

Werner, Jeffrey B

From: Werner, Jeffrey B
Sent: Wednesday, May 22, 2024 3:50 PM
To: Adrienne Stronge
Cc: Rainey, Carrie
Subject: BAR action - 113 West Main St

Adrienne. The following memorializes the BAR's action last night approving the CoA for the fence at 113 West Main. I have CC'd Carrie Rainey, the planner for that area. She can help you with the next steps regarding any necessary site plan updates and resolving the zoning questions we discussed last night.

Jeff

May 22, 2024
Via e-mail

Certificate of Appropriateness
BAR # 24-05-03
113 West Main Street, TMP 330259000
Downtown ADC District
Owner: West Mall LLC
Applicant: Adrienne Stronge/The Gaines Group, PLC
Project: Railing/fence at rear courtyard

Ms. Stronge.

The CoA for the above referenced project was approved by the City of Charlottesville Board of Architectural Review on May 21, 2024. The following action was taken:

Motion: Bailey. Second: Birle. Vote: 8-0.

Having considered the standards set forth within the City Code, including the Design Guidelines for ADC Districts, I move to find that the proposed fence/railing at 113 West Main Street 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 with the condition the wood planks be either painted or have an opaque stain, with the color to be OK'd by staff.

[Note: Staff discussed with the BAR and the applicant that there are questions related to the fencing requirements under the updated zoning ordinance and that an approved CoA does not supersede what is required—or prohibited—by the code. Should the subsequent zoning review (necessary for a building permit) result in significant changes to the approved design, staff will consult with the BAR. Otherwise, BAR allowed staff the flexibility to resolve any minor changes.]

For specifics of the discussion, the meeting video is on-line at the link below. This discussion starts at approximately 00:35:00. <https://boxcast.tv/channel/vabajtzezyv3iclkx1a?b=votxamw5ejjsilzrhjix>

Per the provisions of City Code, this CoA is valid for 18 months [from the date of BAR approval]; upon written request and for reasonable cause, the director of NDS or the BAR may extend that period by one year; and this CoA does not, in and of itself, authorize any work or activity that requires a building permit.

If you have any questions, please contact me at wernerjb@charlottesville.gov.

Sincerely,
Jeff

Jeff Werner, AICP
Historic Preservation and Design Planner
City of Charlottesville
Neighborhood Development Services
City Hall | P.O. Box 911
610 East Market Street
Charlottesville, VA 22902
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**City of Charlottesville
Board of Architectural Review
Staff Report
May 21, 2024**



Certificate of Appropriateness

BAR 24-05-03

113 West Main Street, TMP 330259000

Downtown ADC District

Owner: West Mall LLC

Applicant: Adrienne Stronge/The Gaines Group, PLC

Project: Railing/fence at rear courtyard



Background

Year Built: 1913

District: Downtown ADC District

Status: Contributing

111-115 West Main Street is a three-story brick commercial building in downtown Charlottesville. The building has two, two-bay commercial units and is crowned with a projecting cornice at the parapet. Built in 1913, the building originally housed a bakery and a silent movie theater. A theater continued to operate in the western half of the building until 1966; the east half was long home to the *Men and Boys' Shop*.

Prior BAR Actions

November 16, 2021 – BAR approved CoA to replace ground-floor retail storefronts.

September 20, 2022 – BAR approved CoA for mural on rear wall.

Application

- Submittal: Gaines Group, PLC submittal dated April 4, 2024, seven pages (Staff inserted two pages: One showing the existing street view from Market Street, the other presenting the applicant's revised fence color.)

Request CoA for fence/railing enclosure at the rear courtyard, facing Market Street.

Discussion

Staff recommends approval with the condition stated in the draft motion below. The applicant has proposed the fence be painted or stained blue, as shown in the updated submittal, and staff finds that color appropriate; however, the recommended condition allows flexibility for variation. [Note: Staff typically approves changes to paint and stain colors administratively (via email), unless there is concern a color might be inappropriate.]

Suggested Motion:

Approval: Having considered the standards set forth within the City Code, including the Design Guidelines for ADC Districts, I move to find that the proposed fence/railing at 113 West Main Street 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 with the condition the wood planks be either painted or have an opaque stain, with the color to be OK'd by staff.

