

Packet Guide
City of Charlottesville
Board of Architectural Review
Regular Meeting
April 18, 2023, 5:30 p.m.
Hybrid Meeting (In-person at CitySpace and virtual via Zoom)



Pre-Meeting Discussion

Regular Meeting

A. Matters from the public not on the agenda [or on the Consent Agenda]

B. Consent Agenda

1. [Certificate of Appropriateness Application](#)

BAR 23-04-03

800 East Market Street (Key Rec Center), Tax Parcel 530160000

Downtown ADC District

Owner/Applicant: City of Charlottesville Public Works

Project: Install metal gate at dumpster enclosure

2. [Certificate of Appropriateness Application](#)

BAR 23-04-02

218 West Market Street, Tax Parcel 330276000

Downtown ADC District

Owner: Market Street Promenade, LLC, Owner

Applicant: Heirloom Real Estate Holdings LLC, Applicant

Request: Modify height setback. (In lieu of 25-ft setback at 45-ft height: Old Preston Ave allow 5-ft setback at 45-ft height; W. Market St allow 10-ft setback at 45-ft height.)

3. [Certificate of Appropriateness Application](#)

BAR 23-03-02 (deferred from March 21, 2023)

506 Park Street, TMP 530123000

North Downtown ADC District

Owner: Presbyterian Church Ch'ville Trust

Applicant: Todd Shallenberger, Waterstreet Studio

Project: Landscaping: Memorial Garden and Tree Planting Plan

C. Deferred Items

3. (See BAR 23-03092 on Consent Agenda)

D. New Items

5. [Certificate of Appropriateness](#)

BAR 23-04-01

810 West Main Street, TMP 300002000
West Main Street ADC District
Owner: Union Station Partners LLC
Applicant: Kurt Keesecker / brw architects
Project: Roof Canopy Addition

E. Other Business

6. Informal discussion windows
7. Staff questions/discussion
 - DT Mall NRHP update – April 19 meeting
 - Letter of support for CLG Grant requests:
 - *GPR Survey and Archeological Assessment of McKee Block*
 - *In-Depth Analysis of Ceramic, Faunal, and Personal Item Artifacts Recovered at the Swan Tavern Archeological Site*
 - Informal discussions:
 - BAR training
 - Term expirations
 - Board composition
 - Minor reviews/approvals

F. Adjourn

**BAR MINUTES
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
November 15, 2022 – 5:00 PM
Hybrid Meeting (In person at City Space & virtual via Zoom)**



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: Roger Birle, Breck Gastinger (Virtual), James Zehmer, Carl Schwarz, Tyler Whitney, David Timmerman

Staff Present: Patrick Cory, Jeff Werner, Remy Trail

Pre-Meeting:

The BAR went over the items on the agenda. There was discussion regarding items on the Consent Agenda. Staff did introduce the two preliminary discussions that are on the agenda for the meeting.

Steve Gains, the city tree arborist, and Riann Anthony, Deputy Director of Parks and Recreation, presented the current trees that are slated for removal from the Downtown Mall. Following the presentation, members of the BAR asked questions of the city arborist regarding the damage that has been done to those trees that are going to be removed.

Mr. Gastinger asked Mr. Schwarz to serve as the Chair for the in-person meeting at City Space. The BAR was called to order at 5:38 PM following the presentation by the city arborist.

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. Certificate of Appropriateness

BAR # 22-11-01

0 Preston Place, TMP 050118001 and 050118002

Rugby Road-University Circle-Venable ADC District

Owner: Sue and Steve Lewis

Applicant: Leigh Boyes, Sage Designs

Project: Landscaping

2. Certificate of Appropriateness

BAR # 22-11-02

480 Rugby Road, TMP 090003000
Rugby Road-University Circle-Venable ADC District
Owner: Westminster Presbyterian Church
Applicant: Breck Gastinger, Local Design Collective
Project: Landscaping, site work (Common Grounds)

3. Certificate of Appropriateness

BAR # 22-11-04
402 Park Street, Tax Parcel 530115000
North Downtown ADC District
Owner: Anchor Charlottesville Office 2, LLC
Applicant: Kendra Moon / Line+Grade
Project: Demo drive-through/ATM kiosk. New landscaping.

Motion to Approve the Consent Agenda by Mr. Zehmer – Second by Mr. Birle – Motion passes 5-0 with one abstention (Mr. Gastinger).

C. Deferred Items

4. 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: n/a. (According to available information, parcel has never been developed.) *District:* North Downtown ADC District *Status:* n/a

CoA request to construct a new single-family residence and detached garage on vacant parcel.

Note: Applicant is not seeking final BAR action during this meeting. Rather, the discussion is intended to resolve any outstanding questions prior to the final submittal.

Discussion

Applicant seeks BAR input on the following:

- o Variation of building height.
- o Porch options presented, including roof forms and railings.
- o Front gate.
- o Color palette.

Motion to defer to the next month by the applicant – Mr. Schwarz moved to accept the deferral request – Second by Mr. Whitney. Motion passes 6-0.

D. New Items

5. Certificate of Appropriateness

BAR # 22-11-03

507 Ridge Street, Tax Parcel 290141000
Ridge Street ADC District
Owner/Applicant: Kimberly and Clayton Lauter
Project: Demo backyard shed/cottage

Jeff Werner, Staff Report – Year Built: Cottage/shed (House constructed c1895) District: Ridge Street ADC District Status: Contributing

The Gianniny-Bailey House contributes to the series of Victorian residences along Ridge Street that date to the 1890s. This two-story, two-bay house was originally weatherboard, now covered with stucco. Notable features include a semi-octagonal projecting bay on the front façade, and Eastlake trim on the second story porch. The structure in the rear was built as a servant's cottage. Request CoA for demolition of an approximately 10-ft x 12-ft, single-story, wood-framed structure in the rear yard.

Discussion

Staff visited the site on November 3, 2022 and found the cottage to be in poor condition, but not at immediate risk of collapse. (See attached photos and summary.) Owners plans to construct an accessory dwelling unit near/at the location of the cottage; however, they also expressed that regardless of the ADU project, they do not wish to incur further expenses necessary to stabilize and maintain the cottage. With that, the owners have expressed willingness to allow relocation of the structure to another site, should someone express interest in acquiring it and provided the BAR approves the move.

As summarized below, the design guidelines recommend against approving this request. Staff recommends the BAR discuss this matter and defer a decision until the December 20, 2022 BAR meeting—or, to a later date, if the applicant requests deferral. This would provide an opportunity to find a solution that preserves this structure, avoids a potentially contentious appeal to Council (should a demo CoA be denied), and/or avoids actions that might result in leveraging civil fines.

Note: Staff refers to the following provisions of the City Code only as a matter of full disclosure and for information only, not to suggest a possible a path or outcome, nor to provide an enforceable interpretation of the Code.

Per Sec. 34-277 (Certificates of appropriateness; demolitions and removals), the BAR must approve the razing or moving of a contributing structure, except upon the determination of the building code official that the building or structure is in such a dangerous, hazardous or unsafe condition that it could reasonably be expected to cause death or serious injury. Having no such determination by the City, that exception does not apply. Additionally, failure to obtain the necessary approval for demolitions, the owner is subject to a civil penalty not to exceed twice the fair market value of the building or structure, as determined by the city real estate tax assessment at the time of the demolition, razing or moving. (Sec. 34-86(b). See Appendix of this staff report.) The City's current assessment for this structure is \$2,700. (Reference J. Davis email of Nov. 9, 2202.) As such, the fine could not exceed \$5,400. Per Sec. 34-281 (Maintenance and repair required), the owner of a contributing structure shall not shall allow it to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce a detrimental effect upon the character of a major architectural design district or the life and character of a contributing structure or protected property. In a violation of this requirement, the owner is subject to a civil penalty of \$200 for the first violation, and a civil penalty of \$500 for each subsequent violation. (Sec. 34-86(a)(10), see Appendix of this staff report.)

Per Sec. 34-285 (Approval or denial of applications by BAR) and should the BAR deny the CoA, the applicant may appeal to Council and seek further remedy per Sec. 34-286 (City council appeals). (See Appendix of this staff report.)

Should the BAR approve the demolition request, staff recommends the following condition (included in the suggested motion below):

- Applicant will provide for the BAR record documentation of the existing building. [In addition to the photos provided, documentation will include dimensioned floor plans and elevations.]

Clayton Lauter, Applicant – We love the shed. It's cute. It's a question of value. I have an 81 year old father in law with limited resources living in an assisted living facility in Sandusky, Ohio. He has maybe enough money for 18 months at \$8,000 a month to live in that facility. His daughter (my wife) and his sister are in Virginia. One is in Washington DC. My wife and I are here. No other family under 80 years old is near him. It is little things. His driver's license has expired. There's nobody there to help him get an ID, except for the facility owners, who want every dime. It's a nine hour drive to Ohio. We have to pay a personal expense, time away from her children, our three special needs kids (two autistic and one diabetic) in order to facilitate her seeing her father. The second value is this shed. It is unremarkable. The windows are busted out. There's nothing but plywood on the floor. Birds and a groundhog live in it. The chimney is falling down. It leaks. It's been a great place for the last 13 years to keep my tablesaw. It's not intended for any living. Were it a historic, brick cottage, I would completely support renovating it. One of the reasons we bought the home is that we care. I have already been before you once to get gutters because the roof was falling down. We put solar panels in our backyard because we care about the environment and our footprint. There are other things of value than simply maintaining a structure because it once stood. It's really a question of value of the quality of life for my father in law and his remaining days and how we can afford to keep him happy, well, and engaged in life when his family is nine hours away. He sits in his chair all day. That's all he does. Think about your family. Is that more important or less important than this? I appreciate you all wanting to protect and value the history of this town. I do too, which is why we bought the house and why I have spent thousands of hours insuring that house is a good house, a beautiful home. I don't think that this shack is more important than my father in law. We have to find a way forward. If we have to defer until December 20th, we will for a little while. His funds are running out. He's in good health. He might live another ten years. If that's the case, with an accessory building that we want to put there, we can use the electrical and water from the home within code tastefully done. I am happy to get approval for a design from you. His life matters. The value of his life matters more than this.

QUESTIONS FROM THE BOARD

Mr. Gastinger – I have questions for staff (Jeff). You stated that you hadn't found evidence of this having a resident from the census. We have multiple documents that suggest that this was one of the last servant's quarters in this part of the city. It does have a chimney in the structure, which is not usual for an exterior structure. It seems pretty clear that somebody was spending significant time here. We don't have much evidence to the contrary.

Mr. Werner – There is a lot of information in the census and city directories. You can piece things together and try to see if there's a gap. Is there something on either end that suggests someone at this house? I think it is very possible. I think it would have been during the period Mr. Gianniny and his family were there. It does not look like this building has been there a long time. If this was in my yard, I would have that there as something to warm the shop. It does not appear to me to be in the original location. There's no denying this is something probably from 1895. If it is associated with Mr. Gianniny, it definitely dates to the house. It is unique. I have gone through every survey of the Ridge

Street Historic District. I can't find another cottage/servant's quarters. In some ways, you can say that this is the only one I am aware of. In the context of its setting and its association with someone there, I can't put someone there. It becomes a shed that dates to the house.

Mr. Birle – I was confused. You're asking to take this down in order to build something else there?

Mr. Lauter – Yes. An accessory dwelling unit/home for him (father in law) so we can have adjacent access for him. He is not necessarily in the home. If there's a problem, we can be there. We can get Meals for Wheels. We can build something that adds value to the end of his life. Should one of our children fail to launch, that would be appropriate as well. We have a great deal of land. Some of it is not in the historic area. It doesn't make any sense from a utility standpoint. He has maybe \$125,000/\$150,000 depending on the market. That's not going to last very long at \$8,000 a month at an assisted living facility.

Mr. Birle – You have looked at moving this on your property?

Mr. Lauter – We haven't looked at it. If I tried to put a forklift under there and move it, I know that it's going to fall apart. I have moved a number of buildings with forklifts. I don't find it remarkable. I think some of the wood in it is heart pine. It is beautiful. It can be milled. We would incorporate what was appropriate in the new dwelling. It matters to us aesthetically to match the current home and make it look nice. From a functional standpoint, the building is falling down, the footers are falling down. It is rotten on the back. I have termites in there. We do not have the resources to provide the "TLC" that was mentioned. We don't intend to. It is not utilitarian enough to use for anything other than storage of materials.

Mr. Timmerman – Is one of the reasons you're demolishing it is because you don't have enough space? Have you looked at a scenario where you might leave it and build around it?

Mr. Lauter – We have not looked at that. Right underneath that is a sanitary line. It makes the most sense. We don't want to eat up our entire backyard without building it. We want to enjoy the space. It's a beautiful area. Putting another building next to it and retaining that aesthetically; no we have not considered that. We have considered further down on the property doing that. That is cost prohibitive. I have to run additional electrical. It's going to have to have its own service. At this point, it is feasible to trench from its location into our basement and run electrical and water. I am on one meter and I meet the city's guidelines for an ADU. We're a constrained family (resource). Doing it for its own sake adds no value in our world.

COMMENTS FROM THE BOARD

Mr. Gastinger – I do think that this is a remarkable structure. I think it is pretty unique. From what we have seen, reviewed, and the history that has been given, it tells a pretty interesting story about the house, neighborhood, and the development of the city. We are set up as a board to follow our guidelines. For all of the personal stories and realities that are very present for the applicant, that is not part of our mandate and review process. Just as we don't evaluate what is happening within the walls of the structure, we are looking to protect the historic fabric and character of our community where we can. It is not say that those things are any less real. We're not the body to evaluate those other circumstances. That would be City Council. In my mind, it's very straight forward that this is a structure that we want to try to protect and retain. I think it adds to the property and it adds to our community. I'm interested in ways that we can do that. It would certainly be preferred to protect it in

place. Secondly, to protect it on the property. Thirdly, protect it in some other fashion. I do find it to be intriguing and interesting and even in its smallness it is an important of our city's history.

Mr. Zehmer – I think Mr. Gastinger put it very well. Our purview is that this is a contributing structure in the historic district. It is our duty to protect it. I appreciate the applicant's personal situation. It does make it difficult. Our purview is to protect the contributing structures. I did visit the site. I looked at the building. It is certainly in rough shape. I have seen worse. In particular looking under the building, there's a number of pressure treated floor joists. It has seen some care at some point. There are some pretty easy ways to help mitigate some of the termite damage. There's a lot of mulch piled up around the building. That can be raked back. That's from a preservation standpoint. In a way to try and meet the applicant's goals, I agree with Mr. Gastinger that possible relocation on the property would be an acceptable solution. There's considerable room further down the hill. I know there are the solar panels further down the hill and maybe even further down. Mr. Gastinger laid it out perfectly. Choice one is preserve it. Choice two is relocate on the property. Choice three is relocate within the district as opposed to somewhere else and completely out of context. Our guidelines really discourage demolishing a building. I do not feel that we can do that in good conscience in following our guidelines.

Mr. Timmerman – I sympathize with your situation. I understand what you're going through. I do agree with my colleagues. Even if you don't see that thing as a remarkable structure, you might consider seeing it in a different way. It's remarkable for the little piece of the overall puzzle of our historic district. I live in an old house. There's a certain weight that you carry when you're in these things. We often make our own decisions about that from a personal standpoint. It is a bit of a burden. On the other side when you look at those photographs, that photo where you have the cottage in front of the old house, to me, that adds quite a bit of value to your property. There's a wonderful connection of the smaller house with the larger house in your yard. It seems to have a symbiosis relationship at least in the photo that I was looking at. I think we're talking about biases here. What we're really here for is upholding the guidelines. How do we do that? I am looking at your site plan. I'm not sure what is happening in the rear yard. I don't think it is necessarily a bad thing given the fact that the original location of the cottage was further back. I like the idea of restoring it to its original location if it has to be moved. It does seem that there's a good amount of space to work around back there. I understand the proximity issue as far as cost goes. That seems like a viable option to me. It might be a value added thing where you might develop some of the rest of the property further back to extend that backyard. This is me coming at it from the perspective of understanding the pressures you feel but also wishing there was a way to view this thing for what it is which is a little piece of a much bigger history lesson. Somewhere in the staff report, there are some lines about 'every little bit that you chip away, you lose something.' Our job here is to recognize these things. The big things are obviously easy. The little things are harder. We sympathize with the kind of positions that people are in economically and socially. We don't want to be a burden in that way. We are here to protect that fabric and those stories so we can keep this place as special as we know it is.

Mr. Whitney – I am in agreement with a lot of the statements that the board has made. I don't have anything else to contribute beyond what has already been said. I would encourage the applicant to try to find a way to relocate it on the site. I do understand the applicant's desire to build and all of the reasons set forth for trying to build an ADU in this location.

My question for staff is that we mentioned the possibility of finding another home for it and what that venue would look like for finding another location.

Mr. Werner – The applicant sent me a note today and asked about a C and a D in the staff report. For whatever reason, there are two lists for demolitions. In the second list, it referred back to the first list. The applicant asked “where are C and D?” They are answered. If this does get into a situation where there’s an appeal, let’s do the right steps. Word had just changed the lettering. Those were the three things. In fairness to the applicant, I just want to point that out. With the overall condition and integrity, I have stated it and shared that. We know there was not an engineer’s report. To what extent, the means/methods for moving/removing, it is to be demolished. I don’t see anything left out of the discussion. It is absent in the staff report.

With moving it to a site that is not within a district, I don’t know what it would take to establish it as a contributing structure. I don’t know that step. I know we’ve talked about it. We’ve moved entire houses in the city without them losing their designation. I know there was a discussion of relocating the house on Preston Place. It’s been discussed. With the mechanism by which it would be protected, I don’t know. That’s the piece to figure out if that’s the opportunity. In my conversation with the applicant, I sent all of the questions to him that you all had. What about rolling it down the hill? He said there was the cost of rolling it down the hill and maintaining it when it is down the hill. I am not trying to make a judgment. What is best for this structure? In the zoning ordinance, if somebody knocks this down and they knocked it down without BAR approval, there is a fine. I talked to the city assessor. They have a valuation of this at \$2700. It would be the maximum the city could fine someone for such a demolition would not be more than two times that value. If the building fell into disrepair, the city does have the means by which a contributing structure in a historic district is not maintained. I am not entirely clear. It is \$500 and an X amount for each additional incident. What does that mean? I know there is a threshold at which it won’t go any further. There are ways we can compel this owner to not let something happen. In my conversations with them, they don’t want to put in the expense into moving it. With moving it, the roof is in bad shape and that it doesn’t shed water. There’s a cost associated with that. My concern is that these other avenues might lead to the building’s loss. Is there a way to find a solution? The BAR can evaluate these guidelines. The remedy for that is an appeal to Council. That is an option. That is built into the ordinance. City Council can consider those other things. I would recommend deferral. If there’s an appeal on a denial, there has been this omission. If you all feel this omission is not significant, however it is spelled there, it is available.

Mr. Birle – To me, moving it on the property is just as good as keeping it where it is. It looks to me like it has been moved more than once. Moving it away/selling it and taking it out of context has very little value at that point. Our focus does have to be pretty narrow. It might be for others to consider the other issues. It is pretty ‘cut and dry.’ We’re being told by the reports that it is significant and rare.

Mr. Schwarz – I ultimately would support demolition for this through precedent. I know that most of our Board is very new. I have seen quite a few demolition approvals where whole servant’s quarters get chopped off the back of large houses; something much more significant than this small building that we don’t really know if a servant lived in. I recognize the sense that it is rare in the neighborhood. It is just out of precedent that we have approved demolitions much more significant than this in the past. It is coming down. Nobody is going to take it. Whether it comes down and we fine you for it or whether you go through a Council appeal and pay for the appeal, we’re going to cost you money by delay. As others have said, that’s not our purview. What is our purview is the fact that we have demolished much more significant structures in the past.

We could defer this and prolong it. Or we can make a motion tonight and you can take the motion and do what you want with it, whether it is an appeal or you ‘put this to bed.’ Would you like to defer it and see if you can figure out someone who can take the shed for you?

Mr. Lauter – I am more than happy to allow you people to reconsider your comments if intractable on that. I would remind this group that not an eighth of a mile away is a hotel in the historic district. That is condos in the historic district that many in our community fought against in front of you and Council about eight years ago with tooth and nail. That's OK? But my 10 by 12 shed is the Holy Grail of the neighborhood. I appreciate that you want to stay in your 'swim lane.' Let's talk precedence and reality. It's coming down one way or another or it is getting moved. If this Council would like to fund its movement to somewhere on my property, write me a check. If the expectation that me and my wife and our limited resources have to go find \$10,000 to move this when it is coming down anyway, that's the question of value I pose. Historic value does have value; so does current value. This is current. I am not going to be selling tickets to this shed on my property. Nobody is going to come and want to see it. If they did, they're going to require my permission. I am more than happy if you want to defer it to consider it. That's fine. The clock is ticking on my father's quality of life. I understand that it is fine to keep your blinders on and stay within your mission statement. Why do you think I put solar panels on my property? I did it because I care about the environment and our town. To detract from the beauty of the nature of my lawn, you're 'darn tooting.' It is the right thing to do. Our world is much bigger than the ordinances that you operate under. I am fine if you defer to December 20th. It is coming down; one way or another. We have to take care of my father in law.

Mr. Birle – One thing I wonder about is this idea of precedent. I'm new to the Board. What are the other examples where we have had similar or more significant demolitions?

Mr. Schwarz – There are a couple of large houses on Park Street where they took the entire back half of the house off so they could put on a new addition back there. Those back halves were inferior in the sense that they had lower ceilings and smaller rooms presumably because they were servant's quarters. I can think of two examples. One was Chris Long's former house. The other one was Hard Bargain. It is way down Park Street and almost at the end of the district. On Virginia Avenue, we took down the last three working class bungalows on the street. We took down two of those. We did keep one for an apartment building.

Mr. Gastinger – They do have some precedent value. They're not quite like this. This is unusual in its age, association with the house at this age. My recollection of those precedents is that those were more recent additions and a different series of conditions. I do think there's a chance if the applicant came to the Board and demonstrated that there was no way the ADU could be built and that it required the demolition. That might change some minds. On the other hand, given the information that we have, the preservation of the structure (from our guidelines) is the preferred recommendation.

Mr. Lauter – What is it that you mean the ADU requires the demolition? What are you saying?

Mr. Gastinger – We have had requests for demolitions in the past that were of (in some ways) modest but significant structures; historic nonetheless. We have approved demolition along with a successful building that was going in its place. We understood the necessity of removing the structure. That's one of our evaluation criteria. Without any other context, we don't have any way to evaluate whether the structure is required to come down.

Mr. Timmerman – If we could see what the hardship is and see the design, (there are setbacks) then there is an example of where the hardship is coming from as opposed to saying 'we have to move it. We have to get it out of here because we have another structure that we want to put in.'

Mr. Lauter – There's no other place for it to go on our property that is governed by you all fundamentally. There's no other place for it to go. We can't put it in our front yard. That is the only

place it can go based on the setback if you look at where that fence is. I have to come five feet off that fence according to the current guidelines. I can go back. I then have a parking area that is nothing but gravel. From a functional standpoint, it is right over the sewer. I can get into the house. We can cost effectively put an ADU in an area that's maybe 16 by 25 feet long; a little bit larger than this but not significantly. Match it in form and structure to what we have there currently and add value. The notion that someone is going to buy it, I don't see it. You guys are the BAR. Maybe you know someone who has that interest. For me to use my father in law's limited funds to pick it up and move it, replace it, and then maintain it somewhere else on my property. I am sure that you have very wealthy people come before you that have the funds, the resources, and the means to do that every day. I am not one of them. I think this is a logical value add thing. I appreciate and am more than happy to allow Mr. Werner and whomever else would like to document the process by which it comes down. The notion that it is going to sit into perpetuity, well maintained by me and family, who don't plan on selling this home anytime soon, I wouldn't put money on it. I hope you do it in conscience understanding that you approved the hotel at the corner of my street. I have a 9 mm round in the front of my house. My kids saw the shooting across the street 18 months ago. Not many people are walking up on my property. We live on Ridge Street, which is a little different than Park Street.

Mr. Schwarz – You do have a choice. If you want to request a deferral or if you want us to defer it, we can do that. We can vote. It sounds like the vote is going to be to deny the demolition. That would let you move on. What would you prefer us to do?

Member from the Public – Are you saying this building could leave the property?

Mr. Schwarz – I think that's an option some Board members are for.

Mr. Werner – There is precedence there. We have allowed that evaluation of Wyndhurst.

Member from the Public – There are people who will take it. They're not going to buy it. They will take it for free. They will take it down and disassemble it or move it wholesale.

Mr. Lauter – I don't know if that meets their criteria with regards to preservation.

Mr. Schwarz – That sounds like a reason to defer. Would you be all right with that? Give it a month.

Mr. Lauter – I am more than happy to defer. I know you don't want to consider the financial arrangement and the quality of life issue of my father in law. That is too hard for me.

Mr. Gastinger – It's not that we don't want to; we can't. We're volunteers governed by the statutes. That's not a criteria we can use as part of our evaluation.

Mr. Schwarz – You're Ok with the deferral to investigate. It sounds like the applicant is not going to do the investigation. Is that something staff is going to do or should we just end this?

Mr. Werner – Ending it is assuming a denial. That places some choices for Mr. Lauter to make. I would assume the loss of the building. I cannot tell you right now what I could offer or what I would do tomorrow. If it is deferred, the applicant doesn't have a proposal for an ADU in the back. A deferral does not in any way, shape, or form cause any financial problem with anybody. If we had before you tonight a project to be approved to construct something new, it would be a little different sense of urgency. Maybe in a month, I can think of something and maybe I can't. At least, I know a decision

hasn't been made that is final for that structure. If someone is willing to take this, there is not opposition to that. I keep thinking what we can do, that will provide some certainty for this building.

Mr. Timmerman – There may be some benefit for the applicant as well. If there's a deferral, there's maybe a chance that you don't have to pay the fine.

Mr. Lauter – I am fine with that. I am emotional about it because I have seen the man. I understand that no one comes to see him.

Mr. Werner – There is an ADU process that we need to be having underway as far as a design for something.

Mr. Schwarz – How about we move for the deferral? That gives it 30 days.

Mr. Werner – I did speak with the DHR (Department of Historic Resources). In their staff opinion, the removal of this building would not place the overall district at risk. One of the reasons you're having this discussion is the BAR's purview is a function of the local designation. However, one of the questions is about (DHR) whether the demolition of a structure be reason for delisting the district. That answer was no. I don't want to lose the building. If an option presents itself, a month gives me the 30 days to figure it out. I may not be able to.

Motion – Mr. Whitney moved to defer the request. Mr. Schwarz, second. Motion passed 6 – 0. [Note: Being deferred by the BAR, the matter will be reviewed at the December 20, 2022 meeting.]

6. Certificate of Appropriateness

BAR # 22-11-05

914 Rugby Road. TMP 50145000

Rugby Road Historic Conservation District

Owner: Erin and George Sloane

Applicant: John Voight / JKV Architects

Project: Alterations to front porch, side addition

Jeff Werner, Staff Report –

Background Year Built: c1921 District: Rugby Road Historic Conservation District Status: Contributing

Request CoA for construction of a single story, side addition (replacing the existing two-story 1980s addition) and reconstruction of the front porch (replacing c1980s alterations). Note: The rear portion of the addition is not visible from Rugby Road and therefore exempt from BAR review.

Discussion and Recommendations

Note: **The regulations and design guidelines for projects within a Historic Conservation District (HCD) are intentionally less rigid than those for an ADC District.** The HCD designations are intended to preserve the character-defining elements of the neighborhoods and to assure new construction is not inappropriate to that character, while minimally imposing on residents who may want to upgrade their homes. Even for a HCD property that might qualify for the more-rigid designation, in evaluating the proposal the BAR may only apply the HCD requirements and guidelines. See staff comments below regarding the proposed roof style. (*Building Form – roofs and porches.*)

Staff recommends either BAR approval [per the recommended motion below] or, should the BAR request modifications to the design, by direction to staff allow the subsequent review to be administrative. (Per City Code Sec. 34-346, an administrative review is allowed: a) with BAR authorization, for requests previously reviewed by the BAR; and b) for minor accessory buildings or additions, after consultation with the chair of the BAR.)

Motion – Mr. Schwarz – Having considered the standards set forth within the City Code, including City Design Guidelines for Historic Conservation Districts, I move to find that the proposed side addition and front porch alterations at 914 Rugby Road satisfy the BAR’s criteria and are compatible with this property and other properties in the Rugby Road Historic Conservation District, and that the BAR approves the application as submitted.
Mr. Timmerman, second. Motion passed 6-0.

The meeting was recessed for five minutes.

7. Certificate of Appropriateness

Preliminary Discussion (No action to be taken)

300 Court Square, TMP 530096100

North Downtown ADC District

Owner: Eagle Tavern, LLC

Applicant: Candace DeLoach, Claudine Wispelwey

Project: Exterior alterations

- Staff introduced this project for Court Square to the members of the BAR. Staff provided a brief history and overview of the project.
- The applicant presented the project and the overview of what they were wanting to do with the property.
- The applicant is seeking to bring more life to the property at 300 Court Square.
- The applicant did bring in samples of the brick that they are seeking to use to repair the deteriorating brick and foundation.
- The project is to restore the property and exterior alterations.
- The shutters would be restored, there would be the addition of an awning, and the bricks would be washed. Gas lanterns would also be added.
- Mr. Gastinger expressed excitement and support for the changes being proposed by the applicant for this property.
- Mr. Gastinger did have some concerns, questions, and feedback for the applicant about the project going forward.
- Mr. Timmerman also expressed excitement regarding the project for the property. Mr. Timmerman did provide feedback for the applicant.
- Mr. Zehmer echoed the earlier comments made by Mr. Gastinger. Mr. Zehmer did have concerns about the Bermuda shutters on the rear of the building.
- Mr. Whitney and Mr. Birle provided their feedback to the applicants. The feedback and questions were mostly positive and supportive of the project.
- Mr. Schwarz had the same feedback and suggestions that the previous members of the BAR had for the applicant.
- The applicant received very good direction on where the project needs to go moving towards a Certificate of Appropriateness application and submission.

8. Certificate of Appropriateness

Preliminary Discussion (No action to be taken)

204 Hartmans Mill Road, TMP 260038000

Individually Protected Property

Owner: Jocelyn Johnson and William Hunt

Applicant: Dan Zimmerman / Alloy Workshop

Project: Addition and exterior alterations

- Staff introduced the project that the owners and applicant are planning to with this project to the members of the BAR.
- The house is currently falling into disrepair and the applicant is presenting a project to renovate and rehabilitate the current house.
- The applicant did provide questions for the members of the BAR regarding windows and restrictions on the design.
- The members of the BAR provided feedback and suggestions to the applicant regarding how the proposed project can be improved.

E. Other Business

9. Staff Questions/Discussion

- BAR awards 2022
- Holiday Dinner (and alumni reunion)

Adjournment

The meeting was adjourned at 9:35 PM.

**BAR MINUTES
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
December 20, 2022 – 5:00 PM
Hybrid Meeting (In person at City Space & virtual via Zoom)**



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: Roger Birle, Cheri Lewis, James Zehmer, Tyler Whitney, Carl Schwarz, Ron Bailey

Staff Present: Patrick Cory, Remy Trail, Mollie Murphy, Jeff Werner

Pre-Meeting:

Mr. Schwarz did have some questions regarding the 300 Court Square Site and went to the 300 Court Square site during the Pre-Meeting. Members of the BAR did discuss the project at 300 Court Square and the alterations being proposed by the applicant. Members of the BAR did have some questions regarding the mortar, the whitewash, and the windows with 300 Court Square.

Ms. Lewis called the meeting to order at 5:00 PM.

A. Matters from the public not on the agenda

No Comments from Members of the Public

B. Consent Agenda (Note: Any consent agenda item may be pulled and moved to the regular agenda if a BAR member wishes to discuss it, or if any member of the public is present to comment on it. Pulled applications will be discussed at the beginning of the meeting.)

1. Certificate of Appropriateness

BAR # 22-12-02

116 West Jefferson Street, TMP 330183000

North Downtown ADC District

Owner: Jefferson Street Properties, LLC

Applicant: Kristin Cory

Project: Porch reconstruction, alterations to rear addition

2. Certificate of Appropriateness

BAR # 22-12-03

1513-1515 University Avenue, TMP 090080000

The Corner ADC District

Owner: Lloyd's Building, LLC

Applicant: James Zehmer/University of Virginia

Project: Replace built-in gutters w/hanging gutters, install new asphalt shingles.

Mr. Schwarz moved to approve the Consent Agenda. Second by Mr. Bailey with Mr. Zehmer abstaining from the roll call due to Mr. Zehmer being an applicant for one of the items on the Consent Agenda.

Motion passes 6-0 with one abstention (Mr. Zehmer)

C. Deferred Items

3. Certificate of Appropriateness

BAR # 22-11-03

507 Ridge Street, TMP 290141000

Ridge Street ADC District

Owner/Applicant: Kimberly and Clayton Lauter

Project: Demo backyard shed/cottage

Jeff Werner, Staff Report –

Background

Year Built: Cottage/shed (House constructed c1895) District: Ridge Street ADC District

Status: Contributing

The Gianniny-Bailey House contributes to the series of Victorian residences along Ridge Street that date to the 1890s. This two-story, two-bay house was originally weatherboard, now covered with stucco. Notable features include a semi-octagonal projecting bay on the front façade, and Eastlake trim on the second story porch. The structure in the rear was built as a servant's cottage.

Request CoA for demolition of an approximately 10-ft x 12-ft, single-story, wood-framed structure in the rear yard.

Discussion

Note: No substantive changes to the November 15, 2002. Revisions are highlighted.

Staff visited the site on November 3, 2022 and found the cottage to be in poor condition, but not at immediate risk of collapse. (See attached photos and summary.) Owners plans to construct an accessory dwelling unit near/at the location of the cottage; however, they also expressed that regardless of the ADU project, they do not wish to incur further expenses necessary to stabilize and maintain the cottage. With that, the owners have expressed willingness to allow relocation of the structure to another site, should someone express interest in acquiring it and provided the BAR approves the move.

As summarized below, the design guidelines recommend against approving this request. However, should there be an opportunity to relocate the structure to another site—likely a property not under BAR purview--staff suggests the BAR consider allowing that move as a solution that preserves the structure (or, at least, precludes immediate demolition) and avoids a potentially contentious appeal to Council (should a demo CoA be denied), and/or avoids actions that might result in leveraging civil fines.

Note: Staff refers to the following provisions of the City Code only as a matter of full disclosure and for information only, not to suggest a possible a path or outcome, nor to provide an enforceable interpretation of the Code.

Per Sec. 34-277 (Certificates of appropriateness; demolitions and removals), the BAR must approve the razing or moving of a contributing structure, except upon the determination of the building code official that the building or structure is in such a dangerous, hazardous or unsafe condition that it could reasonably be expected to cause death or serious injury. Having no such determination by the City that exception does not apply. Additionally, failure to obtain the necessary approval for demolitions, the owner is subject to a civil penalty not to exceed twice the fair market value of the building or structure, as determined by the city real estate tax assessment at the time of the demolition, razing or moving. (Sec.34-86(b). See Appendix of this staff report.) The City's current assessment for this structure is \$2,700. (Reference J. Davis email of Nov. 9, 2202.) As such, the fine could not exceed \$5,400.

Per Sec. 34-281 (Maintenance and repair required), the owner of a contributing structure shall not allow it to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce a detrimental effect upon the character of a major architectural design district or the life and character of a contributing structure or protected property. In a violation of this requirement, the owner is subject to a civil penalty of \$200 for the first violation, and a civil penalty of \$500 for each subsequent violation. (Sec. 34-86(a)(10), see Appendix of this staff report.)

Per Sec. 34-285 (Approval or denial of applications by BAR) and should the BAR deny the CoA, the applicant may appeal to Council and seek further remedy per Sec. 34-286 (City Council appeals). (See Appendix of this staff report.)

Should the BAR approve the demolition request, staff recommends the following condition (included in the suggested motion below):

- Applicant will provide for the BAR record documentation of the existing building. [In addition to the photos provided, documentation will include dimensioned floor plans and elevations.]

Ms. Lewis – Has anybody come forward saying that they would like to pay for removal of this? If so, are they working with the owners to do that?

Mr. Werner – I have two parties who have expressed interest. I asked them (the applicants) if somebody was interested if we could take a look at it. I know that it would not be moved to another district, an IPP, or something like that. It would essentially be allowing demolition by allowing it to be removed and placed somewhere else. The two parties that I talked to are interested in using it as a structure. No point in belaboring this unless you all were interested in it. If you were, we could take a look at it.

Ms. Lewis – For us looking to take a vote tonight, we have an application to demolish unless somebody modified that application and gave us information about a removal, which is some of the same criteria. We would have to have information about the removal. I don't know if anybody is prepared to do that tonight. I am trying to summarize where we are. We have a lot of information from staff and certainly from last month's discussion.

Mr. Werner – Removal would be not two sites that it would fall under BAR purview. It would essentially be allowing someone else to remove the building, put it somewhere, and utilize it. There would be no assurances that would result in preservation.

Ms. Lewis – Are you going to suggest that as staff? I am thinking procedurally. How do I go forward with this?

Mr. Werner – I haven't dealt with a situation like this. I was figuring where things stood with all of you. In my personal/professional opinion, it is one of those that you load it up on a truck and take it down the road. That can be easily done. I have expressed that to both parties. Were this to be removed, the goal is quick removal. This is not turning into a construction project in someone's backyard.

Ms. Lewis – Is it sturdy enough to be removed?

Mr. Werner – I would take the windows out and I would put a lot of framing inside to hold it together to keep it from wracking. The chimney would have to be taken down. I think it can be done. The result, when it got somewhere else; that would have to be determined to be expedient on behalf of the owner and out of respect for them. Allowing it to be relocated is no guaranteed protection. I know they want to have it removed. I know the next step, if this was to be denied, is an appeal to Council. If Council agrees with the BAR, the next step is the required sale. The amount of time for this would be two months on the market. There's a sequence of steps in the ordinance. It would be up to them as to what they do with it after that; should nobody step forward.

Ms. Lewis – I didn't see any information in the staff report about a removal.

Mr. Werner – I mentioned the interested individuals. It is not like on Preston and that house was being moved down the street to another site within the district. It would simply be allowing its removal to someone seeking to use the structure.

Ms. Lewis – A long time ago, I represented an applicant who wanted to demolish a shed that was believed to have been inhabited. It was dated older than this. It was in Woolen Mills. My client, like these applicants, wanted it demolished. After we were defeated by the BAR, we came back with another motion to move it elsewhere on the property. We're here because there's an application that somebody has presented. I am not hearing from them.

Mr. Werner – I am offering you what I can. To take it straight out of the BAR protocols, the recommendation would be that this is the demolition of a building that is contributing and historic. We don't have an engineer's report. My concern is that it will likely be a denial. It will likely be lost. I don't know how to word that carefully. You all within your right to review the staff report. There is evidence in there and you can make a decision based on that.

Kimberly Lauter, Applicant – You said that it was a contributing structure. I thought that it doesn't have any effect on the designation as a historic district.

Mr. Werner – There are two districts involved here. One is the local/city district. It is designated as contributing. That is why the BAR is reviewing it. One of the criteria in the guidelines is: How is it referred to in the National Register listing? For the Ridge Street Historic District, it is listed as contributing. It is a contributing structure. However, in conversations with the Department of Historic Resources, removing it (in their opinion), would not put the district at risk of being delisted. The house is not individually listed. It is all part of the district. If ninety percent of the buildings that are historic on Ridge Street were demolished, DHR would probably say that this no longer qualifies for the National Register listing. It is contributing locally and to the National Register. It is not individually listed. Removing it from this site will not place the National Register designation in jeopardy.

Ms. Lauter – We have not been able to determine if anyone actually lived in the structure. We have reason to believe it was maybe a kitchen. It is so small. It is 10 by 10. Nobody lived in there.

Ms. Lewis – People lived in 10 by 10s.

Clayton Lauter, Applicant – The intention here is not to cause a fuss but to remove this building to put in an ADU for her failing health, aged father. The value proposition of this structure is for the structure's sake. It is going to go away, whether it is tomorrow, next week, or in three years due to upkeep. We are not selling tickets. We are not roping this off. We're not inviting the public to come view it. I am more than happy to document the construction in its removal. The notion that it should be lifted, put on a flat-bed, and carted off to a non-historic: No, that's crazy. If you had another location in the district where you would like to move it, we can consider that. What you're saying is that I am giving a building away for free to somebody with no oversight of this body or anybody else. That's nuts. I understand the purview, the directive, and the mission of this Board. When it makes sense to do exterior modifications or retain historical value, I get it. I support it. That's why we lived in the house in the first place. This building is falling down with birds. There are those that come before you with millions of dollars. We are not one of them. I understand that your purview is structures historic in nature. We're talking about my mother's father. If necessary, we will see you in front of City Council.

QUESTIONS FROM THE BOARD

No Questions from the Board

COMMENTS FROM THE BOARD

Mr. Schwarz – With the previous BARs, there is precedence for taking down much larger portions of historic structures. There is also precedence for basically giving quite a bit of free reign to the rear side of historic houses. This is in the rear. It is not visible from the street. Its removal will not change the district. It is very particular to this one property. Through precedent alone, I would vote for approval of demolition.

Mr. Bailey – I will associate myself with your remarks (Mr. Schwarz).

Mr. Zehmer – In reference to the letter that was submitted and having seen the building, I am not convinced that it is mid-18th century. The saw marks on the framing and the construction don't look like it is 1840s. I think the staff report is more accurate. It is likely the 1890s time period. As I mentioned last month, I don't feel that it is beyond repair.

Mr. Birle – Our purview is fairly narrow here. Even though it is a humble building, it is listed on the National Register. It is a contributing resource. It is our purview to protect buildings like this. With that narrow and analytical focus, that would be my recommendation.

Mr. Whitney – What seems unique to this structure is that I wouldn't want to set a precedent for the BAR to associate with is that it does seem like a piece of character we wouldn't want to lose. It does seem with the windows and the chimney that it was more than a shed at one time. It does seem like a unique piece we would lose it if it is approved to be demolished. It is unique in that we don't see a lot of historic fabric of the city. I would be in favor of denying the motion for demolition.

Mr. Bailey – It is interesting that you use the word 'see.' As was pointed out, you can't see it. Nobody wondering around the district can see it for the most part. It isn't contributing in the sense that the public gets to enjoy it. That is the motion that we have approved in the past; things that are behind

historic structures that are not contributing to the fabric of the neighborhood in the sense that people will get to see the neighborhood and experience it in that way. I think that should be taken into consideration.

Ms. Lewis – I find this challenging because we’re seeing reasonable people differ strongly on this. With no disrespect to the applicant, I have been on the BAR previously from the Planning Commission for two terms. I have been back on this Board for two years. I haven’t heard an applicant threaten to demolish something that they legally couldn’t demolish. You said that it will come down.

Mr. Lauter – I said that it will come down eventually.

Ms. Lewis – I heard within a shorter period of time. We do have someone taking the minutes. I have never heard an applicant say that; that they will get their way. I don’t know how that impacts my voting. I am sitting here. Does that mean it will be demolished no matter what this Board or whether it makes me emboldened to vote to deny it? I don’t know. I am noting for me that is a shocking comment. I am sure the applicant (through staff) is well aware of the consequences and fines. Those may not be personal concerns for them. I want to note that for my colleagues. We deal with people’s private property. We deal with their property rights every single time we’re here. Our guidelines do impose the right for us to do certain things. A demolition is an extreme example of when a property owner wants to do something with their property. I have never had a property owner say “I want to alter it. If you deny me, I am going to alter it anyway.” I have never heard those words. I don’t know how it effects my voting on this.

Mr. Lauter – We wouldn’t be here if we didn’t respect the process. We live in the area. We have lived in the area for 13 years. We have complied with all other asks of this BAR. Whether they have been installing gutters on the front of the house when I came before with my children years ago; whether it is solar panels. I don’t know if perhaps my comments were inarticulate. What I did mean to say was that we are not going to allocate the resources that some on this committee would wish us to allocate to maintain this structure into perpetuity. By withholding maintenance, it will fall down on its own. It was not a threat by myself or my wife. The letter that you read mentioned something. Those were not our words. It said something about being destroyed imminently. I believe those were Tony’s words. They were not our words. I apologize for the miscommunication. I agree with the gentleman who said that this cannot be seen by the public. I am not speaking ill of my neighborhood. We love our neighborhood. It can be a little rough. There are 9 mm holes in front of my house. There are drive-bys up the street. Do I allow people to walk through my yard? No. It is completely our property. This shed/shack is not visible to anyone unless you’re my neighbor. The public can’t see it. We’re not going to sell tickets. I respect this body. I respect your mission as described and outlined to maintain the historic fabric of the community for the public. This is not publicly seen, viewable, or considerate one that the public can consider. It does not contribute. It is not individually listed on the National Register. It is a contributing building that will not affect the National Register or the Local Register. I appreciate your purview. I understand your passion. I respect it.

Motion – Mr. Zehmer – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed demolition at 507 Ridge Street does not satisfy the BAR’s criteria and guidelines for demolitions and that for the following reasons the BAR denies the application as submitted because the proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located that is the subject of the application

Mr. Birle second. Motion passed 4–2. CoA was deni

4. 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: n/a. (According to available information, parcel has never been developed.) *District:* North Downtown ADC District *Status:* n/a

CoA request for a three-story, single-family residence and detached garage on vacant parcel.

Discussion

For the summary of the staff's comments re: the design guidelines for New Construction and Additions, see the October 18, 2022 staff report, under Discussion and Recommendations at: 0 3rd St NE - October 18 2022 BAR packet

This will be the BAR's fourth discussion of this request. At each of the prior meetings (September 20, October 18, and November 15) and in correspondence to the BAR, several neighboring property owners expressed their questions and comments regarding the project. The applicant has been responsive to the BAR's questions and recommendations.

Staff recommends approval of the CoA, acknowledging the alternate liriop selection, see below.

Landscaping Plan

* = On the City's Tree/Shrub List and/or not considered invasive in Virginia.

Note the revision below to the liriop selection.

• Trees:

o Amelanchier – Serviceberry *

o Acer palmatum 'Osakazuki' - 'Osakazuki' Japanese Maple (matched pair) *

• Shrubs, Evergreen:

o Ilex crenata 'Green Lustre' - 'Green Lustre' Japanese Holly *

o Azalea 'Pink Pearl' - Azalea 'Pink Pearl' *

o Abelia 'Rose Creek' - 'Rose Creek' Abelia *

• Shrubs, Deciduous:

o Itea virginica - Virginia Sweetpea "Henry's Garnet" *

o Pyracantha coccinea – Firethorn *

o Hydrangea paniculata 'Limelight' - 'Limelight' Hydrangea *

o Hydrangea paniculata 'Little Quick Fire' - 'Little Quick Fire' Hydra *

o Liriop Muscari will be substitute for the Liriop spicata 'Big Blue' indicated on the Landscape Plan. [Staff: Liriop spicata is noted as invasive by the City of Alexandria and Arlington County. (www.invasiveplantatlas.org/subject.html?sub=11562) From the applicant's note to staff: Liriop spicata is a running type of liriop and could spread, although the brick walls will contain it. However, Liriop Muscari is a non-running, "clumping" variety that will not travel outside the brick walls. There are a couple varieties of muscari; the client will select one of those variants.]

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Motion – Mr. Zehmer – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the new residence at 0 3rd Street, NE 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 alternate liriopie noted in the staff report].

Mr. Bailey second. Motion approved 6-0. CoA was approved.

D. New Items

5. Certificate of Appropriateness

BAR # 22-12-01
300 Court Square, TMP 530096100
North Downtown ADC District
Owner: Eagle Tavern, LLC
Applicant: Candace DeLoach et al
Project: Exterior alterations

Jeff Werner, Staff Report –

Background *Year Built: Farish House 1854; Annex (south wing) c1880. (Historical surveys attached.)*
District: North Downtown ADC District Status: Contributing

CoA request for exterior rehabilitations and alterations to historic hotel, including reconstruction of historic east portico and construction of a two-story terrace over the rear courtyard.

From the applicant’s narrative, including responses to Nov 15, 2022 BAR comments:

300 Court Square – Front of building, North-Facing

- Remove four smaller windows, investigations point to these windows as not original, infill with brick. Remaining windows will be centered and symmetrical. We will provide additional close up photos of the brick and window interactions. We believe these [four windows] to not be original. (photos 1-4.)
- In response to concerns that board members have regarding the request to unevenly apply whitewash to the exterior of the building, there is evidence that the entire building was painted white; we would like to invite board members to look at the revised sample on the exterior near the tavern entrance. We have added red wash to the lime wash to warm it and make it blend the various mortars and brick repairs.
- Requesting to use a lime mortar on the brick repairs. [Staff note: In prior discussions with the applicants, staff noted that the repairs to the existing masonry would be considered maintenance and repair, provided the work would comply with the BAR design guidelines for Masonry, from Chapter IV-Rehabilitations.]
- Window mullions, casings, sashes, fascia, railing and door trim to be painted “Gray Owl” Benjamin Moore - 2137 60.
- Shutters, balcony railings, and upper eave to be painted “Braemer” No BS14C35 - by Fine Paints of Europe. Please see sample on actual building.
- All exterior doors to be painted - “Green” – BS 16C39 by Fine Paints of Europe.
- Install four handmade copper gas lanterns flanking both sides of ground-level windows: French Quarter Lantern by Bevelo. (photo 15)
- Install three handmade copper gas lantern pendants on the two balconies and above the front entry door. (photo 16)

Items to be submitted to the City of Charlottesville for approval – in all three instances, we are requesting to install a hotel amenity placed on city property:

- Install four flush-mounted landscape lights in sidewalk to up-light plantings and illuminate pilaster detail. Since this is city property, we will obtain their permission prior to installing.

[Staff note: See Discussion and Recommendations.]

- Install black and white canvas awning with Greek Key pattern that extends from door to street.

Awning is supported by copper poles and illuminated from within. Because this is city property, we will obtain their permission prior to installing the awning. [Staff note: See Discussion and Recommendations.]

- Install steps from the landing of the portico on the 6th Street side. May we suggest that we will not build anything until we have the city's permission, which would hopefully happen during construction or offer up that we will build the steps such that they could be removed if not approved? [Staff note: See Discussion and Recommendations.]

East Side of building – 6th Street

- Please see dimensional drawings of the portico as designed. Because this is designed to incorporate the existing fire escape, we ask that it is approved as drawn for functionality. Please refer to dimensional drawings submitted. [Staff note: See Discussion and Recommendations.]

- We have elected to use electric lamps on the 6th Street side. We heard [Mr. Gastinger's] concern and are reducing the number of gas lanterns used to only those on the North facing exterior (as previously submitted).

- All exterior doors to be painted "Green" No BS 16C39 – Fine Paints of Europe

- We will be installing an electric light fixture at the gift store entry.

Rear of the building – Not Visible from 6th Street

- A two-story trellised wall will be built against the neighboring equipment building [to west, rear of Monticello Hotel] to hide the AC chiller on top. Two-story terrace to be built over the courtyard to screen satellite dishes from the room views. Please see submitted dimensional drawings of this structure.

- Trellised terrace to be painted "Gray Owl" by Benjamin Moore – 2137-60.

- A wooden deck will be built to the same level as the first-floor ballroom.

- In consideration of the use of Bermuda Shutters, which garnered a lot of conversation, we will not use shutters on the south side of the annex building and would like to use Bermuda shutters only on the back side of the building which is not visible from the street.

Motion – Mr. Schwarz – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed alterations and rehabilitations at 300 Court Square satisfy the BAR's criteria and are compatible with this property and other properties in the North Downtown ADC District, and that the BAR approves the application as submitted with the following modifications and conditions:

- **Approve the [lime] wash in concept, but want to review a physical sample. [BAR approved a wash. Staff will make a later recommendation should approval of the color require a separate, formal CoA request.]**
- **For the [exterior electric] lighting, all lamping will be dimmable, have a Color Temperature not exceeding 3,000K, and a Color Rendering Index not less than 80, preferably not less than 90, and lighting should be shielded to prevent glare to the sidewalk.**
- **For removal of the four windows [north elevation], infill the openings with brick, but have a grout line indicating where the windows used to be. Do not tooth-in the infill into the adjacent brick]. Infill panels to be set back ¼' to ½" [per applicant suggestion].**

- All [setback] encroachments are subject to City zoning [specifically relative to the east portico, awning at the north entrance, and any projections out into the right of way, and anything in the sidewalk].
 - o Staff note: Per prior discussions with the applicant, it is understood that any encroachments into the public right of way must be resolved with the City through the appropriate process; that design approval by the BAR does not prevail over setback and/or other zoning requirements.
- Separate signage package. [All signage will require a separate signage permit.]
Mechanical units will be screened. [Applicant indicated locations at the rear: Beneath the rear trellis/deck and on the low roof area. See image below for clarity.]

Mr. Bailey second. Motion passed 6-0. CoA approved with conditions.

E. Other Business

6. Staff Questions/Discussion

- BAR Rep to DT Mall Committee
- DT Mall NRHP nomination update

Adjournment

The meeting was adjourned at 7:55 PM.

**BAR MINUTES
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
January 18, 2023 – 5:00 PM
Hybrid Meeting (In person at City Space & virtual via Zoom)**



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, Ron Bailey, Breck Gastinger, Cheri Lewis, James Zehmer, Roger Birle, Dave Timmerman

Staff Present: Patrick Cory, Remy Trail, Mollie Murphy, Jeff Werner

Pre-Meeting:

The Pre-Meeting was moved to the smaller conference room in City Space due to an already scheduled event in the main conference room.

There was discussion surrounding the Wertland Street project. Mr. Zehmer had questions regarding the renderings for the project. Ms. Lewis had some concerns regarding the trees with the Wertland Street project.

There was discussion surrounding the Salvation Army Certificate of Appropriateness Application. Staff went over the application with the members of the BAR. Staff went over the phases that the Salvation Army is planning to do with the demolition. The discussion centered on the tree protection.

There was discussion regarding the preliminary discussion for 747 Park Street and the plans for the 747 Park Street property owner.

After the Pre-Meeting was ended, the BAR moved to the Main Conference Room for the regular BAR meeting.

Mr. Gastinger called the meeting to order at 5:47 PM.

A. Matters from the public not on the agenda

Genevieve Keller – The certified local government program is a federal program that has been around for decades. It is administered by each state's historic preservation office; the Virginia Department of Historic Resources. The CLG is a program that has provided inter-departmental assistance to our city over the years. A lot of people don't realize that the intent of the program is to nurture and promote historic preservation values and attitudes in local governments. Participation in this program gives them an advantage in applying for certain funds that are not available to all jurisdictions. Our city, very successfully, has used those funds for surveys, etc. The program intention is to have trained,

knowledgeable BAR members. There is an obligation stated in this program for BAR members to appreciate history and to reflect preservation values and attitudes in their decision making. I thought it might be timely to make that as a reminder. This is a really important program. I am pleased and proud our city has participated in it for decades. I hope it is a charge that you take seriously.

