

From: Scala, Mary Joy
Sent: Wednesday, March 20, 2013 11:56 AM
To: Paul Beyer (paul@tomtomfest.com)
Cc: Ellis, David
Subject: 200 2nd Street NW - BAR Action

March 20, 2013

Tom Tom Foundation
660 Hunters Place Suite 101
Charlottesville, VA 22911

Certificate of Appropriateness Application

BAR 13-03-01
200 2nd Street NW
Tax Map 33 Parcel 174
Tom Tom Foundation (Paul Beyer), Applicant
City of Charlottesville, Owner
McGuffey Mural Wall

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on March 19, 2013. The following action was taken:

Approved (8-1 with Adams against) as submitted.

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 (September 19, 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. 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.

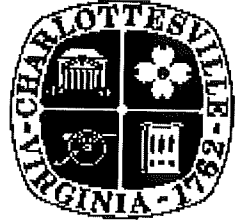
Upon completion of construction, please contact me for an inspection of the improvements included in this application. If you have any questions, please contact me at 434-970-3130 or scala@charlottesville.org.

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
Charlottesville, VA 22902
Ph 434.970.3130 FAX 434.970.3359
scala@charlottesville.org

**CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT
March 19, 2013**



Certificate of Appropriateness

BAR 13-03-01

200 2nd Street NW

Tax Map 33 Parcel 174

Tom Tom Foundation (Paul Beyer), Applicant

City of Charlottesville, Owner

McGuffey Mural Wall

Background

McGuffey Park and McGuffey School were added to the North Downtown ADC District in January 2006. McGuffey school was built in 1915 and is individually listed on the National Register.

Application

The applicant proposes to make use of the retaining wall on the North end of McGuffey Art Center as a "canvas" for a new mural. The mural will be decided on by a juried contest at the Tom Tom Founders Festival this year and continue to serve as a space for other similar mural contests in the future.

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 Public Design and Improvements include:

J. Public Art, Statues, & Fountains

- 1) *Maintain existing features related to public art, statues and fountains.*
- 2) *Consider the place-making role any such new features can have in celebrating and communicating the history of the districts.*
- 3) *Develop an appropriate relationship between materials, the scale of artwork and the surrounding environment.*
- 4) *Choose artwork that is appropriate for the current general character of the site.*
- 5) *Consider the appropriateness of the sculpture base.*
- 6) *Mural art on private property should be reviewed for appropriateness of materials, scale, and location within surrounding context.*
- 7) *Mural art that constitutes a sign shall conform to the sign regulations.*
- 8) *Public art, statues, and fountains shall be maintained as accessible to the public.*

Discussion and Recommendations

Staff anticipates a number of new applications for wall murals, especially from the Charlottesville Mural Project. Staff will first review any mural to determine that it is not a sign. That is, the artwork and/or text should not relate to the proposed use of the building. Unlike murals, signs are more limited by size, and may not be located above the second floor window sill line.

When the BAR reviews an application for art, it should consider its appropriateness based on specific criteria, but not content. Considerations are:

- The building surface material, and whether it has been previously painted
- Location
- Scale of the project
- Medium or materials, and
- Compatibility with the character of the building and the surrounding historic context.

The BAR previously approved a mural by the Charlottesville Mural Project at 513 West Main Street in July of 2012. Other previous approvals include the mosaic murals on 5th Street SW, and in McGuffey Park. Painted murals were approved by the BAR at a coffee shop on Elliewood Avenue, on the courtyard side of 513 West Main Street, and facing a courtyard opposite the Sacajawea statue on West Main. A “mural” consisting of applied brick arches and glass was strongly discouraged on the RR abutment at the Corner. In that case, the proposed material completely altered the existing wall.

A mural in this location, facing inward toward the site, would be compatible with the public art on display at the McGuffey Art Center.

Suggested Motion

Having considered the standards set forth within the City Code, including City Design Guidelines for Public Design and Improvements, I move to find that the proposed location for a painted mural satisfies the BAR’s criteria and is compatible with this property and other properties in this district, and that the BAR approves the application as submitted.



