

**City of Charlottesville
Board of Architectural Review
June 15, 2010
Minutes**

Present:

Fred Wolf, Chair
H. Fairfax Ayres
Brian Hogg
William Adams
Michael Osteen
Preston Coiner
Eryn Brennan
Rebecca Schoenthal

Not Present:

Syd Knight, Vice Chair

Also Present:

Mary Joy Scala

Mr. Wolf convened the meeting at 5:00 p.m.

Mr. Adams arrived at 5:05.

A. Matters from the public not on the agenda

There were no matters from the public not on the agenda.

B. Consent Agenda

1. Minutes – April 20, 2010

Ms. Schoenthal moved the consent agenda as noted. Ms. Brennan seconded the motion. The motion passed, 8-0.

C. Projects in Non-Compliance (status report)

Ms. Scala gave the staff report. She stated that she had been notified of the removal of two large oaks on North 1st Street and that legal consultation regarding the demolition at 219 West Main was ongoing.

D. Previously Considered Items

1. Certificate of Appropriateness Application

BAR 10-06-05

751 Park Street

Tax Map 52 Parcel 49A

Jeff Dreyfus, Bushman Dreyfus Architects PLC/Applicant,

Meredith and Patrick Tennant/Owners

Demolition of existing rear porch and construction of new rear screened porch, window and shutter replacement, construction of pergola in rear

Ms. Scala gave the staff report. An addition to the rear of this property had been approved in December, but the new proposal is for a rear screened porch and pergola. Proposed parking

encroaches on the City's setback regulations. With consultation with the Zoning Administrator, improvements to the parking area have been removed from this application.

Mr. Dreyfus stated that the pergola had been removed from the proposal and distributed materials to the board noting the change. It was also noted that the side porch will remain in place.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Wolf sought clarification on the materials for the stair treads and porch. Mr. Dreyfus stated that painted wood would be used throughout except on the stair treads which would be Trex.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS FROM THE BOARD:

Mr. Hogg appreciated the applicant's revision of the project including the change in scale and removal of the pergola from the proposal.

Mr. Wolf thought this proposal was more fitting for the building.

Mr. Wolf, Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions, Rehabilitation, and Demolition, moved to find that the proposed demolition of the existing rear porch, the new rear screen porch addition, the window replacements as identified by that applicant as aluminum clad windows, shutters, railing and lattice, satisfy the BAR's criteria and are compatible with this property and other properties in this district, and that the BAR approves the application as submitted without the pergola. Ms. Brennan seconded the motion. The motion passed unanimously.

- 2. Certificate of Appropriateness Application
(Preliminary Discussion April 2010)
BAR 10-04-06
301 5th Street SW
Tax Map 29 Parcel 104
Mitchell/Matthews, Architect/ Michael and Ashley McMahon, Owners
Shed and addition demolitions, new addition and site work**

Ms. Scala gave the staff report. This project was first presented during the April preliminary discussion. At that time, the board voiced concerns over the scale and massing of the building including the physical connection to the historic structure. Staff noted the importance of the historic moat on the property. Ms. Scala requested east and south elevation drawings of the addition and noted that landscaping was not included in this application and would come before the board at a later date.

Ms. Rosalyn Keesee, representing the applicant, supplied south elevation drawings to the board. Ms. Keesee also noted the current plan reflects an effort to both respect the neighborhood context and maintain the backyard for use by the property owner.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Ms. Brennan requested clarification on the intersections of the new addition's roof with the historic building. Ms. Keesee stated that the stair connection would be below the original roof line and the addition's gable roof would align with the historic roof.

Mr. Wolf inquired about a window shown in plan. Ms. Keesee confirmed that window would be removed as shown in elevation drawings.

Mr. Adams asked for further clarification of the use of stucco and possible textures for the exterior treatment. Ms. Keesee stated that material details would return to the board for approval.

Mr. Wolf requested clarification of the elevations and plan concerning the connection of the addition to the historic building. Ms. Keesee noted that the notch within the plan aligned with the stair.