Criteria, Standards and Guidelines of the City Code, under Major Historic Review **Review Criteria Generally**

Per Chapter 34, Div. 5.2.7. C.2:

- a. In considering a particular application the BAR will approve the application unless it finds:
 - i. That the proposal does not meet specific standards set forth within this Section or applicable provisions of the City's design guidelines; and
 - ii. The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the IPP that is the subject of the application.
- b. The BAR will approve, approve with conditions, or deny applications for Certificates of Appropriateness in accordance with the provisions of this Section.
- c. The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Architecture Design Control District, Individually Protected Property, or Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations: [not germane to this request]

Standards for Review and Decision

Per Chapter 34, Div. 5.2.7. D.1:

- a. Review of the proposed construction, reconstruction, alteration or restoration of a building or structure is limited to exterior architectural features, including signs, and the following features and factors:
 - i. 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 District;
 - ii. The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs, and signs;
 - iii. 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;

- iv. The effect of the proposed change on the adjacent building or structures;
- v. The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls, and walks;
- vi. Whether the proposed method of construction, renovation, or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;
- vii. When reviewing any proposed sign as part of an application under consideration, the standards set forth within Div. 4.11. Signs will be applied; and
- viii. Any applicable provisions of the City's design guidelines.

Pertinent ADC District Design Guidelines

Links

[Chapter 1 Introduction \(Part 1\)](#)

[Chapter 1 Introduction \(Part 2\)](#)

[Chapter 2 Site Design and Elements](#)

[Chapter 3 New Construction and Additions](#)

[Chapter 4 Rehabilitation](#)

[Chapter 5 Signs, Awnings, Vending, and Cafes](#)

[Chapter 6 Public Improvements](#)

[Chapter 7 Demolition and Moving](#)

Pertinent Guidelines for Site Design and Elements:

C. Walls and Fences

- 1) Maintain existing materials such as stone walls, hedges, wooden picket fences, and wrought-iron fences.
- 2) When a portion of a fence needs replacing, salvage original parts for a prominent location.
- 3) Match old fencing in material, height, and detail.
- 4) If it is not possible to match old fencing, use a simplified design of similar materials and height.
- 5) For new fences, use materials that relate to materials in the neighborhood.
- 6) Take design cues from nearby historic fences and walls.
- 7) Chain-link fencing, split rail fences, and vinyl plastic fences should not be used.
- 8) Traditional concrete block walls may be appropriate.
- 9) Modular block wall systems or modular concrete block retaining walls are strongly discouraged but may be appropriate in areas not visible from the public right-of-way.
- 10) If street-front fences or walls are necessary or desirable, they should not exceed four (4) feet in height from the sidewalk or public right-of-way and should use traditional materials and design.
- 11) Residential privacy fences may be appropriate in side or rear yards where not visible from the primary street.
- 12) Fences should not exceed six (6) feet in height in the side and rear yards.
- 13) Fence structures should face the inside of the fenced property.
- 14) Relate commercial privacy fences to the materials of the building. If the commercial property adjoins a residential neighborhood, use a brick or painted wood fence or heavily planted screen as a buffer.
- 15) Avoid the installation of new fences or walls if possible in areas where there are no fences or walls and yards are open.

- 16) Retaining walls should respect the scale, materials and context of the site and adjacent properties.
- 17) Respect the existing conditions of the majority of the lots on the street in planning new construction or a rehabilitation of an existing site.

Pertinent Guidelines for Rear of Buildings [from Rehabilitations]:

L. The area behind commercial buildings is often forgotten and neglected. This area may be a utilitarian space for deliveries and storage of discarded goods. However, in some cases the rear of the building may provide the opportunity for a secondary entrance, particularly if oriented to a public alley. The appearance of the back area then becomes important to the commercial district and to the individual business. Customers may be provided with direct access from any parking area behind the building. In these cases, the back entrance becomes a secondary entrance to the store and is the first contact the customer makes with the business.

