

**BAR MINUTES  
CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
Regular Meeting  
November 16, 2021 – 5:00 PM  
Zoom Webinar**



Welcome to this Regular Monthly Meeting of the Charlottesville Board of Architectural Review (BAR). Due to the current public health emergency, this meeting is being held online via Zoom. The meeting process will be as follows: For each item, staff will make a brief presentation followed by the applicant’s presentation, after which members of the public will be allowed to speak. Speakers shall identify themselves, and give their current address. Members of the public will have, for each case, up to three minutes to speak. Public 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.

**Members Present:** Breck Gastinger, Ron Bailey, Jody Lahendro, Carl Schwarz, Robert Edwards, James Zehmer, Cheri Lewis  
**Members Absent:** Tim Mohr, Andy McClure  
**Staff Present:** Joe Rice, Patrick Cory, Jeff Werner, Robert Watkins  
**Pre-Meeting:**

There was no Pre-Meeting.

The Meeting was called to order at 5:30 PM by staff.

**A. Matters from the public not on the agenda**

**Robert Aulebach** – I represent the Kappa Delta house at 120 Chancellor Street, the neighbor to 128 Chancellor Street on the Consent Agenda. They made some significant revisions to their front yard, which looks terrific. They had benches along the street. The sidewalk along the street is quite narrow. If they leave the benches where they are, there really isn’t a lot of room, especially if somebody was to sit on the benches. We had three suggestions. One would be to make the benches perpendicular to the street or move them back one foot closer to the home. That would leave enough space.

**William Sherman** – I just wanted to note that we do take those concerns seriously. One of the things we have done as part of our revision, which involved increasing the trees, plantings, bushes, and shrubs in that front area, was to reduce the size of those benches so you wouldn’t have groups of people gathering on them. It’s a challenge to pull them back or to run them perpendicular with the limited space through there. I am happy to explore some more subtle aspects of the design that may encourage people to be sitting facing in. They were originally intended to double in participating with the street. It would be to scale. It would not involve any substantive change to the design.

The spirit of these revisions throughout the design/development process of the project had been to lessen the impact on neighbors. By reducing the height of that retaining wall, pulling it away from the property line, creating a planted area between the base of our retaining wall and the existing retaining wall on the site, and designing it in a way, we can do the entire construction without encroaching on the lower edge of the site. All of our changes have been moving in that direction to lessen the impact of this project on all of the neighbors.

**Geary Albright** – I am the neighbor behind the development at 128 Chancellor Street. The front of the building looks great. It would be nice if there was some greenspace. I know that has been addressed out front. There is a lot of trees and greenspace. In The Corner District, they're trying preserve all of the greenery that is possible. I am wondering if there are things that can be done to make the rear of the building more ecologically friendly as they are trying to do with the front of the building.

**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. Certificate of Appropriateness**

BAR 21-11-01

218 West Market Street, Tax Parcel 330276000

Owner/Applicant: Heirloom Downtown Mall Development, LLC

Applicant Rep: Jeff Dreyfus, Bushman-Dreyfus Architects

Project: Demolition of existing structure

**2. Certificate of Appropriateness**

BAR 21-11-03

122 Maywood Lane, Tax Parcel 110060000

Owner: Neighborhood Properties, LLC

Applicant: Chris Henningsen, Henningsen Kestner Architects, Inc.

Project: Partial demolition, additions and rehabilitation to the house and cottage

**3. Certificate of Appropriateness**

BAR 21-11-04

128 Chancellor Street, TMP 090105000

The Corner ADC District

Owner: University Christian Ministries

Applicant: Tom Keough, Train Architects

Project: Façade alterations

**4. Certificate of Appropriateness**

BAR 21-11-05

1804 Chesapeake Street, Tax Map Parcel 55A141000

Woolen Mills HC District

Owner/Applicant: Emily and Anthony Lazaro

Project: Construct rear addition

**5. Certificate of Appropriateness**

BAR 21-11-06

745 Park Street, Tax Parcel 520051100

North Downtown ADC District

Owners/Applicants: Karen Vadja and Kevin Riddle

Demolition of existing dwelling

**Motion – Mr. Gastjinger – Move to pull Oakhurst Circle from the Consent Agenda and approve the rest of the Consent Agenda. (Second by Mr. Zehmber (Motion passes 7-0))**

## C. Deferred Items

### 6. Certificate of Appropriateness

BAR 21-11-02

106 Oakhurst Circle, Tax Map Parcel 110005000

Oakhurst-Gildersleeve ADC District

Owner: 106 Oakhurst Circle LLC

Applicant: Patrick Farley

Project: Landscaping plan

**Robert Watkins, Staff Report** – *Year Built:* 1922 *District:* Oakhurst-Gildersleeve ADC District  
*Status:* Contributing. Designed as a combination of Colonial Revival and Craftsman styles, this two-story dwelling has a gabled roof, stucco siding, overhanging eaves with exposed rafter ends, a pent roof between the first and second floor, an interior stuccoed chimney, a concrete stoop, and a central door sheltered by a gabled hood supported by brackets. Triple eight-by-eight casement windows are found on the first floor, while eight-over-eight-sash double-hung windows are used on the second floor and flank a central triple eight-by-eight casement bay window. French doors on the east side lead out to a patio. The house also includes a rear deck and a projecting rectangular one-story bay window supported by wooden brackets on the west end. (Oakhurst-Gildersleeve Neighborhood Historic District.)

#### **Landscaping:**

- Remove: 6” Crepe Myrtle (front), 6” Dogwood (front), 4” Holly (rear), 40” Oak (rear)\*.
- New: See Plant Schedule on Sheet A. (*Rain Garden, Ferns, Oak Garden, Living Fence/Green Screen, Pollinator Garden.*)
- Hardwood mulch within planting areas.

