



# Certificate of Appropriateness Application

For Vending in City of Charlottesville Architectural Design Control Districts  
(City Code 28-119)

Please return to: Neighborhood Development Services  
PO Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3182 Fax (434) 970-3359

**RECEIVED**

NOV 29 2005

NEIGHBORHOOD DEVELOPMENT SERVICES

**A \$400.00 YEARLY FEE IS REQUIRED/ \$200.00 REQUIRED FOR FIRST TIME VENDORS**

## A. Applicant Information

Name Steven Russell Phone (B) 434-296-2120  
Address 1614 Brandywine Drive (H) \_\_\_\_\_  
Charlottesville VA 22901 Email stevencusselle@adelphia.net

## B. Vending Structure

### 1. Type of Structure:

Table \_\_\_\_\_ Clothing Rack \_\_\_\_\_ \*Cart \_\_\_\_\_ \*Masseuse chair or table \_\_\_\_\_

\*Other newsstand kiosk

\* These structures must be submitted to the Board of Architectural Review for approval.

### 2. Size of Entire Structure (length, width & height of each type of structure used):

length - 14' 9 1/2" width - 9' 9 3/4" height - 9' 5" (roof dimensions)

### 3. Describe the materials that comprise the structure (wood cart, metal cart, metal rack, etc.):

See drawing A-1 (11/29/05)

### 4. Type and color of table covering:

not applicable

### 5. Will you use an umbrella? Yes \_\_\_\_\_ No If Yes, indicate color: \_\_\_\_\_

### 6. Dimensions of sign (include sketch of sign on back of application):

TBD

### 7. Description of Items to be Sold/Distributed:

magazines, newspapers

## C. I hereby attest that the information I have provided is, to the best of my knowledge, correct.

Steve Russell  
Signature of Applicant

11/29/05  
Date

**NOTE: In addition to this certificate, each vendor is responsible for (i) obtaining from the City's Commissioner of Revenue any city business license that may be required under Chapter 14 of the City Code, and (ii) complying with all applicable city and state ordinances, statutes and regulations. Each vendor shall keep copies of all required licenses, permits and certificates on-site. The Certificate of Appropriateness Permit and Business License shall be clearly displayed.**

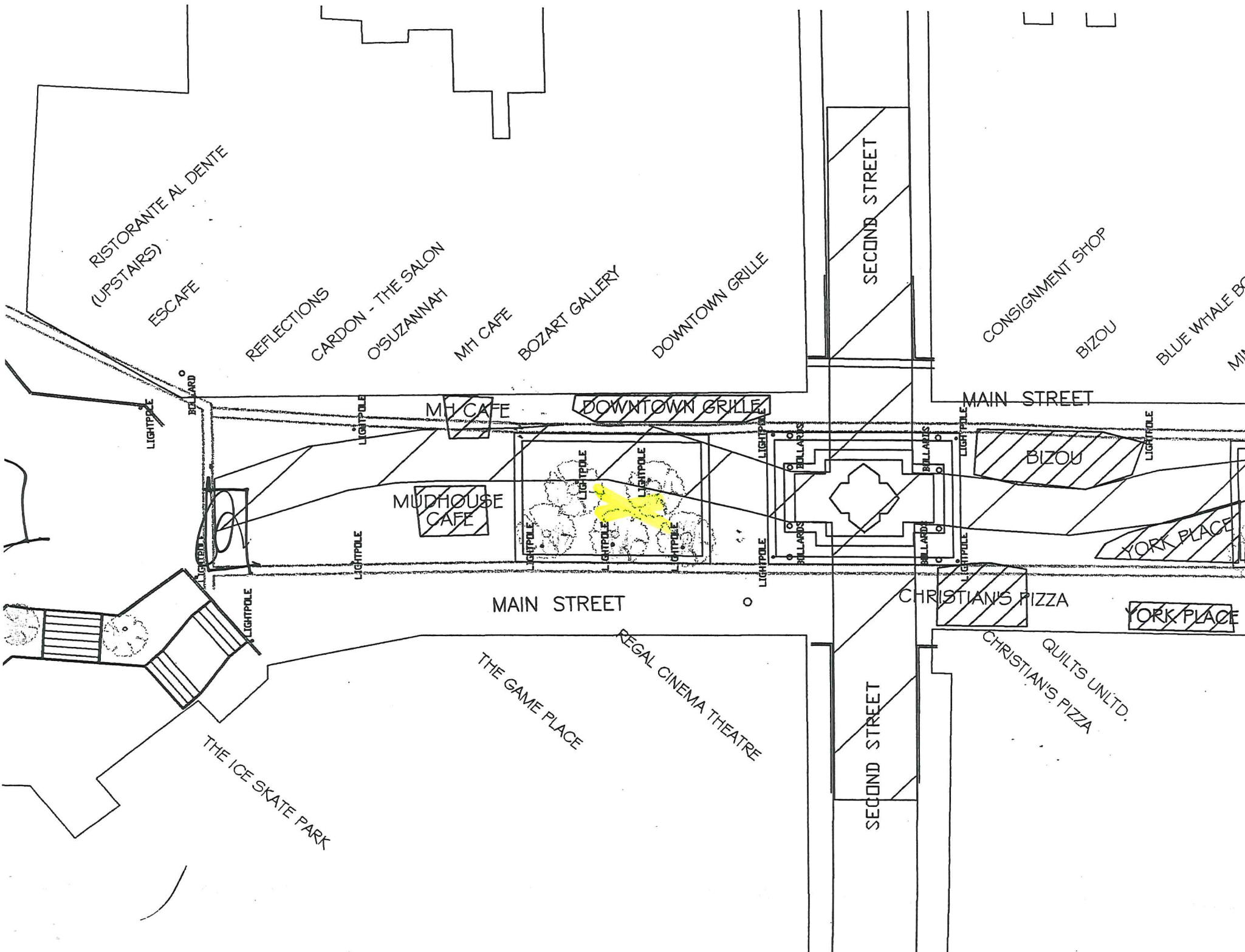
### FOR OFFICE USE ONLY

Date Received \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ Zoning Administrator \_\_\_\_\_

Conditions \_\_\_\_\_

Type of Permit Issued \_\_\_\_\_

Date Paid 11/29/05 Amount Paid \$150<sup>00</sup> Cash/Check# 1008



RISTORANTE AL DENTE  
(UPSTAIRS)  
ESCAFE

REFLECTIONS  
CARDON - THE SALON  
O'SUZANNAH

M/H CAFE  
BOZART GALLERY

DOWNTOWN GRILLE

SECOND STREET

CONSIGNMENT SHOP  
BIZOU

BLUE WHALE BC  
MIN'

MAIN STREET

M/H CAFE

DOWNTOWN GRILLE

BIZOU

MUDHOUSE  
CAFE

YORK PLACE

MAIN STREET

CHRISTIAN'S PIZZA

YORK PLACE

THE ICE SKATE PARK

THE GAME PLACE

REGAL CINEMA THEATRE

SECOND STREET

CHRISTIAN'S PIZZA  
QUILTS UNLTD.

# DOWNTOWN MALL NEWSSTAND PROPOSAL

**Introduction:** This document presents information pertaining to a proposal by local resident Steven Russell to erect and operate a freestanding newsstand located on the Charlottesville Downtown Mall.

