

**BAR MINUTES  
CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
Regular Meeting  
[November 19, 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](http://charlottesville.granicus.com/ViewPublisher.php?view_id=2)**

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

**Staff Present:** Patrick Cory, Robert Watkins, Jeff Werner, Sebastian Waisman,

**Pre-Meeting**

**Meeting was called to order at 5:33 PM by the chair**

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

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** [October 15, 2019] October Regular Meeting

Deferred the minutes from the October meeting to the December meeting. Members of the BAR had not had the opportunity to review the minutes from the October BAR meeting.

A motion to approve the consent agenda was made and seconded. The motion was approved 6-0

**C. Deferred**

**2. Certificate of Appropriateness Application**

BAR 18-02-05

421 West Main Street

Tax Parcel 320178000

Ed Bowen, Owner/Danny MacNelly (ARCHITECTUREFIRM), Applicant

Revisions to Site Plan

**Staff Report, Robert Watkins** – 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. July 2019: BAR approved the proposed concept landscape plan for 421 West Main Street, 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. BAR should determine if the requested information has been provided.

Staff recommends that an approval include a condition that exterior light fixtures be dimmable and have lamping color temperature equal to or less than 3000K

**Danny MacNelly, Applicant** – This is pretty much in line with what we with the last time. The last time, we were conceptually approved. We are addressing the details at hand. Hopefully, the wood fence, the metal fence, and a couple of other things. In the revised package, we have been doing more investigation on the construction with the civil engineer and the Century Link building that's at the north side of the site. In dealing with the footing, we might have to build a small retaining wall one foot off of that wall, so we don't have to disturb their footing. We are going to make it as invisible as we can make it. We had a couple of renderings that were done. Everything here is supplemental, filling in the gaps.

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

None

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

**Mr. Gastinger** – In the rendering on page 18, the wood fence extends all of the way to the front of the site, which is different from what is shown on the diagram.

**Mr. MacNelly** – That has been corrected. The drawings are correct. The renderings were quickly made as the hotel wanted these on the website. We have been correcting them. The wood fence stops at the gate.

**Mr. Schwarz** – That same fence is a 6 foot tall fence on top of 1 foot wall. Is that a total of 7 feet?

**Mr. MacNelly** – It is 6 feet in total. The fence is 5 feet tall on a one foot wall.

**Mr. Schwarz** – You have some in ground lights that are not under the trees. What are they doing?

**Mr. MacNelly** – The plan is to aim them at the trees.

**Mr. Schwarz** – The ones in the courtyard?

**Mr. MacNelly** – I think that it was lighting the fence. We are putting them on the edge to give the site a little bit of light.

**Mr. Schwarz** – Do they shoot straight up?

**Mr. MacNelly** – Adjustable beaming. It's the same lights that we are using on the courtyard side.

**Mr. Ball** – Along the sloped lawn, is that a crushed gravel path along the side of that?

**Mr. MacNelly** – Yes. There is a crushed gravel path that goes along the side of the building.

**Mr. Ball** – It does seem like a steep grade. How do you keep the gravel there?

**Mr. MacNelly** – I don't think it's that steep. That's still a millable path. I think that it is a one to four. The idea is that the gravel will be kept in place. We are working with the civil engineer now on all of the details. If that is too steep, we will use a super glue mixture to keep the gravel in place.

**Mr. Ball** – I would worry that loose gravel on a steep slope is going to be slippery. I can't imagine that you are going to leave it that way.

**Mr. MacNelly** – We will talk with the civil engineer to make sure that it is stable. If it erodes, we will be fixing it.

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

None

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

**Mr. Lahendro** – I am willing to review the application that was submitted and put it out for public posting. I do not believe that we should be looking at materials submitted yesterday that have not had the full time for public inspection. If we were to proceed with the latter, with the current materials, I will make a motion that we postpone reviewing the new material until they have the proper posting to the public.

**Mr. MacNelly** – If it is a problem, I would be OK with keeping the application as is. I was just bringing everyone up to date on an issue we are finding with that wall. It's a minor issue. I don't think that it is visible from the public way. We can come back and give you the time to review it. If you just want to review what you had prior to now, that is fine by me.

**Mr. Lahendro** – This is my opinion. We shouldn't be looking at anything that's been revised. It is a small, minor change. Two additional renderings that have not been out in the public for the public to see. I am going to insist that we should be looking at things that have been properly posted to the public. We are doing the public's business in the full view of the public. They need to know what we are doing.

