Sept. 2012

MEMO TO:

Maurice Jones Mary Joy Scala

FROM: DATE:

June 20, 2013

RE:

1600 Grady Avenue Tree Removal Request

Background

In <u>September 2012</u>, Lynn Hall Ward and Barbara Lucas came to the BAR meeting to request removal of 6 trees (3 magnolias and 3 poplars) from the Preston Court Apartments to correct an ongoing water infiltration problem in the basement (staff report attached). **The applicant deferred because the BAR wanted to see a plan** for how storm drainage would be handled/tied into the City main:

The Board is truly not convinced that the removal of the trees will solve the problem. They do feel that there are technical solutions that should be looked at. They feel the trees have been abused over the years and if pruning was done correctly the problem would have been prevented. They feel the applicant has not presented enough information and would suggest a deferral. The BAR asked for spot elevations; show how drainage will make the fall from the foundation area to the storm drain or daylight; show a conservation plan for the Beech and Pecan trees.

In <u>November 2012</u> The BAR allowed staff to administratively approve removal of one poplar tree. The request had come by letter from Ashley Cooper Davis (letter attached) to remove one poplar immediately to allow completion of building waterproofing.

Staff asked if the BAR would allow administrative approval of removal of one poplar tree at 1600 Grady Avenue, with the removal of the other 5 trees to come back to the BAR. They agreed, and stated their intent to require the care and protection of the **Pecan, Ash, and Beech trees**, and replacement of the six trees to be removed. They noted the replacement trees should be big trees, and Poplars are especially suited to the site.

Current Request

The property manager, Barbara Lucas, called last week and requested immediate removal of an Ash tree located on the left side of the property. This Ash tree was not included in the original request to remove six trees, and was specifically mentioned by their arborist as being in good health (arborist letter attached). Since the matter was deferred by the BAR in September 2012, no plan or additional information had been submitted.

Barbara Lucas indicated it was an emergency situation, so I suggested she could appear at the BAR meeting under "Matters Not on the Agenda" to have a short (5 minute) discussion. The BAR discussed the request briefly, and reiterated their previous request for a plan, and questioned whether it was a true emergency.

City Council Appeal

Richard Harris in the City Attorney's office has confirmed that the request to remove one Ash tree at Preston Court Apartments may not be considered by City Council until it has been properly noticed and acted upon by the Board of Architectural Review (BAR).

Therefore, I called Barabara Lucas today and emailed Lynn Hall Ward (who has previously signed the applications as property owner) to inform them of this decision. I told them they could make application to the BAR for their July 16 meeting. If the BAR denies their request, then they could legally appeal to City Council.

From: Rourke, Kristin

Sent: Monday, September 24, 2012 10:49 AM

To: 'lynnprs@embarqmail.com' **Subject:** BAR Actions - Sept 2012

September 24, 2012

Preston Court Limited Partnership 1600 Grady Avenue Charlottesville, VA 22903

Certificate of Appropriateness Application

BAR 12-08-04
1600 Grady Avenue
Tax Map 5 Parcel 110
Preston Court Limited Partnership, Applicant/Lynn Hall Ward, Owner
Remove 6 trees

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on September 18, 2012.

The following action was taken:

The BAR accepted (6-0) the applicant's request for deferral.

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, including the grounds for an appeal, the procedure(s) or standard(s) alleged to have been violated or misapplied by the BAR, and/or any additional information, factors or opinions the applicant deems relevant to the application, should be directed to Paige Barfield, Clerk of the City Council, PO Box 911, Charlottesville, VA 22902.

This certificate of appropriateness shall expire in 18 months (March 18, 2014), 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.

Upon completion of construction, please contact me for an inspection of the improvements included in this application. If you have any questions, please contact me at 434-970-3130 or scala@charlottesville.org.

