

**BAR MINUTES  
CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
Regular Meeting  
[September 17, 2019] – 5:30 p.m.  
City Council Chambers - City Hall**



Welcome to this Regular Monthly Meeting of the Charlottesville Board of Architectural Review (BAR). After presentations by staff and the applicant, members of the public will be allowed two opportunities to speak. Speakers shall identify themselves, and give their current address. The Chair will first ask for questions from the public, then from the BAR. After questions are closed, the Chair will ask for comments from the public. Members of the public will have, for each case, up to three minutes to ask questions, and up to three minutes to comment. Comments should be limited to the BAR's jurisdiction; that is, regarding the exterior design of the building and site. Following the BAR's discussion, and before the vote, the applicant shall be allowed up to three minutes to respond, for the purpose of clarification. Thank you for participating.

**PLEASE NOTE THESE MINUTES ARE NOT VERBATIM. A RECORDING OF THE MEETING CAN BE FOUND AT [http://charlottesville.granicus.com/ViewPublisher.php?view\\_id=2](http://charlottesville.granicus.com/ViewPublisher.php?view_id=2)**

**Members Present:** Melanie Miller, chair; Tim Mohr, co-chair; Justin Sarafin, Breck Gastinger, Carl Schwarz, Mike Ball, Stephen Balut, Emma Earnst, and Jody Lahendro

**Staff Present:** Jeff Werner, Robert Watkins, and Sebastian Waisman

**Ms. Miller called the meeting to order at 5:30 pm.**

**A. Matters from the public not on the agenda (please limit to 3 minutes)**

None.

**B. Consent Agenda** (Note: Any consent agenda item may be pulled and moved to the regular agenda if a BAR member wishes to discuss it, or if any member of the public is present to comment on it. Pulled applications will be discussed at the beginning of the meeting.)

- 1. Minutes** [August 20, 2019] Regular Meeting
- 2. Submittal for BAR Record**  
BAR 19-08-01, 108 West South Street  
Revised elevations per BAR request Aug 2019
- 3. Submittal for BAR Record**  
BAR 16-03-03, 513 14th Street NW  
Revised elevations per as-built conditions
- 4. Submittal for BAR Record**

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BAR 19-08-06, 209 2nd Street SW  
Rear patio wall detail per BAR request Aug 2019

**5. Certificate of Appropriateness Application**

BAR 19-09-01 510, 15th Street NW, Tax Parcel 050085000  
The Mosby Apartments, LLC, Owner / John Henry Jordan, Applicant  
Removal of false chimneys

**6. Certificate of Appropriateness Application**

BAR 19-09-02, 1824 University Circle, Tax Parcel 060097000  
Jake Rubin, Owner/Applicant  
Modifications to Pergola

**Mr. Schwarz:** I would like to pull the minutes from the agenda and have them submitted next month. Regarding 513 14th Street, I would like to note that in addition to the windows, one thing that was different from what was drawn was the detailing around the eaves. The drawings had shown an eave detail that much more closely matched the dimensions of the existing house. The new eave detail is much thicker and heavier, and I may not have approved that if it had come to us in the beginning.

**Motion: The August meeting minutes were pulled and will be discussed at October meeting. Schwarz moved to approve the consent agenda [items 2 through 6]. Gastinger seconded. Approved (9-0).**

**C. Deferred/Returning Items**

**7. Certificate of Appropriateness Application**

BAR 19-09-05, 712 Ridge Street, Tax Parcel 250067000  
Reba Godo, Owner/Applicant  
Window Replacements

**Staff Report, Jeff Werner:** 712 Ridge Street was constructed in 1922. The Harris-Carter House is a contributing structure in the Ridge Street ADC District. This two-story, three bay, American Four Square has a low hipped roof clad with standing-seam metal roofing with deep eaves. On the front of the house sits a one-story porch featuring a low hip roof and four stucco piers. The house has a variety of single and double hung windows across the four elevations. This application was deferred last month. The request is to remove and replace existing windows in the house. The new windows will be Sierra Pacific H3 High Tech Fusion Windows. The windows are constructed of extruded aluminum, vinyl, and wood. The initial request was to replace only the 8-over-1 windows on the second floor. The applicant has since indicated they want to replace additional windows. On September 11, NDS staff met with the owner's representative and was able to examine the existing 8-over-1 windows. From that inspection, staff acknowledges that the windows have not been maintained and are in a state of significant disrepair. They are in need of painting and re-glazing; operable sashweights and hardware;

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missing stop and trim. However, staff saw no interior evidence that the windows have deteriorated beyond repair. Should the BAR consider allowing replacement windows, one option might be to require the front elevation sash be retained or in those frames install the best sash from other openings, and to then allow replacement windows on other elevations. Additionally, if the BAR approves the window replacement, staff recommends that the BAR state in the motion that all windows are to be replaced in kind and match the correlating existing window configuration.

