

City of Charlottesville
Board of Architectural Review
December 15, 2009
Minutes

Present:

Fred Wolf, Chair
Syd Knight, Vice Chair
Brian Hogg (arrived at 5:46 p.m.)
William Adams
Michael Osteen
James Wall
Eryn Brennan (left at 7 p.m.)
H. Fairfax Ayres

Not Present:

Rebecca Schoenthal

Also Present:

Mary Joy Scala

Mr. Wolf convened the meeting at 5:04 p.m. He introduced Mr. Ayres, who was taking Ms. Gardner's vacant position on the Board. Mr. Wolf also noted this would be Mr. Wall's last meeting.

A. Matters from the public not on the agenda

There were no matters from the public.

B. Consent Agenda

1. Minutes -- May 19, 2009
2. Special Use Permit Review -- BAR recommendation
632 Preston Place
Tax Map 5 Parcel 124
3. Certificate of Appropriateness Application
BAR 09-12-04
100 E. Main Street & 103 E. Water Street
Tax Map 28 Parcels 20 and 20.1
Management Services Corp, Applicant/100 East Main Ltd Partnership,
Owner
Replace existing exterior light fixtures

Mr. Osteen asked that item 2 be pulled from the consent agenda. Mr. Adams asked to pull the minutes.

Mr. Knight moved they approve what was left of the consent agenda. Mr. Adams seconded the motion. The motion carried unanimously.

Ms. Scala gave the staff report for 632 Preston Place. When a property that is the subject of an application for Special Use Permit is in a design control district, the Board is required to make a recommendation as to whether the proposed use will have an adverse impact on the district and for recommendations as to reasonable conditions that would mitigate any such impacts. This Special Use Permit is for a boarding house. The property, a former sorority house, is a contributing structure in the Venable ADC district.

Mr. David Cariel was present on behalf of the applicant and had nothing to add.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Osteen wanted to know if the parking for the sorority house had been based on the number of occupants or on the number of bedrooms. Ms. Scala did not know. Mr. Osteen expressed concern about the parking situation. Since the front and side yards were gravel, Mr. Osteen voiced concern that 16 cars could park in the yard. He asked that there be provisions for bicycle parking and more front yard landscaping be considered.

COMMENTS FROM THE BOARD:

Mr. Wolf stated he would support adding some language asking City Council consider a revised site plan, looking at a reduction of parking area as that would be more consistent with what would be allowed currently.

Mr. Wolf moved that they recommend to City Council approval for a Special Use Permit with the condition that City Council request of the applicant a site plan amendment to the property or a new site plan that limits the amount of parking and the location of parking to something that is more consistent with what is allowable by the current zoning ordinance in terms of its relationship to the front and side yards, and hopefully achieve some type of reconstruction of the more typical front yard scenario with the residence. Mr. Osteen offered a friendly amendment that the motion include bicycle parking required by current zoning for

this use. Mr. Wolf accepted the friendly amendment. Mr. Knight seconded the amended motion. The motion carried unanimously.

C. Projects in Non-Compliance (status report)

Ms. Scala gave the staff report. The Monsoon addition has replaced the sashes with new one-over-one wood replacement sashes. At 503 West Main Street, the applicant is to submit a plan to reconstruct the chimneys and walls by 29 December. Ms. Scala stated there was a new property in non-compliance. 108 Second Street SW had been deferred and never came back; the applicant installed a gate which had not been approved.

D. Previously Considered Items

1. Certificate of Appropriateness Application (Discussed at October Meeting)

BAR 09-10-03

1700 University Avenue

Tax Map 9 Parcel 141

Joan Albiston, Applicant/St. Paul's Memorial Church, Owner

Memorial Meditation Garden -- Revisions

Ms. Scala gave the staff report. At the October meeting a meditation garden was approved with the condition that a revised pavement edge detail be submitted for staff approval. The Board also made a friendly suggestion to use a hard surface material in lieu of crushed stone on the surface of the sloped walkway. The applicant submitted a metal edged detail.