Sincerely yours,

Mary Joy Scala, AICP Preservation and Design Planner

Mary Joy Scala, AICP
Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall - 610 East Market Street
P.O. Box 911

CITY OF CHARLOTTESVILLE BOARD OF ARCHITECTURAL REVIEW STAFF REPORT September 18, 2012



Certificate of Appropriateness
BAR 12-08-04
1600 Grady Avenue
Tax Map 5 Parcel 110
Preston Court Limited Partnership, Applicant/ Lynn Hall Ward, Owner
Remove 6 trees

Background

1600 Grady Avenue (Preston Court Apartments) was built in 1928 and designed by Stanislaw Makielski. It is individually listed on the National Register and is a contributing structure in the Rugby Road-University Circle-Venable Neighborhood ADC District.

Application

The applicant is requesting to remove six trees, three magnolias and three poplars, in order to correct an ongoing problem of water infiltration into the basement units of the Preston Court Apartments building. The structural engineer's report recommends removing "the large trees near the basement walls." The report states that they "observed significant tree root systems against the walls." The three poplars face Grady Avenue, one magnolia faces the east side of Preston Place and two magnolias face the west side of Preston Place.

The plan is to remove the trees, add a subdrain along the perimeter of the building, waterproof the basement walls, backfill with aggregate, then re-grade the site to provide positive drainage away from the building toward the street.

Criteria, Standards and Guidelines

Review Criteria Generally

Sec. 34-284(b) of the City Code states that,

In considering a particular application the BAR shall approve the application unless it finds:

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

Pertinent Standards for Review of Construction and Alterations include:

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;

- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;
- (4) The effect of the proposed change on the historic district neighborhood;
- (5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;
- (6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;
- (8) Any applicable provisions of the City's Design Guidelines.

Pertinent Guidelines for Site Design include:

P. 2.3 Plantings

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

Discussion and Recommendations

Staff has requested an arborist's report to determine the current condition of the trees. These large, older plantings that face a major street in an ADC and National Register District have likely been in place since the construction of the building and are mentioned in the 2002 National Register nomination. From the summary description section: "The surrounding yard and rear courtyard contain mature plantings that add to the building's residential character and further enhance the property's integrity." Their removal will dramatically alter the appearance of the neighborhood and they should be inspected by an arborist to determine whether or not they truly are a threat to the historic building.

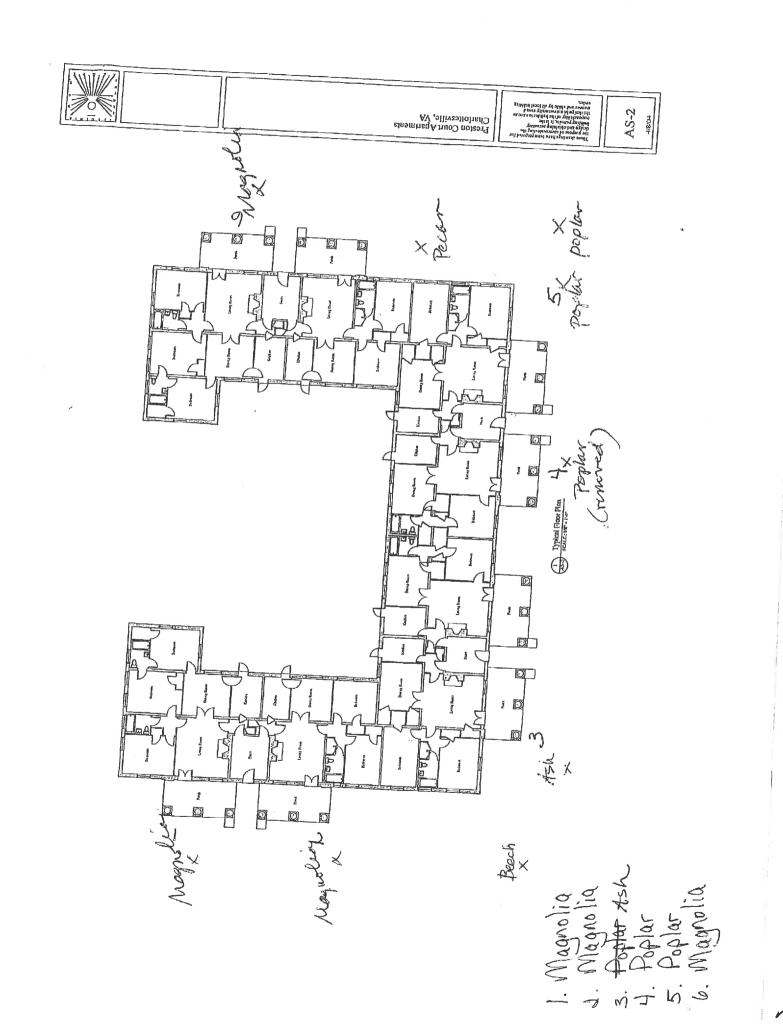
If the BAR agrees that the trees must be removed to allow re-grading of the site for proper drainage to occur, then a site plan amendment must be submitted that shows the grading plan and the proposed landscaping. Because this property is zoned R-3, tree canopy and other site plan landscaping requirements must be met. The trees should be replaced in kind with similar species according to the guidance of an arborist.

