

## January 2021 BAR Decision

Watkins, Robert <watkinsro@charlottesville.gov>

Fri 1/22/2021 12:12 PM

To: Robert Nichols <robert@formworkusa.com>

### Certificate of Appropriateness Application

BAR 21-01-06

408 East Market Street

Tax Parcel 330183000

408 East Market Street Condo Owners Association, Owner

Robert Nichols, Formwork Architecture, Applicant

Exterior alterations

Dear Robert,

On Wednesday, January 20, the Charlottesville Board of Architectural Review reviewed the above-referenced project. Please accept this email as formal acknowledgement of the following motion:

*Cheri Lewis moves:*

*Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed exterior alterations at 408 East Market Street satisfy the BAR's criteria and are compatible with this property and other properties in the Downtown ADC District, and that the BAR approves the application as submitted.*

*Tim Mohr seconds.*

*Motion passes (8-0).*

Please let me know if you have any further questions.

All the best,

Robert

Robert Watkins  
Assistant Historic Preservation and Design Planner  
Neighborhood Development Services  
PO Box 911  
Charlottesville, VA 22902

**City of Charlottesville  
Board of Architectural Review  
Staff Report  
January 20, 2021**



**Certificate of Appropriateness Application**

BAR 21-01-07

408 East Market Street, TMP 530054AA0

Downtown ADC District

Owner: 408 East Market Street Condo Owners Association

Applicant: Robert Nichols, Formwork

Project: Replace canopy, remove railing, paint, exterior alterations



**Background**

Year Built: 1946

District: Downtown ADC District

Status: Contributing (All buildings in this district are *contributing*, regardless of age.)

**Prior BAR Reviews**

- October 19, 2004 – BAR approved CoA for replacement of the storefront glass with panels containing “Flemish obscured” glass; and deferred action regarding the canopy to allow applicant to return with more details on replacing the cloth awning with copper.
- July 19, 2005 – BAR approved CoA to add a new window on the rear of the building, with the understanding that the window height will be between 3-1/2 ft. to 4 ft.
- September 20, 2011 - BAR approved CoA to replace the copper roof cap with painted metal.
- August 2013 – BAR approved CoA for replacement of roofs, roof decks, roof patio doors.

**Application**

- Submittal: Formwork Design submittal, 408 East Market Street: Cover (dated 12/29/2021) and sheets 1 through 5 (dated 01/19/2021).

Request for CoA to paint exterior; remove false railings above main entry (at 2nd and 3rd floor windows); remove existing canopies (fabric) and install new (metal); replace planters at entrance (new plantings to include Boston ivy intended to cover the walls); remove exposed aggregate paving and replace with bluestone pavers.

## **Discussion and Recommendations**

Staff has requested the following from the applicant, which will be available at the meeting:

- Section through the new canopy.
- Clarification on the proposed ivy: Will it attach to the brick or will there be a frame or screen?
- Verify that the railings removed are only at the windows in the center section of the building.
- Clarification on the proposed painting. (The rendering appears to show variation.)

The requested information is to provide clarifications and additional detail; however, staff believes the proposal, in concept—and except for the proposed ivy—is consistent with the design guidelines. With the presentation of the requested information, staff recommends approval.

### **Proposed ivy:**

Relative to the masonry walls, Boston ivy—versus common or English ivy--will not damage the brick, particularly for newer, post-1930s bricks and mortar. If improperly removed, it can damage the paint layer. If not managed, Boston ivy can spread to horizontal surfaces, so the BAR should discuss this necessary maintenance and, possibly, consider applying conditions to the CoA.

Relative to the design guidelines, nothing specifically addresses *ivy-covered walls*. (Staff also found no clear guidance in the Secretary's Standards.) The following from the *Facades and Storefronts* section of Chapter 3 may be helpful in the BAR's discussion:

- Design new elements that respect the character, materials, and design of the building, yet are distinguished from the original building.
- Depending on the existing building's age, originality of the design and architectural significance, in some cases there may be an opportunity to create a more contemporary façade design when undertaking a renovation project.
- Avoid using materials that are incompatible with the building or within the specific districts, including textured wood siding, vinyl or aluminum siding, and pressure-treated wood.
- Avoid introducing inappropriate architectural elements where they never previously existed.

