

**BAR MINUTES  
CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
Regular Meeting  
July 16, 2019 – 5:30 p.m.  
City Council Chambers - City Hall**



**PLEASE NOTE THESE MINUTES ARE NOT VERBATUM. A RECORDING OF THE MEETING CAN BE FOUND AT [http://charlottesville.granicus.com/ViewPublisher.php?view\\_id=2](http://charlottesville.granicus.com/ViewPublisher.php?view_id=2)**

**Members Present:** Breck Gastinger, Carl Schwarz, Melanie Miller, Mike Ball, Jody Lahendro, 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)**

None.

**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** [June 18, 2019] Regular Meeting
2. **Certificate of Appropriateness Application**  
BAR 19-01-01  
301 East Jefferson Street  
Tax Parcel 330204000  
Diane Hillman, Owner/Karim Habbab (BRW Architects), Applicant  
Concrete Bench Installation
3. **Certificate of Appropriateness Application**  
BAR 18-04-04  
1824 University Circle  
Tax Parcel 060097000  
Jake Rubin, Owner/Applicant  
Modifications to Pergola
4. **Certificate of Appropriateness Application (HC District)**  
BAR 19-07-01  
603 Lexington Avenue  
Tax Parcel 520167000  
Richard Zeller, Owner/Applicant  
Rear Shed Demolition and Replacement

**Motion: Gastinger moved to approve the consent agenda. Schwarz seconded. Approved (7-0).**

## C. New Items

### 5. Certificate of Appropriateness Application

BAR 19-07-02

150 Chancellor Street

Tax Parcel 090109000

John J. Gottschall, Owner/Tressie E. Daniels, Applicant

Cornice Repair/Replacement

**Staff Report, Jeff Werner:** This building was constructed in 1910. This Colonial Revival brick dwelling is a contributing structure within the Corner ADC District. This three story house has stylistic details including a prominent boxed cornice with modillion blocks and frieze board. The house also features a Colonial Revival dual Doric column porch. Serving as a rooming house originally, Delta Zeta Sorority purchased the house in 1979. The house still serves the sorority to this day. This is a request to replace the existing historic cornice with new using composite materials to mitigate material decomposition over long periods of time. The intent of replacing these elements is focused predominately on material temporality, and to reduce the cost of repair long term. The submittal refers to repair and replacement, however the information provided suggests only replacement; no repairs. The applicant request is to replace all of the painted wood elements: crown, fascia, soffit, cornice, frieze, bed mold, and modillions. The submittal provides information only on the proposed modillion—a corbel dentil of composite material. On 9 July, staff notified the applicant that the information provided was not adequate to represent what was existing and to what extent the new would replicate or be similar to the existing. The applicant intends to provide this information tonight. If this information is not provided, staff recommends deferral of this request. If the information is provided and the BAR wishes to take action on the request, staff recommends the following be taken into consideration during the discussion: 1) Will the new materials suitably replicate or be similar to the existing in both dimension and design? 2) The Design Guidelines recommends that any replacement be of a like design. 3) Do existing conditions warrant removal and replacement of the entire cornice? 4) Applicant has provided only one photo. 5) The applicant's intent is to increase the life-span and reduce maintenance of the cornice. 6) The Design Guidelines recommends repair over replacement. 7) The building is three-and-one-half-stories on the front, taller on the rear and side. Arguably, this height creates difficulties for routine maintenance. 8) Is the use of composite material appropriate? 9) The Design Guidelines do not recommended against use. In 2017, the BAR approved a Chippendale railing made of composite materials. However, the intent was to restore a long-missing railing; not remove and replace existing.

**Ted George, Sentry Exteriors:** The modillions are rotted all the way through and you just can't find them in any store anymore. Instead, they make polyurethane products now. It is microcellular and it is foam so when it is molded it will keep the form forever. It has a lifetime warranty on every block, it will not rot on the home, and it repels termites. The soffit is also cracked on the whole home and they make cellular composite boards in many sizes that we can put on this home. We can also put the same vented caps on them, which will look the same as what is on the home now. Basically are trying to get this home maintenance free. On the cornice molding, they do make pieces that get it very close to what is currently up there to give it the same design look that the building currently has.

**Tressie Daniels:** Notes that the backside of the house is actually 5 stories tall. It is very difficult to find contractors that have equipment that can go that high. We can't get lifts in that area, which is part of the reason why we are trying to make this as maintenance free as possible. We are asking for the ability to use the composite material because it looks like wood and it's just maintenance free. We would like to try to find something close to it without having the modillions custom fabricated and we are pushed for time here. The company we are working with is out of Lynchburg because there was no one locally that had scaffolding and to renting it would be too costly. It is expensive to maintain historic structures and we try our best to keep things original to maintain the historical integrity of the house, but sometimes we need compromises to try to make it look the same and have it still be feasible.

**QUESTIONS FROM THE PUBLIC:**

None.

**QUESTIONS FROM THE BOARD:**

**Mr. Schwarz:** Have you looked at the gutters at all?

**Ms. Daniels:** The gutters were replaced 6 years ago so they should be fine. The intense amount of rain we got last July made the wood start to deteriorate more. Hopefully the gutters aren't going to be a factor in this, but they may find out that there are issues when they get up there.

**Mr. Schwarz:** My first guess looking at the damage is that it would have been the gutters.

**Mr. Ball:** What material are you talking about using for the soffit and the fascia?

**Mr. George:** It would be the same, which is the cellular composite.

**Mr. Ball:** From the photos, the brackets look like they are in pretty good shape. It's hard to tell that they are actually deteriorated, so having more photos showing that would be helpful.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE BOARD:**

**Ms. Miller:** There are pertinent Guidelines that we should be considering. For the rehabilitation of the cornice, it says to "keep the cornice well sealed and anchored, and maintain the gutter system and flashing, repair rather than replace the cornice, Do not remove elements of the original composition, such as brackets or blocks, without replacing them with new ones of a like design, match materials, decorative details, and profiles of the existing original cornice design when making repairs, and to not replace an original cornice with a new one that conveys a different period, style, or theme from that of the building.

**Mr. Gastinger:** Our Guidelines also reference the Secretary of Interior's standards. In their rehabilitation Guidelines, their recommended action in this case is either repairing or, if required, repairing a deteriorated wood feature on a primary or other highly visible elevation with a new matching wood feature. They do not recommend replacing a deteriorated wood feature or wood siding with a composite substitute material.

**Ms. Miller:** What year were the windows replaced?

**Ms. Daniels:** It was during the summer about 5-6 years ago.

**Mr. Schwarz:** We do have precedent for using composite materials and we say to use it high up where you can't touch it. However, I am worried about the gutters and that you might be doing this work and covering up a much bigger problem. I understand you are on a tight timeline and budget, but if I were to approve this I would prefer you would make sure the gutters are right. Our Guidelines also say to match the materials, details, and profiles. Some of these were somewhat close, but if you were to replace all of it I would much prefer if you got someone to measure what is there and replicate it. You probably can't do that this summer, but you could do it next year. I sympathize that you don't want to be put there painting every 10 years, so if you were to replace it with composite, I would want to see a match to what is there.

**Mr. Mohr:** It would be good to know what is going on with the venting system as well. It could be that the gutters are fine but it is driving moisture from below up into it, which is why it's rotting. There is some technical research to do there, especially because this has fallen off so quickly.

**Ms. Daniels:** The back right corner and the front right corner started deteriorating a little over a year ago. I brought this up at the time but other things took priority. If we could just replace the soffit right now, we could come back for the rest. This week we can have someone come back out and check the gutters as well.

**Mr. Werner:** In my experience, the discoloration of the brick shows that something is not getting to the downspout and something is running down that corner. Regarding the header over the window, to see things move and shift like that there is something mechanical going on that's more than just moisture. It suggests that a scaffolding is necessary to diagnose what this is. It doesn't seem like this would be a quick 2 week project.

**Mr. Ball:** If the issue is Philadelphia gutters, which it looks like it is, once you open it up it is likely that you'll find that you don't have a surface to nail to.

**Mr. Schwarz:** If you do find that the gutters are bad after you replaced them five years ago, there is precedent for getting rid of Philadelphia gutters and putting on exterior gutters.

**Mr. George:** You can probably put gutters up there but you have to put straps on the curved pieces. It could be done, but they don't want that done.

