

CITY OF CHARLOTTESVILLE
"A World Class City"



Department of Neighborhood Development
Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org

July 22, 2009

Andy McClure
1106 Grady Avenue
Charlottesville, VA 22903

Certificate of Appropriateness Application (Deferred by applicant at June meeting)
BAR 09-06-01
16 & 16 1/2 Elliewood Avenue
Tax Map 9 Parcel 97
Andy McClure, Applicant/ Geary Albright, Owner
Biltmore Grill- add decks, replace fence, site changes

Dear Mr. McClure,

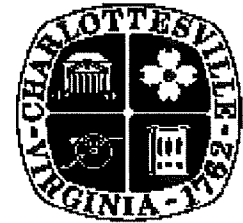
The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on July 21, 2009.

The BAR approved the application as submitted (6-0-1 with Gardner not voting) including the potential alternative of eliminating the deck and skewing the orientation of the bar with the provision that the section of landscape immediately in front of the original restaurant at 16 Elliewood have mulch rather than gravel, and be maintained as a planted garden rather than porous seating area, and that the fence enclosure for the new crushed stone area at 16 ½ Elliewood be studied and resubmitted to increase visibility between the patrons and sidewalk. Both items should be resubmitted for administrative approval by staff.

In accordance with Charlottesville City Code 34-285(b), this decision may be appealed to the City Council in writing within ten working days of the date of the decision. Written appeals should be directed to Jeanne Cox, Clerk of the City Council, PO Box 911, Charlottesville, VA 22902.

This certificate of appropriateness shall expire in one year (July 21, 2010), unless within that time period you have either: been issued a building permit for construction of the improvements if one is required, or if no building permit is required, commenced construction. You may request an extension of the certificate of appropriateness before this approval expires for one additional year for reasonable cause.

**CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT
July 21, 2009**



**Certificate of Appropriateness Application (Deferred by applicant at June meeting)
BAR 09-06-01
16 & 16 1/2 Elliewood Avenue
Tax Map 9 Parcel 97
Andy McClure, Applicant/ Geary Albright, Owner
Biltmore Grill- add decks, replace fence, site changes**

Background

The Biltmore Grille (16 Elliewood) and the adjacent outbuilding (16 ½ Elliewood) are contributing structures located in The Corner ADC District.

16 Elliewood, originally a dwelling known as the Bruce House, is a concrete block building with brick trim built c. 1947. A rear service area was enclosed in 1980. The pergola was built in 1981, when the restaurant was called Graffiti's. A two story rear addition was added in 1994. The date of the front addition is before 1996. The rooftop terrace was added in 2001.

16 ½ Elliewood is a wood frame structure built between 1930-1950. It may have originally been an outbuilding, and has been occupied by a series of restaurants

June 16, 2009 - The BAR accepted (6-0) applicant's deferral request. The BAR asked for a more formal site plan, and more detailed architectural information on the proposed fence, deck, railing, and bar. The BAR said the applicant should rethink the decking of the garden space, and suggest alternatives.

Application

The applicant requests approval to add an additional wood deck, a stone patio and a wood bar. The applicant also wishes to replace the perimeter right (north) and front (east) fences of the property.

The fences will be 1x2 and 1x4 horizontal, stained cedar boards. The fence will be 4 feet in height along Elliewood Avenue. On the north side the fence will step up to 5 feet in height and will include a new gate similar to the fencing. The fence will continue around the back of the building at 16 ½" Elliewood and terminate at the back right corner of The Biltmore. An alternate fence design with vertical pickets has been included.

A wood deck will be added in front of 16 ½ Elliewood Ave (to the right of main building) at ground level, matching the existing restored decks of the main building and creating symmetry with the deck left of the main building. Decking will be 5 ½ "X 1" pressure treated, dark walnut stained wood. Deck rails will be the same construction as the perimeter fencing, and 42" in height.

The wood bar is proposed to be located on the far right section of the wood deck. The new wood bar will be 10'(feet) wide by 15'(feet) deep and 3 ½ '(feet) in height. The face of the bar will be wood; the roof over the bar is constructed of open wood framing with a galvanized corrugated roof.

The applicant still proposes to add a gravel-surfaced seating area in what was a mulched landscaped bed located between the restaurant and the City sidewalk. A wood and wire fence is proposed to divide this seating area from the landscaped slope. The existing gravel area in front of the proposed bar deck is proposed to be levelled with river stone.

Criteria 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;

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. 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.
10. 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.

(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;*
- (8) Any applicable provisions of the City's Design Guidelines.*

Pertinent Design Review Guidelines-Site Design and Elements

P. 2.3 Plantings

- 4) Retain existing trees and plants that help define the character of the district.*
- 6) When constructing new buildings, identify and take care to protect significant existing trees and other plantings.*

P. 2.4 Walls and Fences

- 3) Match old fencing in material, height, and detail.*
- 4) If it is not possible to match old fencing, use a simplified design of similar materials and height.*
- 5) For new fences, use materials that relate to materials in the neighborhood.*
- 8). If street front fences or walls are necessary or desirable, keep them below four (4) feet in height and use traditional materials and design.*
- 11) Fence structures should face the inside of the fenced property.*
- 12) Relate commercial privacy fences to the materials of the building. If the commercial property adjoins a residential neighborhood, use a brick or painted wood fence or heavily planted screen as a buffer.*
- 15) Respect the exiting condition of the majority of the lots on the street in planning new construction or a rehabilitation of an existing site.*

P. 2.7 Parking Areas and Lots

- 7) Select lighting fixtures that are appropriate to a historic setting.*

Pertinent Design Review Guidelines-New Construction and Additions

P. 3.4 Setback

- 1) Construct new commercial buildings with a minimal or no setback in order to reinforce the traditional street wall.*
- 2) Use a minimal setback if the desire is to create a strong street wall or a setback consistent with the surrounding area.*

P. 3.7 Height and Width

- 5) 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.*

Recommendations and Discussion

Elliewood Avenue at The Corner is characterized by outdoor dining and a pedestrian scale. The proposed bar addition, surrounding deck, coordinated fence and railings, and existing gravelled area on this property are well-designed and appropriately located.

However, the proposed new gravelled patio space in the existing landscaped mulch bed seems inappropriately located. Currently there is a nice contrast of planted areas to brick, which should be maintained in front of the restaurant. Tables could be added to the existing brick patio.

Suggested Motion

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and New Construction, I move to find that the proposed changes satisfy the BAR's criteria and are compatible with this property and other properties in this district, and that the BAR approves the application with the following modifications....

Scala, Mary Joy

From: Michael Savage [m_doochamp@hotmail.com]
Sent: Monday, August 17, 2009 9:09 AM
To: Scala, Mary Joy; andy mcclure
Subject: Biltmore Revised Drawings
Attachments: S1 revised.pdf; C7+8 revised.pdf

Mary Joy

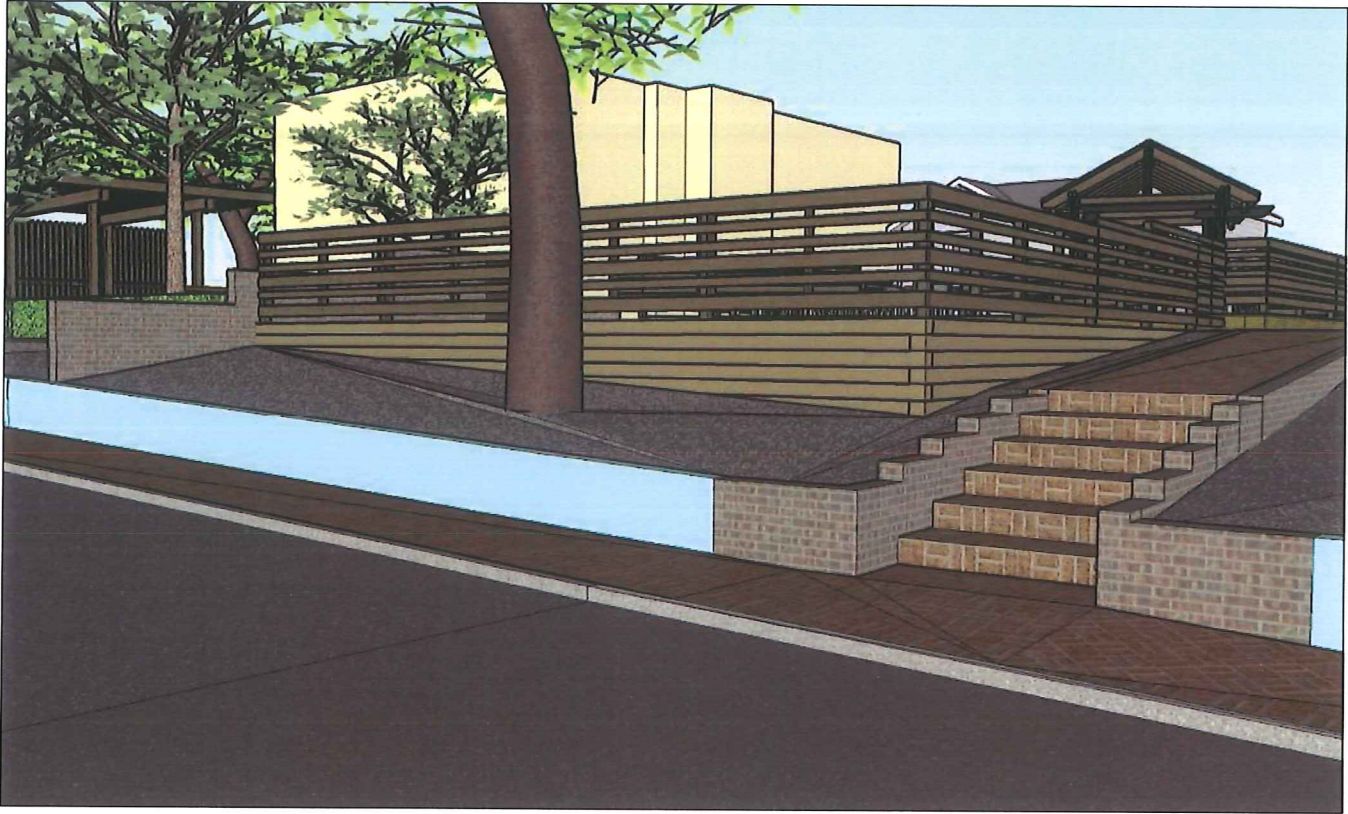
These are the drawings with the revisions that we discussed on Friday. There is no seating in the newly graded mulched area in front of the Biltmore as seen in the revised S1. C7+8 shows the revised fence as we discussed, changing the spacing. If there are any problems, please give me a call since I will be on site all day long.