### **Suggested Motion**

*Approval:* Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed exterior alterations at 408 East Market Street satisfy the BAR's criteria and are compatible with this property and other properties in the Downtown ADC District, and that the BAR approves [the application as submitted.]

Or: [... the application as submitted] with the following modifications ...

*Denial:* Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed exterior alterations at 408 East Market Street do not satisfy the BAR's criteria and are not compatible with this property and other properties in the Downtown ADC District, and that for the following reasons BAR denies the application as submitted....

## **Criteria, Standards and Guidelines**

### **Review Criteria Generally**

Sec. 34-284(b) of the City Code states that in considering a particular application the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.

### **Pertinent Standards for Review of Construction and Alterations include:**

- 1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;
- 2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;
- 3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;
- 4) The effect of the proposed change on the historic district neighborhood;
- 5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;
- 6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;
- 7) Any applicable provisions of the City's Design Guidelines.

### **Pertinent ADC District Design Guidelines**

#### **Site Design and Elements**

##### **B. Plantings**

- 1) Encourage the maintenance and planting of large trees on private property along the streetfronts, which contribute to the "avenue" effect.
- 2) Generally, use trees and plants that are compatible with the existing plantings in the neighborhood.
- 3) Use trees and plants that are indigenous to the area.
- 4) Retain existing trees and plants that help define the character of the district, especially street trees and hedges.
- 5) Replace diseased or dead plants with like or similar species if appropriate.
- 6) When constructing new buildings, identify and take care to protect significant existing trees and other plantings.
- 7) Choose ground cover plantings that are compatible with adjacent sites, existing site conditions, and the character of the building.
- 8) Select mulching and edging materials carefully and do not use plastic edgings, lava, crushed rock, unnaturally colored mulch or other historically unsuitable materials.

#### **Rehabilitation**

##### **B. Facades and Storefronts**

Over time, commercial buildings are altered or remodeled to reflect current fashions or to eliminate maintenance problems. Often these improvements are misguided and result in a disjointed and unappealing appearance. Other improvements that use good materials and sensitive design may be as attractive as the original building and these changes should be saved.

The following guidelines will help to determine what is worth saving and what should be rebuilt.

- 1) Conduct pictorial research to determine the design of the original building or early changes.
- 2) Conduct exploratory demolition to determine what original fabric remains and its condition.
- 3) Remove any inappropriate materials, signs, or canopies covering the façade.
- 4) Retain all elements, materials, and features that are original to the building or are contextual remodelings, and repair as necessary.
- 5) Restore as many original elements as possible, particularly the materials, windows, decorative details, and cornice.
- 6) When designing new building elements, base the design on the “Typical elements of a commercial façade and storefront.”
- 7) Reconstruct missing or original elements, such as cornices, windows, and storefronts, if documentation is available.
- 8) Design new elements that respect the character, materials, and design of the building, yet are distinguished from the original building.
- 9) Depending on the existing building’s age, originality of the design and architectural significance, in some cases there may be an opportunity to create a more contemporary façade design when undertaking a renovation project.
- 10) Avoid using materials that are incompatible with the building or within the specific districts, including textured wood siding, vinyl or aluminum siding, and pressure-treated wood.
- 11) Avoid introducing inappropriate architectural elements where they never previously existed.

#### K. Paint

- 1) Do not remove paint on wood trim or architectural details.
- 2) Do not paint unpainted masonry.
- 3) Choose colors that blend with and complement the overall color schemes on the street. Do not use bright and obtrusive colors.
- 4) The number of colors should be limited. Doors and shutters can be painted a different color than the walls and trim.
- 5) Use appropriate paint placement to enhance the inherent design of the building.



