

**BAR MINUTES
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
[June 18, 2019] – 5:30 p.m.
City Council Chambers - City Hall**



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

PLEASE NOTE THESE MINUTES ARE NOT VERBATIM. A RECORDING OF THE MEETING CAN BE FOUND AT http://charlottesville.granicus.com/ViewPublisher.php?view_id=2

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

Staff Present: Jeff Werner, Tim Lasley, Kari Spitler, and Sebastian Weisman

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

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

Linda Coile, Glave & Holmes Architecture: We have come before you before and you have signed off on this but there is a proposal for a change to the pergola. The original pergola had doric columns to it. They arrived on site and the client stated that it wasn't what they had pictured. The space is supposed to be used as a tent like structure celebrating when the Israelites left Egypt so it isn't supposed to feel as permanent and the doric columns felt really solid. After discussing it with them we suggested 8" columns. Our goal is to see if you will consider this and then we can come back in July with a more fleshed out design.

Mr. Mohr: The initial thought is that this is more appropriate.

Mr. Lahendro: What is the pedestal material?

Ms. Coile: It would be stucco with a stone cap.

Mr. Schwarz: If you had presented this in the beginning without seeing the other two I would have been fine with this so I wouldn't be able to deny it now.

Mr. Gastinger: The structure is going to have a weight to it because the numbers aren't particularly shallow. The 8x8s have a risk of looking a little too slender and I would recommend at least a 10x10.

Ms. Miller: Notes that the applicant can always engage the BAR as a group at BAR@charlottesville.org if there is any further dialogue before the next meeting.

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** [May 21, 2019] Regular Meeting
2. **Certificate of Appropriateness Application**
 BAR 19-06-01
 609 East Market Street
 Tax Parcel 530100000
 Allen Cadgene, Owner/ ChartIQ, Applicant
 Façade Renovation (Plaza)
3. **Certificate of Appropriateness Application**
 BAR 19-03-18
 506 Park Street
 Tax Parcel 530123000
 Presbyterian Church Ch'ville Trust, Owner/Isaac Miller, Applicant
 New entrance and ADA ramp
4. **Certificate of Appropriateness Application**
 BAR 16-06-03
 110-114 Old Preston Avenue
 Tax Parcel 330278000
 Virginia Daugherty & John Conover, Owner/Joey Conover, Applicant
 Window Installation
5. **Certificate of Appropriateness Application**
 BAR 19-06-05
 605 Preston Place
 Tax Parcel 050111000
 Neighborhood Investment – PC, LP, Owner/Collins Engineering, Applicant
 Parking Lot Expansion
6. **Certificate of Appropriateness Application**
 BAR 19-06-06
 201 East Main Street (Corner Juice)
 Tax Parcel 330240100
 Central Place Limited Partnership, Owner/Joseph Linzon, Applicant
 Apply Teak Wood Paneling to South West Corner

Mr. Schwarz requests to pull item #4 and #5, 110-114 Old Preston Avenue and 605 Preston Place, from the consent agenda.

Mr. Gastinger requests to pull item #2, 609 East Market Street, from the consent agenda.

Motion: Schwarz moved to approve the consent agenda. Gastinger seconded. Approved (8-0-1 with Tim Mohr recused).

2. **Certificate of Appropriateness Application**
 BAR 19-06-01
 609 East Market Street
 Tax Parcel 530100000
 Allen Cadgene, Owner/ ChartIQ, Applicant
 Façade Renovation (Plaza)

Staff Report, Mr. Werner: This building was constructed around 1900 and it is the Michie Printing Company Building. It is a contributing structure within the Downtown ADC District. The building reflects commercial architecture of the early twentieth century in Charlottesville, featuring large open floor space and ample windows for

lighting. The request is to alter two of three existing entrances on the courtyard façade. Transoms above doors on the left and right side of the façade will be replaced to match the existing transom above the center door. The air intakes above these entrances will be relocated. The right entrance's door will not be replaced, however, the left entrance's door will be replaced to match the existing center storefront door and transom. All new glass will have a VLT of 70 or above. The intent of the alterations is to accommodate interior program, match design, materials, and colors to create a consistent façade, and allow for more natural light to enter the interior space. Staff finds the alterations appropriate.

QUESTIONS FROM THE PUBLIC:

None.

QUESTIONS FROM THE BOARD:

Mr. Gastinger: Could you provide any more information about the entrances? Are any of them original? Additionally, the vents that are going to be relocated will need some brick patching. Is there any more information about how that would happen?

Ms. Kerry Moran: The intention is to preserve as much of the brick as possible. We are creating larger openings than what is there now and we've talked to a contractor about preserving the existing brick and using that to fill in around the new openings. If we don't have enough to do that we will endeavor to match the brick as well as possible.

Ms. Camie Mess: Regarding the history of the existing openings, we couldn't find anything that said they were historic entrances and they've all been added on to.

Ms. Morgan: Historically it was a loading dock and they were in the back. Most of the entrances were changed when Live Arts took over the space almost 30 years ago. The only one that is somewhat historic is in the middle and we're maintaining it. It was a large garage door and it has the protection along the edges that the garage door had, which we will maintain.

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE BOARD:

Mr. Mohr: It is a nice looking façade and a lot of the alteration was done in the early days so it isn't a precious façade at this point. This is much nicer and is an appropriate scale of the building. It's more coherent and it's nice that it has the bumpers on the corners and it speaks enough to the history of the façade.

Motion: **Gastinger moved having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitations, I move to find that the proposed façade alterations satisfy the BAR's criteria and are compatible with this property and other properties in the Downtown ADC District, and that the BAR approves the application as submitted. Schwarz seconded. Approved (9-0).**

4. Certificate of Appropriateness Application

BAR 16-06-03

110-114 Old Preston Avenue

Tax Parcel 330278000

Virginia Daugherty & John Conover, Owner/Joey Conover, Applicant

Window Installation

Staff Report, Jeff Werner: This is a request to remove the A/C unit and install a window to create a four window unit bay. This building was constructed in 1915. The L.W. Cox Building is a two story contributing structure within the Downtown ADC District. This fieldstone commercial building reflects a vernacular architectural style, and served as a print shop in the late 1900's for John G. Conover. The request is to remove existing, through-wall A/C unit and

install a new window similar to three adjacent windows. The trim and sill to match existing and the window is to be a wood composite Ply Gem 200 Double Hung window with PVC exterior components and casings.

Applicant, Ms. Joey Conover: We didn't have the graphic ability before the application was due to do a perfect rendering of the proposal, but there is an internal wall to work around. We could continue the white trim piece or there could be a space. A space would visually look better but I'm open to thoughts on that.

QUESTIONS FROM THE PUBLIC:

None.

QUESTIONS FROM THE BOARD:

Mr. Ball: How big would the space be?

Ms. Conover: It wouldn't be more than 6" further than it is right now. It's already allowing for some of that space and it just needs a little bit more. It could be centered between the stone wall and the natural trim that is there now.

Mr. Ball: How much space is there now between the windows? You can't fit the wall in there?

Ms. Conover: It is about 6". We've been on site looking at it and it didn't look like it would quite fit in the existing dimensions.

Mr. Ball: We've built walls into things like this and it has worked as little as 5".

Ms. Conover: Part of the problem is that the framing doesn't go right up to the edge of the last window.

Mr. Schwarz: Regarding the muntin pattern, are you going to get a custom window for that?

Ms. Conover: They still sell that so we can get it.

Mr. Werner: You could reduce the thickness of the wall and step back and bump it over to bring it in line, or even step it back and have a gap. The symmetry is important and if it's only an inch larger it could probably work.

Mr. Ball: It sounds like the wall is coming right into the exterior wall. Unless it's a false window you can't put it right over it.

Ms. Conover: Part of the reason for having it not connect to the other ones and visually having it be separate is because the red trim piece above it doesn't continue. If it was the same window style it would make sense.

Mr. Balut: Is there any intention of doing anything above with that header?