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
Telephone (434) 970-3130 Fax (434) 970-3359

RECEIVED

MAR 05 2013

NEIGHBORHOOD DEVELOPMENT SERVICES

Please submit ten (10) copies of application form and all attachments.

For a new construction project, please include \$350 application fee. For all other projects requiring BAR approval, please include \$100 application fee. For both types of projects, the applicant must pay \$1.00 per required mail notice to property owners. The applicant will receive an invoice for these notices, and project approval is not final until the invoice has been paid. 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 4 p.m.

Project Name/Description McGUFFEY MURAL WALL Parcel Number 330174000
Address/Location 200 2nd STREET NW. 22902
Owner Name CITY OF CHARLOTTESVILLE Applicant Name TOM TOM FOUNDATION

Applicant Information

Address: 660 HUNTERS PLACE SUITE 101
CHARLOTTESVILLE VA 22911
Email: PAUL@TOMTOMFEST.COM
Phone: (W) 434.981.7045 (H) _____
FAX: _____

Property Owner Information (if not applicant)

Address: 605 E. MAIN STREET
CHARLOTTESVILLE, VA 22902
Email: _____
Phone: (W) _____ (H) _____
FAX: _____

Do you intend to apply for Federal or State Tax Credits
for this project? NO

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] 2/25/13
Signature Date

Property Owner Permission (if not applicant)

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

[Signature] 3/1/13
Signature Date

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

MURAL CONTEST FOR McGUFFEY WALL

Attachments (see reverse side for submittal requirements):

1. MEMO TO MCGUFFEY ARTISTS WITH PICTURES (UNANIMOUSLY APPROVED)
2. FULL IMAGE OF WALL
3. PAGES 1-4 SHOWING WALL AND SCALED DRAWING

For Office Use Only

Received by: [Signature]

Fee paid: \$100.00 Cash/Ck. # VISA

Date Received: 3/5/2013

P13-0038

Approved/Disapproved by: _____

Date: _____

Conditions of approval: _____



February 5, 2013

**Proposal: Tom Tom Foundation to underwrite creation of public art "Canvas"
on the Retaining Wall adjacent to McGuffey Art Center's North Entrance.**

Dear McGuffey Artists,

I have a proposal to transform a concrete retaining wall into a vibrant canvas for public art during the Tom Tom Founders Festival McGuffey Block Party on Friday April 12, 2013.

If we act quickly, Tom Tom can gather the necessary approvals from City Hall to make this happen, and we can initiate a mural contest for the entire community that will bring publicity to the arts education and arts outreach initiatives of McGuffey.

- **The Idea:** There is a retaining wall on the North end of McGuffey as you leave the Art Center. Half the wall is rock, nearest the Condos, and the rest is aging concrete and not very pretty. On the concrete section, I would like to apply a white acrylic base, "the canvas," which can host a rotating collection of murals.
- **This Year:** Friday April 12 will be the McGuffey Block Party. Ideally, the day will consist of arts workshops and performances starting at noon, a Latin American Music festival from 4-9PM on the lawn. And a rotating series of concerts inside the McGuffey until midnight. Let's have the first mural be created that week and completed the DAY OF the Block Party.
- **A Mural Contest:** What better way to publicize this new public canvas than have a Mural contest? It can be open to McGuffey Artists, UVA Students, City School Students, and local artists. The wider the reach of the contest, the better!
- **Mural Jury:** I would like to assemble a committee to curate the first mural. I propose the jury be Tom Tom, McGuffey artists, Piedmont Council for the Arts, a UVA arts representative and another arts organization.

- **Longterm:** I envision an annual competition, so that there can be a variety of styles represented year in and year out. Perhaps Tom Tom is involved with the judging each year, perhaps not. My goal is to beautify the wall, and create a sustainable canvas for public art, not dictate how the wall is used every year.
- **Tom Tom Foundation:** Tom Tom is a non-profit foundation created for the purpose of educating the public about innovation and entrepreneurship, and creating pieces of public art, so that there are legacies from the festival each year. I see this as the flagship project. Tom Tom will underwrite the entire cost of this project including a \$500 prize to complete the winning idea.

