

**BAR MINUTES
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
October 18, 2022 – 5:00 PM
Hybrid Meeting – City Space**



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 and in person at City Space. 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: Tyler Whitney, James Zehmer, Ron Bailey, Carl Schwarz, Breck Gastinger, Cheri Lewis, David Timmerman
Staff Present: Patrick Cory, Remy Trail, Jeff Werner
Pre-Meeting:

There was no Pre-Meeting.

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

A. Matters from the public not on the agenda
No Public Comments

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. Meeting Minutes – December 21, 2021 Meeting

Mr. Zehmer moved to pass Consent Agenda – Second by Ms. Lewis – Motion passes 7-0.

C. Deferred Items

2. **Certificate of Appropriateness**
BAR # 22-09-04
0 3rd Street NE, TMP 330020001
North Downtown ADC District
Owner: Scott Loughery
Applicant: Candace Smith, Architect
Project: New residence on vacant lot

Jeff Werner, Staff Report –

Background

Year Built: Vacant lot *District:* North Downtown ADC District *Status:* n/a

According to available information, this parcel has never been developed.

Request CoA for a new single-family residence and detached structure on vacant parcel.

Discussion and Recommendations

From the ADC District Design Guidelines – Introduction

Chapter 1 Introduction (Part 1) and Chapter 1 Introduction (Part 2)

- North Downtown ADC District: Adjacent to the Albemarle County Courthouse and laid out according to the 1762 town grid, this area served as the city’s first civic, religious, and commercial center. Thomas Jefferson, James Monroe and James Madison were frequent visitors to the Court Square area. Park Street residences built in the late eighteenth century for lawyers, judges and other professionals still retain their architectural integrity. Today, this district represents the socio-economic and architectural evolution of the original town.
- Subarea D: narrow streets, residential, small to moderate scale, broad mix of styles, porches, metal roofs, 1-½ to 2 stories, generally shallow setbacks and spacing with some variety, landscaping.

BAR should rely on the germane sections of the ADC District Design Guidelines and related review criteria. While elements of other chapters may be relevant, staff recommends that the BAR refer to the criteria in Chapter II--Site Design and Elements and Chapter III—New Construction and Additions. Of particular assistance are the criteria from Chapter III:

- A. Building Types within the Historic Districts: Residential Infill
- B. Setback
- C. Spacing
- D. Massing and Footprint
- E. Height and Width
- F. Scale
- G. Roof
- H. Orientation
- I. Windows and Doors
- J. Porches
- K. Foundation and Cornice
- L. Materials and Textures
- M. Paint [Color palette]
- N. Details and Decoration

Materials list, to assist with the discussion:

- Roof: type, material, color
- Gutters: style, material, color
- Exterior walls: Brick, color, coursing, accent band, arches
- Trim: Doors and windows, cornice
- Doors and windows:
- Shutters
- Porches: Columns, flooring, ceilings, trim, railings.
- Garage doors:
- Exterior lighting:

- Driveway:
- Plantings:
- Patios and walks:
- Fencing:

Chapter III--New Construction and Additions

The BAR should consider the following 14 criteria for new construction from Chapter III of the ADC District Design Guidelines:

- A. **Building Types within the Historic Districts.** 3.b. Residential Infill: These buildings are new dwellings that are constructed on the occasional vacant lot within a block of existing historic houses. Setback, spacing, and general massing of the new dwelling are the most important criteria that should relate to the existing historic structures, along with residential roof and porch forms.

Notes:

* To generate average dimensions and building comparisons, staff reviewed 30 dwellings within Subarea D that are near the vacant parcel. See the Appendix and attached images of neighboring houses. (There are approximately 110 primary structures in Subarea D.) Link to images in Sept 20, 2022 staff report, go to pdf page 139 of:

Sept 20 2022 BAR Packet

** In response to BAR comments on Sept 20, to evaluate dwellings on the on the same block-- including not in the ADC District—staff reviewed 19 properties on 3rd Street NE (between High Street and Hedge Street) and on Park Plaza (between Hedge Street and Parkway). Note: The BAR has typically not evaluated a proposal relative to what exists on adjacent, undesignated properties because demolitions, new construction on, and alterations to those properties are not subject to BAR review. Under such a practice, the BAR might require a new building match the adjacent; however, the BAR cannot require that those existing, adjacent buildings even remain, let alone remain similar to the new. Per code, maximum height is 35-ft (typically read as 3 stories); minimum front setback is 25-ft (unless modified by Zoning Administrator); minimum side setback is 5-ft. [Building footprint is the maximum allowed by the setbacks.]. For fencing, unless subject to design control regs, there is no height limit nor material requirements in the City Code.

B. **Setback:** *For residential infill, setbacks should be within 20% of a majority of neighborhood dwellings.* [Staff did not evaluate existing setbacks for the entire North Downtown ADC District].*

Staff Comment: Front setbacks range between 6 feet and 55 feet, with an average of 18 feet.

Recommended range for new construction is 19 feet to 28 feet. The proposed setback is approximately 21 feet, within the recommended range. (**Note:** 21-ft front setback established per consultation with the City Zoning Administrator.)

Relative to the adjacent block**

Front setbacks range between 16 feet and 50 feet; average of 27 feet. Applying the methodology in the guidelines suggests a range of 22 feet to 32 feet.

C. **Side Spacing:** *New residences should be spaced within 20% of the average spacing between houses on the block.**

Staff Comment: Side spacing ranges between 6 feet and 50 feet, with an average of 15 feet.

Recommended range for new construction is 12 feet to 19 feet. The proposed spacing (south side) is approximately 30 feet, which exceeds the recommended spacing; however, it is function of an existing access easement and within the range of existing spacing in the subarea. The north side spacing is

approximately 12-ft, within the recommended range. (**Note:** The south setback is dictated by an existing access easement.

The north setback has been intentionally increased to exceed the required 5-ft minimum.)

Relative to the adjacent block**

Side spacing ranges between 6 feet and 50 feet, with an average of 15 feet.

Applying the methodology in the guidelines suggests a range of 12 feet to 19 feet.

(See above re: the south side spacing.) North side spacing is approx. 12-ft.)