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 – February 15, 2022 and March 15, 2022

Ms. Lewis moved to approve Consent Agenda – Second by Mr. Zehmer – Motion passed 6-0 with one abstention (Mr. Schwarz)

C. Deferred Items

2. 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 Wertenbaker 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 *Wertenbaker House*--is a two-story, three-bay, brick house with a rear ell. (Wm. Wertenbaker 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, Wertenbaker 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 Wertenbaker House. [Staff note: the submittal does not address what is planned for the historic house re: maintenance, alterations, and/or rehabilitation.]

Materials

- Brick: Old Carolina Brick Company Handmade Brick In "Windsor." Mortar: Argos "San Tan"
- Siding: James Hardie Vertical Board-and-Batten Siding. Painted BM "Midnight Oil"
- Trim: Smooth Fiber Cement Boards. Painted BM "Midnight Oil"
- Metal Railing: Custom. Painted BM "Midnight Oil"
- Windows: Jeld-Wen Aluminum clad, double-hung. Insulated, internal spacer bars. Color: "Sable"
- Doors: Windsor wood [French] doors. Painted "Sable"
- Doors: Jeld-Wen single-panel, steel door.
- Balcony decking: Trex Enhanced Natural Decking. Color: "Coastal Bluff"
- Garage Door: None

- Canopy near garage entrance: (See image in Appendix.) Structural c-channels around the exterior (similar to balcony detail on Sheet 37). EPDM roof. Stained wood ceiling.
- Exposed ceilings: (per applicant email) Ceilings will be exposed wood joists, stained dark, semitransparent.
(See images in Appendix.) Using YellaWood: pressure treated pine processed to accept staining.
- Lighting:
 - o Bollards (Pemco), wall sconces (Spitzer), and strip lighting (Sonoray): Lamping is dimmable, Color Temp does not exceed 3,000K. Sconces and strip lighting have Color Rendering Index of 80. (CRI not noted for the bollards; however, they are not serving as overhead area lights.)
 - o Garage ceiling (Spitzer): Lamping is dimmable; however, the Color Temp does not exceed 5,000K and the CRI is 70. (** BAR has required that lamping have a CT not exceeding 3,000K and a CRI not less than 80.)
- Pathway paving: Brick. Scored concrete.
- Landscaping: All specified plants are on the City's Master List, unless (noted).
 - o Trees: Bald Cypress; Sweetgum; Yellowwood; Serviceberry; Magnolia; Ginko.
 - o Plantings: Inkberry Holly; Summersweet; Witchalder [Fothergilla]; Oakleaf Hydrangea; Arrowwood Viburnum.

Discussion

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

- Roof
- Gutters and Downspouts
- Exterior walls
- Trim
- Doors & Windows
- Lighting
- Railings
- Balcony details
- Plantings/Landscaping

- Patios & walks
- Public spaces • Screening (HVAC, utilities)

Staff comments and recommendations:

- Note: This will be the fifth time the BAR has reviewed this proposal. Given the BAR's direct involvement in the evolution of this design, in the following staff's goal is to be succinct and not, unless warranted, revisit or comment on every aspect of the project. (For example, ideally a garage entrance would not be so prominent on the primary façade; however, the location has been consistent throughout this review and the BAR has not recommended against it.)
- The proposed spatial elements are consistent with the recommendations of the design guidelines. (See staff comments below, under highlighted items from Chapter III – New Construction and Additions.)
- The proposed materials are consistent with the recommendations of the design guidelines.
- No alterations have been proposed for the house; however the BAR might discuss with the applicant: how the house will be protected during construction activities; [baseline] documentation of the house prior to construction; any alterations or maintenance that might be necessary, planned, or anticipated; and etc. (In reviewing the SUP for 612 W. Main Street, the BAR recommended that the adjacent Holsinger Building be seismically monitored during construction. Council included in the SUP a condition requiring the owner to prepare a Protective Plan for the historic building.)
- The historic porches, railings, and steps on the house are inaccurately portrayed in the applicant's renderings. The BAR should establish that the renderings are illustrative only and no alterations to the house have been proposed, nor are any being reviewed and/or approved.
- The lighting inside the garage has lamping with a Color Temp that exceeds 3,000K. Glare has been a problem with some LED lighting and on other projects the BAR has expressed concern re: the exterior impacts of seemingly interior lighting. Either alternate fixtures can be requested, or a condition of approval might require that the owner addresses any later, glare-related issues.
- 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 (Wertenbaker and Dinsmore), staff recommends a Phase I archeological survey be conducted prior to any site disturbance, with the results submitted for the BAR record.

Kevin Schafer, Applicant – This project now really embodies and fulfills the promise of Board Review. Each time we have come back to you, we felt there were improvements and sensitivities given to the context. It became more appropriate from an ADC Guideline perspective and for your role in the development of this project. We really wanted to extend gratitude and say 'thank you.' The feedback you have given from a conceptual perspective down to a detailed design perspective has been really valuable to us and our clients. Given the holistically positive feedback we received at the October hearing, you will note that this mission is primarily the same. It has been developed in certain key areas to provide the requested information. Holistically, the design remains the same. There have been a few minor architectural tweaks that I wanted to talk through.

Next Slide

The first area of revision is the front façade and the introduction of a pedestrian entrance off of Wertland Street. This is the area we heard the most feedback at the previous hearing. The front façade,

particularly the brick, was a little bit static, blank (from an ADC Guidelines perspective). This rendering shows that new pedestrian entrance bumpout.

Next Slide

This outlines the pedestrian entrance from Wertland Street. This tower element helps mark our entrance. It also provides an accessible route from the street. That will enter into an elevator lobby, which can take you up to the courtyard elevation as well as our accessible ground-level units. It introduces a change in the façade plane. It introduces this 3 story glazing element, which helps mark the pedestrian entrance. We have a decorative, steel canopy overhang. All is in keeping with the ADC Guidelines for New Construction from the street level design perspective. It encourages us to limit blank facades as well as provide visual interests to the passing pedestrian.

Next Slide

The other minor adjustment here was a slight increase in the setback that was required due to the skew of the front façade. We had to hold the 15 foot minimum from the prouddest moment of our brick façade. That did incur about 2.5 feet of additional setback than what was previously shown and 2 feet of additional setback at the darker tower corner element.

Next Slide

We will get into the areas where the project has been developed further; mainly selecting materialities, our landscape plan, and our lighting plan. We worked closely Doug Brown at Allied Concrete to help evaluate the existing brick; not only from a conditions perspective, assessed the brick on the historic house for us but also to help us pick a complimentary existing brick and mortar. It would be one that would be in keeping with the quality and the materiality of the existing house, as well as the other key contributing structures within the Wertland District.

Next Slide

The rest of the materials have been given the same amount of consideration in thoroughness. The Board will note high quality aluminum clad, wood windows, panelized steel entry doors, and custom steel railings; both appropriate selections for this neighborhood but also one that might be typically above what we may consider for a student housing/multifamily residential project.

Next Slide

Continuing with the theme of a higher quality and well-thought out design that was directed to us by our client, the landscape, site, and lighting plans have been developed that will bring new life to this parcel, which has seen some wear throughout the years. The development of the landscape plan has helped strengthen and will reinforce the connection of the existing Werternbaker House to Wertland Street through a formal circular gathering lawn that you see here and significant street trees, as well as landscape screening of the proposed project.

Next Slide

Staff has noted that alterations are not proposed in this submission. I will address the staff comment that the railings, steps, and porch that we show in our renderings are just for illustrative purposes. We're happy with the condition. We do not intend to do anything with the railings; just giving us some

context there. No alterations are proposed at this time to the house. That is because not enough work has yet been done to understand the work that is required from a structural analysis perspective. The house is currently occupied. The intent from the owner is to make sure that the house is stable, structurally sound, water-tight, and ensure its longevity and wellbeing. Anything that would happen beyond a deferred maintenance would come back to the BAR for review. The intention is to absolutely rehabilitate as required to restore it and stabilize it.

Next Slide

In order to memorialize and reiterate our commitment to the existing structure, we would offer/welcome a condition for approval that states something along the lines of, ‘the applicant must consult with a licensed structural engineer to determine a construction plan that depicts the necessary strategies to protect the existing structure.’ It was a note from staff’s comment that we would be open to that as well.

Next Slide

With regards to the garage lighting, we are amenable to staff’s suggestion of either implementing a condition of approval to require remediating glare-related issues that could come up or alternatively, we are happy to provide a revised fixture that does not exceed a color temperature of 3000 and has a CRI of less than 80. We would request that be submitted to staff for approval. We’re open to those options.

Next Slide

I want to offer our gratitude to city staff and this Board for your thoughtful review and comments of this project as it has evolved.

QUESTIONS FROM THE PUBLIC

No Questions from the Public

QUESTIONS FROM THE BOARD

Mr. Zehmer – From the last submission to this one, I feel there was some horizontal banding in the brickwork with the last submission at the top of the brick sections of the building. Has that gone away? Or is it not just showing up in the more recent renderings?

Mr. Schafer – It might be the shadow or the sun angle on this image. I think the other images show that we do have horizontal banding at floor level. We have soldier course above the window headers.

Mr. Timmerman – I was looking at the detail in the front entry tower. Is there a special detail of brick that goes around that opening?

Mr. Schafer – That’s correct. It is to emphasize and contextualize that three story glazing element, which is the only place it appears. We also did a soldier course band around it as well. It is recessed at that entrance to create that.

Mr. Timmerman – Was your intention to try to match the brick of the house or to create a bit of contrast? In the renderings, the new building looks like it is a little redder/slightly darker.

Mr. Schafer – The thought process was that it is a handmade brick on the existing structure. Matching it perfectly is not going to be possible. We did want to propose a high quality brick that had the same materiality quality to it. It is a similar shade. Matching the shade would be pretty challenging as well. The grout is able to get much closer. The goal was to compliment but not try to replicate.

Mr. Timmerman – Have there been any further plans for the house? The lighting plan was interesting. I was wondering if you had any plans for subtly lighting the house.

Mr. Schafer – Regarding the existing house, the use has not been discussed at this time. It has been occupied. They are waiting on the structural assessment. We do a 3D point cloud scanning as well. That would be one means in which we can evaluate the house as well as with a structural engineer. Regarding the site lighting, a lot of it is low bollards. That was intentional. The courtyard sits surprisingly high above the street level. To introduce pole light or anything like that felt uncomfortable. We hadn't considered lighting the house. We are thinking more about lighting circulation paths and things like that.

Ms. Lewis – What about plans to preserve the Wertenbaker House during this construction?

Mr. Schafer – As staff noted, other projects that have been built in close proximity have requested a preservation plan through construction. We're open to that. One of the things we suggested with the condition for approval would be consulting with the structural engineer and developing that construction plan to ensure stability. It benefits the owner to do that as well. It is a disaster if anything happens to that house from multiple perspectives. It is a good idea and we would likely do a structural protection plan and monitoring throughout construction. Projects we have done with this owner have involved heavy CA work from an architect and structural engineer. We anticipate being involved throughout the project and monitoring the existing house.

Ms. Lewis – Considering that it is ten feet from a structure that is arguably 130 years old, ten feet is a really tight squeeze. On the project that was in the staff report, they did seismographic testing and monitoring throughout the construction project.

I wonder why you chose a gumball tree near two walkways and a species that will drop spikey gumballs, which are trip hazards to occupants. They could float into the street.

Mr. Schafer – In talking with the landscape architect (Water Street Studios), there was a discussion about some of the diversity. There are a lot of maples. Getting some different species involved that were native but also harmonize with the rest of the planting selection was important.

Ms. Lewis – It is not an issue with our guidelines, except pedestrian friendly policy. It is wedged in between two places where occupants would walk into the building or into the stairwell for the garage.

Mr. Schafer – What would be the vehicle for substituting a tree through the BAR? We are open to a suggestion.

Mr. Gastinger – What we have done in the past is open it to species that are on the city tree list. That gives some flexibility. I don't see that as a problem. We could make a motion that species be replaced a comparably scaled native tree.

Ms. Lewis – With archaeological studies of the property, has the applicant given any thought to that?

Mr. Schafer – The applicant has given thought to it. It is the most important structure in the Wertland District. A phase I seems appropriate for record. It was something that was discussed. If the Board requires it, we would happily comply.

Mr. Birle – You mentioned the lighting and that you would be open to considering options rather than 5000K lights. The only ones I see that are 5000K are in the parking garage. I would be concerned about spill-out. It seems, from your lighting plan, the renderings show subtle lighting, which is commendable. I am concerned about the spill-out from the garage. There must be parking lights that are not 5000K.

Mr. Schafer – We would work with our lighting consultant to find a fixture that had a warmer temperature (3000K) or something that seemed more appropriate from the Board. I know it has been an issue in the past and one that we want to be aware of. We certainly appreciate the comment and happy to adjust as required. Whether that is through the completion of the project, some sort of shielding, or remediation of that glare, or through selection of a different fixture and submitting it to staff with those guidelines.

Mr. Gastinger – I had a question about the shielding of those lights and to ensure that we're not getting any glare bombs coming out of there.

Mr. Schafer – When we work with the lighting consultant and there is a garage, there is a safety factor that is factored in. The idea that it is a few feet down from street level into that garage certainly goes a long way in shielding.

COMMENTS FROM THE PUBLIC

Genevieve Keller – Preservation Piedmont has been engaging in this project since we were first aware of it. We still find that this proposal that dominates the front side of the Wertenbaker House to be disturbing and inappropriate. It is out of scale and inharmonious with the historic context. Many of us have been shocked with this second intrusion into what remained of the historic Wertenbaker landscape. Several weeks ago, we suggested that you explore ways to make this project parking exempt in hopes that the project would be re-positioned and the gaping vehicular entrance across a heavily used pedestrian sidewalk could be eliminated. We still ask that you explore this option before approving this project. We do appreciate that some changes in design have happened. The new construction intrudes on and pinches the historic house. We share concerns in the staff report about the need to protect and monitor this and other buildings in the vicinity during the construction phases. We also support and advocate for archaeological investigations. We hope that you will address the history and significance of the Wertenbaker House and reiterate an expectation that the residence continue to be respected by continuing to follow the Secretary of Interior Standards for historic preservation. We ask that you use this experience to be proactive in trying to ensure the city's other ADC Districts be better protected in the new zoning ordinance in terms of underlying setbacks and other design/spatial requirements so that there is not a dramatic contrast/contradiction between the design guidelines and the zoning.

COMMENTS FROM THE BOARD

Mr. Schwarz – Your design does keep getting better. You have done a really good job. Our guidelines do call for large street trees. With the Yellowwood, my understanding is that is a medium sized tree. There is not really any good location for another large tree. It seems that would be an important thing for us to require. I understand there might be a desire to put a native different species there. I would

like to see a large canopy tree there. That is one of my concerns. With the condensing units, I feel that we need to update our guidelines so that condensing units are always shielded, whether you can see them from the street or from the level of the roof. I know that we have been lax on that. By precedent, we probably should allow this. It does bother me because you're going to see them at some point. It seems simple enough to put a fence around them that is the same color as the upper level of the building. With the lights, it would be nice to get the color temperature down. I like the idea you have offered of some sort of deal with the shielding after they are installed. I agree because the garage is low. It may not be a problem. You can keep your safety and security as it needs to be. If it is a problem, it is just a matter of shielding that front light: the light closest to the garage door. The open stairs is acceptable in this context. It is very specific to the context and the fact that they are facing to the side and not facing the street. It is a great project.

Mr. Gastinger – My comments are about the landscape selections and landscape plan. I agree that the neighborhood would be benefited by a greater statured tree. There are probably some slight modifications that would improve the reading of the Wertenbaker House to the street. I am concerned about the location of the service berries that ring the lawn. It will essentially screen the house from the road, in particular, that current location of the Yellowwood that is shown in the renderings really obscures that primary relationship to 13th Street and to the road. The plant selection is great. I think it needs to be deployed in a little bit different manner. Maybe using the larger trees either to the left and/or the right to better frame that front façade of the Wertenbaker House so that it is visible and appreciated from Wertland Street. I agree with the comments about the sweet gum. There are certainly some other options there. With the reconsideration of the location of a larger canopy tree, a different selection could be made.

Mr. Bailey – I appreciate this process. It has been amazing to watch this design over time. This particular design is quite spot on. Given the concerns about the historic context, right now, there is an ugly parking lot. This would be an improvement over that. You're not going to get that lawn back. This building actually fits sensitively into the landscape. I particularly like that there is an entrance on Wertland Street. That makes it more accessible to people viewing it as a building. It breaks up the massing.

Mr. Timmerman – I want to commend you on the really wonderful progress you have made. The changes today, especially in the front are a big improvement over what we had before. I especially appreciate the pedestrian access and the way that activates the street in a way that we weren't seeing before. Before, we had the gaping holes. The parking garage is now diminished in the front. It has increased in some dynamism and some interest that is appropriate. I appreciate the thoroughness of the package. The lighting fixtures are spelled out. There is not a lot left to the imagination. There has been a very good progress and process. We really appreciate your listening to us and responding in very solid ways. A few other details I want to bring up. One detail is the brick. I appreciate the brick study and the thought behind that. How do you take this new building and relate it in some way to the historic context? I am relieved to hear that you're not going for an exact replica. I don't think that is quite the way to do it nor is it feasible. A little contrast is good; having an intention behind it makes all of the difference. I appreciate the actual structure of the landscape. There is a wonderful response to organizing an unorganizable ledge that happens there. If you look at it in plan, what the landscape is doing is refocusing an orientation on the historic structure. We want to enhance that wonderful house as much as we can. It is very successful that way. The public comment is really important about creating precedent. I agree with that. Most of us do agree that we protect these structures in the best way possible. If we 'open the floodgate' in one place, why isn't it going to happen in other places? It is a very contextual project. What are we looking at here? We're looking at a pretty poor context. The parking lot is not desirable. The orientation of the buildings that were put up in the 70s had no

consideration for the house. This is a good example of how a new architecture can help alleviate a problem from the past.

Ms. Lewis – I agree with a lot of the previous comments. I am generally supportive with a number of conditions that the applicant hopefully finds acceptable. This is going in a really good direction. Now that we have seen a more in depth landscaping plan, the sidewalk that bifurcates the front yard, it seems that the landscaping plan is trimming the walkways. I wonder on the new building if the shrubs and low landscaping that are flush with that building on the western side; whether on the other side of that sidewalk, you might be able to have a low hedge as well. It might help to mitigate the mass of this building. When you're standing in the street and look at this building, you look at the historic structure. It might a nice way of creating some areas in there that might provide seating or lounging.

Mr. Zehmer – I looked at the brick selection. I guess it was Windsor you were looking at. They didn't have it on the website. You might need to check in with your brick rep. You might have to alter your selection. What you have talked about is right; trying to find something complimentary to the historic structure. That is important. I do feel that this is a big building. It is close to the historic house. In this particular context, the damage has already been done. We have really ugly apartment buildings all around here. Hopefully by having a nice apartment building next door, it will help things out. Ms. Keller's point is well taken. We need to try and figure out a way to look at other areas in the city and get some stricter guidelines.

Mr. Birle – I agree with my colleagues. It is a very nice project, especially the Wertland Street entrances have helped it tremendously.

Mr. Gastinger – I hear a lot of support for this project and just a number of things we might want to add to our potential motion. I have heard elements related to archeological studies, protection of the existing structure, the color temperature, the shielding of the lights in the garage, several elements related to landscaping, framing of the Wertenbaker House and making sure it is visible from Wertland Street, canopy tree selections, consideration of planting along the walk, and the screening of rooftop condensing units.

Motion – Ms. Lewis – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed new building at and related alterations to 1301 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 with the following conditions:

- The project follow and implement Phase I archeological assessment of the site.
- The applicant protect the existing structure using the language that was provided earlier in the staff report including a preservation plan.
- The lighting in the garage be adapted per staff related to the color temperature, making them dimmable, and having a method for evaluation after implementation.
- The final locations of the planting in the plan be adapted to better frame and ensure visibility of the Wertenbaker House from Wertland Street, which may include the removal or moving of the service berries.
- The landscape species selection incorporate larger scale canopy tree where possible as close to Wertland Street as possible.
- The sweetgum variety be replaced with a seedless variety, an approved tree from the city tree list or an appropriate native tree of similar scale.

- The rooftop units on the building be screened by a method in accordance with the BAR guidelines.

Mr. Schwarz with the second of the motion. Motion passes 7-0.

3. Certificate of Appropriateness

BAR # 22-10-02

101 East Jefferson Street, TMP 330190000

North Downtown ADC District

Owner: First United Methodist Church

Applicant: William L. Owens, AIA

Project: FUMC solar panels

Jeff Werner, Staff Report –

Background 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.

Request CoA for installation of roof-top solar panels.

- Where solar panels are to be installed, the existing slate shingles will be removed, and replaced by asphalt shingles over waterproof underlayment. Salvageable slate will be stored for repairs on remaining slate roofs or for re-installation, if considered later. [Staff Note on the existing roof: Buckingham slate. Original to building, 1923. Life cycle of Buckingham slate can exceed 150 years.]
- All electrical connections will be made in the attic or the basement. The only exposed equipment, other than the solar 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 solar panels [on the mountain rails] will be no greater than 6" above the roof.

Discussion

Initial request: Install panels onto existing slate roof

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

- BAR 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.
- BAR 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.

Current request: Install panels onto asphalt shingles

The BAR's primary concern has been how the slate roof will be impacted by the activity related to the installation and maintenance of the solar panels. The applicant's proposal resolves that concern.

Like the City of Charlottesville,¹ the FUMC congregation has made a commitment to support renewable energy. The ADC District design guidelines are somewhat silent on--if not in opposition

to—externally adapting historic structures to accommodate on-site alternative and renewable energy sources. The guidelines do encourage sustainability and green building. However, they refer to solar [collectors] only once—in discouraging them on historic roofs--there is no mention of photovoltaic, alternative, or renewable [energy]. Regardless, the urgency to act has increased exponentially since the guidelines were adopted.

Term Times Used

Sustainable / Sustainability 18

Green Building 6

Solar 1

Photovoltaic / Alternative / Renewable [Energy] 0

While not emphasized in the design guidelines, the City's Comprehensive Plan, adopted in 2021, specifically recommends expanding opportunity for solar power, see below. [Staff note: The Comp Plan refers to residential homes and municipal buildings; however, staff is comfortable interpreting this as a City-wide goal.]

From Chapter 4: Strategy 3.4 Encourage sustainable, energy efficient building designs and low impact development as complementary goals to historic preservation, including through support for adaptation, reuse, and repurposing of the built environment.

- Sub-strategies:

- o Continue evaluating recommendations appropriate for historic structure improvements that increase energy efficiency and promote sustainability. Incorporate [the above] into the design guidelines for Architectural Design Control Districts, Individually Protected Properties, Historic Conservation Districts, and Entrance Corridor Overlay Districts.

- o Support the implementation of solar photovoltaic systems for historic structures.

- o Consider applying the Secretary of the Interior Standards for Historic

Rehabilitation to all City-owned property more than 50 years old, and apply appropriate preservation technologies in all additions and alterations, while also pursuing sustainability and energy conservation goals.

From Chapter 7: Strategy 1.5: Pursue use of cleaner sources of energy (e.g., renewable energy strategies) community-wide.

- Sub-strategies:

- o Consider local policies and incentives to expand solar power in residential homes.

- o Pursue siting solar power on appropriate municipal buildings.

From the design guidelines, Chapter I - Introduction:

- Nothing in these guidelines should be construed to discourage green building or sustainable design. If such a design is found to conflict with a specific guideline, the BAR shall work with the applicant to devise a creative solution that meets that applicant's goal for sustainability that is also compatible with the character of the district and the property.

- The guidelines are flexible enough to both respect the historic past and to embrace the future.

Staff Recommendations

To be clear, a strict application of the design guidelines and of the Secretary's Standards would recommend denial of this request. With that, the options available to the BAR are: a) approve the CoA by, as instructed by the design guidelines, working with the applicant to devise a creative solution that meets that applicant's goal for sustainability; or, b) deny the CoA, acknowledging the matter can be appealed to City Council who may consider additional information, factors or opinions deem[ed] relevant to the [appeal]. (That is, Council may consider factors the BAR cannot.)

In choosing an option, staff suggests the BAR consider including guidance from the Comp Plan policy re: climate change and our environment. The following questions might be helpful--not to defer to obvious responses, but to establish context in considering how much flexibility the guidelines allow.

- Do the design guidelines and the Secretary's Standards express a clear, unambiguous direction?

- **Reversibility:** Are the impacts of the proposed work reversible?
- What guidance is offered in the City's Comprehensive Plan and how should they be used, if at all?
- In the pending updates to the design guidelines, would the BAR envision allowing or accommodating this and similar requests?
- If the existing roof was asphalt shingles—or if the slate was replaced with faux slate, which the BAR has allowed--how would this request be treated?

• Would approval establish an unacceptable, possibly unanticipated, precedent?

If the BAR approves the CoA, staff suggests the following conditions be considered:

- Slate shingles removed will be properly stored for later use on the building.
- If/when the solar panels are removed, the asphalt shingles will be replaced with either slate or a suitable faux-slate shingle.

William Owens, Applicant – I would like to reiterate that it is important to the church to demonstrate good stewardship of the environment and show that support by supporting sustainable energy. They have been doing a lot of green initiatives at the church. As a result of that, someone has offered a large donation to consider adding solar panels to the church. If they were to do so, they would like to maximize the advantage of that and the coverage of it to reduce their carbon footprint and their electrical bill as much as possible at a savings of close to 50 percent or \$11,000 as proposed. The last time we were here, a major part of our discussion was about the installation, not the panels themselves on a 100 year slate tile roof. We have tried to address that by proposing to remove the tiles underneath the panel arrays and replace them with a water proofing membrane. Right now, it doesn't have anything underneath the tile shingles. Asphalt shingles, which will give it a more typical installation and reduce any concerns there. The panels would cover any kind of roofing in change there. Anything that was remaining would be visible as site shingles. The new roofing would not be seen. The removed shingles would be salvaged and saved. They can be returned and used for repairs or replaced if the panels were removed in the future. The new roofing won't even be seen. The panels themselves would be seen except at a distance. We don't think the panels, since they fall about 6 inches off the roof surface and follow the roofline don't change the characteristic of the historic roof or are detrimental to the character of the historic structure.

QUESTIONS FROM THE PUBLIC

No Questions from the Public

QUESTIONS FROM THE BOARD

Mr. Schwarz – Can you reassure me as to what the breakage might be for removing the slate and putting them back? Is that a successful process?

Roofer – It will probably be about 25 percent.

Mr. Bailey – How long do you expect the solar panels to last?

Solar Installer – The warranties are 25 years. They are expected to last anywhere from 35 to 50 years. They become technologically obsolete long before they stop working. There are no moving parts. It is basically a rock on the roof.

Ms. Lewis – What do you do once those are obsolete?

Solar Installer – We really don't see that happening yet. I don't know that the solar industry has a good solution for what to do with all of the panels. They are striving to recycle materials from the panels. Recently, UVA came up with a method to vaporize the silver in the panel.

Ms. Lewis – How sustainable is that when you're talking about replacing materials in 25/30 years?

Solar Installer – That is an excellent question. I don't have a good answer to it.

Mr. Birle – I have a question about the brackets. Would they last more than 25 years?

Solar Installer – Everything is warrantied for 25 years as far as most of the equipment is concerned. The brackets are a piece of aluminum with a stainless steel bolt through them.

Mr. Birle – Once the panels become obsolete, the thought is that you could still have the same framework holding new panels?

Mr. Owens – It is a leg and a track. The panels can be removed and upgraded. Once they have lived their life (technologically or functionally), they can just be replaced. The whole issue with the materials and the recycling is something for the entire industry, not just for our project.

Mr. Bailey – What is the current condition of the slate roof?

Roofer – It is Buckingham slate. It is in pretty good shape

Mr. Timmerman – How old is it?

Mr. Owens – We think it is original to the building. It is close to 100 years old.

Mr. Timmerman – I have a question about the change; getting rid of the slate and putting the new membrane. Was that a result of our feedback? Was that a result of doing a further study on installing these panels on slate?

Mr. Owens – It would probably be both. Much of our conversation was regarding the installation on the slate. Their attempt was to simplify that. We were not able to find something that really addressed the slate themselves easily. We simplified the geometry of the panel arrays that no longer have steps in them. They can be rectangular roof replacement. It seems to be very common and very easy to install these on an asphalt shingle roof. With the addition of a water proofing membrane and the asphalt shingles, slate is going to be in much worse condition than the roof underneath it. It is protected by the panels themselves from direct rain. There shouldn't be any issue with any kind of leakage long term. It makes it a more typical installation. You never see it. It was a combination of your feedback and finding no other solutions that we thought you would find better than what we came with.

Mr. Birle – How does the membrane meet the existing slate that you're leaving?

Roofer – We build a curve on the sides. We put a copper tap on that and separate the two grooves on the edge of the solar panels. At the bottom, it overlaps.

Mr. Birle – That curve would be the height of the bracket?

Roofer – Yes. It does have to be 3 inches.

Mr. Owens – The tract overhangs by up to 3 feet. We would try to place it so that the new roofing stops well within the array.

Mr. Gastinger – I was concerned if you ended up getting too aggressive in removing it and we ended up with a ‘halo’ around the panel area.

Mr. Owens – The intent would be to keep it as tight as possible to the mounting legs.

Mr. Zehmer – What is the spacing on the mounting legs or anchor points?

Solar Installer – The panels are about 6 feet. There is an overhang on the top. It is probably about 4 feet between rails. There are two rails that support a panel or a row of panels. The spacing is engineering. That goes through a third party.

Mr. Zehmer – A typical asphalt shingle roof is around 25 years.

Roofer – The lifetime of architecture shingles is considered to be 40 to 50 years. They used to make them 25 years.

Mr. Owens – These won’t be exposed to the sunlight.

Mr. Zehmer – That’s why I was asking about the anchor points. If it is 18 inches or 2 feet, you have to drill a hole through it. That’s going to weaken that system.

Mr. Owens – We have to find an engineer. It is 1 by 6 decking. Whether that is adequate enough to support the legs or we have to hit a rafter. The instructions typically say to hit a rafter. It would be easier if we didn’t have to do that. If we’re allowed to go forward, we will get into those details.

Mr. Zehmer – Where I was going was the concern that the asphalt roof still doesn’t outlast the slate around it. You would have to come back and remove those panels to fix that roof.

Ms. Lewis – How many square feet/yards are you removing? What is the area of historic slate?

Solar Installer – It is roughly 4000 square feet.

Mr. Timmerman – This a congregational decision. Do people of the congregation think this is a good idea? Are they very excited about it?

Alex Joyner, Pastor – There is great encouragement and excitement. During the pandemic, we had a justice group that formed that was very interested in green initiatives at the church. When this offer and significant donation came through, that was very encouraging. One of the struggles of every downtown church is being a historic structure and leading the way into something new. This seemed as a way, both to claim our place in downtown but to be a witness. There certainly was a lot of support.

Mr. Owens – This also coincides with the Inflation Reduction Act, which now opens up funding to nonprofits that it didn’t before that allows this to be funded in a large part in a way that wasn’t available before.

COMMENTS FROM THE PUBLIC

Genevieve Keller – Earlier in the meeting, there was a comment about the BAR and solar. I was able to find a reference back to your BAR minutes from July 18, 2017. The Planning Commission had referred solar text amendments to the BAR for consideration. It doesn't offer a great deal of guidance. It does make a couple of suggestions about ADC and Conservation Districts. I just wanted to make that reference to you. The BAR was consulted when the city was revising its ordinance in terms of solar arrays and solar panels. You were a part of that process. We don't have a lot of institutional memory in the city in terms of public officials and staff. You might find it interesting as a point of departure and how to address changes in the future.

COMMENTS FROM THE BOARD

Mr. Gastinger – I note that while our specific guidelines do not deal with this in detail. We do reference the Secretary of Interior Guidelines. They do provide a number of additional recommendations and guidance.

When I first heard that you were coming back and I heard about the strategy that you were employing, I was very glad to hear that you are not removing all of the slate. I feel that this is a pretty creative way of actually addressing the problem of dealing with the slate. From my perspective and the way that it has been presented in keeping the new roof under the perimeter of the solar panels, I really don't see how this has any impact on the historic district. I feel this is a supportable direction.

Mr. Birle – I agree. The roof was not visible as I was walking around the church earlier today. You can see the lower roofs from a distance. Given that the Comprehensive Plan talks about promoting green practices. Our own guidelines say not to discourage sustainable design. I can stand by this.

Mr. Schwarz – I badly want to see solar panels on this project. I can't stand behind it. I really struggle with taking a historic material that has a good long lifetime and removing that, potentially destroying a good portion of it, replacing it with a petroleum product that won't last as long, covering it with solar panels, and it didn't sound like there is a good plan to recycle or replace those solar panels. I am wondering at what point these solar panels actually start being green. There's going to be a long time you're throwing away energy and carbon to put them up there. Our purview is the historic slate. Telling me that 25 percent of that slate is going to be broken in the process, I can't support it unfortunately. I really want to support it.

Mr. Timmerman – From the Secretary of Interior Standards, there is an excerpt under planning. "Forming an integrated sustainability team and working on a large project that includes a preservation professional to ensure the character and integrity of the building is maintained during any upgrade." I feel that gives a clue to maybe what you're talking about. If there's a way to evaluate the pros and cons, you might have already done that. I hate seeing the most sustainable building material that you can imagine that you pull out of the earth and go back into the earth. Solar panels are a wonderful technology and they are doing a lot of good in the way that it is forming alternates to what we have been using before. There is a beauty and sustainability to doing something very simple. Where is that balance? It is so easy to embrace the new technology because it is new. It appears to be the right thing. I would be interested in knowing if there is a professional assessment out there that really can weigh these sort of issues of these two materials. I am heartened by the comments that you have made about the excitement that the congregation has. We have an ethical need to conserve and be sustainable in this world. I am not going to step in the way of a congregation that has occupied a building for hundreds of years and wants to put a solid step forward in changing things for the better.

Ms. Lewis – We’re asked to approve this as a certificate of appropriateness and say that it meets our ADC Guidelines. That’s the limited purview of this Board: to weigh sustainability efforts versus the renewal energy system that you want to put on there. That’s not in our purview. Even meeting the Comprehensive Plan goals, zoning ordinance encouragement, and Future Land Use Map goals is not part of our purview. Our purview is very narrow here. Our guidelines have not been updated. The city doesn’t have the money in engaging a professional preservationist/consulting group who could rewrite our guidelines. We are bound by them. Our guidelines say two things. One is that we cannot install mechanical or service equipment that would damage or obscure a character defining feature of this property. I do think this roof is visible from public rights of way. The slate roof is historic and it is character defining of your beautiful church. Our other guidelines say that you don’t remove slate. Slate is historic. It was made nearby. It is so durable. You can’t install solar panels on it. Our guidelines are very clear. The other additional standards we can look to for a little bit of guidance are the Secretary of Interior Standards, which have begun to address solar installations. I just want to read those for our reflection and for the applicant hears them. We’re bound by this. We don’t love this outcome. I really don’t think that I have leeway if I am bound to uphold these guidelines. The Secretary of Interior Standards for solar technology:

- Considering onsite solar technology only after implementing all appropriate treatments to improve energy efficiency of the building, which would often have a greater life cycle cost benefit than just the onsite installation of renewable energy.
- Analyzing whether solar technology can be used successfully and will benefit a historic building without compromising its character or the character of the site or the surrounding district.
- Install a solar device in a compatible location on the site or on a non-historic building or addition where it will have minimal impact on the historic building or site.
- Installing a solar device on a historic building only after all other locations have been investigated and determined infeasible.
- Installing a low profile solar device on the historic building so it is not visible or minimally visible from the public right of way or set back to take advantage of a parapet or other feature and to screen panels or on a secondary slope of a roof out of view from the public right of way.

As much as I commend your congregation for wanting to do this, my vote has to be ‘no’ only because of the guidelines that I am supposed to uphold here.

Mr. Zehmer – It is a really creative solution that you came up with. It is a character defining roof, especially over the sanctuary. In our previous meeting, we did talk about looking at the addition roofs. I can see myself supporting solar panels on those roofs. The question becomes: Do we need to tear the slate off those roofs to make them asphalt and solar panel? Would that pass muster? That would probably need another submission/revised submission to have that conversation. Per our guidelines: Place solar collectors and antennae on nonconforming character defining roofs or roofs of non-historic adjacent buildings. I can see a path that way. It is tough for me to approve this seeing them on the main sanctuary roof.

Mr. Bailey – I am extremely conflicted right now. I want it to go forward with this project. Cheri makes a very good point with regard to the standards that we’re supposed to uphold. I really want to support it. I think that I probably cannot support it.

Mr. Gastinger – I thank everybody on the Board for engaging in a debate about a tricky project. We are pulled in different directions. I will say that our guidelines never anticipated this kind of application. The removal of the slate, from what we have been given and what I understand, is that it is actually going to be preserved. It could assist in the long term preservation of the rest of the roof. That preservation of the slate is an important component of this proposal. It would worth making clearer

that if the solar panels were to be removed, it would be replaced with a slate roof to match, presumably with the pieces that were held in storage. I am coming at it from the renderings and the approach. There are two questions before us. Are the solar panels as presented detrimental to the historic district? If they are not, is the removal of the panels going to create any kind of lasting damage to the structure? If there is not, there is no visible indication of a roofing change from what is being proposed. I don't see how it is detrimental to the historic district. That's the way I am reading it.

Mr. Birle – Reading from our guidelines. Nothing in these guidelines should be construed to discourage green building or sustainable design. If such a design is found to conflict with a specific guideline, the BAR shall work with the applicant to devise a creative solution that meets the applicant's goal of sustainability. I feel that is what they have presented. Our offering of a creative solution is really a tough decision.

Mr. Schwarz – In response to the first question: If it was an asphalt roof, I would vote approval. With a 25 percent breakage rate and who knows what is going to happen with that slate in storage for the next 20 years, I don't believe that they would go back up. That's unfortunate to not trust the church. At some point, whoever is in charge, the slate is going to end up being garden markers. The removal of that slate would be condemning that roof to not be slate in the future.

Ms. Lewis – I concur with Mr. Schwarz. It wouldn't say anything about the church. It is human nature. Four thousand square feet of slate does not go back up on that roof once it is removed. I respect the Chair for his analysis. I don't think our analysis is whether the new installation is detrimental to our historic district. The question before us is whether this application complies and can we approve it under our current guidelines? That's our purview. Our purview is not about detriment or harm or future harm. Our guidelines say that you don't remove roofing. You don't harm slate.

Mr. Werner – I did do some research. Twenty-five percent is optimistic. The breakage is much higher. When we discussed the roof on the Key Recreation Center, their roofing consultant said 50 percent. It is a difficult decision. The question for the applicant would be a deferral or a denial with an appeal. A deferral would allow additional continued research/discussion. The other perspective is that I am looking at the photo and I am seeing a slate roof a block west of this. In decisions like this, I used to think in terms of land use with a special use permit. When approving something, make sure there is a very small box so it is applicable in a very limited way. If there are circumstances that would make this acceptable with a presumption that you're going to see similar requests.

Mr. Owens – With the comments on the slate, we can't change the project as it is in order to accommodate the concerns that the negative votes are going to have. The church is not interested in putting just a hand full of panels on the roof. Unless you have plans to change the guidelines very soon, you're going to get more and more of these requests. You're going to have to address the congregation that is coming from a very good spot to do this. The rest of the world is going to as well. It's not going to be a slate issue. We have to change the way we handle energy. We have to develop it. It is not about the slate coming pretty soon. You are going to have to be prepared to address this. I am in full support of addressing the slate roof and preserving it. There is a conflict coming between some of this stuff and preserving our planet. There's going to have to be a resolution to that. When it comes down to it, we're going to need the energy and not the slate.

Motion – Ms. Lewis - Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed slate roof replacement and roof-top solar panels at 101 East Jefferson Street do not satisfy the BAR's criteria and are not

compatible with this property and other properties in the North Downtown ADC District, and that for the following reasons the BAR denies the application as submitted:

- The removal of the slate and obscuring and damaging the slate does not meet our guidelines.
- This proposed system of rooftop installation does not comply with the Secretary of Interior Standards.

Second by Mr. Schwarz – Motion passes 4-3.

The Meeting was recessed for five minutes.

D. New Items

4. Certificate of Appropriateness

BAR # 23-01-01

207-211 Ridge Street, TMP 290029000

Ridge Street ADC District

Owner: The Salvation Army

Applicant: Erin Hannegan / Mitchell-Matthews Architects & Planners

Project: Phased demolition of three buildings (1965, 1980, 1992)

Jeff Werner, Staff Report –

Background Year Built: Chapel/primary building 1965. Transient shelter (rear) c1980; Addition (north) 1992. District: Ridge Street ADC District Status: Contributing (Note: By code, all structures in the Ridge Street ADC District are designated as contributing, regardless of year built or historic significance. Note: The site is not within a NRHP Historic District, nor individually designated.) The facility, constructed by the Salvation Army as a shelter and transient facility, includes a two-story, brick chapel and three-story brick building, both constructed in 1965, a two-story transient shelter (at the rear), constructed after 1974, likely in 1980, and a two-story brick addition (at the north side), constructed in 1992.

Request CoA for demolition of three brick structures constructed in 1965, c 1972, and c 1980, respectively. Demolition [to be phased and sequenced with new construction] will allow the Salvation Army to expand the facility and increase and enhance the services provided per its mission. Note: The proposed new construction will require approval of Special Use Permit [related to setbacks], therefore, at a later date the BAR will review that request and make a recommendation to City Council. Additionally, the planned redevelopment of the site, regardless of the SUP, will require BAR review and approval of a CoA.

Discussion and Recommendations

Per a review of the standards for considering demolitions (Code Sec. 34-278) and the Review Criteria for Demolition in the Design Guidelines (see below), staff concurs with the applicant's comments, generally, and finds no compelling argument to deny the requested demolition. The property is within the Ridge Street ADC District and the structures are designated *contributing*; however, the property is **not** within a National Register of Historic Places (NRHP) historic district, nor are the structures designated individually. Within Subarea C of the ADC District: two structures date to the 1800s; five date to the 1960s; four to after 1980.

Per preliminary discussions with the applicant, the planned programming of this site anticipates the sequenced demolition of each structure and construction of buildings so as to allow continued use with minimal, if any, disruptions to the operation and services provided by the facility. BAR approval is required for the proposed new structures, when those designs are completed; however, with the

demolition CoA, the BAR may consider conditions related to the timing, sequencing, etc. for the razing of each building.

The BAR may also want to discuss the 56" [red] oak at the front of the site. (See Appendix and the applicant's Supplement A.) Protection the tree during demolition and later construction is preferred; however, even if expressed as a condition of approval staff cannot advise on how practicable or realistic that might be.

Should the BAR approve the request, staff suggests the following conditions of approval:

- Staff approval of the demolition permit [when that application is submitted] is contingent upon:

1. Applicant providing for the BAR record documentation of the existing building. [In addition to the photos provided, documentation will include dimensioned floor plans and elevations. Similar to documentation provided for 210 West Market Street, August 2022;

- 1532 Virginia Ave, January 2019.]

2. Either a *condition* or a *recommendation* that during the demolition and later redevelopment of the site all efforts be made to preserve the large oak tree at the front of the property. (See photos in Appendix.)

3. An approved building permit for construction of the new buildings. [The BAR may want to link the sequence and timing of demolition of individual structures and the related construction of new.]

Or, in lieu of item 3:

- o BAR approval of proposed site treatment following demolition and prior to site redevelopment.

Unless other criteria of the ADC District Design Guidelines prevail, BAR will apply Chapter 2. Site Design.

Erin Hannegan, Applicant – I haven't heard any concerns about the demolition of the buildings. I can answer questions about that. The concern we have is that when we had our pre-application meeting with the city, the city engineer was present. They told us that they would be sticklers about the guidelines that require 1.5 feet of protection per inch of tree diameter. The 56 inch tree would produce an 84 foot protection radius, which would basically wipe out the entire front half of the site. We would like to save the tree. Our development plans intent to save the tree. We just would like language to be tailored to using our arborist recommendations as opposed to the city guidelines. When we go through the site planning with the city engineers, we can point to that and refute the required 84 foot radius. It would limit the ability to redevelop the site and inhibit the goals of the Salvation Army to maintain the shelter in an operable condition through redevelopment.

QUESTIONS FROM THE PUBLIC

No Questions from the Public

QUESTIONS FROM THE BOARD

Mr. Zehmer – With the 84 foot radius, is that into perpetuity or just during construction?

Ms. Hannegan – It is during construction because the fence line has to follow that 84 foot radius. You're basically build within that radius.

Mr. Gastinger – We don't have authority to superimpose any restrictions on other city agencies enforcing their own policies and guidelines? We can only approve or deny what is put in front of us based on our guidelines?

Ms. Hannegan – That is why we asked for permission for clarity. That's why we asked for permission to demolish everything on the site. The city engineers can't come back and say the BAR told you have to save this tree. We want to save the tree. If there is a way through the SUP process to add that as a condition for the SUP to save the tree with different parameters so it doesn't conflict with the language.

Mr. Schwarz – The roots are not currently in the church basement.

Ms. Hannegan – Technically, there is no basement under the chapel, which is the piece that is next to the tree. There is a basement on the northern half. It is not coming through the basement walls. The arborist believes it is contained by the foundation wall and the site walls. It has a very small plot it is sitting in. We are enlarging that in the future.

Ms. Lewis – It doesn't run anywhere under the sidewalk or the asphalt?

Ms. Hannegan – The arborist did think that it probably ran under the sidewalk. He suggested that the sidewalk be demolished by hand so as not to disturb the roots. Potentially, site walls are only taken down just below grade so they are concealed and not actually demolished. They wouldn't harm the roots. We are fine with all of those recommendations.

Mr. Gastinger – You have said that you want to protect the tree. The proposal is to remove the tree?

Ms. Hannegan – It is a technicality of the city requirements. We're asking for permission technically to demolish everything on the site so the city engineer cannot mandate the 84 foot tree protection radius. However, it is our intent, when we redevelop the site, that the tree will be saved. Our future redevelopment plans show the tree present in our renderings and on our site plan. The recommendations from the arborist will help us get to that point of preserving the tree.

Mr. Gastinger – The proposal is to remove the tree?

Ms. Hannegan – Yes. I suppose it is. If you deny removal of the tree, it kicks to the engineering department requirement. That is my understanding of this conflict.

Mr. Zehmer – The Special Use Permit you are referring to: Is that to allow for construction closer to the tree?

Ms. Hannegan – No. There are going to be various modifications to the zoning ordinance (parking reductions, setback reductions). It is for the use that gets us to needing a Special Use Permit to begin with. We will be asking for other modification as part of that process.

Mr. Zehmer – I am curious if there is a way this applicant could get permission to build closer to the tree before it comes to us.

Mr. Werner – The Special Use Permit will come to you. I am not sure about the specifics of it. I know that you review Special Use Permit requests and make a recommendation to Council. I don't know how to 'untie that knot' relative to what the city engineer would require. This is a very old tree. It is stressed. I am not an expert in trees squished between a sidewalk and a building. You could identify that tree protection within the constraints. If there is a space where you could say the tree protection can occur within this space, I don't know how to advise you. The applicant has a pretty good handle on what the city engineer would say.

Mr. Schwarz – We do have to approve the building that comes next.

Mr. Birle – We can't even put a condition on this. By putting a condition on it, that means we have to stay 80 feet away. We have to take the Ms. Hannegan's word if we want the tree to stay.

Mr. Gastinger – I don't know how we do that if we think this tree is important to the district. I haven't heard any concern about the demolition of the buildings. This is one of the last impressive trees in this section of Ridge Street. It would be hard to say that it is important enough to allow its removal. In the past, we have done a couple of things. We have made recommendations to zoning in the past, to make considerations for things such as curb cuts or other elements that would improve the character of the street in certain conditions. I think we can do the same here. I think the recommendations from arborist make a lot of sense. If they come up with a tree preservation plan, the city engineer ought to take that into consideration.

Mr. Schwarz – Are you coming back with an SUP?

Ms. Hannegan – That's correct.

Mr. Schwarz – The Planning Commission could work some conditions into the SUP that negates what the city engineer has said. I feel that we actually approve the demolition of the buildings, not the tree, if you deal with it in the SUP process.

Mr. Werner – The Planning Commission and BAR only make recommendations to the City Council. It is Council's decision on what conditions to accept. A requirement to save that tree is nonsensical unless you say that you can't demolish the front of the chapel.

Mr. Gastinger – We can require that they put together a tree protection plan in accordance with the letter.

Mr. Werner – The second part of that would be if that motion would conflict with what the engineer would say, you can bump this to February. I will sit down with the city engineer and make sure we don't have any conflict. I would rather get it right even if takes until February to get it right. It seems that the condition is the due diligence and practicable for tree protection unless that conflates with what the applicant is expecting.

Mr. Gastinger – On other projects in the vicinity of Downtown, we have added a contingency or requirement that the approval of the demolitions of the buildings is contingent on an approved building plan so we don't lost buildings without something that is going in its place. I don't know if that helps or hurts this particular consideration.

Mr. Werner – If they were to cut this tree down, it would be an alteration of a site. It would require BAR review. If it died as a result of the demolition, that would not be cutting it down. We're threading a needle right now that I am not sure I am much help on.

Mr. Gastinger – I don't find that there is going to be a lot of support for the proposal as submitted. That would include the demolition of tree. I think we could probably come up with a motion that would approve the demolition of buildings; as part of that a requirement you develop a tree protection plan that follows the recommendations of the arborist and a recommendation to the city engineer to

work with the applicant to apply the best known methods for protecting that tree, which are more nuanced with the site conditions than a standard radius would allow.

Ms. Hannegan – It is acceptable that we produce a tree protection plan to save the tree if it is different from the city guidelines.

Mr. Bailey – Can we explicitly say that the city guidelines apply here in the motion?

Ms. Lewis – The drip line goes into the public right of way. The applicant has no control over that. That is the unfortunate part.

COMMENTS FROM THE PUBLIC

No Comments from the Public

COMMENTS FROM THE BOARD

Motion – Mr. Gastinger – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed demolition of 207-211 Ridge Street satisfies the BAR’s criteria and guidelines and is compatible with this property and other properties in the Downtown ADC District, and that the BAR approves the application as submitted with the following exception and recommendation:

- The BAR does not find that the removal of the black oak at the front of the property is compatible with the guidelines and asks that the applicant develop a tree protection strategy based on the arborist recommendations submitted January 16, 2023. The applicant should apply all reasonable approaches to protect the tree during demolition and subsequent construction.
- The BAR recommends that the city engineer work with the applicant to review the tree protection plan that they have developed and adapt the city requirements to the particular context of this situation.

Second by Mr. Schwarz. Motion passes 7-0.

E. Other Business

5. Preliminary Discussion: 747 Park Street (misc. rehabilitations)

- Staff introduced the project proposal to the members of the BAR.
- The applicant presented their project proposal to receive feedback from the BAR on what could be done with the property.
- The property has been left in disrepair since the early 1900s. The property is in really bad shape.
- The plan is to try to fix and repair the house in phases.
- The intent of the plan is to restore the house to its original ‘glory.’ The applicant indicated that this would be a rehabilitation project for this property.
- There were multiple issues that the applicant presented to the BAR. The roof and gutters are in need of repair.
- The applicant is hoping to do something that does not mimic the historic structure.
- There was a lengthy discussion regarding the intent of the property owner and the applicant. The discussion covered the different aspects of the project.
- Members of the BAR did provide constructive feedback on what the applicant can do to improve the project for a possible COA vote in front of the BAR.

6. Staff Questions/Discussion

- CLG annual report – BAR training
- DT Mall NRHP listing and work group update
- Café space – catenary lights (if time allows)

Adjournment

The meeting was adjourned at 9:29 PM

BAR MINUTES
CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
February 22, 2023 – 5:00 PM
Hybrid Meeting (In person at City Space & virtual via Zoom)



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: Tyler Whitney, James Zehmer, Carl Schwarz, David Timmerman, Cheri Lewis, Breck Gastinger

Staff Present: Patrick Cory, Remy Trail, Mollie Murphy, Jeff Werner

Pre-Meeting:

The Pre-Meeting was held in the small conference room. There was discussion around the meeting agenda for the meeting. There was some discussions regarding a recent BAR appeal to City Council. City Council overturned a recent BAR denial of a Certificate of Appropriateness of 507 Ridge Street. The City Council. Staff did remind Council that the BAR is limited by the guidelines. There was also discussion surrounding the COA for 104 Stadium Road.

Jeanette Janiczek, Project Manager, provided an update on the Belmont Bridge. There is going to be a sweeping staircase on the new Belmont Bridge. There was discussion around the lighting options for the Belmont Bridge.

The Chair called the BAR meeting to order at 5:35 PM.

The Chair made two announcements prior to the meeting. There are three open houses with the zoning rewrite project this week. The Chair announced the passing of Wayne Laughthorn.

A. Matters from the public not on the agenda

No Matters from the Public

B. Consent Agenda (Note: Any consent agenda item may be pulled and moved to the regular agenda if a BAR member wishes to discuss it, or if any member of the public is present to comment on it. Pulled applications will be discussed at the beginning of the meeting.)

1. Meeting Minutes – April 19, 2022
2. **Certificate of Appropriateness Application**
BAR # 23-02-02
600 Lexington Ave, TMP 520165000

Martha Jefferson Historic Conservation District
Owner: Tom Ward
Applicant: Tom Ward
Project: Window installation

Ms. Lewis moved to approve the Consent Agenda – Second by Mr. Zehmer – Motion passes 5-0 with one abstention (Mr. Schwarz).

C. New Items

3. Certificate of Appropriateness

BAR # 23-02-01
1516 East Market Street, TMP 560107000
Woolen Mills Village Historic Conservation District
Owner: Marial & Connor Childress
Applicant: Marial & Connor Childress
Project: Rear Addition and Porch

Jeff Werner, Staff Report – Background

Year Built: 1916 District: Woolen Mills Historic Conservation District Status: Contributing
Request CoA for rear addition to the existing dwelling and replacement of the existing windows

Discussion and Recommendations

Staff recommends approval and, except for one question for the BAR, staff would have recommended approval on the Consent Agenda.