What I need from McGuffey:

1. **Approval to Proceed:** the Artists need to authorize me bring this before the Board of Architectural Review and associated City Departments on March 19. What I will be asking the BAR is to agree in concept that the wall is an appropriate location for public art, that a mural will beautify the wall, and that an annual competition with a Jury of Artists will be competent to find an appropriate subject. *I need authorization from the McGuffey at the next meeting on February 20 in order to submit the necessary applications in time.*
2. **Discretion to Appoint the first annual Jurying Panel:** In this first year, time is of the essence. I am planning major events throughout the City and I need maximum flexibility to proceed quickly and efficiently. As I mentioned above, I foresee an inclusive jurying panel with strong representation from McGuffey. I have established working relationships with a number of McGuffey Artists, Jim Respass, Renee Balfour, Matt Kleberg, Rebekah Graves, Ron Evans, Lee Alter, to name just a few. The competition will result in a number of solid proposals, and the jury will pick the one it feels best represents our City and the Art Center. But I need to know that I can be trusted to appoint the first annual Jury with artists I have an existing working relationship.

I hope you find this as exciting as I do, and look forward to any feedback!

Best regards,



Paul Beyer, Director

paul@tomtomfest.com

c. 434.981.7045



Fig 1 – view from side entrance



Fig 2 – view down wall coming from street.



Fig 3 – view down wall from street.



Fig 4 – view down wall toward 2nd Street

Fig 5 – view from 2nd Street NW



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



AFFIDAVIT OF MAILING

To File: 200 2nd Street NW (BAR 13-03-01)

I, Kristin Rourke, being first duly sworn, hereby certify that I mailed the attached letter, by first class United States Mail, to the addresses shown on this affidavit on March 5, 2013.

Signed:



Kristin Rourke

ADDRESSES

See Attachments

STATE OF VIRGINIA

CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this 13th day of MARCH 2013, by Kristin Rourke.

My Commission Expires: AUGUST 31 2015.


Notary Public



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



March 1, 2013

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 13-03-01
200 2nd Street NW
Tax Map 33 Parcel 174
Tom Tom Foundation (Paul Beyer), Applicant
City of Charlottesville, Owner
McGuffey Mural Wall

The Board of Architectural Review (BAR) will consider these applications at a meeting to be held on **Tuesday, March 19, 2013, starting at 5:30 pm in City Council Chambers, City Hall.** Enter City Hall from the Main Street pedestrian mall entrance and go up to 2nd 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,

