

**BAR MINUTES  
CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
Regular Meeting  
December 15, 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:** Carl Schwarz, Cheri Lewis, Breck Gastinger, Jody Lahendro, Andy McClure, James Zehmer, Sonja Lengel, Ron Bailey

**Members Absent:** Tim Mohr

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

**Pre-Meeting:**

The early start for the pre-meeting was for the BAR to have a work session to discuss the current COA process.

The two options presented by staff to the BAR with the COA application process were preliminary discussions and COA applications. There was a discussion regarding the processes going forward with COA process.

Staff proposed a two-step process following the initial preliminary discussion in front to the BAR. This would be in accordance with City code and the ordinance. The first step would be a COA application with a deferral either by the BAR or the applicant and a final COA application submission.

There was a lengthy discussion among those BAR members in attendance and city staff regarding the new COA application process. There is going to be one final COA submission for each project. There are no longer going to be multiple COAs for each project.

The next step will be to send the changes to the COA process to the City Attorney for review.

There was a brief discussion regarding the items on the meeting agenda.

**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.)

*No Consent Agenda Items*

**C. Deferred Items**

**1. Certificate of Appropriateness Application**

BAR 20-11-02

612 West Main Street

Tax Parcel 290003000

Heirloom West Main Street Second Phase LLC, Owner

Jeff Dreyfus, Bushman Dreyfus Architects, Applicant

New construction of a mixed-use development

**Jeff Werner, Staff Report** – This is a continuing discussion for a COA request that we're calling 612 West Main Street. The formal address is 602 to 616 West Main Street. There is an existing building on the site and it was constructed between 1959 and 1973. It will be demolished. It is a non-contributing structure in this ADC district. There will not be any COA for the demolition. The applicant last had a discussion with the BAR at the November meeting. This has been presented as a formal application for a COA. Tonight I do not believe the applicant is seeking action by the BAR. However, you all are required by the code to take an action. That action would be to approve the applicants request for a deferral. As we discussed before this meeting, this is a continued discussion. The applicant has presented the drawings that you all reviewed in November and offered annotations. The intent is to clarify and make sure everyone is on the same page with what the BAR is offering in its comments. There are seven or eight pages of additional information that's provided. I want to again reiterate that the clock is ticking on this and this is a formal application. You all accepted the applicants request for a deferral in November. However at this meeting, the BAR cannot make the motion. Only the applicant can request a deferral. Should the applicant not accept a deferral or not propose a deferral, the BARs options are only to approve it, deny it, or to approve it with conditions. In the context of this continued discussion, the goal of this is a dialogue. The applicant has some specific things that he wishes to address. I want to encourage the BAR to have that dialogue. This is just a presentation on where the design is. This is part of that iterative process of working things towards a complete application that you all can take action on.

**Mr. Lahendro** – In our pre meeting, the Board expressed some confusion about what you'll be looking for tonight. As you make your presentation, would you be clear about what you want the Board comment on please?

**Jeff Dreyfus, Applicant** – We are looking for comment on massing and elevation development on the West Main Street facade. Those two elements are key to the development of the rest of the building. Until we feel we're on an approvable track, comment beyond that presentation and discussion on our part is all premature. As you noticed in the package, we did not propose a landscape plan at this point. We think that is premature. I'll go through that, as I talk about some of the slides. The one thing I'd like to do first is to reiterate what we think we heard you all ask us to do after the last presentation of the facade on West Main Street. That is to reflect a multi parcel nature of the site's history and address the scale difference of West West Main Street versus East West Main Street. That means a smaller scale east of the bridge. It's been

pointed out that we are setting a precedent for larger scale parcels on this side of West Main Street, east side of the bridge. You've asked us to mediate the horizontality of the parcel and the building. It is only three stories tall because of zoning. As we've been thinking through the comments that you all provided and looking for ways to move forward, it was also important to us to reiterate what we find as value on West Main Street. We all share them, but we could debate them. As a design team, we believe a mix of residential and retail is critical. Smaller retail spaces over larger big box retailers is what has typically been on the east side of West Main Street. There's a challenge in that we have a 10 foot setback. How do we hold the edge? How do we maintain the lower scale of buildings east of the bridge? We've asked ourselves how we can enhance this part of West Main Street by bringing more residential life to the streets, making it a truly walkable neighborhood and adding space for more small retailers. I think a very important element is by being quiet. As we look at some of the images of buildings along West Main and not calling attention to ourselves in order to provide a visual respite from West Main Street at the moment. We are interested in taking a backseat architecturally and letting buildings like the Baptist Church and the Albemarle Hotel have the attention. The other thing that we're interested in doing is bringing a different demographic to West Main Street. This is not a building intended for students but for young professionals and older residents.

When it comes to reflecting the multi parcel nature of the site, you can see the original plat lines on the parcel. You can also see the way we're beginning to look at breaking up the facade differently now to reflect the original widths of those parcels. In terms of scale, one of the larger buildings on this side of the bridge is the Albemarle Hotel. If we take the length of the Albemarle Hotel and reflect across the street, we can't work with the same exact proportions because we're not allowed the same height. Width wise, there's precedent for buildings of that size and length on West Main Street. You can begin to see how we're starting to break up the facade. This is not intended to propose any landscape at this point. This is really to show and to continue as we move forward. This reflects what the current plan is for the West Main Street streetscape project. You can see that the dashed red line is the current curb line. The proposal in this area is to encroach a little bit on the public right of way with the curb and plant the street trees right up along there. Our landscape architect has been in touch with the planners at Rhodsside and Harwell. They're very eager to work with us to devise a plan. They've reiterated that this is malleable and would like to work with us as soon as we start thinking about the public space here. This is not a proposal. This is merely a reflection of what is currently in the streetscape plan relative to the building we're looking at here. As we started to look at how we bring verticality to a very long and horizontal building, we are looking at other examples here and introducing retail. One of the things we really appreciate about the three images on the left are the retail spaces down below. The middle is a larger retail space behind multiple windows. The one on the left could be three individual retailers. The one on the right is one retailer within three bays. Looking at how we can offer the opportunity for the retail in the building we provide flexibility with smaller and local retailers, as opposed to big box retailers. How does that relate to the verticality we're trying to achieve on the facade of the building to counteract the horizontality and the grid of Windows above? We've mentioned this before, but texture. We'll talk about this in the facade itself. How do we introduce texture to create a difference? Is it color stucco on the right brick in the middle and on the left? These are elements we're going to continue to bring into the picture. I don't want to lose sight of the fact that we're thinking about these as we develop the diagram. Looking at precedents in Charlottesville: there's the Albemarle Hotel which has all three on the top; then and now. Interestingly, there were balconies on the Albemarle Hotel. It wasn't residential but there were some upper balconies there. Some of those balconies have been removed at this point, but they did exist. Then taller retail level on the ground floor which by code we certainly are needing to abide by.

If we look at other examples in downtown Charlottesville, there's The Terraces which has taller retail on the ground floor. It's a taller building. You can see the type of arcade that is marching down the street and even turns the corner as it moves toward the mall. There is the residential building on 550 Water Street. It has been recently built and approved by the BAR. There is taller retail space on the ground floor. There is a bank on the first floor. It's not an entirely residential building. There is a large residential entry there on the street. They took the vertical and really exaggerated it on this building. Color and texture in this instance are the difference. As we look at the Code Building and the way they've brought verticality into that project, you can see the three story structure that runs up to the mall and how it's been similarly broken down. This is an office building with some retail below. The upper windows don't necessarily reflect a residential scale. That's something that we'll be talking about as we move into the diagram.