Ms. Conover: We would rather not. Our intent is not to invest a significant amount into the façade to change that and if we were to ever put money into that we would probably try to get it removed completely.

Mr. Ball: Are you doing major renovations inside? Is it possible to shift the wall?

Ms. Conover: No. It is continuous and it goes almost all the way to the back of the building so it would be strange.

Mr. Ball: You could consider a different size window because it's so consistent across these bays.

Ms. Conover: It may be important to note that there aren't many people who actually see the building from this perspective.

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE BOARD:

Mr. Schwarz: It sounds like you have a few options to look at and they would all work. The big thing is that we just need to see what that is. This should be an easy application and you should get whatever you bring in, but we need to see what you'd like it to be

Ms. Conover: I would like it to be the window right in the middle of those two and the trim being equal to the other ones.

Mr. Sarafin: That is entirely reasonable.

Mr. Balut: You could alter the proportion of the window and make it something more unique as well if you want to distinguish it. It's just an option, but what you've proposed is okay too.

Mr. Ball: It could be nice because it's not under the red header and it's going to be off by itself so it may be nice if it's actually thinner or shorter to distinguish it as a different window. Everything else is very uniform.

Ms. Miller: Maybe it could be all the way to the left and you could have a smaller window to allow for that wall.

Ms. Conover: If it were done like that would you prefer it to be in a similar white trim finish or the storefront wood finish?

Ms. Miller: Probably the white.

Mr. Balut: These are all just options. However, the easiest path of least resistance is to keep it the same height and window proportion that you are presenting and maybe sliding it over.

Ms. Conover: I would like the window to be centered under the vent as is, just scooted over a little bit. We just didn't have the graphic ability to do that when we submitted that at the time.

Mr. Werner: Is this something you can approve or is that something you want to see and need the applicant to come back?

Mr. Balut: I can understand how that would look based on the presentation, so I would personally feel comfortable approving that tonight.

Mr. Schwarz: It makes sense, but the applicant should still submit a drawing for the record.

Motion: Schwarz moved having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitations, I move to find that the proposed A/C unit removal and window installation satisfy the BAR's criteria and are compatible with this property and other properties in the North Downtown ADC District, and that the BAR approves the application with the new window having the same relationship to the stone on the left as the three windows do to the stone pillar on the right, that the proposed window has white trim, and that the proposed window's lite pattern match the existing three windows' lite pattern. Mohr seconded. Approved (9-0).

5. Certificate of Appropriateness Application

BAR 19-06-05

605 Preston Place

Tax Parcel 050111000

Neighborhood Investment – PC, LP, Owner/Collins Engineering, Applicant

Parking Lot Expansion

Staff Report, Jeff Werner: This was built in 1857 and is an Individually Protected Property located in the Rugby Road-University Circle-Venable Neighborhood ADC District. It was originally known as Wyndhurst, it was the manor house of the 100-acre farm that is now the Preston Heights section of the city. It is a typical two-story, three-bay, double-pile white weatherboard house with Greek Revival details. The house was approved for relocation in 2017, which has not occurred yet. That status of that is unknown and it is unclear if that plan is still active. The request is to construct a 25-space, permeable paver, parking lot in the rear yard of the historic structure. The permeable pavers will match those used for the parking surface at 608 Preston Place across the street. The color of the proposed ECO paver will be Harvest Blend. The parking lot will have a flush, concrete curb that follows the Preston Court Apartment's property line. Near the entrance to Preston Court will be low, brick seating walls capped with bluestone. New plantings will provide screening, however, six trees will be removed to accommodate the parking lot. The proposed landscaping will mitigate the loss of this tree canopy. One 36 inch Oak tree in the northwest corner will remain. Staff finds the request appropriate since the proposed parking area is appropriately screened and is placed behind the historic structure. Additionally, staff finds the number of trees proposed in the landscape plan appropriate to accommodate for the loss of tree canopy in regard to the removal of the six existing trees. Regarding the 36 inch oak to remain, staff recommends that the BAR consider a condition of approval that requires the applicant to consult with a licensed arborist to establish and implement stringent measures to protect the tree during construction. Such steps might include the installation of rigid fencing to limit, if not preclude, traffic within the entirety of the tree's dripline.

Applicant, Scott Collins: The owners have met with the neighborhood several times about this project. Most recently a few concerns have come about whether the parking lot would have circulation to decrease the amount of traffic going down Preston Place and it does. It has a one out entrance in and one way entrance out, which takes all that traffic out and helps keep it closer to Grady Avenue. Another concern was lighting and at this time they aren't planning on any lighting for the parking lot because there is enough ambiance with the two buildings that are adjacent to it. Although we are applying the S2 buffer along the north boundary line, there was a concern that we do more screening and we are happy to do that. We are happy to abide by the conditions set forth by staff. The tree it is a very prominent one and we are happy we could incorporate it into our design. They aren't planning on moving the house. At one point they wanted to move it down to the lots at the back of the neighborhood and they looked at doing a much more intense development on the site but they backed off of that considerably and felt that this was a lot more appropriate after discussions with the neighborhood.

QUESTIONS FROM THE PUBLIC:

Willem van Dijk: Resides at 653 Preston Place, which is now 625 on the building and 635 on the online catalog. There is a concern regarding cars parking facing the home because I am the unit on the ground level facing the parking lot. What kind of fencing will be placed and what kind of light screening will be placed to ensure that the home experience doesn't change?

Mr. Collins: We have a fair amount of buffering and we are happy to add additional landscaping. We are also happy to look at a fence there if that is something that is more desirable.

Mr. Gastinger: To be clear, two feet of the five foot distance is a grass space for overhang. Is it correct that there is only three feet available for additional screening?

Mr. Collins: That is correct. There is a total of 5 feet and the fence would be on the back side of that.

Mr. Lahendro: There is a cut in the stone wall with steps coming up from the lower site around the house to what will be the parking lot. Will that be kept? How would the fence work around it? If Mr. van Dijk wants to keep that, it would be a break in the fence.

Mr. Collins: The fence could run overtop the stairs. It does come on our property but the steps are on Mr. van Dijk's property.

Mr. van Dijk: They are useless and they are sitting steps, but I'd like to keep them if possible.

Paul Wright: Resides at 612 Preston Place and is the Venable Neighborhood President. Initially when we looked at this design there was an entrance and exist on the left and we had significant concerns about how the headlights would shine into neighbors' homes. They also talked about making that part of the street two-way, but it was crazy to allow them to come back out the same entrance they went in. This have evolved after talking to several neighbors. Some neighbors like it and others don't, but the exit is now curved, which will prevent people from making a wrong turn on the one-way street. This circulation is a big relief on any traffic congestion and it's great that there is no lighting. We would like you to spend a little time on the screening of plants and make sure they are sufficient. Overall, assuming they are allowed to have a parking lot, this is about as good as it's going to get.

Beth Turner: Resides at 630 Preston Place. My property exactly parallels the entire length of the parking lot. The application is for a driveway extension, but they do not have a driveway. They have a construction site on what once was a grassy knoll and they are going to construct a parking lot and a driveway. Secondly, the proximity of this is so important for the BAR to understand. The headlights of any car is going go straight through there even if there is a board fence. They will hear the engines and see the lights, and people are trying to live their lives around what is become an increased density. The Preston Court Apartments have been renovated to the point that they are at least 1/3 more occupants that will be in there than previously. It is being fitted out as a dormitory and we expect the arrival of 179 more people. Maybe it is by-right, but they are paving the entire hill and will cut down two amazing trees to do it. This neighborhood is a jewel and it is at a tipping balance and the BAR is holding the line. How will you enforce the plantings? The entrance and exit route is supposed to be one-way, but there is nothing preventing them from coming out the entrance. How are they going to enforce the screenings?

