

From: Mess, Camie
Sent: Tuesday, August 15, 2017 2:59 PM
To: jegarnett52@gmail.com
Subject: BAR Action - 425 2nd Street NE - Aug. 14th, 2017

August 15, 2017

James E. Garnett

Re: Certificate of Appropriateness Application

BAR 17-07-01

425 2nd Street NE

Tax Parcel 330085000

James E. and Lynn K. Garnett, Owner/ James E. Garnett, Applicant

Construct new front wall, front walk, and install gates

Dear Applicant,

The above referenced projects were discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on August 14, 2017. The following action was taken:

Gastinger moved: Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and Elements, I move to find that the revised proposal changes (found in an e-mail to Camie Mess, dated August 14th, around 1pm) to the front wall, front walk, and landscape satisfy the BAR's criteria and are compatible with this property and other properties in the North Downtown ADC district, and that the BAR approves the application as submitted pending a resubmittal and approval of the revised landscape plan, and seeing the brick on site. Earnst seconded. The motion passed (6-0).

This certificate of appropriateness shall expire in 18 months (February 14, 2019), 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 the project. The expiration date may differ if the COA is associated with a valid site plan. You may request an extension of the certificate of appropriateness before this approval expires for one additional year for reasonable cause.

If you have any questions, please contact me at 434-970-3398 or messc@charlottesville.org.

Sincerely yours,

Camie Mess
Assistant Historic Preservationist

Camie Mess
Assistant Historic Preservationist
City of Charlottesville Neighborhood Development Services
610 E. Market Street, P.O. Box 911, Charlottesville, Virginia 22902
Phone: (434) 970-3398
E-mail: messc@charlottesville.org

CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT



~~July 18, 2017~~ August 14, 2017

Certificate of Appropriateness Application

BAR 17-07-01

425 2nd Street NE

Tax Parcel 330085000

James E. and Lynn K. Garnett, Owner/ James E. Garnett, Applicant

Construct new front wall, front walk, and install gates

Background

See attached Landmark Survey.

October 21, 2014 – The BAR approved (7-0) the exterior changes as submitted (gutters, fencing, exterior paint, porch screening, and new garage doors).

September 14, 2015 – Administrative approval of exterior trim paint colors.

Application

The applicant is requesting approval for several changes to the front landscaped area.

- The removal of two trees – red maple on 2nd Street NE and silver maple on Hedge Street (completed)
- Removal of brick front walk (completed) to be replaced with sandstone pavers
- Material change of front steps from brick, to risers of stucco with solid sandstone treads
- Addition of iron gate
- Removal of damaged pillars and wall (completed)
- Addition of four pillars to be constructed of split face block (to emulate what was damaged), then stuccoed and capped with matching sandstone The uphill pillar is 30"; the Hedge Street corner pillar is 60"
- Addition of a 54" wall of similar material between the gate pillar and Hedge Street
- Addition of private hedge to follow the horizon from the uphill pillar to the gate pillar

Criteria, Standards and Guidelines

Review Criteria Generally

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

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

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

Pertinent Standards for Review of Construction and Alterations include:

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed*

addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;

(2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;

(3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;

(4) The effect of the proposed change on the historic district neighborhood;

(5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;

(6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;

(7) When reviewing any proposed sign as part of an application under consideration, the standards set forth within Article IX, Sections 34-1020, et seq. shall be applied; and

(8) Any applicable provisions of the city's Design Guidelines (see Sec. 34-288(6)).

Pertinent Guidelines for Site Design and Elements:

B. PLANTINGS

Plantings are a critical part of the historic appearance of the residential sections of Charlottesville's historic districts. The character of the plantings often changes within each district's sub-areas as well as from district to district. Many properties have extensive plantings in the form of trees, foundation plantings, shrub borders, and flowerbeds. Plantings are limited in commercial areas due to minimal setbacks.

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

C. WALLS AND FENCES

There is a great variety of fences and low retaining walls in Charlottesville's historic districts, particularly the historically residential areas. While most rear yards and many side yards have some combination of fencing and landscaped screening, the use of such features in front yards varies. Materials may relate to materials used on the structures on the site and may include brick, stone, wrought iron, wood pickets, or concrete.

- 1. Maintain existing materials such as stone walls, hedges, wooden picket fences, and wrought-iron fences.*
- 2. When a portion of a fence needs replacing, salvage original parts for a prominent location.*
- 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.*
- 6. Take design clues from nearby historic fences and walls.*

7. *Chain-link fencing, split rail fences, and vinyl plastic fences should not be used.*
8. *Traditional concrete block walls may be appropriate.*
9. *Modular block wall systems or modular concrete block retaining walls are strongly discouraged, but may be appropriate in areas not visible from the public right-of-way.*
10. *If street-front fences or walls are necessary or desirable, they should not exceed four (4) feet in height from the sidewalk or public right-of-way and should use traditional materials and design.*
11. *Residential privacy fences may be appropriate in side or rear yards where not visible from the primary street.*
12. *Fences should not exceed six (6) feet in height in the side and rear yards.*
13. *Fence structure should face the inside of the fenced property.*
14. *Relate commercial privacy fences to the materials of the building. If the commercial property adjoins a residential neighborhood, use brick or painted wood fence or heavily planted screen as a buffer.*
15. *Avoid the installation of new fences or walls if possible in areas where there are no fences or walls and yards are open.*
16. *Retaining walls should respect the scale, materials and context of the site and adjacent properties.*
17. *Respect the existing conditions of the majority of the lots on the street in planning*

E. WALKWAYS AND DRIVEWAYS

Providing circulation and parking for the automobile on private sites can be a challenging task, particularly on smaller lots and on streets that do not accommodate parking. The use of appropriate paving materials in conjunction with strategically placed plantings can help reinforce the character of each district while reducing the visual impact of driveways.

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

Discussion and Recommendations

Some of the changes in the application have already been completed or partially completed by the applicant. Staff has included guidelines for all the changes.

The removal of two maple trees (completed). Because this property is zoned for 1-2 family and would not require a site plan, the BAR may review the removal of a tree, but may not require replacement. If the applicant chooses to replace the tree, then the BAR may review the species choice.

The tree analysis states, these trees were diseased and it was recommended that the two trees were taken down, to prevent present danger. The guidelines for plants state, replace diseased or dead plants with like or similar species if appropriate. The applicant has selected a Paper Bark Maple to replace the Silver Maple that was removed from 2nd Street. A Paper Bark Maple is on the City's tree list as an ornamental tree reaching 20-30 feet in height. As far as the Hedge St. Red Maple is concerned, they would like to include the replacement request on a subsequent BAR submission.

When commenting on the changes to the existing walkway the BAR should be mindful of the materials that were taken out (brick) and what they are being replaced with (sandstone).

When commenting on the changes to the existing fence and pillars the BAR should keep the following guidelines in mind:

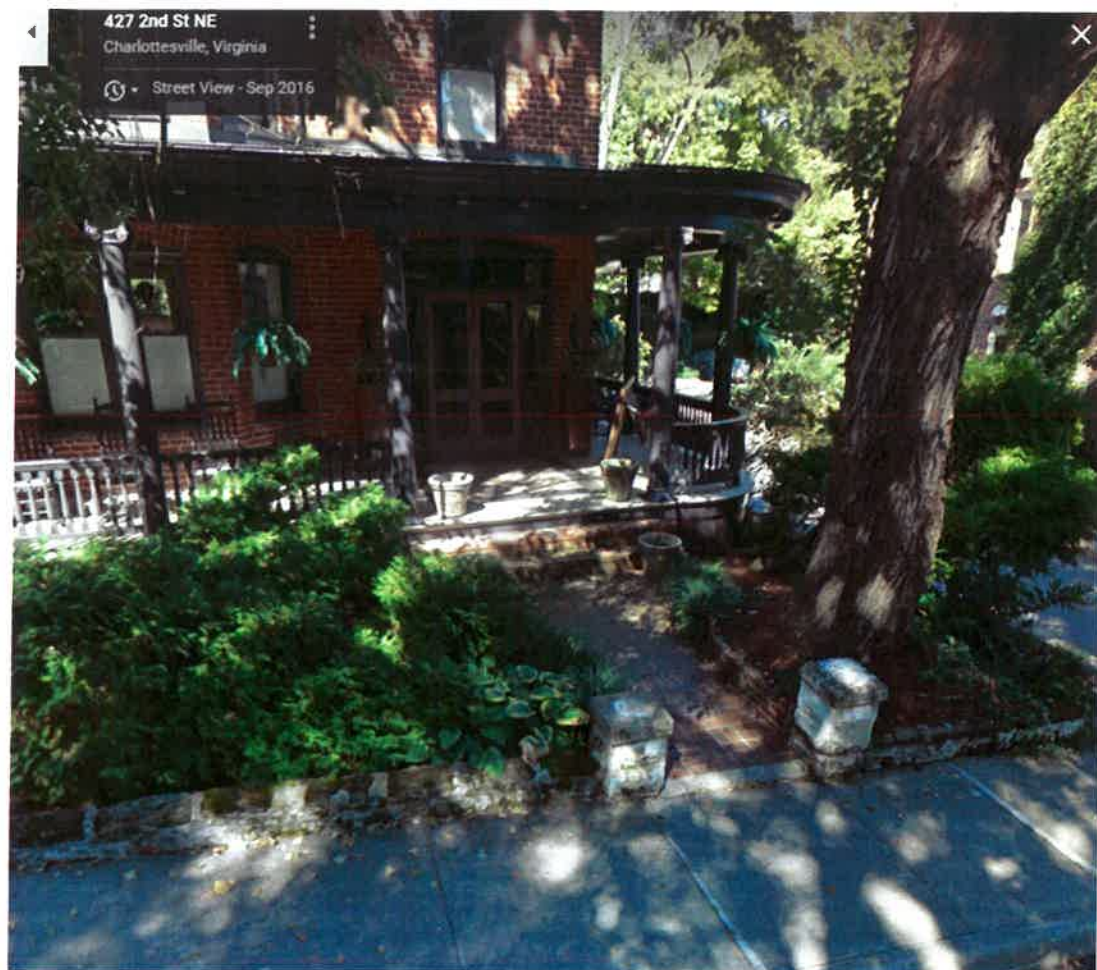
1. *Maintain existing materials such as stone walls, hedges, wooden picket fences, and wrought-iron fences.*
3. *Match old fencing in material, height, and detail.*
10. *If street-front fences or walls are necessary or desirable, they should not exceed four (4) feet in height from the sidewalk or public right-of-way and should use traditional materials and design.*
15. *Avoid the installation of new fences or walls if possible in areas where there are no fences or walls and yards are open.*
16. *Retaining walls should respect the scale, materials and context of the site and adjacent properties.*
17. *Respect the existing conditions of the majority of the lots on the street in planning*