#### **Paving:**

- Walking Path (front): Cut slate/flagstone in aggregate with steel edging
- Driveway (front): Concrete, permeable pavers
- Driveway (rear and existing): Crushed Buckingham slate with steel edging
- Entry Porch: Slate pavers.\*

#### **Discussion**

Previously, the existing driveway (along the north parcel line) was eliminated and a new constructed (along the north parcel line). The project will now retain the existing and use the new to create a loop for access to and egress from the parking area behind the house. To allow flexibility in the required placement and width of the new driveway—for ex., to minimize removal of the existing stone curbing—City Code Section 34-972(a)(5) allows for the BAR to make recommendations to the city traffic engineer. The suggested motion for approval includes that recommendation.

**Patrick Farley, Applicant** – We have the right to retain the existing driveway for parking purposes. You can squeeze two cars into it right now. In the new iteration of this property, where we’re going to have four less bedrooms, we’re increasing the capacity for the site to hold up to four cars; possibly more if we can squeeze them in to take pressure off the circle and anticipating future development on the site. We’re looking to get off-street parking out of the front yard. We have already had zoning look at this. The only issues were requirements with setbacks at the property lines. There is the minimum requirement of 20 feet between the driveway cuts at the curb line. We have about 26 feet. We meet the 3 foot setbacks on either side.

### **QUESTIONS FROM THE PUBLIC**

No Questions from the Public

## **QUESTIONS FROM THE BOARD**

No Questions from the Board

## **COMMENTS FROM THE PUBLIC**

No Comments from the Public

## **COMMENTS FROM THE BOARD**

**Mr. Gastinger** – From the conversation we had with this project, we had been pretty clear that we strongly preferred moving the driveway access to the other side. We did not like the idea of the driveway moving around to the back. It came to me as a surprise that the driveway remained establishing this as a permanent parking space, which is an informal gravel drive now. It is not in keeping with the spirit of the guidelines. Section 2, Letter F, includes things like “if new parking areas are necessary, construct them so they reinforce the street wall building, locate parking lots behind buildings, and avoid creating parking areas in the front yards of historic building sites.” Going from a pretty narrow lot and having so much of the yard dedicated to driveway access and parking is in contrast to that. I don’t know if the rest of the Board feels that way. I feel it sets a damaging precedent.

**Mr. Lahendro** – A very distinctive character of the District and Oakhurst Circle is the number of plantings, grass, and greenery in the front of the building. I worry that this sets a precedent for allowing more and more parking right in the front and taking away from that greenery and that suburban quality of the Circle, especially imagining cars sitting there.

**Ms. Lewis** – I also agree with Breck and Jody. We spent a lot of time in previous meetings with this applicant discussing the changed location of the driveway and the configuration of it. I am disappointed that this would come back opposite to how we have supported this application and that it would come back on a landscaping plan. It’s a little disingenuous.

**Mr. Schwarz** – While I would have preferred that this existing driveway would have gone away. That was what I thought we had discussed. It is an existing driveway. It would currently already hold cars on it. It’s not like we’re adding more parking to the front yard. We’re adding a driveway to the backyard, which is more pavement. Personally, I would be willing to approve it. They’re not adding parking. They’re making an existing spot not gravel.

**Mr. Zehmer** – The plans put crushed Buckingham Slate there. It’s not gravel. It’s not asphalt either. Carl does have a point. It is an existing driveway and parking area. I would like to see it go away. At the same time, it is tough to argue with something that is already there. I had a chance to look at the video from the September meeting. It looks like you did address one of the concerns in terms of the sidewalk going out to the street and the bench walls flanking the front door not being asymmetrical. I do appreciate that. You did respond to our comments on the front.

**Mr. Gastinger** – When we talked about moving the driveway in the past, it was largely in the context of a thru-passage. Have you looked at whether keeping the existing driveway as the access to the proposed parking would work? And not require the new curb cut?

**Mr. Farley** – We did. It’s a pretty tight squeeze through there. There’s the topography of the rear that makes it pretty difficult. This is a way to take the path of least resistance. We have to make small alterations. We were going to do that anyway. It is a better plan from a traffic flow standpoint. I could have misunderstood you in the previous meeting. I do not recall agreeing to delete that existing

condition. I do recall, very clearly, getting rid of the loop and reconfiguring the site accordingly. I don't have any recollection of getting rid of the driveway. I did revise the front yard scheme.

**Mr. Lahendro** – It could be my misunderstanding. I just assumed that when we talked about putting in the new driveway, the old one would go away. I did not realize that we were talking about keeping the old one and putting in a new one.

**Mr. Farley** – I can appreciate that. The issue, as I recall, was the loop. It was the drive-thru the circuit. That was too much site involvement/site impact relative to the little addition to the four bedroom home. I accepted that. That actually did make sense. I wasn't entirely surprised. I will ask, in the context of the new land use plan, where this is a medium intensity district, does anybody have any opinion about that, keeping current conditions in anticipation of potentially doing something else at this site down the road?

**Mr. Schwarz** – I don't know what the future BAR will approve when a large development wants to show up in a historical district. Until we change our guidelines, those are our guidelines. We definitely owe you a vote to see if there may be enough support for this.

**Mr. Bailey** – If you're going to be doing a loop that means that driveway would be useful for getting behind the building. Why aren't you using that driveway to get behind the building and not opening a new curb?

**Mr. Farley** – I am not saying we are. That's a potential, future idea that we discussed. It would be very difficult to do that as an 'in' versus an 'out.' It require more site work at this point.

