

**Agenda**  
**City of Charlottesville**  
**Board of Architectural Review**  
**Regular Meeting**  
**April 15, 2025 5:30 p.m.**  
**Hybrid Meeting (In-person in Council Chambers and virtual via Zoom)**



Welcome to this Regular Monthly Meeting of the Charlottesville Board of Architectural Review. Staff will introduce each item, followed by the applicant's presentation, which should not exceed ten minutes. The Chair will then ask for questions from the public, followed by questions from the BAR. After questions are closed, the Chair will ask for comments from the public. For each application, members of the public are each allowed three minutes to ask questions and three minutes to offer comments. Speakers shall identify themselves and provide their address. Comments should be limited to the BAR's purview; that is, regarding only the exterior aspects of a project. Following the BAR's discussion and prior to taking action, the applicant will have up to three minutes to respond.

**Noted times are approximate only.**

**5:00 Pre-Meeting Discussion**

**5:30 Regular Meeting**

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

**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 26 & March 18, 2025. [Attached in draft form.]
2. **Certificate of Appropriateness Application**  
BAR #25- permit number pending  
712 Ridge Street, TMP 250067000  
Ridge Street ADC District  
Owner: Chinh Le & Vanita Gupta  
Applicant: Chinh Le  
Project: Driveway (BAR discussed March 2024.)
3. **Certificate of Appropriateness Application**  
BAR # 25-0065  
516 Ridge Street; TMP 290273000  
Ridge Street ADC District  
Owners/Applicants: Claire & Logan McKinley  
Project: Window Replacements (CoA approved Feb 2018 has expired.)

4. **Certificate of Appropriateness Application**  
BAR #25-0072  
300 Court Square, TMP 530096100  
Downtown ADC District  
Owner: Eagle Tavern, LLC  
Applicant: Candace DeLoach/Barry Moss  
Project: Portico addition and rear deck (CoA approved Dec 2022 has expired.)

**C. Deferred Items**

N/A

**D. New Items**

N/A

**E. Other Business**

- (5:45) 5. Staff questions, comments, updates
- CoA extension requests – Policy update
  - 144 Chancellor Street appeal to Council – Pending
  - Staff administrative requests: Clarify BAR consultation per Code Sec. 34.5.2.6.A.1.a. and b.
    - The Administrator may approve Certificates of Appropriateness through Minor Historic Review for the following:
      - a. Applications that have previously been reviewed by the Board of Architectural Review (BAR), if the BAR has authorized final review by the Administrator.
      - b. Applications for new construction of accessory buildings or additions or alterations to primary structures determined to be minor structures or alterations by the BAR.
- [...]
- Admin (minor) CoA reviews and pending major CoA requests
  - Brief training session re: HC Districts (30 minutes)

**F. Adjourn (7:00)**

**BAR MINUTES  
CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW**

**Regular Meeting**

**February 26, 2025 – 5:00 PM**

**Hybrid Meeting (In person at City Council Chambers & virtual via Zoom)**



Welcome to this Regular Monthly Meeting of the Charlottesville Board of Architectural Review. Staff will introduce each item, followed by the applicant's presentation, which should not exceed ten minutes. The Chair will then ask for questions from the public, followed by questions from the BAR. After questions are closed, the Chair will ask for comments from the public. For each application, members of the public are each allowed three minutes to ask questions and three minutes to offer comments. Speakers shall identify themselves and provide their address. Comments should be limited to the BAR's purview; that is, regarding only the exterior aspects of a project. Following the BAR's discussion and prior to taking action, the applicant will have up to three minutes to respond.

**Members Present:** James Zehmer, Katherine Tabony, Ron Bailey, Carl Schwarz, David Timmerman, Jerry Rosenthal

**Staff Present:** Patrick Cory, Kate Richardson, Jeff Werner, Remy Trail

**Pre-Meeting:**

There is an open position for a landscape architect on the BAR.

Mr. Schwarz did have a comment on the Wertland Street project in that the elevation is too long. Staff did note that the BZA had approved a variance for the project. Anybody who wishes to challenge the findings of the BZA has until March 13<sup>th</sup> to challenge the findings of the BZA. Staff advised the BAR to make a decision regarding approval or denial of a COA regardless of the decision of the BZA. Genevieve Keller, chair of the BZA, provided the decision and findings for the BAR. According to Ms. Keller, there are going to be more cases coming to the BZA. The Wertland project does have a deadline for funding in March.

With the demolition COA for 200 West Main Street is approved, the applicant had asked for 30 months on the COA.

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

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

No Public Comments

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

1. Meeting Minutes December 17, 2024 and January 22, 2025

**2. Certificate of Appropriateness Application**

BAR # HST25-0059

218 West Water Street, TMP 2800084000

Downtown ADC District  
Owner: The Residences at 218, LLC  
Applicant: Chris Henningsen  
Project: rooftop decks, stairs and guardrails

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

BAR # HST25-0058  
610 Lyons Court, TMP 520078000  
North Downtown ADC District  
Owner/Applicant: Wyck Knox  
Project: construction of pavilion in rear yard

**Motion to approve Consent Agenda – Mr. Schwarz – Second by Mr. Bailey – Motion passes 6-0.**

### **C. Deferred Items**

NA

### **D. New Items**

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

BAR # HST24-0047  
1000 Wertland Street, TMP 100038000  
(1010 Wertland St; 129 10th St NW; Portion of 1105 W. Main St.)  
West Main Street ADC District  
Owner: UVA Foundation  
Applicant: Elizabeth Chapman; Grimm + Parker Architects  
Project: Multi-story residential building

**Jeff Werner, Staff Report** – CoA request for construction of a six-story residential building, the existing non-contributing structure will be razed.

**Elizabeth Chapman, Applicant** – There is one thing that I would like to correct for the record with regards to the BZA vote. The Zoning Administrator specifically brought before them the question of entrances/entry spacing. He did not bring before them the question of the building length. He put those out through an administrative modification request. Those are out for their public comment period right now. Only the entrances went before the BZA.

**JT Engelhardt, Applicant** – I am on the development team. This is 180 units of proposed affordable housing. We are at the beginning of our financing path. This is part of the affordable housing initiative put forth by UVA. It is one of two parcels that they committed to provide to affordable housing developers. This is at 10<sup>th</sup> and Wertland.

**Elizabeth Chapman, Applicant** – We could have done 11 stories. We are proposing to do 6 stories in this instance.

### **Next Slide**

You all wanted to know more about our overall streetscape and landscape package. We have provided some exhibits here showing you some of the things that we are planning within that street frontage. Along 10<sup>th</sup> Street there will be retail spaces. We have several details provided in the packet for you so you can see the language of those areas including street furnishings, landscape, hardscape, the composition of the windows, the canopy

overhangs, lighting, and things like that. Along Wertland Street, it will be a bit more landscape heavy in focus because we don't have those retail entrances.

#### **Next Slide**

There is more information here for those of you looking for specific details about the types of trees and bushes that we are proposing.

#### **Next Slide**

The final slide shows some of our thoughts on hardscaping. We are planning a combination of colored concrete and concrete pavers to give an ebb and flow between the entry points for the retail and general sidewalk areas. There will be several bike racks required by the new zoning ordinance. This gives you a favor for the types of site furnishings that we are envisioning for this outside area along the street frontage.

#### **Next Slide**

You asked for a daylight analysis. This is a bit exaggerated so that it is clear. You can see, in the winter, the courtyard will get little sun. In the summer, we will have some good sun in the middle of the day. That will move throughout the day. It will be an important consideration on the courtyard and the north side of the building to understand the types of plantings that will live. We have not proposed any green screens or vining type plants. We don't think that they will survive on those north sides.

#### **Next Slide**

In the corner, you have the November 2024 elevation. After hearing your comments, we looked at several options and decided to look at coming back with a C bay. The primary change is reversing the color of the panel siding in the window insets and the main exterior part of the bay. We tried several different things. A lot of the other things we tried felt too cartoony and playful for this location next to some UVA buildings and some historic homes. We felt like we wanted to stay more stately and keep a steady rhythm.

#### **Next Slide**

One of the terms that you all commented on was hoping to get some sort of view or a connection through the internal courtyard on the building. We looked hard at that and struggled with how best to do that. The reason why I am showing you the interior, even though that would not typically be your purview, is that we want to bring the inside and the courtyard through the lobby. We are intending to do that through some biophilic material choices in our lobby spaces and some artwork. You will see the green areas in the lobby are where we are envisioning that we will have some sort of mural or artwork. We are not sure what it will be. The intention is that it will include biomimicry within it. We are also looking to bring the materials of the courtyard through the lobby and out through the entrance. It is spilling all the way through. You will note that there is a bullet point directly out from the courtyard. On the next slide, you will see a section of that location and what it looks like if you are standing on the sidewalk there.

#### **Next Slide**

You would be looking physically at the structure of the building. Even if we were able to provide a lot of glass in that area or provide a physical cutout through the building. You would still be looking at the side of the structure. I don't think you would see anything as a pedestrian walking past. That is the reason that we felt like this was maybe not the right solution, a physical cut through the building.

