

**From:** Scala, Mary Joy  
**Sent:** Thursday, August 27, 2015 9:08 AM  
**To:** 'Rich Baker'  
**Cc:** allan@alimar1.com  
**Subject:** BAr Action - August 18, 2015 - 422 E Main Street

August 27, 2015

5<sup>th</sup> & Main Holdings, LLC T/A Commonwealth Skybar  
422 East Main Street  
Charlottesville, VA 22903

**RE: Certificate of Appropriateness Application**

BAR 15-08-08

422 East Main Street

Tax Parcel 28005200

Virginia Pacific Investments, LLC, Owner/5<sup>th</sup> and Main Holdings, LLC T/A Commonwealth Skybar,  
Applicant

Metal and translucent panel cover for top of existing Skybar

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on August 18, 2015. The following action was taken:

**The BAR accepted the applicant's request for deferral (8-0). The BAR is requesting a slight change in design to make the gable roof asymmetrical, allowing the applicant to return with multiple options; with a standard detail of the panel as it comes to the edge, a front elevation drawing of the whole front of the building and perspectives of the building in context with the adjacent building and the mall.**

**Please let me know when you are ready to return to the BAR.**

If you have any questions, please contact me at 434-970-3130 or [scala@charlottesville.org](mailto: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](mailto:scala@charlottesville.org)

**CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
STAFF REPORT  
August 18, 2015**



**Certificate of Appropriateness Application**

BAR 15-08-08

422 East Main Street

Tax Parcel 28052000

Virginia Pacific Investments, LLC, Owner/ 5<sup>th</sup> & Main Holdings, LLC; Commonwealth Skybar,  
Applicant

Metal and translucent panel cover for top of existing Skybar.

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**Background**

This property is a contributing structure in the Downtown ADC district. It is described in the National Register Nomination Form as brick (painted) with aluminum façade; 1 story; shed roof; 5 bays. Commercial Vernacular, Ca.1900. Central-bay entrance; plate glass windows. The building was originally a two story building, but the second story was either burned or removed and a new façade installed on the front and front side most likely in the mid-20<sup>th</sup> century.

It was most recently used as the Commonwealth Restaurant and Skybar.

March 21, 2006 - The BAR approved (7-0) façade renovations and window additions to the 5<sup>th</sup> Street façade (these renovations for a proposed Littlejohn's Deli were never completed).

October 16, 2007 - The BAR approved (5-2) the application except the color of the glazed block and the material/profile of the cornice, both of which shall be brought back to the BAR for final approval. A condition of the approval is that the top of the reworked windows on the 5<sup>th</sup> Street side shall meet the spring point of the arch. It was recommended that the glazed block color be coordinated with the upper sign panel color. (These renovations for a grocery store were never completed.)

September 16, 2008 - The BAR approved (4-2) the application as submitted as a temporary sign; with temporary being defined as two months from the date of approval.

September 21, 2010 - The BAR accepted the applicant's deferral (8-0). Comments made were: needs to be calmer and more unified; subdue the palette; suggest minimal scheme using existing shell; let the roof of penthouse become a big eave or overhang; glass guardrail undermines pilaster ending.

October 19, 2010 - The BAR approved (5-0) the proposed new building renovation as submitted, with the condition that the applicant considers the comments discussed in the meeting about lowering the west wall.

November 15, 2011 - The BAR moved to deny the application. The motion failed (4-4 with Knight, Wolf, DeLoach, and Graves opposed).

Then the BAR approved (7-1-1 with Osteen opposed and Hogg recused) a motion to provide a temporary grace period through March 15, 2012, extending it to all applicants, including previous applicants currently considering adding a tent, with the understanding that these tents are temporary until the Spring, to give the BAR time to have one or more work sessions to define language that fits within the Design

Guidelines that regulates structures not considered temporary (i.e., 7 days or less) when they occupy a site or are attached to a building within a historic design control district.

February 15, 2011 - The BAR approved (7-0) revisions to the design as submitted.

April 19, 2011 – The BAR approved (7-0) revised materials and colors on the consent agenda.

July 19, 2011 - Approved (7-0) the revisions to the original design for the front canopy, window head/canopy heights, and brick finish as submitted. Further, the BAR requires that the design for the new outdoor café platforms be revisited as discussed and submitted for administrative approval (relate at least wood portion of 2-3 decks to the building openings, possibly combine first 2 decks; make steel thresholds look solid; suggest fixed stanchions.)

- The applicant should use the least obtrusive manner of finishing the brick.
- The stucco application and backing should be clarified as discussed.
- The applicant has agreed to remove the platforms at end of café season each year.

October 16, 2012 – The BAR accepted (5-0) the applicant's request for deferral.

October 15, 2013 – The BAR approved (6-0) as submitted a seasonal temporary roof structure to be enclosed during the winter months. The motion was then amended (6-0) to allow the applicant to keep his current tent in place until January 3, 2014, but with no extensions, to allow time to construct the roof enclosure structure.

### **Application**

The applicant is requesting approval for a metal and translucent panel cover for the top of the existing Skybar. The details for construction have been fully considered and designed.

A list of the proposed changes in bullet point form can be found on the first page of the application. The main difference visually is that the front part of the tent has a gable shape, and the side roof covers are slightly sloped for drainage.

The framing is powder coated gray aluminum that connects to the existing railing and building structure. The cover panels are rigid Sunpal multiwall ribbed polycarbonate. A Kedar clip system would be used to attach clear vinyl side panels on tracks in winter.

### **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 Design Review Guidelines – Rehabilitation**

### **B. FACADES AND STOREFRONTS**

*Over time, commercial buildings are altered or remodeled to reflect current fashions or to eliminate maintenance problems. Often these improvements are misguided and result in a disjointed and unappealing appearance. Other improvements that use good materials and sensitive design may be as attractive as the original building and these changes should be saved. The following guidelines will help to determine what is worth saving and what should be rebuilt.*

- 1) Conduct pictorial research to determine the design of the original building or early changes.*
- 2) Conduct exploratory demolition to determine what original fabric remains and its condition.*
- 3) Remove any inappropriate materials, signs, or canopies covering the façade.*
- 4) Retain all elements, materials, and features that are original to the building or are contextual remodelings, and repair as necessary.*
- 5) Restore as many original elements as possible, particularly the materials, windows, decorative details, and cornice.*
- 6) When designing new elements, base the design on the 'typical elements of a commercial façade and storefront' (see drawing).*
- 7) Reconstruct missing or original elements, such as cornices, windows, and storefronts, if documentation is available.*
- 8) Design new elements that respect the character, materials, and design of the building.*
- 9) False historical appearances, such as "Colonial," "Olde English," or other theme designs, should not be used.*
- 10) Depending on the existing building's age, originality of the design and architectural significance, in some cases there may be the opportunity to create a more contemporary façade design when undertaking a renovation project.*
- 11) Avoid using materials that are incompatible with the building or within the specific districts, including textured wood siding, unpainted wood, artificial siding, and wood shingles.*
- 12) Avoid using inappropriate elements, such as mansard roofs, small paned windows, plastic shutters, inoperable shutters, or shutters on windows, where they never previously existed.*
- 13) Maintain paint on wood surfaces.*
- 14) Use appropriate paint placement to enhance the inherent design of the building.*

## **Pertinent Design Guidelines – Signs, Awning, Vending, and Cafes**

### **G. TENTS (INCLUDING TENT CANOPIES) FOR THE WINTER CAFÉ SEASON OR YEAR-ROUND USE**

- 1. Tents are generally not appropriate in historic districts that are primarily residential (North Downtown, Wertland Street, Ridge Street, Oakhurst-Gildersleeve, Rugby Road-Venable, most of Martha Jefferson).*
- 2. Tents may be appropriate in the Downtown, the Corner, and the West Main Street ADC districts, and in the mixed use/commercial areas of Martha Jefferson Conservation District, except tents are not appropriate on the Downtown mall portion of East and West Main Streets, including Central Place, and on the side streets leading to the mall.*

3. *Traditional solutions such as patio umbrellas and tree shade are encouraged.*
4. *Tents are not appropriate on the upper floors or roof of buildings.*
5. *Tents are not appropriate in front of a contributing building.*
6. *Tents may be appropriate in front of a non-contributing building, depending on the tent materials, and the impact of its footprint and massing on the streetscape and building.*
7. *Tents may be appropriate on the rear or side of a building.*
8. *Tents should not permanently alter significant landscaping or site features.*
9. *Tents should be a solid color, without any text or logos.*

## **Pertinent Design Review Guidelines – New Construction and Additions**

### **P. ADDITIONS**

*Many of the smaller commercial and other business buildings may be enlarged as development pressure increases in downtown Charlottesville and along West Main Street. These existing structures may be increased in size by constructing new additions on the rear or side or in some cases by carefully adding on extra levels above the current roof. The design of new additions on all elevations that are prominently visible should follow the guidelines for new construction as described earlier in this section. Several other considerations that are specific to new additions in the historic districts are listed below:*

#### **1. Function and Size**

- a. Attempt to accommodate needed functions within the existing structure without building an addition.*
- b. Limit the size of the addition so that it does not visually overpower the existing building.*

#### **2. Location**

- a. Attempt to locate the addition on rear or side elevations that are not visible from the street.*
- b. If additional floors are constructed on top of a building, set the addition back from the main façade so that its visual impact is minimized.*
- c. If the addition is located on a primary elevation facing the street or if a rear addition faces a street, parking area, or an important pedestrian route, the façade of the addition should be treated under the new construction guidelines.*

#### **3. Design**

- a. New additions should not destroy historic materials that characterize the property.*
- b. The new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

#### **4. Replication of Style**

- a. A new addition should not be an exact copy of the design of the existing historic building. The design of new additions can be compatible with and respectful of existing buildings without being a mimicry of their original design.*
- b. If the new addition appears to be part of the existing building, the integrity of the original historic design is compromised and the viewer is confused over what is historic and what is new.*

#### **5. Materials and Features**

- a. Use materials, windows, doors, architectural detailing, roofs, and colors that are compatible with historic buildings in the district.*

#### **6. Attachment to Existing Building**

- a. Wherever possible, new additions or alterations to existing buildings should be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the buildings would be unimpaired.*

*b. The new design should not use the same wall plane, roof line, or cornice line of the existing structure.*

### **Discussion and Recommendations**

The applicant is proposing a solution to the Skybar's tent dilemma. The original proposal for this tent-like addition came before the BAR October 15, 2013 and was approved. However, the building code prevented the tent to be constructed as approved, because the building was not sprinklered for fire protection. The building has now been fully sprinklered, This proposal has changed slightly from the previous approval. The applicant still wants to leave a designed steel framework in place and have clear panels that may be attached in cold weather. This structure is arguably not a tent, and may be reviewed as an addition to the building.

In staff's opinion, this structure is complementary to the building, and will continue to function as a festive addition to the east end of the mall.