**Business description:** The newsstand will be a purveyor of quality newspapers and magazines to shoppers, visitors, workers, and residents on the Downtown Mall. While customer demand ultimately will determine exact selection, the newsstand will offer 5-7 local and national newspapers, and approximately 200 magazine titles representing a wide variety of customer interest areas such as home décor, fashion, food, automotive, news, politics, finance, fitness, travel, sports, and entertainment. It is worth noting that of the five booksellers currently operating on the Mall, none offers periodicals.

**Appearance:** A freestanding newsstand unit is desired due to its inherent convenience to pedestrian traffic flow, the smaller amount of space it requires compared to a storefront operation, and not least, its classic embodiment of a cosmopolitan streetscape aesthetic. The input and approval of the Board of Architectural Review will of course be necessary to combine these goals with the goals of overall Mall planning and appearance. Currently, there are two primary options available to accomplish the structure itself:

- New York City and Philadelphia have recently commissioned the design of updated, attractive newsstand street booths, of the type where a portion of periodicals are displayed around a front opening, and more are located inside with a clerk. (Please see attached example visuals, pg. 3) These units can also be purchased by custom order from the architectural firms that designed them. Units are fabricated within a set range of sizes to best suit the intended site.

- A local architect may be commissioned to design a freestanding unit specifically for placement on the Downtown Mall. If so, it could be advantageous to eliminate the “booth” aspect, while still maintaining a classic newsstand look. This style would both maximize display space and make the clerk more accessible to mall patrons.

Either option provides an attractive outlet that will complement the Downtown Mall community. The structure can include electrical and lighting capability, and will be fully enclosed and secured when not in operation. It should be noted that the structure is intentionally designed to be semi-permanent; while it differs from current mall space vendors in that the newsstand will remain in place during non-business hours, it could be relocated or removed without great difficulty.

**Location:** Mr. Russell proposes to position the newsstand just west of the 2<sup>nd</sup> Street SW mall crossing, between the regal cinema and Downtown Grille restaurant. Specifically, the structure would occupy space adjacent to several trees in that vicinity. (Please see attached photos to identify exact location, pg. 4) The display side would face east toward 2<sup>nd</sup> Street SW. This location is desired for the following reasons:

- Newsstand transactions are largely driven by foot traffic, therefore proximity to the movie theater, the coffeehouse, and several outdoor dining areas is beneficial. The greater foot traffic that currently exists on the Mall's west end, especially in the evening, plus proximity to guests of the Omni hotel, supplement these advantages.

- Placement in that zone enables the newsstand to avoid blocking established foot traffic patterns and avoid compromising pedestrians' views of nearby storefront business or subsequent portions of the Mall.

- The newsstand naturally complements businesses in that vicinity, both in terms of commerce conducted and exterior appearance.

- Proximity to the 2<sup>nd</sup> Street W crossing is desirable, as the newsstand will require regular, scheduled delivery of magazines and newspapers.

**Hours of operation and staffing:** The newsstand will operate seven days a week, opening for business on weekdays at approximately 6 a.m. and closing around the time of late movie showings, approximately 10 p.m. Weekend hours will be adjusted to fit prevailing clientele needs. Clerks typically will operate the newsstand in 8-hour shifts, with the newsstand likely to employ 3-4 employees in all.

**Extra services:** It is Mr. Russell's intention that the newsstand will function as an amenity not only to Downtown Mall patrons, but also to the overall Mall community. To reflect this, he will offer newsstand space to disseminate official visitor information such as maps, menus, event calendars, etc. Clerks will be trained to positively represent the spirit of the Downtown Mall and Charlottesville. Furthermore, if desired, the newsstand structure itself could bear artful advertisements for upcoming events such as Paramount and Pavillion performances. All of the above would be conducted in an organized, attractive manner; the newsstand won't be used as a surface for handbills and flyers.

**Owner/operator information:** Steven Russell, a native of Tennessee and new resident of Charlottesville, has worked in publishing for 17 years. He most recently lived in New York City for seven years, where he held the positions of executive editor at *Maxim* magazine and deputy editor at *Playboy* magazine. Currently, he's a contributor to those publications, *Rolling Stone*, *Life*, *Popular Mechanics*, and others, as well as partner in a magazine consulting business. In addition to editorial experience, he studied magazine business operations, including newsstand and circulation components, while earning a master's degree in magazine journalism from The University of Mississippi.

**Summary:** The newsstand will be an attractive amenity for visitors to the Downtown Mall, and an enthusiastic booster of the Mall business community. It is our sincere hope that the project will be considered deserving of civic approval and support.

6/20/05

**ORDINANCE: AUTHORIZING LEASE FOR NEWSSTAND ON DOWNTOWN MALL (2<sup>nd</sup> reading)**

Mr. Caravati said that this lease is different than restaurant leases because it involves a building. He suggested building into future leases the requirement that the building has to be moved if adjacent businesses need the space for something like a crane if they need to do repairs.

Mr. Lynch said he continues to have concern that we are setting an artificially low lease price. He said the price is a quarter of what businesses pay for the sides of the mall. He said he feels no less than \$6 a foot would be appropriate.

Ms. Hamilton said this is a hybrid type of business somewhere between permanent businesses and vendors.

Ms. Lisa Kelley, Deputy City Attorney, said that vendors pay about \$125 per year.

Dr. Brown noted that this business will have no heat, lights or bathrooms, and said he thinks it will be an asset to the mall.

The ordinance entitled "AN ORDINANCE AUTHORIZING THE LEASE OF APPROXIMATELY 300 SQUARE FEET OF REAL PROPERTY ON THE DOWNTOWN MALL IMMEDIATELY ADJACENT TO SECOND STREET, WEST, FOR USE AS A NEWSSTAND," which was offered at the May 16<sup>th</sup> meeting, was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Schilling. Noes: Mr. Lynch.

**PUBLIC**

Mr. Derek Vanderlinde, 713 Palatine Avenue, spoke against the Transit Center. He said he was sorry that Ms. Hamilton went with the status quo. He said he knew the project would be well over budget. He said he wants to hear about future overruns. He said downtown businesses should pay for crossing of the mall.

**COUNCIL REPORTS**

Mr. Lynch said he attended a Virginia Municipal League meeting and other localities expressed interest in having a gas tax to help deal with transportation issues. He said he is not sure what legislative action would be taken.

Mr. O'Connell said there will be a meeting on June 30<sup>th</sup> to discuss local options for funding.

May 16 2005

**PUBLIC HEARING/RESOLUTION: GRANTING EASEMENT TO DOMINION POWER FOR EAST END PROJECT**

Mr. Craig Brown, City Attorney, said that as a result of east end mall improvements utilities are being undergrounded, and relocation of a transformer is required. He said Dominion Power needs a right-of-way easement for the transformer.

The public hearing was opened, but as there were no speakers, the public hearing was closed.

On motion by Mr. Caravati, seconded by Mr. Lynch, the Resolution Granting an Easement to Dominion Power for the East End Project was approved by the following vote. Ayes: Dr. Brown, Mr. Caravati, Ms. Hamilton, Mr. Lynch, Mr. Schilling. Noes: None.

**PUBLIC HEARING/ORDINANCE: LEASING SPACE ON DOWNTOWN MALL FOR NEWSSTAND**

Mr. Jim Tolbert, Director of Neighborhood Development Services, said that a request has been made to place a Newsstand on the mall in front of the Regal Theater. He said this site is desired because it is near coffee shops and the Omni Hotel. He said the proposed lease is for one year, renewable, at a cost of \$3 per square foot. He recommended that a chain around the newsstand be required. He said the design will need to be approved by the Board of Architectural Review. He said staff feel this is compatible with the mall and said that the Downtown Advisory Committee liked the idea.