**Mr. Ball:** It's possible to fix the Philadelphia gutters, but it's difficult to do and most people do it wrong.

**Mr. Werner:** The modillion matching them is probably not that difficult of a process. Other elements of the cornice may be fine in what's available and there is a level of diagnosis up there, which should provide some timing. There is a lot to be assessed so you probably have time to replicate the modillion.

**Mr. Mohr:** I would be inclined to do some exploratory surgery anyway and cut out a piece of the soffit. Most of this is easily replicated, it's just the modillion and you need to find out what is under it.

**Mr. Schwarz:** When you do come in to finally get an approved replacement, I would like to see some close up documentation and what you have selected to replace it.

**Mr. Ball:** You can look on Fypon's website and they can do custom matching with things, it just takes more time. If you have more time you can send in a piece.

**Ms. Daniels:** Thank you for the input. We will get everything checked out. We will have to table this for now until we find out exactly what is causing the problem. I would like to request a deferral for this.

**Motion: Schwarz moved to accept the applicant's deferral. Gastinger seconded. Approved (7-0).**

**Mr. Werner:** To be clear, are you willing to entertain the idea of an alternative material and that the intent is that you want to see something that matches? It's all about making the assessment of what is going on behind there. Is the idea of a composite material off the table?

**Mr. Schwarz:** I'm okay with it.

**Mr. Lahendro:** The material needs to match the existing because that is what the Guidelines say.

**Ms. Miller:** It seems to be up in the air. The BAR's composition changes and some people might be absent so you never can tell.

**Mr. George:** For those of you who don't support the composite material, are you saying that you want it replaced with wood?

**Mr. Lahendro:** I want to see it repaired, rather than replaced. You don't know how bad it is yet because no one has gotten up there to look at it. This building's maintenance has been ignored for many years so it's in bad shape, but I don't want to see the building be destroyed of its historic character because people have ignored it. Until you have a condition survey to see what shape everything is in, it's difficult to just look at pictures from afar and be okay with replacing all of it.

**6. Certificate of Appropriateness Application (HC District)**

BAR 19-07-03

1801 Rugby Place

Tax Parcel 050012000

Sophie Massie, Owner/Travis Miller, Applicant

Construction of Rear Wood Deck

*Mr. Ball recused himself from this application.*

**Staff Report, Jeff Werner:** This building was constructed c1929 and is a two-story Colonial Revival house that is a contributing structure within the Rugby Road Historic Conservation District. The request is to remove the existing rear deck and construct a new 10-ft x 15-ft wood deck elevated on brick piers with a stairway on the west connecting to the side yard. The elevation shows the east elevation, but the north and west elevations are similar. The cricks will match those on the house and the decking will be Ipe boards with painted wood (white) skirt board. The railing will be painted wood (white): 6x6 capped posts, 2x4 top and bottom rails with 2x2 pickets, top rail capped with 2x6. The stairs will be Ipe wood with painted trim, rail and stringers to match the deck. Below the deck, the space between piers will be have lattice paneling. The center panels will be set on hinges to create a doorways. Staff finds the proposed deck to be appropriate and recommends approval.

**QUESTIONS FROM THE PUBLIC:**

None.

**QUESTIONS FROM THE BOARD:**

None.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE BOARD:**

**Mr. Schwarz:** It looks great and you can barely see it. I have no concerns

**Mr. Sarafin:** It is entirely appropriate, especially in a Conservation District.

**Ms. Miller:** There are no Conservation District Guidelines that pertain to decks, but the materials are quality materials and it would also be appropriate in an ADC District.

**Motion:** Schwarz moved having considered the standards set forth within the City Code, including Historic Conservation District Guidelines, I move to find that the proposed rear wood deck satisfies the BAR's criteria and is compatible with this property and other properties in the Rugby Road Historic

**Conservation District, and that the BAR approves the application as submitted. Gastinger seconded. Approved (6-0-1 with Ball recused).**

**7. Certificate of Appropriateness (HC District)**

BAR 19-07-06

872 Locust Avenue

Tax Parcel 510094000

Michael & Monica Prichard, Owner/Josh Bontrager (Element Construction), Applicant

Construct New Garage and Site Alterations

*Mr. Ball recused himself from this application.*

**Staff Report, Jeff Werner:** This was constructed in 1906 for Widow Sallie Rives. This two-story Late-19th and Early-20th Century American Movement style house is a contributing structure within the Martha Jefferson Historic Conservation District. The house features a hipped roof and a porch that wraps the north and south facing facades. The 2010 map for the Martha Jefferson Neighborhood HC District indicates two small contributing structures in the rear yard. The survey lists two sheds, however these no longer exist. The request is to construct a two-car, two-story garage at the right rear of the house and modifications to the existing landscaping. The new garage will be 24-ft x 24-ft. It has a hipped roof with two dormers over the two-story portion and there is a single-story segment at the rear with a hipped roof that mimics that of the house's porch. The exterior walls will have a 4-ft section of brick that matches the house with Hardie Artisan siding above. The roof is to be standing-seam metal, matching the house. The entry doors will be Therma-Tru Steel Doors, the garage doors will be Madison 5411 Chi Cedar Paneled Garage Door, and the windows will be Solid Wood Clad Marvin Integrity Wood Ultrex Casement. As for landscaping in the front yard, there is a brick wall that runs along the sidewalk. It is continuous and the applicant has asked if they could create a 4-ft break within the wall to allow a walk to the front door from the sidewalk. Otherwise he is currently walking up through the driveway. At the existing brick parking pad located at the front of the house, they would like to replace the bricks with grass. Staff finds the proposed garage and site modifications appropriate and recommend approval.

**Applicant, Josh Bontrager:** The front masonry wall was built about 5 years ago and we thought it would be more pedestrian friendly to have that. We are repurposing the brick from the parking court that exists now for that walkway from the sidewalk to the front landing.

**QUESTIONS FROM THE PUBLIC:**

None.

**QUESTIONS FROM THE BOARD:**

**Mr. Gastinger:** Are you requesting any landscape approvals other than the walk and the puncture of the wall and the changes to the parking area?

**Mr. Bontrager:** No. The front yard is basically being left as is. There will be some landscaping in the back but it isn't visible from the street. We would be cleaning it up back there.

**Mr. Gastinger:** There was a comment that lighting wouldn't be visible from the street. Can you describe what lighting is part of the project?

**Mr. Bontrager:** There would be lighting from the ceiling fixture hanging down on the door on the back. There would also be some lighting for the side entrance to the garage. The final lighting plan hasn't been selected by the client yet. We don't have any lights planned for the street façade.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE BOARD:**

**Mr. Lahendro:** It’s good that we are returning it closer to its more historic landscape, especially in getting the parking out of the front of the yard, getting an opening and a sidewalk coming up to the front of the house instead of walking down the driveway. All of those are great improvements and the design of the garage is great because it is sensitive to the house itself and it picks up a lot of the nice details. It is a great project in general.

**Mr. Sarafin:** I agree. Any minor hesitation I might have had about the wall is gone knowing that it is five years old.

**Ms. Miller:** I appreciate that the garage is a reasonable size as well. It’s also great that you were able to figure out a way to save the tree.

**Motion:** Lahendro moved having considered the standards set forth within the City Code, including Historic Conservation District Guidelines, I move to find that the proposed garage and site modifications 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 (6-0-1 with Ball recused).

**8. Certificate of Appropriateness Application**

BAR 19-03-09  
400 Rugby Road  
Tax Parcel 090005000  
Westminster Presbyterian Church, Owner/Sandy Wilcox, Applicant  
Tree Removal and Site Improvements

*Mr. Gastinger recused himself from this application.*

**Staff Report, Jeff Werner:** This was constructed c1939 and designed by Marshall Wells for Westminster Presbyterian Church. It is a contributing structure in the Rugby Road-University Circle-Venable Neighborhood ADC District. We have had conversations about this situation before and in December there was a preliminary discussion regarding the removal of the tree and wall modifications. There were also discussions of creating ADA accessibility in the turnaround area to the north. This intent of this design is to eliminate the need to do that and accommodate that access through the northern break in the wall. One of the primary concerns was the removal of the tree, which falls within the City right-of-way, as does the work on the wall. In subsequent discussions with the City forester and other discussions with the Tree Commission, it was suggested that it would be okay to remove the tree, provided that the City Manager approved it. He has the authority to grant that and it has been signed off on. The last piece is to get the approval from the BAR for the removal of the tree and the reduction of the grade behind the wall to remove the curved segment of the wall. The request is to repair it with a straight segment that would maintain the design and height of the wall. Steps at the north wall opening will be eliminated, allowing access to a new, sloped path to the sanctuary; the pathway facilitated by the reduced grade behind the wall. The south wall opening will be reconstructed with steps, however these will be lowered from four risers to two. At the north entrance they would lower the grade behind the wall to accommodate an ADA accessible path. At the area where the ash tree is, there would just be some low landscaping. The church has been anticipating the removal of this tree for a long time and there are a series of trees that have been planted between the wall and the sanctuary to fill in that space over time. On 31 May 2019, the City Manager granted permission for the church to remove the tree and repair/alter the brick wall segment.