**Applicant, Reba Godo:** I just wanted to replace the windows. I don't live in Charlottesville and this home was given to me by my parents. I don't mind repairing them, but I don't know who could repair them. I had a difficult time even finding someone to do the wood windows like you were requesting. If I could replace them, I would prefer that. I would also like to put in a storm door at the front door. Can I just put in a plain glass door?

**Mr. Werner:** Yes. There are no issues there.

**Ms. Godo:** I also wanted to put a porch light in front of the house. I had the old-fashioned light that was there, but because it is a rental property, I believe someone broke it. I wanted to replace it and it is an old antique style light.

**QUESTIONS FROM THE PUBLIC:**

None.

**QUESTIONS FROM THE BOARD:**

None.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE BOARD:**

**Ms. Miller:** Our window guidelines state that, "1. Prior to any repair or replacement of windows, a survey of existing window conditions is recommended. Note number of windows, whether each window is original or replaced, the material, type, hardware and finish, the condition of the frame, sash, sill, putty, and panes. 2. Retain original windows when possible. 5. Repair original windows by patching, splicing, consolidating or otherwise reinforcing. Wood that appears to be in bad condition because of peeling paint or separated joints often can be repaired. 6. Replace historic components of a window that are beyond repair with matching components. 7. Replace entire windows only when they are missing or beyond repair. 10. Avoid changing the number, location, size, or glazing pattern of windows by cutting new openings, blocking in windows, or installing replacement sash that does not fit the window opening. 13. If windows warrant replacement, appropriate material for new windows depends upon the context of the building within a historic district, and the age and design of the building.

Sustainable materials such as wood, aluminum-clad wood, solid fiberglass, and metal windows are preferred. Vinyl windows are discouraged.” Thank you for saying that you were interested in repairing the windows. As a Board, we can’t recommend a company, but we could probably provide a list of people that have successfully done window repair.

**Mr. Mohr:** Unfortunately, there isn’t a certified body to go to that says which window restorers are certified.

**Mr. Sarafin:** I think DHR has a selection of various people who do windows and other historic work, so that might be a good place to look.

**Ms. Miller:** In terms of the storm door and porch light replacement, I don’t see either of those of having any issue. Perhaps we could have a cutsheet out of the catalog for the record to keep on file, but as long as it’s a residential porch light, the style isn’t critical.

**Mr. Sarafin:** As far as the windows are concerned, generally the first situation would be to repair the windows and that might actually realize some savings over replacement. I don’t have an issue with the notion of replacing on the sides and rear, as long as the priority of the 8-over-1 windows on the main façade of the house is to repair those. I am open to some replacements, but hopefully with enough resources you could find someone to repair it, keep the integrity, and even save money in the process.

**Mr. Mohr:** I would be more inclined to go with a sash replacement kit as opposed to a jam sash that you stick inside of it.

**Mr. Schwarz:** Were there any windows missing?

**Ms. Godo:** No.

**Mr. Mohr:** The light fixture sounds fine as well. With light fixtures, it is less about the form of the fixture and it’s more about if you use nice lightbulbs in it. The color and intensity are what matter.

**Mr. Waisman:** The application is for the replacement of the windows, so I suggest that it be a denial of the application for a COA.

**Ms. Miller:** Could we defer that portion, pending more information on repair?

**Mr. Waisman:** If the applicant requested a deferral, there would be no clock on it and that would be okay.

**Motion:** Schwarz moved having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitation, I move to find that the proposed light fixture, storm door, and the replacement of the two missing sashes may be reviewed by staff and submitted for the record and that the BAR would accept the applicant’s request

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**for a deferral on the remaining windows and recommends repair of the remaining windows over replacement. Sarafin seconded. Approved (9-0).**

**8. Certificate of Appropriateness Application**

BAR 19-09-06, 205 2nd Street SW, Tax Parcel 280078000

Chauncey Hutter, Owner/Applicant

Roof replacement

**Staff Report, Jeff Werner:** The BAR deferred this application last month after requesting further clarification of what was being proposed on each roof segment. Unfortunately, I have not heard back from them. This house was constructed c1879 as the parsonage for the First Methodist Church. This vernacular Victorian house is a contributing structure in the Downtown ADC District. The two-story, brick house features a T-shaped gable roof, a single story front porch, and a projecting bay on the front façade. The roof of the building has a steep metal truncated hip roof with a boxed cornice with small brackets. The request is to remove the existing standing-seam and flat-seam metal roofs and replace rear portions of the roof with 50-year, asphalt shingles and the front portions, including the porch and bay window, with standing-seam metal. Staff prepared additional images of the structure identifying five, distinct roof components and requested from the applicant clarification on what is proposed for each. The applicant has not provided that information. We could defer this, which isn't likely. Alternatively, we could deny it due to lack of information or take action with recommendations of what they would approve.