Mr. Lynch asked if it would be possible to identify the area as is done with traffic calming projects to give the public a better sense of it between now and the second reading.

Responding to a question from Mr. Caravati, Mr. Tolbert said there is no electricity available and a kerosene heater could be used for heat.

Responding to a question from Ms. Hamilton, Mr. Tolbert said that the stand will be approximately 10 x 8 feet, plus the 3 feet around it for a chain, and will remain on the mall at night.

Mr. Schilling noted that the stand is proposed to be open until 10:00 p.m. and asked about lights or the use of an electronic cash register.

Mr. Lynch said if we do this we are setting a precedent to allow people to reserve permanent space on the mall. He asked how we will differentiate between this and any other vendor.

Mr. Tolbert said it will have to be evaluated. He said work is being done on a proposal for permanent space for vendors.

Mr. O'Connell noted that this will be similar to the kiosk on the mall.

The public hearing was opened.

Mr. Steven Russell, 115-B Meghan Court, said he proposed the newsstand because he thinks it will be a viable and good business. Regarding electricity, he said there is a wealth of lights in that area already. He said he does not know how it will be heated at this time, but perhaps a kerosene heater will be used. Mr. Russell said he would like to see about hooking up to a power grid at some point.

Mr. John Pfaltz, 1503 Rugby Avenue, said this is an interesting proposal, but he was thinking about the price as compared to booths at Fashion Square Mall.

As there were no further speakers, the public hearing was closed.

On motion by Mr. Caravati, seconded by Ms. Hamilton, the ordinance entitled "AN ORDINANCE AUTHORIZING THE LEASE OF APPROXIMATELY 300 SQUARE FEET OF REAL PROPERTY ON THE DOWNTOWN MALL IMMEDIATELY ADJACENT TO SECOND STREET, WEST, FOR USE AS A NEWSSTAND" was offered and carried over to the next meeting for consideration.

Mr. Lynch said he is concerned about what is the appropriate price. He said he wished he could have gotten in on the new proposal for the existing kiosk. He asked how we can make sure this stand does not end up being something like an ice cream stand.

**APPEAL:** BOARD OF ARCHITECTURAL REVIEW DECISION RE: DEMOLITION AT 4<sup>TH</sup> STREET, S.W.

Ms. Mary Joy Scala, Planner in Neighborhood Development Services, explained that Piedmont Housing Alliance is appealing the Board of Architectural Review's denial of a request to demolish the Smith Reeves House on 4<sup>th</sup> Street, S.W. by a 4-3-1 vote. She said the house is 140 years old and is individually protected. She said Council can uphold or overturn the BAR's decision. If the decision is upheld, the applicant can go to the Circuit Court. Ms. Scala said that staff recommend that this issue be deferred so that moving the house, adding onto it, or rehabilitating it can be explored with the BAR.

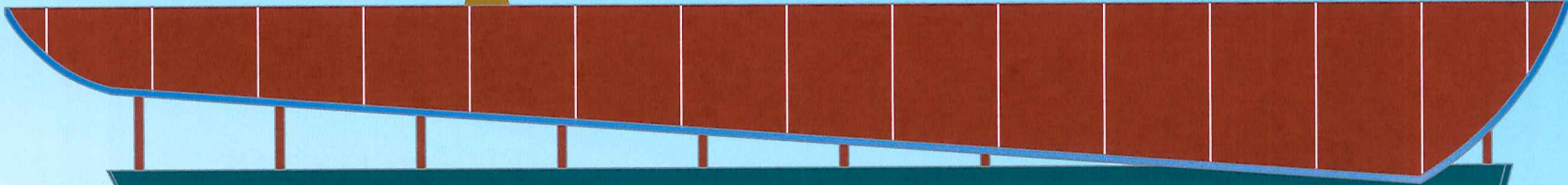
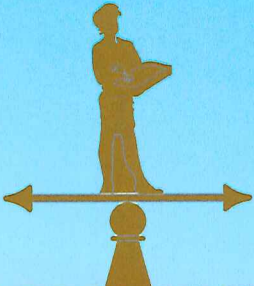
Mr. Caravati asked about the structure report, and Ms. Scala said the BAR reviewed it and it was a pretty negative report.

Ms. Hamilton said there would be significant cost to correct the structural problems, and asked if funds would be available for this.

Ms. Scala said that historic rehabilitation loan funds may be available.

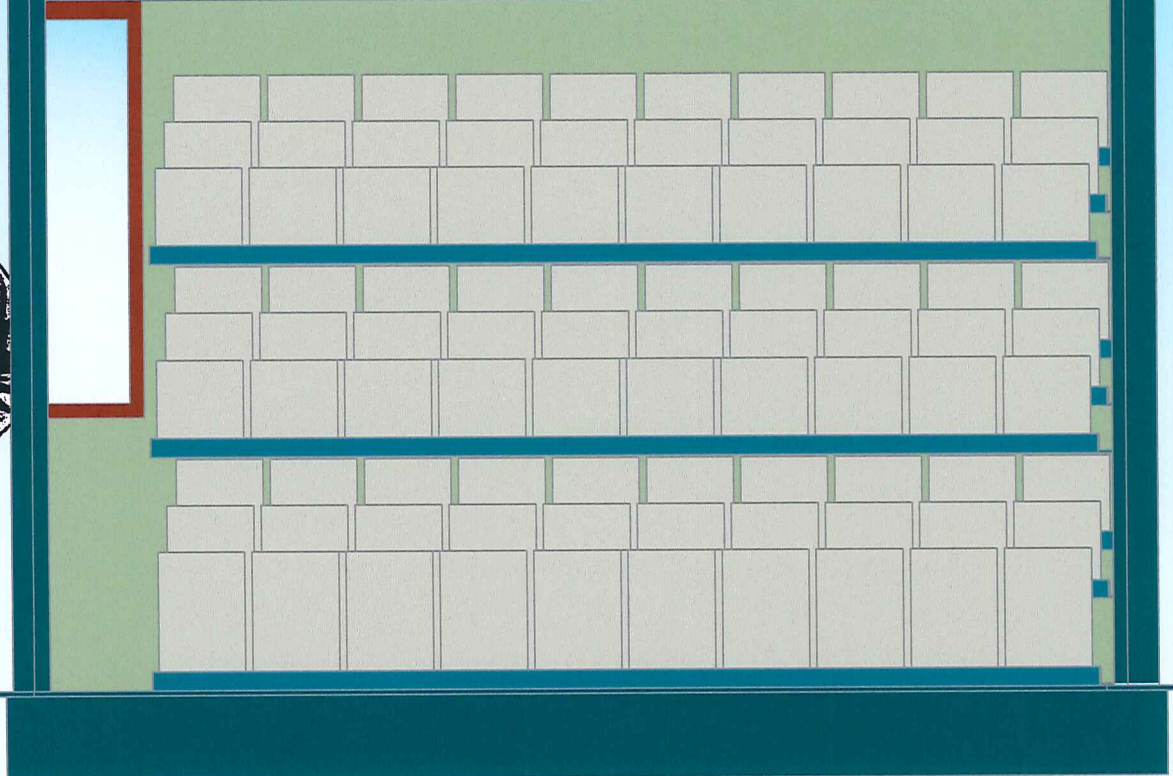
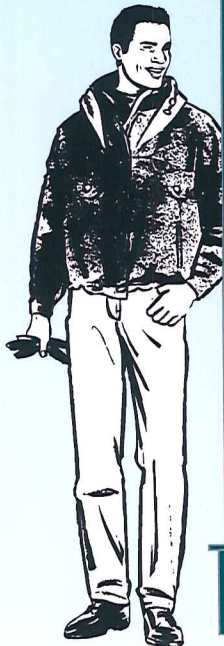
Mr. Lynch asked if any part of the house has been established to be historic, noting that the siding and windows are not original.