**Motion to Approve – Mr. Schwarz - Having considered the standards set forth within the City Code, including City's ADC District Design Guidelines, I move to find that the proposed landscaping plan for 106 Oakhurst Circle satisfies the BAR's criteria and is compatible with this property and other properties in the Oakhurst Gildersleeve ADC District, and that the BAR approves the application as submitted. Additionally, the BAR recommends the city traffic engineer allow flexibility relative to the required driveway entrance width. Of particular concern, to extent possible, is preservation of the existing granite curb stones.**

**Motion Falls**

**Mr. Lahendro** – Is there a compromise where some sort of material can be used for the existing parking area that would allow grass to grow between the units and keep the green?

**Mr. Farley** – We're actually doing that with the new entrance with brick pavers. It's a symmetrical condition.

**Mr. Lahendro** – It's not just pervious paving. It would allow grass to grow and can be green.

**Mr. Schwarz** – When you say grid pavers, these are the concrete with the little holes in them?

**Mr. Farley** – Yes.

**Ms. Lewis** – It would be impossible to ask for a sample to be passed around. I wonder if the applicant could produce a photo so we can see what we're talking about if this is viable. I am looking at the plan.

Staff shared images of what the pavers would look like for members of the BAR to see.

**Mr. Lahendro** – It is not ideal. I could support that.

**Mr. Gastinger** – We're talking about one parking space. If the circle was the additional street parking, there would be a car that could park on the street in that location. I feel it is against our guidelines. I'm going to vote against it. The planting plan is great. I love the palates.

**Mr. Farley** – I forgot to note that we're creating a new driveway cut. We're losing one but we still have one off street space and gaining one on parking space on site.

**Mr. Schwarz** – Jody said that he would be willing to accept this compromise. There's not enough support. Anything that would make a 4<sup>th</sup> person happy?

**Mr. Gastinger** – For me, it is the cars parked in the front yard. This is not a driveway that would be approved in Charlottesville today nor by this Board if it was new. Passing around the site would be better. You wouldn't have cars parked in the front yard. It would even be fewer parking spaces if that was the case.

**Mr. Zehmer** – The question would be whether the applicant would be willing accept a motion that included removal of that existing parking. Do we want to see a revised planting plan?

**Mr. Schwarz** – It sounds like the rest of you do not want to see the existing driveway remain? Is that the correct understanding?

**Ms. Lewis** – The question James asked the applicant wasn't answered. I wonder if that is a good question to ask the applicant at this point. I wondered if the applicant had a response to that. You have a majority that would vote for this landscape plan if that parking space in the front was removed. Would you agree to delete that? I think we can do that here.

**Mr. Farley** – We have a building permit about to be issued. We can't delay this another month. We have already lost a month here. We will delete it. I don't know what we're going to do with that deletion. We will figure something out. We're deleting a driveway. We don't have to resubmit for what we're doing with the empty space there?

**Mr. Werner** – I don't know. There is a range of options that could be expressed that deviates from that. It could be examined then. That gives you an option to phrase the conditions. If it changes, we can reevaluate.

**Mr. Farley** – I understand. We will figure it out and it will be good. I want to make sure we are clear on the process here. We have to remove an existing driveway. We don't have to come back for approval on what we do there.

**Mr. Schwarz** – Tell us you're going to sod or turn it into grass. If you want to mix in the plantings, contact staff about it. It might not have to come in front of us.

**Mr. Gastinger** – It doesn't have to come in front of us. When we have approved things in the past with conditions, we have sometimes requested that whatever the final plan is, it is submitted for the record.

**Mr. Zehmer** – I was going to suggest that. That was the second half of my question. If we're removing that parking space, we also remove the curb cut and repair the sidewalk back to the normal sidewalk in that location.

**Ms. Lewis** – Wouldn't you be removing some granite at the new driveway location so that could be reused?

**Mr. Farley** – In theory, yes.

**Ms. Lewis** – You can call it a neighborhood garden. I would imagine that could be extended the width of that. It is not that wide.

**Mr. Werner** – What is there now in front of the existing driveway is concrete. It appears that when the city did the new contemporary curb and gutters, the sidewalk went up to it and stopped.

**Mr. Zehmer** – What we're trying to avoid is if we agree to let him sod it but leave the curb cut, it will become a parking spot again.

**Mr. Werner** – What you're also asking is that the granite curb be infill extended so that you're not just addressed at what happens at the 'no longer' driveway but also what happens at the street.

**Mr. Zehmer** – That would be my preference. If they can reuse material removed from the other side, it's a good one.

**Ms. Lewis** – That was part of staff's proposed motion. It was preservation of existing granite curb stones.

**Motion to Approve – Ms. Lewis – Having considered the standards set forth within the City Code, including City's ADC District Design Guidelines, I move to find that the proposed landscaping plan for 106 Oakhurst Circle satisfies the BAR's criteria and is compatible with this property and other properties in the Oakhurst Gildersleeve ADC District, and that the BAR approves the application as submitted with the following modifications:**

- that the existing parking spot be removed and that the area be landscaped consistent with the landscaping plan for the adjoining front yard area
- that the granite curbstones being removed for the new driveway be reused to enclose the existing driveway curb cut.
- Additionally, the BAR recommends the city traffic engineer allow flexibility relative to the required driveway entrance width.

**Mr. Gastinger second. Motion passes 7-0.**

## **7. Certificate of Appropriateness**

BAR 10-11-04

123 Bollingwood Road, TMP 070022000

Individually Protected Property

Owner: Juliana and William Elias

Applicant: Jeff Dreyfus, Bushman Dreyfus Architects

Project: Modifications to west elevation

**Jeff Werner, Staff Report** – *Year Built:* 1884 *District:* IPP Disney-Keith House, a vernacular farmhouse. Between 1923 and the mid-20th century, Arthur Keith’s wife, Ellie Wood Keith, operated a riding academy here.\* A barn, outbuildings, and stables immediately west of the house are no longer standing, but can be seen on the c1965 Sanborn Maps and 1966 aerial photo--see the Appendix. The existing garage south of the house was constructed in 1988. (\*It is said that *Elliewood Avenue* was named for Mrs. Keith, but we cannot be certain.) Request CoA to modify the west elevation of the rear addition: remove the small roof over the door and replace the door and two adjacent windows with a three-panel sliding door. (The landscape plan, including other work on the property, is aspirational and included in the submittal for context only.)

