

City of Charlottesville
Board of Architectural Review
March 21, 2000

Minutes

Present:

Joan Fenton (Chair)

Ken Schwartz

Jesse Hook

W.G. Clark

Wade Tremblay

Preston Coiner

Joe Atkins

Lynn Ely

Linda Winner

Also Present:

Tarpley Vest

At 4:56 p.m., Ms. Fenton called the meeting to order.

Ms. Fenton asked if there were any items to be raised by the public that were not on the formal agenda.

Seeing none, she closed this portion of the meeting.

Ms. Fenton extended a welcome to the new members of

the BAR and asked them to introduce themselves. New members Wade Tremblay, Preston Coiner, Joe Atkins and Lynn Eli spoke briefly.

Ms. Fenton called the first item on the agenda.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR 00-3-10

Vending Cart on Downtown Mall

Ms. Vest made a brief presentation. She indicated that Staff had reviewed the application and recommended its approval. She distributed a picture of the proposed cart to the Board.

Ms. Fenton briefly reviewed the guideline restrictions.

Mr. Coiner questioned the applicant as to whether the

height listed applied to the top of the cart or just the top of the work surface.

The applicant, George Spry, stated that the height listed was the total height.

Ms. Fenton called for a motion. Mr. Tremblay moved to approve the application as presented; Mr. Schwartz seconded the motion.

Ms. Fenton called for discussion. Seeing none, she called for a vote and the application was unanimously approved.

Ms. Fenton asked if there were any corrections or amendments to be made to the minutes of the 15 February 2000 BAR meeting.

Ms. Vest indicated that the name "Dawn Johnson" should read "Dawn Thompson," and Ms. Hook stated for the record that the change was made.

Mr. Schwartz moved to approve the minutes as corrected; Ms. Fenton seconded the motion.

The minutes were approved, with the new members abstaining from the vote.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR 00-3-15

418-420 West Main Street/Jones' Wrecker

Ms. Vest made a brief presentation. She then turned the floor over to Martha Rowan, an architect with RVGC Architects.

Ms. Rowan indicated that she represented West Main Street Associates, the owners of the building at 418-420 West Main Street, for the proposed adaptive reuse of the building as a restaurant. She summarized the proposed changes, referring to a plan which she set up before the Board. She indicated that the proposal consists of adding two additions: A glass-enclosed bar under the awning, and a bathroom and walk-in refrigerator annex. She stated that one elevation portrays work to be done in the immediate future, while the other shows a fiberglass awning that they would like to propose as part of the application, but which will be done sometime in the future. She discussed proposed changes to doors and windows and other surface features of the building, and then indicated that the existing context of the building was fairly sparse and semi-industrial. She commented that research to date shows an automotive facility of some type existing on this same location

since 1927, which she said supported the owners' intent to preserve the gas station-like architecture.

Ms. Fenton called for questions on the design of the building from Board members or the public.

Mr. Atkins asked what type of surface was planned for the outside dining terrace, and if there were additional plantings that might come in later phases.

Ms. Rowan responded that the short term plan is to keep the existing material, and that there is some thought for planting a series of cypresses in a planting strip in front of the existing canopy.

Ms. Barbara Shifflett pointed out another planting strip on the corner of the lot that would likely have plantings in it as well. She then added that the concrete surface would be painted.

Ms. Fenton called for other questions. Seeing none, she closed the question section of the meeting and opened up to comments from the public. No comments were raised by the public. She then called for comments from the Board.

Mr. Tremblay commented that it was a nice re-use of

the space.

Joe Atkins stated he felt the aluminum garage door was a fantastic feature.

Ms. Fenton commented that the plan kept the feel of the existing building and was very excited about it.

Mr. Clark commented that if the applicant wanted to support the canopy, she should get a picture of the charcoal burner that was on West Main near the University during the 50s and 60s.

Mr. Coiner stated he liked the idea of having the garage doors replaced, but was confused by the supports for the canopy in the middle of the door.

Mr. Atkins asked if the parking was going to be behind the building.

Ms. Rowan stated that there was no off-street parking requirement at present. There is parking behind the building, but it is not dedicated to the restaurant.

Ms. Eli asked if outdoor dining furniture was under the purview of the BAR.

Ms. Vest replied that the Board reviews any exterior change visible from a public right-of-way, though typically the Board has been less involved on private

property than it has on the Mall.