- 1) Meet all handicapped accessibility requirements.
- 2) Consolidate and screen mechanical and utility equipment in one location when possible.
- 3) Consider adding planters or a small planting area to enhance and highlight the rear entrance, and create an adequate maintenance schedule for them.
- 4) Retain any historic door or select a new door that maintains the character of the building and creates an inviting entrance.
- 5) Note building and ADA codes when and if changing dimensions or design of entrance.
- 6) Windows define the character and scale of the original façade and should not be altered.
- 7) If it is necessary to replace a window, follow the guidelines for windows earlier in this chapter.
- 8) If installation of storm windows is necessary, follow the guidelines for windows earlier in this chapter.
- 9) Remove any blocked-in windows and restore windows and frames if missing.
- 10) Security grates should be unobtrusive and compatible with the building.
- 11) Avoid chain-link fencing.
- 12) If the rear window openings need to be covered on the interior for merchandise display or other business requirements, consider building an interior screen, and maintain the character of the original window's appearance from the exterior.
- 13) Ensure that the design of the lighting relates to the historic character of the building.
- 14) Consider installing signs and awnings that are appropriate for the scale and style of the building.
- 15) Design and select systems and hardware to minimize impact on the historic fabric of the building.
- 16) Ensure that any fire escapes meet safety regulations and that no site elements inhibit proper egress.
- 17) Ensure that any rear porches are well maintained; and if used as upper floor entrance(s), are well lit and meet building codes while retaining their historic character.

113 W Main St Courtyard CHARLOTTESVILLE, VIRGINIA

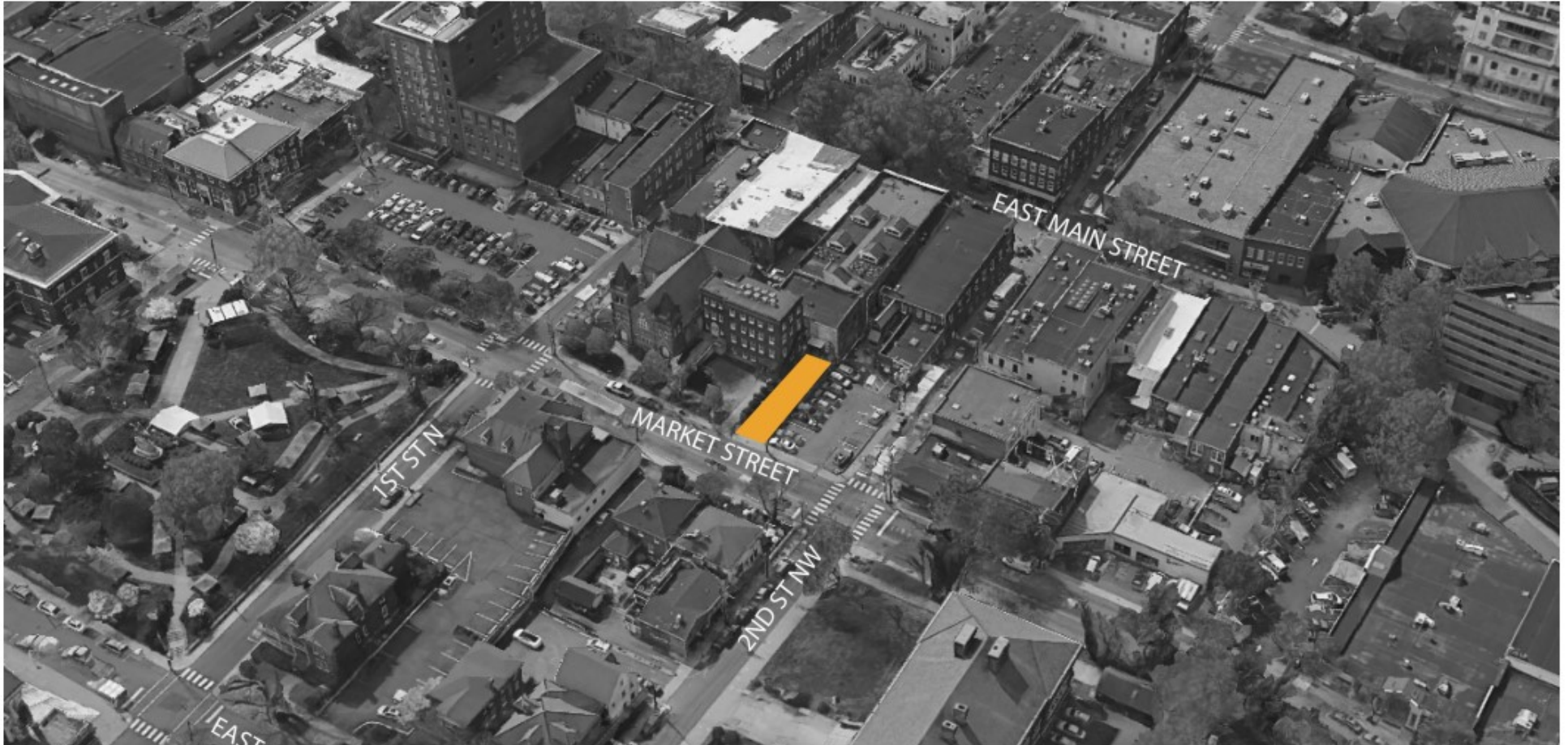
Description of proposed work:

