

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	September 15, 2014
Action Required:	Yes
Presenters:	Melanie Miller, Chair, Board of Architectural Review (BAR) Mary Joy Scala, Preservation & Design Planner, NDS
Staff Contacts:	Mary Joy Scala, Preservation & Design Planner, NDS Jim Tolbert, Director NDS
Title:	401 East Main Street - Appeal of BAR Decision

Background:

The format for an appeal of a Board of Architectural Review decision is: (1) staff report; (2) applicants' presentation; and (3) the BAR's position presented by the Chair of the BAR.

The zoning ordinance requires that an applicant shall set forth, in writing, the grounds for an appeal, including the procedure(s) or standard(s) alleged to have been violated or misapplied by the BAR, and/or any additional information, factors or opinions he or she deems relevant to the application. The applicant, or his agent, and any aggrieved person, shall be given an opportunity to be heard on the appeal.

In any appeal the city council shall consult with the BAR and consider the written appeal, the criteria set forth within section 34-276 or 34-278, as applicable, and any other information, factors, or opinions it deems relevant to the application.

Discussion:

The applicants are appealing a decision of the BAR to deny their request for a brown café fence enclosure and attached metal planter trim and light poles at the outdoor café at 401 East Main Street, a contributing structure in the Downtown Architectural Design Control (ADC) District.

On January 21, 2014, the BAR approved the new storefront application for the Red Pump restaurant.

On April 15, 2014 the BAR approved the details of the outdoor café, along with the storefront awnings, signage, and paint colors. The applicant specified that "The fencing will have the same look and feel of the fencing at Sal's Caffe Italia." Later, staff noted the café elements were not installed as approved, and initiated a zoning violation to have the inconsistencies corrected. The applicant re-applied to the BAR for approval of the café changes.

On July 15, 2014 the BAR considered the "as built" changes to the café and voted (6-0) to defer for one month to allow the applicant to revisit the wood finish [on the planters, bar and table tops] to try to attain a uniform appearance.

On August 19, 2014 a motion to approve the café changes failed (3-4); and the BAR then approved (6-1) the café changes except the color of the [brown] perimeter hardware: café fence, metal planter trim, and light poles, which the BAR said may remain until the end of the current café season (later clarified by the BAR to be January 1) when they must then be changed to black.

Alignment with City Council's Vision and Priority Areas:

Upholding the BAR's decision aligns with Council's vision for *Charlottesville Arts and Culture*. Charlottesville cherishes and builds programming around the evolving research and interpretation of our historic heritage and resources.

Community Engagement:

The abutting owners were required to be notified of the application. No public comment has been received.

Budgetary Impact:

None.

Recommendation:

The original Lawrence Halprin mall design used black street furniture as a unifying element. The BAR denied the brown metal café fence enclosure and attached metal planter trim and light poles because they prefer the consistency of all the black elements on the Downtown Mall, as specified in the ADC design guidelines; and out of fairness to all the other café tenants who have been required to have black enclosures.

Staff recommendation is that the applicant should make the enclosing fence black, like all the other café enclosures on the Downtown Mall. The metal elements that are part of the fence- black light poles and trim on the planters – should also be black.

Currently, almost all café or vendor design proposals are reviewed administratively, because they comply with the ADC design guidelines. Overturning this BAR decision would create uncertainty regarding the standard for black metal on the Downtown Mall, and thus would result in many more applications requiring deliberation by the BAR.

Alternatives:

1. If City Council agrees with the BAR decision to deny the brown café fence enclosure and attached metal planter trim and light poles, then Council should vote to uphold the BAR decision. The applicant would then have the option to make further appeal to the Circuit Court. Otherwise, the applicant would be required to change those metal elements to black, no later than January 1, 2015.
2. If City Council agrees with the appellant, then Council should vote to overturn the BAR's decision. The café fence enclosure and attached metal planter trim and light poles would remain brown.

Attachments: BAR Staff Report – August 19, 2014
Original café submittal - April 15, 2014
Café changes submittal – July 15, 2014

Scala, Mary Joy

From: Rice, Paige
Sent: Wednesday, September 03, 2014 12:09 PM
To: Jones, Maurice
Cc: Scala, Mary Joy
Subject: FW: Red Pump Kitchen appeal
Attachments: Red Pump appeal - signed.pdf

FYI –received a BAR appeal and need to schedule for a Council agenda.

Paige Rice
Clerk of Council
clerk@charlottesville.org
(434) 970-3113

From: Molly Lapekas [mailto:molly@redpumpkitchen.com]
Sent: Wednesday, September 03, 2014 11:44 AM
To: Rice, Paige
Subject: Red Pump Kitchen appeal

Dear Ms. Barfield:

My name is Molly Lapekas. I work for Lynn & Dean Andrews, the new owners of Red Pump Kitchen located at 401 E. Main Street. We are submitting an appeal to you for the decision the BAR passed at their August 19th meeting regarding the ironwork fence finish for our outdoor café. I mailed the appeal via USPS, but wanted to make sure you get an electronic copy as well given that today is the last day we have to submit the appeal.

Thank you and we look forward to hearing from you!

Best,
Molly

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Molly Lapekas
Red Pump Kitchen

CHARLOTTESVILLE
401 E. Main Street
Charlottesville, VA 22902

RED PUMP

— K I T C H E N —

Red Pump Kitchen
Attn: Molly Lapekas
401 E. Main Street
Charlottesville, Virginia
22902

September 2, 2014

Paige Barfield
P.O. Box 911
Charlottesville, Virginia
22902

Appeal of August 19, 2014 Board of Architectural Review Denial
Of Application for Certificate of Appropriateness

Dear Paige Barfield:

On Tuesday, August 19th we appeared before the City of Charlottesville Board of Architectural Review ("BAR") on a deferred Application for a Certificate of Appropriateness ("Application") seeking approval of the color of the ironwork at Red Pump Kitchen's ("Red Pump") outdoor café. Our Application was denied 4-3.

This letter serves as Red Pump's formal appeal of that decision to the Charlottesville City Council.