We've got views that we've done from two different angles of this. We've been working on this since the submission a week ago. I find it to be very helpful to see this in a broader context. I don't think that this does it justice. We needed the time to develop it. What we've worked toward here is breaking down the mass, so that the building reads coming forward. This is the width of the Albemarle Hotel here and all of it working with the layout of the units inside. What is not reading quite as well are these portions of the building that are moved back two feet from the main façade. This upper portion is 10 feet back. That is from the required step back that we have. What we're thinking here is that these smaller and lower portions help differentiate the taller facade that comes forward two feet from there. These areas in red will be a different texture and potentially different color. Subtlety is going to be the key here, whether it's a deeply raked brick or a change to stucco. We're going to need to figure out how that change is made to really make them subordinate to the two masses that come forward. We heard that the larger retail on the ground floor read like a department store. We've gone the other direction, allowing the individual spaces the opportunity to combine or subdivide, depending upon the retailers that are looking to come in. On the upper floors we are adding Juliet balconies and looking to add greenery. There is a desire to engage with the street by allowing engagement with the street by residents, opening doors, and plants on the balconies. Bringing color to the building was something that was requested at the last meeting. While we are trying to remain quiet and subtle, the opportunity exists by bringing greenery into this and potentially with the awnings that the retailers might be able to use. We wanted to put this in the larger context of all of West Main Street, the scale of this, and how it is relating to other structures on the street. You can see the very top row is The Lark on Main Street is to the left The Flats are on the right. Below that is the Battle Building and The Standard, The Standard and The Flats are the closest in terms of building type. They are different scales and not really comparable. I would like to point out that we are trying to find a fine line of how to differentiate between the masses of this building and the two that come forward in particular. How do we do that? How do we break up this long elevation without it appearing to be like a series of phony townhouses? What we heard at the last BAR meeting is that The Standard is not particularly successful at it. It reads as a bit of a cacophony. The Flats is pretty much that flat. If we look at the lower drawing, it's really just comparing how this compares with the other buildings on the street. It has the same zoning as The Cork. The mass comes forward to the 10 foot setback and is the same height as The Cork. We've got a great deal of length there. We don't have the benefit of historic structures breaking it up as The Cork does in the front of it. I do recall that there was the question of whether or not it would be possible to raise the elevation of this building, so that we could get a four story facade on the street, even if it was balconies behind it. The answer to that is yes it is possible. Zoning would allow it. There are two reasons

we are resisting that. One is that we feel that it's disingenuous to do it. The zoning of West Main Street really did intend for three story structures on this side of the bridge before that and then a 10 foot step back. The intent of that was to bring the scale of East West Main Street down. Doing that feels as though we would be trying to game the system frankly. The other reason that we prefer not to do it is that when viewed in context, especially next to The Holsinger building and the Baptist Church's Annex building. This building as a three story building is taller. It seems to be a good mediator between the Annex building and the height of 600 West Main Street. Two images that we've been working on might describe a bit better the intention of what is set back from the street façade. This one in particular points out that a four story facade along there will dwarf the Holsinger Building. We're trying to be respectful of the context of what's around it. We are looking for comments and feedback on the elevation as it has progressed from the last time you saw it in terms of the development of it, and the direction of it. If that's not clear, please let me know.

### **QUESTIONS FROM THE PUBLIC**

No Questions from the Public

### **QUESTIONS FROM THE BOARD**

No Questions from the Board

### **COMMENTS FROM THE PUBLIC**

No Comments from the Public

### **COMMENTS FROM THE BOARD**

**Mr. Gastinger** – I think there are a lot of positive design developments here. I think that breaking up the roofline with the modulation with the rail and the solid parapet is helpful in accentuating those two volumes. I appreciate looking back at the former lot lines to bring some of that texture to the contemporary structure. I do think that changing the texture or the color of the hyphens has to be that pronounced. I think that will go a long way to further breaking down those volumes. I think those are all positive. I still am a little bit suspicious about the two foot indentation and if it's going to be as significant along the street plane to what we're reading in a flat elevation. This building will not be read in that elevation very often. I think that some of the modeling that you guys have done, where the light is just barely raking across the façade, is creating a deeper sensation of what that facade would look like than it actually will be on the north side of that building. I am curious to hear what other thoughts there are about that hyphen, other ways that we can further accentuate it, and ways that the site plan is developed with landscape and street trees that could further emphasize and break up that long rhythm of verticals. The only other question/comment I have is if there might not be some opportunity for you to lift the volume of the portion of the building that is eastern most. I wonder whether that will transition a little bit more to the 600. It might also give you some additional some opportunities for roof access, if that's a desire. It also would further break up that that secondary cornice line which is also pretty strong horizontal.

**Mr. Schwarz** – Before we're done with this conversation, we should probably all confirm whether we agree with each other's comments or not. For example, how does everyone feel about Mr. Gastinger's idea of trying to raise the eastern most portion of the building? Mr. Gastinger, are you referring to that the front block putting up a false facade up on the fourth level?

**Mr. Gastinger** – The portion that stepped back behind the entry plaza.

**Mr. Schwarz** – Mr. Dreyfus, does zoning allow you to go a little taller on the back portion?

**Mr. Dreyfus** – No, it does not. We could have an appurtenance. Our hope is to have a bit of an appurtenance as it is shown there. We would like to provide roof access, given the internal core of the building, and where circulation is happening. It would be back there. I think that's much taller than what we would be doing. Other than an appurtenance of a four story building, we are at the height.

**Mr. Lahendro** – I thank Mr. Dreyfus. Clearly his office responded to our comments. I think that the two blocks are differentiated. I like that they're even different sizes, which gives even more of an impression of a different breakdown of scales and a more urban content character. Yes, I do wish the hyphens were set back more than two feet. I agree with Mr. Gastinger that it depends a lot upon the distinction of the brick and the color that could help read those or make them seem even more recessed if it's the proper color and dark enough. I think by having the horizontals between the floors of windows helps break down what I was concerned with the last time; the strong, monumental verticals. I think it shows a lot of success in meeting the kinds of concerns I had last time.

**Ms. Lewis** – I agree with Mr. Lahendro. It seems to improve and be responsive to things that we've pointed out. Thanks to Mr. Dreyfus. Certainly the balconies and the engagement with the street was one of the conditions of the SUP that council granted. We recommended council grant it in 2019 for this. I think this gets closer to having that pedestrian street engagement. That was an expressed condition. I think it meets all of the new construction guidelines. I have no objection to that. The guideline that's in our materials says there shall be pedestrian engagement with the street with an active, transparent, and permeable facade at street level. That could be interpreted a lot of different ways. I think that you're getting closer to that. It does look like a quite beautiful building. I don't think that it's fading into nothingness. I think its austerity is quite beautiful. You've done a good job meeting the requirement of the 2019 SUP in breaking it down to this historical multi parcel massing and reflecting that. I like the gesture of keeping the width to the Albemarle Hotel width. Maybe that's a good tape measure for us for West Main Street.

**Mr. Zehmer** – I agree with Mr. Gastinger and Mr. Lahendro about the size of the hyphens being set back further or using a darker material to make them appear to set back further. My only comment or question was that I don't recall the retail level on the ground floor. The earlier versions did have a wider base. I didn't quite recall that we had suggested doing away with that. I'm wondering if you all explored Mr. Lahendro's point, defined the horizontal in between the floor levels between the second and third floor, which I think is successful. I am wondering if you did that in conjunction with a wider base of the retail space on the ground floor. I do think that kind of historic mixed use residential above retail in this area makes a lot of sense. If you look at the Holsinger Building next door, it has this wider base at the ground floor level. It may be where you can really break up the facade again. You have that five bay facade because that's the width of the fore bay that allows you to mix it up a little bit on this. One of the things I think that the Albemarle Hotel is successful with is that it's got a varied façade. You've got some arched windows and rectilinear windows. Even the retail level on that building is recessed quite a bit back from the street. I'm just wondering if that might be an exercise worth playing with.

**Mr. Dreyfus** – We studied it a lot. What happened was the minute we started combining any of those retail bays into a larger horizontal element, the building began reading very horizontally again. It surprised me. I very much like the open retail at the bottom of the Albemarle Hotel. We tried really hard to incorporate that. It almost was an all or nothing proposition. Regardless of what we did, if we combined two and two and left one in the middle, it just began reading very horizontally again. I think we were doing that. We felt that we were doing the block a disservice because it just felt like a much longer building in every instance.