Mr. Hogg noted that the notch effects the 5th Street elevation and forces windows on that elevation to be placed closer to the corner of the building.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS FROM THE BOARD:

Mr. Hogg met with the applicant after the preliminary discussion in April and suggested using the stair tower as a means to connect the historic building and new construction. Stucco has precedent in the neighborhood and is a suitable contrast to the original brick structure.

Mr. Wolf felt this proposal responded to the board's comments and does defer to the original structure.

Ms. Schoenthal noted the improvements but voiced continued concern over the massing of the addition.

Mr. Osteen indicated that he felt the massing was appropriate and suggested modifying the plan to resolve any issues with the roof.

Ms. Brennan appreciated the use of the stairs to connect the new addition to the rear of the historic building and believes that the proposal meets guidelines for the massing and scale of additions.

Mr. Coiner noted his support of the project.

Mr. Ayers discussed the character of the historic house and indicated that its small size was important and would be fundamentally changed by the scale of the addition.

Mr. Wolf believed that the connecting stair detail mitigates the impact of the addition.

Mr. Adams was concerned that the use of stucco could look commercial and requested that the applicant consider in depth the detailing on the exterior of the building, including the texture of the stucco finish.

Mr. Wolf inquired about supporting the application in concept and requesting more details return to the board for review.

Mr. Wolf, having considered the standards set forth within the City Code, including City Design Guidelines for Demolition, New Construction and Additions, moved to find that the proposed demolition of the shed and rear additions and the construction of a new addition satisfies the BAR's criteria and is compatible with this property and other properties in this district, and that the BAR approves in concept the application, with modifications and details of the building envelop, roof configuration, window placement, site design, materials and colors to be submitted to the BAR for final approval. Ms. Brennan seconded the motion. The motion passed, 6-2; Mr. Ayers and Ms. Schoenthal voted against.

**3. Certificate of Appropriateness Application
BAR 10-06-03
301-315 West Main Street
Tax Map 32 Parcels 197 and 198
Bob Mooney, Applicant/
Mooney West Main LLC, Owner
Demolition of Buildings 301 and 315 West Main**

Ms. Scala gave the staff report. Staff noted that previous demolition applications were approved on this property, but extensions have expired so this may be treated as a new application. The structural report that supported earlier demolition requests was resubmitted with the application materials.

Mr. Jim Mooney, representing the applicant, indicated that there were no changes since previous demolition requests.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Osteen inquired if demolition was imminent on the property. Mr. Mooney stated that the owners would like to combine demolition with a rehabilitation project, and as a result demolition was not scheduled in the near future.

Mr. Wolf inquired if the buildings met code. Mr. Mooney indicated that the Fire Marshall had inspected the buildings and found they complied with the code. They are not in danger of imminent collapse.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS FROM THE BOARD:

Mr. Coiner suggested that tenants be made aware that even though the building has been approved for demolition, it must be maintained according to the guidelines established by the city. He noted that painting and graffiti were not appropriate.

Ms. Brennan noted her earlier votes regarding demolition on this site. She supported the application for demolition of 315 West Main Street, but did not approve the application for 301 West Main Street. She felt that the current building at 315 West Main Street could be incorporated into any new projects proposed for the site.

Mr. Hogg noted his support and felt that the proposed demolition meets the guidelines.

Mr. Osteen indicated that he supported the demolition and suggested making two motions, one for each property.

Mr. Osteen, having considered the standards set forth within the City Code, including ADC District Design Guidelines for Demolition, moved to find that the proposed demolitions of 301 West Main Street satisfy the BAR's criteria and guidelines and are compatible with this property and other properties in this district, and that the BAR approves the demolitions as submitted. Mr. Wolf seconded the motion. The motion was approved unanimously.

Mr. Osteen, having considered the standards set forth within the City Code, including ADC District Design Guidelines for Demolition, I move to find that the proposed demolitions of 315 West Main Street satisfy the BAR's criteria and guidelines and are compatible with this property and other properties in this district, and that the BAR approves the demolitions as submitted. Mr. Wolf seconded the motion. The motion passed, 6-2; Ms. Brennan and Ms. Schoenthal voted against.