Also, staff suggests the applicant picks either privacy shrubs or a stuccoed wall to present a more cohesive design, instead of both along the structures primary street frontage.

Staff has requested a plan view of the proposed improvements, and a scaled drawing of the proposed wall. The BAR should see a photo of the gate, a sample of the sandstone pavers and the stucco color.

Suggested Motion

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and Elements, I move to find that the proposal changes to the front wall, front walk, and landscape satisfies the BAR's criteria and is compatible with this property and other properties in the North Downtown ADC district, and that the BAR approves the application as submitted (or with the following modifications...).





Board of Architectural Review (BAR)
Certificate of Appropriateness

RECEIVED

Please Return To: City of Charlottesville
Department of Neighborhood Development Services
P.O. Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3130 Fax (434) 970-3359

27 2017

NEIGHBORHOOD DEVELOPMENT SERVICES

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 Charlottesville.

The BAR meets the third Tuesday of the month.

Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 3:30 p.m.

Owner Name: James E. Garnett & Lynn K. Garnett
Applicant Name: James E. Garnett
Project Name/Description: Repair Front wall. Replace FR. Walk. Install GATES
Parcel Number:
Property Address: 405 2nd St. N.E., Charlottesville, VA. 22902

Applicant Information

Address: 405 2nd St. N.E. Charlottesville VA. 22902
Email: jgarnett52@gmail.com
Phone: (W) (H)
FAX: 434-981-5972

Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct. (Signature also denotes commitment to pay invoice for required mail notices.)

Signature: [Handwritten Signature] Date: 6/27/17

Property Owner Information (if not applicant)

Address:
Email:
Phone: (W) (H)
FAX:

Print Name: James E. Garnett Date: 6/27/17

Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

Signature: Lynn K. Garnett Date: 6/27/17
Signature: Lynn K. Garnett Date: 6/27/17
Print Name: Lynn K. Garnett Date: 6/27/17

Do you intend to apply for Federal or State Tax Credits for this project?

Description of Proposed Work (attach separate narrative if necessary): SEC ATTACHED

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

- 1. Narrative of proposed work
2. Sketch of proposed work
3. CD/DVD PHOTOS OF HOUSE & FRONT WALK

For Office Use Only
Received by: [Signature]
Fee paid: \$125.00 Cash [X] Ck. # 1029
Date Received: 6/27/2017
Approved/Disapproved by:
Date:
Conditions of approval:

P17-0102

BAR Application

Garnett, James E. and Lynn K.
425 2nd St. N.E.
Charlottesville, Va. 22902

Proposed changes to property fronting 2nd St. N.E.

Dear Architectural Review Board Members:

Since purchasing this magnificent 1910 Queen Anne Revival home in 2014, my wife Lynn and I have made great effort, and at great expense, to repair and restore this dwelling. We have received many positive acknowledgements of that effort, and we trust that the aesthetics we have chosen are pleasing to the neighborhood and passersby.

The front of the property needs some attention, and for that we seek your approval. As much as we hated to do it, it was imperative that the red and silver maples be removed. We paid for an in-depth professional analysis (Bartlett Tree Experts) of the health (or lack thereof) of these trees, and discovered that they were both seriously hollow, representing a clear and present danger to structures, power lines, people and property. The liability was apparent (and documented) so they were removed.

Roots from the front maple had seriously buckled the front walk and cracked the pillars along the city sidewalk. We removed the damaged materials and now seek your approval for installing material other than that which was removed.

The original sidewalk (1910-11) was concrete, the width of the front steps. Sometime in the 1980s the city sidewalk was raised (we think) and a brick walk in front of the house was installed. The brick was 'wire cut' modern brick, and in no way represents a continuity of the formed brick used in the early 20th century.

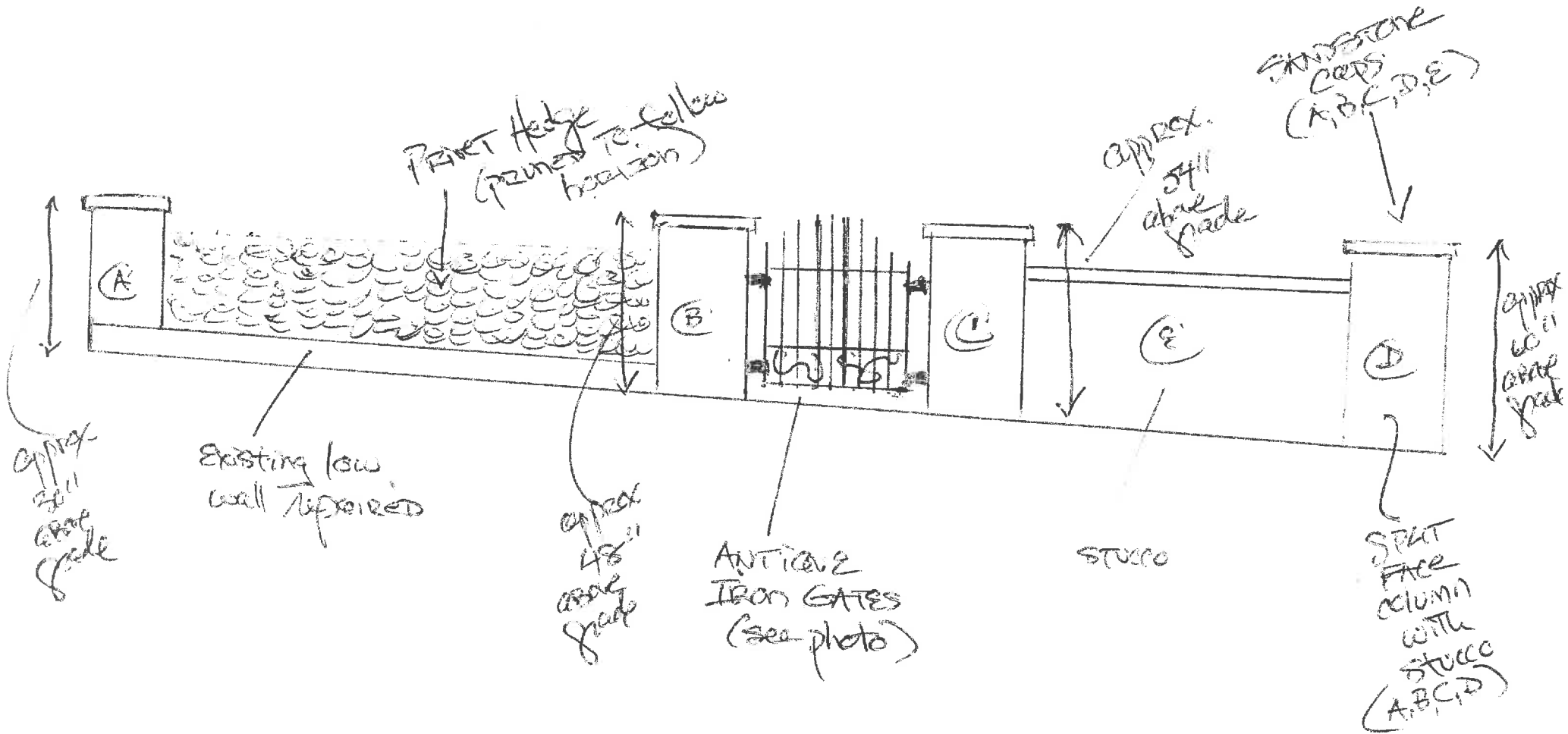
Instead of going back with brick, we would like to use some really lovely sandstone pavers. They would, in our opinion, accentuate the current aesthetic of the house beautifully. The risers of the steps would be stucco, and the treads, solid sandstone.

We purchased some antique iron gates from a Richmond area salvage yard, and would like to incorporate those into the property entrance. The gates are, in our opinion, simple but stately, not pretentious, and in keeping (we believe) with the Queen Anne Revival architecture. The pillars and wall supporting those gates would be constructed of split face block (to emulate what was damaged), then stuccoed and capped with matching sandstone. We would like to bridge the gap, from the uphill pillar, and the gate pillar with a privet hedge which would follow the horizon. Please see sketch.