D. Massing and Footprint: New infill residential should relate in footprint and massing to the majority of surrounding historic dwellings.*

Staff Comment:

• (Massing) See height and width, below.

• (Footprint) Existing footprints range between 768 square feet and 3,900 square feet, with an average of 1,700 square feet. The footprint of the proposed house is approximately 1,800 square feet, within the range of surrounding historic dwellings.

Relative to the adjacent block**

Footprints range between 768 sq ft and 3,868 sq ft, within an average of 1,214 sq ft. Proposed footprint is at the higher range for dwellings on the block.

E. Height and Width: *Attempt to keep the height and width of new buildings within a maximum of 200 percent of the prevailing height and width of surrounding historic dwellings.**

Staff Comment:

• (Height) Existing heights range between 2 and 3 stories, with an average of 2 stories.

(*Prevailing* is 2 stories.) Recommended maximum is 4 floors. The height of the proposed house is 3 stories (viewed from the street) and therefore within the range of surrounding historic dwellings and below the maximum recommended by the ADC

District design guidelines. (**Note:** R1-S zoning allows a maximum height of 35-ft.

Applicant consulted with the City Zoning Administrator to confirm the proposed height complies with the City Code.)

• (Width) Existing widths range between 23 feet and 78 feet, with an average of 40 feet. (There is no *prevailing* width.) Recommended maximum for new is 78 feet. The width (front wall) of the proposed house is 52 feet, within the range of the subarea and below the maximum recommended by the ADC District design guidelines.

F. Scale: Provide features on new construction that reinforce the scale and character of the surrounding area, whether human or monumental. Include elements such as storefronts, vertical and horizontal divisions, upper story windows, and decorative features.*

Staff Comment: The proposed house has three-stories (viewed from the street).

Relative to the adjacent block**

Scale generally being a function of height and width.

Height (on block)

• 1-story: 1

• 1.5 stories: 7

• 2 stories: 8

• 2.5 stories: 3

• Average height: 1.8 stories

• Prevailing height: 2 stories

Applying the height criteria in the guidelines, the maximum height is 3- to 4- stories. Proposed house is 3-stores.

G. Roof *

Staff Comment: There is no typical roof type or material. Of the 30 nearby houses in the subarea: 14 have hipped roofs; 14 have gabled roofs, two have flat roofs. One-third have asphalt shingles, slightly more have standing-seam metal, three feature slate.

Relative to the adjacent block**

See table and photos in Appendix. 12 have hipped roofs; seven are gabled. 17 have asphalt shingles; two have standing-seam metal.

H. Orientation *

Staff Comment: Similar to most of the houses in the subarea, the proposed new will be oriented east-west and facing the street on a rectangular parcel.

I. Windows and Doors: Guidelines refer to the number, type, size, spacing, etc. should *relate to and be compatible with adjacent historic facades* and *be similar and compatible with those on surrounding historic facades.* *

Staff Comment: Doors and windows have not been specified.

The proposed windows and doors are in a pattern and scale generally similar to neighboring houses in the subarea. Single and twin double-hung windows are prevalent. Triple windows are less common; however, there are several examples within the subarea—primarily 1st Street and Altamont Circle—and the proposed units are only on the rear elevation. Entry doors vary within the subarea, split between glazed doors and solid, most of the solid being raised panel. Transoms are prevalent, featured on more than two-thirds of the houses. One-third features sidelights and transoms. Only one features just sidelights. There are no typical entries based on the year built or architecture.

J. Porches *

Staff Comment: Houses in the subarea have a variety of front porch styles, from singlebay covered entrances to full-length and wrap-around porches and a variety of side and back porches. Both the front and side porches on the proposed house are consistent with the subarea.

1) Foundation and Cornice: Respect the height, contrast of materials, and textures of foundations on surrounding historic buildings.*

Staff Comment: The 30 homes reviewed in the subarea represent ten architectural styles-- over half are some variation of vernacular. Construction dates ranging from the early 19th century to late 20th century. Two-thirds date from 1890 to 1930. The foundation of the new house will be brick and feature banding that distinguishes it from the upper walls. A prominent element of the house is the elevated front porch and two sets of stairs from the sidewalk. Given the topography of North Downtown, this is not uncommon within the adjacent subarea. 14 of the nearby houses have seven or more steps from the sidewalk to the front porch; eight have 13 or more; three have at least 22 steps; on; six houses have fewer than three steps. As rendered, the cornice features a frieze board, soffit, and fascia; however, the detail, dimensions, and material have not been finalized.

M. Materials and Textures: *Building should be compatible with and complementary to neighboring buildings.* *

Staff Comment: Two-thirds of the 30 homes reviewed in the subarea are brick, so the proposed brick is an appropriate material. (One-quarter feature siding, a few feature stucco.)

Relative to the adjacent block**

N. Paint [Color palette]: #1. *Colors for a new building should be coordinated and compatible with adjacent buildings, not intrusive.* *

Staff Comment: The color palette has not been finalized. For the sample set of houses, the wall color is predominately red brick (15) or painted a neutral color (12; cream, tan, white). Three houses feature muted colors (light blue, yellow, mauve). Windows and trim are predominantly painted a neutral color (28; cream, white). One house has dark trim, another includes light blue elements. Where there are shutters, all are painted black or dark green, except one with gray shutters.

O. Details and Decoration: ... *should be consistent with and related to the architecture of the surrounding context and district.* *

Staff Comment: As rendered, the details and ornamentation are not finalized, but are generally in character with the surrounding houses, which have such a broad range of architectural styles there are few *typical features*. The proposed brick banding is similar to the brick bands at 430 1st Street and also reflects the horizontal trim elements at 413 2nd Street and 418 4th Street.

Relative to the adjacent block**

E. Walkways & Driveways: *Place driveways through the front yard only when no rear access to parking is available.**

Staff Comment: Due to the site's topography and the easement to allow neighbors continued use of the existing side driveway, the front driveway (north side) is necessary to allow access to the ground level garage. Note: Relative to visibility [from the street] of the interior courtyard, while not proposed, the design guidelines allow for side and rear yard fencing up to six (6) feet in height.