Mr. Jim Richardson, Rector of St. Paul's Memorial Church, stated they did want to get this right. He stated the meditation garden was meant to be a gift to the community.

Mr. Bill Burgin stated this was a cultural institution, not a business.

Ms. Joan Albiston noted she had submitted a letter and wanted to be sure the Board members had received it. She explained the steel edging and crushed stone were chosen so the ellipse would not be set apart from the rest of the landscape.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Wolf wanted to know if the smaller portion had been changed to hardscape. Ms. Albiston stated it had due to the slope.

COMMENTS FROM THE BOARD:

Mr. Wolf thought the steel edging would make a nice simple edge. He thought the landing piece at the top of the slope was a nice compromise. He stated he was comfortable with the proposal.

Mr. Knight stated the reduction in the width of the walk was acceptable. The crushed stone met the Guidelines. He had felt the last time that steel edging was inappropriate and he still had concerns about the steel edge. He thought there was a very fine line that had been crossed so that there was no way to tie this in to the historic context. He thought the steel was in appropriate there.

Mr. Osteen stated he was comfortable with the steel edge issue. He thought there would be enough erosion causing migration of the stone that it would create a trip hazard. He suggested another riser be added.

Mr. Wall agreed the landing was a nice compromise. He liked the metal edging because it lent a more modern feel.

Mr. Adams thought the project met the Guidelines.

Mr. Osteen, having considered the standards set forth within the City Code including City Design Guidelines for Site Design, moved to find that the proposed meditation garden revisions satisfy the BAR's criteria and are compatible with this property and other properties in this district, and that the BAR approves the application with the addition proposed by the applicant of a hard surface landing pad at the top of the stairs directly off of University Avenue. Mr. Adams seconded the motion. Mr. Wolf wanted to know if there should be a friendly amendment to suggest a friendly recommendation that if there was a possibility of raising the stairs one additional riser to mitigate the slope. Mr. Osteen stated he was comfortable with the applicant having heard it. The motion passed, 6-1; Mr. Knight voted against.

- 2. Preliminary Discussion #2 (Discussed at November meeting)
BAR 09-11-02
1106-1112 West Main Street**

Tax Map 10 Parcel 64 and 65
William Atwood -- Atwood Architects, Applicant/John Bartelt, Owner
New Construction on Studio Art site

Mr. Hogg joined the meeting at 5:46 p.m. and recused himself from this item.

Ms. Scala gave the staff report. The applicant has requested a second preliminary discussion. There are now two proposed building entrances with canopies.

Mr. Bill Atwood stated the canopies had not been designed yet. The client has decided to put commercial uses on the right side of front on Main Street.

COMMENTS FROM THE BOARD:

Mr. Wall thought the appurtenance and some of the other details lend this hotel the character of other short stay hotels which are grand and glamorous.

Ms. Brennan appreciated the changes that had been made. She expressed concern about the mass and scale of the building. She thought nine stories would overpower the traditional scale in the area. She suggested reducing the monumentality of the building by reducing the base by a story which would extend the body. She expressed concern about the stucco material.

Mr. Osteen appreciated the challenges of the building and thought the applicant had done a good job responding to the inherent challenges in the Code as it applies to this site.

Mr. Adams expressed concern about the mass on the site. He thought the shadow cast by the building with the winter sun angle would impact the area. He could not support that much mass.

Mr. Ayres expressed concern about the size.

Mr. Knight was not as concerned about a nine story building provided it was well articulated and designed well. He stated the general design direction was not yet resolved.

Mr. Wolf thought the building was attractive. He stated he would have to be convinced that the extra two stories were worthwhile. He thought it was a whole different building without the extra two stories.