Thank you!

GARNETT, J.E. & L.K.
BAR application attachment
425 2ND ST.
CHARLOTTESVILLE, VA. 22902
6/27/17

NOTE: Pillar cap height follows the horizon. Height of pipe match (top of gates). (see photo)





5028

IDENTIFICATION

Street Address: 425 Second Street, N. E.
 Map and Parcel: 33-85
 Census Track & Block:
 Present Owner: Nellie Hermon Robinson
 Address: 425 Second Street, N.E.
 Present Use: Residence
 Original Owner: R. Merritte Robinson
 Original Use: Residence

BASE DATA

Historic Name: R. Merritte Robinson House
 Date/Period: 1911
 Style: Victorian
 Height to Cornice:
 Height in Stories: 2
 Present Zoning: R-3
 Land Area (sq.ft.): 45.9' x 90' (4095 sp. ft.)
 Assessed Value (land + imp.):

ARCHITECTURAL DESCRIPTION

This handsome 2-storey house with its curved veranda is beautifully adapted to its corner lot. It is two bays wide and double pile, built of brick laid in 5-course American-with-Flemish bond, and set on a high foundation. It has a medium-pitched slate hip roof with planes of the roof continuing into gables over projecting bays on the facade and both sides of the house. Each gable has a small segmental-arched casement window at the attic level. There is a hip-roofed extension over a shall projection at the rear. The roof has projecting eaves and verges, and a boxed cornice with returns, with modillions and a plain frieze. A T-shaped capped interior chimney is centered on the rear wall. Windows are double-sash, 1-over-1 light, with wooden sills, moulded surrounds, and louvered shutters. Those at the first level and at the second level under the gables are segmental-arched; others at the second level are flat-arched. The projecting bay on the facade is semi-octagonal with a pair of windows in the center and single ones at the sides. There are 2-light, segmental-arched casement windows at the basement level. A one-storey veranda extends across the facade and curves gracefully around each side to a side entrance in the projecting bay. It has a nearly flat hip roof covered with standing-seam tin with matching cornice and plain frieze, supported by eight Ionic columns with Colonial Revival balustrade. The double entrance doors in the northern bay have one light over a low panel, with one-light sidelights and rectangular transom under a segmental arch. All have beveled glass. A 2-flight open stair with square newels and turned balusters rises from the

entrance hall in the NE corner of the house. The back porch with spool balustrade has been enclosed.

HISTORICAL DESCRIPTION

R. Merritte Robinson purchased this lot in 1910 (City DB 21-164) and built the house the next year. It was designed and built by Via. Mr. Robinson still lives in the house which has been her home for 68 years.
 Additional Reference: City WB 12-58.

GRAPHICS

CONDITIONS

Good

SOURCES

City Records
 Mrs. R. Merritte Robinson (Nellie Hermon Robinson)



425 NE 2nd St

October 2, 2015

Mr. James Garnett
425 2nd Street NE
Charlottesville, VA 22901

Assignment:

I was contacted by Mr. James Garnett and asked to inspect the trees at his home on 425 2nd Street NE in Charlottesville, Virginia. Mr. Garnett was concerned over the safety and health of the trees at his new home. Following my initial inspection, it was determined that one red maple and one silver maple required more extensive analysis and documentation. Mr. Garnett engaged me to conduct a Basic Tree Risk Assessment and report the results back to him in writing. If specific actions were required as a result of the assessments, the report would be used to document those actions to the City of Charlottesville.

Observations:

On October 1st, 2015, at 1:00 pm I conducted a Level 2, Tree Risk Assessment on a red maple (*Acer rubrum*) on the corner of 2nd Street NE and Hedge Street as well as a silver maple (*Acer saccharinum*) located on the right side of the house along Hedge Street (Photo 1). The tree crown, branches, roots and trunk of each tree were visually assessed and then the trunks were probed with a Resistagraph® to measure the extent of internal decay and trunk shell thickness.

Red Maple: Diameter at Breast Height (DBH): 32"

Targets:

- Powerlines
- Garnett's Porch and Roof
- Vehicles
- Pedestrians

History of previous failures:

- broken central leader (Photo 4)
- evidence of previously broken branches

Site Changes:

- grade change (no visible root collar) (Photo 5),
- cut roots around sidewalk and walkway (including structural roots)

Soil Conditions:

- very limited soil volume in critical rooting area

Tree Vigor:

- medium to low

Load factors:

- Asymmetrical crown

Tree Defects and Conditions:

Crown:

- unbalanced
- crown has been reduced to large wood on multiple occasions resulting in significant decay
- pruning response around powerlines has resulted in an asymmetrical crown
- significant decay in two remaining leaders including cracks
- lever arm on both leaders with significant decay (Photo 6)

Branches

- dead and missing bark
- cracks
- sapwood and heartwood decay
- flush cuts (unacceptable practice) from previous line clearance pruning operations

Trunk

- sapwood and heartwood decay
- Low trunk taper

Roots

- buried root collar (estimated 7" to 9" below original grade)
- evidence of dead and missing structural roots and root decay

Testing: The tree was drilled at approximately 3.5' above the grade with a Resistograph®. It was determined that there is an average of 3.5" of trunk shell thickness around a column of decay. In addition, an 8" wide (25% of DBH) and 22" long open cavity exists at approximately 4.5' above the grade. A tape measure extending into the cavity confirmed the depth of decay at 25.25" or an average of 3.5" average shell thickness (Photo 2).

Discussion:

The red maple has significant defects throughout the tree. Trunk decay in addition to a limited rooting area and decay are particularly troubling. Given the urban nature of the site, potential targets are numerous including the house, pedestrians, vehicles and powerlines. The consequences associated with failure of any part of the tree could be assessed as severe.

Silver Maple

Diameter at Breast Height: 28"

Targets:

- Multi-family housing across Hedge Street
- Garnett's house and garage
- Vehicles
- Pedestrians

History of previous failures:

- previously topped tree (unacceptable practice) possibly due to limb failures

Site Changes:

- cut roots around sidewalk and walkway

Soil Conditions:

- very limited soil volume in critical rooting area

Tree Vigor:

- low, declining top

Load factors:

- Small crown density

Tree Defects and Conditions:

Crown:

- aggressively reduced crown in multiple years resulting in significant decay at the point of branch attachment (Photo 7)

Branches:

- co-dominant leaders with weak branch attachments

- sapwood damage
- heartwood decay
- flush cuts (unacceptable practice) from previous line clearance pruning operations
- sparse crown with some dead and declining branches in the crown (Photo 3)
- upright, previously reduced crown with decay in branches at the point of attachment from previous reduction pruning

Trunk:

- sapwood and heartwood decay

Roots:

- evidence of dead and missing structural roots
- Evidence of root disease and decay

Testing: The tree was drilled at approximately 3” above the grade with a Resistograph®. It was determined that the tree has an average of 2” of trunk shell thickness around a column of decay. In addition, the root collar has missing bark and evidence of decay.

Discussion:

The silver maple also has significant defects throughout the tree. Trunk decay and a shell thickness of two inches is significant. Like the red maple, the tree has a limited rooting area and evidence of missing structural roots. Failure at the root collar or lower trunk is only a matter of time. The tree also has decay throughout the crown as a result of aggressive topping. Given the urban nature of the site, potential targets are numerous including the Garnett’s garage, multi-family housing across Hedge Street, pedestrians and vehicles. The consequences associated with failure of any part of the tree could be assessed as severe.



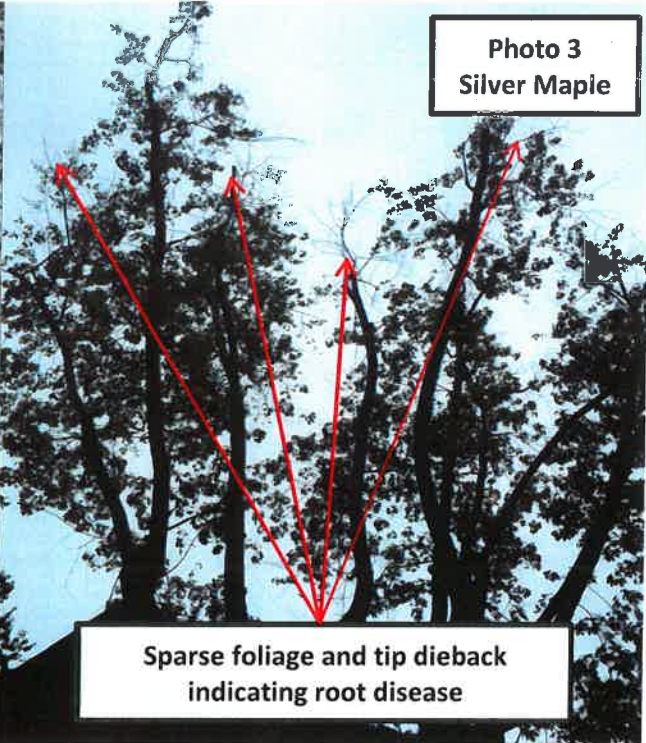
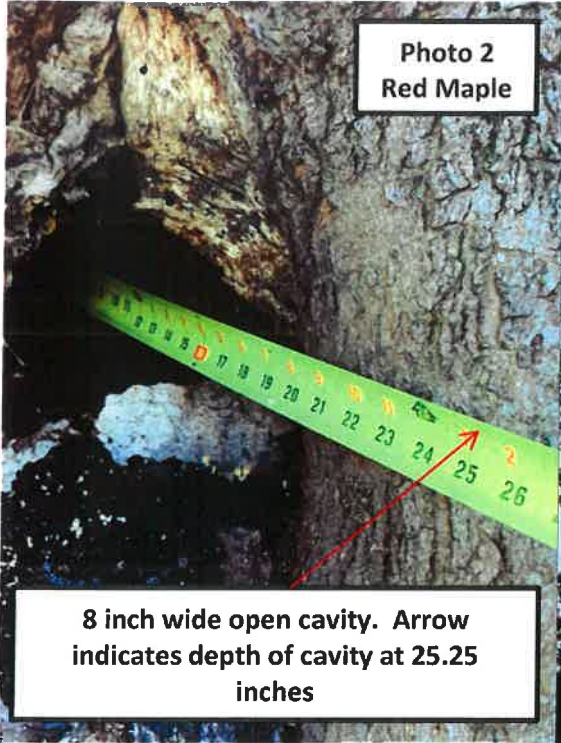




