

**AGENDA
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
March 20, 2018 – 5:30 p.m.
City Council Chambers - City Hall**

BAR Members Present: Melanie Miller, chair; Tim Mohr, co-chair; Stephan Balut; Carl Schwarz; Breck Gastinger; Emma Earnst; Justin Sarafin; Mike Ball

BAR Members Absent: Corey Clayborne

Staff Present: Jeff Werner and Carolyn McCray

Miller called the meeting to order at 5:30 pm

5:30

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

Mark Kavitt, 400 Altamont Street, had three things he wanted to discuss: transparency, concrete and the placement of AC units on the outside of homes, and general murals (not specifically the one being discussed tonight.)

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

1. Minutes February 21, 2017 Regular Meeting

Gastinger has one change that he will submit separately. Schwarz moved to approve the February 21, 2018 minutes. Gastinger seconded. Approved (5-0-2, with Sarafin and Ball abstaining because they were not present at the last meeting).

C. Deferred Items

5:40 2. Certificate of Appropriateness

BAR 17-11-04

413 Ridge Street

Tax Parcel 290136000

Jeffrey Erkelens, Owner/ Jeffrey Erkelens, Applicant

Proposed Rear Elevation Changes – Details

Staff Report by Jeff Werner.

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:

Sarafin: Looks appropriate.

Miller: Your renovation seems to be going along rather nicely.

Motion: Schwarz moved: Having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitations and New Construction and Additions, I move to find that the proposed changes satisfy the BAR's criteria and guidelines and are compatible with this property and other properties in the Ridge Street ADC district, and that the BAR approves the application as submitted. Earnst seconded. Approved (7-0).

6:00 3. Certificate of Appropriateness

BAR 18-02-06

213 2nd Street SW

Tax Parcel 280076000

Two Chefs LLC, Owner/ Bang Restaurant Tim Burgess, Applicant

Outdoor Pergola and renovations to back patio

Staff Report by Jeff Werner.

The applicant, Tim Burgess, said that he is looking for some leeway on the planters.

Questions from the Public:

No questions from the public.

Questions from the Board:

Miller: Is the pitch of the pergola different from the roof? If that is the case, than why?

Applicant: Yes, and visually matching the pitch of the roof seemed like too much for the pergola. We wanted it to overhang from that line, but we didn't want to match the two pitches.

Schwarz: What type of wood is it?

Applicant: It is just treated pine that we stained.

Comments from the Public:

No comments from the public.

Comments from the Board:

Mohr: It seems to me like you should have something seasonal.

Gastinger: I don't have any concerns at all.

Mohr: I think it will be a very pleasant space, I am sorry you had to come back.

Gastinger: I think it look good and appropriate as per the discussion last month.

Motion: Gastinger moved: Having considered the standards set forth within the City Code, including City Design Guidelines for Cafes, I move to find that the proposed outdoor pergola space does satisfy the BAR's criteria and guidelines and is compatible with this property and other properties in this Downtown ADC district, and that the BAR approves the application as submitted. Earnst seconded. Approved (7-0).

6:20 4. Certificate of Appropriateness

BAR 18-01-03

1602 Gordon Avenue

Tax Parcel 090013000

Montessori Education Trust, Inc., Owner/ Lindsey Munson, Applicant

New addition

Staff Report by Jeff Werner.

Questions from the Public:

Kavit: What type of fencing is going to be used?

Applicant: It is going to be similar to what is existing.

Chapel: I am hoping you take down as few trees as possible, so the site doesn't look stark.

Questions from the Board:

Gastinger: Why did you move to a smaller window on the Ackley Lane side?

Applicant: For symmetry of the elevation, but also for the programming on the inside.

Gastinger: Currently, there is no new planting proposed. Would you come back at a later date with a proposed landscape?

Applicant: The site plan is in the middle of review and they have asked for additional plantings in their comments.

Ball: It says you are going to match the existing siding, is that cementitious or cedar?

Applicant: It is actually going to be a Hardie material.

Mohr: So what are the casing and the frieze board?

Applicant: A Hardie material.

Mohr: Is it possible to bring that frieze band down to meet the window heads? It just seems a little odd with it up in the gable instead of below it. That might help connect the smaller windows, especially if it is Hardie board.

Applicant: I guess the reason we kept that high was to match the front façade.

Sarafin: With regards to Mike's question about the siding, would we like to see more differentiation between the addition and the original house?

Miller: I mean generally we don't approve the wood grained Hardie plank.

Ball: I was wondering if it is a thicker material like cedar, than maybe using an artisan series or something along those lines, so it has that shadow line to match.

Schwarz: The guidelines do support having a subtle difference, so as long as it is not the wood grain.

Mohr: I don't think this will ever be mistaken as part of the original building, which is why we have those subtle differences.

Comments from the Public:

No comments from the public.

Comments from the Board:

Sarafin: I wouldn't like to see what is on the original house replicated. I think the smooth finish fits our guidelines and adds the distinction that is needed between the two.

Schwarz: It is very subservient to the original house, and there is no competition at all. You have made attempts to make it feel like the little sister of the big house. I don't have any concerns, I think you did a good job.

Miller: It feels like something is still off with the proportions in the front. Maybe Tim's suggestion would help with that.

Gastinger: I think this is much improved. One thing is with the porch, I think you could eliminate the hipped turn back, and that would make it a bit more simple. I think the two small windows are too low, they should move up into that eave a bit more. I think that would help the proportions somewhat. Those are pretty minor suggestions. The way the dormer pops open the roof, along the Ackley Ln façade, is a good way to break up the massing of that roof, but then the smaller windows seems a bit odd.

Miller: I agree.