E. New Items

- 1. Certificate of Appropriateness Application
BAR 09-12-05
219 W. Main Street
Tax Map 33 Parcel 272
Joe H. Gieck, Trust, Owner
Demolition of storefront**

Ms. Scala gave the staff report. Demolition of the storefront occurred on 31 October without a required Certificate of Appropriateness from the BAR, without a required building permit, and was discovered the following Monday morning. The building had been vacant. The Victorian style commercial building was built in 1921. Ms. Scala referred the Board to historic photos and an historic survey. The applicant was told he needed to apply for BAR approval for demolition after the fact in order to establish whether the demolition would have been permitted. If the application is denied, the City intends to pursue the maximum penalty for a demolished protected building. The applicant is seeking approval after the fact for a partial demolition of the black glass and clear curved glass storefront; he also requests further demolition of the concrete floor slabs and the aluminum door. Staff has considered all the standards for demolition. This property is a contributing structure in a National Register and Virginia Register District. There are no other historic curved glass storefronts on the Downtown Mall. The second floor of the building was not disturbed. A structural study has not been prepared. The storefront was intact before it was demolished. There was no public necessity to remove the storefront. The partial demolition adversely affects the district. In Staff's opinion there was no valid reason to remove the character defining historic storefront of the building without approval. Staff recommends denial of the request.

Mr. Joe Gieck stated the glass was broken and was unsafe. Two different glass companies told him the glass could not be replaced. He stated they wanted to take it back to the original. He stated that when he had gone for permits to work on other storefronts, he was told he did not need them. When he went for a demolition permit, he was told one was not needed for storefronts; all he had to do was set the knee wall and have the glass company apply for the permit to put in plate glass. He stated the pipes were in danger of freezing.

Mr. Kurt Glockner, of Glockner Engineering, stated quite a bit of the old building was there.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight wanted to know if, before doing the demolition, the applicant had been aware this building was in an historic district. Mr. Gieck stated he was and reiterated that the City had told him previously it did not matter. Mr. Knight wanted to know who had told him. Mr. Gieck stated his property manager, Bill Rice, had gone to the City before work was done on other properties. Mr. Knight wanted to know who had said it in relation to this project. Mr. Gieck stated he had assumed it was going to be the same as the other buildings.

Mr. Wolf wanted to know when the other buildings had been done. Mr. Gieck stated it had been in late '80s, early '90s.

Mr. Knight wanted to know if the applicant had reviewed the standards the Board reviewed. Mr. Gieck reiterated that he had been told he didn't need a permit.

Mr. Wolf wanted to know how long the applicant had owned this building. Mr. Gieck thought it was about ten years.

Mr. Wolf wanted to know if the glass had been saved. Mr. Gieck stated it had not been and the glass company had said they could not replace that glass.

COMMENTS FROM THE PUBLIC:

Mr. William S. Rice stated that before anything was done he had gone to City Hall and was told by one of the three ladies that they did not give demolition permits for storefronts, only for buildings. He stated the plastic was all chewed up and representatives from Dodson and Charlottesville Glass and Mirror said they didn't make this anymore and anything that went back would have to be tempered glass and insulated.

Ms. Scala stated she took offense at the statement that the three ladies that issue building permits would have said something incorrectly; she stated they would not have.

COMMENTS FROM THE BOARD:

Mr. Wolf stated this was very simple. He would never have approved this. He found the suggestion that the property owner was unaware of the regulations controlling property in the Downtown District to be odd.

Mr. Hogg stated he would have said no if asked if it were appropriate to remove this storefront. The storefront, whether original or not, had accrued some significance in its own right over time. He thought the removal was inappropriate and detracted from the character of the Mall. He stated it was possible to acquire curved glass.

Ms. Brennan stated she would not have supported this application and cannot support it now. She did not think it met any of the Guidelines. She stated this was an egregious mistake and error.

Mr. Ayres expressed surprise the applicant did not know what was required for the Downtown Mall. He stated he would not support the application for demolition.

Mr. Osteen stated he would not have supported this demolition.

Mr. Knight, having considered the standards set forth within the City Code including City Design Guidelines for Demolition, moved to find that the partial demolition does not satisfy the BAR's criteria and is not compatible with this property and other properties in this district, and that the BAR denies the application as submitted; the applicant must submit an application to the BAR to rebuild the demolished portion. Ms. Brennan seconded the motion. The motion carried unanimously.

Ms. Brennan left the meeting at 7 p.m.

