

BAR Meeting Minutes– excerpts re: 144 Chancellor Street

City of Charlottesville

Board of Architectural Review

Regular Meeting

January 22, 2025 – 5:00 PM

Hybrid Meeting (In person at City Council Chambers & virtual via Zoom)



Members Present: Cheri Lewis, Roger Birle, Carl Schwarz, Jerry Rosenthal, Katherin Tabony, Ron Bailey, David Timmerman

Staff Present: Patrick Cory, Kate Richardson, Jeff Werner, Kyle Ervin

New Items

Certificate of Appropriateness Application - Demolition

BAR #25-01-02

144 Chancellor Street, Tax Parcel 090109000

The Corner ADC District

Owner: Delta Zeta National Housing Corp.

Applicant: Kevin Blair

Project: Demolition of contributing structure

Jeff Werner, Staff Report – Request CoA to demolish the existing, approx. 20-ft x 56-ft, single-story, wood-framed structure.

Ms. Lewis – Do you think this is an instance of demolition by neglect? Has there been any work done since the 2010 engineering study that we got a copy of that was presented to this board in 2013?

Mr. Werner – Structurally, I cannot answer that. The building is maintained as good as you would expect. The roof and gutters are functioning. It is in rough shape. My understanding is that as it is currently, it does not serve the use of the owner. With what is proposed, I did not get into that. As it is now, it does not serve their use. Repairing it would not make that any more usable.

Kevin Blair, Applicant – Since the 1979 purchase of the entire property, including the former adjacent hotel and our main sorority house by Delta Zeta National Housing Corporation, this building has never really served any specific purpose other than occasional storage and a light source for our rear parking lot. There is a tendency by the interpretation of some that the building makes an [aesthetic] contribution to the area's collective architecture. However, we believe this should not be the sole consideration in determining its continued existence. The building does have some architectural characteristics, which are common for a structure of its age and time (circa 1905). Due to the following, its accessibility, location, amid large housing buildings, limited square footage, rudimentary earthen basement, and antiquated systems, it no longer serves the needs of our sorority, the surrounding student housing population, or University neighborhood community. At no fault of its own, it has unfortunately become an abandoned residential structure isolated within a commercial and university developed district. The previously projected cost estimate in 2013 to bring the building systems into compliance with current technology, efficiency, and structural soundness was estimated at \$625,000, which would be considerably more factoring in today's costs. These costs far exceed our value of the building in its current form and functionality. As noted in the present and former structural reports and applications, the building

has been deemed unsafe and is currently uninhabitable. We no longer have an intended use for the structure and are respectfully asking for your understanding and consideration to allow its safe demolition and removal.

Nothing to our knowledge, except for a roof, has been done. An asphalt shingle roof has been put on the building.

Ms. Lewis – You have reviewed the Martin Quarles report from 2010. It looks like the same conditions are there now. There is no doubt that there is degradation. Are you trying to demolish this by neglect? That report is 15 years old. If you are telling me that you have done no work on that bowing brick foundation wall and done nothing in this earthen foundation and other structural issues that you are citing, that works against your application for demolition. You cannot just let a building fall. We have a duty, especially with a historic building, to maintain things. You are saying that the roof is the only thing you have done in 15 years.

Mr. Blair – Our use of the structure would not warrant the cost and expense of those repairs to the building. It was part of the property when we originally bought it. It was never of any use to us.

Ms. Lewis – You said that the \$625,000 amount was from 2013, the last time you were here. Who came up with that cost?

Mr. Blair – It was Dalglish Gilpin Architects.

Ms. Lewis – I thought that report had an amount between \$275,000 and \$325,000.

Mr. Blair – It was a cumulative cost for all the systems to be upgraded in the building. It pretty much needs to be taken back to the studs.

Ms. Lewis – The structural rehab part is more than \$350,000.