Red Pump's outdoor café décor is based on traditional Northern Italian aesthetics featuring handcrafted, natural materials. The ironwork fence that outlines the café space and the ironwork on the planters that are integrated into the fence line have an authentic historic finish "Chocolate Noir." It is a traditional ironwork finish in Tuscany and Mexico. When designing and ordering the ironwork we believed that the Chocolate Noir finish would be dark enough to meet BAR standards. Upon installation, we recognized that the finish was a slightly warmer color, a slight contrast from the basic black, but aesthetically it is very sophisticated and pleasing; therefore, we sought permission from the BAR to approve it as a minor variance.

In July 2014 we presented our case to the BAR and they decided that before making a decision about the ironwork finish they wanted to see all of the wood tabletops, bar top and planters stained the same color (or very similar) as the wood on the façade of Red Pump's building. The Application was deferred until the August 19th meeting to allow Red Pump to stain the wood. The wood has been stained and the current look is now totally integrated with our interior and exterior design of the restaurant.

During the August 19th meeting it was evident that the members of the BAR were conflicted about allowing the fence finish to remain Chocolate Noir. Some members believed that the color looks very nice and that the fence should remain as is. Other members, although

agreeing that the fence looks very nice, believed that the color should be changed solely because it is not solid black. Some members even changed their minds over the course of the meeting - one BAR member initially voted against the fence and later asked if he could change his vote.

Red Pump does not believe that the BAR's decision took into account reasonable nuanced color variations. The BAR is tasked with, among other things, promoting visual environments that are of high aesthetic quality. Throughout the City of Charlottesville aesthetics and design should vary to reflect the differences of individual businesses. Aesthetics and design should not be monotonous. They should be used to help enhance the vitality, uniqueness, and attractiveness of the Downtown Mall.

The Halprin Design for the Downtown Mall specifies using all black furnishings, but the BAR has expanded Mall furnishings over the years to include the color silver and the material wood. Additionally, the Halprin Design isn't only about black furnishings. Primarily it's a design concept intended to help create a vibrant environment for Downtown Mall patrons to enjoy. The simplicity of the Halprin Design and the original "kit" that was used to set-up the Mall certainly helped revive the Historic Downtown Mall and make it a place people want to shop, work, eat, walk and experience. However, limiting all future design of the Mall to the restrictions of the physical furnishings of the original Halprin Design Kit is unappealing for business owners who are truly willing to invest in the Downtown Mall. Moreover, the BAR itself no longer strictly adheres to the Halprin Design.

At the August 19th meeting there was no disagreement among the members of the BAR that the ironwork was both attractive and of high quality. It's a beautifully composed café and the BAR agrees. Our efforts to keep the Chocolate Noir finish failed because the ironwork isn't "solid black." Other jurisdictions, such as Charleston, South Carolina's BAR, one of the country's most influential review processes, has chosen to handle these types of issues with a defined and compatible color selection comprised of historic colors and finishes, including original iron color options, ranging from bronze to pewter.

Given that the Charlottesville BAR has already deviated from strict adherence to the Halprin Design in the past, and its function to promote the aesthetics of the Mall, their denial of Red Pump's Application to approve a different shade of black is punitively narrow and not in support of our start-up business.

We appreciate your time as you reconsider this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Molly Lapekas". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Molly Lapekas



BAR Action - August 19, 2014 - 401 E Main Street

Scala, Mary Joy <scala@charlottesville.org>

Thu, Aug 21, 2014 at 3:25 PM

To: "Molly Lapekas (molly@redpumpkitchen.com)" <molly@redpumpkitchen.com>

Cc: "Lewis, Charlie" <charley@yorkplaceapartments.net>, Jeff Dreyfus <jd@bdarchitects.com>

August 21, 2014

Red Pump – A Tuscan Kitchen

401 E Main Street

Charlottesville, VA 22902

Certificate of Appropriateness Application (Deferred from July)

BAR 14-07-02

401 E Main Street

Tax parcel 053059000

East Mall, LLC (Charley Lewis), Owner/ Molly Lapekas, Applicant

Café changes: brown metal surround; wood tables

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on August 19, 2014. The following action was taken:

A motion to approve the changes failed (3-4).

The BAR approved (6-1) the application except the color of the perimeter hardware: café fence, metal planter trim, and light poles, which may remain until the end of the current café season (later clarified by the BAR to be January 1) when they must then be changed to black.

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 (February 19, 2016), 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.

Upon completion of the project, 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](tel: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](tel:434.970.3130) FAX [434.970.3359](tel:434.970.3359)

scala@charlottesville.org

Molly Lapekas <molly@redpumpkitchen.com>
To: Dean Andrews <dean@pippinhillfarm.com>

Fri, Aug 22, 2014 at 1:26 PM

We have 10 days to write a written appeal if we would like to do so.

[Quoted text hidden]

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Molly Lapekas
Red Pump Kitchen

CHARLOTTESVILLE

Charlottesville City Council Meeting

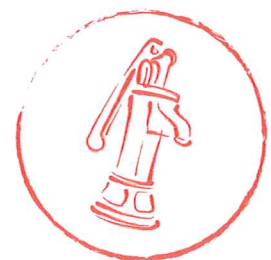
September 15, 2014

Red Pump Kitchen
401 E. Main Street
Charlottesville, Virginia
22902



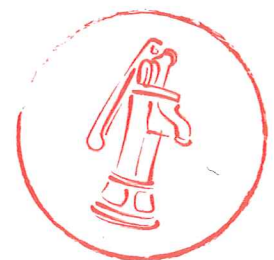
Overview

Red Pump Kitchen is located at 401 E. Main Street on Charlottesville's Historic Downtown Mall. Red Pump features an open kitchen with a classic wood burning oven, which serves up fresh gourmet pizza and homemade breads. Seasonally the restaurant façade is open, allowing the energy of the restaurant to spill out onto the Mall. From Spring until late Fall our outdoor Alfresco café + bar is a lively addition to the Downtown Mall outdoor dining scene. Our full menu, served both outside and inside, is filled with Mediterranean, Tuscan and Italian inspired dishes created with ingredients sourced from local Virginia farmers.