Photo 4
Red Maple

Broken and decayed
central leader



Photo 5
Red Maple

No visible root collar, Limited rooting area



Photo 6
Red Maple

Lever arm, Evidence of cracking



Photo 7
Silver Maple

Decay, Previous topping locations

Conclusion

Based on my analysis, I regret to inform you that in my opinion, both trees pose an unreasonable risk of failure. Due to the potential targets, impact on targets, tree conditions and defects, these two trees pose an extreme risk. Mitigation options, including the use of support cables and/or reduction pruning, would not reduce the risk to a reasonable level. Removal is the only option to mitigate the potential for failure. Because of the extreme defects, it would be difficult to determine whether either of these two trees would fail at the root plate, trunk or branches.

If you have any further questions, feel free to contact me at your convenience.

Alan H. Jones

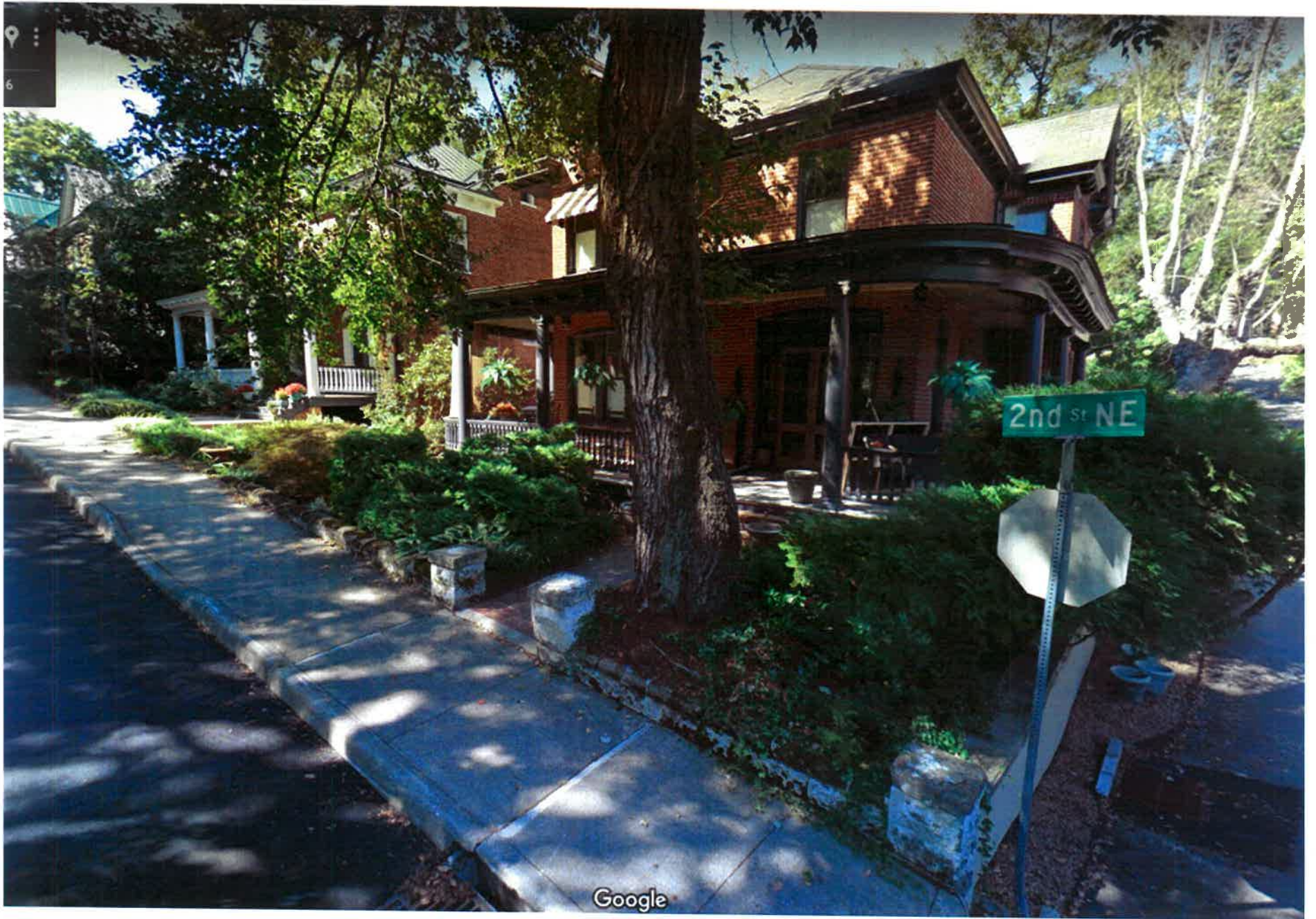
ASCA Registered Consulting Arborist #364

