

**BAR MINUTES
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
October 20, 2020 – 5:30 p.m.
Zoom Webinar**



Welcome to this Regular Monthly Meeting of the Charlottesville Board of Architectural Review (BAR). Due to the current public health emergency, this meeting is being held online via Zoom. The meeting process will be as follows: For each item, staff will make a brief presentation followed by the applicant’s presentation, after which members of the public will be allowed to speak. Speakers shall identify themselves, and give their current address. Members of the public will have, for each case, up to three minutes to speak. Public 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.

Members Present: Cheri Lewis, Carl Schwarz, Jody Lahendro, James Zehmer, Breck Gastinger, Sonja Lengel, Tim Mohr, Andy McClure

Members Absent: Ron Bailey

Staff Present: Patrick Cory, Robert Watkins, Jeffrey Werner, Joe Rice

Pre-Meeting:

Staff created a guiding document regarding Certificate of Appropriateness Approval Process with three guiding questions for the pre-meeting discussion.

The Board and staff had an open discussion regarding the Certificate of Appropriateness Approval Process going forward. Staff emphasized the importance of a standardized checklist of what applicants have to go through. There are three options: Approval, Denial, and Deferral with the actions of the BAR.

Each applicant should assume that they will get a deferral from the BAR. Only one COA will be issued for each project.

These are going to be the steps before an applicant gets a Certificate of Appropriateness from the BAR: Preliminary Discussion, Pre-Application Conference, and COA Application submission to the BAR.

The meeting was called to order at 5:30 PM by the Chairman

A. Matters from the public not on the agenda

No Comments from the Public

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. July 21, 2020 BAR Minutes

2. Certificate of Appropriateness Application

BAR 20-09-04
128 Chancellor Street
Tax Parcel 290132000
Center for Christian Study, Owner
Thomas Keogh, Train Architects, and William Sherman, Applicants
Exterior alterations and addition

**Mr. Gastinger moved to approve the Consent Agenda. (Ms. Lewis seconded the motion)
The motion passed 8-0.**

C. Deferred Items

3. Certificate of Appropriateness Application

BAR 20-09-05
1619 University Avenue
Tax Parcel 090102000
Sovran Bank, Owner
Brian Quinn, Milrose Consultants, Applicant
Exterior lighting

Jeff Werner, Staff Report - Year Built: 1959 District: The Corner ADC District Status: Contributing. This one-story Classical Revival brick commercial building was built as a bank branch in 1959. It is characterized by a projecting half-octagon porch, fixed 35-light windows, and a hipped roof. Request CoA for the replacement of exterior lighting. Applicant provided information confirming that the lamping for all proposed fixtures will have a Color temperature that does not exceed 3,000K. Staff recommends approval of the CoA. BAR may consider conditions for the tree and vegetation trimming, including requiring that any work within the public right of way be coordinated with the City.

Ryan McGrath, Applicant – This is a Bank of America site. The idea is to bring up the lighting levels at all of these sites for security reasons and safety reasons within a 50 foot radius of ATMs and entrances. Last time we spoke, there were issues or concerns about the lighting levels and Josh Waggoner with GMR sent some renderings to you, which you had requested. I believe that we sent some additional cut sheets.

Josh Waggoner, GMR – We were asked for additional renderings for what the site would look like following up the different sides of the site. We were also asked to confirm that we can get it to 3K. The site was approved non-compliant due to some city ordinance we could not meet while meeting compliance. We want to be able to light as much as we can and for security reasons and strictly for people who want to use the ATM at night. That’s our general purpose as well as upgrading the site lighting. We have a mix of lighting on site right now ranging from 57K down to 3K. This will unify that as well. It will make everything look cohesive and aesthetically pleasing. That’s what we are trying to achieve now.

QUESTIONS FROM THE PUBLIC

Geary Albright – I was wondering if the lights have downward facing reflectors to keep the light from illuminating the skies as much as possible. Since this came up, I am going to point that out.

Mr. Waggoner – All of our fixtures are full cutoff fixtures. All of the light is directed 90 degrees down. We have no up light on this site. All of our fixtures are full cutoff.

QUESTIONS FROM THE BOARD

Mr. McClure – I was curious. Mr. Albright is the landlord of mine at one of the buildings that is adjacent to this property. The new pole that you are putting in the “back left.” I am looking at the plus and minus on the lumon scale. Directly in front of the light, it has a plus 3. Behind it has a plus 2. How does that translate into lighting and glare?

Mr. Waggoner – Those are not pluses. They are just a point. Those are calculations at grade. If you took the light reader and put it on the ground, that would be what your foot candles would be. That is type four fixture with backlight control. The UAX 1, which will be on the bottom left hand corner, is facing away from the parking garage. That would have a backlight shield facing the property line. There would be no light trespass your property line on the back from that area. That fixture has a shield on the LED pods in the fixture. There will be no light throw on the backside of that fixture.