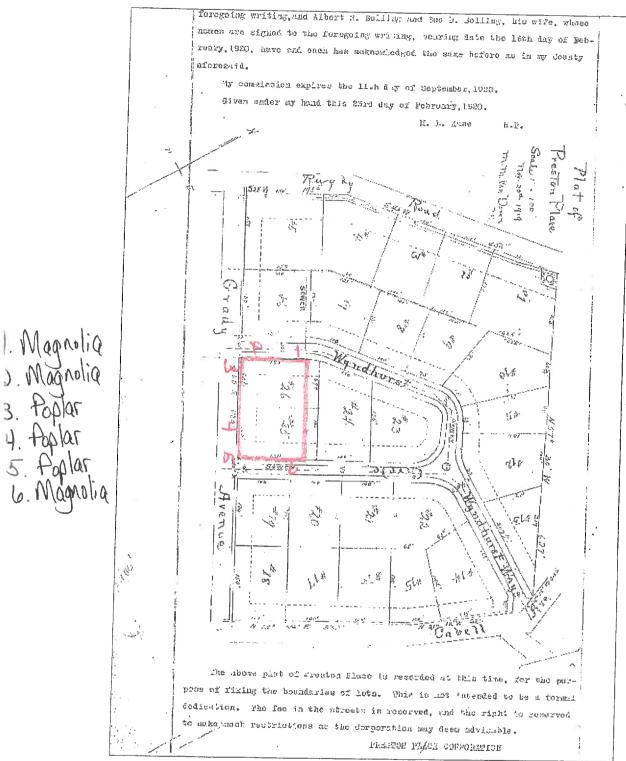
Suggested Motions

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design, I move that the proposed removal of six trees satisfies (does not satisfy) the BAR's criteria and is (is not) compatible with this property and other properties in this district, and that the BAR approves (denies) the application as submitted (or with the following conditions or modifications....)