**Ms. Miller:** I recommend we defer the request until we have enough information. The applicant doesn't have to be here, but we have to have the information.

**Mr. Schwarz:** I believe we have to act on it.

**Mr. Gastinger:** We could approve the replacement of the whole roof in metal.

**QUESTIONS FROM THE PUBLIC:**

**Mr. Schwarz:** Have you only been communicating with the applicant via email?

**Mr. Werner:** We have talked at times and emailed, which has been very successful.

**Mr. Schwarz:** Are you certain that the applicant knows that this was deferred, and they needed to be here?

**Mr. Werner:** They were sent an action, but I can't confirm that they received anything. A notice was also put out and letters were sent out. My assumption is that they didn't get it or understand the deferral, but that is all I can answer.

**Mr. Mohr:** Are they proposing that everything in yellow is standing seam?

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**Mr. Werner:** The only detail they had in the original request was everything that was visible from the street would be left as metal.

**QUESTIONS FROM THE BOARD:**

None.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE BOARD:**

**Mr. Sarafin:** I think four of the five outlines spots here need to be metal roof replaced. The BAR's recommendation should be to replace metal on all but the shed roof and it's as simple as that.

**Mr. Gastinger:** I agree.

**Ms. Miller:** We should also specify that we want the pan width to remain consistent with what is there, which is the standard for every other metal roof.

**Mr. Balut:** What about the Philadelphia gutters?

**Ms. Miller:** Since there is no other information and the applicant isn't here, we should approve to replace what is there.

**Mr. Schwarz:** Did the application even request removing the gutters?

**Mr. Werner:** They weren't clear on that.

**Motion: Schwarz moved having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitations, I move to find that the BAR approves the replacement of only the area labelled "shed roof" on the diagrams that staff has provided with an alternative material, recommended membrane-style roof due to its low slope, and that the remaining roof area shall be replaced with metal to match what is currently there, matching in pan width, seam height and with no large commercial ridge cap, and with the retention of Philadelphia-style gutters, and with that, this application satisfies the BAR's criteria and is compatible with this property and other properties in the Downtown ADC district and that the BAR approves this application as modified. Gastinger seconded. Approved (9-0).**

**D. New Items**

**9. Certificate of Appropriateness Application**

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BAR 19-09-03, 503 Rugby Road, Tax Parcel 050052000  
Epsilon Sigma House Corps of Kappa Kappa Gamma, Owner /  
Erin Hannegan (Mitchell Matthews Architects), Applicant  
Building renovations

**Staff Report, Jeff Werner:** Originally on this site was a two-story frame house for most of the twentieth century and accommodated a noteworthy boarding house between 1928 and 1961, operated by proprietor Mary Speed. The boarding house was abandoned for a decade, damaged by fire, and was finally demolished in 1976 to make way for a new chapter house for the Kappa Kappa Gamma sorority. The present building was designed in a modern idiom by Johnson, Craven, and Gibson Architects and was completed in 1980. The concrete-block, brick-clad structure communicates its contemporary design through a split-gable roof, restrained ornament, and irregular footprint. 503 Rugby Road is a non-contributing building within the Rugby Road-University Circle-Venable Neighborhood ADC District. On April 16, 2019 there was a Preliminary Discussion and on August 20, 2019 the BAR found that the requested Special Use Permit for increased density and modified setbacks would not adversely impact the ADC, with the understanding that the final design and details will require BAR review and approval. The building footprint is to be expanded, including infill of the southeast corner and west addition, elevated over the rear parking area. Numerous exterior alterations will communicate a significantly different design idiom, including a new primary entrance on the façade (east elevation); a symmetrical five-bay composition; an entry porch and stacked side porches; pergolas; French windows on the east elevation; casement windows throughout the building; an expanded and articulated third floor; paired interior chimneys; a wide box cornice and a low-slung hipped roof. The applicant proposes to paint the existing brick cladding with white masonry paint and use cementitious lap siding to distinguish the enlarged third floor. The roof will be pre-finished standing seam metal in a charcoal color. The landscape plan includes a front lawn enclosed by low hedges; bluestone terraces and walks; a modified rear parking area paved in asphalt; and various trees and shrubs planted along the building's sides. Staff referred to the Design Guidelines for New Construction in reviewing this request. Staff recommends the BAR include the following in their discussion: 1) the building's height and scale in relation to adjacent contributing buildings and in context of its location at the corner of Rugby Road and Lambeth Lane; 2) the building's three-story massing and materiality; 3) the building's contemporary design relative to incorporation of historical architectural features; and 4) the project's relationship to 513 Rugby Road next door.