COMMENTS FROM THE PUBLIC

No Comments

COMMENTS FROM THE BOARD

Mr. Mohr – I am still a little concerned about the lighting levels around the ATMs and the foyer. There are three wall packs around the ATM. The rendering really doesn't show us what is anticipated. The other problem with the rendering is that it really doesn't account for all of the other lighting that's going on in the general vicinity. It does play a role in this. We have asked for dimming controls on this, correct?

Mr. Werner – That's something we have requested. The fixtures are available with dimmers. It's not part of the lamp itself. I think it's a separate control. My recommendation would be to require that if you want.

Mr. Mohr – Without something to give us a reference for what is really going on nearby. They are showing what their lighting is doing relative to the property line, which is a weird concept. That's an old and misguided approach anyway. I am a little concerned about the ATM being a real hot spot. That's something that can be adjusted in the field. We won't be swapping out bulbs for some time because LEDs have a long lifespan. With the foyer and anyplace where there is a real concentration, we would want to have some way of dealing with the potential for glare. The full cutoff is great from a dark skies standpoint. This building is on a knoll. The glare potential seems to be still significant.

Mr. Waggoner – I will start with the hot spot comment. Every state requires ten foot candles within a five foot radius of the ATM. That's the minimum. This has been approved non-compliant. We still want to be as close to that as possible strictly for people utilizing the ATM at night. That's our main reason for that. Referring the full site calculations, the highest that I have in front of an ATM is 15. It's directly in front of the ATM and then it dies off about ten feet further beyond the property line. Your hot spot is strictly maintained

to the site. I do understand your qualms with it. We are trying to make sure that people have the visibility to be able to use this ATM at night.

Mr. Mohr – Is the USB 1 a wallpack?

Mr. Waggoner – USB 1 is a wallpack.

Mr. Mohr – You have USA 2 coming down that pathway. Is that a wallpack?

Mr. Waggoner – USA 2 and USB 1 are both wallpacks. They are full cutoff with a g rating of 1. The glare rating is as low as you can get.

Mr. Mohr – The UBL 1 next to that USB 1?

Mr. Waggoner – UBL 1 is a canopy mounted fixture. That would be mounted to the canopy facing the street down. For the canopy fixtures on the front, there is an archway that dips down. To get rendering of that, it would be really misconstrued. You would probably have a big tree in front of it to be able to get up in there. You have a huge archway that is upset by three feet. That's the reason for not having a great rendering of those. It's just not easy to get to.

Mr. Mohr – In the back portion, there are 9.6 foot candles on one side and 7.2 foot candles on the other side. It doesn't make sense to me.

Mr. Waggoner – That's just the way the candles lay out. We have run real world scenarios. Everything you see is built up. The stairs, hand rails, archways, and canopy are built up. Everything you are seeing is real. This is real output of what will be on site given your approval.

Mr. Mohr – I could understand about the ATMs. I could see about the foyer. You have a pretty low light level in there and still be able to perceive it. That's what it makes it really hard to understand. It really doesn't deal with the ambient light. The ambient light could be cancelling out potential brightness quotient.

Mr. Waggoner – That was another comment I wanted to touch on for a moment. When we light for security for banking purposes, the reason we don't build in other peoples' fixtures is because we don't want to rely on them for our security. If somebody was to get robbed, and the street lights went out. We built them into our design. We built them into our design that people will be safe if the fixture is on. If the city fixture is out, we have no control over that. That's the reason why we don't build other peoples' fixtures as a general normal. We can't rely on them for liability purposes. It is just not in our realm.

Mr. Schwarz – We really don't have the tools to review this the way that we want to. I think that the applicant has given us everything that we have asked for. You keep mentioning dimming. It would be great if you could put dimming on these. I am not sure we have any power to enforce that. Suppose you get it installed and you discover that it doesn't have to be so bright. You could potentially have some energy savings.

Mr. Waggoner – We talked about this the first time when we spoke about dimming on everything outside of the compliance area. Most of these fixtures effect our compliance

area. If we dim it and it doesn't catch somebody in the plant area, then we are still under our lumon output that we want to be at. It's a slippery slope.

Ms. Lewis – Could you clarify the term compliance area?

Mr. Waggoner – That's a financial institution requirement. Five feet radius around that ATM needs to be a maintained ten feet candle minimum at three feet above grade. I do understand how it could be misconstrued. Fifty feet around each exposure needs to be two feet candles three feet above grade. If you are able to walk up to an ATM and you're able to park and walk to that ATM, that parking spot also needs to be two feet candles. That is a regulatory standard for all financial institutions in a regulated state. That's your basic outline of your compliance area regarding financial institutions.