Question: On the east elevation, at the second floor, a former porch was enclosed with siding. The new addition, as presented, will continue the enclosed porch's wall plane, as if a continuous wall. For the new to *read as an addition*, staff suggested the applicant *push in* the new wall, creating a corner and a visual break from the existing wall. However, that would create difficulties with the planned interior space—the location of a structural beam. In lieu of creating a corner, a simpler solution is to install a [flat] *corner board* where the new meets the old and, possibly, alter the face dimension or the pattern of the new siding, differentiating it from the old. In approving the CoA, staff asks the BAR to consider this condition and, if necessary, advise on an appropriate solution, which would be incorporated into the CoA.

Note: The regulations and guidelines for projects within a Historic Conservation District (HCD) are, by design, less rigid than those for an ADC District or an IPP. The HCD designations are intended to preserve the character-defining elements of the neighborhoods and to assure that new construction is not inappropriate to that character, while minimally imposing on current residents who may want to upgrade their homes. Within the existing HCDs are buildings and/or areas that might easily qualify for an ADC District or as an IPP; however, in evaluating proposals within HCDs, the BAR may apply only the HCD requirements and guidelines.

Marial Childress, Applicant – We would match the material (vinyl) to the new build. We would be using hardy plank. It would be a very nice, updated look. Hopefully, it would be a seamless transition. That white material is already there

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. Whitney – The idea of adding a board to differentiate the new addition and the existing is a sound idea.

Mr. Schwarz – I would approve it either way. The siding is going to be all new.

Ms. Lewis – I don't have a problem with it as submitted mostly because it is a historical conservation district

Mr. Gastinger – That is a good distinction for us to make.

Motion to Approve – Ms. Lewis – Having considered the standards set forth within the City Code, including City Design Guidelines for Historic Conservation Districts, I move to find that the proposed addition, porch, and window replacements at 1516 East Market Street satisfy the BAR's criteria and are compatible with this property and other properties in the Woolen Mills Village Historic Conservation District, and that the BAR approves the application as submitted. Second by Mr. Schwarz. Motion passes 6-0.

4. Certificate of Appropriateness - Demolition

BAR # 23-02-03

104 Stadium Road, TMP 160002000

Individually Protected Property

Owner: Woodrow Too, LLC

Applicant: Subtext Acquisitions, LLC

Project: Demolition of structure

Jeff Werner, Staff Report –

Background

Year Built: 1927 District: Individually Protected Property (designated by City Council in 2011)

The MacLeod house (or Stone House, as it is referred to by prior owners) is an Individually Protected Property (IPP). The property is not listed on the VLR or NRHP.

From the City's 2011 survey: 104 Stadium Road is an exceptionally well-preserved example of an English Tudor Revival style residence. The growth of the University of Virginia in the early twentieth century spurred the growth of residential neighborhoods near its campus to house professors and students, such as Oakhurst-Gildersleeve neighborhood. [The property] could have been included in the Oakhurst-Gildersleeve Neighborhood ADC District, as the house is part of the same period of development in the city's history and is located just across Jefferson Park Avenue. The terraces with the rock steps and low garden walls are in good condition, though overgrown, offering a rare example of historic landscape. Additionally, the prominent location of the house on Emmet Street makes 104 Stadium Road a landmark of the street.

Request CoA for demolition of existing structure constructed in 1927.

Discussion

The request is to approve a CoA allowing demolition the existing structure and landscaping elements. The BAR review should apply City Code Section 34-278 (*Standards for considering demolitions*) and the *Review Criteria for Demolition* in the City's ADC District Design Guidelines (Chapter 7). Below, under the *Criteria, Standards, and Guidelines* section, are the applicant's comments and staff's comments.

Should the BAR approve the demolition request, staff recommends the conditions noted below under *Pertinent Standards for Review of Demolitions, City Code Section 34-278*, item d. Charlottesville currently has 77 IPP's. The ADC Districts and IPPs are within the same section of the City Code and reviewed using the same design guidelines. (76 of the IPPs have structures. At 1328 Riverdale Drive the structures were razed, but the IPP designation remained.) The process for designating an IPP or removing the designation are proscribed under City Code Sec. 34-274. For both, the BAR will make a recommendation to City Council; however, only Council can approve or deny a request for designation or removal, which requires a zoning map amendment and a zoning text amendment.

The IPP designation is an overlay zoning and does not impact the underlying zoning. It must be emphasized that approval to raze structures on an IPP and/or any subsequent demolition—whether approval by the BAR or by way of appeal or completed without approvals, in violation of the City Code--does not remove the IPP designation. Removal requires City Council approval of a zoning map amendment and a zoning text amendment, see above.

Note: Staff refers to the following provisions of the City Code only as a matter of full disclosure and for information only, not to suggest a possible a path or outcome, nor to provide an enforceable interpretation of the Code.

Per Sec. 34-277 (Certificates of appropriateness; demolitions and removals), the BAR must approve the razing or moving of a contributing structure, except upon the determination of the building code official that the building or structure is in such a dangerous, hazardous or unsafe condition that it could reasonably be expected to cause death or serious injury. Having no such determination by the City, that exception does not apply. Additionally, per Sec. 34-86(b) failure to obtain the necessary approval for demolitions, the owner is subject to a civil penalty not to exceed twice the fair market value of the building or structure, as determined by the city real estate tax assessment at the time of the demolition, razing or moving.

Per Sec. 34-281 (*Maintenance and repair required*), the owner of a contributing structure shall not shall allow it to *fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce a detrimental effect upon the character of a major architectural design district or the life and character of a contributing structure or protected property*. Per Sec. 34-86(a)(10) a violation of this requirement, the owner is subject to a civil penalty of \$200 for the first violation, and a civil penalty of \$500 for each subsequent violation.

Per Sec. 34-285 (*Approval or denial of applications by BAR*) and should the BAR deny the CoA, the applicant may appeal to Council and seek further remedy per **Sec. 34-286** (*City Council appeals*). (See Appendix of this staff report.)

Mr. Gastinger – Is there any information about this land, how it was used prior to the stone house?

Mr. Werner – Probably, I don't have it.

Mr. Zehmer – More than likely, it was part of the Montebello property, which was owned by John Perry. He was one of the contractors, who actually helped build the University. It was a plantation site. That would be my guess without doing the research.

Mr. Timmerman – You (Mr. Werner) were saying that there was another site (IPP) that was razed. Is that the only one that has been razed? Do we know how many of those have been taken down?

Mr. Werner – To my knowledge that is the only one; just below Burley-Moran. That was in 2014.

Fred Wolf, Applicant – Our firm is the associate architect working with ESG out of Minneapolis. When we went through this, one of the things that struck me was that this property was volunteered to the city. That is an unusual event to have somebody volunteer property to be designated. Two years earlier, the district was formed. There was an exhaustive survey done with the district. It cataloged many buildings throughout Oakhurst and Gildersleeve including several on JPA and some on Maywood and Valley Road. There are actually two structures directly across the street from this site that are a part of that district. There was a 39 page report that excludes any mention of this building when it was establishing that. That is curious in they were very specific in their nomination report describing how they set up the district and defined what properties they captured and included. That is one of those fundamental things that I think is interesting. The fact is that this, two years later, became an asset that rose to the level to be included. It is curious that this was omitted the first time and was included subsequently. Having been on the BAR and having nominated buildings for IPPs, it seems to me that an individually protected property is usually something that is reserved for a building or a property that is ‘special’ or rare and different than defining a boundary for a district that captures lots of things. When we went through the criteria, our determination was we have a really nice, old building. There is no aspect about it that is really particularly unique or exceptional or rare or could not be replaced. We found no evidence of anything that is exceptional in terms of the people who have been associated with designing or constructing it or anybody who has lived there that had a historic association. Staff mentioned one individual who had an association with somebody who lived there at one point. This house is an island onto itself. The structure has been severed from whatever original context/urban fabric it might have been a part of when it was originally constructed. It sits in a position where it is surrounded by midcentury buildings that are multifamily student housing, not a particular architectural value. The back of this house actually faces the front of what will be the site for this future development. In the preservation of this, you would have the back of the house facing the front door or the front of what could potentially be the development that comes later. The group sees an opportunity here. When you look at the growth and density desired to take this series of parcels, to be able to develop an urban campus/precinct at the point where the city could absorb some growth and density and use that growth and density for student housing to take pressure off adjacent neighborhoods, where you want to try to preserve single family dwellings.

Mark McConnell, Preservation Architect – I found myself in an unusual position being asked to evaluate a building for potential removal. When they first called me, I called John Burns (chief appeals officer for the National Park Service) on the eve of his retirement. I asked him for advice. I asked him if there was a precedent for this. Is there criteria? Is there some way to do it? He said that the National Park Service takes no position with regard to demolition of historic buildings unless they are in the tax credit program and section 106. There are no precedents in the National Park Service, Preservation, and the state Preservation Office. What happens on one historic property has zero bearing on what happens on the next historic property that comes along. They all have to be considered individually. That’s how Mr. Burns advised me to consider this building. It is a nice English Tudor style cottage. It has been marooned in its environment. There is no context for it. Myself and my colleagues probably

have created two dozen national historic districts. When I say this building was excluded, I really do mean it was excluded. In times past, we have reached out well beyond the borders of what is a well-defined district to include buildings we thought were worthy. There are nine buildings of the Tudor Revival Style in the district across the street. There are eight stone buildings in the district across the street. It is not a national registered district. There is nothing particularly unique about it. The McCloud family built the house and had a visitor. There is a pretty stringent standard for association at the National Park Service when considering a historic building. We don't have that strong association here. As I looked at the criteria for inclusion in the national register, this one did not meet any of the four criteria. To the questions of what was here before, I included the 1920 Sanborn Map. The Map has the lot as empty. It was anticipated to be part of a neighborhood of residential houses. It is a nice building. It is not unique. It is a marooned example of a nice old house. I advised the owner that it could be documented and removed without a significant impact to the historic community here in Charlottesville.

Dylan Lambert, Applicant/Owner – We believe that this is a phenomenal location. It has potential to be a prominent part of the entrance corridor, while furthering the goals of the city Comprehensive Plan and the new zoning ordinance. We haven't started the formal design. We have spent a considerable amount of time working on visioning and imagery. We do agree with some of the conditions staff had mentioned if the demolition is approved, such as fully documenting the structure prior to demolition and it being contingent on an approved permit for a future project. Our intent is not to tear this down unless that moves forward.

QUESTIONS FROM THE PUBLIC

No Questions from the Public

QUESTIONS FROM THE BOARD

Mr. Zehmer – Looking at this map and the staff report, staff had included the 1954 Sanborn Map, which only shows a minimum amount of growth; particularly one house on the other side of Woodrow Street. I am curious if that neighborhood was ever really built out. We have talked that it got marooned. It seems like it has always been one of a handful as opposed to there was a neighborhood there and they tore a bunch down to build the Woodrow Apartments. It seems that the Woodrow Apartments are the first things there.

Mr. McConnell – You are absolutely right. It has been marooned by the speed of the traffic, by the predictable improvement of those roads that make it hazardous to come out of the back door, which we think is the front of the house right now. The sense of isolation that the house has, has a little more to do with the size of the roads around it than the fact there might have been a bunch of little houses. As opposed to JPA, there was a real identifiable neighborhood.

COMMENTS FROM THE PUBLIC

No Comments from the Public

COMMENTS FROM THE BOARD

Mr. Schwarz – I find this confusing. I did meet with Fred Wolf (the applicant) beforehand. I feel like I was encouraging for this application. Now, I don't feel as encouraged. If this was part of a historic district/a contributing structure in a historic district, it would not be such an easy decision to say that it is not worth it and demolish it. It would have a low likelihood of being around to be demolished if it was just existing as part of a historic district as opposed to being an IPP. It is almost like we are being

asked to decide: Is this worthy of being an individually protected property? Whether we allow the demolition or not, by zoning, it stays as an IPP. That is also a little confusing. If we allow the demolition and the house comes down, the applicant can make an easy, legal argument in saying that there is nothing there protectable. Why is this still a protected property? The history of this site seems like a very deliberate decision by Council. It was part of a deal/an agreement between the owners and Council to purchase an adjacent property. It took two meetings of a little haggling to come up with this. An equal offer was turned down before this one. It was an offer to put a little apartment building on that corner lot that is now supposed to be left undeveloped. It feels like to vote for denial would be to overturning something that was deliberately done by City Council. That City Council was from 12 years ago.

Mr. Gastinger – In our review criteria for demolition (#3): Is the public purpose or interest in land or buildings to be protected? What you're (Carl) saying, to me, says that if there is any record of what the public interest is in this land or this building is, that City Council decision is pretty strong. They are an elected body that chose to make that designation. We're not here to debate whether it should or should not be an IPP. That's the last record we have that there was an actual public body that felt strongly that it should be standing and the land next to it should not be developed. In the terms of our purview of our work, that would be for City Council to decide if they no longer agree with that.

I do thank you (Mr. Wolf) for the report about the criteria for the historic designation. I will note that there are some slight differences between our guidelines for considering demolition. They are not necessarily one-to-one with the eligibility for the National Register

Mr. Timmerman – For me, it is a pretty basic at a pretty basic level. For whatever reason, something has become an IPP. If it is that, then it is that. There should be some power behind that. We're not saying that we're knocking everything down. There is a precedent for having to knock something down in the past. For me, it is the precedent of the matter. How does this alter things moving forward? Whether it is the processes with City Council, why something came to be, or whether it is a historic purpose or context. That is my struggle with this.

Ms. Lewis – When we talk about the precedent, are we talking about Riverview? I was actually involved in that. The BAR did not vote to demolish it. To make clear, it was not approved. I represented them in a legal capacity, appealed to Council, and they ended up putting it up for sale. They were able to demolish it through the statute. Are we saying that the BAR has never approved demolition of an IPP in the city as far as we know?

Mr. Werner – To my knowledge, no.

Ms. Lewis – This is a significant application for us. Adding to the quandary is that it was recently made an IPP through a legislative action by Council, which delegates their power to us. It is confusing. If we deferred or passed it onto Council, couldn't Council by action, un-designate it, which would allow the applicant to do anything they want? I am not unafraid to act. What is troublesome is that Council, so recently, decided that this was an IPP. The BAR does not decide what IPPs are. It is done by legislative action of the highest body in the city. If we deferred on this, you might have a clearer path with City Council.

Mr. Werner – There are a lot of steps.

Ms. Lewis – If it is Council’s desire to see this developer do this kind of project in this location because we want density and that is where the new zoning ordinance is going, I would almost rather have them un-designate it.

Mr. Werner – Some of that is the sequence of things that have to happen. There are a lot of things associated with this project that would go into those next steps for zoning and things like that. My understanding is that this clears a hurdle that allows that comfort moving forward. There will be more involved in what has to go to Council than just the removal of the overlay.

In the map that we just got, I couldn’t figure out why that was there. These are the 1950 and 1951 annotated maps for 1929. Clearly JPA was aligned over here. This house that you see right there is what is shaded.

Mr. Schwarz – There are four parcels on this map. There are four parcels on that map. Something is not adding up.

Mr. Werner – All I can discern is that the right of way was changed. That is how it became a city parcel.

Mr. McConnell – These are Sanborn fire insurance maps. They were done by a fire insurance company. From what we could tell, the 20 and 29 maps re-aligned JPA.

Mr. Zehmer – Do we think it got narrowed when they removed the trolley car?

Mr. Werner – I don’t know. I can’t say that.

Mr. Zehmer – This is not a surveyed map.

Mr. Werner – With the Sanborn maps, you know something was there. We don’t know if it was exactly there and exactly that size.

As far as this application procedurally goes, the best way to approach it is as you have done with other requests, evaluate this on its face. As to its historic nature, character, I agree. From the National Register criteria, there is a reasonable argument about its eligibility. It was designated an IPP by the City of Charlottesville for a reason. There are a lot of structures designated as IPPs for reasons that are of importance to the community. That is the question before you. What the City Council does next in this is a series of steps for the applicant to decide. If you approve this, those steps are still there for them. This is also within an entrance corridor. If you deny this request, that can be appealed to Council. As far as deferring, we can further research this site of this building. We can certainly do that. If you are going to defer it, be very clear on what the objective is in that deferral.

Mr. Zehmer – I am not very confused. It is an Individually Protected Property. We are charged by City Council to protect this property. It is pretty clear that we should vote to deny this application. The applicant has made a good case. It is a well put together presentation, which I really appreciate. Our purview is to protect Individually Protected Properties. There are processes that can be followed to go through the course of actions to get to where they want to be. We have done our job and they are doing their job.

Ms. Lewis – I would like to read through the review criteria for demolition in our guidelines. Our criteria for demolition in the guidelines are section 34-278. Our criteria for demolition in the guidelines

are in our staff report. The applicant addressed and staff did a response to. Number 2 is the public necessity of the proposed demolition. I am not going to debate it. Is there a public necessity? Not purpose, but necessity of the demolition. Number 3 is the public purpose or interest in land or buildings to be protected. Number 4: Whether or not a relocation of the structure would be a practical or preferable alternative to demolition. I haven't heard that discussed. Whether or not the proposed demolition would adversely or consequentially effect other historic buildings or the character of the historic district. That is NA. The reason for demolishing the structure and whether or not all alternatives exist. Whether or not there has been a professional, economic, or structural feasibility study for rehabilitating or reusing the structure or whether or not its findings support the proposed demolition. I don't if that is your report or whether that would constitute that seventh point. I don't know about the professional, economic, structural, or feasibility study. I don't think that is quite your report. It probably went halfway there. I would encourage all of us to focus on these criteria. Public necessity of a proposed demolition has always been a big one.

Mr. Werner – You are correct in that they are not state or federally listed. A state or federal action, such as a road. On page 3 of the staff report, there are the city code provisions 34-278. Those are the provisions of the code, the standards of review for demolition. On page 7, within the guideline are the review criteria. They are almost identical. I included them both here. I think it answers the question particularly about the public necessity. Staff's response was that it was not a public necessity. The building has not been condemned nor deemed unsafe. As far as the condition of the building, staff did not go in it. When you put up a sign on a property, those living in the house did not call me. As far as the report presented and the applicant submittal, that is addressing it. To the historic character on the national register guidelines and a structural report, I can't report on that. If demolition of a contributing structure, the BAR must approve it. To be allowed to do it requires BAR approval. However, there is a condition in there. If the building inspector deems it unsafe, that elevates it out of your purview. We're not dealing with that here.

Ms. Lewis – I didn't find that the applicant addressed those. The whole discussion about all alternatives, is it feasible to move those, is it not feasible to incorporate it. When there are criteria, it is incumbent on the applicant to address all of them. The code ones were addressed but not our guideline ones. I still have not heard any discussion about them.

Mr. Gastinger – My reading of our guidelines and project is that this is a property that we are asked to protect. It is worthy of protection. You would be surprised how many people know of this house because of its distinctive character and its location. It is an 'oddball.' Our city would be less if it was gone tomorrow. The city might have other thoughts about the usefulness of this land and how it fits into larger planning goals. That is not for us to debate. If we do deny this evening, I do think we should identify a number of different things about the preservation of this structure. If it is allowed to be demolished by an overturning of a denial, it should be contingent on a future COA approval. It should also include the other conditions that were mentioned in the staff report. It needs to be very clear if that is the direction that there are other steps that City Council might want to take if they were to overturn a denial from our board.

Mr. Whitney – To your point about it being contingent on an approval of a future COA, if Council approved demolition after denial from the BAR, wouldn't that be contingent on whether the IPP would still exist? Can we put that contingency on?

Mr. Gastinger – If we can put that contingency on a COA, then Council could. They would essentially be approving the COA of the demolition.

Mr. Whitney – That would just matter on whether the IPP is still in place, not whether the structure is in place?

Mr. Gastinger – I don't think it matters either way. We have had that issue on other properties within a district. We still put a contingency that a building be approved before it is demolished.

Mr. Zehmer – This is different because it is an individual standalone property. If Council were to approve demolition of this, I don't see why it needs to continue to be a protected property. The house is what makes it special. I think it is a 'jewel in the rough.' If they decide to allow demolition, I think they should remove the protected status of the property and let the landowner do what they want.

Mr. Whitney – I think we are in agreement that if demolition of the structure happens in the future, it would not happen until a building permit is approved. We have stated that. I was taking what you were saying to be that if demolition of the structure happens, whatever gets built comes back to us for BAR approval. That would only happen depending if it is still a protected property.

Mr. Gastinger – That is why I feel we need to give Council the recommendations they need to protect the structure accordingly until another project is approved.

Mr. Werner – You don't want to prematurely demolish this and a project doesn't occur. That's one for Council and for the City Attorney. Should the IPP be removed, does any BAR action become mute? I don't know that. The best advice I would give you is to state in either direction what you would like the result to be. If it goes to Council, allow them the opportunity to phrase it correctly.

Mr. Gastinger – Is anybody on the Board leaning towards approval of the demolition as submitted?

Mr. Wolf – We can see the tenor of this. I appreciate the challenge. It is not a clean cut, clear decision. In terms of moving or relocating it, it was looked at. It was determined to be cost prohibitive to move the structure like this, particularly with the materiality of the stone walls. Even the notion of trying to disassemble and reconstruct it was cost prohibitive. That option was looked at and taken away. With respect to the public necessity, I meant to imply that the notion of being able to consolidate growth in development and density in this one area would take pressure off adjacent neighborhoods, to me, is a public necessity. The growth and the development of the University and the subsequent need to house students, faculty, and staff is critical. If you can consolidate it by designing a new precinct instead of scattering it and allowing it to leak out and impact multiple neighborhoods, there is an enormous benefit there. I think that is what is driving the new zoning that is being looked at. In our minds, that would be an aspect of the public necessity and public good of this project. It does not give you a peek at what happens after this. I think you can easily imagine that this is housing for tenants. You can somehow gain so four individuals can live in this space/parcel. That number can go up if you can gain 60 that would be a big gain in terms of being able to increase density. You have it right at the threshold between the neighborhood and the University where it can really affect the University in a positive way and keep its impact low in terms of the surrounding neighborhood.

Mr. Timmerman – That makes really good sense. I get that as a public necessity. That is a good point. Is 60 the number you are looking at?

Mr. Wolf – Not knowing what the design is, it is just looking at the square footage, the acreage, versus what we could put on that amount of land. I think it was roughly 60 units.

Mr. Timmerman – I do wonder looking at it in an alternative way, the hybrid version of figuring out a clever way of integrating it into the development. That gives a much denser corner zone but also having that green space/that link to the past and having that integrated; how that might enhance the property.

Mr. Werner – I am trying to be fair to both sides here. With how you all discuss this, this will not be the last time you have a discussion like this. This is a map of the IPPs. This large, historic one is soon going on the market. There are some IPP parcels that are substantial. We know from the discussion about Wyndhurst, it is more than just the four walls of the building. I don't want to squelch the conversation. I want to be aware that, with whatever happens with the Comp Plan and the revised rezoning, this discussion is going to become more common. This is to be equating historic preservation with density. That is a troubling ledge to go on.

Mr. Gastinger – We also need to hold up to City Council and to our community that we are now building some really good examples of dense development in close proximity to historic homes. There are some really good, successful examples. We are better served for those efforts, even though they do make projects trickier.

Ms. Lewis – If they wanted to get zoning text amendment and get the IPP designation lifted, what does that process look like before Council?

Mr. Werner – It is identical to a rezoning.

Ms. Lewis – Do they go through the Planning Commission?

Mr. Werner – It goes to the BAR. We just re-designated 415 Tenth Street was recently designated an IPP last summer. It only requires a recommendation of the BAR and of the Planning Commission. It is entirely a decision by Council. They are required to seek your input.

Ms. Lewis – To undo an IPP designation?

Mr. Werner – It is the same process in reverse.

Ms. Lewis – With a new zoning ordinance calling for a lot of density, what happens with these 77 individually designated historic properties? If anybody wants to knock them down, we have the density. What does an IPP/history/preserving a historic fabric mean? We're hesitating over this because we have other ones here. I am just proposing another way it could happen. You could send a proposal to rezone this, you would go through the Planning Commission, you would go before Council, and the IPP designation is lifted. You don't have to argue about any of the criteria for demolition in front of us. You have heard several people vocalize that they would deny the demolition and you appeal to Council. It seems like it would be a better idea because of our confusion over why this was designated a decade ago.

Mr. Wolf – If we pursue having the designation removed by rezoning, wouldn't that have to come back in front of you for approval or recommendation?

Mr. Werner – No. It is simply a recommendation that is not binding.

Ms. Lewis – None of our powers originate with us as a Board. They are all delegated from Council. You always have an appeal to Council. My suggestion goes to the core of what is wrong and why people are having some concern over this.

Mr. McConnell – I have been in this position a lot and in your position a lot. The reason I think we're here is because not all buildings are created equal. Not all IPPs have the same character, quality, or historic importance as another. It is your judgement. Take any of these other IPPs. It is the public's trust in you to evaluate each of these criteria on each of these buildings on their own merit. That's why the National Park Service does not accept precedent. Each building has its own set of qualities. You're going to be running into this again and again. Not all buildings are created equal.

Mr. Werner – The guidelines give you the criteria. We have the criteria to make that evaluation. It is the same as saying whether it should be an IPP or not. Stay within these. My only caution about bringing in what might happen here is that strays from this list you all have. Whether the COA for demolition is approved or not, the IPP is still out there. There is merit to what you're saying. This process is here. They're looking for a decision. If you're uncomfortable with the demolition, follow your criteria and make a vote on that.

Mr. Wolf – A big part of this is not necessarily that we believe individualized protected properties should all be at risk. What we're questioning here is whether this property really warranted that designation. We have never made the argument that this was a sound and stable building. It is not structurally falling down. It is about the quality and character of the architecture and whether or not it is valuable at that level.

Motion – Mr. Whitney - Having considered the standards set forth within the City Code, including the BAR's design guidelines and the standards for considering demolitions, I move to find that the proposed demolition of the house and gardens at 104 Stadium Road does not satisfy the BAR's criteria and guidelines and is not compatible with this property and other properties, and for the following reasons the BAR denies the application as submitted:

- House is almost 100 years old.
- Rare example of a housing type in Charlottesville that is part of the time period when built.
- Creates character of space where it exists.
- BAR have never voted to demolish an IPP.
- Remnants of a historic landscape.
- Good condition with no reason for demolition.
- Review Criteria of #3: designation of property by City Council in 2011 to be protected and the neighboring property to not be developed.
- Historic landscape contributes to the context of JPA, could influence the buffer of JPA and built lots
- Design Guidelines #6 & #7: alternatives to demolition, rehabilitation and reuse of structure is possible.

Recommendations for Council to overturn BAR denial

- Building should be documented thoroughly through photographs and measured drawings according to the Historic Building Survey Standards.
- Information should be retained by the City of Charlottesville Neighborhood Development Services and Virginia Department of Historic Resources.
- COA for Demolition is contingent on an approved building permit.

Second by Mr. Zehmer. Motion passes 6-0.

D. Other Business

5. Preliminary Discussion

214 West Water Street, TMP 280080000

Downtown ADC District (contributing structure)

Applicant: Derek Uhler/Uhler and Company

Project: Addition of upper floors

- The Applicant presented the plans for more space on the third floor of the building.
- The third floor has a curved roof and a large flat roof that is a walkout. The plan calls for enclosing the space that is the flat roof.
- The Applicant is seeking feedback, questions, and suggestions from the BAR on this proposed project.
- Members of the BAR did provide suggestions on this proposed project and structure.
- The comments from the BAR were mostly positive for the proposed project. Members of the BAR did say that as long as the project met the guidelines, there was a lot of freedom on this project.
- There was little concern from the BAR regarding a proposed construction.

6. Project Update

Belmont Bridge

- Jeanette Janiczek (Project Manager) provided the update on the Belmont Bridge during the Pre-Meeting.

7. Preliminary Discussion

422 2nd Street NE, TMP 330079000

North Downtown ADC District

Owner: Erin Hall and Michael Shveima

Applicant: Tim Tessier/Bushman-Dreyfus

Project: Rear addition

- The intent is to open up the backyard.
- The Applicant presented the plan for project is to remove the rear additions and add a new rear addition to the back of the house.
- The applicant does have a suggested footprint.
- There is no programmatic needs for a garage. The plan is to remove the garage and open up the space.
- Members of the BAR provided questions, suggestions, and feedback for the applicant and homeowners of the house.
- There were no concerns about the demolition. It would have to be considered a demolition.
- The materials would be compatible with what is already there and something that is modern.
- The applicant intends to do repairs and maintenance on the remaining parts of the house with this project.
- The Applicant and owners do plan on rehabbing the 1840s addition to the house as part of the project.

8. Misc. Discussion

- BAR Elections
 - Staff went over the time left for each current member's term of the BAR.

- **Motion made by Mr. Schwarz to keep the same slate of officers. Second by Mr. Zehmer. Motion passes 5-0 with one abstention.**
- The Chairman went over the roles, the responsibilities, and the importance of the BAR to the City of Charlottesville.
- Update: Appeals to CC
- Staff questions/updates
 - Staff provided an update regarding the excavation work taking place near the Levy Building.
- Time permitting - café lights

Adjournment

The meeting was adjourned at 8:23 PM.

Certificate of Appropriateness Application

BAR 23-04-03

800 East Market Street (Key Rec Center), Tax Parcel 530160000

Downtown ADC District

Owner/Applicant: City of Charlottesville Public Works

Project: Install metal gate at dumpster enclosure

Application components (please click each link to go directly to PDF page):

- [Staff Report](#)

**City of Charlottesville
Board of Architectural Review
Staff Report
April 18, 2023**



Certificate of Appropriateness Application

BAR 23-04-03

800 East Market Street, TMP 530160000

Downtown ADC District (contributing property)

Owner/Applicant: City of Charlottesville / Public Works

Project: Install gate and raise brick wall at dumpster



Background

Year Built: 1937

District: Downtown ADC District

Status: Contributing

Serving as the National Guard Armory between 1937 and the 1970s, this brick, art deco building replaced the original armory (located at the current Police Station). When the armory relocated to its present site on Avon Street Extended, the structure was converted to a City recreation center and, following his death in 2004, named to honor Herman Key, Jr., a local athlete and prominent advocate for disabled athletes.

Prior BAR Review

(See Appendix)

Application

- Submittal: City of Charlottesville Dept. of Public Works narrative and images for *City Hall Annex dumpster corral*, dated 4/4/2023 (8 pages).

Request CoA for alterations to the dumpster enclosure between the Key Rec Center and City Hall Annex. Increase height of brick wall by 2-ft and install gate.

Recommendations and Discussion

Staff recommends approval with the conditions included in the motion.

Railing near dumpster enclosure



Suggested Motions

Approval: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed alterations to the dumpster enclosure at 800 East Market Street satisfy the BAR's criteria and are compatible with this property and other properties in the Downtown ADC District, and that the BAR approves the application as submitted, with the following conditions:

- Should existing conditions require minor changes, the BAR authorizes staff to review and approve those modifications.
- Gate should reflect the design of the handrail near the enclosure. [Image above.]
- The repairs and alterations to the brick will comply with the design guidelines for masonry. Specifically, that high-pressure or abrasive cleaning methods will not be used for cleaning the brick.

Denial: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the alterations to the dumpster enclosure at 800 East Market Street do not satisfy the BAR's criteria and are not compatible with this property and other properties in the Downtown ADC District, and that for the following reasons the BAR denies the application as submitted: [...]

Criteria, Standards, and Guidelines

Review Criteria Generally

Sec. 34-341(a) of the City Code states that, in considering a particular application the BAR shall approve the application unless it finds:

1. That the proposal does not meet specific standards set forth within this division or applicable provisions of the conservation district design guidelines; and
2. The proposal is incompatible with the historic, cultural or architectural character of the conservation district in which the property is located.

Standards for Review of New Construction and Additions include:

1. Whether the form, height, scale, mass and placement of the proposed construction are visually and architecturally compatible with the site and the applicable conservation district;
2. The harmony of the proposed changes in terms of overall proportion and the size and placement of entrances and windows;

3. The impact of the proposed change on the essential architectural form and integrity of the existing building;
4. The effect, with respect to architectural considerations, of the proposed change on the conservation district neighborhood;
5. Any applicable provisions of the city's conservation district design guidelines.

Pertinent Guidelines for Site Design and Elements include:

Link: [Chapter 2 Site Design and Elements](#)

C. Walls and Fences

[...]

5. For new fences, use materials that relate to materials in the neighborhood.
6. Take design clues from nearby historic fences and walls.

[...]

Pertinent Guidelines for Rehabilitation include:

Link: [Chapter 4 Rehabilitation](#)

H. Masonry

- 1) Retain masonry features, such as walls, brackets, railings, cornices, window surrounds, pediments, steps, and columns that are important in defining the overall character of the building.
- 2) When repairing or replacing a masonry feature, respect the size, texture, color, and pattern of masonry units, as well as mortar joint size and tooling.
- 3) When repointing masonry, duplicate mortar strength, composition, color, and texture.
 - a. Do not repoint with mortar that is stronger than the original mortar and the brick itself.
 - b. Do not repoint with a synthetic caulking compound.
- 4) Repoint to match original joints and retain the original joint width.
- 5) Do not paint unpainted masonry.

Maintenance Tips

[...]

- Clean unpainted masonry with the gentlest means possible.
- The best method is low-pressure water wash with detergents and natural bristly brushes.
- Do not use abrasive cleaning methods, such as sandblasting or excessively high-pressure water washes.

APPENDIX: Prior BAR Review

March 15, 2016 - BAR approved the site plan. Circulate item below circulated prior to admin approval. (6-0-1, with Balut abstained). canopy redesign; work some signage into the canopy design, so it is clear this is a City-owned building; possibility of adding more street trees; step material (concrete or granite would be accepted); the possibility of adding more bicycle parking

February 2, 2017 – Admin approval of hardscape plan, with condition that the applicant return to the BAR for approval of planting revisions.

August 16, 2022 – Preliminary discussion re: roof replacement. No action taken.

4/4/2023

Project: City Hall Annex dumpster corral

Description:

The brick walled enclosure that houses the dumpster for City Hall and City Hall Annex is in need of repair and renovation. This area is highly visible to visitors to the Ting Pavilion and Downtown Mall and to those that access services at City Hall and the City Hall Annex. The walls have become a target for graffiti and this open area is an attractive nuisance for unknowns to leave garbage and large unwanted items. In addition, it's possible to access the area between the dumpster and wall for unsafe activities. This area has been frequently used as both a toilet and a hiding place for items. This dumpster corral is directly adjacent to a walking path that leads to Ting Pavilion and City Hall.

Options:

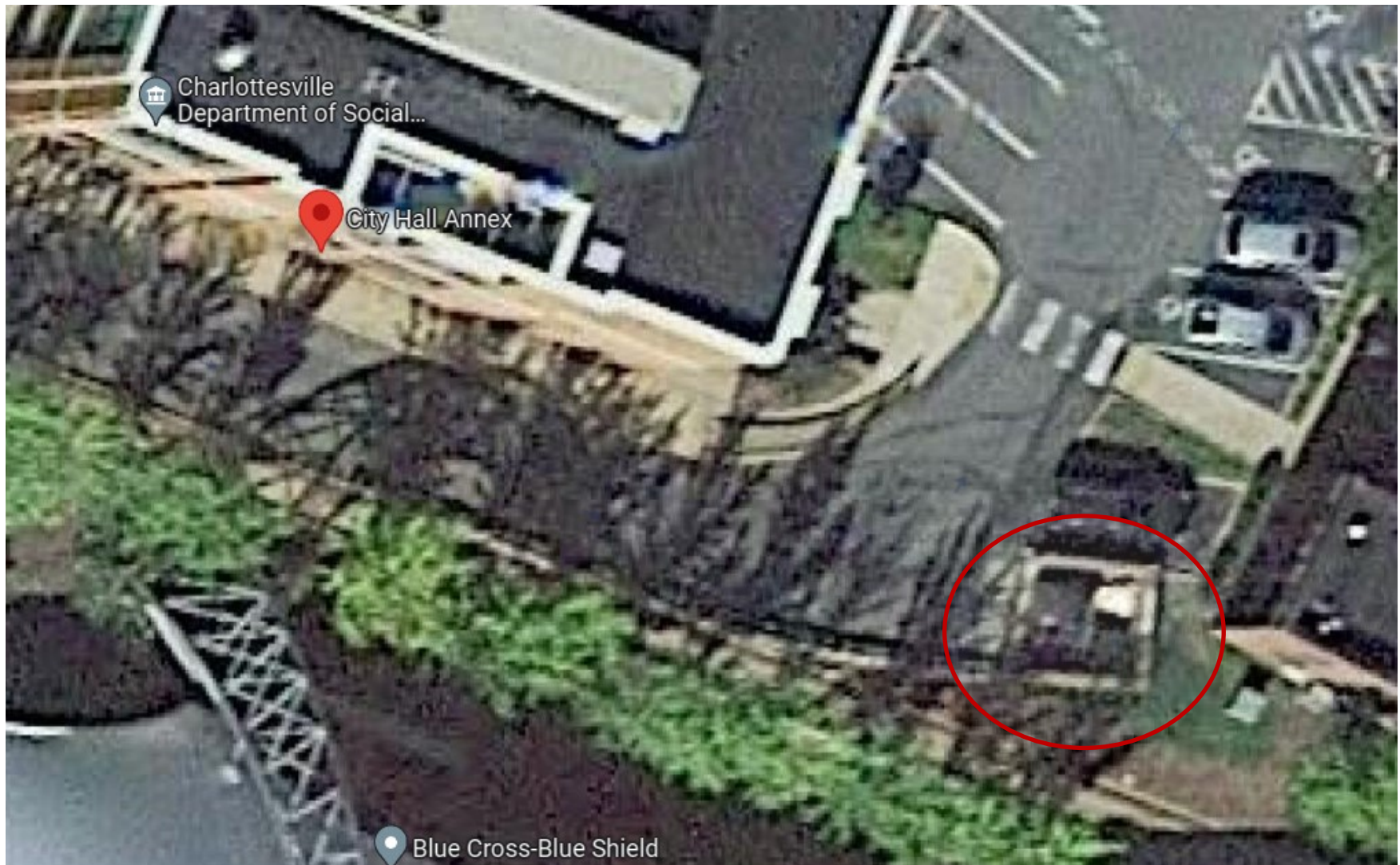
1. Remove and relocate the dumpster.

- a. This has specific challenges, since another location is not readily available, and the City custodial staff use this dumpster for disposing of office waste from (2) large buildings. *Removing this dumpster would greatly impact the ability for the City custodial staff to complete their jobs and maintain those buildings.*
- b. The benefit to this option would be all issues with garbage, human waste and unsafe activities are also removed.
- c. Removal would also create at least (2) additional parking spots in an area that desperately needs additional parking.
 - i. Costs for removal would include the demolition and removal of all brick, repainting lot to create parking spots.

2. Repair and Renovate the dumpster corral

- a. Increasing the height of the walls by 2 feet and adding a gate to this enclosure would make it more difficult for unknowns to access the area around the dumpster and use this dumpster.
- b. This is an accepted, best practice to secure dumpsters in public areas.
- c. The benefit to this option would be to retain the dumpster for City custodial usage, while greatly reducing the issues with human waste, public garbage and unsafe access to the area around the dumpster.
 - i. GFL said a gate is ok, as long as their driver has the code to unlock and the width to the corral is not reduced.
 - ii. City custodial has suggested a gate would help with their issues with this dumpster.
 - iii. The corral needs repairs to the brick wall, so adding height to the walls is just an expansion of that work.
 - iv. A metal gate can be designed to match the existing handrails and fences in this public area.

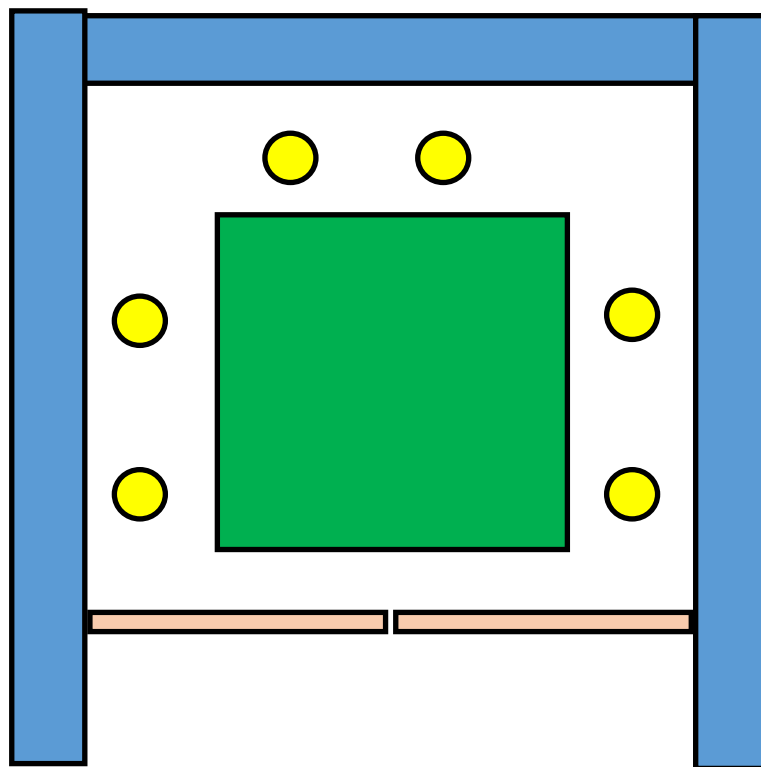
Projected Costs		
Gate	Cost Estimate	Timeframe
Design, fabrication and installation of metal, double leaf gate with single locking hasp.	\$5,300	10 days from plan approval
*installation may require mounting posts to prevent "gate flex: damaging the brick walls.		
Masonry		
make necessary repairs to existing walls	\$3,800	5 day
lay matching brick to increase wall height 24"		
cap with a string course to create a drip line		
Site Prep		
power wash brick and pad	\$800	1 day, after hours.
remove oversized garbage from area		
total estimated cost	<u>\$9,900</u>	











Install bollards to protect the brick walls and to take up the extra space in the enclosure. The bollards would also discourage people placing large items around the dumpster and remove the temptation to enter the space around the dumpster.

The dumpster is 8'x7'x5.5', it has plenty of room to move back into the 12'x12' enclosure. This would allow the gate hinges to be placed several feet inside the enclosure. This would decrease the swing radius, but still allow enough width for the truck to hook and dump the container.

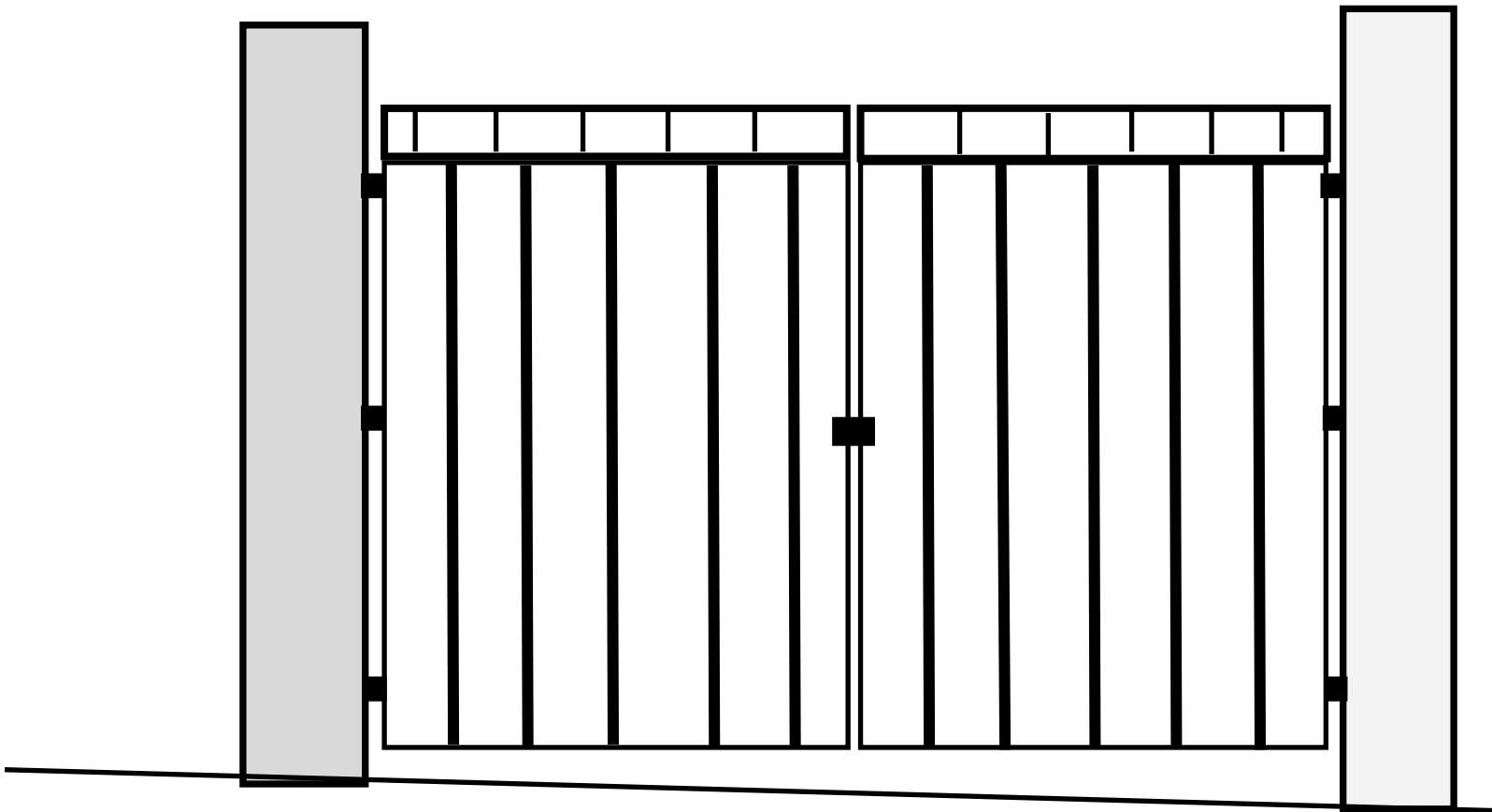
Mounting the gate hinges at the opening of the enclosure would result in a 6ft gate swinging out and into a narrow vehicle travel lane.

The concrete pad is not level, there is a 6" drop from the left to the right walls. A single gate would need a leveling piston and wheel to allow the gate to swing without binding the hinge. A double gate will allow for this elevation difference.

There are several areas on the walls that will need repair. Some of the the bricks show excessive efflorescence, possibly from water infiltration or urine acids. There has been graffiti spray painted on the exterior of the wall facing Ting Pavilion.

Recommendation:

1. Extend the existing walls 24" in height, by adding 8 additional courses of matching brick, then finishing with a string course to create a drip edge
2. Fabricate and install a metal gate, matching the design and construction of the existing handrails and fences in the area. Gate will be black with a single locking hasp.
3. Install bollards in the enclosure to take up the extra space around the dumpster and to protect the brick walls from damage if the dumpster is pushed into them.



Certificate of Appropriateness Application

BAR 23-04-02

218 West Market Street, Tax Parcel 330276000

Downtown ADC District

Owner: Market Street Promenade, LLC, Owner

Applicant: Heirloom Real Estate Holdings LLC, Applicant

Request: Modify height stepback. (In lieu of 25-ft stepback at 45-ft height: Old Preston Ave allow 5-ft stepback at 45-ft height; W. Market St allow 10-ft stepback at 45-ft height.)

[Application components \(please click each link to go directly to PDF page\):](#)

- [Staff Report](#)
- [Application Submittal](#)

**City of Charlottesville
Board of Architectural Review
Staff Report
April 18, 2023**



SUP Recommendation

BAR 23-04-02

218 West Market Street, Tax Parcel 330276000

Downtown ADC District

Owner: Market Street Promenade, LLC, Owner

Applicant: Heirloom Real Estate Holdings LLC, Applicant

Request: Modify height stepback. (In lieu of 25-ft stepback at 45-ft height: Old Preston Ave allow 5-ft stepback at 45-ft height; W. Market St allow 10-ft stepback at 45-ft height.)



Prior BAR Reviews (germane to this discussion)

March 13, 2019 – BAR approved the demolition of 218 W. Market Street. Demolition is contingent upon the granting of a COA and building permit for its replacement.

September 17, 2019 - BAR recommended the SUP would not have an adverse impact.

Link to submittal and staff report: [BAR Sept 2019 demo CoA 218 W Market St](#)

Meeting minutes in appendix, including BAR recommendation.

November 16, 2021 - BAR approved demolition of 218 W. Market Street. (2019 CoA expired.)

October 18, 2022 – BAR discussion. Supportive of the modifications to height stepbacks on W. Market Street (to a min. 10-ft) and Old Preston Avenue (to a min. 5-ft). Applicant sought BAR input prior to formally submitting for the SUP amendment necessary to modify the step backs. No action taken.

Link to submittal and staff report: [BAR Oct 2022 Discussion SUP changes 218 W Market St](#)

Application

- Applicant submittal: Bushman Dreyfus drawings *218 West Market / Amendment of Special Use Permit*, dated October 10, 2022 (8 pages) and narrative, dated March 14, 2023 (7 pages).

Applicant has requested a modification to the Special Use Permit (SUP) approved by City Council on September 8, 2020, (see Appendix). Prior to Council’s review of the requested changes, City Code Sec. 34-157(7) requires they consider recommendation(s) from the BAR “as to whether the proposed use [the modified height stepback] will have an adverse impact on the district, and for

recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts.” (Note for clarity: This discussion is re: the *stepbacks* of the building’s upper floors, not the *setbacks* from the property line.)

The zoning ordinance states the following for the Downtown Mall Mixed-use District:
"After forty-five (45) feet, there shall be a minimum stepback of twenty-five (25) feet along the length of the street wall. However, any streetwall fronting upon a numbered street within this district between Ridge Street and 10th Street East shall, after forty-five (45) feet, be required to have a stepback of five (5) feet."

Requested modifications to the SUP:

- West Market Street: At building height of 45-ft, a minimum 10-ft stepback.
- Old Preston Avenue: Old Preston Avenue, a minimum 5-ft stepback.

Discussion

On October 18, 2022 the BAR informally discussed and expressed general support for the proposed stepback modifications. This submittal is unchanged from what was presented last October; therefore, staff recommends the BAR approve on the Consent Agenda the suggested motion for a *finding of no adverse impact* on the Downtown ADC District.

Note: Staff received the email below (dated 4/4/2023) from a neighboring-property owner. While the note indicates opposition to the overall project, it does not express how the revised stepbacks will adversely impact the ADC District.

“[I] object in the strongest way possible to the project generally with all of the 'By right' deviances they've requested. Today I write to specifically speak against any modification to decrease the setbacks as specified in your letter of 31 March 2023, that were outlined in SUP recommendation BAR 23-04-02.”

Suggested Motions (Approved motion will be submitted for consideration by the Planning Commission and City Council.)

Finding of no adverse impact: I move to recommend that, based on the information submitted, modifying the Special Use Permit for 218 West Market Street to reduce the height stepbacks on West Market Street and Old Preston Avenue will not adversely impact the Downtown ADC District, with the understanding that the final design will require BAR review and approval.

Finding of adverse impact: I move to recommend that, for the following reasons, modifying the Special Use Permit for 218 West Market Street to reduce the height stepbacks on West Market Street and Old Preston Avenue will adversely impact the Downtown ADC District [*cite reasons*], which may be mitigated by the following [*cite proposed conditions*].

Criteria, Standards, and Guidelines

Review Criteria Generally

Sec. 34-284(b) of the City Code states that, in considering a particular application the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.

Pertinent Standards for Review of Construction and Alterations include:

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;
- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;
- (4) The effect of the proposed change on the historic district neighborhood;
- (5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;
- (6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;
- (7) Any applicable provisions of the City's Design Guidelines.

Pertinent Guidelines for New Construction and Additions include:

D. Massing & Footprint

- 1) New commercial infill buildings' footprints will be limited by the size of the existing lot in the downtown or along the West Main Street corridor. Their massing in most cases should be simple rectangles like neighboring buildings.
- 2) New infill construction in residential sub-areas should relate in footprint and massing to the majority of surrounding historic dwellings.
- 3) Neighborhood transitional buildings should have small building footprints similar to nearby dwellings.
 - a) If the footprint is larger, their massing should be reduced to relate to the smaller-scaled forms of residential structures.
 - b) Techniques to reduce massing could include stepping back upper levels, adding residential roof and porch forms, and using sympathetic materials.
- 4) Institutional and multi-lot buildings by their nature will have large footprints, particularly along the West Main Street corridor and in the 14th and 15th Street area of the Venable neighborhood.
 - a) The massing of such a large scale structure should not overpower the traditional scale of the majority of nearby buildings in the district in which it is located.
 - b) Techniques could include varying the surface planes of the buildings, stepping back the buildings as the structure increases in height, and breaking up the roof line with different elements to create smaller compositions.

E. Height & Width

- 1) Respect the directional expression of the majority of surrounding buildings. In commercial areas, respect the expression of any adjacent historic buildings, which generally will have a more vertical expression.
- 2) Attempt to keep the height and width of new buildings within a maximum of 200 percent of the prevailing height and width in the surrounding sub-area.
- 3) In commercial areas at street front, the height should be within 130 percent of the prevailing average of both sides of the block. Along West Main Street, heights should relate to any adjacent contributing buildings. Additional stories should be stepped back so that the additional height is not readily visible from the street.

- 4) When the primary façade of a new building in a commercial area, such as downtown, West Main Street, or the Corner, is wider than the surrounding historic buildings or the traditional lot size, consider modulating it with bays or varying planes.
 - a) Reinforce the human scale of the historic districts by including elements such as porches, entrances, storefronts, and decorative features depending on the character of the particular sub-area.
- 5) In the West Main Street corridor, regardless of surrounding buildings, new construction should use elements at the street level, such as cornices, entrances, and display windows, to reinforce the human scale.

F. Scale

- 1) 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.
- 2) As an exception, new institutional or governmental buildings may be more appropriate on a monumental scale depending on their function and their site conditions.

Appendix

BAR meeting minutes from September 17, 2019

Special Use Permit

BAR 19-09-04, 218 West Market Street, Tax Parcel 330276000

Market Street Promenade, LLC, Owner /

Heirloom Real Estate Holdings LLC, Applicant

Increased building height and increased density

Mr. Ball recused himself from this application.