Greg Kendrick: Resides at 622 Preston Place. The character of Preston Place is a unique street in that it has a tree canopy as you pull into Preston Place. There is a concern about changing a core character of the street by removing some very large old trees along that edge. Has everything been done to potentially save the large old trees along that line of the property to maintain the canopy? Whatever plantings they do will be waiting several decades to have a similar canopy. Most of these trees were planted 50-100 years ago and we will be losing some of that with these plans.

Mr. Collins: We have looked at several iterations of the parking lot and one of our first iterations was to put the entrance more further north and keep the two cedar trees. However, the whole site slopes to the north pretty hard. Any entrance from anywhere other than we have it has Preston Place falling off and the site still sits up, which is a lot more invasive on the whole site because it required cutting the site down 2-3 feet, if not more up next to the building in order to make it work as a parking lot. The place to come in for the parking lot to actually function is where we show it that way it can work with the existing grades above the lot without moving a lot of dirt.

QUESTIONS FROM THE BOARD:

Mr. Schwarz: The topography is confusing because it looks like you are dropping a couple of feet and there is no indication of how that's being feathered back out onto the site. If that is the case, how will the topography change around the parking lot and how it will affect any surrounding site walls and existing features? Additionally, will the City allow you to have no lighting? It sounds great, but there is a worry that someone will tell you to light it for security reasons and if that happens we would need to see it and it would drastically change my opinion of the parking lot. When it comes to the fence, we are going to want to know what it is and how tall it is because we don't generally approve tall fences.

Mr. Collins: The northern part of the parking lot is right at grade and the northeast corner has an existing grade at that point at 693, which feathers right into that area and the northern part of the site is tying right into the grades. There is no change in topography there. We also have enough lighting from the two buildings so we don't have to put lighting in. If for some reason we did have to look at lighting, we would look probably look in the smaller low bollard area to keep lighting low in this area. Regarding the wood fence, this is the first time we are just hearing about it but we envision a 6 foot high opaque wooden fence that fits in with the residential neighborhood feel. We would want something that would block the light with landscaping on the back of it to help with noise from the cars.

Mr. Schwarz: We need to figure out if it would be a total of 6' or if it would be 6' on top of the stone wall. If you put a 6' wall on top of it, we would be looking at an 8-10' wall.

Ms. Christine Colley: I am the owner of the property with a fence adjacent to this that could potentially be extended. It would be better design-wise if the existing fence would be tied into it. It has varying heights, but having an integrated fence would be far superior.

Mr. Werner: Our Guidelines talk about not exceeding 6' so the fence would not exceed that height, but we still would like to know what they are proposing. If it matches what is there and the 6' is acceptable, is that okay or would it need to come back to the BAR?

Mr. Lahendro: It looks like it is about a 4' tall fence towards the road and then it steps up to about 6 feet right at the house. It just needs to be coordinated with that.

Ms. Miller: That one little part would come back just because it's a requirement of everyone and we should be fair.

Mr. Mohr: When you talked about the possibility of moving the driveway slighting and lowering the grade, what is the subgrade condition?

Mr. Collins: There is a stone wall along that portion of the road. The further the entrance moves north it drops across the whole entire site. It really affects how it ties in with the old house.

COMMENTS FROM THE PUBLIC:

Richard Crozier: Resides at 624 Preston Place. One of the problems we've noticed is that there is considerable flooding in the area and in the front lawn. Having a heavily graded parking lot might not contribute to the problem but it could be a little worrisome.

Mr. Collins: It would contribute 0%. We recently installed a new drainage system for the apartment complex. When it was constructed 100 years ago it had an interior courtyard that drained into the basement and pumped out to the street. We replaced that entire storm line. This is pervious paving and there is gravel so if any water gets in there it should seep into the ground. We also have an overflow pipe system that picks up all the drainage from the parking lot and takes it east to tie into the drainage system from Preston Place down to Grady.

Lisa Kendrick: Resides at 622 Preston Place. In the beginning of this we were very supportive of the project and we believed it would decrease the concentration of people in the neighborhood to maintain the gracefulness and integrity of this historical site. It has changed so much from when we were in support of it. This parking lot becomes the focal point and the BAR has been given the responsibility to the City to maintain the integrity of historical communities. It is a place that people love and walk through and living together in this community. It used to be a grassy knoll and instead now there is a paving stone parking lot. The trees that have been there for such a long time are gone and the owl doesn't even live there anymore. It is confusing to me that if your mission is to maintain the integrity of these historical parts of Charlottesville, how is this okay? This was a beautiful knoll that everyone walked around and enjoyed. How can it become this? You may put in hedges to block some light but the gracefulness it once had is gone. It's not about those of us who are living there now, it's about the next people. Is it really the best fit?

Beth Turner: They are building a parking lot without any lights, which makes no sense. If the applicant thinks he's getting enough light coming from the building, have you approved the flood lights that are going to be on the side of the building that will spill over into the whole neighborhood? This will be filled with headlights and flood lights lighting up that area. How are they directing the lights from the building if they think they can light the parking lot with that?

Ms. Miller: There are no floodlights associated.

COMMENTS FROM THE BOARD:

Mr. Gastinger: Thank you to the members of the public who spoke on this project. There is no way I can find this appropriate. In the Site Design and Elements, it says “the relationship between a historic building and its site, landscape features, outbuildings, and other elements within the property boundary all contribute to a historic district’s overall image. Site features should be considered an important part of any project to be reviewed by the BAR... The resulting character of many of the residential streets in the historic districts is one of lush plantings and mature shade trees. While there may be much variety within the house types and styles along a particular street, the landscape character ties together the setting and plays an important role in defining the distinctiveness of the districts.” Amongst our Guidelines we are to assess whether the mass and placement of proposed modifications are visually and architecturally compatible with the site and the applicable design control district. We are to assess the effect of the proposed change on the historic district and the impact of other protected features on the property, such as gardens, landscaping, fences, walls, and walks. We are to assess whether the proposed method of construction, renovation, or restoration could have an adverse impact on the structure, site, or adjacent buildings or structures. In Site Design and Elements, we are encouraged to retain existing trees and plants that help define the character of the district. From the Department of the Interior’s Standards, one of the not recommended items for rehabilitation is locating parking areas directly adjacent to historic buildings where vehicles may cause damage to buildings or landscape features, or when they negatively impact the historic character of the building site if landscape features and plant materials are removed. The corner of the building is about 3’ from the road, as well as the porch. Introducing new construction on the building site isn’t recommended when it is visually incompatible, which destroys historic relationships on the site. Both entrances and exits of this building are altered. The back stair is removed from the patio and the existing front stair, which is a simple wood stair that comes down from the porch, is now on an obnoxious little brick patio. It gives a totally different sense of what this house is in its relationship to the landscape. It is crazy that we are even considering this as a way to treat one of the architectural features of this neighborhood and really important structure in the development of Charlottesville.

Mr. Ball: At this point, this is all one lot. Has dividing it up been looked into or are you just figuring the parking lot would be on the historic lot?

Mr. Collins: Right now the parking lot would be on the historic lot.

Mr. Mohr: The original parking for this structure was down at the end of the street where the garages were, right?

Mr. Kendrick: Yes. Recently it’s only been street parking. We have never had an issue with parking and there were always empty spaces on the street, even when the building was occupied.

Mr. Mohr: When they talked about moving the house there were tradeoffs for how this was going to work, but now it’s crowding the old house, which is a crown jewel of Charlottesville. The appealing part about moving it was it was restoring a sense of having an open frontal approach that it had before Preston Place went up. Without having that in place, it changes the game. Is the parking is actually street adequate? If this is primarily student housing, is there any reason to encourage these cars or compromise the neighborhood and the integrity of the old house for that reason?

Mr. Lahendro: This seems like a continuous increase in density. This house was a plantation house that sat by itself in a lot of land. Preston Place is an intrusion on the site, as well as the houses that are there now. I actually voted with the State Review Board to allow the house to be moved because its current situation and placement has lost its frontal and openness in front of the building. It is a very poor siting of the house now as it exists. The parking lot is another development in the density of Charlottesville. The most disturbing part is the destruction of the cedars and it’s hard to believe that it couldn’t be redesigned to avoid that.

