

City of Charlottesville
Board of Architectural Review
Minutes
June 16, 2015
City Council Chambers-City Hall

Members Present:

Melanie Miller - Chairperson
Carl Schwarz
Kurt Keesecker – Planning Commissioner
Justin Sarafin
Tim Mohr – Vice Chair
Candace DeLoach

Staff Present

Mary Joy Scala
Margaret Stella-Intern

Chairperson Melanie Miller called the meeting to order at 5:30.

- A. Matters from the public not on the agenda – no one spoke from the public.
 - B. Consent Agenda
1. Minutes May 19, 2015
Mr. Keesecker motion to accept the consent agenda, seconded by Mr. Schwarz;
Motion passes 6-0
 - C. Deferred or Previously Considered Items
2. Certificate of Appropriateness Application (deferred from April)
 - BAR 15-01-02
 - 120 West High Street
 - Tax Parcel 330184000
 - Christ Episcopal Church, Owner/William Blodgett, Applicant
 - Demolish Concrete Curbing and Memorial Garden Site Work

Staff noted that, since April, four BAR members have met on site with the applicants. The BAR should discuss the results of those meetings, and should determine if all its concerns have been adequately addressed.

The most important issue, the concrete curbing, has been resolved. If the church is successful in replicating the damaged curbing, this experience should prove very helpful in the future as other property owners encounter similar maintenance issues with the ubiquitous historic curbing.

Laura Knott has recommended the rounded Maple form as being complementary to the Gothic architecture, and has recommended the proposed design of the junction of the new walkway with the existing curved walkway.

The applicants do not want to move the gate back to the rear pilaster. The BAR seems to have mixed opinions on the gate: some think it is too close to the church façade; others think the gate is fine, or think the landscaping will eventually make the gate less apparent.

The memorial garden design is appropriate. The low wall is neatly constructed and the motion sensor lighting and tensile fencing are good solutions.

Rick Carter and William Blodgett represented the applicant. They need the size of the memorial to be adequate both for security and the stained glass windows for memorial service for as many people to be in there. They are asking the BAR to approve. He said they appreciated Laura Knott's comments.

Mr. Keesecker asked how tall is mature boxwood and what is the low branch height of a sugar maple or the height of the witch-hazel that has been moved in? Mr. Blodgett said traditional boxwoods could become 5 feet tall. The witch-hazel is the small tree, it was selected because it would be small, around the size of a dog wood, moved it over and the maple can be 40 feet. Parish members like the openness of the witch hazel, larger than a dogwood but spread out. 15-20 ft., it would screen partway the gateway.

Comments and Questions from the public.

John Conover 104 W. High Street- he think it's good that they can find a solution for the quarter round, but his is concern about the gate. He thinks it would be better set back. Guidelines argue against flush with the church, no architectural or practical reason for it not to be set back.

Vince Cibarelli 2nd Street N.E.-been here since 1982, Christ Episcopal since 1987. He asked that the BAR would approve this project.

Comments and Questions from the BAR.

Mr. Sarafin – how much this is appreciated; how you followed through with the curbing. That element is an important element in the setting. When completed the new work will be pleasing to the eye and further complement the beauty of the church. No disagreement with Laura's suggestions. He thinks a very elegant solution; as far as the memorial garden he has no comments.

Mr. Mohr commented that the landscaping is much improved, the reason he is less adamant about the gate, the scale is appropriate in terms of height. Not a problem with it. He said it is set back from the building.

Ms. Miller has a problem with the gate issue as well as the gate and combination with the tensile fence, could draw people through the neighbor's yards.

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and Public Improvements, Mr. Sarafin moves to find that the proposed changes satisfy the BAR's criteria and guidelines and are compatible with this property and other properties in the North Downtown ADC district, and the BAR approves the application as submitted, seconded by Mr. Schwarz, opposed by Mr. Keesecker and Ms. Miller, motion passed 4-2. The BAR wants to see the mock-up of the proposed curbing and joints before the project is started.

3. Certificate of Appropriateness Application (deferred from May)
BAR 15-04-02
150 Chancellor Street
Tax Parcel 090109000
Delta Zeta National Housing Corp., Owner/John J. Grottschall for Zeta Corp.,
Applicant Replace windows

Staff noted that, the existing windows may be original. Wood replacement windows would be appropriate. The existing masonry openings will not be changed in size; and the muntins will match existing light patterns.