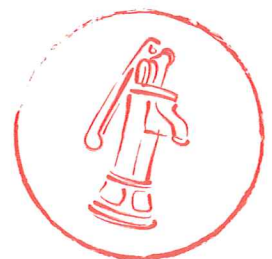


Elements of Indoor Décor

The majority of the furnishings at Red Pump were thoughtfully hand-crafted in San Miguel, Mexico. As noted in Charlottesville's *Abode* in August 2014: "Metal Tolix chairs—an iconic staple of French cafés—face banquettes along the east wall, while wooden seats in the center of the room evoke Spain. Along tall communal tables near the front windows, Danish drafting chairs inspired the seating. There are whimsical touches (indoor vertical gardens), agricultural references (the red pump in the eatery's name and logo), and nods to local history (the pressed-tin ceiling is meant to look like it could have been the original ceiling in the onetime storefront). There's even a modern light fixture made from 10 metal whisks, crafted by Charlottesville's own Zack Worrell. Somehow, it all hangs together."

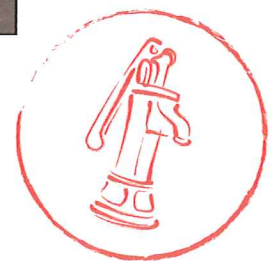


Elements of Indoor Décor (*continued*)



Elements of Outdoor Décor

Our outdoor café mirrors the aesthetic of the inside of Red Pump Kitchen. Tolix chairs and classic café tables are found within the space. The outdoor bar, which serves beer + wine only, is in the same finish as the bar inside the restaurant, encouraging continuity between the indoor and outdoor spaces. The planters are filled with herbs and other plants and are integrated into the ironwork fence line. The ironwork finish is a classic ironwork finish in Mexico referred to as “Chocolate Noir.”

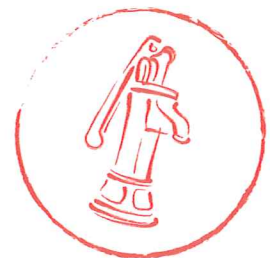


Our Appeal

We have worked hard to create an authentic, Tuscan dining experience in Charlottesville, Virginia. The design aesthetic is simple, clean, and modern all the while paying tribute to the unique attributes of the Historic Downtown Mall.

We ask that you reconsider the BAR's recent decision that requires us to refinish the outdoor ironwork. We do not believe a blanket approach to approving or disapproving of design details such as this is an effective way to manage the architectural review process, as it leaves out the larger picture of our City's growth and it is dismissive of unique entrepreneurial pursuits. We hope that you will reevaluate our design proposal on individual basis.

We commend and value your mission to protect our cityscape; however, we hope you will agree that a more flexible, case-by-case approach to minor variances, such as the color of ironwork, is necessary to the natural progression of the Downtown Mall's continued evolution.





PAYNE, ROSS & ASSOCIATES
ADVERTISING MARKETING PUBLIC RELATIONS

September 12, 2014

Charlottesville City Council
Charlottesville, VA

Dear friends,

I'm writing to you in support of the recent appeal of a BAR decision regarding Red Pump Kitchen's outdoor seating. Dean Andrews and Lynn Easton Andrews have created a rustic, Tuscan aesthetic that complements and honors the historic Downtown Mall.

Our research in the field of tourism has indicated that Charlottesville is an appealing tourism destination because visitors are able to experience history and authenticity coupled with dynamism and innovation. It is this juxtaposition, rather than either component alone, that makes our city such an attractive place to visit. It is with an eye to this appeal that I suggest the BAR may have made a mistake.

The BAR denied Red Pump's request to finish the ironwork in a "Chocolate Noir" color. It might seem trivial to petition what may appear to be a minor issue, but I think this speaks to a larger concern. It is my view that in order for creative and progressive entrepreneurs such as Dean and Lynn to continue pursuing their business concepts on the Downtown Mall, a reasonable amount of design freedom is absolutely vital. The BAR seems to be valuing traditional appeal more highly than dynamism and innovation.

Best,

Susan Payne
President
Payne, Ross and Associates

September 12, 2014

Charlottesville City Council:

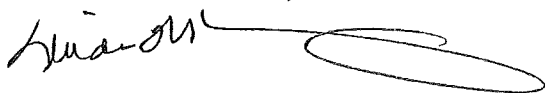
Dean Andrews, Lynn Easton Andrews and Red Pump Kitchen are elevating the profile of Charlottesville as a premier destination for fine dining and design. With an incredible attention to detail and craftsmanship, Dean has created a rustic, Tuscan aesthetic that complements and honors the Historic Downtown Mall.

You can imagine it came as quite a surprise to me that the BAR recently denied his request to finish the ironwork in a "Chocolate Noir" color. It might seem trivial to petition what may appear to be a minor issue, but I think this speaks to a larger concern. In order for creative and progressive entrepreneurs such as Dean to continue wanting to pursue their business concepts on the Downtown Mall, a reasonable amount of design freedom and engagement in high-level design conversations with the BAR will be important. A small amount of flexibility with specific, thoughtful requests such as this will be instrumental to continuing the success of the development of Downtown Mall.

Thank you for your consideration of this important matter.

Sincerely,

Linda W. Hitchings

A handwritten signature in black ink, appearing to read "Linda W. Hitchings", followed by a large, stylized oval flourish.

September 12, 2014

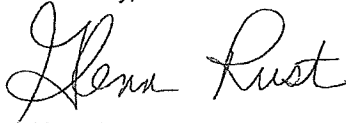
City of Charlottesville:

I've had the pleasure of dining at Red Pump Kitchen on several occasions since its opening in June. My friends Dean and Lynn have done a tremendous job creating this authentic, Tuscan dining experience on the Downtown Mall. It's exactly what the Mall needed! The food is great as well as the service. I also appreciated their unique way of incorporating a great dining experience while honoring the building's history and unique location. It's something I've come to expect from them on every project they start and complete. They truly appreciate our community and show it in three very important ways; they create dining experiences for us to enjoy, jobs for our citizens and pay taxes. They are true community partners.