E. New Items

- 4. Certificate of Appropriateness Application
BAR 10-06-01
100 South Street W
Tax Map 28 Parcel 102
Janzies (Janet Alving), Applicant/
Roulhac Toledano, Owner
Outdoor seating area, Install low wattage lighting**

Ms. Scala gave the staff report. Ms. Scala stated the history of the historic property, the Albemarle Grocery Warehouse also known as the Pink Building, which was constructed in 1916 as a warehouse. The prior occupants of this unit operated a café with limited outdoor seating. The applicant proposes to formalize the entrance with planters and a small seating area with low wattage lighting. Staff requested installation details, particularly relating to the containment of the sand used under the brick pavers.

Mr. Bruce Telford, representing the applicant, noted that the applicant wanted to incorporate any changes suggested by the BAR and all exterior modifications would be temporary to preserve the integrity of the historic building. He explained that brick pavers would be laid over sand to create a seating area bordered by flower boxes.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Coiner inquired if the brick pavers used for the seating area would follow the slope of the asphalt pavement beneath or attempt to level the area on the same horizontal as the current building. Mr. Telford indicated that the brick would follow the slope of the current pavement.

Mr. Osteen asked if the brick pavers would create a level change that could effect wheelchair accessibility. Mr. Telford planned to have sloping bricks at the entrance to the seating area so that it would be accessible.

Ms. Schoenthal verified with the applicant that the planters are proposed to be painted white and use lattice.

Ms. Brennan asked where the lattice would be purchased from. Mr. Telford planned on using stock lattice from a home improvement store like Lowes.

Mr. Hogg requested more information on the construction of the flower boxes. Mr. Telford explained that the boxes will be constructed on posts and the gap between the ground and the bottom of the flower box covered with lattice.

Mr. Wolf inquired about the height of the flower boxes. Mr. Telford stated that the boxes would be approximately three feet in height and would be custom built for the site to fit within the property lines. Mr. Wolf recommended that the top of the flower boxes be level rather than slant with the grade of the asphalt pavement. Mr. Wolf also asked about the type of fixtures proposed for the low wattage lighting and details of the sand and brick paver installation. Mr. Telford stated that the lights would be underneath an awning and hidden from view. The bricks would be laid over sand with plastic (filter fabric) between the sand and bricks. The bricks would be held in place with masonry spikes driven into the existing pavement. Mr. Wolf suggested that providing cut sheets of proposed fixtures so that the board would be able to better understand the proposed lighting.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS FROM THE BOARD:

Mr. Hogg supported enclosing the seating area using planters but indicated that the use of brick in the warehouse area was an anomaly.

Mr. Osteen echoed Mr. Hogg's comment and suggested that the installation of brick would create more expense and problems than working with the current asphalt paving. He also indicated that improving the stairs could be another way to improve the entranceway.

Ms. Brennan verified that the lattice would be framed and agreed with earlier comments on the brick paving.

Ms. Schoenthal suggested that the details of the design needed to be more fully considered.

Mr. Wolf agreed with Ms. Schoenthal and indicated that he would like to see more design details. He supported the application in concept, but requested that details come back to the board or be approved administratively.

Mr. Coiner and Mr. Hogg suggested working with current blacktop and possibly repairing the uneven patches.

Mr. Wolf suggested that a darker color for the planter boxes might be more appropriate.

Ms. Brennan and Mr. Wolf suggested modifying the planters so that they would not simulate a fence could allow the applicant to go through an administrative approval process rather than further BAR review.

Mr. Adams suggested that the applicant complete a seating chart for the outside seating area to help with design concerns.

Mr. Telford asked for a deferral.

Mr. Coiner moved to accept the applicant's request for a deferral. Mr. Adams seconded the motion. The motion carried unanimously.