At the April meeting, the BAR suggested that the applicant should look into repairing the windows using historic tax credits for rehabilitation, rather than replacing them. The BAR also asked for more details regarding the replacement sashes they were being asked to consider. The applicant has submitted additional information about the Jeld-Wen replacement sash kits.

At the May meeting the BAR requested an inventory of the condition of all of the windows that could perhaps result in a compromise proposal, such as repairing the most visible windows.

Ms. Tressie Daniels represented the applicant. They are planning to up-grade the windows and are replacing parts to the windows. These windows are non-invasive to the house and will look the same and the storm windows will come off. When the trains comes by the windows rattle. We are asking for approval to put in some new parts. The other 1910s house on Rugby Rd has had windows replaced/repared and noise level on Rugby Road was really quiet. Doubt the originality of the 4th floor windows; 24 of the windows are out of plum (don't fit in frames). 11 windows have had glass panes replaced (most back side because of the train), 4 missing ropes and chains (mostly repairable), 12 that are mixed rope-chain. Has found 4 houses on Chancellor St. that have had windows replaced (one with vinyl).

Ms. Daniels said the proposed windows are all wood and have a lifetime warranty. Treated pine wood guaranteed warranty against moisture and bugs.

No public concerns.

Questions and Comments from the BAR.

Ms. Miller said the project is right where we would want it to be. Raising and lowering the windows, she opened every window, one was significant rot, maybe one other would also

need wood replacement. They are not falling apart or rotten. The guidelines are clear in terms of what warrants replacement. They have done a good job in maintaining the house, windows don't warrant replacement. She thinks the window selected is appropriate.

Mr. Schwarz said he found some interior storm windows on line. Some are operable, double hung. Not sure how long they might last.

Ms. Daniels said storm windows are not historically correct. She would take the storm windows off the front windows.

Mr. Schwarz said he worried that storm windows are not functional. He supports the replacement of the windows.

Mr. Keesecker said he agrees with Mr. Schwarz and supports the replacement, and from the inside, make sense that all the living room windows would be similar.

Mr. Mohr asked are the downstairs windows bedrooms? Will the door on the top porch be replaced? Getting rid of unsightly storm windows and air conditioners justifies replacing the windows.

Ms. DeLoach will not support replacing the windows.

Mr. Sarafin said the replacement is appropriate and it keeps the building in fully operable condition. Worried about the precedent that this could set. Supports restoring a few examples. He said replacement is more like upgrading the parts; he will support it.

Ms. Miller asked if it is a wholesale replacement or just the first floor and front façade would be restored?

Ms. DeLoach said she has done everything to keep the old windows in her house for the past 14 years.

Mr. Mohr said at a bare minimum we'd like to see the three bottom façade windows restored, but upper windows, it would be our preference to have them restored, but up to you.

Mr. Schwarz asks that the sashes do not end up in a dumpster.

Mr. Keesecker wants to see all the windows repaired on the front façade and leave the storm windows off that façade. On three facades they get replacement windows.

Mr. Schwarz disagreed. He said that the functionality of bedrooms upstairs would be hindered can't support saying no storm windows on upstairs bedrooms.

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and for Rehabilitation, Mr. Keesecker moved to find the proposed window replacement satisfies the BAR's criteria and is compatible with this property and other properties in The Corner ADC District and that the BAR approves the application as submitted with the following modifications: that the [ten] windows on the street façade be repaired instead of replaced, with no exterior storm windows, seconded by Ms. Miller,

motioned passed 6-0. The BAR also recommended replacing the plexiglass in the transom with old glass,

- 6:20 4. Special Use Permit Recommendation (deferred from May)
 550 East Water Street
 Tax Parcel 530162300
 Water Tower LLC, Owner/ Core Real Estate & Development (Robert
 Nichols), Applicant
 Request for additional height

Before City Council takes action to permit the proposed special use permit for additional height, they must consider the BAR's opinion whether there are any adverse impacts to the Downtown ADC district that could be mitigated with conditions. A special use permit is an important zoning tool that allows City Council to impose reasonable conditions to make a use more acceptable in a specific location, and to "protect the welfare, safety and convenience of the public." Suggested motions are listed below.