So I was a bit surprised that a recent BAR proposal submitted by Red Pump Kitchen to paint the outdoor ironwork a deep rustic brown was denied because this specific color is not permitted by the existing code. I know this seems like a minor problem with everything else you have to review on a daily basis, but I would like to ask you to reconsider this request. As a business person that operates a business on the Mall I do appreciate keeping many things the same and uniformed, creating a continuous design flow, but I don't think a blanket approach to dictating minor design details such as the ironwork's paint color is an effective way to manage the approval process. I hope that you will reevaluate this design proposal based on the overall design scheme of this particular business.

I commend your mission to protect our cityscape, and I hope you'll agree with me that a more flexible approach to minor proposals such as Red Pump Kitchen's is going to be paramount to the natural progression of the Downtown Mall's continued evolution.

Sincerely,



Glenn Rust

**Carl F Frischkorn
936 Rugby Road
Charlottesville, VA 22903
434.466.6660**

September 10, 2014

To: City of Charlottesville:

I've had the pleasure of dining at Red Pump Kitchen on many occasions since it opened in June. Community leaders Dean Porter Andrews and Lynn Easton Andrews have done a tremendous job creating an authentic, Tuscan dining experience on the Downtown Mall. The outstanding food, service and ambiance have put it on the map as the one of the hottest dining establishments in town. The design aesthetic is simple, clean and modern all the while paying tribute to its historic edifice and unique location.

It has come to my attention that a recent BAR proposal submitted by Red Pump Kitchen to paint the outdoor ironwork a deep rustic brown has been denied as the color is not permitted by the existing code. I would like to ask you to reconsider this request, as I don't think a blanket approach to dictating design details such as this is an effective way to manage the approval process. I hope that you will reevaluate this design proposal on individual basis giving it rational discussion and thought.

I commend your mission to protect our cityscape, and I hope you'll agree with me that a more flexible approach to minor proposals such as Red Pump Kitchen's is going to be paramount to the natural progression of the Downtown Mall's continued evolution.

Sincerely,

Carl F Frischkorn

September 12, 2014

Dear Charlottesville City Council,

As a downtown business owner and city resident, I'm writing in support of the appeal for the BAR to reconsider the limitations on the color of the ironwork surrounding the new Red Pump Kitchen's outdoor seating area on the Downtown Mall.

As the BAR seeks to maintain the historic character and vibrancy of the Downtown Mall's many shops and restaurants, it is important not to confuse brand differentiation with a lack of quality or consistency. Walking down Main Street, it is easy to see that Red Pump Kitchen is seeking to establish one of the nicest outdoor spaces on the mall, which can only help draw customers to the area. Several of the other business could use precisely this type of encouragement to create such an inviting space.

Please do not allow the guidelines to stifle creativity rather than using them to maintain a high level of quality. Such a stance will only encourage homogeneity and high turnover amongst the downtown businesses, hurting the community as a whole.

Thank you for your consideration.

Sincerely,

Brad Uhl
Co-Founder, Head of Accounts

ID Company
101 W Water St
Charlottesville, VA 22902

**CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT
August 19, 2014**



Certificate of Appropriateness Application (Deferred from July 2014)

BAR 14-07-02

401 E Main Street

Tax parcel 053059000

East Mall, LLC (Charley Lewis), Owner/ Molly Lapekas, Applicant

Café changes: brown metal surround; wood tables

Background

401 East Main Street is a contributing structure in the Downtown ADC district. It was most recently used as the Positively 4th Street restaurant and bar, and prior to that, the Enoteca wine bar.

March 20, 2006 – The BAR viewed the Enoteca proposal during “Matters not on the Agenda,” and did not have any concerns.

April 17, 2007 - The BAR approved (9-0) the new Enoteca sign proposal with the suggestion that the detail for the end of the sign be consistent with the front elevation and a friendly recommendation that the tag line be removed.

February 11, 2011 – Positively 4th Street sign approved administratively.

January 21, 2014 - The BAR approved (8-0) the new storefront application as submitted, except with the signage, awning, and paint color to come back to the BAR.

April 15, 2014 – Approved (7-0) as submitted (the storefront awnings, signage, and paint colors; and details of the 735 sq ft outdoor café) with the following modifications: canopies are not on second-floor windows; and signage is moved completely below the second floor window sills.

July 15, 2014 - The BAR voted (6-0) to defer for one month to allow the applicant to revisit the wood finish [on the café elements] to attain a uniform appearance. The BAR is required to take action on this application at its next meeting on August 19, 2014.

Application

The applicant is seeking approval of café items that are not in compliance with what the BAR approved in April:

Fencing:

Approved: Custom ironwork, 3 feet tall, similar to Sal’s Caffè Italia [black].

Installed: Brown fencing.

Planters:

Approved: Custom made similar to Restoration Hardware’s Versailles Wood Panel Trough Planter, which was described as rustproof cast aluminum frame with zinc finish and reclaimed elm panels that have a driftwood finish.

Installed: The wood is has a lighter appearance than previously depicted. The frame is brown.

Tables & Chairs:

Approved: The café will have 9 café tables in black and 6 high-boy tables in black. Tolix café chair in black and silver metal to be used at café tables. Tolix barstool in silver metal at high-boy tables.

Installed: Wood top square tables, wood top high-top tables, black metal round tables. Silver chairs and stools.

Outdoor Bar:

Approved: Transbar from Bar-Specialists in UK. Custom cabinetry of iron and wood will enclose the bar. The cabinetry will use the same materials as the planters, iron and wood. Stained wood light gray; wrought iron surround; wood top with marine poly.

Installed: Outdoor bar is light gray stained wood with wood top; but no wrought iron.

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 for Signs, Awnings, Vending and Cafes

E. OUTDOOR CAFES

All elements, including chains, bollards, tables, chairs, planters, and trash containers, should be the same color, materials, and design character. Black, being the dominant color of mall elements, or silvertone metal are preferred. The use of treated lumber or unfinished wood anywhere on the mall is not allowed.