Mr. Sarafin: The new siting of the house might have been pleasing in some ways but I am glad it isn’t going anywhere. That said, this doesn’t do it much of a service, at least in its historic context. This isn’t an appropriate treatment of what remains of that site.

Mr. Mohr: It feels haphazard how it relates to the courtyard of Preston Plaza going back to the driveway. In the name of preserving trees, it needs more trees in the center of the parking lot. You have to pull away some of those parking

spaces and get some large trees in there because it is going to be a broiler oven in the summer. Perhaps something 1/3 of that size could be done for those who have to have a car every day, but it seems like a lot to have on that site.

Mr. Schwarz: It's great that the house is staying because there is a lot of history there and if you were to move it the other site you'd no longer recognize the whole story. There probably needs to be compromises on this site at some point, whether some parking gets introduced, but it's unfortunate that nearly every square inch seems to be filled with parking spaces. As far as parking lots go, this is a beautiful parking lot. There are tons of trees, screening, and pavers, etc. but it's still eating up the entire site and this neighborhood's character is defined with lots of trees, plantings, and yards. I could see some compromise but this is too much.

Ms. Miller: Agreed. We should base our thoughts around maintaining the Guidelines. It's in the applicant's interest to request a deferral so that they can come back at their leisure.

Mr. Balut: The parking lot is very successful in keeping the circulation out of the neighborhood. The wrap around is very successful and the parking lot is shielded in a successful way. We don't want to lose trees, especially key feature trees. It is an attractive parking lot. If this were to come to fruition and the plantings were to come to maturity, all visibility of the house is going to go away from the west side. The east side would be fairly well landscaped and would look typical and ordinary, like many of the houses. From an entry and exit and considering the traffic in the neighborhood, it is a successful strategy in itself. The main problem is that it is too big and you've jammed in too much too close to the house. The way the parking lot addresses the interaction with the historic structure is just overcrowding the structure, which is the most offensive part of the presentation. The more distance you can get around the house to keep its integrity, the closer you will get to approval.

Mr. Collins requests to defer the application.

Mr. Werner: The BAR review is of the design and things are allowed to occur on the site by-right. The role of the BAR cannot be to freeze this backyard in its current condition. It is simply not in our purview to say no.

Motion: Mohr moved to accept the applicant's request for deferral. Balut seconded Approved (9-0).

C. New Items

1. Certificate of Appropriateness Application (Historic Conservation)

BAR 19-06-02

600 Lexington Avenue

Tax Parcel 520165000

Thomas Ward, Owner/Applicant

Fence Installation

Staff Report, Jeff Werner: This house was constructed around 1930. It is a 2-story American Foursquare and is a contributing structure within the Martha Jefferson Historic Conservation District. The house is covered with stucco, and has a single story rear addition. This corner lot has street frontages along both Lexington Avenue and Sycamore Street. The request is to construct a wood fence along the south edge of the property (facing Sycamore Street). The fence will follow the west-east drop in grade, starting at 3'-6" in height and ending at 5'-6" at the southeast corner of the property. Within the fence will be a 6'-0" wide by 3'-0" deep by 8'-0" tall, wood pergola with a gate. Through this will be a brick pathway. The portion of the fence east of the pergola will be set back 1'-6" from the sidewalk to allow for plantings. This parcel is a corner lot at the intersection of Lexington Avenue and Sycamore Street. The HC District Guidelines for New Construction and Additions recommend that fences abutting city streets not exceed 3'-6" in height. Staff finds the pergola/gate and the fence section west of the pergola to be appropriate, acknowledging that the change in grade will result in a portion that is slightly taller than 3'-6". Relative to the fence section east of the pergola, staff suggests that slight modifications might offer a design that could be supported. As a reminder, this is a Historic Conversation District and the Design Guidelines are intentionally far less rigid than those for ADC Districts and IPPs. The impact of the fence length that is taller, east of the pergola, can be mitigated and possibly approved, by employing one or even a combination of at least five modifications: 1) shifting the pergola east, thus reducing the

length of the “taller” fence segment. 2) Reducing the height of the taller fence segment by some amount. 3) Increasing the space between the taller fence segment and the sidewalk. 4) Requiring specific plantings in the space between fence and sidewalk. 5) Separating the individual fence slats, making the fence more permeable. Additionally, in contrast to the legitimate concern that this fence segment not become a wall along the sidewalk and street, a physical separation between sidewalk and yard, between public space and private space, can often contribute to a positive pedestrian experience. Staff recommends that reducing the maximum fence height at the eastern terminus to 5’-0”, increasing the setback for this section to 2’-0”, and proscribed plantings would provide a design that we would recommend for approval.

Applicant, Tom Ward: I designed the fence specifically to create a sense of privacy for my daughter and her family and security for her young child. The Guidelines say that the fence is to be 3’-6”, but that it for fronts of houses and fences located on a side yard between a street and the front of a principle structure. This is on the side of the house and this isn’t the front of any structure. There is one house across the street that faces Lexington Ave. The only structure that faces the fence is a garage. Originally the fence was designed from a height of 4’ to 6’ and it was at the level of the street because the sloping of the backyard is relatively narrow. We are trying to maximize the use of the backyard. There is a concern that the fence feels like a wall. Most of the pedestrian traffic on the street, however, is on the other side of the street because this sidewalk stops at the end of the block, which is about 150 yards down the street. Having spoken to Mr. Werner, the plans were revised to show a beginning height of 3’-6” with a maximum height of 5’ and a pergola roughly halfway through. I also stepped it back 1’-6” to alleviate the sensation of walking by a wall. The fence doesn’t give you true privacy, it gives you the allusion of having some privacy. By stepping it back, it allowed me to create a planting strip. The reason the arbor is in that location is because it is at the edge of the usable section of this yard, so it wouldn’t interfere with going in and out of the gate. There is a curb cut there and I intend to have operable gates, which is immediately to the east of where the pergola is now. The pergola is also halfway through the length of the gate to break up the experience as a pedestrian moves down. At the height of the fence at 5’6” most people would be able to see over the fence for the majority of the fence. If you drop it much further the illusion of privacy is lost and there is no privacy at all. Stepping it back an additional 6” would not affect the experience of the pedestrian walking down the street, but it would reduce the usable yard area by 2%. I’ve already lost 6% by moving it back 1’-6” and 2% more is significant. We want to have plantings there to create a garden with sequential bloom. Separating the pickets to make it more permeable is the opposite direction from where we are trying to go in terms of privacy. The 5’-6” is a reasonable height and stepping it back 1’-6” should alleviate the current concerns of it feeling like a wall. The staff report says that physical separation can contribute to the positive pedestrian experience and this fence gives depth and scale. The fence in general would create a good pedestrian experience with color, excitement, form, texture, spatial variation, etc.

QUESTIONS FROM THE PUBLIC:

None.

QUESTIONS FROM THE BOARD:

None.

COMMENTS FROM THE PUBLIC:

Genevieve Keller: Resides at 504 N 1st Street. This design completely avoids the property’s front yard and front side yard, on which the City has clear guidance for the Neighborhood Conservation District. There isn’t such specific guidance for side streets and the rear and rear side yard. This redesigned height does a very good job of meeting his goals for privacy and child safety and the BAR’s goals for a good pedestrian experience. Tom is an excellent craftsman and this will be a fence he will build with love and attention, particularly so because it’s for his first grandson. He is an expert on pedestrianism and pedestrian scale and he brings a sensitivity to this and I would love to see his design approved as it was submitted.

COMMENTS FROM THE BOARD:

Mr. Mohr: It is a pretty wide open space so the scale of the fence is not an issue. Moving the pergola doesn’t make any sense spatially and because the street does have a gentle slope to it, it seems like a clever way to tweak it by

carrying it as a horizontal line. The nuance of it makes sense too; it gradually makes itself more private and it utilizes the slope to do so.