#### **Next Slide**

Because of the length of this building and the weird transition from the ground floor being on our lowest floor to the ground floor being our next floor up, we have this area where we have some blank walls. This is the item we specifically discussed with the BZA and with the Zoning Administrator. Because of the delay in this meeting, we have a vote from the BZA. This is from our original packet. What the BZA and Zoning Administrator

suggested is that with the middle section of the building, where you see the white panels at the base, we move forward with using some of the parking screening options available to us through the current zoning ordinance. Even though there is a parking garage, as opposed to a parking area on the surface, we are still using those strategies bringing in a low retaining wall. It will essentially screen that area and additional plantings that meet the intent of that parking screening requirement. By staff's interpretation, that means that our ground floor jumps from the first floor to the second floor faster. Currently, in this rendering, there are 2 entries: one on either end, one into the retail there. We currently have the ones on either end, on the far end. The Zoning Administrator had us come back and add in the other two that are in the middle. The blue is what would be required by the zoning ordinance that we asked permission from the BZA to exclude from the design. How this is different than what you have previously seen is that you saw 2 entrances. We will now have 4 entrances plus a retaining wall and additional landscape in that central portion where we are lacking one entry point. Three of the entrances will be covered entrances. The third one will be raised and covered.

#### **Next Slide**

For reference, there were some questions and comments about where the utilities are relative to things in the street frontage. I wanted to show you physically where the utilities are located so you can understand why the trees are where they are and why we had asked the city for permission to flip the sidewalk and the green zone. Otherwise, we would not be able to have any street trees because of the utility easements. We flipped them so we can still have the street trees. They will be on the back side of the sidewalk instead of the front side. It will still be public right-of-way.

#### **Next Slide**

One of the things that you asked for was to see the other sides of the building. What you are seeing here is the view if you were standing 10 ½ Street with your back to Main Street looking at this building. You can see ghosts of the contributing historic structures that are directly across from our property. What you see on the right-hand side is that we will need to build a new retaining wall. The existing café that is in that house currently sits on top of a large retaining wall. We need to shore it up and make a better retaining wall than the one that currently exists. In that little depressed area, there will be a nice flat outdoor space for the proposed daycare. They will have a playground in that location. We cannot put a building there because it is more utility easements.

#### **Next Slide**

To give you a sense of what this will look like in context, this is if you are standing up at the intersection of 10<sup>th</sup> and Main looking towards our site. You can see the site as this brown/gray building in the background there. This helps you see how far down the building is relative to those that are up on Main Street. Even though it is a 6-story building, I don't think it feels overwhelming to anything on Main Street.

#### **Next Slide**

This view is if you are standing on the Stacey Hall rear parking lot. The white box on the right-hand side is the end of Stacey Hall that faces our building. On the left-hand side, you can see where we are proposing another retaining wall. We are intending to have a little cut down driveway for a loading area and trash servicing and hiding that behind a retaining wall. If you are standing on the Stacey Hall property, that grade will continue to be a gentle rolling hill. Hopefully, you won't even see the trash, the door to the trash room, or the loading bay.

#### **Next Slide**

Here is a view if you are standing with your back to the main entrance to Stacey Hall looking towards the site. This is what you would see.

#### **Next Slide**

The transformers and some of the site utility infrastructure that is surface mounted is intended to go on the edge of the Stacey Hall property. This is their back-of-house area on their property. There is a lot of industrial stuff back there. We are planning to provide aluminum screening to screen all these pieces. We are currently in discussion with Dominion to figure out how they want to access this to decide what side is the open side for service. Additionally, the main utility connection for water will be vaults in the sidewalk. I don't think from a pedestrian perspective, you are going to notice them that much.

#### **Next Slides**

This view is if you are standing at the intersection 10<sup>th</sup> and Wertland with your back to the Coca-Cola building looking at our building. We have the same view in the evening showing you the types of light fixtures that we are proposing. We are looking at primarily wall sconces at all the entries, a little bit of feature lighting on the main brick architectural columns at the corners, and some back-of-house and utility lighting in the rear areas where there are some security concerns. There is no pedestrian access around the building. There is also some canopy lighting up in the various covered entry canopies.

#### **Next Slide**

This is more information about the specifics of the lighting if anybody wants more details.

#### **Next Slide**

With our materials, we don't have exact things picked out yet. Part of the nature of this project is that it will be publicly funded. We will have to have an open bid. We are envisioning red, modular brick that has a velour. We are assuming that it is going to have a good range on it. It is not just going to be monochromatic. We are assuming a buff-colored mortar. We will have fiber cement as the secondary material. We are looking at some natural dark gray, light gray colors. You can see some of the other materials that we are thinking here.

#### **Next Slide**

There are a lot more materials. You asked for some very specific things. There are more details on how we think the construction of the brick is going to work, the returns at the window jams, details on the canopies. We are looking at a bit of decorative brick work at that ground floor at the retail bays and going into a more standardized coursing once we get higher up.

#### **Next Slides**

The project is targeting Fyass windows, a passive house design. These will be high quality windows with extremely low air infiltration rates. We have more information about where the mechanical equipment is on the roof so you can understand the context for screening. We have an image of the large pieces of equipment we are going to locate in the center directly over the hallways. We think that they will be naturally screened just from the geometry of the building. If we find that additional screening is needed, we are planning on using something like the screening that we would be using on the ground, unless there are specific comments from the BAR. We have a view from Wertland of the main pedestrian entrance. We have a few more views for context.

### **QUESTIONS FROM THE PUBLIC**

**Public Speaker #1** – You had the sconce lighting on the 3<sup>rd</sup> floor. Why do you need that?

**Ms. Chapman** – It was intended to accentuate architectural features. I don't think it is required.

**Mr. Werner** – With the new ordinance, exterior lighting incorporates what the BAR has been ahead of the curve on with the requirement that it is dimmable, 3000K, and color index. It would still be fine to use one of the conditions that we have traditionally used. If the applicant agrees that if there are any concerns expressed

about brightness or glare, that reasonable steps will be taken to address that. Now that we have this in the code, we don't have to address lighting in a condition.

**Mr. Zehmer** – I see that it is uplighting. Do we not have a Dark Sky ordinance?

**Mr. Werner** – There is a requirement. It must meet what is in the ordinance. Dark Sky is one of those things that we say and refer to it. We have the ordinance. If there is a concern that these might be too bright or there is too much glare, you can address it with a condition.

## QUESTIONS FROM THE BOARD

**Mr. Rosenthal** – Are the retaining walls going to be brick?

**Ms. Chapman** – Our intention is that where faces are exposed that they match the building. They will either be the same brick or similar brick.

**Mr. Timmerman** – Is there anything specific about the way you are being funded that influences the way you are designing the building or the way that you must build it? Sometimes there is a 2-part or 3-part breakdown to funding these projects.

**Mr. Engelhardt** – The current plan right now is a 24-twin. You have the wording right. Does that effect design or construction? We will have to have 2 construction contracts. The buildings will operate as one. Since it is 2 financing structures, Virginia Housing, as the lender, will need to do an underwriting exercise to make sure each building can operate independently. We have the main management functions in that pedestrian entrance. Down in the concrete podium is our commercial space and daycare on 10<sup>th</sup> Street. It is not the design. When it is underwritten, Virginia Housing must believe that the management function could be in one of those retail areas. They must operate independently, which is an architectural and design challenge. We want to do 180 units of multi-family affordable housing and operate it as one. It is this extra complication that is how to get enough financing to build it.

**Mr. Timmerman** – Other than the separation of the podium and up above, are there other separations? Are there any other design challenges that resulted?

**Ms. Chapman** – Virginia Housing has some specific requirements about the materials and what they consider a durable material. It is challenging for us to use materials that are not brick or fiber cement. It potentially loses the development team points when they are trying to competitively beat out another team to win funding.

**Mr. Engelhardt** – The finance team just had a meeting with all of Virginia Housing about the twin deal. It is a required step. They hinted towards potentially requiring fire ratings between this line between the 2 developments. It is an added challenge. I hope that they don't do that. As it relates to the design of the building, there are a few extra things that we must do. I don't know anything related to the exterior. Virginia Housing is proscriptive on the brick and the hardy and the mix.

**Mr. Schwarz** – I think you answered by email the question about the trees. Your response had to do with Wertland Street. I am thinking more about 10<sup>th</sup> Street where it looks like you have a lot more space between the building and the trees. The species that you have picked is columnar. There is a power line that exists for a short segment of that elevation. I am wondering if there is another reason that we can't get some actual trees there.

**Ms. Chapman** – I know that the landscape architect provided an answer. If you feel like it did not really answer the question, I am happy to go back to him and ask more questions. Part of his concern is that Virginia Housing



will not allow a tree at full growth to touch the building. We must have clearance. If you think of the predominant street trees that we are allowed to have in the city of Charlottesville or that are suggested in the city, many of them are 50 to 60 feet. We are looking at something where we have maybe 8 to 12 feet of clearance between the center line of where we will plant this tree and the face of the building. There might be other species out there that we can find that would be a better fit. Right now, we are struggling to find something that the planning staff and the staff with the NDS will approve that is also going to not touch the building at all and not need maintenance to not touch the building.

**Mr. Schwarz** – This was a question that came up last night in the Planning Commission meeting towards a building going up on Kindlewood. What happens when zoning conflicts with Virginia Housing? The trees are part of our zoning. The BAR is a zoning overlay. I am wondering what happens when we end up being more forceful in saying that you need to give us some actual trees at least in this location. The trees are further away from the building than other places in town where we have required larger street trees. Has that ever happened?