**Mr. Schwarz** – May I request that at the end of the meeting, we continue this conversation?

**Ms. Miller** – The applicant has stated that we go with the original submission. We can act on that.

**Mr. Sarafin** – I don't disagree with Mr. Lahendro's approach to this. The difference here is that the concept has been in the public sphere for a good while. I am looking at this application as finalizing details from the concept that we have seen and the public has seen. This has been an ongoing project. I would tend to be more lenient in this particular instance. If it's a matter of looking at the material that has been provided and noticed with enough time, then that maybe satisfies both approaches.

**Ms. Miller** – Maybe we take action on the part that was submitted per the schedule. This supplemental information can be part of your submittal for next month and can be a part of the consent agenda.

**Mr. Lahendro** – This is purely procedural. I am coming from six years on the Planning Commission, where we have wrestled with this. It's just a slippery slope. As soon as you allow one small revision to be passed out the day of the meeting, you are looking at something that has not had the light of day. We have made a policy of no changes after it's been posted.

**Mr. Gastinger** – Regarding the materials that have been submitted, they are in keeping with everything that was previously presented. I do think that we should clarify the wall height and the fence. They are in conflict with what has been submitted. The major point of conversation for me was that the applicant would consider additional trees within the site. What we are looking at right now has a reduction of two trees and the hedge along the side. It has gotten a lot more mineral from the previous submittal. The locust trees will get to be larger than what is shown. They are not going to be as diminutive as that. I would be willing to hear more from the applicant or other Board members about the possibilities of more trees within that space. That periodic meter of green space along Main Street is part of that residential pattern.

**Mr. MacNelly** – We did remove those two tree and part of that is a flexibility issue. We don't know how this will function over time. The idea is to build it, and I presume that it will get a lot greener as we go along. I think that we need to leave it fairly open. We are trying to respect that street edge, so we have the hedge at the front that will match the hedges in front of the houses. We have the trees that will hopefully give that appearance along the street. I ask that we be able to leave it open.

**Mr. Lahendro** – What kind of uses do you see happening along here?

**Mr. MacNelly** – All of the activity in the hotel lobby could spill out into this space on a normal day. This could rent out for party, rehearsal dinner, etc. It is meant to invite the public in. This is seen like a park.

**Mr. Lahendro** – Will there be moveable chairs and furniture out there?

**Mr. MacNelly** – Yes. That's one of those flexible items. We don't know what we are going to put out there. The idea is to make this a hospitable place and invites people in as much as possible.

**Ms. Miller** – I have been enthusiastically supporting this project. We asked for more trees and we got less. I do think that the gravel path is probably problematic.

**Mr. Gastinger** – I don't think that sloped pathway is possible in crushed stone or gravel unless it had a significant binder. There are some available that will hold that slope. I think that it will end up being a paved path

**Motion:** BAR Member Carl 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 landscaping plan from the submittal received on October 29, 2019 satisfies the BAR's criteria and is compatible with this property and other properties in the Downtown ADC District. The BAR approves the application with the following modifications:

- That the top of the fence adjacent to the CenturyLink Building be no more than 6' above grade at the CenturyLink side
- That the in-ground lighting that is not underneath trees should be aim-able and not shine directly into the sky Lahendro seconded.

**Approved (8-1, Miller opposed).**

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

##### **3. Certificate of Appropriateness Application**

BAR 19-11-01

946 Grady Avenue

Tax Parcel – 310060000

Dairy Holdings, LLC, Owner/Charlie Sallwasser (Gropen), Applicant

Exterior door and window alterations

**Staff Report, Robert Watkins** – The former Monticello Dairy building is an Individually Protected Property (IPP). The original central, 2-story (5-bay) portion of the building, and flanking one-story (7-bay) portions are dated 1937. The east addition (7-bay) was built in 1947/1964; the west addition (6-bay) in 1959. Request is for the BAR to find the proposed signage package is appropriate and with that recommend that City Council approve the plan when submitted as a Comprehensive Signage Plan for Dairy Central. (The application applies only to Phase I of the Dairy Central project.) Current procedure requires the BAR to make a recommendation on a Comprehensive Signage Plan to City Council. Applicants for a development that is subject to design review may request approval of a CSP, defined as “a written plan detailing the type, quantity, size, shape, color, and location of all signs within the development that is the subject of the plan, where the number, characteristics and/or locations of [the] signs referenced within the plan do not comply with the requirements of [the City Code re: signs].” Per the City Code, Council may approve a comprehensive signage plan, upon a determination that: “There is good cause for deviating from a strict application of the requirements of this division, and the comprehensive signage plan, as proposed, will serve the public purposes and objectives at least as well, or better, than the signage that would otherwise be permitted for the subject development.” Per discussions with zoning staff, the CSP is necessary in order to permit the mural on the west elevation (see page 4 and location on page A2.10), allow one area of signage on the north elevation to exceed at height of 20-feet (see page 5 and location on page A2.10), and allow a third monument sign. In staff opinion, this plan provides a simple, easily understood system of signage for a large site. The applicant developed the plan in coordination with zoning staff, who support a recommendation of approval, and except for the following comments and questions, design staff finds the proposal to be consistent with the Design Guidelines.