The owner of West Main Apartments intends to take a little-used Market Street loading area to create a common outdoor amenity courtyard for their residents. This involves adding a fence along the east edge to define the space, with both a pedestrian and a vehicular gate for access from Market Street.

The fence defining the space utilizes a black aluminum post system that replicates the black columns at the covered rear door. The Hoft system fence allows for boards to be placed with space between to allow privacy while allowing air movement and limited visual connection. This system also allows for easy replacement of boards in cases of damage or vandalism, allowing the system to achieve a long life expectancy.

Access from Market street will be through a pedestrian gate made from the Hoft system. Vehicular access is required for resident moving and maintenance. This gate will be a Behlen Country Square Corner Gate that replicates the low guard above the concrete retaining wall on the east side of the courtyard.

VIEW OF SITE FROM ABOVE





Rear of 113 West Main - Existing (from West Market Street)



From: Adrienne Stronge <adrienne@thegainesgroup.com>
Sent: Thursday, May 2, 2024 10:33 AM
To: Werner, Jeffrey B
Subject: Re: 113 W Main St Courtyard

Jeff -

Our owner would love to pull in the colors from the mural and go with a blue paint on the fence.



Staff note 5/2/2024
See page 2 re: revised fence color



VIEW FROM THE CORNER OF MARKET STREET & SECOND STREET

EXISTING >





Staff note 5/2/2024
See page 2 re: revised fence color

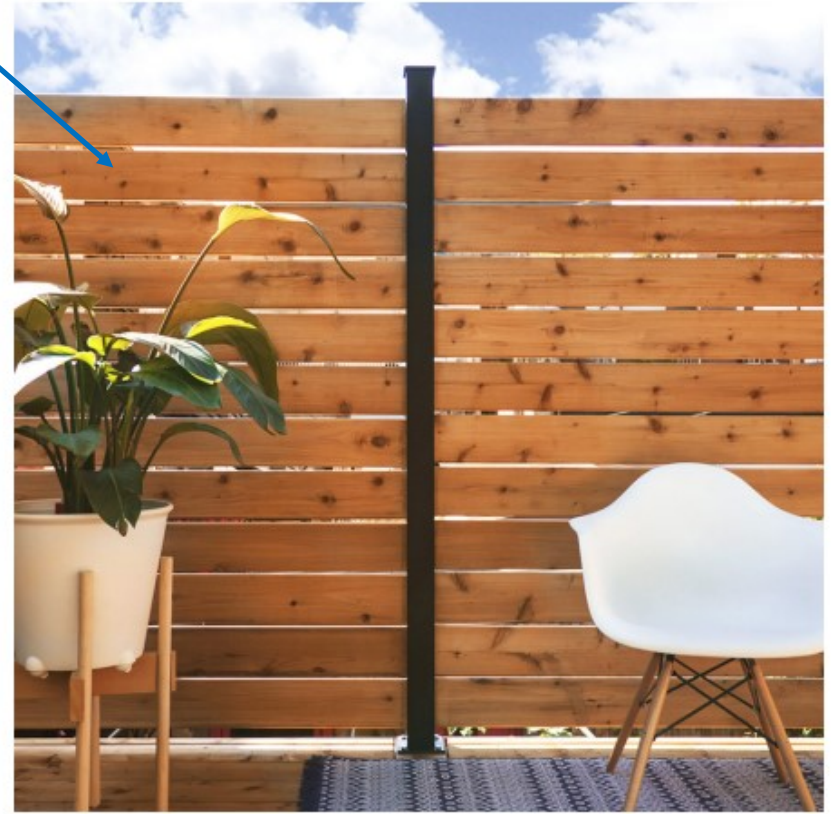
HOFT FENCE SYSTEM OR SIM.- 44"