Mohr: I think since they already have that vertical muntin in them, if they just came down and met the check rail of the flanking double hung then the proportions would be better, you could even put a cross

munтин in it. I think bringing that frieze band down would tie it together. Adding a little bit of verticality to those windows would help the overall design and the proportions.

Gastinger: Is there usable occupiable space up there? Or is it just storage?

Applicant: So for simplicity of construction we are using that scissor truss, and the slope of that allows us to get our HVAC in that space with a vaulted space. That is why the two small windows are there.

Mohr: Maybe a taller single one would be better. That would also engage that gable. For me the windows are just too small.

Miller: That seems like it would be a big improvement. We need specific details to come back cut sheets for windows and doors, specific materials used, specifics on lighting and fixtures, fence product and location, and landscaping plans. Using the existing would be ideal.

Applicant: That is what I am planning on doing.

Gastinger: I could go either way, there are a lot of little things that need to be picked up, but overall I am in support of the project.

Schwarz: I am happy to approve, with specifics to come back.

Mohr: Likewise.

Motion: Mohr moved: Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions, and Site Design and Elements I move to find that the proposed addition and various site improvements satisfy the BAR's criteria and are compatible with this property and other properties in the Rugby Road-University Circle-Venable Neighborhood ADC District, and that the BAR approves the application as submitted with the following to come back to the BAR for circulation and administrative approval:

- Adjusting the frieze board trim band, so it picks up the window heads
- Lengthening the small windows along the Ackley Ln.
- Reducing the window in the front of the building under the gable to a single much taller window
- Submitting a site plan (staff to circulate)
- The siding should not be wood grained

Gastinger seconded. Approved (7-0).

6:40 5. Certificate of Appropriateness (Conservation District)

BAR 16-08-04

510 Locust Avenue

Tax Map 540004100

Fred Wolf, Applicant/ Greg Horridge, Locust Realty, LLC, Owner

Addition of second story, new concrete wall at driveway

Staff Report by Jeff Werner.

Fred Wolf, the applicant, spoke and provided samples.

Questions from the Public:

No questions from the public.

Corey Clayborne arrived at the meeting.

Questions from the Board:

Miller: Can you describe what is going to happen with the utilities?

Applicant: The plan is to work with Dominion to underground the power lines. The other utilities will stay in place.

Miller: What happens with the big tree out front?

Applicant: There might have to be some selective limbing up of the tree. We would be happy to get an arborist report, and we would be happy to come back to you if there had to be major adjustments made to that. It is a significant tree and we do not want it to go away.

Gastinger: Does the Resista have other finish options? Or is it just that wood grain option?

Applicant: There are other colors. We like it because it has an even color and we feel it isn't trying too hard to be wood.

Ball: How do you fasten that product?

Applicant: Either a blind clip or a face screw. I believe we will be using a blind clip.

Comments from the Public:

Maria, of Hazel Street: The last renovation of this building was so fabulous, and it is a jewel of a building, and I hope this one is as brilliant as the other one.

Comments from the Board:

Miller: I think this is a big improvement from the last iteration. That said, I would point out that we only have a few district guidelines, one of them is that the selection of material and textures for the building should relate architecturally and be compatible with the neighboring buildings. Also, the use of durable and natural materials is preferred. There is also the guideline of not painting unpainted masonry. I think it would be great place to plant a few trees in the adjacent lot which is owned by the same person, it would be a huge advantage for the neighborhood.

Sarafin: As far as painting the brick, since the oldest brick is from 1960, if the owner's inclination is to paint the brick I am fine with that. As far as the treatment of the siding, I don't mind the composite material, and it is a uniform finish. I think if it is treated the way it is proposed that could be really interesting.

Mohr: It eludes to a construction material from the past, but it a new material. I have no problem with the painted brick. I think the scale and general development details have gotten progressively better with this building. I think it is nice, I have no issues.

Sarafin: I agree this has my complete support.

Gastinger: I am supportive as well; I think it is going to make for a nice addition. I am in support regardless of the cladding material, but I would lean towards a natural material to let it weather naturally in keeping more with the rest of the neighborhood.

Schwarz: To clarify, you would rather it be a natural material that would weather.

Gastinger: That is correct; I would be okay with any of the three.

Schwarz: My only concern is I do not want it to end up a splotchy grey, but it doesn't sound like that is going to happen.

Mohr: Since none of the three options is throwing my vote in any particular way, I think we can say that he use his discretion.

Gastinger: I do just want to echo Melanie's concern about the tree. I think it is important to the street, so it is a request that is be protected adequately so it is not lost.

Miller: Just to clarify that the window is at least a 70% VLT.

Applicant: That is correct.

Motion: Sarafin moved: Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions in Historic Conservation Districts, I move to find that the proposed new addition satisfies the BAR's criteria and is compatible with this property and other properties in the Martha Jefferson Neighborhood Historic Conservation District, and that the BAR approves the application as submitted, with any of the three siding choices being fine. Gastinger seconded. Approved (8-0).

D. New Items

7:00 6. Certificate of Appropriateness

BAR 18-03-02
410 Ridge Street
Tax Parcel 280156000
Barrett Day Care Center, Owner/ Alloy Architecture and Construction LLC, Applicant
Enclosing rear porch to create pantry space

Staff Report by Jeff Werner.

The applicant spoke. Also, Dede Smith introduced herself and said she was speaking for the director, who was at another meeting, and that any questions about the project should be directed towards her.

Questions from the Public:

No questions from the public.

Questions from the Board:

Mohr: Do you have any idea how old the porch wing is or when it was filled in?

Applicant: It was originally constructed in 1916, I am not sure when it was filled in.

Comments from the Public:

No comments from the public.

Comments from the Board:

Sarafin: This seems entirely straight forward to me.

Mohr: I agree.