**Applicant, Erin Hannegan:** We have made some slight modifications since the last time you saw this, which includes a revised entry door at the side parlor, as well as adding a soldier course at the top of the brick wall around the entire house. We also revised lighting fixtures and calculations to meet the foot candle level at the property line. Staff mentioned that we also needed a proposed fire department connection location. As opposed to putting it on the front, we are hoping the City will allow us to put it on the side.

#### **QUESTIONS FROM THE PUBLIC:**

None.

## **QUESTIONS FROM THE BOARD:**

**Mr. Sarafin:** Are we to assume that the SUP has been approved or do we not know yet?

**Ms. Hannegan:** We don't know yet. We will be at City Council on October 7<sup>th</sup> and Planning Commission recommended approval it unanimously last Tuesday.

**Mr. Schwarz:** What is the material for the shutters? It would be a shame if they were hollow vinyl.

**Ms. Hannegan:** We haven't decided yet. For maintenance reasons, we are debating different options. We are looking at wood, but the maintenance of repainting that over the years could be problematic.

**Mr. Schwarz:** Regarding the boxwood species in the front, what is the maximum height that will grow to if allowed?

**Ms. Mary Wolf:** It gets to be 3-4 feet high and we would probably maintain it at 3 feet high, clipped.

**Mr. Gastinger:** On a few renderings there is a suggestion of vines climbing up the gutter and there are planting beds at the base of the gutter. Is that an intention?

**Ms. Wolf:** There are planting pockets between the doors. Between the French doors there is a downspout that goes in and we may include something there. I don't know if it will be vine or just planters. We have a structural issue that will require us to have the planters there. It is not the intention to cover the house with vines.

**Mr. Schwarz:** For lighting, are all of the L3s under a roof?

**Ms. Hannegan:** Yes. We are going to have it designed so that it only shines down.

**Mr. Ball:** Where are the electric panels going?

**Ms. Hannegan:** They are currently inside. There is nothing on the outside.

**Mr. Ball:** With the HVACs going on the roof, how deep is the well?

**Ms. Hannegan:** It is around 5 feet. It is planned to be multiple systems, but that might change.

**Mr. Gastinger:** There is a hedge proposed on the front north edge that seems to be very close to an adjacent tree.

**Ms. Wolf:** There is an existing holly hedge and we'd love to keep it but it may be impacted by construction.



**Mr. Gastinger:** The colors of the house are to be determined, but could you give us more context on that?

**Ms. Hannegan:** They selected a creamier white color just last week. The windows color was selected as well to be a dark bronze. We haven't selected the color for the lap siding and it could be that it is a slight tonal variation of the masonry paint color and we can bring that back if necessary. We could also do an on-sight mockup to choose it at a later date.

**Mr. Schwarz:** The materials stated that everything would be cementitious. What are you thinking for the brackets, column, pergola, etc.?

**Ms. Hannegan:** For the pergola, we're thinking it would be aluminum. The columns and the trim can be done out of a cementitious material.

#### **COMMENTS FROM THE PUBLIC:**

None.

#### **COMMENTS FROM THE BOARD:**

**Mr. Gastinger:** It has been a crazy road that this project has taken to get to this place and it's amazing that you are able to figure out the puzzle to make this house look like this with what you are starting with. Even though I have some fondness for aspects of the design intention of the original building, the approach that you've taken is elegant and appropriate to the street. The colors will work out and there is a nice balance between the proportions and the fenestration gives some order to the facades. I still find the brackets that appear to support the roof are widely spaced so they feel extraneous or not enough of them. The space above the second-floor windows seems too broad. The proportions would better if the top of the brick course was lowered just a bit. The landscape plan is elegant and appropriate. Given the symmetry of the front façade, I would suggest that the hedge have a similar relationship to the wall behind it on both the right- and left-hand sides.

**Ms. Miller:** Would you be open to considering a change to the brackets?

**Ms. Hannegan:** What would you like us to do? We tested the spacing early on and removed some because it started to feel like they were over the windows in odd locations, which is why we paired them down.

**Mr. Gastinger:** It's not a matter of approval or denial, but it's just a matter of getting the balance right. The building is tricky so I can imagine they were hitting in all kinds of weird places.

**Mr. Schwarz:** My attention wasn't drawn to them and I am inclined to trust the architect. Overall, I am supportive of the project and it meets the Guidelines.

**Mr. Ball:** The only thing that threw me off with the brackets is how much is changed the spacing on the side. I didn't mind it on the front. If I was walking by it I probably wouldn't pay much attention to it.

**Mr. Mohr:** They are decorative. I don't read them as being structural.

**Ms. Miller:** If you're going to this much trouble and expense for the building, it would be a shame and inappropriate to have hollow vinyl shutters and it would be much stronger with real shutters that are actually hung on the windows, even though it is more trouble.