### **Suggested Motion**

Having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitation, for Cafes, and for Additions, I move to find that the new metal and translucent panel cover for the top of the existing Skybar satisfies the BAR's criteria and is compatible with this property and other properties in the Downtown ADC 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

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 Virginia Pacific Investments LLC Applicant Name 5th + Main Holdings LLC T/A  
Commonwealth Skybar  
Project Name/Description Skybar Roofcover Parcel Number \_\_\_\_\_  
Property Address 422 E. MAIN STREET, CHARLOTTESVILLE, VA 22902

### Applicant Information

Address: 422 E. MAIN STREET  
CHARLOTTESVILLE, VA 22902  
Email: rich@commonwealthskybar.com  
Phone: (W) 434 202 7728 (H) 434 960 5638  
FAX: \_\_\_\_\_

### Property Owner Information (If not applicant)

Address: 2088 Union St., Suite 1  
Email: alan@alimari.com  
Phone: (W) 415-425-2501 (H) W 415-974-9444  
FAX: \_\_\_\_\_

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

### 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] 7/27/15  
Signature Date  
Rich Baker 7/27/15  
Print Name Date

### Property Owner Permission (If not applicant)

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

[Signature] 7/27/15  
Signature Date  
Allan H. Cadzone 7/27/15  
Print Name Date

Description of Proposed Work (attach separate narrative if necessary): metal + translucent  
Panel cover for top of existing Skybar.

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

### For Office Use Only

Received by: O. Eubank  
Fee paid: 125.00 Cash/Ck. # 12921  
Date Received: 7/28/15

Approved/Disapproved by: \_\_\_\_\_  
Date: \_\_\_\_\_  
Conditions of approval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Commonwealthskybar , Contact: Rich Baker 434.202.7728 rich@commonwealthskybar.com

#### 7.14.15 Summary of proposed changes to Skybar Cover:

Some changes to the original idea have made themselves apparent:

- The mounting point for the long side cover has to move up to be even with the edge of the metal flashing for the roof, this is a result of the installation of the sprinkler system and the minimum distance to the sprinkler heads.
- The front cover has to be of adequate height to accommodate the sprinkler system.
- The front cover has to be slightly above the height of the roof over the bar area and have a larger pitch to facilitate rain and snow load.
- The cover has to be made out of a stronger material for the same reason
- The span of each individual top panel is 2' between supports, resulting in a much stronger structure.
- The cover material is 90% translucent.
- The long side cover is not movable and fastened to the sidewall.
- The front cover rides on a track and can be opened and closed based on weather. When the front cover is open, it sits on a track on top of the existing roof. The cover has a mechanical stop and can be locked in the open or closed position.
- The front cover can have a center pitch, be pitched away from the existing sidewall or from the existing roof towards the mall.
- All metal is painted grey (not black) in color to match the building existing metal work and building materials.
- The proposed material is rated at 35 pounds per square foot for snow load and 75 MPH wind speeds.
- The proposed cover system has built in water channels to route water.
- The updated cover would still use clear vinyl side panels on tracks in winter.



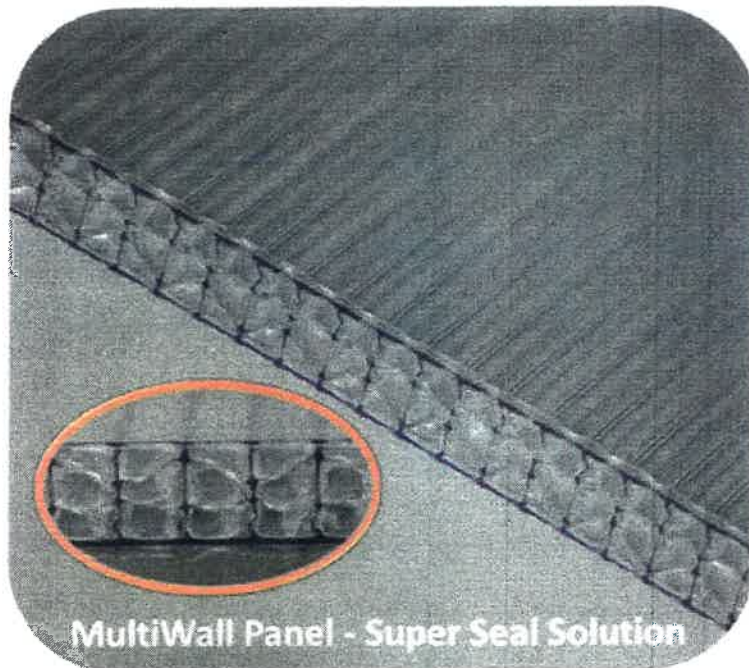
## List of Materials

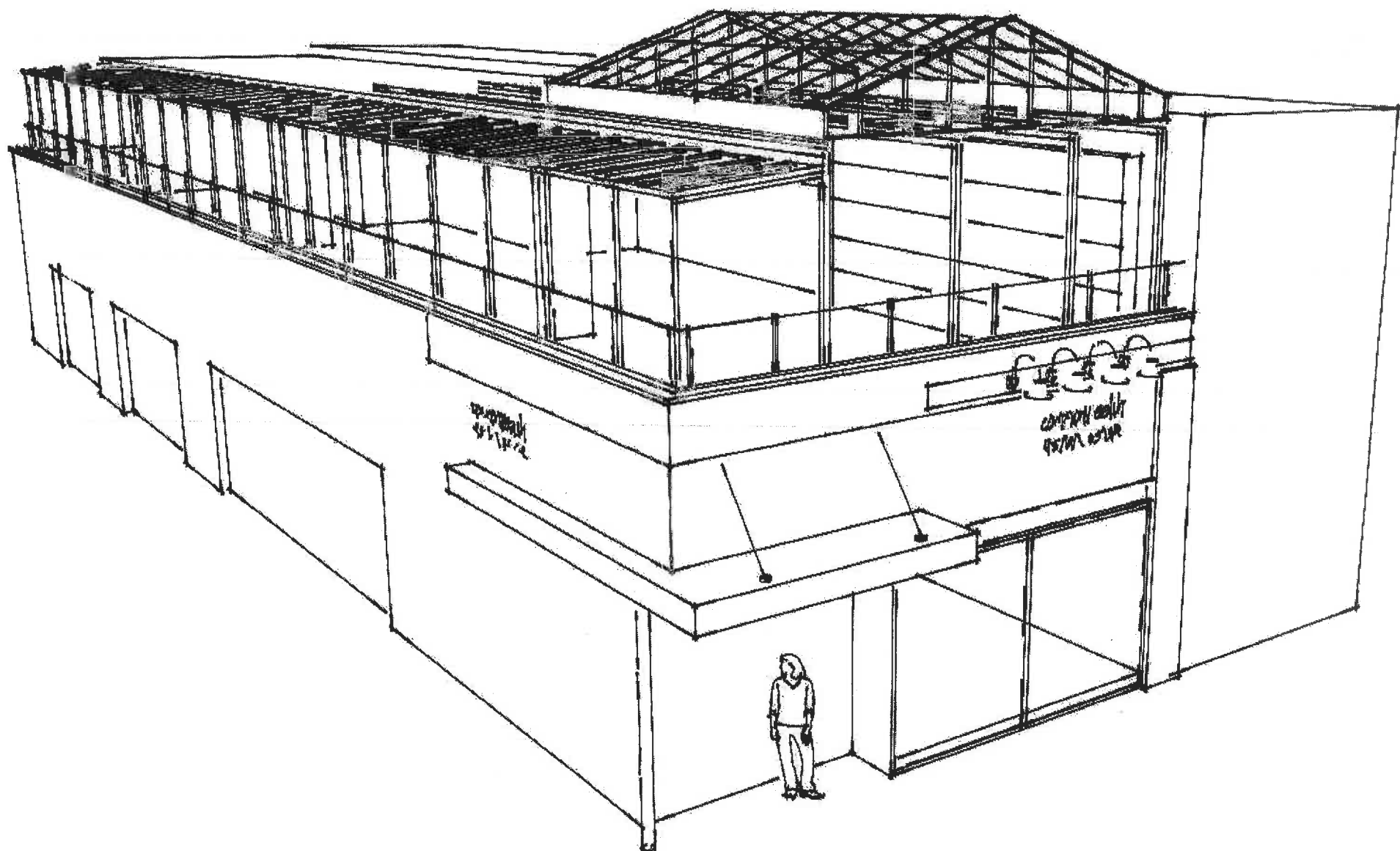
3" Square Steel Existing supports track for front section over patio. Support frame to be sized per engineer recommendation.

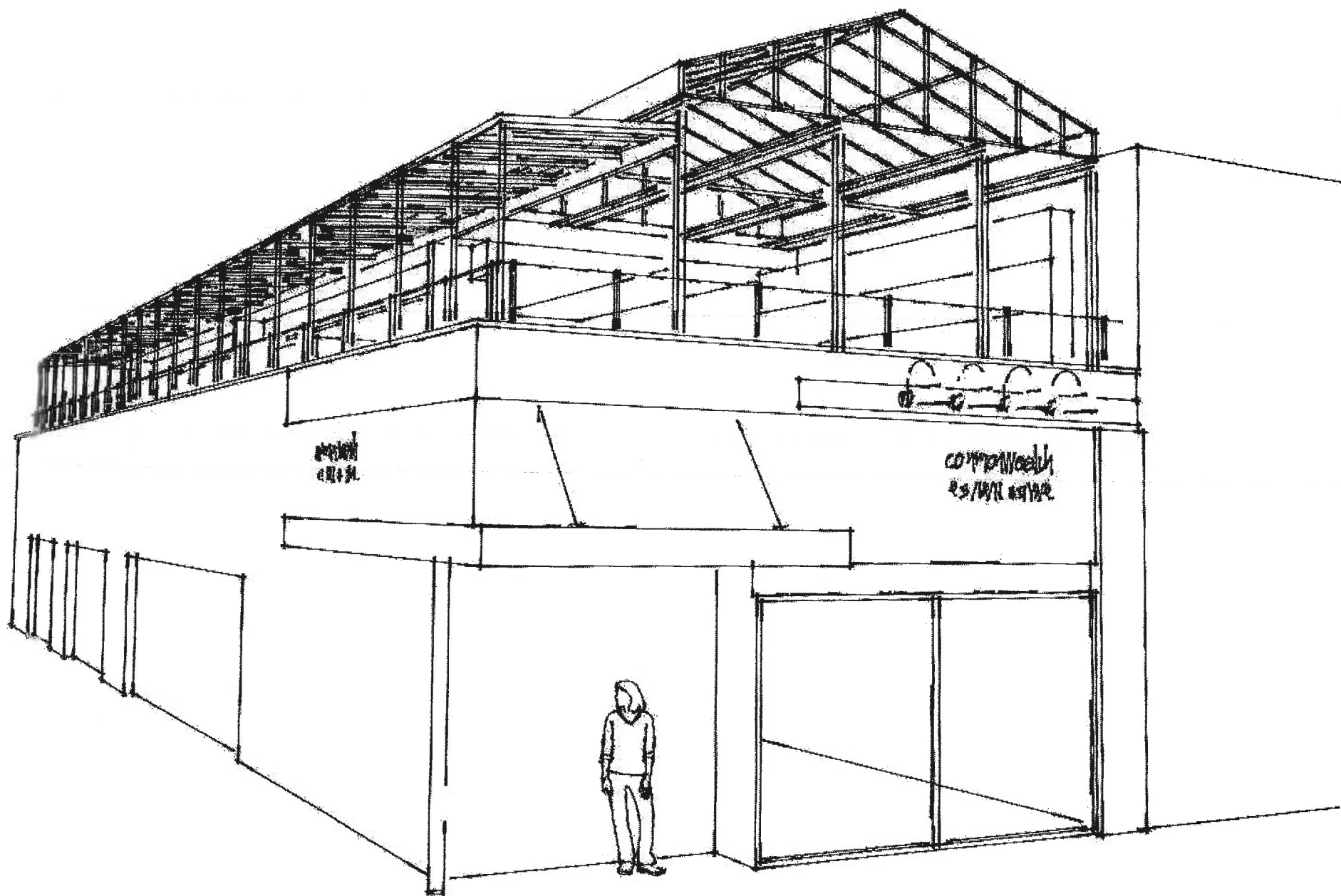
Grey powder coated aluminum framing for cover will connect to existing railing structure. Down Leg supports are 1" by 3" spaced 6 - 8' apart. Panel supports for roof panels are 2' on center.