**5. Certificate of Appropriateness Application
BAR 10-06-04
19 Elliewood Avenue
Tax Map 9 Parcel 90
Eric Kelley, Applicant/ Geary Albright et al, Owner
Construct deck and dining terrace**

Ms. Scala gave the staff report. She noted that in September 2008 the BAR approved murals on the exterior of the building. The applicant proposes to build a deck covering the rear yard to accommodate outdoor seating and a small stage. The application also includes a brick patio. Ms. Scala suggested

verifying the paint color and believes this project will give the property a neater appearance when viewed from the railroad tracks.

Mr. Eric Kelley, applicant, indicated that the brick patio was a means of making the slope on that portion of the property safer. The proposed deck will be painted or stained, would prefer using the same dark stain that is already on a portion of pre-existing deck.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Adams asked how the space below the deck would be handled. Mr. Kelley stated that wire mesh would be installed underneath the deck and used to create a green screen. This enclosure method should keep graffiti to a minimum as well.

Ms. Brennan inquired if the right rear window would be converted into a door. Mr. Kelley confirmed the proposal included a new door.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS FROM THE BOARD:

Mr. Hogg stated his support of the project and noted that he had visited the property and believed that the current stain color would work well for the new deck.

Mr. Wolf believed that the proposal was appropriate, especially given that the deck borders the railroad.

Ms. Brennan felt the proposal was in keeping with the guidelines.

Mr. Coiner was concerned about the lighting. Mr. Kelley explained that it would be exposed bulbs. Mr. Hogg indicated that it seemed similar to that used at The Biltmore.

Mr. Wolf, having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions, Site Design and Elements, and Rehabilitation, moved to find that the new deck and dining terrace satisfy the BAR's criteria and are compatible with this property and other properties in this district, and that the BAR approves the application as submitted. Mr. Hogg seconded the motion. The motion passed unanimously.

6. Preliminary Discussion BAR 10-06-02 218 West Water Street Tax Map 28 Parcels 84

**Atwood Architects, Applicant/ Waterhouse LLC, Owner
New Construction, Waterhouse**

Ms. Scala gave the staff report. She noted this property has undergone many BAR reviews for a large mixed use building. There is currently an approved site plan on record which complies with old zoning regulations. It is unclear if the applicant will have to abide by the new zoning regulations when returning for a certificate of appropriateness. Regardless, this would only effect the set back requirements and the BAR commented on the project for the preliminary discussion.

Mr. Bill Atwood, applicant, stated that the building was coming back before the BAR with major changes as potential tenants and residential spaces have changed in response to the economy. The applicant consulted with the residents of the Lewis & Clark building as well as members of the West Main Street community before appearing for the preliminary discussion. The Lewis & Clark residents indicated some concern about the amount of windows facing their building, but overall the community was supportive of the new design. The proposed design will emphasize horizontal rather than vertical elements and residential units in the upper levels.

QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

QUESTIONS FROM THE BOARD:

Mr. Ayers requested to see a copy of the existing site plan.

Mr. Wolf asked for clarification on the height of the base of the building. Mr. Atwood stated that the bases differed because of attempts to align the building and the parapet on the Green Building.

Ms. Brennan inquired about the setback of the building. Mr. Atwood indicated that the design would stay at the street line as an attempt to honor the Green Building.

COMMENTS FROM THE PUBLIC:

Mr. Kal Klidelfelter, owner of Sidetracks Music, noted concern about parking for his business once the new building would be constructed. Mr. Atwood noted that the parking currently guaranteed (12 spaces) would be accommodated in a new parking structure planned as part of the proposal.

Mr. Brent Nelson, owner of 214 South Street, stated his support of the project especially the horizontal emphasis of the new design. He felt the proposal responded both to the needs of the commercial character of Water Street and the residences along South Street.

COMMENTS FROM THE BOARD:

Ms. Schoenthal felt that the design had improved over previous versions, but voiced concern over the number of windows and variety of styles shown in the renderings. She noted that the building reads as two separate pieces rather than being unified.