Mr. Balut: It has been designed elegantly. Clearly it is a corner lot but clearly that is the side of the house. This is one reason why even though we often consider the corners to be two fronts, in this context having it be the side of the house contributes some leniency. Bumping it back 18” from the curb is a successful strategy to eliminate the concern of the part of the fence that is higher than 3’-6” and it also contributes to the elegance of the design.

Mr. Schwarz: We do need to be careful on sides on a corner lot. It is something that is precedent setting and we shouldn’t just toss it aside because it is the side of the house. On the other hand, I am sympathetic because the back yard is very skinny and lowering the fence to 3’6” was a good move. I wish the 18” were a little bit more so that something a little bigger could be planted there, but it won’t hold me up from supporting this.

Mr. Mohr: There are a number of streets in Charlottesville where you don’t need so much parking or street and the City could be putting in some bump outs for street trees. Given the size of their yard, there’s no way they could do that. This isn’t the applicant’s problem, but it’s a classic case where some street trees would be really nice.

Ms. Miller: I am a neighbor about 4 houses away. The sidewalk does end there, but it’s important to note that there is a house next door that faces out and it puts a weird condition on the front of their house for there to be a tall fence next to them. My only reservation is the Guidelines for this is only two pages and it seems difficult to not abide by them when they are so limited. That said, it’s nice that the fence gets low towards the house.

Mr. Gastinger: There may be enough support on the board but there are concerns about setting a precedent and the Guidelines are very clear and simple. They apply in this condition and the entire fence is not compliant. Our neighborhoods would be better if we didn’t have fences that were higher than 3’6”. In addition, the Guidelines for Martha Jefferson lists the fence height as an especially pertinent Guideline to adhere to. They were Guidelines that were worked out in conjunction with the community themselves so it’s hard to just sweep it aside so easily.

Mr. Mohr: There are Guidelines and precedent, but there’s also judgement and whether it’s a condition that we feel merits it. We are not bound by the Guidelines, but we have to treat people fairly with the Guidelines as a basis. This fence will be a nice resolution to that side of the street. The streetscape itself needs a lot of work, but that’s a public issue.

Mr. Sarafin: The point is taken about the Guidelines but they are Guidelines and we are always concerned with setting a precedent, but we state that in the motion that this might not meet them as they are written, but we’ve made very conscious decisions as to why that is alright in this particular situation. I am completely supportive of what appears to be a pedestrian friendly fence and a really elegant solution to this on a difficult side street lot that is devoid of much pedestrian character as it is. I see it as an improvement and I support the application as submitted.

Ms. Earnst: I agree. We are making a conscious decision that this is an exception to what the Guidelines may desire. I’m also more open to making those exceptions in Conservation Districts and that’s an important distinction to make because it’s meant to be a lighter touch. This is not affecting the overall nature of the historic district and its character-defining features.

Mr. Balut: Although I admire that Ms. Miller tries to keep us to the Guidelines, in the 3.5 years of being on the BAR I’ve never seen an applicant come up and use precedent to try and get their way. We always maintain the authority to review the application in front of us based on our perception of that and in its context and we aren’t bound to say yes to someone because we said yes to something similar in the neighborhood.

Ms. Miller: We should always consider adding privacy with plants and not necessarily just fences. It is a way to give privacy that is desired without having such a hard boarder.

Mr. Mohr: However, in the context of a narrow lot, it means you probably just lost 5 feet to get them that tall.

Mr. Lahendro: The pedestrian experience is important. I like backyards and sides of houses and I want to be engaged with what is around me. I don't want to look at a white wall. However, I am okay with it because we have created the planting bed. The fact that the fence is low at the side of the house from the pergola up means that one is engaged again with the house.

Ms. Miller: This is an open street and it does feel open. This sidewalk feels elevated and the yard falls away. The applicant was able to express his design as well, which should be taken into consideration when making a motion.

Motion: Balut moved having considered the standards set forth within the City Code, including Historic Conservation District Guidelines, I move to find that the proposed fence and pergola satisfy the BAR's criteria and are compatible with this property and other properties in the Martha Jefferson Historic Conservation District, and that the BAR approves the application as submitted. Sarafin seconded. Approved (7-2 with Miller and Gastinger opposed).

2. Certificate of Appropriateness Application

BAR 19-06-04

129 Chancellor Street

Tax Parcel 09013400

Beta Psi Housing Corporation, Owner/Tom Ross, Applicant

Front Yard Renovations and Retaining Wall Replacement

Staff Report, Jeff Werner: This house was constructed in 1906. The Woods House is a contributing structure within the Corner ADC District. This two-story Colonial Revival detailed house has historically been a rental property and fraternity housing. The request is to replace existing concrete retaining wall with a brick retaining wall with bond and material similar to that at 127 Chancellor Street, remove and reconstruct the concrete stair, with the new stair to be wider and have bluestone treads and brick risers, replace concrete walk with bluestone pavers set on a concrete base and on adjacent yard area install bluestone pavers with pea gravel joints and brick edging on the front yard, and install four benches on new bluestone patio area. Staff finds that the retaining wall replacement seems appropriate for the wall's size, seeing that the concrete curb walls that surround the property are minimal compared to the proposed retaining wall. However, the BAR should discuss the appropriateness of replacing the existing concrete wall with a brick retaining wall, since this wall appears to have historically a concrete or parged CMU wall. Staff finds all patio alterations and modifications appropriate, although staff recommends that all patio and recessed lighting's color temperature be equal to or below 3000k.

Applicant, Cabell Cox: Regarding the appropriateness of brick vs. concrete, the concrete curbing is limited to curbing. Throughout areas of Madison Lane, along the main road in front of the Rotunda, and down Chancellor Street there are various forms of brick walls ranging in curb application to painted brick to concrete capped brick, all in various sizes and widths. What we are asking for is more appropriate and substantially more common in the area than a concrete wall, particularly a parged block concrete wall. As part of the application process, there isn't an official report but the wall needs to be replaced and there is evidence that the wall has attempted to be repaired at one point and still has some failures. Based on historical records and depending on what you consider historical, this wall was installed sometime in the 70s to replace a stone wall. We are here to adhere to the BAR objectives and goals, however it would be a shame to go through this major upgrade for a less aesthetic option, given what is going on around it. We weren't aware that the neighboring property hadn't gone through this process and we've made note that we want to mimic their brickwork and bluestone, but I'm sure there can be a compromise on our end for what the BAR wants to see. Our hope is that we can go with the brick wall.

QUESTIONS FROM THE PUBLIC:

None.

QUESTIONS FROM THE BOARD:

Ms. Miller: You have the laurel hedge our front now. You are proposing to go to a hedge that loses its leaves in the winter and move the laurels back by the house. Is that correct?

Mr. Cox: Yes, the laurels would be moved back by the foundation of the house to create continuity in the design element.

COMMENTS FROM THE PUBLIC:

Tressie Daniels: I am the property manager for the Delta Zeta sorority house, which is two doors down across the street. Chancellor Street doesn't look good and any improvement is greatly appreciated. The house next door that did similar work is such an improvement. Fraternities aren't good about keeping their yards nice and this would allow for them to better keep their property looking nice. There are a lot more brick walls than there are concrete walls and we have a lot more rock walls than concrete walls. The historical value of the City is greatly appreciated and we always want to adhere to the Guidelines, and I am very much in favor of this proposal. The brick wall definitely keeps with the historic integrity of the time the house was built and the integrity of Chancellor Street as a whole.

COMMENTS FROM THE BOARD:

Mr. Schwarz: It was important that the applicant come to a meeting because there is precedent here. We've given other people a hard time concerning concrete curbing and making them preserve concrete work throughout their landscape. That said, in this instance the concrete is failing and it isn't as old as the house, so I would be in favor of an upgrade of removing the concrete in this instance. It was important that this was brought to us and we need to see them regardless of how ugly they are.