Miller: Me too.

Earnst: Seems appropriate.

Miller: The only thing is we need are cut sheets for the windows and details of the materials.

Schwarz: To confirm, your window is a Pella designer series. Is it aluminum clad or wood?

Applicant: It is aluminum clad on the outside, and then plain wood on the interior.

Ball: Are the designer series the ones that have the shades on the inside?

Applicant: Those are not the ones we would be using, we would use the ones the SDL window. It has the same appearance as the existing windows. We will provide you with a cut sheet.

Motion: Sarafin moved: Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions, I move to find that the proposed changes satisfy the BAR's criteria and guidelines and are compatible with this property and other properties in the Ridge Street ADC district, and that the BAR approves the application as submitted. Clayborne seconded.
Approved (8-0).

7:20 7. Certificate of Appropriateness

BAR 18-03-03
321 East Main Street
Tax Parcel 330226000
321-323 East Main Street LLC, Owner/ Alan Goffinsk, Applicant
Proposed public mural

Staff Report by Jeff Werner.

The applicant, Alan Goffinsk, spoke and explained a bit more about the project.

Questions from the Public:

No questions from the public.

Questions from the Board:

Miller: Do you want to tell us more about the image that was chosen, and about who are the people portrayed in the mural? Also, is this the only proposal for this size and scale?

Applicant: This is the proposal that the artist requested I submit. In regards to the imagery, this is as accurate as we could get given the time restraints. As far as the other faces depicted in the mural that are not Heather's there have been conversations among the community and artists as to if they should remain anonymous or if they should highlight significant individuals in the community. The artist is of the opinion that these faces should remain anonymous, to point to the reality that this is a situation that requires inclusion from the entire community, and the anonymity highlights that. At this point in time the only thing that would change between the design and implementation of the mural is the content of some of those leaves.

Schwarz: So just to clarify, these are anonymous people from the community or from elsewhere? Not that it matters, but out of curiosity.

Applicant: These are from street photos taken by an artist, taken in the public realm.

Comments from the Public:

Kavit: This mural can definitely be seen from the mall.

Lisa Wolfork: The grave concern I have for this project, the stakes for it are high and not just aesthetic. This is not a static object, this is going to be an installation that will derive its power from an interpretation of events that will forever mark this community. It is crucial that broader community input be considered, there is no way to generate full agreement or even consensus, but there should be transparency and accountability, in my estimation there has been neither. As it stands currently, despite the participation of two local artists, the local concerns have neither been addressed nor alleviated. These concerns include the broader representation of a diverse Charlottesville, giving due consideration to the serious entrenched issues of racial inequality, exploring the large network of local activism that proceeded the terrorist attack, and honoring those who have continued to labor for racial justice. I urge the committee to reject this proposal until it can be amended to include stakeholder beyond the Heather Heyer Foundation, and bringing in folks like Black Lives Matter Charlottesville and PHAR, which is the public residence association. And barring that decision I look for The Bridge to look for more allies and stakeholders to help gauge this process. This will ensure that the final version of this mural will heal the community, instead of causing more harm and division. In particular, The Bridge, as a progressive art collective, must work to close the gaps that divide this City. This project will hurt the community more than heal it, especially if it is seen as the elevation of a few over the masses, who were significantly impacted by the events of August 12th.

Lance Burr: I just wanted to say I was also here on August 12th, and it was obviously an awful experience. One of the things that has given me peace is seeing the candles, the people, and the chalk on 4th Street. When they removed the barriers, it really broke my heart, it makes me feel scared and I have been longing for something more permanent. The chalk is there and I see it every day on my way to work, but I really would appreciate something like this mural, it has more permanence, even though it is just paint. On top of that, the artist being Shepard Fairey, being a designer that name really resonates with me. Being a world class artist, he creates beautiful murals all around the world, and I think it is an incredible opportunity that he wants to work with Charlottesville in this way. I also just really appreciate the location, it contributes to the downtown area, but it doesn't take away from the façade of the building or any of the aesthetic from the actual downtown walkway.

Kavit: I wanted to ask the board to defer the matter so there can be more public input on this, especially since it hit the paper today and what was shown in the newspaper is totally different from what is up here. It comes back to transparency and I don't think that community was adequately informed. I would like to remind you as the board it is your charge to judge this not on emotion, but on what the normal criteria is for the Downtown Mall. This board has taken on a lot over the years to maintain the look of the mall, and I think this really distracts from that look. I don't feel that murals are appropriate in the ADC district. I walked this area today, and you can definitely see it even walking up the mall. I would personally like to

walk down the mall and see the old architecture and not be distracted by a mural. We are a very old city, and when you travel to Europe you don't see murals in the old historic sections, and I think we need to keep that in mind. Especially since in the past mural have been exempt and not wanted in this area. I feel very strongly that there are a lot of people that if they had the time would come before this board and would have similar concerns, we ended up with a mural that was totally inappropriate at Wegmans, because the artist had no idea what Charlottesville was, and could have probably done something more appropriate, and he had a certain style that he did, and that is what we ended up with over there. Again, I ask that the applicant defer the application until there can be more public input.

Chris Shopper: I was actually supposed to move into Charlottesville August 12th, so I was actually not in Charlottesville. I do have a question, and I know I missed the question period. Is there anything preventing putting a mural in at the site of the accident, or I guess the more appropriate term would be a terrorist attack. Would it be possible to have a mural specifically to Heather and those affected at the site of the scene? I know when my family has visited, in the aftermath of the event, that is a place they really wanted to go, to feel tied to the events of the day. There were still flowers and chalk out there at the time, so it was a pretty powerful experience for us all. I do agree with the comments that everyone else made as far as the need for transparency. I was lucky enough to catch this in the Charlottesville Tomorrow this morning, but I know there are a lot of people that may not have had the opportunity yet, and I would like to see a mural on the downtown mall, but I think this is a little flashy and might take away from the character that has been cultivated over the last couple of decades. So I would just request more time for public feedback, so people could come up here and voice their opinions, and then I would like to see some sort of mural specifically for Heather at the site.