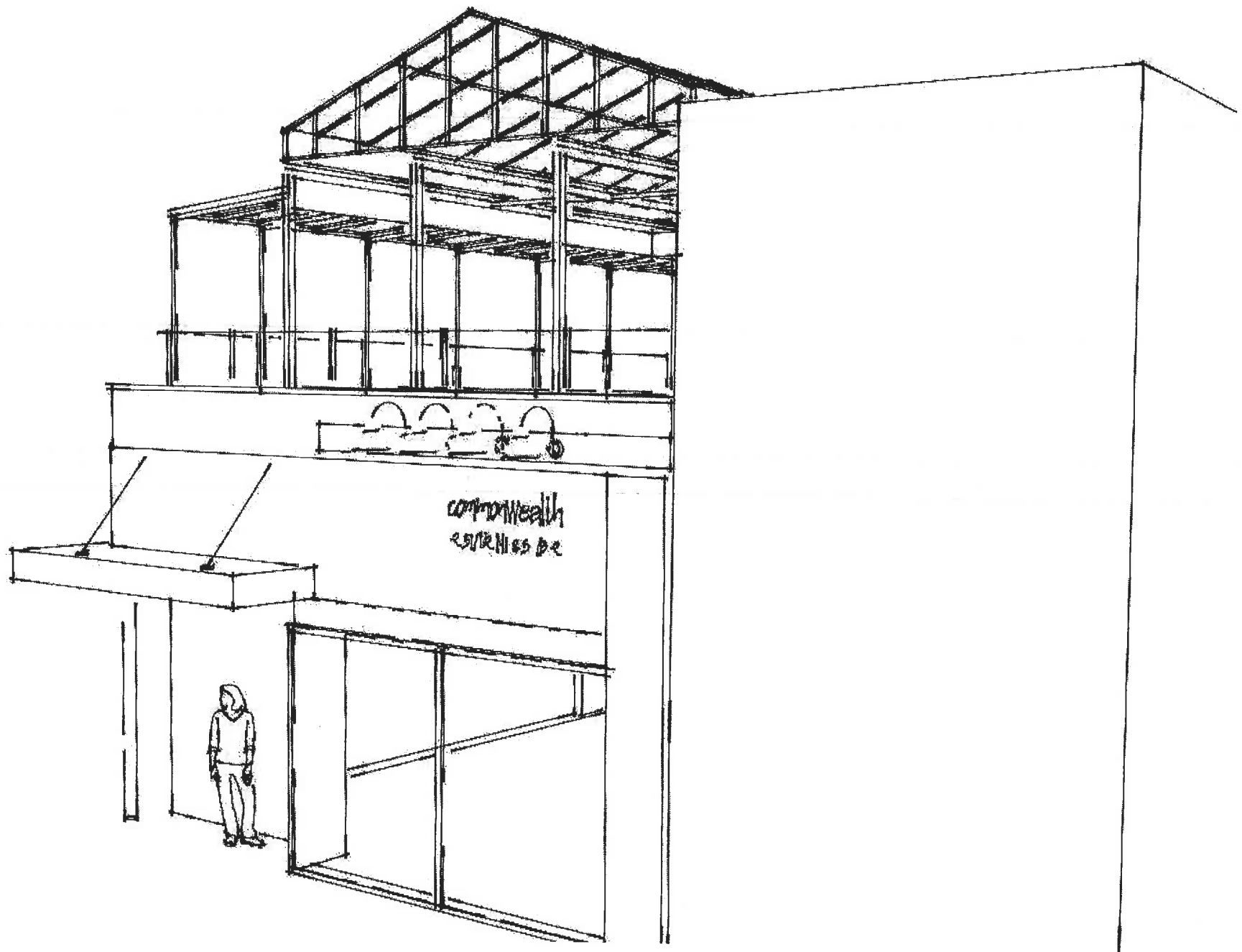
Panels are "Click and lock" Sunpal multiwall ribbed polycarbonate roof panels. SUNPAL is an advanced multiwall polycarbonate panel system that combines proven design, light transmission, thermal insulation and strength. It offers a lightweight, leak-proof design that withstands very high loads and accommodates expansion and contraction. The system's distinct advantages make it ideal for long-term application on many types of projects. As with any true architectural glazing system, SUNPAL is appropriate for a variety of roofing and cladding designs, flat or curved.

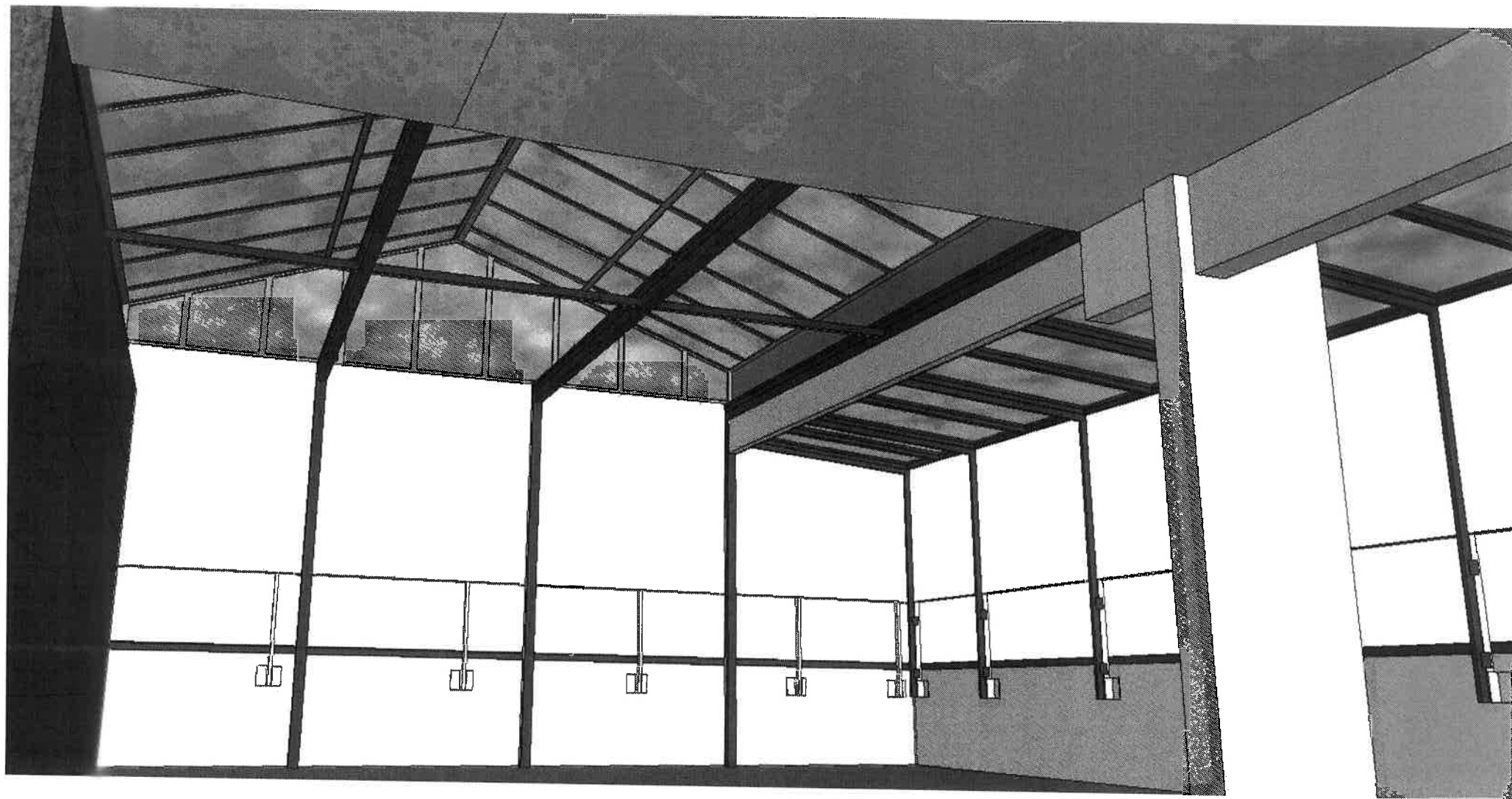
Product has minimum snow load of 30lbs per square foot with 50% additional margin of safety. Panels are hail resistant. Wind resistance up to 75mph. Panel life expectancy is 30 years.