Newsstand  
Downtown Mall  
Stoneking/von Storch Architects  
December 5, 2005



NEWS

MAGAZINES





# City of Charlottesville

## MEMO



"A World Class City"  
[www.charlottesville.org](http://www.charlottesville.org)

TO: Gary O'Connell, City Manager  
FROM: James E. Tolbert, AICP, Director  
DATE: November 28, 2005  
SUBJECT: **Steven Russell Request for Electrical Service**

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This matter has been discussed with Mr. Russell and unfortunately, we do not believe that there is a unacceptable solution. The power on the Mall is so poor that we do not believe that we can allow anyone to tie into our lights to operate any type of facility. To do so, would jeopardize the Mall lighting system.

The only other alternative would be for him to obtain power from one of the adjacent businesses, but to get it to the newsstand he would have to run it in the air above the Mall, and we have prohibited anyone from doing that. The Hardware Store was grandfathered for some reason, and we get constant complaints about the eyesore that their power lines create. I do not believe that we need to create a precedent by allowing additional lines to go across the Mall.

The only other alternative would be for them to obtain power from one of adjacent buildings and attempt to get it underground to his location. That will require him to negotiate with adjacent property owners and we will need plans and agreement for how he would replace the brick. Additionally, we will have to make sure that there is a space under the brick where a conduit could run. I am not sure why he was told to contact you, but we would be happy to try to work with him within the limits that we have.

Please let me know how to proceed.

JET:sdp

cc: Mary Joy Scala  
Chris Engle

November 21, 2005

Gary O'Connell, City Manager  
City of Charlottesville  
P.O. Box 911  
Charlottesville VA 22902



Dear Mr. O'Connell:

I'm contacting you on the suggestion of Mary Joy Scala in Neighborhood Development Services. As you may know, I recently obtained approval by City Council to operate a freestanding newsstand on the Downtown Mall (Council minutes enclosed). I hope to open the newsstand for business in March 2006.

Initial discussions regarding the newsstand didn't include provision for electricity. Now that I'm working with a local architect to design the kiosk, I'm compelled to re-address the issue for several reasons: Initially, I hoped the kiosk's exact location, west of 2<sup>nd</sup> Street W, between Regal cinema and Downtown Grille, might make it feasible to operate without electric light due to an abundance of adjacent street lamps. I've since learned that due to fire lane restrictions, the kiosk needs to be situated within the nearby stand of trees (see enclosed map). Although the distance isn't great, that location is further from the lamps, and the trees between cast shadows. Since a newsstand is dependent on customers being able to see the materials, I'm concerned that lack of light will have a significant negative impact on my chances of success. Fall/winter operations are of special concern, due to the absence of adequate natural light beginning in the late afternoon, and in the early morning. I have discussed the situation with Chris Engel in Economic Development; he concurs that light issues could hinder the newsstand's potential.

( My architect has suggested several possible solutions, such as running a new line or adding a meter box to existing infrastructure to measure kiosk use. There may be reasons why these ideas are problematic; or other solutions may exist. I simply request an upfront discussion of any options with appropriate parties. I'm investing a considerable amount to construct a kiosk that will please the BAR, the Mall community, and customers, and the enterprise's viability may depend on this matter. I look forward to any comments or questions. Please feel free to contact me by phone or email. Thanks for your time.

Sincerely,

A handwritten signature in cursive that reads "Steven Russell".

Steven Russell

phone: 434.296.2120 / email: stevenrussell@adelphia.net

copy:

Jim Tolbert, Neighborhood Development Services  
Mary Joy Scala, Neighborhood Development Services  
Chris Engel, Economic Development

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NOV 22 2005

NEIGHBORHOOD DEVELOPMENT SERVICES

CITY OF CHARLOTTESVILLE

*"A World Class City"*

Office of The City Manager

P.O. Box 911 • Charlottesville, Virginia 22902

Telephone (434) 970-3101

Fax (434) 970-3890

www.charlottesville.org



December 2, 2005

Steven Russell  
1614 Brandywine Drive  
Charlottesville, VA 22901

Dear Mr. Russell,

Thank you for your letter. I have been informed that this issue has been discussed with you and unfortunately, the City does not believe that there is an acceptable solution. The power on the Mall is so poor that we do not believe we can allow anyone to tie into our lights to operate any type of facility. To do so, we would jeopardize the Mall lighting system.

The only other alternative would be for you to obtain power from one of the adjacent buildings and attempt to get it underground to your location. That will require negotiations with adjacent property owners and the City will need plans to make sure that there is a space under the bricks where a conduit could run.

We will be happy to try and work with you within the limits that we have.

Sincerely,

  
Gary O'Connell  
City Manager

Cc: Jim Tolbert  
Mary Joy Scala  
Chris Engel

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DEC 7

NEIGHBORHOOD DEVELOPMENT SERVICES

Transmittal

To: MARY JOY

Date: 12-6-05

Project: NENT STAND

Project No.:

- We are sending you:
- Attached
  - Under separate cover via \_\_\_\_\_
  - Prints
  - Copy of letter
  - Shop Drawings
  - Other \_\_\_\_\_

Copies:	Date:	Description:
10	12-9-05	REV PLANS
10	"	CORCOR FLEV.

- For your use       As requested       For review and comment       For approval

Comments:

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Signature

Copies to:

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**RECEIVED**  
DEC 05 2005  
NEIGHBORHOOD DEVELOPMENT SERVICES

Memorandum

To:

MARY JOY

Date: 11-29-05

Project: NEWSSTAND

Project No.:

H:

HERE IS ONE COPY OF  
COVER ONLY FOR TODAY.

I WILL PROVIDE NINE  
MORE WITHIN TWO DAYS  
OR SO.