Certified Tree Risk Assessor #1342

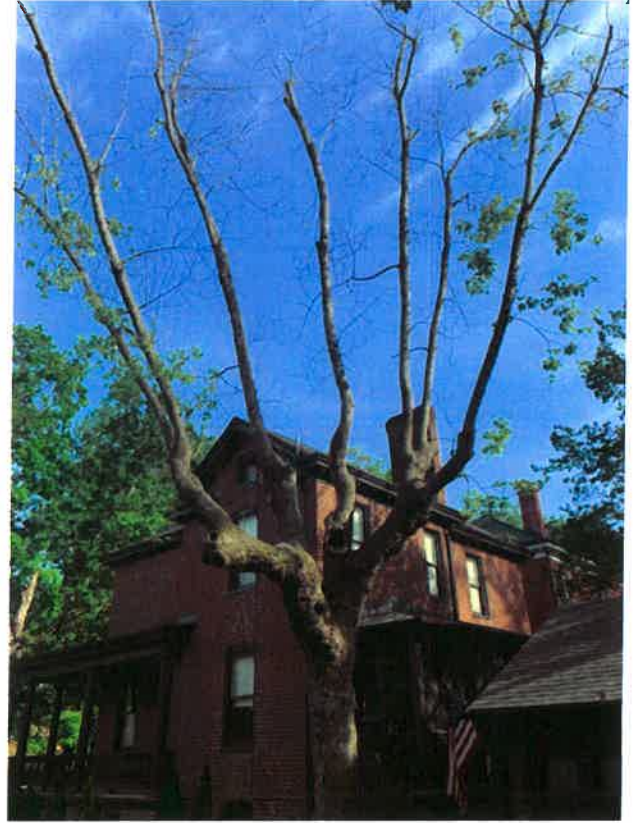
Certified Arborist MA #0053

Masters of Forestry, Clemson University, 1989

Cell: (434) 531-8306



SEPTEMBER 2016



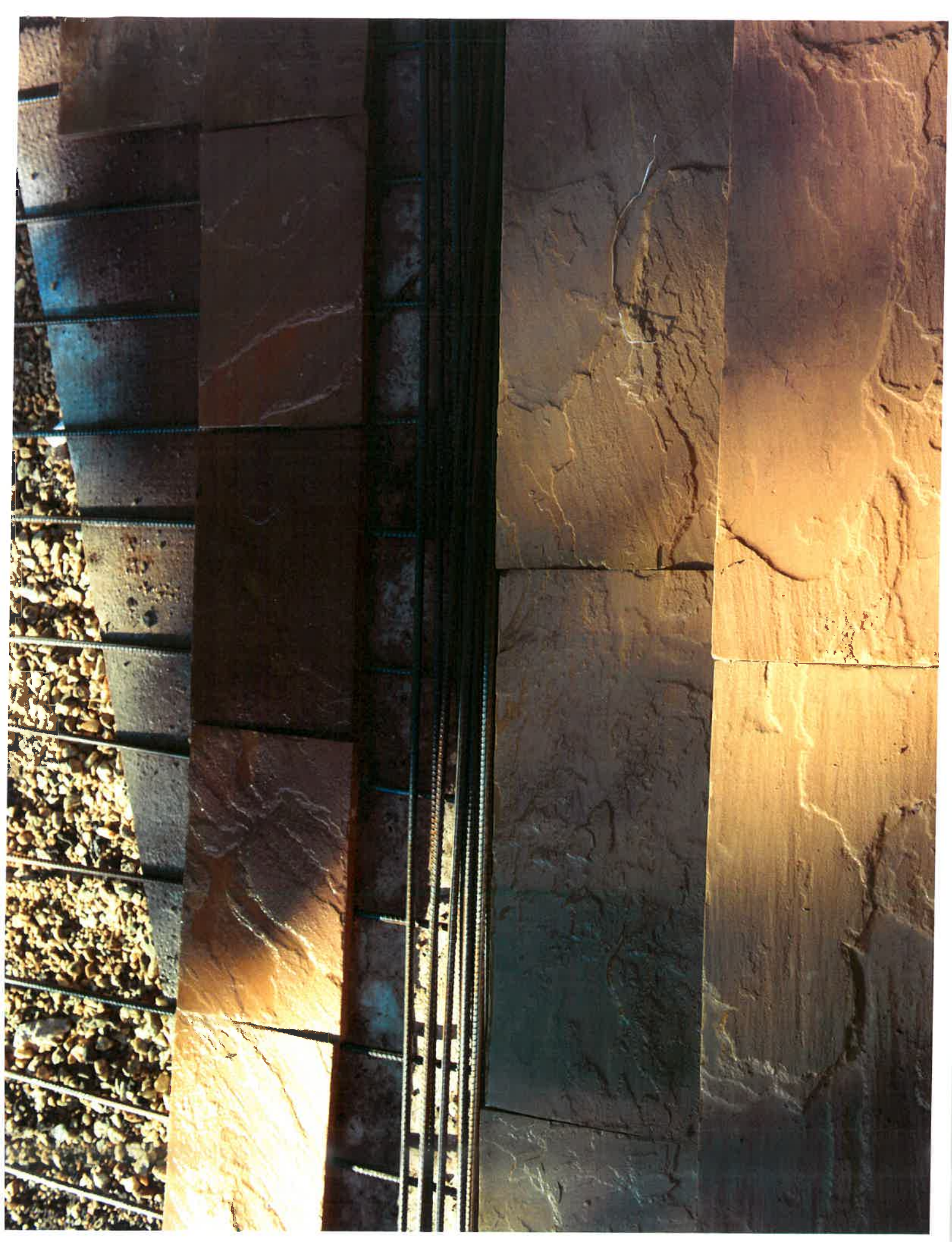














Mess, Camie

From: James Garnett <jegarnett52@gmail.com>
Sent: Thursday, August 10, 2017 1:16 PM
To: Mess, Camie
Subject: Fwd: Garnett / 425 2nd St. N.E. / B.A.R. application Aug. 2017

Garnett, J.E. and L.K.
425 2nd St. N.E.
Charlottesville

B.A.R. application, August 14,2017

Dear Ms. Mess,

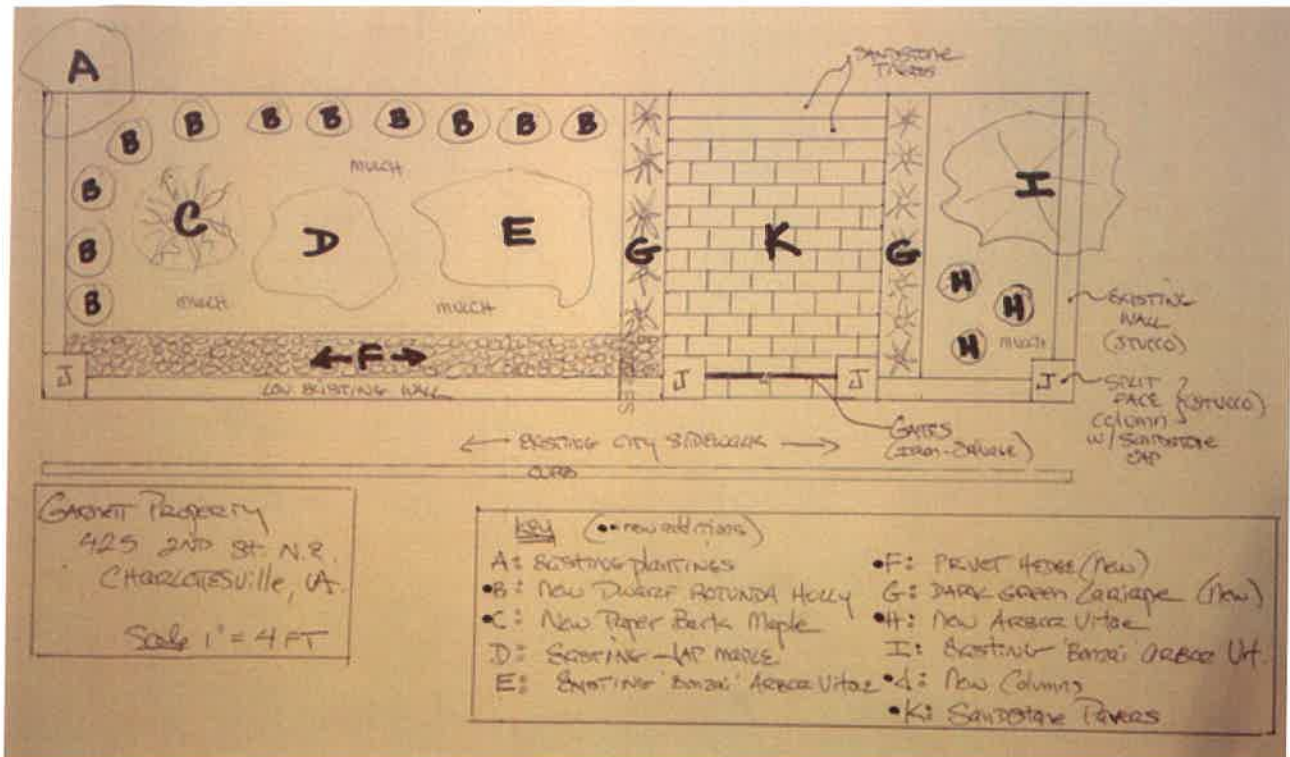
Here is the information that you requested.

- 1) Scale drawing of proposed landscaping and hardscaped areas
- 2) Photo of the proposed front gate . There will be two of them, side by side. Stucco example behind gate.
- 3) Color of sandstone pavers and stair treads when sealed.

I have twice attempted to contact Mr. Gastinger. As of this writing he has not responded.

Sincerely,

Jim Garnett









Board of Architectural Review (BAR) Certificate of Appropriateness

pg 1/4

Please Return To: City of Charlottesville
Department of Neighborhood Development Services
P.O. Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3130 Fax (434) 970-3359

RECEIVED

SEP 19 2015

NEIGHBORHOOD
DEVELOPMENT SERVICES

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 Charlottesville.
The BAR meets the third Tuesday of the month.
Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 3:30 p.m.

Owner Name	<u>JAMES E. GARNETT</u>	Applicant Name	<u>JAMES E. GARNETT</u>
Project Name/Description	<u>GARNETT HOME</u>	Parcel Number	
Property Address	<u>425 2ND ST N.E CHARLOTTESVILLE 22902</u>		

Applicant Information

Address: 425 2ND ST NE
CHARLOTTESVILLE VA 22902
Email: jegarnett52@gmail.com
Phone: (W) _____ (H) _____
FAX: 434-981-5972

Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct. (Signature also denotes commitment to pay invoice for required mail notices.)

Signature: [Signature] Date: 9/8/2015
Print Name: JAMES E. GARNETT Date: 9/8/2015

Property Owner Information (if not applicant)

Address: _____
Email: _____
Phone: (W) _____ (H) _____
FAX: _____

Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

Signature _____ Date _____
Print Name _____ Date _____

Do you intend to apply for Federal or State Tax Credits for this project? YES (STATE)

Description of Proposed Work (attach separate narrative if necessary):

EXTERIOR TRIM COLORS — see attachments

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

For Office Use Only

Received by: S. Barnore
Fee paid: \$100.00 Cash/CK # 276
Date Received: 9/9/2015

Approved/Disapproved by: [Signature]
Date: 9/14/2015
Conditions of approval: _____

P15-0146

pg 3/4

Garnett
425 2nd St. NE
22902

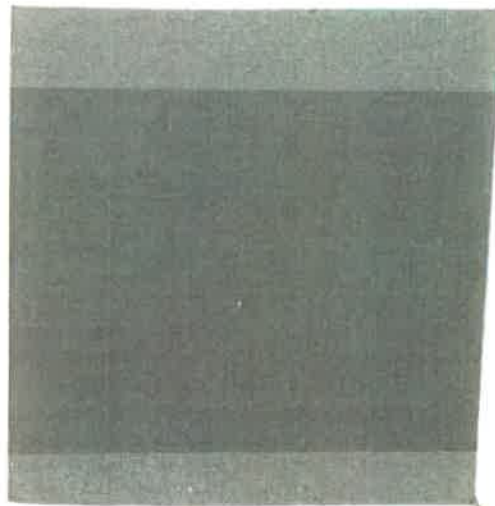
RECEIVED

SEP 09 2015

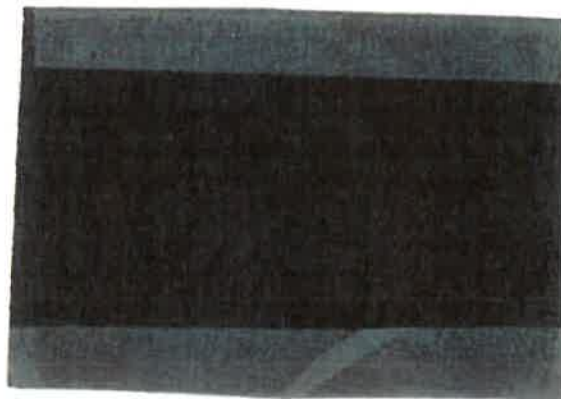
NEIGHBORHOOD
DEVELOPMENT SERVICES

Exterior Paint Color requests:

- (1) Benjamin Moore 'SLATE'
Window casings, porch floors



- (2) Benjamin Moore 'OBSIDIAN'
Soffit trim, columns, porch railings, porch ballustrade, garage, fencing,
Hedge St. side wall, front porch doors to kitchen and dining room.