Motion – The Applicant requests a deferral – Motion to accept deferral – Mr. Gastinger – Second by Mr. Schwarz – Mr. Schwarz. Motion passes 7-0.

3. Certificate of Appropriateness

BAR # 22-09-03

1301 Wertland Street, TMP 040303000

Wertland Street ADC District

Owner: Roger and Jean Davis, Trustees

Applicant: Kevin Schafer/Design Develop

Project: New apartment building/existing Wertebaker House c1830

Jeff Werner, Staff Report –

Background

Year Built: [Likely] 1842. (Some believe c1815 or c1830, but that cannot be confirmed.) *District:*

Wertland Street ADC District

Status: Contributing

1301 Wertland Street--the *Wertebaker House*--is a two-story, three-bay, brick house with a rear ell. (Wm. Wertebaker was UVA's second librarian, serving from 1826 until 1880, he died in 1882.) Built in the Greek Revival style, it owes much of its appearance to renovations later in the century, when a Victorian porch was added. (In 1842. Wertebaker acquired 27-acres from James Dinsmore's estate. He immediately sold all but 6 ¾-acres, on which the house was built. By 1886, the parcel was 1.4 acres. By the 1980s, it had been reduced to 0.4-acres. See map in Appendix.)

Proposed construction of apartment building, including parking, landscaping and site improvements, adjacent to c. 1830 Wertebaker House. [Staff note: the submittal does not address what is planned for the historic house re: maintenance, alterations, and/or rehabilitation.]

Discussion

(See in the Appendix a comparison of the submittals from Feb, March, Sept, and October.)

This review may be a continuation of prior discussions, with no action taken by the BAR; however, because this is now a formal application and has been deferred once, unless the applicant requests and is granted a deferral--the BAR must take action to either approve or deny the requested CoA. (Ref. Code Sec. 34-285.)

In response to any questions from the applicant and/or for any recommendations to the applicant, the BAR should rely on the germane sections of the ADC District Design Guidelines and related review criteria. While elements of other chapters may be relevant, staff recommends that the BAR refer to the criteria in Chapter II--*Site Design and Elements*, Chapter III--*New Construction and Additions*, and Chapter VI – *Public Design and Improvements*.

Staff recommends that the BAR refer to the criteria in Chapter II--*Site Design and Elements* and Chapter III--*New Construction and Additions*. Of assistance are the following criteria from Chapter III:

- A. Residential Infill
- B. Setback
- C. Spacing
- D. Massing & Footprint
- E. Height & Width
- F. Scale
- G. Roof
- H. Orientation
- I. Windows & Doors
- J. Porches
- K. Foundation & Cornice
- L. Materials & Textures
- M. Paint [Color palette]
- N. Details & Decoration

To assist with discussion. Materials and elements to be specified.

- Roof
- Gutters and Downspouts
- Exterior walls
- Trim
- Doors & Windows
- Lighting
- Railings
- Balcony details
- Plantings/Landscaping
- Patios & walks
- Public spaces • Screening (HVAC, utilities)

The BAR must also evaluate the impact of new construction on the historic house and site.

• Relative to the site, the Design Guidelines incorporate by reference the Secretary's Standards for Rehabilitation, which recommend that archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken. For some projects, that BAR has recommended an archeological investigation of the site. Given the significance of this site and its association connection to two prominent individuals associated with the University (Wertebaker and Dinsmore), staff recommends a Phase I archeological survey be conducted prior to any site disturbance, with the results submitted for the BAR record.

• Relative to the historic house, the design guidelines for Additions provide a useful framework.

Additionally, a former BAR member suggested that for this project—and for others with similar circumstances--the BAR establish a design ethic regarding the house and site. To identify the characteristics, elements, and design/preservation principles unique to this property, and use them for guidance when evaluating the new design.

Spatial Elements

Note: The following approximations are for nearby structures only, not a broad analysis of the entire district, which range widely.

- Setbacks: Within 20 percent of the setbacks of a majority of the neighborhood dwellings.
 - o Average front setback for nearby structures is approximately 33 feet, ranging between 0 and 95 feet.
 - The proposed building setback is approximately 15 feet.
- Spacing: Within 20 percent of the average spacing between houses on the block.
 - o Average side spacing for nearby structures is approximately 31 feet, ranging between 5 and 93 feet.
 - The proposed building spacing is approximately 27 feet from 1215 Wertland Street and 10 feet from the existing house.
- Massing and Footprint: Relate to the majority of the surrounding historic dwellings.
 - o Average footprint for nearby structures is approximately 4,000 square feet, ranging from 1,500 square feet to 14,000 square feet.
 - The proposed building footprint will be approximately 5,600 square feet.
- Height and Width: *Keep the height and width within a maximum of 200 percent of the prevailing height and width.*
 - o **Height.** The prevailing height nearby structures is three stories, ranging from two to five stories. The recommended max height of the new building would be six stories.
 - The proposed building will be **just under five stories.**
 - o **Width.** The average building width nearby structures is approximately 45 feet, ranging between approximately 30 feet and 72 feet.
 - The proposed building will be **approximately 40 feet wide.**

Applicant requests a deferral – Mr. Bailey moves to accept deferral – Second by Mr. Bailey – Motion passes 7-0.

D. New Items

4. Certificate of Appropriateness

BAR # 22-10-01

1109 & 1121 Wertland Street (1025-1213), TMP 040305000

Wertland Street ADC District

Owner: Neighborhood Investments--WS

Applicant: Richard Spurzem

Project: Rehabilitate exterior siding and trim

Jeff Werner, Staff Report –

Background

Year Built: 1109 constructed c1890; 1121 constructed c1895.

District: Wertland Street ADC District

Status: Contributing

1109: The basic massing of this Victorian house is similar to that of those on either side of it, with different proportions. Very likely all three were built about the same time, perhaps by the same builder. This is a two-story, three-bay, double-pile house with a projecting bay at the eastern end of the facade.