Staff finds the proposed tree removal, brick wall modifications and site modifications appropriate and recommends approval.

**Applicant, Sandy Wilcox:** Our impetus to doing this is safety and accessibility. We tried to address that in an informal meeting several months ago and we tried to incorporate many of those changes. It is a 600 member church and a 90 car parking lot so there are a lot of people walking to church. We are also aware of the failing health of the tree and five years ago we planted trees and they are started to come in to have a very open feel. As you look up and down the street, the tree is brutalized by the utility crews. We are interested in maintaining our role within that part of the neighborhood, as we are an anchor there. We aren't trying to have a very auspicious entrance for a church that size and we want to maintain the understated entrance. We also have one of the most active sidewalks in Charlottesville and with two feet of clearance there is no way two people can pass without someone stepping off the curb. It's also one of the most active bicycle and motorized scooter lanes in the City and it's a safety issue for the public and for getting from the street up into the property.

#### **QUESTIONS FROM THE PUBLIC:**

None.

#### **QUESTIONS FROM THE BOARD:**

**Mr. Schwarz:** The portion of the brick that you will be removing just the piece between the two openings so you wouldn't touch the wall on either side of the openings. Would you be recreating the scored pilaster at each opening?

**Mr. Jeff Aten:** It's difficult to see in the rendering, but yes. There's a big of a reveal between the pilaster and the actual wall is very small, but that difference would be maintained.

**Mr. Schwarz:** The pathway has been changed a little and it's now a little more square than semi-circle. Why?

**Mr. Aten:** The current path doesn't really come into the center of the opening. It comes into the center of the church, but as it comes to the actual opening, it isn't aligned. We tried the semi-circle but in order to make that geometry work, you have to take apart part of the existing wall that is beyond this opening. In order to make that adjustment we pulled it in a little bit and truncated it. Otherwise the circle doesn't come together.

**Mr. Mohr:** Is there a reason why it can't sweep and still follow that trajectory?

**Mr. Aten:** That would make two arches and it makes the path a little less wide. We want to keep a geometry that is pleasing, matches the existing, and also creates a path that is accessible at the proper width. We don't necessarily want to repeat something that wasn't necessarily functional in the first place.

**Mr. Schwarz:** If we were okay to with that revision, would it destroy what you've done to round it at the top so it looks more like a semi-circle?

**Mr. Aten:** Sure, but we wouldn't end up with the semi-circle hitting the path at the same place.

**Mr. Schwarz:** Have you looked at possibly bringing in ADA access from the far right entry point to the site?

**Mr. Aten:** That was investigated but the grades would make it too difficult. We would have to zigzag through the yard and compromise the integrity of some of the trees, which we did not want to do.

**Ms. Miller:** When someone drives and parks in the parking lot, do they need to come out to the street and go down the sidewalk?



**Mr. Aten:** No. People can park past the driveway and they can walk from that parking space up an accessible path that takes you to a porch that allows access to the front of the church. If you are parking on the other side of Rugby and walked towards the church, it would be an accessible way.

**Mr. Schwarz:** Where is the access entrance to the actual building of the church?

**Mr. Wilcox:** There is a parking lot in the back. There is no real true ADA access with the way that the land falls here.

**Mr. Schwarz:** You would be coming in from the circle driveway anyways if you needed an accessible entrance.

**Mr. Aten:** Yes, but there are mobility differences too because someone may need a walker or wheelchair vs. someone else may have a cane and just needs an easier route without multiple stairs to climb.

**Mr. Lahendro:** It's sad to lose this because it's mystical and has been around for a long time, but I understand completely and it makes sense.

#### **COMMENTS FROM THE PUBLIC:**

None.

#### **COMMENTS FROM THE BOARD:**

**Mr. Sarafin:** This has come a long way since our first discussion and this is an elegant solution to opening this up more to the street. It is an intriguing thing to look at, but in terms of long term sustainability, all the changes proposed here make good logical sense.

**Mr. Mohr:** It is a good solution to the handicapped access issue, but I have a small issue with the hardness of the geometry since it had more of a country church aspect to it. The symmetry doesn't seem critical to me but the grading makes a great deal of sense. It would be better if it were softer, more egg-shaped, and irregular. It's too bad the tree has to go but I get it.

**Mr. Schwarz:** I love the tree but its days are numbered. I just wish there was another solution to this wall because it's interesting, corky, and character-defining. It's something I enjoy walking by it and it seems important to the character of the site. It speaks to a time when Rugby was a very different road and I wish there was another round of problem-solving to be done. Perhaps you could go to the City and see if it could be figured out in the right of way.

**Mr. Werner:** The City is not requiring that the wall be straightened. The removal of the tree was the key issue and the understanding that a wall segment would be modified. The design of that is just a component of what the BAR decides. The 3 solutions are to put the curve back and keep the width what it is, to do it straight, or some element of curvature that would still allow a width.

**Mr. Mohr:** Ideally the sidewalk would just belly out and accommodate it.

**Mr. Schwarz:** There needs to be some problem-solving with the City and maybe it's not possible. The City needs to have a usable sidewalk there. I would take straight wall over a compromised sidewalk, so I recognize the need for the straight wall. I don't want to stall this more but I think you should talk to traffic engineering to see if there is a solution.

**Mr. Sarafin:** I don't know that you can pinch it right there at that part of the street.

**Mr. Schwarz:** There are two bike lanes and two travel lanes that are about 30 ft. so it is minimized. On the UVA there is a big tree lawn that has no trees in it. It probably is impossible, but I'm not sure that it has been investigated.

**Mr. Lahendro:** To modify the design and do something that is a remembrance of this is the wrong thing to do. We should let it become a memory and go ahead and do what we should do for the sidewalk.

**Mr. Sarafin:** We need the sidewalk to perform its function the way it should.

**Mr. Werner:** If there is some additional evaluation that needs to be explored, that is possible to allow. We've asked about sidewalk replacement here and there is a list of when sidewalks get revisited, but the church is eager to be proactive and move forward now. They don't want to wait for the City to make decisions that might be several years down the road.

**Ms. Miller:** The wall most likely sweeps up because of the elevated grade so it makes sense for it to be higher there. That reasoning goes away if the grade is reduced. It's odd to not have some kind of tree in the planting bed because if there wasn't something big there why wouldn't the original plan have been just a hole in the middle and going straight up through?

**Mr. Aten:** It may have been grade, but it also had to do with privileging those openings. Instead of having piers, the pilasters and the lift of the wall was meant to show where to enter. That happens on both the northern and southern one and there is precedent for keeping that in place. I would not recommend doing a straight wall and keeping the curvature for that reason.

**Mr. Sarafin:** It helps disguise the elevation change as you move from the north to the south along the street.

**Mr. Lahendro:** Unfortunately, the rendering does not articulate those pilasters and it would help tremendously to frame that entrance on both sides.

**Mr. Mohr:** You could actually reverse the curve to create a space on the sidewalk and invert it.

**Mr. Schwarz:** If we are going to get rid of it, let's not make a fake new one.

**Mr. Sarafin:** The move of the accessible part from the driveway out to the street was a very good idea.

**Ms. Miller:** Why don't you have anything larger or taller drawn? I appreciate that the trees were planted in advance, but does it seem odd to not have some focal thing in this very purposeful bed?

**Mr. Aten:** The concern with putting a tree back there was that it will eventually get pruned and the middle will be cut out as it grows too tall. The preference of the congregation is also to keep that view open to allow more visibility to the church.

**Mr. Lahendro:** I'm fine with it being open in the front because it picks up the character of the church.

**Mr. Sarafin:** I like opening up the view to it and letting that be the focal point. Why put a tree back there so that 100 years from now it can push out the straight wall that you are proposing now? It just doesn't seem logical.

**Mr. Aten:** We could talk to the City about somehow marking the pavement there tracing the wall on the ground so as you walked by there you could have a memory of what was there. It could be a simple way of addressing it.