1. Fences, Chains, and Bollards

- a. Should be wrought iron or black painted metal.*
- b. Should be kept well-maintained.*
- c. Chain-links shall be two inches in length or larger.*
- d. Bollards shall be at least 3 inches in diameter.*

2. Tables and Chairs

- a. Should be wrought iron, black painted or silvertone metal. Other materials or colors require BAR approval.*
- b. Cloth tablecloths and removable seat cushions are permitted. Materials other than cloth, and color are subject to BAR approval.*

3. Planters

- a. Should be compatible in terms of design, scale, and color with other elements of the café. The planter material shall be terra cotta or concrete. Other materials require BAR approval.*

4. Umbrellas

- a. If used, may contain a maximum of one dark or neutral solid color that is compatible with the furniture.*
- b. The size of the umbrella should be in scale with the table. Oversize umbrellas may be permitted, but all parts must be contained within the café space.*
- c. No text is permitted on an outdoor café umbrella.*

5. Trash Containers

- a. Black metal is preferred.*
- b. Should be located within the café enclosure.*

Discussion and Recommendations

Since the BAR meeting in July, the applicant has stained the wood planters, the wood bar top, and the wood café table tops, all to be a similar, dark brown. Staff recommendation remains that the applicant should make the enclosing fence black, like all the other café enclosures on the Downtown Mall. The metal elements that are part of the fence – black light poles and trim on the planters- should also be black.

The mall café fence enclosures are consistently black, except for Zocolo at Central Place, which has ipe wood planters (to coordinate with the interior bar) with black metal chains and trim, approved by the BAR in 2004. There is a lot of variation in the black fencing on the mall, from the black metal chains that are most common, to the custom designed wrought iron at Petit Pois, to solid black metal panels at Citizen Burger Bar.

Tables and chairs are consistently black or silver metal, except Bizou, Christian's and Whiskey Jar, which all have the same silver metal chairs trimmed with tan vinyl rattan. There are no wood table tops on the mall. In 2013 the BAR decided that the new tabletops at Ten should be black rather than natural woodgrain.

Planters incorporated in fence enclosures are commonly black metal with sphagnum moss, or black painted wood.

Only one other outdoor bar has been approved, a black one, at Cinema Taco. Black metal étagères are common.

In staff opinion, the mall is attractive because of the consistency in design that the Guidelines require. The mostly black metal elements provide a background for the color and variation that is provided by the solid color umbrellas, the plantings, and the café patrons themselves.

Staff recommends black fencing (and black light poles and trim on the planters) and black table tops, as approved by the BAR in April. The outdoor bar lacks the coordinating wrought iron trim, but otherwise is as approved.

Suggested Motion

Having considered the standards set forth within the City Code, including City Design Guidelines for Signs, Awnings, Vending and Cafes, I move to find that the proposed changes to the café details satisfy the BAR's criteria and are compatible with this contributing property and other properties in the Downtown ADC district, and that the BAR approves the application EXCEPT the color of the café fence, metal planter trim and light poles, which shall be black.

Red Pump · Tuscan Kitchen

401 East Main Street
Tax Map 53 Parcel 59

East Mail, LLC
Owner/Fourth and Vine, LLC
Applicant

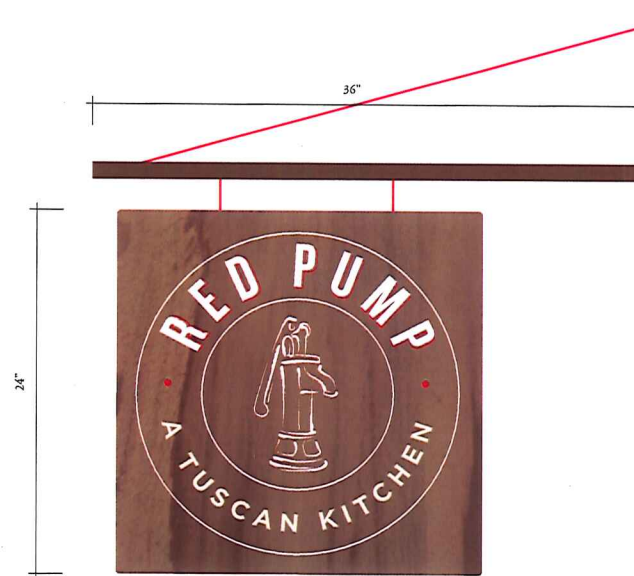
Board of Architectural Review
Signage and Cafe Submittal
4/15/14

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Fencing & Planters 7
Tables & Chairs 8
String Lights 9
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Signage

- Red Pump will have a sign hanging on 4th St. side and a sign hanging on the E. Main St. side.
- Both signs will be identical.
- The sign material will be natural wood.
- The signs will measure 24" x 24".
- The bracket attaching each sign to the building will be 36".
- Each bracket will be wrought iron and designed as the bracket shown here, at Zero George Street Boutique Hotel in Charleston.



Hanging Blade Sign



Red Pump · Tuscan Kitchen BAR 4/15/14 - 2

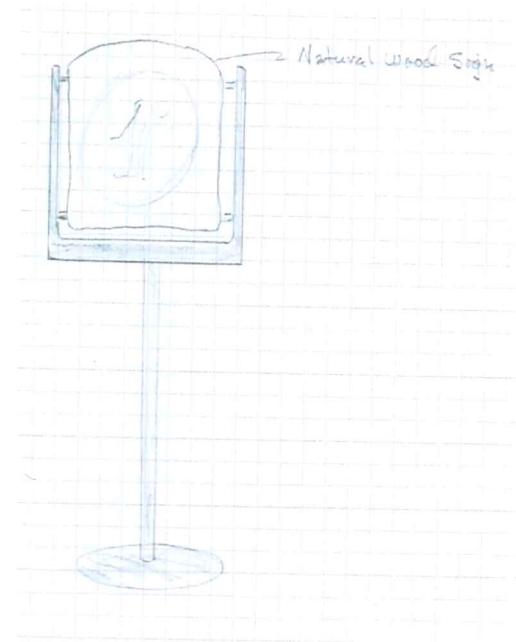
April Approval

Signage (con't)

- The outdoor café will be marked with a standing sign.
- The sign will be 18" x 18".
- The sign material will be natural wood.
- As shown in the picture, the sign will be held by an ironwork stand.