An original two-story addition, with a one-story addition behind it, covers the rear elevation, and there is also a small one-story wing on the eastern side. The walls, probably originally weatherboarded, were covered with imitation brick tar paper siding in the mid-1900's, and that has now been replaced or covered with vinyl siding imitating the original weatherboarding. (See historical survey)

1121: House combines Late Victorian or Queen Anne elements such as a complex roofline and woodshingle sheathing in the front and side gables and dormer gable with Classical Revival details such as the Ionic columns and dentil molding of the front porch and the elliptical fanlight over the front entry,

Other features include turned porch balusters and a double front door. (See historical survey)

Request CoA to remove the existing siding and trim to expose original wood below. Then, as needed, repair existing or replace with wood material.

1109 Wertland Street: Remove aluminum siding and aluminum trim/panels at window trim and sills, soffits, and porches. Repair/replace the presumably wood lap siding, wood window trim/sills, wood trim at soffits/eaves, and install beaded-board at porch ceiling.

1121 Wertland Street: Remove the asbestos siding, then repair/replace the presumably wood siding underneath. Remove aluminum on windows, repair/replace trim and sills. Repair/replace any missing or damaged cedar shingles on gable ends. (Soffits and gable trim are not covered with metal.)

Discussion and Recommendations

In 2015, the applicant completed a similar exterior rehabilitation at 1025 Wertland Street.

- BAR review:

http://weblink.charlottesville.org/public/0/edoc/647020/BAR_1025%20Wertland%20Street_Sept2015.pdf

- Project photos:

http://weblink.charlottesville.org/public/0/edoc/656125/BAR_1025%20Wertland%20Street_%20in%20progress%20photos.pdf

Staff recommends approval of the requested CoA and commends the applicant for rehabilitating the historic appearances of these structures. With that approval, staff suggests the BAR consider and include in the motion guidance relative to anticipated unknowns [condition of original material, missing elements, etc.] and establishing reasonable parameters for addressing them via consultation with staff.

[Note: The following is the July 21, 2021 review of 743 Park Street. A request identical to this one.] Staff recommends the BAR allow the applicant to move forward with removing contemporary, nonoriginal siding and trim, allowing an evaluation of the underlying materials, and with that to apply reasonable conditions that allow the rehabilitation and/or replacement of those materials. For example, that the salvageable wood siding be retained and used to the extent possible. In the event that only a portion of the siding can be salvaged—and in lieu of having walls with a mix of new and salvaged siding--the BAR recommends the salvaged material be re-used on complete walls, prioritizing the front elevation. Once the underlying conditions are assessed, the applicant will consult with staff about the extent of old and new material to be used and where, with the understanding that staff may request guidance from the BAR. For any new siding, the applicant will use wood.

Should the existing trim not be salvageable, particularly any profiled components, the applicant will consult with staff regarding the new material to be used and to assure that the new matches or is appropriately similar to the existing, relative to dimension and profile. Again, with the understanding that staff may request guidance from the BAR. More specifically, the BAR should discuss whether any replacement materials should replicate the existing (custom material, if necessary) or if it is acceptable to use available materials that have similar dimensions and profiles.

Motion – Mr. Schwarz - Having considered the standards set forth within the City Code, including City Design Guidelines for ADC Districts, I move to find that the proposed exterior rehabilitations at 1109 and 1121 Wertland Street satisfy the BAR’s criteria and are compatible with this property and other properties in the Wertland Street ADC District, and that the BAR approves the application as submitted, with the following modifications and/or conditions

- **If replacement of portions of the exposed siding and trim is necessary, the new will match the dimensions and scale, including the exposure dimension of the siding and general profile of any trim components.**
- **Owners and contractor shall consult with City staff regarding unsalvageable original materials and selecting appropriate replacement material.**
- **Applicant to provide for the BAR record progress photos of the work, including the original material and of the project upon completion.**

Mr. Zehmer, second. Motion passed 6-0.

Meeting was recessed for five minutes.

5. Certificate of Appropriateness

BAR # 22-10-02

101 East Jefferson Street, TMP 330190000

North Downtown ADC District (contributing)

Owner: First United Methodist Church

Applicant: William L. Owens, AIA

Project: Install rooftop solar panels

Jeff Werner, Staff Report – Year Built: 1923 District: North Downtown ADC District Status:
Contributing

First United Methodist Church is a Colonial Revival, brick church with a monumental portico and four Doric columns, with a tower and steeple.

Application

- Submittal: Wm. L Owens Architect, First United Methodist Church Solar Panel Project, dated September 27, 2022: Photo sims (three pages) and Site photos (four pages) and specs for Quick Mount PV *QBase® Shake & Slate Mount | QMNS*.

Request CoA for installation of roof-top solar panels.

- Information about the Quick Mount PV system is in the submittal packet.

(See also: www.quickmountpv.com/integrated-system.html)

- All electrical connections will be made in the attic or the basement. The only exposed equipment other than the panels will be a 2” conduit running from the backside of the array on the west facing roof, along the roofline at the east face of the steeple, and down the north face of the steeple to the existing electrical service at ground level in the courtyard. The conduit will be painted to match the existing slate or brick.

- The panels will be 5” - 7” above the slate. No higher than 7”.

Note on the existing roof: Buckingham slate. Original to building, 1923. Life cycle of Buckingham slate can exceed 150 years.

Discussion

Since 2010, the BAR has reviewed 15 projects with solar panel arrays, all were approved. (See list in the Appendix.) Since adoption of the current design guidelines, the BAR has reviewed and approved 11 CoA requests for photovoltaic panels--eight in ADC Districts and three in HC

Districts. All, except one, were rooftop arrays.

The Design Guidelines (Rehabilitation, Roofing) do not specifically recommend against solar panels on historic roofs, but instead recommended they be placed *on non-character defining roofs or roofs of non-historic adjacent buildings*.

In the BAR staff reports for several projects reviewed between 2010 and 2017, the Preservation and Design Planner applied the following when recommending approval: *The panels extend up from the roof by less than one foot, which does not significantly change the profile of the roofline*. This appears to be an interpretation of a recommendation in the Secretary's Standards to not place panels *where they will change the historic roofline or obscure the relationship of the roof features such as dormers, skylights, and chimneys*. That is, panels that are installed low and parallel to the roof surface will *not change the profile of the roofline*.