**Mr. Schwarz:** If you did do that, it should be a little more than just scoring because it would inevitably disappear. It's a nice idea though.

**Mr. Sarafin:** In a more urban setting that might work well, but it might get lost here.

**Motion:** Lahendro moved having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and Elements, I move to find that the proposed tree removal, brick wall modifications, and site modifications 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 provided that:

- The pilasters flanking the two wall entrances are replicated;
- The BAR does not approve the option using bluestone pavers on the two wall entrances;
- And the BAR recommends exploring ways to memorialize the arc of the historic wall.

**Sarafin seconded. Approved (6-0-1 with Gastinger recused).**

## **9. Certificate of Appropriateness Application**

BAR 19-07-04

201 East High Street

Tax Parcel 330077000

Nelson Place LLC, Owner/Paul Tassell, Applicant

Removal and Reconstruction of Front Porch

**Staff Report, Jeff Werner:** This was constructed c1840. The Minor-Nelson House is a contributing structure in the North Downtown ADC District. This two-story Neo-Classical style house reflects Georgian form and is one of three houses in the district with exterior chimneys. In 1971 the covered porch was removed. The currently-existing brick and stoned curved stairs were added, the entrance surround was modified, and the front gable detailing was removed. The request is to remove the existing, non-historic front porch and replace it with a historically-accurate covered porch and façade with detailing to replicate features known to have existed in the mid-1900s. The existing door surround and side veranda will be used as a guide for the replication of the porch entablature. The existing lights near entrance will remain. The restoration of the scroll work detailing at the center gable will be reproduced using the photographs. The existing shutters on the front façade do not appear in the historic photos and will be removed for the sake of historical accuracy. On the ground there is a curved double walk that was added in the 1970s, which will be removed and will install a new, single brick walk. There is limited landscaping, but some of the plants are to be removed and will be reused or new to match what is there. The only significant difference from the historic porch is to the reconstructed version will be the gutters. The former had Philadelphia gutters, the latter will not. It is staff's opinion that this revision does not negatively impact the integrity of this project. The BAR might want clarification on plantings and color palette. Otherwise, staff commends the owners, architect and builder for their diligence in researching and developing a true and respectful reconstruction plan. Staff finds the proposed reconstruction/restoration of the covered porch and gable detail appropriate, and recommends full approval.

### **QUESTIONS FROM THE PUBLIC:**

None.

### **QUESTIONS FROM THE BOARD:**

**Mr. Schwarz:** Do you intend to alter the side porch to match what used to be there or leave it as it?

**Mr. Bryant:** We were thinking of leaving it as is unless you recommend us doing something to it.

**Mr. Schwarz:** You are recreating the cornice, but it looks like you are using the K style gutter to replicate some of the trim. Is that correct?

**Mr. Bryant:** Yes. From what we can tell from the photograph we are going to reproduce it that way.

**Mr. Schwarz:** Was there any thought to completely recreating the cornice and putting a half round as a gutter?

**Mr. Bryant:** We can consider that.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE BOARD:**

**Ms. Miller:** This is probably one of the best applications that I've seen. It has a lot of great historical information.

**Mr. Gastinger:** I agree. There is actually a photo of this project in the Charlottesville Design Guidelines that references porches. The fact that it is being replaced is some poetic justice.

**Mr. Mohr:** This is terrific. I would side with Mr. Schwarz on doing the half round gutter and doing the full cornice.

**Mr. Ball:** It's a great application. Did you find the Temple of the Wind column somewhere or is that something you have to have specially made?

**Mr. Bryant:** Fypon will do the Temple of the Winds because the builders have done some historical preservation, so he has a contact to have those recreated.

**Mr. Lahendro:** We won't ever know how this building historically evolved and there is a lot going on here. I tend to think that some of the capitals and columns from the front porch that used to be there were transferred over to that side piece because it is a two-bay side in the historic photos and now it's a three-bay side. The proportions of the columns don't seem to match the front so they may have ended up over there. The front porch before this may have had just a single-bay porch over the door that had a ballasted flat roof with a door on the second floor that went out to it. The other doors on the first floor also went down to the floor of the porch. There's just a lot going on here that is very interesting and if I were the owner or architect I would hesitate to say that I knew what it looked like in the past, but what you are suggesting is fine and there is precedent for it.

**Motion: 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 reconstruction/restoration of the covered porch and gable detail 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 as submitted with the following modifications:**

- That front porch roof cornice be built to match pre-existing;
- And to add a half-round gutter onto the porch.

**Mohr seconded. Approved (7-0).**

**Mr. Lahendro:** I don't think the entablature on the front door that is on there now matches what is on the side. We should be matching the entablature on the south edition, not the front door.

## 10. Certificate of Appropriateness Application

BAR 18-02-05

421 West Main Street

Tax Parcel 320178000

Ed Brown, Owner/Danny MacNelly (ARCHITECTURFIRM), Applicant

Revisions to Site Plan

**Staff Report, Jeff Werner:** The Quirk Hotel project covers several parcels, however the extent of this request is limited to the parcel that had been 421 West Main, which is within the Downtown ADC District. In 2017 the BAR approved the demolition of a post-1920, concrete block building on the site. Prior to that, the 1920 Sanborn Maps indicate small, frame buildings on the site. The request is to make some slight revisions to the landscape plan that was approved by the BAR on April 17, 2018. The revised landscaping plan includes a low hedge to match hedge at the front of 501 and 503 West Main Street; bluestone pavers to match Quirk entry pavers; 4 Honey Locust trees within a crushed granite field (previous plan had 6); 6-ft tall, light bronze painted, aluminum picket fence with a center gate (this is a change); crushed granite field with pathway low lighting for egress; 34-ft x 34-ft bluestone terrace with perimeter low lighting (stone size change); door existing from the lobby onto the bluestone terrace; flat lawn area abutting a sloped lawn area, rising to a flat lawn area above; 3-ft wide, crushed granite pathway following the left edge of the lawn areas (this is a change); door exiting from the hotel gallery onto the crushed granite pathway; 6-ft tall hedge with gate at the building edge; 2 Ginkgo trees in rear lawn abutting Commerce Street; and concrete retaining wall, 1-ft above grade with a 6-ft tall, solid wood fence on top (this is a change). Staff finds the proposed landscaping revisions appropriate and recommends approval with the condition that exterior light fixtures have lamping color temperature equal to or less than 3000K.

**Applicant, Danny MacNelly:** We are trying to push this through to get a site plan review to catch this parcel up since it wasn't part of the original submission. Regarding the lighting, we are going to use the same light fixtures that were approved in the courtyard on the adjacent parcel. We will stipulate that those will match the color temperature and everything else that was previously approved because we are using the exact same fixtures.

### QUESTIONS FROM THE PUBLIC:

None.

### QUESTIONS FROM THE BOARD:

**Mr. Schwarz:** You have a full COA for everything west of here and we approved the concept, so there are still details that you never actually got a full COA to amend.

**Mr. MacNelly:** That is correct.

**Mr. Schwarz:** Did you ever present the gate to us?

**Mr. MacNelly:** No. In part we are asking to get this approved with conditions, which might include the gate, the fence, etc. We are here to ask what you'd like to see there in efforts to speed up the process and get the grading going and get the site plan approved.

**Mr. Gastinger:** You included some existing photos, but it's is not clear exactly where the property line is. What will be on the opposite site of that fence?

**Mr. MacNelly:** On the right side of the plan there is a parking lot for Century Link and they have a wall. We will be building our wall to retain theirs, but ours goes a little bit up above it.

**Mr. Gastinger:** It looks like their wall steps down as it moves towards the back. Do you know what the max grade will be on the outside?

**Mr. MacNelly:** We don't have an exact dimension, but it is probably 3-ft. Their lot slopes, but not heavily. It won't be very tall and our purpose is just to retain the earth so we can keep a flat lawn there and have an accessible way out from the hotel.

**Mr. Schwarz:** What is the extent of that fence? Is it all the way out to the front of the property?

**Mr. MacNelly:** The idea is that the fence would start at the front of the property and go all the way back. If it is desired it could probably be pulled back to the gate. It doesn't go all the way to the back of the property because there's a brick retaining wall at the back, which is where the sloped lawn ends. The concrete wall will go up to that and stop. We will leave the existing brick where the lower flat lawn is. We're pouring as little concrete as we can.

