

RESOLUTION 1**Denial of a Certificate of Appropriateness for Demolition of the House and Gardens at 104 Stadium Road.**

WHEREAS on January 27, 2023, Subtext Acquisitions, LLC (Applicant) on behalf of Woodrow Two, LLC, the owner of certain land identified within City real estate assessment records by Parcel Identification numbers 160002000 and currently addressed as 104 Stadium Road (Property), requested a Certificate of Appropriateness (CoA) for the demolition on the Property (Requested CoA);

WHEREAS, per City Code §34-273 and §34-274, in 2011 the Property was designated by City Council an Individually Protected Property (IPP), therefore, per City Code §34-277, its demolition is subject to review by the City's Board of Architectural Review (BAR) and requires BAR approval of a CoA, and;

WHEREAS on February 22, 2023, in a motion approved 6-0, the BAR denied the Requested CoA, stating it had “considered the standards set forth within the City Code, including the BAR’s design guidelines and the standards for considering demolitions” and “the proposed demolition of the house and gardens at 104 Stadium Road does not satisfy the BAR’s criteria and guidelines and is not compatible with this property” and stating in its discussions the reasons for that denial, and;

WHEREAS, on March 9, 2023, as permitted by City Code §34-285(b), the Applicant appealed to City Council the BAR’s denial of the Requested CoA (Appeal), and;

WHEREAS, on May 15, 2023, per City Code §34-314(c), following a review of the Appeal, the Project, and the Application, and having considered relevant information and opinions, including the BAR’s determination, the City Staff Report, and the City’s ADC District design guidelines and the City’s standards for considering demolitions (City Code §34-278), this Council determined the requested demolition at 104 Stadium Road does not satisfy the design guidelines and review criteria, and is not compatible with this property.

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that, for the reasons stated below, a Certificate of Appropriateness is hereby denied for the requested demolition at 104 Stadium Road:

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Approved by Council
May 15, 2023

RESOLUTION 2

Approval of a Certificate of Appropriateness for Demolition of the House and Gardens at 104 Stadium Road.

WHEREAS on January 27, 2023, Subtext Acquisitions, LLC (Applicant) on behalf of Woodrow Two, LLC, the owner of certain land identified within City real estate assessment records by Parcel Identification numbers 160002000 and currently addressed as 104 Stadium Road (Property), requested a Certificate of Appropriateness (CoA) for the demolition of the house and gardens on the Property (Requested CoA);

WHEREAS, per City Code §34-273 and §34-274, in 2011 the Property was designated by City Council an Individually Protected Property (IPP), therefore, per City Code §34-277, its demolition is subject to review by the City's Board of Architectural Review (BAR) and requires BAR approval of a CoA, and;

WHEREAS on February 22, 2023, in a motion approved 6-0, the BAR denied the Requested CoA, stating it had "considered the standards set forth within the City Code, including the BAR's design guidelines and the standards for considering demolitions" and "the proposed demolition of the house and gardens at 104 Stadium Road does not satisfy the BAR's criteria and guidelines and is not compatible with this property" and, in its discussion, stating the reasons for denial, and;

WHEREAS, on March 9, 2023, as permitted by City Code §34-285(b), the Applicant appealed to City Council the BAR's denial of the Requested CoA (Appeal), and;

WHEREAS, on May 15, 2023, per City Code §34-314(c), following a review of the Appeal, the Project, and the Application, and having considered relevant information and opinions, including the BAR's determination, the City Staff Report, and the City's ADC District design guidelines and the City's standards for considering demolitions (City Code §34-278), this Council determined the requested demolition at 104 Stadium Road satisfies the design guidelines and review criteria, and is compatible with this property.

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that, [Council may consider incorporating the BAR recommendations stated below *], a Certificate of Appropriateness is hereby approved for the requested demolition at 104 Stadium Road.

[Council may also consider including: *Additionally, Council suggests the City Planning Commission consider initiating the Zoning Text Amendment and Zoning Map Amendment necessary, per City Code § 34-274, to evaluate removing the IPP designation for 104 Stadium Road.*]

* BAR Recommendations to Council:

- Building be documented thoroughly through photographs and measured drawings according to the Historic American Building Standards, information should be retained by City of Charlottesville's Department of Neighborhood Development Services and Virginia Department of Historic Resources;
- CoA for demolition be contingent on BAR approval of building's replacement if it remains an IPP or approval of the building by the Planning Commission if it is an

Entrance Corridor project--or a mechanism Council deems appropriate--to ensure that the building is not unnecessarily demolished if the project does not move forward.]

Approved by Council
May 15, 2023