- **Monument Sign C.O:**

- o Proposed high of 6’-10” exceeds the 6’-0” maximum indicated in the January 2018 submittal. The Design Guidelines do not specifically address monument signs, but recommend that freestanding signs not exceed a height of 12’-0”. The proposed signage is within this, however the BAR should discuss if the proposed height is appropriate.

- **“T”-Type Signage:**

- o Lettering shown with max height of 18”. Design Guidelines recommend 12” – 16”

- **Color Palette:**

- o Does proposed palette complement the materials and color of the building, including accent and trim colors?

**Charlie Sallwasser, Applicant** – Our goal is to create an elegant and efficient to use signage plan that connect with both with the historic aspects of the property, abides by preferred standards of the city, and creates and sustains a visible presence for both Dairy Central and their tenants.

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

None

## QUESTIONS FROM THE BOARD

None

## COMMENTS FROM THE PUBLIC

None

## COMMENTS FROM THE BOARD

**Ms. Miller** – I find the proposed signage appropriate. I appreciate the notation about the signage heights. I really like the mural.

**Mr. Schwarz** – I have a concern with the commercial signage that goes above the third floor windows. I feel that we have been very consistent throughout the city in not allowing that. You do have a monument sign already because it's a commercial office tenant, not a retail tenant. I think you don't need to go above the second floor window.

**Mr. Gastinger** – I have a real problem with the mural. This project has been really exemplary in the way that it has treated historic fabric and been very clear about the contemporary additions and adaption of historic structure. The two big changes are the addition of Monticello Dairy text and the washed out look that ends up telling a really strange and incomplete story about where it came from. It seems totally fabricated and out of place. I don't have a problem with the cow. I liked the original one. It was a super graphic character, and it was one way to differentiate it. The faux aging seems to be at odds with everything we try to do with our standards to clarify the historic character of our architecture fabric.

**Ms. Miller** – The super graphic part of it is what clarifies it. That never would have been painted a long time ago. Comparing what was originally proposed two years, I think is cool.

**Mr. Schwarz** – I like the logo and the cow. Not having a painted background is good. You see the brick that has the negative space behind the cow logo. It's going to be made to look like you don't know how old it really is, is problematic. The script and the text is problematic. When I was looking at this, is that already there?

**Mr. Mohr** – Graphically, it's really strong, and I really like the cow. I think that the false aging of the label, of the words doesn't fly.

**Ms. Miller** – Would you be fine if they dropped that element from it and that everything was filled completely in?

**Mr. Mohr** – If the Monticello slogan was full on, just like the cow that would at least be honest. The reference makes sense. It is not trying to pretend that it was always there.

**Mr. Lahendro** – I am not going not going to argue vehemently one way or the other. It's paint. I don't think of paint being a permanent application.

**Mr. Balut** – I definitely understand the theory behind the argument and support to an extent. All art is to elicit a response. What this does successfully is that it does make someone ask the question: 'What is this all about?' It's a quite successful composition. I hard time with whether that deems it unworthy. Because of its evocative nature, I could support it.

**Ms. Miller** – I didn't notice the signage above the third floor. We have always been very strict about enforcing that.

**Mr. Gastinger** – I am not totally clear what that signage might look like up there. What is the possibility within that blue zone?

**Mr. Sallwasser** – Signage for that blue zone will actually similar to the specified signage elsewhere, just on a slightly larger scale. It won't occupy the entirety of the blue zone. It will be lettering and a small logo. It's not necessarily a faux stoicism goal. That technique of distressed paint presents very well visually, specifically on brick. Given the aged quality of the brick already, it's something that will present more aesthetically. It will be more aesthetically pleasing on aged brick than on a straight white illustration. It's something that we have done at Starr Hill in Richmond. It's something we have done with Champion with some success. It's more of a painting technique than trying to pass if off as something that it isn't.