During the 2018-2020 [pre-COVID] discussions re: updating the design guidelines, staff noted the following BAR comments related to solar panels:

Chapter III. Rehabilitation, Roof:

- Should not damage or interfere with historic material.
- If existing roof is relatively flat, panels should not create the illusion of a sloped roof.
- Advise owners to inspect condition of existing roof prior to attaching solar equipment; make necessary repairs—even replacement—prior to installing solar equipment.
- Address/evaluate photovoltaic shingles as replacement shingles.
- Address/evaluate how panels are attached to historic roofs.

At the September 20, 2022 meeting, staff asked the BAR for informal comments on this pending request, with the following offered:

Questions:

- o How will the panels be installed/mounted? (Brackets, hardware, etc.)
- o Where will wires/cables/conduit and equipment boxes be placed and how will they be screened, if necessary?
- o How high will the panels be above the slate?
- o How will the slate roof be protected during installation and subsequent maintenance of the solar panels? (Concern for condition of slate tiles with more-frequent activity.)
- o Photo-sim: panels on sanctuary are oriented NW.

Comments:

- o Preference: install panels on rear addition; avoid panels on sanctuary.
- o Re: maximizing panel area, a frame over the parking area (east side) might be evaluated.

William Owens, Applicant – I am the architect shepherding the project for First United Methodist Church. I am also a trustee of the church. The church has received an offer of a sizeable donation to add solar panels to the building and to reduce the church's electrical demands as part of an ongoing green initiative at the church. The church's goal is to cover at least 50 percent of their yearly electrical expenses at a savings of about \$10,000 to \$15,000 per year through the use of solar panels. The photo simulations, you have been provided, show the number and placement of solar panels as estimated by Tiger Solar as best to achieve this goal. The church would like to have an understanding of what the city and BAR would approve visually for the placement of panels on the existing roof. The roof surfaces of the church are not visible from the surrounding block except for the church's own parking lot and directly in front of their courtyard. Only those at a distance and elevated will be able to see the solar panels. I also provided information on how the roofer would propose to attach the solar panel rack system through the existing slate roof. All electrical connections would be made through the attic or basement, except for a single conduit running up the back panel array and down the north face of the steeple to the existing electrical service in the courtyard. The church is more than happy to provide the

city additional details on the design of the system as it is engineered. They would have a sense to what extent they would be permitted to have panels on the roof surfaces before going through the time and effort to have the system designed.

QUESTIONS FROM THE BOARD

Mr. Schwarz – The photo simulations you are showing us, that’s what you would like to do?

Mr. Owens – Yes. That is what Tiger Solar is telling us would maximize the solar gain for the project. It is around 200/220 panels. It is not totally defined. The goal was to reduce the church to as close to net zero as possible. We’re still working through the numbers on kilowatt hours. We have everything from at least 50 percent up to 75 percent, depending on where we place them. This is the estimate based for solar design, where they should be. The initial submittal to staff showed them on the portico roof that I had corrected immediately. Hopefully, you have the newer submission, which has them removed from the portico and put on the back courtyard roof.

Mr. Gastinger – I have a question about the mounts that was included in the packet. How often do those need to be in use? Are they essentially at the corner of every panel?

Mr. Owens – My understanding is that the panels mount on a continual channel. These mounts would be every six feet to support this continuous channel. Once we have a sense of where this is going to go, we will work with the roofer on what is involved. We have an obligation to this donor to see this through. They have specifically pledged this money for this specific idea.

Mr. Timmerman – Last time, somebody had a good idea of potentially locating the panels in the parking lot on the northeast side. Has that been looked at as a potential option as a way of taking some of the panels off the roof/off the slate?

Mr. Owens – No. I am not sure what is meant by that.

Mr. Timmerman – I have been in car parks where there is a framework. The panels mount overhead ten feet up and angled in a way to catch the sun’s rays. They also create some shading for the cars.

Mr. Owens – My presumption would be that would be less desirable than disguising them on the roof. We haven’t really explored that. I guess it is something we can talk about.

COMMENTS FROM THE BOARD

Mr. Gastinger – We should break this into two parts. I am guessing there are two major considerations. One is the impact on the historic district and the roofline of the structure. The second consideration being the detail and the issues relative to the preservation of the slate. Let’s talk about the first one. Are there questions or concerns about the panels’ installation relative to the historic district or to the roofline?

Mr. Zehmer – Within the guidelines under Rehabilitation, Section G-Roof, Note-8, place solar collectors and antennae on non-character defining roofs or roofs of non-historic adjacent buildings. We need to determine whether the main roof of the sanctuary is a character defining roof. We need to get over that hurdle first. I would argue that it is the main roof of the building. I also think they have a valiant goal. If there are ways we can help them achieve it, we should.

Mr. Schwarz – The fact is that it is not really visible from anywhere within close proximity. It is a character defining roof. You have to be standing back pretty far to see the roof. I agree with them not putting them on the portico. Anywhere else would be acceptable to our guidelines. I also do not believe it will change the profile of the roof to obscure any massing of the building. They are so relatively flat to the roof. I think that helps.

Mr. Gastinger – That slim profile is important to me. It doesn't seem like it is going to really substantively change the profile against the sky or the roof itself. In an ideal world, they might be tiles. In some day, they might be tiles. I really wouldn't think there would be an issue with it. For me, I don't think it has an adverse impact on the district or the structure from a profile standpoint.

Mr. Timmerman – I felt that way last month when I was looking at all of the street views. You can't really see them. I guess looking at this image of the solar panels on a fairly identifiable historic building has changed my mind. In keeping with the standards, the minor buildings are one thing. The next time we see this shot, are we prepared to see the oldest churches in the downtown with that roof covering? For me, it comes down that I am more concerned about the material of the roof, the damage they could potentially do. I am concerned about having a viable, really durable material in the slate, and doing something to it that will adversely affect it.

Mr. Bailey – I practically walk by the church every day. I have never noticed the roof. I don't think it is character defining in that sense. It is an old, durable roof. If the church is not worried about the fact that it may break down, why should I worry about it?

Mr. Whitney – I would be in favor of proceeding with the solar panels and letting the church go the route of installing it. If it is visible, it is something of the church in a forward thinking direction. Since it is not visible by most viewpoints, I don't see any reason why they shouldn't proceed going with the solar panels.