Thank You

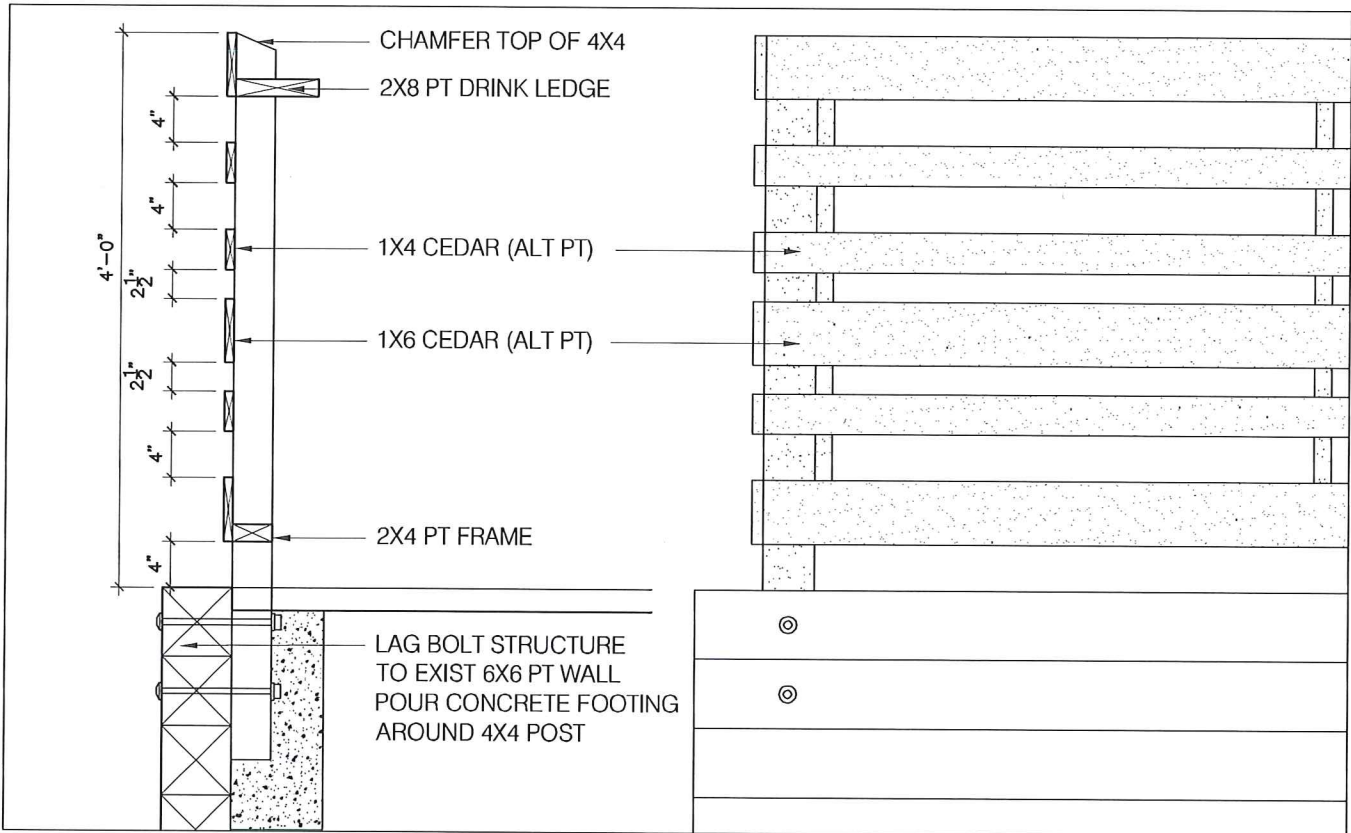
Michael Savage
STOA Design+Construction LLC
434.806.3932

Windows Live: Make it easier for your friends to see what you're up to on Facebook. [Find out more.](#)

Approved
8-17-09

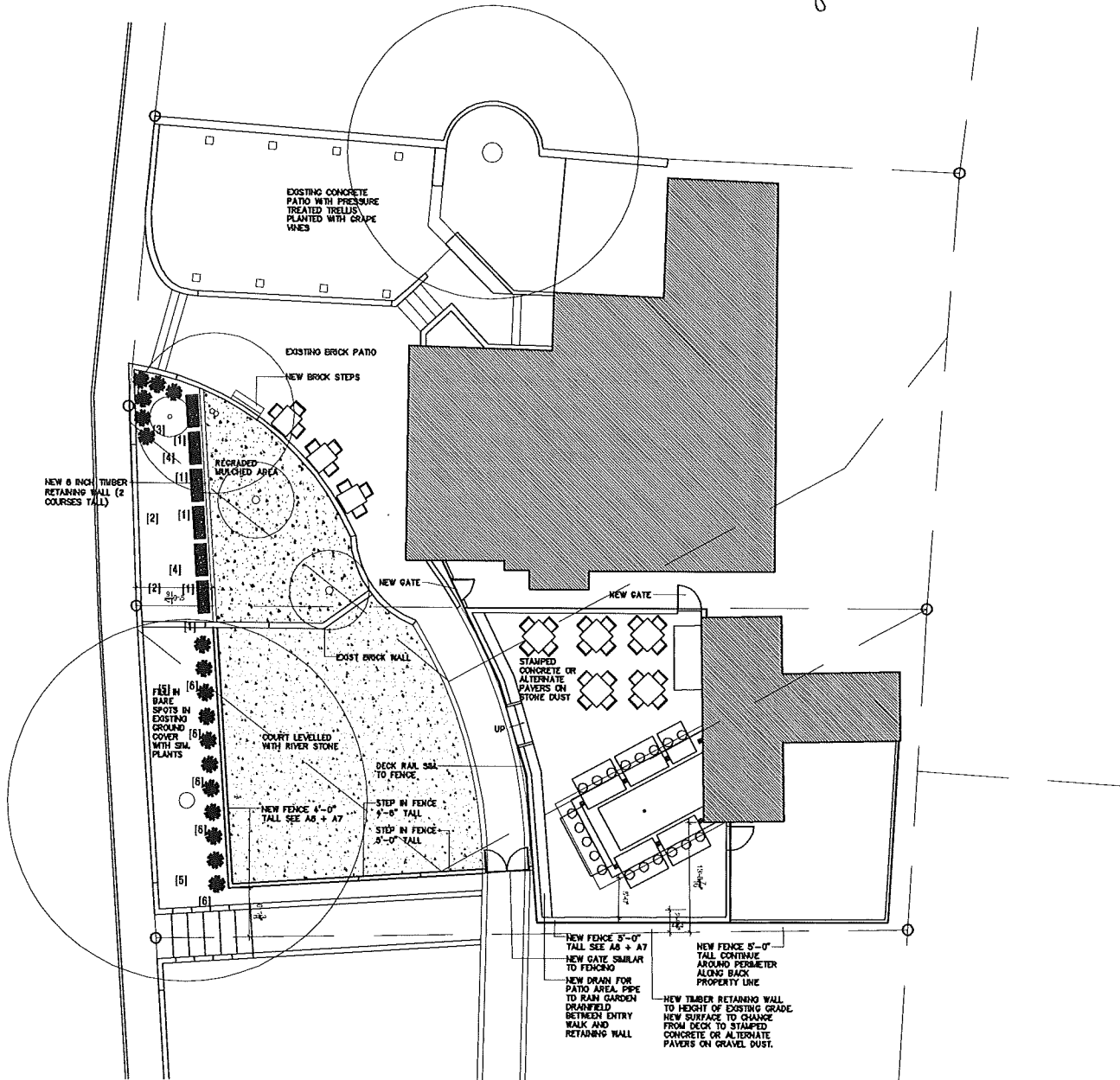


C7 FENCE CORNER
scale: NTS



C8 FENCE SECTION
scale: 3/4" = 1'-0"

Approved
8-17-09



NEW WORK

16 ELLIEWOOD AVE PATIO

BUILD NEW 6" TIMBER RETAINING WALL 2 COURSES TALL KEEPING GRADE ON STREET SIDE AS EXISTS. LEVEL NEW AREA WITH DIRT TOP WITH A MULCH TOPPING TO MATCH AREA ON 16 1/2 ELLIEWOOD SIDE IN ELEVATION (8" AT THE DOWNHILL SIDE OF WALL).

