

From: Scala, Mary Joy
Sent: Friday, May 24, 2013 11:22 AM
To: 'Kirby Hutto'
Cc: Engel, Chris
Subject: BAR Action 700 E Main St

May 24, 2013

Charlottesville Pavilion, LLC
PO Box 2318
Charlottesville, VA 22902
ATTN: Kirby Hutto

Certificate of Appropriateness Application

BAR 13-05-06
700 E Main Street
Tax Map 53 Parcel 160
Charlottesville Pavilion, LLC, Applicant/ City of Charlottesville, Owner
Add seating area

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on May 21, 2013. The following action was taken:

Approved (8-0) 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 (November 21, 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.

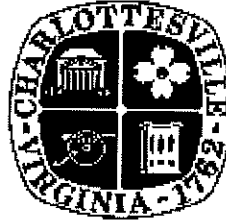
Upon completion of construction, please contact me for an inspection of the improvements included in this application. If you have any questions, please contact me at 434-970-3130 or scala@charlottesville.org.

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
May 21, 2013**



Certificate of Appropriateness Application

BAR 13-05-06

700 E Main Street

Tax Map 53 Parcel 160

Charlottesville Pavilion, LLC, Applicant/ City of Charlottesville, Owner

Add seating area

Background

The Charlottesville Pavilion property is located in the Downtown ADC District.

February 21, 2006 - The BAR approved in concept (6-1-1 with Knight recusing himself) the proposed new pedestrian and handicapped ramp connection from the downtown mall to the music pavilion. The BAR asked that you come back with greater detail, including resolution of the “floating” steps, which may be a safety hazard. Comments included adding dividers on the bench to discourage skateboarders, and that you should attempt to use this new entrance to reconcile the shift in axis from the mall to the pavilion.

May 16, 2006 - The BAR voted (7-0-1) to accept the applicant’s deferral request. The BAR requested additional information, including: sections to better explain the proposed pedestrian entrance, and a large scale plan to show the relationship of the mall to the entrance (all joints, changes in materials and landscaping). The BAR also requested details regarding the materials and articulation of the seat wall, how the terracing of the landform meets the ramp wall, and the finish of the concrete. The BAR further suggested a reconsideration of the design of the two intersecting arcs.

There was also discussion that this plan downplays the intersection of the pavilion with the mall, and does not include an appropriate amount of space in the grass arc to allow the entrance to be in scale with the mall.

June 20, 2006 - The BAR voted (8-0-1) to approve the ramp plan, undulating wall, bench, and other current modifications as submitted.

April 15, 2008 - The BAR approved (5-2) a new Pavilion entrance sign with the modification that the sign be turned 90 degrees so that its long axis is parallel with the axis of the mall, and that the LCD screen is covered except during event hours already approved by the City. (This decision was later modified by City Council on appeal.)

Application

The applicant is requesting approval to add a seating area on the north side of the Pavilion for up to 49 patrons. The proposal would excavate into the slope, and add a “redi-rock” retaining wall to match existing located behind the seating area. A concrete pad approximately 12’ x 14” would allow ADA accessibility. The remaining area would be kept in turf. The curbing and handrails would be modified to accept removable railing sections.

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 & Improvements

B. PLAZAS, PARKS & OPEN SPACES

- 1) Maintain existing spaces and important site features for continued public use consistent with the original design intent,*
- 2) Maintain significant elements in a historic landscape: grave markers, structures, landforms, landscaping, circulation patterns, boundaries, and site walls.*
- 3) Design new spaces to reinforce streetscape and pedestrian goals for the district. These areas offer the opportunity to provide visual focal points and public gathering spaces for the districts.*
- 4) New landscaping should be historically and regionally appropriate, indigenous when possible, and scaled for the proposed location and intended use.*
- 5) Exterior furniture and site accessories should be compatible with the overall character of the park or open space.*
- 6) Repairs and maintenance work should match original materials and design, and should be accomplished in a historically appropriate manner.*
- 7) Avoid demolishing historic buildings to create open spaces and parks.*

Discussion and Recommendations

The need for a rain cover should be discussed.

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 Pavilion seating area satisfies the BAR's criteria and guidelines and is compatible with this property and other properties in the Downtown ADC district, and that the BAR approves the application as submitted (or with the following modifications)....