Robert Krumpen, Applicant – The 2010 structural inspection report was done by Dunbar Engineering. The BAR documentation was excellent. That allowed me to go through our files. I was able to pull up the 2010 photographs and compare them with the 2024 photographs. One of the things that I was able to determine was that front stoop has dropped about an inch in that 15-year timeframe. That reinforces our previous concerns in the 2010 report and the 2024 report. That unreinforced masonry wall is bowing out. We also think it is shifting. It is also reiterating the southeast masonry pier. In the 2010 report, it has a tight gap between the seam and the infill. That was probably done later. The 2024 report shows a half-inch gap. We believe that the western masonry wall is failing and is in bad shape. We think the building is, as the result of the lateral pushing, sinking and shifting slightly to the east. There is some movement happening unassociated with the building in that 14-15-year timeframe. It was interesting for us to do a comparison and contrast. These are 2 data points for us to do a comparison.

Questions From The Public

No Questions from the Public

Questions From The Board

Mr. Birle – Everything above the foundation is sill plate. What is the condition of that?

Mr. Krumpen – For the wood-frame part of the structure, there are some localized damage, dry rot. There are some areas, especially at the connections with the masonry piers, that are damaged. A fair amount of the floor system looks to be in pretty good shape. The sill plates are damaged in localized areas. It did appear that there probably is some localized damage to the wood structure. The major structural implication is the foundation.

Mr. Birle – The sill plate is typical of a turn of the century house.

Mr. Timmerman – When you were looking at this, were there any alternate solutions that you began to think about as far as how to alleviate the structural situation with the foundation?

Mr. Krumpen – The biggest challenge is that the wall has failed to an extent that I cannot reinforce it. To do a competent repair, you must dig out that wall and install a more modern foundation in it like a concrete retaining wall to make it stable. It is the front, west wall. That is where the stoop sat. That part is the most damaged. The northern part of the structure looks better. There are some shifts on that. It looks like the southern part is experiencing the most movement and has the most issues associated with it. It is the southwestern wall. With the pier, that is the southeastern side. Those 2 are showing the most degradation.

Ms. Tabney – When was the roof replaced?

Mr. Blair – I believe that it was 12 or 13 years ago.

COMMENTS FROM THE PUBLIC

No Comments from the Public

COMMENTS FROM THE BOARD

Mr. Timmerman read Mr. Zehmer's comments into the record – I visited this site with Me. Werner, Ms. Richardson, Mr. Timmerman, and Ms. Tabney. The owner's rep showed us around the building including the crawl basement space. I agree that there are areas of structural concern. However, this property is not beyond repair. The recommendation in the structural engineer's report to rebuild the brick foundation wall is a good recommendation. However, it is not the only solution. If cost is a concern, some 2-by pressured treated lumber could be used to construct bracing to stabilize this wall and prevent further movement. The sentiment that the CMU infill needs to be connected to the sill plate is incorrect. The brick piers are holding up the building. The CMU infill is just that. It is infill. Although our purview is typically limited to the exterior of the building, I think that when a CoA for demolition is submitted, the owner has invited the BAR into the building. It is worth noting that the interiors still retain much of their original finishes, including doors, fireplace mantle, window trim, plaster, and wood floors, this helps argue for preservation of the building. The original wood siding is still extent underneath the medal siding. I would not be able to support of the CoA. The applicant is pursuing demolition by neglect. We cannot support or reward this approach to the maintenance of the contributing buildings in a historic district.

Ms. Lewis – Mr. Blair notes that he wants us to focus on other factors, recognizing that it is an older building. He would like for us to look at factors, such as the accessibility of the building, its