Mr. Mohr: The brick is fine but there are reservations about the wide steps and radius corners. It feels too formal to be that wide going all the way down. If they are going to pave that much, a tree might be nice.

Mr. Sarafin: I wouldn't have voted in support of the work next door with the wide opening and the curved brick wall. As far as this property goes, looking at these photographs, it is clear that that concrete wall is a different mix from the City mix and the integrated historic curbing elsewhere, so I'm not nearly as concerned about losing that element. Matching it exactly with next door isn't the right answer because it isn't scaled appropriately. Generally, if you are going to go with new materials to replace this, brick seems fine, however the width does seem a bit too large scale.

Ms. Miller: It doesn't seem like the benches are a good idea for the front yard of a fraternity house because it seems like a great place to store red cups and garbage. A tree would also be appropriate in the front yard. The whole idea is to maintain the site so it continues to appear to be a residence and not just go for the lowest common denominator because it has fraternity boys that don't take care of their property.

Mr. Lahendro: A scored, rendered coding on a masonry wall is a very historic skill. This is definitely pre-1970s because it's pre-World War II. It's unclear if it is original to the house, but it is valuable and worthy of restoring. There are craftsman who can do it so I am against replacing the wall.

Mr. Werner: Staff couldn't find anything on it.

Mr. Gastinger: It would be nice to have more information about the wall, but the curved brick isn't necessary. There is something low, modest, and elegant about its current profile.

Mr. Balut: We all may be wondering what the significance of the wall is from a historical perspective, but we can see that some of it has been replaced before and it's in awful condition. The proposal as designed is a nice design and it makes sense to widen the entry to meet the stairs to the house, but it does make the house a bit more formal. The example next door is quite successful. This is quite attractive and you've given a lot of examples to show that within the context of this neighborhood it is in keeping with the design aesthetic of the neighborhood. Unless we found something remarkable about the significance of the wall, I would be in favor of approval.

Mr. Ball: There is some historic significance to scored concrete walls but there isn't much historic significance to this one. The parking if falling off and it doesn't seem like a good candidate for preservation. As far as the lawn goes, lawns are great but this is trashed lawn and it's going to look a lot nicer to have a nice hardscape. A tree would be nice, but there isn't room for much and if you plant it too close to the wall it will destroy it.

Ms. Daniels: This house has a telephone pole with a transformer right in front of the house so there are possibly power lines that run through there. Trees would be nice there, but it wouldn't be very practical in front of that house.

Mr. Gastinger: That is an important comment because if you were going to place it, it would probably be on the southeast corner.

Mr. Ball: One reason this concrete wall has probably failed is due to lack of drainage. Do you have a drainage plan?

Mr. Cox: Yes. We are also in talks with the house next door because the downspouts between the houses is going straight down the alleyway in between them and we have a plan to fix it.

Ms. Earnst: There needs to be more exploration around the history of the wall before we can demolish it. There are also some noted design tweaks that could be made in addition. It could benefit from a further look.

Mr. Lahendro: I'm not suggesting repairing the existing wall. It is severely damaged and needs to be replaced, but it should be replaced in kind.

Mr. Sarafin: That is the ideal situation, but if it isn't feasible to replace it in kind I do feel comfortable with the proposed replacement because it is at an appropriate height. Ultimately it needs to be replaced.

Mr. Mohr: It's a tossup between the concrete and brick but the scored stucco appeals to me more.

Mr. Schwarz: Right now we don't have enough support for the brick option.

Mr. Cox: Is there any avenue of potentially matching the patio brick, which is slightly different from the house? If we could provide samples to get as close as possible to either the house or the patio, would that provide any sway?

Mr. Sarafin: Brick choice is certainly important. The intent is brick and no amount of convincing from a historical point of view that concrete might be more appropriate or look better subjectively is going to change that. Our role is not to say no to things and the scale of it is appropriate compared to next door. That said, these were designed with a more pedestrian material because they aren't supposed to be the first thing you see, they are supposed to recede. For this house historically, brick is not an appropriate material historically for this setting, whereas the concrete is and it looks infinitely better.

Ms. Miller: It looks like there is support to replace it in kind, but not to replace it as proposed.

Mr. Gastinger: We could approve it as such and they would still have the opportunity to come back if they found other history about the wall or wanted to make an additional case for a change in material.

Motion: Schwarz moved having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and Elements, and Rehabilitations, I move to find that the proposed retaining wall replacement, stair, walk and patio pavers satisfy the BAR's criteria and are compatible with this property and other properties in the Corner ADC District, and that the BAR approves the application as submitted, except that the site wall be replaced to match existing, and that all lighting be equal to or lower than 3500k to produce a warm color. Lahendro seconded. Approved (8-1 with Miller opposed).

Mr. Lahendro: Notes that the Natural Parks Service Preservation Brief will provide formulas for the stucco and plenty of information if further research needs to be done.

3. Special Use Permit Application

BAR 19-06-07

612 West Main Street

Tax Parcel 290003000

Jeff Leviens, Owner/ Heirloom West Main Street Second Phase LLC. , Applicant

UTAC Redevelopment; Increase Density

Mike Ball recused himself from this application.

Staff Report, Jeff Werner: This parcel contains a non-contributing concrete block automotive building within the West Main Street ADC District. The building was in 1959, and finished to its current state in 1973. The request is to increase the by-right residential density if 43 DU/acre to 120 DU/acre. Increasing the allowed density will allow construction of a variety of dwelling unit sizes at various price points. When the property that is the subject of the application for an SUP is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR shall return a written report of its recommendations to the city council. In evaluating this SUP request, the Planning Commission and, ultimately, City Council will take into consideration the BAR's recommendation on whether or not the SUP, if approved, would adversely impact West Main Street ADC district and, if so, any proposed conditions to mitigate the impact. The BAR's recommendations is not a function of how the site will be used or occupied, but an evaluation of the requested SUP relative to the criteria within the ADC Design Guidelines. That is, will allowing increased density result in a project that conflicts with the Guidelines? Understanding that at a later date the final design must be reviewed and approved by the BAR, staff recommends the BAR find that the SUP will not have an adverse impact on the West Main ADC District. However, in reviewing the SUP the BAR has the opportunity to discuss and offer recommendations on the proposed massing and building envelope and how it engages the streetscape and neighboring properties, etc. Furthermore, the BAR may request that the Planning Commission and City Council consider including these design recommendations as conditions of approval for the SUP. The PLACE committee has had several discussions about block length lately and the block length here between 5th and 7th Street is about 525'. As far as a historic block, what you have now is what has been there since the City became a modern place.

Applicant, Jeff Dreyfus: When we were here two months ago we talked about the process of an SUP and the recommendation. This is a reaction to what we did on 600 West Main Street, the adjacent property. We found ourselves in a situation where we were having to design a façade for an SUP that we didn't know we were going to get. This is an attempt to put the horse before the cart to know that with your recommendation, assuming the Planning Commission and City Council approve the SUP, then we get to start in on design. The massing that we show is by-right within the district, as well as height. Additional height is not a possibility here so we are asking for a recommendation that filling the box that is allowable with more units rather than those that are currently by-right is a good thing and doesn't adversely impact on the district. We will come back to the BAR many times with the design as we move forward and anything we put forward at this time would be purely conjecture. We would rather know we have the increased density and we come to you with designs that react to that. We have gotten approval for a mural on the side of the former Mini Mart building and we are contemplating if it would be a possibility to create a small plaza next to that as part of this building so that it might be preserved. Engagements with the street is critical and we intend to have retail on the ground floor on the street side. Residential would very likely be on the backside of the ground floor facing the railroad tracks. The elevation diagrams indicate the recognition that the Guidelines talk about respecting former lot lines, even if not streets that didn't come through in this instance. It's something that we will be taking into account as well. Once we know we have the increased density it will be a good, robust conversation.