**Ms. Hannegan:** The shutter hardware was always in the plan.

**Motion: Schwarz moved having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions, and for Site Design and Elements, I move to find that the proposed new construction satisfies the BAR's criteria and is compatible with this property and other properties in the Rugby Road-University Circle-Venable Neighborhood ADC District, and that the BAR approves the application as submitted with one requirement, that the shutters not be hollow vinyl. Sarafin seconded. Approved (8-1, Lahendro opposed).**

#### **10. Special Use Permit**

BAR 19-09-04, 218 West Market Street, Tax Parcel 330276000  
Market Street Promenade, LLC, Owner /  
Heirloom Real Estate Holdings LLC, Applicant  
Increased building height and increased density

*Mr. Ball recused himself from this application.*

**Staff Report, Jeff Werner:** 218 West Market Street is a contributing structure in the Downtown ADC District. City assessment records indicate the commercial building was constructed in 1938. A c1955 Sanborn Map indicates this structure at the site. The brick building previously housed an A&P Grocery but has since been substantially modified. A covered arcade was added to the north and east elevations in the 1980s. Earlier this year the BAR approved the demolition of the building on the subject parcel and the demolition is contingent upon the granting of a COA and building permit for its replacement. The applicants have submitted a SUP request in anticipation of constructing on the site a mixed-use development with retail and commercial uses on the ground floor and residential units on the upper floors. The SUP request is to allow additional residential density and increased building height. Zoning permits 43 dwelling units per acre; allowing up to 24 units on the property by right. The request would increase the density to 240 DUs per acre, allowing 134 units on the property. The increase density will accommodate a variety of residential units in the development. Zoning permits 70-feet in height by right. The request is to increase the height to 101-feet. The additional height would enable the development's increased density and mixed-use functions. The applicants have illustrated the maximum envelope with a SUP. The submittal

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materials also provide studies of a more sculpted building. These studies are not intended to establish a design direction, but provide an idea of how a more developed building might appear on the site. Per City Code Sec. 34-157(7) “When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the Board of Architectural Review or Entrance Corridor Review Board, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.” In evaluating this SUP request, the Planning Commission and, ultimately, City Council will take into consideration the BAR’s recommendation on whether or not the SUP, if approved, would adversely impact Downtown ADC district and, if so, any proposed conditions to mitigate the impact. The BAR’s recommendations are not a function of how the site will be used or occupied, but an evaluation of the requested SUP relative to the criteria within the ADC Design Guidelines. That is, will allowing the requested increased residential occupancy and the increased overall height result in a project that conflicts with the Guidelines? In reviewing the SUP the BAR has the opportunity to discuss and offer recommendations on the proposed massing and building envelope, and how it engages the streetscape and neighboring properties, etc., etc. Furthermore, the BAR may request that the Planning Commission and City Council consider including these design recommendations as conditions of approval for the SUP. There has been a lot of discussion in the community about additional density and parking Downtown. Our purview is the visual aspect of the exterior, which should be made clear going forward.

**Applicant, Jeff Dreyfus:** We are talking about density and height on this particular site. We are asking for a recommendation that the SUP for both density and height does not have an adverse impact on the district. As we’ve discussed with 612 West Main, we have a long way to go with final design of a building and the COA gives the BAR the opportunity to sculpt the building as we go through the process. The initial submission shows the maximum allowable building envelope if it were built to its greatest volume. There is no intention to go there and it wouldn’t be allowed by the BAR. However, the increased density and height on this site will give us a lot more flexibility from an economic perspective to be able to sculpt the building in a way that it is taller and thinner. Before we begin this process, we would like to know that we have the ability to increase the height and density, which is why we are here tonight.

**QUESTIONS FROM THE PUBLIC:**

None.

**QUESTIONS FROM THE BOARD:**

**Ms. Miller:** Some of those comments probably have an affect on the historic district.

**Mr. Werner:** I’m talking about the uses like how many apartments, who would be renting them, etc., which are not relative to the design of the exterior.

**Mr. Lahendro:** What are some of the guiding principles that you would use to design the building and have it be acceptable within the historic district and to the BAR?

**Mr. Dreyfus:** An important criterion is the scale of the street on both sides and trying to maintain the scale of buildings nearby. This is an interesting site because it steps down dramatically as you move toward the larger site. Part of the presentation includes views from Ridge-McIntire because this needs to be seen in the larger context. We show its height is relative to other buildings that have already been approved, including the Code Building and West 2<sup>nd</sup>. The step backs required by zoning begin to enforce that already, but perhaps we continue to cornice line coming from the mall of the Whiskey Jar building and step backs happen from there so that the scale steps up, not right on the street. That is one of the most critical urban design elements in all of this so that it begins to fit in. We will continue to discuss materials as well. We feel strongly that the entry into the parking area is well located off of Old Preston instead of having people turn into West Market. This is a much safer way to go. The number of cars coming and going from there won't be huge and it allows us to get the parking off of the West Market Street façade.