**Ms. Chapman** – Since the ordinance is new, we are learning together. If you have specific comments that you want to put on the project conditions, we will work with the landscape architect and city staff to figure out what the options are that we have is a better choice. There must be something that can ‘thread the needle’ better than the choice that we have made. I don’t know if we are going to be able to find the perfect tree that is going to be able to do all the things. It might have to be a little more ornamental and maybe not as much shade that is being provided. We can maybe find something that is going to ‘thread that needle’ and give you the things that you are looking for.

**Mr. Schwarz** – The concern of trees touching buildings does not seem to be a real concern. Most trees will stop before they do anything to the building.

You have the security lighting on the west side of the building. It shows up on the 3<sup>rd</sup> floor plan. Where is that relative to the ground plane?

**Ms. Chapman** – From Stacey Hall, we are only a 4-story building. Two stories are physically underground at that top corner all the way up to 10 ½ Street. The light is shown as if it is on the 3<sup>rd</sup> floor. Based on grade, you are only one floor up.

**Mr. Timmerman** – What was your reason for stopping at 6 stories?

**Ms. Chapman** – It has a lot to do with funding. If we go above this number of stories, we would have to change to a different type of construction. That would be much more costly on a square foot basis. We would have to go a lot more stories to make it worth our while. At this point, we don’t think we have the parking to support more units. It is not worth it to go higher.

**Mr. Engelhardt** – When you change construction type, you need many more units to get back at par where you were at 6 stories. With funding, it is too big for the pool of Virginia Housing 9 percent tax credits that is allocated to Northwest North Central Pool Charlottesville is a part of it. It goes up to Front Royal and Winchester. You could do it in northern Virginia.

**Ms. Tabony** – With the revised elevation on page 23a with the yellow doors, are you removing the decorative metal screening in this version?

**Ms. Chapman** – We looked at keeping it, but it feels awkward. It feels like it is at your feet because of that new retaining wall. We removed it from the final version that the BZA approved. We kept the other components, the site furnishings, plantings, and all those other pieces.

**Ms. Tabony** – How is the retaining wall functioning on the site? Is that for a planting area?

**Ms. Chapman** – You can see it here in this section. It will feel like a raised planter. We might need to put some rails in there because it is going to be very tempting for kids to get up there and jump off it. We will have to find the balance there of making it feel like a planter and making it safe. We know that this is going to be family housing.

**Ms. Tabony** – What is the purpose of that retaining wall?

**Ms. Chapman** – There is a quirk in the zoning code. It says if we have parking, in this case this is a parking garage behind this wall, we must screen it. The ways that we can screen it are prescribed in the zoning code. One of them is to build a retaining wall and screen the retaining wall with landscaping in front of it. That is what we are proposing to do.

**Mr. Timmerman** – There is not a flat sidewalk behind that with stairs down.

**Ms. Chapman** – It will be planting up above. The sidewalk is at that slope that you see. It is existing.

**Mr. Zehmer** – There is no pedestrian entrance off 10<sup>th</sup> Street.

**Ms. Chapman** – There is a secondary pedestrian entrance. There is one into the garage where people are coming and going with their bikes. There is another one that is parallel with retail bay 4, which would be our proposed daycare space. People can come and go from the residential portion through that small, secondary lobby.

**Mr. Zehmer** – That is closer to Main Street. I foresee the draw of Main Street and all the amenities that are up there. It is going to turn that into your main entrance where most foot traffic is going to go.

**Ms. Chapman** – Your mailboxes, package room, leasing office, and all your amenity spaces are at the other main residential entry. A lot of people will come and go that way.

**Mr. Rosenthal** – How many parking spaces are there?

**Ms. Chapman** – The parking garage currently contains 83 parking spaces. We have almost 200 bike parking spaces. What we have is the minimum required by the ordinance for bike parking.

**Ms. Tabony** – I see that there is a proposed sidewalk on the Stacey Hall side. Are you imagining that most foot traffic of residents will come off Main Street down that sidewalk?

**Ms. Chapman** – On the Stacey Hall side, there is a small sidewalk there. It is only because they have an existing egress door on their property. They need that door to continue to be functional. The sidewalk is for them, for their emergency egress only. The sidewalk is just connecting a rear parking lot and a front parking lot. Someone, who wanted to walk across that sidewalk, would have to walk diagonally through a parking lot. I don't think it would be attractive to the average pedestrian.

**Mr. Engelhardt** – We have no indication that is being rethought by the University with that space. They have looked at our design with an eye to someday that being a pleasant walk. I don't know the timing.

**Mr. Timmerman** – Do you have a rendering of that condition, retaining wall, and how high it is?

**Ms. Chapman** – It is easier to see on a site plan. The retaining wall is this orange wall here. It does allow them access out of the egress door to their front and rear parking lots.

**Mr. Engelhardt** – Below the word ‘proposed sidewalk,’ that is a sliding door. It is a big garage door for the back of Stacey Hall. I am not sure what is done in there.

**Mr. Timmerman** – Does this back parking lot slope down to Wertland?

**Ms. Chapman** – It is a gentle curve that gets much steeper as you get right to the sidewalk.

**Ms. Tabony** – Do you imagine the meadow area to be occupiable space?

**Ms. Chapman** – We are currently discussing whether that will be open or fenced. I don’t know. For the development team, it is an area of safety concern.

**Mr. Engelhardt** – We are discussing that with our neighbors.

**Mr. Rosenthal** – Behind that retaining wall, it says service area.

**Ms. Chapman** – That area is where loading will occur. When people move in and out of the building, they can utilize that space. Right here is our main trash room. This service area is physically depressed to be lower than the street. Stacey Hall is much higher than that. The retaining wall will hide and screen this lowered service area.

**Mr. Timmerman** – How high is that retaining wall back there?

**Ms. Chapman** – The highest point is 11 feet. I believe it is 1 ½ feet at the right edge of the right-of-way.

**Mr. Rosenthal** – Will vehicles be able to come into that surface area?

**Ms. Chapman** – A single truck will be able to pull in. It would have to back out one truck at a time.

**Mr. Rosenthal** – That is for trash and to move people in and out.

**Ms. Chapman** – It could be trash, moving, or Fed Ex or UPS. Nobody else would be using that space.

## **COMMENTS FROM THE PUBLIC**

No Comments from the Public

## **COMMENTS FROM THE BOARD**

**Mr. Schwarz** – You need to check the zoning code on rooftop equipment. I think that it has changed. You must now provide screening. It looks like the only things that might stick up are the big fresh air units.

I am still worried about the Wertland Street façade. I think the only change you have made from the last time is that you have added another color. I don’t think it does anything. There is a lot of articulation happening that you are trying to do. It is all within about 2 feet or planes within 2 feet of each other. It is ¾ the length of The Standard. It is smaller. It is still very long. It seems to have less articulation, less activity going on than The Standard. Unfortunately, that building is a mistake. I am not sure what to do with it. I realize that this is

affordable housing. In that sense, it is different that if it was a giant student housing project. We are allowed to consider the Comp Plan in our deliberations. The zoning code's way of dealing with a building that is too long, had you not gotten your exception, is that you would have to cut a notch in the building. If you are stuck in the middle of this, it would be between 30 and 35 feet wide by 30 feet deep, which I think is deeper than what your units are. It would be wider than your one of your 2 units. I wonder what would happen if you did a slightly smaller notch that took you back to the corridor. You have a daycare courtyard on the south side. You need something like that on this north side to break up the façade. It may not be a heavily used outdoor space. It would be an outdoor space that would be visible to the public and make your building feel more open to the public as opposed to it feeling walled off from the neighborhood. I am throwing that out there as a thought. I am not entirely sure where I stand on that right now. You have 180 units. It would wipe out at least 5 units. That is 5 affordable units the city doesn't get. It is also less than 3 percent of your overall project. I don't know what that does to your financial numbers. I would ask that you need to put some street trees on 10<sup>th</sup> Street where the power lines are not a problem. I understand what is happening on Wertland. They are up against the side of the building. The 10<sup>th</sup> and Page neighborhood is one of the hottest neighborhoods in the city because its lack of tree coverage and having more exposed pavement continues to make that worse. This is an opportunity to fix that. That was the goal of the zoning code. It was to try and fix that throughout the city. You heard some concerns about the lights. The up-down lights in the corners are a minor point. It would probably be better just not to have them.

**Mr. Werner** – With the lighting, we have referred to a dark sky ordinance. The old ordinance did not use the word. In the ADC District Design Guidelines that were adopted in 2012, there is reference that Charlottesville has a dark sky ordinance. That requires full cutoff for lamps that emit 3000 or more lumens. The updated zoning for exterior lighting specifically says, 'unshielded fixtures may be used when the max initial lumens are less than 1600.' Our current ordinance is even lower than that reference to dark sky requirement in the old guidelines. This is a standard comment that we have used in other conditions if you wish. We have had some conversation internally. Under the current code and with the understanding that addresses dark sky. It addresses the concerns about glare and brightness. I will offer a question that is I am addressing right now on The Verve project over by the University where they are doing some architectural lighting. I am drafting a condition that specifically refers to coordinating with the University Observatory. I am comfortable that this condition has worked. I have noticed, since the BAR led the charge, reducing the color temperature, I do not get the complaints about lighting that I used to get unless someone has broken the rules.