**Mr. Gastinger** – I am not opposed to the faded mural. I think that it's a combination of the building's name and the restoration of the building and that technique that combines to tell a different story. If it was just the cow, I wouldn't have an issue. If it was a different image, I don't think that I would have an issue either. It's a combination of the Monticello Dairy name, its faded character, and the restoration of this building combined would be a little confusing.

**Mr. Sarafin** – From the historic buildings point of view, it sets up a more confusing narrative about what was there.

**Mr. Mohr** – The cow and that technique makes sense. The lettering seems forced.

**Mr. Schwarz** – I think that this will be successful, even if it's not washed out.

**Mr. Balut** – Doesn't that seem like it should be an option with just approving the cow, if the applicant is so inclined? Could we include that in the motion rather than a denial of the whole mural?

**Ms. Miller** – It's not a denial. It's recommendation that the paint be filled in. It seems like we have support for the whole mural, just not the technique of dropping out the paint to make it look old.

**Mr. Mohr** – The lettering could be done in the same manner as the cow is done. I think dropping letters and making it look like it is worn off seems like a fabrication relative to this is an old building. This not an old mural. It seems that it is disingenuous.

**Motion:** BAR Member Carl Schwarz moved having considered the standards set forth within the City Code, including City Design Guidelines for Signs, Awnings, Vending, and Cafes, I move to find that the proposed signage plan satisfies the BAR's criteria and is compatible with this Individual Protected Property and that the BAR recommends City Council approve this Comprehensive Signage Plan as submitted with the following modifications:

- That there be no signage on the building higher than the sills of the second floor windows
- That the mural should not be painted with faux fading, as it presents a false historic narrative. The BAR otherwise supports the mural.

**Earnst seconded. Approved (9-0).**

#### **4. Preliminary Discussion**

Virginia Avenue

#### **E. Other Business**

#### **5. Staff Questions/Discussion**

300 East Main Street planters (guidance)

**Loren Mendoson** – I have addressed many concerns from the public and community. We are trying to satisfy multiple requirements at the same time. Our primary concern was preservation of the architecture. We didn't want to damage the exterior with a permanent feature. I would guidance from the BAR on how to tackle this problem. I am looking for direction from the BAR.

Members of the BAR provided questions, comments, and feedback for Loren. The BAR engaged in a productive conversation on ways to improve what has been done with the planters. Loren does have a much better understanding of how to address the issue. Loren was reminded to reach out to staff and the BAR regarding the application.

#### **Jefferson Theater door (guidance)**

Owner would like to redo the entrance door to the Jefferson Theater. They want to replace with a storefront door. It will be added to the consent agenda for the BAR meeting in December.

#### **Blue Moon Diner mechanical on roof (update)**

#### **600 West Main balcony lights (update)**

Mr. Schwarz had thought that the balcony lights were incredibly bright. Mr. Schwarz had taken pictures of the balcony. The mechanical units do not have any screening around them. They are supposed to have screening around them. Applicant will need to do a field test for brightness of the lights.

#### **128 Madison Lane hedge (guidance)**

The owner would like to plant a hedge. It was decided to be placed on the consent agenda for the December BAR meeting.

#### **Tree Grates on the downtown mall (update)**

Parks and rec had installed the tree grates in 2016. This is a violation of the COA that was approved in 2016.

#### **Sacajawea, Lewis and Clark Statue (update)**

City Council should prepare a report to remove the statue. The Native American groups at the meeting and work session advocated for the removal of the statue. They also asked for more recognition of the local tribes. City Council did vote to remove the statue without input from the BAR.

#### **10<sup>th</sup> and Page Survey (update)**

Completely unprepared for the questions that were posed at the meeting for the 10<sup>th</sup> and Page historical survey. There will be a meeting on December 5<sup>th</sup> at 5 PM. There was opposition to the survey from the



residents in the 10<sup>th</sup> and Page when staff met with the residents at the Jefferson School. It was more opposition to the city government.

### **Presentation Award**

There were several possibilities that were discussed for possible awards.

### **BAR holiday gathering**

#### **6. PLACE Report**

No Place Report

### **F. Adjournment**

**Meeting was adjourned at 7:55 PM.**