Mr. Schwarz – The lighting that exists is awful. I recognize that this is going to be a vast improvement. We are nervous. We're also not experts enough to know how best to regulate this.

Mr. Mohr – I appreciated your candor and your willingness to work through this with us.

Mr. Waggoner – We do this all of the time. We look up the ordinance first. We have an obligation to the bank to meet the state statute for the ordinance. If we can't meet it, then we go through this process. More than to do what we need to do to get this approved.

Ms. Lewis – I wanted to thank the applicant for taking into consideration all of the requests and incorporating them into the submittal for this meeting.

Motion: Mr. Mohr 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 lighting satisfies the BAR's criteria and is compatible with this property and other properties in the Corner ADC District, and that the BAR approves the application as submitted. Ms. Lewis seconds. Motion passes (8-0).

D. New Items

4. Certificate of Appropriateness

Application BAR 20-10-01
204 Hartmans Mill Road
Tax Parcel 260038000
Jocelyn Johnson and William Hunt, Owner
Melissa T. Colombo, Applicant
Outbuilding demolition

Staff Report, Jeffrey Werner – Year Built: Cottage: Evidence suggests the NW corner of the cottage was constructed c1900-1910, with additions through the 1920s. The east extension and rear shed component was later followed by the rear [bathroom] addition. House: c1873, with ongoing additions through 1920. District: Individually Protected Property Known as the George T. Nimmo House, family tradition holds that the original house--believed to be the northeast corner--was built in 1870, with later additions occurring over an extended period. Nimmo acquired the property in 1873 and tax records indicate three periods of building activity--1873-1874, 1880-1885, and 1915-1920. The original house likely dates to 1873. The

periods of construction coincide with Census data showing the growth of the Nimmo household. CoA request to demolish existing, wood-framed, single story cottage. After examining the structure, it staff's opinion that the cottage is in a significantly deteriorated condition. There might be individual components (mantle, some windows, etc.) and materials (bricks, floorboards, etc.) that are salvageable for reuse elsewhere; however, rehabilitation of the cottage—in place or relocated--would require significant, if not entire, demolition, with the reconstruction incorporating a limited amount of salvageable, original material. Staff recommends approval of the demolition CoA, with a condition that the applicant provide for the BAR archive scaled, sketch drawings of the structure—floor plan, roof plan, four elevations.

Mr. Schwarz – It's also a demolition of a tree?

Melissa Colombo, Applicant – There is a tree that will need to come down. There is an ash tree that is next to the existing house. It is leaning towards the cottage. It's raised up their exterior heat pump by a foot in the last couple of years. They had an arborist come out to try to save it. It's going to come down one way or the other. It will nice if it comes down controlled.

One of the big problems with that cottage is that they have had major septic backup into it. It is the slippery slope of the deterioration of the interior. There is a lot of mold. Even if it were to be restored to its fullest, it cannot be occupied.

QUESTIONS FROM THE PUBLIC

No Questions from the Public

QUESTIONS FROM THE BOARD

No Questions from the BAR

COMMENTS FROM THE PUBLIC

No Comments from the Public

COMMENTS FROM THE BOARD

Ms. Lewis – Have we asked the applicant to photograph or do any recording before the demolition occurs?

Mr. Werner – I will share what we have done with other projects. The photographs are good. The sketch drawings provide that context of what we are looking at in the photos. We are not looking for an architectural drawing, but just a sketch would be sufficient to provide reference with the photographs. We typically do request that for demolitions.

Ms. Colombo – I don't have an issue with that. That's totally reasonable to document it before it is taken down.

Mr. Lahendro – I would ask for the bigger favor. As the building is coming down, maybe take some photographs. In our inspection of the cabin, we found that above the ceiling, the roof framing is painted as a finished area. If possible, take some photographs. That would add even more to the record.

Ms. Colombo – We can definitely take care of that. If there are any materials that can be reclaimed, the goal is to reclaim that. After this, the whole point of this cottage coming down is to be able to put an addition for a modern family that is growing that would like to add an addition onto it. Any building materials that could be reused, the goal is to reuse those.

Mr. Zehmer – I agree with staff that it is beyond repair. I would encourage the owners to try to clear out around the cemetery to respect those people that are buried there.

Ms. Colombo – I believe that they knew that the cemetery was there. I believe that they have contact information for distant relatives. We will pass that on.

Motion: Ms. Lewis - Having considered the standards set forth within the City Code, including the ADC Guidelines for Demolition, I move to find that the proposed demolition satisfies the BAR's criteria and is compatible with this IPP, and that the BAR approves the request as submitted, with the following condition:

- **that the property be documented before and during demolition, including sketches that can be made, and that this documentation be forwarded to the city.**

Mr. Lahendro seconds. Motion passes (8-0).