**Mr. Zehmer** – It is my understanding that you have applied to the BZA for the administrative approval on the length. That has not yet been approved. We can weigh in on it.

I tend to agree with Mr. Schwarz. It would be nice if there was a way to provide some openness into the courtyard in the middle. I don't necessarily feel this proposed solution does that from the public view. It is a nice amenity for the lobby of the building itself. It does not address the public walking down the street. You had a diagram where, at the eye level, they were looking into the base of the building. You still could see a light shaft above you and probably from across the street. It is a good idea. I think the depth of articulation could be increased. That would give more shadow lines and a little more variety on the Wertland Street side.

**Mr. Timmerman** – That is the main topic. The main issue that I was going to bring is the scale on Wertland does not feel appropriate. That is something in our guidelines. That is clear about it being an important thing to adhere to. Given the fact that this is a transition point between Main Street and Wertland, special care needs to be made from an argument standpoint. From an appearance standpoint, it still feels so big to me. With the other study sessions that we have had, we brought this issue up. Mr. Schwarz did a great job of explaining the heart of the matter. It is an intriguing plan. It does not feel like a space you are going to want to be in the way it is currently set up with the 6 stories. The solar study tells the story plainly enough. It is going to be a dark space. I am concerned about what could grow there if anything. I second the comments about the hope for some break in

that building side. The other thing I was going to mention about the lengths of the façade is that the Main Street side feels similar to the 10<sup>th</sup> Street side with a few exceptions of the color variations. 10<sup>th</sup> Street feels similar enough where there is not enough of a change to orient me to where I am. When I am looking at the 10<sup>th</sup> Street side, from a detailing standpoint, the cement paneling is a concern in the way that it is in the prominent masses. The materiality is harder to detail. When you start turning corners, it gets to be even harder. I worry about the longevity of that. If you are just focusing on the materials, I would think that replacing that with a brick or a more durable material, where you have the corners, and swapping that out with cement paneling as a percentage. Doing it in the infills where you don't have to worry about the more prominent corner locations. I wonder if there is a way to blend that idea with the greater idea of how to differentiate the 2 different facades.

**Ms. Tabony** – I agree with you all wanting to break down the mass of the building on the Wertland side. One idea would be to slice it on the 10<sup>th</sup> Street façade, open it up closer to the 10<sup>th</sup> Street side if possible. I could imagine your courtyard coming out. Is the courtyard above that podium level?

**Ms. Chapman** – If you are closer to 10<sup>th</sup> Street, it will be a full story higher than you.

**Ms. Tabony** – Maybe consider breaking the façade at that first bay on the left, the dark gray there. It is just an idea to allow that courtyard to peak out into the public space.

The other comment I have is about the entrances, vehicular versus pedestrian. Not fully understanding the plan, I am wishing those 2 were flipped if the pedestrian could be closer to Main Street with the vehicular entrance off Wertland Street.

**Ms. Chapman** – We picked the vehicular entrance location because there currently is an entrance to a parking lot there. It is also the lowest point on the entire site. It allows us to bury the garage more quickly.

**Ms. Tabony** – Is there a way to make the pedestrian entrance on 10<sup>th</sup> Street more of a main entrance?

**Ms. Chapman** – It is an attractive entrance. It has large door front windows. It has a large, covered canopy. As soon as you get in there, there is a small lobby. There is also an elevator. There is good access. It does not have any of the amenities that the other entrance has. I think it will be a very attractive place. Some people will prefer that entrance, particularly those who don't use cars on a regular basis.

**Mr. Zehmer** – I know that we commented on the entrance off 10<sup>th</sup> Street. Personally, I feel that it is going to cause traffic jams. I agree that it is not necessarily our purview. The entrance itself is part of the building and that is our purview. Is there a way to use curb control such that you could only allow right turns off 10<sup>th</sup> Street into that? People coming down the hill from Main Street trying to turn left into that is going to cause problems. I agree that there is already a parking lot there. It is not a residential parking lot. You are going to have a lot more in and out traffic.

**Ms. Chapman** – There is a traffic demand management plan that was submitted to the city. I am not sure of the results of that review process. It is in progress.

**Mr. Zehmer** – For the Wertland Street side, I am hearing support for breaking up that mass in terms of somehow getting some sort of 'light shaft' or notch to the courtyard itself.

**Mr. Schwarz** – I was not saying to go all the way as deep as the courtyard. I was saying to go as deep as the corridor. I can see how asking to have access to the courtyard would be problematic. With visual access, I can see that it is never going to be visually accessible from the street because it is higher up everywhere. It would create

a notch that goes at least to the corridor. It would create an outdoor space. It may not be accessible to the public. It would be visible to the public and make the building less like a fortress.

**Mr. Timmerman** – It might create a 3<sup>rd</sup> design feature that might bring on a slightly different material that may break up the general monotony of that façade.

**Mr. Zehmer** – It could almost be a pocket park with your retaining wall there where you have an elevated planter. That turns more into a pocket park for the residents themselves.

**Mr. Timmerman** – You are working with serious limitations. We all understand those limitations. We are also trying to make this the best project it can be. There are several different ways of solving this. Whether it is a slot or an elevated arch open way that has a bridge over it or something that creates a pause between that corner and the rest of the run up Wertland Street.

**Mr. Schwarz** – As a composition, we can tell you guys have worked hard. It is not a bad building. The Standard looked good on paper. That is where there is some hesitancy. We have learned some lessons. When you have a building this long and especially on a street where, our guidelines talk about transitional areas on West Main Street. It should not overpower the traditional scale, the majority of the buildings on the street. If the footprint is large, the massing should be reduced to relate to the smaller scaled forms of the residential structures.

**Ms. Chapman** – Do you take that requirement about relating to the buildings on the street to mean Main Street or the street this building sits?

**Mr. Schwarz** – I recognize that it is in the Main Street District. It is also fronting the Wertland Street District. I am looking at the context on Wertland Street. This is the Main Street District. Our guidelines talk about neighborhood transitional buildings. “Institutional multi-lot buildings, by their nature, will have larger footprints, particularly along the West Main Street corridor and in the 14<sup>th</sup> and 15<sup>th</sup> Street area of the Venable neighborhood. The massing of such large-scale structures should not overpower the traditional scale of most nearby buildings in the district in which it is located.” I don’t think we are overstepping by asking that the transitional portion of the West Main District relate to its adjacencies, especially when those adjacencies are also historic. Even on West Main Street, I guess The Standard set its own context. It would be unfortunate to have to say that you must relate to something that we have all discovered is not what the context should be.

**Mr. Timmerman** – For me, the point is that you have such different identities on those 2 streets. To me that is more of the issue here. It is not relating to any building on 10<sup>th</sup> Street or Wertland Street. It is that they are different locales. They represent different design control districts. That is the reason why we are focusing more on the Wertland Street side than on the 10<sup>th</sup> Street side. As far as the massing goes on the 10<sup>th</sup> Street side, I am with Mr. Schwarz. You guys have put a lot of good time and good design work into this. I think it is the importance of recognizing the change of character, the change of identity as you work your way around the corner and respecting the design. We have some good precedents moving forward as these kinds of buildings grow.

**Mr. Zehmer** – Do we feel we can take a vote on this? Do we feel that we can put conditions on this? The tricky part is the Wertland Street side. We need to move along.

**Mr. Schwarz** – It is up to you guys. I understand that you filed a major development plan. Hopefully, you guys are still able to move through that without having BAR approval to get your tax credit application moving along. We may have given you a big problem with that. I am not sure if we did or not.

**Mr. Engelhardt** – When we were last in front of you, with the major development plan path, we did not know about it. It was under the understanding that we needed to have a BAR approval by March 13<sup>th</sup> or we wait another year. We did say to Virginia Housing through one of their required processes, you are going to apply in March, we did tell them the number of units that we are going to build. I think that the loss of 5 units is problematic if we lose 5 units. This is finance driven. With a major development plan approval path available to us, we could come back. I don't know right now if we can do anything but 180 units.

**Mr. Schwarz** – I don't know if we are going to budge or not. If we don't, would you want us to defer or deny you so you could take it to Council?

**Mr. Engelhardt** – We don't need BAR approval for March 13<sup>th</sup>. Given the 2 choices you have given, I would like to come back, and you not take action.

**Mr. Werner** – Since this is the first time you are viewing it, you can defer. That requires a resubmittal in time for the March meeting. The preference would be for the applicant to request a deferral, so they have the time to prepare. Have we been clear of what the expectations are? My suggestion is that the applicant request a deferral, and the BAR accept that request.

**Mr. Engelhardt** – We would like to request a deferral to an undetermined time in the future.

**Mr. Schwarz** – I want to make sure that we are holding to this. We want to see modifications to the Wertland Street façade to try and break it up some more.