16 1/2 ELLIEWOOD

ADJUST GRADE TO MATCH ELEVATION OF EXIST CONCRETE PAD. INSTALL NEW PAVERS ON BED OF GRAVEL DUST (ALTERNATE STAMPED CONCRETE). BUILD NEW BAR AS SHOWN IN PLANS. INSTALL NEW FENCING AROUND EXIST TIMBER RETAINING WALL AND CONTINUE FENCING PARALLEL TO PROPERTY LINE TO BACK OF PROPERTY. INSTALL NEW SECURITY FENCE ALONG BACKSIDE OF PROPERTY LINE. SEE ARCHITECTURAL PLANS FOR DETAILS.

PLANTING PLAN

PATIO

- [1] (18) 3 GALLON ELEGANTISSIMA BOXWOOD
- [2] (5) 3 GALLON AZELEA
- [3] (6) 3 GALLON NANDINA DOMESTICA
- [4] (40) 1 QUART AJUGA "CHOCOLATE CHIP" GROUNDCOVER PLANTED IN HARDWOOD MULCH

16 1/2 ELLIEWOOD

- [5] FILL IN BARE SPOTS IN EXISTING GROUNDCOVER TO MATCH EXIST SPECIES OF PLANT USE HARDWOOD MULCH TO COVER BARE DIRT.
- [6] (11) 3 GALLON NANDINA DOMESTICA



Scala, Mary Joy

From: Michael Savage [m_doochamp@hotmail.com]
Sent: Friday, August 07, 2009 12:43 PM
To: Scala, Mary Joy
Subject: Biltmore
Attachments: S1.pdf; C7+C8.pdf

Mary Joy

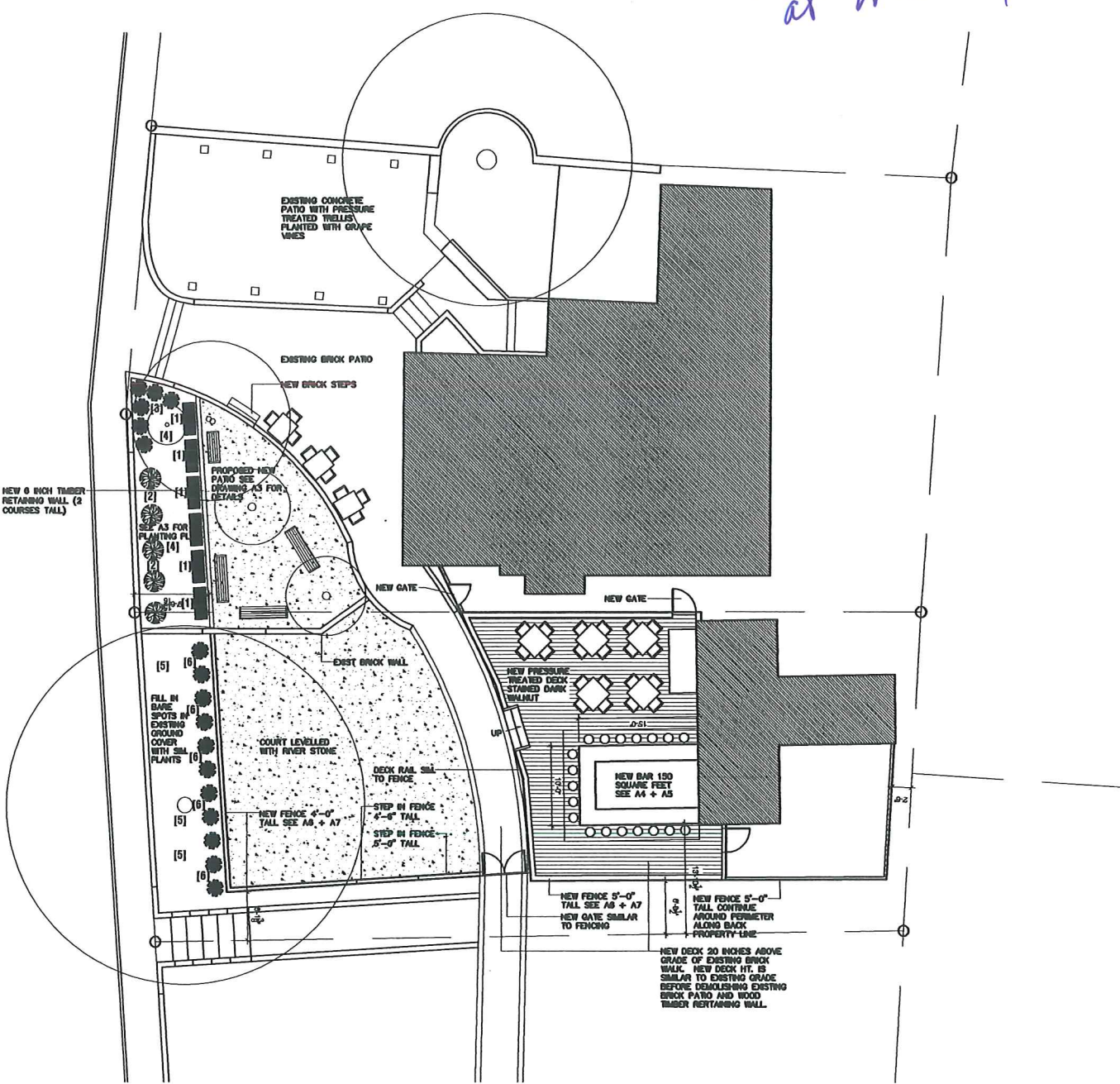
I am sending you a revised fence drawing with dimensions. The area in front of the Biltmore will be mulch with a few benches. The retaining wall will be 2 courses of 6x6 timber. There will not be any other surface in this area. I hope this is okay for the final BAR pproval. Call or E-mail me if you have any questions.

Thank You

Michael Savage
STOA Design+Construction LLC
434.806.3932

Get your vacation photos on your phone! [Click here.](#)

received at meeting



NEW WORK

16 ELLIEWOOD AVE PATIO

BUILD NEW 6" TIMBER RETAINING WALL 2 COURSES TALL KEEPING GRADE ON STREET SIDE AS EXISTS. FILL IN NEW PATIO AREA WITH CRUSHED RIVER ROCK TO MATCH AREA ON 16 1/2 ELLIEWOOD SIDE IN ELEVATION (8" AT THE DOWNHILL SIDE OF WALL) AND MATERIAL.

16 1/2 ELLIEWOOD

LEVEL EXIST GRADE IN FRONT OF EXIST BUILDING TO THE HT. OF EXIST WALK. INSTALL NEW DECK 20" ABOVE GRADE OF EXIST WALKWAY AT NEW STAIR. BUILD NEW BAR AS SHOWN IN PLANS. INSTALL NEW FENCING AROUND EXIST TIMBER RETAINING WALL AND CONTINUE FENCING PARALLEL TO PROPERTY LINE TO BACK OF PROPERTY. INSTALL NEW SECURITY FENCE ALONG BACKSIDE OF PROPERTY LINE. SEE ARCHITECTURAL PLANS FOR DETAILS.