QUESTIONS FROM THE PUBLIC:

Patricia Edwards: Resides at 212 6th Street NW. I'm concerned about parking and how people are going to get that parking. Right now, everyone parks there, including construction workers, UVA employees, etc. and it has gotten so bad that a large truck like a firetruck couldn't get up the Brown Street hill if needed. Where are folks supposed to

park? There are also questions about the retaining wall at First Baptist Church and what will happen to it because the driveway is important to us.

Mr. Dreyfus: The very preliminary study of this site shows that we could get approximately 53 cars in a below-grade parking area. The maximum density we could have is 55 dwelling units. This project will likely be self-parked and people will be parking in the garage. Regarding the retaining wall, we can't say it will be maintained but it will be replaced. Assuming there is below-grade parking, we will be building basement and retaining walls. We don't have the right to impinge on the church's alley on that side drive so it will be maintained. Any wall on that property line will be structurally sound.

Don Gathers: I am the deacon at First Baptist Church. The applicant is asking for approval and saying that he will get the schematics at a later date, which we've seen in the City that that has failed before. I would much rather see everything laid out before you grant any approval to go ahead. There is a plan for 53-55 units with parking, but the ground floor will also be some sort of strip mall or grocery usage. Where does that additional parking go? As the oldest and most historic black church in the area, we are very concerned as to what this will do to our immediate area and what the landscape would look like moving forward, especially with the proposed plans to put a mural on the building.

QUESTIONS FROM THE BOARD:

Mr. Lahendro: The plan indicates an entrance to the underground parking on the south end of the building and underground detention structures on the north end. Is that set in stone?

Mr. Dreyfus: Nothing is set in stone. Any suggestions, ideas, or preferences that you have about where an entry to parking might be located we would like to hear it. This has all been very preliminary, recognizing that we have the space to do these sorts of things.

Mr. Balut: What is the length of the lot along West Main Street?

Mr. Dreyfus: 165' according to the site plan.

COMMENTS FROM THE PUBLIC:

Patricia Edwards: West Main Street is dense enough. My neighborhood, Star Hill, is being adversely impacted by what is happening on West Main Street. I urge you to deny any further density. This whole issue of density must be taken seriously and these ancient neighborhoods surrounding West Main are being adversely impacted and we don't even know the full extent of it. We are being impacted by construction. Our water was turned off yesterday because of it and we can't go down streets anymore because of it. Additionally the Annex building is in such a shape that it won't withstand this construction without significant damage. That building shouldn't be allowed to be that close to it and we are about to apply for historic designation for that building. It is wild that that type of building could be that close to a building of this significance and age.

Don Gathers: We are very concerned about what this particular usage would do to our building and our congregation. The parking issue alone is concerning and the structural damage it could potentially cause to our structure is mindboggling. As a City we need to take a look at the efforts we are making towards density and slow down, especially in that corridor where it isn't necessary and could be potentially damaging to another historically black neighborhood.

COMMENTS FROM THE BOARD:

Mr. Mohr: One of the reasons for the increased density is to reduce the actual footprint on the lot in order to play with massing. Is that a correct assumption?

Mr. Dreyfus: We will see, but the reality is with fewer units you could still build that same box with whatever permutations we need to in order to get approval. Increased density allows us to put the same units within the same box. Density is measured by parcel, not footprint.

Mr. Mohr: To get the increased density, we would expect more ability to manipulate the massing in return.

Mr. Balut: If you reduce the massing then you don't necessarily need the density to get more units. However, if you increased the density you have more flexibility in unit size.

Mr. Mohr: I'm just thinking about being able to manipulate the building mass and still keeping the economics. This mass isn't that big but there is still a question of rhythm and scale. Even though it's just preliminary, right now the box looks a little intimidating and it might be good to have things that break it up.

Mr. Dreyfus: Understood, but part of the question is, is increased density adversely impacting the district? The building could be as big for fewer units.

Mr. Schwarz: The public has come in with very valid concerns, but unfortunately our concerns are just with the outside of the building. The public needs to go to the Planning Commission for these things. I wouldn't put any conditions on this building that I wouldn't also put on it if it were just 20 units.

Mr. Sarafin: We have been reprimanded by City Council before for commenting on density.

Mr. Balut: The process that we are involved in is a smart one and we should look at how density might affect the massing and volume of the building. If we allow increased density, they are more likely to max it out as much as possible because that's what almost everyone does. If there is less density, then perhaps that wouldn't happen. There is a cap on square footage size of units and they wouldn't fill it up with 4 bedrooms.

Mr. Schwarz: Students would rent them just like The Flats. We would be getting just as many cars on the street from 19 unit, as opposed to people who might rent a 1 bedroom unit that wouldn't be students but would actually live in the town.

Mr. Werner: The recommendation is whether or not allowing additional density would, as a function of the Design Guidelines, have a detrimental impact. As far as a recommendation to Planning Commission and Council goes, the issue is that you can put 10 units for X square feet or 200 units at X square footage but they both result in the same building envelope. As the Design Guidelines go, we can't get into what is going on in that interior footprint. However, relative to traffic issues and activity at the site like the entrance to the parking garage would be a design element to raise a question to.

Ms. Miller: I disagree. When he does something by-right, we are back to the Guidelines. As soon as it becomes an SUP, there is more given and take than if you are doing something by-right. We may be able to exert ourselves in a way now to say that we might be okay with additional density but to also include things to counteract that.

Mr. Werner: It has to only be regarding the exterior façade.

Ms. Miller: Council and Planning Commission can put any list of requirements they want and it doesn't matter if it makes sense with our Guidelines because everything is up for debate because they aren't doing by-right zoning. We are recommending the things we think would make a special use permit okay if we say that increased density is okay.

Mr. Lahendro: I have been involved with First Baptist Church for a few years and I give pro bono preservation and architectural advice to them, as well as condition survey work. However, I don't believe I need to take myself out of the conversation because I get no financial benefit from it or from being a part of this conversation. That said, I've been in conversation with Brian Haluska, the City Planner for this application, and this particular block of Main Street in 1929 was a commercial grocery produce distribution center. University Tire and three other buildings were there, which is important because the heirloom construction project now was approved under a different zoning designation

than there is now. That zoning allowed a higher building. It's lower now because the Planning Commission took into account that Main Street changes at the railroad crossing rather than north and south. The east side of Main Street has a very different character, which is noted in the city code. Within the Zoning Ordinance for the West Main east zoning category there's also a requirement that the apparent mass and scale of each building over 100' wide shall be reduced through the use of building and material modulation to provide a pedestrian scale, architectural interest, and to ensure the building is compatible with the character of the district. This building is 165' on a block that historically had buildings similar in size and an SUP could only be granted if the design respects that broken pattern of smaller buildings or gives the impression of such through its design.

Mr. Tim Lasley: I would like to make a comment as a member of the public. The Special Use Permit that this property is proposing is especially important because if you can compromise that you can increase the density, the BAR can manipulate its massing in a way that it becomes a public affordance. It's by the same architect and if it relates into the 600 West Main project and having the mural on the Market building, there are many opportunities to come in and connect them together to create a more permeable public space. If the two projects could be meshed together more efficiently, it could afford great public urban spaces.

Mr. Lahendro: With all due respect to Ms. Edwards and Mr. Gathers, density is coming to Charlottesville. It's going to happen and I'd rather do our best to control it so the increased density is justified for this building. Another concern that was brought up by the public was the structural stability of the Annex if this goes forward. It can be safeguarded and there are monitored systems that you can put on existing buildings to record any movement of the building. An engineering firm can send out warnings if there is movement over a certain amount. There are ways of constructing next to another building and doing it carefully and not damaging that building, so I'm not worried about that if those safeguards are built into the project.

Ms. Miller: If we go forward with the recommendation for increased density that should be one stipulation to require.

Mr. Schwarz: Putting conditions on this sound good, but we need to be sure that if the SUP fails and they come back with a by-right project, we still feel that we can do all of those things as the BAR. The argument that we can't bargain as much because it's not an SUP is flawed. Additionally, can we change the wording on this? It shouldn't be a recommendation, but instead we just find no reason that this would violate our Design Guidelines. It implies advocacy.