Staff Report, Jeff Werner: 218 West Market Street is a contributing structure in the Downtown ADC District. City assessment records indicate the commercial building was constructed in 1938. A c1955 Sanborn Map indicates this structure at the site. The brick building previously housed an A&P Grocery but has since been substantially modified. A covered arcade was added to the north and east elevations in the 1980s. Earlier this year the BAR approved the demolition of the building on the subject parcel and the demolition is contingent upon the granting of a COA and building permit for its replacement. The applicants have submitted a SUP request in anticipation of constructing on the site a mixed-use development with retail and commercial uses on the ground floor and residential units on the upper floors. The SUP request is to allow additional residential density and increased building height. Zoning permits 43 dwelling units per acre; allowing up to 24 units on the property by right. The request would increase the density to 240 DUs per acre, allowing 134 units on the property. The increase density will accommodate a variety of residential units in the development. Zoning permits 70-feet in height by right. The request is to increase the height to 101-feet. The additional height would enable the development's increased density and mixed-use functions. The applicants have illustrated the maximum envelope with a SUP. The submittal materials also provide studies of a more sculpted building. These studies are not intended to establish a design direction, but provide an idea of how a more developed building might appear on the site. Per City Code Sec. 34-157(7) "When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the Board of Architectural Review or Entrance Corridor Review Board, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council." In evaluating this SUP request, the Planning Commission and, ultimately, City Council will take into consideration the BAR's recommendation on whether or not the SUP, if approved, would adversely impact Downtown ADC district and, if so, any proposed conditions to mitigate the impact. The BAR's recommendations are not a function of how the site will be used

or occupied, but an evaluation of the requested SUP relative to the criteria within the ADC Design Guidelines. That is, will allowing the requested increased residential occupancy and the increased overall height result in a project that conflicts with the Guidelines? In reviewing the SUP the BAR has the opportunity to discuss and offer recommendations on the proposed massing and building envelope, and how it engages the streetscape and neighboring properties, etc., etc. Furthermore, the BAR may request that the Planning Commission and City Council consider including these design recommendations as conditions of approval for the SUP. There has been a lot of discussion in the community about additional density and parking Downtown. Our purview is the visual aspect of the exterior, which should be made clear going forward.

Applicant, Jeff Dreyfus: We are talking about density and height on this particular site. We are asking for a recommendation that the SUP for both density and height does not have an adverse impact on the district. As we've discussed with 612 West Main, we have a long way to go with final design of a building and the COA gives the BAR the opportunity to sculpt the building as we go through the process. The initial submission shows the maximum allowable building envelope if it were built to its greatest volume. There is no intention to go there and it wouldn't be allowed by the BAR. However, the increased density and height on this site will give us a lot more flexibility from an economic perspective to be able to sculpt the building in a way that it is taller and thinner. Before we begin this process, we would like to know that we have the ability to increase the height and density, which is why we are here tonight.

QUESTIONS FROM THE PUBLIC:

None.

QUESTIONS FROM THE BOARD:

Ms. Miller: Some of those comments probably have an affect on the historic district.

Mr. Werner: I'm talking about the uses like how many apartments, who would be renting them, etc., which are not relative to the design of the exterior.

Mr. Lahendro: What are some of the guiding principles that you would use to design the building and have it be acceptable within the historic district and to the BAR?

Mr. Dreyfus: An important criterion is the scale of the street on both sides and trying to maintain the scale of buildings nearby. This is an interesting site because it steps down dramatically as you move toward the larger site. Part of the presentation includes views from Ridge-McIntire because this needs to be seen in the larger context. We show its height is relative to other buildings that have already been approved, including the Code Building and West 2nd. The step backs required by zoning begin to enforce that already, but perhaps we continue to cornice line coming from the mall of the Whiskey Jar building and step backs happen from there so that the scale steps up, not right on the street. That is one of the most critical urban design elements in all of this so that it begins to fit in. We will continue to discuss materials as well. We feel strongly that the entry into the parking area is well located off of Old Preston instead of having people turn into West Market. This is a much safer way to go. The number of cars coming and going from there won't be huge and it allows us to get the parking off of the West Market Street façade.

Mr. Gastinger: On Old Preston all existing trees on the site would need to be removed and presumably the street trees along Market Street would also need to be removed. Can you confirm if that is the case and what opportunities this project might have in improving the pedestrian character of those two streets?

Mr. Dreyfus: I can't speak to the trees at the moment. One of the most important elements of this structure is how pedestrians are welcomed into the building. It might be with an indent plaza of sorts with setbacks under canopies, but I can't speak to it at the moment. If continuing some of the greenery down that street is critical, then we would like to hear that now so we can begin to think about that. I forgot to mention that It's important to understand that we tried to compare the by-right height and what the shadows cast would look like vs. with the SUP during the sun studies we did toward the back of this. The one difference is on the longest day of the year.

The only difference is that the shadow would be cast on the lawn of those condos furthest south, but it wouldn't even cast a shadow on the roof of those, so the impact is very minor.

COMMENTS FROM THE PUBLIC:

Mr. Gastinger: We received an email just before this meeting started from the public and I thought it would be appropriate to read it aloud. It is from Joey Conover and it says "Hello BAR members. I am writing regarding the 218 West Market SUP request on tomorrow's agenda as the property manager for the neighboring building at 110-114 Old Preston Avenue. I wanted to bring a few items to your attention for consideration. I have an event but plan to attend as I am able. 1) Increased height density: In general, we feel the increased density is healthy for the increasing housing stock the urban core of Charlottesville. Although we are hoping increased height does not feel overly imposing and appreciate the proposed setbacks, it is necessary to increase the housing stock and the height may be worth it. Adding more retail along Old Preston Avenue and West Market expands the pedestrian commercial area in a positive way. There will likely be future design considerations, but at this time we support the project moving forward. 2) Neighbors: Please note that the application has our building marked on their SUP plans as Vinegar Hill, which no longer exists as a commercial business. There are two separate unrelated buildings that touch this project, Lighthouse Theater and our building, which currently houses Vibe Think and the Albemarle County Economic Development Office. 3) Historic Preservation: Our building at 110 Old Preston Avenue was built prior to 1900. It's built primarily out of stone, including the party wall with the current Artful Lodger building. We continue to be concerned about the structural integrity of our historic building and would like to hear public reassurance that this new project will take particular care in the demolition of the existing building, which is currently tied to our building with steel beams, as well as excavation during underground parking and subsequent construction. There is also a roof overhand that currently goes over the property line, which appears original. This may affect their design. 4) Green roof: For aesthetic and environmental reasons we highly recommend the BAR require this project include at least the amount of green roof that has been proposed, if not more. There is a large storm water drain that goes under the sidewalk along Old Preston Avenue. I understand that the Heirloom is planning to direct all roof rainwater to this direction, where most of it already goes. 5) Old Preston façade: The elevations on page 7 are not 100% clear if the levels along Old Preston will be parking apertures, or if that is retail level. I think it is retail, but if not, I would recommend that this façade be a more public facing retail-oriented façade to continue the feel of the Downtown Mall. 6) Pedestrian access: There is a lot of foot traffic through the current parking lot at 218 West Market. I would suggest that the BAR require that the project maintain pedestrian access along the Whiskey Jar side of the building to allow public movement through that corridor. If you have any questions, please do not hesitate to ask."

COMMENTS FROM THE BOARD:

Mr. Mohr: I don't find any issue with density or height. I think it will all be in the massing of the building. The comments about pedestrian connections and the transparency of the building to the street from both directions are important. I would hesitate to call it a structure and I would rather see it developed more as a compound or a series of structures. The massing models make me nervous because they don't seem to be separated.

Ms. Miller: It makes a lot of sense to have density here, but this application does make me nervous because the previous building with the same owner and team used every square inch of allowable space. Increasing density might encourage bad behavior with the building that is to come. While density is great in this spot, I don't think a giant building is. It would need to be broken into pieces or significantly shaved back in order to be a good addition to the historic district. The points made about the pedestrian experience, trees, and being sure not to damage the existing stone wall are all important too.

Mr. Mohr: They didn't build absolutely to the edge.

Mr. Lahendro: I am willing to support the density and height, but we have a long way to go to design the building. It will be a challenge to do a building this large that is compatible with the other buildings and storefronts that abut it on both sides. We also have pedestrian access from all sides to this building and it is

anchoring the end of the mall. The trees that are already there at the end are very welcoming and I strongly urge them to stay or have something like them.

Mr. Schwarz: My first thought when they were going for maximum height was absolutely not because it is out of context, but looking more closely, it seems like it is at an area where there will hopefully be more height nearby. The renderings imply that there is an illusion of multiple buildings. Actions like that are going to go a long way in making it successful. I am very concerned that because of the slope to the site, you will end up with a big parking plinth underneath as you walk along the side. The idea of maintaining pedestrian access throughout the eastside of the side is intriguing. I don't know if it's possible or if it will create a scary space, but it continues the block module that we have Downtown. I am not ready to make it a condition, but you should definitely investigate it. It would also allow you to pull the building off the side and get some windows there so it isn't just a wall.

Mr. Mohr: A lot of what happens in development of towns like ours is that we lose the topography. There is a sense from going to a higher street to a lower street and big bases wipe that out.

Mr. Gastinger: I encourage you not to give up on Old Preston because of its current condition. Changing the entrance of the parking lot itself might open up new possibilities with a significant section of that street. I encourage the City to also re-think that section to the extent that they can because that street is going to gain even more importance as the town becomes more dense and Preston continues to develop. The street trees are going to be a significant loss and it will be critical to find ways to mitigate that.

Mr. Balut: I am supportive of the application. This is an amazing site and it has great potential, so you have a great opportunity to make a wonderful statement by continuing the mall and making a good pedestrian experience on at least three sides. It will be a crucial part of the project so I look forward to seeing how that will develop. This would be a great opportunity to play with the massing and find ways that it can be more elegant and compatible with every adjacency. I am encouraged by the massing studies already and I encourage you to keep going in that direction. I encourage the green roof that you have and to add more to encourage more greenery and reduce storm water runoff on the site.

Mr. Sarafin: I am generally in favor. The pedestrian piece is very important, as well as making provisions to 110 Old Preston as work is being done. At the street level and scale, what happens at Old Preston needs to relate to those historic buildings. It is a challenging site, but it's also a site that could be better utilized. While there may be concern about what is visible from the mall side, what we would be gaining from the other side is helping to better ground and anchor the mall. It also begins to extend it some.

Mr. Lahendro: Going forward, I will be looking closely at the materiality, the transparency at the pedestrian level and engaging the public, landscaping, and tying that building into the fabric of this historic area.

Mr. Schwarz: You may want to look at the zoning code's street wall requirements to make sure your hands aren't tied with that. You may want to speak with the Planning Commission about it. One condition we may want to add is the adequate protection of adjacent buildings.

Ms. Miller: The pedestrian and street trees up to three sides of the building, which reinforces the block size, might be a good condition too.

Mr. Lahendro: I don't know if that is tied into density and height, or if that is something that would come to us later when we get to the details.

Mr. Mohr: One of the reasons we agree to the increased density and height is so that you have some room to make the building a compound or a series of buildings. We aren't just saying to fill up the void.

Mr. Sarafin: We have a pretty clear list of concerns that, if addressed and met, there will not be an adverse impact on the district. We want a nice list for City Council to consider. We've thought about them and will continue to think about them and so should they when crafting the conditions that will be put on this SUP.

Mr. Mohr: We don't want to pin them down right now about specifics because we don't really know what the specifics are yet. We have to have faith in our processes, and these are all considerations. It's also a transition zone in that its moving from the Downtown Mall scale to presumably a larger scale that will eventually occupy that entire portion of the town.

Mr. Schwarz: As labeling this a transition zone, I would be concerned with the Planning Commission sticking in a bulk plane on the east side, which wouldn't serve any good.

Mr. Mohr: It's not strictly about the scale of the mall.

Mr. Lahendro: All of these are concerns, but there is one condition, which is that the increased density and height is approved, providing the massing is broken up to provide compatibility with the character-defining features of the historic district.

Ms. Miller: I don't want to arbitrarily say fewer units per acre because we don't know what the applicant can do to creatively make it work and meet our Guidelines, but I also don't want them to think they can just have the maximum number of approved units and the building has to meet that.

Mr. Balut: Even if there is a by-right volume and they maximize that, we have the right to deny that request if we feel it isn't compatible with the district. We don't have to stipulate too much because it is already understood. If we as a Board don't feel that the maximum by-right volume proposed is compatible, then we would just not vote in favor of it.

Mr. Sarafin: There is value in underscoring this point for City Council.

Mr. Schwarz: In the staff conditions, I would strike the phrase that says "based on the general design and building footprint as submitted," and instead just recommend that the SUP will not have an adverse impact. I also like Mr. Lahendro's comment about having a condition that says the massing will be broken up to provide compatibility with the character-defining features of the historic district.

Ms. Miller: Could we also have a loftier goal regarding the trees on the site and say that they will maintain street trees on site?

Mr. Gasting: My only concern with that is that all of the trees are already compromised in significant ways.

Ms. Miller: It wouldn't necessarily be those trees, but they could find a way to work trees in.

Mr. Gasting: What about saying to provide street trees to mitigate?

Mr. Mohr: We should do better than just mitigating it. We want something positive.

Mr. Gasting: We can say they will provide a plan to replace the street trees lost on site.

Motion: Gasting moved to recommend that the proposed Special Use Permit for 218 West Market Street will not have an adverse impact on the Downtown ADC District, with the understanding that the final design and details will require BAR review and approval and that increased density and height is granted with the understanding that the building design will have the flexibility to mitigate potential impacts on the Downtown ADC District by addressing these items of considerations and concern:

- The building's massing will be broken up to provide compatibility with the character-defining features of the historic district
- Provide adequate protection of adjacent historic structures
- Provide a plan to replace the street trees on site
- Improve Pedestrian character of Old Preston and Market Street
- Provide pedestrian through access between Market Street and Old Preston.

Mohr seconded. Approved (9-0).

SUP approved by City Council September 8, 2020

<http://weblink.charlottesville.org/public/0/edoc/797104/20200908Sep08.pdf>

RESOLUTION APPROVING A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 218 WEST MARKET STREET

WHEREAS, landowner Market Street Promenade, LLC is the current owner of a lot identified on 2019 City Tax Map 33 as Parcel 276 (City Parcel Identification No. 330276000), having an area of approximately 0.562 acre (24,480 square feet) (the "Subject Property"), and

WHEREAS, the landowner proposes to redevelop the Subject Property by constructing a mixed use building at a height of up to 101 feet on the Subject Property, with retail space on the ground floor facing West Market Street, residential dwelling units at a density of up to 240 dwelling units per acre, and underground parking ("Project"); and

WHEREAS, the Subject Property is located within the Downtown Architectural Design Control District established by City Code §34-272(1) and contains an existing building that is classified as a "contributing structure", and the City's board of architectural review (BAR) has been notified of this special use permit application and the BAR believes that any adverse impacts of the requested additional height, the loss of the existing contributing structure, and the massing of the proposed building to be constructed can be adequately addressed within the process of obtaining a certificate of appropriateness from the BAR;

WHEREAS, the Project is described in more detail within the Applicant's application materials dated submitted in connection with SP19-00006 and a preliminary site plan dated August 13, 2019, as required by City Code §34-158 (collectively, the "Application Materials"); and

WHEREAS, the Planning Commission and City Council conducted a joint public hearing, after notice and advertisement as required by law, on November 12, 2019; and

WHEREAS, upon consideration of the comments received during the joint public hearing, the information provided by the landowner within its application materials, and the information provided within the Staff Report, the Planning Commission voted to recommend approval of the proposed special use permit for the Project; and

WHEREAS, upon consideration of the Planning Commission's recommendation, and the Staff Reports discussing this application, public comments received, as well as the factors set forth within Sec. 34-157 of the City's Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code §§ 34-557 and 34-560, a special use permit is hereby approved and granted to authorize a building height of up to 101 feet, and residential density of up to 240 dwelling units

per acre, for the Project, subject to the following conditions: 1. The specific development being approved by this special use permit (“Project”), as described within the August 13, 2019 site plan exhibit submitted as part of the application materials, as required by City Code §34-158(a)(1), shall have the following minimum attributes/ characteristics:

- a. Not more than one building shall be constructed on the Subject Property (the “Building”). The Building shall be a Mixed Use Building, containing residential and commercial uses in the percentages required by the Ordinance adopted by City Council on July 16, 2018 amending Article VI (Mixed Use Corridor Districts) of Chapter 34 (Zoning Ordinance) (relating to bonus height or density within mixed use zoning districts).
- b. The commercial floor area within the Building shall contain space to be occupied and used for retail uses, which shall be located on the ground floor of the Building. The square footage of this retail space shall be at least the minimum required by the City’s zoning ordinance or, if none, equivalent square footage in relation to the gross floor area of the Building as depicted in the August 13, 2019 site plan exhibit submitted as part of the application materials (subject to adjustment of the GFA, as necessary to comply with requirements of any COA approved by the BAR.
- c. Underground parking shall be provided within a parking garage structure constructed underneath the Building.

2. The mass of the Building shall be broken up to provide compatibility with the character defining features of the Downtown Architectural Design Control District (City Code §34-272(1)), subject to approval by the City’s board of architectural review.

3. There shall be pedestrian engagement with the street with an active, transparent, and permeable façade at street level.

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 building located on property adjacent to the Subject Property at 110 Old Preston Avenue (“Adjacent Property”). The Protective Plan shall provide for baseline documentation, ongoing monitoring, and specific safeguards to prevent damage to the building, and the Landowner shall implement the Protective Plan during all excavation, demolition and construction activities within the Subject Property (“Development Site”).

At minimum, the Protective Plan shall include the following:

- a. Baseline Survey—Landowner shall document the existing condition of the building at 110 Old Preston Avenue (“Baseline Survey”). The Baseline Survey shall take the form of written descriptions, and visual documentation which may include color photographs and video recordings. The Baseline Survey shall document the existing conditions observable on the interior and exterior of the Adjacent Property, with close-up images of cracks, staining, indications of existing settlement, and other fragile conditions that are observable. The Landowner shall engage an independent third party structural engineering firm (one who has not participated in the design of the Landowner’s Project or preparation of demolition or construction plans for the Landowner, and who has expertise in the impact of seismic activity on historic structures) and shall bear the cost of the Baseline Survey and preparation of a written report thereof. The

Landowner and the Owner of the Adjacent Property (“Adjacent Landowner”) may both have representatives present during the process of surveying and documenting the existing conditions. A copy of a completed written Baseline Survey Report shall be provided to the Adjacent Landowner, and the Adjacent Landowner shall be given fourteen (14) days to review the Baseline Survey Report and return any comments to the Landowner.

b. Protective Plan--The Landowner shall engage the engineer who performed the Baseline Survey to prepare a Protective Plan to be followed by all persons performing work within the Development Site, that shall include seismic monitoring or other specific monitoring measures of the Adjacent Property as recommended by the engineer preparing the Protective Plan. A copy of the Protective Plan shall be provided to the Adjacent Landowner. The Adjacent Landowner shall be given fourteen (14) days to review the Report and return any comments to the Landowner.

c. Advance notice of commencement of activity--The Adjacent Landowner shall be given 14 days’ advance written notice of commencement of demolition at the Development Site, and of commencement of construction at the Development Site. This notice shall include the name, mobile phone number, and email address of the construction supervisor(s) who will be present on the Development Site and who may be contacted by the Adjacent Landowner regarding impacts of demolition or construction on the Adjacent Property.

The Landowner shall also offer the Adjacent Landowner an opportunity to have meetings: (i) prior to commencement of demolition at the Development Site, and (ii) at least fourteen (14) days prior to commencement of construction at the Development Site, on days/ times reasonably agreed to by both parties. During any such preconstruction meeting, the Adjacent Landowner will be provided information as to the nature and duration of the demolition or construction activity and the Landowner will review the Protective Plan as it will apply to the activities to be commenced.

Permits--No demolition or building permit, and no land disturbing permit, shall be approved or issued to the Landowner, until the Landowner provides to the department of neighborhood development services: (i) copies of the Baseline Survey Report and Protective Plan, and NDS verifies that these documents satisfy the requirements of these SUP Conditions, (ii) documentation that the Baseline Survey Report and Protective Plan were given to the Adjacent Landowner in accordance with these SUP Conditions.

218 W. Market St.

Special Use Permit Amendment

Application Narrative

City Council approved a Special Use Permit for increased building height and density for the property located at 218 W. Market Street (City Parcel Identification No. 330276000) (the "Property") on September 8, 2020, which SUP was extended on March 4, 2022 by the Director of Neighborhood Services (the "SUP"). The Property is now owned by Heirloom Downtown Mall Development, LLC (the "Applicant"), which is preparing to develop the property as a mixed use building at a height of up to 101 feet, with retail space on the ground floor facing West Market Street, residential dwelling units at a density of up to 240 dwelling units per acre, and underground parking (the "Project"), as permitted by the SUP. As part of the SUP approval, the Applicant offered additional conditions of approval requiring enhanced affordable housing in excess of the zoning ordinance requirements (more affordable units, at deeper affordability levels, for a longer affordable term, and of a variety of unit types and sizes), and the provision of community space within the building at a substantial discount for a non-profit entity. During the design process for the Project, the design team identified a zoning anomaly for this site that we wish to correct through an amendment to the SUP. The Property is zoned Downtown Mixed Use, and is located in the Downtown Historic District.

The streetwall regulations for the Downtown Mixed Use district states the following in Section 34-558(a):

"After forty-five (45) feet, there shall be a minimum stepback of twenty-five (25) feet along the length of the street wall. However, any streetwall fronting upon a numbered street within this district between Ridge Street and 10th Street East shall, after forty-five (45) feet, be required to have a stepback of five (5) feet. These streetwall/stepback requirements shall not apply to any building facade along Water Street; if a building has frontage along Water Street and any other street, then only its facade along Water Street is exempt from these requirements."

Section 34-162 of the Zoning Ordinance provides that in reviewing an application for a special use permit, the City Council may reduce or otherwise grant exceptions to yard regulations, including stepback requirements.

We are requesting an amendment to the existing Special Use Permit to reduce the twenty-five (25) foot stepback along West Market Street and Old Preston Avenue as follows:

1. A minimum ten (10) foot stepback on West Market Street
2. A minimum five (5) foot stepback on Old Preston Avenue

As the only through-block parcel on the north side of the downtown mall, this parcel is an anomaly in the City, as it requires a 25-foot stepback on both West Market Street and Old Preston Avenue. This presents impediments to maximizing the parcel's potential for increased density and for contributing positively to the urban fabric on both streets. The double 25-foot stepback on this parcel results in a building footprint that makes it impossible to achieve the type of density the Special Use Permit allows, and that the City desires as it works to expand its overall housing stock generally, and in particular its affordable housing stock and options as specifically set forth in this SUP. The double

25-foot setback will cramp and distort the standard dimensions and shapes of the residential units within the Project. Additionally, if the 25-foot setback were consistently applied along West Market Street (as currently required), it will result in a downtown core of podium buildings with small towers sitting atop 3 story bases.

In meetings and conversations with Neighborhood Development Services staff, we learned that there was no consideration for the uniqueness of this particular parcel when the current zoning ordinance was adopted. It is our understanding that the primary purpose of the larger setback requirement in the Downtown district was to prevent the “canyon effect” on the downtown mall, given the predominantly 3-story height of historic structures there, and the importance of the mall as a public gathering place. But the Property does not front on the downtown mall, but rather on Old Preston Avenue and W. Market Street, such that the purpose of the larger setback is not furthered when required in connection with the Project.

We further find it notable that the same section of the ordinance specifically exempts building facades along Water Street from the 25-foot setback requirement. For example, the newly constructed CODE building is exempt from the 25-foot setback along its Water Street façade. Yet the ordinance nevertheless provides that “if a building has frontage along Water Street and any other street, then only its facade along Water Street is exempt from these requirements,” such that any parcel with double-frontage on the downtown mall and Water Street would still be subject to the 25-foot setback requirement on the mall side, in furtherance of the goals of avoiding the canyon effect on the downtown mall. With the CODE building, this provision functions exactly as intended, in that it incorporates the 25-foot setback on the downtown mall side, where the importance of avoiding the canyon effect is relevant and appropriate, but its Water Street façade is exempt from the 25-foot setback. If the 25-foot setback were required on both the downtown mall and Water Street facades of the CODE building, it would have resulted in a podium building with small towers instead of the iconic architectural design that developed.

The fact that the 25-foot setback is expressly exempted from Water Street is further evidence that the Ordinance intended to avoid imposing a double-25-foot setback on any single through-block parcel, for any through-block parcel fronting on Water Street will also front on the downtown mall.

As noted above, the strict application of the 25-foot setback requirement on both sides of the Property would require a 25-foot setback along Old Preston Avenue as well as Market Street. However, the only reason it is required on Old Preston Avenue is because of an anomaly in the ordinance. As noted previously, the streetwall regulations for the Downtown zoning district expressly exempt numbered side streets from the 25-foot setback requirement:

“After forty-five (45) feet, there shall be a minimum setback of twenty-five (25) feet along the length of the street wall. However, any streetwall fronting upon a numbered street within this district between Ridge Street and 10th Street East shall, after forty-five (45) feet, be required to have a setback of five (5) feet.” *[emphasis added]*

We contend that Old Preston Avenue, while not technically a “numbered side street” was intended to benefit from the exception highlighted above, and that it was an oversight in the ordinance that it was left out. Old Preston Avenue is a narrow street, and fronting on its west side is the Omni Hotel and its large utility cabinets, loading and service area, and parking garage. It functions as a side street at best, almost more like an alley, which makes a 5-foot setback much more appropriate.

We also learned that the 25-foot setback requirement along West Market Street was adopted largely to prevent a tall structure from encroaching too closely on Market Street Park should such a structure ever be built on the open parking lot immediately south of the park. While this may be

reasonable for that particular, individual parcel (especially since that individual parcel is not a thru-block parcel that would result in a double 25-foot setback), it is not reasonable for all parcels along West Market Street.

If the 25-foot setback is required for development of all other parcels along West Market Street, it would result in an entire street of podium structures. From an urban design perspective, this is contrary to the 10-foot building setback typically employed in new construction to allow light and air to make its way to the street while still accommodating reasonably sized terraces for residential units.

It's also important to note that other than one very specific and limited exception discussed below, the setback requirements for all other mixed use zoning districts in the City range from 0-feet to 10-feet, as shown in more detail on page 5 of the supplemental application materials entitled "Request for Setback Relief at 218 West Market Street," prepared by Bushman Dreyfus and Heirloom Development, dated October 10, 2022 (the "Application Exhibits." The sole exception applies to the four (4) parcels in the Water Street District that front on South Street between Ridge Street and 2nd Street SW, across from the small South Street Corridor zoning district. The South Street Corridor mixed use district, which was specifically created to protect the small grouping of historic homes along South Street wedged against the railroad tracks, most of which have been converted to offices and/or apartments. As noted in the description of the purpose and intent of the South Street Corridor district, "in order to preserve the rich character and style of these few remaining structures from another era, the South Street Corridor district has been created. This district is intended to preserve the historic pedestrian scale, recognizing the importance of this area to the history of the downtown area." Among those South Street Corridor specific regulations is a maximum building height of just 45 feet, such that it is appropriate and relevant to require a 25-foot setback for any buildings constructed on the four parcels zoned Water Street District that front on the South Street District. By contrast, there is no similar reason to require a 25-foot setback along Market Street, much less along Old Preston Avenue.

Given that except for the unique exception noted above, **all other** mixed use zoning districts in the City have no more than a 10-foot setback, and that many do not have any setback, the 25-foot setback required on the entirety of Market Street seems excessive as well as detrimental. Furthermore, without any founding principles as to its necessity, it is inherently arbitrary. And requiring the double-25-foot setback along Old Preston Avenue as well, when no portion of the parcel actually abuts the downtown mall, is particularly so.

Modifying the 25-foot setback requirement via an amendment to the SUP will both allow the City to correct the zoning anomaly of a 25-foot setback on a minor street such as Old Preston Avenue, and rectify the disparity between the required 25-foot setback on West Market Street and the more typical urban condition of a 10-foot setback to ensure a moderate building scale and provide residential terraces of a reasonable size.

This modification request does not constitute a design proposal, nor does it increase density or building height, as those are fixed by the SUP. Rather, the setbacks define the envelope within which the design team must work to create a building that will be approved at a later date by the Board of Architectural Review (the "BAR"). Modifying the setbacks at this time will provide the BAR and the design team greater flexibility in how we shape and sculpt a building that is appropriate for this particular site.

Because the Property is located in a Historic District, the BAR provides a recommendation as to whether the proposed amendment to the SUP will have an adverse impact on the Historic District, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. Prior to submitting this SUP application, the Applicant and its design team brought the

proposal to the BAR for a consultation about the proposal's consistency with the ADC District guidelines. The BAR discussed the proposal at its meeting on October 18, 2022, and requested that staff report to the Neighborhood Development Services Director that they are generally supportive of the Applicant's proposed modifications to the building setbacks.

Section 34-157 of the Zoning Ordinance provides that in considering an application for a Special Use Permit, the City Council shall consider the following factors (italicized):

- (1) *Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood;*

As described above and shown on "Comparison of Stepback Regulations" on sheet 5 of the Application Exhibits, the proposed modification of the setbacks would be harmonious with existing patterns of use and development within the neighborhood and within other areas nearby in the City, in that it allow setbacks that are consistent with the setback regulations in all other mixed use zoning districts.

- (2) *Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan;*

The 2021 adopted Comprehensive Plan designates this property as Downtown Core, which is described as "A primary, central mixed-use activity hub for the city," and describes the form as "Compatible with, and respond to, the existing urban scale and historic/civic context." As described above, and demonstrated in the attached plans, the proposed reduction in setbacks is consistent with the setback regulations in other areas of the City and meets the recommendations of the Comprehensive Plan.

	Downtown Core: A primary, central mixed use activity hub for the city.
--	---

Objectives for Mixed-Use Areas

- Facilitate economic activity in the City and ensure the availability of sites for incremental business growth and expansion.
- Support the redevelopment of “under-utilized” gray-field sites along community corridors.
- Provide opportunities to develop a variety of housing options near employment and community services.
- Develop buildings and public spaces that are human-scaled and contribute to placemaking & Charlottesville’s authentic community identity.
- Promote and encourage design elements that enhance community livability such as active uses at the ground floor level along key street frontages.
- Encourage compact block and street networks and a built environment that facilitates walking, biking, and bus riding.



	Downtown Core A primary, central mixed use activity hub for the city.	Compatible with, and respond to, the existing urban scale and historic/ civic context.	Up to 10 stories	Commercial, employment, residential. A mix of uses in the same building (“vertical mixed use”) is encouraged. Include an inclusionary zoning mechanism to support housing affordability.
--	---	--	------------------	--

- (3) *Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations;*

The reduction the stepback regulations will have no impact on the building’s ability to comply with all the applicable building code regulations.

- (4) *Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts. Potential adverse impacts to be considered include, but are not necessarily limited to, the following:*

- a. *Traffic or parking congestion;*

No traffic or parking congestion will occur with this amendment to the SUP for stepbacks.

- b. *Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;*

As shown in the Application Exhibits, the reduction of setbacks will better enhance the natural environment to allow light and air space between two building masses.

c. Displacement of existing residents or businesses;

Displacement of existing residents or businesses will not occur with this amendment to the SUP for setbacks.

d. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;

The amendment to the SUP for setback reduction will not discourage economic development in any way.

e. Undue density of population or intensity of use in relation to the community facilities existing or available;

The amendment to the SUP for setback reduction will not result in additional units within the project or affect the intensity of use in relation to the community facilities available.

f. Reduction in the availability of affordable housing in the neighborhood;

The amendment to the SUP for setback reduction will not reduce the availability of affordable housing, which will remain regulated by the City ordinance and SUP conditions.

g. Impact on school population and facilities;

The amendment to the SUP for setback reduction will not have an impact on the school population or facilities.

h. Destruction of or encroachment upon conservation or historic districts;

As described above and shown in the Application Exhibits, the setback reduction is consistent with the design and form of other areas of the city and will not have an impact on the conservation or historic districts. More importantly, during its October, 2022 consultation on the Applicant's request to modify the setbacks, the BAR requested that staff report to the Neighborhood Development Services Director that they are generally supportive of the Applicant's proposal.

i. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,

The Project will conform with applicable federal, state, and local laws.

j. Massing and scale of project.

As described above, and demonstrated in the Application Exhibits, the massing and scale of the project will be significantly improved with the reduction of stepbacks. It will allow additional light and air space by breaking the building massing into two smaller building masses.

- (5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;*

No changes to the use are proposed with this SUP amendment. As described above and demonstrated within the Application Exhibits, the stepback reduction will allow a form of development that will be compatible with adjacent and nearby areas of the City.

- (6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and*

The development will meet all applicable general and specific standards set forth within City's ordinances and regulations.

- (7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.*

As noted above, the BAR provided preliminary feedback on the applicant's proposal on October 18, 2022. As part of the SUP review process, we understand that the BAR will consider the request again and provide a recommendation to the city council.

For all of the reasons described herein, the Applicant requests an amendment to the Special Use Permit to reduce the building stepback along West Market Street to 10 feet, and the building stepback along Old Preston Avenue to 5 feet, which will be consistent with adjacent areas and nearby in the City. Granting the requested amendment will further the goals of the Comprehensive Plan without creating any adverse impacts on the public.

Thank you for your consideration of this request.

REQUEST FOR STEPBACK RELIEF AT
218 WEST MARKET STREET

218 WEST. MARKET ST.

- ZONE:** MIXED-USE DOWNTOWN CORRIDOR "D"
ARCHITECTURAL DESIGN CONTROL
DISTRICT URBAN CORRIDOR PARKING
ZONE
- PRIMARY STREETS:** WEST MARKET ST., OLD PRESTON AVE.
- LAND AREA:** 0.56 ACRES/24,393 SF
- DENSITY:** 240 DUA - 9/8/20 APPROVED SUP
- DWELLING UNITS:** 134 UNITS - 9/8/20 APPROVED SUP
- STREET WALL HT:** 40' MIN., 45 ' MAX.
- OVERALL HEIGHT:** 101' - PER 9/8/20 APPROVED SUP
- AVERAGE
GRADE PLANE:** 448'-3"
- STEPBACK:** 25' AFTER 45', BOTH STREET WALLS

Sec. 34-558. - Streetwall regulations.

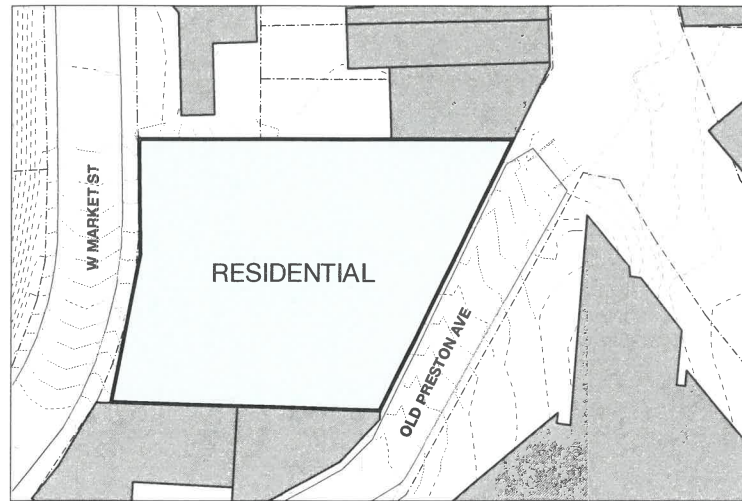
"After forty-five (45) feet, there shall be a minimum stepback of twenty-five (25) feet along the length of the streetwall. However, any streetwall fronting upon a numbered street within this district between Ridge Street and 10th Street, East shall, after forty-five (45) feet, be required to have a stepback of five (5) feet.

SPECIAL USE PERMIT MODIFICATION

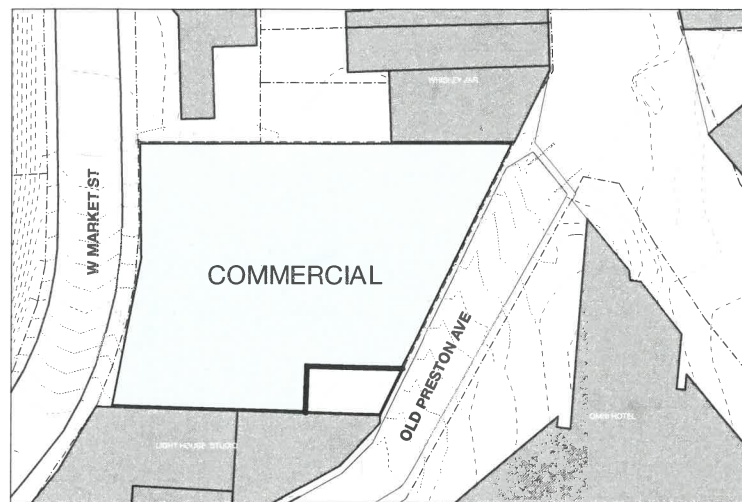
STEPBACK: 5' AFTER 45' ALONG OLD PRESTON AVENUE
10' AFTER 45' ALONG WEST MARKET STREET

"After forty-five (45) feet, there shall be a minimum stepback of five (5') along the length of the Preston Avenue streetwall and ten (10') feet along the length of the West Market Street streetwall.

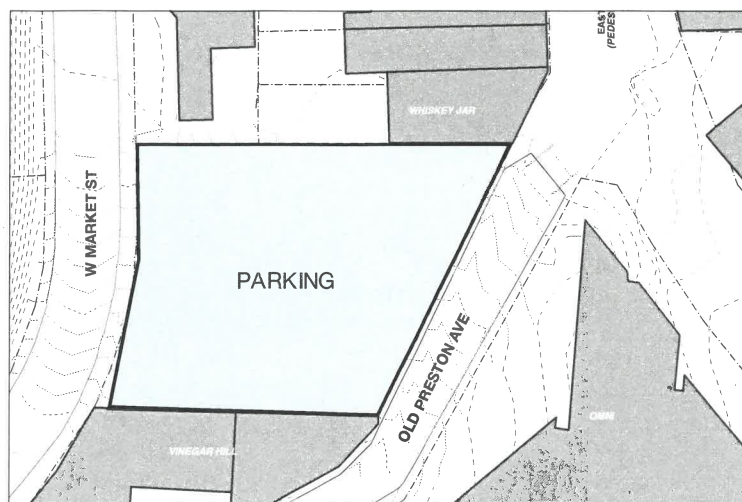




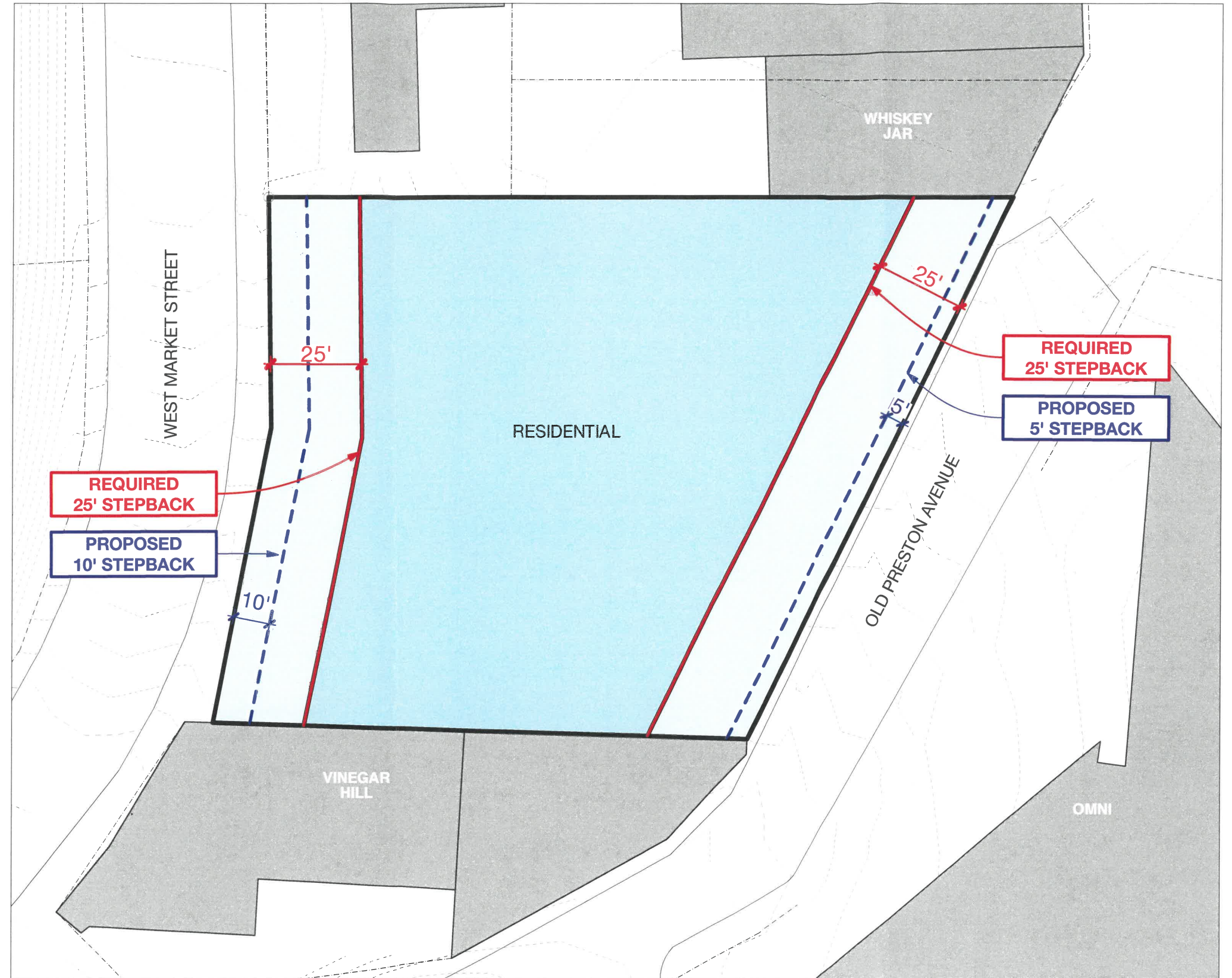
LEVELS 2 AND 3



LEVEL 1



PARKING - BASEMENT LEVEL

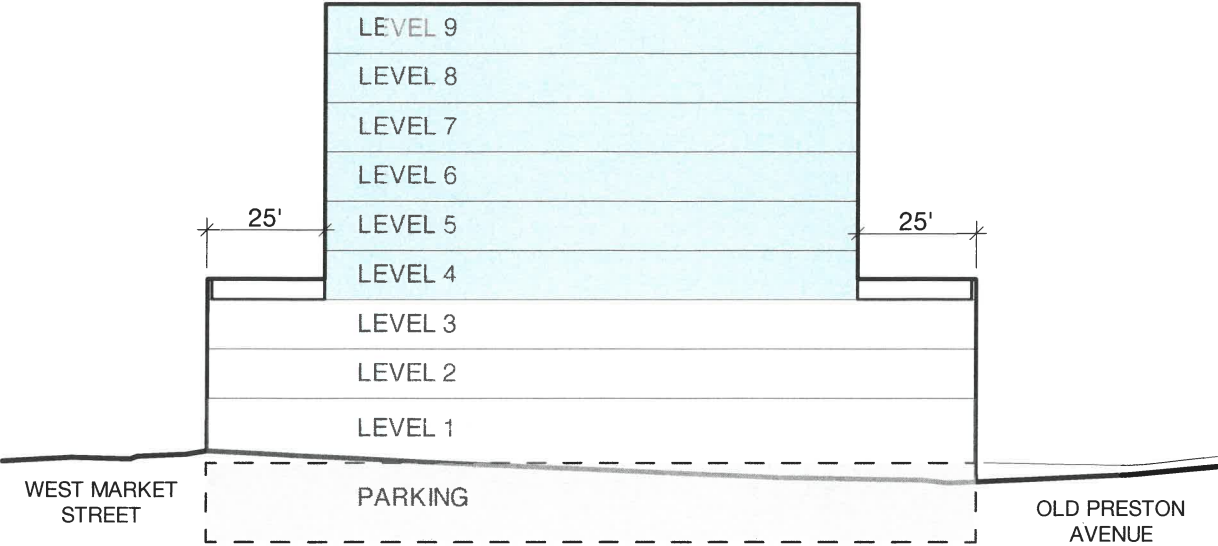


LEVELS 4 -9

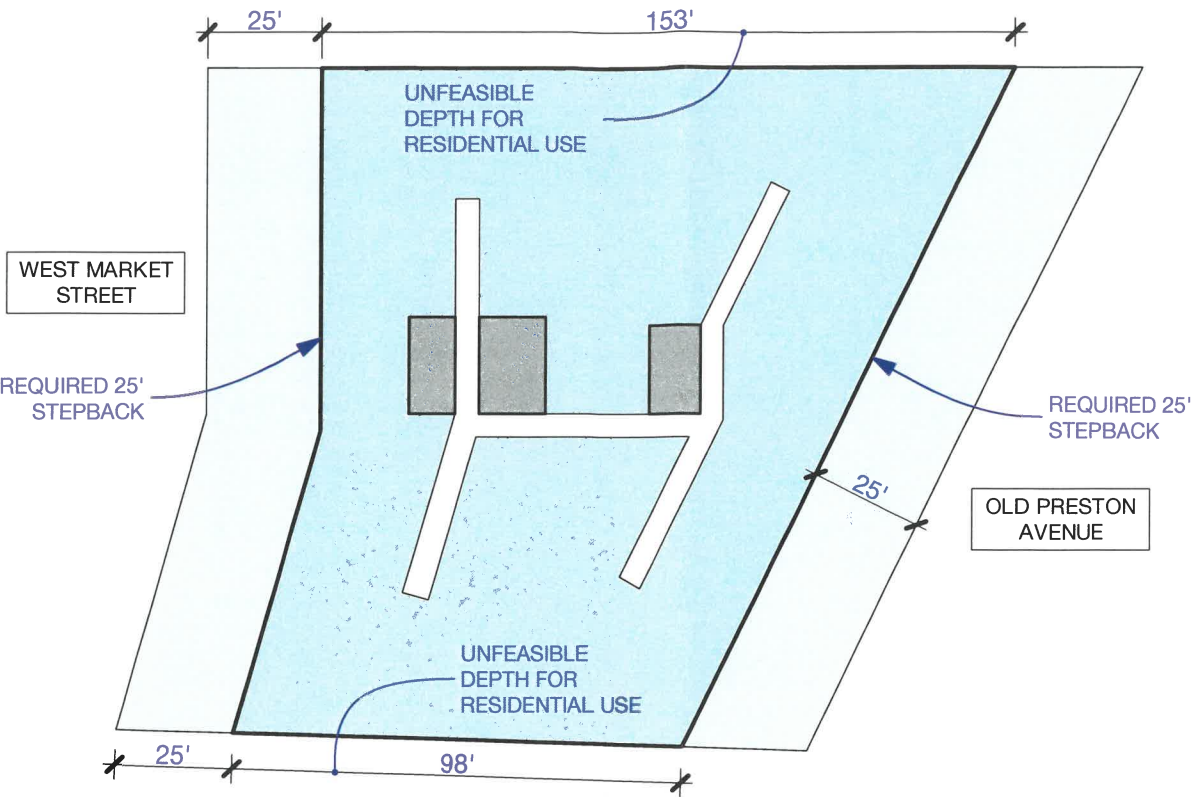


FLOOR PLAN LAYOUTS EXPERIENCE A HARDSHIP FOR PROPERLY DESIGNED RESIDENTIAL UNITS.

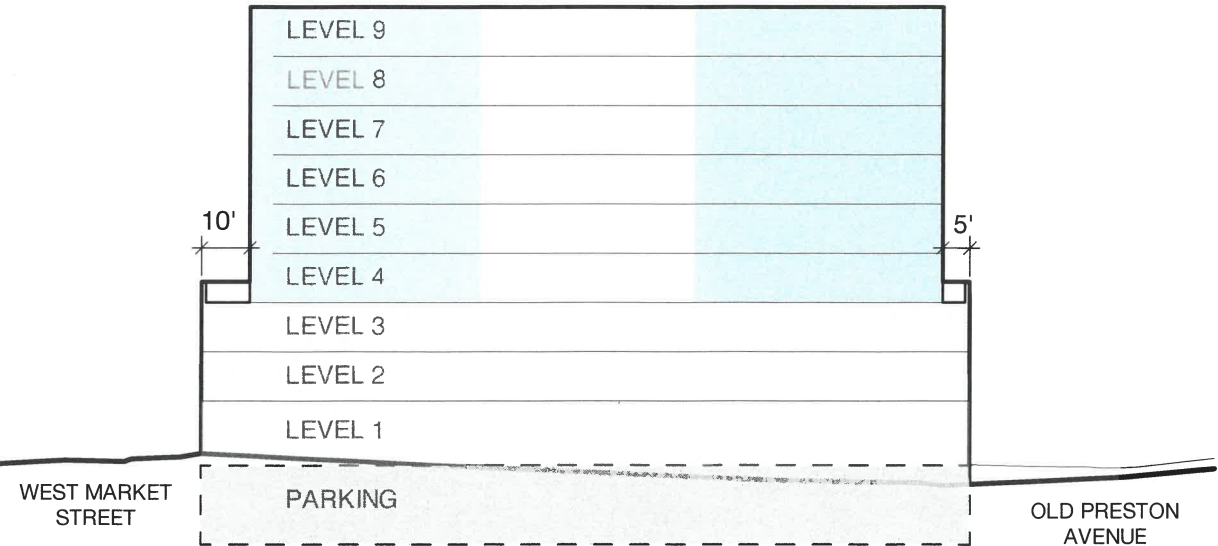
NOTE: STEPBACK RELIEF WILL NOT CHANGE UNIT QUANTITY.