Miller: I think we can answer part of the question on location. The applicant represents the Charlottesville Mural Project and they submitted an application based on where they could obtain the building owner's permission.

Sarafin: A couple of us were at the site, not long after the event, and spoke about potential locations, but it boils down to who owns the building, and if they are on board, to give permissions. Ultimately, the applicants come forth with a particular site, as it were.

Shopper: I just always thought it would be most appropriate for a mural to be at the site of the attack. I know this has the size and the scale that would attract more eyes in the city, but that is just how I felt.

Susan Brough: I am Heather's mother, and I ask that the mural not be at the site because I like the chalk that people put there. That is constantly changing, and being added to. I did not design this, I had some input, it is not my design, but I do like it. I want something that represents the crowd, and not Heather. I think Heather is getting too much attention personally because she was only one of many people here that day, I would want something to reflect more of everyone that was there. I feel like this does speak to that somewhat, and it doesn't mention her by name, which is positive in my opinion. I am not sure they even asked the building owner's because I said I did not want to give up the chalk memorial that was there.

Rachel Pennington: I am the owner of the Pie Chest, and I have been involved from the beginning with Alan and The Bridge on this project to different degrees. The only thing I want to clarify is I personally asked all four of the building owners at the bottom of 4th Street, and they all said no. That is why the project moved up 4th Street. As far as the other things being said, I whole heartedly agree with both of you [gesture to audience] about that design. So I am in support of this mural as a business owner on the street, but would like to see the design evolve.

Comments from the Board:

Clayborne: Actually, I do have a question moving forward. Are we voting in concept that a mural can go in this location or are we voting on the actual art itself. I think that is going to be a big determinate on how we carry out our discussions.

Miller: I think it is both, and I do agree with some of the comments from the public about the transparency, because the design was not submitted until yesterday, so it was not available to the public, and it wasn't on the website, it wasn't what was run in the newspaper, and I think the application would have been much more complete if we would have had the final artwork by the application deadline.

Miller: One more thing on process, if we are to make determination on this mural as to if it is appropriate, any changes in artwork, would cause that to need to be re-approved and it sounds like it is not 100% finalized. Since this is the only public forum in which the art can be discussed, and there is a lot of public interest in this project, I think having the final art is important.

Sarafin: This is maybe a question for staff or Madam Chair, given the timing issues with this and the lack of public notification with the current information, is there a way this can be treated as a preliminary discussion or a deferral? There are several options before appealing to City Council.

Miller: I agree with that, I have met with the applicant previously, and I imagine this is not what you are looking for because they are on a timeline. So you are looking for a final decision tonight?

Applicant: That is correct; I believe this project is likely not going to happen if we have to wait.

Werner: I want to clarify that an appeal has to be filled within ten (10) working days of the decision, just so that is clear.

Applicant: I wanted to say I am aware this is a rushed and less than ideal process given the time. I have been losing sleep over this, just getting this to happen. I have tried to make as much communication and as much outreach as possible, given the short timeline because of the nature of the acclaim of the artist. It is Shephard Fairey, so it is difficult to find a time where he is free and available, and this being a free gift to Charlottesville, as a positive bouquet of flowers. His timeline regarding this is difficult. My intention has never been a lack of transparency; I am not an enemy of transparency, on the other hand, I want to realize that this is a gift from Shephard as a result that timeline is very narrow. I would also like to state that I do not think this is a complete picture of what happened that day, and I do not think this is an end to the discussions about the events of the 12th and I think Shephard would fully agree to this, that no single image will give the complete picture about what happened that day. It is my hope that this is just one mural in a public art conversation. I believe the artist and all of those involved think that it could be a landmark or monument if you will in light of the fact that we are having trouble moving some of the monuments that we don't have control over, and that we don't like here in Charlottesville, and the artists intention is to provide a positive landmark to the landscape.

Mohr: I think the first thing to look at is simply a question of scale. This is the tallest building on the mall. In general we haven't advocated for murals that cover the entire wall, so the buildings presence becomes first and foremost, but there is the exception that is the Graduate hotel. This one is pretty much a billboard. I have some concerns about it from a scale standpoint.

Schwarz: I feel like you have to see it from far away , you are oblique to it from 4th Street or it is over the tops of buildings. My opinion, as far as a location and size, I think it is appropriate.

Mohr: I think it is an appropriate wall for a mural; I am simply questioning the size.

Sarafin: Discussions we have had with murals in the past, this is different because there is no frame, and this is running to the edges of the building. I might argue some of the back building stuff like the windows detract from the mural itself. I mirror some of Tim's concerns about scale.

Schwarz: I am not sure if you gain anything by bringing in the sides.

Mohr: I think framing it, makes it more in the vein of what you would see in the older districts as a billboard. Whereas, this is much more of an abstraction of the building, but I think we need to steer clear of the meaning of the mural, because that is not within our guidelines.

Miller: I agree completely. We don't have any murals on the downtown mall, but we do have remnants of the old coca cola sign and things like that, that are more in the scale of what was presented as a possible boundary in the packets. That was not ultimately what the applicant and the artist wanted to move forward with. In my mind that is much more approvable than the proposal tonight. Reads a few guidelines that are pertinent to this project [reads guidelines]. We don't have a ton of mural guidelines, but that is what we have to work with. The colors seem to be appropriate for the downtown mall.