**Mr. Zehmer** – Did you all try pulling the facade of those because of that recess in the back? I think the hotel has been recessed, but it still has columns out front, which may break up that horizontally.

**Mr. Dreyfus** – It may be something that we can achieve at certain entrances. We're already losing 10 feet of the property because of the 10 foot setback. Eating further into the retail space is a painful proposition for a developer. It might be that we can do that on a small basis at those entries that have a door in it or something like that.

**Mr. Schwarz** – Mr. Mohr had mentioned at the last meeting, and Jeff even responded to making the front portions of the building be falsely four stories tall. Are we all in agreement that it's okay to leave it as is? Or is there anybody else who agreed with Mr. Mohr strongly? That probably will come again in the future. Mr. Dreyfus, I think you make a good point that zoning did want this to be a three story district. I'm not sure we'd benefit from added height on the street front facade.

**Mr. Gastinger** – I found those renderings pretty compelling to the points that Mr. Dreyfus was making about the transition to the larger 600 West Main Street.

**Mr. Lahendro** – The transition from the larger 600 to 612, then to the Holsinger Building has a nice stepping quality there.

**Mr. Gastinger** – I find it really good and positive that there is some potential collaboration with the future West Main Streetscape. I think that we could do real wonders with how this building might be modulating and what the views are along the sidewalk. It also occurs to me that there will certainly be a continuous sidewalk at the street. Another way to further break up the horizontal reading of the building is to perhaps break up or modulate the sidewalk at the facade line. When we talk about those hyphens in particular, we don't want to talk about jamming a tree in there like there is on The Standard. Those could be moments of landscape space where there's either changing material, added vegetation, or a combination.

**Mr. Dreyfus** – I think it's a great idea.

**Mr. Schwarz** – I think you guys need to have in your back pocket a plan B should West Main Street streetscape project not happen.

**Mr. Dreyfus** – I couldn't agree more. We don't have any idea what the timing is going to be. Personally, I think we have to proceed on the assumption that it will not be underway by the time we open this building. We have to have a plan. The plan probably needs to be one that is an interim step that we know that is acceptable to everyone right now. That then feeds into the longer range master plan. I think that's a bit of a challenge. I think that's the best way for us to all proceed.

**Mr. Gastinger** – I think that's a better way of putting it. Rather than thinking of it as a plan B, think of it as a plan A. The West Main Streetscape is the next phase. You could make it look so obvious about where those street trees need to go. It makes it easy for those designers.

**Mr. Dreyfus** – I think we'll design it with them as phases one and two. We don't want it to be a surprise to anybody. I think that's a great way to think about it.

**Mr. Schwarz** – My fear is if we're counting on those street trees as the only street trees and they don't get put in, that's a large swath of West Main Street that will no longer have street trees. I don't know how to resolve that. It's in the back of my mind. That is something to be worried about.

**Mr. Dreyfus** – We don't want this standing there with no trees or no greenery with the assumption that they're coming and they don't come for 40 years.

Unless there's anything or any questions we have even of the diagrammatic nature of the elevations. Any concerns that you see there? What I'm hearing is carry on and concern about the reading of the hyphens being dramatic enough so that the two main blocks will read. There are a variety of ways we can achieve it: color, texture, and more depth. I think I'm hearing we're on the right path.

I'll ask for a deferral. We will continue to develop this. I really do appreciate the feedback that some of you have given us in the last few weeks. It has helped us understand people's concerns. We can't do this in a void. Each time you all have provided input. I think it's made the building that much better. We'll take the few concerns we heard tonight and keep pushing forward in this direction.

**Motion – Mr. Gastinger - moves to accept the applicant's request for a deferral. Carl Schwarz seconds. Motion passes (8-0).**

## **D. New Items**

### **2. Certificate of Appropriateness**

BAR 20-12-02

201 East Market Street

Tax Parcel 330196000

City of Charlottesville & County of Albemarle, Owner

Ryan Dewyea, City of Charlottesville, Applicant

Mechanical units

**Jeffrey Werner, Staff Report** – This is a Certificate of Appropriateness request for 201 East Market Street, which is the main library downtown. This building was constructed in 1906 and renovated in in 1936. Although I suspect this rare addition doesn't appear to be to date the 1936. It is a contributing structure in the North Downtown ADC district. The BAR has reviewed a few things over the last 10 or 15 years. A new bike rack and some work restoring the windows and handrails and some miscellaneous maintenance. This is a request for the replacement of the rooftop mechanical units. The key concern is there are installation of new pipes and conduits that need to get from the rooftop and down into the mechanical room in the basement of the building. Following the gray line there that I've indicated with a green arrow,



there two chilled water pipes, and to and from and then two of the conduits are electrical service. As I had mentioned earlier, I think earlier the design guidelines really offer specific guidance for external conduits and piping. Rather they address screening of mechanical equipment and rooftop things utilities. To address the rooftop equipment, it is at the rear of the building, it will be replacing what is there. I did not recommend any changes or to add any screen. It's in the pipes and conduits that are on that West facade that we're interested in and that I want to focus on. As I mentioned, the applicant has reviewed several routes. There were the various options looked at. There seemed to be constraints, such as limited space. One they came into was there was some asbestos issues. It was one thing to get it around the outside of the building, but it's another once it's in there to get it routed to where it needs to be in the mechanical room and to do that with it within the distance that needs to be for something of this nature, particularly chilled water. In discussion with the applicant, I'm comfortable that they evaluated the options and what you're seeing is most feasible relative to their parameters. I have an outline for possibilities, for the visual impact of this, obviously will be visible. First being just simply leave it as is. They'll be in conduit. It will be the appearance of aluminum, including the brackets on the building. BAR can request that they be painted. You certainly can offer some instructions on how you prefer that. Another option was something that was applied to an entrance corridor project over by on Fontaine where some exterior duct work was contained within a metal frame. For their purposes over there on Fontaine, it made sense. Here, it almost become more intrusive than the conduit. Finally, simply an idea of some planting could either screen at the bottom or a tree might be taller. Concern there is that there's not a lot of space. This is a sidewalk into the rear entrance and on the left hand side is a loading dock which needs to be maintained access. The conduit will be coming in to the ground and running under the sidewalk into the basement. This isn't exactly an open space to be doing any plantings. Those are the four options that I offer. I recommend approval of the COA with one of the conditions that you all are comfortable with.

**Ryan Dewyea, Applicant** – I can definitely speak to any specific details of the project. I am very familiar with the building and actually have some screenshots here on my phone. I can definitely talk through anything that that needs to needs to be addressed or could come up potentially. If it's alright with everyone, I could just give a brief synopsis similar to what staff just ran through there. Essentially the project is just replacing the rooftop chiller on the north side of the roof of the library. We actually swapped the units this past Saturday. The new unit was actually shorter in length than the old unit. It's a little less visible. Pedestrians could only or the public could only see it from Second Street Northeast. It's a little less visible in that regard. In discussions with kind of with library staff, with the stakeholders, and with just further examining the project with the engineer and design team, we had proposed this alternate piping route that runs out of the mechanical room on the north side of the building and comes up underground out of the mechanical room. There's a protrusion on the north side of the building really contains is a stairwell that was added later. I am not sure if it was in the 1936 addition. We're really wanting to mount the brackets along that wall on the side of the sidewalk between the loading dock and the sidewalk there. After exploring, crawling through the building, and looking at every other possible route, that was the most direct and most feasible route. Less visible was another thing we're just trying to be very cognizant of so. If there's anything in particular, I did just send some sketches and details. We didn't have a finalized design drawing from the engineer. He has offered to provide that too if this goes forward that. We'll definitely have that available and can other paint exposed piping and conduit to match as close we can as it runs up the wall there.

## **QUESTIONS FROM THE PUBLIC**

No Questions from the Public

## **QUESTIONS FROM THE BOARD**

**Mr. Zehmer** – The overall width of that pipe Chase is 24 inches, correct?

**Mr. Dewyea** – Yes, that's correct. We were trying to account for the widest possible arrangement. After discussing it with the engineer, it's possible it's likely going to be less than 24 inches wide. We had originally planned on laying it out so that they were all side by side. We could probably move the conduit so that it was adjacent to each other as long as it was acceptable. We felt that that was going to be the widest possible arrangement. Yep, that's correct.