### **Discussion and Recommendations**

Modifications to the west elevation: The existing door and window to the left (in the photos and elevations) are not in the historic photos and were added after/during construction of the small addition to the SW corner of the main house. (See the comparison photos in the Appendix.)

The City’s landmark survey suggests the rear wing was added to the original, 1884 house, with that work completed in two stages, likely prior to 1923. Staff believes the rear addition (excluding the addition at the SW corner) likely dates to between 1894 and prior to 1907.\*

Staff suggests the alterations to the elevation should be allowed, within the framework of the design guidelines, and supports this request conceptually. With that, staff suggests BAR discuss whether or not the proposed sliding doors are appropriate, within the framework of the design guidelines.

The applicant’s submittal makes clear the design intent for the proposed changes: *To connect the interior and exterior with better views and accessibility to the entertainment terrace. The design is intended to emphasize a distinction between the older building fabric and the modern renovation, not to pretend that this work was part of the historic fabric.*

\* Typically, house additions are associated with growing households. The census data does not tell us when this house was expanded, but it does show how many people were living here. It is speculation only, but the census suggests the addition likely dates to between 1894 and 1907, when Lambert Disney and his family occupied the house.

**Jeff Dreyfus, Applicant** – We deferred ten years ago on this. I will request a deferral now. No vote is anticipated. No vote is wanted at this point.

With this presentation, we did include a concept plan. What we’re here for tonight is for preliminary comments. What you will see in the site plan and on the proposed elevation change are ideas. As a protected property, you all have purview over all of the property. Before we go far with any of this, we wanted to solicit your input, thoughts, and viability of what we’re thinking and what the owner is contemplating. The portion of the building we’re talking about is blocked in red.

**Anna Boeschstein, Applicant** – We’re in the preliminary stages of figuring out what to do with this property. We don’t plan to do anything besides some possibly foundation planting for the Bollingwood side of the house. We’ll keep the existing driveway as you enter the north side of the house with a stone or brick pathway to the main door. We’ll reconfigure the existing parking; just give it a bit more shape. What they would really like to do in the back is create more usable space. In the rear yard of the house, there’s some drainage issues off the kitchen. They have water draining up against boards. The backyard is filled with gravel. At the moment, there is an asphalt driveway that continues around to the back through that pool area next to the garage. That was added after the riding ring was pulled out. We’re suggesting that we reduce the paving that is bisecting the house from its rear yard, contain the parking to the side, and give them an upper lawn, which is a landscaped lawn as it is today on the upper side with a retaining wall that will help us deal with some of the grading issues and give them more usable space. We’re also looking at a pool fence that will be a decorative wood fence in



conjunction with the wall. The wall might be brick or stone. We have gotten that far with the pool terrace and the hardscape connecting the various areas.

**Mr. Dreyfus** – I will move onto the façade proposal. Staff has pointed out for you the area we’re talking about what is behind this door and these two windows. The window on the left is directly into the kitchen. The door straddles the kitchen. The window on the right is the breakfast area. That door is between the two. The space has a limited connection with this terrace. It is the place the family spends most of their time outdoors. The proposal here is to put in a larger door system that would connect the indoors much better with the outdoors. That porch is an interesting one. There doesn’t seem to be any indication when it was built. It was after the photos staff shared with us. The family just completed a complete overhaul of the wraparound porch, which was exquisitely done. They do care about caring for the property.

(Next Slide)

You can see here the existing elevation. Below it is a sketch concept. We’re here tonight to talk about this with you. Ten years ago, we were looking at providing access to the yard from the two windows on the ground floor to the left. It was clear that there was real concern about taking the most historic part of the house and modifying it in a way that would have opened that elevation out to the yard. In talking further with them, the idea that we could connect the kitchen and the breakfast room out to this terrace grew. This is a diagram that does express an intent of doing something distinctly different from the historic fabric of the house so that there’s no confusion. The Guidelines for the Secretary of the Interior are no false stoicism. In thinking about the door system that might go here, we could certainly put in some divided lights. That seems a little ‘hokie’ and ‘phony’ to us. Our thought here is to be distinctly modern in this one intervention in the most inconspicuous part of the entire property. From an interior perspective, it would make a huge difference. In looking at the Design Guidelines for the Architectural Control Districts, it is noted that rehabilitation is recognized as the act of bringing an old building into use by adding modern amenities, meeting current building code, and providing a use that is viable. We feel this is being a modern amenity and is modern in its style.

(Next Slide)

These are other projects that have done similar types of work, taking old fabric and contrasting the new with it. Other than these precedent images, we did not want to take this so far that were backing ourselves into a corner. I would rather hear your thoughts on this concept of something that is bold and distinctly different.

(Next Slide)

We do have a current survey of the property that might explain the current driveway coming through the entire property to access the garage. Removing that seems to be a nice step to putting the house back into a fully landscaped setting as opposed to surrounding it with asphalt to the north, west, and Bollingwood Road on the east.

## **QUESTIONS FROM THE PUBLIC**

No Questions from the Public

## **QUESTIONS FROM THE BOARD**

**Mr. Gastinger** – A lot of the architectural description doesn't really refer much to landscape elements other than the more recent writing. Are there any other existing elements that are acknowledged about earlier design of that rear landscape?