Gastinger: I have a couple of comments that also relate to the issue of scale: I do think this is a good location for a mural in general, I also do not think we are the appropriate body to debate the content, but I do think what we are tasked with is understanding the murals relationship to the public space and to the architectural language of the downtown district. One thing that would help with the mural coming down the lower parapet is it could avoid the issue of the leaky corner on the left side of the mural, and how it

relates to the other building. Also, one thing I think the applicant and the artist should be aware of is the lower right hand side of this mural is not visible from very many locations, so it should not contain any important words or images for the mural. The last is, some of the precedent artwork, included some murals that had very intricate details in the color fields of those murals, and in that case, I think a little bit more detail in some of the big broad blue fields could help break down the scale in a way, and mitigate the scale of the mural and the wall with the pedestrian scale of the street below.

Clayborne: I am torn about the scale, I think in concept this is certainly a good location. I think conceptually it is good for the community, I do believe it is an opportunity, so I hope we can come to some sort of decision tonight. I am going to side with Carl about the scale, it doesn't jump out to me as bad, but I do also like the image you just showed Madam Chair. I don't feel comfortable commenting on the content; I do not think that is within our purview. I think it would make sense to have some community engagement, with getting buy in from some key individuals, but I don't think we can direct that, but it is a suggestion.

Schwarz: I personally don't think there is much gain by pulling it off of the edges. In one sense it is just background that is painted to the edges, the foreground is framed by the building. This is not the place to talk about content, there is a place that needs to be open to a discussion about content, I am not sure how that process works. I would say that is probably something with the appeals process, but that also doesn't work within your time frame. This needs to be something where the majority of the community can support, the idea is fantastic, and it would be great to not cause more hurt, I am not sure how to do that, because that is beyond our scope. While those are all of our mural guidelines, we have broken those rules for a mural in the past.

Miller: Yes, but we specifically said why we broke them.

Schwarz: I believe Jeff has already started that conversation, it is a non-contributing structure, it is not a primary elevation, and it is not obscuring the form of the building. I am fully supportive of approving a mural in this location, and of this size.

Mohr: The Bridge is supposed to be a community organization, and that is where the discussion belongs, and that is not on our purview, I think our purview is to understand the architectonic impact of this. My concern is this building is unusual in the downtown area anyway, and by painting this whole face are we just accentuating its otherness? I have mixed feelings about the scale; I prefer the more bound field of the earlier suggestion. In a slightly more urban area, I would have no problem with the scale, but in my opinion this does not fit in with the scale of the rest of the street, and it makes this building seem that much larger to me.

Miller: Any other thoughts on scale?

Earnst: I general agree with what Tim and Melanie have said, I don't have any problem with the mural being here in concept, but I think it would help if it were pushed off the edges a bit. I think it would help make the message of the content a little more clear as well as making the art a part of the building as opposed to a wall of the building, which I think is a bit more within our purview. I am torn on where to go with that though, do we offer that as a requirement if we move to approve?

Schwarz: You could.

Gastinger: This might have already been said, but with how the corner of this building is designed, the paint would go right to the edge on that brick, which would make the edge less pronounced than it already is.

Mohr: It just dematerializes it in my mind. I think the other mural works so well because it is a more abstract space than this. Part of the reason I think it should be brought in is because half of the message is obscured by the building line, so it doesn't make sense from a pragmatic standpoint. I think Breck's point about the funny bleed as you come down to that corner is also valid. I prefer the scale more as the brick is the field and there is an image on the field, rather than it taking up the whole thing.

Miller: Even at that scale that is originally shown, it is still an enormous mural, there is nothing small about it. It is still larger than the buildings below it.

Mohr: It plays more to the scale of the glass façade on the front if it is more contained. A smaller mural would engage the façade instead of burying it, which I think it was it is doing at this scale.

Sarafin: It is burying it while simultaneously blowing it up.

Schwarz: My concern is what happened on West Main with that mural is that it is weak.

Sarafin: Just the fact that at this scale some of the subject matter is obscured is an issue for me because that could be very misleading.

Schwarz: That is where I think there needs to be more conversation about the content.

Gastinger: It seems to me based on the discussion we have had tonight that there would be revisions on this anyway.

Miller: I agree. There seems to be a consensus on scale, but a deferral for the content change would delay their timeline. They will not get approval on this tonight based solely on the scale. We specifically talked about bringing a Plan B, just in case this happened, which might have been approved, but that did not happen.

Applicant: I do have that, I was just specifically asked not to show you, unless it looked that the first design was not going to be approved.

Gastinger: I have concerns from a procedural view, just to allow the public to see the proposal and that that information be available in the public realm, and allow people to come and comment in our session.

Clayborne: Can we approve something and say that the scale has to be in a similar ratio to what has been described.

Mohr: Even if this is what Plan B is, there is still a lack of community engagement and I don't think we are equipped to deal with that.

Schwarz: There is a public venue where they can stop this; all someone has to do is appeal to City Council.

Mohr: I agree. I don't think it is within our purview to determine whether the artwork is good or bad.

Miller: I think we should review Plan B and see if that addresses more of the BAR purview which is scale. Then see if there is consensus for a definitive action tonight, based on that, and then discuss what an approval would potentially mean.

Sarafin: Have we ever sent anything directly to City Council? Or do we just take an action and then someone else reacts to that action, or not?

Schwarz: Council would just send us back to us and ask if a mural is appropriate there. I second Melanie's request to look at Plan B.

[The Applicant handed out the Plan B design to the BAR]

Mohr: So this really doesn't change the scale, and this still doesn't relate to the architectural scale of the building. This is still a large swath of color and it doesn't relate to the building scale, which needs to be broken down in scale anyway. A mural breaks down that façade and allows it to play better with its neighbors, but as long as the mural remains dominant on the façade it does not do that.