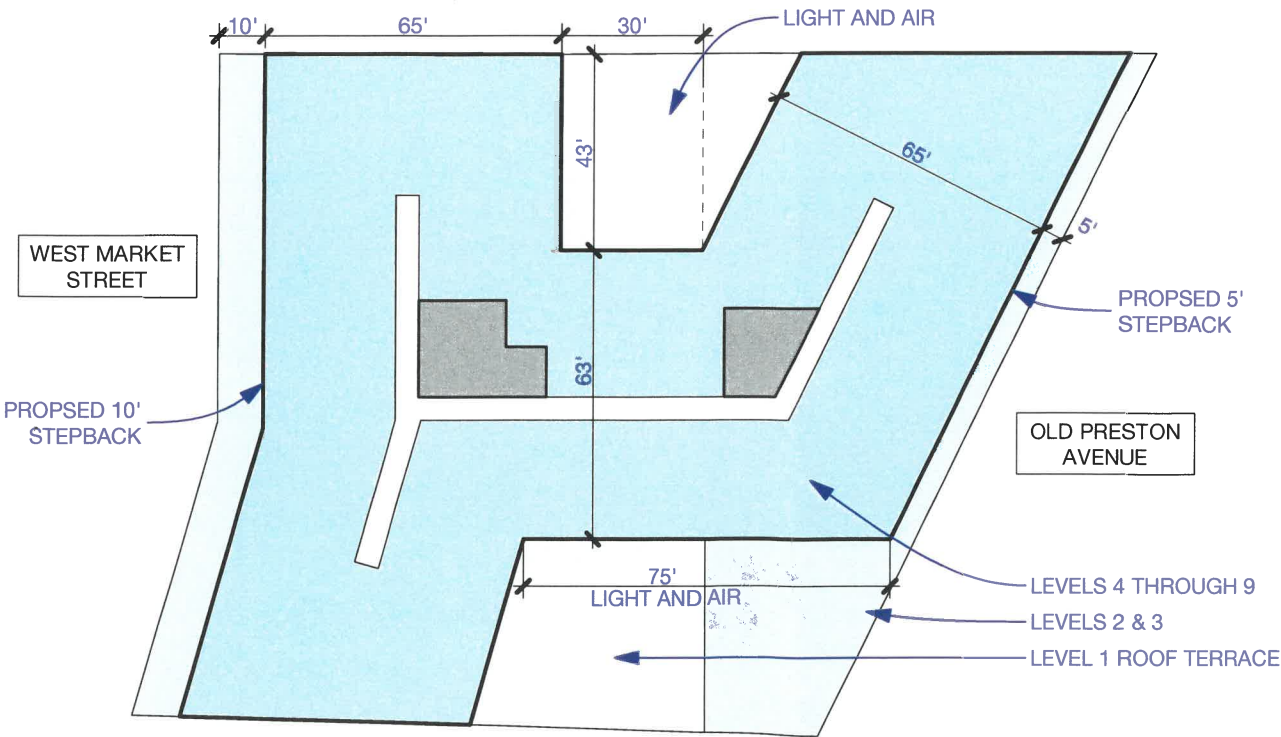
REQUIRED STEPBACKS



REQUIRED STEPBACKS

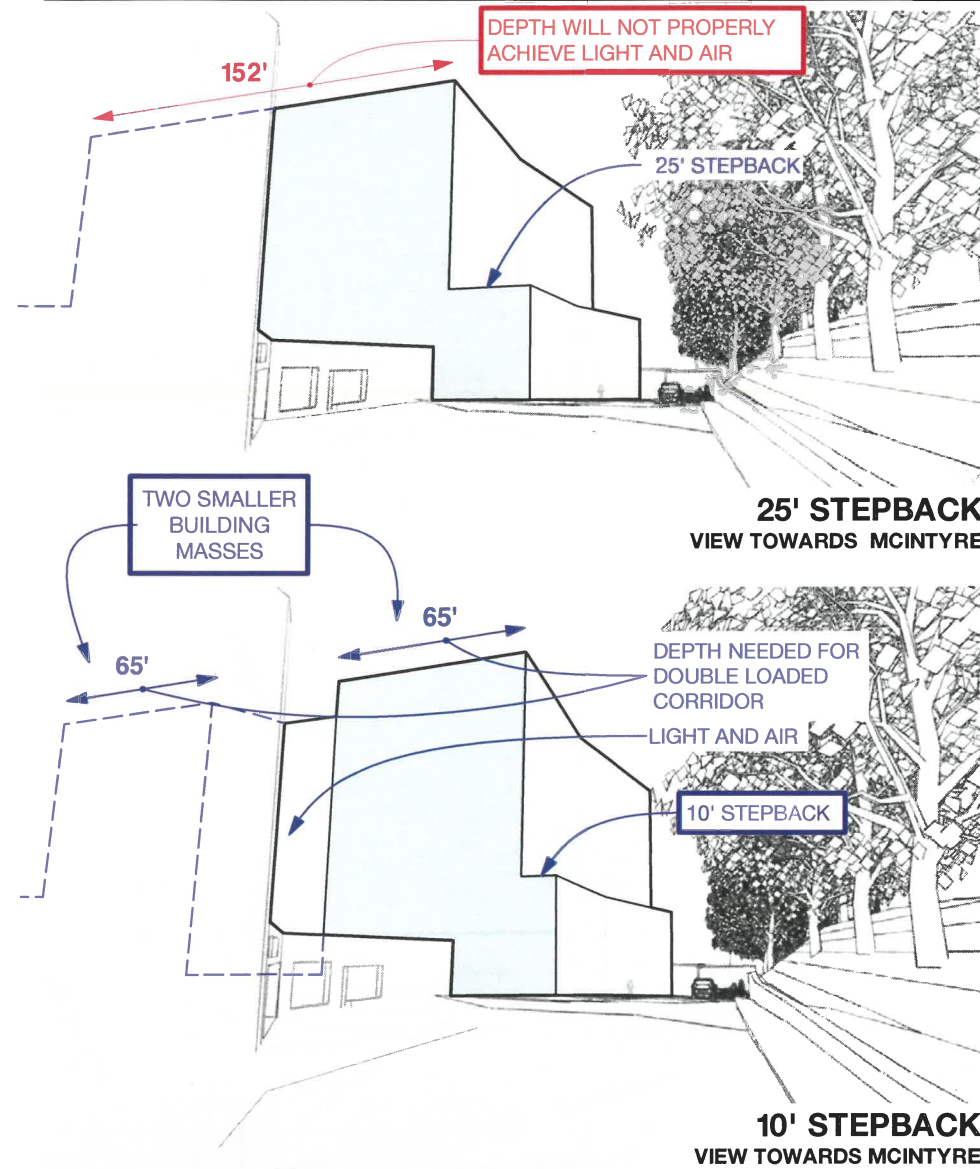


PROPOSED STEPBACKS

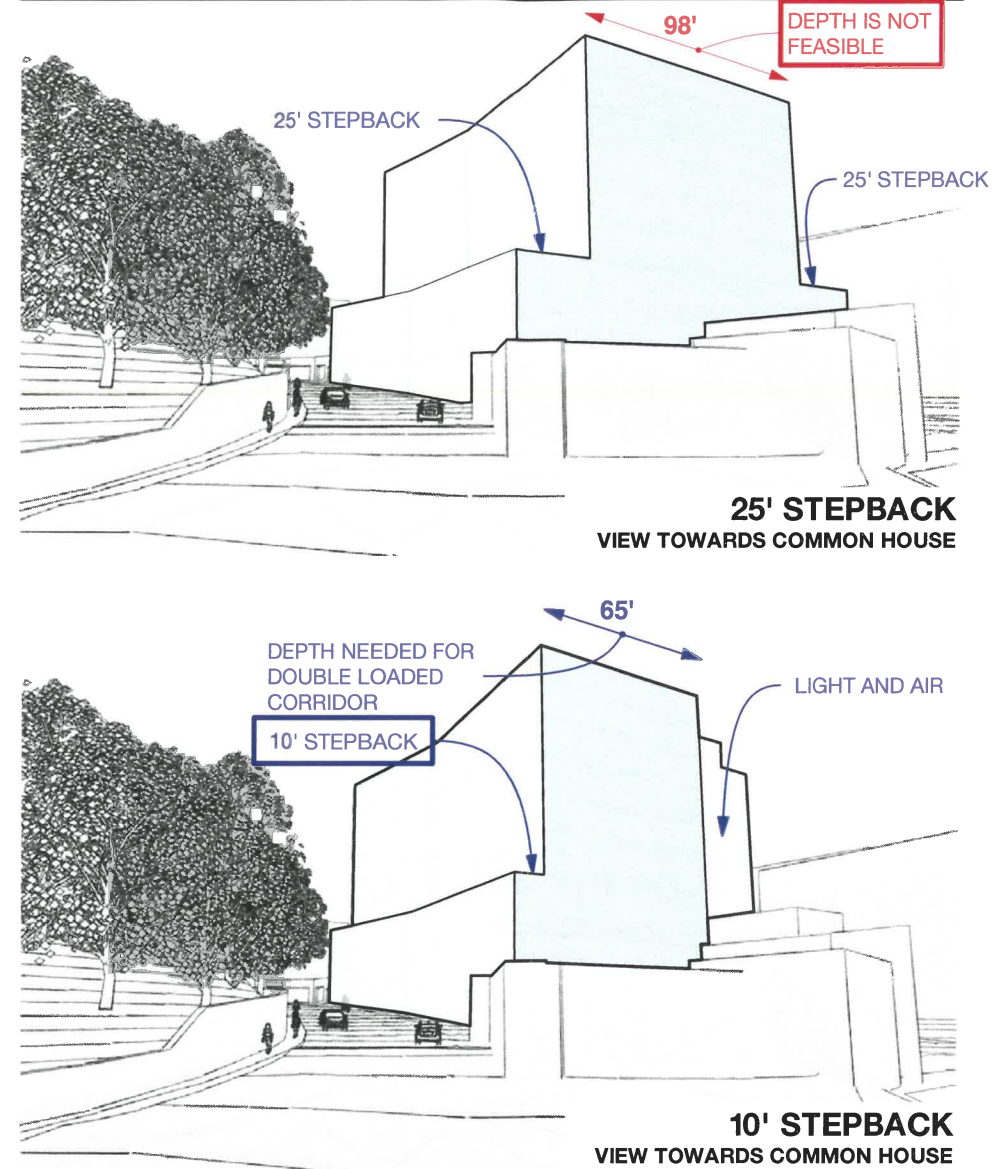


PROPOSED STEPBACKS

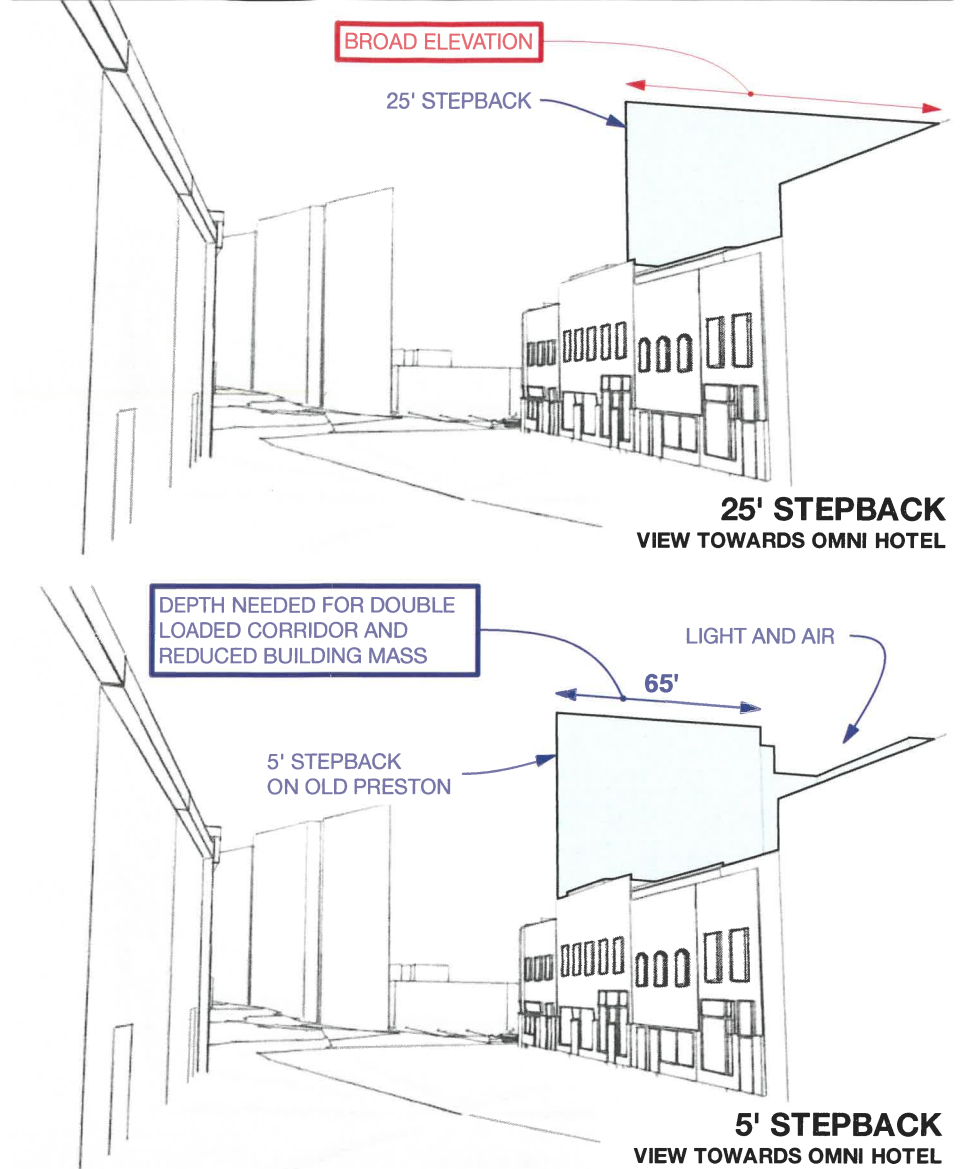
WEST MARKET - VIEW TOWARDS MCINTYRE



WEST MARKET - VIEW TOWARDS COMMON HOUSE



DOWNTOWN MALL - VIEW TOWARDS OMNI HOTEL



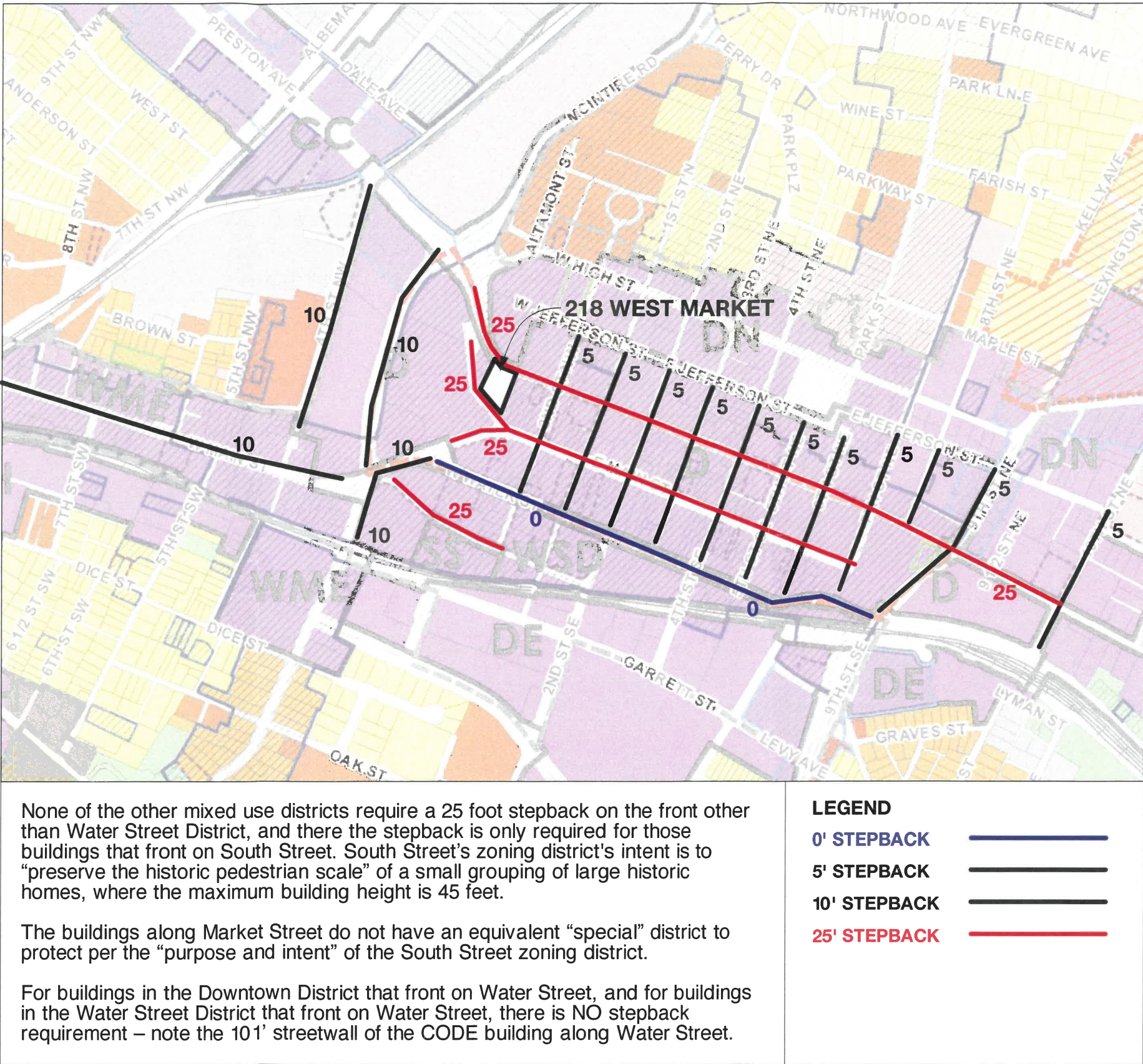
5' AND 10' STEPBACK PRECEDENT AT MIXED-USE LOCATIONS
218 WEST MARKET STREET IS UNIQUELY BURDENED

COMPARISON OF STEPBACK REGULATIONS:

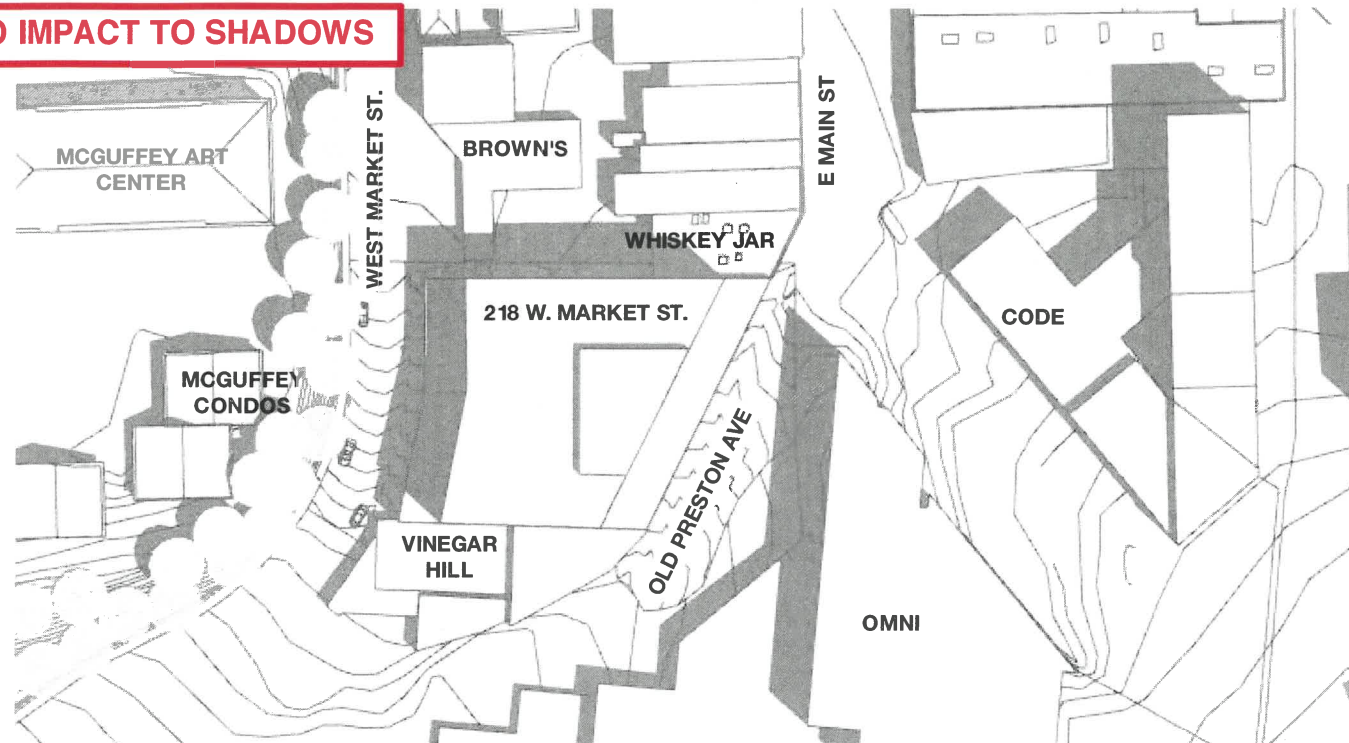
Downtown Stepback Requirement: 25’ stepback after 45’ along entire streetwall. Buildings fronting on Water Street are exempt.

Stepbacks in Nearby Zoning Districts and other Mixed Use Districts:

Downtown Extended:	10’ after 50’, along 70% of the streetwall.
Downtown North:	Only for facades facing a low-density residential district, 10’ after 3 stories, along 70% of the streetwall. Otherwise, none.
Water Street:	None along Water Street.
Along South Street:	25’ after 45’ because of small height limits applicable to the South Street zoning district with historic buildings, and 10’ after 45’ along Ridge Street.
West Main East:	10’ after 40’.
West Main West:	10’ after 40’.
Corridor:	
High Street:	None, max. building height is only 35’.
Neighborhood Commercial	10’ after 45 feet, only along 50% of the streetwall.
Central City Corridor:	10’ after 45’ along 70% of the streetwall.
Highway:	None.
Cherry Ave:	10’ after 35’.
Urban:	None.



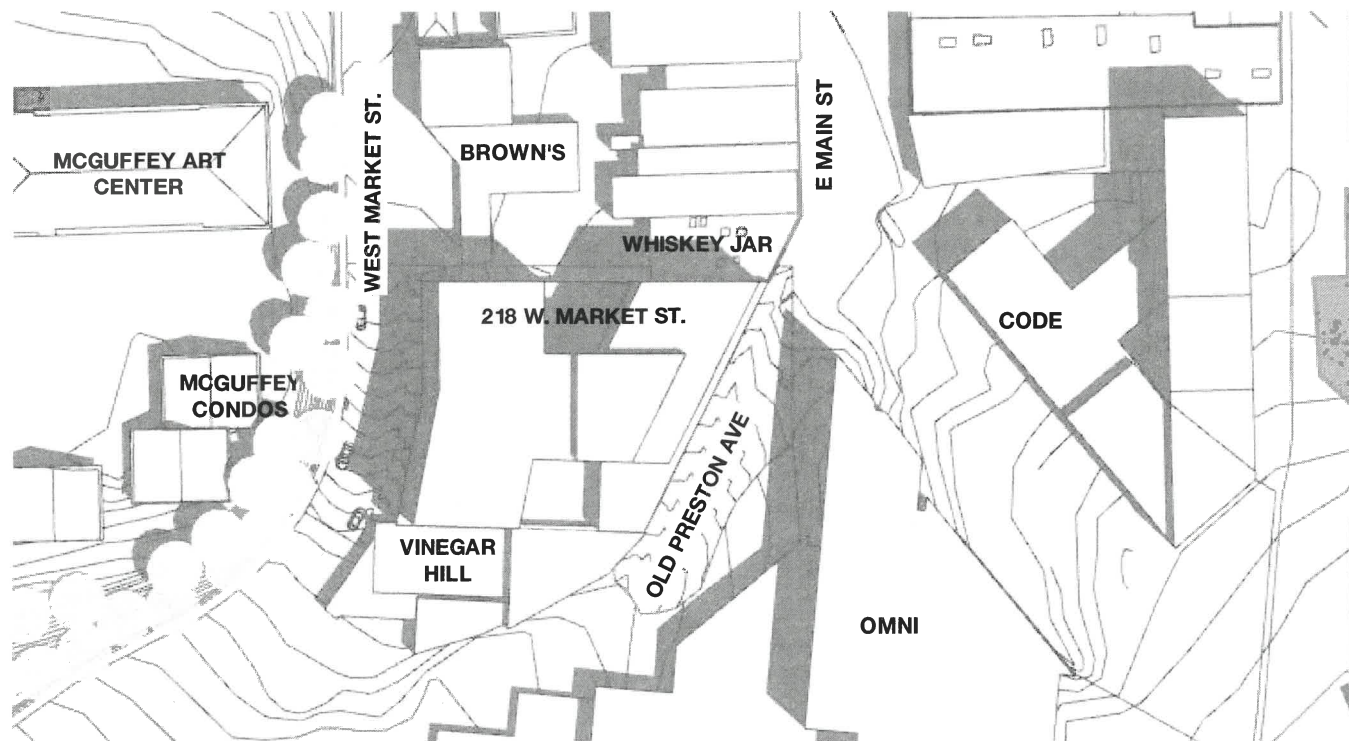
NO IMPACT TO SHADOWS



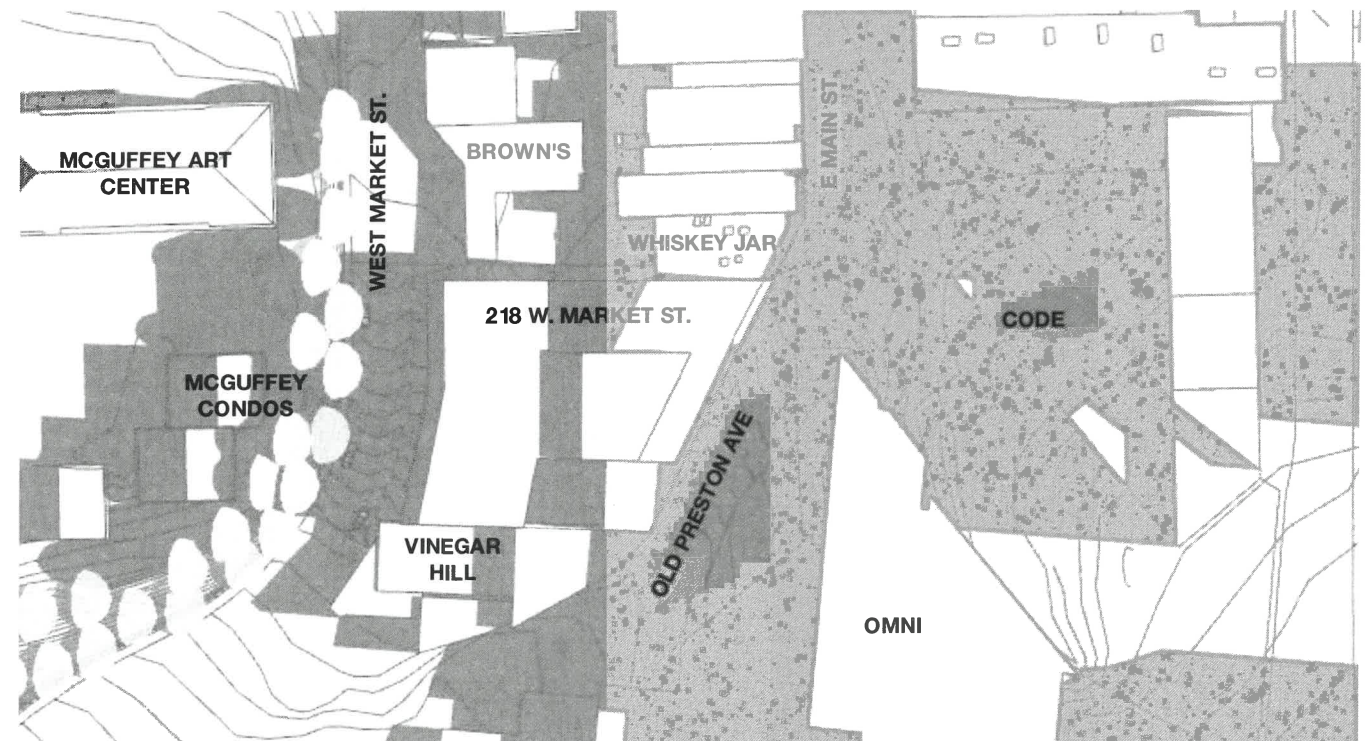
REQUIRED STEPBACKS - LONGEST DAY OF THE YEAR: 2PM JUNE 21ST



REQUIRED STEPBACKS - SHORTEST DAY OF THE YEAR: 2PM DECEMBER 21ST



PROPOSED STEPBACKS - LONGEST DAY OF THE YEAR: 2PM JUNE 21ST



PROPOSED STEPBACKS - LONGEST DAY OF THE YEAR: 2PM DECEMBER 21ST



Certificate of Appropriateness

BAR 23-03-02 (deferred from March 21, 2023)

506 Park Street, TMP 530123000

North Downtown ADC District

Owner: Presbyterian Church Ch'ville Trust

Applicant: Todd Shallenberger, Waterstreet Studio

Project: Landscaping: Memorial Garden and Tree Planting Plan

Application components (please click each link to go directly to PDF page):

- [Staff Report](#)
- [Historic Survey](#)
- [Application Submittal](#)

**City of Charlottesville
Board of Architectural Review
Staff Report
April 18, 2023**



Certificate of Appropriateness Application

BAR 23-03-02

506 Park Street, TMP 530123000

North Downtown ADC District

Owner: Presbyterian Church Ch'ville Trust

Applicant: Todd Shallenberger, Waterstreet Studio

Project: Landscaping: Memorial Garden and Tree Planting Plan



Background

Year Built: 1954 (Fellowship Hall 8th Street constructed in 1986)

District: North Downtown ADC District

Status: Contributing

First Presbyterian Church is designed in the Colonial Revival style and based on James Gibbs' 1722 Saint Martin-in-the-Fields in London.

Prior BAR Actions

March 19, 2019 – BAR approved CoA for entrance and ADA ramp, east elevation of Fellowship Hall.

June 2019 – BAR approved CoA for modifications to ADA entrance at east elevation.

July 2020 – BAR approved CoA for three-story addition to the Fellowship Hall, including new terrace and modifications to the g driveway. Renovate west elevation of Gathering Hall: Remove four arched windows, install French doors; alterations and new landscaping.

March 16, 2021 - BAR approved CoA (amending July 2020 plan) to enclose existing arcade, construct hyphen, construct elevator tower, raze the concrete plaza, revised landscaping plan.

March 28, 2023 – BAR approved applicant deferral after requesting information re: a tree plan for the property, addressing trees removed and proposed replacements, with preference for canopy trees.

Application

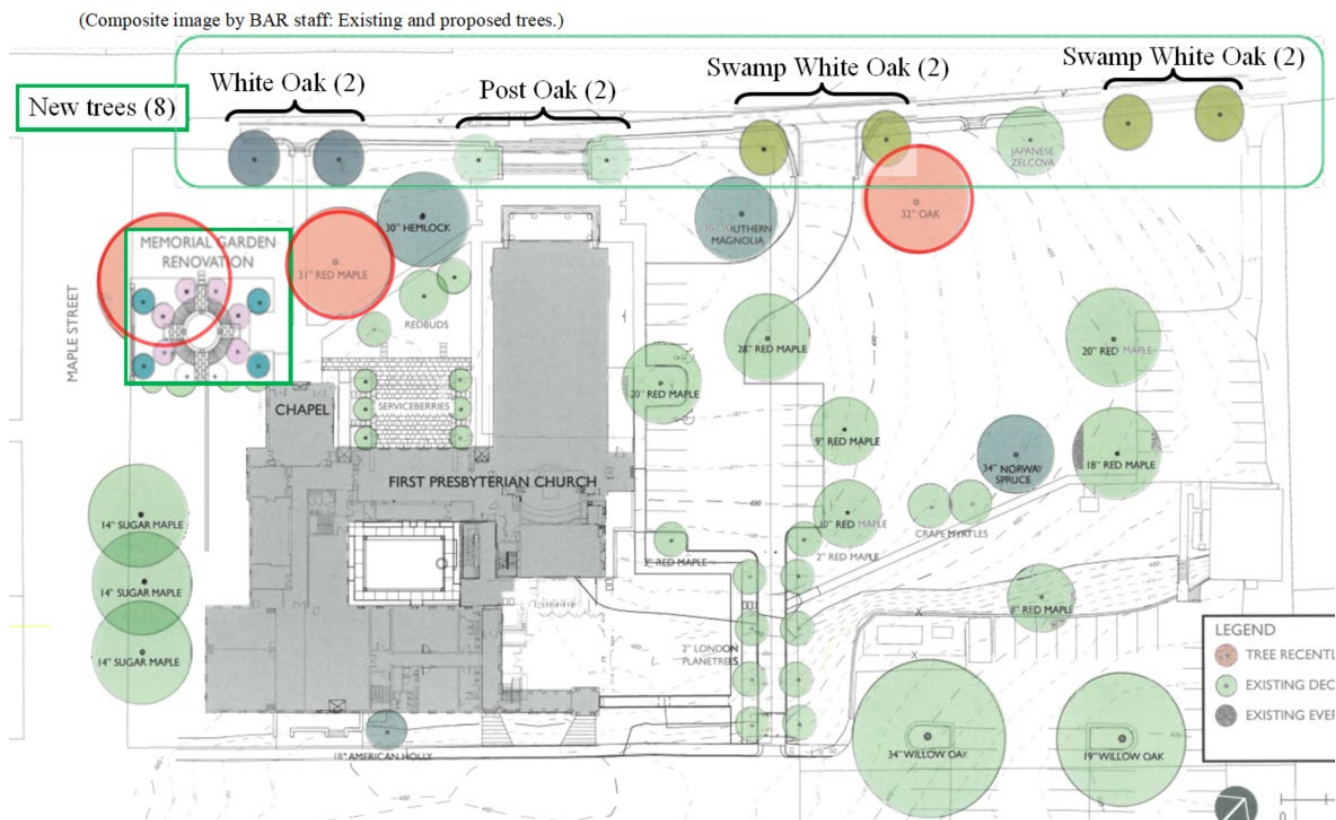
- Applicant submittal:
 - Water Street Studio submittal *First Presbyterian Church Memorial Garden*, dated February 28, 2023, 21 pages. (Note: This is unchanged from the submittal for March 21, 2023.)

- Water Street Studio submittal *Tree Replacement Plan*, dated March 28, 2023, 7 pages.
(Note: This is an addendum to the drawings submitted for March 21, 2023.)

CoA request for alterations to memorial garden and approval of the tree replacement plan.

From the applicant's Feb. 28, 2023 submittal for the memorial garden: Renovation of the memorial garden to provide a more sacrosanct space for events and ceremonies. Bluestone walk will lead from Maple Street and align with existing walk and gathering terrace. (Small entry way at the chapel will be repaved with bluestone.) The paving replicates the cruciform of the granite cross, expressing the cross-axial arrangement with bluestone pavers. The connecting transitions that close the circle will be colored concrete with saw-cut joints in a radial pattern. A low brick wall and piers will match the existing brick wall and mark the southern edge, between the garden and Maple Street. The plantings are structured with 4' tall boxwood hedge forming the space--allowing for privacy and transparency without making opaque green walls. Eight dogwood trees mark each threshold of the axis; four sweetbay magnolias distinguish the two sides. Deciduous shrubs of dwarf fothergilla, winterberry hollies and summersweet contrast with the evergreen hedge. Small 'little missy' boxwoods define the circle and reinforce the bluestone axis. Plantings of perennials, groundcovers, ferns, grasses, and bulbs are intended to provide a predominant white flowering garden with different forms, textures, and four-season interest.

From the applicant's March 28, 2023 tree replacement plan: The church lost three large trees (two oaks and a red maple) recently due to their declining health. The city arborist reviewed and approved these trees for removal. The church would like to replace these trees with species that would increase the tree canopy coverage for the property while enhancing the park street edge and contributing to the entrance corridor.



Discussion and Recommendation

Note: Unless indicated, the comments below are unchanged from the March 21, 2023 staff report. The BAR requested a tree plan for the property, which the applicant has provided. Staff believes this meets the request and recommends approval (with the motion amended as necessary).

Staff finds the proposed landscaping plan is consistent with the design guidelines and recommends approval; ~~however, the BAR should discuss the recent removal of two large trees and resolve with the owner/applicant what is planned for the site's tree coverage. Note: During discussion in 2020 and 2021 regarding proposed alterations, the BAR expressed specific concerns regarding the tree coverage—see links below. (Refer to images in the Appendix.) In front of the chapel and south of the sanctuary, a large tree near Maple Street was recently removed and a 28" tree near the sanctuary (noted on the July 2020 submittal) has also been removed. Neither reviewed by the BAR.~~

~~Link to July 21, 2020 meeting minutes (see pages 27-31):~~ [July 21 2020 BAR mtg minutes](#)

~~Link to March 15, 2021 meeting minutes (see pages 16-20):~~ [March 15 2021 BAR mtg minutes](#)

Additionally (see maps in the Appendix), on this lot prior to construction of the church was a 19th century, two-story brick house. Of historic note, General Philip Sheridan established his headquarters in this house during the Union Army's brief occupation of Charlottesville, from March 3 to March 5 or 6, 1865. Sheridan's cavalry camped further north along Park Street. The arguably more infamous General George Custer established his headquarters at *The Farm* (1202 East Jefferson Street). No evidence suggests the memorial garden area is archeologically significant; however, the applicant should be mindful of the site's history and encouraged to treat appropriately any evidence revealed during excavations.

Suggested Motions

Approval: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed memorial garden plan and tree replacement plan at 506 Park 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.

Denial: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the memorial garden plan and tree replacement plan at 506 Park Street do not satisfy the BAR's criteria and are not compatible with this property and other properties in the North Downtown ADC District, and that for the following reasons the BAR denies the application as submitted:

Criteria, Standards, and Guidelines

Review Criteria Generally

Sec. 34-284(b) of the City Code states that, in considering a particular application the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.

Pertinent Standards for Review of Construction and Alterations include:

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;
- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;
- (4) The effect of the proposed change on the historic district neighborhood;
- (5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;
- (6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;
- (7) Any applicable provisions of the City's Design Guidelines.

Pertinent Guidelines for Site Design and Elements

Link: [Chapter 2 Site Design and Elements](#)

B. Plantings

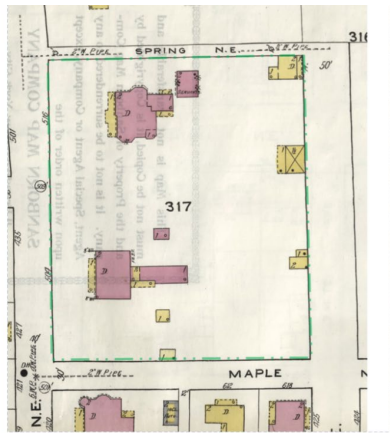
- 1) Encourage the maintenance and planting of large trees on private property along the streetfronts, which contribute to the "avenue" effect.
- 2) Generally, use trees and plants that are compatible with the existing plantings in the neighborhood.
- 3) Use trees and plants that are indigenous to the area.
- 4) Retain existing trees and plants that help define the character of the district, especially street trees and hedges.
- 5) Replace diseased or dead plants with like or similar species if appropriate.
- 6) When constructing new buildings, identify and take care to protect significant existing trees and other plantings.
- 7) Choose ground cover plantings that are compatible with adjacent sites, existing site conditions, and the character of the building.
- 8) Select mulching and edging materials carefully and do not use plastic edgings, lava, crushed rock, unnaturally colored mulch or other historically unsuitable materials.

E. Walkways & Driveways

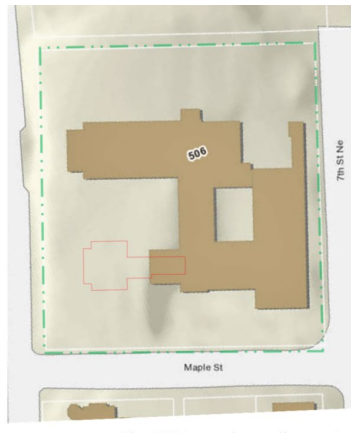
- 1) Use appropriate traditional paving materials like brick, stone, and scored concrete.
- 2) Concrete pavers are appropriate in new construction, and may be appropriate in site renovations, depending on the context of adjacent building materials, and continuity with the surrounding site and district.
- 3) Gravel or stone dust may be appropriate, but must be contained.
- 4) Stamped concrete and stamped asphalt are not appropriate paving materials.
- 5) Limit asphalt use to driveways and parking areas.
- 6) Place driveways through the front yard only when no rear access to parking is available.
- 7) Do not demolish historic structures to provide areas for parking.
- 8) Add separate pedestrian pathways within larger parking lots, and provide crosswalks at vehicular lanes within a site.

Appendix:

Prior residence at 506 Park Street

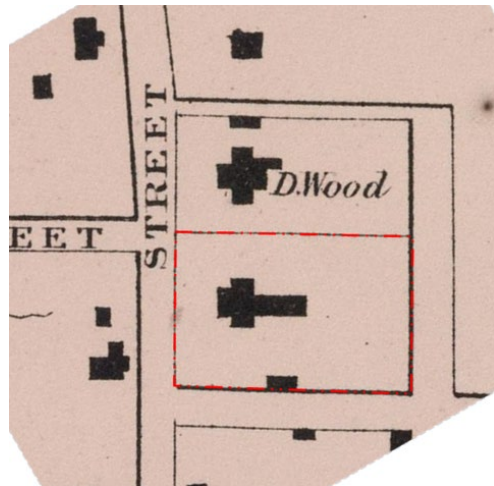


1920 Sanborn Map

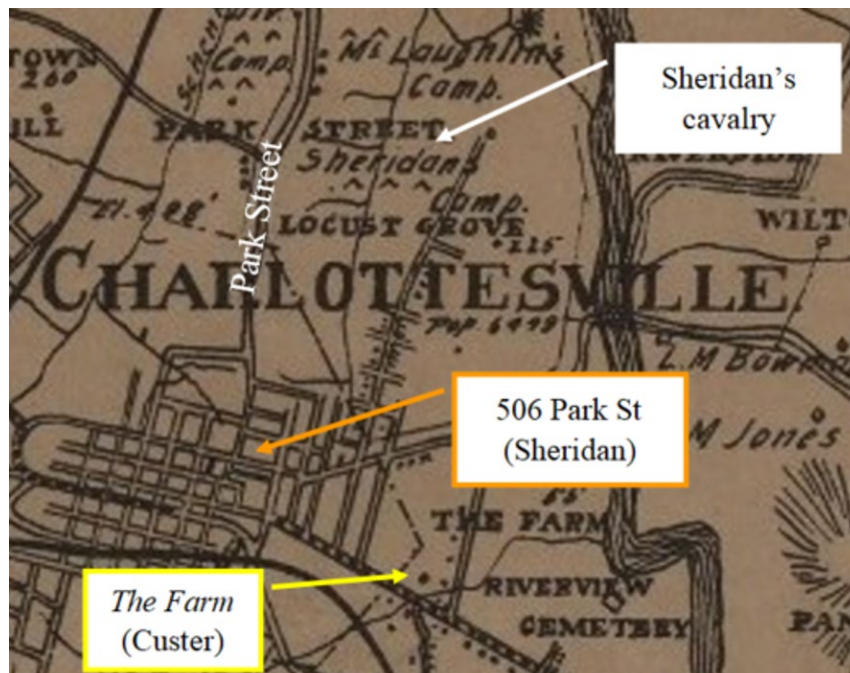


City GIS (approximate alignment)

1877 Grey Map



1907 Massie Map



LANDMARK



SURVEY

IDENTIFICATION

Street Address: 500 Park Street
 Map and Parcel: 53-123
 Census Tract & Block: 3-416
 Present Owner: Presbyterian Church of Ch'ville.
 Address: 500 Park Street
 Present Use: House of Worship
 Original Owner: First Presbyterian Church
 Original Use: House of Worship

BASE DATA

Historic Name: First Presbyterian Church
 Date/Period: 1955
 Style: Colonial Revival
 Height to Cornice:
 Height in Stories: 1
 Present Zoning: B-1
 Land Area (sq.ft.): 170 x 270
 Assessed Value (land + imp.): 28,000 + 255,960 = 283,960

ARCHITECTURAL DESCRIPTION

The First Presbyterian Church is a 1955 Neo-Georgian church based on James Gibbs' 1722 masterpiece St. Martin-in-the-Fields in London. Unlike Wren's churches with the adjunct steeple, Gibbs unified the plan and placed the spire at the west end of the church between the portico and the nave. The plan remains a classic to this day. Large, circular headed windows link the sanctuary with the educational wing to the south. The brickwork is very fine and the structure is nicely integrated with its site.

HISTORICAL DESCRIPTION

In 1819 the Presbyterians of Charlottesville and the neighboring district joined together to form the South Plains Presbyterian Church. The church lacked regular ministerial services until 1824 when the Rev. Francis Bowman, a graduate of Princeton Theological Seminary, became the pastor. He resided at 416 Park St. Their first Meeting House was built on the southeast corner of Market and 2nd St. N.E. in 1827. In 1856 this structure was replaced with a Gothic Revival building. In 1898 the congregation moved to a new building on the southwest corner of Market and 2nd St., N.E. In 1951 the church secured the John Kelly and Drury Wood property on Park St. with construction commencing in 1955. The decision to locate on Park St. resulted in the destruction of 3 architecturally and historically significant 19th century structures and an interruption of the residential scale and rhythm of the neighborhood. The local architectural firm of Stainback & Scribner designed the Neo-Georgian Church.

GRAPHICS

CONDITIONS

Good

SOURCES

City Records
 First Presbyterian Church Annul Report, 1973



FIRST PRESBYTERIAN CHURCH
MEMORIAL GARDEN RENOVATION
28 FEBRUARY 2023

NARRATIVE

EXISTING CONDITIONS:

THE PROJECT ENTAILS A RENOVATION OF AN EXISTING MEMORIAL GARDEN ON THE SOUTHWEST SIDE OF THE FIRST PRESBYTERIAN CHURCH PROPERTY NEAR THE CORNER OF PARK STREET AND MAPLE STREET. A CONCRETE WALK LEADS FROM MAPLE STREET AND PROVIDES AN ACCESSIBLE ENTRANCE TO THE MEMORIAL GARDEN. THE GARDEN IS COMPRISED OF CONCRETE PAVERS WITH STEEL EDGING THAT IS CENTERED AROUND A CIRCULAR PLANTING BED WITH A GRANITE CROSS. EXISTING PLANTINGS OF NANDINA, JAPANESE HOLLIES, BOXWOODS, LILY TURF AND FLOWERING DOGWOODS ARE LOOSELY ARRANGED AROUND THE PERIMETER WHILE AN ARRAY OF ANNUALS PROVIDES A SPLASH OF COLOR IN THE CENTRAL BED. THERE ARE THREE POST LIGHTS THAT LOOK OUTDATED AND WILL BE REPLACED, AND SOME GRANITE BENCHES WILL BE REUSED. MOST OF THESE ELEMENTS WILL BE DEMOLISHED EXCEPT FOR THE GRANITE CROSS, THE CENTRAL PLANTING BED INSIDE THE CIRCLE, AND THE INNER MOST STEEL EDGING. BESIDES THE GRANITE BENCHES, A GARDEN PLAQUE AND TWO FLOWERING DOGWOODS WILL BE SALVAGED AND RELOCATED IN THE NEW DESIGN FOR THE GARDEN.

RENOVATION OF THE MEMORIAL GARDEN:

THE INTENT OF THE GARDEN IS TO PROVIDE A MORE SACROSANCT SPACE FOR EVENTS AND CEREMONIES. A NEW BLUESTONE WALK WILL LEAD FROM MAPLE STREET AND ALIGN WITH AN EXISTING WALK AND GATHERING TERRACE. A SMALL ENTRY WAY IN FRONT OF THE CHAPEL WILL BE REPAVED WITH BLUESTONE. THE PAVING DESIGN FOR THE MEMORIAL GARDEN REPLICATES THE CRUCIFORM OF THE GRANITE CROSS BY EXPRESSING THE CROSS-AXIAL ARRANGEMENT WITH BLUESTONE PAVERS. THE CONNECTING TRANSITIONS THAT CLOSE THE CIRCLE WILL BE COLORED CONCRETE WITH SAW CUT JOINTS IN A RADIAL PATTERN. A LOW BRICK WALL AND PIERS WILL MATCH THE EXISTING BRICK WALL AND MARK THE SOUTHERN EDGE BETWEEN THE GARDEN AND MAPLE STREET.

THE PLANTING FOR THE GARDEN IS STRUCTURED WITH 4' TALL BOXWOOD HEDGES THAT HELP FORMS THE SPACE, ALLOWING FOR SOME PRIVACY AND TRANSPARENCY WITHOUT MAKING OPAQUE GREEN WALLS. EIGHT FLOWERING DOGWOOD TREES MARK EACH THRESHOLD OF THE AXIS WHILE FOUR SWEETBAY MAGNOLIAS DISTINGUISH THE TWO SIDES. DECIDUOUS SHRUBS OF DWARF FOTHERGILLA, WINTERBERRY HOLLIES AND SUMMERSWEET CONTRAST WITH THE EVERGREEN HEDGES. SMALL 'LITTLE MISSY' BOXWOODS HELP DEFINES THE CIRCLE AND REINFORCES THE BLUESTONE AXIS. THE OTHER PLANTINGS OF PERENNIALS, GROUNDCOVERS, FERNS, GRASSES, AND BULBS ARE INTENDED TO PROVIDE A PREDOMINANT WHITE FLOWERING GARDEN WITH DIFFERENT FORMS, TEXTURES, AND FOUR SEASONS INTEREST.

