

**RESOLUTION OF 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 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, pursuant to the conditions below, a Certificate of Appropriateness is hereby approved for the requested demolition at 104 Stadium Road.

Approval of certificate of appropriateness is expressly conditioned upon the occurrence of the following before issuance of a demolition permit:

1. Building and gardens 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;

2. Approval of a design-review CoA for new construction on the parcel as a contiguous element of the proposed multi-lot development ~~the building's replacement~~ to ensure that the building is not demolished without an appropriate and City-approved replacement, and issuance of site plan and building permit for construction of such replacement.
3. After the foregoing conditions are accomplished, if the IPP designation has not previously been removed by appropriate action of Council, whether before or after demolition, but no later than 30 days after demolition, applicant will ~~petition the request~~ City Council initiate ~~for~~ a zoning ordinance amendment per City Code § 34-274 to ask ~~that delete the property be deleted~~ from the protected property list by zoning text and map amendment.

Approved by Council
_____, 2023

Kyna Thomas, MMC
Clerk of Council