**Ms. Boeschstein** – Not really. In the front, there's a couple of beautiful oaks. Back in the 70s and 80s, there were these falling down shedrow barns, overgrowth. Since then, there has been a few attempts at planting some maples for each of the children they would like to keep. There's nothing significant.

**Mr. Gastinger** – It's pretty clear that the doorway and the left window are not even in their original locations. The windows look more contemporary. Are they contemporary windows?

**Mr. Dreyfus** – Yes. I believe the two windows are probably 80s. I am not certain of that.

## **COMMENTS FROM THE PUBLIC**

No Comments from the Public

## **COMMENTS FROM THE BOARD**

**Mr. Schwarz** – The back of this building has been significantly modified since the middle of the 20<sup>th</sup> century. There's nothing historic that you would be changing. If you want to put an addition back there, we would probably allow something like that. Cutting a big opening and putting in a modern door, I can't see a problem with that at all. I have no concerns with the landscape plan. It looks like you're on the right track.

**Mr. Lahendro** – Considering where it is, it is not a prominent elevation from the road, it's not an intervention in the most historic part of the house or impacting a character defining feature of the historic house, this wing was never a distinctive architectural element, and it was always utilitarian and it has been fiddled with, I am fine with the intervention. I love the boldness. I love that you're not trying to create something that's phony.

**Mr. Gastinger** – I support the project. It looks great. It is a really elegant approach. The landscape plan seems well on its way. I don't see any issues with it regarding our guidelines.

**Mr. Zehmer** – I support it as well. My only concern was the two additions. I was concerned the opening spread across most of the addition.

**Ms. Lewis** – I am supportive as well. I am just curious about how that opening will look. We do have guidelines about new openings. There was a suggestion that it might be a sliding glass. Some of the examples you have given of existing properties where this has been utilized show plate glass with no moveable portion. I wonder if you could give us a little more idea about what the owners are looking to do.

**Mr. Dreyfus** – Skye Sliding Doors make a frameless sliding door. It is basically plate glass. They are beautiful. They are very minimal and really exquisite. That would be our goal.

**Ms. Boeschstein** – I am going to assume that you might like a similar approach taken with the landscape; perhaps not brick, not modern materials. What are your feelings on that?

**Mr. Gastinger** – We don't have a lot of guidelines for a landscape like this unless there was more knowledge about of the character defining features that would have been part of that landscape. The palate is encouraged to be native and non-invasive. I think you have the ability to design that in keeping with the approach you are having with the house; both a contemporary approach and something more historic related. One concern is inventing some history that occurred for this house that we just don't know about.

**Mr. Dreyfus** – We have received the feedback we were hoping for. We appreciate it. I appreciate the Board allowing us to come and run these ideas by you before we dive in. I am excited by the reception.

**Applicant request for Deferral – Motion to Accept Deferral – Mr. Schwarz – Second by Mr. Lahendro – Motion passes 7-0.**

#### **D. New Items**

#### **8. Certificate of Appropriateness**

BAR 21-11-07

946 Grady Avenue, TMP 310060000

Individually Protected Property

Owner: Dairy Central Phase 1, LLC

Applicant: Joshua Batman

Project: Install gas-powered heaters over entries

**Jeff Werner, Staff Report** – Year Built: 1937-1964 District: IPP Former Monticello Dairy building. Designated an IPP in 2008. The original central 2-story (5-bay) portion of the building and flanking one-story (7-bay) portions are dated 1937. The east side addition (7-bay) was built in 1947/1964; the similar west side addition (6-bay) was built in 1959. Request for CoA to install fourteen (14) gas-powered, infrared heaters on exterior walls: eleven (11) on the north façade and three (3) on the west façade.

#### **Discussion and recommendation**

Staff recommends denial of this request. Permanent installation of the heaters into the masonry wall and penetration of the walls for gas and electric conduits will damage the masonry and introduce a component that is incompatible with the historic façade.\*

The heaters are inconsistent with the building and the previously approved alterations and rehabilitations. Additionally, the heaters will be used only seasonally, serving a need that can be addressed with portable heaters and without altering or damaging the historic façade. (\* See *locations* in Appendix.)

**Regarding installation of the proposed heaters:** Two mounting brackets are anchored into the masonry wall. Gas and electric are supplied via separate conduits through the wall. (See Appendix.)

**Regarding portable heaters:** (See images in the Appendix.) The proposed wall-mounted heater (Dayton #21MK93) produces 34,000 BTUs, heats a 64 sq. ft. area [immediately adjacent to the wall], and costs approximately \$1,200, not including installation. Portable, propane heaters are available that produce between 38,000 and 48,000 BTUs, can heat areas from 200 to 324 sq. ft., and costs range between \$200 to \$500, not including propane. ([www.toptenreviews.com/best-patio-heaters](http://www.toptenreviews.com/best-patio-heaters))

**Staff note:** On October 26, 2021, citing the informal discussion with the BAR, staff recommended to the applicant they consider withdrawing the request and, in lieu of wall-mounted heaters, use portable heaters. The applicant replied: “We appreciate the BAR’s concerns. We are trying to help the operation of the market with this request. The temporary heaters are costly and burdensome to the staff/merchants and we are trying to respond to the desire to keep outdoor dining available as long into the colder months as possible. We would like to keep the application at present and look forward to hearing the BAR’s thoughts on the matter.”

Should the BAR consider approval of this request, staff recommends the following conditions:

- The heaters will be installed above the existing arches.
- Wall penetrations for the mounting brackets and conduits will be within the mortar joints and in a manner to minimize, if not avoid, damage to the bricks.
- Gas and electric supply (conduits, junction boxes, etc.) will be through the wall at each heater, individually, and installed in a manner that minimizes exterior visibility. Building permit application will indicate the specific location of each heater, wall penetrations, and visible (exterior) supply conduits and connections. Staff will review for compliance with the CoA.
- If/when the heaters are removed, the masonry walls will be repaired in accordance with the ADC District Design Guidelines.