**Mr. Bailey** – I don't like this building. I feel it is my purview looking at the context on West Main Street. I don't find it out of context. I wish we could change the context. I don't think we can do that. Listening to my more accomplished colleagues with regard to architectural knowledge, perhaps breaking up the Wertland Street façade would make it a more acceptable building. It looks like a fortress. It is not an attractive building. It is hard for me to describe it other than looking like a fortress to me. I don't like Kindewood. It is not an attractive building. There are other buildings on Broadway Street that I don't think are attractive. I understand that it is a financing problem. I wonder what damage we might be doing if anything to the historic district. Given the context, I would probably be able to approve this building. I would not feel good about it. I think that I would be following the design rules if I was to do that. I think that coming back with a different design with regards to the Wertland Street facade would be helpful.

**Mr. Engelhardt** – I worry. I think that I am right that we are locked at 180 units if we want to submit an application on March 13<sup>th</sup>, which reduces our options when we do come back to you. It is a constraint that conflicts with Mr. Schwarz's advice, which everyone seems to agree with. I am thinking about how to get from here to starting construction successfully and knowing that everyone is working in good faith, including us. I will have to request a deferral. We can work with staff on answering what I am concerned about being locked at 180 units.

**Mr. Schwarz** – I thought that you were going to meet with us in pairs last month. That went away.

**Mr. Werner** – That was a miscommunication. There was a positive conversation. What are the types of things? That is why you see a lot more details here. I misunderstood what they were asking. You all are open to that.

**Ms. Chapman** – One thing that we must be careful with is the appearance of going behind 'the curtain,' and making deals with you. We must be very transparent in our interactions together.

**Mr. Schwarz** – We must be equally cautious of that.

**Mr. Timmerman** – Is your footprint maxed out on the service entry side?

**Ms. Chapman** – I believe that we have some easements in that area that are constraining us. I believe the footing is up against the easement.

**Mr. Zehmer** – Are you suggesting building over the service entrance to make up the missing units to make up the missing units?

**Mr. Schwarz** – One thing we should be clear about is that I don't see a need to see the courtyard.

**Mr. Zehmer** – I am willing to concede that. I understand that. This is a challenging building. What I am hearing from most of the Board is that the 10<sup>th</sup> Street side seems to react to Main Street appropriately. It is the Wertland Street side that is having a challenge basically looking across the street. You have 3 old houses that are diminutive in scale. We also spoke about the Coca-Cola building there on the corner. That is maybe somewhere to draw inspiration as a transitional building. It is an industrial style building but at a residential scale. I wonder if there is even some of the architectural details with the slight gabled parapet on the top of the Coke building. Maybe some of those details that change the Wertland Street side of the building. All 4 sides do not have to look the same.

**Ms. Tabony** – I want to go back to a previous comment by Mr. Timmerman about the materiality and potentially switching to the outside corners being brick rather than fiber cement. That is a great suggestion. I wonder if that would also help bring down the scale on the Wertland Street side. Is that a possibility? Are you locked into the materials as described in the drawings?

**Ms. Chapman** – We are locked into approximately 50 percent of each. That is the only commitment we have made.

**Mr. Engelhardt** – That is a commitment made to date. That is the way to win the competition for a scarce 9 percent tax credits is 50-50.

**Mr. Timmerman** – I noticed some brick on those hidden reservations. You have some brick on the south and west.

**Ms. Chapman** – No elevation is really hidden. You can see them from Main Street and Stacey Hall.

**Ms. Tabony** – With the elevation Sheet 29, this feels regular to me. The one elevation from 10 ½ Street has more variety and more playfulness that might be more appropriate on the Wertland Street side. That could maybe reduce that fortress feeling that Mr. Bailey described.

**Mr. Werner** – I met with their design team. They expressed that they want to be transparent and not have any discussion. My discussions with them were primarily to say: What is the information that they need to prepare for the BAR? That is where we talked about these elevations of the not so visible elevation. What is the view from Stacey Hall in providing some building wall sections and details? They were very responsive to that. They have been great to work with. The one thing that I was not able to advise them on is the design. We were discussing what information is necessary for you all to make a decision. In terms of how this is presented, if there is anything additional that you would like to see that would help.

**Mr. Zehmer** – I would like to see them explore tree species on 10<sup>th</sup> Street for the street trees. See if there is something that can meet you at the Virginia Housing requirements but also try to give us a little more shade and



depth. Staff can send them the verbiage on lighting. You need to try to find to bring a more residential scale to the Wertland Street façade.

**Mr. Schwarz** – This is a very complete application. Your windows are great. The specific brand is great. If you change that later, you will need to run that by staff. Technically, they are a plastic window. These are high quality windows.

**Ms. Chapman** – We will have a high requirement for the air infiltration. There are maybe 3 windows on the market right now that could meet that threshold.

**Mr. Timmerman** – That is a big retaining wall at the end of the service drive. If there is a way to capture that perspective, it might improve the condition where you are not just going down. It is hard to turn around. You are going right into the building. It could be an opportunity.

**Ms. Chapman** – That is a utility easement. It would be difficult to build over.

**Mr. Engelhardt** – A deferral is the only move right now to keep us on track for the financing application. I need to talk with some of our finance experts to find out about any change in the number of units. If so, that is a constraint that we will have to work with. I hope we can work together to manage.

**Mr. Zehmer** – Mr. Schwarz, is there a certain depth that is required?

**Mr. Schwarz** – They got their exception. There are no requirements. Zoning would require it to be equal to the width of the notch up to 30 feet. The notch must be at least 30 feet wide if it is stuck in the middle. It would not be required of any deeper than 30 feet. I think 30 feet would take it past their corridor.

**Mr. Zehmer** – What is the shallowest it could be but still achieve what we are looking for?

**Mr. Schwarz** – That would be something that if you guys had to push back on because you must have your 180 units.

**Mr. Zehmer** – If they could ‘play’ with their depths, they could retain their units.

**Mr. Schwarz** – I don’t think it will be enough. That is something you could ‘play’ with. I don’t think that is going to do it. It would be worth investigating.

**Applicant to Request Deferral – Motion to Accept Deferral – Mr. Zehmer – Second by Mr. Timmerman – Motion passes 6-0.**

Meeting was recessed for 5 minutes.

## **5. Certificate of Appropriate Application**

BAR # HST25-0060

200 West Main Street; TMP 280010000

Downtown ADC District

Owner: Violet Crown Cinema Charlottesville LLC

Applicant: Jeff Levien / Heirloom Development (contract purchaser)

Project: Demolition of contributing structure (front façade non-contributing)

**Jeff Werner, Staff Report** – Request CoA for demolition of contributing structure within the Downtown ADC District. From the applicant's narrative:

[This] parcel (approximately 0.43 acres) is significantly underutilized. The current building height (+/-30') is only approximately 16% of the by-right allowable max (with bonus) (184'). The total square footage of the existing building (+/-18,730 sq.ft) is only 8% of the by-right max (with bonus) (+/-224,722 sq.ft.). The Violet Crown facade engages with the public realm but lacks a cohesive approach to the site's various facades. Considering the entire block rather than just the Downtown Mall frontage, a more integrated and dynamic architectural approach would create a stronger visual identity and enhance the overall urban experience. The BAR has previously approved the demolition of other contributing structures, including the Studio Art building, the Escape restaurant building, the Clock Shop, and two properties owned by the applicant, 218 West Market Street and 210 West Market Street. The land at 200 West Main Street represents a similar opportunity, offering increased density and vitality downtown, requiring the removal of the existing structure.

**Jeff Levien, Applicant** – You can see on the narrative that it is from Design Develop. I brought in that group to be more familiar with the local applications. I do like to have a local architect involved. I am here only if there are questions. The application speaks for itself. We have done an adequate job of answering all those questions. I even put in the application the condition that staff might be referring to because Mr. Rosenthal was concerned about the demolition. I am sensitive to that.

## QUESTIONS FROM THE PUBLIC

**Ted Mathis** – Did you say that this was on the Registry of National and State Historic Buildings?

**Mr. Werner** – It is not individually listed. It is a contributing structure. That survey was completed prior to the 1996 alterations. It is hard to say if that would still hold or were we to re-evaluate the National Registry District. It is currently identified as contributing.

**Mr. Mathis** – The scope of the hearing today is strictly on demolition and not on what might happen post-demolition.

**Mr. Zehmer** – That is correct.

**Mr. Mathis** – In looking at demolition, is there another committee or a different group's consideration of what the existing structure itself contributes to the community? Is that the purview of another group?

**Mr. Zehmer** – That is not the purview of the BAR. Depending on how this application goes, the decision can be appealed to City Council. City Council could take that into consideration. It is not for the BAR to consider.

**Mr. Mathis** – If you approve it, based upon that criteria that does not factor, where does that come into the discussion?

**Mr. Werner** – With the discussion, a decision would have been made. They would have a building permit, demolition permit, and other things to do. They could not just knock the building down. We have typically required a condition where, before something is razed, there is some decision making that something is replacing it. The Board cannot discuss or require some type of building. At least, there are assurances that if something is being proposed there and it does not get razed.

**Mr. Mathis** – I recognize the respect with doing demolition separate. I am still not clear. If fundamentally the question of what the structure as it exists today and as it contributes, it sounds like a lot of the considerations

are the historical significance of the building. That makes a lot of sense. Isn't there a part of the process of what it contributes to the current community and the loss of that?