**2. Certificate of Appropriateness Application
BAR 09-12-06
219 W. Main Street
Tax Map 33 Parcel 272
Joe H. Gieck, Trust, Owner
Reconstruct storefront**

Ms. Scala gave the staff report. The applicant proposes to replace the front window glass with tempered insulated glass and a new glass entrance door. They plan to build a new knee wall to set the new glass on. They plan to renovate the entrance by adding new hardwood flooring to match the partial hardwood floor that remains in place on one side. Trim will be baked on white aluminum surrounding the windows and door. Staff recommends the demolished storefront design should be replicated as accurately as possible. The applicant should submit a scale drawing noting appropriate materials that show how this will be accomplished. Ms. Scala stated she had been contacted recently by the person who was supposed to dispose of the curved glass; he thought it had value and had kept it. This person said he would make the glass available to the applicant if

the BAR wants that. She stated building code does not require glass to be tempered if it is a minimum of 18 inches off the ground; also, exceptions can be made for historic buildings.

Mr. Kurt Glockner stated the owner wanted to take the storefront back to the original '20s era storefront rather than the 1947 storefront.

Mr. Wolf stated the baseline was what was in place when the district was formed.

Mr. Hogg stated that if the applicant wanted to take it back to the '20s, he really should do it correctly. Mr. Hogg stated the proposal didn't even go back to the original but was just another aluminum storefront on the Downtown Mall. He stated he saw no option in the proposal.

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 the point that had been made was a very good one: What has been proposed seems as much to be a fishing expedition as a serious design. He suggested the applicant request a deferral with an eye to researching what really was there.

Mr. Hogg stated the easy answer for the applicant to do was put back what had been removed; if that was not what the applicant wanted to do, he needed to do more research and come back with a proposal that better recreates the design he said he was trying to recapture.

Mr. Gieck stated he would defer and asked if the front could be closed to protect it from weather. Mr. Wolf thought there could be a temporary wall enclosure to give some protection.

Mr. Knight moved to accept the applicant's request for deferral. Mr. Wall seconded the motion. The motion carried unanimously.

**3. Certificate of Appropriateness Application
BAR 09-04-04
1901 E. Market Street
Tax Map 55A Parcel 149
Jon Fink, Owner
Document and reconstruct shed**

Mr. Wolf recused himself from this matter.

Ms. Scala gave the staff report. In April of 2009, the Board approved moving the shed and the demolition of the newer portion of the shed with the condition that the building be documented prior to the shed being moved, and the rehabilitation documents should be submitted prior to the move.

The applicant's representative had nothing to add, but was willing to answer questions.

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. Hogg commended the applicant for the beautiful drawings and stated they were exactly what the Board had asked for. He thought this was very much in the spirit of documenting the shed.

A gentleman in the audience who did not identify himself for the record, stated that the anecdotal evidence was that the 1870 siding was salvaged from another building and done as a repair. There are two pieces of the 1840 siding remaining; it would be used as the pattern for running new siding.

Mr. Adams thought it had been a wonderful level of documentation.

Mr. Hogg, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation, moved to find that the proposed documentation and restoration of the shed satisfy the BAR's criteria and Guidelines and is compatible with this property and other properties in this

district, and that the BAR approves the restoration with the required set backs as noted in the Staff presentation. Mr. Ayres seconded the motion. The motion passed, 6-0-1; Mr. Wolf recused himself from the matter.

- 4. Certificate of Appropriateness Application
BAR 09-12-02
1417-1425 University Avenue
Tax Map 9 Parcel 76
Studio D Associates, Applicant/Anderson Building, LLC, Owner
Warehouse to apartment conversion**

Ms. Scala gave the staff report. The Anderson Brothers building dates from 1891 with a core that dates to 1848. The area being converted is in a cinder block building that was built in 1954 and that is located to the rear and above that space. One portion of the existing building needs to be raised six feet. The applicant wants to replace the windows with similar looking windows that will be exit compliant. Staff finds the proposed changes will not alter the character of the building or district.