Mr. Werner: That wording is directly from the code. It is ultimately a finding that our opinion would or would not adversely impact it.

Mr. Balut: If we approve the SUP, how will we have less bite with our Guidelines?

Ms. Miller: It's just that the SUP gives us the ability to put on conditions that have nothing to do with our Guidelines.

Mr. Balut: So then are we as a board not confident that the Guidelines that we have are suitable as they are written to address the volume and massing of this proposal?

Mr. Werner: A SUP has a tremendous amount of discretion. It allows a locality to apply conditions that it thinks are necessary to offset that special use. We would be recommending things for them to consider and if they want to add those conditions under the SUP then it becomes something that is nonnegotiable.

Mr. Balut: It sounds like we have the opportunity to implement our own form-based code. From a preliminary look at this, it is a really difficult thing to stipulate in a discussion based on minimal information. If we have to make decisions holistically that we are bound to, we need more time to do that.

Mr. Dreyfus: The statements Mr. Lahendro made are part of the Zoning Ordinance and the Guidelines so they are already required.

Mr. Balut: We don't need to specify breaking up the mass or setting it back because we already have the ability to do that with our Guidelines. The question is what beyond the scope of our Guidelines might we want to consider to make a stipulation.

Mr. Gastinger: It's helpful to be clear about it. The approval of an SUP doesn't release them from any of our assessments relative to the Guidelines. However, because the request is relative to density, it helps to be clear that our recommendation does not mean that there aren't things that we are going to require relative to that street façade, which could challenge their ability to even have that density.

Mr. Balut: That seems implied and understood already.

Mr. Lahendro: We may want to be more definitive about it because it says that the length of the building can be reduced through the use of building and material modulation and articulation. Is it enough to just change material every 50'? In my mind it needs to be a physical break to break up the length and it needs to be more than just a material change.

Mr. Balut: It's a difficult discussion to have. How far do we go to make that determination?

Ms. Miller: There is value in getting the Planning Commission and City Council invested in some of these restrictions from the beginning of the process. It also helps if the developer is fully aware of where we are going and that the neighborhood also understands what we are okay with. It doesn't hurt to put a list together of our concerns.

Mr. Mohr: It's also important for Council to understand that we make a distinction between density and massing.

Mr. Sarafin: We are talking about the same building envelope either way, which makes this discussion difficult. The only worry is that we make a recommendation either way and it comes off as a commentary on the density part of it. There is an advocacy tinge to it that makes it problematic and awkward for us because it's outside of our consideration.

Mr. Schwarz: It is a courtesy that we are allowed to speak.

Mr. Sarafin: Whatever recommendation we make, we should make it very clear that what we are concerned with are the potential physical manifestations of high density here and things that might affect the thing on the street.

Mr. Mohr: If there's going to be increased density, there has to be a greater involvement with the design team in terms of massing and how the building is going to work.

Mr. Schwarz: It sounds like parking shouldn't be accessed directly from West Main, the building mass must be broken down to reflect the three parcel massing historically on the site using building modulation, and the Holsinger building must be seismically monitored during construction.

Mr. Dreyfus: How can you avoid accessing parking off of West Main if the only side you have accessible is on West Main Street?

Mr. Schwarz: That is better suited to be argued with the Planning Commission. You have 600 West Main and potentially you could work with the church because they have parking and access behind their building. There are just wish list items.

Ms. Miller: The reason I gave up voting for the project next door is because there is an unwillingness to come in off of any buildable square inch of the other project. That is a concern to consider when we're talking about a request to multiply the density by three.

Mr. Balut: We are taking this very seriously and trying to understand the best way to help, but one of the main things is that we don't want a superblock building. We want to understand the historical context and the desire to break up

that building is going to be quite prevalent. The idea of the pocket park is great, but that is just one way to break up the massing and there needs to be another, if not two more ways to do that. The concern is by going to increased density, which I am in favor of in theory, it could send the wrong message that it could be filled out more and we don't want to mislead you in that way.

Ms. Miller: Perhaps the breaks between the buildings go back as far as the backside of 600 West Main that is deep in the lot.

Mr. Mohr: Either way the key is that we want you to be able to really manipulate the massing and have some permeability back into the street from it even if it is just visual.

Mr. Lahendro: A great deal of pedestrian engagement along the sidewalk with transparency is needed as well.

Ms. Miller: We want it to defer to the historic houses and to the Holsinger building that are on either side of it.

Mr. Sarafin: Good idea. We don't need these things to be completely spelled out, but we should state that we want to reserve the right to do so.

Mr. Lasley: The two building can create a dialogue together. Having the same owner creates a unique opportunity in an urban space so the two buildings could really speak.

Mr. Werner: If Planning Commission and Council agreed to include your recommendations as conditions they would become an agreement that we are obligated to respond to. They aren't conditions that you could put on later that they could appeal to Council. You have to be careful about not recommending conditions that zoning wouldn't allow.

Mr. Sarafin: They should be items that we are concerned about for their consideration rather than conditions. How can we really put a condition to break this into three distinct buildings on this site when we don't know enough?

Mr. Schwarz: We could write it in a way that is flexible and general enough.

Mr. Balut: It has to be general. We can't define three separate buildings tonight. We have to let the architect do it and then we can evaluate it.

Motion: Schwarz moved that the proposed special use permit for additional residential density for the redevelopment at 612 West Main Street will not have an adverse impact on the West Main Street ADC District, with the understanding that the massing is not final, and must be further discussed, and [will require] a complete full design review at future BAR meeting(s) and propose the following conditions [for the SUP]:

- Garage entry shall not be accessed directly from the building's street wall along West Main Street;
- That the building's mass shall be broken down to reflect the multi-parcel massing historically on the site, as well as the West Main Street context, using building modulation;
- That the Holsinger Building be seismically monitored during construction;
- That there shall be pedestrian engagement with the street with an active, transparent, and permeable façade at street level;
- And that the building and massing refer to the historic buildings on either side.

Mohr seconded. Approved (7-0-2 with Earnst and Ball recused).

D. Preliminary Discussions

4. 909 Cottage Lane

The applicant was not present for the discussion.

5. 735 Northwood Avenue

The applicant was not present for the discussion.

E. Other Business

6. Staff Questions

603 Lexington Avenue

Mr. Werner: This applicant has a leaning shed that is in bad shape and they would like to replace it. It is a contributing structure to the Historic Conservation District. We have approved demolitions of outbuildings and the applicant would like to know if they need to replace it with something identical. He stated that someone told him that if he rebuilt what was there it would cost \$30,000, which is absurd.

Ms. Miller: It depends on what they want to replace it with. The shed isn't particularly special but it's listed as contributing because if you took all the sheds and ripped them all out then the thought is that the neighborhood would lose something.

1824 University Circle (Brody Jewish Center)

Mr. Werner: The Brody Jewish Center wants a representation of a light tent-like structure that are used in the Sukkot holiday. Ms. Coile stated that the owner's reaction to the columns being too permanent feeling is based more on this rather than proportionality. Earlier the BAR stated that 10x10 columns might be more appropriate. The top of the pergola has been approved and they do not like the doric columns. They mimic what is on the existing building, which was part of the original design.

Mr. Lahendro: The original building is stucco and it would be nice if the pedestals matched the existing building and they could pick up whatever stone might be out there for the stone caps.

Mr. Werner: There is a stone wall and there are stone elements on the patio area. Is there a width that is preferable for the posts and is there a base detail that you think would be best?

Mr. Schwarz: We would not have denied this if it had come to us before so I wouldn't deny it now.

7. PLACE Report, Tim Mohr: No report. Mr. Mohr was not in attendance.

8. BAR Guideline Work Session – June 20, 2019 – NDS Conference Room; 5:30-7:30 pm.

F. Adjournment: 10:30 p.m.