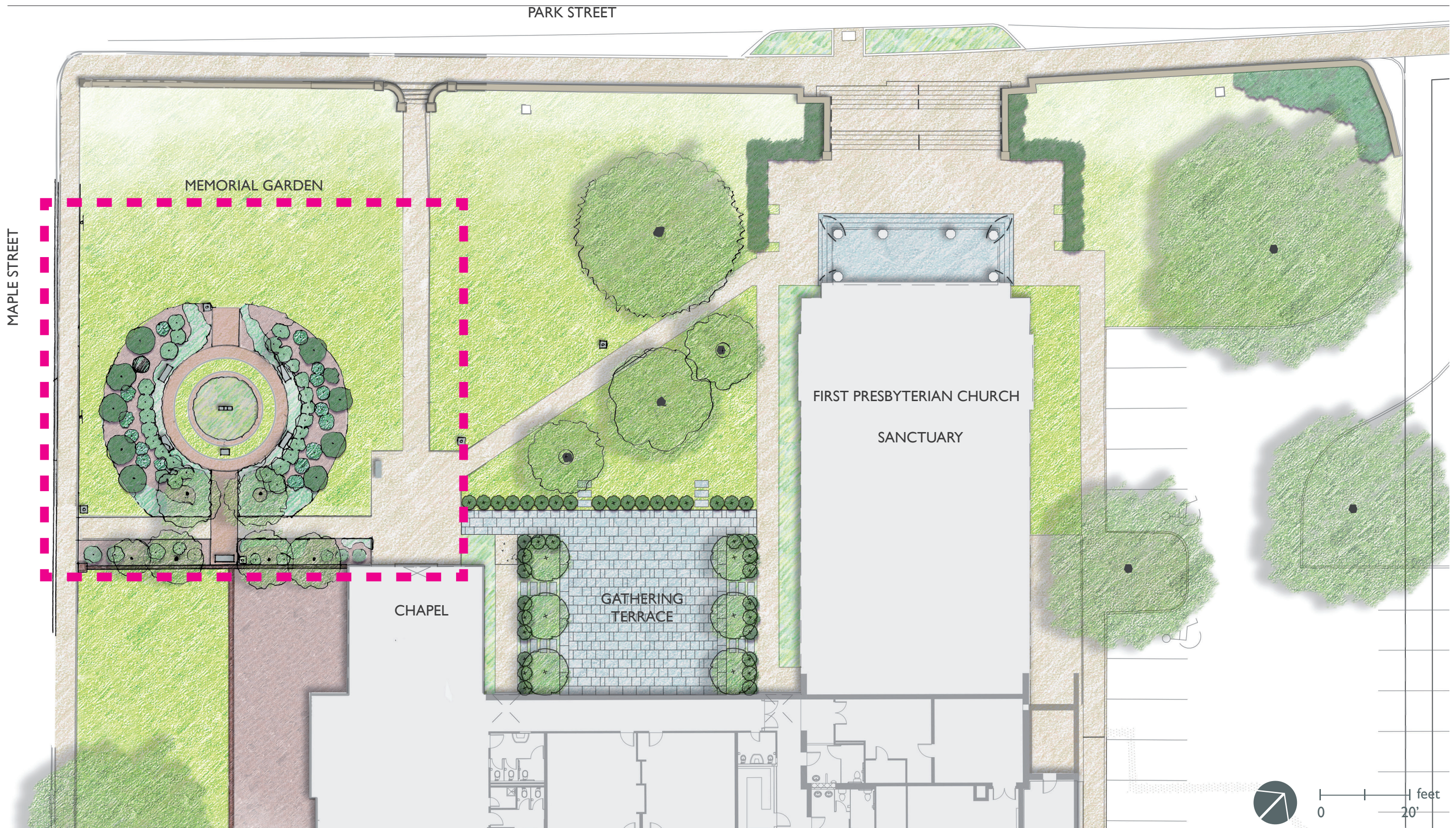


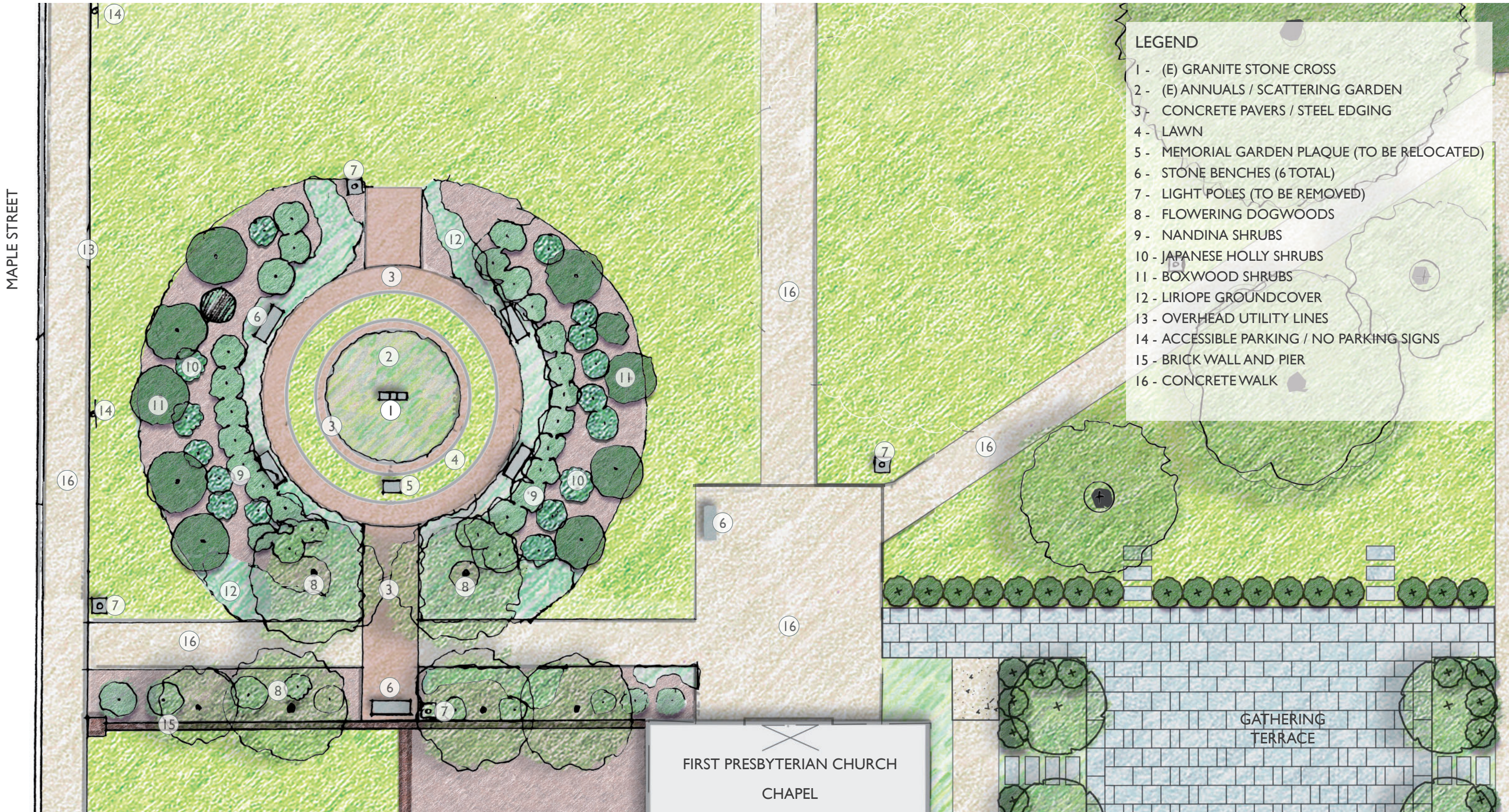
CONTEXT PLAN



waterstreetstudio
landscape architecture | civil engineering

FIRST PRESBYTERIAN CHURCH
MEMORIAL GARDEN RENOVATION
28 | FEBRUARY | 2023

















PARK STREET

MAPLE STREET

MEMORIAL GARDEN

FIRST PRESBYTERIAN CHURCH
SANCTUARY

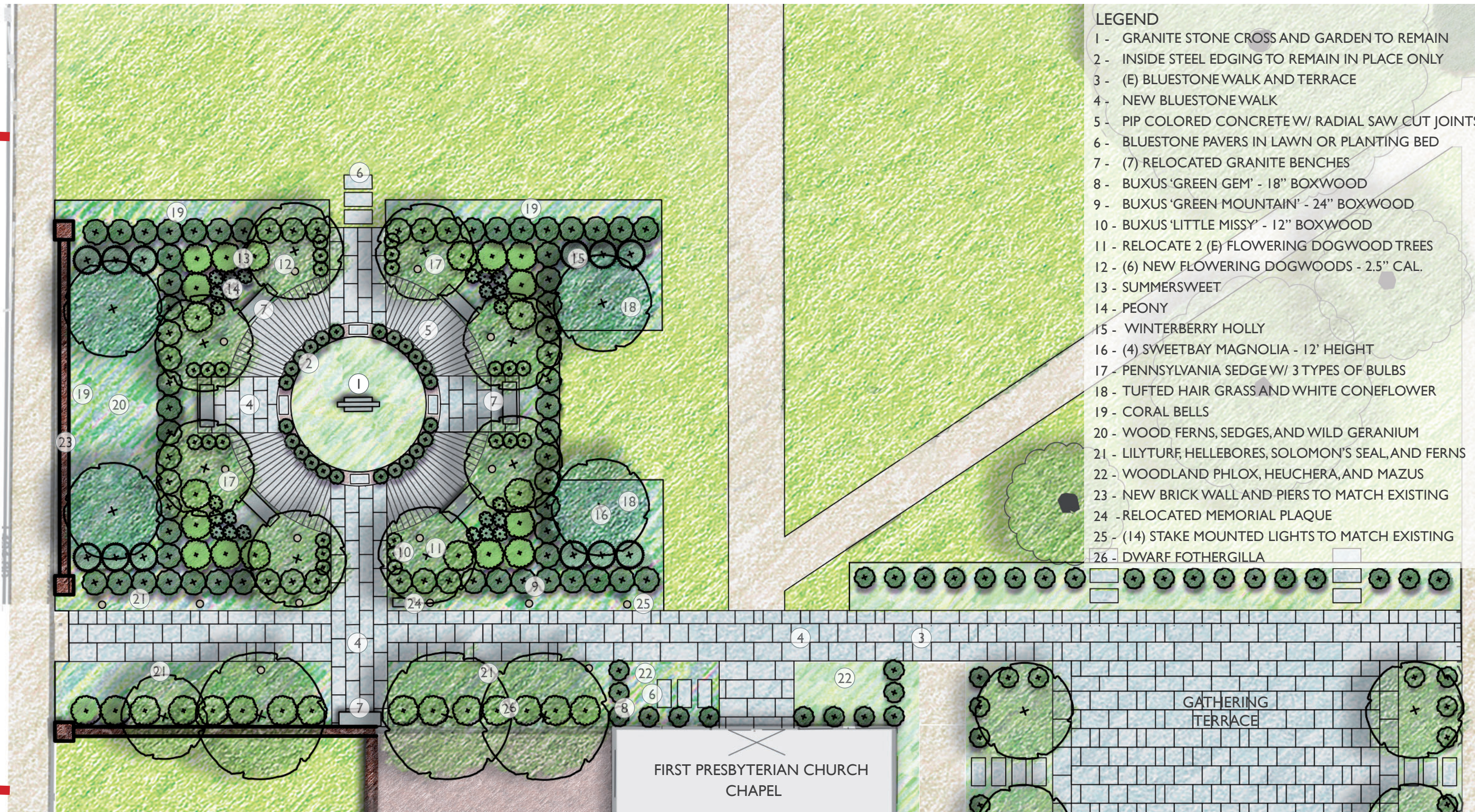
CHAPEL

GATHERING
TERRACE

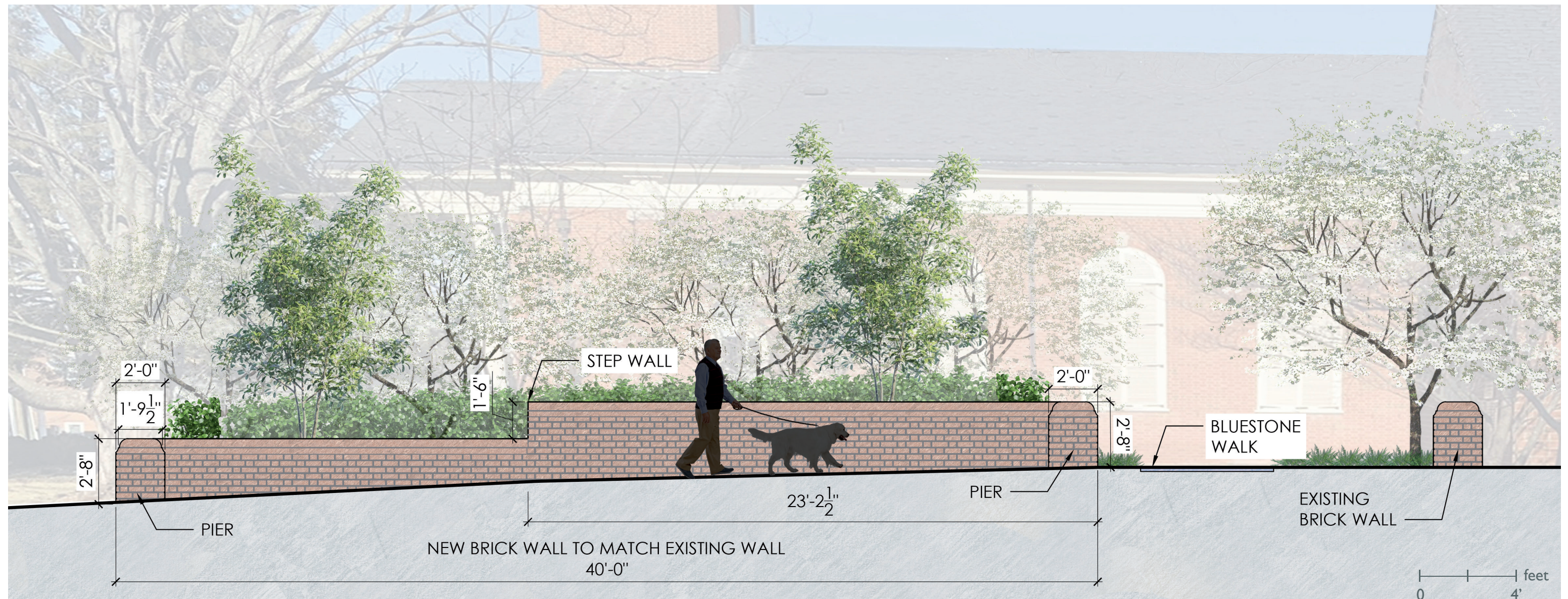


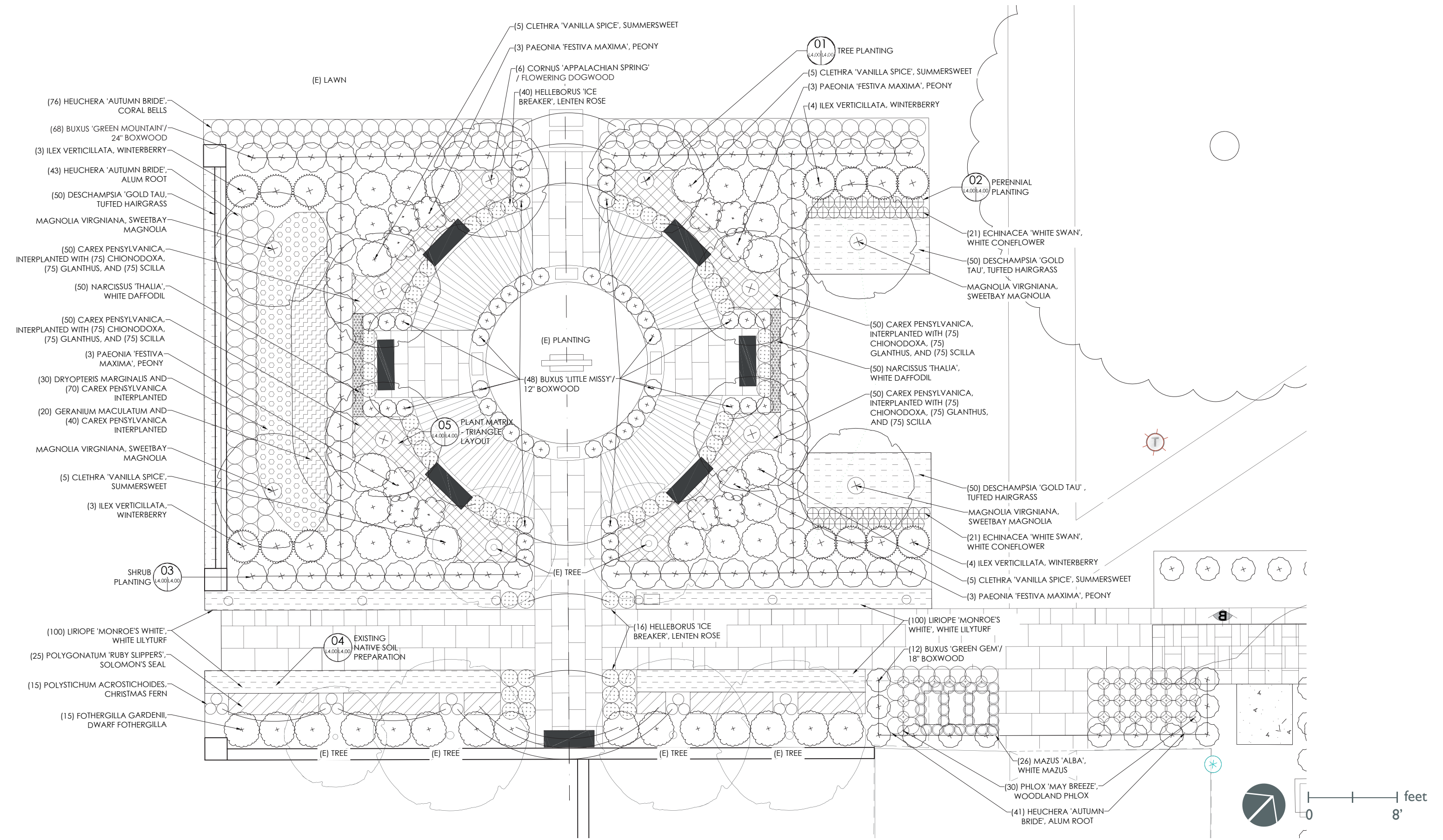
0 20' feet

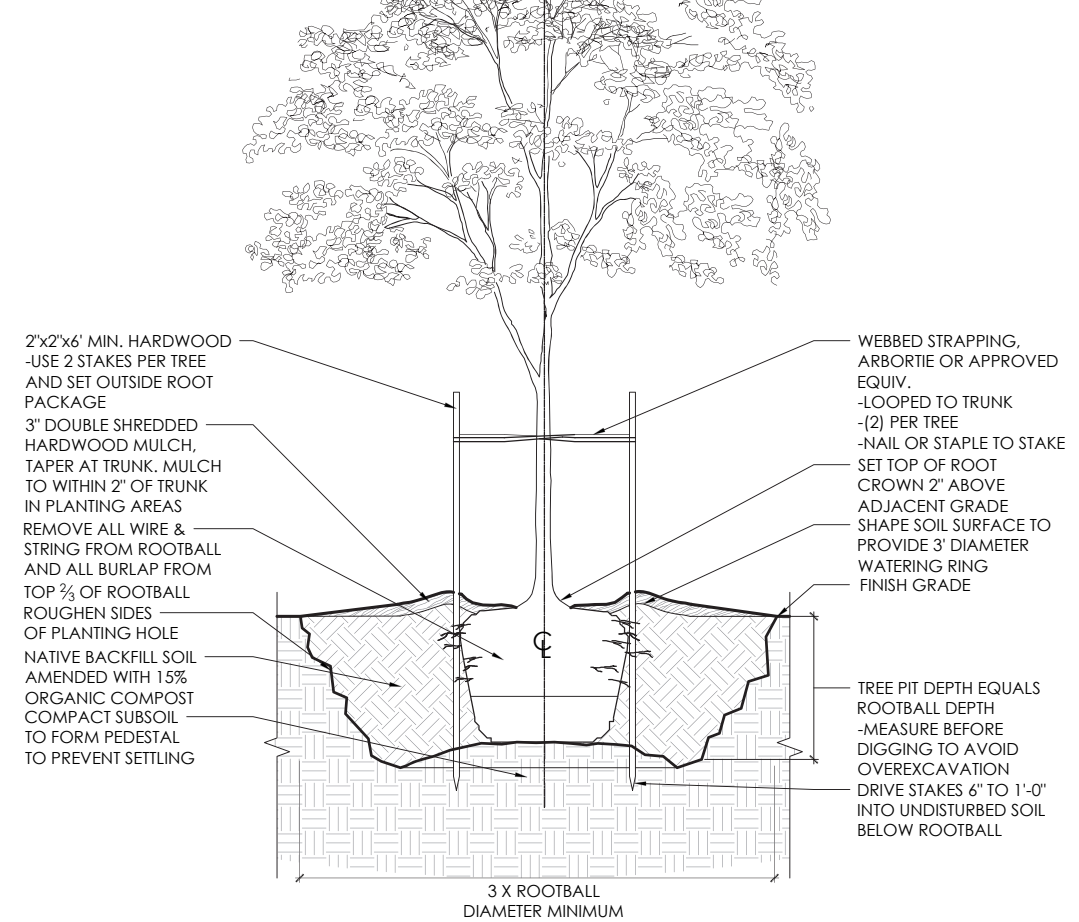
MAPLE STREET



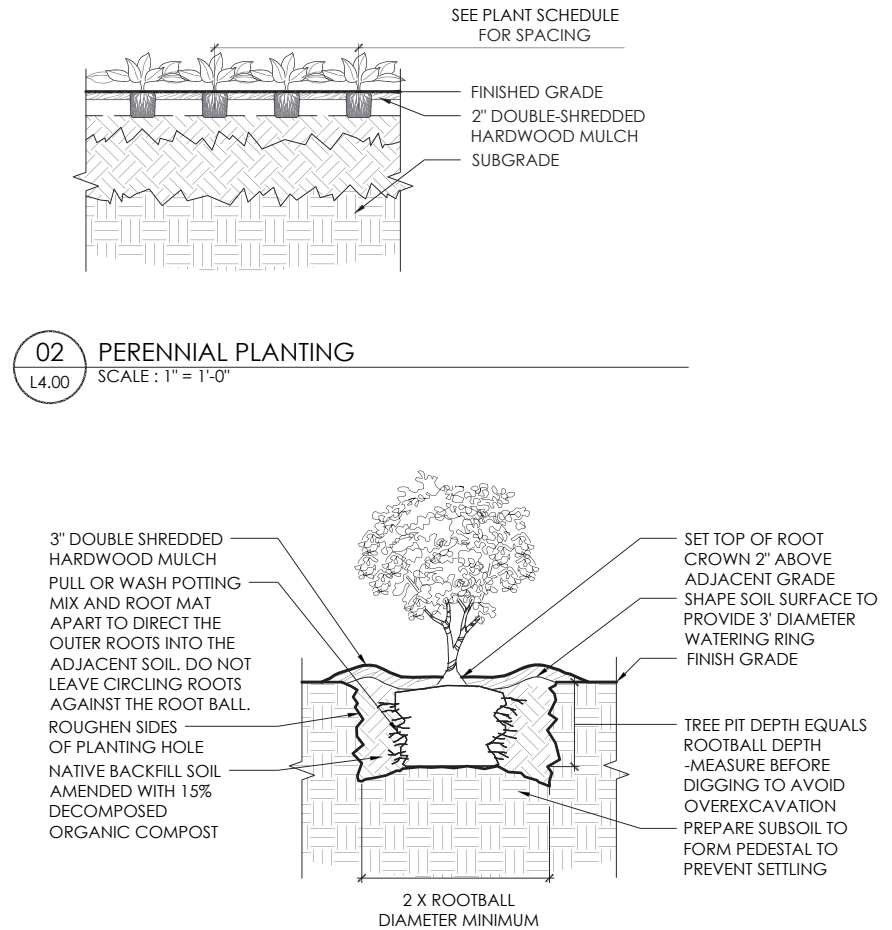
0 10' feet



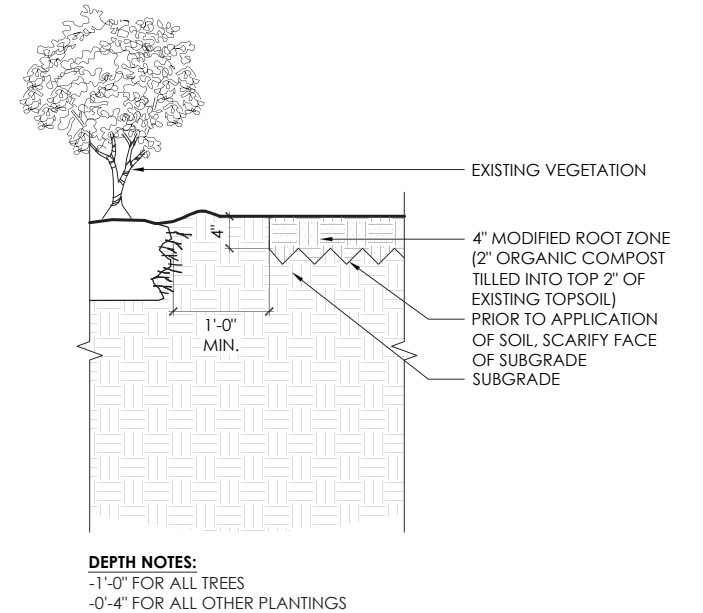




01 TREE PLANTING
L4.00 SCALE : 1" = 1'-0"

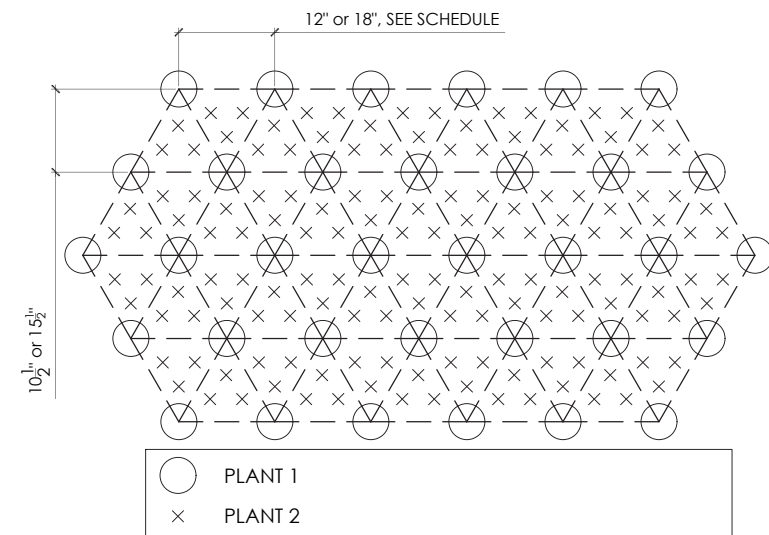


02 PERENNIAL PLANTING
L4.00 SCALE : 1" = 1'-0"



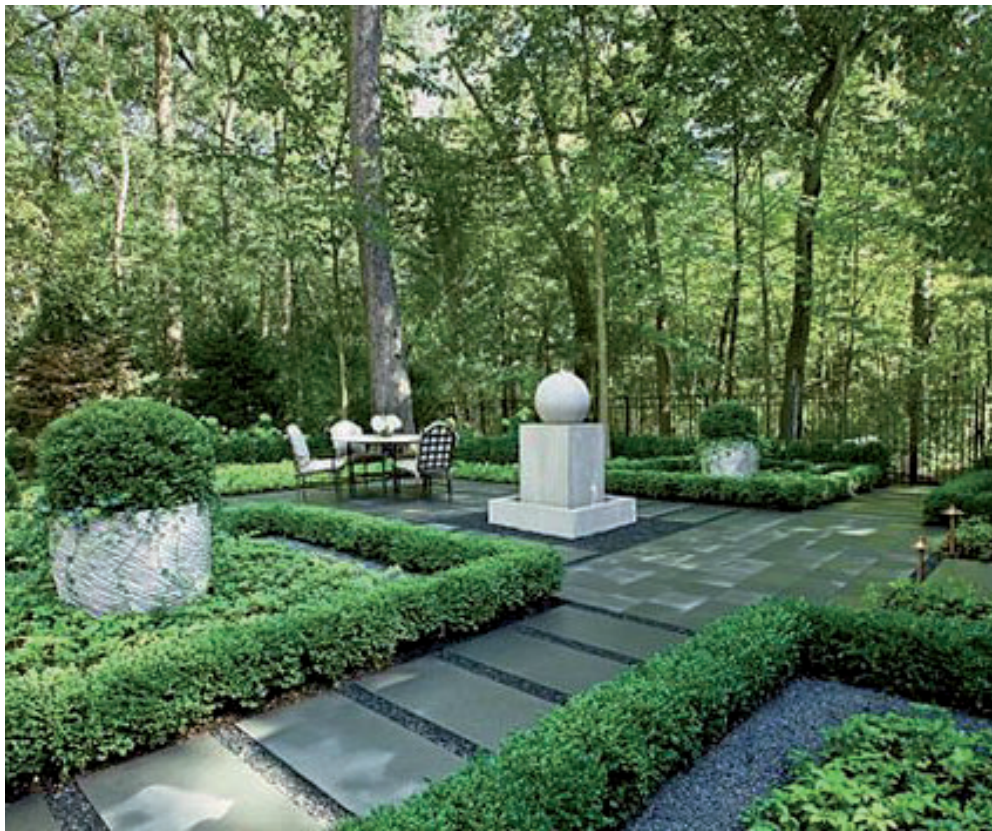
03 SHRUB PLANTING
L4.00 SCALE : 1" = 1'-0"

04 EXISTING NATIVE SOIL PREPARATION
L4.00 SCALE : 1" = 1'-0"



05 PLANT MATRIX - TRIANGLE LAYOUT
L4.00 SCALE : 1" = 1'-0"

PLANT SCHEDULE							
QTY.	SYMBOL	Scientific Name	Common Name	Size	Spacing	Root	Notes
TREES							
6		<i>Cornus florida</i> 'Appalachian Spring'	Flowering Dogwood	2 1/2" Cal.	AS SHOWN	B&B	Matched specimen
4		<i>Magnolia virginiana</i>	Sweetbay Magnolia	2 1/2" Cal.	AS SHOWN	B&B	Matched specimen; multi stem
SHRUBS							
12		<i>Buxus</i> 'Green Gem'	Boxwood	15-18" tall	18" O.C.	3 Gal.	3-4' tall
68		<i>Buxus</i> 'Green Mountain'	Boxwood	24-30" tall	24" O.C.	B&B	4' tall
48		<i>Buxus</i> 'Little Missy'	Boxwood	9" tall	12" O.C.	3 Gal.	
20		<i>Clethra alnifolia</i> 'Vanilla Spice'	Summersweet	15-18" tall	60" O.C.	3 Gal.	Part shade to full sun, summer bloom
15		<i>Fothergilla gardenii</i>	Dwarf Fothergilla	15-18" tall	36" O.C.	3 Gal.	Part sun to full sun, spring bloom
14		<i>Ilex verticillata</i> 'Jim Dandy' and 'Red Sprite'	Winterberry	15-24" tall	60" O.C.	3 Gal.	One 'Jim Dandy' for every 5 'Red Sprite'
PERENNIALS + GRASSES							
310		<i>Carex pensylvanica</i>	Pennsylvania Sedge		12" O.C.	LP	Full to part shade, 8-10" height
150		<i>Deschampsia cespitosa</i> 'Goldtau'	Tufted Hairgrass		12" O.C.	LP	Full to part sun, jun-sep bloom, 1-2' height
30		<i>Dryopteris marginalis</i>	Eastern Woodfern		12" O.C.	LP	Full-part shade, 12-18" height
42		<i>Echinacea purpurea</i> 'White Swan'	White Coneflower		12" O.C.	LP	Full-part sun, mid-summer bloom, 2-3' height
20		<i>Geranium maculatum</i>	Wild Geranium		12" O.C.	LP	Full to part shade, late spring-early summer, 8-12" height
56		<i>Helleborus x ericsmithii</i> 'Ice Breaker'	Lenten Rose		24" O.C.	1 gal	Evergreen, Dec-Mar bloom
160		<i>Heuchera villosa</i> 'Autumn Bride'	Coral Bells		18" O.C.	1 gal	Part to full shade, Jul-Oct bloom, 18" tall foliage
200		<i>Liriope muscari</i> 'Monroe's White'	White Lilyturf		12" O.C.	LP	Part sun, summer bloom, evergreen groundcover
26		<i>Mazus reptans</i> 'Alba'	White Mazus		12" O.C.	LP	Stepables, 1-2" tall
12		<i>Paeonia lactiflora</i> 'Festiva Maxima'	Peony		36" O.C.	4 qt	May-Jun bloom, 34" tall, will die back
30		<i>Phlox divaricata</i> 'May Breeze'	Woodland Phlox		12" O.C.	LP	Part to full shade, late spring-early summer, 12-15" height
25		<i>Polygonatum odoratum</i> 'Ruby Slippers'	Solomon's Seal		18" O.C.	1 qt	Part to full shade, june bloom, 2' tall
15		<i>Polystichum acrostichoides</i>	Christmas fern		12" O.C.	LP	Evergreen
BULBS							
300		<i>Chionodoxa lucillae alba</i>	Glory of the Snow		6" O.C.	Bulb	Apr bloom, 5-6" tall
300		<i>Galanthus elwesii</i>	Snowdrops		6" O.C.	Bulb	Mar-Apr bloom, 5-8" tall
100		<i>Narcissus 'Thalia'</i>	White Daffodil		4" O.C.	Bulb	Apr-May bloom, 16-18" tall
300		<i>Scilla siberica alba</i>	Siberian squill		6" O.C.	Bulb	Mar-Apr bloom, 4-5" tall
*LA TO APPROVE ALL PLANTS PRIOR TO COMING TO SITE							





4' height boxwood perimeter hedge to frame and enclose memorial garden



Lower boxwoods within the memorial garden to define walkways



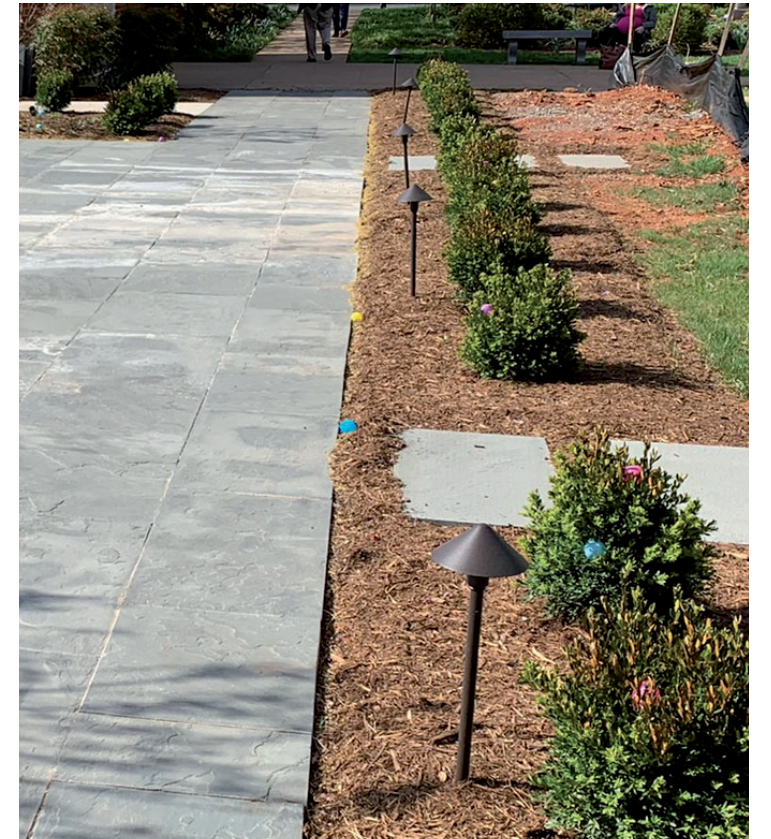
Bluestone w/ staggered joints in running bond pattern



Colored concrete w/ radial saw cut joints



Bluestone pavers combined w/ colored concrete



Stake mounted pathlights



Cornus florida - Flowering Dogwood



Cornus florida - Flowering Dogwood



Cornus florida - Flowering Dogwood in fall



Magnolia virginiana - Sweetbay Magnolia



Magnolia virginiana - Sweetbay Magnolia flower



Magnolia virginiana - Sweetbay Magnolia fruit



Clethra alnifolia 'Vanilla Spice' - Summersweet



Fothergilla gardenii - Dwarf Fothergilla



Ilex verticillata - Winterberry Holly



Liriope muscari 'Monroe's Whie' - White Lilyturf



Carex pensylvanica - Pennsylvania Sedge



Deschampsia cespitosa 'Goldtau' - Tufted Hairgrass



Paeonia lactiflora 'Festiva Maxima' - White Peony



Echinacea purpurea 'White Swan' - White Coneflower



Heuchera villosa 'Autumn Bride' - Coral Bells



Geranium maculatum - Wild Geranium



Phlox divaricata 'May Breeze' - Woodland Phlox



Polygonatum odoratum 'Ruby Slippers' - Solomon's Seal



Dryopteris marginalis - Eastern Woodfern



Polystichum acrostichoides - Christmas Fern



Mazus reptans 'Alba' - White Mazus



Helleborus x ericsmithii 'Ice Breaker' - White Lenten Rose



Chionodoxa luciliae alba - Glory of the Snow



Galanthus nivalis - Snowdrops (Bulbs)

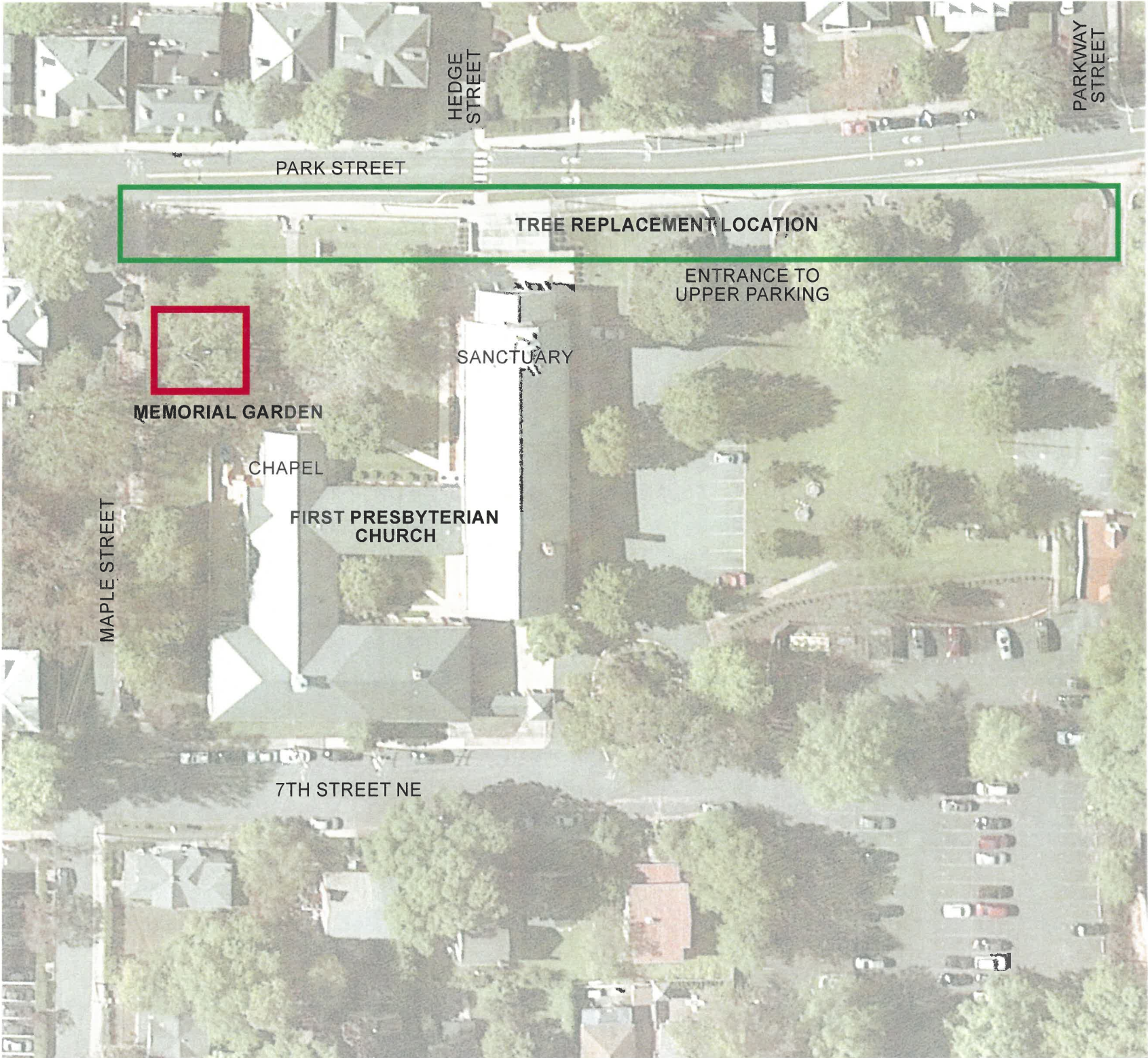
FIRST PRESBYTERIAN CHURCH
TREE REPLACEMENT PLAN APPROACH
28 MARCH 2023

NARRATIVE

FIRST PRESBYTERIAN CHURCH HAS LOST THREE LARGE TREES (TWO OAKS AND A RED MAPLE) RECENTLY DUE TO THEIR DECLINING HEALTH. THE CITY ARBORIST REVIEWED AND APPROVED THESE TREES FOR REMOVAL. THE CHURCH WOULD LIKE TO REPLACE THESE TREES WITH SPECIES THAT WOULD INCREASE THE TREE CANOPY COVERAGE FOR THE PROPERTY WHILE ENHANCING THE PARK STREET EDGE AND CONTRIBUTING TO THE ENTRANCE CORRIDOR.

THE CHURCH WISHES TO INCORPORATE (8) NEW TREES (USING THREE DIFFERENT TYPES OF TREES IN THE WHITE OAK FAMILY) TO BE PLANTED ALONG PARK STREET. STARTING TO THE SOUTH, WHITE OAKS WOULD FLANK THE STEPS AND WALK THAT LEADS TO THE CHAPEL AND MEMORIAL GARDEN. ON EITHER SIDE OF THE MONUMENTAL STEPS, (2) POST OAKS WILL BE PLANTED TO DEFINE THIS AS MAIN ENTRANCE TO THE CHURCH SANCTUARY. THE CRUCIFORM SHAPE OF THE POST OAK LEAF IS AN APPROPRIATE SYMBOL TO MARK THIS IMPORTANT ENTRANCE. FURTHER TO THE NORTH, AS THE GRADE BEGINS TO SLOPE AWAY FROM THE HIGHEST POINT, (4) SWAMP WHITE OAKS WILL BE PLANTED ALONG THIS SECTION OF THE PROPERTY AND MARK THE VEHICULAR ENTRANCE TO THE UPPER PARKING LOT.

THE MEMORIAL GARDEN WAS PREVIOUSLY PRESENTED AT THE LAST BAR MEETING. THERE WILL BE (10) NEW TREES THAT ARE PART OF THIS GARDEN. (6) FLOWERING DOGWOODS WILL COMPLEMENT THE TWO TREES THAT ALREADY EXIST AND ACCENTUATE THE CROSS AXIS. (4) NEW SWEETBAY MAGNOLIAS WILL BALANCE EACH SIDE OF THE GARDEN.



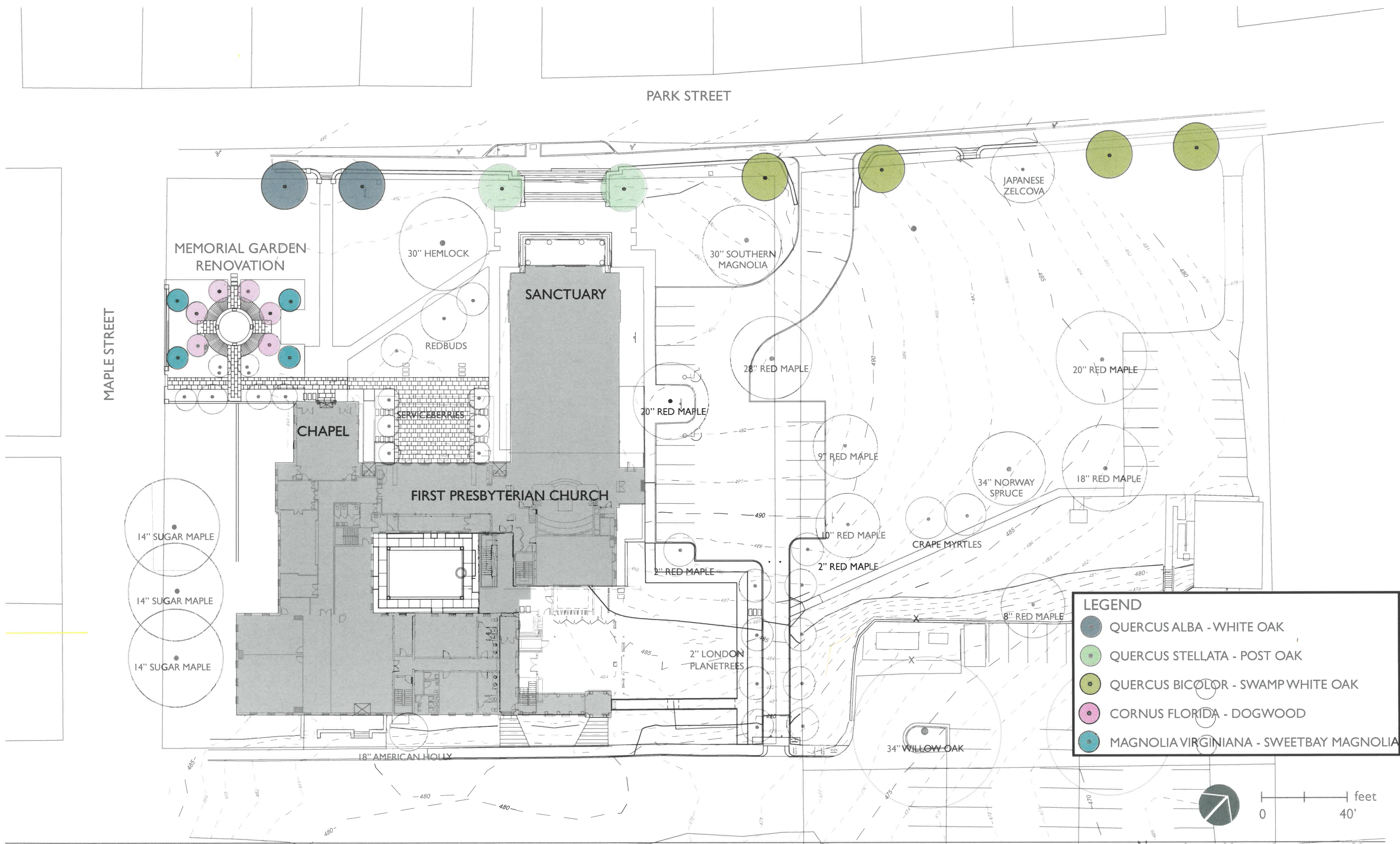
CONTEXT PLAN



FIRST PRESBYTERIAN CHURCH

TREE REPLACEMENT PLAN

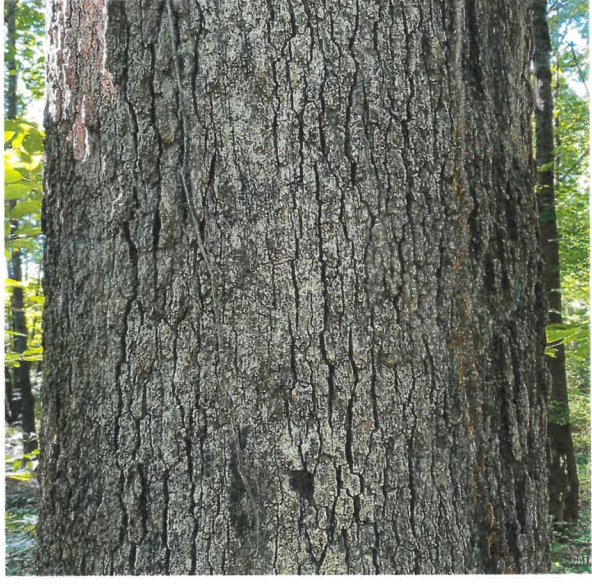
28 | MARCH | 2023



Quercus alba - White Oak



Quercus stellata - Post Oak

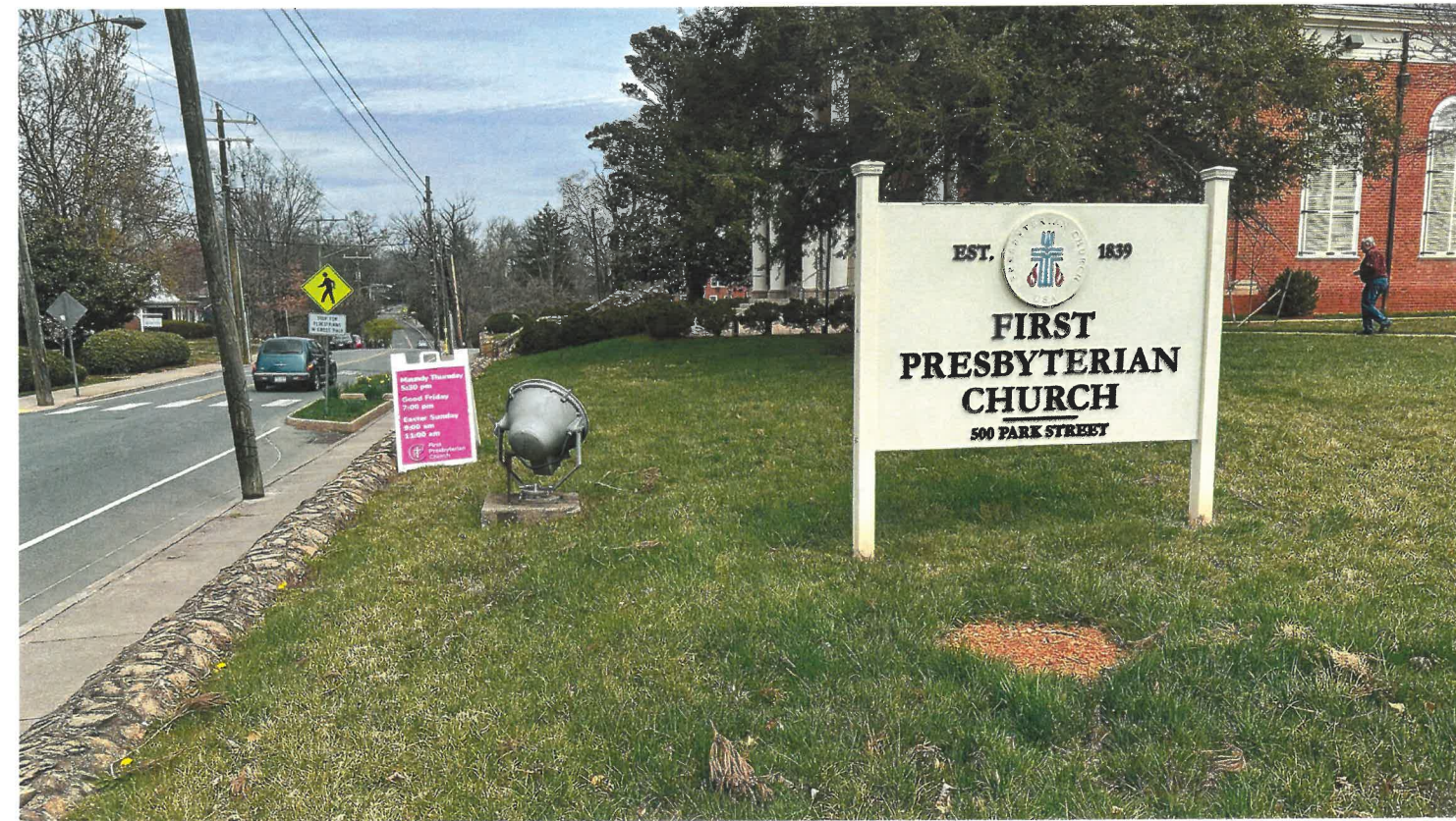


Quercus bicolor - Swamp Oak





VIEW FROM PARK STREET SHOWING STAIRS, WALK AND RETAINING WALL LOOKING TOWARD CHAPEL



VIEW LOOKING NORTH DOWN PARK STREET



VIEW FROM THE CORNER OF HEDGE STREET AND PARK STREET LOOKING TOWARD SANCTUARY



VIEW FROM THE CORNER OF HEDGE STREET AND PARK STREET LOOKING TOWARD SANCTUARY



VIEW FROM PARK STREET TOWARD UPPER PARKING LOT ENTRANCE



VIEW FROM PARK STREET LOOKING SOUTH TOWARD UPPER PARKING LOT ENTRANCE



VIEW OF STAIRS AND RETAINING WALL EDGE



VIEW FROM PARK STREET (NEAR PARKWAY STREET) LOOKING SOUTH

BAR 23-04-01
810 West Main Street, TMP 300002000
West Main Street ADC District
Owner: Union Station Partners LLC
Applicant: Kurt Keesecker / brw architects
Project: Roof Canopy Addition

Application components (please click each link to go directly to PDF page):

- [Staff Report](#)
- [Historic Survey](#)
- [Application Submittal](#)

**City of Charlottesville
Board of Architectural Review
Staff Report
April 18, 2023**



Certificate of Appropriateness

BAR 23-04-01

810 West Main Street, TMP 300002000

West Main Street ADC District

Owner: Union Station Partners LLC

Applicant: Kurt Keesecker / brw architects

Project: Roof Canopy Addition



Background

Year Built: 1885

District: West Main Street ADC District

Status: Contributing

810 West Main Street was built in 1885. The baggage room was doubled in size in 1905. The station was remodeled in 1913-1918. (historic survey attached). Significance: Three railways joined together to build this depot at the junction of their lines.

The baggage rooms were remodeled in 1997 for the current Amtrak Station. The former Union Station was remodeled in 2000 for a restaurant.

Prior BAR Reviews

November 19, 1996 – BAR approved renovation of baggage building in concept.

January 21, 1997 – BAR approved baggage room renovation.

February 18, 1997 – BAR conditionally approves use of asphalt shingles.

May 18, 1999 – BAR deferred application to replace slate roof with asphalt shingles.

June 15, 1999 – BAR defers application for Wild Wings addition.

May 10, 2000 – BAR approves renovation of Union Station for restaurant.

September 19, 2000 – BAR approves stair and small canopy; denies rooftop mechanical units.

October 17, 2000 – BAR approved rooftop units with screening.

May 24, 2010 – Site plan approved for parking lot improvements.

September 19, 2017 - No action was taken because the applicant requested a preliminary discussion.

November 21, 2017 – BAR approved new addition with stipulations: both garage doors shall be painted a similar or the same color as brick, and the roof may be either real slate or synthetic slate.

Application

- Submittal: brw architects design drawings *roof canopy addition, 810 W. Main Street*, dated March 28, 2023: Sheets 1 through 20: includes paint chip sample and plastic panel sample.

CoA request for the construction of a new roof canopy at the front (north) elevation.

From the applicant's submittal:

Addition of permanent (not temporary) Roof Canopy over existing outdoor dining area.

E. Height & Width

- We believe the height and width of the addition are respectful of the Historic Structure by being lower than the original building.

F. Scale

- Similar to the existing building, the new addition incorporates some building characteristics, like vertical proportions and eave line, that help building scale relate to the human scale. The shape of the roof canopy is the primarily viewed as a single slope, used to direct water to the trackside façade.

G. Roof

- Roof Forms and Pitches / we've provided a single slope structure with approx. ¼" :12 slope to the trackside facade
- Roof Materials / we're suggesting a polycarbonate translucent panel system similar to system used at former Little Star restaurant on West Main
- Rooftop Screening / The roof form is perceived as a simple and flat shape. All lighting, fans, and space heaters will be suspected below the new roof canopy area. There will be no mechanical equipment on top of the new roof canopy.
- The new roof materials will be translucent polycarbonate system on the painted steel superstructure. We have included moment connections at the beams and columns to eliminate diagonal lateral bracing (which we believe would adversely affect the aesthetic of the new roof and diminish views from the dining area to the surrounding buildings and mountains.)

H. Orientation

- The new addition does not provide a new point of entry to the facility, so the Station entrance and primary façade are respected and maintained.

I. Windows & Doors

- Our design for addition does not include 'windows' or 'doors' but we've provided a new exit stair for the addition accomplishing the code requirements exit separation.
- The existing windows in the existing building will remain and will not be altered.

J. Porches

- Our design for addition does not include traditional 'porches'.

K. Street-Level Design

- Our work area is one level above street level, so views of the new roof canopy will be from below. We have arranged the new lights, fans, heaters to follow the regular structural pattern of the steel support to reduce visual clutter when viewed from below. Our new work does not affect the street level facade of the existing building.

L. Foundation & Cornice

- Our design for roof addition does not include foundation as we are building over the existing building. Our new cornice will not match the historic details, but instead will have a minimal roof system edge with translucent panels and framing system only.

M. Materials & Textures

- The New Roof Canopy addition will have two primary visible materials
- 1) Steel support structure, bronze color (painted - southern vine 2138-10)
- 2) Hercules System, translucent polycarbonate (UV protected).
- Some elements contained in the intervention area like the existing metal guard rail & relocated steel stairs will have the same finish as metal structure (painted - southern vine 2138-10).

N. Paint

- Steel structure will be bronze color (painted - southern vine 2138-10). Paint at the existing building (if any) will not be disturbed unless attachment of new materials require it. In these limited areas, any painted brick will be painting to match adjacent.

O. Details & Decorations

- The details and decorations for the new structure are minimized, with emphasis on the new steel structure providing the visual character. Moment connections will be welded and smoothed, with a paint finish (no visible bolts.)

1. Locates the addition above the existing (currently uncovered) roof dining area. We will not increase the footprint of the existing building.
2. Set the additional roof height/massing is below the cornice lines of the historic structure and minimizes visual impact with thin profile at edges and separation from parapet walls below by supporting new canopy on limited number of columns.
3. Does not destroy the historic materials that characterize the property
4. New work is differentiated from the old and the massing/size/scale is compatible with the adjacent historic building.
5. The new work/addition is not an exact copy of the original
6. We believe by location and massing the new addition will be complimentary to the overall building massing, our deference to the historic structure is demonstrated in the selection of color and limited (only essential) structural components.
7. Our material palette for the new building is limited and 'simple' providing a unified aesthetic for the addition. The exterior materials palette includes painted steel structure & white translucent polycarbonate roof panels.

Discussion and Recommendation

The structure currently contributes to the West Main Street district and has a long history of association with the railroads. The BAR should discuss how the façade changes relate to the original building. The structure has been modified over the years, adapting this former train station to a restaurant. While the proposed canopy is aesthetically consistent with the current expression of the building's architecture, it is still an addition onto the historic façade. Staff supports the design and intent, but recommends the new canopy be constructed in a manner that separates it from the existing building. The north and south façade of canopy addition respects the setback line established by the historic building without competing with the general massing and height of the existing structure.

The BAR should discuss the plan to adjust the location of the existing egress stair with repairs to the existing opening in the parapet and the proposed new opening. BAR should also discuss the how the canopy addition will adjoin to the existing structure.

No exterior lighting is indicated; however, the BAR may apply conditions to address future lighting, if planned.

Suggested Motions

Approval: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed patio canopy at 810 West Main Street satisfies the BAR's criteria and is compatible with this property and other properties in the Downtown ADC district, and that the BAR approves the application as submitted.

... as submitted with the following conditions:

Denial: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed patio canopy at 810 West Main Street does not satisfy the BAR's criteria and is not compatible with this property and other properties in the Downtown ADC district, and that for the following reasons the BAR denies the application as submitted:

Criteria, Standards and Guidelines

Review Criteria Generally

Sec. 34-284(b) of the City Code states that, in considering a particular application, the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.

Pertinent Standards for Review of Construction and Alterations

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;
- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;
- (4) The effect of the proposed change on the historic district neighborhood;
- (5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;
- (6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;
- (7) Any applicable provisions of the City's Design Guidelines.

Pertinent Design Review Guidelines for Rehabilitation

B. Facades and Storefronts

Over time, commercial buildings are altered or remodeled to reflect current fashions or to eliminate maintenance problems. Often these improvements are misguided and result in a disjointed and unappealing appearance. Other improvements that use good materials and sensitive design may be as attractive as the original building and these changes should be saved.

The following guidelines will help to determine what is worth saving and what should be rebuilt.

- 1) Conduct pictorial research to determine the design of the original building or early changes.
- 2) Conduct exploratory demolition to determine what original fabric remains and its condition.

- 3) Remove any inappropriate materials, signs, or canopies covering the façade.
- 4) Retain all elements, materials, and features that are original to the building or are contextual remodeling, and repair as necessary.
- 5) Restore as many original elements as possible, particularly the materials, windows, decorative details, and cornice.
- 6) When designing new building elements, base the design on the “Typical elements of a commercial façade and storefront.”
- 7) Reconstruct missing or original elements, such as cornices, windows, and storefronts, if documentation is available.
- 8) Design new elements that respect the character, materials, and design of the building, yet are distinguished from the original building.
- 9) Depending on the existing building’s age, originality of the design and architectural significance, in some cases there may be an opportunity to create a more contemporary façade design when undertaking a renovation project.
- 10) Avoid using materials that are incompatible with the building or within the specific districts, including textured wood siding, vinyl or aluminum siding, and pressure-treated wood, Avoid introducing inappropriate architectural elements where they never previously existed.

LANDMARK



SURVEY

IDENTIFICATION

Street Address: West Main Street
Map and Parcel: None
Census Track & Block: 1-304
Present Owner: Southern Railway System
Address: P.O. Box 1808, Wash., D.C. 20013
Present Use: Railway Station
Original Owner: Virginia Midland Railway
Original Use: Railway Station

BASE DATA

Historic Name: Union Station, Charlottesville
Date/Period: 1885, 1913-1918
Style: No Identifiable Style
Height to Cornice:
Height in Stories: 2
Present Zoning: B-3
Land Area (sq.ft.): Unknown
Assessed Value (land + imp.): Unknown

ARCHITECTURAL DESCRIPTION

Union Station, Charlottesville, of the Southern Railway is a small complex of three buildings. At the east end of the parking area is located a long, narrow freight depot built in 1895. This building is a single storey frame structure with the widely overhanging eaves of a gable roof projecting above loading platforms along the sides. The main terminal, built in 1885, appears today essentially as it was remodeled in 1913-1918. Just east of the passenger depot stands the baggage depot, consisting of two, small, single-storey rectangular structures sharing a common long wall (the original exterior wall of the western building). Construction is brick, with pressed-brick veneer and mouse-tooth string courses at window sill and lintel levels. Separate gable roofs cover each section, terminated at the rear (south) by jerkenhead gables and the front (north) by separate stepped parapets. The passenger terminal is a large two-storey rectangular building, also of brick construction. First storey brick treatment conforms to that of the baggage depot, while second-storey ornament includes a second-floor-level white-plaster string course, and corner and side wall brick rustication strips suggestive of quoining. The main building is gable-roofed, covered with slate, and has simple boxed cornice with returns. Windows at first-floor level are two-over-two-light, double-hung sash with segmental arch heads and lintel hoods (painted white). Second floor windows are one-over-one light sash with segmental-arch lintels along the side and in each end stands a large Palladian window below a semi-elliptical arch. A single-storey, flat-roofed ell abuts the west side of the depot.

HISTORICAL DESCRIPTION

An agreement dated April 29, 1885 (Co. DB 85-149) between the Charlottesville and Rapidan Railroad, the Virginia Midland Railway and the Chesapeake and Ohio Railroad, sets forth the details of a plan for the three parties to purchase common land at their junction between Charlottesville and the University of Virginia for use as a joint or "Union" terminal. A plat of the area dated June 1886 (Co. DB 88-176) shows the completed station in place. An extensive program of remodeling and expansion, including the shifting of some tracks and the adding of a new main-line track was begun in 1913 and continued through 1918. Plans for the work were drawn by the in-house chief engineer, MW &S, and the contract was let to George Leigh & Brothers for \$16,561. Although most of the sheds and a pedestrian bridge to Main Street were removed in the 1950's, the appearance of the station as it now stands is largely the result of the early remodeling. The baggage room also was probably doubled in size at that time.