**Mr. Werner** – Any aggrieved party can appeal? If the BAR was to deny the request tonight, any aggrieved party can appeal to Council. Council can consider other circumstances, which are outside of the BAR purview. Any appeal of a denial would have to occur within 10 calendar days of the BAR's action. There is a fee for that. It must be a letter stating what it is that the BAR got wrong or what Council should consider.

## **QUESTIONS FROM THE BOARD**

No Questions from the Board

## **COMMENTS FROM THE PUBLIC**

**Genevieve Keller** – I am with Preservation Piedmont. Our advocacy committee has been talking about this over the past months. We always have a concern when there is a demolition request because we are a preservation group. We would prefer that the first round of any project look at continued use, adaptive use, and how a building might be expanded on its site above the existing height or to the rear. We understand that this is complex because it is in 2 different ownerships. I spoke with the applicant several weeks ago. He explained the project to me. I expressed my concerns at that point. We were not opposed to the project. We are concerned about demolition. Demolition should be a rare circumstance, particularly with the Downtown Mall. We are concerned with preservation of Downtown, Downtown Mall, our city, and our region and to keep it economically viable and to provide housing opportunities. You are talking about the demolition. I ask that you take that seriously. It would be important to have some documentation.

**Jeff Levien** – What Ms. Keller is addressing is land use versus structure. The BAR cannot comment on the land use. You would want to go to the city and preserve. If the theater is such an important part of the fabric of the Downtown Mall, you would want to go to the city and appeal that be locked in place because it is a theater, and it is that important. What we are trying to do as a city is compare that to the tradeoffs of what would a new residential development bring compared to that. That is the differentiation. I have been here a few times. It is apparent that everyone is topping off at 6 stories. That is a financial restraint because of the construction type. What you have heard is that for anyone to break through 6 stories, they must go tall enough to make it worthwhile. Conversely, if someone wants to do a project and stay at 6 stories and have any density, it must be on a large parcel. We don't have a lot of those in the city. When we have those, we get Wertland with these broad things. The code in the DX zone addresses that in that it allows the height. You can have a vertical construction and go higher than 6 stories. It is also on smaller parcels. It adds a sliver effect versus having these long things. This project fits with that criteria and what the BAR and city are looking for. The demolition of this building is the first part of unlocking that.

## **COMMENTS FROM THE BOARD**

**Mr. Bailey** – The criteria will permit the demolition of the building. It is not particularly historic. I have had many happy evenings at the theater. It is not economically working for them. It could be a more useful space. I think that our criterion will permit the demolition of this building with conditions that it is not demolished until other approvals have been done and we get other projects approved before the demolition begins.

**Mr. Schwarz** – I am disappointed that I have been on this board long enough that I approved the last façade. We are now demolishing it. There is very little historical fabric left. There is the side wall. I don't think that we have anything in our guidelines that encourages us to preserve that side wall. I am not even sure what is left under the ground. I know that theaters go into the ground. They have already been digging up the site.

**Mr. Timmerman** – I would like to reiterate Ms. Keller’s point about going the extra mile and documenting the site in different ways to make sure that we encapsulate it. Generally, I am in support of demolition for the reasons that were laid out. In particular, the study of the site and more depth in relation to the history of the last 150 years would be a worthwhile thing. I don’t know of documenting the current building. I don’t have a clear picture of what is existing. I encourage the inclusion of those sorts of conditions in our approval.

**Mr. Werner** – There is criteria that instructs how to document an existing structure like that.

**Mr. Zehmer** – The Secretary of Interior Standards have standards for historic documentation. I think your suggestion for more technologically advanced methods would be a good one. It should be undertaken if we were to approve the demolition. It is tricky. Our purview is the exterior of the building. When it comes to the demolition, it is the whole building. What with the interior remains of the historic building here? It is a movie theater. I am assuming that they have carved out most of that for a large theater space.

**Mr. Rosenthal** – Our purview is going to tell us that we should approve the demolition. I feel strongly that we need very clear protections against something going wrong, having the demolition, and having an empty lot there. I want to be positive that we have done our best to ensure that once the demolition has been undertaken, the project will go forward with our and other people’s approval. There is to be no demolition before that is accomplished.

**Ms. Tabony** – I will support the demolition. The one element that I feel fondly about is the mural on the side of the wall. I am wondering about how that will be documented. It represents a moment in time that is important in this city. I would encourage us to require some sort of documentation of that.

**Mr. Zehmer** – If you could, can you please repeat for the record. Did you explore building on top of this building and whether that could be done?

**Mr. Levien** – You put one wood structure or two on top. You could not do anything. With keeping parts of it, you would be in violation of the code. You would need a lot of exceptions. You could not carry out one of the fundamentals of the code, which is to have great walkability, green space, and sidewalk space. There is no path to operating in the DX zone without taking the building down. It is not structurally strong enough to put more than a story.

**Mr. Zehmer** – I wonder if there is a path to preserving that one wall with the mural.

**Mr. Levien** – In our pre-application meeting, we talked about where the utilities and poles are, you are almost better off documenting and having an ode to it. We must go through a year’s worth of process. We can collaborate on how you document that and how you make things have more than just a plaque. That has been the architect’s world of bringing that about. As far as preserving it, there is no opportunity.

**Mr. Schwarz** – I know our zoning code would not allow it. I don’t think that we would want to maintain a blank wall along that street in that fashion.

**Mr. Zehmer** – This is a tough application to consider. At the heart of this BAR is preservation. I tend to agree with the other members. It is largely because the historic character defining features and facades of this building have been removed, especially the main entrance and front façade. It was listed on the National Register with the 1956 store facade. There is much more ‘handsome’ facade before that, which I presume was the original and shown in the staff report. We are now 2 facades later. There is no getting the original facade back. There is nothing you could do to peel what is now there back to get any sort of historic façade. It is gone. The Water Street facade was also renovated or replaced in 1996. Those were the character defining features of the

building. Those have already been lost. The demolition of those has previously been approved opens the door and makes me feel Ok about voting for demolition. It is not an individually listed building. That also plays into the decision. It is a contributing building in this district. The facades are non-contributing. We have heard about putting some stipulations on this. Something that we have done before is something that I read off. I would propose BAR approval of the demolition permit is contingent upon the following:

- The applicant will submit for the record documentation and photographs of the existing building. We can expound on that with some other documentary requirements.
- The BAR approval of a CoA for this building's replacement and an approved building permit for construction of that replacement.

Those are the bare minimum requirements. Some other things that I have heard would be that we would require a robust oral history program to be orchestrated by the applicant. Mr. Schwarz makes a good point. I cannot rule out that there is not something there. Maybe consulting with a local archaeologist to see, if based on an initial survey, looking at Sanborn Maps, and tour of the building, an understanding of the depths of the foundation could determine if further archaeology would be required. A scan of the mural along the 2<sup>nd</sup> Street wall, 3D point cloud of the entire building for documentary purposes. The standard is floor plans, elevations, and photography.

**Mr. Schwarz** – The city still has the permit drawings from 2014, which would have had the entire building.

**Mr. Bailey** – Where do these scans reside once they are done? Does anybody ever look at them again?

**Mr. Werner** – With old drawings, there is a gap in where stuff is. We only retain building permit drawings for 7 years.

**Mr. Zehmer** – With previous demolition applications where we required documentation, where does that go?

**Mr. Werner** – Will share it with the DHR (Department of Historic Resources). Preservation Piedmont does an excellent job of maintaining an inventory of information we have. We have required the documentation. There are several places where that information resides. As far as the city is concerned, it resides in our BAR archive. As far as prior drawings, there are some gaps. Some were so poorly scanned in the past, that it is difficult to determine. That information, when it is provided, I share it with Preservation Piedmont. Whether someone looks at it or not, I don't know. It is available.

**Mr. Timmerman** – It might be illuminating to have a scan of the building. Sometimes old as-builts are just as-builts. There is not much behind them. It would be difficult to ascertain from those what is old and what is new. There has been so much patchwork in this building that something like a scan and a model of the building would maybe illuminate some of these areas that may or may not have been touched or we know everything has been touched or what hasn't been touched. That might lead to some of the more intense studies.

**Mr. Schwarz** – I feel that we are asking a lot more than we have ever asked anybody else for a building. Any portion that might be remaining would be back-of-house warehouse of The Corner Store.

**Mr. Zehmer** – With modern technology, someone could take this. In the future, you can digitally recreate these older buildings in a 3D model on a computer that someone could learn from.

**Mr. Bailey** – That would be a little onerous and very speculative on their part thinking that someone will want to recreate that. I can't say that they won't. Do a lot of people go back and refer to the records, write monographs, and histories on all the stuff that the BAR has required people to maintain? I don't know the answer to that question.

**Mr. Levien** – We could work on some language that covers it. There is some model that could be built. I am in both camps. I don't know exactly what it is. It should not be too onerous. It is with reservation that I take this building down. It means something. I don't know if we are going to hash it out. Maybe it is something the administration can do.

**Mr. Zehmer** – With modern technology, with a Point Cloud scan, is it faster than traditional measured drawings? It probably would not take more than a couple days to scan the whole building. You then have a digital file. It might be the easier way.

**Mr. Timmerman** – I don't think what we are asking is onerous. It is an insurance policy if something is found. If something is found, let's investigate it.

**Mr. Levien** – Typically, it is required to do a structural integrity review of the adjacent buildings, before and after pictures. Adjacent landowners would want to hear it is in fair and reasonable condition.