RECEIVED

APR 30 2013

NEIGHBORHOOD DEVELOPMENT SERVICES

Board of Architectural Review Application
Pavilion Side Lawn Improvements
Submitted April 30, 2013

Please see our attached application to do some modifications to the left side lawn at the Pavilion to make it into a group viewing area for up to 49 patrons. We propose to excavate into the slope, add a retaining wall that matches what is on that side, and then pour a small concrete pad to allow ADA accessibility. Our goal is to keep the remaining area in turf so we can minimize the loss of green space. We will also add some curb modifications and additional matching railings to bring the project up to code.

Our thought is that this will be an area that we can utilize during concerts to accommodate medium sized groups that wish to have a space to gather and watch the show together. We have had requests for such a space from our sponsors, several Downtown employers, and some of the artists themselves that are bringing in a group of guests. We will be adding the ability to set up an auxiliary bar as needed. Overall, the goal is to minimally modify the existing space to make it more useable. We would anticipate that this space will be formally utilized at 10-15 events a year for group viewing. We also have learned that this space is the preferred location for press cameras to set up for political rallies or visits by dignitaries so these changes will better serve those needs as well.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Kirby R. Hutto".

Kirby R. Hutto
General Manager



**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

APR 30 2013

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 4 p.m.

Owner Name CITY OF CHARLOTTESVILLE Applicant Name CHARLOTTESVILLE PAVILION, LLC
Project Name/Description CHARLOTTESVILLE PAVILION Parcel Number 530160000
Property Address 700 E. MAIN ST, CITY 22902 (120 7th St. N.E.)

Applicant Information

Address: PO Box 2318
CITY 22902
Email: KIRBY@charlottesvillepavilion.com
Phone: (W) 745-4420 (H) 981-3632
FAX: _____

Property Owner Information (if not applicant)

Address: PO Box 911 City Hall
CITY 22902
Email: ENGEL@charlottesville.org
Phone: (W) 970-3111 (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.)

KIRBY R. HUTTO 4-29-13
Signature Date

KIRBY R. HUTTO _____
Print Name Date

Property Owner Permission (if not applicant)

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

CHRIS J. ENGEL (CON) 4-30-13
Signature Date

CHRIS J. ENGEL 4-30-13
Print Name Date

Description of Proposed Work (attach separate narrative if necessary): Retaining wall, slab, & railing modifications to left side lawn.