location. It is currently amid many larger housing buildings on Chancellor. He is also probably referring to across the tracks and nearby, the limited square footage of the building, the earthen basement, antiquated systems, the fact that it no longer serves the needs of the owner (been the owner since 1979). He cites that it is basically an abandoned residential structure in a commercial university, a district that has become developed around it. He cites the cost. I don't see that in 2013 or this year where we have had a contractor put numbers on that. These are guesses. They are guesses by qualified engineers. We did not get any numbers this time. The ones cited by the architect firm the last time would be that plus inflation with 12 to 15 years. Cost is not one of the factors that we consider. For the applicant and public information, we are beholden to look at the guidelines for demolition. They are cited in Chapter 34. I am citing to the old code because we don't have references. The new code has not been codified. It is section f.2.5.2.7.1b. Factor we are supposed to consider are the historic architectural cultural significance of the structure or property including without limitation, the age or structure of the property, whether it has been designated nationally or statewide. This building is a contributing structure in The Rugby Road University Corner Historic District. It is noted on the National Register listing. The third factor is the extent the building or structure is associated with a historic person, architect, master craftsman, and historic event. We don't know of any. Whether the building or structure or any of the features represents an infrequent or first or last remaining example within the city of a particular architectural style or feature. Staff notes that the building is an unusual building type. We probably don't have any other 1-story school buildings. They are existent wood school buildings that are existent at all in the city. It might be the last remaining example of that type of building. The 5th factor is whether the building or structures of such older distinctive design texture or material that it could not be reproduced or could only be reproduced with great difficulty. Nobody think this building could be reproduced because of the antiquated features of it. You could reproduce it with new materials. It might look a little alike. The degree to which distinguishing characteristics, qualities, features, or materials remain. It has been noted that many of them do remain because, so little has been done by these owners who have owned it for 45 years. It is like it was when they bought it. We consider whether and to what extent contributing the structure is linked historically or aesthetically to other buildings and structures within the district or is one of a group of properties. It has been noted by staff that this is linked with the history of the university. This area being a residential district and a residential place for staff and other people that were associated with the university and might have schooled their children. The overall condition and structural integrity of the building as indicated by studies prepared by an engineer, whether the applicant proposes means, methods, or plans for moving, removing, or demolishing the property that preserves portions, features or materials that are significant to the property's historic, architectural, or cultural value. What the applicant has proposed is to raze it and maintaining none of those elements and any other applicable provisions of our design guidelines. We are bound by that. Many of those might be subjective. Many of them are easy to answer. Those are how we consider this question. I wish that this sorority would use this building, come back to us with a partial demolition, and use some of the space in the remaining parcel. There is a little bit of space in the back to add onto this building and add new life and certainly bring it a new purpose for the sorority. I cannot approve a whole demolition. I am concerned that this owner has owned this building since 1979 and not have done anything in 45 years to a building that is quite unique in the city.

Mr. Werner – The design guidelines for demolitions refer to the old code section, which has been superseded by the new code. In the staff report, the criteria are there for reviewing decisions related to demolitions from the current ordinance. Under that are the guidelines from the ADC

District Design Guidelines. That is where the reference is to the old code. I have included both in there. Both are similar. There is no code conflict.

Mr. Timmerman – It is important to draw distinction between the idea of an individual's purpose for a building or just a more generic purpose for a building and what our intentions are here. I hope that helps clarify.

I would like to augment a certain perspective. I will start with reading the introduction to the ADC District Design Guidelines. In the introduction, it broadly states that historic buildings are irreplaceable community assets. Once they are gone, they are gone forever. With each successive demolition or removal, the integrity of a historic district is further eroded. Therefore, the demolition or removing any contributing building in a historic district should be considered carefully. That is significant in this case. When I arrived on the site, I appreciated the time you spent with us and walking us through. I appreciate the structural report. I appreciate what you said earlier and your presentation. All of it was respectful. It makes a lot of sense. When I arrived on the site, I noticed was the building itself and the structural issues. I noticed how well intact it was. Even with the siding that is on it, you can almost feel the history of it in the form of the building. You could imagine it the way it used to be. I looked up and down the street. It is on a street that has a consistent fabric. It has not been interrupted unlike many of the areas surrounding the university. That was significant to me; not only the building being within reach but also the continuity of the street. When you walk down the street, it is a great experience. You are not walking on a street like Wertland where it is marked by developments that are out of scale and out of range of the historic district that it embodies. An important thing to consider here is its location within the greater context of the street. That is an important thing to consider. It is an important asset in our community. These are the kinds of things that we are all impassioned to try to protect or to uphold. Everyone on the BAR has that mission whether they agree with this situation or not. I agree with Mr. Zehmer's recommendations regarding the structural. While there is a serious structural issue, I wonder if there isn't a more creative approach. When I was in the crawl space, it was clear that front retaining wall is failing because it is a brick wall. It is retaining soils that had been left exposed. Something has changed. As you mentioned, there has been a significant tilting of it in the last 10 years. Are there other ways of dealing with this kind of situation? Is there a solution for infilling part of the crawl space to encase that foundation? Is there a way to encase that wall so that you relieve yourself of the expense of jacking the building up and putting in a new wall? Given that the building is intact and given that the structure is not beyond repair, I suspect there are ways of dealing with it. I would not be willing to approve the demolition. It is an important part of the fabric of the community around the University.