Mr. Hogg suggested that the design should be more unified and to consider designing the building without referencing elements from earlier proposals where the massing and scale were significantly different. He also felt that the colonnade did not integrate well and shading elements should relate to window openings.

Ms. Brennan noted her appreciation for deferring to the historic building, but suggested simplifying the design. She felt the change in scale had improved the project.

Mr. Wolf outlined two comments on the design. First, the building seemed more homogenous than previous proposals. Second, the design continued to feature too many styles. He suggested creating a base that related the two sections of the building so that the entire project could be read as a complex. Some exterior detailing could be used above the second story to reveal the different functions of the upper floors. Mr. Wolf also suggested considering the use of voids and solids as a means to articulate the building rather than switching styles.

Mr. Ayres noted his support of the intent to create a community or village of residential space in the upper floors of the building. He was concerned that the design could become too industrial in appearance and hoped the composition would remain varied.

Mr. Atwood stated that he hoped to make the project look like two buildings with a bridging element between them.

Mr. Wolf suggested that the building could be read as two pieces but still designed with more unification.

Mr. Hogg voiced concern over the visual impact of the glass slit feature and echoed earlier comments about the need for unification of the design.

Mr. Adams appreciated the applicant choosing to reduce the size of the project. He suggested looking at the system of bays that developed along property lines in older sections of Downtown for potential inspiration as the applicant continues to develop the design. He also indicated that the slot windows proposed may not be appropriate.

Mr. Hogg suggested that the design over all needed to have more visual logic. The columns and other elements used should respond to the load bearing elements of the building.

7. Recommendation
Establishment of Martha Jefferson Neighborhood Historic Conservation District
Martha Jefferson Neighborhood Association, Applicant

Mr. Wolf recused himself from this agenda item, but led the discussion in the absence of Syd Knight, Vice-Chair.

Ms. Scala gave the staff report. The Conservation District ordinance was adopted in 2009 and the Martha Jefferson Neighborhood is the first neighborhood to apply for this designation. Ms. Scala outlined the approval process and changes that would be made to the zoning ordinance, emphasizing that this would be an overlay over previously established zoning including Individually Protected Properties. She also noted the differences between Architectural Design Control District guidelines

and those for a Conservation District. The Martha Jefferson Neighborhood Association submitted a letter outlining the steps that the Association had taken to gain feedback from all neighborhood residents (not just those who would fall within the potential Conservation District) which was included in the packet distributed to board members. The proposed district matches the boundaries of the previously established Martha Jefferson Neighborhood National Register Historic District. Ms. Scala noted that the Rucker Wing of Martha Jefferson Hospital could be listed as a non-contributing structure in the Conservation District, which would differ from its status in the National Register Historic District. She also requested that the board work to create a list of character defining features of the neighborhood, with input from the public, which would be used to guide the BAR during review of projects within the proposed Conservation District. There are several properties within the proposed district that are reviewed by the Entrance Corridor Review Board and could either continue to be reviewed by that board or may be transferred to the purview of the BAR if the Conservation District is created. Staff notified all property owners in the neighborhood of the date, location, and time of the meeting.

QUESTIONS FROM THE PUBLIC:

Mr. J P Williamson of Octagon Partners asked board members and staff if the Rucker Wing of Martha Jefferson Hospital would become ineligible for tax credits if the structure became non-contributing within the Conservation District. Ms. Brennan indicated that the National Register Historic District was an independent designation from the Conservation District and eligibility for tax credits would not be affected by the creation or modification of the Conservation District.

Mr. Hogg noted that the Rucker Wing could not be altered or demolished significantly without affecting the Patterson Wing of Martha Jefferson Hospital, an Individually Protected Property.

Ms. Brennan suggested that a subcommittee should be established to allow for more time to consider character defining features of the neighborhood and create a comprehensive list.

Mr. Hogg echoed Ms. Brennan's suggestion.

QUESTIONS FROM THE BOARD:

There were no questions from the board.