HOFT FENCE SYSTEM OR SIM.- GATE

HOFT FENCE SYSTEM OR SIM.- 72"

BEHLEN COUNTRY 12' SQUARE
CORNER UTILITY GATE

Staff note 5/2/2024
See page 2 re: revised fence color



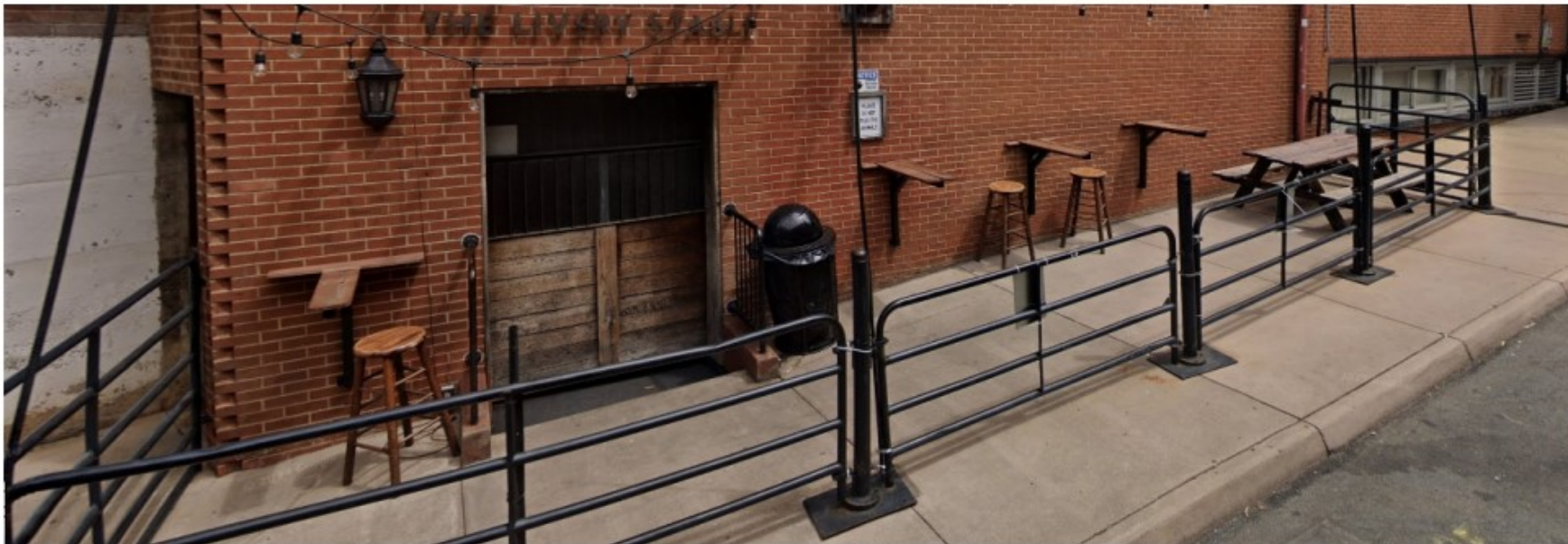
HOFT OR SIM. LINE POST KIT -
BLACK POWDER-COATED ALUMINUM
UNFINISHED PRESSURE-TREATED 5/4 WOOD BOARDS

BEHLEN COUNTRY SQUARE CORNER UTILITY GATE -
BLACK POWDER-COATED





SIMILAR FENCING AT 2ND STREET SE



SIMILAR GATE AT OLD PRESTON AVE