Mr. John Sands stated prices had come back from the steel window manufacturer so they were looking at a similar product in aluminum. He provided a drawing of the window profile.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Adams wanted to know if the building would be painted. Mr. Sands stated they would paint the new portion to match the existing.

COMMENTS FROM THE BOARD:

Mr. Wolf did not feel strongly about this given the level of visibility. He thought it was a shame to lose some of these old windows.

Mr. Hogg recommended two companies, Crittal and Panorama, as being sources for windows.

Mr. Wolf, having considered the standards set forth within the City Code including City Design Guidelines for New Construction, Rehabilitation, and

Demolition, moved to find that the proposed request to add an addition and replace existing windows and create new windows satisfies the BAR's criteria and is compatible with this property and others in this district, and that the BAR approves the application as submitted. Mr. Hogg seconded the motion. Mr. Knight wanted to know if the Board or Ms. Scala should approve a substitution to Crittal or Panorama windows. Mr. Wolf thought either of those manufacturers could be acceptable options; any other changes would come back to staff for administrative approval. Mr. Hogg accepted the amendment. The motion carried unanimously.

**5. Certificate of Appropriateness Application
BAR 09-12- 01
751 Park Street
Tax Map 52 Parcel 49A
Jeff Dreyfuss, Applicant
Addition to residence**

Ms. Scala gave the staff report. The applicant proposes to construct a new rear addition to an existing house which would include demolishing a small side porch on the north side and a rear porch on the west side. The applicant proposes replacing two windows with new windows, two windows with doors and replace the side porch door with a window. The applicant would add a new front stair railing. The proposed addition would have painted Hardiplank siding and a prefinished metal roof. After submitting the application, the applicant proposed replacing all the windows in the house with aluminum clad wood windows. Staff finds the scale and material of the addition, the proposed new shutters, and the originally noted window replacements are appropriate.

Mr. Jeff Dreyfuss stated they wanted to replace all the windows because they were very large, very single pane, and very leaky.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Knight sought clarification as to what type of window would replace the door. Mr. Dreyfuss stated it would be a double hung window.

COMMENTS FROM THE BOARD:

Mr. Knight thought it was nicely proportioned and nicely detailed. He stated he could support the removal of the porches. He stated it was a strong project and he thought it met the Guidelines.

Mr. Hogg stated he had been surprised how much this addition increases the footprint of the house, but he did not think the addition would detract from the relationship to the adjacent houses. He thought the corner of the addition was a little over much. The porch did look like an early feature, but he was not sure it was a significant one. He expressed concern that the Board had not received as much material as they do in other cases.

Mr. Ayres wished the one window and its shutter were lined up with everything else; taking the porch away makes it look odd. Mr. Wolf thought the single sided shutter was what drew attention to this.

Mr. Wolf did not have any problems with the application. He found the addition and the way it is handled to be sensitive to the original structure. He did not think the additional footprint was out of step with its adjoining properties on either side.

Mr. Ayres, having considered the standards set forth within the City Code including City Design Guidelines for New Construction, Additions, Rehabilitation, and Demolition, moved to find that the proposed demolition of the existing rear and side porches, the window and door replacements, the new site work, railing and lattice, and the proposed new rear addition 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. Adams seconded the motion. The motion carried unanimously.

B. Consent Agenda

1. Minutes -- May 19, 2009

Mr. Adams stated he had written changes to submit to Ms. Scala; these changes were to pages 5 and 9.

Mr. Knight moved to approve the minutes as amended. Mr. Wolf seconded the motion. The motion passed, 6-0-1; Mr. Ayres abstained from voting.

F. Matters from the public not on the agenda

There were no matters from the public.

G. Other Business

Mr. Knight wanted to know if a letter required any notice. Ms. Scala stated she was told not to respond to it, that it was in the hands of the City Attorney.

H. Adjournment to Holiday Dinner at Zocolo

Mr. Hogg moved to adjourn. Mr. Knight seconded the motion. The motion carried unanimously whereupon the meeting was adjourned at 8:07 p.m.