**Joshua Batman, Applicant** – This is a utilitarian request. It’s something our vendors have requested. I understand that it is not the most popular thing from a historic conservation context. The temporary gas heaters can be expensive and difficult for the staff to set out, take down, and lock up every evening. That’s the genesis of this request. Staff has pretty accurately described where they go and what we’re requesting. We did try to pick colors that tied to the theme of the Dairy Market. It’s pretty clear what we’re asking for. I understand your reservations.

## **QUESTIONS FROM THE PUBLIC**

No Questions from the Public

## **QUESTIONS FROM THE BOARD**

**Mr. Schwarz** – They’re mounted a foot/18 inches off the wall. They’re on arms that stick out. Is that correct?

**Mr. Batman** – Yes. They have little arms.

**Mr. Bailey** – How far would the heat reach from the heaters out onto the patios?

**Mr. Batman** – That’s difficult to say based on wind. It would probably reach out about ten feet out into the space. It is in an effort to try to bring more life to that patio and more room to the Market during the colder months.

**Mr. Bailey** – It is still going to be part of the patio that would not have to be heated. You would have to have portable heaters in any case. Is the intention to heat the whole area?

**Mr. Batman** – The intention is to modify the temperature outside so that people feel more comfortable eating outside during a longer portion of the cold season.

## **COMMENTS FROM THE PUBLIC**

**Lisa Kendrick** – Is it noisy?

**Mr. Batman** – It shouldn't be terribly noisy. You might hear a little of woosh from the gas coming out and burning. It wouldn't be loud, mechanical noises.

## **COMMENTS FROM THE BOARD**

**Mr. Gastinger** – This has been a project to work on over the years. We all feel glad for the care that was taken to restore and preserve this building. It's been a very successful change and addition to the city. Learning about this building and its early design recognition led us to appreciate that front long façade. It has shined in the way it has been restored. It really is hard to see how this proposal doesn't jeopardize that restoration. I can't support it. Looking further to our guidelines and to the Secretary of Interior's standards, there are several point about not adding mechanical systems that radically change, damage, or destroy the character defining features or installing systems or ducts that cause damage to historic building materials or character defining features. It's very clear that long façade is one of the primary ones. Unfortunately, I can't support this.

**Mr. Schwarz** – We do have guidelines. There is nothing about exterior heaters. Anything mechanical shouldn't be on the front wall.

**Mr. Batman** – It is a very utilitarian request. I understand your concerns.

**Mr. Lahendro** – I agree with what has been said. I can't support it. It's a permanent intervention. It's incompatible. It jumps out, especially not being at every window. It is being asked because it is inconvenient for the staff to be working with portable heaters. The historic building and preserving it is worth a little bit of inconvenience.

**Motion – Mr. Lahendro - Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed exterior heaters do not satisfy the BAR's criteria and are not compatible with this Individually Protected Property, and for the following reasons the BAR denies the request as submitted:**

- **The proposed project would be a permanent intervention**
- **The proposed project would inflict damage to the historic structure**
- **The proposed project is noncompliant with the guidelines**

**Mr. Gastinger seconded the Motion. Motion passes 7-0.**

## **9. Certificate of Appropriateness**

BAR 21-11-08

111-115 West Main Street (also 113), TMP 330259000

Downtown ADC District

Owner: West Mall, LLC

Applicant: Caitlin Schafer, Henningsen-Kestner Architects

Project: Storefront alteration

**Jeff Werner, Staff Report** – Year Built: c1913-1914 District: Downtown ADC District Status: Contributing. Known as the Feuchtenberger Building, it was constructed in 1913-14 as a 4-bay duplex store with apartments above. The façade was changed in the early 1990's. The rear of the brick building is accessed by a concrete driveway from West Market Street. The rear façade of the building is partially obscured by the former church annex) building on the abutting property. CoA request for the rehabilitate of the façade and replacement of the storefront.

- Storefront:
  - o Stain exposed wood with Arborcoat. *Cordovan Brown*
  - o Remove canopy and install new: red cedar with Cu standing-seam roof.
  - o Remove the two cornices and install a continuous cornice over both storefronts. Painted wood. Benj Moore *Simply White*.
  - o Install thin-set brick floor entries.
- Upper floor windows: Remove wood sills and headers, expose stone or metal and paint. Benj Moore *Simply White*.

### **Discussion and Recommendations**

The existing storefront is not original. The stone headers and sills on the upper windows are covered with metal flashing. (See photos in Appendix and the applicant’s submittal.)

Staff asked the applicant to clarify the work at the upper floor windows: *All the windows are staying, as is, that includes the brickmould and mull cap. The only change we want to make is to the headers and sills. The header and sill covers that are there now, are a flashing / metal cover. If the original header and sills are in good condition, we will take the metal covers off. If they are not, we will keep the existing covers on and paint them.*

Staff recommends approval.