**Mr. Schwarz:** You are removing some paving stones that would have made a walkway. Is there a reason for that?

**Mr. MacNelly:** Originally we had lawn in the front panel and we had stepping stones through the lawn. We realized the lawn wasn't going to last long based on use so we took the crushed stone all the way to the front so it would feel more park-like and would be easier to maintain.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE BOARD:**

**Mr. Mohr:** We can see more details when they are ready, but conceptually it seems fine.

**Mr. Lahendro:** It would be nice to see a cross section through the whole thing looking towards that wall that is by Century. I am looking for more articulation of this elevation because it seems rather schematic.

**Mr. MacNelly:** The further development of that will just be the design of the wood fence. That is the grading that will happen. The green will be replaced with fence that we will come back and show you as a design, but there isn't much more to develop. We are trying to keep this as open space.

**Mr. Gastinger:** We do need to see that fence material and detail, as well as the gate. The project is very elegant and this is a very reasonable approach to this site. My only comment is that our Guidelines are very clear about the height of some of the fences. The fence should either terminate and transition to a hedge at that point or have a lower fence that is down to 4-ft, which is what our Guidelines recommend. The side gate with the 1 ft. plus the 6 ft. is above our recommendations for fences and according to the photo, the back appears to be quite a barrier. If it's going to have some relationship to the bronze fence, perhaps it should also meet that 6 ft. height and stay within the Guidelines.

**Mr. MacNelly:** Are you saying that if we have a 1 ft. wall we should have a 5 ft. fence on top?

**Mr. Gastinger:** Correct.

**Mr. Schwarz:** Is the desire to have the fence and not the hedge to get a little more square footage?

**Mr. MacNelly:** It's really about cost and maintenance. If we're making a fence to keep people out, a hedge may not always do that. We are also finding that getting people to maintain landscape is difficult and we want to make their jobs easier.

**Mr. Schwarz:** Hopefully it is a really fantastic wooden fence.

**Mr. MacNelly:** We don't have permanent furnishings, but I can imagine we will pot plants and put greenery in the space. The idea is that this is going to be a magical place to have events there and it will not be unattractive in any way.

**Ms. Miller:** The big crushed granite fields and walkways will also inevitably become a maintenance problem.

**Mr. MacNelly:** We've love to make that all a bluestone field but that's a budgetary concern and they may do it in the future. Right now we are just imagining that one parcel where the door comes out to be the main bluestone area because that is where people traffic mostly. The pathway against the building is a dual purpose. It's the path but it isn't going to be well-traveled. It has more to do with keeping the grass off the building to keep the building clean. There isn't a lot of reason to traverse between those two doors.

**Mr. Schwarz:** If the gates were left open, it would certainly be a more attractive place to walk.

**Mr. MacNelly:** I suspect they will be open a lot. It isn't a public park, but they will be inviting. A hotel is a public space and this will be no different.

**Mr. Schwarz:** Regarding the gate at the front, perhaps it can be a double gate and not a single door so when you're walking down West Main Street you can see this really nice open space you've created.

**Mr. MacNelly:** That has been the general thinking so that it isn't a heavy visual barrier.

**Ms. Miller:** Would there be any consideration for planting trees along the slope portion of the yard?

**Mr. MacNelly:** The idea is to leave it open there. The sloped lawn might be a great place to set up a band at the bottom and leaving that as a space to sit and watch. There is an idea that in 10 years this could be quite different based on how it comes to be used, but this seems like a nice flexible way to start. If there is a desire for more shade, trees are the best way to do that. I can imagine it happening but the idea right now is to leave it open because we don't know how it will be used.

**Mr. Lahendro:** I would like to see an existing demolition drawing and then what is being proposed, calling out what is existing and what is being proposed. I'd also like to see a cross-section that does the same thing.

**Mr. MacNelly:** On our site is a dirt, graded thing from top to bottom. There isn't anything existing to show on a plan.

**Mr. Ball:** We are trying to figure out how it interacts with the brick wall and the existing concrete wall.

**Mr. MacNelly:** We have some pictures of that, but we did not do a survey of that wall so there aren't drafted points of elevation. We have estimated them in our drawings as best as we knew. We're covering up the Century Link wall but we could put a dashed line behind there.

**Mr. Mohr:** It's just a little hard to get the context on that side of the wall and a 3-D sketch could probably resolve it.

**Mr. MacNelly:** We can provide more information on that.

**Ms. Miller:** Many trees are gone so it would be great to see some added back.

**Mr. MacNelly:** We are going to plant 7 in the back and 4 in the front and then we have 3-4 more in the courtyard.

**Ms. Miller:** It feels like this should be treated more like a preliminary discussion.

**Jennifer Mullen:** From a site plan perspective, without a COA for the property as it is with conditions to come back for the fence details, the cross section with the more detailed component, etc. then our site plan can't move forward, which means it can't catch up with the hotel side that has been approved. We can work through those items and bring them back next month with the cross section details, but the fence details are still being worked through and it would come before you to get our final certificate.

**Mr. Werner:** The COA would be for this plan. If there is a stipulation relative to this plan that has provisions that elevation details are provided, that would allow us to work with the planner and that the plan is acceptable. What the fence looks like is something that could come back later but it wouldn't hold up a site plan.

**Mr. Mohr:** Are you saying that the site plan review is contingent on a COA?

**Mr. Werner:** That is my understanding. Ultimately the planners want to know if, in two dimension, is this what they are getting.

**Mr. Mohr:** We can say within the context of the site plan it seems fine and we recommend that they proceed, but I don't understand how we can actually say it's a COA.

**Ms. Miller:** If this were a remodel and they didn't bring in all of the details for it, we would defer it until they brought the full information.

**Ms. Mullen:** That is understandable, but for a site without buildings on it, the fundamental square around this site is similar and consistent with what was approved previously. The component that we need for our approval process to move forward is a COA, but it might be something less than that. We will come back with all of those details we need.

**Mr. Mohr:** What is the proper verbiage here?

**Mr. Werner:** It doesn't necessarily need a COA, but it is my review and understanding of what the BAR has looked at. It may not require a motion, but the BAR should instruct staff on what you want to see and what the applicant should bring back in order to complete the COA for the landscaping and hardscaping plan.

**Motion: Motion: Gastinger moved having considered the standards set forth within the City Code, including City Design Guidelines for Site Design, I move to find that the proposed concept landscape plan satisfies the BAR's criteria and is compatible with this property and other properties in the Downtown ADC District, and that the BAR finds the proposed concept appropriate as submitted with the following considerations to be provided at a later date:**

- **Details of the wood fence, metal fence, and metal gate;**
- **The elevation of the CenturyLink adjacent property in context with new work;**
- **The fence height should be a maximum of 6 feet above proposed grade;**
- **The fence should terminate at the proposed gate facing West Main Street;**
- **From the proposed gate/metal fence facing West Main Street, the fence should be adapted to either be a 4' tall fence or hedge as it extends to West Main Street;**



- **Lighting fixtures are to match those used in adjacent project [Quirk Hotel];**
- **And there should be a consideration for additional trees to be located on site.**

**Mohr seconded. Approved (7-0).**

### **11. Certificate of Appropriateness Application**

BAR 19-07-05

601-607 East Market Street

Tax Parcel 530100060

Allan H. Cadgene, Owner/Greg Jackson, Applicant

Construction of Plaza Pavilion

**Staff Report, Jeff Werner:** Framing this south-facing courtyard on the west (601 East Market Street) is a former livery stable constructed the 1890s. After WWII it was converted to offices. On the north and west are buildings of the former Michie Printing Company, commissioned in 1900 by the Carr family, the owners of the leading legal publication publishers in the south at the time. All of these are structures in the Downtown ADC District. The request is construction of 10-ft x 50-ft open pavilion within the building's courtyard. The building would have a standing-seam metal roofing on a welded metal frame with exposed wood ceiling. The roof features a separate, elevated ridge segment to allow for natural ventilation. Two schemes are proposed for the elevated ridge: along the full length of the pavilion or set back on either end. The flooring will be tile pavers similar to the existing. No lighting is indicated in the submittal. The pavilion will occupy a minimally-landscaped section within the roughly 50-ft x 110-ft courtyard. The proposed pavilion is appropriately oriented with the courtyard and the adjacent buildings. The roof profile is shallower than that of the adjacent stable building, however the pavilion is set back into the courtyard and coupled with its simple, minimal framing, it does not present a competing or conflicting element. Staff finds the proposed pavilion appropriate and recommends approval. However, staff recommends that the BAR discuss the landscaping plan, specifically if it adequately represents the existing and proposed landscaping and tree plan. Additionally, clarification is needed on the condition at the south end of the identified work area at the sidewalk. Currently in this space between the low brick planter and the old stable building is low, brick wall topped by a wire fence covered by Virginia creeper. It is unclear if this section is to be altered; or if so, how.