A preliminary discussion is required prior to consideration of a Certificate of Appropriateness for new construction. That preliminary discussion generally takes place following the City Council approval of the SUP, so that all conditions of the SUP, which may be imposed by City Council, are known. However, the BAR is welcome to provide constructive comments at this time. The BAR should consider the ADC Design Guidelines in making preliminary comments regarding the proposed design.

NOTE: Building height is defined as: the vertical distance measured from the level of the grade of the building footprint to the level of the highest point of the structure's roof surface. This distance is calculated by measuring separately the average height of each building wall, then averaging them together. The height is measured to the level of a flat roof, to the deck line of a mansard roof, and to the average height level between the eaves and ridge for gable, hip, or gambrel roofs.

Questions from the public

Samuel Hellmann, a resident of the Holsinger Building, asked if we are considering the SUP or the by-right. What are we to make of the by-right? To Mr. Nichols I ask, if you are only asking for SUP, then by submitting the by-right, you are making a threat that if you fail to get the SUP you will build or offer the by-right building, which is not desirable and is the worse choice, but it is not the choice we are discussing.

Mr. Nichols said this is not a threat, it's clear the documentation and representation of the by-right build-out is a question as much of the zoning envelope as it is of the proposed building. We are requesting an envelope. The question before the board is massing and scale.

Questions from the BAR

Mr. Schwarz asked are you showing an occupied roof? Are you certain of the elevator height? How much office space? Parking spaces? Have you figured out trash, loading, and unloading?

Mr. Nichols said the site plan will address this issue, pending agreement with the parking garage. Loading will occur through the parking garage and on the street.

Mr. Keesecker also asked if the parking would follow the slope of the ramp.

Comments from the public.

Samuel Hellmann – SUP clearly is presented as the lesser of two evils. In either case, SUP or by-right, it is less satisfactory than a smaller structure that would be consistent with the other structures. Incongruous with the remainder of Water Street. Important that it is on the south side, always creating a shadow and will reach 5th street, Water Street, and the mall. Came from Chicago, and NY and this site is the beginning of an urban canyon. Dominates and diminishes the King Building. What should be built is a structure that is consistent in mass, design with the neighboring structure, and should not over burden this narrow, quarter-acre site. He hopes Mr. Nichols gets the contract and will be able to build something that pleases the neighborhood.

Jessica Baker- Member of the North Downtown Residence Association Board but speaking personally. This would be an absolute travesty to build a building of this mass and design to enter into Charlottesville historic district.

Mark Kavit – I question their right to build a six-story building. Consider in the past concerning the Meadowbrook area wanted to build- same [zoning] section was used to keep the building from being built. Pay attention to the character of future Charlottesville.

Emilie Johnson 112 Fifth Street S.E, proposal scale and massing, the heights, setback and stepback, located on the south side. All existing tall buildings have an open space nearby. There are impeded site lines from every direction. The water street elevation shows discrepancies – should show the relationship toward the train station and the King Building. Shares concerns with loading and traffic, especially since Water Street is a main E/W thoroughfare.

David Myatt – This building is not harmonious with our historic district neighborhood. It will dominate the skyline. 1. Project is grossly incompatible with neighborhood, loom over adjacent historic properties as well as dominate the skyline 2. Monolithic façade will make for poor pedestrian experience (minimal setback, narrow sidewalk) 3. Pose traffic, parking and congestion issues in an already problematic area 4. City code- noise, terrace deck wouldn't be used commercially. Applicant should be held to that representation. 5. Block neighboring property views, sunlight, and sky 6. The new ideas for landscaping and open space are trivial and unconvincing, they will attract “illicit activity” 7. Brings nothing to the community, SUP should not be given out routinely- should offer open space like the market project 8. Don't think of it in isolation, effect on area- we ask you don't approve a short sighted project that would affect the community longtime.

Tim Michel –Representing the King Building – he said we have known for years that there was going to be a building on this site. The issue is what kind of building. This is out of character for this part of town. What does the city get from this building?

This area is pretty pristine. It is attractive and new projects like transit station stayed low. This is very different. He likes the architecture. But this is breaking new ground and not sure what the city is getting. With a 6 story building, he is counting on the BAR to make it look good. We have not decided on the train watching garden, as owners were uncomfortable with unknowns. Present drawings that are “apples to apples”.