**Mr. Gastinger:** On Old Preston all existing trees on the site would need to be removed and presumably the street trees along Market Street would also need to be removed. Can you confirm if that is the case and what opportunities this project might have in improving the pedestrian character of those two streets?

**Mr. Dreyfus:** I can't speak to the trees at the moment. One of the most important elements of this structure is how pedestrians are welcomed into the building. It might be with an indent plaza of sorts with setbacks under canopies, but I can't speak to it at the moment. If continuing some of the greenery down that street is critical, then we would like to hear that now so we can begin to think about that. I forgot to mention that It's important to understand that we tried to compare the by-right height and what the shadows cast would look like vs. with the SUP during the sun studies we did toward the back of this. The one difference is on the longest day of the year. The only difference is that the shadow would be cast on the lawn of those condos furthest south, but it wouldn't even cast a shadow on the roof of those, so the impact is very minor.

## **COMMENTS FROM THE PUBLIC:**

**Mr. Gastinger:** We received an email just before this meeting started from the public and I thought it would be appropriate to read it aloud. It is from Joey Conover and it says "Hello BAR members. I am writing regarding the 218 West Market SUP request on tomorrow's agenda as the property manager for the neighboring building at 110-114 Old Preston Avenue. I wanted to bring a few items to your attention for consideration. I have an event but plan to attend as I am able. 1) Increased height density: In general, we feel the increased density is healthy for the increasing housing stock the urban core of Charlottesville. Although we are hoping increased height does not feel overly imposing and appreciate the proposed setbacks, it is necessary to increase the housing stock and the height may be worth it. Adding more retail along Old Preston Avenue and West Market expands the pedestrian commercial area in a positive way. There will likely be future design considerations, but at this time we support the project moving forward.

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2) Neighbors: Please note that the application has our building marked on their SUP plans as Vinegar Hill, which no longer exists as a commercial business. There are two separate unrelated buildings that touch this project, Lighthouse Theater and our building, which currently houses Vibe Think and the Albemarle County Economic Development Office. 3) Historic Preservation: Our building at 110 Old Preston Avenue was built prior to 1900. It's built primarily out of stone, including the party wall with the current Artful Lodger building. We continue to be concerned about the structural integrity of our historic building and would like to hear public reassurance that this new project will take particular care in the demolition of the existing building, which is currently tied to our building with steel beams, as well as excavation during underground parking and subsequent construction. There is also a roof overhand that currently goes over the property line, which appears original. This may affect their design. 4) Green roof: For aesthetic and environmental reasons we highly recommend the BAR require this project include at least the amount of green roof that has been proposed, if not more. There is a large storm water drain that goes under the sidewalk along Old Preston Avenue. I understand that the Heirloom is planning to direct all roof rainwater to this direction, where most of it already goes. 5) Old Preston façade: The elevations on page 7 are not 100% clear if the levels along Old Preston will be parking apertures, or if that is retail level. I think it is retail, but if not, I would recommend that this façade be a more public facing retail-oriented façade to continue the feel of the Downtown Mall. 6) Pedestrian access: There is a lot of foot traffic through the current parking lot at 218 West Market. I would suggest that the BAR require that the project maintain pedestrian access along the Whiskey Jar side of the building to allow public movement through that corridor. If you have any questions, please do not hesitate to ask.”

#### **COMMENTS FROM THE BOARD:**

**Mr. Mohr:** I don't find any issue with density or height. I think it will all be in the massing of the building. The comments about pedestrian connections and the transparency of the building to the street from both directions are important. I would hesitate to call it a structure and I would rather see it developed more as a compound or a series of structures. The massing models make me nervous because they don't seem to be separated.

**Ms. Miller:** It makes a lot of sense to have density here, but this application does make me nervous because the previous building with the same owner and team used every square inch of allowable space. Increasing density might encourage bad behavior with the building that is to come. While density is great in this spot, I don't think a giant building is. It would need to be broken into pieces or significantly shaved back in order to be a good addition to the historic district. The points made about the pedestrian experience, trees, and being sure not to damage the existing stone wall are all important too.

**Mr. Mohr:** They didn't build absolutely to the edge.

**Mr. Lahendro:** I am willing to support the density and height, but we have a long way to go to design the building. It will be a challenge to do a building this large that is compatible with the other buildings and storefronts that abut it on both sides. We also have pedestrian access from all sides to this building and it is anchoring the end of the mall. The trees that are already there at the end are very welcoming and I strongly urge them to stay or have something like them.