Al Fresco Sign

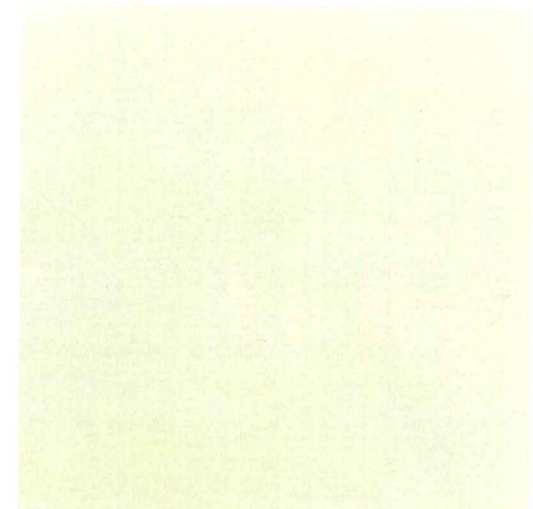


Umbrellas

- To cover part of the 735 square feet Red Pump would like to use 3 C-Series Fim-Umbrellas.
- The umbrellas are made from aluminum and stainless steel with high-grade nylon components.
- The color of umbrellas will be Sunbrella Natural.
- Each Fim Umbrella will have a free-standing base that does not require screws or bolts to be secure.

Product Specs

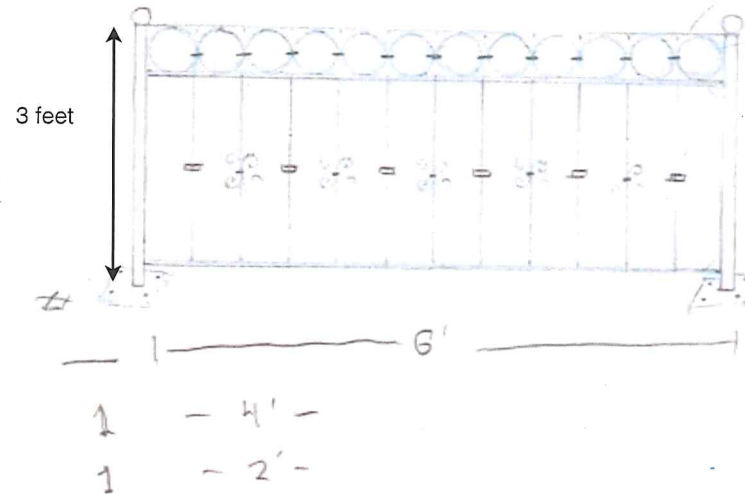
- Fim-Umbrella (www.fim-umbrella.com)
- Size: 11.5 ft. octagonal
- Height: 7-9 feet
- Frame Color: Peppercorn Brown
- Base: 4 prong freestanding base
- Umbrella Color: Natural
- Fabric: Firesist



Natural

Fencing

- Red Pump is planning to have a custom ironwork fence made in Mexico. The fencing will have the same look and feel of the fencing at Sal's Caffe Italia.
- The fence will not be anchored to the Downtown Mall with screws or bolts.

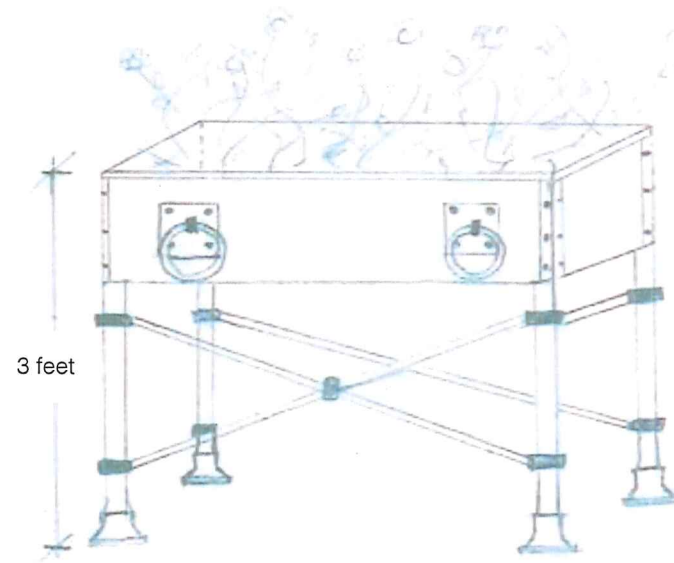


Planters

- We plan to have planters custom-made that use the same materials as the Versailles Wood Panel Trough Planter from Restoration Hardware except our version will be taller.
- Three planters will be integrated into the custom fencing surrounding the outdoor café.

Product Specs

- Restoration Hardware
- Versailles Wood Panel Trough Planter
- Crafted from rustproof cast aluminum frame that has a zinc finish and reclaimed elm panels that have a driftwood finish.