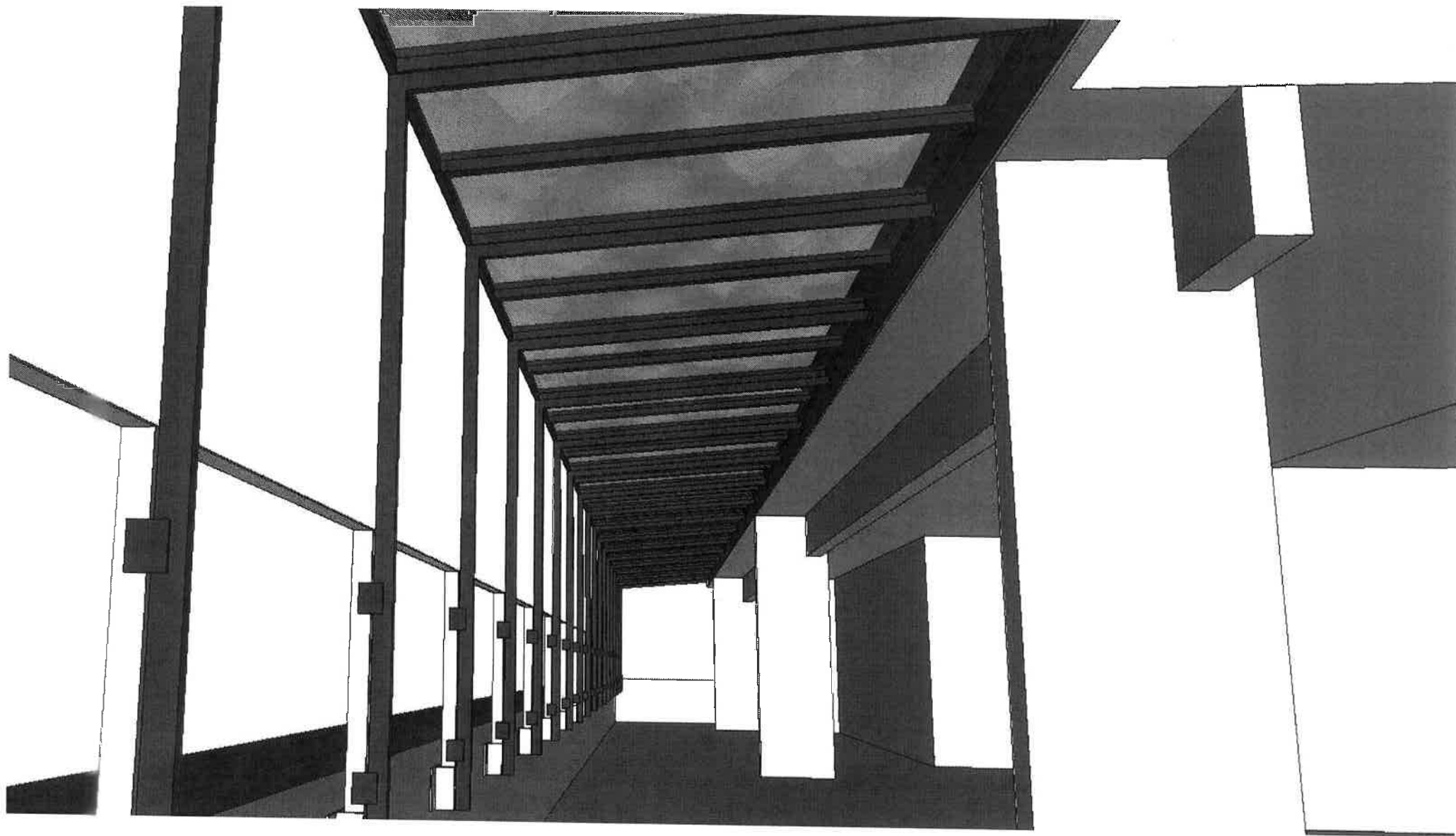


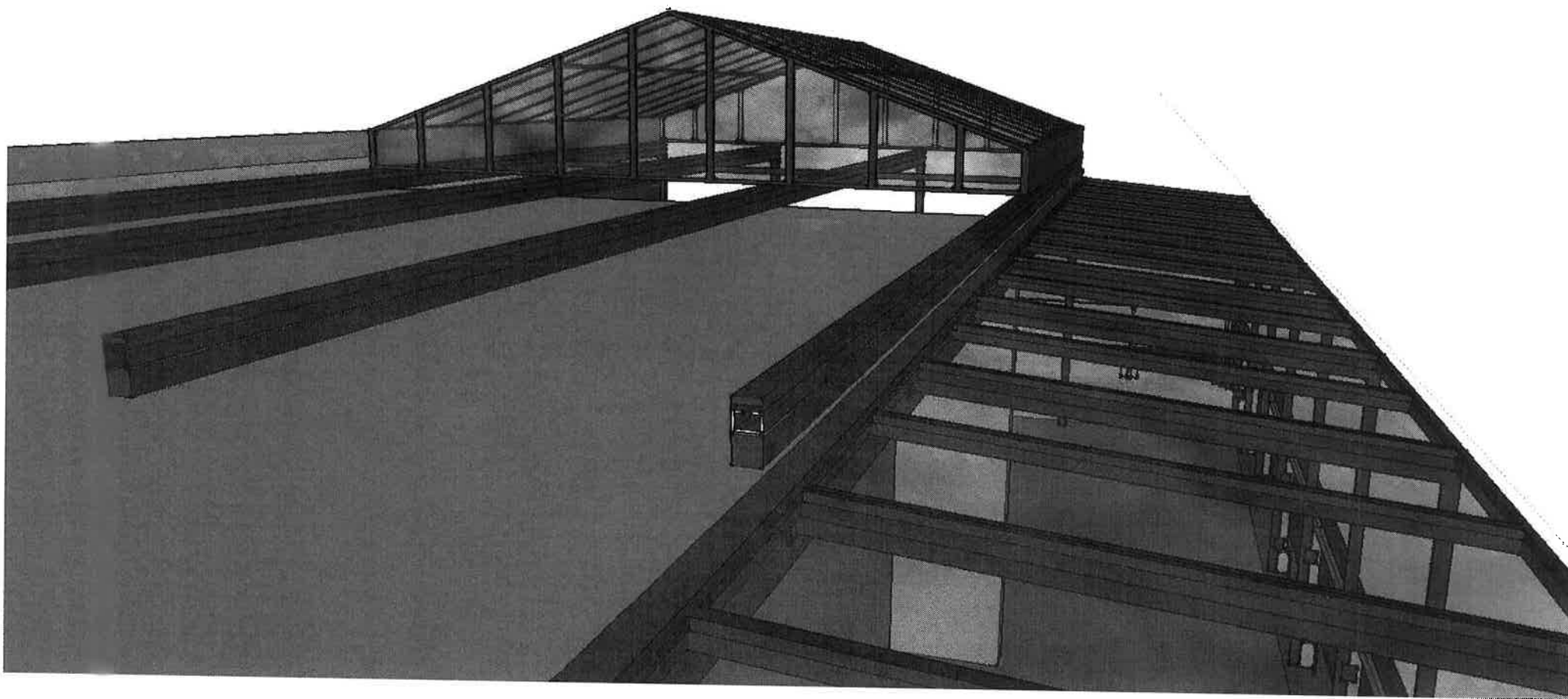


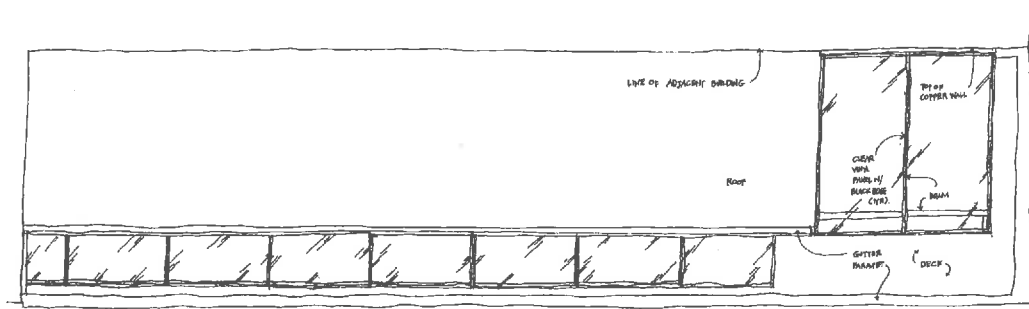








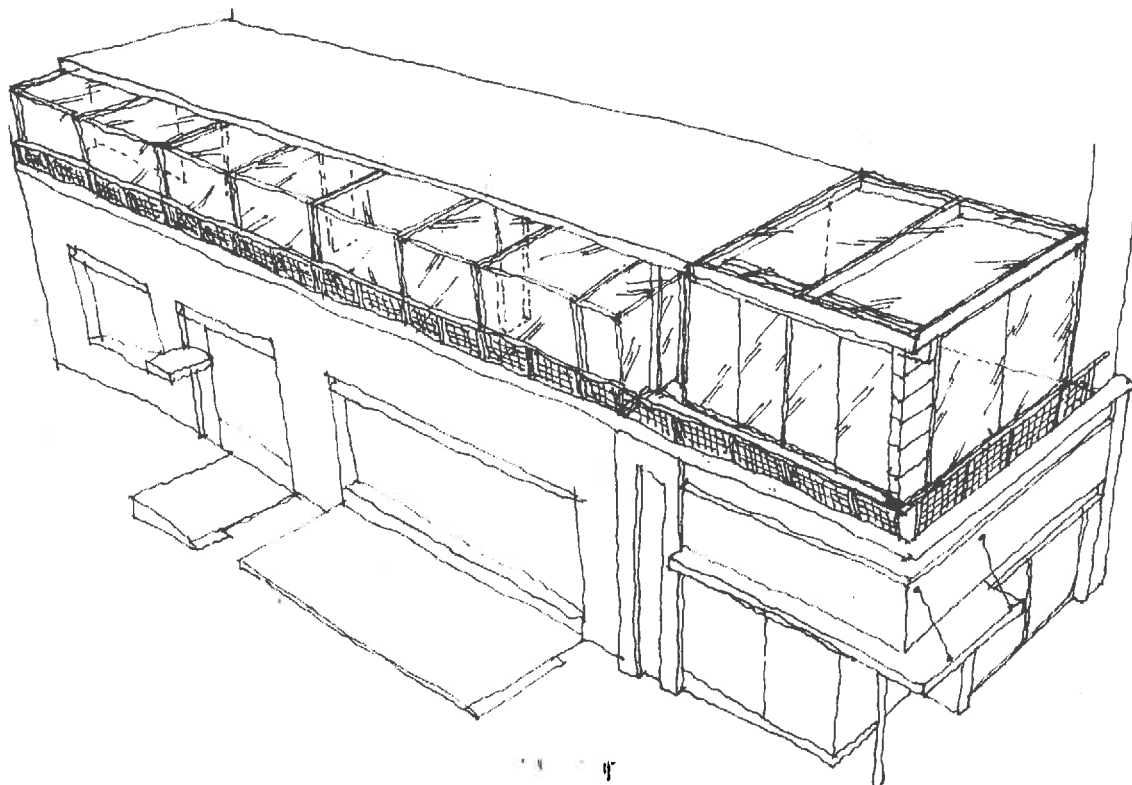




ROOF - PHASE 2 - PLAN

CUSTOMER'S INTERNAL ROOF STRUCTURE  
 (NOT TO SCALE) 20/01/05