Mr. Gastinger – Let's talk about the potential risk to the slate. The city recently explored replacing the slate on Key Recreation Center. We went through an enlightening discussion about the care and repair necessary and the state of slate supply currently in the market. This was a recent conversation we have had amongst the BAR.

Mr. Zehmer – You know that the Buckingham slate has dried up in the quarry. It is really difficult to get these days. The message is to be cautious. It seems to me that this is an installation method that would potentially do a lot of damage to the roof; not just for cutting the slate with the grinder and popping that slate that you need for each of these mounting points. The fact is that the installer is going to be walking all over your slate roof. The potential to break slate is very high. I say that as a cautionary note and having worked on slate roofs. There is a lot of caution that would go behind this. It would behoove you all to do some research and see if there are other slate roofs that this company has worked on and can show you where they have successfully installed the solar panels. Go see those projects so you can rest assured that they can do a good job. Talk to their clients as well as the contractor to make sure the client was happy with the job. It might be worth exploring within your parking areas. It might be where a solution is actually less expensive than going on the roof. It might be worth exploring. If you can find something else that might be acceptable and is less expensive and meet your energy goals, maybe that is a 'win-win.'

Mr. Bailey – Would you be willing to watch a solar farm built next to the church in a historic district?

Mr. Zehmer – I am not over the fact that it is a character defining roof. It is the main roof of the main part of the sanctuary.

Mr. Timmerman – For me, it would depend on the design of it. I think you can design something in a reasonable way. The parking lot, as it sits right now, is pretty empty.

Mr. Owens – We would have to elevate it to get around the trees. That's the advantage of the sanctuary since it is up high.

Applicant #2 – Ten feet off the ground is not going to do it. We have another building. There is a 6 foot rock wall with a big house. It has shade. To get it through approval down there, there are a lot of things there.

Mr. Werner – If this was an asphalt roof, I probably would have had this on the Consent Agenda. Breck asked the right question. "What is our charge?" I am probably speaking more from my years in construction than necessarily from the guidelines. It is appropriate for the BAR to be asking that question. I don't know.

Mr. Gastinger – I think that we would agree that the slate roof is a character defining feature of this church. If the proposal was to take the slate off and sell it to the city for Key Recreation Center, I don't think we would approve that. We do have a role in trying to steer towards the protection of that roof and the protection of that detail in materiality. As citizens, we want to make sure that you do that, look at this material carefully. It obviously may save the congregation money in the long term. We don't want it to be a risky move that could cause other headaches down the road. I wish there was a system that allowed for fewer penetrations. It seems like a very labor intensive and detailed installation on a delicate surface. I would also note, as someone who sits on a church board, if that risk is seen as too high, I would encourage you to think creatively about the strength of having a congregation. There are maybe things that you can do at the congregation scale of many residences throughout the city that could have as much or bigger impact overall.

Mr. Timmerman – I am looking at the parking lot. There's a pretty clear view of the west side of the main roof.

Mr. Schwarz – A question for the installer: If the technology changes and you want to take these off and put a different panel on, what is the process of putting the slate back? It looks like you're replacing more than just one slate. If you took one of these mounts off, how many slates are damaged, destroyed, removed, or would have to be to put a new slate back in that spot? What would be the scale of replacement should the solar panels have to be removed?

Mr. Owens – I wasn't completely thrilled with the system and with the penetrations that were involved. I couldn't get as much participation from the roofer as I wanted (ahead of time) to resolve this. I would pursue it myself. I would much rather see something that was removable that replaced the slate and the slate could be salvaged in theory and then put back rather than damaging a slate by doing it. That's something we haven't resolved. We're here because we have a specific obligation to us. The donor is wanting to give a large amount of money for this specifically (yes or no) to see that out. We're trying to respond back to them, as a first step here. We will work out the details to what you think is warranted to make you all comfortable with what we're doing. I certainly do understand. A lot of this could have been addressed by the solar company and the roofer. We could have hashed out something to save us a second visit. I agree with some of your comments in theory.

Applicant #2 – We want that roof. We're not going to do something that we feel and we can't prove that it is going to be done properly. We intend to keep the roof. We have no reason to think that it is going anywhere else. The engineering and the research is going to be done. We don't want to do it and come here and say we can't put solar panels on a roof. Construction is slammed. It still is slammed in Charlottesville. Once we get the 'go ahead,' we can roll. We will not put it on that roof if it is going to delay or hurt the life of that roof.

Mr. Gastinger – I am sure that you are more worried about that than we are.

Applicant #2 – We have to deal with the leaks. We have enough of them. We understand. We're making arrangements that we're not going to put the panels straight through without any way to walk between them. We have to get to them. Slate contracts and expands all the time. We're going to have to get behind those panels to fix it. We will make arrangements. We're going to do that without taking the whole roof off. We have thought through things. We know what we have to do. We certainly expect to be convinced in our own mind that this is going to be done and the roof will be lasting. If we can't, the solar panel might go away.

Mr. Gastinger – I felt generally that there was consensus that the panels could be placed on this roof without adverse effect to the historic district or the building because of its low profile. What I heard is that we have concerns about the slate. There is some openness if we had more information. You feel like this is going to protect the roof. That is something we would be prepared to support. It might be that there is a different system. It might be there is someone who has a direct experience with that installation. Generally, this Board supports your effort and just wants to make sure we can do what we can to support you doing it the best way possible.

Mr. Schwarz – It sounds like there are four of us tonight that seem to be supporting this idea. One person, who left earlier, denied a previous solar panel application. It might be closer than what it looks.

Mr. Gastinger – I would also note that, not only is Jeff open for continued conversation, if you have questions or get more information, it is also possible to reach out to Board members. We can give you feedback prior to the next meeting.

Mr. Owens – I understand the concern with the installation. I am not sure I am clear where we are with a 'yes' or 'no' with us going further. If we get a 'no,' what do I do when I leave here is substantially different. I certainly understand the concerns with the installation. I am pursuing a better solution possibly there. I don't disagree.

Mr. Gastinger – There's a majority here that would support the location of the panels on the roof.