Mr. Clark moved to approve the application; Mr.

Atkins seconded the motion.

Ms. Fenton called for discussion.

Mr. Schwartz indicated he thought it was a terrific scheme and was pleased to see an architect interested in adaptive re-use of a structure, but added that the site plan needed to be developed further.

Ms. Fenton called for a vote, and the application was approved unanimously.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR 00-1-3

200 East Water Street/Water Street Parking Garage

Ms. Vest gave a brief presentation, stating that this proposal has come before the Board for the past two months. Since its approval last month, modifications to the shape of the tower and the addition of a few parking places have been proposed. She indicated that Staff has reviewed the proposed changes and does not feel that they would negatively impact the compatibility or appropriateness of the addition in relation to the existing building or the historic

district, and therefore supports the request.

Mr. Atkins commented that he would not participate in this discussion, due to his professional relationship to the presenter.

Ms. Fenton commented for the record that Mr. Celentano had a nice tie.

Mr. Celentano made a brief presentation, stating that the amendment arose due to the City's request that parking spaces be maximized. The proposal is for the tower in the back to generally follow the shape of the existing tower, except for its base. He also indicated that there were going to be some changes on the ground level in the way the entrance is articulated.

Ms. Fenton asked if there were any questions or any comments from the general public. Seeing none, she closed off those portions of the meeting and called for comments from the Board members. No comments or concerns were raised.

Ms. Winner moved to approve the amendment as presented; Mr. Clark seconded the motion. The motion was approved, with Joe Atkins abstaining.

PRELIMINARY CONFERENCE BAR 00-3-16
858 West Main Street/Peyton Pontiac

Ms. Fenton discussed the purpose and the benefits of a preliminary conference, stating that no vote would be taken at present.

Ms. Vest indicated that the applicant was mainly interested in feedback, and that Staff had pulled out some of the design guidelines that they felt would be relevant for the Board to consider. She commented that it is important that any change on West Main be a contributing change. She explained that the West Main district is the only district that designates buildings as contributing or non-contributing, which relates to demolition procedures.

Mr. Ray Gaines, an architect and the applicant for the mixed use development at 858 West Main, made a brief presentation. He indicated the plan is to use

the existing dealership structure, excluding the old vehicle repair shop in the rear, which they plan to demolish. He stated that the rear would be used as off-street parking, which would allow for the removal of some of the impervious cover of the site and the addition of some landscape elements. He indicated that in the 70s, when the aluminum façade was added, some of the detailing of the original structure was jack-hammered off, and so it was not the same as it used to be. He added that internal changes for the addition of exhaust fans and ventilation had rendered the building impractical for the proposed use. He stated that the proposed use is two stories of office space, with four residential units in the third floor addition, and that the two eastern-most bays of the building would be used for indoor parking for the residents. He then reviewed the drawings with the Board members.

Ms. Fenton called for questions or comments from Board members or the public. She indicated that due to the number of people present, they were in violation of the fire code and would have to move to City Council Chambers once this portion of the

meeting was completed.

Ms. Eli asked what was depicted on the roof of the building.

Mr. Gaines replied that it is the top of an elevator shaft.

Ms. Eli then asked if the applicant had any pictures of the building closer to the time when it was built that would show its original appearance, and Mr. Gaines and Ms. Vest replied that they had not seen any, but would be interested to see them if any could be found.

Ms. Fenton called for comments from the public.

An unidentified member of the public asked if there were historical examples that would show how the change in materials had been dealt with.

Ms. Fenton replied that the guideline is that, when there is an addition, that you set it back. She stated that the question is usually whether one wants to set the addition off with another material, so that it is clear that it is not part of the original, but that the Board had not dealt with an instance where the entire façade was being changed.

Another member of the public asked if the façade of the first two floors reflected the materials of the buildings in the neighborhood.

Mr. Gaines replied that what they are dealing with is a sound concrete shell, but not much of a façade, since the original façade was destroyed in the 70s. He indicated that they are therefore proposing reconstruction of the exterior.

Ms. Winner said she felt the member from the public had been asking if the façade had been chosen because it was compatible with façades in the area, or because they just liked it.

Mr. Gaines replied that it was a combination of both.

Ms. Fenton inquired if there had been any attempt to design something based on the original structure without bricking it up.

Mr. Gaines stated that they were responding to the owner's desire to have something more upscale and less industrial in character.