PLANTING PLAN

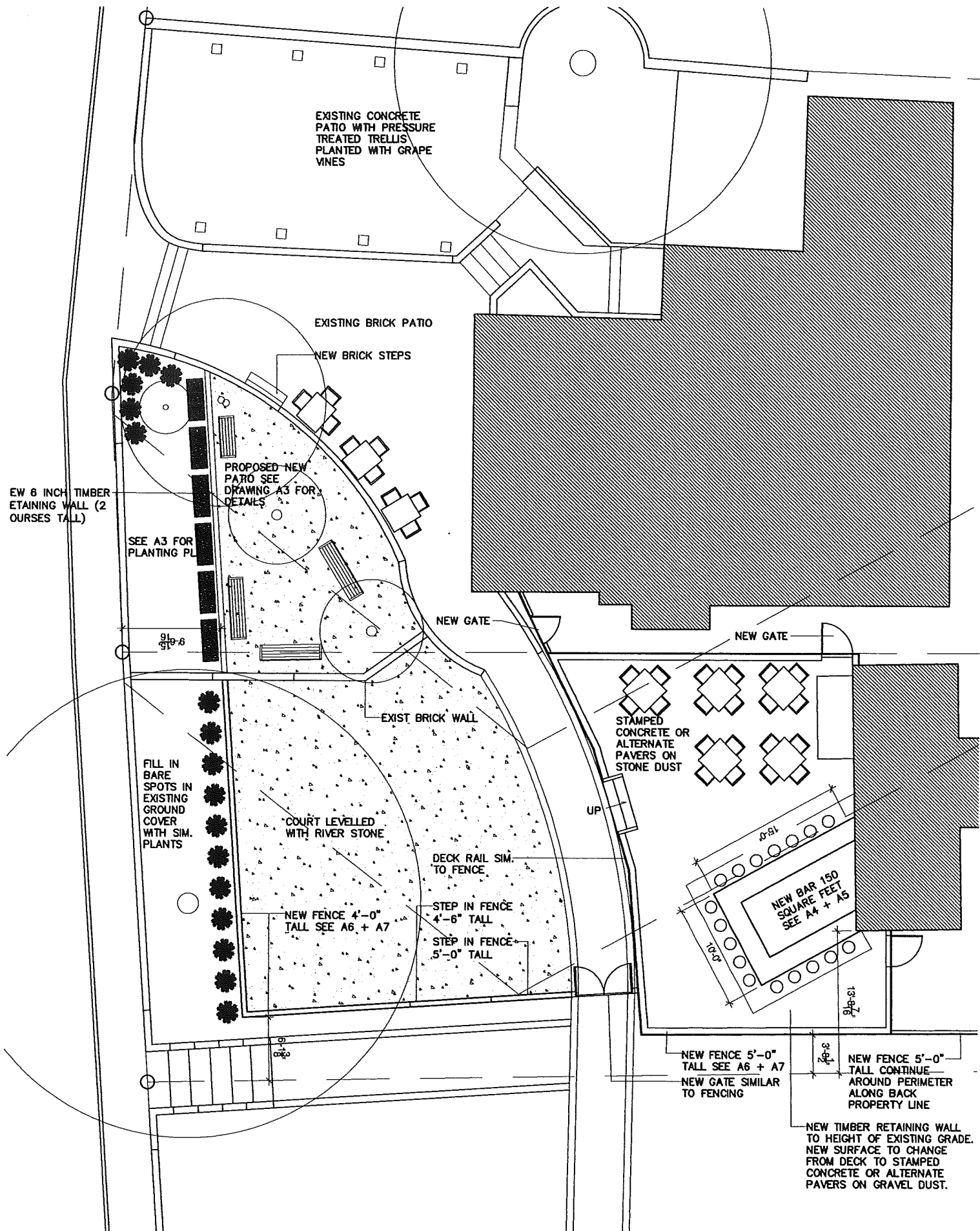
PATIO

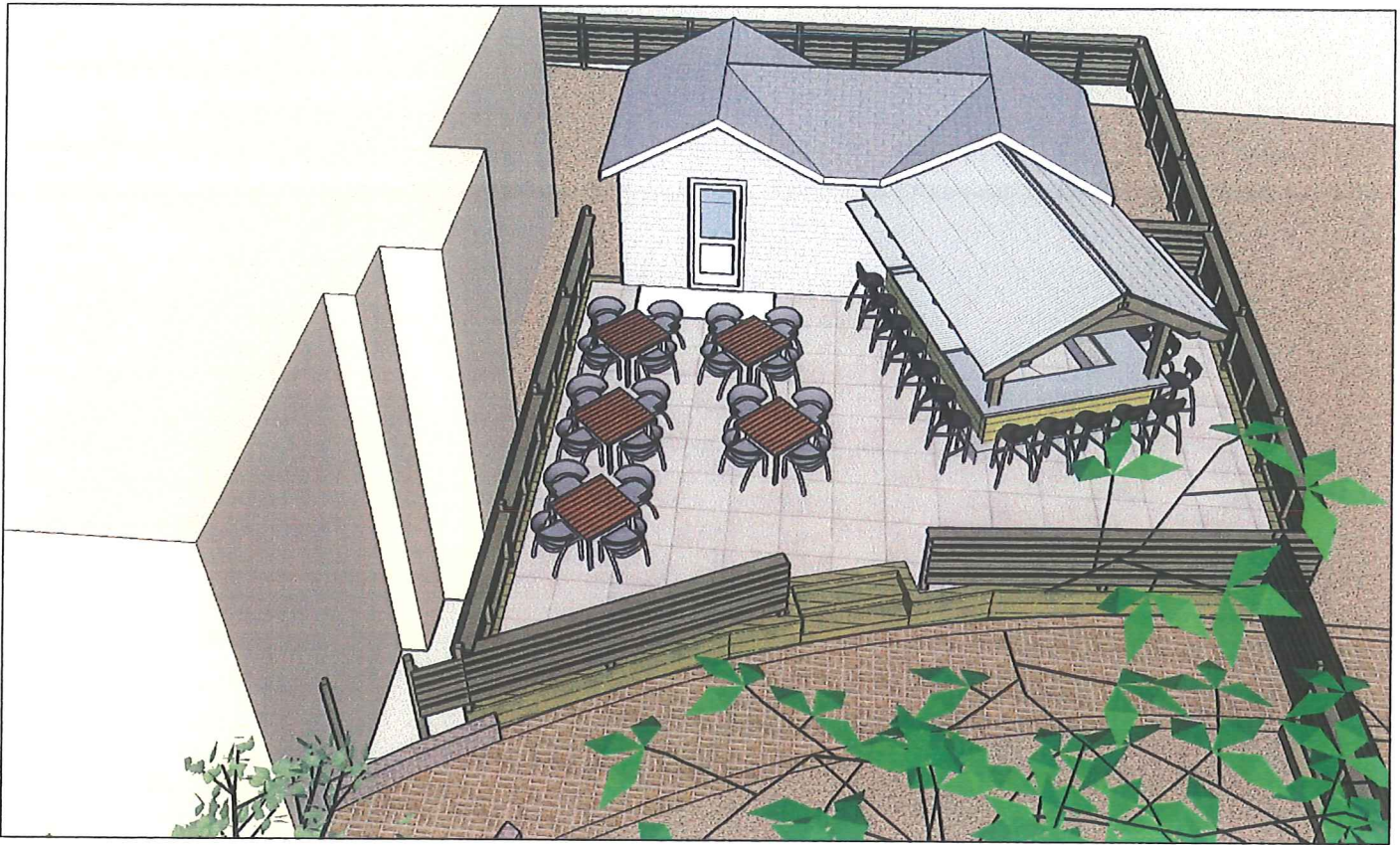
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- [3] (6) 3 GALLON NANDINA DOMESTICA
- [4] (40) 1 QUART AJUGA "CHOCOLATE CHIP" GROUNDCOVER PLANTED IN HARDWOOD MULCH

16 1/2 ELLIEWOOD

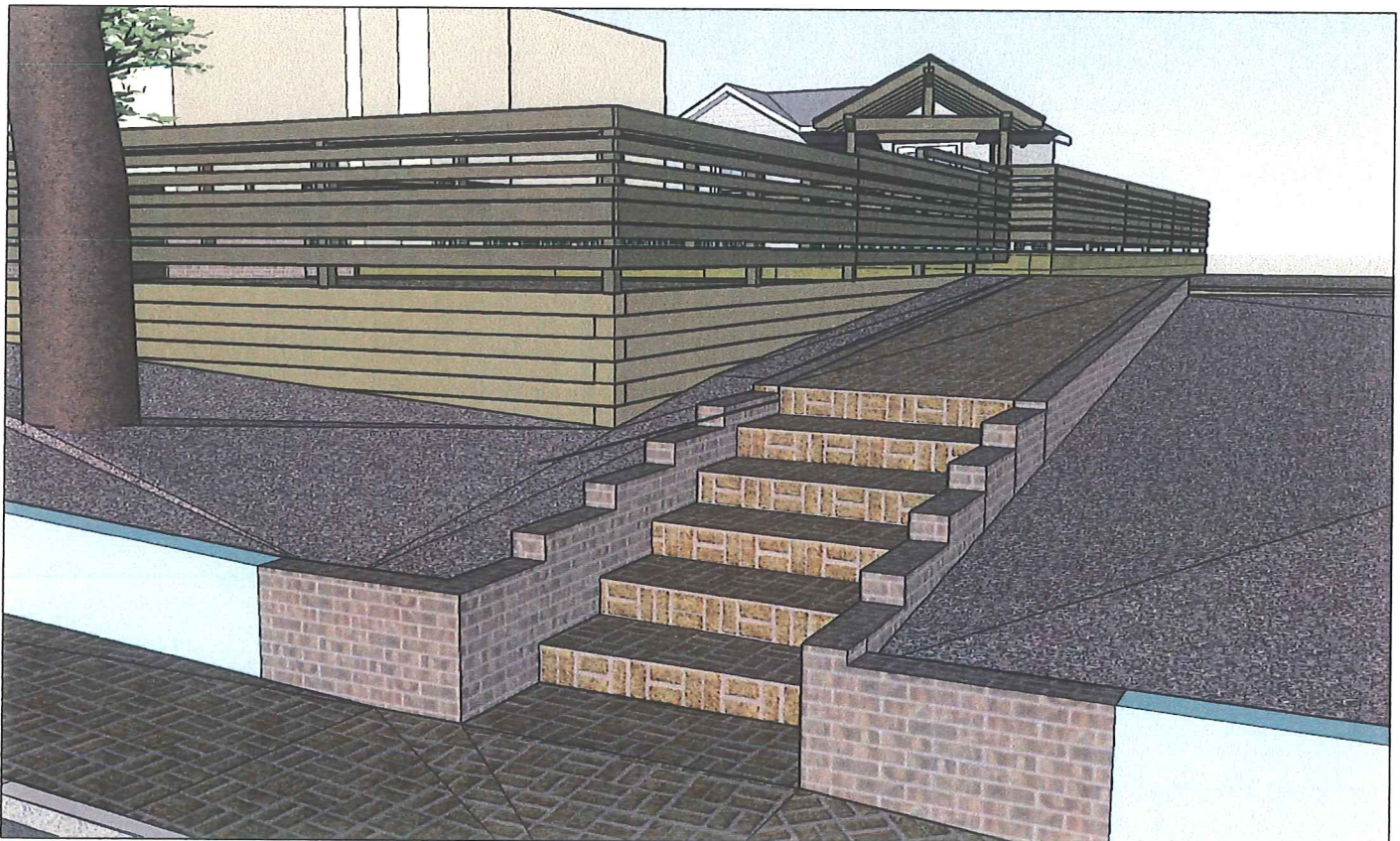
- [5] FILL IN BARE SPOTS IN EXISTING GROUNDCOVER TO MATCH EXIST SPECIES OF PLANT USE HARDWOOD MULCH TO COVER BARE DIRT.
- [6] (11) 3 GALLON NANDINA DOMESTICA