## **COMMENTS FROM THE PUBLIC**

No Comments from the Public

## **COMMENTS FROM THE BOARD**

**Mr. Schwarz** – I would vote for painting this a red/brown and be okay with that.

**Mr. Dewyea** – This is the first process that I've gone through with BAR. Is this something that we would get the contractor to submit? Or would you like us to follow up with a sample or submittal once we get the paint finalized?

**Mr. Schwarz** – We would need to discuss that. Personally, I would be fine if you just sent a paint sample to staff, even if it was Benjamin Moore color that you can look up online.

**Mr. Dewyea** – I think the brick is, known that addition is a little bit different than the original building. That's something we would just have to go out there and match it. We could definitely submit it to staff.

**Mr. Schwarz** – As far as I'm concerned, as long as it's not cherry red, you're well.

**Mr. Gastinger** – I don't see this as an issue on the addition this addition to this historic structure. I would just add that there are portions where the white trim wraps around this addition and I would suggest that the conduit be painted white where it's crossing white trim and, and brick red where it's against brick.

**Mr. Bailey** – Just out of curiosity, why not painted white and therefore play off of the horizontal white stripes? With that work, it's a possibility. I don't have strong feelings about it. I had thought it would match the white trim that's already on that building and would emphasize that.

**Mr. Gastinger** – To my mind that would make it really visible quite an element and the only vertical white element on the building other than the massive columns on Market Street.

**Mr. Zehmer** – I'd almost just say let them be what they are. It's on a modern addition. It's not the historic part of the building. If you're painting them, you're going to have to maintain that paint.

**Mr. Bailey** – Would it be possible to get the conduits in a darker metal perhaps than just aluminum?

**Mr. Dewyea** – That's something I could explore with the contractor. I know the insulation around the piping will be jacketed in aluminum. The conduit will also be that. Other than that, I don't know if a steel jacket would be potentially less. I could definitely see what the options were for that assembly.

**Mr. Schwarz** – Mr. Zehmer has suggested leaving them alone. Is there anyone else who would be in favor of just letting the pipes be as they are? Option two would be paint them a brick color all the way. Would anyone prefer if they'd put white or an off white where the marble is? Painting these is not a problem, correct?

**Mr. Dewyea** – I don't foresee any problem with that. If there is an issue or something like that, I can follow up with staff afterwards. I don't see any problem.

**Motion – Ms. Lewis - Having considered the standards set forth within the City Code, including the City's ADC Design Guidelines, I move to find that the proposed rooftop units and exposed pipes and conduits satisfy the BAR's criteria and is 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 condition:**

**• That the conduits be painted a close color to the existing brick to be approved by staff Ron Bailey seconds. Motion passes (8-0).**

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

BAR 20-12-01

350 Park Street

Tax Parcel 530109000

City of Charlottesville & County of Albemarle, Owner

Eric Amtmann, Dalglish Gilpin Paxton Architects, Applicant

Partial demolition

**Jeffrey Werner, Staff Report** – A month or two ago. Eric, who's the architect with Dalglish Gilpin Paxton and representing the county, representing the applicants introduced the project to you all. You're familiar with what they've got planned over there. This is the first step in the expansion of the City County courts complex which is the area of the lot there adjacent to the Levy Building. This is a COA request for the demolition of the 1980s hyphen an addition on the east side or the rear of Levy Building. The Levy Building was constructed in 1852. It is a contributing structure in North downtown ADC District. Portion of this project site is also the next door parking lot, Zero Park Street. It is also within the downtown ADC district. This structure here was built in what they called the town hall as a performance space. It was renovated by the Levy family in the 1880s and then became the Levy Opera House. The building at some point transitioned to apartments. It now is being used by the City County courts to take on the name of the Levy Buildings. That's the background there. The project are within the North downtown ADC district. The existing high finish structure along with the Levy Building are designated as contributing. The BAR does have to review and approve the demolition, even if it is selective. It said 350 Park Street. The town of Charlottesville was established in 1761. That's when Nelson County was created. They moved the county seat into

a more central location, which was this town here. There really wasn't a whole lot here. There was the courthouse and the site of the Levy Building was left open and was known as the town battery. Don't know what was done there. There's not a whole lot of reference to it. When I say this site, essentially that is Park Street, High Street, with Jefferson Street on the south. That entire block was left open until the construction of the Levy Building. There was the Swan Tavern in the southwest corner. There's still a structure there. There were two houses built on the block to the east of the Levy Building. Where you see the parking lot today was open space in 1760. As far as Zero Park Street goes, nothing's recorded. That's just the parking lot. Nothing was recorded to have been built. There is some evidence of a small utility structure being there in the late 1800s. The annex and the hyphen are on a parcel that was once known as 610 East High Street. According to the information we have, it appears a residence was built, possibly around 1885 to the 1890s. We know that the building at 614, which is still standing was a similar design and similar footprint. We're assuming this 1880s construction of 610 East High, from what we can determine, that building was demolished in the late 70s prior to the construction of the hyphen and the addition on the rear. Just want to point out in some of the Sanborn Maps, it'll look as if the Levy Building was longer and it was for a time. There was an addition on there. I can't determine when it was removed. It could have been 100 years ago. There was an addition at one time. You can see the where that hyphen is. That takes the space of where that prior addition had been. If you see somewhat of a discrepancy in the Sanborn Maps, that explains that. I went through the factors for determination during demolition. It's in the staff report on this. The hyphen and the annex were both constructed after 1980. We know they were in place in 1990. We know that the 610 East High was there into the 70s and possibly the 80s. The hyphen and the annex do lie within the Charlottesville Historic District, which is within the state and national register Historic District. However, the hyphen and addition were constructed after that designation. Therefore, they're not part of the part of the listing. That survey has not yet been updated. I can say that they're within a district. They are not listed as contributing to the state or national registered district.

Asked to what extent the building structure associated with stock person architecture craftsman, I said not applicable. Whether the building structure or any features represented infrequent or rare example of a particular architectural style; they do not again. This is the hyphen and the addition. Are there any distinctive design texture or material that cannot be reproduced? That is not applicable. The degree to which the characters of this these structures will remain; both the hyphen in the annex will be removed entirely. Is this linked historically or aesthetically to other building structures? I noted, while the hyphen and the annex incorporates some architectural elements of the Levy Building, they are not. They reflect part of the historic fabric of the Levy Building. The overall structural condition integrity of the building. The demolition is being proposed in order to facilitate the expansion of the New City County courts complex. This is not a function of deterioration or instability of the structure. This is being done in order to facilitate a new building. Whether and to what extent the plan will preserve portions, features, etc., of the buildings of the addition in hyphen; none. They are being again removed in their entirety. We get to the section about any applicable provisions of the city's design guidelines. I noted in here that the design guidelines incorporate the Secretary Standards for Rehabilitation and includes a statement about archaeological resources stating that archaeological resources will be protected and preserved in place. If such resources must be disturbed mitigation measures will be undertaken. I know that in 2006, the BAR did request or recommend an archaeological investigation of some work over at the when they were building the sallyport at the county courthouse. In my report, I'm recommending that that subsequent to the planned demolition, when that's done, that a phase one archaeological survey be conducted in that area. This project area is defined and particularly beneath the paved surface at zero Park Street and

what remains at 350 Park Street. The results to be submitted to the BAR record. The reason for doing that is that these are undisturbed area. Generally, the building area around the annex and the hyphen has probably been disturbed. Very little there in any field that might have been brought in maybe suspect. That's what an archaeologist can determine. It is that open space that offers some questions and maybe some answers from an archaeological survey. The situation is that the BAR cannot require this. It would be a recommendation. I'm hoping that can be something discussed with the applicant and could be offered. As I mentioned earlier tonight, there is evidence that John Jouett Senior, the father of Jack Jouett is buried at the site. The information indicates he was buried behind what was 610 East High Street. I believe in the maps I've shown where that may be. Mr. Jouett operated the Swan Tavern, and upon his death in 1802, was buried in that area. There are some references to this. There's still some research to be done. To me, it's strong enough evidence that Mr. Jouett may still be there. That is not a matter for the BAR to decide on or offer any requirement or recommendation on that. There are laws that govern that situation so you all understand that my referencing it to it is that it's a matter of interest, certainly. The due diligence and in circumstances like this is to the people doing the excavation there that they do what they can to identify or if they encounter a human remains there.

