courthouse at Court Square in the North Downtown ADC

District. The proposed Georgia gray granite cut stone measures 40x22x19.3 inches with bronze plaque. It is to be located directly behind the Confederate soldier statue in an existing 7x8 foot planting square in the brick pavement which is currently filled with mulch. The intent of the monument is to connect Meriwether Lewis's home community to the placement of his bust in the Old Hall of the House of Delegates in Richmond on 18 August, 2008. The placement is appropriate. There is sufficient room for the monument and the size is in scale with the surroundings. If no landscaping is planned, Staff suggests continuing the brick would better complement the monument while allowing people to come up to the monument and read it.

Mr. Michael Freitas, of Albemarle County's General Services department, reiterated this was the most appropriate place in the area which makes the connection between Meriwether Lewis, the County, and Thomas Jefferson.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Wolf wanted to know the size of the mulch area. Mr. Freitas stated the area was 7x8 and the area had been used to grow trees but the area was too dry to support any vegetation.

COMMENTS FROM THE BOARD:

Mr. Wolf thought the application was fine and expressed his support for it.

Ms. Gardner thought the application was very thorough.

Mr. Knight found the proposal to be perfectly in keeping with the Guidelines and very appropriate for the site. He suggested doing something other than mulch at the base.

Ms. Gardner, having considered the standards set forth within the City Code including City Design Guidelines for Public Improvements, moved to find that the proposed changes satisfy the BAR's criteria and are compatible with this property and other properties in the district, and that the BAR approves the application as submitted. Mr. Hogg seconded the motion. The motion carried unanimously.

In the absence of applicants, the Board moved further ahead on the agenda.

I. Certificate of Appropriateness Application
BAR 09-03-05
215 E. Main Street
Tax Map 33 Parcel 237
The Paramount Theater, Inc., Owner
Install gates on Market Street alley and 3rd Street NE alley

Ms. Scala gave the staff report. This was last before the Board in July of 2007, when a gate was approved for the Market Street alley; however, the gate was never constructed. The gates would span the width of the alleys and would be 7'3" in height. The gate should be setback in the alley five to six feet from the streetwall, which was required previously on the Market Street gate, to lessen the visual impact of the height of the gate. Black wrought iron is preferred to the proposed black powder-coated hollow steel tubes.

Mr. Kyle Rodland, of the Paramount Theater, was present on behalf of the applicant. He explained steel had been chosen rather than wrought iron for financial reasons.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight wanted to know what gauge the steel was. Mr. Rodland stated the posts were two inch and the smaller bars were a half inch.

COMMENTS FROM THE BOARD:

Mr. Hogg thought it seemed nice, simple, and straightforward.

Mr. Knight stated he was underwhelmed by the application because the design seemed trite and unwarranted. He stated he would support something simpler. Mr. Knight offered his experience that hollow tube steel never looks good on an historic building. He thought solid steel would be an interim solution. He thought it was overly fanciful and under engineered.

Mr. Hogg, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, moved to find that the proposed alleyway gates satisfy the BAR's criteria and Guidelines and are compatible with this property and other properties in the district. Ms. Gardner seconded the motion. Ms. Schoenthal offered a friendly amendment that it is stipulated that they are recessed such that when open they will not encroach upon the sidewalk. Mr. Hogg and Ms. Gardner accepted the friendly amendment. Mr. Wolf asked Mr. Knight if he wanted to offer a friendly amendment or a strong suggestion that solid steel be used if the applicant was willing to do that. Mr. Knight stated he would offer it as a strong suggestion. The motion carried unanimously.

D. Certificate of Appropriateness Application

BAR 09-03-02

420 West Main Street

Tax Map 29, Parcel 11

A. Cagene, Owner/ Alloy Architecture & Construction, LLC, Applicant

New fence and other patio changes

Ms. Scala gave the staff report. This is a contributing building in the Downtown ADC district. This was last before the Board to have a mural mosaic on the Fifth Street side. The applicant is seeking approval for a new galvanized metal fence enclosing the outdoor patio, a new patio entrance and gate facing West Main Street, new lighting, and a new small section of concrete slab. The existing plantings will remain. Only two signs are permitted per property. Since this property has two signs, the wall sign must be removed to permit a fence sign. The fence material is appropriate in this location; however, the maximum 8'7" fence height significantly exceeds the street front height of four feet as stated in the Guidelines. Rope lights are proposed to hang behind the fence.