A11 ALTERNATE SKEWED BAR BIRD'S EYE VIEW
scale: NTS



A12 ALTERNATE SKEWED BAR FROM STREET
scale: NTS

RECEIVED

JUN 30 2009

NEIGHBORHOOD DEVELOPMENT SERVICES

ELLIEWOOD AVENUE

PARKING GARAGE

EXIST TRELLIS STRUCTURE WITH GRAPE VINES

EXIST CONCRETE PATIO

30" OAK

EXIST BRICK STEPS

16 ELLIEWOOD AVE

EXIST BRICK PATIO

EXIST BRICK WALL

6" MAPLE

8" TREE

8" MAPLE

EXIST MULCH BED WITH AZALEAS AND VARIOUS GROUND COVER SPECIES

4" MAGNOLIA

EXIST CONCRETE PAD

EXIST BRICK WALK

ELLIEWOOD AVENUE

16 1/2 ELLIEWOOD AVE

EXIST 6" TIMBER WALL

24" OAK

EXIST BRICK STAIR

BUDDHIST BIKER BAR

AO

EXIST SITE PLAN

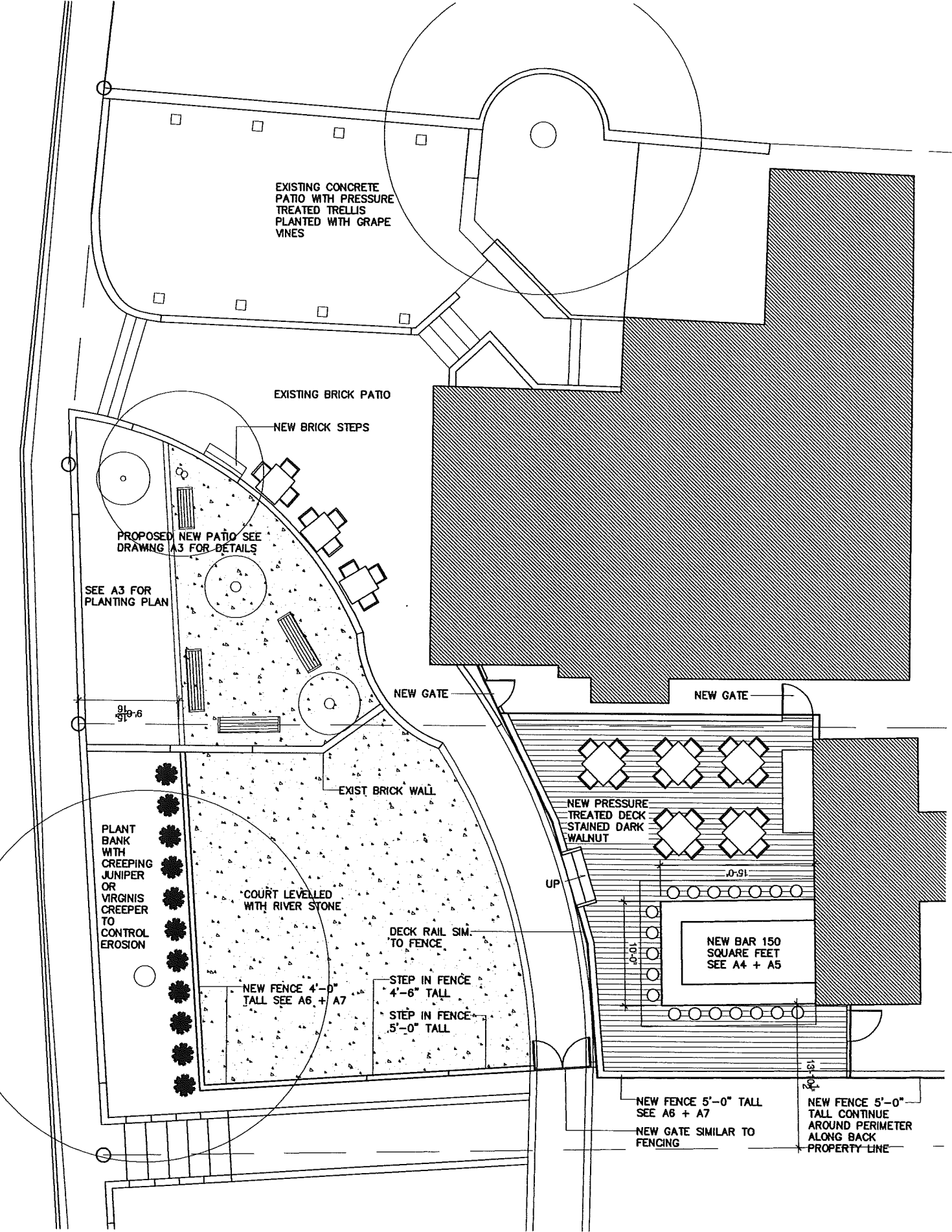
scale: 3/32" = 1'-0"

BILTMORE GRILL

16 + 16 1/2 ELLIEWOOD AVENUE

STOA

DESIGN + CONSTRUCTION, LLC



A1 SITE PLAN
 scale: 3/32" = 1'-0"