Mary Joy Scala, AICP
Preservation and Design Planner

211D 2ND STREET, LLC
1145 OLD GARTH ROAD
CHARLOTTESVILLE, VA 22901

63 ZULU, LLC
314 E WATER ST
CHARLOTTESVILLE, VA 22902

ALBRIGHT, GEARY, ETAL
305 E 2ND ST NW
CHARLOTTESVILLE, VA 22902

BARLOW, GEORGE W II & REBECCA A
128 WOODSTOCK DRIVE
CHARLOTTESVILLE, VA 22901

BEARNS, WENDY H
301-A 2ND STREET NW 101
CHARLOTTESVILLE, VA 22902

BERMAN, RICHARD & ANTONIA,
205-A 2ND ST NW
CHARLOTTESVILLE, VA 22902

BLUE RIDGE OUTDOORS PROPERTIES,
116 W JEFFERSON ST
CHARLOTTESVILLE, VA 22902

BONNER, JANET P, TRUSTEE
850 COLRIDGE DR
CHARLOTTESVILLE, VA 22903

BOURKE, ELIZABETH M, TR
5419 CARY STREET RD
RICHMOND, VA 23226

BROWN, CLARESA F M
10042 CHORLTON DR
ORLANDO, FL 32832

BRYANT, DEBRA & LAWRENCE GROVES
110 MCGREGOR COURT
KESWICK, VA 22947

CHRIST EPISCOPAL CHURCH
100 W JEFFERSON ST
CHARLOTTESVILLE, VA 22902

CLOWES, EDITH, TR & CRAIG HUNEKE,
400 ALTAMONT CIR
CHARLOTTESVILLE, VA 22902

CRAMPTON, RICHARD S & JULIA M S
303-A 2ND ST NW
CHARLOTTESVILLE, VA 22902

CROWE, THOMAS W
305-D 2ND STREET NW 117
CHARLOTTESVILLE, VA 22902

DONALDSON, STEVEN R
1980 ARLINGTON BLVD APT E
CHARLOTTESVILLE, VA 22903

DREYFUS, RHODA M, TRUSTEE
207-A 2ND STREET NW 207A
CHARLOTTESVILLE, VA 22902

EDDINS, ANN CLARK
2051 POLO GROUNDS RD
CHARLOTTESVILLE, VA 22911

FREEBORG, GREG & CAROL
12500 SW 63RD AVENUE
MIAMI, FL 33156

FRIEND, ROGER & RUTH STORNETTA
307-C 2ND STREET NW 204
CHARLOTTESVILLE, VA 22902

GAOGAO, LLC
401 ALTAMONT ST
CHARLOTTESVILLE, VA 22902

GAY, ELIZABETH H
205-C 2ND ST NW
CHARLOTTESVILLE, VA 22902

GIGNOUX, FREDERICK, III & STRUTHERS
305 2ND ST NW #113C
CHARLOTTESVILLE, VA 22902

GISLER, EDWARD & CLAIRE, TRUSTEES
301-B 2ND STREET NW 105
CHARLOTTESVILLE, VA 22902

GOOD, EDITH BRODHEAD
305-B 2ND STREET NW 119
CHARLOTTESVILLE, VA 22902

GUGGENHEIMER, DONIPHAN C
3816 PEAKLAND PL
LYNCHBURG, VA 24503

HUJA, SATYENDRA & IRENE, TRUSTEES
1502 HOLLY RD
CHARLOTTESVILLE, VA 22901

LEBOUTILLIER, MEGAN
P O BOX 325
FREE UNION, VA 22940

LILLY, REBECCA A
207-B 2ND STREET NW 207B
CHARLOTTESVILLE, VA 22902

MAY, BENJAMIN V JR
209-B 2ND STREET NW 209B
CHARLOTTESVILLE, VA 22902

MCSWAIN PROPERTIES LLC
P O BOX 2
CHARLOTTESVILLE, VA 22902

RADY, JOHN J & MARY K
P O BOX 5782
CHARLOTTESVILLE, VA 22905

SPELLMAN, BARBARA A
307-B 2ND ST NW 206
CHARLOTTESVILLE,VA 22902

THIAGARAJAH, SIVA
311-B 2ND STREET NW 216
CHARLOTTESVILLE, VA 22902

VOLARICH, DAVID T & SUE JANE
2312 MILLPARK DR
MARYLAND HEIGHTS, MO 63043

ZWERLING, JOHN & PATRICIA WEST
309-B 2ND STREET NW 214
CHARLOTTESVILLE, VA 22902

MENTOR LODGE LLC
206 W MARKET ST
CHARLOTTESVILLE, VA 22902

RIPLEY, CLAUDE A
P O BOX 4444
CHARLOTTESVILLE, VA 22905

TATAR, STEVEN, MARIA, ANNA & JOHN
1502 GROVE ROAD
CHARLOTTESVILLE, VA 22901

TRIMMER, JOHN L
207-D 2ND STREET NW 207D
CHARLOTTESVILLE, VA 22902

WOODMAN, ANTHONY J & DOROTHY J
303-B 2ND STREET NW 111
CHARLOTTESVILLE, VA 22902

PEALE, JOHN S & LYDIA W
211-A 2ND STREET NW 211A
CHARLOTTESVILLE, VA 22902

SCHWARZ, ELKE
211-B 2ND STREET NW 211B
CHARLOTTESVILLE,VA 22902

THE STRATHMOORE COMPANY INC
211 NORTH UNION ST STE 100
ALEXANDRIA, VA 22314

TRINDLE, CARL O & BARBARA A BODY
311-A 2ND STREET NW 218
CHARLOTTESVILLE, VA 22902

WRIGHT, EDWARD & EELYN OYLER
9030 STONY POINT PKWY STE300
RICHMOND, VA 23235