Mr. Andrew Daly, of Alloy Architecture & Construction, stated the fence was to create a street front presence.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Wolf wanted to know if the name was cut out of the fence. Mr. Daly confirmed it was.

COMMENTS FROM THE BOARD:

Mr. Hogg thought the material was fine. He expressed concern about the height and the appropriateness of the height.

Ms. Brennan agreed the height was an issue. She stated she would prefer a height maximum at four feet.

Mr. Wolf wondered if a solid fence at four feet could have an opportunity to have another layer that could extend a little higher up without going as high as the applicant suggested. Mr. Wolf stated he liked the material and the idea. He thought the proposal could use some additional detail in considering how to address the height issue and coming back to the Board.

Mr. Knight agreed the materials were appropriate and the height was inappropriate.

Mr. Adams agreed with everything that had been said.

Mr. Daly thought it was in their best interest to rethink some of the details and defer the application for now.

Mr. Knight made a motion to accept the deferral. Mr. Adams seconded the motion. The motion carried unanimously.

**E. Certificate of Appropriateness Application
BAR 09-03-03
301 14th Street NW
Tax Map 9 Parcel 62
Keith O. Woodard, Owner
Replace 7 basement windows**

Ms. Scala gave the staff report. This contributing structure in the Rugby Road/University Circle ADC district was built around 1910. The applicant wants to replace seven basement wood casement windows with TrimLine Legends aluminum clad wood double hung windows. The existing brick openings and wood trim would be maintained. The applicant also wants to remove the security bars. Before replacing wood windows on an historic building, they should be evaluated to

determine the level of deterioration and possible repair techniques. The applicant would like to enlarge the window well that faces Sadler Street.

Mr. Keith Woodard was present but had nothing to add to the gave the staff report.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Wolf wanted to know if the plan was to do a sash replacement while keeping the existing brick. Mr. Woodard confirmed that was the plan.

Mr. Knight wanted to know if rehabilitation of the existing windows was an option. Mr. Woodard explained the existing windows were single pane and not practical, secure, or energy efficient.

COMMENTS FROM THE BOARD:

Ms. Brennan thought that given that two of the windows weren't visible, others were on the side and below visibility, this would be fine. She thought this case met the Guidelines.

Ms. Brennan, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, moved to find that the proposed windows satisfy the BAR's criteria and are compatible with this property and other properties in the district because of the location of the windows at the basement level of the property, and that the BAR approves the application. Mr. Knight seconded the motion. The motion carried unanimously.

**F. Certificate of Appropriateness Application
BAR 09-03-04
322 14th Street NW
Tax Map, 4 Parcel 287
Keith O. Woodard, Owner
Replace and enlarge 2 basement windows; replace and widen door**

Ms. Scala gave the staff report. This is a contributing property dating from around 1920. The applicant requests permission to replace two basement wood windows

with TrimLine Legends aluminum clad wood double hung windows. Both proposed windows will be double hung one-over-one light pattern to match the existing windows. The top and sides of the existing brick openings will not change, but the window height is proposed to be increased to 54 inches by extending the bottom of the window. This height is required for emergency egress for the bedroom window. The applicant also wants to replace a wood door with four panes of glass on the south side yard; the masonry and door height will not change, but the width will increase four inches and will have to be recessed into the opening. The proposed door is steel with one pane of glass. Before replacing wood windows on an historic building, they should be evaluated. The location of the windows and the door on the basement level is a consideration.

Mr. Woodard had nothing to add to the staff report.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight wanted to know if the masonry opening for the door was going to be expanded in both directions. Mr. Woodard stated the plan had been to leave the masonry opening as it currently is and have the frame sitting inside that.

Ms. Schoenthal wanted to know the reason for a steel door rather than wood. Mr. Woodard stated it was for security and maintenance. He stated it would look the same and was not visible from the street.

COMMENTS FROM THE BOARD:

Mr. Knight thought the windows for the most part seemed appropriate. He did not think stacked block was appropriate for either a cheek wall or the window well openings regardless of visibility.

Ms. Brennan agreed with Mr. Knight. She thought more detail was necessary. She stated she needed more information before she could make a decision.

Mr. Adams agreed stacked block did not seem right in this context. He also wanted to see more detail before he could support it.

Mr. Wolf agreed there should be more detail.

Mr. Woodard asked to defer his application.

Mr. Wolf moved to accept the deferral. Mr. Knight seconded the motion. The motion carried unanimously.

Ms. Schoenthal left the meeting at 6:17 p.m.