**Caitlin Schafer, Applicant** – As you have walked by this building, you have noticed the canopy and a few pieces are in need of restoration and a little bit of facelift. We began by looking at some historic storefronts and the historic images that were included in our proposal. I have decided to take the approach of stripping back as much as possible, exposing the original building, and then taking different pieces throughout the historic images and applying them. We’re hoping to keep it pretty simple so that the few more decorative items on this building stand out. The window sills and headers were covered at some point. We’re not sure why. We’re hoping what is underneath is in good condition and we can expose it. If we do some demolition and realize that they’re not able to be exposed, we will probably keep what is there, which is a metal surround and paint it the matching white color. We had introduced a traditional cornice that runs the whole length of the storefront. Currently, there are two blocks on either side. The middle door isn’t addressed. We’re hoping by having the piece come all of the way across will make it more cohesive. We’re keeping the wood storefront that’s there. It’s in good condition. It is a nice, polite statement to the storefront. We’re just going to stain it a darker color. It has some red to it right now. By taking that red out of the stain and making it darker, it will contrast a little bit more to the brick. The existing canopy is in the worst condition. We’re going to strip that back and keep the beams that are there. Those beams do stand from the exterior to the interior space. We’re going to keep them. They do feel oversized to me. By introducing more of an overhang with the roof and a true fascia, we’re hoping that the beams read a little less tall. We’re going to do a standing seam copper roof. We’re hoping that it pops off the light surround that we have. The tile on the different entrances is in pretty bad shape. We’re hoping to do a fence so that the brick on the Mall extends into that store space.

### **QUESTIONS FROM THE PUBLIC**

No Questions from the Public

### **QUESTIONS FROM THE BOARD**

**Mr. Schwarz** – You’re keeping the wood storefront. The trim that goes around it to the new cornice will be painted. Is there a reason that you’re not using something more permanent like fiber cement? It seems that it might be more durable.

**Ms. Schafer** – We would like to use a more composite material. A **five pong** material would probably be best and last longer. That would be the hope. It’s making sure that ties in nicely with that wood storefront too. That would be ideal to use a more composite material.

## **COMMENTS FROM THE PUBLIC**

No Comments from the Public

## **COMMENTS FROM THE BOARD**

**Mr. Schwarz** –I find this perfectly approval. You have done a nice job.

**Mr. Lahendro** – Are you trying to replicate a historic condition by putting this cornice back?

**Ms. Schafer** – Yes. That is correct. It’s something that is shown in a couple of the historic images. It would be to match a more historic feel.

**Mr. Lahendro** – You don’t have the details of what that cornice would look like up close like the moldings. I expect **Fripong** doesn’t have the particular kind of moldings that would have been originally on this building.

**Ms. Schafer** – I specified different kinds of moldings on that section. Those are the moldings we would like to use. I don’t know if they are historically accurate.

**Mr. Lahendro** – If it’s based on the photographs that I see, there’s nothing close enough to know exactly what was there. I worry about trying to replicate something that we don’t have enough information about. I would almost rather see something that was obviously a little different and not try to fool someone.

**Mr. Schwarz** – Look at page 186 of the packet. I don’t think what they’re proposing looks like what was originally there.

**Mr. Zehmer** – That was also my concern. This has a simple crystal crown molding that runs across. You have to imagine that the actual opening does go right up to that bottom line structurally. It has little framed-out panels.

**Ms. Schafer** – The design was more a nod to a historic storefront and not an effort to replicate what originally was there.

**Mr. Bailey** – What you’re proposing looks very clean elegant. It doesn’t look historic in the way that Jody was concerned about. It looks pretty good.

**Ms. Lewis** – It is certainly not like the 1974 photograph that we have of those storefronts. I support it.

**Mr. Schwarz** – Make sure whatever you do use is durable.

**Motion – Mr. Zehmer – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed façade rehabilitation and storefront alterations for 111-115 West Main Street satisfies the BAR’s criteria and is compatible with this property and other properties in the Downtown ADC district, and that the BAR approves the application as submitted. Mr. Bailey seconds. Motion passes 7-0.**

**E. Discussion Items (No Actions will be taken)**

**10. Update on project status**

BAR 20-11-03

612 West Main Street, Tax Parcel 290003000

West Main ADC District

Owner: Heirloom West Main Street Second Phase LLC

Applicant: Jeff Dreyfus, Bushman Dreyfus Architects

Project: New construction of a mixed-use development

- Staff introduced this as a project update for 612 West Main Street that the applicant requested.
- A Special Use Permit was approved by City Council for this project.
- Staff did circulate notice letters and notice signs regarding this project to the neighbors around this project.
- Staff did remind the applicant that there is going to be a new BAR starting in January.
- The Chair asked why the staff is bringing this to the BAR for review and discussion.
- Staff wanted to give the public opportunity to comment on the project. There is going to be no formal action taken on the project.
- Jeff Dreyfus (Applicant) provided an update on this project to the BAR. It has been six months since the last update to the BAR.
- Mr. Dreyfus said that the intent of coming to the BAR is to get feedback and recommendations from the BAR on how to proceed to a formal approval. The applicant does hope to start work and construction in February. The overall design will be set and ready to go.
- The applicant is planning on returning to the BAR next month to get a formal approval.
- Anne Pray (Applicant) presented the landscape plan for this project.

**QUESTIONS FROM THE PUBLIC**

No Questions from the Public

**QUESTIONS FROM THE BOARD**

**Mr. Gastinger** – Can you give us an update on how you’re approaching the street trees that are not part of the project? I see that you have them located. Is that something you will be installing?

**Mr. Dreyfus** – They are a requirement by the city. If were to try to place them where the masterplan for West Main Street shows them, they would be out in the public right of way.

**Mr. Schwarz** – In the renderings, I see the tree on the 600 West Main Street property line. Is that going to remain?

**Mr. Dreyfus** – I believe that is correct.

**Ms. Pray** – That’s correct.



**Mr. Schwarz** – You’re going to be taking out five trees, leave an existing one, and putting in four new ones?

**Ms. Pray** – That’s correct.

## **COMMENTS FROM THE PUBLIC**

**Jake Lassen** – I live at 600 West Main Street. I just moved into the building. I just wanted to raise concerns about this project. There are quite a bit of small issues and large issues. Rooms are already starting to droop. The floors aren’t level. Windows can’t open because of many reasons. I am wondering with this drastic change and approach, there might not be as many lessons learned and material mistakes are going to be made in the new building.