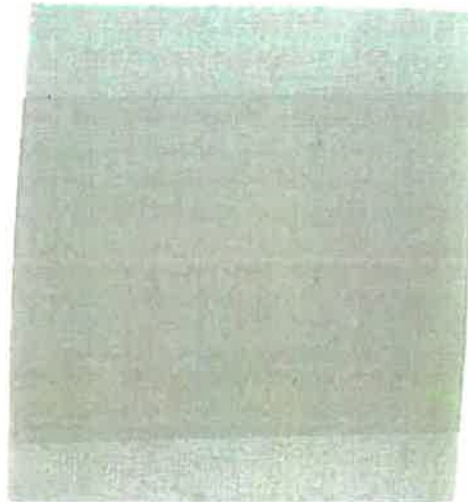
194/4

(3) Benjamin Moore 'GRAPHITE'
(porch ceilings)

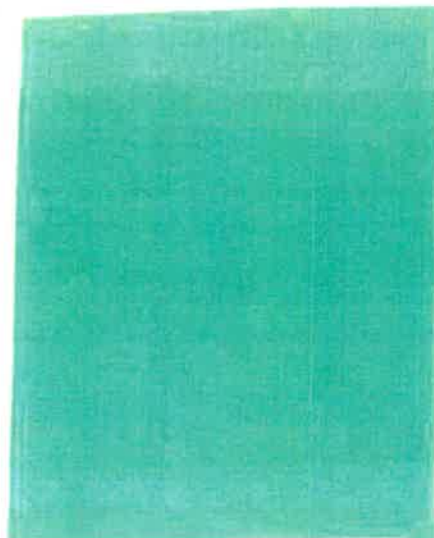
RECEIVED

SEP 09 2015

NEIGHBORHOOD
DEVELOPMENT SERVICES



(4) Valspar Duramax 'MOSS GREEN' (Lowe's color)
Front door, back door, garage side door



425 2nd St. N.E.
Garnett property

Description of proposed work:

1) **Garage gutters:**

The "K" style gutters on the garage have been removed due to damage. They need to be replaced. We would like to replace them with "half round" metal gutters and 4" round downspouts, that would be painted the black trim color we have proposed below.

2) **Fencing:**

We would like to construct a picket fence enclosure around the exterior hvac compressor units. The fence would match the existing picket fence that encloses the patio between the main house and the garage.

Note: Please refer to the photographs of the hvac units (set at side rear of house), and the existing fence.

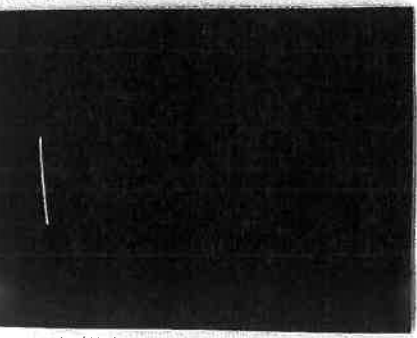
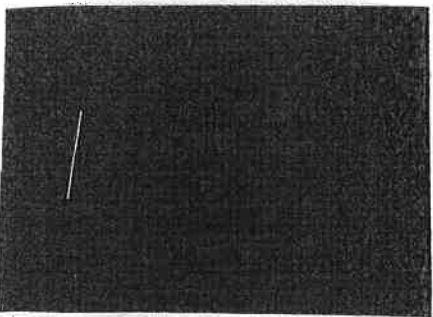
3) **Exterior paint colors:**

(A) **Main trim:**

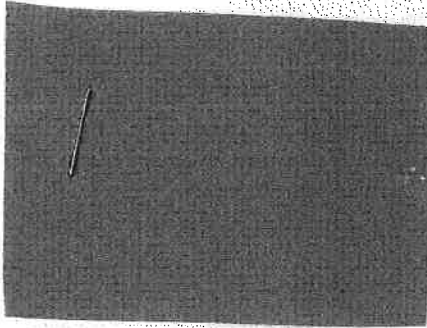
(Benjamin Moore Color: #1497 Rolling Hills)

(B) **Door color/ porch floor color:**

(Benjamin Moore Color: #2132-20 Ebony King)



(C) Porch Ceiling Color:
(Benjamin Moore Color: 1503 Texas Sage)



Note: Please see photograph of rear porch door and surround to get an idea of how these colors would appear in place. This small area was painted to test the colors.

4) Back Porch Screening:

We would like to screen in our back porch. I have included a photo of the rear porch as renovated by our next door neighbors, Pat and Kay Hume. We propose replicating their design. See photo.

5) New Garage doors:

We would like to replace the garage overhead doors with "swing out" doors. The design would create four wooden frame and panel doors with a small window at the top. The doors would swing out and "bifold" so as not to encroach beyond the garage apron.

425 2nd ST NE

Scala, Mary Joy

From: Carl A Schwarz <caschwarz83@gmail.com>
Sent: Tuesday, July 18, 2017 4:42 PM
To: Robertson, Lisa; Scala, Mary Joy
Cc: Brown, Craig
Subject: RE: CONFIDENTIAL RE: 425 2nd NE, trees, and our purview

Thank you very much Lisa. I really appreciate you taking the time to clarify these questions. Would it be OK for me to share this email exchange with the rest of the BAR?

Carl

From: Robertson, Lisa [mailto:robertsonl@charlottesville.org]
Sent: Tuesday, July 18, 2017 4:35 PM
To: Schwarz, Carl <caschwarz83@gmail.com>; Scala, Mary Joy <scala@charlottesville.org>
Cc: Brown, Craig <BrownC@charlottesville.org>
Subject: RE: CONFIDENTIAL RE: 425 2nd NE, trees, and our purview

It's fine Carl, you ask very good questions. See my responses, below.

From: Carl A Schwarz [mailto:caschwarz83@gmail.com]
Sent: Tuesday, July 18, 2017 4:12 PM
To: Robertson, Lisa; Scala, Mary Joy
Cc: Brown, Craig
Subject: RE: CONFIDENTIAL RE: 425 2nd NE, trees, and our purview

Lisa,

Thank you for your response. I apologize, but you must know that I'm going to have follow up questions. I might compare this instance to the two following situations:

A property owner demolishes a porch, a chimney, or some other significant architectural feature without a COA. I understood that we could require its reconstruction, and I believe the BAR did so at 503 West Main Street some years ago. Is that something we are able to do? To me, this is a grey area; when someone comes to you after-the fact, the requirement is almost in the way of "restitution". I'm not sure there's a specific Code provision that authorizes this. As a practical matter, however, the COA gives them an opportunity to avoid penalties for violation of the ordinance, so it's sort of a negotiated settlement of the violation.

The second instance is that an architectural element is so far beyond repair, that we allow for its demolition and replacement with something similar. I recognize that in most cases, something must be put back (windows, roofs, columns, etc.), so we are able to find whether the replacement meets the guidelines. What if that element is non-structural and non-essential to the building? For instance, it could be decorative trim on a porch or an elaborate cornice. Are our only choices to deny a request for the demolition and leave rotting and irreparable element in place or to allow the demolition with the risk that the element may be lost forever? Again, the BAR's job is to protect the valuable resources within the district. A new feature isn't a substitute for the old—it's something different. Replacement of a decorative feature is an alteration. Isn't leaving the deteriorated feature in place preferable to approving an application for demolition that doesn't propose the landowner's own solution for a replacement? Ideally, this would come to you in the form of a hybrid application seeking approval for the new construction/ alteration, following on the heels of the proposed demolition of the existing feature.

If the answer to the first instance is no, and the second instance is yes, then I think I understand now. However, this feels like a change in how we've been applying the ordinance, and perhaps the BAR could benefit from a discussion over this issue at some point so we're all clear. We can do another training. I spoke to you last year at a training, and covered the difference between approving or denying an application versus imposing conditions, but even for me the distinction can be difficult to apply in everyday situations.

If we are able to require reconstruction of elements demolished without a COA, would the same apply to landscape features? The same logic would apply. As I noted above, I can't really point to enabling legislation or a City Code provision that authorizes the BAR to require the replacement, but an argument can be made.

In this case, the applicant found that two of his trees were diseased, so he had them removed without a COA. Had he applied for this removal, we likely would have agreed that the trees needed to come down. My understanding now, is that unless he volunteered to replace them, we wouldn't have been able to require anything take their place. I find this frustrating, but assuming the line of reasoning above is correct, then I think I get it now. If the application isn't offering to replace the trees, I would encourage you to inquire whether the applicant will agree to do so. What happens if the COA is not approved? I suppose a zoning penalty would need to be pursued, but it would be better to gently invite the applicant to volunteer replacement trees. (Typically, the monetary penalties available for zoning violations aren't sufficiently substantial to be a deterrent).