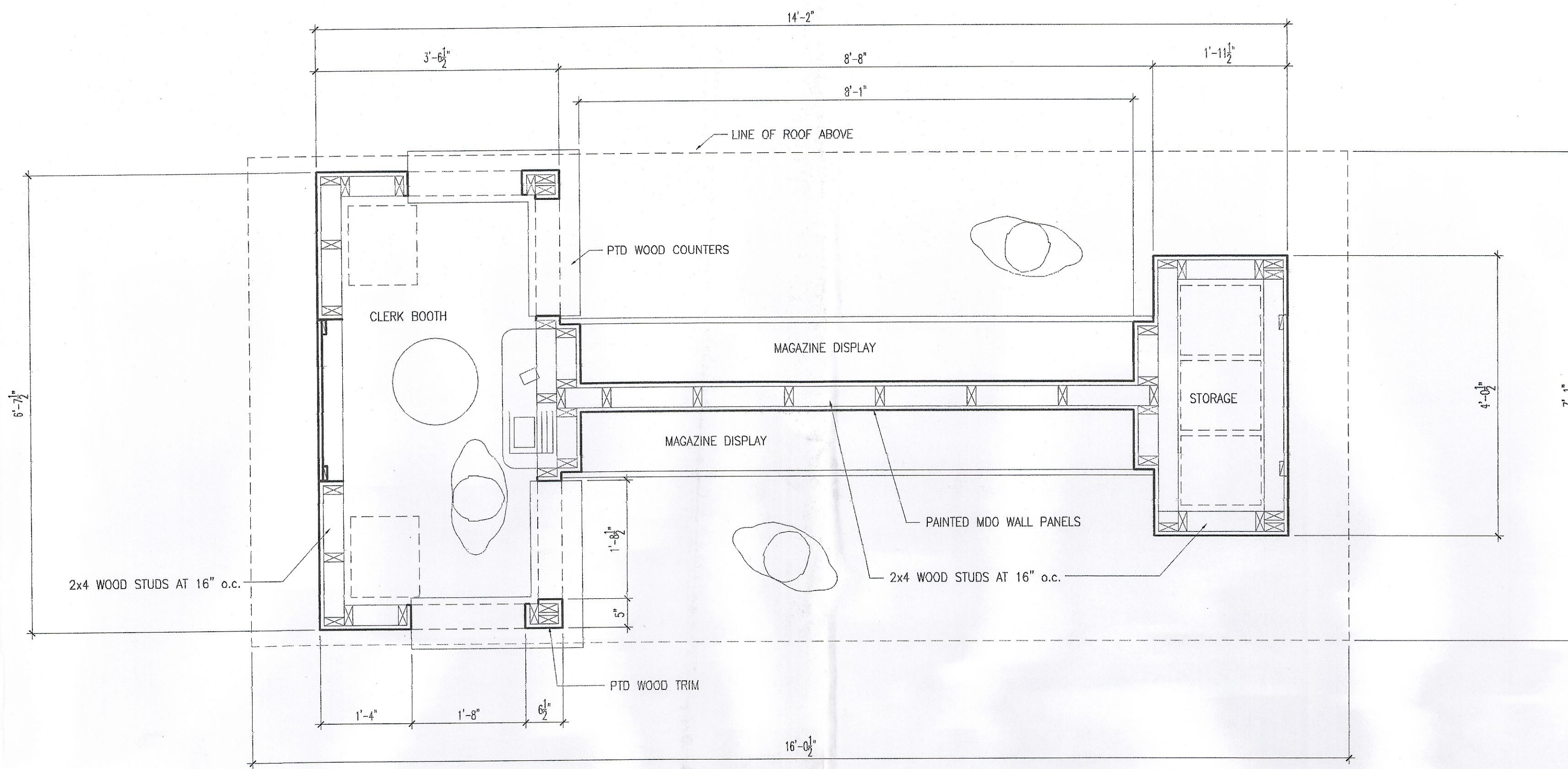
-Mike

**RECEIVED**  
NOV 29 2005  
NEIGHBORHOOD DEVELOPMENT SERVICES

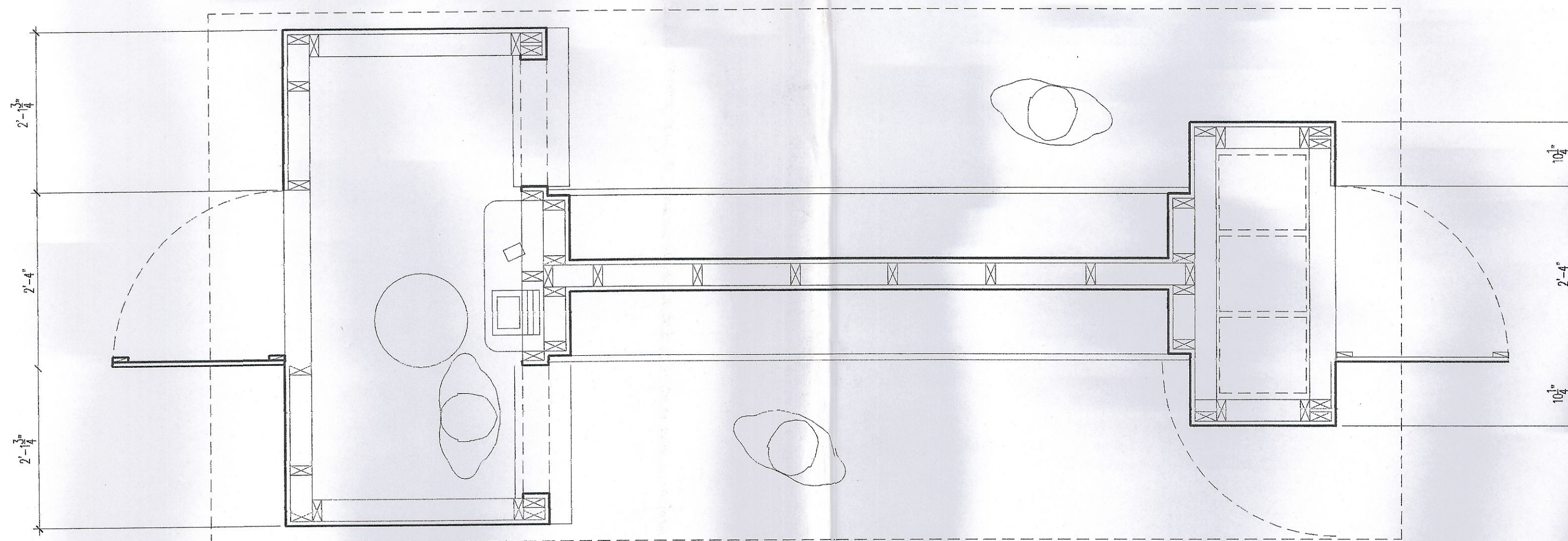
Signature

Copies to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



PLAN ABOVE SERVICE COUNTERS (DOORS SHOWN CLOSED)



PLAN BELOW SERVICE COUNTERS (DOORS SHOWN OPEN)

Steve Russell  
Newstand  
Scheme II

DATE	CONSTRUCTION

DATE	PRE-CONSTRUCTION

Feb 28, 2006 BAR review no 2

SHEET TITLE  
Plan  
3/4"=1'-0"