BILTMORE GRILL
 16 + 16 1/2 ELLIEWOOD AVENUE

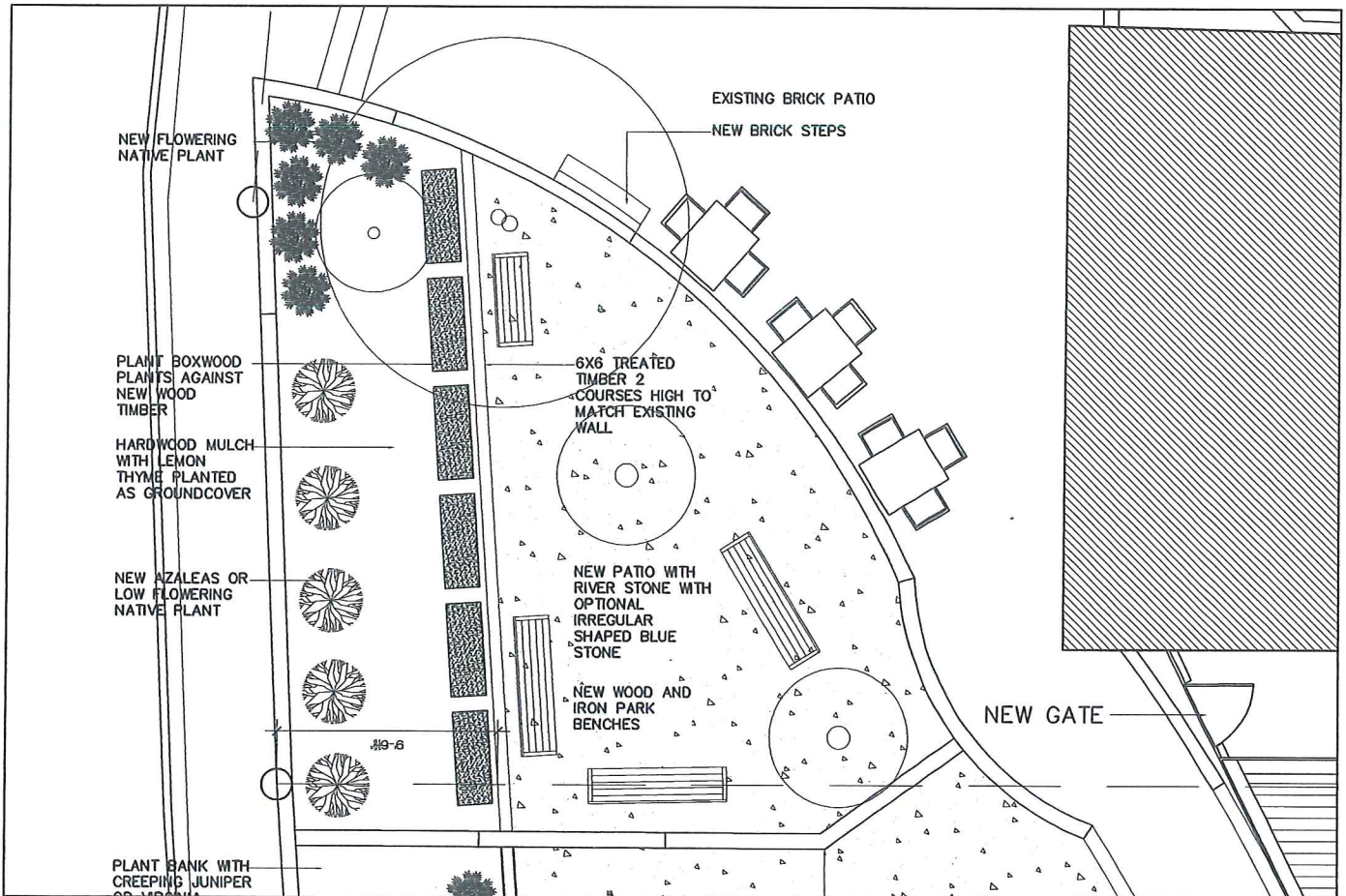
STOA
 DESIGN + CONSTRUCTION, LLC



A2

FENCE AT PATIO RENDERING

scale: NTS



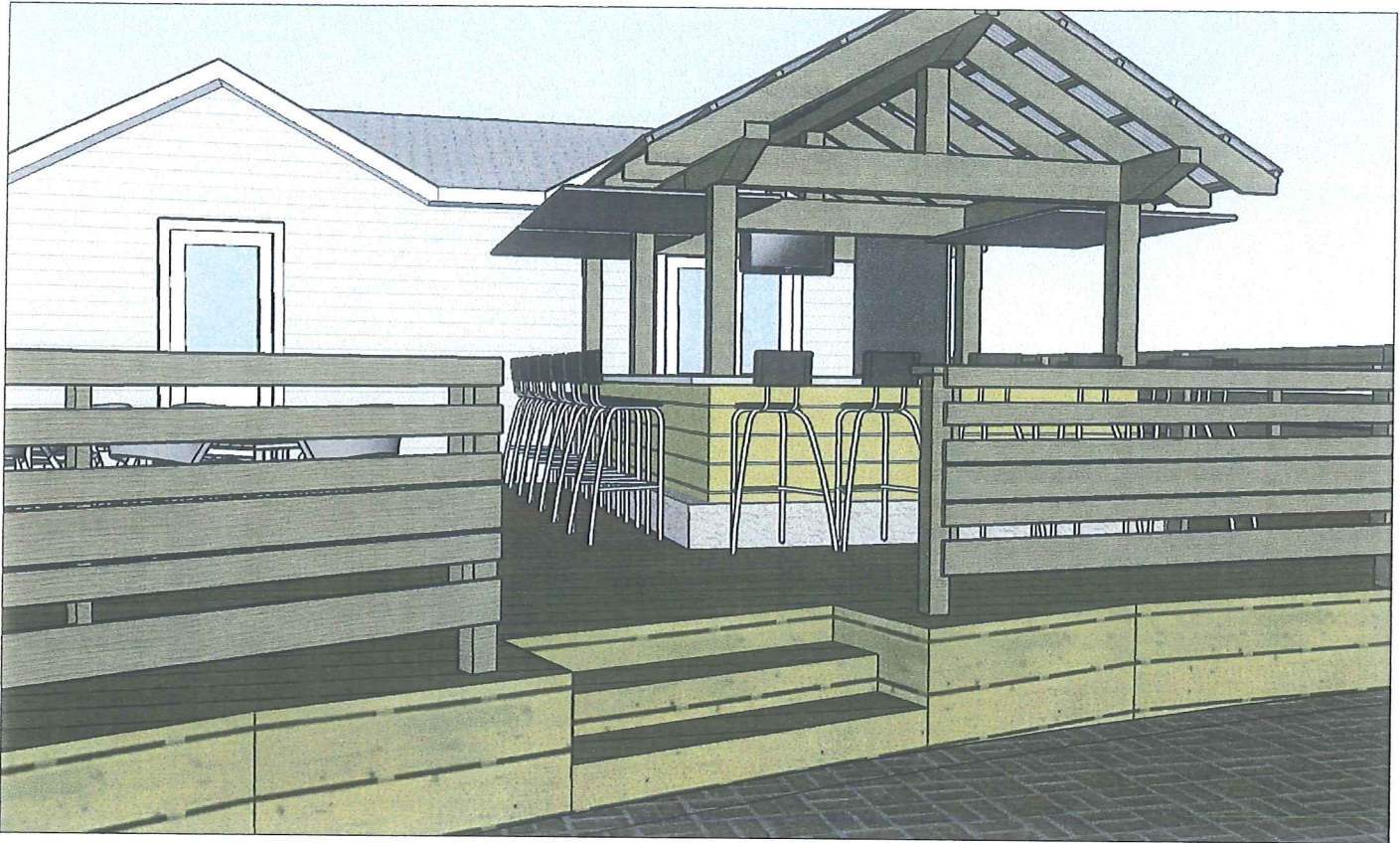
A3

PATIO PLAN

scale: 1/8" = 1'-0"

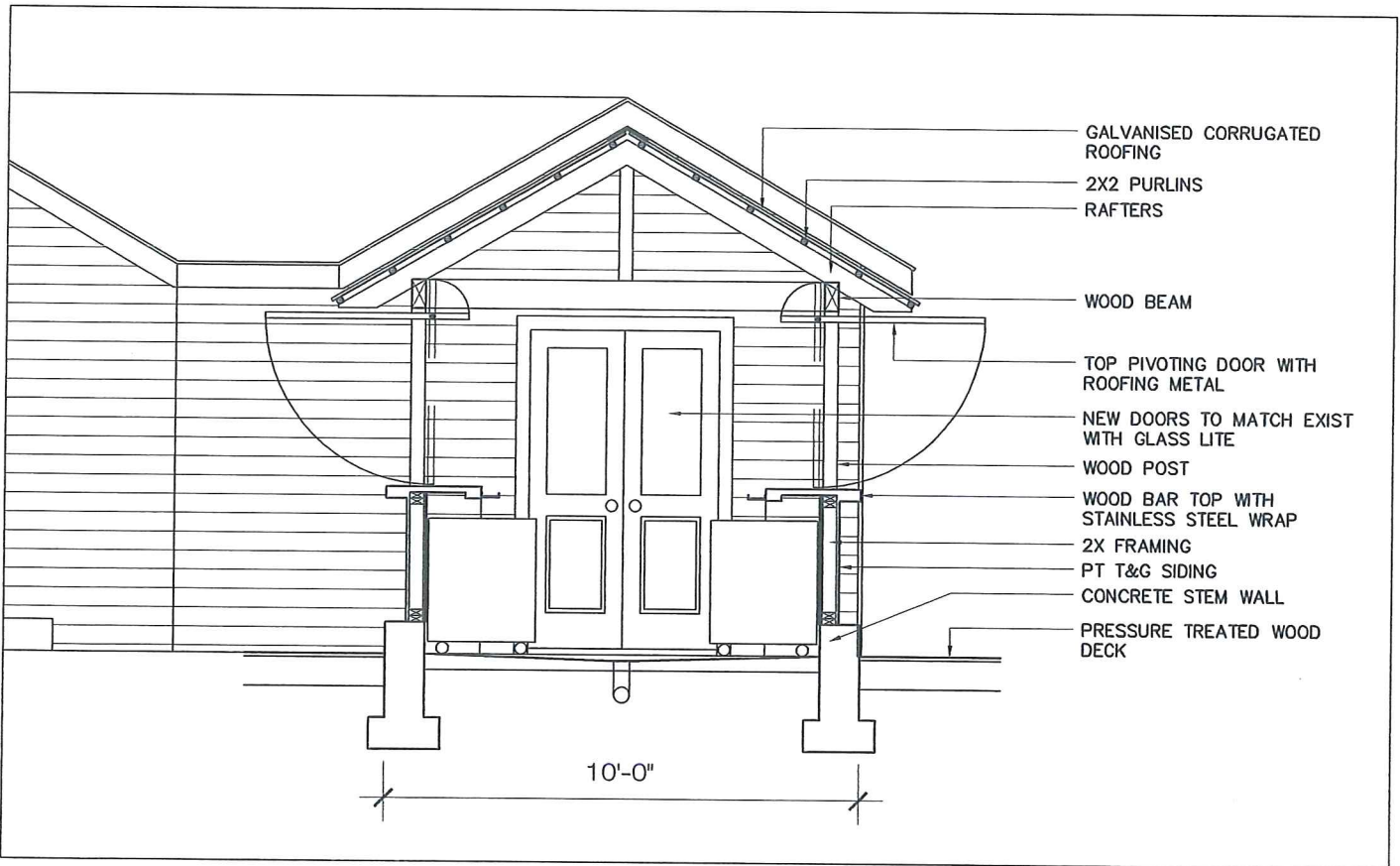
BILTMORE GRILL
16 + 16 1/2 ELLIEWOOD AVENUE