Carol M. – lived here since 1993, live near the downtown mall, care about the city, care about a lot of what the neighbors see as inappropriate. Particularly revealing is a reference

to “a monumental first story that suits the overall [scale] of the building.” As a walker, she is very worried about this development.

Comments and Questions from the BAR

Mr. Mohr- Asks Mary Joy about how much BAR can do with by-right in terms of setback and height. If this wasn't such a site-specific discussion, the way the SUP is positioned as a way to adjust the volume of the building, as opposed to simply adding more space, is the way that an SUP ought to function. He thinks aside from the massing, feel the relationship with the street is not great. It is a hard façade as it is presently developed.

Mr. Schwarz- Looking in Guidelines for things that don't satisfy the SUP, keep the height and the storefront 130 % of surrounding area; 200% for building height. You can solve the issue with the garage. He is struggling with the guideline a garage taken up half of the street front which is opposite to what the city is trying to do. If you need 20 or fewer parking spots, and two story office, for example, you wouldn't need a garage. Agree with Tim- the trade-off is positive. The openness of the existing parking lot there helps you to read the history of the street. Can't have half the building on first level be a garage. If it does get approved, the planning commission needs to put in some wording to discuss loading, and something about the roof deck being residentially used, permanent open space.

Mr. Sarafin said speak to the matter at hand are we recommending the SUP that the city Council will take up. At a basic level we are here to say no, we are charged with helping to manage change and growth within this architectural area. The SUP going up to a 101 foot height would have an adverse effect. The additional height requested is not compatible with this district and this end of Water Street.

Mr. Keesecker said massing is done well. The question is, how high the tower and the other part should be. In the future it seems reasonable that the BAR could look at a by-right envelope and say, all of your efforts are unsuccessful, not agree to give 70 feet as by-right. Reasonable to assume we would still have a well- designed building in a by-right situation. He said the parking garage is the street killer. Maybe the tower is too high; not sure of the answer.

Mr. Mohr said height is not the problem with SUP's, it is mass. Maybe give a sense of twin towers with light going through.

Mr. Sarafin said this in on the edge of the grid – cannot see the argument for height in this location. It is less about the height than how it engages with the street, which we have concerns with.

Mr. Mohr said the basic impulse in terms of massing is good.

Mr. Schwarz said forty feet height seems better here than seventy feet.

Mr. Keesecker said the streetwall should be addressed, and the garage.

Mr. Nichols defended his project.

Ms. Miller moved to find that the proposed special use permit to allow additional building height (from 70 feet to 101 feet), will have an adverse impact on the Downtown

Architectural Design Control (ADC) District, and the BAR notes the following considerations when making this recommendation:

- The height requested by SUP is too much, but the massing concept presented by the applicant is acceptable.
- The BAR appreciates the modulated rhythm.
- City Council should consider reducing the minimum required height of 40 feet.
- The BAR has concerns about the pedestrian experience relative to the garage.
- This site and/or the underlying by-right zoning may be uniquely problematic – the BAR is not advocating for the 70 foot street wall allowed by zoning.
- The BAR is supportive of the potential to develop a building, and the aesthetic presented is headed in the right direction.
- The BAR would advocate for a building with similar program, but lower height.

Seconded by Mr. Mohr; motion passes 6-0.

D. **New Items**

5. Certificate of Appropriateness Application
BAR 15-06-02
500 Court Square
Tax Parcel 530096000
Thomas Michie, TR -1st Mont LD TR, Owner/ Ntelos Wireless, Applicant
Replace 3 existing with 9 screened antennas and relocate ground cabinets

The pertinent Telecommunication Facilities section of the zoning ordinance that was adopted in 2003 states:

Sec. 34-1073. Facilities by district.

(a) Within the cities historic and entrance corridor overlay districts:

(1) The following shall be permitted uses: antennae or microcells mounted on existing communications towers established prior to February 20, 2001; attached communications facilities utilizing utility poles or other electric transmission facilities as the attachment structure; and other attached communications facilities if such other attached communications facilities are not visible from any adjacent street or property.

(2) The following shall be prohibited uses: attached communications facilities where such facilities are visible from any adjacent street or property, and communications facilities utilizing alternative tower, monopole tower, guyed tower, lattice tower and self-supporting tower support structures.