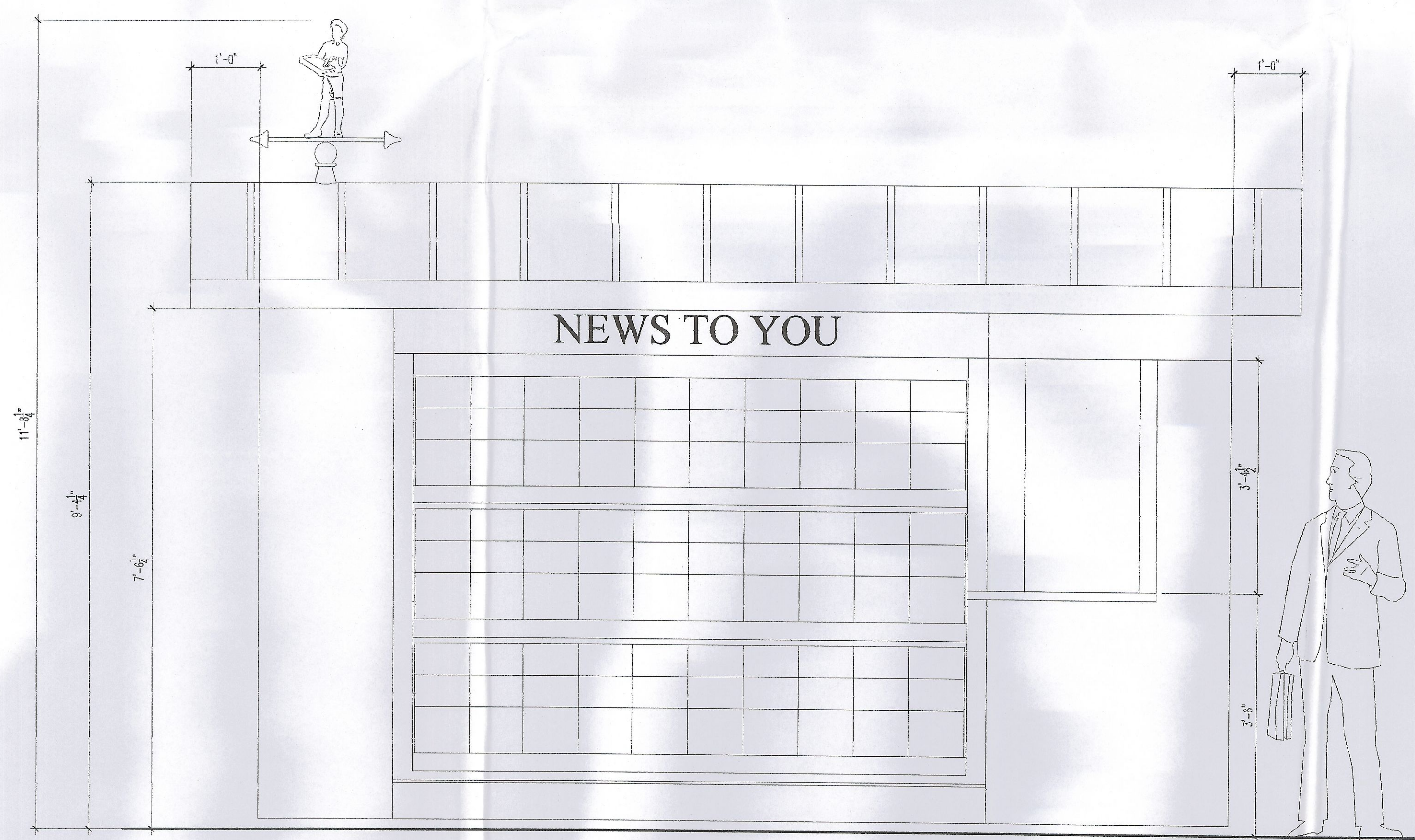
JOB NO. -  
©2006 Stoneking / von Storch  
11/04/06  
Scheme 7.dwg

SHEET NO. A1

Steve Russell  
Newstand  
Scheme II



Side Elevation



Side Elevation

DATE	CONSTRUCTION

DATE	PRE-CONSTRUCTION

Feb 28, 2006 BAR review no 2

SHEET TITLE  
Elevations  
3/4" = 1'-0"

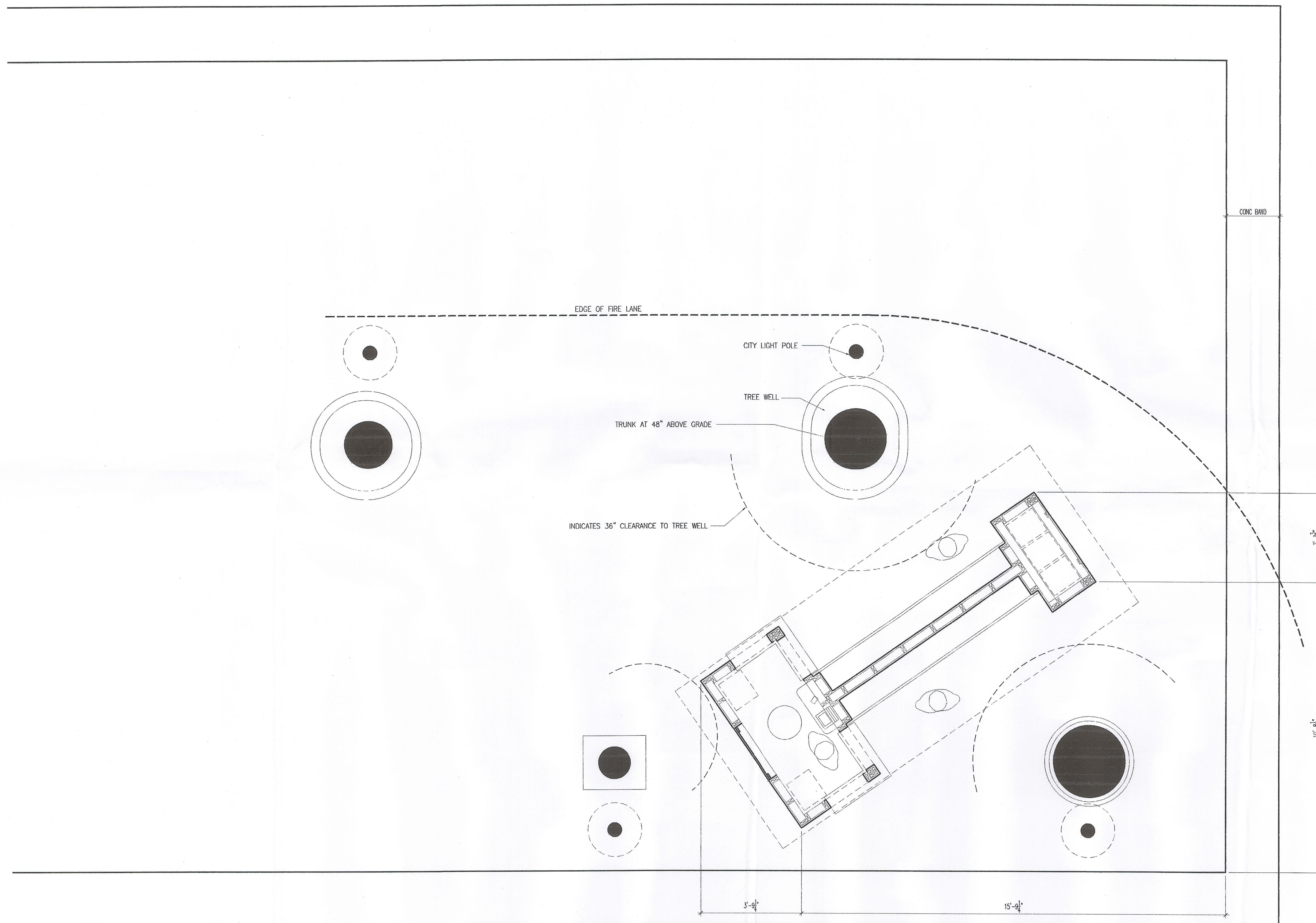
JOB NO. —  
Office Use Only 200609-11.dwg  
P:\DWG\2006\09\11\Scheme II.dwg

SHEET NO. A2





Steve Russell  
Newstand  
Scheme II



DATE	CONSTRUCTION

DATE	PRE-CONSTRUCTION

Feb 28, 2006 BAR review no 2

SHEET TITLE  
Site Plan  
1/2"=1'-0"

JOB NO. -  
Office Use Only: 2/28/06 - 11:47am  
H:\2006\SteveRussell\Scheme II.dwg