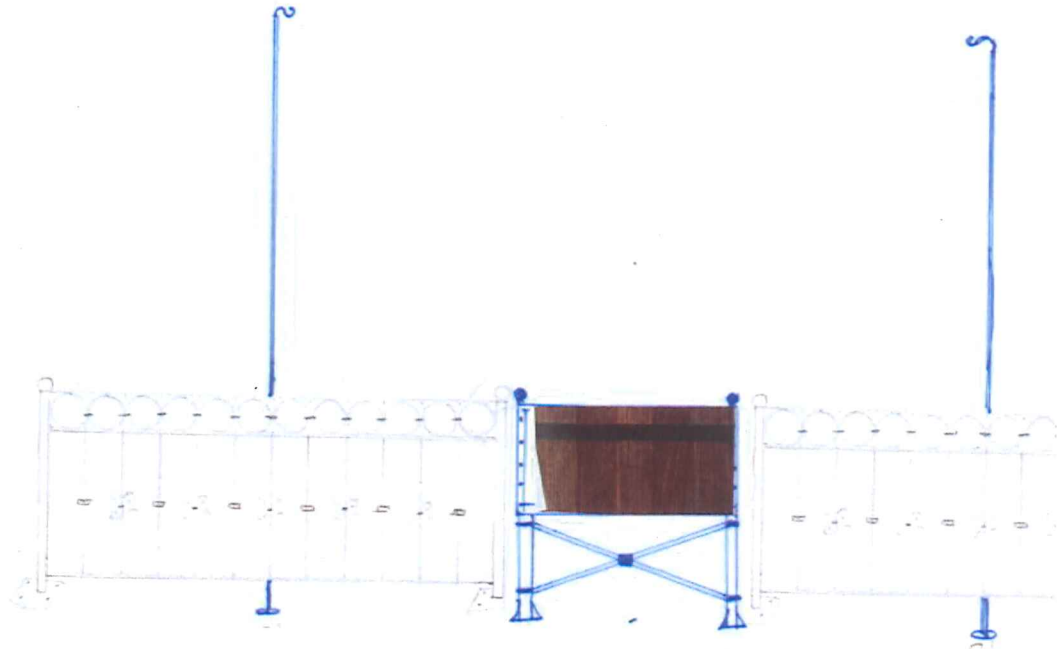


Red Pump · Tuscan Kitchen BAR 4/15/14 - 6

April Approval

Fence & Planter

- To the right, please find a sketch of a planter integrated into the fence line.



Tables & Chairs

- Red Pump would like to use the black and metal chairs in the outdoor café. The Tolix Café Chair would be used at the café tables. The Tolix Barstools will be used at the high-boy tables.

Product Specs: Tolix Café Chair

- Pottery Barn (www.potterybarn.com)
- Color: 50% Black and 50% Metal
- 18" W x 18.5"D x 33.5"H

Product Specs: Tolix Barstool

- Pottery Barn (www.potterybarn.com)
- Color: Metal
- 17.5" W x 17.5"D x 24"H

- The outdoor café will have 9 bistro tables and 6 high-boy tables.

Product Specs: Café Table

- K Petersen (www.kpetersen.com)
- Color: Black
- # S122 24" x 24"
- Overall Height: 29"
- Weight" 40 lbs.

Product Specs: High-Boys

- To be custom built
- Color: Black
- Overall Height: 42"



Tolix Café Chairs



Tolix Barstools



K. Petersen Café Table



High-Boy

String Lights

- We would like to hang Vintage Light Strings from Restoration Hardware above the outdoor café.
- Temporary decorative lighting for illuminating outdoor gatherings.
- All-weather wiring.
- For indoor or outdoor use.
- Features 24 lights on string; includes 24 clear 11 watt S14 bulbs.
- Distance between each light is 2 feet; distance from plug to first light is 6 feet.
- Light strings cannot be connected end-to-end.
- Cord (from top of bulb to light string): approx. 2"L.

Product Specs

- Restoration Hardware
- Vintage Light String
- Overall: 50' L
- Light bulb: 2 1/2"L x 1 1/2"W (at widest point)



Red Pump · Tuscan Kitchen BAR 4/15/14 - 9

April approval

Outdoor Bar

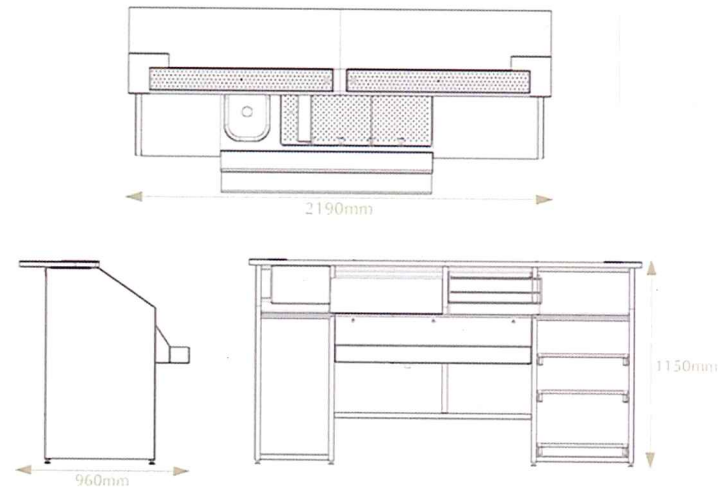
- We would like to order a Transbar from Bar-Specialists in the UK.
- The bar is 7' (L) x 3' (H) x 3' (D).
- We will have custom cabinetry made to enclose the bar. The cabinetry will use the same materials as the planters, iron and wood.
- In addition to keeping with the aesthetic, the cabinetry around the bar will also serve to lock the bar down when it is not in use. The bar will remain outside in the café (i.e., not wheeled in-and-out of main restaurant), but will effectively be a locked box during off-hours.

Product Specs

- Bar-Specialists
- (See specs to the right.)

Standard Service Module Dimensions

BAR
SPECIALISTS



Transbar™

Outdoor bar will
not have
blue lights!



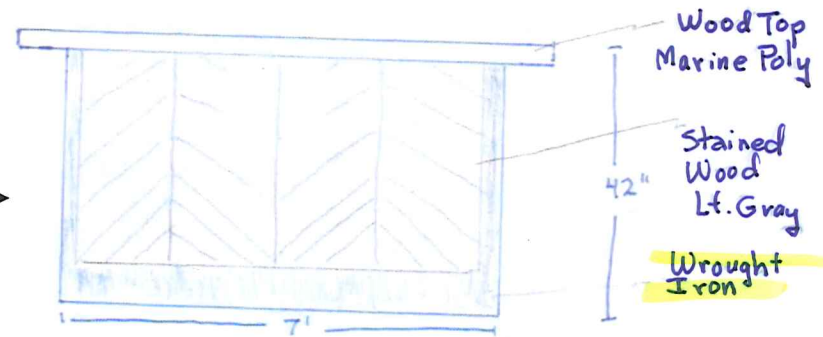
Red Pump · Tuscan Kitchen BAR 4/15/14 - 10

April approval

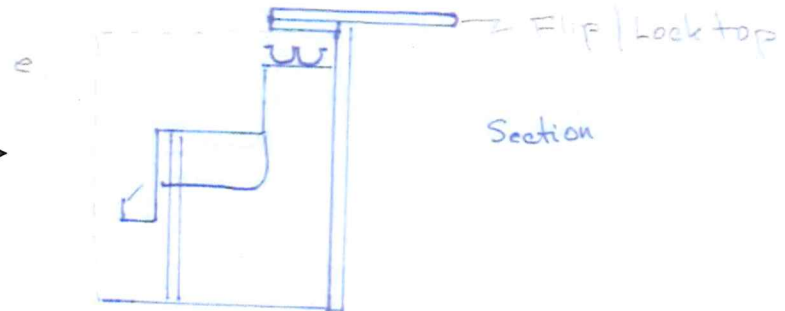
Outdoor Bar (con't)

- To the right, please find a sketch of the bar cabinetry.