Ms. Fenton called for opinions from the Board members

that would lead the project in a direction all would be comfortable with.

Mr. Clark suggested that Mr. Gaines look at a project in Washington, DC that was a remake of an old concrete building into a Dean and DeLuca building that left the concrete and worked with the existing aesthetic of the building. He stated that adding something on to the structure, the way that has been proposed, is heading in the opposite direction than he would recommend or appreciate.

Mr. Atkins stated that if Mr. Gaines chose to pursue placing the large window openings within the five-bay structure, they could be more gracefully incorporated.

Ms. Winner indicated she was pleased that the owner was adding the residential component. She added that in future meetings, she would like more information on how the proposal fits in with the surrounding structures.

Mr. Gaines stated that they were attempting to create a degree of compatibility with the hotel next door.

Ms. Fenton indicated she also appreciated the desire to add the residential portion. She stated that the design was nice, but she was not sure if it was appropriate for the building, and that she preferred

to see more work with the existing building in accord with its industrial context.

Mr. Schwartz stated he appreciated the attempt to build a mixed-use development, to make a gracious connection with the street, and to help in contributing to the vitality of West Main Street.

But architecturally, he said he saw huge problems.

He said working with the existing building would be a way to avoid a sort of Disneyland classicism, and that he was extremely uncomfortable with the current proposal.

Ms. Eli indicated she would like to see a design that references both the function of the building and its history, and said she hoped an attempt would be made to find old documentation of its original condition.

Ms. Hook stated she wanted to compliment the applicant on retaining parking spaces for the residential tenants.

Mr. Coiner had no comments.

Mr. Tremblay stated that he liked the design.

Ms. Fenton commented to the applicant that the Board would be willing to work with him to find examples of structures to give ideas on ways to preserve the

building.

Mr. Scott Peyton, the owner of the building, asked if the Board preferred to retain the building's industrial use on West Main Street.

Ms. Fenton replied that they would like an industrial look, not use, although some members were not opposed to the use of brick.

Mr. Clark suggested that in the future, the applicant give a more thorough presentation that evidenced a complete architectural inventory of what is there.

Mr. Atkins suggested to the owner that they find a new approach to the windows.

Ms. Fenton added that members of the Board would be willing to meet with the owner at the site to offer suggestions or comments.

A recess was taken at 5:50 p.m. to allow everyone to move to City Council Chambers.

At 6:02, Ms. Fenton reconvened the meeting.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR 00-1-2

1205 Wertland Street

Ms. Vest gave a short presentation. She indicated

that the applicant is before the Board now in response to questions and concerns raised earlier relating to the use of vinyl siding and how the apartment building would relate to the existing historic houses along Wertland Street. She stated that Staff supports the applicant's request, particularly in relation to the siding issue, because of the relationship of the building to the structures on Wertland Street.

Mr. Jim Grigg, with Daggett and Grigg Architects, passed out drawings for the Board members which were produced in response to the issues raised at the previous meeting. He indicated the first drawing showed the appearance of the proposed building from Wertland Street, and the second showed the building in the context of all the surrounding houses on that side of the street. Regarding the issue of windows and doors, he said the applicant planned to use the same windows that he used on the historic houses that are there, but would like more guidance on what to do with the doors. He then indicated he would welcome any questions.

Ms. Fenton called for comments or questions from the public. Seeing none, she closed that portion of the meeting and called for questions from the Board.

Mr. Atkins asked if it had been necessary to go to any extreme lengths to get the requisite number of parking spaces.

Mr. Grigg stated that three or four parking spaces were located behind an adjacent property that the applicant controls.

Ms. Fenton explained the applicant's rationale for regarding vinyl siding as appropriate, namely the distance of the building from Wertland Street, and called for comments in regard to this issue.

Ms. Hook asked if any samples of the siding were available, but none had been provided.

Mr. Grigg commented that this particular vinyl product had been approved in a number of prominent historic areas in other cities.

Mr. Atkins commented that the brochure looks promising, but that vinyl often presents problems at the seams and corners. He asked if the wood detailing along the eave was chosen to maintain a certain simplicity for that reason.

Mr. Grigg confirmed this.

Ms. Fenton asked if there was a motion to approve, to see samples or to deny the application.

Ms. Winner moved that they accept the application;

Ms. Fenton seconded the motion.

Mr. Atkins indicated he was hesitant to approve because he felt the buildings would be more successful in wood. He asked other members of the Board if they felt the distance from the road would allow them to permit vinyl siding.