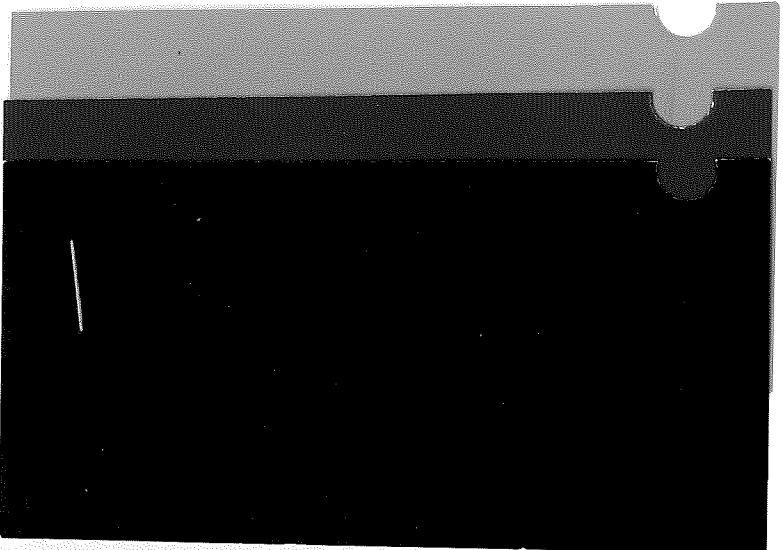
SHEET NO. **A4**



Mary Joy,

Here are the color samples for the newsstand, for your approval as BAR directed. I think you have the color view to match these with, but if not, let me know. Have a good weekend.

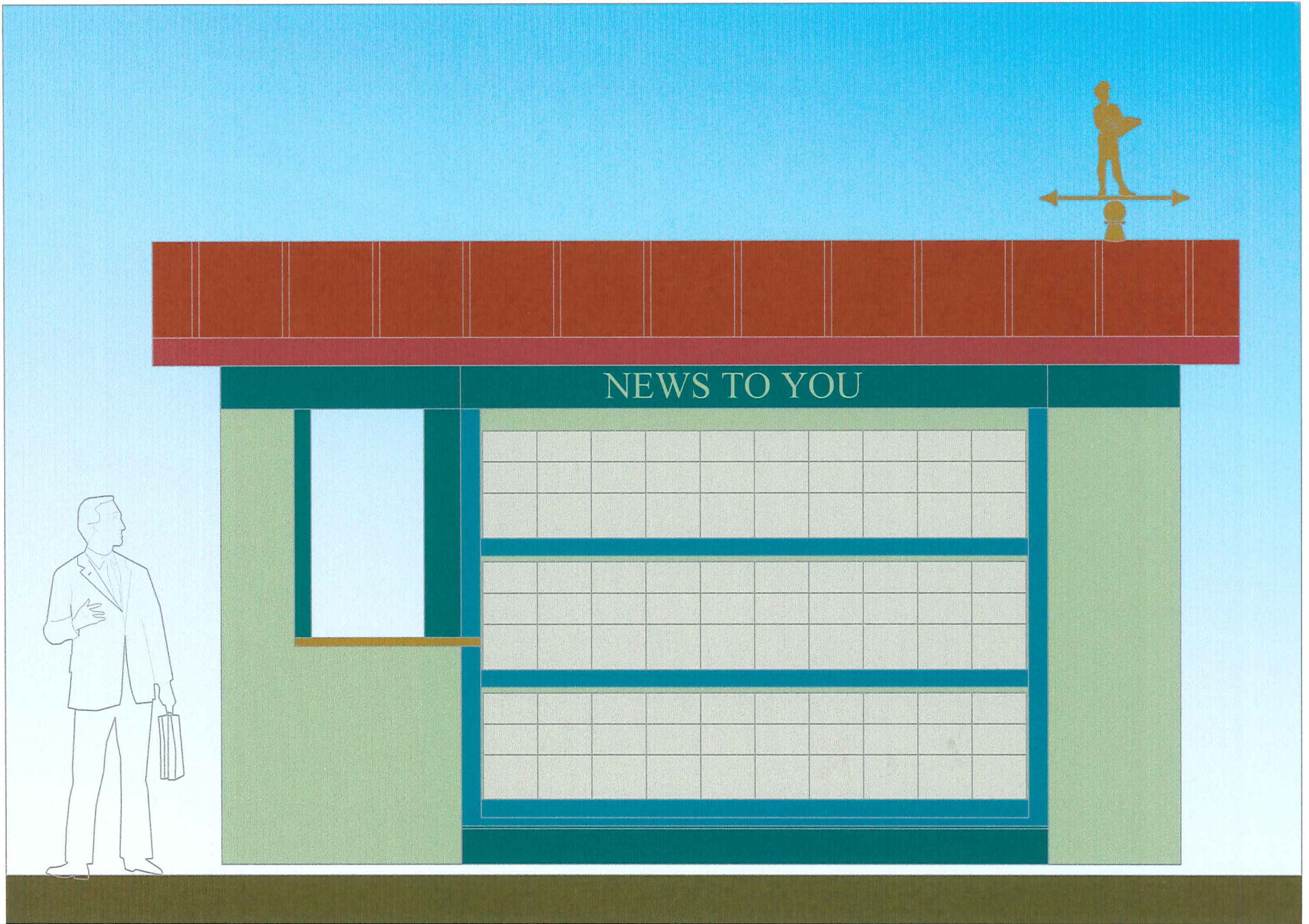
- Steve Russell  
296-2120



**Charlottesville Downtown Newsstand  
Security Screen Sample  
Bronze Finish**

**Stoneking/von Storch Architects  
February 28, 2006**

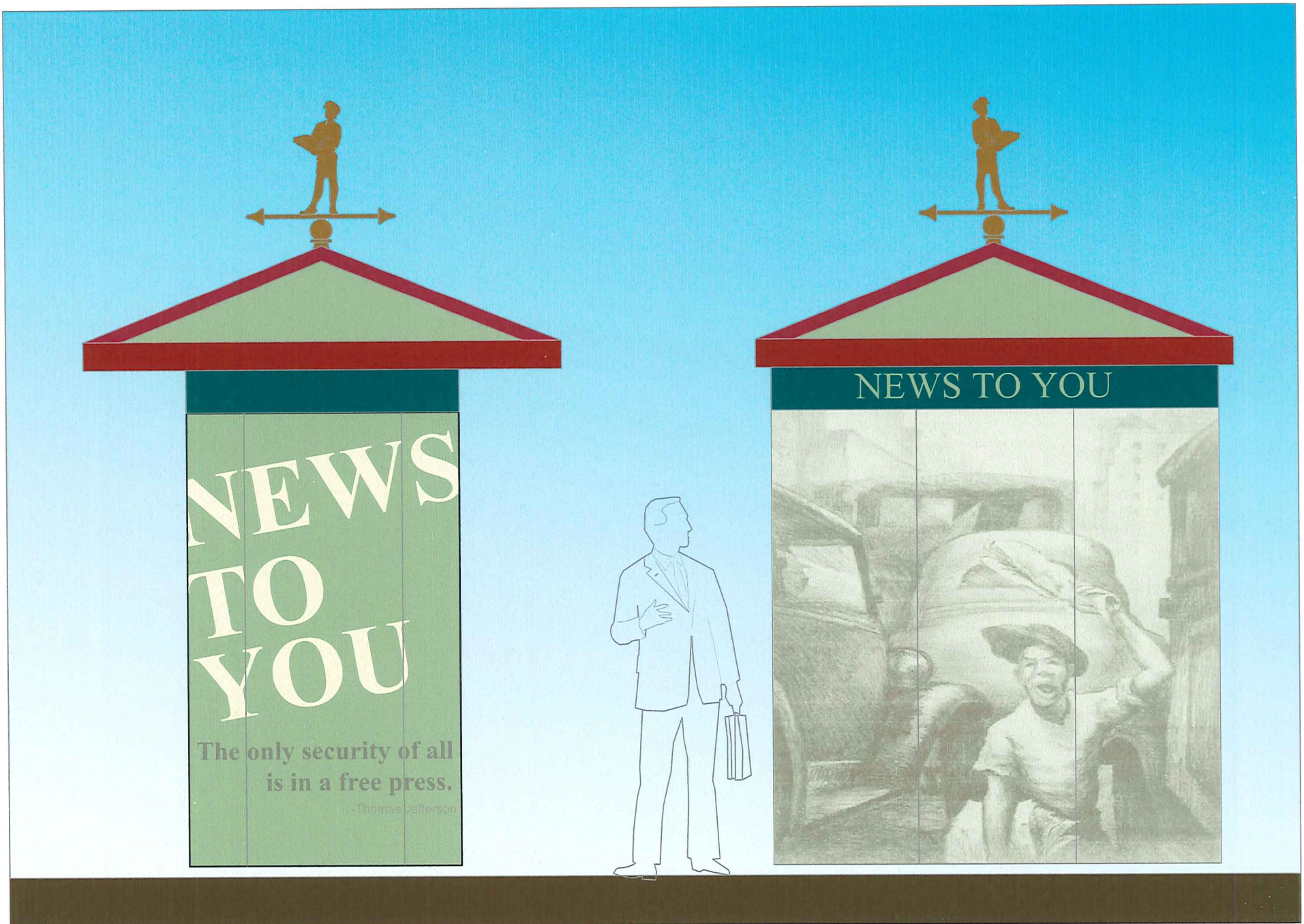
**PROTECTION  
SECURITY SHUTTERS  
1.888.840.2833**