Staff commends the property owner and the utility for working together to improve the City's most important historic district. Ideally, over time, all the antennas can be removed from the penthouse and located on the lower roof behind a screening wall that could be built in phases as the several users upgrade their antennas and equipment. However, staff has several concerns:

1. The proposed stealth wall does not extend down to the roof;
2. It should be confirmed that all the screen walls will have a consistent top height;
3. The location of the proposed Gamma screen should be discussed.

The applicant was represented by Jessica Wilmer.

Following discussion by the BAR the applicant asked for a deferral.

Ms. Miller motion to accept the deferral, Mr. Sarafin seconded, motion passes 5-0-1, Ms. DeLoach recused. The BAR recommends that the property board propose a master plan or approach rather than a disjointed solution. BAR members are willing to meet with the owners to discuss possible solutions. Some possible options to consider are: locating the antennas behind the baluster; locating the antennas to the sides of the penthouse, and painting the antennas to match the penthouse; or adding screening to the penthouse area resulting in a wider penthouse.

6. Certificate of Appropriateness Application
BAR 15-06-03
513 West Main Street
Tax Parcel 320174000
Greg Jackson, Applicant/Allan H. Cadgene, Owner
Install new mixed material trash containers

The proposed structure is designed to serve four tenants, and will help maintain the neat appearance of the rear alley space.

No public concerns or questions. No concerns by the BAR.

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and Elements, Mr. Sarafin move to find that the proposed new screening enclosure 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, Seconded by Mr. Mohr, motion passes 6-0

- 7:40 7. Certificate of Appropriateness Application
BAR 15-06-04
853 West Main Street
Tax Parcel 3101700000
Mitchell Matthew Architects, Applicant/Blake Hurt, Owner
Renovation to south side of existing building and exterior space of sidewalk

Staff noted that the design is appropriate but material samples are needed. The landscaping plan should be more specific as to which trees will be saved or removed.

Kevin Riddle, representing the applicant, said paving material is vague at this point. Planting needs to be more specific.

Comments and Questions from the BAR

Mr. Keesecker asked about lighting.
Mr. Riddle said we need to still work on that.

Ms. Miller asked what the interim solution is.
Mr. Riddle said either a 2 years or 90 days solution.

Ms. Miller asked does this application ask to remove any trees.
Mr. Riddle said No, not proposing to remove any trees.
Ms. Miller said to put in some additional trees near the patio space.

Mr. Mohr asked if he looked at all the West Main streetscapes and he thought this to be a good improvement.

Ms. Miller suggested a low deck rather than paving to give the trees more room.

The applicant asked for a deferral.

Ms. Miller motion to accept the deferral, Mr. Mohr seconded, motion passes 6-0. The BAR was generally supportive but requested additional details, such as lighting, signage, materials, and landscaping plan.

8. Certificate of Appropriateness Application
BAR 15-06-01
409 Third Street N.E. and 215 East High Street
Tax Parcel 330072000 and 330074000
Roger Birle, Applicant/James Knorr, Owner
New porch on north side, new roof and skylight, garden enclosure, door and window adjustments

Staff said this plan restores a functional north porch, and creates a very private south patio without altering the historic and public façade of this handsome building at 409 3rd Street NE. The new openings in the rear wall of 215 East High is appropriate.

The applicant was represented by Roger Birle.

Having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitations, and for Site Design, Mr. Mohr moved to find that the proposed new porch, roofing, skylight, garden enclosures, door and window adjustments satisfy the BAR's criteria and guidelines and are compatible with this property and other properties in the North Downtown ADC district, and that the BAR approves the application as submitted, with lighting selections and a fleshed-out landscape plan to come back to the BAR. Seconded Mr. Keesecker, motion passes 6-0.

8:20 E. Other Business

9. PLACE Task Force update – Tim Mohr: PLACE discussed the code implications of the Form Based Code, West Main streetscape, watershed project, code audit, Belmont Bridge status, 10th and Page bump outs, and Landmark Hotel planting bed.

10. Bike Rack at Maya on West Main Street- BAR suggested using bollards with integral reflective bands, rather than tape applied in random patterns keeping the design simple, safety is a main concern at this location. Suggested stripped crosswalk and bike corral pavements

the same color as to indicate where cars are not allowed. It was suggested extending the Corral closer to the intersection.

8:30 F. Adjournment -10:35; Motioned by Mr. Schwarz seconded Mr. Mohr.