**Applicant, Greg Jackson:** Some of the changes are that within the pavilion itself, the desire is not to have pavers or stone, but rather a nicely finished concrete surface. There will be scores following a grid that mirrors the structure above and works with these bigger sections. The color will be a warm tan. Instead of the metal frame being warm and the roof being cool, we've switched those around. The frame would be a cool gray and the roof would be a warm brownish gray, similar to what weathered copper would look like. The owner desires to get into the space that isn't being occupied or used, so the lighting that would end up there would be commercial string lights with industrial bulbs. It's very common throughout there but in this case it's a location that would work well with this pavilion. Instead of trying to get any other light fixtures in there, that is what we're proposing. The intent is for it to initially be a warm type of bulb that glows there to light up above and below. All of the trees are to remain and hopefully survive and stay. There will be a general sweep of the area of trimming and hopefully connecting with the trees so they get what they need to be trimmed up. We haven't gotten out there to survey the site, but there may be a need to raise that area so there's not any interference. There is a natural clearing area there, but there might be a desire to raise it if we need a 1% or 2% slope towards the walking area from the west to the east. If that is the case, we would add a step where there are steps and extend the ramp where needed. There is no intent to mess with the wire fence on the south at this point. There is brick over there that will be pulled up and new brick will be integrated with the old.

### **QUESTIONS FROM THE PUBLIC:**

**Jaclynn Dunkle:** I own the Tin Whistle Irish Pub, which includes the existing patio that I pay for rent. Is the applicant trying to make this public property? Is he suggesting that this is going to be open to the public since it is all private businesses and apartments?

**Mr. Jackson:** My understanding is it is not for the public, although the courtyard acts as public in a sense. It's just a bigger masterplan for the whole courtyard and it probably isn't more public than what is currently there. If there is seating, it is usually assumed to be for that building.

**Ms. Dunkle:** How much of the Michie building will be affected by this?

**Mr. Sarafin:** It shouldn't be affected because it's not part of this application.

**Ms. Dunkle:** Currently, the tile that is there is very slippery up by the steps and there is a lot of runoff because there isn't good drainage because of the way it slopes. Is that something you address with the plan? When it's wet, it stays wet because it's very shaded and the runoff tends to stay until it dries and we sweep it up.

**Mr. Sarafin:** You could ask the designer, but as a tenant in that building you should ask the owner and voice those concerns with them. I would imagine as a tenant paying rent in that building, those things should be taken into consideration.

#### **QUESTIONS FROM THE BOARD:**

**Mr. Lahendro:** Are you increasing the impervious area?

**Mr. Jackson:** By the roof it is. Part of the overall scope of the site plan and the raised element is to address drainage. We can look at the drainage more closely. Now is the time to look for improvements and I want to have the pavers on the east side to do more extensive catchment. We don't have to have a gutter because they are messy and there are a lot of trees, so we can do more of an in-ground type of gutter system, which also takes care of the surface drainage.

**Mr. Lahendro:** Does this go to NDS site plan review where the storm water engineers can review it?

**Mr. Werner:** That is unclear. We could address the paving and the surface and some sort of drainage system and permeable surface on either side of that would be appropriate. If the BAR wanted to offer a recommendation for the drainage to be addressed, that would be appropriate.

**Mr. Sarafin:** If we're looking at changes to this landscape for these significant buildings and if everything isn't being taken into consideration it could potentially worsen the drainage and water conditions here. In our motion we should ask the applicant and owner to look into that and make sure it's being addressed with the design.

**Mr. Jackson:** Right now it is hard ground and grass can't even grow because of the shade. Surely the intent is to improve the conditions that are there now. We are diverting the rain and concentrating it, but we hope that means we can control it.

**Mr. Gastinger:** We aren't here to approve the storm water solutions, however some of those solutions will have an impact on this landscape and those trees, which are in our purview. While having the ground absorb the water would be a good solution, the impact is that it would require a lot more excavation in that zone, which is very proximate to those existing trees. I do have concerns about how that will be handled.

**Mr. Mohr:** The most critical thing seems like evaluating what the true impact of the building and the site work is and whether or not it actually does harm the trees.

## COMMENTS FROM THE PUBLIC:

**Ms. Dunkle:** It would be nice to have some input because currently nothing grows there with those trees. Currently he is proposing a lot of concrete and currently the patio is bricked and one part has dirt, so I don't understand where the water is going to go. It's a big problem with this particular design even though I like it compared to what we have now. It's beautiful, but it doesn't solve some of the issues that are currently there.

## COMMENTS FROM THE BOARD:

**Ms. Miller:** It is always helpful to involve the tenants ahead of time so that issues don't happen in a meeting like this.

**Mr. Sarafin:** It is in the property owner's best interest to gain input from people that might be affected by this. Whatever motion we make, there should be a recommendation that there be some communication with tenants.

**Mr. Lahendro:** I'm shocked that he hasn't engaged the tenants.

**Mr. Gastinger:** This is an important and beautiful urban space and part of its charm is the success of that landscape. At its best it's a great place to meet, but at times I'm sure it feels too shaded and a little dark and damp. While the design is mostly sensitive to this space and the scale of the adjacent buildings, but for the kind of use that is necessary I wonder if it will create an even darker, shadier space that is not as hospitable as we imagine. Improving the ground plane, pavement, and drainage would be a huge benefit to this space and would increase its usage almost immediately. Does anyone else share the concern about the darkness of the canopy?

**Mr. Schwarz:** This is such a magical space and it feels like a missed opportunity to just put a simple shed-like structure in there. Conceptually, a series of little tensile structures would be cool, but I'm sure you're client probably isn't interested in that. I struggle to find any Guideline that says you can't do this, but I think it will ruin the space more than it will enhance it. It will be more usable and protect it from the rain, but it isn't going to have that character that it currently has anymore.

**Mr. Sarafin:** When it is hot out, it's a wonderful shaded, southern feeling courtyard space. It needs more study and attention paid to the drainage and the ultimate desired effect. The structure is fine, but there are concerns about the canopy. Ultimately we need to know how it works with the buildings around it and the water issues. The property owner should want to address those concerns for the longevity of the building.

**Ms. Miller:** The proposed structure is probably fine but I enjoy the courtyard the way it is because of the trees.

**Mr. Sarafin:** We are asking if these proposed changes to the courtyard are appropriate for the historic character of this street. From a more technical point of view, the water and drainage issues are real ones that need to be investigated further for the preservation of the structures.

**Mr. Mohr:** It's also important to find out if the water will have a deleterious effect on the existing trees, given what is going on up there right now. I see the appeal of being able to sit out there when it's raining. This farmer's market kind of format is appropriate and it's nice but the question is how it will live with its neighbors.

**Mr. Lahendro:** It's a rarity to have a place in Charlottesville that is quiet and intimate, as opposed to the Downtown Mall with its openness and people all around. It's a special place. My worry is that there are some design impacts of this that have not been considered yet on the landscaping and the storm water.

**Mr. Jackson:** The intent is to be able to keep that and to get more up in there. We didn't anticipate those things being part of the criteria, as the other Quirk landscape wasn't discussed at all. It has been in our minds to handle that with the improvements.

**Mr. Sarafin:** The Quirk is entirely new construction and I would hope they would take those things into consideration, whereas this is a very historic and revered courtyard with old buildings. This is a modification to a historic space that could potentially have negative impacts on it and that is the difference.

**Mr. Werner:** I didn't see any trees being removed and in that regard there weren't concerns about landscaping because it's being retained. Regarding the trees along the west side up against the building, I didn't see those as being disturbed during construction. Perhaps we could be clear on whether it's a function of a disturbance during construction or how they fit into this constructed pavilion.

**Mr. Mohr:** It's just difficult to tell what the implications are for the existing site.

**Mr. Lahendro:** It's hard to believe you could do this without pruning the trees and low limbs. Can you just go into a site like this and build a pavilion without studying the way it impacts the trees?