View
of bar
facing
patrons.

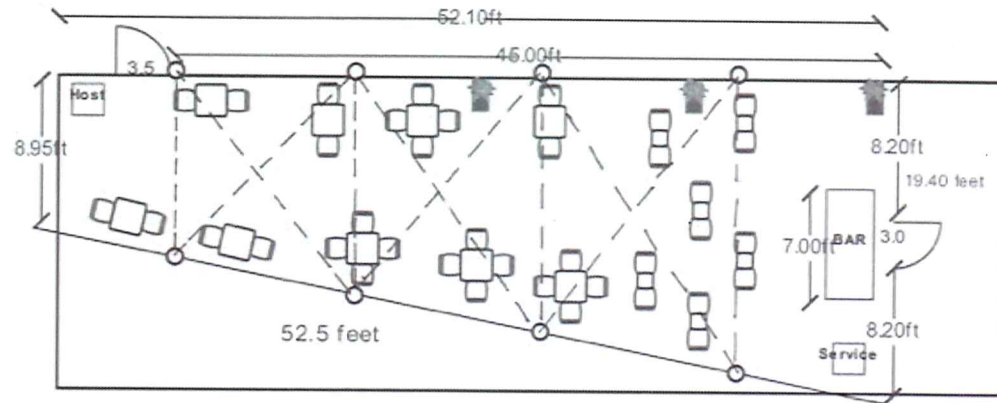


Side
view
of bar
with cabinetry
flipped open.

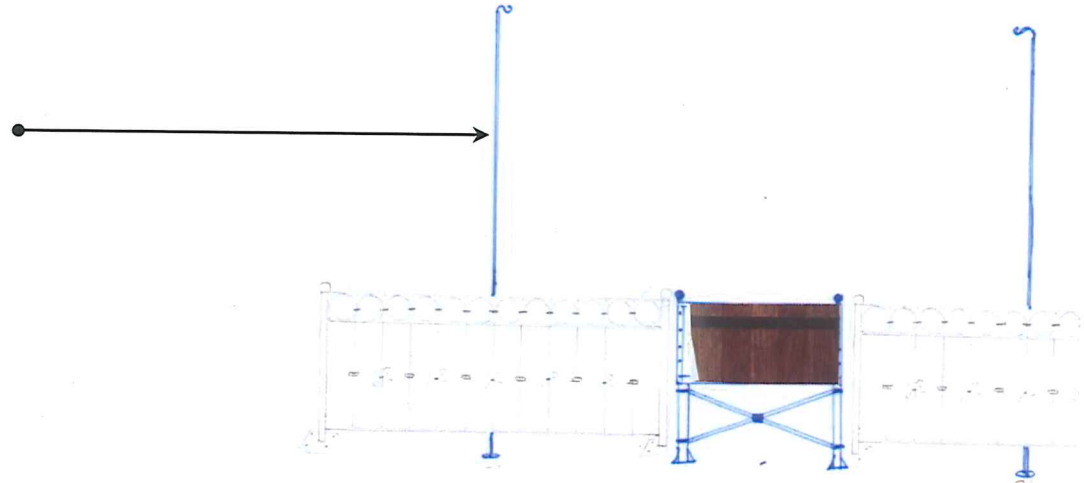


Café Layout

- The outdoor café will have 9 café tables and 6 high-boy tables.
- String lights will be held up by shepherd hooks that will be integrated into the fence line. (String light pattern indicated by dashed lines.) The shepherd hooks will have a maximum height of 8.5 feet.
- The lights won't intersect with the umbrella stands and will not be up when the umbrellas are open.
- The lights will hang at about 7 feet overhead.



Shepherd
hooks.





**Board of Architectural Review (BAR)
Certificate of Appropriateness**

RECEIVED

JUN 25 2014

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 4 p.m.

Owner Name Dean Charley Lewis Applicant Name Dean Andrews Molly Lapikas
Project Name/Description Red Pump A Tuscan Kitchen Parcel Number _____
Property Address 401 E. main street Charlottesville, VA 22902

Applicant Information

Address: 401 E. main street
Charlottesville, VA 22902
Email: molly@redpumpkitchen.com
Phone: (W) 434-202-0040 (H) 434-625-5072
FAX: _____

Property Owner Information (if not applicant)

Address: 112 W. main street
Charlottesville, VA 22902
Email: charley@yorkplaceapartments.com
Phone: (W) 434-484-4517 (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.)

Molly Lapikas 6/25/14
Signature Date

Molly Lapikas 6/25/14
Print Name Date

Property Owner Permission (if not applicant)

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

Charles Lewis 6/25/14
Signature Date

Charles Lewis 6/25/14
Print Name Date

Description of Proposed Work (attach separate narrative if necessary): outdoor cafe fence a dark brown color, rather than black (including shepherd hooks for string lights) & wood table tops for high-tops & some cafe tables.

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

For Office Use Only

Received by: Carolyn McCray
Fee paid: \$125.00 Cash/Ck. # 4042
Date Received: 6/25/2014

P14 - 0099

Approved/Disapproved by: _____

Date: _____

Conditions of approval: _____

RECEIVED

JUN 25 2014

NEIGHBORHOOD DEVELOPMENT SERVICES



wooden planter - already approved

RECEIVED

JUN 25 2014

NEIGHBORHOOD DEVELOPMENT SERVICES



fence - black approved; final fence
is more of a brown. Seeking approval
for current color.



seeking approval
for wooden
square tables
to sit amongst
black round
tables.

RECEIVED

JUN 25 2014

NEIGHBORHOOD DEVELOPMENT SERVICES



seeking
approval
for wooden
high-top tables.

RECEIVED

JUN 25 2014

NEIGHBORHOOD DEVELOPMENT SERVICES