GRAPHICS

CONDITIONS

Fair

SOURCES

City/County Records
Va. SCC, Public Service Taxation Division
Southern Railway System, Wash., D.C.
John Dodson, Station Master

Architectural And Historic Survey



104-23

Identification

STREET ADDRESS: West Main Street
MAP & PARCEL: None
CENSUS TRACT AND BLOCK: 1-304
PRESENT ZONING: B-3
ORIGINAL OWNER: Virginia Midland Railway
ORIGINAL USE: Railway Station
PRESENT USE: Railway Station
PRESENT OWNER: Southern Railway System
ADDRESS: P.O. Box 1808
Washington, D.C. 20013

HISTORIC NAME: Union Station, Charlottesville
DATE / PERIOD: 1885, 1905, 1913-1918
STYLE: No Identifiable Style
HEIGHT (to cornice) OR STORIES: 2 Storeys
DIMENSIONS AND LAND AREA: Unknown
CONDITION: Fair
SURVEYOR: Thomsen
DATE OF SURVEY: Summer 1977
SOURCES: City/County Records John Dodson, Station Master
VA. SCC, Public Service Taxation Division
Southern Railway System, Washington, D.C.

ARCHITECTURAL DESCRIPTION

Union Station, Charlottesville, of the Southern Railway is a small complex of three buildings. At the east end of the parking area is located a long, narrow freight depot built in 1895. This building is a single storey frame structure with the widely overhanging eaves of a gable roof projecting above loading platforms along the sides.

The main terminal, built in 1885, appears today essentially as it was remodeled in 1913-1918. Just east of the passenger depot stands the baggage depot, consisting of two, small, single-storey rectangular structures sharing a common long wall, the eastern section being the older. Construction is of brick, with pressed-brick veneer and mouse-tooth string courses at window sill and lintel levels. Separate gable roofs cover each section, terminated at the rear (south) by jerkinhead gables and the front (north) by separate stepped parapets.

The passenger terminal is a large two-storey rectangular building, also of brick construction. First storey brick treatment conforms to that of the baggage depot, while second-storey ornament includes a second-floor-level white-plaster string course, and corner and side wall brick rustication strips suggestive of quoining. The main building is gable-roofed, covered with slate, and has simple boxed cornice with returns. Windows at first-floor level are two-over-two light, double-hung sash with segmental arch heads and lintel hoods (painted white). Second floor windows are one-over-one light sash with segmental-arch lintels along the side, and in each end stands a large Palladian window below a semi-elliptical arch. A single-storey, flat-roofed ell abuts the west side of the depot.

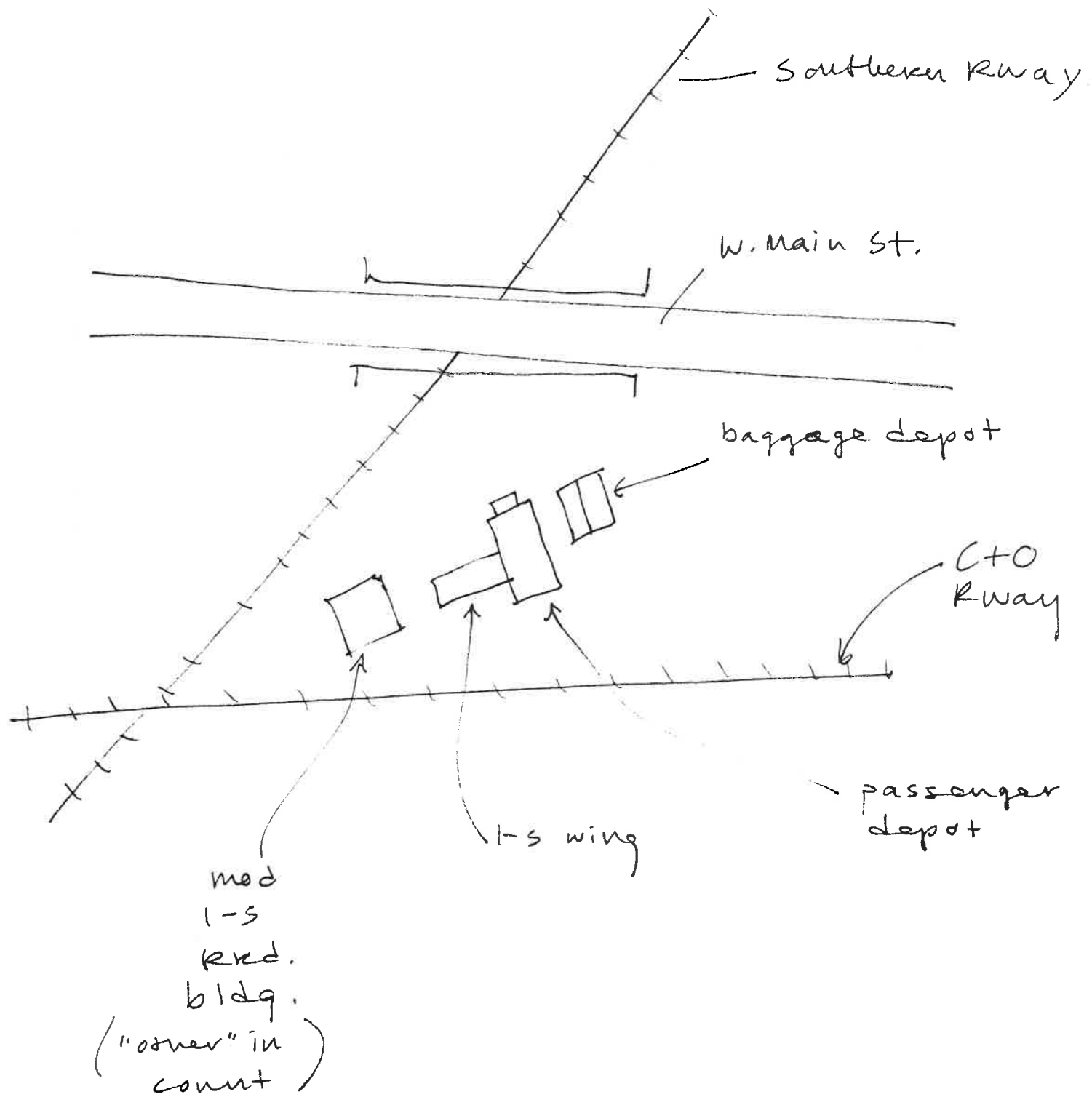
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An agreement dated April 29, 1885 (ACDB 85-149) between the Charlottesville and Rapidan Railroad, the Virginia Midland Railway, and the Chesapeake and Ohio Railroad, sets forth the details of a plan for the three parties to purchase common land at their junction between Charlottesville and the University of Virginia for used as a joint or "Union" terminal. A plat of the area dated June 1886 (ACDB 88-176) shows the completed station in place. The baggage room was doubled in size in 1905. An extensive program of remodeling and expansion, including the shifting of some tracks and the adding of a new main-line track was begun in 1913 and continued through 1918. Plans for the work were drawn by the in-house chief engineer, MW & S, and the contract was let to George Leigh & Brothers for \$16,561. Although most of the sheds and a pedestrian bridge to Main Street were removed in the 1950's, the appearance of the station as it now stands is largely the result of the early remodeling.

SIGNIFICANCE

This is a fine example of a late 19th century vernacular railroad station. Three railways joined together to build this depot at the junction of their lines.

104-231



PRIMARY RESOURCE EXTERIOR COMPONENT DESCRIPTION

Component	#	Comp Type/Form	Material	Material Treatment
Structural System	0	Masonry	Brick	Stretcher Bond
Roof	0	Gable: front	Slate	Shingle
Window(s)	0	Sash, double-hung	Wood	2/2

INDIVIDUAL RESOURCE INFORMATION

SEQUENCE NUMBER: 1.0

WUZIT: Depot

Primary Resource? Yes

Estimated Date of Construction: 1885

Source of Date: Written Data

Architectural Style: Colonial Revival

Description:

The building combines features from its original construction in 1885, such as segmental-arched windows, with features dating to a remodeling in the 1910s, such as brick quoining, a one-story Doric portico with paired columns, and an elliptical-arched tripartite window above the portico.

Condition: Good

Threats to Resource: None Known

Additions/Alterations Description:

Extending to the west side is a one story brick wing which may date partially to 1885

Number of Stories: 2.0

Interior Plan Type:

Accessed?

Interior Description:

Relationship of Secondary Resources to Property:

Standing to the east side of the passenger depot is the baggage depot, a one-story building with paired front-gable roofs fronted by stepped parapets. The baggage depot retains more of its original 1885 styling, with segmental-arched door and window heads and decorative belt courses. Standing off the west wing of the passenger depot is a modern one-story brick-veneered railroad building with a parapeted side-gable roof.

DHR Historic Context: Architecture/Community Planning
Transportation/Communication

Significance Statement:

The depot is considered eligible for the National Register by the VA SHPO. It is one of two surviving historic passenger depots in Charlottesville and as such illustrates the transportation history of the city. Union Station was built in 1885; its name reflects its joint service for the Charlottesville & Rapidan, Virginia Midland & Great Southern, and C&O railroads. The passenger depot was remodeled in the Colonial Revival style between 1913 and 1918. Union Station contributes to the historic character of West Main Street.

GRAPHIC DOCUMENTATION

Medium

Medium ID #

Frames

Date

RECONNAISSANCE LEVEL SURVEY REPORT

DEPARTMENT OF HISTORIC RESOURCE
RECONNAISSANCE SURVEY FORM

Reviewed by Margaret Peters

DHR Identification Number: 104-0231

Other DHR Number:

Property Date(s) 1885

PROPERTY NAMES

EXPLANATION

Union Station (810 W. Main St.)

County/Independent City: Charlottesville

State: Virginia

Magisterial District: N/A

Tax Parcel: 30-2

USGS Quad Map Name: CHARLOTTESVILLE EAST

UTMs of Boundary:

Center UTM:

Restrict location and UTM data? N

ADDRESSES

Number	Thoroughfare Name	Explanation
--------	-------------------	-------------

810 -	W. Main St.	
-------	-------------	--

Vicinity: Town/Village/Hamlet:

Name of National Register Historic District:

Name of DHR Eligible Historic District:

Name of Local Historic District:

Physical Character of General Surroundings: City

Site Description/Notable Landscape Features:

Station stands at the junction of two rail lines in a depression below West Main Street. The building is surrounded by parking and outdoor storage areas.

Ownership: Private

NR Resource Type: Building

WUZITS

Seq. #	# of	Wuzit Types	Historic?
1.0	2	Depot	Historic
2.0	1	Other	Non-historic

TOTAL: 3
Historic: 2
Non-Historic: 1

W 35mm Photos

14633

30 - 32

2/ /1996

BIBLIOGRAPHIC DATA

Sequence #: 1.0 Bibliographic Record Type: Local Records
Author: City of Charlottesville
Citation Abbreviation:
Charlottesville Architectural and Historic Survey files
Notes:

Sequence #: 2.0 Bibliographic Record Type: Report
Author: Smead, Susan E.
Citation Abbreviation:
Phas II evaluation for the NS W. Main St. Bridge Replacement
Notes:

CULTURAL RESOURCE MANAGEMENT EVENTS

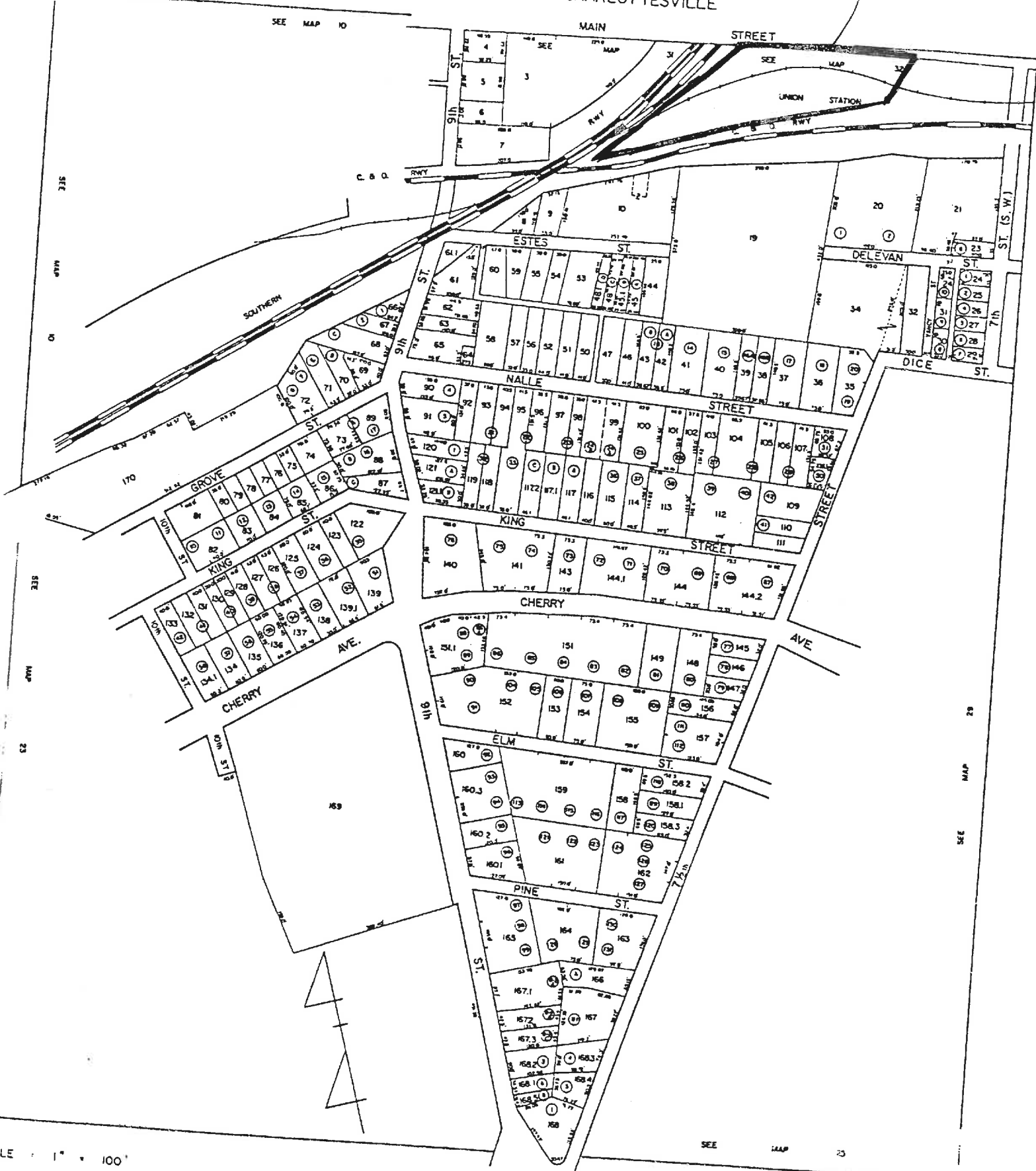
Date: 2/ /1996
Cultural Resource Management Event: Reconnaissance Survey
Organization or Person: J. Daniel Pezzoni, Preservation Con
ID # Associated with Event:
CRM Event Notes or Comments:

MAILING ADDRESS

Surveyor's Notes:

104-231

CITY OF CHARLOTTESVILLE

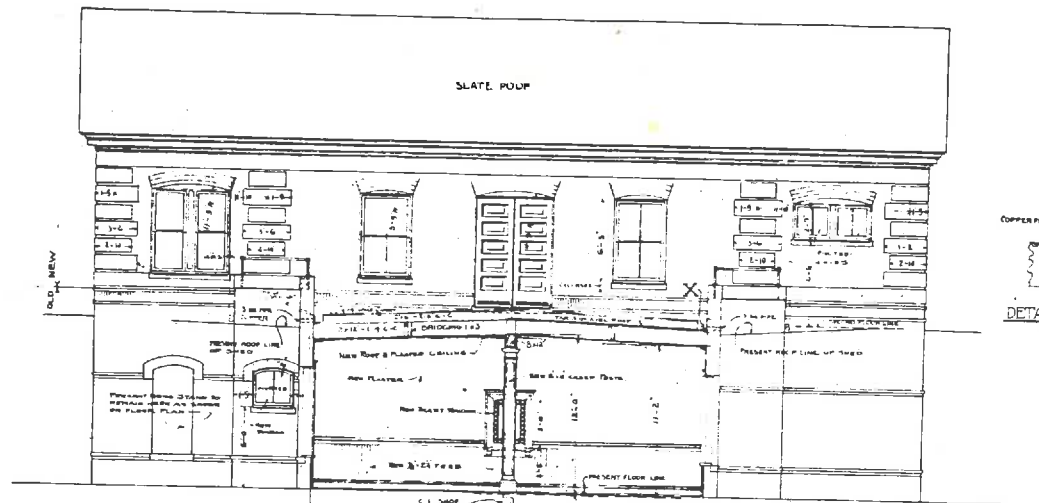


Southern Railway & C.O. 5

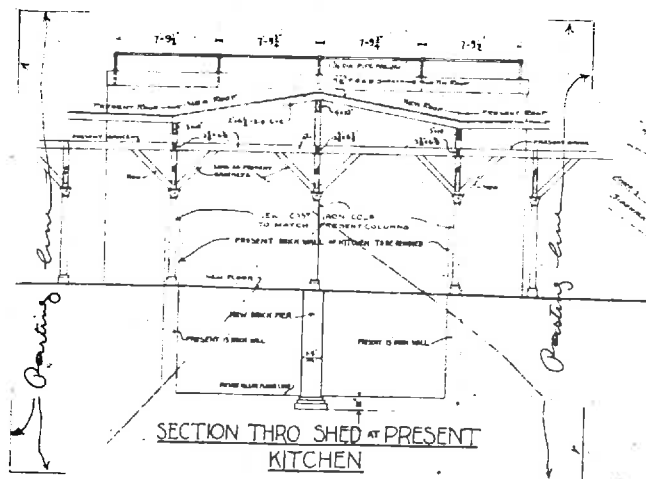
Union Station

CHARLOTTESVILLE, VA.

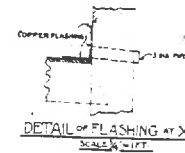
Scale $\frac{1}{4}'' = 1' - 0''$



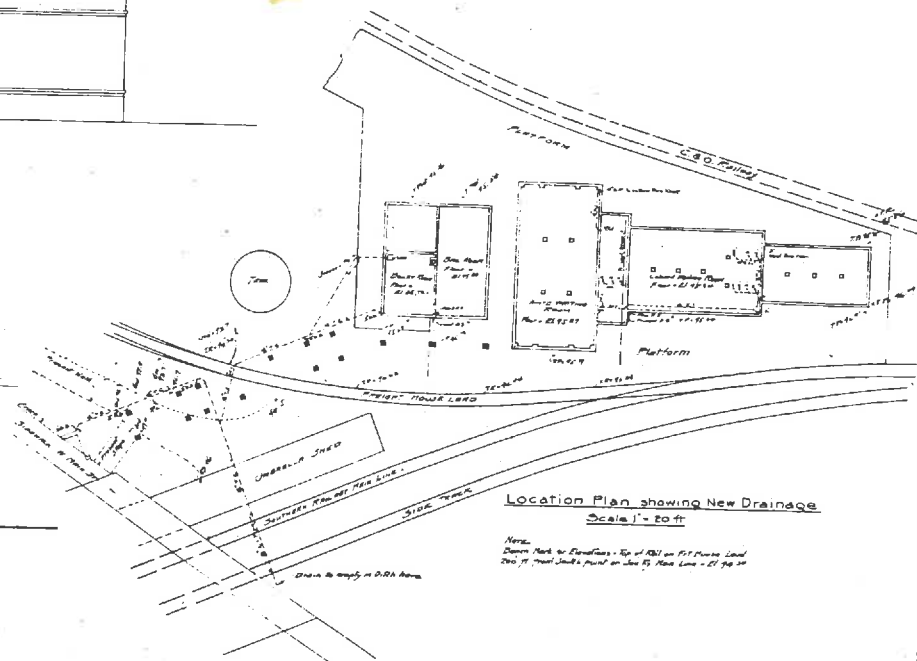
SECTION THRO COLORED WAITING ROOM



SECTION THRO SHED AT PRESENT KITCHEN



DETAIL OF FLASHING AT X
Scale $\frac{1}{4}'' = 1' - 0''$



Location Plan showing New Drainage
Scale $\frac{1}{4}'' = 1' - 0''$

Note:
Dotted Mark on Foundation - Top of Wall on P.T. Foundation Level
200 ft. from South Point on Jan 25, 1904. New Line - 21' 40" 1904

Office of
CHIEF ENGINEER M.W. & S.
SOUTHERN RAILWAY
Washington, D.C.

18-54

MARCH 1904

18/54

T H R E E N O T C H E D R O A D S U R V E Y

Bldg. No. 79 Date May 1976 Researcher T.S. Scharer

Name Southern Railroad Station
 Location West Main Street County city
 Date of Original
 Erection Owner
 Original Use station Present Use station
 No. of Acres Present Condition: House average Grounds paved
 Present Owner Southern Railroad
 Source of Information Woods, p.116.

Historic Description

In its early days the Southern Railroad had several successive names: the Orange and Alexandria, the Washington City, the Virginia Midland and Great Southern, and the Richmond and Danville. In 1863 the link was opened between Charlottesville and Orange C.H. The intersection of the Southern and Chesapeake and Ohio Railroads made Charlottesville a prominent railroad center.

Architectural Description

The main building is a long, high two story waiting room and ticket office with a great variety of architectural details. The gable end faces the street and features the main entrance under a portico supported by paired Doric columns and a large window with a semi-elliptical arch above. A white painted brick string course goes around the building and above it at the corners are quoins formed by pulled out bricks. A simple one story wing extends to the west and on the east is a separate building with two stepped gables.

Thomson

Southern Railway System

P. O. Box 1808
Washington, D.C. 20013

September 28, 1977

L. STANLEY CRANE
PRESIDENT

920 15TH STREET, N.W.
TEL: (202) 628-4460

Dear Mr. Gilliam:

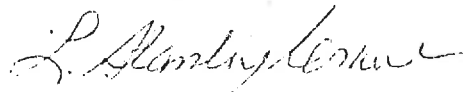
In response to your inquiry about the Southern passenger station in Charlottesville, the building is of brick construction with a combination tin and slate roof and a plastered interior. It was built I understand, in 1885 though our records do not go back that far. We do have record of its remodeling in 1913 by George Leigh & Bro. The contract was signed on June 21, 1913, and the price specified was \$16,561 -- subject to a small deduction if the contractor could move materials, equipment and men via the railway. Plans were identified as having been drawn in the office of the chief engineer, MW&S, no outside architect is identified on them.

There's no record of any other station prior to this one.

Should you desire the drawings of the building, please contact C. B. Zimmerman, Architect, Southern Railway System, 99 Spring Street, Atlanta, Georgia 30303.

Best of luck with the Charlottesville Historic Landmark Commission.

Sincerely,



Mr. Alexander G. Gilliam, Jr.
1718 Dairy Road
Charlottesville, Virginia 22903

CITY OF CHARLOTTESVILLE

Office of the City Manager
P. O. Box 911 • Charlottesville, Virginia • 22902
Telephone 804-971-3101



April 18, 1997

Paula Bienenfeld, Ph.D.
Tetra Tech, Inc.
5203 Leesburg Pike, Suite 900
Falls Church, VA 22041

Re: Project No. EN93-104-V02, PE102, RW201, C501, Restoration of the Amtrak Facility/Union Station, Charlottesville, Virginia

Dear Ms. Bienenfeld:

You will find included within this letter, information concerning the effects that the Restoration of the Amtrak/Union Station will have on our community. You have asked for the beneficial and detrimental effects it may have on the environmental, historical and community resources. The City is highly supportive of this project; we find it difficult to find anything that may be detrimental as a result of this restoration.

Environmental

The improvements proposed on the site plan will positively grade the site with a means of collecting the storm water, detaining it, and then allowing it to move off site. The site has been negatively graded for many years with a large depression collecting water and hindering access.

The site plan calls for additions of ground cover and trees. These site attributes will improve the aesthetic aspect of the site and also help reduce the heat sink that the parking area has been for years. This will also allow more of the rain water to be absorbed into the ground water.

The site plan calls for more lighting on the site. This will eliminate the existing dark spots within the parking area. The lighting proposed is dark sky friendly, they will be either shielded or low level gas lamps; both a minimal intrusion into the environment.

Historical

The City of Charlottesville included West Main Street as a new Historic District in March of 1997. This projects fits very neatly into the preservation plans for this district.

The restoration of the station will set the standards for preservation, restoration and new development within the new West Main Street Historic District.

Community

This is a very visible site on West Main Street. As the project progresses it will help determine the character of this area within the city as a whole.

There are additional uses proposed on this site that will benefit the entire community. A bus transfer station may be built on this site. This transportation concentration will help make this site more active and it will assume an important role in the community.

Improvements on the site will encourage more use of alternate forms of transportation. The status of the current station is not a welcoming site.

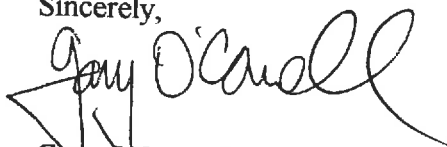
The improvements to the buildings and the site will provide a positive companion to the new bridge (built with public funds) that forms one of the boundaries of the site. The community has invested in this area and would like to see the restoration successful.

It is hard to separate the reasons for supporting this restoration into the categories you have proposed. We tend to think of the community as a whole and realize that each element listed in the categories noted above could have been included in any category.

As the letter indicates, we do not feel that the restoration project will have any adverse effects on the community. We do feel that this restoration will have a positive effect on this neighborhood in particular and the City as a whole.

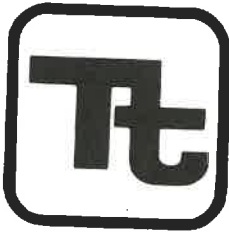
If you have any questions concerning any of the above, please call me at 804-970-3101, or Satyendra Singh Huja at 804-970-3182.

Sincerely,

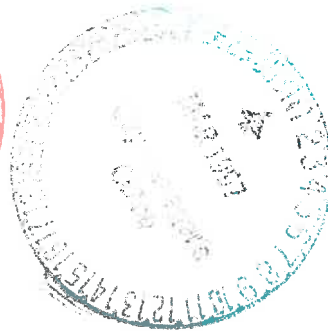


Gary O'Connell
City Manager

GO:mj



TETRA TECH, INC.
5203 Leesburg Pike, Suite 900
Falls Church, VA 22041
Telephone (703) 931-9301
FAX (703) 931-9222



Gary O'Connell
City of Charlottesville
Office of the Mayor
P.O. Box 911
Charlottesville, VA 22902

March 19, 1997

REFERENCE: Project No. EN93-104-VO2, PE101, PE102, RW201, C501, Restoration of the Amtrak Facility/Union Station, Charlottesville, Virginia

Dear Mr. O'Connell:

The City of Charlottesville is currently preparing to restore and rehabilitate the Amtrak Facility/Union Station located on West Main Street in Charlottesville. The proposed project will primarily involve renovations and improvements to both the interior and exterior of the building.

The Union Station Complex was originally built possibly around 1885, and at that time it consisted of a simple rural "stick style" story and a half stationhouse with long wings that extended to the southwest. At the northeast end, there was a one-story baggage building, approximately 43 feet long and 22 feet wide. In 1905 the baggage building was expanded 100% by duplicating its structure to the northeast, making it roughly a 43-foot by 43-foot square building. In 1913, a major rehabilitation of the station occurred which raised the waiting room area to two full floors in height, and changed the stationhouse's character from the "stick style" to Colonial Revival, and created an overhead walkway that connected the second floor waiting room spaces with West Main Street. The stationhouse and the baggage buildings are in an extremely deteriorated condition.

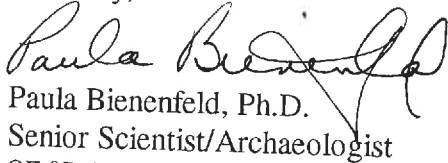
A two-phased rehabilitation/restoration is proposed for the stationhouse complex. Phase One, the Amtrak facility, will include reconstructing the original 1885 eastward facing bracketed gable end over the present east entry door, and constructing an addition immediately to the west of the building. A low, one-story wing immediately to the south of the building is also proposed. Inside the building many of the original 1885 windows would be rehabilitated, and sashes and frames would be repaired. Some deteriorated doors and windows would be replaced. Finally, the brick exterior would be repainted its historic red color. Phase Two is the exterior restoration/preservation of the original stationhouse structure. Its interior usage at the time of

this writing is undetermined.

Prior to taking any action we will evaluate any impacts the proposed project might have on environmental, historical, or community resources. To assist in our evaluation, we would appreciate your written comments on any beneficial or adverse effects that you feel need to be addressed. In order to avoid project delays, we request that you submit your comments by April 21, 1997.

I have enclosed a map illustrating the location of the Facility. If you have any questions or need additional information, please contact me at (703) 931-9301. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula Bienenfeld". The signature is fluid and cursive, with the first name "Paula" written in a larger, more prominent script than the last name "Bienenfeld".

Paula Bienenfeld, Ph.D.
Senior Scientist/Archaeologist
OF-97-52

Attachments



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, 23219-1939

DAVID R. GEHR
COMMISSIONER

April 16, 1997



Enhancement Project
EN93-104-102, C-501
Union Station
City of Charlottesville

Mr. W. Douglas Gilpin, Jr.
Browne, Eichman, Dalglish,
Gilpen and Paxton, P. C. Architects
P. O. Box 2555
Charlottesville, Virginia 22902-2555

Dear Mr. Gilpin:

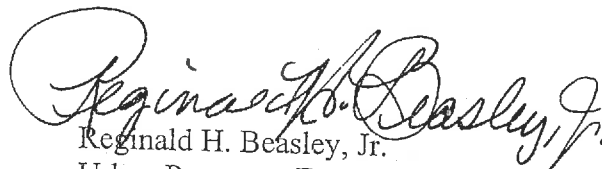
This is in response to your request for our review of the 85% to 90% complete construction plans on the above project.

Our review comments are:

- The enhancement project number needs to be shown on the Title Sheet.
- Verification is needed for asbestos and/or lead-based coatings inspections.
- The Department of General Services will review only complete plans for code compliance.

Please provide the original Title Sheet with the appropriate City signatures and we will provide Department approval as needed.

Sincerely,


Reginald H. Beasley, Jr.
Urban Programs Engineer

RHBjr:aas

cc: Mr. Satyendra Huja

Street Address: 810 W. Main
Map & Parcel:
Census Tract & Block:
Present Owner: SOUTHERN R.
Address:
Present Use:
Original Owner:
Original Use:

Historic Name:
Date/Period:
Style:
Height to Cornice:
Height to Stories:
Present Zoning:
Land Area (sq. ft.):
Assessed Value (land+imp)

Architectural Description

BRICK (PAINTED) - TYPICAL 2/2 GLAZING w/
LARGE ~~BRICK~~ ^{STONE} DRIP STONES -
MOOSETOOTH BANDING

Renovated 1916 SERVICE FLANKERS & STEPPED GABLES (originally w/ single turn)
CR Entrance - Replaced large loading veranda

TOWER TORN DOWN - BUILDING SAFE

Historic Description

ALWAYS IN SOUTHERN FAMILY
MIDLANDS ABSORBED BY SOUTHERN - 1894

Name of Persons Interviewed:

VA MIDLAND ~~TR~~ To SOUTHERN - 1898 9-11

An agreement dated 29 April 1885 (Co. DB85-149) between the Charlottesville and Rapidan Railroad, the Virginia Midland Railway, and the Chesapeake and Ohio Railroad, sets forth the details of a plan for the three parties to purchase common land at their junction between Charlottesville and The University of Virginia for use as a joint or "Union" terminal.

A plat of the acre dated June 1886 (Co. DB88-176) shows the completed station in place. An extensive program of remodeling and expansion, including the shifting of some tracks and the adding of a new main-line track, was begun in 1913 and continued through 1918. Plans for the work were drawn by the in-house chief engineers, MW & S, and the contract was let to George Leigh & Bro. for \$16,561. Although most of the sheds and a pedestrian bridge to Main Street were removed in the 1950's, the appearance of the station as it now stands is largely the result of the early remodeling. The baggage room also was probably doubled in size at that time.

Sources: County and City Records.

Va. SCC, Public Service Taxation Div.

Southern Railway System, Wash., D.C.

John Dodson, Station Master.

ARCH DESC.

Union Station, Charlottesville, of the Southern Railway is a small complex of three buildings. At the east end of the parking area is located a long, narrow freight depot built in 1895. This building is a single story frame structure with ^{the} widely overhanging eaves of a gable roof projecting above loading platforms along the sides. The main terminal, built in 1885, appears today essentially as it was remodeled in 1913-1918. Just east of the passenger depot stands the baggage depot, consisting of two small, single-story rectangular structures sharing a common long wall (the original exterior wall of the western building). Construction is brick, with pressed-brick veneer and mouse-tooth string courses at window sill and lintel levels. Separate gable roofs cover each section, terminated at the rear (south) by jerkinhead gables and the front (north) by separate stepped parapets. The passenger terminal is a large two-story rectangular building, also of brick construction. First-story brick treatment conforms to that of the baggage depot, while second-story ornament includes a second-floor-level white plaster string course, and corner and side-wall brick rustication strips suggestive of quoins. The main building is gable-roofed, covered with slate, and has simple boxed cornices with returns. Windows at first-floor level are two-over-two-light, double-hung sash with segmental arch heads and lintel hoods (painted white). Second floor windows are one-over-one light sash with segmental-arch lintels along the side and in each end stands a large palladian window below a semi-elliptical

arch. The main entrance ^(north end) is covered with a flat-roofed single-storey, colonial Revival portico supported at the corners by paired doric columns. A single-storey, flat-roofed ell abuts the west side of the depot.

CHARLOTTEVILLE

✓ 16	112-1	Pass Sta & sheds B 7 t)	1885)
		Express agency shed)	1954)
		& butterfly sheds)	1919)
✓ 16	112-4	Frt depot 23x133f t	1895 ✓
✓ 16	112-1	Main hs 26x80 F co	1939
✓ 27	112-11	Roadway motor car & sig mtnr shop	
		Small metal radio hs	
		Ice house - conc	
✓ 27		Signal equipment	

and Robinson Terminal Warehouse Corp. = 25,350 sq. ft.
ent 2,062 sq. ft.

**TAKEN FROM 1977 PROPERTY
TAX RETURN AS FILE WITH
S.C.C.**

LEE O'BRIEN
(804) 786-3670

Commonwealth of VA.

STATE CORPORATION Commission

PUBLIC SVC. TAXATION DIV.

Box 1197, Richmond VA 23209

CITY DB 9-194 21 June 1898

Va. Midland RR to Southern Ry.

Co. DB 77, p 323 1 Jan 1881

John S. Barbour, receiver of The Washington City,
Va. Midland, + Great Southern RR Co.
to Va. Midland Ry. Co.

Co. DB 85, p 149 29 Apr 1885

Agreement between Charlottesville + Rapidan RR
and Va. Midland Ry.
and C + O RR.

to purchase common land at junction for
use as a joint terminal.

RICK SPITZMILLER

Rick Spitemiller plat of Fife lots
station shown

DB88-176+7, June 1886

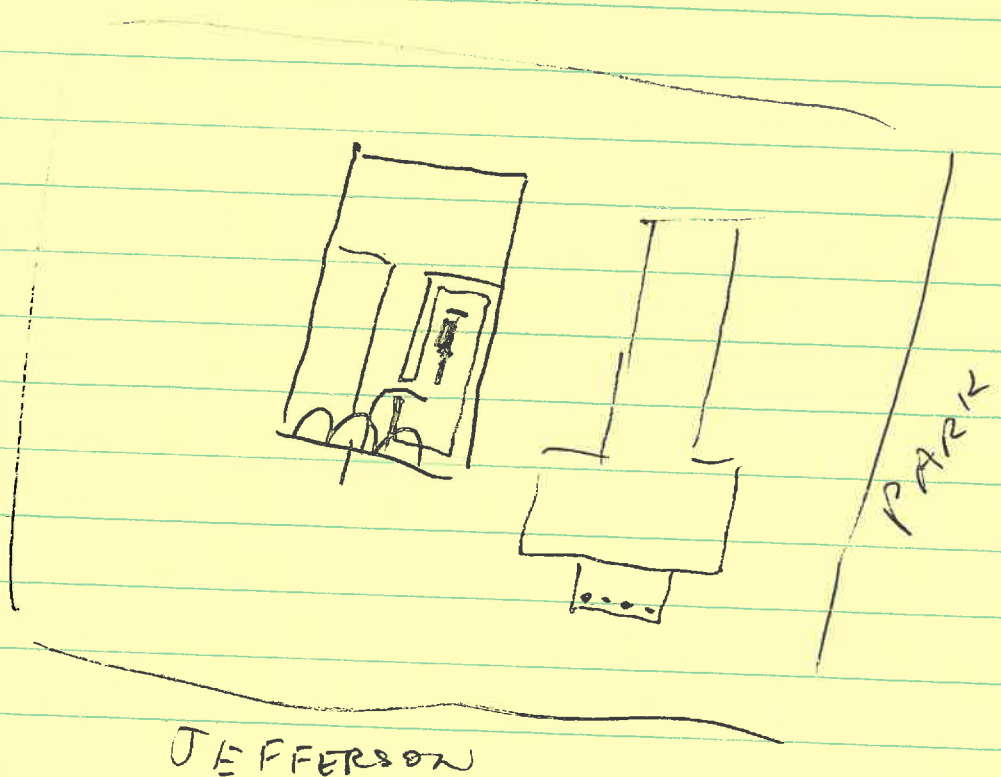
Post Cards
Civille folder
look under
main street

DB 85-151 Plat of Junction of
C & O Rwy + Va Midland RR
29 Apr 1885

Charlottesville & Rapidan RR Co.	1st part
Va Midland Rwy Co.	2nd "
C & O Rwy Co.	3rd part

~~DB 8~~

HIGH



Deed Book 85



1885 Va Midland RR

17³/₄ mi at \$15,000 per mile

\$266,250.

1886 Va Midland

\$312,600

1887 Va Midland

19⁹/₁₀ mi at 15,000

299,100

Depot Grounds

13,100

Depot may get facelift

Amtrak, city open renovation talks

By NICK JOHNSON
of The Progress staff

Amtrak and city officials have opened discussions aimed at refurbishing Charlottesville's century-old passenger train station.

The West Main Street station is the 105th busiest among the more than 500 passenger train stations in the country last year. In 1990, 42,414 passengers got on and off trains at the depot, a 43 percent increase since 1980.

The red-brick station has "seriously deteriorated" inside and out in the last few years, Amtrak spokesman Howard Robertson said. But during the last decade, little has been done to improve the facility, or even adequately maintain it.

In the waiting room, the floor is patched and the paint on the ceiling is peeling. Outside, there is no platform — just a stretch of asphalt with faded lines indicating where travelers should stand to board their trains.

"I think it's sort of a universally held axiom that it's a problem, that the station is not attractive and there's work that needs to be done," Charlottesville City Manager Cole Hendrix said.



Progress photo by Matt Gentry

The venerable station on West Main Street saw more than 42,000 passengers come and go in 1990, up 43 percent since 1980.

According to area travel agents, most of the people who get on and off the daily Crescent (New York-New Orleans) and thrice-weekly Cardinal (New York-Chicago) trains in Charlottesville are, not surprisingly, University of Virginia students and local residents.

Much of Charlottesville's passenger traf-

fic is to and from Washington's Union Station, the agents said.

"I don't think [the station's condition] is a major concern, although I think everybody would love for it to be renovated," said Bill Dittmar of Enterprise Travel-American Express.

"It does affect ridership," Robertson said.

"If people go down and see an old rundown station, they won't want to wait for a train there.

"But people aren't going to take Amtrak just because the station is nice."

Last month, Amtrak and city officials

Please see Train, Page B2



On its way? The sale of Norfolk Southern's Union Station has been discussed since at least 1993. Will the sale and promised improvements finally happen? Gabe Silverman thinks so.

Explain the Phenomenon!

The (3) Winners: "Gordy didn't take the Foxfield Gang seriously when it threatened to bury his horse up to its hooves in concrete. Now he knows.—B.L.R.

"Rampant expansion of the concrete jungle shrinks our beloved horse country."—Dave Gourley

"An empty dressrack after a successful sidewalk sale at the 'Clothes Horse' boutique."—Gordon Latter

The Actuality: This picture depicts some horseshoes (and muleshoes) which are embedded in the sidewalk in front of the Sprint/Centel office building on West Main Street. But why are they there? Longtime

West Main Street resident Coleman Maddox believes the shoes may be a memento of Harris Hardware which sold many horseshoes. Harris Hardware was located at 417 West Main until it was bought out by W.T. Martin Hardware (now simply Martin Hardware) and demolished in the 1940s for what became the Sprint/Centel building. Maddox recalls seeing the shoes since his arrival on West Main — which was 1946. He notes that the smaller shoes in the photograph are mule shoes. Furthermore, he notes that the absence of caulks, little tabs that help hold the shoe in place, indicates the shoes were brand new — perhaps right out of Harris Hardware.

The Rules: Submit your answer for the big picture (by Larry Swank) below, so it arrives by mail or fax by Wednesday, January 11th to "Explain the Phenomenon," C-Ville Weekly, 112 E. Main Street, Charlottesville, VA 22902. Fax number is 295-3793. As usual, winner(s) are chosen for accuracy and/or creativity and will receive two free passes to the Jefferson Theater. (Winners must call the office to claim their tickets of victory.)

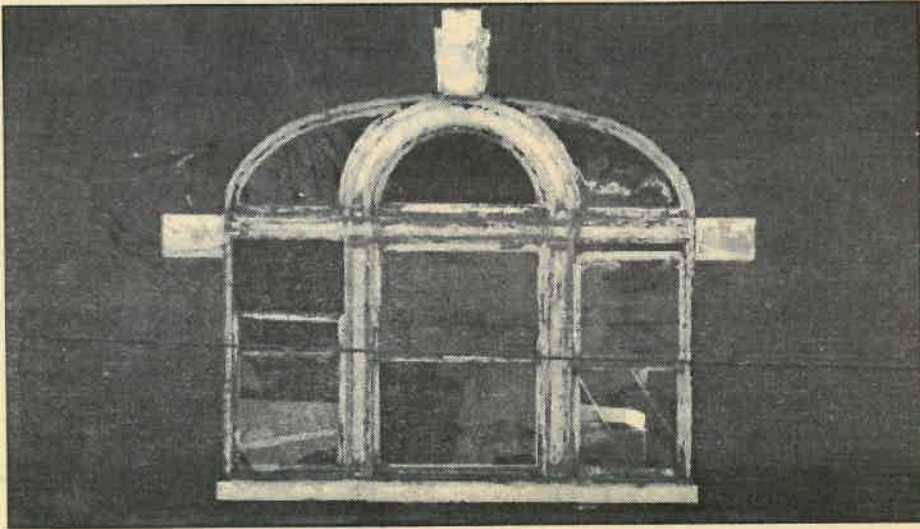
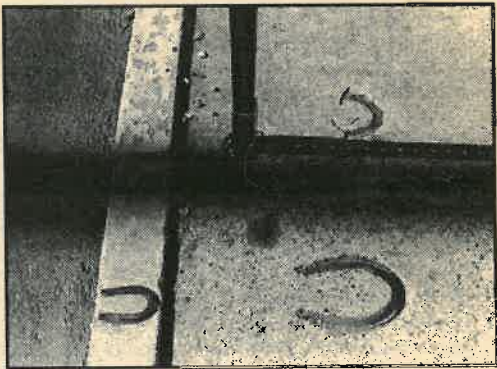
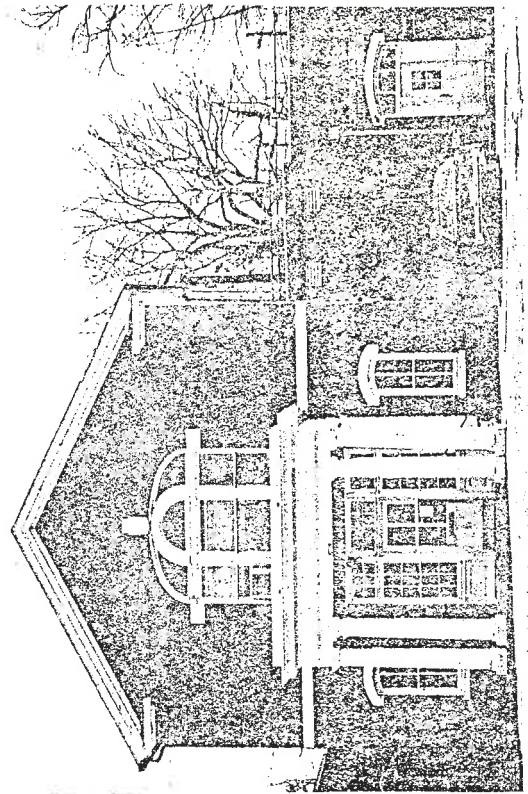


Photo by Larry Swank

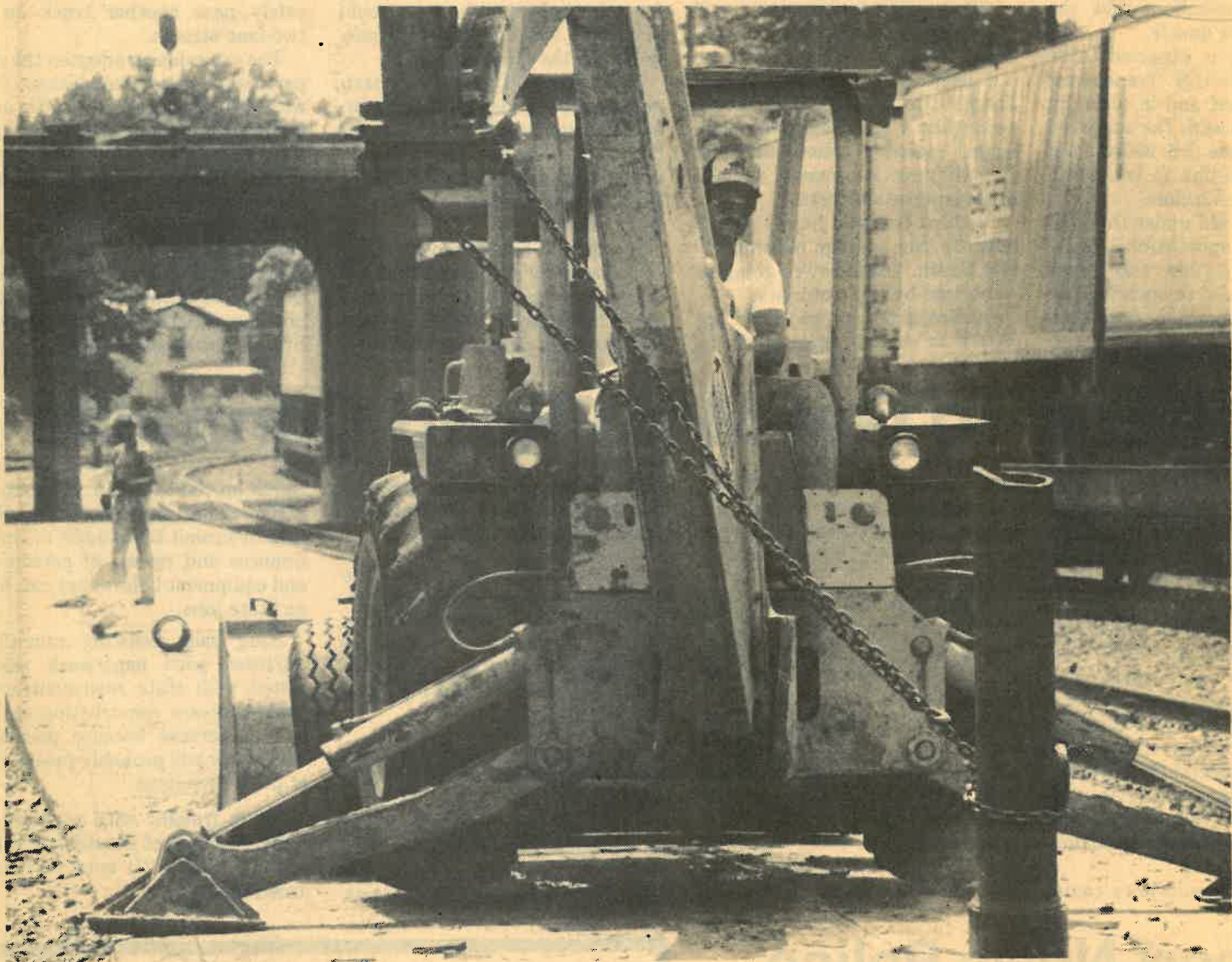


southern Railroad Station. The
Railroad opened its rail
in Charlottesville in 1863.
The depot was built about 1880 and
features a high, two story waiting
room. The gable end faces the
street and the entrance is under
a portico supported by paired Doric
columns with a semi-elliptical arch
above. In the early 20th century,
a second level walkway connected
the upper level of this building
to West Main Street.

The Daily Progress

Friday, June 17, 1983

Local / St



Progress Photo by Jim Carpenter

The End Of The 'Butterfly Shed'

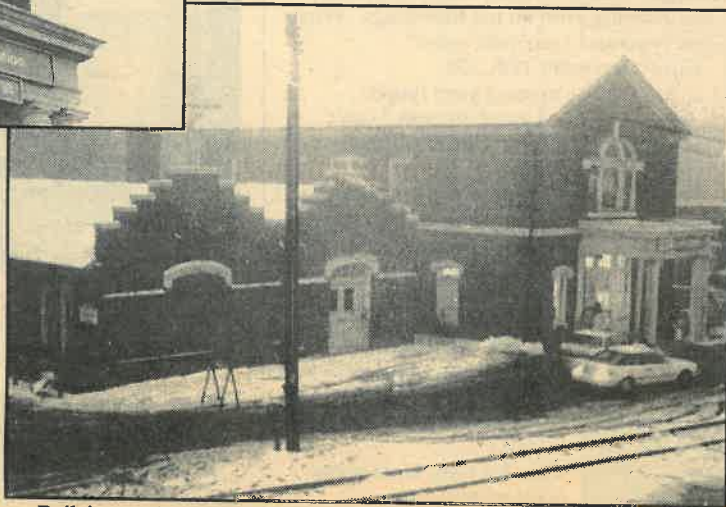
Ray Burnett pulls up the last post of the "butterfly shed" platform cover that was torn down this week at the Southern Railway Station on West Main Street. A railroad

spokesman said the shed, which was built in 1917 and protected passengers as they waited for trains, was demolished because it was badly damaged.

Union Station captured in snow — and time

Since major renovations for Union Station are slated for May, and now that a temporary bridge is being constructed over the Norfolk Southern train tracks, the face of Charlottesville's own little valley of rail history will never look the same again. While the replacement of the bridge and the expansion of the Station will bring

economic vitality to this languishing landmark, it's only fitting for one last atmospheric look at "the way it was." These photographs were captured by Karen E. Lillis after a snowfall two years ago — but never published until now.



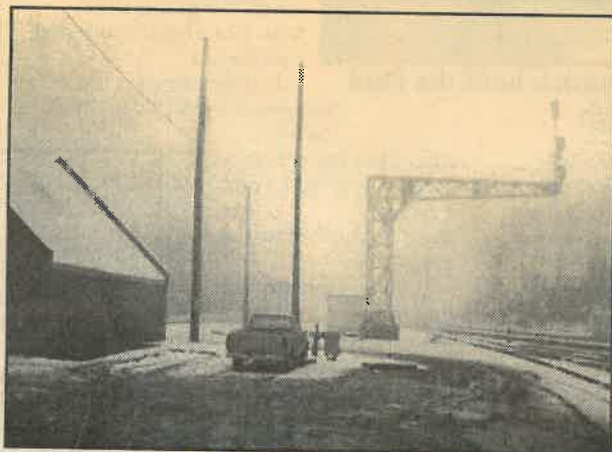
Built in 1913, Union Station serves both East/West and North/South rail lines.



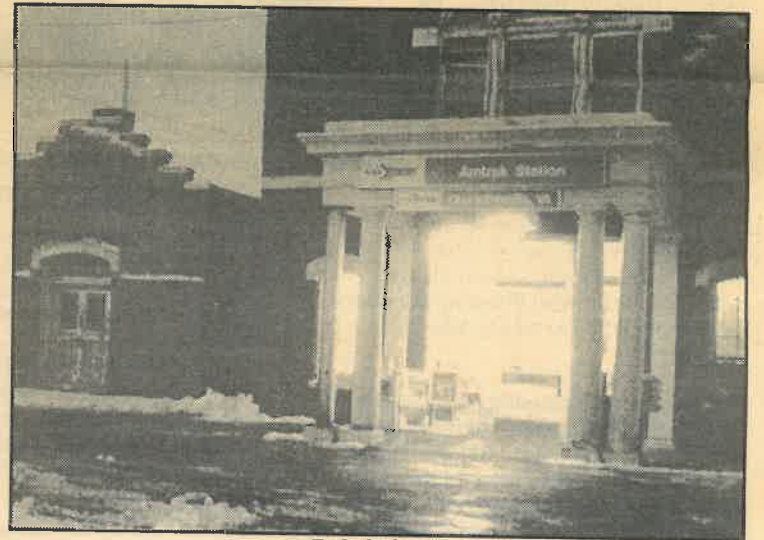
This fence and stairway are already gone.



This siding has been ripped up.



An illegal way to walk to UVA.

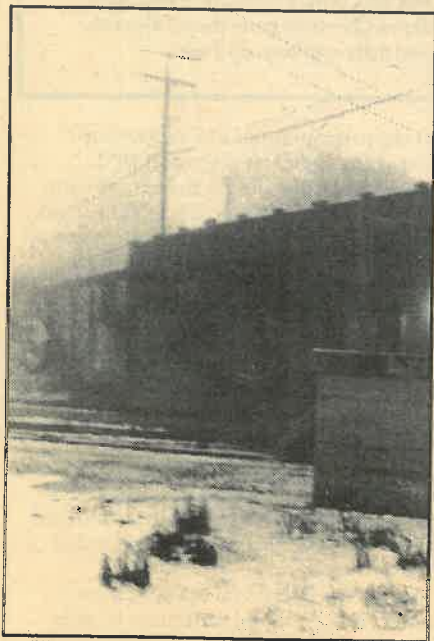
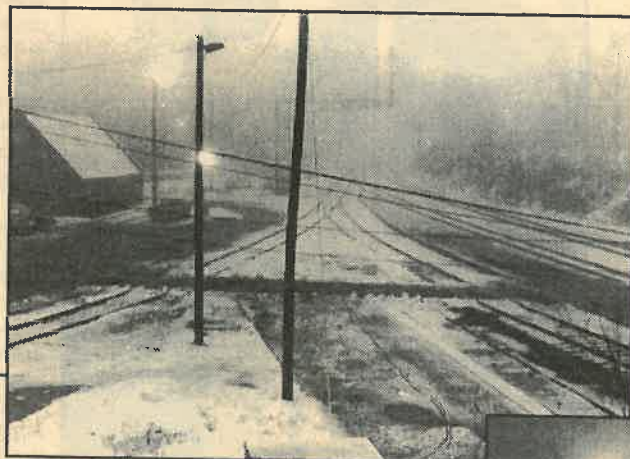


Faded glory.