Thank you very much for trying to clarify this.

Carl

From: Robertson, Lisa [<mailto:robertsonl@charlottesville.org>]
Sent: Tuesday, July 18, 2017 3:33 PM
To: Scala, Mary Joy <scala@charlottesville.org>; Schwarz, Carl <caschwarz83@gmail.com>
Cc: Brown, Craig <Brownc@charlottesville.org>
Subject: CONFIDENTIAL RE: 425 2nd NE, trees, and our purview

I'm not on vacation (yet—counting the days!) but regret that I can't join you before the meeting. My response(s) to Carl's question(S) is/are set forth below. I'm available by email for follow-up questions, up until about 4:45 p.m.

Lisa

Lisa A. Robertson, Esq.
Chief Deputy City Attorney
City of Charlottesville | Office of The City Attorney
P: 434.970.3131 | robertsonl@charlottesville.org

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From: Scala, Mary Joy
Sent: Monday, July 17, 2017 8:21 AM
To: Schwarz, Carl
Cc: BAR
Subject: RE: 425 2nd NE, trees, and our purview

This is an old opinion from Craig Brown from a few years ago. As I recall, he questioned whether the BAR could address landscaping at all, but then he made that interpretation. If the applicants choose to replace the tree, then I think the BAR has the ability to say which species they should plant.

I'll see if Lisa is available but I think she is currently on vacation.

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: Carl A. Schwarz [<mailto:caschwarz83@gmail.com>]
Sent: Sunday, July 16, 2017 7:04 PM
To: Scala, Mary Joy
Cc: BAR
Subject: 425 2nd NE, trees, and our purview

Hi Mary Joy,

I noticed the staff comment that “Because this property is zoned for 1-2 family and would not require a site plan, the BAR may review the removal of a tree, but may not require replacement.” I assume this is new advice from Lisa Robertson or Craig Brown. If that is true, would it be possible to get a more thorough explanation or have Lisa join us before our meeting?

I recognize that the city, though the site plan process, cannot force someone to plant trees on a site zoned low-density residential. However, within an overlay district, I assumed that the BAR could impose further conditions on development – specifically those that relate to the historic character of the district. **Our own guidelines state “Retain existing trees and plants that help define the character of the district, especially street trees and hedges.” “When constructing new buildings, identify and take care to protect significant existing trees and other plantings.”** When a property owner demolishes a character defining component of a structure without permission, we have a precedent of requiring equivalent replacement (the chimneys on the house in front of the future Quirk Hotel). Large shade trees are character defining elements of our historic districts, and I’m confused as to why we don’t have the power to require their replacement. Their lifespan and presence can exceed that of wood trim, windows, or roofing – all of which we can require equivalent replacement of should they be deemed unable to be saved.

Carl, the best way I can explain it is to compare the tree to an historic/ contributing structure that someone is proposing to demolish or remove. The City Code allows you to decline to grant a COA, if demolition or removal that’s consistent with your guidelines. In this case, as I understand it, the proposal is to “demolish” an existing tree that helps define the character of the district. If the purpose of the proposed demolition is to

make way for new construction, the Design Guidelines indicate a preference for a site design/ building design that would protect significant existing trees.

The basic purview of the BAR is to protect the existing resource, and to simply vote “yes” or “no” to the proposed tree removal. I can’t find a provision in the City Code (or the state enabling legislation) that allows the BAR to impose conditions or requirements (such as replacement of removed/ demolished features with specific alternative features)—UNLESS the applicant volunteers to do so. If the applicant volunteers to replace the tree, the unless the BAR Guidelines address HOW the BAR would choose among various tree species, then I recommend that the replacement tree should be either the same species demolished/removed, or a species that is the same as one of the other character-defining trees on the same street (the BAR must have a rational basis for its choice).

I apologize. I’m not trying to “shoot the messenger,” but this feels like a significant change to our purview. The ability to influence the massing and scale of planted landscape features is a powerful tool in maintaining the historic character of Charlottesville’s ADCDs, that I feel it deserves further reflection and debate amongst ourselves and the city’s legal counsel.

Thank you,

Carl Schwarz

Scala, Mary Joy

From: James Garnett <jegarnett52@gmail.com>
Sent: Monday, August 14, 2017 1:11 PM
To: Mess, Camie
Cc: Gastinger, Breck; Scala, Mary Joy
Subject: Garnett/ 425 2nd St. N.E.

Dear Ms. Mess,

After meeting with Breck Gastinger yesterday, my wife Lynn and I would like to amend our proposal to the B.A.R. If this email could be circulated to the other board members this afternoon, it might help facilitate our application review this evening.

Mr. Gastinger pointed out the likely opposition to building a higher wall along our 2nd Street frontage, and I fully understand this point of view. He also suggested that the board might resist replacing the brick walk with sandstone, and I understand this point of view as well.

So, I think we would like to proceed as follows:

- 1) Replace the front walk with brick.
Please note: The brick that was removed was wire cut brick from the 1980s. We would like to replace the brick with period brick, circa early 1900s.
- 2) Replace the front pillars with pillars of the same height that were removed. These pillars would be the same split face look as before, but stuccoed and capped with 2" thick solid sandstone.
- 3) Cancel our proposal to install gates.
- 4) Select low hedging based on Mr. Gastinger's recommendation.

Many thanks.

Cheers

Jim Garnett

Scala, Mary Joy

From: Breck Gastinger <bgastinger@gmail.com>
Sent: Monday, August 14, 2017 7:42 AM
To: James Garnett; Scala, Mary Joy; Mess, Camie
Subject: Re: B.A.R. meeting 8/14 / Garnett / 425 2nd St. N.E.

Hi Mary Joy -

Just a note that I was able to meet with Jim on Sunday and review his application.

I noted a couple of areas of concern for me and the Board, and Jim seemed to be quite appreciative and adaptable - and committed to the full stewardship of the property.

I will leave it to Jim to describe what he'd like to do, but some of the things we discussed were:

- I agree that the tree in the front yard probably needed to be removed for safety reasons.
- I suggested omitting the new section of wall and corner pier on the north side of the new gates. That wall would be a bit of an anomaly downtown and would remove historic low wall. Its height would exceed our guidelines.
- Instead, he could extend the proposed hedge on the south side of the gates on the north.
- While there are some precedents of privet hedge on 2nd, I did recommend that he consider some other species to avoid the invasive potential. Some alternatives include wax myrtle, inkberry, boxwood, japanese holly.
- I'm not sure where other board members are on the use of sandstone. I suggested that it would be appropriate on the walkway, but I did not feel it would be appropriate on the stair and suggested leaving the existing brick stair. Though it is not original, other foundation piers are brick and this material seems more associated with the house. He clarified that his intention had been to use thicker sandstone treads and that they would replace the top brick treads. (not the thin sandstone shown in some of the photos).
- I don't have a big issue with the piers and iron gate, though their proportion should be considered and height should be minimized.
- Didn't mention this on site w/ Jim, but a nice native to consider in lieu of the paperbark maple is a chalk maple, which is very similar in scale.

Many thanks,
Breck

On Tue, Aug 8, 2017 at 9:04 AM, James Garnett <jegarnett52@gmail.com> wrote:
Dear Mr. Gastinger,

I have been advised by Mary Joy Scala, and Camie Mess to contact you prior to the convening of the B.A.R. on Monday, August 14th.

With your expertise as a landscape architect, your thoughts on our proposal would be most welcome.

I am meeting with a fellow from Waynesboro Nurseries on Thursday to discuss some ideas. Would it be possible to schedule a meeting with you on Friday sometime?

Looking forward to hearing from you.

Cheers

Scala, Mary Joy

From: Mess, Camie
Sent: Thursday, August 10, 2017 2:22 PM
To: Scala, Mary Joy
Subject: FW: Garnett / 425 2nd St. N.E. / B.A.R. application Aug. 2017

[This is additional information for 425 2nd St. NE. Would you like me to forward it on to the BAR?](#)

From: James Garnett [mailto:jegarnett52@gmail.com]
Sent: Thursday, August 10, 2017 1:16 PM
To: Mess, Camie
Subject: Fwd: Garnett / 425 2nd St. N.E. / B.A.R. application Aug. 2017