1600 Grady Avenue

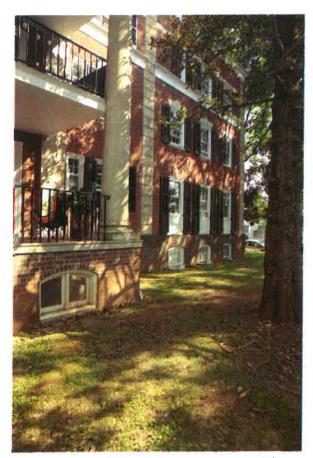




Recorded Plat from Deed Book 34 page 478

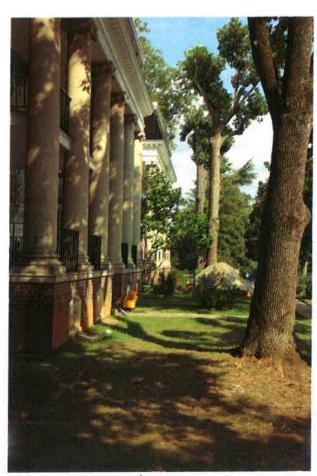


2 MAGNOLIAS ON PRESTON PL #1



2 MAGNOLIAS PRESTON PL #2





2 MAG NOLIAS PRESTON PL ASH+ 2 POPLARS ON GRADY AVE # 3-4-5





ASH ON GRADY AVE # 3



POPLAR ON GRADY AVE # 14



#4



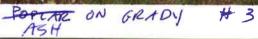


POPLAR ON GRADY # 5

MAGNOLIA ON PRESTON PL #6











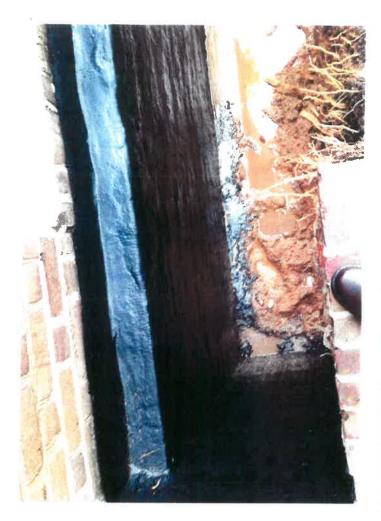


















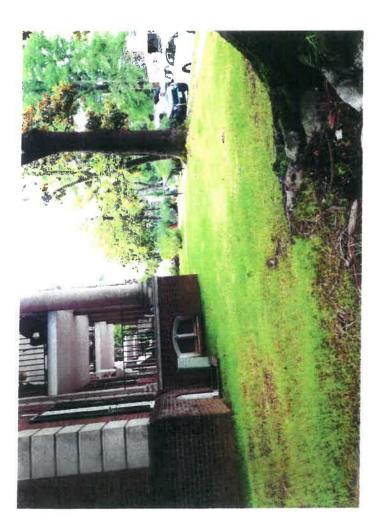


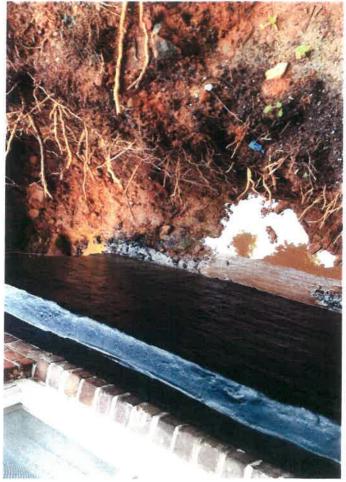














B A R T L E T T T R E E E X P E R T S

1185 FIVE SPRINGS ROAD, CHARLOTTESVILLE, VA 22902-8785 • (434) 971-3020 • FAX (434) 971-1331

9/17/12

Preston Court Apartments 1600 Grady Avenue Apt. 11 Charlottesville, VA 22903

Gentlemen.

This letter is in reference to the existing trees at Preston Court Apartments, 1600 Grady Ave. I have been made aware of the moisture issues with the basement apartments and the options (or lack thereof) to repair these issues. My understanding of the engineers report is that removal of the trees and re-grading the topsoil to facilitate surface drainage is the best engineering option. I am not qualified to comment on this or other engineering solution, but will address the trees in question below.

There are 3 large tulip poplars at the right front of the building. Not only do these trees contribute to the water issue, but they have been severely topped in the recent past. This type of "pruning" is harmful to the tree and contributes to decay and future structural defects. This in addition to the decay present in the trees would lead me to recommend removal of the trees that would allow for re-grading in this area. At the left front of the building there is a healthy white ash and American beech. Both of these trees are in good condition and are valuable shade trees. If one of the trees must be removed to repair the drainage issue, I would remove the ash and grade to preserve the beech as it is a disease free native tree to our area.

On the left side of the building there is a slowly declining Southern magnolia that could be removed to improve the grade/drainage in that area. This tree is not dying quickly, but is unlikely that it would survive in the long term. There is a healthy Southern magnolia at both the left and right rear of the building. Due to the grade surrounding the property in these areas re-grading to simply allow gravity to carry the water away from the building will not be sufficient. Hopefully a solution involving only root pruning of these trees can be found to help solve the moisture issue in this area. Finally there is a large Pecan on the right side of the building that is not a significant moisture concern. The basement rooms in this area are dedicated to mechanical services for the building and excess moisture in this area can be tolerated at this time. Should you have further questions or concerns, I am willing to meet on site to discuss the trees and options as needed.