**G. Preliminary Discussion
230 14th Street NW
Tax Map 4 Parcel 292
Keith O. Woodard, Owner
Exterior Considerations**

Ms. Scala gave the staff report. The applicant is seeking preliminary discussion regarding the unpainted brick exterior of the building which has been repaired over the years with different color mortars. The applicant would like to know what options he may have to make the building more uniform in appearance. The Guidelines prefer unpainted masonry. Staff feels unpainted brick is important to the landscape on 14th Street.

Ms. Gardner was surprised the building was contributing.

Mr. Hogg stated if it was a 1920s building, it had been altered beyond recognition prior to the designation.

Mr. Woodard stated it had been altered about ten years ago which was prior to his ownership. He stated the building was unsightly.

Mr. Wolf also did not understand why this building was contributing, if it was. He did not think the details or condition of the building warrant the same consideration some other masonry structures in the district would. Mr. Wolf thought this was one rare case where allowing the painting of the brick would be a vast improvement over what is there.

Mr. Hogg did not think this would seem such an anomaly in the street's character as a coat of paint would only help this building.

Mr. Wolf stated the building had been so manipulated and changed that it was a thin remnant of what it may have been at one point. He thought this was another justification for supporting that if the applicant came back with that application.

H. Certificate of Appropriateness Application

BAR 09-03-06

425 7th Street NE

Tax Map 53 Parcel 122

Nelson Byrd Woltz Landscape Architects, Applicant/Seventh Street Properties, Owners

Reconsider location of condenser units and allow driveway parking

Mr. Wolf recused himself from the matter as his wife had an association with the firm that is presenting it. Mr. Adams also recused himself due to a family relationship. Mr. Wolf sought clarification that they still had a quorum. Ms. Scala stated that since Mr. Wolf and Mr. Adams were present at the start of the meeting when there was a quorum, it was okay for them to recuse themselves.

Ms. Scala gave the staff report. This project was last before the Board in November at which time the applicant was seeking approval for a new parking lot entrance off 7th Street and approval of the whole site plan to complement renovations of the two buildings. The November application had been approved but modified to eliminate one service parking space and the enclosures for the HVAC units and trash were to be reconfigured away from the building and in the area currently shown for the service parking, as well as having the ADA ramp reconsidered; all of this was to be brought to Staff for approval. The applicant has submitted three possible options to meet these requests and asks approval of option 2. Option 1 gives the best appearance from the street. Option 3 places the mechanical and trash area on the property line. Option 2 places the mechanical and trash area in the original Maple Street frontage location with additional landscaping.

The applicant, who did not identify himself for the record, had nothing to add.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight asked the applicant to elaborate on why the parking space should be kept. The applicant stated it had to do with limited on-site parking and maximizing parking while meeting ADA requirements.

COMMENTS FROM THE BOARD:

Mr. Hogg stated he had not been a huge supporter of the original request because he thought the driveway and garage were historic features of this site. Mr. Hogg felt option 3 was the best compromise to respond to some of the concerns expressed by some Board members who were not present at this meeting.

Ms. Gardner stated she had been one of the people who was concerned about having the utilities on the street. She expressed a preference for option 2.

Mr. Knight accepted the logic behind keeping the parking space. He thanked the applicant and designers for trying to accommodate the Board's concerns. He stated he was willing to accept option 2 with the stipulation that that enclosure be detailed to a high level to complement the building.

Mr. Hogg, having considered the standards set forth within the City Code including City Design Guidelines for Site Design, moved to find that the proposed Option 2 satisfies the BAR's criteria and Guidelines and is compatible with this property and other properties in this district, and that the BAR approves Option 2 as submitted with the requirement that it be painted rather than natural wood and that the detailing be executed to the same level that the rest of the project has been. Ms. Gardner seconded the motion. Ms. Brennan offered a friendly suggestion that the applicant try to go higher with the tree than what is required by plan to help facilitate screening. Mr. Hogg and Ms. Gardner accepted this. The motion passed, 4-0-2; Mr. Wolf and Mr. Adams had recused themselves from the matter.

- J. Certificate of Appropriateness Application**
 - BAR 09-03-07**
 - 106 Oakhurst Circle**
 - Tax Map 11 Parcel 5**
 - Charles diPierro, Owner**
 - Remove 25" and 18" oak trees adjacent house**

Mr. Wolf noted the applicant was a member of a Neighborhood Association that his firm was currently working with on a separate project; Mr. Wolf felt he could maintain an unbiased and objective opinion.