Gastinger: Do you think it needs to drop down to that parapet height?

Mohr: I think that would help, but even if it is the same width as the glass panel and went all the way that would be alright, but if it starts to cover the whole wall it fights whatever sense of scale this building has, which is a bad scale, so why not improve it with the mural instead of making it worse.

Miller: I agree.

Mohr: The mural will draw attention to that wall, and will be successful, but I don't think it needs to cover the whole wall in order to be successful.

Miller: To me pulling it in by a foot on all of the edges, does not address the scale concerns that I have.

Audience Member: If you were to go to that drawing that is projected where would it fit on that drawing?

Mohr: [Motioning to the screen, where the new mural fits on the projected image.] I think keeping in proportion with the building, not covering up the whole wall. That is not necessarily the answer, but I think it is a good starting point.

Gastinger: Just so the public knows it is the same design just pulled in three feet on every edge.

Applicant: It is taken up a bit more on the bottom.

Mohr: Yes, I see that, but it is not doing anything to take cues from the building.

Miller: Okay, are there any other comments on scale.

Clayborne: I think pulling it down to the parapet help it start to speak to the original one that you had shown.

Mohr: And that one can even be moved further down, it just need to play with the building.

Gastinger: Even with the adjacent building that offsets with the other adjacent building might be a key element that allows this buildings edge to read. So, that could be a minimum dimension to bring it in on that side. The parapet for me breaks down the building's scale already, and it brings the words closer to view, which I think could be equally as powerful.

Werner: I would like to make it clear that the piece of art that was shown in the packet was supposed to be representative of Mr. Fairey's art, and not actually the shape and size of what was going to be used on this building and unfortunately for him that was more horizontal than vertical.

Mohr: I stand by my scale comment, and I think that we should dictate a canvas width, that relates to the building scale. Use the proportion of the glazing to dictate that, so you have a vertically oriented canvas.

Gastinger: I think that would help it, for me bringing it down to parapet is almost as important as the proportion of the field. I don't necessary think it needs to be centered on that façade. It seems to me that is would like to be weighted towards that street where it would be most visible.

Mohr: It is not a symmetrical façade either. I think dropping below the parapet, and taking into account the line of the window and how the proportion relates to that window.

Sarafin: I agree take the proportion of that window, and then weight it to 4th Street, that should be the canvas. We are talking about the appropriateness to the rest of the district. I think that treatment of it will render it a lot more appropriate in the district. These are also the aspects of the mural that are within the BAR's purview.

Miller: So if we were to come to a consensus with that, it seems like a deferral would then be our best option. Then that would do two things: it would give the applicant time to finalize the content of the mural (with whatever public process that entails) and it would also be consistent with how other applications are treated.

Mohr: Do you mean content or design, because in my mind those are two different things.

Miller: We would need to see his application back in a publically noticed meeting.

Sarafin: To see what the final artwork is.

Miller: Then that gives the applicant the opportunity to get the final design set. It is going to have to change to some degree because the proportions are different.

Sarafin: I think it should be a clean line and finished, it shouldn't be a bleed effect like the first one.

Clayborne: So if we are prescribing the boundaries of the canvas, would it come back for a deferral? I am trying to figure out what we would be weighing in on, if it came back, given those boundaries.

Mohr: We have said how big the canvas needs to be, but we would still need to get a sense of scale and color with the final artwork.

Clayborne: So we wouldn't be able to say, the color we see right now is acceptable?

Mohr: I would say the color and general composition we see right now is acceptable, but that shape is going to change, and with that compel some sort of change in that design.

Miller: I think we can also indicate in any motion that there is unanimous support for a mural in this location, so it is not an issue of the mural. I think we should discuss the painted brick since that is mentioned three different times in the guidelines. It seems like we are going to allow for that anyway, but it seems like that is going to be recognized in our motion.

Clayborne: Do that negatively impact the project? Does that kill the project?

Applicant: I am not sure, it very well could.

Mohr: It is just with that artist thought correct?

Applicant: It may in general, just because he was very influential. He was doing this for free, as a gift to Charlottesville, so there is no budget. I am not sure if anyone would be willing to donate a mural and go through the process.

Miller: I can see everyone's face and I can see that no one wants to be responsible for squashing the mural. Do you all feel that there is a way to dictate the boundaries, without having this application come back?

Sarafin: A couple of points, first procedurally, to get back to the notion that the second and third design we have looked at, were not made public until an hour ago, so there is the whole public notice piece we have been talking about, if it were any other applicant that is an issue. The other point I would like to make is I think because there are potential community issues, to have it come back to the next review is an actual opportunity for that dialogue to play out, like it needs to. In order for us to be able to give a full approval tonight, I feel that that side steps any of that public participation in this. Given the content, which I know is not our purview, at the same time, I personally don't want to prevent a mural here, but at the same time I am not fully supportive of rushing the process on a gift that in the end might make people more angry or more divisive somehow because there was not a process that happened. I am sympathetic with the timeline and the fact that there is an internationally renowned artist involved, but if someone resurrected Frank Lloyd Wright, and he designed a building for the mall, and we had three weeks to put it up or it wasn't going to happen, we would be having this review.

Mohr: The fall back is things go to council and we get over ruled on this, but I think that we need to stick to our processes that we make everyone do, and not have different rules for different folks. I think we stipulate the size of the canvas, and that we really support the project, and that we are not against it in any way, shape, or form, but that we also have to follow our protocols.

Gastinger: If I am not mistaken there is an avenue that has not been discussed yet, which is the applicant could appeal the deferral, noting that we have made certain suggestions, and appeal directly to city council.

Sarafin: And we wouldn't be offended.