**Eric Antmann, Applicant** – We're basically in agreement with everything that's been presented. I also appreciate that staff did the heavy lifting of presenting all the criteria for demolition. We've been through the finer points of the design guideline criteria. I thought what I'd do is just take a minute to talk about one of the other conditions that staff didn't mention that we also agree with, which is documentation of the existing buildings before their demolition. We also like to say selective removals, because it's so much more careful than just demolition, which we of course, intend to be.

We've done a very detailed dimension of the Levy Building itself in plan and elevation. The shaded areas are the areas of the hyphen and annex that are proposed to be removed. It's worth noting at the end of this series here that the plans which I've taken the liberty of intentionally rotating wrongly so they would agree with the other drawings we were looking at. These are measured drawings that the city performed. They're dated I think from 2018. We haven't confirmed all of those dimensions. We have figured this is quite adequate documentation of both exterior and interior conditions. The plans were provided by the city. Any questions on that before we move on to archaeology?

**Mr. Gastinger** – Does this building have a basement?

**Mr. Antmann** – It does have a partial basement in the hyphen section, which is adjacent to the Levy Building. That little area way on the northern wall there where there's a door and three steps that go down and this Northwest corner in plan. You go to the left up adjacent. That's the little stairway that goes down into the basement level. The ground as staff mentioned underneath these two buildings in their backfilled the area around their foundations has been disturbed multiple times in terms of any cultural resources that might be excellent.

As preservation architects, we definitely recognize and understand the Secretary of the Interior's standards and the way that they're mentioned in the guidelines, referring archaeological resources that should be preserved and mitigated if disturbed, and I've reviewed that with leadership for the county. They understand that's an obligation of representing your citizens and preserving cultural resources. They're in agreement that this would be something that needs to be pursued; a phase one level Archaeological Survey to be performed. I think we

need to discuss the area that that would apply to specifically the battery, which is the paved area of Zero Park Street. I think it's the greatest area of interest. That's the western portion of the site to the left of the green selective removals area. That's zero. The parking between the annex and the Jessup Building and their 10 spaces, their immediate to the east is also an area that will be disturbed with the new construction of the district courts. Although that's not what's been looked at and discussed in the conversation regarding the battery and the area that we think where the resources might be most located. I think we'd want to have some more feedback, maybe from staff, in terms of the area that we're being encouraged or recommended that a survey be performed. As I understand it, an archeological survey is not a condition of this demolition. It would be if not done retroactively, the project could be ruled not in compliance is the way I understand the details of procedure here. Those would be my two questions back for staff. Is this specific area that we're talking about? How emotion actually might be worded so I can explain this to the county?

**Mr. Werner** – I would say this is where archaeologists would give you a clear idea of what they would do. Predominantly, they would just do shovel tests and sift through that and see if it suggests any additional work. There might be some specific examination for a reported well, and possibly related to that building that was in that parking lot to the south of the Levy Building. We just did GPR work on two cemeteries in the city. And I was asked earlier, if that might work? I don't know. My understanding is that it tends to be somewhat of a blunt instrument. It's not going to find small things. Does it work through paving material? I don't know. I don't know what your schedule is for removing the paving material. As far as the area goes, I would suggest that we look at the entire site, and then defer to an archaeologist to establish an area of study. That would be probably the best thing to do. They're the ones digging the holes and they're not going to dig holes where they don't have to.

**Mr. Antmann** – I think you're right. The resolution of ground penetrating radar is more for finding subterranean foundations of prior buildings and larger, massive structures than artifacts, smaller size, or even human remains wouldn't be discovered with GPR.

**Mr. Werner** – That's where I think in that line of things. I just know, having been recently involved in the two cemeteries that the archaeologists get very stiff, when you start talking about things. The rules are clear the minute we disturb something. That's advice I would seek from someone else outside of this. I like the way you expressed it. This is an unknown space, with a story within a very important part of the city and county and its history. We really don't know exactly how this place was used. I think that's where if there was an objective, would it be in a way that we can interpret the history? Are there anything that offers us any clues to that story? The area would be within what you all have established as your project area with the delineation of any test at the discretion of the licensed archaeologist and their recommendations. I think I'd be okay with that.

**Mr. Antmann** – There may be a question about schedule. Here we are at the end of 2020, where that asterisk is. We're in the blue area of BAR review. This is only for demolition. We'll be coming back a couple more times for schematic design review later on in this process for both the east sites and the west site. In terms of when this demolition might occur, construction is off the chart. It begins in the beginning of 2022. That's another point that I've made to the county. Right now we have the luxury of time to do any kind of archaeological investigation. It's not like we need to start construction next month. When the hyphen and the annex would come down remains to be determined. There are advantages to doing it sooner, but then we have to have weather protection, instructional stabilization for the existing Levy Building on

the east side for longer. There are advantages to doing that. The area in question underneath paved areas is more where we're interested in possibly doing the archaeological investigation. Paving could be removed and that research could be done before the hyphen in the annex come down. In effect, these are really sort of two different issues. What the COA really focuses on is the removal of the buildings. We addressed the archaeology as a separate process. It's not really involved with the demolition, and would likely be done sooner before the buildings are demolished.

**Mr. Werner** – I would say that the BAR could acknowledge for the record this offer and acknowledge that in the motion, but also in separating the two and the COA applies to the application as submitted. Does that make sense?

**Mr. Schwarz** – It makes sense to me.

**Mr. Werner** – I think that would be the way to do it and to acknowledge that we're dealing with local government here. As representatives of local government, I think it's reasonable to accept this assurance as valid and the COA as separate.

## **QUESTIONS FROM THE PUBLIC**

No Questions from the Public

## **QUESTIONS FROM THE BOARD**

**Mr. Gastinger** – I just want to clarify that the demolition request does not include the concrete curb and stair that seem to be a pretty clearly remnant from the residential landscape of 610 East Market.

**Mr. Antmann** – Are you referring to the lawn area on the north side facing High Street?

**Mr. Gastinger** – Yeah. It's an interesting little leftover that somehow survived the construction of this annex and feels like it perhaps could survive until we know a little bit more about what's going on the next iteration.

**Mr. Antmann** – It's very likely that the new construction will be fairly close to the sidewalk and will disturb that area that should have been included in the removal area. What we're trying to do is not encroach onto the sidewalk and have to redo all the sidewalk. We're patching paving. We're trying to control the scope area as much as possible. It's very likely that stair should have been included. Yes, I would expect to remove that but not the concrete curb between the sidewalk and that grass. We would like to leave that.

**Mr. Zehmer** – I have a question for staff. The COA is just for the demolition? A little bit of archaeology is just an aside?

**Mr. Werner** – Given the timing of it, I think it's reasonable to accept their offer of just disconnecting it from the COA, just so that it doesn't encumber anything later.

**Mr. Zehmer** – It would be in the application, though?

**Mr. Werner** – No, they did not include it. The applicant and I have been discussing it for some time. No, it was not offered or what I was looking at was the project area as a whole.

**Mr. Zehmer** – My question is pointed at defining what we're approving tonight.

**Mr. Werner** – Without the phasing part of it and if there was pushback, then there would have been a discussion of how far does the BAR say, insisting on it, or recommending or requesting it. I think under the circumstances, we can separate that out.

**Mr. Schwarz** – I think what staff told us is that they're going to provide the survey. That's not going to be part of our motion or motion is just to accept the demolition or deny it.

**Ms. Lewis** – What would happen if they didn't do the Archaeological Survey? We're just taking it as an offer that's not binding.