Sincerely,

Michael Abbott

Bartlett Tree Experts - Arborist and Local Manager

ISA Board Certified Master Arborist

MS in Forestry

THE F.A. BARTLETT TREE EXPERT COMPANY SCIENTIFIC TREE CARE SINCE 1907

Scala, Mary Joy

From:

Julie Basic <Julie@lpda.net>

Sent:

Monday, September 10, 2012 3:08 PM

To:

Scala, Mary Joy John Schmidt

Subject:

RE: Preston Apts. site plan and process

Mary Joy,

I met with Barbara Lucas this morning to go over the issues related to removing the trees. She's requesting that the trees be removed because they impede the ability to properly grade the site and tree roots are causing damage to the foundation. It's pretty clear that the number of tree surface roots alone would make grading difficult. There are also numerous bare patches of soil where the tree canopy has shaded out the lawn and other plantings.

It should be noted that Barbara has consulted with a structural engineer several times and he will be able to address foundation issues. LPDA was hired to develop a planting plan with two main goals: address surface drainage and erosion issues and design a planting plan that is compatible with the historic character of the building and site. Although we've been assisting Barbara with general landscape architectural questions, our work at Preston Apts. will be done in a later phase once the tree removal and foundation drainage issues are resolved.

I also wanted to let you know that I spoke with Ebony Walden this morning about the site plan. I then called Barbara and recommended that we hold off on submitting the formal site plan until some decisions are made at your meeting next week 9/18. If the BAR allows the trees to be removed and not replaced, or replaced in a different manner, then that will affect the planting plan work that LPDA was hired to do. Ebony didn't seem to think this was an issue as long as a site plan was submitted at some point for City review. Ebony also directed me to the City's master list of trees that will be helpful once we get around to the planting plan.

My understanding is that you and Barbara marked up a plan together (I think she said it was a copy of the 1929 site plan) showing the locations of the trees. Barbara will be referring to this plan at next week's BAR meeting in lieu of a formal site plan.

I will not be able to make next week's meeting, but John Schmidt from my office will be there if questions come up about the planting plan, site plan, or anything else we can help with.

Please call Barbara with general questions about this project, but feel free to contact me about anything in this e-mail or related to the eventual planting and site plan.

Thanks, Julie

From: Scala, Mary Joy [mailto:scala@charlottesville.org]

Sent: Monday, September 10, 2012 7:59 AM

To: Julie Basic **Cc:** Walden, Ebony

Subject: RE: Preston Apts. site plan and process

The BAR will consider the application to remove the six trees at its meeting on September 18. The site plan may be reviewed concurrently but BAR approval comes first and any subsequent change on the site plan (such as a grading/landscape plan) would need to be approved by the BAR.

Mary Joy Scala, AICP

Preservation and Design Planner City of Charlottesville Department of Neighborhood Development Services City Hall - 610 East Market Street P.O. Box 911 Charlottesville, VA 22902 Ph 434.970.3130 FAX 434.970.3359 scala@charlottesville.org

From: Julie Basic [mailto:Julie@lpda.net] **Sent:** Friday, September 07, 2012 4:31 PM

To: Scala, Mary Joy

Subject: RE: Preston Apts. site plan and process

This is where I need to talk to Barbara to get a better understanding. I also haven't spoken with the structural engineer. There may be trees that are fairly close to the building that may be doing damage. The issues, though, go hand in hand where the property needs to be graded toward the adjacent streets in order to stop the flooding and protect the foundation.

When you say "they review on Sept. 18," who is "they?" The BAR members? When will a site plan be required? Barbara said there was a meeting in October. I will talk to Ebony about the site plan requirements but I'm wondering if anything needs to be presented on the 18th or if this is just an internal review meeting.