Ms. Scala gave the staff report. The applicant proposes removing two large oak trees located in close proximity to the rear of the house. The property contains a 1925 contributing structure in the Oakhurst/Gildersleeve neighborhoods ADC district. Landscape features are as important as buildings when considering an historic neighborhood's overall setting. Lush plantings and large shade trees are an important part of this residential neighborhood's character. The applicant submitted a report from a certified arborist. One tree is diseased and the other is leaning intensely over a residence. The removal of the two trees allows the other trees to have proper care and to benefit greatly by the removals. This property has a lot of trees.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

There were no questions from the Board.

COMMENTS FROM THE BOARD:

Mr. Knight stated he had looked at the trees. He stated it was a very wooded site. One of the trees does appear to be diseased. The other tree appears to be healthy but it is leaning over the house. Mr. Knight thought removal of both would be warranted.

Mr. Wolf stated after reading the report and hearing Mr. Knight's comment, he believed he would support this application.

Mr. Knight, having considered the standards set forth within the City Code including City Design Guidelines for Site Design, moved to find that the removal of two trees 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 suggestion that the applicant plant additional white oaks on the property to compensate. Mr. Hogg seconded the motion. The motion carried unanimously.

Mr. Osteen joined the meeting at 6:52 p.m.

Since the meeting was so far ahead of schedule, Mr. Wolf suggested the Board deal with some agenda items out of order to allow members of the public to arrive to discuss other items on the agenda.

M. Special Use Permit Recommendation -- 601-617 E. Market Street

Ms. Scala gave the staff report. She reminded the Board members this was before them because of the section in the Zoning Ordinance which says when a property that is the subject of a Special Use Permit application is within a design control district, the Board is supposed to make a recommendation as to whether the proposed use will have an adverse impact on the historic district and to make recommendations as to reasonable conditions which, if imposed, would mitigate any such impacts. This is the former Michie Printing Company building built in 1900. It is located in the Downtown ADC District. The applicant has filed a Special Use Permit for 609 East Market Street for approval of a private club. That application will go to joint public hearing in April. No exterior changes to the building are planned. Ms. Scala stated the applicant may require additional lights in the courtyard.

QUESTIONS AND COMMENTS FROM THE BOARD:

Mr. Knight wanted to know more about the lights. Ms. Scala had no information to share on that.

Mr. Wolf thought it was a great use of the space. He would support sending a recommendation to City Council supporting this Special Use Permit.

Mr. Wolf moved to find that the proposed Special Use Permit to allow a private club at 609 East Market Street in an existing building will not have any adverse impacts on the Downtown ADC District. Ms. Gardner seconded the motion. The motion carried unanimously.

O. Other Business

Ms. Brennan presented the other Board members with a Preservation Week poster in gratitude and thanks for helping support Preservation Week.

Mr. Wolf suggested a brief recess be held, whereupon the meeting stood recessed at 7:03 p.m.

Mr. Wolf reconvened the meeting at 7:20 p.m.

**L. Certificate of Appropriateness Application
BAR 08-09-04
101-111 East Main Street
Tax Map 33 Parcels 248, 249, 250, and 251
Keith Woodard, Applicant/1st & Main LLC c/o Keith Woodard, Owner
Rehabilitate building facades (final design)**

Ms. Scala gave the staff report. 101 and 105 was built in 1916 as a duplex. 107-111 is the Farrish-Driscoll building which was built in 1892 as a five bay design. This was last before the Board in September at which time they approved a temporary scheme for 105 East Main to repaint the existing awning and facade above the awning. The applicant requests final approval for the three facades at 101-105 and 111. The rehabilitation of these buildings improves downtown economic development initiatives by attracting patrons to the Downtown Mall. Staff has requested paint color chips for the painted wood facades.

Mr. Greg Brezinski, of A2RCI Architects, gave a brief presentation to the Board. He provided the Board with paint samples.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

There were no questions from the Board.

COMMENTS FROM THE BOARD:

Mr. Wolf expressed his support for the changes that were proposed. He thought all of the proposals for each of the facades seemed very appropriate.

Ms. Brennan felt the proposed changes met the Guidelines.

Mr. Hogg thought the application was appropriate.

Mr. Wolf, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, moved to find that the proposed facade rehabilitations for 101-105 and 107-111 East Main Street satisfy the BAR's criteria and are compatible with this property and other properties in

the district, and that the BAR approves the application as submitted. Ms. Brennan seconded the motion. The motion carried unanimously.