## Board of Architectural Review (BAR) Certificate of Appropriateness

Please Return To: City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3130

**Please submit ten (10) hard copies and one (1) digital copy of application form and all attachments.**  
**Please include application fee as follows: New construction project \$375; Demolition of a contributing structure \$375; Appeal of BAR decision \$125; Additions and other projects requiring BAR approval \$125; Administrative approval \$100.**  
**Make checks payable to the City of Charlottesville.**

The BAR meets the third Tuesday of the month.

Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 3:30 p.m.

Owner Name 408 East Market St Condo Owners Assoc Applicant Name Robert Nichols, Formwork Design Office  
Project Name/Description Maclin Building Ext Renovation Parcel Number 530054AA0  
Project Property Address 408 East Market St

### Applicant Information

Address: 619 E High St, Unit A  
Charlottesville, VA 22902

Email: robert@fortmworkusa.com

Phone: (W) 434-296-2223 (C) \_\_\_\_\_

### Property Owner Information (if not applicant)

Address: 408 E Market Street

Email: \_\_\_\_\_

Phone: (W) \_\_\_\_\_ (C) \_\_\_\_\_

Do you intend to apply for Federal or State Tax Credits  
for this project? No

### Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Robert Nichols 12/29/20

Print Name \_\_\_\_\_ Date \_\_\_\_\_

### Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

**Description of Proposed Work (attach separate narrative if necessary):** \_\_\_\_\_  
Exterior painting, replacement of existing canopy at entrance, removal of false guard rails above entrance

**List All Attachments (see reverse side for submittal requirements):**  
Design package attached with rendered views, existing conditions, etc.

### **For Office Use Only**

Received by: \_\_\_\_\_

Fee paid: \_\_\_\_\_ Cash/Ck. # \_\_\_\_\_

Date Received: \_\_\_\_\_

*Revised 2016*

Approved/Disapproved by: \_\_\_\_\_

Date: \_\_\_\_\_

Conditions of approval: \_\_\_\_\_

HISTORIC DISTRICT ORDINANCE: You can review the *Historical Preservation and Architectural Design Control Overlay Districts* regulations in the City of Charlottesville Zoning Ordinance starting with Section 34-271 online at [www.charlottesville.org](http://www.charlottesville.org) or at [Municode.com](http://Municode.com) for the City of Charlottesville.

DESIGN REVIEW GUIDELINES: Please refer to the current *ADC Districts Design Guidelines* online at [www.charlottesville.org](http://www.charlottesville.org).

SUBMITTAL REQUIREMENTS: The following information and exhibits shall be submitted along with each application for Certificate of Appropriateness, per *Sec. 34-282 (d)* in the City of Charlottesville Zoning Ordinance:

- (1) Detailed and clear depictions of any proposed changes in the exterior features of the subject property;
- (2) Photographs of the subject property and photographs of the buildings on contiguous properties;
- (3) One set of samples to show the nature, texture and color of materials proposed;
- (4) The history of an existing building or structure, if requested;
- (5) For new construction and projects proposing expansion of the footprint of an existing building: a three-dimensional model (in physical or digital form);
- (6) In the case of a demolition request where structural integrity is at issue, the applicant shall provide a structural evaluation and cost estimates for rehabilitation, prepared by a professional engineer, unless waived by the BAR.

APPEALS: Following a denial the applicant, the director of neighborhood development services, or any aggrieved person may appeal the decision to the city council, by filing a written notice of appeal within ten (10) working days of the date of the decision. Per *Sec. 34-286*. - City council appeals, an applicant shall set forth, in writing, the grounds for an appeal, including the procedure(s) or standard(s) alleged to have been violated or misapplied by the BAR, and/or any additional information, factors or opinions he or she deems relevant to the application.