A vote was taken, in which Ms. Hook, Ms. Eli and Mr. Atkins voted in favor of the motion, Ms. Fenton voted against it, and all others abstained.

The motion passed.

CERTIFICATE OF APPROPRIATENESS APPLICATIONS

BAR 00-3-11, BAR 00-3-12 and BAR 00-3-13

Ms. Fenton stated that there was a motion to replace a metal roof with standing seam copper at three locations, 1107 Wertland Street, 1121 Wertland Street and 1201 Wertland Street, and that the Board had

never rejected such a request.

As no questions or concerns were raised, Ms. Fenton called for a motion.

Ms. Eli moved to approve all three applications; Mr. Clark seconded the motion. The motion passed, with Mr. Tremblay abstaining.

Whereupon, the Board recessed for a ten minute break.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR

00-3-17-00

101, 105, 107, 111 East Main Street

Ms. Fenton called for the City Attorney, W. Clyde Gouldman, II, to come forward and explain what the rules are involved in a request to demolish.

Mr. Gouldman stated that the code section that deals with demolition is a separate section from that which deals with granting or denying a certificate of appropriateness for a structure, and so the two issues therefore should be dealt with independently.

Ms. Fenton stated that it was her understanding that permission to demolish a building can in no way be tied to or contingent upon what is being built, and

Mr. Gouldman confirmed this.

Ms. Fenton asked if there were any questions on how to interpret the guidelines.

Mr. Atkins asked if there was any nuance to the code that deals with the issue of partial demolition.

Mr. Gouldman replied that there was not. He said the code does not preclude the possibility, but it does not speak to it.

Ms. Fenton asked if the four different addresses were to be looked at separately or together.

Mr. Gouldman commented that in recent history, they were purchased together as a block, but intellectually, they could be considered separate.

He stated that they should be viewed architecturally, rather than through their purchase history, but that the ultimate concern was practicality.

Ms. Fenton stated that since the request to tour the property came on short notice, she opted not to call a meeting, but would ask that if no vote is made after the evening's presentation, or if the Board defers, that they then decide upon a public time or times to meet and tour the building.

She indicated that the BAR must vote within 60 days,

or else the request to demolish is approved.

Ms. Vest requested that anyone wishing to speak on the issue should sign up for that.

Mr. Mike Stoneking, with Stoneking Von Storch Architects, made a brief presentation on the request to demolish buildings 101, 105, 107 and 111 East Main Street. He indicated that the applicant hopes that with the photo tour to be presented that night, the Board will have enough information to be able to make a vote without taking a walk-through tour. He commented that this block of buildings had come up for demolition twice before, but in both instances, the projects had been withdrawn from application. He then conducted a photo tour of the buildings.

Mr. Stoneking reviewed the applicant's responses to the 15 criteria for demolition as presented in the code and the Staff report.

-- The historical, architectural and cultural significance of the property is in the nature of how the buildings were made in the first place. In this instance, the buildings were built by developers to attract new business people and entrepreneurs, and so

this is a continuation of that pattern of commercial development.

-- The structures have not been found to be associated with any historic person.

-- In regard to the overall aesthetic condition of the structure, the buildings are in bad repair and require significant restoration.

-- In regard to the age of the buildings, he stated he had already mentioned that before.

-- No unusual or non-reproducible materials or textures were found to be present.

-- The degree to which the original character survives is minimal, as the store fronts have been modified regularly since they first were built.

-- No infrequently-used or other particular details were found to be present.

-- The capability of the structure to turn an economic return in light of its current condition is questionable, based on the current capacity of the floor structure and the difficulty of placing subterranean parking beneath these structures. He added that previous owners of the buildings had found re-use of the buildings economically unfeasible.

-- The long history of neglect makes it difficult to

restore and so restoration is considered economically unfeasible by the applicant.

-- There is no public necessity for the demolition of the buildings, but it would remove abandoned, boarded-up buildings from the Mall.

-- In regard to the public purpose or interest in keeping the buildings, there are no public uses currently; the inclination to retain the buildings is solely from an historical preservation perspective.

-- The existing character of the buildings' surroundings is wonderful, but the buildings are in a state of disrepair and are not contributing much right now.

-- In regard to the feasibility of relocation, the cost of transporting the buildings is highly prohibitive.