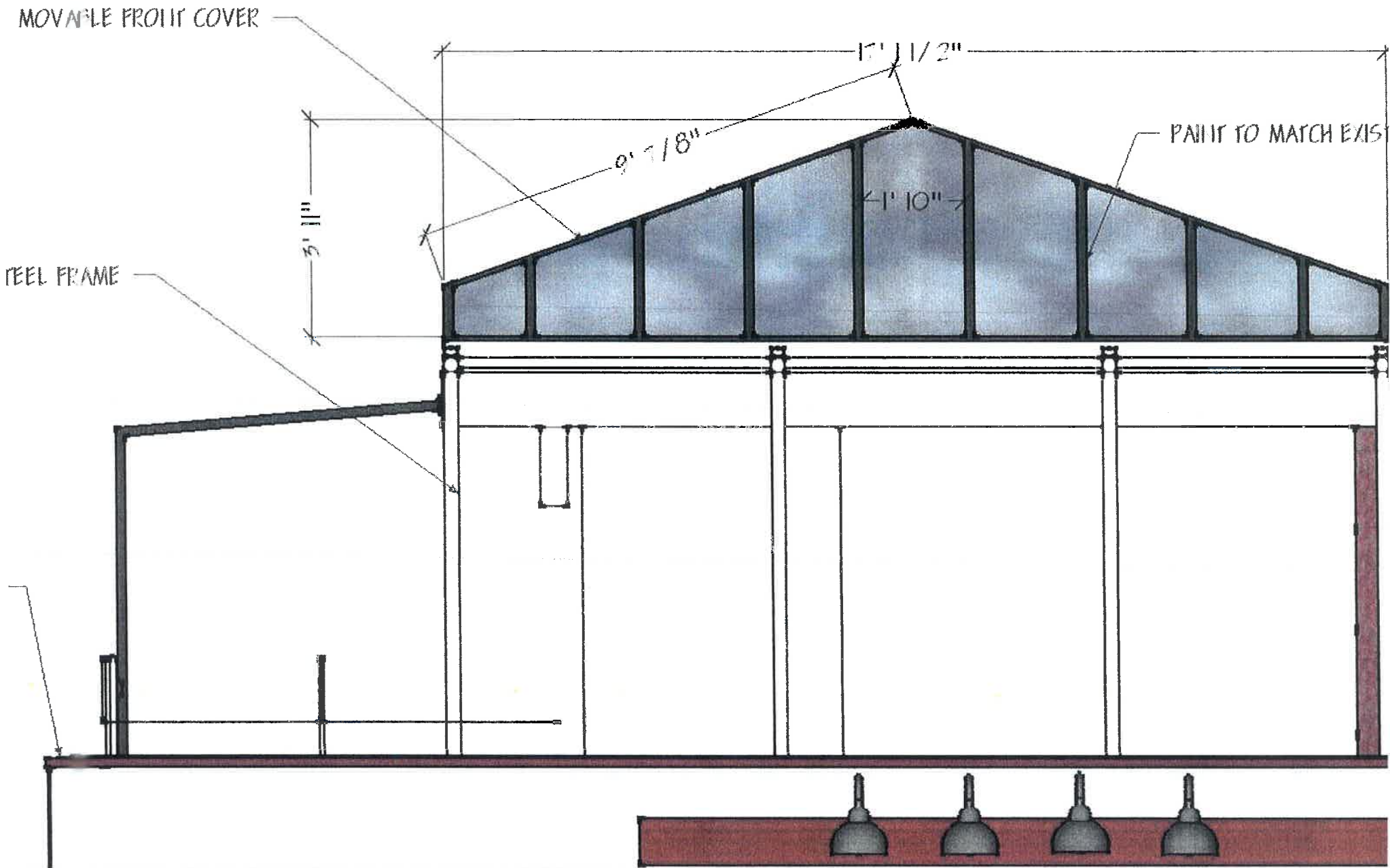
SKYBAR TRELLIS  
AERIAL VIEW - PHASE 2

COMMONWEALTH TEMPORARY ROOF ENCLOSURE  
KORHEN BARON STUDIO 5/24/18

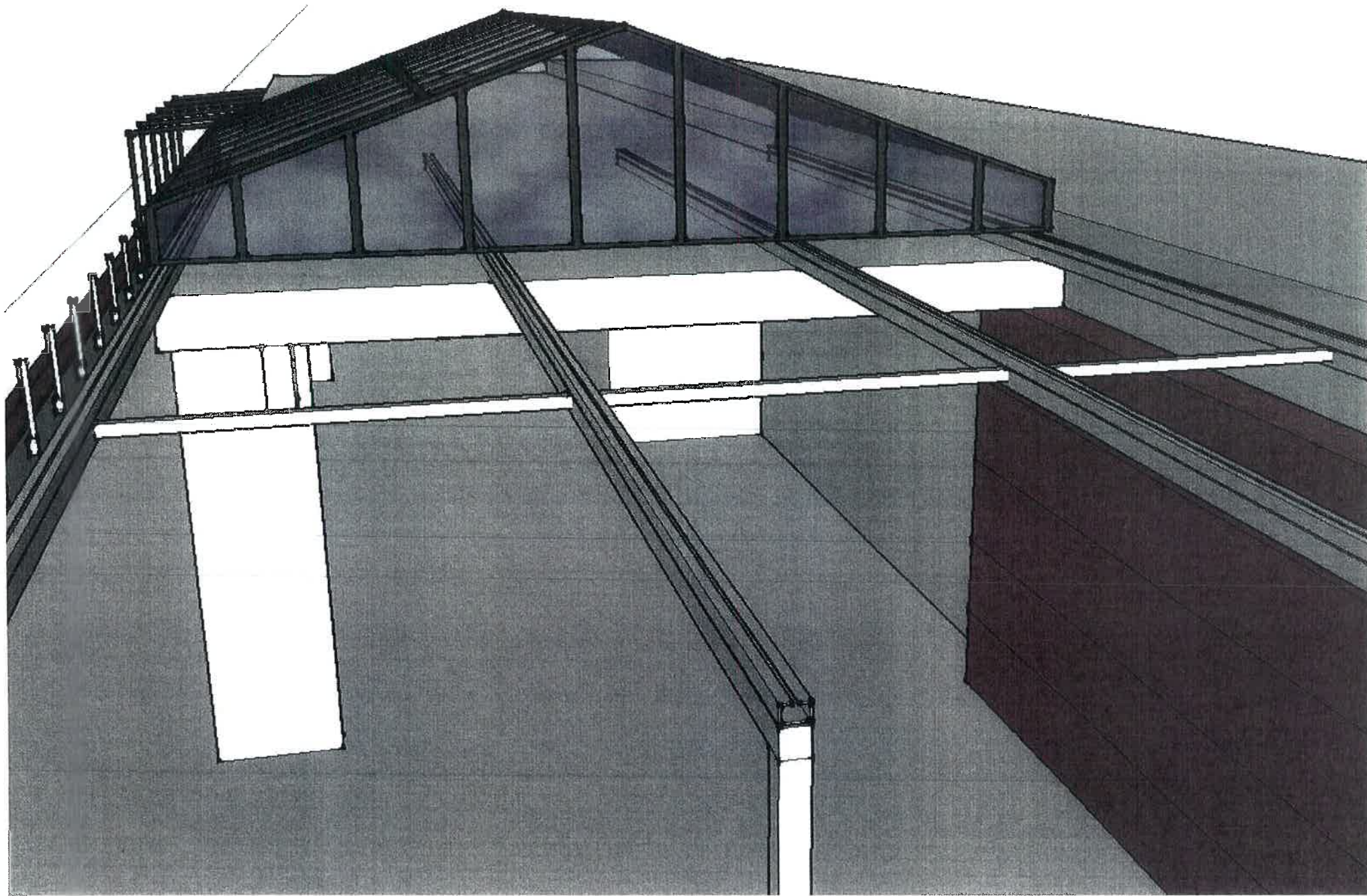


MOVABLE FRONT COVER

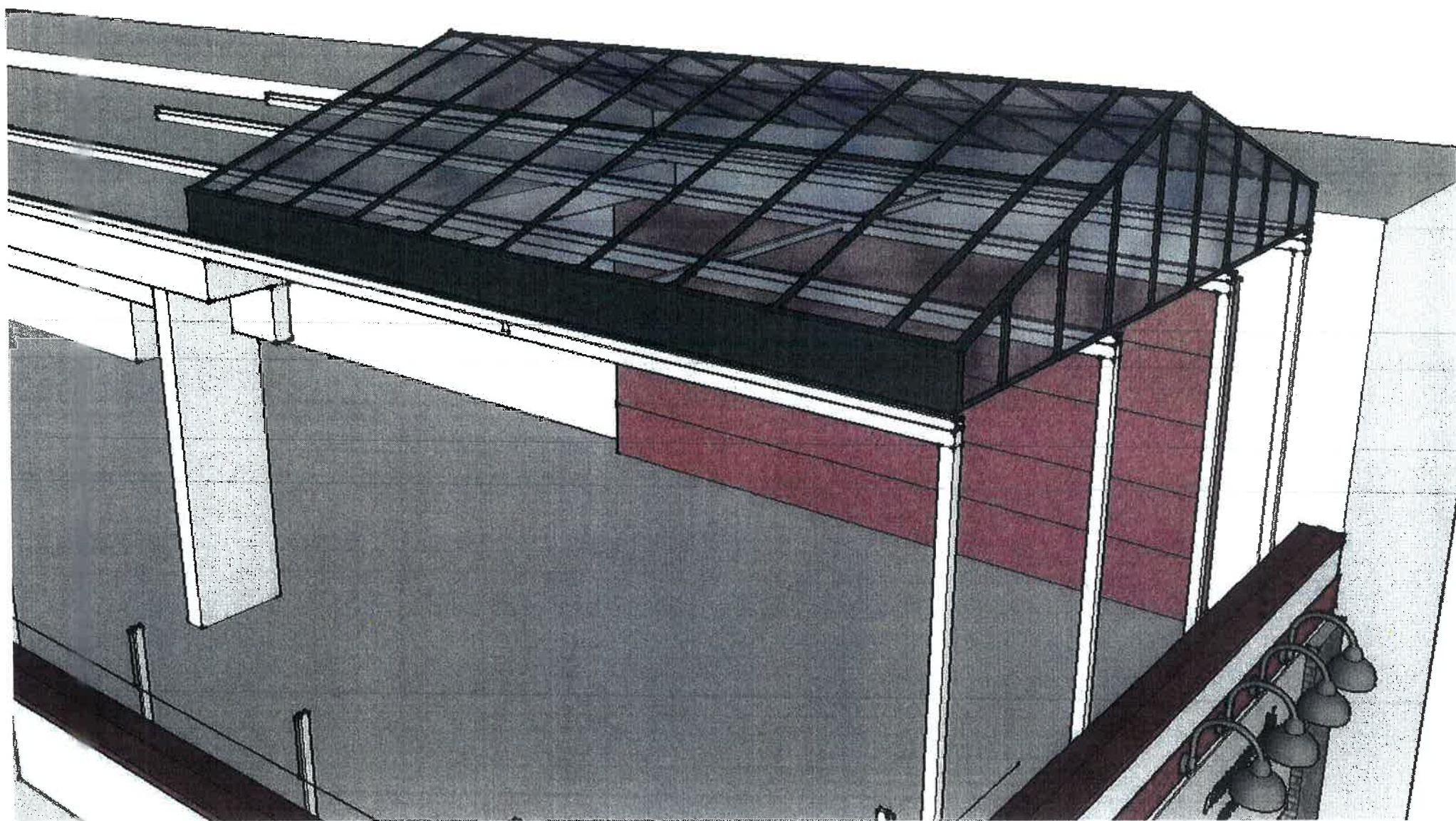
STEEL FRAME