**Mr. Zehmer** – I think it's going to be more tied with the schematic design of a new building. Right now the demolition shown is the footprint of the existing building.

**Mr. Antmann** – That's actually a fair point. That's the time to catch the County out on this. If the demolition of the Levy Building, hyphen, and annex is performed, and then we come back for schematic design approval of the new construction, and no archaeology has been done. At that point, I think you could call out the demolition as not being compliant with the Interior Standards. That's how it's explained basically in the staff report.

**Mr. Werner** – Another way to think of it is the work that they'll be doing will require the removal of the parking space. It could be caught then. What the applicant is saying is the asphalt may come up sooner than the demolition. I had actually envisioned it the other way around. I guess I'm such a trusting individual. This one sounds not like something someone would renege on. I think that if the BAR were to make in its motion for approval, just simply a statement acknowledging so that it's not a condition and that it's in the formal record. Along with the minutes of this meeting, it's not a condition of approval. It's just acknowledging that the applicant has offered to do this at an appropriate time in the sequencing of the project.

**Ms. Lewis** – Aren't the Secretary's Standards for demolition our standards? I thought our standards incorporated or referenced the Secretary of the Interior Standards.

**Mr. Werner** – This is archaeology.

**Ms. Lewis** – We're not able to link that. I'm not saying I don't trust the company. I think it's an important piece here. I turned off my video. Jeff. I walked across the street to look at this building. I am actually located right across the street. My question for Eric is along the same lines. What do you know about the connection between the historic building and the hyphen? I'm seeing that the Levy Building has a ground story. There is a topo change as you go further west on High Street. By the time you get to the hyphen and that door, there's a significant story above grade. I would imagine those two buildings are joined at least there, if not in the upper three stories of the Levy Building. That's what I'm learning about. How do you know how they're connected? How do you demolish a connection between a historic building without absolutely demolishing a historic building? Where does it end and the other begins? I'm not asking to be difficult. I just don't have much information in the plans that we have in front of us that tell you where you have to sever. Would the plan be to tear up the asphalt? Maybe you can



see the sides of the building and get a bit better view of it. I can see where the plane would be. When you demolish, it's not going to be a razor cut? We're talking about demolition of very lasting materials. It's not going to be, you know, laparoscopic?

**Mr. Antmann** – That's why I prefer the term selective removals. That's why James would probably speak to historic preservation. Scholars, architects, and contractors use that term rather than demolition because demolition implies wrecking ball. First grade backhoes will be used on the on the annex. As you get closer to the hyphen, more precise tools need to be used to disconnect structural elements from each other before they're torn away. That's a very good point. It's done all the time. Care needs to be taken in terms of the connection to the lower level of the hyphen between the annex and the Levy Building and the hyphen there. That structure dates to the mid-1980s. Prior to that is the two story porch that was existent at some point in early 20th century. We don't know when that was demolished. Of any structural connections there, nothing is load bearing of the hyphen on to the Levy Building structure. They were simply put next to each other so that they didn't fall apart, basically. We do have structural engineers that will do drawings to guide the contractor and how to do those removals. It's not a carefree process.

**Ms. Lewis** – I don't want to do this because this is located across the street from my office and property that I own. I would remind everybody that there was a selective removal of a courthouse building a block further down High Street. If anybody has been in Charlottesville long enough to remember, it did fall down. Despite every good architect and well intentioned engineer and a good demolition team, it happened. I would think that the most important thing to look at archaeologically is in that separation between the Levy Building and the hyphen and the annex. I'm not being very eloquent about it. It just seems like that moment when you begin to separate those buildings is a moment where there could be some archaeological discovery done. If you're going to find anything, it might be right there.

**Mr. Werner** – I think you know the term today of architectural archaeology. What is that surface? The 1907 Sanborn map that I had included best shows that porch. In the Sanborn map, it's really difficult to interpret exactly what it even is. You can see that it's there in 1907 and then it's gone in 1920. As far as architectural elements that may remain beneath a wall in that vertical surface of the structure or even descending down into the ground, that would be something that a preservationist or an architect would look at. The first thing an archaeologist will say is 'we can look.' If it's disturbed, we don't know what disturbed it. There are an awful lot of sites all over town. The old jail is a good example of one that was actually built in an area where the slope dropped greatly. If you stand on the south side and look north, you see where it's all graded flat. Dirt was brought in from somewhere. I was actually involved in that and the dig in the courtyard. Archaeologists would be able to lay out a plan and say: what are we looking for? What are we looking at? What merit do we give something?

**Mr. Lahendro** – My concern is that there already should be an archaeologist as part of this team providing advice about what level of archeological examination should be done. To talk about waiting until the architects apply for schematic design and have heavy equipment running all over the site between now and then destroying whatever possible archaeology and features there might be on the site is too late. This is such an important site that there should have been an archaeologist already as part of the team, who has done the initial archival research of this area, has made some conclusions about where there are sensitive places, and then provided the plan to the professional team about when archaeology should be done and

what kind of archaeology is done. It's such an important site. The archaeologists should already be helping the design team and deciding how to go about doing their part of this work.

**Mr. Gastinger** – In other recent projects with demolitions near sensitive historic structures, monitoring and stabilization measures were important aspects of those approvals. I'm just curious, what steps will be taken to monitor, protect, and preserve the Levy Opera House during demolition that you know about and for the Board to consider what recommendations or conditions we might want to suggest?

**Mr. Antmann** – Any penetrations, the roofline, and the cornice line of that hip roof would remain intact. Stormwater drainage off the roof would be controlled by the existing structure. There could be openings in the east facade, where the hyphen is removed. That would obviously need to be protected from the weather. Any erosion that would occur along foundation lines on that eastern wall could potentially undermine the foundation of the Levy Building. It will need to be protected from the weather and kept dry so you don't have weather, erosion, and the undermining of foundation. Obviously all of those things would need to be done. In terms of movement, we can install crack migration sensors, which are just little mechanical devices that tell you if the building is moving. Those are all things that can be done.

**Ms. Lewis** – There's also the Jessup Building next door and the Swan Tavern, which are both incredibly historic resources to the downtown area. My building is only about 100 years old. I would ask how the demolition is actually done. Are you going to be wrecking balling? How is it done? It's a surgical thing in this tiny site.

**Mr. Antmann** – Selective removals are usually done by site contractors that have essentially backhoes. The arm with the claw on the end that pulls this way. The bulk of the work will be done with that because they have the heavy equipment to do it. That will be monitored by the general contractor. They also have their own structural engineer on their staff that's responsible for monitoring those means and methods. They have insurance for that. The County also has their own architectural engineering team that will be doing inspections during that process as well. There's no blasting involved or anything like that. There's actually a large staging area to accommodate these operations. On the High Street side, it's a tight urban site. The work can be done from the south. There's actually a good staging area to perform the work without being a risk to other buildings.

**Mr. Bailey** –What we're looking for is a Certificate of Appropriateness for just the annex on the hyphen. That's all we're supposed to be considering at this particular time. We can make recommendations. I'm looking at some of the language that was provided by staff. It basically says what you have to do is to make sure that the integrity of the remaining stuff is maintained. That's obviously something that must be done. I don't know how that would approach it assuming that everybody agrees that this is what's going to be done. The Certificate of Appropriateness is for this specific building, this hyphen in this annex. Why are we considering something else at this particular point? We're not allowed, as I understand it, to make any requirements with regard to archaeology?

**Mr. Werner** – Two points. One is what may not remain of the original east facade, the back wall of the Levy Opera House. What is remaining needs to be protected during demolition. That wall, if it is an original element, is not to be removed in the demolition. The reason you would raise that here is whatever is existing, the BAR should be informed of that. In consideration of the future expansion and how that wall is treated, it will be incorporated into

the design. The second piece being the evaluation archaeologically. I think the applicant has made clear that they're willing to do that and within the project area. Those are the two. Mr. Lahendro, you do a lot more with exposing things behind walls. I don't know if there's a way to express that. We're not saying they must preserve something beneath the wall and the hyphen. You're saying we'd like to know if you find it. Please don't demolish that without discussion.