-- A positive effect of demolition would be the elimination of buildings in bad repair from the Mall, but the adverse effect is that there would then be nothing there until something new is built.

-- Based on findings of the structural report, both restoration and re-use of the buildings is unfeasible. An entire replacement would have to take place to make the buildings usable, which is essentially a new building. The applicant therefore

concludes that demolition of the buildings and starting anew is the best option.

Ms. Vest gave a brief presentation, stating that at the end of the Staff Report, the applicant was requested to provide more information about exploration of alternative scenarios, either partial demolition or façade preservation. Staff's only other recommendation is to remind the Board that they must act within 60 days.

Ms. Fenton called for comments from the public.

Ms. Ashlin Smith, of 620 Park Street, stated that on behalf of the board and the membership of Preservation Piedmont, she requests that the permit to demolish be denied. She read from her notes, stating that she hoped the history of demolition in Charlottesville would not be taken as a precedent, and that with the designation of the commercial center of town as an historic district, priorities have changed. The buildings are not associated with historic persons, but they are associated with successful merchants, civic leaders and crafts people

at the turn of the century. She added that she took a tour of the buildings in December '98, and although the condition is very poor in some places, she did not feel it was hopeless, and cited Virginia Building Code Section 34 to support her position.

Ms. Genevieve Keller, of 504 North First Street, gave her background as an architectural historian and a member of Preservation Piedmont and other bodies. She commented that the buildings on East Main Street are important because they are representative rather than unique, and added that the buildings have potential for rehabilitation and there are tax incentives to do so. She urged the BAR to deny the certificate.

Mr. Paul Grady, of Crozet, gave his background as a general contractor specializing in dismantling and reconstructing eighteenth century buildings, and indicated he hoped the BAR would at least ask the developer to preserve the three facades that are almost intact. He stated that previously he had suggested to the Rivanna Solid Waste Authority that buildings be dismantled in a way which preserved the materials, which could then be sold to the public or

donated to Habitat for Humanity. If the façades are saved, he would like to see the rest of the materials re-used somehow. If the façades are not kept by the developer, he would like them stored in a kind of façade bank for possible re-use by other developers.

Mr. Colin Davis, of 2416 Sunset Road, commented that the buildings should be considered individually rather than as a block. He asked if the terracotta brick façade adjacent to the Wachovia Bank had more detail behind the white plywood panels that were put up there.

Mr. Oliver Kuttner replied that there is not much left of the façades behind the panels.

Mr. Davis stated that much of his sentiments had been expressed by the other speakers, and added that the buildings have quite a bit of character, especially the terracotta façade, and would be better treated if considered individually.

Mr. Oliver Kuttner, of 108 Second Street S.W., indicated he concurred with what Mr. Stoneking has said, especially that it would be economically very difficult to rehabilitate or restore the building.

He stated that he believes the developer has done a lot for the downtown Mall, and that there is room in the world for new buildings that are good. He commented that personally he would like to see the terracotta façade retained, even if permission to demolish the rest was granted. He stated that in Europe, new buildings are built behind old façades, and modern façades are constructed alongside old ones regularly, and it looks good. He stated that the developer would not respond well to a negative response, and that a vote of confidence should be given to him, considering his track record on the Mall. He then added that the interiors of the buildings are not really worth saving at this point, and that something should be done to prevent buildings deteriorating to this extent in the future.

Ms. Fenton closed the public comment portion of the meeting. She then called for questions for the applicant.

Mr. Schwartz asked if Mr. Stoneking had any experience with adaptive re-use of comparable historic structures in Charlottesville or other communities, and if he had any response to the

Staff's request for information on alternative scenarios such as partial demolition or façade preservation.

Mr. Stoneking replied that he and his firm have had experience successfully and unsuccessfully with adaptive re-use and restoration. He stated that the applicant has considered partial demolition and façade retention, but that it is economically unfeasible.

Mr. Atkins asked if the applicant is relying upon the numbers in the Structural Report, as they include two buildings that were already torn down.

Mr. Stoneking said they formed part of the equation. He said they did not include architectural side of restoration, such as fixing the missing cornices and the windows, or the cost of keeping the structure intact while building the underground parking.

Mr. Atkins asked if the findings in the report apply to all six of the addresses, including the two that were torn down, or if there are individual peculiarities.

Mr. Stoneking replied that the unstable façade

comments apply to the 111 address, whereas the other issues apply across the board.