K. Preliminary Discussion

BAR 09-03-08

100, 102, and 104 Oakhurst Circle and 1616 Jefferson Park Avenue

Tax Map 11, Parcels 1, 2, 3 and 4

Wolf Ackerman, Applicant/10th & Main LLC, Owner

New construction

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

Ms. Scala gave the staff report. This was last before the Board in April, 2008, as a preliminary discussion. Since then, City Council approved a Special Use Permit, the applicant hired a new design firm, and the applicant acquired 1616 Jefferson Park Avenue to provide a bed and breakfast drop off and reduce the traffic impact on Oakhurst Circle. The applicant proposes to renovate four existing structures, three of which will become a bed and breakfast while the fourth remains a rental. The conversion will require a complete interior renovation in conformance with Secretary of Interior standards. The proposed building should be massed and articulated in a way that respects and relates to the historic buildings in the Oakhurst/Gildersleeve ADC historic district.

Mr. Dave Ackerman, of Wolf Ackerman Design, gave a brief presentation.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Adams wanted to know if there was going to be a garage door. Mr. Ackerman did not know. He stated there currently wasn't one, but there could be a roll down gate.

COMMENTS FROM THE PUBLIC:

Ms. Jane Foster, of 6 Gildersleeve Wood, stated she had been horrified by the colors and the square boxy look. She stated it had been made to be as unlike the buildings the neighborhood was so fond of in their historical neighborhood.

Ms. Gail McIntosh, of Gildersleeve Wood, stated the neighborhood had felt betrayed by the process. However, she felt there was much to recommend this building in many ways. She thought it was a better use of the land and that this site worked better with the building as it was repositioned. She felt there was a real bow to environmental concerns. She asked that the big concern for the neighborhood not be dismissed: the building feels uncomfortable in the neighborhood.

Ms. Nancy Haynes, of 114 Oakhurst Circle, seconded what Ms. McIntosh had said.

Mr. Charles diPierro, of 106 Oakhurst Circle, understood the surprise of some people, but he spoke in favor of the proposal due to the renovations of four buildings. The thought the developer had been patient and cooperative.

COMMENTS FROM THE BOARD:

Ms. Brennan thought this proposal was quite a contrast from the original proposal. She thought it met a lot of the Guidelines. Ms. Brennan thought this proposal worked more in tandem with the historic fabric in terms of mass and scale. Ms. Brennan thought the tower element did not coordinate with the rest of the overall design.

Mr. Hogg thought a sympathetic design did not need to replicate the features of the historic building. He wondered if there was enough scale that the building would meet the standard of being sympathetic. He was inclined to think that was the case.

Mr. Adams thought it was a great improvement from the last scheme they had seen on this site. He thought there were a lot of things to like about this. He expressed concern about the massing of the project, specifically the way the mass met the surrounding historic pieces. He expressed uncertainty about the tower element at the entry to the plaza and about the nature of a plaza in this area. He also expressed concern about the garage elevation. Overall, Mr. Adams thought it was an impressive project that was done in a short period of time. He looked forward to seeing further development.

Mr. Osteen expressed his agreement with much of what had been said. He thought the way the building addressed JPA, especially the big block, was a very nice building. He felt there should be more modulation in the heights of the roofs.

Mr. Knight echoed the comments of his colleagues. He did feel this was an improvement over what the Board had seen before; however, it did have room for

improvement. He felt this did need to be respectful of the historic neighborhood. Mr. Knight thought this was going a long way toward meeting the Guidelines.

B. Consent Agenda

1. Minutes -- September 16, 2008

Mr. Knight wondered if the second, fifth and sixth paragraphs of item C on page 6 which had been credited to him should have been attributed to Mr. Wolf. Mr. Wolf stated he would accept the attributions. Ms. Brennan thought that page 4 should state "90 square foot."

Mr. Wolf moved to approve the minutes from September, 2008. Ms. Brennan seconded the motion. The motion passed, 5-0-2; Ms. Gardner and Mr. Hogg abstained from voting.

Mr. Hogg asked that Ms. Scala check the addition to Monsoon to see that it was being constructed in compliance with the permits because the windows did not look to have a proportion that he remembered having thought was appropriate.

Mr. Knight congratulated Ms. Scala on the Conservation District and the changes to the appeals procedure, both of which she put a lot of work into.

P. Adjournment

Mr. Wolf moved to adjourn. Mr. Adams seconded the motion. The motion carried unanimously, whereupon the meeting stood adjourned at 8:30 p.m.