**Mr. Bailey** – I'm reading through the regulations, criteria, and standards that you've suggested here. Under Section 34-277, subsection C, one and two, seem to be specifically saying that you have to protect the east wall of the Levy Building. That would be automatically included in anything that we agree to here. It just seems that's naturally part of the procedure for agreeing to a demolition. They referred to it here as a selective thing. I'm trying to get what it is that you're particularly worried about if this subsection doesn't already cover that. What we should be focusing on is whether or not the annex and the hyphen should be demolished or not.

**Mr. Schwarz** – Am I reading the appropriate questions or just double checking. There was some curiosity from the board members as to how this was all going to happen. Is that a correct assumption?

**Ms. Lewis** – Yes, but I would also say exploring why we can't make a condition.

**Mr. Lahendro** – I expressed how professionally one probably should go about approaching this site because of the importance of the site. Whether or not we have the authority to require it, that's quite a different issue. I don't think that we do. What I was describing was the normal, professional way of dealing with a historic site like this.

## **COMMENTS FROM THE PUBLIC**

No Comments from the Public

## **COMMENTS FROM THE BOARD**

**Mr. Schwarz** – We've expressed some comments. Are there other additional concerns or things that need to be addressed?

**Mr. Antmann** – If you allow me to spend one more minute maybe putting your mind to rest on not archaeology, but selective removals. I've pulled up, while you were talking, a couple of photos to show you how this process actually worked on the Madison County Courthouse building for which we were the prime architect on.

This is the Madison County Courthouse from the west side. It dates back to the 1820s. It's a very similar time period as our circuit court in Charlottesville. What we're looking at is a conglomeration of additions dating to roughly 1978. We did this work circa 2006. It's been awhile since this project was done. All of these areas across the back, which are quite extensive and attached to the historic building, were removed. With site excavation equipment, you can see the backhoe tearing all of this off. Where this chimney was attached to the building, we have all of these openings protected with plywood. These have been sealed with Spray Foam Insulation. All of the existing facade that was previously concealed has been protected in that photo. Here, you see how the site work was ramped up and stabilized against the wall to protect the foundations. The final step was installing underpinning against that wall. This is a similar condition that we have on the east side of the Levy Building where a subterranean story will be

exposed with removals of existing contemporary modern construction. All the existing stormwater drainage off the downspouts have been protected and piped away from the back of the foundation. You can see how this downspout would have previously dumped right here, onto this exposed foundation. It's been piped around far away. This is all basically well protected. Those are the kinds of interventions that the construction team would take with the guidance of the design team. Hope that helps. All of this would be expected and would be part and parcel of just a normal approval of a demolition COA. This is a given that these things are included by default as requirements in that kind of COA. Hope that helps put your minds to rest a little.

**Mr. Lahendro** – As long as we say in the motion not to destroy the east wall of the Levy Building. I'm confident that the architects and engineers can do that. As Eric has described, that's pretty straightforward.

**Mr. Zehmer** – Just one quick thing on the submittal package on sheet three or four. It's titled Levy Building Selected Removals Plan. It does show in the plan view, taking out that small concrete stair. I know in some of the photographs that were marked up and shaded, that stair was not included on that shading. In terms of archaeology, I was confused. Maybe one way to think of it is we would recommend archaeology to be part of this demolition COA. Looking at the footprint of the Levy Building, it's on top of part of what was the residence at 610. On top of earlier, Levy Building additions, we may say something like we would support preemptive archeological study of the entire project site as the schematic design is developed. That's outside the footprint of what we're leaving.

**Motion – Mr. Zehmer – Having considered the standards set forth within the City Code, including City Design Guidelines for Demolitions, I move to find that the proposed demolition satisfies the BAR's criteria and is 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 conditions:**

- that the east wall of the Levy Building is substantially protected from damage
  - that the BAR recommends archaeological work within the footprint of the proposed demolition area of the hyphen and annex
  - that the BAR encourages and supports archaeological planning as part of the schematic design development for the larger project site
  - that the demolition includes the concrete steps (formerly to a house) along High Street
- Cheri Lewis seconds motion. Motion passes (8-0).**

**The meeting was recessed for five minutes.**

#### **4. Certificate of Appropriateness Application**

BAR 20-12-04  
106 Oakhurst Circle  
Tax Parcel 110005000  
106 Oakhurst Circle LLC, Owner  
Patrick Farley, Architect, Applicant  
Renovation, addition, and site work

**Jeffrey Werner, Staff Report** – Before you is a Certificate of Appropriateness request for 106 Oakhurst Circle. This is within the Oakhurst-Gildersleeve ADC district. The request is for alterations and site work. You all have reviewed this. You've had two preliminary discussions

on this. Now it's come back as a formal COA request. The structure was built in 1922. It is a contributing structure within the Oakhurst Gildersleeve ADC District. It's a combination of Colonial Revival Craftsman style. It has a gabled roof stucco, stucco, siding overhanging Eaves with exposed rafter tails. The house includes a rear deck and a projecting rectangular one story bay window supported by wooden brackets on the west. The applicant is requesting primarily a construction with addition to the rear of the dwelling. The only work I believe is that there will be some site work at the front of the house and some alterations with the deck on the side, There are asphalt shingles. I think the plan is to replace it with standing seam. You all have held two work sessions on this. You should review tonight whether or not the applicant has provided the information that was requested. They certainly have provided a lot of details, information about components, and materials that were asked. The couple things that I just noted. You could probably address these in conditions. For the doors and windows, it appears that an insulated glass product is being used and with an applied grill. The BAR typically requires internal spacing bars for apply grills with insulated glass. For the lighting I think this is low lighting and pathway lighting. They are LED in it. The BAR has applied in the past conditions about the lamping with the color temperature. I am recommending approval of it with addressing those conditions.

**Patrick Farley, Applicant** – One thing I'll address real quickly is on the windows. I just missed that detail and the spec piece that was included. I don't think I've ever done windows without spacer bars. It's just simply an oversight. They will in fact have spacer bars to put your minds at ease. That's a done deal. I imagine there are some questions. I know I've attempted to hit everything on the list. There are a couple of changes to the design or really enhancements that resulted from the previous discussion. I am happy to address those. I'm curious to know if it's already pointed questions along those lines of details or anything that isn't clear or it wasn't clear in the graphics.

## **QUESTIONS FROM THE PUBLIC**

**Bobby Williams** – I'm Bobby Williams. My husband Peyton is next to me. We are the next door neighbors to this development or renovation. It has some serious impact on our personal property. As far as visual, noise, and what is going to be an extension of people living over there. There are going to be four cars essentially in our backyard. My husband's question is more on the tree canopy. I know there's a requirement on certain parts of it. With the number of trees that are going to be coming down to do this extension as well as the parking, will the tree canopy be preserved? That's important. We're mostly upset about the driveway being within three feet of our property line and four cars coming and going at all times of the day. I'm sure it's been put directly that they've given us the three feet that we are allowed between our property line and the driveway. Essentially, we are figuring that the three bedroom addition, along with the three bedroom house and the probable addition of the basement that has a full bath that possibly could have another person. We have at least six people, possibly more, depending on how they break up the bedrooms. It's just infringing on some of our privacy. We're not happy. We'd like to have that addressed.