Mr. Coiner asked what the floor load per square foot is for residential use.

Mr. Stoneking replied that it is 40 pounds for residential spaces, and 100 for public corridors and lobbies.

Ms. Eli asked him to restate what he had said about the current level of load capacity not being approved, and he did so.

Ms. Eli then asked if the numbers they ran when considering economic feasibility took into account the 50 percent tax rebates.

Mr. Stoneking replied that the applicant had considered tax credit applications and did not consider that a successful financial vehicle.

Ms. Fenton asked the City Attorney if it is necessary to look at the use of the buildings only as commercial, or if it is possible to consider residential use.

Mr. Gouldman said it had been established that the Board was not considering proposed use, but only the

criteria for demolition. However, when considering economic feasibility, it is necessary to look at what is planned.

Mr. Coiner asked if the interiors of the other buildings were better than the ones in the photo presentation.

Mr. Stoneking replied that the pictures represented all of the buildings with the exception of the 1950s replacement building.

Ms. Hook asked if retaining just the mall-front façade had been considered.

Mr. Stoneking stated that that had been considered, but it had been found to be economically unfeasible.

Ms. Eli asked if the same applied to taking the building apart and putting it back together again.

Mr. Stoneking replied that that had not been discussed.

Ms. Hook asked if they would receive the historic tax credit for just retaining the Mall façade.

Mr. Stoneking stated that his experience was that

holistic measures tended to be favored.

Ms. Eli asked about the safety hazard of keeping the building as is.

Mr. Stoneking replied that the cable system that has been inserted as a temporary measure would have to be replaced with something more permanent.

Ms. Fenton asked if the cable system was put in as part of the demolition of the building next door, to ensure there was no damage to the building.

Mr. Stoneking stated that he was not sure.

Ms. Fenton closed the question portion of the meeting and called for general comments from the Board members.

Mr. Schwartz commented that the application is overwhelming in its weakness. He stated that he felt at least three of the four structures are historically significant and would be difficult to replace. He commented that it may be problematic to retain the floor structures while building underground parking, but that there was nothing in the application that convinced him the façades and

twenty feet behind the façades could not be restored and adaptively re-used. He stated the application failed to convince him of the necessity of demolition.

Mr. Atkins commented that he agreed with what Ken said as it applies to the façade. He stated he could not imagine why the façades or the space 15 feet behind them would have to come down, and then went over the Structural Report. He commented that there is ample evidence of successful renovation of existing buildings, even immediately adjacent to that property, and gave his support for a partial demolition which would allow significant economic development while retaining what is historically important.

Ms. Hook commented that she supported the comments they had already heard. She stated that Mr. Stoneking and Mr. Danielson are very creative, and she cannot believe they could not come up with something which would protect the façades.

Ms. Eli stated that she has not been convinced that

adaptive re-use is not economically feasible. She commented that economic concerns are the weakest of the criteria they have been charged to consider. If she cannot be convinced it is economically unfeasible, she would support what has already been suggested.

Ms. Fenton commented that she does not feel a commitment to preserving the façade on 107, but would want to retain the other three façades, and that creative re-use where the façades can be kept while something is built behind them is the best compromise. She explained the process that would happen if the BAR turns down the request, but reiterated that she would like to see a compromise reached that would be satisfactory to all.

Mr. Tremblay commented that economically, the buildings have not made sense for a long time. They have been consistently under-utilized, perhaps due to the unfeasibility of restoration. He stated that a project ultimately has to make economic sense to someone in order to be a viable development, and this has to be a consideration rather than mere preservation. He commented that this is not the

Monticello Foundation; it is a private developer putting up his own dollars and taking a risk in the hope of economic return. He stated that he would support retaining the façades if that can be done in a cost-effective manner, but not otherwise.

Mr. Clark commented that he did not support Mr. Tremblay's comment about under-utilization of the buildings. He stated that fifteen years ago, the Mall may not have supported rehabilitating the structures, but that now it would. He commented that Charleston, South Carolina has benefitted by making an effort to preserve its buildings rather than bend to the economic concerns of individual developers. He stated that it is important to keep in mind the larger texture of the community, and removing two-thirds of a block would be detrimental to that texture. He commented that the First Street façade is very important, and should not be neglected in favor of the four façades on the Mall. He stated that he would support a compromise that respected a piece of the city that has been there nearly 100 years.