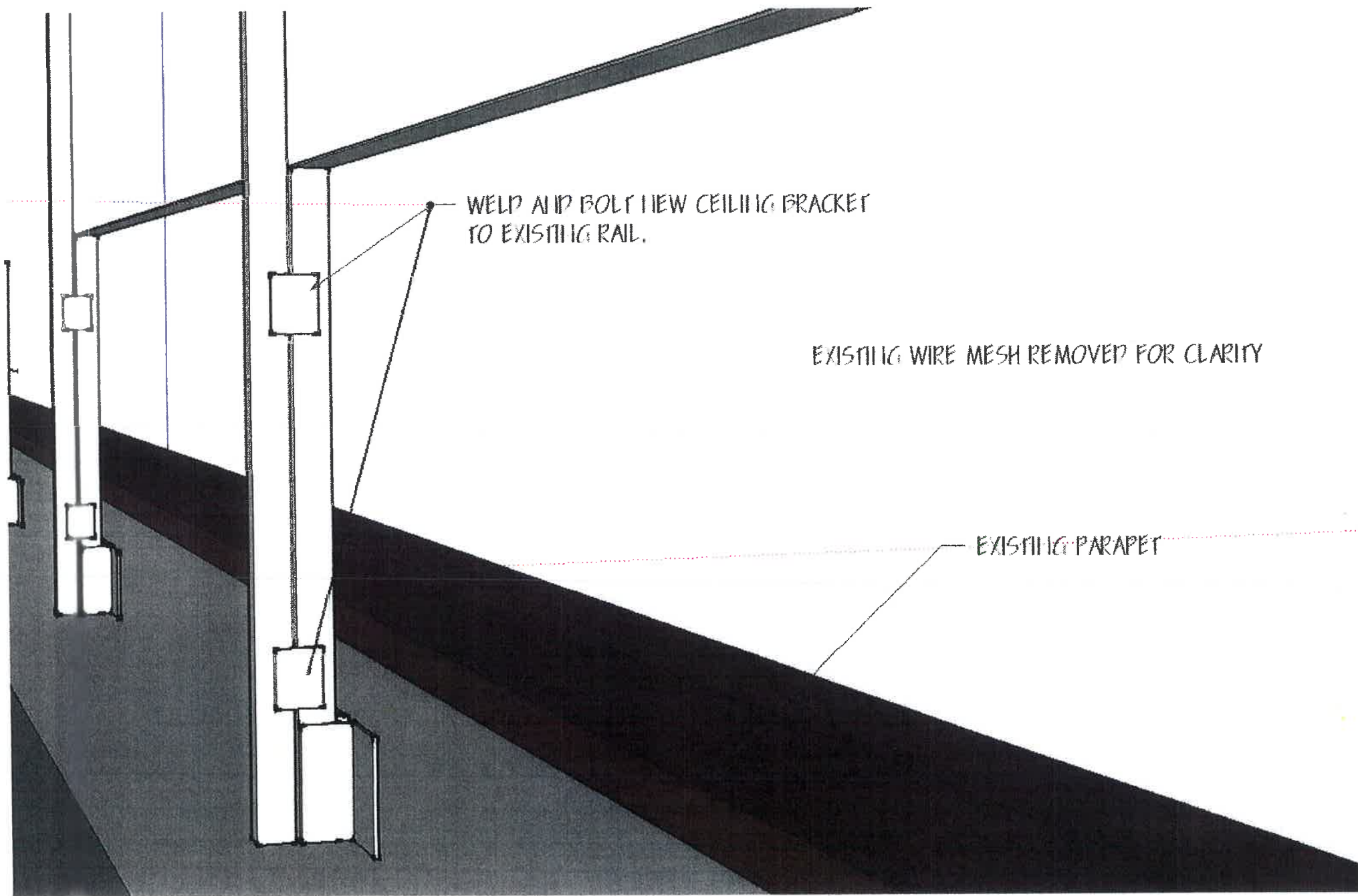




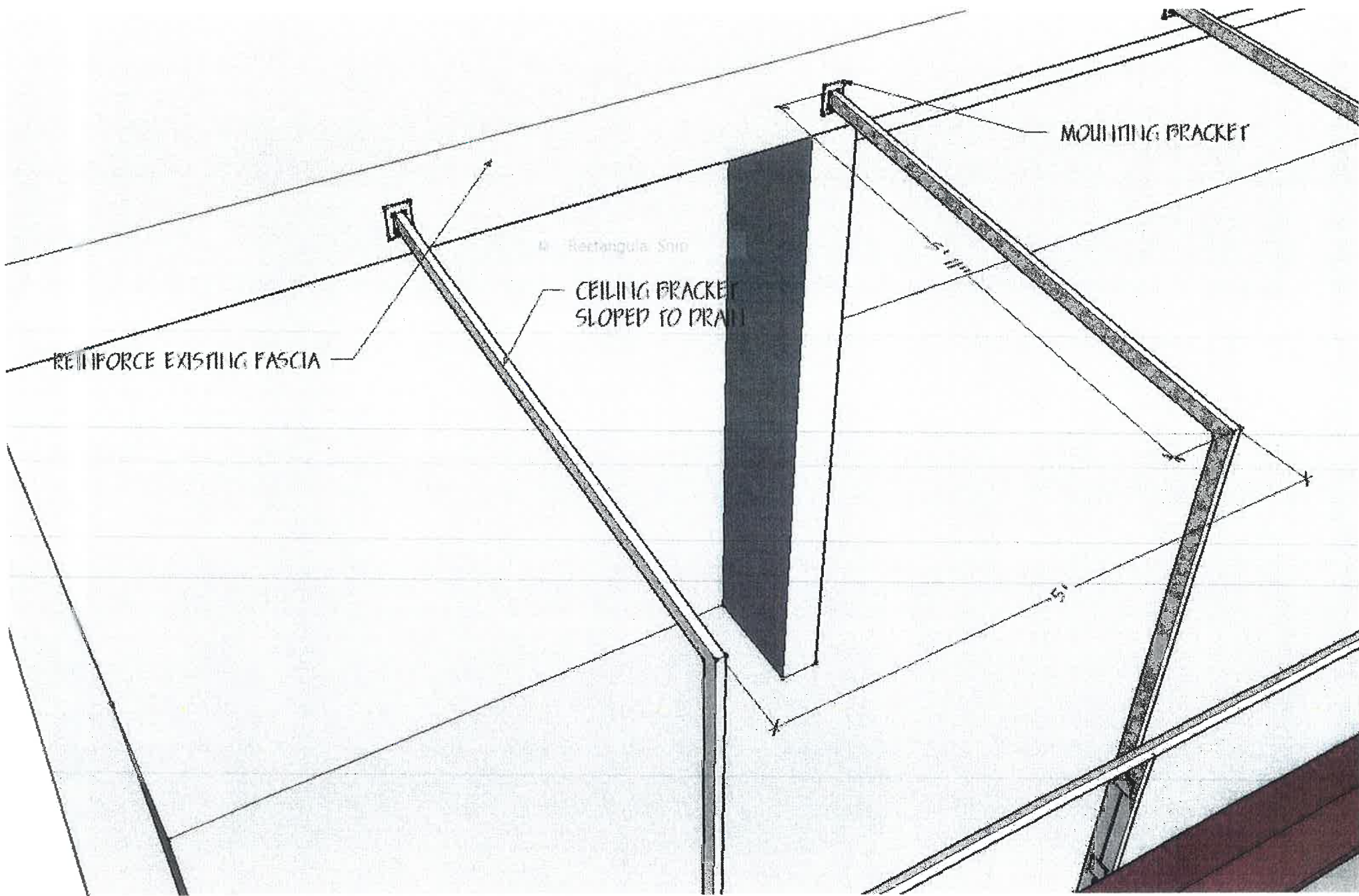


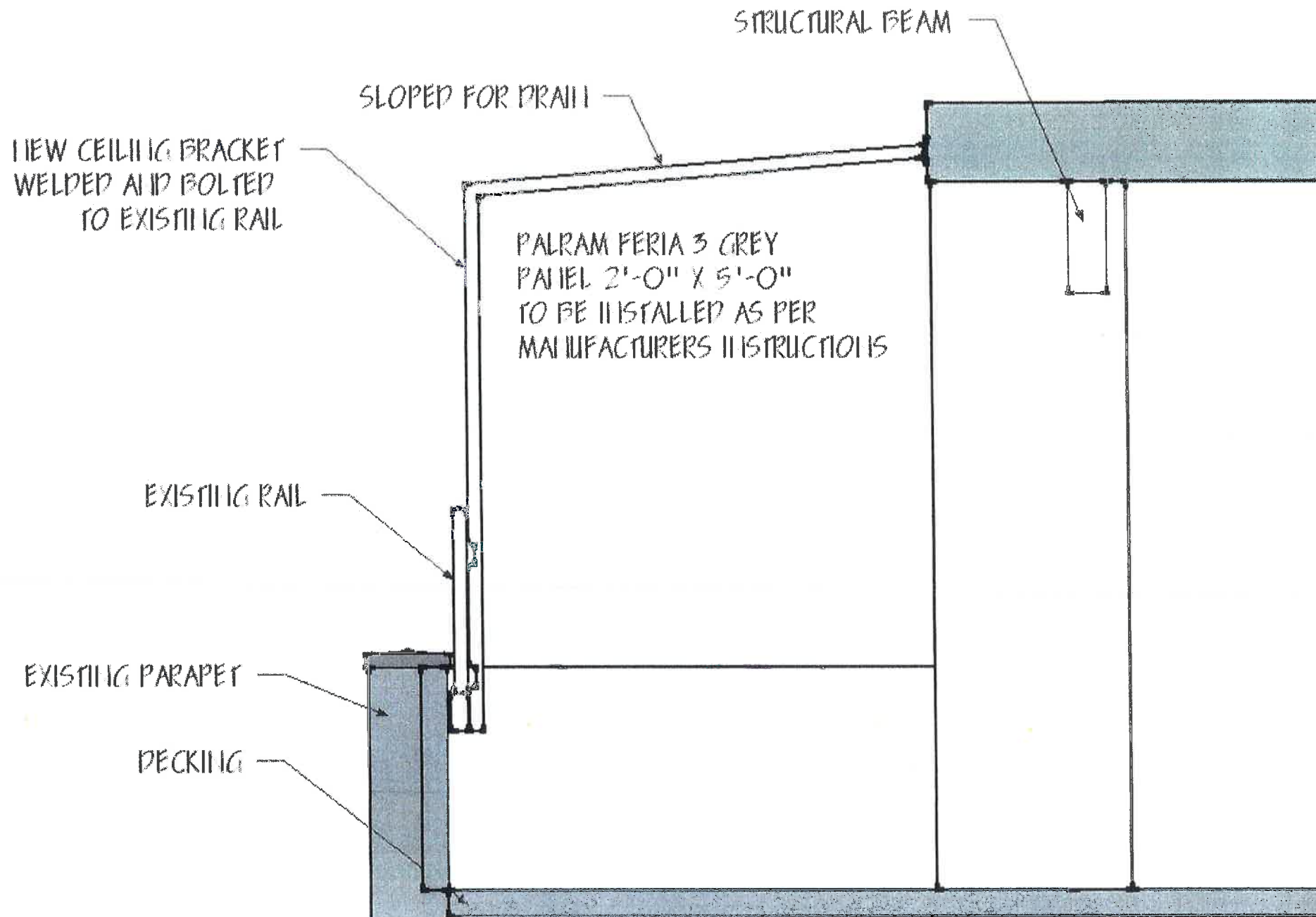




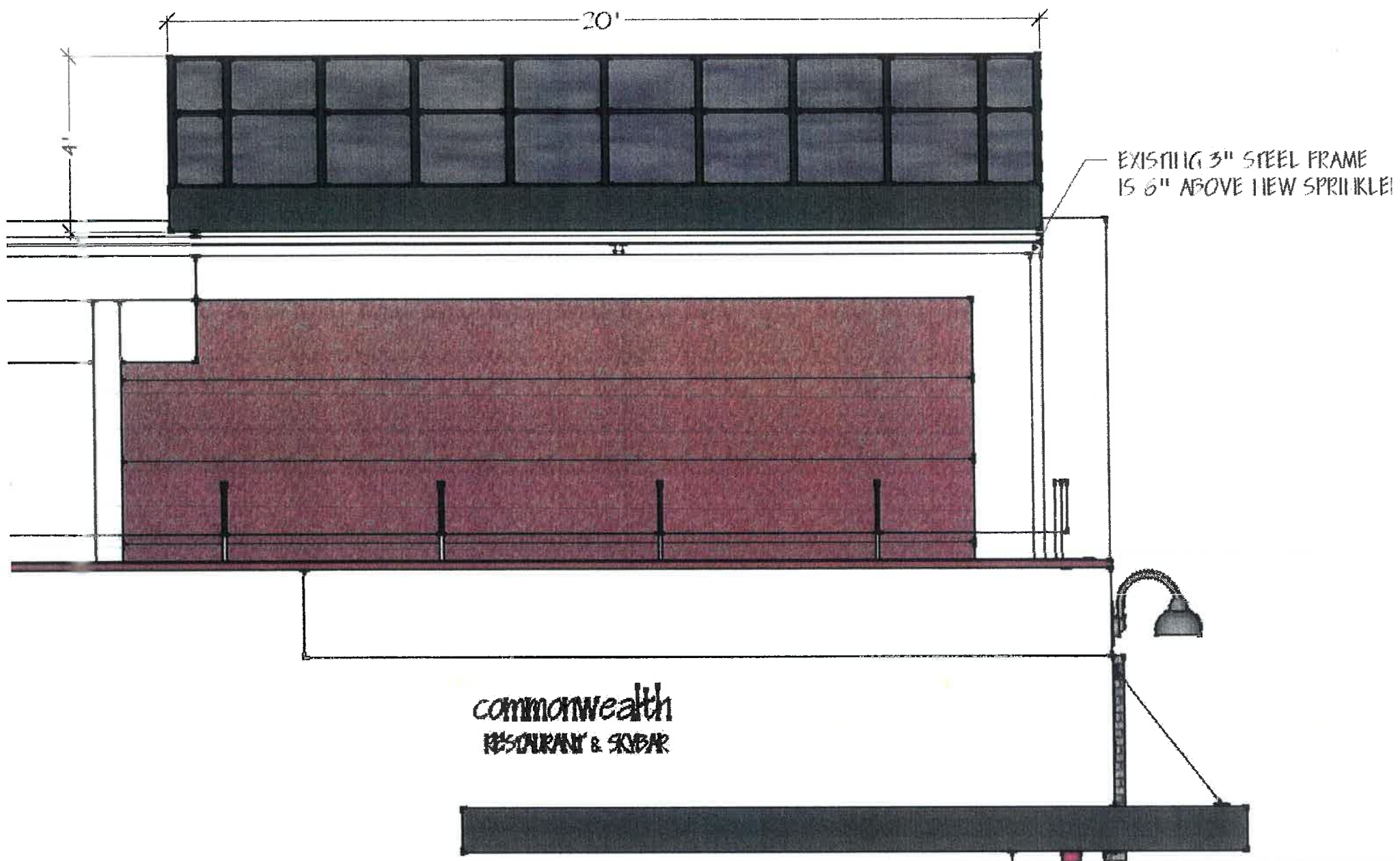




















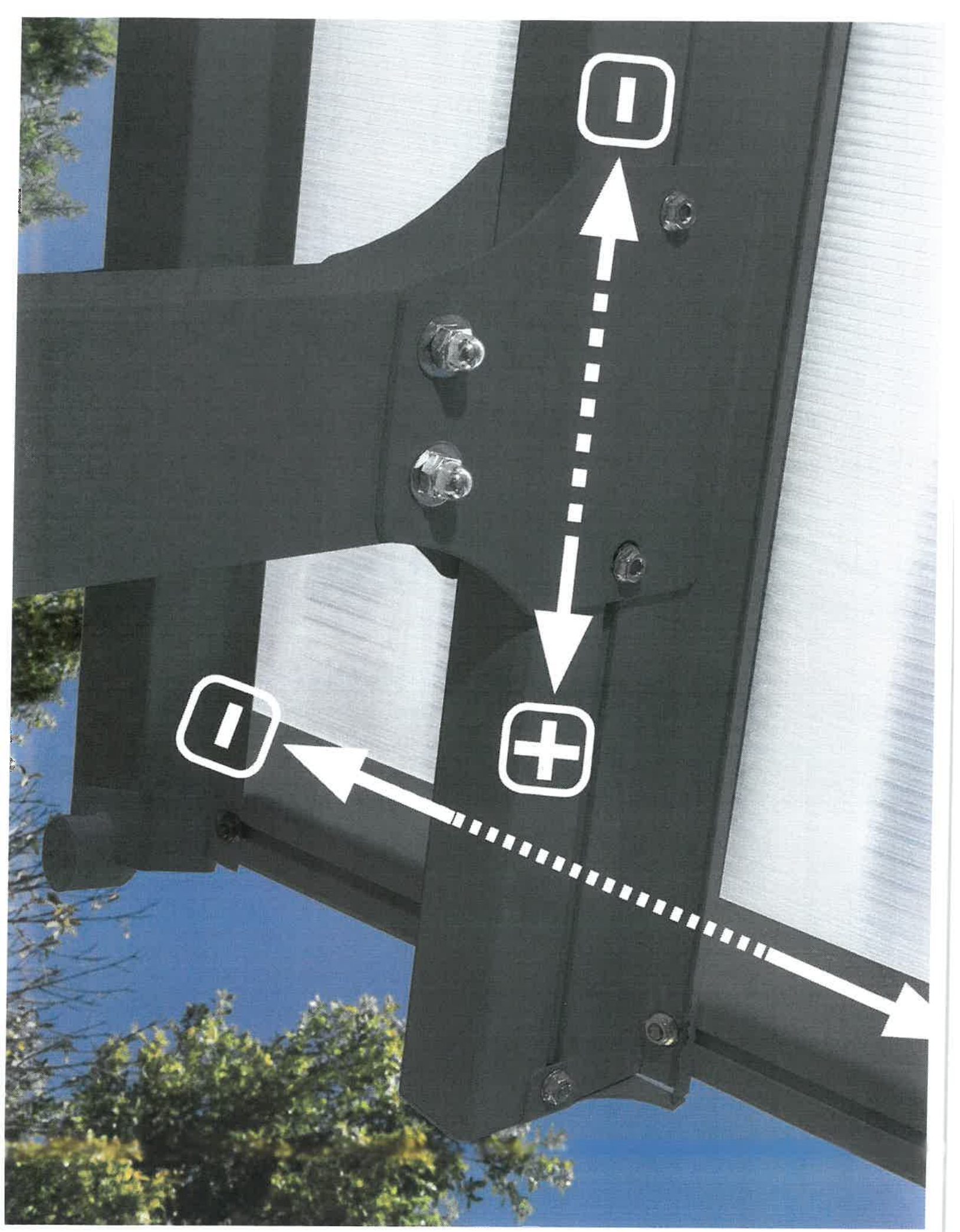


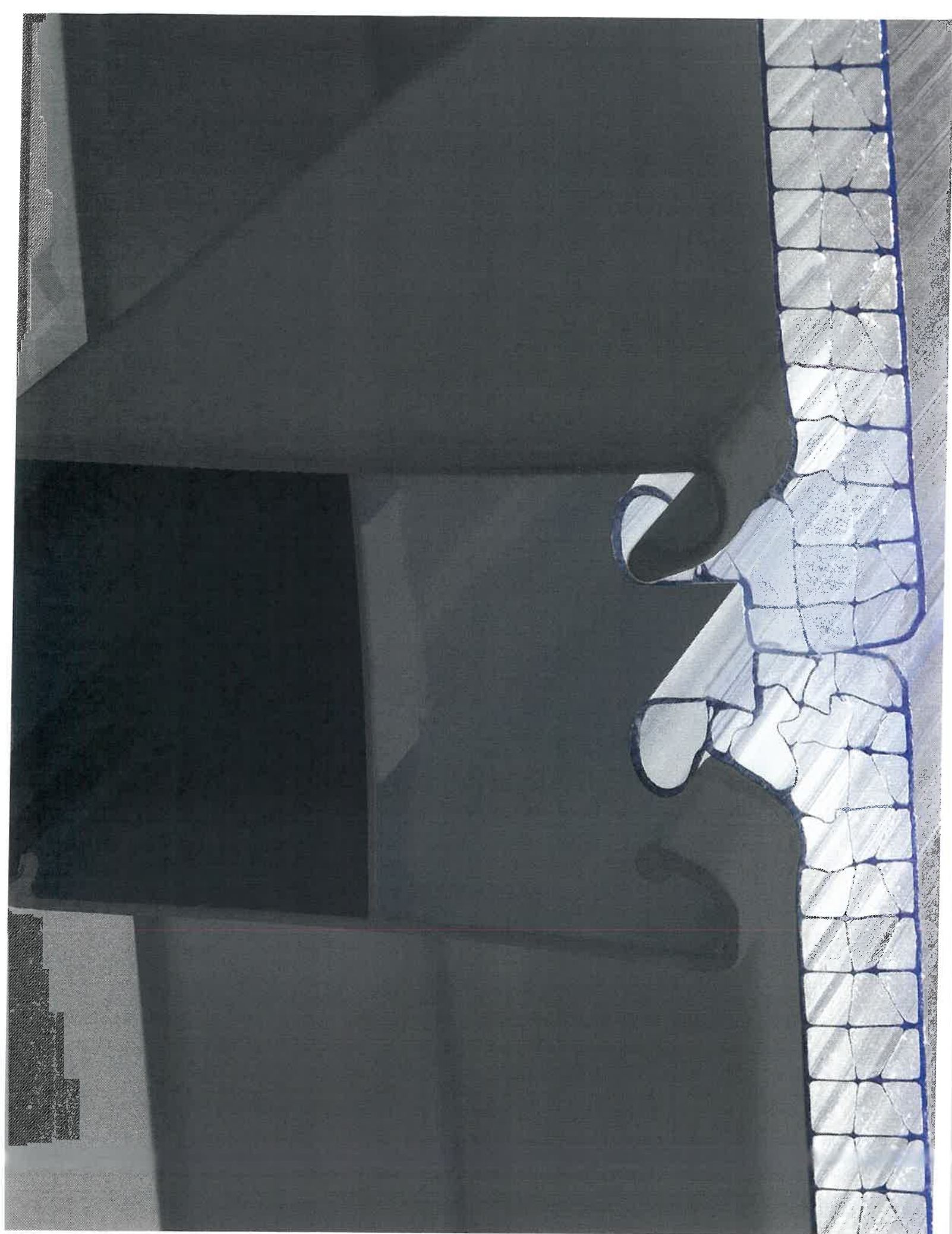














CITY OF CHARLOTTESVILLE

"A World Class City"



Department of Neighborhood Development Services

City Hall Post Office Box 911

Charlottesville, Virginia 22902

Telephone 434-970-3310

Fax 434-970-3359

[www.charlottesville.org](http://www.charlottesville.org)