Miller: In that case we are required to send a representative to council to convey our discussions on it, so we would be able to convey that in person.

Sarafin: Our guidelines would definitely go to council and a synopsis of the discussion we have had, but if there needed to be a more political discussion, city council is the forum in which that needs to happen. We can move this along within our purview, and the applicant can come back next month or appeal to council, but either way we have enabled the process to take place, given the short nature of notice.

Miller: Is every one in agreement of that, those of you who aren't speaking up?

Werner: [Discussion of approval/denial/deferral of the application and what that means for the timeline of the project, and the ability for the applicant to appeal to City Council][Read from the code]

Motion: Schwarz moved: Having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitation, and Public Design and Improvements, I move to find that the proposed mural satisfies the BAR's criteria and guidelines and is compatible with this property and other properties in the Downtown ADC district, and that the BAR approves the application with the following modifications the mural needs to be sized per Mohr's description and discussion during the BAR meeting. The mural should follow the line of the large window casing height across and come off the corner probably in line with that first window (based on the two sketches provided by Jeff Werner). Also, the final design and imagery needs to come back to the BAR for final approval, and that the artist recognizes that the mural's content will be visible from the street and that it should be to that scale. As presented the color and composition is acceptable. This mural is acceptable because it is on a non-contributing structure in the ADC District, is not located on a primary façade, and it will not be seen from the pedestrian mall. Mohr seconded. Approved (8-0).

7:40 8. Certificate of Appropriateness

BAR 17-06-11

200 East Main Street/201 East Water Street

Tax Parcel 280031000

Deerfield Square Associates II, LLC, Owner/Lockie Brown, Applicant

Dewberry Hotel- massing approval

Staff Report by Jeff Werner.

Questions from the Public:

No questions from the Public.

Questions from the Board:

Clayborne: Are there any section views available? Section views as in cut through the building?

Applicant: Obviously it's an existing building, there are no sectional views. If you look at the height calculation sheet, it will show a bunch of lines from the finished floors. There are no changes to that aspect of it. We will be supplying that as we move along.

Comments from the Public:

Person: In regards to what you meant by activating 2nd Street, I know on adjacent streets the road or parking can encroach up the mall, is that same concept going to be utilized to activate 2nd street for the Dewberry Hotel?

Applicant: There's no parking on the street.

Person: Yes, there is no parking, but the asphalt encroaches further onto the mall instead of right now on 2nd street there is brick all the way onto Water Street.

Applicant: What we are talking about right now is an area something similar to what they've done on 1st street where they've pulled back 6 feet or so. This is city land, so we would have to go through the process with City Council for what we would do there. The only retail on that street I believe is just the hamburger restaurant [Jack Brown's]. When we talked to BAR last time, there was certainly a consensus that was a good thing to try to do.

Maria: I would just like to say the structure that is there now, the entire city has been anxiously awaiting something to happen to that, demoing it. It is ridiculously high now, to make it any higher I think would be terrible. It also seems so much bigger than the skeleton of what is there now, is it also wider?

Applicant: It is not wider, it is the same footprint.

Maria: I thought the height it is right now was the top of the zoning and I am against it going any inch higher.

Comments from the Board:

Schwarz: I am frustrated it looks like 15 minutes of work has been put in since we've seen you a year ago, which really is disheartening since we've been waiting a decade for this to be done. I know Dewberry hasn't owned it for that amount of time, but pretty close at this point. I don't know how much longer you're hoping to string us out, so that's my point of frustration. As far as height, it sounds like you found a loophole, the Deputy Attorney is okay with it and it meets zoning. I feel that one more story is not going to make a big difference. I do think you have an issue with the locker rooms on 2nd Street right on the ground level or right about the ground level, I feel that will be a blank wall without any windows there.

They show up on the plan facing 2nd street, for your spa, just something to be aware of as this progresses.

Applicant: Those are restrooms for the public area and that was all in the plans.

Schwarz: It looks like the same level as the living room, dining room, and concierge, so that is above your head on 2nd Street just slightly. So if that is going to be a big blank wall, something to be aware of as the design progresses.

Clayborne: I'm not sure how we got to this point, when I look at the street elevations it seems out of scale and out of character. I'm not sure if there is anything we can do about the new height with the zoning determination that's been given, but that's hard for me to stand behind.

Miller: So the way we understand it is in theory we could do something about it, even if zoning allows one thing, we can say it is too massive and not okay. We are often reticent to do that, we usually go along with what is allowed.

Mohr: I don't really have a problem with the height. I think the biggest issue is that this has taken forever and is tiresome to come back to. I think getting the 2nd Street cut down is really critical, all the more so

given the location of the spa. As long as it goes down then that's a 2 story elevation right there and out of the way. It doesn't seem to have gone forward since we last saw it other than the height approval.

Sarafin: We last discussed it June of last year, the conversation was generally supportive. I know I was more supportive of the direction this particular version was going compared to what we inherited from previous approval from a decade ago. It's my recollection this is height and massing, given the relatively smallish footprint, set back off the mall, the height doesn't bother me. I think I was supportive back in June and I think I'm supportive of moving now.

Mohr: Unlike some of the other building in town, this is slender. The Flats are unmitigated disasters. One could argue this is too big and in the immediate downtown area, but I think proportionally it is a pretty decent building. The promise is there, it's just been promised for a while and it's getting stale. We should be a lot farther along.

[The BAR member generally are all in agreement.]

Miller: So this is strictly an approval for mass and height, there are concerns but there seems to be consensus that the application is appropriate.

Sarafin moved: Having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitation and Site Design and Elements, I move to find that the proposed massing and height satisfies the BAR's criteria and guidelines and is compatible with this property and other properties in the Downtown ADC district, and that the BAR approves the application as submitted. Mohr seconded. Approved (7-1; with Clayborne opposed).