**Mr. Gastinger:** It seems like the crape myrtles are out of the way for the dimensions for what we're talking about and the Japanese maples or the magnolias might need to be trimmed. The bigger impact is in the ground plane. To minimize the impact on those 3 lower trees you would want to raise the elevation to keep that slab and limit the amount of disturbance to the existing roots and get water back down into that soil volume, but you want to avoid doing without a trench on the east side of the pavilion. The location of the pavilion is trying to be sensitive and I'm not opposed to a pavilion being there, but there are concerns about the preservation of the existing character of the space, which is largely reliant on those trees.

**Ms. Miller:** It seems like there's a consensus that the proposal itself is fine, but there are concerns about the impact on the existing site. We suggest a deferral to give the applicant an opportunity to find out more about the site impact.

**Mr. Jackson:** To be clear, you aren't asking about the design or aesthetics, but you are asking underpinning engineering on the storm water management, the construction, and the after built structure impact on the existing trees for an approval for a COA?

**Mr. Mohr:** Right. If you were just doing the pavilion and you weren't putting a solid slab in there it would certainly greatly mitigate its immediate affects like the root structure, but there would still be a storm water issue.

**Mr. Jackson:** Intuitively it doesn't seem like it and you'd just leave it alone, but ideally it improves the conditions, whereas the rainfall now and compacted dirt drains into the walkway and the mud clogs the drain. If it could be retained in the paver catchment system and slowly seeped into the three trees, we could demonstrate that. I'm just confused how it related to what the BAR does, but I understand the concern.

**Mr. Mohr:** It's about the trees. Is it an addition to the space or will it totally transform the space because it kills all the trees? That is the question.

**Mr. Schwarz:** It's also about whether it will send a bunch of water running towards Tin Whistle.

**Mr. Mohr:** You have to look at how to correct that and the implications of correcting it. The question is whether or not it is going to change the character of the space. Visually it's very pleasant but we need to understand the full implication of it. We aren't trying to say that we're about storm water management, but we're predicting there is an issue there.

**Mr. Jackson:** It's tricky for owners for how far they take it and do analysis and engineering if it isn't going to go.

**Ms. Miller:** It seems like you generally have support for the application, as long as there is confidence that it won't end up ruining what you have already. It's to ensure there are no negative effects on the historic buildings and the space itself.

**Mr. Sarafin:** I have no issues with the appropriateness of the pavilion, but the trees and the structure itself could be seriously impacted if this doesn't work. That's what makes it different from the Quirk application.

**Mr. Jackson:** There is an assumption, but I am hearing that you want to see a little bit more. I would like to request a deferral of this application.

**Motion: Gastinger moved to accept the applicant's deferral. Lahendro seconded. Approved (7-0).**

## **12. Project Update**

East High Streetscape  
City of Charlottesville

**Report, Brian McPeters, Kimley-Horn and Associates:** This project is a Smart Scale project, which is VDOT's new methodology for how they award funds to transportation projects across the state based on benefits and cost. Funding was awarded to this project in 2016 the City procured a design consultant so we've been working with the public for about 18 months to develop a design. This is a multimodal streetscape project with a street that is very much bent towards the vehicle. It has transit and sidewalks, but little to not landscaping or aesthetic enhancements to make you feel safe on the street if you're in anything other than a vehicle. The project would seek to improve wayfinding, improving ADA improvements and addressing transportation improvements. The corridor runs along East Market Street outside of City Hall and proceeds to the east to the intersection at Market Street. This project touches the Belmont Bridge Project and proceeds north to the 10<sup>th</sup> and Locust intersection. In 2018 we focused on conceptual design and worked through a public engagement process. Started in 2019 we began more thorough detailed engineering design. We look to refine the design later this year and hope to come back to the BAR in spring 2020 to finalize details. At this time we'd also be purchasing right of way and finalizing the plan. We would start construction in 2021. Belmont Bridge should be under construction about this time next year and will be an 18-24 month process so the construction process needs to be coordinated since the two projects will coexist at the same time. We have had over 17,000 data points, 500 written comments, and 1,000 touch points. We have been coordinating with the Tarleton Oaks development, the medical office building at the corner of Locust and 10<sup>th</sup>, and East High Street to be sure the improvements we make work and we balance the urban design. Overall, pedestrian facilities and multimodal mobility remain a top priority. There is a desire to provide a safe and walkable street that enhances neighborhood connections. As for design features, we are hoping to make an aesthetic enhancement to create a sense of place, which is an entryway into Downtown. We heard over and over that this connects neighborhoods to the Downtown Mall and Court Square. Some common key words we found were safe, walkable/ pedestrian-friendly, and functional. Priorities included pedestrian and bicycle facilities, landscaping, traffic and travel speeds, and lighting. The main challenge that came up was the Lexington and East High intersection and we have improvements in the concept. Some of the outcomes are that we have conformance to the Comprehensive Plan and City Council approval. Anywhere where there is a limited amount of street space, the priorities will begin to compete against each other and it's important to have dialogue and gain consensus around what compromises are made to obtain those priorities to build an acceptable project. We held a public hearing last month where we had 46 attendees and 30+ written comments. Overall there was support for bicycle and pedestrian improvements and a desire for planting palette enhancements including larger canopy trees. There was support for conversation of existing overhead utilities to underground and there

were concerns expressed regarding traffic. There were challenges with competing priorities in limited space and a need for compromise. Regarding the design, all we are doing on East Market Street is restriping and reallocating to balance the street between the vehicle, the pedestrian, and the bicycle. There will be a bike lane from 7<sup>th</sup> Street to the intersection with Market Street. We have proposed tree planting behind the existing sidewalk. The project includes a replacement of the traffic signal at 9<sup>th</sup> and Market. We would have a four lane cross section and the interior lanes would be a de-facto left turn lane with the through lanes on the outside. We would reduce that cross section to one through lane in each direction with a center turn lane that would be balanced based on traffic. That area also includes continuous 6 ft. wide sidewalks and a minimum 4.5 ft. wide planting space that is only broken up by the existing driveways that enter the commercial properties. At the East High intersection we replaced the traffic signal and the street changes as it goes to CFA because we lose some available width. It will go down to two lanes and we were able to compromise with the Tree Commission and BPAC last year so there would be no trees on the right and a 5-6 ft. wide sidewalk to continue to Locust. On East Market Street we reallocated it to include a bike lane in each direction. On 9<sup>th</sup> Street going north between Market and East High, there would be one through lane in each direction with a center turn lane, buffered bike lanes, and a 4.5 ft. wide planting strip. The only other improvements on Market Street besides striping includes the street trees on the City-owned property on the section corner, but we have to make ADA improvements to the 7<sup>th</sup> and 8<sup>th</sup> Street intersections, as well as the existing entrances to go into the parking lot. One particular area of concern is 7<sup>th</sup> Street, as it does not currently meet ADA. This project will improve those pinch points. Tracker trailers are used to stage events at the pavilion and we've agreed to do what we need to do and not overthink that area. When you combine the Belmont project's bike lane with ours you will have over a mile of in-road bike lanes that do not exist today or are disconnected.

**Keith Aimone:** In the current condition of the intersection of 9<sup>th</sup> and East High there is an existing dedicated right hand turn lane. The proposed condition show that being removed after doing the traffic study. We are currently working with the Tarleton Oak development to inform them of the curved space and inform us of what they're doing so we don't have to remove anything they install from a grading or storm water perspective. We are proposing to have a bus stop relocated to this intersection so there's a larger area to wait for transit and provide amenities. This will certainly help transform the intersection of East High and of Lexington, as we straighten it out to help with pedestrian crossings and vehicular movements. In general, the hardscape materials and amenities are consistent with the Belmont Bridge project. A lot of the elements were presented to the BAR during the Belmont project. There will be standard asphalt crosswalks, scored concrete, and the asphalt paving with painted bike lanes and cross walks. The furnishings are also consistent with the Belmont Bridge project with the back bench, multiplicity bike racks, and the trash receptacle. The lighting will also be consistent with the fixture, color, hue, and intensity. At the public hearing we heard that there was a desire to add more canopy trees and not remain within the confines of the selected plants for the Belmont Bridge project. The proposed trees presented were consistent with those of the Belmont Bridge project. We heard that we should encourage the use of more native trees, consider pedestrian comfort and safety, and to have larger trees rather than understory. Some of the priorities were to have large trees for shade and native tree varieties. The challenge regarded adequate soil volume available for large trees. We're also still working with the overhead electric utility elements. Since we received that feedback, we looked each of the planting areas for soil volume rather than width. We went back and forth on whether we should split the trees on both sides around that main corner of the project where we may not be able to get the amount of the width or soil volume on one side, or add it all to one side and on the north side continuously plant a strip.