Mr. Bailey – Shouldn't we go through that with a motion? That's what you're here for.

Mr. Owens – If Board members are not here, they are not here.

Mr. Bailey – There is a suggested motion in the packet. (Mr. Bailey did read the motion from the packet).

Mr. Gastinger – I don't know if there's the same amount of comfort with the detail yet; not that it wouldn't be approvable. It seems like we need to have a little bit more information.

Mr. Bailey – I can make the motion to approve. We can vote and they can decide what to do next.

Mr. Owens – What I would be looking to avoid is that we have to come back and we have a different variable on the Board and we wasted the time to pursue something.

Mr. Schwarz – As Breck recommended, it might be a good idea to reach out to us outside of the meeting by email and specifically reaching out to the members who are not here. I don't think we can give them that because we have an incomplete Board. I don't think we can vote tonight.

Mr. Owens – Can you do the approval of the installation rooftop solar units with the caveat providing additional information on the installations to still be reviewed?

Mr. Schwarz – We have gotten into trouble with that in the past.

Applicant #2 – Is the installation reviewable by the city?

Mr. Werner – This is another interesting question of what requires a building permit for roofing. I know there is an electrical permit involved. I don't know about a roofing permit. It would not be an evaluation of the methodology. I am thinking back to when we talked about Key Recreation Center. I was surprised when they said that they would have 30 percent salvageable material. Having worked with and talked with the applicant about this, there is this understanding that the congregation is going to evaluate that. They're not going to put somebody up on that roof if it damages the roof. I don't know if you can say that in a motion. That's the sense I get. They can't move forward with that detailed evaluation without an affirmative or a negative. The choice would be to make a motion and make a vote. If it is a negative vote, they can appeal that to Council or take it as it is. If it's a positive vote, they can move forward with the COA. If you have any ideas of provisions/conditions that don't require a subjective decision on my part. We can move forward with that.

Mr. Owens – You're not comfortable doing 50-50 or something. They do that in the county more often. I understand your concerns and they are warranted. I would like to address them. I would like to get out of here with enough confidence that we can do that and be able to resolve that. One proposal that the solar company had was to completely remove the roofing underneath the panels that would not be visible and put something that is actually easier to deal with as far as walkability. We decided that wasn't the way to go. It does provide an easier solution on one end.

Mr. Werner – Another option that the BAR has (you have 30 days to act on this). You can move to defer to the November meeting. They would have to come back and present this. You do have some of that ability. It forces the issue but it is available.

Mr. Gastinger – I want to ask if you feel that you could support this project with a little more confidence in the installation method. The panels are located as they are proposed either with a little more information or an improved mounting method. Do you feel that you could support this project?

Mr. Timmerman – I would support it with a condition that we would avoid the planes that you could see from the ground. That probably knocks out the east sides. For me, it is the same thing as Key Recreation Center. I feel that we are here to maintain the unique character of the downtown. That's our main job. That is something I appreciate every time I go over the Belmont Bridge. I see that roof. That's one of the many details that I respond to as being part of the things I appreciate about the downtown.

Applicant #2 – The southeast side of the sanctuary dropped 46 KW of power. That’s half of the solar. We lose that whole sanctuary roof.

Mr. Gastinger – Ron, you’re supportive as it is?

Mr. Bailey – I am supportive as it currently is. I can’t believe these guys are going to let their roof leak if they can avoid it.

Mr. Schwarz – In theory, I side with Ron. I need to see more detailing.

Mr. Gastinger – I am seeing 4 votes in favor with a little more assurance on the detailing of the installation. There are 2 votes with some reservations. I can’t speak to the outstanding votes.

Applicant #2 – Can we get approval for the panels and come back before doing any installation and present what we’re doing?

Mr. Gastinger – There’s only one Certificate of Appropriateness.

Applicant #2 – How do we know when we’re going to come back and present the details when we have spent \$10,000 and you say ‘no?’

Mr. Owens – They are not going to say ‘no.’ They’re going to have a different dynamic on the Board that could say ‘no.’

Mr. Schwarz – What is your timeline? Are you in a hurry to do this? Could it be postponed a month for you to come back and we have more members present?

Mr. Owens – I don’t think there is any hurry other than the wasted effort in that intervening time. We’re hoping to come out of here with some kind of agreed opinion from all of you. We can go back to the donor and see if there is still interest. The donation, as I understand it, is maximizing the solar output of the church that gets as close to zero as possible. I understand the concerns. I wish we had split it. That would be the most practical solution. I wish the roofer was here and tell you how he is going to do it. We’re stuck here with what we’re allowed to do.

Mr. Schwarz – You don’t necessarily need to do the homework in the next month. If you can put the expense of doing any design work and figuring out if you can postpone that until we have a more complete Board. That might give you a little more assurance.

Alex Joyner, Pastor – One of our hopes and the donor’s hope is that this could be an encouragement to other people in the congregation and to people in the city to consider solar energy to do what the city has said that it wants to do, which is environmental care. It matches the congregation’s values and the city’s values. I am sure you’re going to be getting more requests for solar panels. I realize that we are at forefront of that. It’s a question that is not going to go away for you.

Mr. Gastinger – Our guidelines do encourage us to try to find ways to make it work. We just want to make sure you don’t end up in a bind.

We can put the motion. I don’t think it would pass this evening. If we deny it, it can be appealed directly to City Council. Another option is we defer it. It would be on next month’s meeting agenda. You can request a deferral which gives you the option of coming back at your convenience.

Motion – Mr. Bailey - Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed roof-top solar panels at 101 East Jefferson Street satisfy the BAR’s criteria and are compatible with this property and other properties in the North Downtown ADC District, and that the BAR approves the application as submitted.

Mr. Whitney second. Motion failed 2-4.

(Y: Bailey, Whitney. N: Zehmer, Gastinger, Timmerman, Schwarz.)

Applicant requests a deferral – Mr. Schwarz moved to accept for deferral – Mr. Bailey second. Motion approved 6-0.