Ms. Winner commented that she disagreed with the assertion that residential use is inconsistent with the history of the buildings. She stated that the photo presentation only showed the first level of the buildings, and that their beauty is on the upper levels. She stated that she felt at least five of the seven criteria for demolition had not been met.

Mr. Coiner said he would have preferred a preliminary hearing on this, so some of these matters could have been discussed. He stated he was bothered by the poor condition of the interiors, but that the façades were in good shape and should stay there as long as possible. He commented that he felt the applicant did not understand the criteria for demolition or what the community really wants, and that he recommended denying the request.

Mr. Schwartz asked what the implications would be of an outright denial, in terms of further discussions about compromise positions.

Mr. Gouldman stated that if the Board would like to have some conversations, he recommended tabling the matter, as there is a 60-day window before a decision has to be made.

Mr. Clark asked if voting to deny the application would preclude the candidate coming back before them again with a second request.

Mr. Gouldman stated that there was nothing in the code about process for reconsideration by the Board.

Ms. Vest stated that the applicant could not come back for a year with the same request, but could return with a new application or proposal.

Mr. Clark asked if the applicant could present a changed application within a month.

Ms. Vest stated that she would accept a new application.

Ms. Fenton commented that if the Board defers the matter, then there would be a better chance for dialogue. If they were to hold an open meeting in several weeks, there would be more opportunity for discussion of possibilities.

Mr. Coiner asked Mr. Stoneking if the applicant wanted an all or nothing decision immediately.

Mr. Stoneking replied that the applicant prefers that

the Board vote now rather than defer the matter.

Mr. Coiner said he took that as a signal that the applicant is not willing to have further conversation on the matter. He stated that he was not comfortable voting yet one way or the other.

Mr. Clark commented that if they are there in the service of the applicant, and if the applicant wants a vote, they should give him one.

Mr. Atkins asked if there were any avenues to avoid voting.

Ms. Fenton stated that they could make a motion to defer and request that the application be submitted a different way, or they could accept the application with certain conditions.

Ms. Eli commented that if deferring would allow the applicant a chance to rethink the all-or-nothing mindset, then she would prefer to do that.

Mr. Coiner commented that he wanted to echo Mr. Kuttner's remarks on the applicant's contribution to the success of the Mall, and that they should table

the matter to show him that they are willing to discuss a compromise and that they are interested in him remaining as a downtown developer.

Mr. Clark stated he was concerned that deferral would be seen as an equivocation about how the Board feels about the buildings.

Ms. Eli asked Mr. Clark if he would hold the same concerns if the Board moved to table the matter specifically in order to provide opportunity to explore adaptive re-use.

Mr. Clark stated that one of the things that a denial for demolition could call for is a second proposal that involves adaptive re-use.

Ms. Fenton commented that a compromise would be preferable to the whole legal process an outright denial would set in motion.

Mr. Schwartz commented that it is important to note in the record that around eight of the nine members of the Board expressed their concerns about the demolition request as presented. He stated that the

issue of deferral opens up possibilities of conversation, but also opens up potential for unexpected things to develop, when it is clear the Board does not support the current application.

Mr. Clark moved to deny the request for demolition;

Mr. Schwartz seconded the motion.

Mr. Atkins asked if it would be possible to add a condition onto the denial, such as a request that the applicant return in two weeks with an alternative proposal.

Ms. Fenton stated that is possible, but it is up to the person making the motion whether they want to amend it.

Mr. Clark stated he would be happy to amend the motion to include a heartfelt and unanimous wish by the Board that the applicant would return with a project that is more clearly related to adaptive re-use.

Mr. Schwartz stated it would be wise to be fairly explicit to about the basis for denial, and stated that the following items in the criteria and guidelines for demolition as stated in the City Code have not been met: 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1i, 2, 3, 4, 6 and 7.

Mr. Coiner commented that he did not agree with 1b, as he is not certain an historical person can be associated with the structures.

Mr. Schwartz commented that although the people are not major figures in American history, they are important figures in the community's history.

Ms. Fenton called for a vote on the motion.

Ms. Fenton and Mr. Tremblay voted against the motion, but all other members voted in favor of it. The request for demolition was denied.

Ms. Fenton stated that the applicant has ten days to appeal, but the Board would welcome him to return with a new proposal.

Ms. Winner made a motion to adjourn.

Ms. Hook seconded the motion.

Whereupon, the meeting was adjourned at 8:00 p.m.