# 408 EAST MARKET STREET

CHARLOTTESVILLE BOARD OF ARCHITECTURAL REVIEW  
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

SUBMITTED DECEMBER 29, 2020





- 01 REMOVE & REPLACE CANOPY
- 02 REMOVE CANOPY
- 03 REPLACE PLANTINGS
- 04 REPLACE PLANTER
- 05 REPLACE PAVERS @ ENTRY

REMOVE EXISTING CANOPIES @ SOUTH END OF COURTYARDS

REMOVE EXISTING CANOPIES @ SOUTH END OF COURTYARDS



FRONT ENTRY - SIDEWALK APPROACH



COURTYARD

- 01 REMOVE & REPLACE CANOPY
- 02 REMOVE CANOPY
- 03 REPLACE PLANTINGS
- 04 REPLACE PLANTER
- 05 REPLACE PAVERS @ ENTRY



EAST NEIGHBOR



WEST NEIGHBOR



- A** BLACK METAL ENTRY CANOPY
- B** PAINTED BRICK: DEEP BLUE
- C** BOSTON IVY & SWITCH GRASS IN AT-GRADE PLANTER
- D** BLUESTONE PAVING AT ENTRY



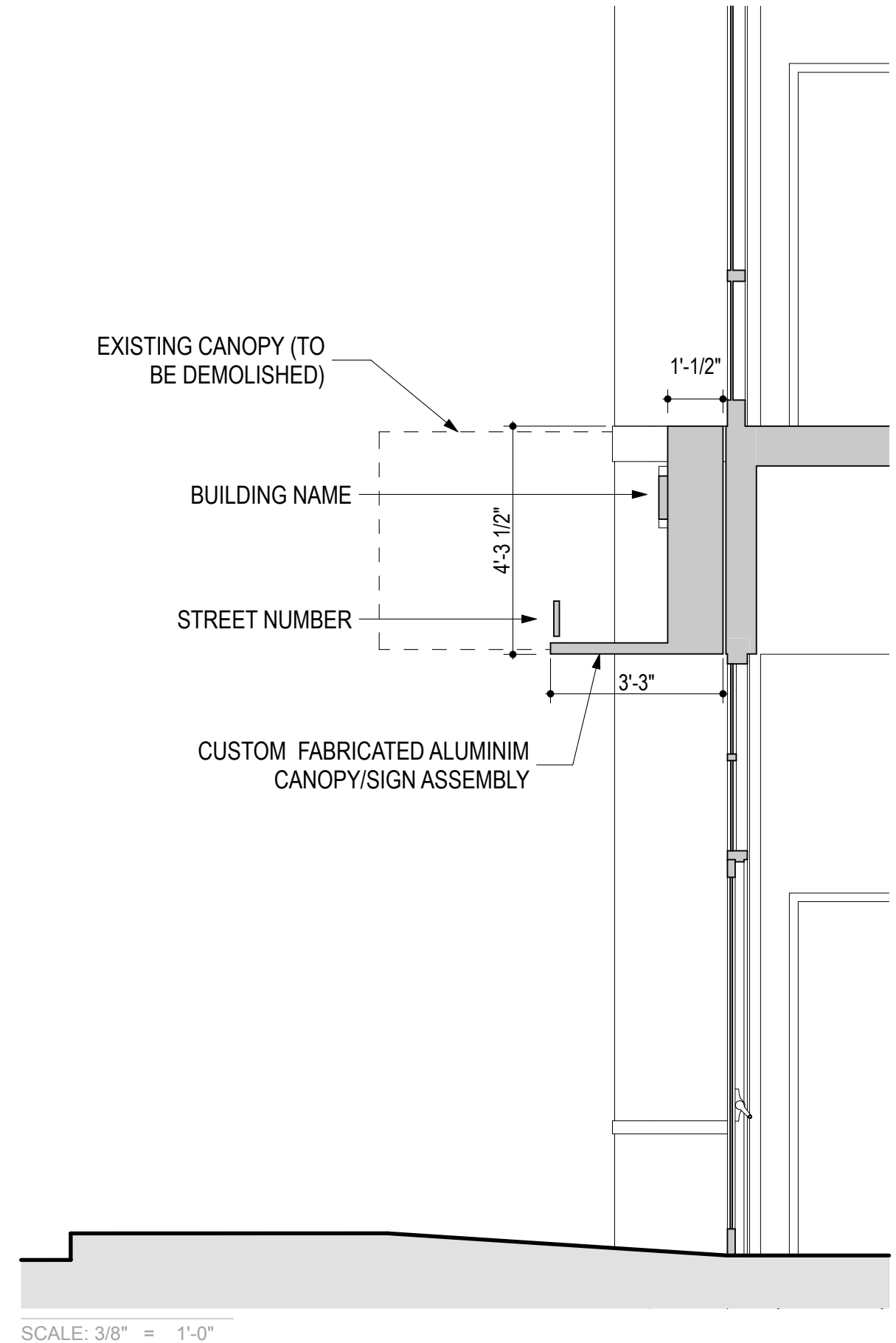
- A** BLACK METAL ENTRY CANOPY
- B** PAINTED BRICK: DEEP BLUE
- C** BOSTON IVY & SWITCH GRASS IN AT-GRADE PLANTER
- D** BLUESTONE PAVING AT ENTRY