6. Certificate of Appropriateness

BAR # 22-10-03

612 West Main Street (also 602-616), TMP 290003000

West Main ADC District

Owner: Heirloom West Main Street Second Phase LLC

Applicant: Jeff Dreyfus, Bushman Dreyfus Architects

Project: New building: modification to approved façade

Jeff Werner, Staff Report –

Background (existing building) Year Built: 1959-1973 (concrete block automotive service building)

District: West Main Street ADC District

Status: Non-contributing (proposed demolition does not require BAR approval)

CoA request for modification of the approved façade design. (CoA approved December 15, 2021 for a new, four-story mixed-use building.)

Discussion

I. Approved Special Use Permit:

In evaluating the proposed façade modifications, the BAR must account for the conditions of the approved Special Use Permit (SUP). In approving the SUP, City Council applied several of the BAR’s recommendations, see below. Having been incorporated into the SUP as conditions of approval, they are now requirements that must be met with any alterations to the project design.

- **BAR recommendation:** Garage entry shall not be accessed directly from the building’s street wall along West Main Street
 - o SUP item 1.e: [...] No direct access shall be provided into the underground parking from the Building’s street wall along West Main Street.
- **BAR recommendation:** The building’s mass shall be broken down to reflect the multi-parcel massing historically on the site, as well as the West Main Street context, using building modulation; and the building and massing refer to the historic building.
 - o SUP item 2: The mass of the Building shall be broken down to reflect the multi-parcel massing historically on the site, as well as the West Main Street context, using building modulation. The Building and massing refer to the historic buildings on either side.
- **BAR recommendation:** The Holsinger Building be seismically monitored during construction;
 - o SUP item 4: The Landowner (including, without limitation, any person who is an agent, assignee, transferee or successor in interest to the Landowner) shall prepare a Protective Plan for the Rufus Holsinger Building located on property adjacent to the Subject Property at 620- 624 West Main Street (“Holsinger Building” or “Adjacent

Property”). [...]

- **BAR recommendation:** There shall be pedestrian engagement with the street with an active, transparent, and permeable façade at street level;
- o SUP item 3: There shall be pedestrian engagement with the street with an active, transparent, and permeable façade at street level.

II. Approved Design CoA, December 2021:

Carl Schwarz moved: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed new, mixed-use building at 612 West Main Street satisfies the BAR’s criteria and is compatible with this property and other properties in the West Main Street ADC District, and that the BAR approves the application as submitted per the drawings dated December 17, 2021 and included in the BAR packet, with the following conditions:

- With the condition that the BAR needs to see a sample panel of the brick to confirm its color, texture, and that there will be sufficient differentiation between the various portions of the building
- That street trees are a necessary component of this project’s certificate of appropriateness, and that the certificate of appropriateness for the entire project is not valid without them. Should at any time the trees need to be removed or the species changed, the applicant will be required to return to the BAR for an amended certificate of appropriateness.
- We recommend that you consider back-lighting the retail windows to provide illumination at night.

Tim Mohr second. Motion passed 8-0.

III. Modified façade design:

In evaluating the proposed modifications, in addition to accounting for items I and II above, the BAR should apply criteria from Chapter 3 – *New Construction and Additions*. Specifically, though not exclusively: Materials and Textures; Paint [color palette]; and Details and Decoration.

The historic buildings on West Main are predominantly brick, but it is not universal.

- 320 West Main (1899) is stucco.
- 323 West Main (1940 or 1956) feature glazed, blue tile.
- 420 West Main (1960) features metal panels.
- 633 West Main (1918) is stucco. Possibly not original, but has been stucco since at least 1983, when the building was surveyed.
- 711 West Main (1893) features one of the few cast metal facades in the City.
- 1001 West Main (1920) featured metal panels, until they were removed in 2014.

As staff understands the development of the guidelines, discouraging the use of EIFS reflects the concerns at that time regarding its durability and visual quality. In the two decades since, there have been significant changes in the composition, quality, and durability of nontraditional stucco. Staff has not evaluated these new products enough to make a recommendation; however, staff suggests an informed, knowledgeable discussion of these product might present options that had not been formerly considered.

Motion – Mr. Gastinger - Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed façade alterations at 612 West Main Street satisfy the BAR’s criteria and are compatible with this property and other properties in the West Main Street ADC District, and that the BAR approves the application as submitted with the following conditions:

- **that the BAR see a sample panel mock-up of the EIFS and stucco materials to confirm its color, texture, and that there will be sufficient differentiation between the various portions of the building and we suggest the mock-up be built with a north orientation.**

Mr. Bailey, second. Motion passed 6-0.

E. Other Business

7. Discussion: No action to be taken.

Request: Options for the required height step backs.

BAR # 19-09-04 (Sept 2019: BAR recommended SUP would have no adverse impact.)

218 West Market Street, TMP 330276000

Owner: Market Street Promenade, LLC, Owner

Applicant: Heirloom Real Estate Holdings LLC, Applicant

Project: New structure

- The applicant presented the application the options for the required height step backs.
- The applicant is going to go for an amendment to the SUP.
- The applicant is seeking input and advice for the possible height step backs
- The applicant is going to be coming back to the BAR in the future seeking a recommendation for the Special Use Permit to Council.
- Members of the Board did provide their suggestions and feedback to the applicant on how to improve the application.
- The members of the Board were very supportive of what the applicant is proposing for the property on 218 West Market Street.

8. Discussion: No action to be taken.

Request: Relocate c1900 building approx. 25-feet towards street.

1025 Wertland Street, (1025-1213), TMP 040305000

Wertland Street ADC District

Owner: Neighborhood Investments --WS

Applicant: Kevin Riddle, Mitchell Matthews

- The applicant presented what they are proposing what they are planning to do with the house on the subject property.
- One member of the Board were very supportive of the applicant moving the building at the address 25 feet forward.
- The applicant did state that there was a public benefit for moving the house forward 25 feet on the same parcel.
- The other members of the Board were not very supportive of the applicant moving the building at the subject property.
- There was general consensus that the guidelines will not allow for the moving of the house 25 feet.

9. Staff Questions/Discussion

- Intro: 300 Court Square
- BAR Notebook
- Mall Trees
- BAR Awards 2022

F. Adjournment

The meeting was adjourned at 10:34 PM.