E. New Construction

8:00 9. Certificate of Appropriateness

BAR 17-08-01

230 West Main Street

Tax Parcel 280001000

Brands Hatch LLC, Owner/ Fred Wolf, Applicant

Ice Park Arena Redevelopment Building, Landscape and Urban Design

Staff Report by Jeff Werner.

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:

Applicant: Fred Wolf reported the whole building is about creating an environment where you actually encourage people to overlap, interact, and cross paths. We feel like, particularly with this site, that's a really kind of interesting connection," said Wolf, who also noted the gallery would be open to the public.

Schwarz: Images are great without the trees, shear clef face of the city. I am supported of this, space is amazing, it is a lot of building. What are the details, crosses that doesn't appear to be anything in the drawings, visual warning?

Gastinger: The connection will be important to the city and the design of it should feel more like part of a streetscape than a lobby or atrium. It has the danger of feeling like a sea of handrails going up there, and that won't have the same kind of attractiveness

Applicant: It has to be accessible, so we have to find a way to get people through there and one idea is to have food windows and small retail uses that activate that space.

Miller: It sets a new standard for downtown Charlottesville, creates additional of the pedestrian access to Waters Street when you are on the mall. I love the use of trees and the fountain is a nice addition. The reflective ceiling inside the area of the bridge is great and fun.

Mohr: The gallery connection would be one of the most critical aspects of the project. The proposed design for the Water Street entrance was hard to perceive.

Schwarz: You have some very, very long facades.

Gastinger: How will the acute angles apparent in the designs be handled by the building's materials?

Wolf: That's something we're going to work on as we start to look at facade systems and we're trying hard to sort of control the mass, and keep it not feeling big, by the way we are stepping it. The reason for the preliminary discussion was to make sure the project meets zoning requirements and that the board is comfortable with the development in terms of its massing and heights as the project moves forward.

Sarafin: I am supportive.

Clayborne: Is the generator on the street side?

Applicant: No, driving in the garage, under that is a vault that has a transformer that is tucked in under the wall. The primary entrance and lobby to the building will be on the Downtown Mall, with secondary entrances on Water Street. A parking garage will be located beneath the building and the project also would feature an interior courtyard and the lobby would be "hospitality-oriented. It's going to have more of a lounge feel with some retail in it and maybe a café or small bar, and then also a kind of desk that will help control further access into the building for people working up above.

The BAR did not make any decisions although it eventually will have to consider whether to grant a Certificate of Appropriateness for the project.

8:20 10. Certificate of Appropriateness

BAR 18-03-01

843 West Main Street

Tax Parcel 310175000

Kim Dabney, Owner/ Clark Gathright, Applicant

Proposal for new three story office building

Staff Report by Jeff Werner.

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:

Clayborne: This is an office park kind of building, to the BAR. As you look at the future of our city, West Main Street is already pedestrian-heavy. I think cars will become heavily discouraged.

James Grigg, Architect, hired by Kim Tran Dabney: This is a prominent site on West Main Street and one of the last large parcels that is left. West Main is poised for change, and the growth of the university's research activities at one end of the corridor, and the resurgence of downtown at the other, sparks this optimism which is further fueled by the development of high-tech and bio-tech businesses within the region. The owner is interested in developing what is, in today's world, a small office building in that

location. I do not want retail use such as restaurants, just to be an office building. The project is pretty doggone eclectic and the Flats is a monolith. The Standard looks like to me it's trying to be multiple colored boxes. The Uncommon since rebranded as Lark on Main is a collage building clearly. The Draftsman, I call it orange and glass. And the Battle Building is a glass box sitting on top of a brick base."My conclusion was that his proposed drawing represents a kind of building that exists all across the country and the world. You can do anything you want to do on West Main Street; and if the goal on West Main Street was to have a unified aesthetic, you would have had a bunch of rules in place that would mandate that.

[The BAR should discuss the overall design of the project and see if the proposed building fits into the surrounding context.]

Gastinger: I think it's a bit more than just 'anything goes, because to me, there is really not any one contributing element of this building that says anything about it being relative to Charlottesville or on West Main Street. It very much feels like it could be from Northern Virginia or just about anywhere.

Ball: The green glass used in the proposed design was against the board's guideline. [He did not oppose the design outright.]

Schwarz: One of the city's objectives on West Main is to promote pedestrian engagement. You made it clear you don't want to put retail there but I might be inclined to tell you to fake it. Any other development that goes on West Main is going to force into a rhythm that is pedestrian-scale and this is more automotive scale.

Gastinger: The BAR is charged with being the caretakers of public space. As such, I could not support the project. It contributes absolutely nothing to the street character. These are the kinds of street facades that really kind of kill our public streets. There's no place for the public to sit.

The applicant asked for a deferral.

Miller motion to accept the applicants request for a deferral, Schwarz seconded the motion. Approved 7-0.

F. Other Business

8:50 11. PLACE report:

Tim Mohr reported that at their meeting Thursday, PLACE members discussed what they would want to see in the Assistant City Manager position. They used a draft job description written by City Manager Maurice Jones for an Assistant City Manager for design and development. This person will work with staff to provide support to various citizen committees, including but not limited to the PLACE Design Task Force, the Planning Commission, the Board of Architectural Review and the Historic Resources Committee. She or he will closely work with staff to develop a community engagement process to ensure that all voices will have an opportunity to be heard on critical development projects. He said there were many other suggestions to add to the description. PLACE will form a subcommittee to continue discussing the position and what its members desire. Any meetings with more than two members must be advertised to the public under Virginia law. The new position is not the only one under consideration that would touch upon community engagement related to the built environment.

9:00 F. Adjournment