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**Mr. Schwarz:** My first thought when they were going for maximum height was absolutely not because it is out of context, but looking more closely, it seems like it is at an area where there will hopefully be more height nearby. The renderings imply that there is an illusion of multiple buildings. Actions like that are going to go a long way in making it successful. I am very concerned that because of the slope to the site, you will end up with a big parking plinth underneath as you walk along the side. The idea of maintaining pedestrian access throughout the eastside of the side is intriguing. I don't know if it's possible or if it will create a scary space, but it continues the block module that we have Downtown. I am not ready to make it a condition, but you should definitely investigate it. It would also allow you to pull the building off the side and get some windows there so it isn't just a wall.

**Mr. Mohr:** A lot of what happens in development of towns like ours is that we lose the topography. There is a sense from going to a higher street to a lower street and big bases wipe that out.

**Mr. Gastinger:** I encourage you not to give up on Old Preston because of its current condition. Changing the entrance of the parking lot itself might open up new possibilities with a significant section of that street. I encourage the City to also re-think that section to the extent that they can because that street is going to gain even more importance as the town becomes more dense and Preston continues to develop. The street trees are going to be a significant loss and it will be critical to find ways to mitigate that.

**Mr. Balut:** I am supportive of the application. This is an amazing site and it has great potential, so you have a great opportunity to make a wonderful statement by continuing the mall and making a good pedestrian experience on at least three sides. It will be a crucial part of the project so I look forward to seeing how that will develop. This would be a great opportunity to play with the massing and find ways that it can be more elegant and compatible with every adjacency. I am encouraged by the massing studies already and I encourage you to keep going in that direction. I encourage the green roof that you have and to add more to encourage more greenery and reduce storm water runoff on the site.

**Mr. Sarafin:** I am generally in favor. The pedestrian piece is very important, as well as making provisions to 110 Old Preston as work is being done. At the street level and scale, what happens at Old Preston needs to relate to those historic buildings. It is a challenging site, but it's also a site that could be better utilized. While there may be concern about what is visible from the mall side, what we would be gaining from the other side is helping to better ground and anchor the mall. It also begins to extend it some.

**Mr. Lahendro:** Going forward, I will be looking closely at the materiality, the transparency at the pedestrian level and engaging the public, landscaping, and tying that building into the fabric of this historic area.

**Mr. Schwarz:** You may want to look at the zoning code's street wall requirements to make sure your hands aren't tied with that. You may want to speak with to Planning Commission about it. One condition we may want to add is the adequate protection of adjacent buildings.

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**Ms. Miller:** The pedestrian and street trees up to three sides of the building, which reinforces the block size, might be a good condition too.

**Mr. Lahendro:** I don't know if that is tied into density and height, or if that is something that would come to us later when we get to the details.

**Mr. Mohr:** One of the reasons we agree to the increased density and height is so that you have some room to make the building a compound or a series of buildings. We aren't just saying to fill up the void.

**Mr. Sarafin:** We have a pretty clear list of concerns that, if addressed and met, there will not be an adverse impact on the district. We want a nice list for City Council to consider. We've thought about them and will continue to think about them and so should they when crafting the conditions that will be put on this SUP.

**Mr. Mohr:** We don't want to pin them down right now about specifics because we don't really know what the specifics are yet. We have to have faith in our processes, and these are all considerations. It's also a transition zone in that it's moving from the Downtown Mall scale to presumably a larger scale that will eventually occupy that entire portion of the town.

**Mr. Schwarz:** As labeling this a transition zone, I would be concerned with the Planning Commission sticking in a bulk plane on the east side, which wouldn't serve any good.

**Mr. Mohr:** It's not strictly about the scale of the mall.

**Mr. Lahendro:** All of these are concerns, but there is one condition, which is that the increased density and height is approved, providing the massing is broken up to provide compatibility with the character-defining features of the historic district.

**Ms. Miller:** I don't want to arbitrarily say fewer units per acre because we don't know what the applicant can do to creatively make it work and meet our Guidelines, but I also don't want them to think they can just have the maximum number of approved units and the building has to meet that.

**Mr. Balut:** Even if there is a by-right volume and they maximize that, we have the right to deny that request if we feel it isn't compatible with the district. We don't have to stipulate too much because it is already understood. If we as a Board don't feel that the maximum by-right volume proposed is compatible, then we would just not vote in favor of it.

**Mr. Sarafin:** There is value in underscoring this point for City Council.

**Mr. Schwarz:** In the staff conditions, I would strike the phrase that says "based on the general design and building footprint as submitted," and instead just recommend that the SUP will not have an adverse impact. I also like Mr. Lahendro's comment about having a condition that says

the massing will be broken up to provide compatibility with the character-defining features of the historic district.

**Ms. Miller:** Could we also have a loftier goal regarding the trees on the site and say that they will maintain street trees on site?