**Joey Conover** – We live at 310 6<sup>th</sup> Street Southwest, which is a couple blocks behind this building. We walk up 5<sup>th</sup> Street frequently to West Main Street. I just wanted to a ‘plug in’ about the backside of the building and it is not forgotten. No building will ever be built up against it because of the railroad track. I didn’t understand what Mr. Dreyfus was saying about the EIFS. I was wondering what the material was on the backside. I don’t want the backside to be blank. My other comment was on the front side of the building. The plans look very nice. I would just encourage more public seating to be included in the project. I am glad to see that small foyer public area in the front. When the other building was built, I was excited about the courtyard that was built. Anything that can make it feel like a public space is appreciated. I appreciate the front façade and the recessing around the front windows. Those do a nice job of breaking up the façade.

## **COMMENTS FROM THE BOARD**

**Mr. Schwarz** – In response to the first comment, our purview is the exterior of the building. We want it to be long-lasting and durable.

**Mr. Gastinger** – One of the biggest things with this building is getting the brick right. Looking at the images, I do like the approach with using the texture. That could really be fun and is a way to break it up. There could be more color differentiation in the hyphens if it is intended to be the same brick. The main thing I am concerned about, looking at the image of the preliminary brick mockup, is that the brick that is selected there is really uniform and cold. I feel that it looks pretty institutional. I am very concerned about what this times the entire façade starts to look like. It’s going to be very bright and plain. It doesn’t have the same kind of modeling and life that the other examples that you share. Even the digital model shows a lot of subtle modeling and color variation within the brick. I am afraid we’re not going to get that based on that mockup. I would certainly encourage investigating, if that is the brick, some mixture of subtle tonal variation. I am concerned this is going to be very bright white.

**Mr. Dreyfus** – We felt the same way about the brick. We are looking at a different brick.

**Mr. Schwarz** – You have a lot of thin brick. I would like to see an installation detail or an installation cut sheet, something from the manufacturer. It looks like you’re using that for field brick on the upper levels and the recesses in the windows?

**Mr. Dreyfus** – That’s correct.

**Mr. Schwarz** – You may have two different installation methods. With our guidelines, I thought there was something in there about not using thin brick. The idea behind that was that the glue-on brick has a tendency to fall off. If you're going to use that around the window surrounds, maybe that's the way it happens. We would want to see something more for as a field brick. In your drawings, you said it was EIFS. Label it as EIFS. I would love to see some plan details for the recesses or something that gives us the dimensions. The renderings look fantastic. It would be nice to have what this is going to be. If you have plan for the power lines, I would love to see that in the drawings.

**Mr. Dreyfus** – We did talk about this. We have to go on the assumption that the power lines will ultimately be there. They will be relocated during construction. We really don't have any control over Dominion Power. It will have to be put back where they are.

**Mr. Schwarz** – With that existing tree on the landscape plan, there is a little bit of some plans showing it and some plans not showing it. It's there and it's staying. With the steps in the front, you come up to the property line where you have the two steps up. You're probably going to need some handrails. I don't think they're allowed to extend over the public sidewalk. With those trees, you said they're required. I am going to suggest that the Board put some wording in the motion that really locks them in there. I don't fully trust the city with the site plan process. We have had some site plans that get changed at the last minute. The project is moving in a great direction. I am very happy with what I am seeing.

**Mr. Gastinger** – Related to the trees, is there an opportunity to select a species that would be more in keeping with the West Main strategy?

**Ms. Pray** – I am really trying to use an elm cultivar instead of using a Zelkova, actually using a Valley Forge. I really want to be in keeping with a true canopy sized tree that can work on the street. I would like to have that vase shape. It would really open up well. We have not finalized that.

**Mr. Gastinger** – I love that direction. I don't know what is planned in this area. It might be worth checking.

**Ms. Pray** – It's a great opportunity to get four trees along Main Street.

**Ms. Lewis** – I would like to see detail on the railings for the front and south facades.

**Mr. Schwarz** – If you are doing an expedited construction schedule, does that mean you will have a site plan that is done soon?

**Mr. Dreyfus** – Yes. We hope to have an approved final site plan in early January, 2022. We are moving ahead under that assumption. It's been a very slow process with the city. That is the plan. We will start footings and foundations digging as soon as we can after that. We won't have completed final construction documents until early April, 2022. We have the opportunity to make adjustments if we need to.

**Mr. Schwarz** – I am just wondering when you bring this in for final approval from us, do you think you might have some concept where the fire hydrants and waterlines are going to be?

**Mr. Dreyfus** – Yes. We can show you all of that. It is on the plans. It's all pretty clear and finalized. It's just a matter of it working through the city process right now. We can include, as part of that next submission, the site plan as it currently stands.

**Mr. Zehmer** – It has come a long way since we first saw it.

**Mr. Bailey** – It's going in the right direction.

**Mr. Schwarz** – No motion is needed because this was a discussion. How you plan to light this will be good to know.

**Mr. Dreyfus** – We need some good brick panels and details. The lighting is going to be very subtle. We may not have a final lighting plan for that submission. It is hopefully something we can come back to you with in the future.

#### **F. Other Business**

Election of new chair and vice chair

- **Mr. Schwarz nominated Mr. Gastinger for Chair and Ms. Lewis for Vice-Chair – Mr. Bailey second the motion and nomination – Motion passes 7-0.**

Staff questions/discussion

Preservation Awards

- After much discussion between members of the BAR and staff of possible candidates for possible awards, it was decided to have a list of nominees for the Preservation Awards for the December meeting.

#### **G. Adjournment**

The meeting was adjourned at 8:42 PM.