Garnett, J.E. and L.K.
425 2nd St. N.E.
Charlottesville

B.A.R. application, August 14,2017

Dear Ms. Mess,

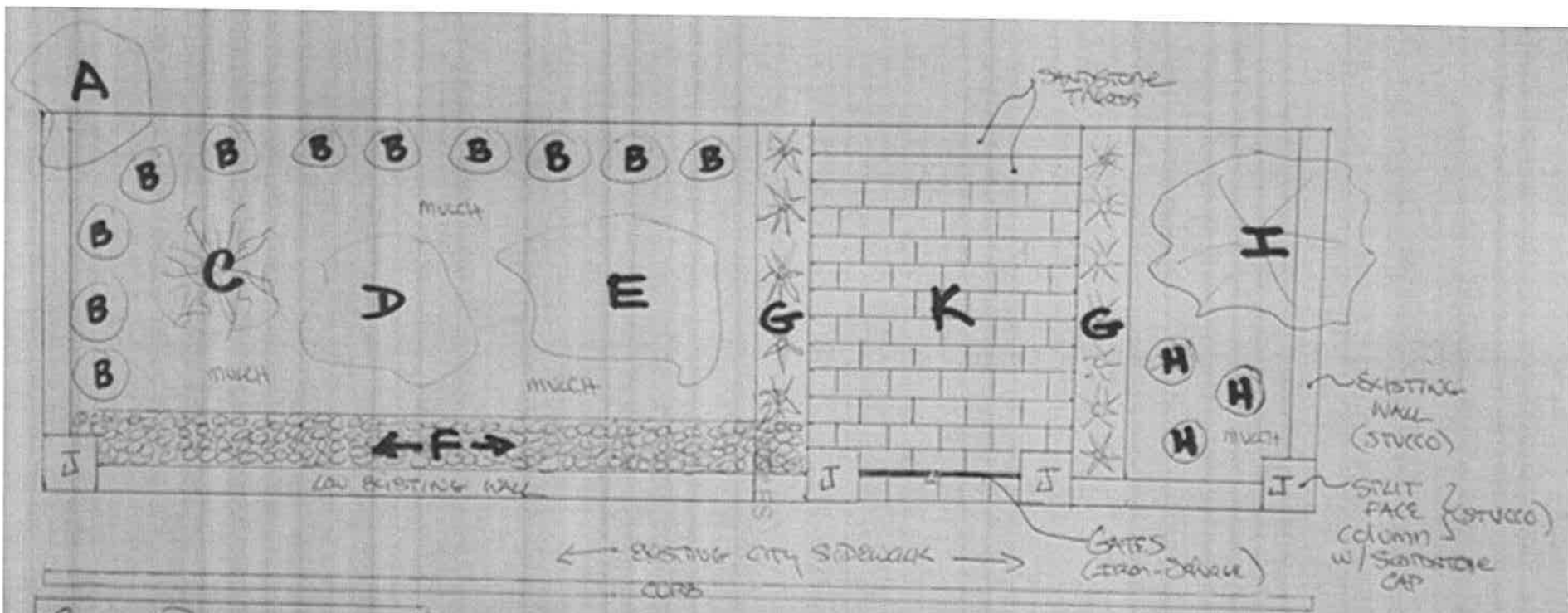
Here is the information that you requested.

- 1) Scale drawing of proposed landscaping and hardscaped areas
- 2) Photo of the proposed front gate . There will be two of them, side by side. Stucco example behind gate.
- 3) Color of sandstone pavers and stair treads when sealed.

I have twice attempted to contact Mr. Gastinger. As of this writing he has not responded.

Sincerely,

Jim Garnett



GARNETT PROPERTY
 425 2ND ST N.E.
 CHARLOTTEVILLE, VA.
 Scale 1" = 4 FT

- KEY (• = new additions)
- A: Existing plantings
 - B: New Dwarf ROTUNDA Holly
 - C: New Paper Bark Maple
 - D: Existing - LAR Maple
 - E: Existing 'Emari' Arbor Vitae
 - F: PRIVET HEDGE (New)
 - G: DARK GREEN Carriage (New)
 - H: New Arbor Vitae
 - I: Existing 'Barzi' Arbor Vit.
 - J: New Columns
 - K: Sandstone Pavces





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



August 1, 2017

Dear Sir or Madam:

This letter is to notify you that the following application has been submitted for review 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 17-07-01

425 2nd Street NE

Tax Parcel 330085000

James E. and Lynn K. Garnett, Owner/ James E. Garnett, Applicant

Construct new front wall, front walk, and install gates

The Board of Architectural Review (BAR) will consider these applications at a meeting to be held on **Monday, August 14, 2017, starting at 5:30 pm in the City Council Chambers, City Hall**. Enter City Hall from the Main Street pedestrian mall entrance and go up one floor.

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

Sincerely yours,

A handwritten signature in cursive script that reads "Mary Joy Scala / cm".

Mary Joy Scala, AICP
Preservation and Design Planner

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 3, 2017

Dear Sir or Madam:

This letter is to notify you that the following application has been submitted for review 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 17-07-01

425 2nd Street NE

Tax Parcel 330085000

James E. and Lynn K. Garnett, Owner/ James E. Garnett, Applicant

Construct new front wall, front walk, and install gates

The Board of Architectural Review (BAR) will consider these applications at a meeting to be held on **Tuesday, July 18, 2017, starting at 5:30 pm in the City Council Chambers, City Hall**. Enter City Hall from the Main Street pedestrian mall entrance and go up one floor.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Mary Joy Scala".

Mary Joy Scala, AICP
Preservation and Design Planner

Scala, Mary Joy

From: Justin Sarafin <justin.sarafin@alumni.virginia.edu>
Sent: Saturday, August 05, 2017 8:00 PM
To: Scala, Mary Joy; Miller, Melanie
Subject: Justin's notes for Aug 14 and 15 BAR meetings

Mary Joy and Melanie:

I promised I would at least take a cursory look at the 2 days' worth of agenda items since I won't be able to attend either meeting.

Staff reports have not been done yet, so if any of the comments below seems completely out of line, you are welcome to dismiss! I may miss special zoning or guideline notes as a result, so, again, take the spirit of my comments and not the language verbatim...

I am only going to jot down notes for the projects that I feel strongly about or have something (hopefully) constructive to say.

Missed you at the workshop on Thursday, Mary Joy! Camie and I had a blast, though!

Okay, here we go.

Aug 14:

201 W Water S

I am not sure that this little site can take this much height located as it is on the uphill end of Water Street, which is higher in elevation than the other tall buildings nearby. I guess I would want to see the comparison to the Atwood project on Water; we know that Lewis & Clark building towers over all where it's located.

I like the urban feel of the building, and maximizing the site, but I wonder if the SUP request makes it just too tall and skinny on this corner where everything else is about 2 or 3 levels in height. I could maybe be persuaded that the height is essential to make this work, but look, at the end of the day, there was no surprise about the small footprint of this corner lot. Density is great, but not if it will stand above everything else in the block or in adjacent blocks.

As for the elevations, all I would say is that the twin garage doors on Second are a little much; I'd look for something more permanent looking on the transformer side at least, so it doesn't look like two large garage door openings.

430 N First St.

Prelim discussion; this is a locally-significant house, done by a UVA Arch Professor, Vickery. If the rear additions are not visible from street view, I am not that concerned with them, but I do think the approach from the street to the main entrance is significant. I totally get the desire to have more usable space in the front yard between the house and the sidewalk, but I would encourage a design that somehow maintains or pays homage to the axial walkway as the house looks today. residences must evolve, of course, but it might be possible to design in a reference to the current configuration. It's a great house!

Preston Place

Whoa, we've got a lot going on here! It seems that the applicant has done their homework on the proposed move down the street, with archaeology to be performed at both sites and oversight from DHR as far as any work (or relocation) will need to not threaten the structure's listing. If work proceeded with guidance from DHR, and they didn't see it as jeopardizing the integrity of the place, then in theory, I might be able to support the move to a safer site. IF the structure were moved successfully, any demo or additions to it would need to follow our usual guidelines.

I am a bit concerned about the request to demolish part of what is actually a pretty large wall structure on the "new" house site. Back in the day, I was involved in documenting the row of garages that used to exist along the eastern portion of the site, before they were demolished (circa 2005 maybe?) I think I would need to better understand what is happening in this area- what was here historically and what does the long wall structure mean? I imagine the staff report will have more of this! Generally speaking, I am not in favor of demolishing a significant landscape element if it shows to have historical significance just for the sake of permitting the applicant to better subdivide the area. But perhaps the less critical, non-retention wall segment is not worth keeping. Need more info, I fear.

425 Second St NE

It's a shame that the original material that formed the street (and side street) boundaries has been removed. Without getting into too many specifics, I would say that any replacement material, especially on Second St., should not be higher than the guidelines allow and should generally replicate the height of what was there framing the corner lot (like so much of the concrete we like so much in the north downtown area).

Belmont Bridge

August 15

Without the luxury of a staff report it's a little hard to determine what the real "asks" are here aside from our providing input on the underground tunnel crossing and other pedestrian circulation issues. In general, it's looking pretty good. I'll leave it at that.

230 West Main

Prelim discussion

As far as massing, it appears that this is all within by-right heights and such. It does not appear to me to be in any way out of scale or context.

I think the way the building setbacks and heights of discrete pieces of the structure follow the arc of the mall around to Water Street is particularly successful. I can imagine it engaging on the mall and on Water, with enough density to make it work but without being out of scale.

From the prelim drawings it's a little hard for me to understand what's happening with the connection from the mall, near the movie theater, as it seems to connect directly to Water Street. Connection in an axial way here would be desirable, as right now the ice rink takes up the entire end of the mall and you have to go all the way around on Second or by the Omni to Water to get around it. More engagement between Second and the Omni, on the mall, would be welcomed.

I am interested to learn more about the treatment of the west end of the site and how the landscaping will tie into that end of the mall. What kind of coordination, maybe even proffers, can happen with this area and city plans for a Vinegar Hill park? This is well worth discussing at this early stage as it could be a real opportunity

to drastically improve this west end of the mall and simultaneously better commemorate lost Vinegar Hill and reinforce a connection to the Jefferson School as the anchor on the other side.

Again, just my initial observations in case they may be in some way helpful. Have a great couple of meetings!

Justin