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

Letter, 2 Pages of Plans

For Office Use Only

Received by: G. Barnore

Fee paid: \$125.00 Cash/Ck. # _____

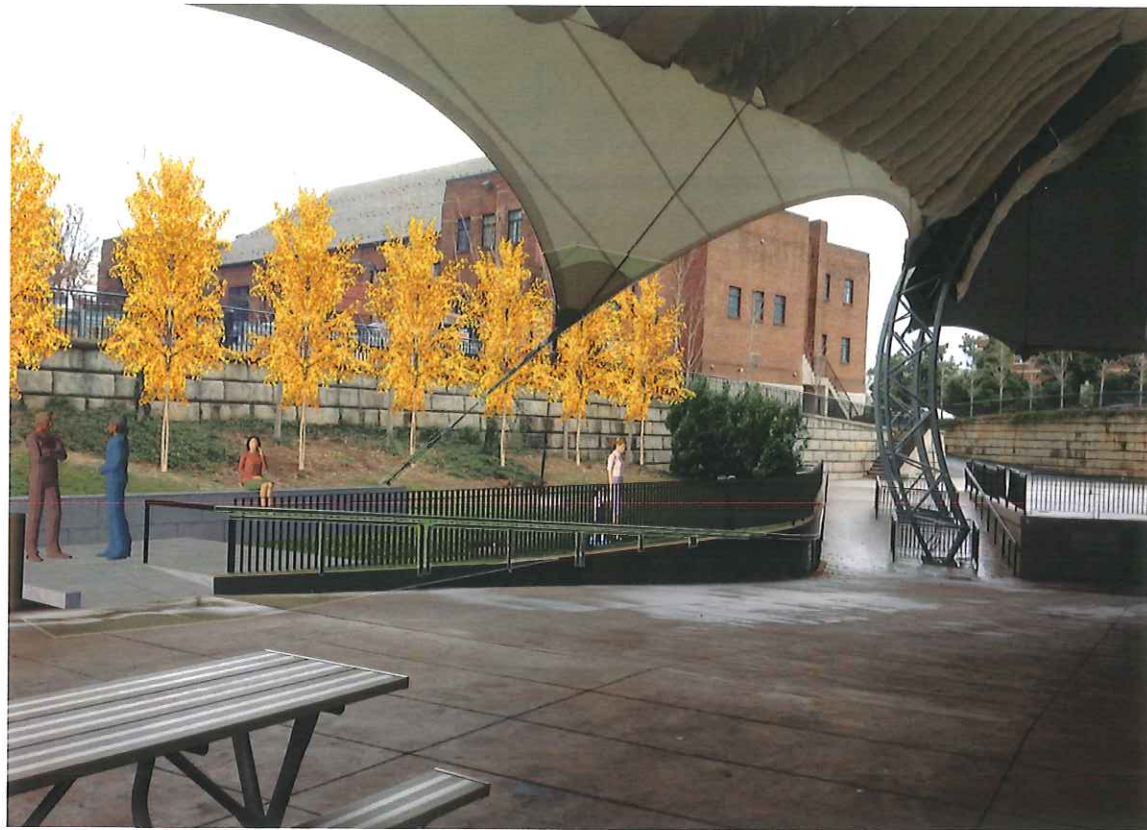
Date Received: 4/30/2013

P13-0078

Approved/Disapproved by: _____

Date: _____

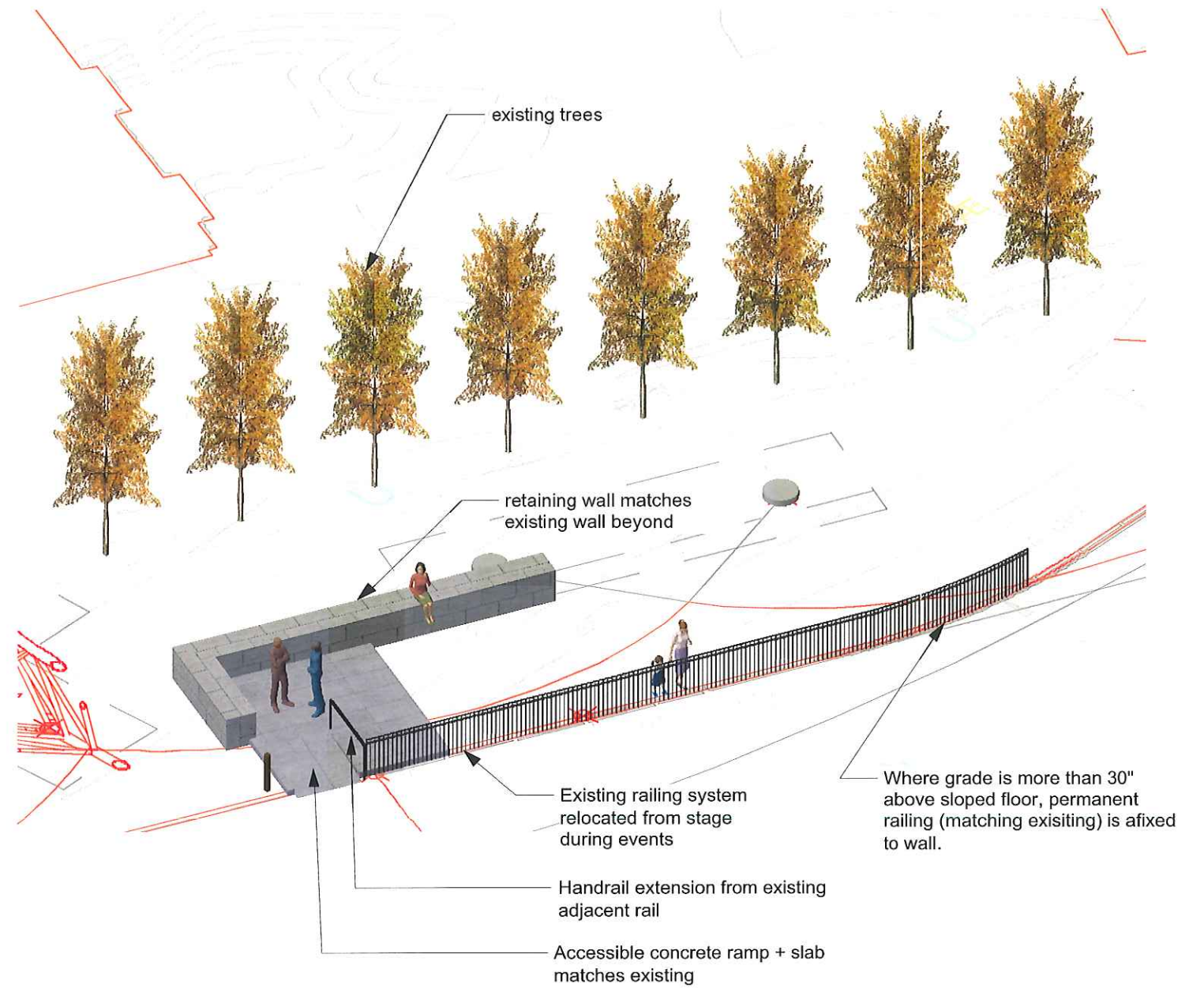
Conditions of approval: _____



1 Proposed View
2



2 Existing View
2



3 Proposed Isometric View
2

PAVILION EXECUTIVE SEATING AREA

charlottesville pavilion llc



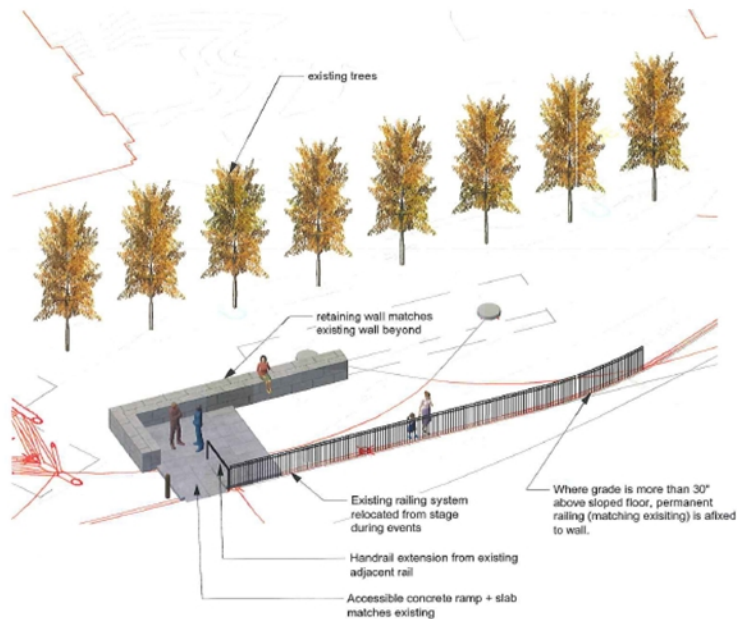
1 Proposed View

2



2 Existing View

2



3 Proposed Isometric View

2

PAVILION EXECUTIVE SEATING AREA

charlottesville pavilion llc

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: 700 E Main Street (BAR 13-05-06)

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 May 3, 2013.

Signed:

Kristin Rourke

ADDRESSES

See Attachments

STATE OF VIRGINIA

CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this 3rd day of June 2013, by Kristin Rourke.

My Commission Expires: AUGUST 31 2015.



Notary Public

Pamela G. Murray

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



May 3, 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 13-05-06
700 E Main Street
Tax Map 53 Parcel 160
Charlottesville Pavilion, LLC, Applicant/ City of Charlottesville, Owner
Add seating area

The Board of Architectural Review (BAR) will consider these applications at a meeting to be held on **Tuesday, May 21, 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

RJD&P LLC
P O BOX 2057
CHARLOTTESVILLE VA 22902

REED ELSEVIER INC
9443 SPRINGBORO PIKE
MIAMISBURG OH 45342

WATER MAIN, LLC & DALE LUDWIG
321 E MAIN ST STE 201
CHARLOTTESVILLE VA 22902

PJB MARKET, LLC
1500 AMHERST STREET #3
CHARLOTTESVILLE VA 22903

SANSOVICH DEVELOPMENT, LLC
2000 RED HILL RD
CHARLOTTESVILLE VA 22903