Mr. Schwarz – I agree with what my colleagues are saying. I feel for you guys. Unfortunately, you need to go through the process. It sounds like we are going to deny this. Our duty on this board is to not let you demolish it. Unfortunately, you are right. You are right it probably has served its use in the neighborhood. You can take it to Council and appeal. If they deny it, you can put it on the market for a year. If nobody buys it, you tear it down. Ideally what would happen is that some student group or someone sees it as a community space, sees the value in it as a historic school building, that would be the dream. We can hope that happens. We need to allow that process to take place. Fortunately, with our updated zoning code, there is no minimum lot size. You can sever your lot and sell this portion. You probably should have gone through that process in 2013. You need to go through the process of seeing if somebody can buy it and somebody else can take care of it.

Mr. Birle – The fact that this is a contributing structure according to the VDHR (Virginia Department of Historic Resources). What we are hearing from people who have seen it, from the report, and everything from the sill plate up is in decent shape. The bar for demolition would have to be much higher than that. We need to protect buildings like this.

Mr. Werner – I have talked a lot with Mr. Blair. I was very candid with him that the BAR's responsibility is the historic resource. There is a process of appeal. It must occur within 10 business days of your action. That would be February 5th. The practice has been that an appeal is presented in writing. It is not a hold to come and have a discussion later. The appellant must make the case of the grounds for the appeal and including anything where the BAR might have misapplied the standards. There is a \$100 fee for an appeal to a BAR decision. It is part of the process. Too often in the appeals, it has been viewed as a rebuke of the BAR. The BAR is doing its job. The process allows Council to review it. In the ordinance, Council may consider any additional information, factors, or opinions that they deem relevant to the application. Whereas you are constrained by the guidelines and the criteria of the new ordinance, Council can consider other things. That is what the process was designed for. They are the elected officials. I want to be clear that it is going to Council. The applicant has an opportunity to make their case. There is an opportunity for a valid statement.

Mr. Timmerman – It shows that we feel strongly about the significance of the building. We are not trying to be on a soap box. Maybe counter to what Mr. Schwarz is saying is that there is an option. I don't know how feasible it is. My hope is that the sorority find a purpose. You said that there is no purpose for it. Often with buildings, spaces, structures, it is not so much to have the purpose. It is finding the purpose. There might be an opportunity.

Mr. Werner – We have referred a couple of times to a contributing structure. You have purview over locally designated historic districts and locally designated properties. Per our code, anything that is considered a contributing structure, you have purview over the demolition review. In the review criteria for demolitions, we refer to contributing structure into the state and national register districts—the Virginia Landmarks Register and the National Register of Historic Places. This school is a contributing structure to that National Register District. That is not what causes you to have the purview over the demolition. It is part of the consideration. It is state and national significance.

Motion to Deny – Mr. Timmerman – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed demolition of 144 Chancellor Street does not satisfy the BAR's criteria and its guidelines and is not compatible with this property and other properties in The Corner ADC District for the following reasons:

- The cultural significance of the historic building and the street on which it is located.
- Its relatively extant condition.
- It is an extant example of this vernacular period.

The BAR denies the application as submitted. Second by Ms. Lewis. Motion passes 6-0 with one Abstention (Mr. Bailey).