**Mr. Werner** – A lot of that is addressed by the code. The Design Guidelines talk about the documentation requirements. There is direction in the Secretary Standards. Referencing those is an appropriate way to go forward. In the past, the BAR has made recommendations or requested recommendations. They have not made requirements. If there are things that you feel should be considered, you can offer it that way. I would also suggest that any sort of incorporation of existing pieces and parts of the building could be contemplated when something new is proposed.

I was contacted by the general manager of the theater. There has been a lot of concern from them about what has been perceived as the theater is going out of business. They were emphatic that is not what is happening here. We have a property owner and Mr. Levien who are working on a project. This is not a function of what was asked of me by the manager. This is not a function of the theater being in trouble or planning to go out of business.

If you want to work on a motion and talk about it in March, this is a step in the process that Mr. Levien know was necessary. I don't know if it must happen tonight.

**Mr. Rosenthal** – I would like to see specific language of these conditions that you have mentioned. If we had something to add or deal with, we could say 'yes.'

**Motion to Approve – Mr. Zehmer** – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed demolition of the existing structure at 200 West Main Street satisfies the BAR's criteria and is compatible with other properties in this ADC District, and that the BAR approves the application with the following conditions:

- The demolition permit is contingent upon the applicant submitting, for the record, documentation via Point Cloud scan or existing building plans that reflect the current condition of the building, documentary photographs of the existing building.
- It is contingent upon the BAR approval of a CoA for this building's replacement.
- An approved building permit for construction of that replacement is granted.
- A recommendation that the applicant consult with a local archaeologist.

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

**Discussion following Second**

**Mr. Schwarz** – I would like to offer the amendment of a Point Cloud or existing construction drawings from the last time it was renovated.

The oral history can be done anytime without having anything to do with the demolition. I am not sure we need to attach that.

**Mr. Werner** – I want to be clear about what we typically require are measured drawings. I want to make sure that we are clear that we are not requiring somebody to go in and do construction drawings level interior of this building.

## **E. Other Business**

### **6. Pre-Application Conference**

**No formal action will be taken.**

**BAR #24-0051**

300 Ridge Street, Tax Parcel 280151000

Ridge Street ADC District

Owner: Donald J. & Brenda C. Toney, Trustees

Applicant: Carla Shifflett & Greg Jackson, TOPIA design

Project: Addition

- The applicant has decided to build up and keep the current parking spaces.
- There will be 1000 additional square feet by building up versus an addition on the side. If adding on the side, it would have been 1500 additional square feet.
- According to the applicant, it allows for more open space versus building an addition on the side.
- A lot of this project is going to depend on the cost of the addition.
- This building is contributing at the local level but not at the state and national level. The building was built in 1994. It was made contributing to stop demolitions and having vacant land.
- There were no concerns by the different members of the BAR with this project.
- With a flat roof, an air handler will require it be hidden.
- With a flat roof, the stair volume would come up with access. The stairs would be like a tower element.
- The members of the BAR proposed recommendations and suggestions on how to improve or better the proposed project.
- There was discussion and questions from the applicant about what the BAR would like to see with this project.

### **7. Pre-Application Conference**

**No formal action will be taken.**

**BAR # HST24-0038**

218 West Market Street, Tax Parcel

Downtown ADC District

Owner: Cavalier Hospitality, LLC

Applicants: Robert Pineo/Design Develop, LLC

Project: multi-story hotel

- This proposed project has previously come before the BAR for recommendations regarding what could be improved with this being new construction.
- The BAR has expressed a need for something more ornamental with this proposed project.
- An approved demolition CoA has been issued for the existing building on the site.
- The proposal for this project is to be EIFS.

- There is a lot of signage in the drawings and renderings. Any signage would require a separate signage permit.
- This site and project will serve as a case study for mass, density, and urban integration given the current zoning.
- The applicant took comments from previous BAR meetings to improve the project proposal and to eventually get approval for a CoA.
- The purpose of the presentation by the applicant is to obtain feedback on the issues that were raised from the last BAR meeting.
- Another purpose of this presentation is to show the design process for this project.
- There are 2 roads that split at the western end of the Downtown Mall in front of the proposed building and project site.
- The intent of this project is to get back of house onto the west side of the building and still have pedestrian experience on the Downtown Mall and Market Street side.
- There are going to be street trees on the Market Street side and Old Preston Street side of the site.
- The applicant provided aerial views of the proposed hotel with the context of the Omni Hotel next to the proposed hotel.
- The applicant presented multiple viewpoints of the proposed project from the Omni Hotel, from Old Preston, West Market Street, and the Downtown Mall.
- The applicant also presented the different elevations and massing as seen from the Omni Hotel, Old Preston, West Market Street, and the Downtown Mall.
- The hotel rooms will start above the 2<sup>nd</sup> floor with the restaurant and commercial space on the first floor.
- Following the presentation, each member of the BAR provided feedback, criticisms, and concerns regarding the new proposal for the hotel.
- There was consensus among the members of the BAR regarding the ceremonial stair on the Old Preston Street side.
- There was common agreement among the members of the BAR that the pedestrian experience on all sides of the proposed hotel have improved with this latest proposal.
- There was common agreement regarding the use of EIFS and the amount of EIFS being used for a project this big.

## **8. Staff Questions/Discussion**

### **F. Adjourn**

#### **Adjournment**

The meeting was adjourned at 9:53 PM.



**Meeting Minutes**  
**City of Charlottesville**  
**Board of Architectural Review**  
**Work Session**  
**March 18, 2025 5:30 PM**  
**In-person in the Neighborhood Development Conference Room**



Welcome to this public work session of the Charlottesville Board of Architectural Review. The primary goals of this session are to provide updates for BAR members regarding on-going projects and applications, as well as to discuss staff workflows for the conduction of board business.

**Members Present:** Ron Bailey, Roger Birle, Cheri Lewis, Jerry Rosenthal, Carl Schwarz, Kate Tabony, David Timmerman, James Zehmer

**Staff Present:** Jeff Werner, Kate Richardson

**5:30 PM - Work Session began.** (No pre-meeting discussion.)

**A. Matters from Public**

Genevieve Keller addressed the members to urge vigilance when considering demolition requests.

**B. Consent Agenda**

**1. Special Use Permit Request - Recommendation to City Council**

Planning #PL-25-0027

Commercial Permit #BC-25-0033

401 Ridge Street, Tax Parcel 290132000

Ridge Street ADC District

Owner: Barbara S & Alan D. Jenkins

Applicant: Andrew Jenkins

Request: Special Use Permit to allow commercial general lodging for up to 10 guest rooms. Change of permitted use only. No exterior alterations proposed.

**Mr. Zehmer asked for a motion to approve the consent agenda. Mr. Schwarz so moved; Mr. Bailey seconded. Vote: 8-0**

*Finding of no adverse impact:* Based on the information submitted addressing only the proposed use, with no alterations associated with the SUP being currently proposed to the site or to the exterior of the existing c1891 structure, I move to recommend to City Council the requested Special Use Permit for 401 Ridge Street to allow operation of a B&B will not adversely impact this property or the Ridge Street ADC District. Furthermore, it should be understood that at any later exterior alterations at this property--with or without this SUP--will require BAR review and approval, per Chapter 34, Sections 5.2.6. and/or 5.2.7.

**C. Work Session**

**2. Project Update**

BAR # HST24-0047

1000 Wertland Street, TMP 100038000  
(1010 Wertland St; 129 10th St NW; Portion of 1105 W. Main St.)  
West Main Street ADC District  
Owner: UVA Foundation  
Applicant: Elizabeth Chapman; Grimm + Parker Architects  
Project: Multi-story residential building

**Ms. Chapman** from Grimm + Parker Architects gave a brief introduction of the development team. **Mr. Settles** provided an overview of the project's narrative and status.

Note: Separate two-on-one meetings were held earlier in the day with four BAR members and the development team at the Grimm + Parker office. A brief account of the work session discussion follows:

- The development team summarized the numerous limiting factors and constraints on the project, most importantly impacting unit number and square footage, which is a set parameter.
- In response to feedback from neighborhood meetings, the building's inner courtyard was specifically designed to be a private and safe space for the community; "just for them".
- BAR members expressed they did not see much responsiveness to their design recommendations and comments over the past year of preliminary discussions, specifically in regards to: massing, scale, and materiality.
- There was discussion that the alternating color scheme is utilized to camouflage massing, and that this strategy is not very successful. This formula is seen everywhere on similar buildings, and therefore this project could be anywhere, in any city.
- The presence of the proposed structure on the Wertland street side remains of particular concern and is generally out of step with the neighborhood and the ADC district guidelines.
- The applicant will return with another design iteration in the coming month(s).

### 3. Staff Consultation & Questions

#### **Staff Documentation**

##### a. Hyperlinks & Laserfiche (update)

The City's IT Department is looking into purchasing additional Laserfiche licenses so that the archives for Boards and Commissions, as well as city historic surveys and other cultural documentation, can have a more stable connection for public access.