**Permit #: FN-14-0051 Inspection Ticket for 2/11/2015 Requested for AM**

**Inspection # : 0004 Project Title: FIRE SPRINKLER Inspection Type: Fire Sprinkler Final**

**Project Address: 422 E MAIN ST**

**Tenant Name:**

**Project Name: DRY SPRINKLER SYSTEM**

**Owner Name: WILLIAMS, J & D PETTIT, TR A&N BLDG LD TR**

**Owner Address : 2088 UNION ST STE 1**

**SAN FRANCISCO, CA**

**94123**

**Tax Map and Parcel Number 280052000**

**Zoning: D IRC Code?: N IBC Code?: N**

**Building Use Group: B**

**Floodway:No 100 Year Flood Plain:No Historic:Yes Entrance Corridor:No**

**Permit Issue Date:1/13/2015**

**Permit Holder: K & E FIRE SPRINKLER INC/ BUCK COLLIER/434-591-6007**

**Street Address:**

**Permit Holder Phone: 434-591-6007**

**Inspection Result PASS ☒ FAIL ☐**

**Inspection Comments: Fire Sprinkler Final**

**REMARKS**

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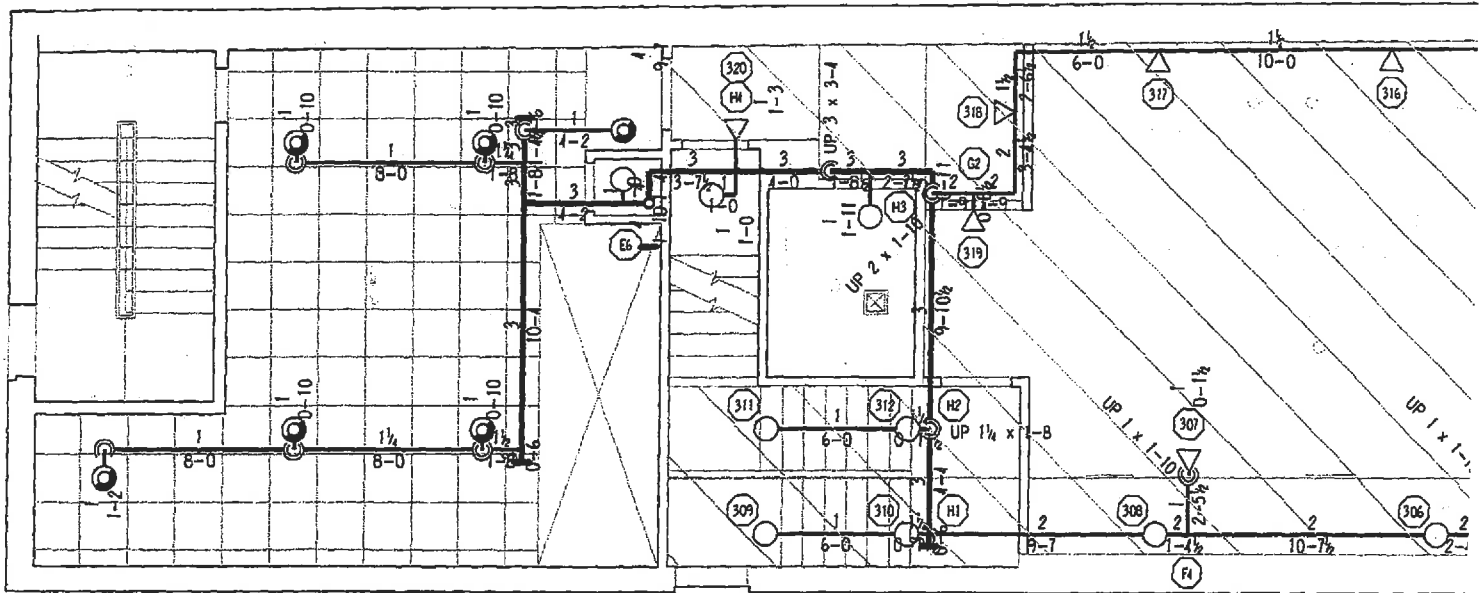
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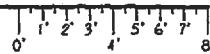
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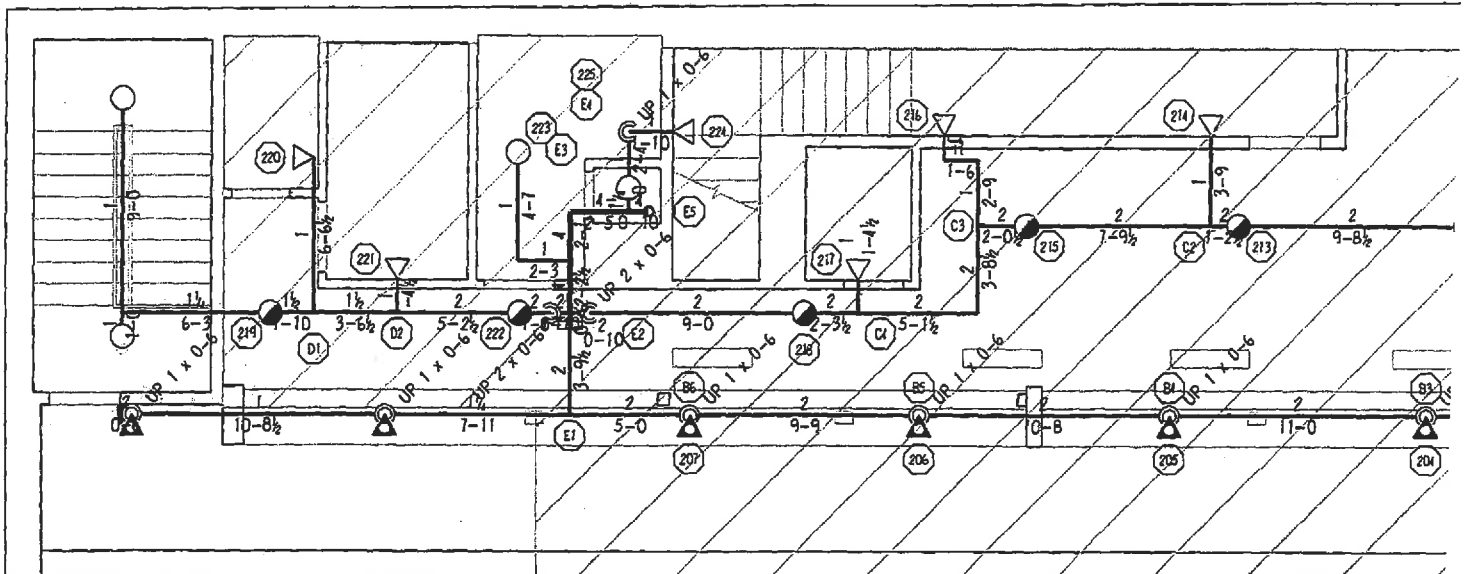
## FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



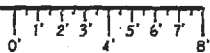
SPRINKLER SYMBOL LEGEND

SYM	QTY	TYPE	FINISH	TEMP	K	NPT	MFG
○	1	PENDENT	CHROME	155	5.60	1/2"	VICT.
○	12	UPRIGHT	BRASS	155	5.60	1/2"	VICT.
●	6	PENDENT	CHROME	200	5.60	1/2"	VICT.
●	1	DRY PEND	CHROME	155	5.60	1"	VICT.
△	11	SIDEWALL	BRASS	155	5.60	1/2"	VICT.



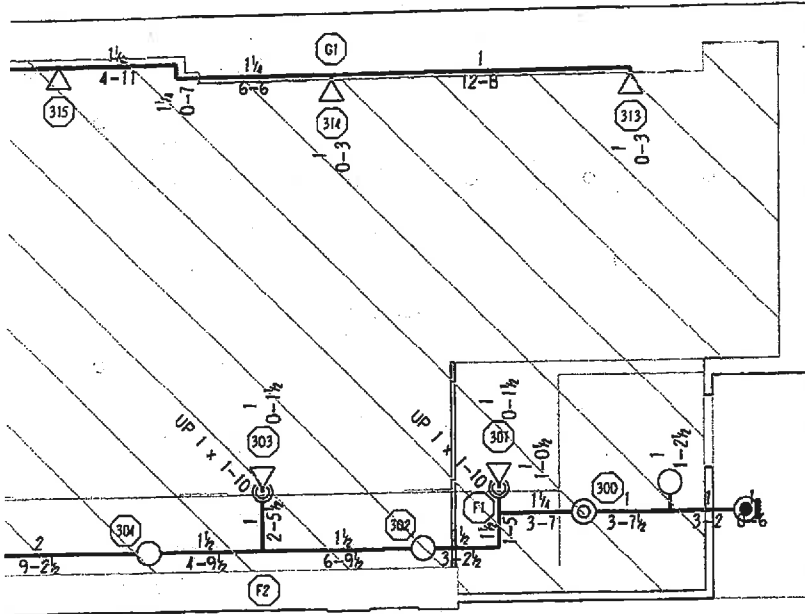
## ROOFTOP PLAN

SCALE: 1/8" = 1'-0"

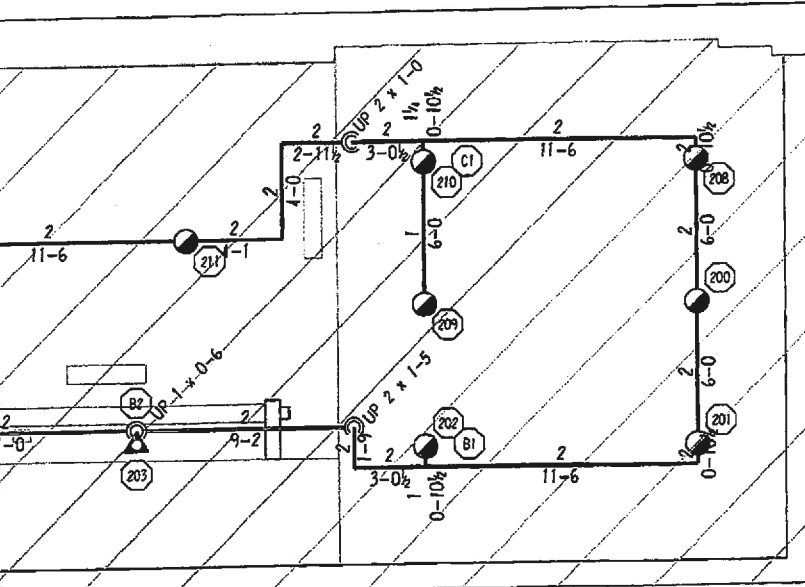


SPRINKLER SYMBOL LEGEND

SYM	QTY	TYPE	FINISH	TEMP	K	NPT	MFG
○	4	UPRIGHT	BRASS	155	5.60	1/2"	VI
●	12	UPRIGHT	BRASS	200	5.60	1/2"	VI
△	6	SIDEWALL	BRASS	155	5.60	1/2"	VI
△	7	SIDEWALL	BRASS	200	5.60	1/2"	VI



L	ESCUTCHEON
	SEMI-RECESSED
	N.A.
1	SEMI-RECESSED
5	SEMI-RECESSED
1	N.A.



MODEL	ESCUTCHEON
704	N.A.
704	N.A.
71D	N.A.
71D	N.A.

DATE: 11.12.2014 DRAWN BY: KSC PROJECT NO. 608 SHEET NO. 2

8889 Three Notch Road  
P.O. Box 909  
Troy, VA 22974

PROJECT:

COMMONWEALTH RESTAURANT  
& SKYBAR  
422 EAST MAIN STREET  
CHARLOTTEVILLE, VIRGINIA

(434) 591-6007  
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CONTRACTOR:

STRAUSS CONSTRUCTION

**K & E Fire**  
**Inc.**  
**Sprinkler,**