Thanks for your help, Julie

From: Scala, Mary Joy [mailto:scala@charlottesville.org]

Sent: Friday, September 07, 2012 4:02 PM

To: Julie Basic

Subject: RE: Preston Apts. site plan and process

That will be discussed, but I thought the reason to remove the trees was to re-grade the yards so they would drain properly.

Mary Joy Scala, AICP

Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall - 610 East Market Street
P.O. Box 911
Charlottesville, VA 22902
Ph 434.970.3130 FAX 434.970.3359
scala@charlottesville.org

From: Julie Basic [mailto:Julie@lpda.net] **Sent:** Friday, September 07, 2012 3:57 PM

To: Scala, Mary Joy

Subject: RE: Preston Apts. site plan and process

Mary Joy,

Is there a requirement that trees be put back if they are removed? My understanding of the situation at Preston Apts. is that the trees are causing structural damage to the foundation and are over-shading the property so that the lawn and other plantings are unable to grow or at least grow properly.

Would the BAR approve removal of the trees and no replacement? It seems that replacing them would mean running into the same problems years down the road.

Thanks, Julie

From: Scala, Mary Joy [mailto:scala@charlottesville.org]

Sent: Friday, September 07, 2012 3:35 PM

To: Julie Basic **Cc:** Walden, Ebony

Subject: RE: Preston Apts. site plan and process

The BAR will definitely have an opinion about what kinds of trees to put back if they approve removal of the 6 trees. They review on Sept 18.

The site plan requirements found in the zoning ordinance are administered through the neighborhood planner, in this case. Ebony Walden.

Contact her for requirements. The landscape plan has to meet site plan requirements but also must get BAR approval.

Mary Joy Scala, AICP

Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall - 610 East Market Street
P.O. Box 911
Charlottesville, VA 22902
Ph 434.970.3130 FAX 434.970.3359
scala@charlottesville.org

From: Julie Basic [mailto:Julie@lpda.net]
Sent: Friday, September 07, 2012 2:53 PM

To: Scala, Mary Joy

Subject: Preston Apts. site plan and process

Mary Joy,

I just left a voicemail but thought I'd follow up with an e-mail to leave a clearer message.

I'm working with Barbara Lucas who manages Preston Apts. on Grady. She had spoken with me a while ago about preparing a planting plan for the property once the trees were removed. You and I had spoken, as well, as I was just beginning to work with Barbara.

She's updated me every so often about her progress with the BAR requirements and called today asking about a site plan.

I'd like to speak with you about the site plan (typical requirements, what information does the BAR need to see, etc.). Up to this point, Barbara has been relying mostly on her arborists, tree specialist, and structural engineer so I'm playing a little bit of catch-up to see where everything stands with BAR approvals.

Please give me a call when you have a moment.

Thanks, Julie

Julie Basic

Landscape Architect
Land Planning & Design Associates, Inc.
310 East Main Street, Suite 200
Charlottesville, VA 22902
(434) 296-2108
F (434) 296-2109
www.lpda.net

PRESTON COURT LTD., 1600 Grady Avenue, Charlottesville, Virginia

Mailing Address: P.O. Box 485 Ivy, Va. 22945

August 15, 2012

Mary Joy Scala
Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall
Charlottesville, VA 22902

Dear Mary Joy,

As requested, enclosed is the site plan with the trees. We provided a larger plan of the building that more clearly identifies the location of the trees. The pictures of the trees are on the CD.

Please contact me if anything else is needed.

Sincerely,

Lynn-Hall Ward Business Manager

for this prolect?



Board of Architectural Review (BAR) Certificate of Appropriateness

Please Return To: City of Charlottesville

Department of Neighborhood Development Services

P.O. Box 911, City Hall Charlottesville, Virginia 22902

AUG 02 2012

Telephone (434) 970-3130 Fax (4340)97013359 PULLAT

Please submit ten (10) copies of application form and all attachments. For a new construction project, please include \$375 application fee. For all other projects requiring BAR approval, please include \$125 application fee. For projects that require only administrative approval, please include \$100 administrative fee. Make checks payable to the City of Chartottesville.