STOA
DESIGN + CONSTRUCTION, LLC



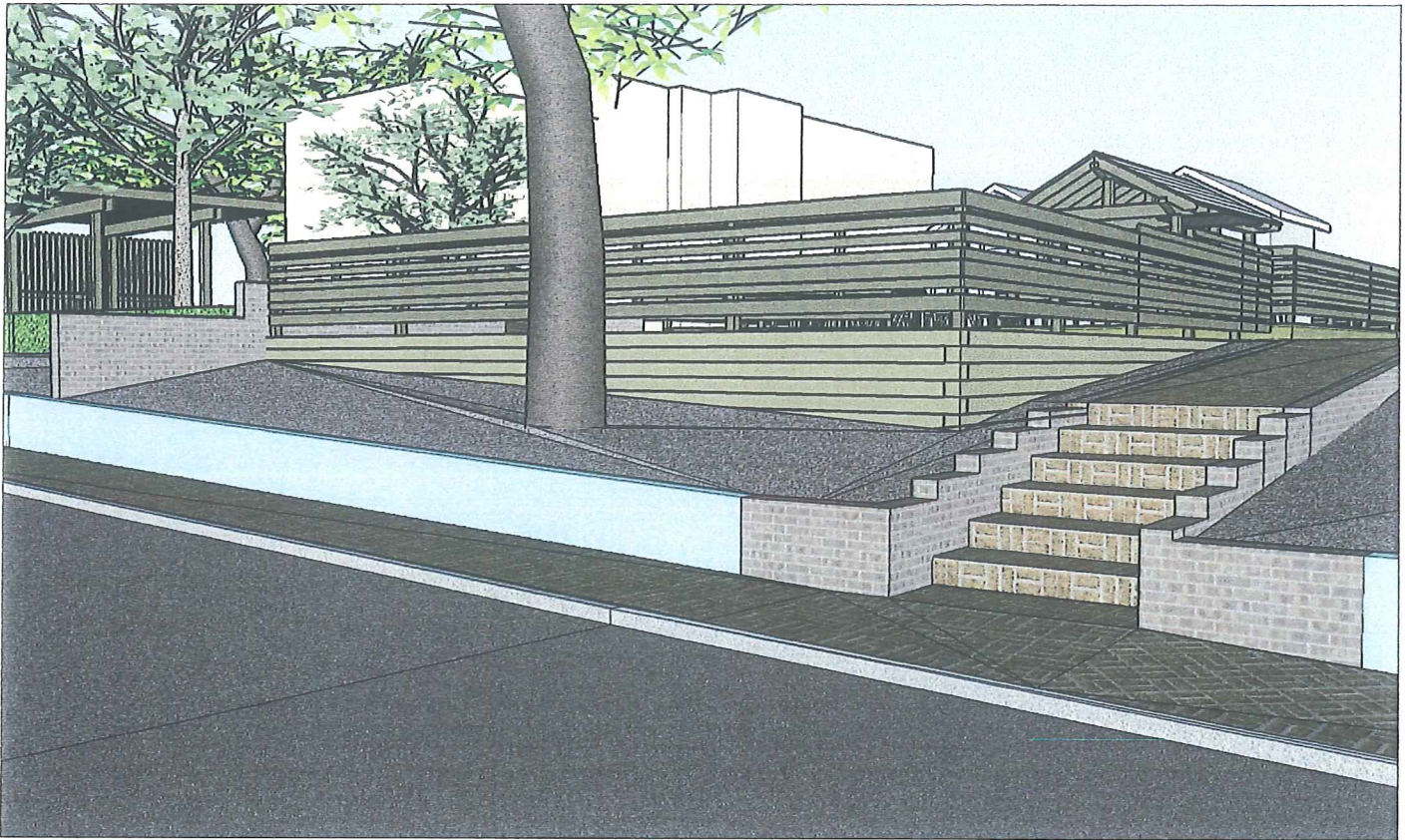
A4

BAR RENDERING
scale: NTS

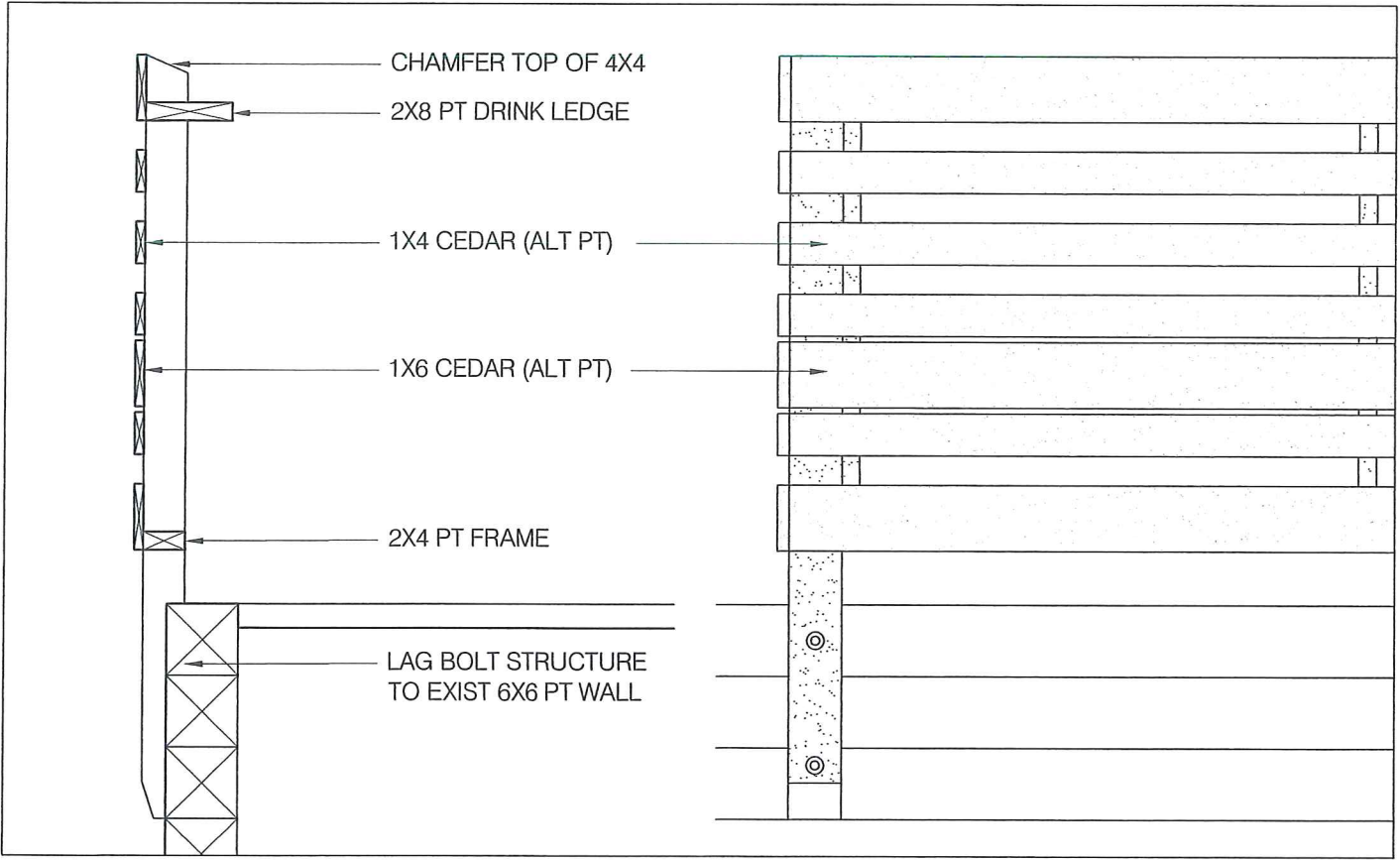


A5

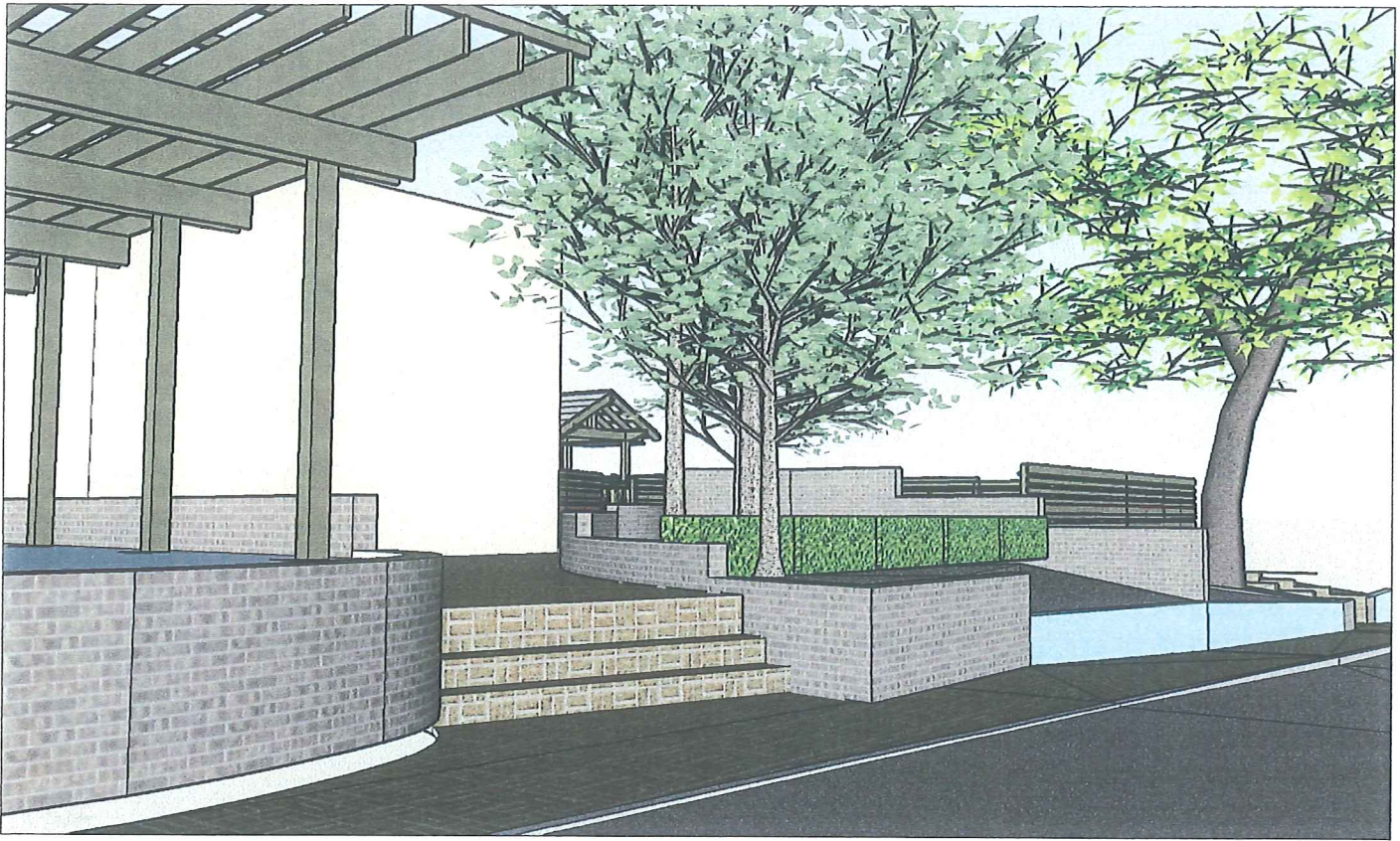
BAR SECTION
scale: 1/4" = 1'-0"



A6 FENCE CORNER
scale: NTS



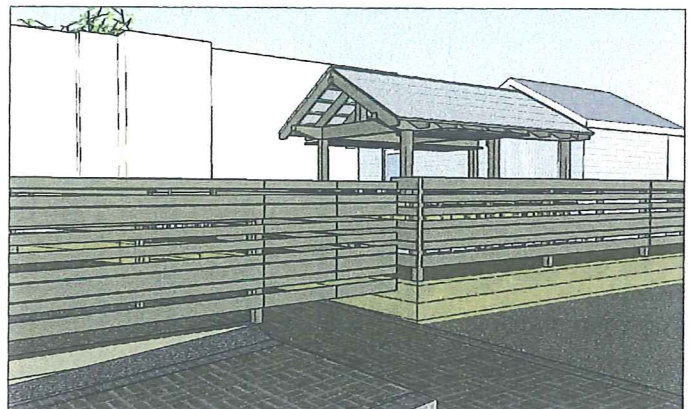
A7 FENCE SECTION
scale: 3/4" = 1'-0"



A8 ALTERNATE FENCE CORNER
scale: NTS



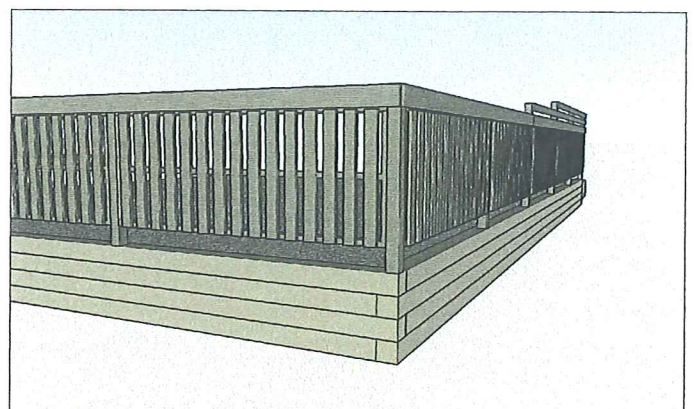
RENDERING OF PATIO FROM STAIRS



RENDERING OF GATE IN FRONT OF BAR

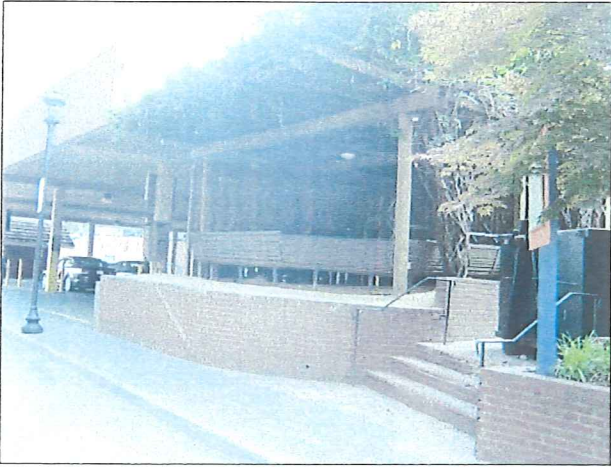


BAR RENDERING FROM DECK



ALTERNATE FENCE RENDERING

A9 BAR RENDERING
scale: NTS





Invoice No. 09-06-01-052 App. No. P09-0077

Please return to: City of Charlottesville
 Department of Neighborhood Development Services
 Attn: Mary Joy Scala
 P.O. Box 911, City Hall
 Charlottesville, VA 22902
 Telephone (434) 970-3182 Fax (434) 970-3359

Please return a copy of this invoice with the total amount due, shown at the bottom of the page, within ten (10) days of the date posted below. Please make checks payable to the City of Charlottesville.

From: Department of Neighborhood Development Services
 Attn: Mary Joy Scala
 Post Office Box 911, City Hall
 Charlottesville, VA 22902

Date: July 20, 2009

To: Andy McClure
 1106 Grady Avenue
 Charlottesville, VA 22903

Date	Description	Price Each	Total
07/20/09	July 2009 BAR COA-Notice to adjacent properties owners for 16 & 16 1/2 Elliewood Ave Tax Map 9 Parcel 97- 8 letters	\$1.00	\$8.00
	TOTAL DUE		\$8.00

Please return this form and the total amount due within ten (10) days of the date shown above.

Thank you.

CITY OF CHARLOTTESVILLE
"A World Class City"

Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org



July 7, 2009

Dear Sir or Madam:

This letter is to notify you that the following application has been submitted for approval of a Certificate of Appropriateness by the City of Charlottesville Board of Architectural Review on property that is either abutting or immediately across a street from your property, or that has frontage on the same city street block.

Certificate of Appropriateness Application
BAR 09-06-01
16 & 16 1/2 Elliewood Avenue
Tax Map 9 Parcel 97
Andy McClure, Applicant/ Geary Albright, Owner
Biltmore Grill- add decks, replace fence, site changes

The Board of Architectural Review (BAR) will consider this application at a meeting to be held on **Tuesday, July 21, 2009, starting at 5pm in the Council Chambers, City Hall**. Enter City Hall from the Main Street pedestrian mall entrance.

An agenda is available on the BAR's home page accessible through <http://www.charlottesville.org> with approximate times. If you need more information, please do not hesitate to contact me at 434-970-3130 or scala@charlottesville.org.

Sincerely yours,

Mary Joy Scala
Preservation and Design Planner

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