**Mr. Gastinger:** There were a number of trees shown in the Tarleton Oaks intersection but they haven't been identified as part of the project. Is that because they aren't officially part of the project?

**Mr. McPeters:** The intent is if Tarleton Oaks is under construction or we were confident they were moving through construction or the use that is there right now isn't there, the plaza concept would be part of the project. The challenge is we couldn't build that plaza the way it is if the development is there and it has those two entrances. We were trying to be transparent in that we don't control that schedule. We think we can build it

by 2021-2022, but if we advertised today we would bid it separately so we knew what it costs if we had to make a change.

**Mr. Aimone:** In responding to comments from the public hearing and the Tree Commission, some of the potential large canopy street trees include the London plane, sweet gum, scarlet oak, American linden, and willow oak trees. We heard that there should be a variety so we wanted to make this a large palette. In the areas where we will need to plant some small understory trees due to volume or space, we propose the flowering dogwood, American hornbeam, serviceberry, redbud, and winter king. All of these trees are on the approved street trees list for Charlottesville.

**Mr. Mohr:** Would it be possible to have a second category of existing adjacent street trees so we have a sense of their contribution to the road as you're designing it? It's just so there is a reference point.

**Mr. McPeters:** We can add those.

**Mr. Sarafin:** We understand the project limits, but having a sense of the whole context of what you'll be adding would be helpful.

**Ms. Miller:** What makes it more pedestrian-friendly? Is it the tree beds between the road and sidewalk?

**Mr. McPeters:** Correct because you don't feel like you're in the road. The existing are at best 4 ft. wide and they will typically be 6 ft. will poles.

**Mr. Gastinger:** Getting those continuous soil volumes allows for bigger, healthier street trees. What is being driven by the Tarleton Oaks development and what is the design intention between the different plazas? How does that sidewalk relate to the street?

**Mr. McPeters:** The right of way is the back edge of sidewalk. The reason that space is available to us is that today it is a 4.5 lane configuration. We are going down to two travel lanes and we're transitioning out around the curb, which is controlled by design criteria to get rid of the center left turn lane and keep the bike lanes. When we do that we open up all of that space and we have a building design that has their central entryway.

**Mr. Aimone:** We met with the developer of Tarleton Oak about 6 weeks ago to specifically talk about this area and potentially join the improvements if construction time worked out. In terms of the design of the space, we wanted to provide more of an area for a bus stop, but also provide enough area to get large trees and soil volumes at the edge of the curb. We tried to push that sidewalk as far back as we could while still maintaining the most relevant walkway that folks would take.

**Mr. Gastinger:** It's going to be great to reclaim some of the space at the street corner and having the nodes and the ability for the project to have visibility is going to be an improvement to the approach into the City. There is something about this portion of the project at 9<sup>th</sup> and East High where the landscape architecture associated with the street loses its way. The three circles don't have much to do with the intersection and it seems to be a very foreign language that is not really used anywhere in Charlottesville. It creates a lot of weird intersections with strange slivers of grass that wouldn't grow. Throughout most of the project the path is consistent in the geometry relative to the street, but here it has weird moments. It curves to create more space for trees but doesn't meet up with the crosswalk at the intersection. The intuition is right, but it doesn't feel integrated in a strong way yet.

**Mr. Mohr:** How does the bus stop work?

**Mr. McPeters:** The bus pulls into the bike lane. There would be a stripped area similar to the intersections that would allow that to occur.

**Ms. Miller:** Where will the trash cans and bike racks be located?

**Mr. Aimone:** We currently haven't specified exact locations for those yet, but they will be coming up in the next round.

**Mr. McPeters:** We don't know how many there will be, but we will locate them where they need to be and where there is space to park the bikes there. There will likely bike rack at the bus stop. We'll have the locations more nailed down next time we come back to the BAR, but they will be spread out across the corridor where it makes sense.

**Mr. Gastinger:** That will be a helpful design tool because they will help create the plazas that make sense.

**Mr. Mohr:** Is there no pedestrian crosswalk on the side where you're thinking of putting the median?

**Mr. McPeters:** Correct. This capacity problem that exists on 9<sup>th</sup> Street is not within the isolated intersections of this project, it's a global pipeline project. This project maintains the status quo and keeps the traffic operations the same.

**Mr. Mohr:** Would a concrete wall be more resolved than the striped lines?

**Mr. McPeters:** We talked about that, but the challenge with that solution will be how we actually construct it. It's something we can take on ourselves to evaluate. If we could change that color it might be more attractive than the striped out areas.

**Mr. Mohr:** It also looks less temporary and it creates a sense of intention.

**Mr. Ball:** Is there still a parking garage planned for the corner of 9<sup>th</sup> and Market?

**Mr. McPeters:** My understanding is in the City's CIP, it's an area that is being actively studied, but I don't think anyone would be prepared to know the answer to that. As of now we we're designing our project not to preclude that, but it's not necessarily part of this project.

**Ms. Miller:** Could you put a planting strip in so it protects that sidewalk? You don't need that much space.

**Mr. McPeters:** The issue is the existing curve is at minimum for 25 mph. From an improvability standpoint we are stuck on that alignment and we need the lanes to all align with each other. If we were able to shift it all, we would only get a planting space that was less than a few feet in width. We wouldn't be able to get street trees. We looked at that early on in the concept.

**Mr. Gastinger:** If the trees on the inside curve are required to be removed for site lines, is there some possibility that the sidewalk could move inboard a little further?

**Mr. McPeters:** Probably not. The site line easement would be significantly cheaper than actually purchasing the right of way.

**Mr. Gastinger:** On the 7<sup>th</sup> and 8<sup>th</sup> intersections at Market, the radii are pretty large. It would be nice to match the one on the left as much as possible.

**Mr. McPeters:** We are actively working on refining that design and that's something we will take a look at. Depending on how the movements look we should be able to refine it. We will look into it but the challenge with this one is it's an area that's important to the operator of the pavilion and how they service their trucks.



We do still have work to do in this area and we have to meet ADA requirements at the intersection and still move traffic through it.

**Ms. Miller:** Is there any way to incorporate trees between 7<sup>th</sup> and 8<sup>th</sup> Street?

**Mr. McPeters:** We can take a look. It gets very tight and I doubt the folks at the Downtown Business Association would welcome the removal of the parking spaces and that would be the tradeoff that would enable us to plant trees. Since the City owns that we can look at where the parking is and how it all works.

**Mr. Gastinger:** Thank you for addressing the concerns about the scale of the trees and identifying the areas that have more contiguous soil volumes and finding ways to get variety in species and in height.

## **D. Other Business**

### **13. Staff Questions**

**Mr. Werner:** I have a new assistant named Robert Watkins that will be joining us at the end of August. Mr. Balut's term is up on the BAR at the beginning of the year and his replacement needs to be a business owner in a historic district. A lot has been discussed about the condition of the Tonsler House. Many angry emails have been received and we're doing what we can within the powers of zoning. On June 3 a letter was sent to the owner that said he had 45 days to show sustained progress towards completing the front porch. They got a building permit and an inspection was done a few days ago. My understanding is that the City is not going to go in and finish the project, but we can fine them in hopes that it compels them to complete the work.

**Mr. Sarafin:** The BAR and staff has been doing all that we are able to do in that regard. Sometimes people misunderstand what our role might be.

**Mr. Werner:** The survey on Little High Street was recommended by DHR's board for being eligible for VLR and national register. They weren't seeking this and they would still like to see a historic conservation district for the much larger area. I've had conversations with them and said to show us that the neighborhood as a whole generally supports it. There will be more to come on that. Regarding 10<sup>th</sup> & Page, we received the grant and will be moving forward with the survey soon. About 350 properties will be surveyed. The Historic Resources Committee came up with 7 posters as a temporary exhibition about the history of Vinegar Hill and they will be installed on the construction wall across from the Omni. The only condition is to have a maintenance plan so we will have a sign-up sheet with the Committee that will regularly check up on these if they need to be fixed or repaired. Hopefully they will be installed by the end of August.

**Ms. Miller:** Mr. Sarafin and Ms. Earnst's terms are up in January and can be reappointed. My term is also ending in January.

**14. PLACE Report, Tim Mohr:** No report. PLACE will meet on Thursday, July 18 this month.

**15. BAR Guideline Work Session** – July 18, 2019 – 2<sup>nd</sup> Floor Conference Room; 5:30-7:30 pm.

**E. Adjournment: 10:10 p.m.**