The BAR meets the third Tuesday of the month. Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 4 p.m. Owner Name Applicant Name Project Name/Description PMANA Parcel Number Property Address Signature of Applicant Applicant Infor I hereby attest that the information I have provided is, to the Address: best of my knowledge, correct. (Signature also denotes commitment to pay invoice for required mail notices.) Email: Phone: (W Property Owner Information (if not applicant) Address: Email: Property Owner Permission (if not applicant) I have read this application and hereby give my consent to Phone: (W) (H) its submission. FAX: Do you intend to apply for Federal or State Tax Credits

Print Name Date Description of Proposed Work (attach separate narrative if necessary): Jational

Signature

List All Attachments (see reverse side for submittal requirements):

For Office Use Only Approved/Disapproved by: Received by Date: Fee paid: Conditions of approval: Date Receive

JANEIGHPLAS AFORMS/Opdated Forms 8.8.08/BAR Certificate of Appropriateress doc

Created on 8/8/2008

Date

DUNBAR MILBY WILLIAMS PITTMAN & VAUGHAN

Consulting Structural Engineers

RICHMOND AND CHARLOTTESVILLE

110 THIRD STREET, N.E., CHARLOTTESVILLE, VIRGINIA 22902-5224 PHONE: 434 293-5171 Fax: 434 971-5191

ALVIN W. DUNBAR, PE, SECB DENWOOD T. MILBY, PE - RETIRED C. NELSON WILLIAMS, IV, PE, SECB KENNETH J. PITTMAN, PE, SECB R. LINDLEY VAUGHAN, JR., PE, SECB

June 5, 2012

EDWARD S. FRAHER, III, PE, SECB STEPHEN D. BARBER, PE, SECB JEFFREY S. DAMS, PE, SECB, LLEED AP BD+C GREGORRY C. ELLEN, PE, SECB ROBERT L. SMITH, PE, SECB BETTY M. THOMPSON

Preston Court Partnership 1600 Grady Avenue Charlottesville, VA 22903

Re:

Preston Court Apartments - Basement Walls

DMWPV Job No. 1203-54

Dear Sir/Madam:

As requested, we recently visited the above building to review concerns that you raised with the existing basement wall conditions. We understand that water infiltration into the basements has been an ongoing issue for this building.

The existing building is an older multi-story apartment building with multi-wythe brick exterior foundation walls. The basement apartments are approximately 6' below grade. There are very large older trees near the basement walls and the exterior grade is essentially flat. In some localized areas, the grade slopes slightly downward towards the building.

At the time of our visit, some of the foundation walls had been excavated. We observed significant tree root systems against the walls. It also appeared that much of the wall footings are bearing on rock. We understand that a subdrain system is present in some, but not all locations. From our limited observations, it appeared that the structural condition of the brick basement walls is good.

Following are our general recommendations regarding drainage around these basement walls:

- 1. Remove the large trees near the basement walls.
- 2. Install a functioning subdrain along the perimeter of the building. This drain should consist of a perforated pipe bedded in crushed stone and wrapped in filter fabric. The pipe should be continuous and gravity drain to daylight or a suitable outlet. The pipe should be located at the bottom of the existing basement walls. We understand the challenges in obtaining the proper elevations given the rock and the elevation of the street. An alternative, although less desirable for the long term, is to run the pipes to one or more sump pits that are mechanically pumped to drain.
- 3. Install a waterproofing systems against the basement walls.
- 4. Backfill the walls with compacted open graded aggregate such as VDOT No. 57 stone.
- 5. Grade the site to provide positive slope down away from the walls to direct surface runoff away from the building.
- 6. Verify that the downspout and guttering of the building is functioning and repair as necessary.

The above observations and recommendations are based on an initial walk-through survey and are limited to the basement foundation walls only. These are general recommendations. If requested, we can develop more specific repair details. If you have any questions or if we can assist further, please contact us.

Very truly yours, Dunbar Milby Williams Pittman & Vaughan

Stephen D. Barber, P.E.

STEPHEN D. BARBER CERTIFICATE NO. 025731

Stephen D. Bala