Charlottesville Downtown Newsstand  
Stoneking/von Storch Architects  
February 28, 2006



Charlottesville Downtown Newsstand  
Stoneking/von Storch Architects  
February 28, 2006



Charlottesville Downtown Newsstand  
Stoneking/von Storch Architects  
March 1, 2006

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FEB 28 2006

NEIGHBORHOOD DEVELOPMENT SERVICES

February 28, 2006

Mary Joy Scala  
City of Charlottesville  
Board of Architectural Review

Re: Newsstand Project  
Downtown Mall

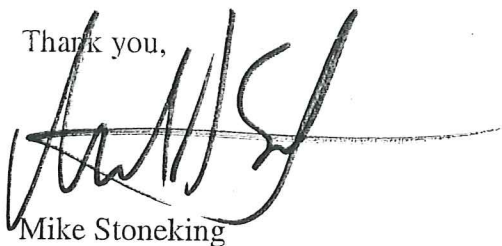
Mary Joy,

We are resubmitting a new design for the Newsstand Project due to cost overruns. Changes include a simpler shape and use of wood rather than steel structure. The new design also provides more room and better observation for the clerk.

This submittal also includes the security door design as requested by the BAR at our last meeting. I have included product literature for the doors, a sample and a drawing showing what the newsstand will look like when closed. We no longer show a graphic on the closed door as this would void the warranty. Please note that this door will only be closed from approximately 11:00 pm to 6:00 am daily. We do show graphics on the two ends of the newsstand. These will be painted on the MDO panels.

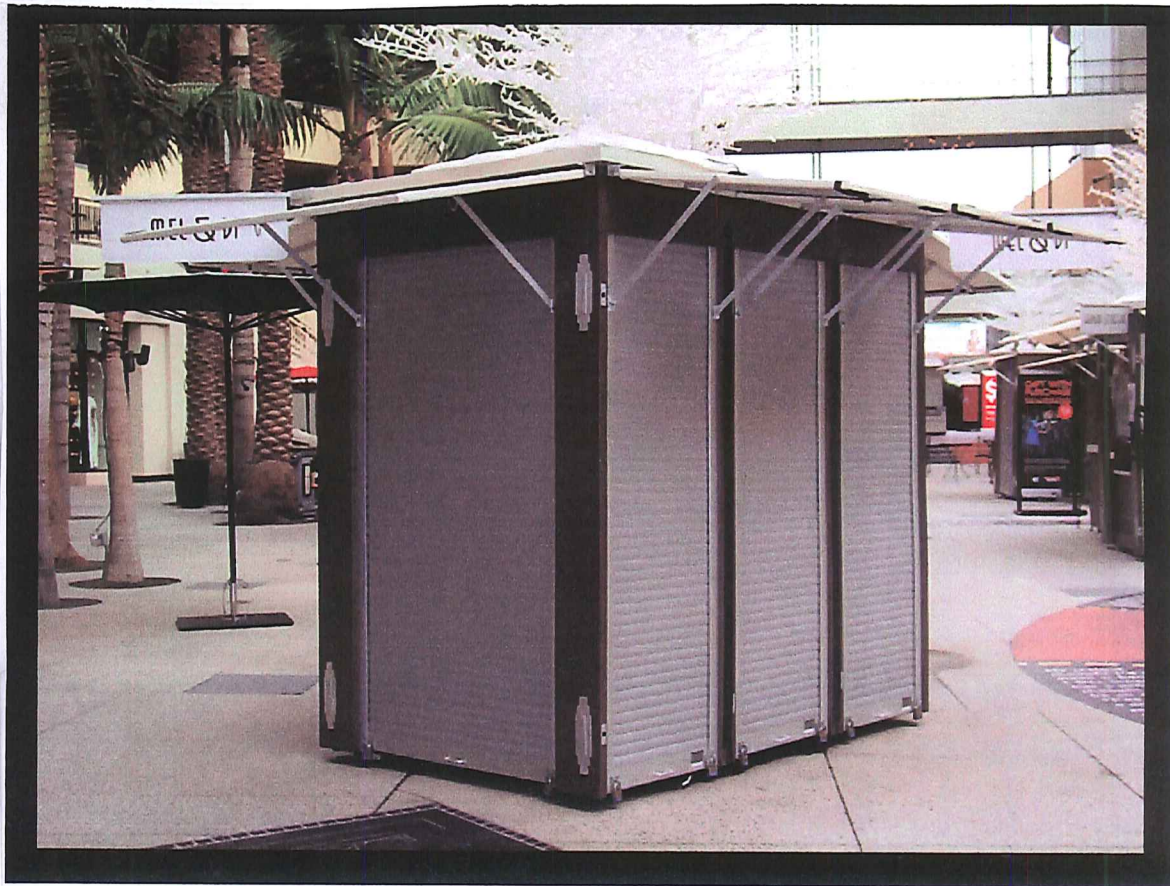
Please let me know if I can answer any questions or provide additional materials.

Thank you,



Mike Stoneking





STONEKING/VON STORCH  
A R C H I T E C T S

February 28, 2006

Mary Joy Scala  
City of Charlottesville  
Board of Architectural Review

Re: Newsstand Project  
Downtown Mall

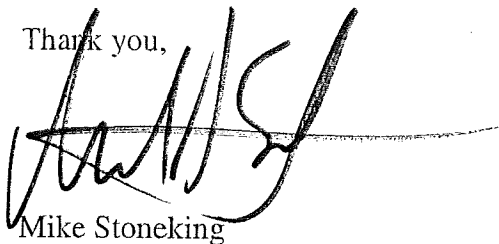
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Please let me know if I can answer any questions or provide additional materials.

Thank you,



Mike Stoneking