BLUESTONE PAVER LAYOUT BASED ON 12X36 AND 15X48 LANDSCAPE TREADS (NO CHANGE TO COURTYARD SURFACE PROPOSED). DEPTH OF PLANTERS FLANKING ENTRY IS APPROX. 24", HALF THAT OF THE EXISTING RAISED PLANTERS.



PRECEDENT VIEW OF DARK PAINTED BRICK

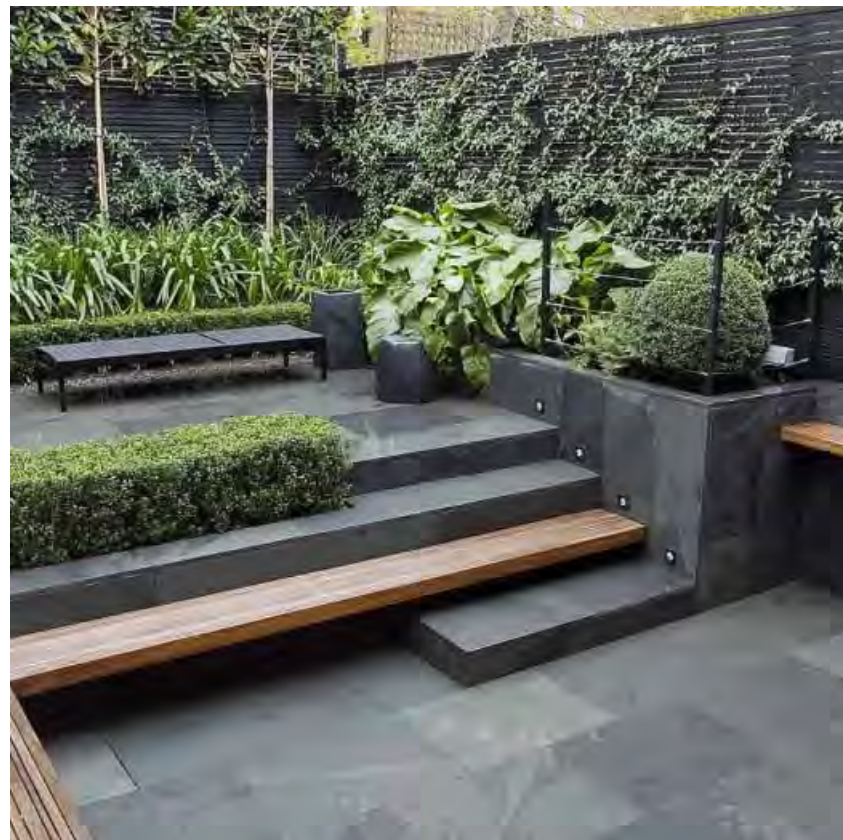




BOSTON IVY / AUTUMN



BOSTON IVY / SUMMER AGAINST DARK BRICK



BLUESTONE PAVERS / GREEN VEGETATION AGAINST DARK BACKGROUND



PANICUM "HEAVY METAL"  
ORNAMENTAL GRASS



ORNAMENTAL GRASS THROUGH THE SEASONS