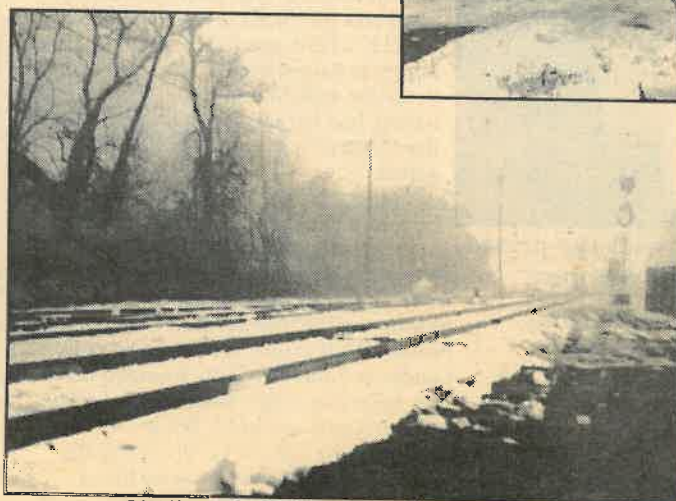


Photographer
Karen Lillis

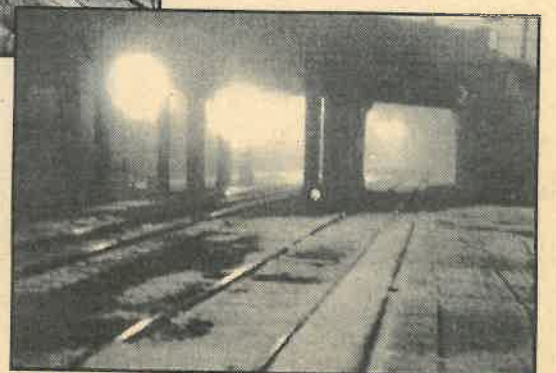
photo by Alexandria Searls



West Main Street looms quietly overhead.



CSX (formerly C&O) tracks heading toward Crozet.



Norfolk Southern (formerly Norfolk & Western) tracks heading toward Front Royal.



14633

Date 2.1996 File No. 104-231
 Name Union Station (800 block W.
 Town Main St.)
 County Charlottesville
 Photographer Dan Perzani
 Contents 5 ext. views



ADC District or IPP



Board of Architectural Review (BAR)

Certificate of Appropriateness ADC Districts and IPPs

Please Return To: City of Charlottesville

Department of Neighborhood Development Services

P.O. Box 911, City Hall

Staff contacts:

Charlottesville, Virginia 22902

Telephone (434) 970-3130

Jeff Werner wernerjb@charlottesville.gov

Please submit the signed application form and a digital copy of submittal and attachments (via email or thumb drive).
Please include application fee as follows: New construction project \$375; Demolition of a contributing structure \$375;
Appeal of BAR decision \$125; Additions and other projects requiring BAR approval \$125; Administrative approval \$100.
Make checks payable to the City of Charlottesville.

The BAR meets the third Tuesday of the month.

Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 3:30 p.m.

Note: No submittal deadline
for Admin Review

Owner Name	Union Station Partners, LLC (Allan H. Cadgene)	Applicant Name	brw architects (Kurt Keesecker)
Project Name/Description	Union Station Roof Canopy Addition	Parcel Number	300002000
Project Property Address	810 W Main Street		

Applicant Information

Address: 112 4th Street NE

Charlottesville VA 22902

Email: kkeesecker@brw-architects.com

Phone: (W) (434)971-7160 x202 (C) use office number

Property Owner Information (if not applicant)

Address: 2088 Union Street, No 1

San Francisco, California

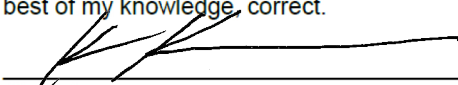
Email: allan@alimar1.com

Phone: (W) 415-474-4444 (C) 415-425-2507

Do you intend to apply for Federal or State Tax Credits
for this project? No

Signature of Applicant

I hereby attest that the information I have provided is, to the
best of my knowledge, correct.

 3/27/23
Signature Date

Kurt Keesecker

3/27/23

Print Name

Date

Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to
its submission.

 3/27/23
Signature Date

Allan H Cadgene 3/27/23
Print Name Date

Description of Proposed Work (attach separate narrative if necessary):

(see attachment also) Addition of permanent (not temporary) Roof Canopy over existing outdoor dining area.

List All Attachments (see reverse side for submittal requirements):

20 page 11 x 17 digital PDF dated 3/28/23, one paint chip sample, one plastic panel sample

For Office Use Only

Received by: _____

Fee paid: _____ Cash/Ck. # _____

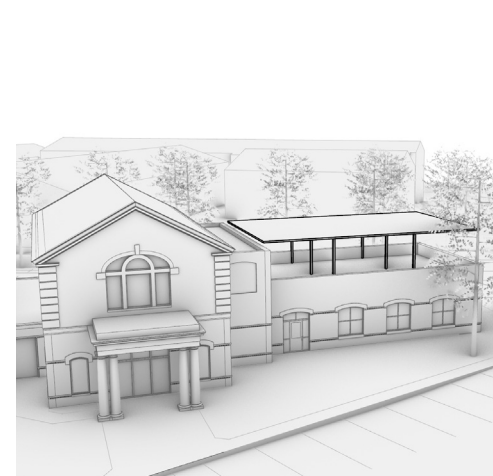
Date Received: _____

Revised 2016

Approved/Disapproved by: _____

Date: _____

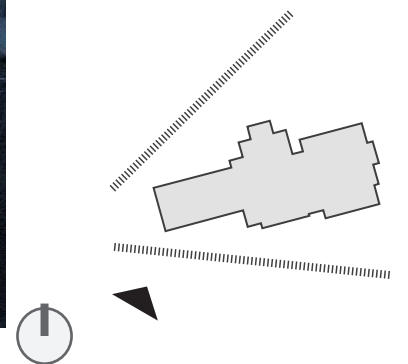
Conditions of approval: _____



810 WEST MAIN STREET - ROOF CANOPY

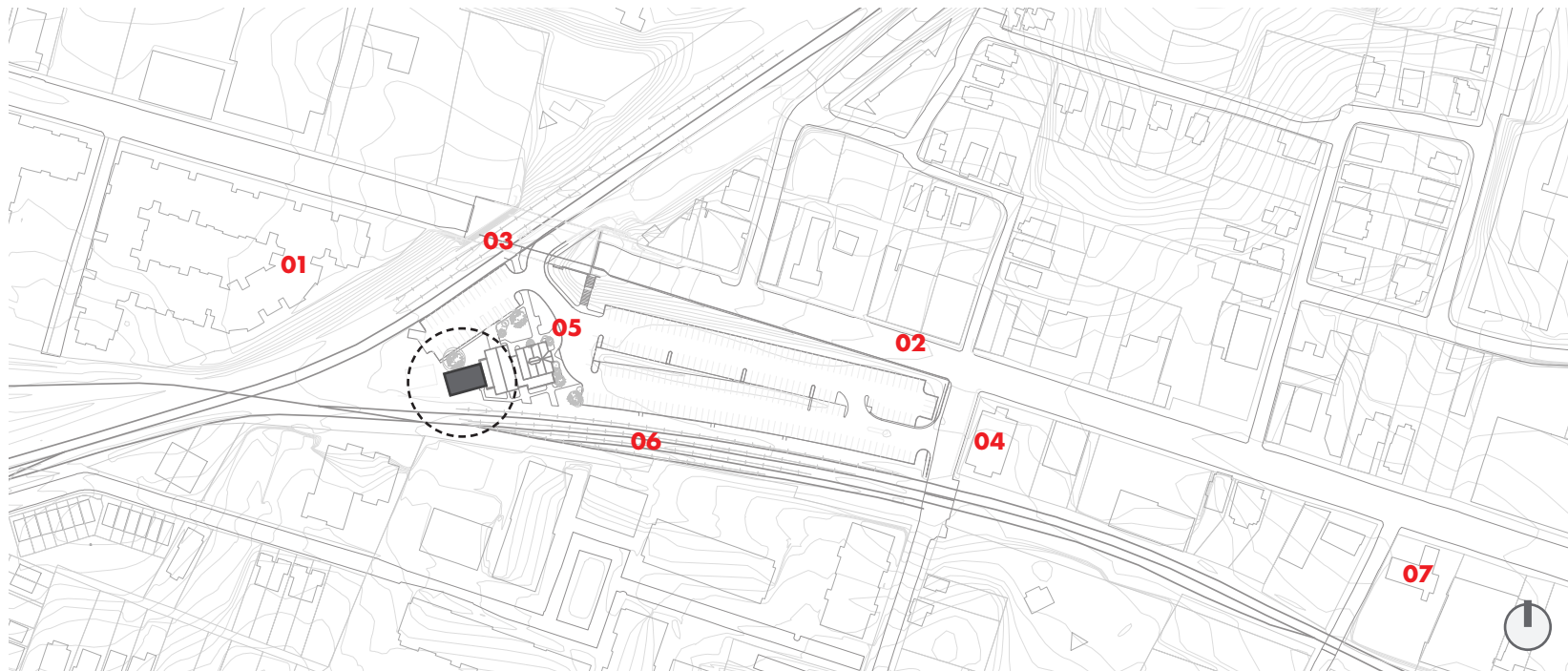
BAR APPLICATION
MARCH 28 2023

810-820 WEST MAIN STREET
NEW ROOF CANOPY



AERIAL VIEW - EXISTING

810 W MAIN ROOF CANOPY
BAR APPLICATION
MARCH 28 2023



01 THE FLATS



02 WEST MAIN STREET EDGE



03 BRIDGE



04 FIRST BAPTIST CHURCH



05 UNION STATION



06 TRACK EDGE





VIEW FROM THE BRIDGE



VIEW UNDER THE BRIDGE



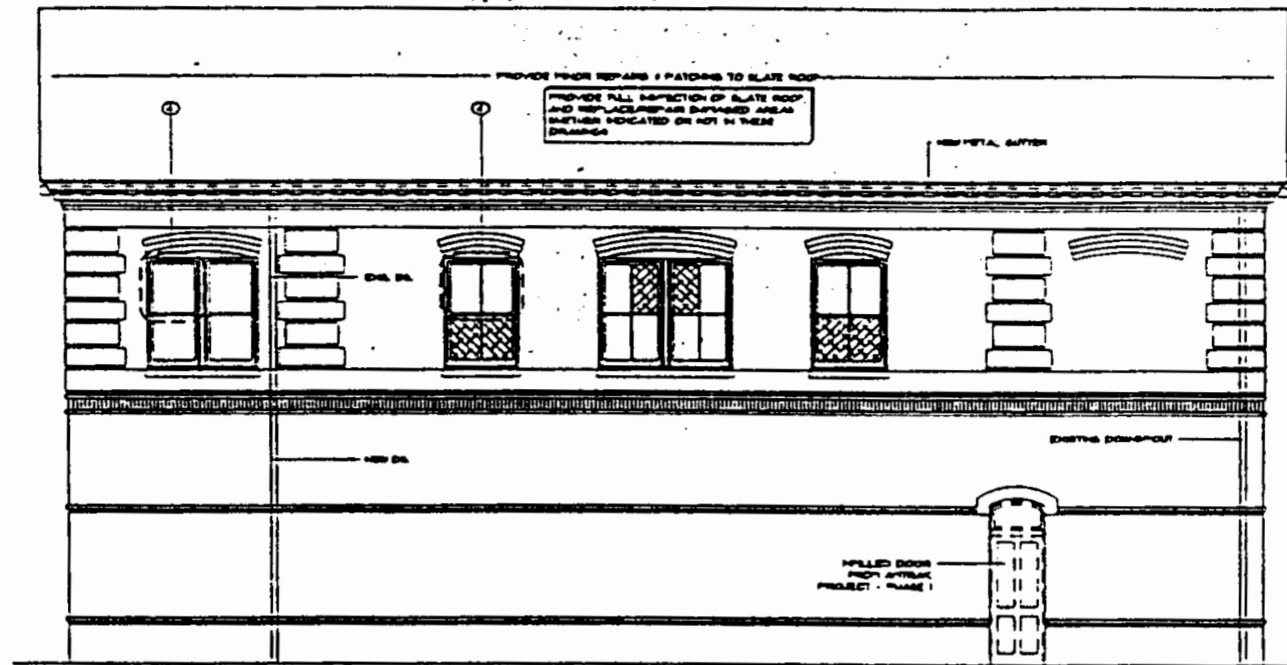
FRONT VIEW



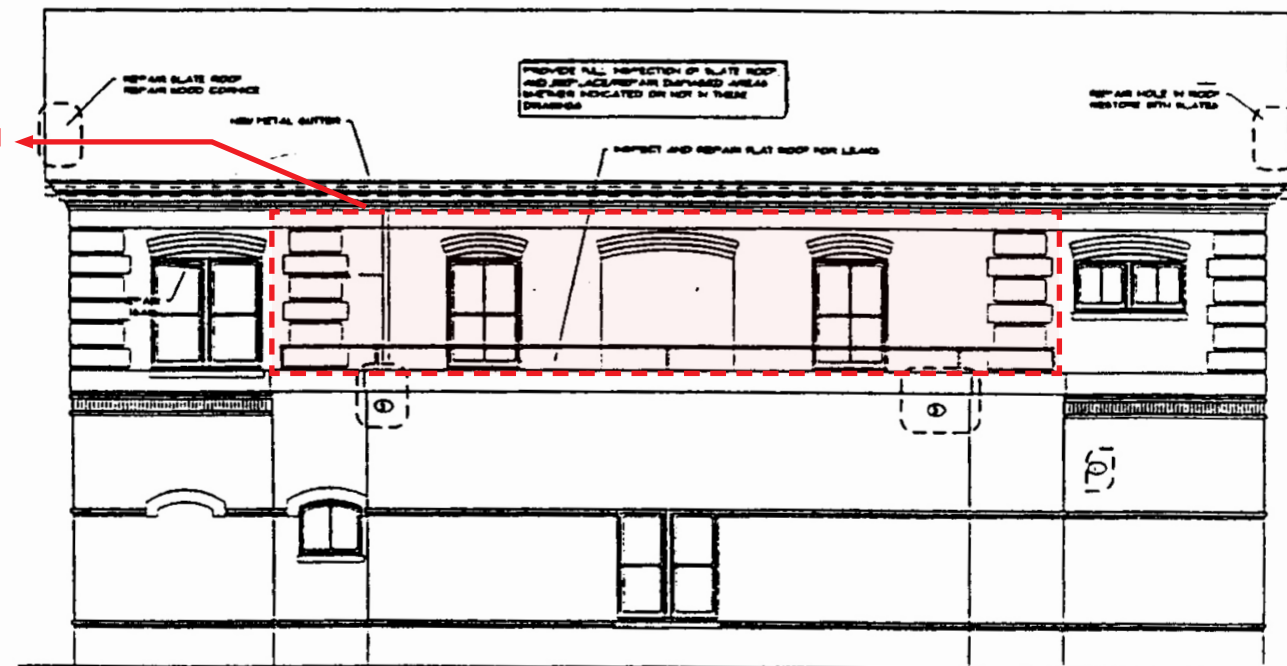
LINE OF MECHANICAL AREA ADDITION

- LEGEND**
- ① PASSENGER OFF-LIMITS
 - ② REBUILT PASSENGER
 - ③ POINT PASSENGER
 - ④ PROVIDE NEW DATA

810 W MAIN ROOF CANOPY
BAR APPLICATION
MARCH 28 2023



1/4" = 1' 1 EAST ELEVATION



1/4" = 1' 2 WEST ELEVATION

LEGEND
 1 PATCHWORK BY ALL REPAIR
 2 REPAIR PATCHWORK
 3 PATCHWORK
 4 PROVIDE NEW SLATE

Approved	BROWNE EICHMAN DALGLISH GILPIN PAXTON ARCHITECTS	200 FISH SL. NE Charlottesville, Virginia 22901 (804) 977-4400	ORIGINAL STATIONHOUSE STABILIZATION UNION STATION CHARLOTTESVILLE, VIRGINIA	REPAIR WORK EXTERIOR ELEVATIONS	<table border="1"> <thead> <tr> <th colspan="3">Revisions</th> </tr> <tr> <th>#</th> <th>Date</th> <th>By</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Column</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>MTS-2</td> <td>2/23/17</td> </tr> <tr> <td>Drawn</td> <td>Checked</td> </tr> <tr> <td>JF/MS</td> <td></td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="2">ST 2</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Revisions			#	Date	By	1			2			3			4			Column	Date	MTS-2	2/23/17	Drawn	Checked	JF/MS		ST 2			
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Thank you for considering our design work for an addition to the existing Union Station building. It is hoped the addition of a roof canopy over the existing rooftop dining area will allow more enjoyable year round use of the space and bring activity and a sense of urban vibrancy to this important transportation hub in our City. As shown on the following pages and described below, the new canopy will not significantly impact historic elements of the existing building or Amtrak operations. (Our plans show an adjustment to the location of the existing egress stair, meaning we will repair an existing opening in the parapet and replace it with a new opening that is more functionally relevant for the dining area while improving the trackside façade of the existing station building.)

As we considered the program, existing historic building, and project site our design ideas are guided by the Board of Architectural Review’s “Architectural Design Control Districts - Design Guidelines”, particularly as they relate to Chapter III /Additions. Of course, Chapter III of the Guidelines begin with a reference to the Secretary of the Interior’s Standards for Rehabilitation:

- New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired

Taken whole with a broad view, the overall composition of the existing assembly of buildings is tied together by material and color with the original building and previous additions varying from one another. The new roof canopy addition acknowledges this variation in its materials and color selection , which allows the new roof canopy addition to be clearly distinguished from the original historic building. The details of the addition (detailed further in this document) distinguish themselves from the original in both material and color, but we believe they are complimentary to the overall aesthetic of the site and district. The resulting composition accomplishes a subtle difference while creating an overall compatible design.

The text below and the images on the following pages provide our design proposal for the new roof canopy addition. To aid your consideration of our approach, please find the following brief summary of notes related to specific portions of Chapter III of the Guidelines and how our design may address the particulars of the guidelines under the general guidance of the Secretary’s Standards. An outline of Chapter III is provided, along with our preliminary description of building elements and design approach that meet the intent of the Guidelines.



PER CHAPTER III OF THE GUIDELINES: NEW CONSTRUCTION & ADDITIONS

- A. Introduction
- a. Sustainability
- We’ve preserved the entirety of the existing building complex and plan to continue its use as the Station location and commercial enterprise. The existing building is incorporated into the design and function of the new building (in terms of programming) without compromising the integrity of the historic building design elements.
 - The new addition will include durable materials consistent with the historic building (steel structure with ‘dark bronze’ colored automotive paint & polycarbonate system with 22% translucent).
 - As the center for rail travel in our community, this project inherently meets the goals for reducing dependence on automobile use and enhances the mixed use character of the surrounding district.
- b. Flexibility
- We have considered the Guidelines as general recommendations and have therefore not made an attempt to replicate the adjacent historic building in style or color. By distinguishing the details throughout the building, the new and old can easily be identified. The construction of the new canopy is attached to existing building without disturbing the character. New columns align with existing columns in a steel structure below the existing roof area and also to a previous (non-historic) mechanical addition (see attached reference elevations of original station design.) If, in the future, the roof canopy were to be removed...the removal would not damage the existing historic structure.
- c) Building Types within the Historic Districts
- This building/addition could be considered a traditional commercial infill project as it occupies an unused (but visible) portion of the site.
- B. Setback
- The north & south façade of our canopy addition respects the setback line established by the Historic building without competing with the general massing and height of the existing historic building.
- C. Spacing
- Our addition adjoins the existing building directly. There is no space created between the new addition and the existing structure, however a slight offset does help distinguish the old from the new. New columns are set inside the existing parapet.
- D. Massing & Footprint
- We believe the massing and footprint of the building is respectful of the Historic Structure.
 - We’ve also placed the new addition on the historic building footprint boundary with a slightly offset (for weather protection) in deference to the visibility of the Historic Building’s primary façade (as viewed from Drewry Brown Bridge and West Main Street)



PROJECT NARRATIVE

810 W MAIN ROOF CANOPY
BAR APPLICATION
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- E. Height & Width
 - We believe the height and width of the addition are respectful of the Historic Structure by being lower than the original building.
- F. Scale
 - Similar to the existing building, the new addition incorporates some building characteristics, like vertical proportions and eave line, that help building scale relate to the human scale. The shape of the roof canopy is the primarily viewed as a single slope, used to direct water to the trackside façade.
- G. Roof
 - Roof Forms and Pitches / we've provided a single slope structure with approx. 1/4" : 12 slope to the trackside facade
 - Roof Materials / we're suggesting a polycarbonate translucent panel system similar to system used at former Little Star restaurant on West Main
 - Rooftop Screening / The roof form is perceived as a simple and flat shape. All lighting, fans, and space heaters will be suspected below the new roof canopy area. There will be no mechanical equipment on top of the new roof canopy.
 - The new roof materials will be translucent polycarbonate system on the painted steel superstructure. We have included moment connections at the beams and columns to eliminate diagonal lateral bracing (which we believe would adversely affect the aesthetic of the new roof and diminish views from the dining area to the surrounding buildings and mountains.)
- H. Orientation
 - The new addition does not provide a new point of entry to the facility, so the Station entrance and primary façade are respected and maintained.
- I. Windows & Doors
 - Our design for addition does not include 'windows' or 'doors' but we've provided a new exit stair for the addition accomplishing the code requirements exit separation.
 - The existing windows in the existing building will remain and will not be altered.
- J. Porches
 - Our design for addition does not include traditional 'porches'.
- K. Street-Level Design
 - Our work area is one level above street level, so views of the new roof canopy will be from below. We have arranged the new lights, fans, heaters to follow the regular structural pattern of the steel support to reduce visual clutter when viewed from below. Our new work does not affect the street level facade of the existing building.
- L. Foundation & Cornice
 - Our design for roof addition does not include foundation as we are building over the existing building. Our new cornice will not match the historic details, but instead will have a minimal roof system edge with translucent panels and framing system only.

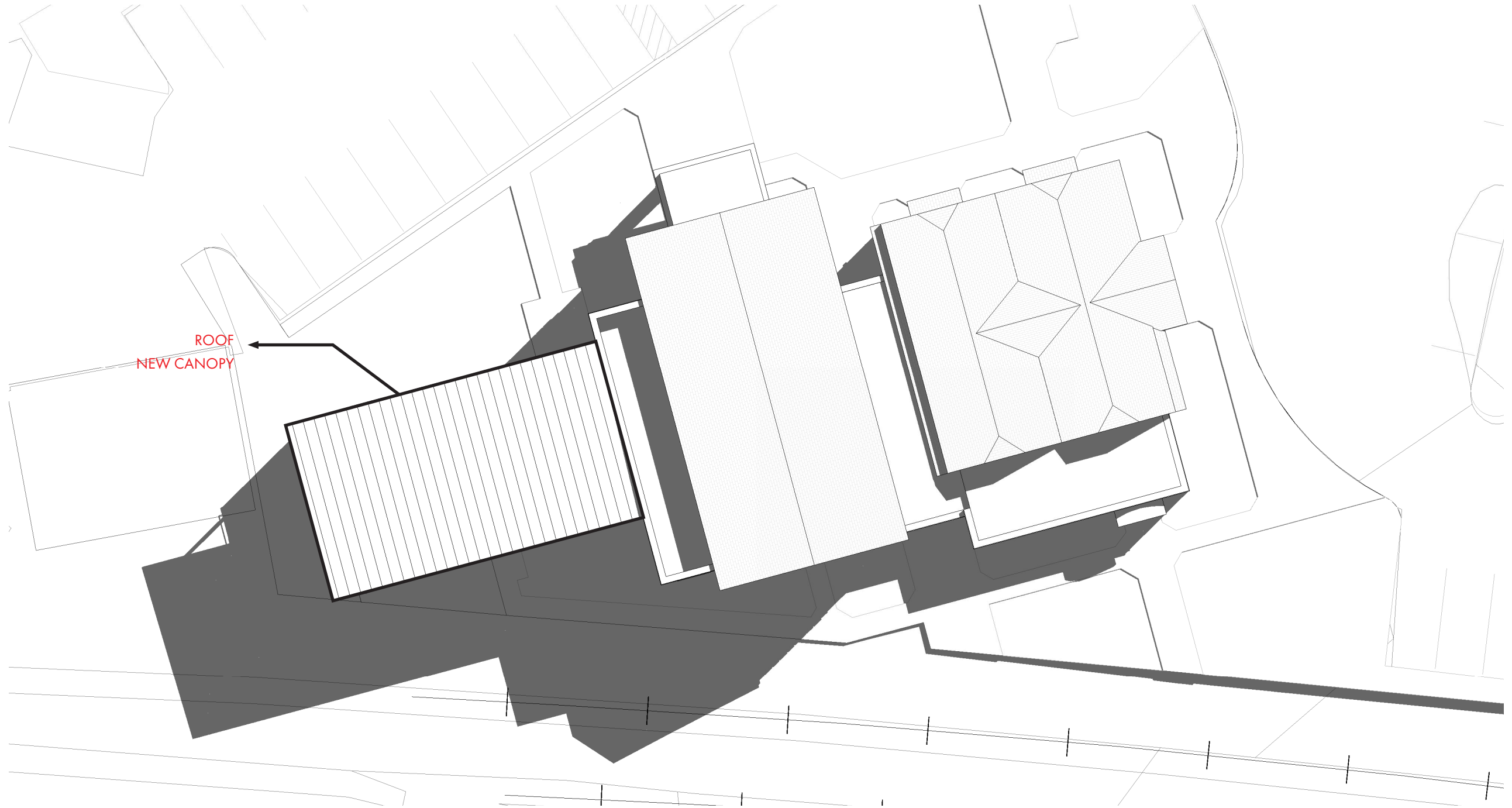
- M. Materials & Textures
 - The New Roof Canopy addition will have two primary visible materials
 - 1) Steel support structure, bronze color (painted - southern vine 2138-10)
 - 2) Hercules System, translucent polycarbonate (UV protected).
 - Some elements contained in the intervention area like the existing metal guard rail & relocated steel stairs will have the same finish as metal structure (painted - southern vine 2138-10).
- N. Paint
 - Steel structure will be bronze color (painted - southern vine 2138-10). Paint at the existing building (if any) will not be disturbed unless attachment of new materials require it. In these limited areas, any painted brick will be painting to match adjacent.
- O. Details & Decorations
 - The details and decorations for the new structure are minimized, with emphasis on the new steel structure providing the visual character. Moment connections will be welded and smoothed, with a paint finish (no visible bolts.)
- P. Additions

In an effort to meet ADC guidelines for additions, our design for the addition:

1. Locates the addition above the existing (currently uncovered) roof dining area. We will not increase the footprint of the existing building.
2. Set the additional roof height/massing is below the cornice lines of the historic structure and minimizes visual impact with thin profile at edges and separation from parapet walls below by supporting new canopy on limited number of columns.
3. Does not destroy the historic materials that characterize the property
4. New work is differentiated from the old and the massing/size/scale is compatible with the adjacent historic building.
5. The new work/addition is not an exact copy of the original
6. We believe by location and massing the new addition will be complimentary to the overall building massing, our deference to the historic structure is demonstrated in the selection of color and limited (only essential) structural components.
7. Our material palette for the new building is limited and 'simple' providing a unified aesthetic for the addition. The exterior materials palette includes painted steel structure & white translucent polycarbonate roof panels.

PROJECT NARRATIVE

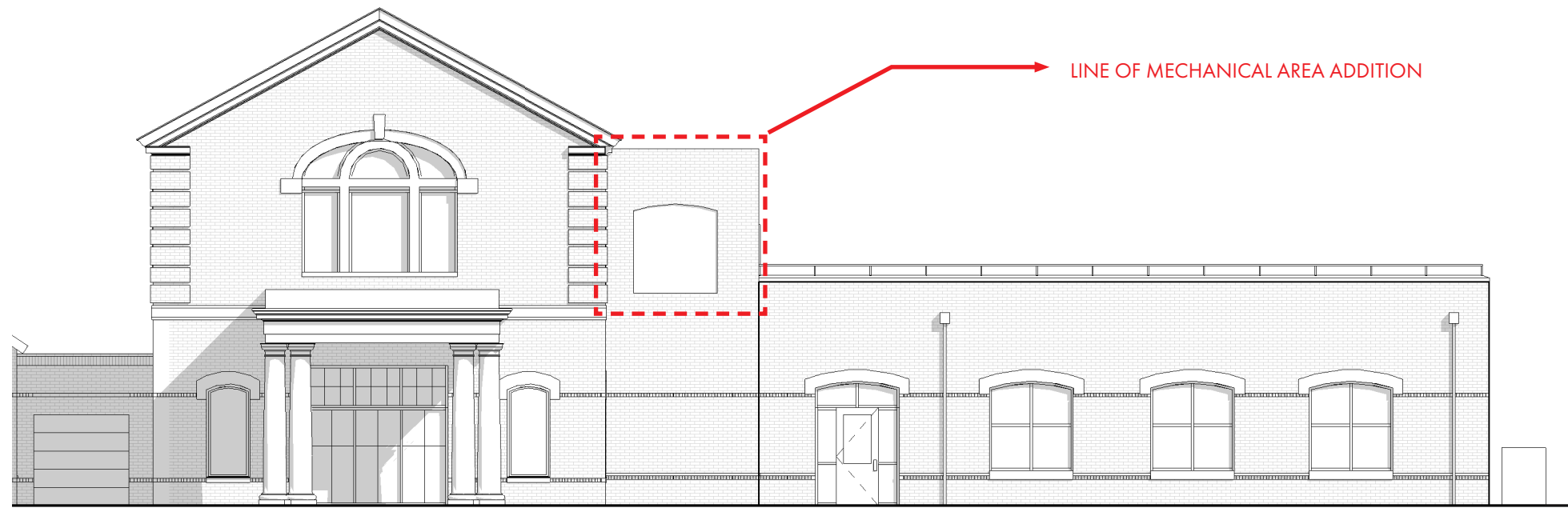
810 W MAIN ROOF CANOPY
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scale : 1" = 20' - 0"

SITE PLAN

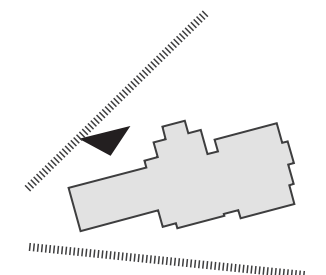
810 W MAIN ROOF CANOPY
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NORTH ELEVATION - EXISTING



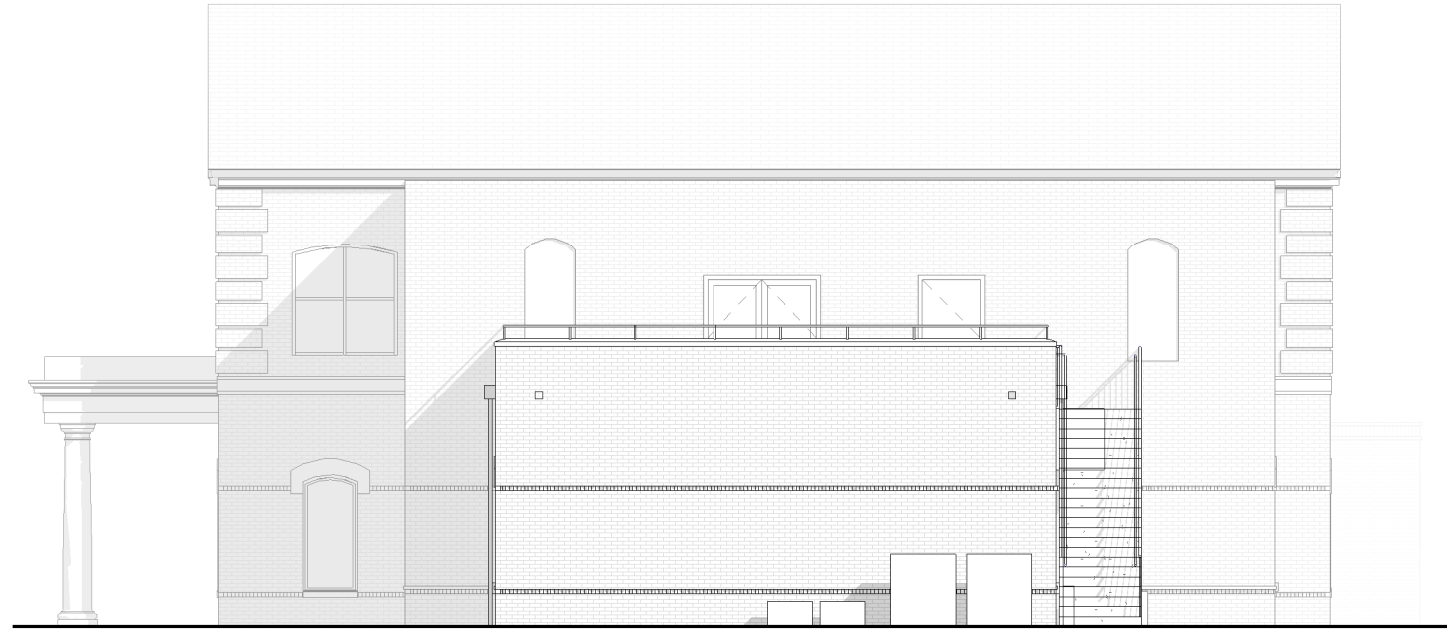
NORTH ELEVATION - PROPOSAL



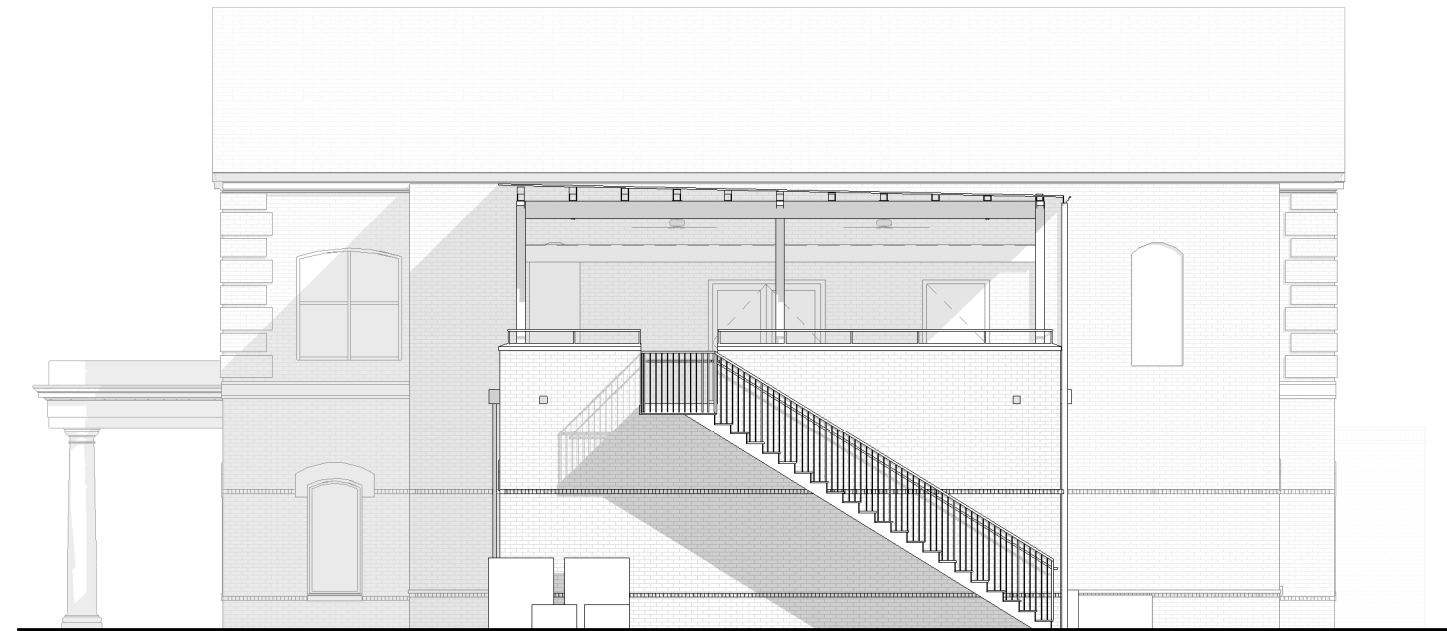
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EXISTING - PROPOSAL

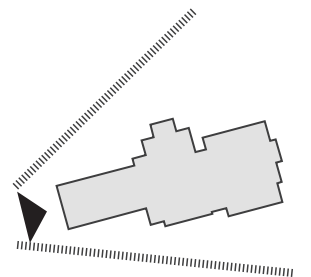
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WEST ELEVATION - EXISTING



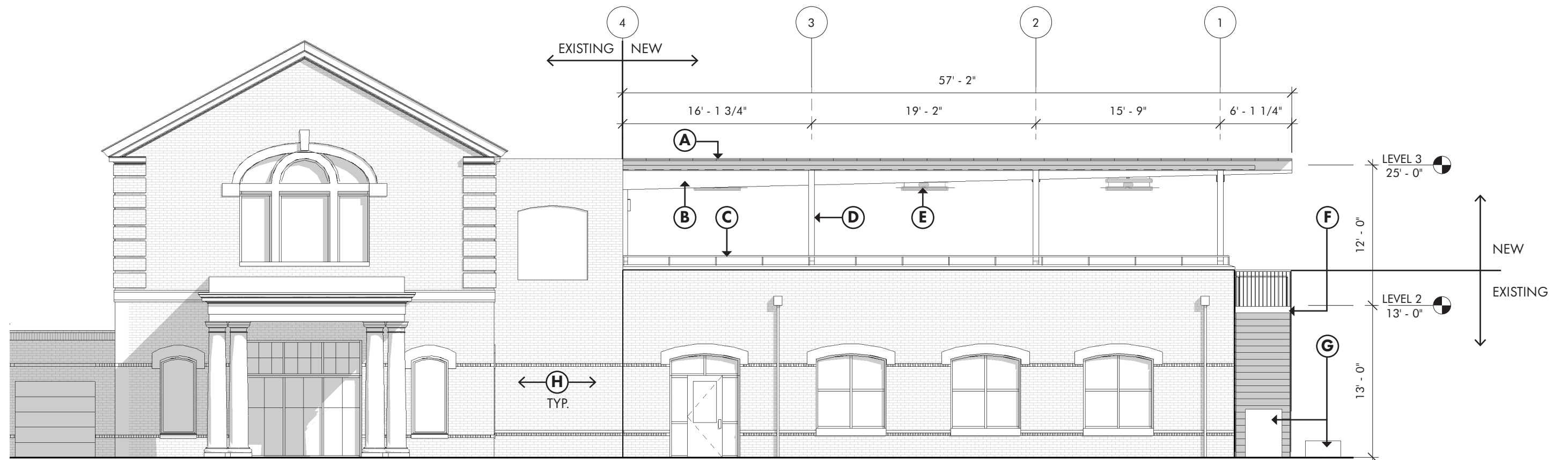
WEST ELEVATION - PROPOSAL



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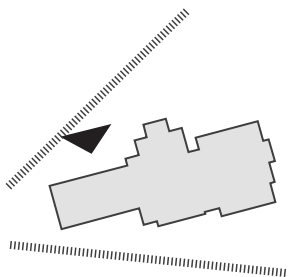
EXISTING - PROPOSAL

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LEGEND:

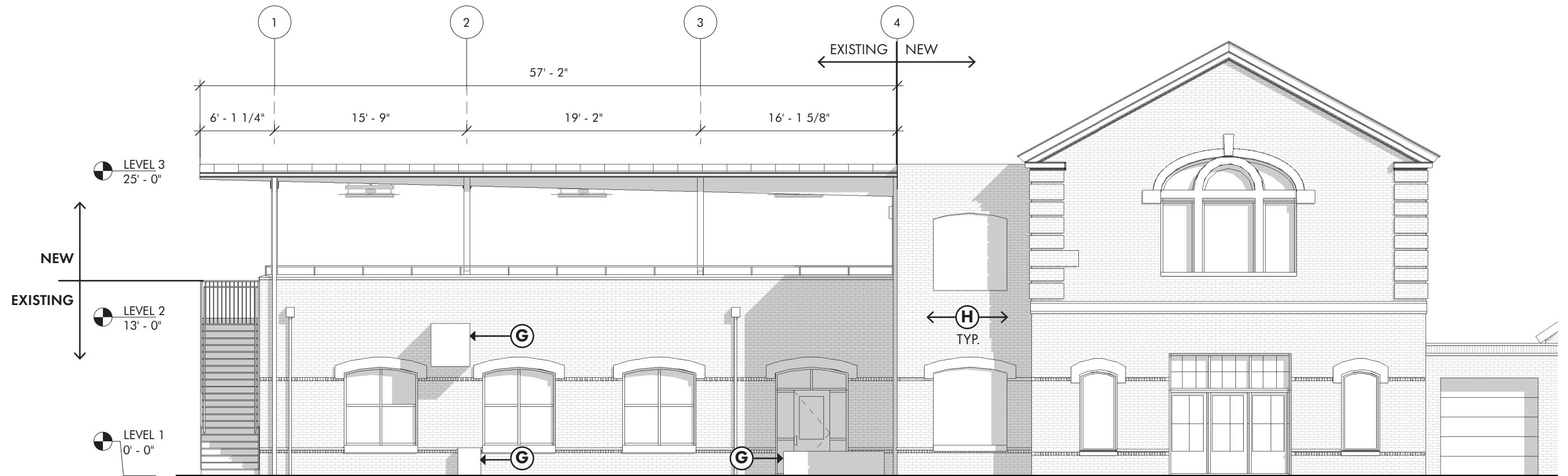
- A. HERCULES PERGOLA COVER SYSTEM - TRANSLUCENT WHITE.
- B. METAL STRUCTURE (BEAMS) - BRONZE COLOR.
- C. EXISTING HANDRAIL.
- D. METAL STRUCTURE (COLUMNS) - BRONZE COLOR.
- E. FANS & HEATHERS - BRONZE COLOR
- F. METAL STAIRCASE - BRONZE COLOR
- G. MECHANICAL UNITS
- H. (TYP.) EXISTING BRICK TO REMAIN



scale : 1/8" = 1' - 0"

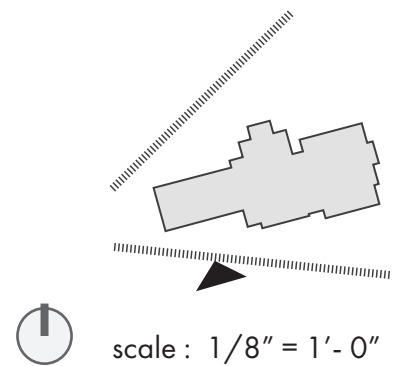
NORTH ELEVATION

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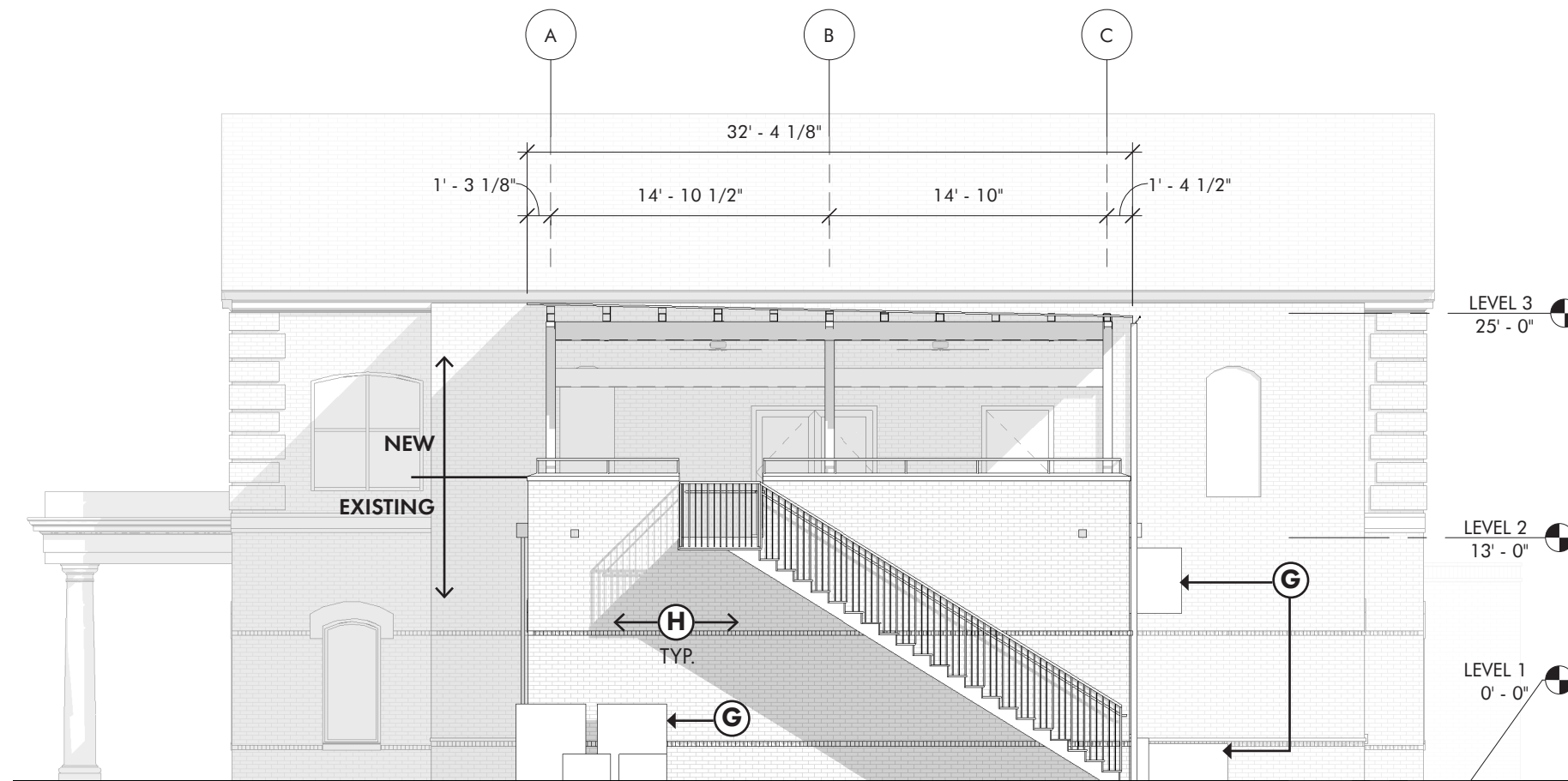
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- F. METAL STAIRCASE - BRONZE COLOR
- G. MECHANICAL UNITS
- H. (TYP.) EXISTING BRICK TO REMAIN



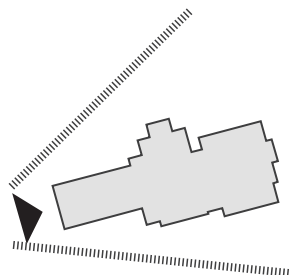
SOUTH ELEVATION

810 W MAIN ROOF CANOPY
BAR APPLICATION
MARCH 28 2023



LEGEND:

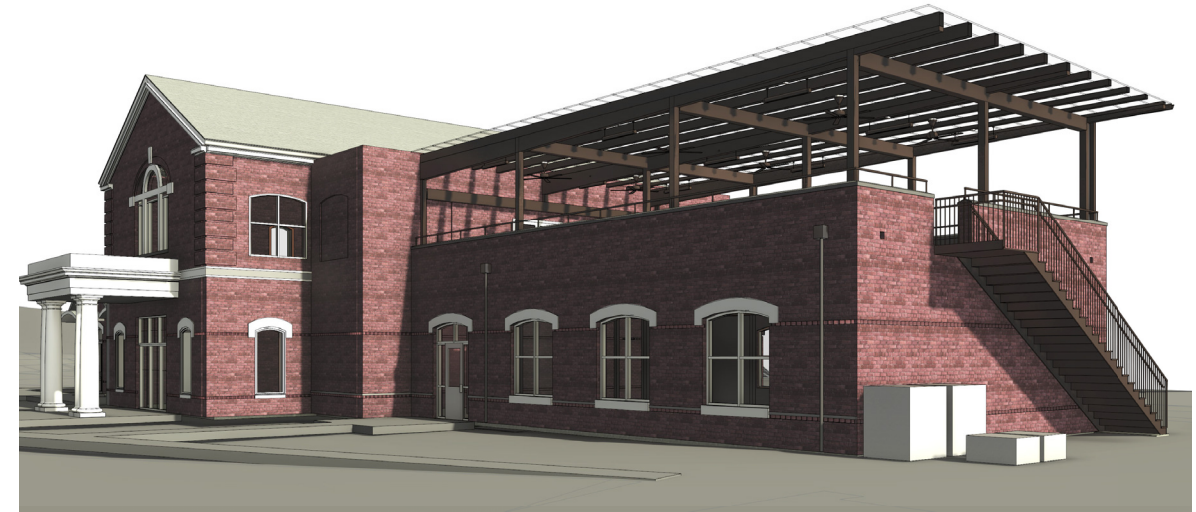
- A. HERCULES PERGOLA COVER SYSTEM - TRANSLUCENT WHITE.
- B. METAL STRUCTURE (BEAMS) - BRONZE COLOR.
- C. EXISTING HANDRAIL.
- D. METAL STRUCTURE (COLUMNS) - BRONZE COLOR.
- E. FANS & HEATHERS - BRONZE COLOR
- F. METAL STAIRCASE - BRONZE COLOR
- G. MECHANICAL UNITS
- H. (TYP.) EXISTING BRICK TO REMAIN



scale : 1/8" = 1' - 0"

WEST ELEVATION

810 W MAIN ROOF CANOPY
BAR APPLICATION
MARCH 28 2023

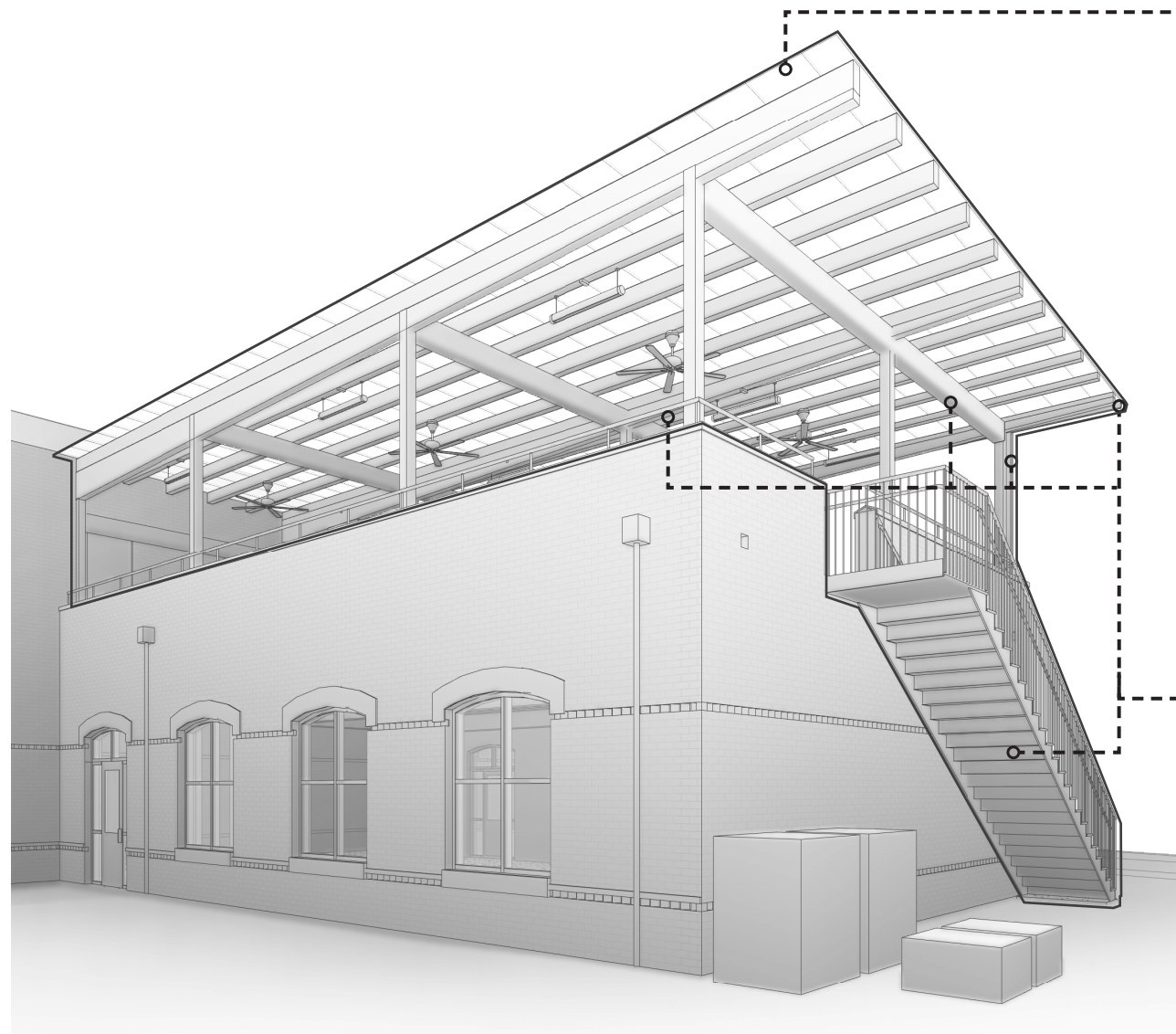


GENERAL VIEWS

810 W MAIN ROOF CANOPY
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MULTIWALL POLYCARBONATE SHEET

Hercules System: The multiwall polycarbonate sheets are UV protected on one side and quadruple layered. Sheets and accessories come in white color (22% light transition)



BENJAMIN MOORE - SOUTHERN VINE 2138-10

The structure supporting the polycarbonate system is going to be metal painted bronze with marine grade paint tinted to match color sample.

Also, the metal stairs + existing railing are going to have the same finish.



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