##### b. Minutes, Action Memos, Applicant Materials: Dissemination and Archiving.

**Mr. Schwarz** recommended utilizing the "*other files*" location within the Civic Clerk application for any presentation materials or late submittals pertaining to a CoA application that are not included in the official packet. This would allow for better viewing when in Council Chamber (TV monitors near the dais are not ideal),

and then those additional materials can be flagged for inclusion into the BAR archives on Laserfiche.

4. Application procedures & Workflows

a. Review of BAR Bylaws. (Agenda item added by staff.)

**Discussion:** Members expressed they were generally content with the document as is, and that it does an outstanding job of summarizing procedures. Several minor revisions and suggestions were discussed to maintain brevity and clarity, but no major revision was undertaken.

[Staff Note- March 20, 2025: **Ms. Lewis** communicated she will provide the Bylaws edits as discussed in the work session to staff.]

b. Pre-Application Conferences

**Jeff Werner:** Development Code Ch. 34, 5.2.7-B.2.c requires *Pre-application Conferences* with the entire board for projects and activities that meet certain criteria (i.e.: development with projected construction costs of \$350,000 or more.) We should establish some basic requirements for what information an applicant must provide prior to this pre-application conference. And we should distinguish between what's necessary for a multi-story office building versus a two-story addition to someone's house. We should have rules for how we treat those discussions, and what's expected from the applicants. Staff has the responsibility of determining what constitutes as "complete" application but there are no precise rules to define that, so it requires judgment on my part.

**Discussion:**

Staff provided an overview of the current development review processes. [See appendix.]

The BAR suggested a two-step review for large-scale projects might be worth evaluation

Members agreed there should be a clear path outlined for applicants, and that staff is doing a good job of managing CoA requests, bringing applications forward, and creating informative and detailed staff reports.

Further discussion centered on what constitutes a complete application. Staff Referenced the *ADC District Guidelines, Introduction, C. Desing Review Process*. [See Appendix.]

Members directed staff to outline the review procedures and to create a checklist for applicant submittals.

**Jeff Werner:** For demolitions, should we establish that CoAs for significant demolitions that have subsequent CoAs for new construction will only be considered separately and not at the same meeting? Or, only after the demo CoA is resolved, including if it gets appealed?

**Discussion:**

General discussion on this process, and regarding the period of validity for demolition CoAs including how or why they are renewed by the Administrator (the NDS Director, or Board Staff). Staff raised the idea that perhaps any extension of a demolition CoA be brought to the board for review prior to renewal.

5. Certified Local Government Training Requirements

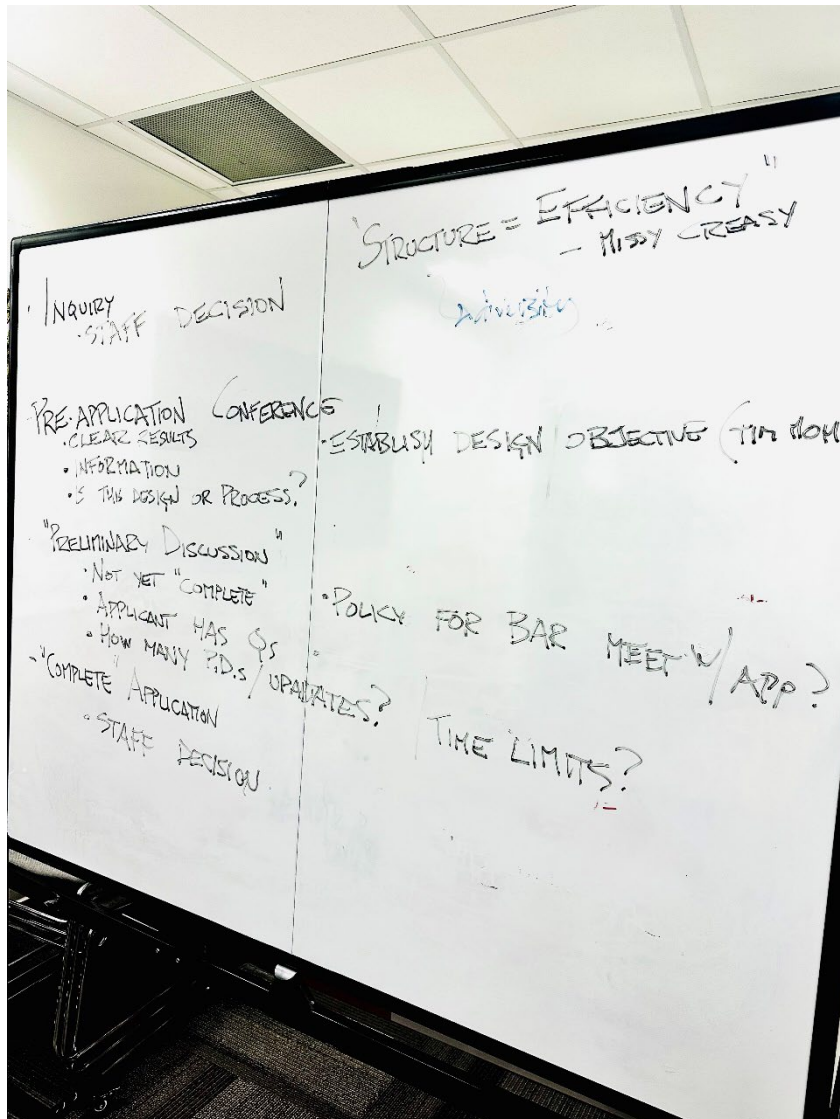
Members fulfilled a portion of their CLG training by participating in this work session regarding the BAR review process.

**D. Adjourn**

The meeting was adjourned at 7:56 PM.

**Appendix:**

Development Review Process – work session whiteboard (image)



# I INTRODUCTION

## C. DESIGN REVIEW PROCESS

Design review is mandatory for exterior alterations to any building and/or site in Charlottesville's Architectural Design Control (ADC) Districts and for any individually protected properties. Please consult the individual map for each district on the following pages to determine if your building or site is located in one of these historic districts. Some districts contain non-contributing buildings and sites, which do not require BAR approval for demolitions. Otherwise, both contributing and non-contributing buildings and sites follow the same design review process.

**Contributing buildings** and sites are defined as those individual properties that are listed on or eligible for the National Register; listed by the City as individually designated structures; or by their design, age (over 50 years), and historic integrity meet generally agreed upon standards of contributing buildings in historic districts. Buildings of more recent construction whose form, materials, scale, and overall design relate to the remaining traditional character of the district, or that represent a unique or distinct architectural style, are also included in this category.

**Non-contributing buildings** and sites are those whose age (less than 50 years), design, scale, and materials do not relate to the remaining traditional character of the district. Also included are buildings whose age and original design might make them eligible for the Contributing category, but because of extensive alterations no longer retain their integrity; and those buildings whose advanced level of deterioration precludes their inclusion.

Once you have determined that your building and/or site is located in an ADC district or is an individually protected property, you must follow the steps below:

1. Obtain online or pick up a Certificate of Appropriateness (COA) application at the Department of Neighborhood Development Services (NDS) in City Hall. Staff can help you determine if you need a COA.
2. Determine whether a pre-application conference is mandatory for your project. Consult Zoning Ordinance Article II, Sec. 34-282(e).
3. If not mandatory, you may still request a pre-application conference which can provide informal input and helpful technical information for completing the COA.
4. Consider presenting a conceptual design, particularly for an addition or a new building, to the BAR before seeking formal approval. Contact staff to be placed on an agenda.

5. Fill out the COA application and collect necessary information and exhibits as listed in the Zoning Ordinance, Article II, Section 34-282(d):

- a. Detailed and clear depictions of any proposed changes in the exterior features of the subject property, including but not limited to the following: the general design, arrangement, texture, materials, plantings and colors to be used, the type of windows, exterior doors, lights, landscaping, parking, signs, and other exterior features and appurtenances. The relationship of the proposed change to surrounding properties will also be shown.
- b. Photographs of the subject property and photographs of the buildings on contiguous properties.
- c. Samples to show the nature, texture and color of materials proposed.
- d. The history of an existing building or structure, if requested by the BAR or staff.
- e. For new construction and projects proposing expansion of the footprint of an existing building: a three-dimensional model (in physical or digital form) depicting the site, and all buildings and structures to be located thereon, as it will appear upon completion of the work that is the subject of the application.
- f. In the case of a demolition request where structural integrity is at issue, the applicant shall provide a structural evaluation and cost estimates for rehabilitation, prepared by a professional engineer. The BAR may waive the requirements for a structural evaluation and cost estimates in the case of an emergency, or if it determines that the building or structure proposed for demolition is not historically, architecturally, or culturally significant under the criteria set forth in Section 34-274.

6. Make ten copies of the application materials and return these with the required fee to the Department of Neighborhood Development Services in City Hall. Return this information twenty-one calendar days before the next scheduled meeting of the BAR, which is the third Tuesday of each month.

7. If the application is complete, your project will be placed on the agenda of the next meeting or you will be informed that additional information is needed. You should plan to attend the BAR meeting.

8. If the application is approved by the BAR, you will receive a letter approving the application and issuing a COA or issuing COA subject to certain conditions which will be stated in the letter. After your COA is approved, you may apply for a building permit, if needed.

9. If the BAR does not approve the application, you may appeal to the City Council by filing an appeal within ten (10) working days of the date of the decision; if they do not approve it, you may appeal to the Circuit Court.