**Mr. Gastinger:** My only concern with that is that all of the trees are already compromised in significant ways.

**Ms. Miller:** It wouldn't necessarily be those trees, but they could find a way to work trees in.

**Mr. Gastinger:** What about saying to provide street trees to mitigate?

**Mr. Mohr:** We should do better than just mitigating it. We want something positive.

**Mr. Gastinger:** We can say they will provide a plan to replace the street trees lost on site.

**Motion: Gastinger moved to recommend that the proposed Special Use Permit for 218 West Market Street will not have an adverse impact on the Downtown ADC District, with the understanding that the final design and details will require BAR review and approval and that increased density and height is granted with the understanding that the building design will have the flexibility to mitigate potential impacts on the Downtown ADC District by addressing these items of considerations and concern:**

- **The building's massing will be broken up to provide compatibility with the character-defining features of the historic district**
- **Provide adequate protection of adjacent historic structures**
- **Provide a plan to replace the street trees on site**
- **Improve Pedestrian character of Old Preston and Market Street**
- **Provide pedestrian through access between Market Street and Old Preston.**

**Mohr seconded. Approved (9-0).**

**Mr. Werner:** We should focus on constructing the motions in a way that allow us to move forward.

**Mr. Mohr:** In other words, you are saying to have something that more closely follows design process and how they go through. Waiting until the very end to do a COA to have everything resolved just doesn't work.

**Mr. Werner:** It is a specific request from the applicant and we make that clear, and then we grant a COA or not for a specific request, instead of saying to bring other things back and we will go ahead and grant it. Our ordinance says that we are responding to that request with a yes, no or a deferral.



## **E. Other Business**

### **11. Staff Questions/Discussion**

**Mr. Werner:** Regarding the Belmont Bridge project, I interpreted what the BAR said was that they didn't want a monolithic thing. There is a reveal where the beam transitions to the railing component, but they asked are asking for feedback.

**Mr. Mohr:** Why can't they just use steel? The bridge right next to it is steel.

**Mr. Werner:** I don't know.

**Mr. Ball:** They argued that it was going to be a lot bigger, but they didn't say how much bigger.

**Mr. Mohr:** They could reverse their framing.

**Mr. Gastinger:** I don't understand why they don't put the columns at the corners, given what they are trying to structurally.

**Mr. Werner:** Regarding 2<sup>nd</sup> Street, the folks that own it wanted to paint the building. Given what we've seen, it will likely have to come to the BAR. Do you have any thoughts on it?

**Mr. Sarafin:** It would just have to stop at the building and not have it extend into the sidewalk.

### **BAR appointments**

**Mr. Werner:** Mr. Balut is willing to stick around through the end of the year. He is the representative of the owner of a historic business in a historic district. Ms. Miller's term expires at the end of 2019 and cannot be reappointed. Mr. Sarafin's term expires at the end of the year and could be reappointed. Ms. Earnst's term is also up at the end of the year and can also be reappointed. Mr. Schwarz will go all the way through 2021 and then cannot be reappointed.

**Mr. Ball:** I am technically an owner of a business in a historic district, but I am buying a building on the southside of the district that I will move my business into. We discussed being a contractor, but that is not what I am currently under.

**Mr. Werner:** We can rearrange things. Ultimately, we have four positions to advertise.

### **Revisions to Design Guidelines**

**Mr. Werner:** We need to continue working on the Guidelines. I think we need to revise some of the Ordinance language because there are things that don't always need to come to the BAR

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and we could handle them administratively. It will of course be all under your guidance, but I'm trying to make sure we use the BAR most efficiency and effectively.

**Mr. Gastinger:** There has been quite a bit of progress made and we could quickly review it with Robert.

**Mr. Schwarz:** It would also be helpful if staff could compile what you think we've already done. Another option would be to present what you want to change at our next work session and go from there.

### **West Main discussion/tour**

**Mr. Werner:** West Main isn't necessarily what we envisioned, and we've been meaning to get over there onsite.

**12. PLACE Report, Jeff Werner:** There was a lot of discussion over the cultural landscape report and it was a very uncomfortable meeting. They discussed the Mall crossing for a few minutes, but the majority of the time was spent debating about the report.

**Mr. Mohr:** We need to get teeth in the Ordinance that requires Parks and the City to approach us when they are going to start things like the lighting study that directly affects ADC Districts. It isn't fair to the public.

**Mr. Werner:** This is Parks and Rec's landscape. The mall is a really important place and has important components to it, but I don't think that is enough to compel an action plan that is funded and followed by Parks and Rec. The intent of the cultural landscape report was to provide the framework upon we build everything with and when I sat down with Parks and Rec, they said that they had money and stated what they would be doing. I agree that the initial idea was to do the traditional cultural landscape establishing the historic relevance and importance of that place, but I've been watching the inability to make decisions. We need to get a document together that starts to hold assigned responsibilities and tasks. I merged the cultural landscape study and maintenance plan together a little more than what people wanted, but that is what the City Manager at the time wanted us to pursue.

**E. Adjournment: Miller adjourned the meeting at 7:45 pm.**