E. Other Business

5. 106 Oakhurst Circle Pre-Application Conference

- Applicant took some time to incorporate some of the comments made by the BAR at the meeting last month.
- The applicant is working within a very tight spot.
- The primary concern that the applicant has is the impact on the adjacent properties around the property.
- There are a number of trees and shrubs that are native and there is a good vegetative buffer. Those trees and shrubs would have to be removed if going in on the north side.
- Going in on the north side has been completely ruled out.
- Everything is going to be done to avoid the root zones of the trees on the property.
- There would also be the activity of construction that would also have an effect on the surrounding area.
- There is an oak tree that is decaying and leaning that will have to be removed.
- Those living there would be subject to people coming and going into the local business.
- There are already pressures on the property.
- There is probably going to be six residents living within the duplex.
- The applicant is looking at removing the porch and rebuilding the porch.
- Another impact is the dogwood tree with going the southern route.
- It would be hard to avoid the impact with the dogwood trees.
- There is going to be a holding to the original character of the building.
- There was a discussion with questions and answers with the applicant starting with the site.
- Mr. Gastinger noted that there is no reason for the driveway going through the front yard. Mr. Gastinger thought that the driveway on one side would be best.
- Mr. Schwarz did address the curb cut with applicant.
- Mr. Zehmer was also supportive in this project in not taking the driveway across the front yard.

- Every effort is going to be made to save the trees on the property during the construction.
- Mr. Schwarz did recommend that it would be best not to screen the front of the house with plantings.
- There was a discussion between the BAR and the applicant regarding this project and if there were any concerns that the BAR had with the project moving to a COA application and submission.
- The Chairman went over the different items that will need to be submitted with the application. The items include the movement of the driveway to the south, the hyphen, cut sheets of windows and doors, landscape plan, elevation drawings, material list, exterior lighting, and a wall section.

The BAR recessed for a five minute recess.

6. City/County Courts Project Preliminary Discussion

- The discussion began with the introduction to the scope and schedule of the project.
- This is one of the most important projects with the Charlottesville and Albemarle County community.
- There will be more meetings with the BAR in the coming years with multiple Certificate of Appropriateness applications.
- There was a presentation on the preconditions of the site.
- The new county courts building will be constructed at the site of the Levy Building in phase I. The courts will be moved to this new building.
- In phase II, the County Circuit and County District Courts building will be renovated.
- The County Circuit Court is moved back into the renovated building and the City General District Court will be moved into the new Courts Building.
- Stakeholders include both the city and county with the courthouse project.
- Project is slated to be finished in five years in 2025.
- The current time is programming and planning.
- Phases I and II will be designed together within schematic design and design development.
- The BAR will be involved in schematic design, landscape design, site plan, renovation, and new construction at the same time.
- The BAR review will be involved though the middle of 2021.
- The first COA will be for the demolition of the 1980s addition to the Levy Building.
- Thinking about the demolition permit at this moment in time.
- The buildings to be demolished have no historic significance. They belong to the Historic District.
- Several Board members did emphasize the importance of documenting what will be found of historical significance.
- There was also archaeological opportunities that members of the Board wanted to be documented.

7. Belmont Bridge Project Update

- Mr. Gastinger brought up the fast turnaround and the mock up panels.
- Since staff was not on the meeting call, the Belmont Bridge Project Update was moved to a future meeting.

8. Staff Questions/Discussion

Tents on the Downtown Mall

- The BAR and staff had a discussion regarding the use of tents on the downtown mall.
- The BAR wants to make temporary changes with tent relief.
- The BAR can only make recommendations with tents on the downtown mall. The BAR does not have the authority to make a determination.
- The BAR can only make suggestions on where the tents are going to be set up with the restaurant patios. The Zoning Administrators can only make those determinations.
- The BAR would like the regulations to be loosened for the tents on the downtown mall.
- There was further discussion regarding the timeline and when the use of tents would end.

Motion: Ms. Lewis - In recognition of the global pandemic's threat to the economic vitality of our historic City, the BAR unanimously expresses that outdoor tents and any supporting equipment or conditions including sides of tents, locating that does not conform to the current permits, access to electrical facilities, and other measures to support outdoor economic activity in the City, be permitted for as long as the Governor's state of emergency is in effect. Mr. McClure seconds. Motion passes (8-0).

Lighting Standards

- Street lighting is erratic – Mr. Mohr
- Memo written to the Planning Commission – Lighting does need to be part of the zoning rewrite of the comprehensive plan update.
- There was support amongst the other members of the BAR to send the memo to the Planning Commission and Comprehensive Plan consultants.
- Mr. Lahendro recommended that there be a work session between the Planning Commission and the Board of Architectural Review on lighting.

BAR Training
Preservation Awards Discussion
LEAP Energy Guide

9. PLACE Committee Update

F. Adjournment

The meeting was adjourned at 9:34 PM.