COMMENTS FROM THE PUBLIC:

Ms. Ellen Wagner, resident of 841 Locust Avenue and current President of the Martha Jefferson Neighborhood Association, thanked Ms. Scala for outlining the history of the neighborhood and the process of creating a Conservation District. Ms. Wagner outlined the efforts of the Martha Jefferson Neighborhood Association and requested that the board members recommend the creation of the Conservation District. She felt that the district would honor the history of the neighborhood and guard against the demolition of contributing structures.

Ms. Melanie Miller, resident of 528 Locust Avenue, supported the creation of the Conservation District with the boundaries corresponding to those of the National Register Historic District, including the Rucker Wing as a contributing structure. She felt that residential massing and scale were the most important character defining features. She also noted that the proposed list of features included asphalt

shingles, which she felt was not necessarily characteristic. She also noted that the neighborhood wanted to encourage the use of modern architecture on infill sites.

Mr. Bruce Odell, resident of 878 Locust Avenue and former President of the Martha Jefferson Neighborhood Association, endorsed Mary Joy's report on the proposed Conservation District and supported previous comments made by the public. Mr. Odell described the series of block meetings held throughout the neighborhood during his time as President of the MJNA. He also expressed the desire to have properties within the neighborhood fall under the review of whichever board (ERB or BAR) that would provide the highest and best form of protection against the demolition of contributing structures. He requested that a document be created that outlined the differences between ERB and BAR review. He echoed that massing and scale were the most character-defining features of the neighborhood and supported the use of modern architecture.

Ms. Brennan noted that it may be best for all properties within the proposed district to fall under BAR review.

Mr. Hogg suggested that a list of character defining features should acknowledge the massing and scale of Martha Jefferson Hospital is anomalous with the residential character of the surrounding neighborhood.

Mr. Odell discussed the neighborhood's efforts to create a positive relationship with the hospital. He noted concern over the by right development potential on the hospital site under the current zoning (B1).

Ms. Maria Dominguez Chapel, resident of 1029 Hazel Street, stated her support for the proposed Conservation District and read a portion of a letter submitted by Lydia Brandt, architectural historian and preparer of the National Register nomination for the Martha Jefferson Neighborhood Historic District.

Ms. Mary Odell, resident of 878 Locust Avenue, voiced her support of the proposed Conservation District and the need to preserve the small city character of the area. She described conducting deed research and discovering the history of the neighborhood. She felt that only massing and scale should be considered character-defining features and modern architecture should be encouraged.

COMMENTS FROM THE BOARD:

Ms. Brennan asked Mr. Osteen if the ERB guidelines discussed massing and scale. Mr. Osteen indicated that the ERB focused primarily on the economic vitality of the entrance corridor.

Mr. Hogg noted the difference between drawing historic district boundaries and the creation of boundaries for regulatory purposes. He suggested that regulatory boundaries were more inclusive. He also suggested that a list be created of issues relating to the creation of the proposed Conservation District including the anomalous character of the hospital and the divisions between BAR and ERB review. He requested the Ms. Scala formalize the list of suggestions and investigate options for appropriate boundaries.

Ms. Brennan noted the lengthy process involved in changing boundaries and the required community notification.

Mr. Odell noted that property owners surrounded by the Conservation District, but not within the currently proposed boundaries, were asked during block meetings if they would like to be included in the district. There was hesitation to be part of the first Conservation District. Those residents may be interested in being added later.

Ms. Brennan noted that district additions happened in the North Downtown ADC district, so there is precedent within the City.

Mr. Hogg moved to defer recommending the creation of the Martha Jefferson Neighborhood Conservation District. Ms. Schoenthal seconded the motion. Ms. Brennan requested that the item come back before the BAR at the following month's meeting and that a representative of the Martha Jefferson Neighborhood Association be part of the subcommittee. The motion passed, 7-0-1; Mr. Wolf recused.

F. Matters from the public not on the agenda

There were no matters from the public.

G. Other Business

There was no other business.

H. Adjournment

Mr. Adams moved to adjourn. Mr. Wolf seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 8:36 p.m.