**Mr. Farley** – I imagine that at some point, sooner than later, we can have a direct conversation. I don't actually spend a lot of time here. In fact, I'm on the property right now broadcasting from the living room. I am happy to address those concerns and not happy that you're unhappy. I hope I can allay some of your fears. I do think there's maybe a little bit of misinterpretation of information on the drawings or maybe not a proper interpretation. Let me start with the canopy question. First of all, what we're doing is converting from a single family to a two family. Yes,

each has three bedrooms. There will be no more than three people in each of the units. We really expect that they are going to be medical students, graduate students and the type of tenants who have occupied this place since the current owner acquired it back in the 90s. The addition is positioned so that no trees will need to be taken to build. It's the only place on the site where construction could occur without compromising the trees. One of those three oaks that are in the immediate vicinity of the rear of the house is a question mark. We're doing everything we can in the way of the approach to the design of the footprint, and the foundation system. That lower level does not have any occupiable space. There will be a bathroom that's really just to serve the basement level. There won't be any tenancy at that level. We're designing this structure at the ground, in fact, to do everything we can to protect that oak tree that's closest to the house, closest to the addition. The overarching goal is tree protection. That goes for the entire site. We are actually approaching this project with an ecological mindset. In other words, we're going to transform the site inclusive of removing all of the invasive plants, and transforming that rear space, which has been overtaken with or nearly overtaken by invasive plants. It's a big mess. There's a 40 inch oak. The one oak that we're actually taking, which is on the site demolition plan is, is dead effectively, It's showing an open cavity at the base. It's leaning. It really needs to go. It's a liability at this point. In order to have any parking and access to the rear unit, which is really why we're doing it we need to have access to the unit. It's going to be a duplex. We can certainly do that by right. That tree does have to go. In a way, it's a win-win. We got to have the access. That tree is sick. It's reached near the end of its life. That is just a given in the project. Otherwise, there's a dogwood at the front of the property that is close enough that it will be impacted by the new proposed access. On that access, what's your question about or your concern about the separation? Yes, we are having to go right to the minimum of three feet from the property line. In the process of getting that access, one of the proposed requests is to remove and rebuild and improve the side porch. That porch will be shallow, partly not just because we need the space to get the access. Because we recognize that that's not a porch where people are really going to be hanging out a lot. It's really going to be in the rear. We're creating a niche between the addition and the existing where any outdoor activity is really going to be concentrated. Back to your concern along the property line. I recognize there's going to be impact during construction and beyond that. Looking at the site plan, you'll see that we're proposing two things that were intended specifically to buffer any kind of activity that happens in that backyard with respect to your property, which is what we call a living fence or a green screen element. It's a structure that's to support native climbing plants. The ones that I actually have listed in the planning schedule are plants that grow very fast and grow very dense. It's a perfect location relative to solar access. We're coming in with additional trees to add to the buffering that you're providing under there. For what we do back there to go away or at least not be omnipresence or in your face. The overarching goal beyond the actual project itself is to be a good neighbor.

**Ms./Mr. Williams** – Having the living fence is good visually. It has nothing to do with sound transmission. I was an environmental officer where my thing was sound/noise. The cars that are going to be parked very close to our outdoor area and our bedroom.

**Mr. Farley** – We're resorting to having to take up some of that space for parking. Not that I don't like what you have in your yard. It is essentially the same condition.

**Ms. Williams** – With four cars coming and going, it going to be very busy.

**Mr. Werner** – The item before the BAR is the alterations and the changes to the house. I don't really want to have a debate in the meeting between the applicant and neighbor. If we could get through the rest of the discussion, there are some issues that the BAR can address.

**Mr. Williams** – The use of the land is not considered to be part of the BAR review?

**Mr. Schwarz** – The location of parking lot can be looked at and evaluated. We can only deny it if it does not meet our guidelines. It is the same thing with the addition on the back of the house. We have to review in relation to our guidelines. We cannot review uses of the property. You bring up some points that we can look at and evaluate them based on our guidelines.

## **QUESTIONS FROM THE BOARD**

No Questions from the Board

## **COMMENTS FROM THE PUBLIC**

No Comments from the Public

## **COMMENTS FROM THE BOARD**

**Mr. Zehmer** – On the south side of the elevation, we have those double stacked little balconies. There is a strong diagonal line. Is that the downspout off the porch over that second story balcony?

**Mr. Farley** – You're talking about the support column for the balconies that you are seeing that is on a diagonal. That's one of the design items from the previous discussion that there was a concern about what was originally installed on a "wing wall" that projected out. There were some suggestions around potentially opening it up. We went back to 'square one' and rethought that. It works much better opened up architecturally. That's an open side versus a closed wall. The column is effectively perpendicular to the slope of the site.

**Mr. Zehmer** – The hyphen is much more successfully articulated in separated the addition from the original house.

**Ms. Llengel** – I appreciate you addressing our comments from the last meeting. I do like the solutions you have done to the balconies. I think they look really sharp. I appreciate the more attention that you have paid to how the new attaches to the old building.

**Motion – Ms. Lewis – Having considered the standards set forth within the City Code, including City's ADC District Design Guidelines, I move to find that the proposed alterations and new construction satisfy the BAR's criteria and are compatible with this property and other properties in the Oakhurst- Gildersleeve ADC District, and that the BAR approves the application as submitted. Jody Lahendro seconds. Motion passes (8-0).**

## **E. Other Business**

### **5. Preliminary Discussion**

Combined Courts Parking Structure on East Market Street

- There are three parcels for this proposed parking structure and in the downtown ADC District.

- The purpose of the presentation of the introduction of the project and seeking feedback from the BAR on the design of this project.
- The project is part of a memorandum of understanding between the City of Charlottesville and Albemarle County from 2018
- The project will begin May 1<sup>st</sup> in 2022 and shall have 90 spaces designated for Albemarle County Courts.
- There are expected to be between 200 and 300 parking spaces with this project.
- Street level commercial activity is expected with this project.
- There are height limitations and sidewalk setback limitations.
- The applicant is very curious as to how height is going to be measured given the slope of Market Street.
- The applicant would also like to hear feedback regarding courtyards with the project.
- The Lucky Seven and Guadalajara will need to be demolished and will require action by the BAR to be demolished.
- Eighth Street will probably have to be abandoned and re-directed.
- The purpose of the applicant meeting with the BAR is to extract as much information and feedback from the BAR.

## **Public Comments**

**Lyle Solla-Yates** – I know the area well. It is very pedestrian friendly with a lot of connectivity. It's one of the things that works really well here and very few other places in the city, I do encourage you to think about that very closely as you as you talk about this. This area works. It works for people on foot. There are a lot of options to keep it that working. And I'd like you to think about that.

**Rory Strolzenberg** – Keeping in mind you know what is under your purview. I'd like to point out two things. First, I'd like to remind you about the 218 West Market Street project, where the BAR did require a pedestrian passageway through the building on a site that was not an existing Street. That is within your power to do. I think it would be a mistake to block off two blocks without any passageway in between. I can say I've been on the PLACE Design Task Force for over two years. I can't tell you how many times I've heard architects tell me about the importance of our historic tightly knit street grid. I urge you to consider that street grid and the impacts that this building will be having on it as part of that. I also urge you to go walk down to Water Street, and walk right next to that Water Street Garage. Take a look at it. See what you feel about the massing. See how you feel about the impact on the streetscape. Keep in mind that, though this garage is much smaller in that it will hold fewer than a third as many cars, the impact on the street wall and the length of the street wall will be about the same. I urge you to keep in mind as you consider this project if the city goes through with this boondoggle.

- Following the public comments, the BAR provided feedback and answers to the questions asked by the applicant.
- Mr. Gastinger brought up the massive long façade along Eighth Street.
- This parking structure is going to be along and next to residential areas. Mr. Gastinger did emphasize the need for modulation along the façade.
- There is a need to keep Eighth Street maintained as a pedestrian pathway and an alleyway behind Guadalajara to maintain pedestrian connectivity.
- Members of the BAR did bring up the number of pedestrian that will be walking along Eighth Street.



- Mr. Zehmer did bring up examples of good parking garages in Richmond for the applicant to look at for massing.
- Staff also provided feedback for the applicant on this project and keeping the project pedestrian friendly.
- The BAR recommended that the applicant look at the heights of adjacent structures.
- The BAR provided feedback and comments on the design of the parking garage going forward.
- Mr. Lahendro brought up the importance of pedestrian engagement with the building including landscape trees and canopy trees.
- The applicant did thank the BAR for providing the feedback and comments

#### **6. Staff Questions/Discussion**

Preservation Awards

Coordinate work session for Preservation Plan

Coordinate work session for lighting

#### **7. PLACE Committee Update**

### **F. Adjournment**

The Meeting was adjourned at 9:23 PM.

