

Lee Chapel Interior Wall Proposal

Summary of Dialogue Between W&L and City of Lexington officials

Date Prepared: 8 August 2022 by John Lane, The Generals Redoubt

THIS DOCUMENT

1. The following are quoted and paraphrased excerpts from email documents provided to student Kamron Spivey from City of Lexington as a Freedom of Information Act response package. The reader will better understand why City of Lexington has refused to approve Washington and Lee University's plan to build a permanent wall barrier inside Lee Chapel to separate the auditorium from the Lee recumbent statue by Valentine.
2. Some cc email listings were omitted where those persons were not discussion participants.
3. These are current to July 21, 2022. No documents have been received from Lexington to update this FOIA request.
4. Retyped from pdf versions, some transcription errors may exist. Please advise if errors appear.

ABBREVIATION KEY

AG-Arne Glaeser, City of Lexington Planning Director

AHJ-Authority Having Jurisdiction. See Steve Paulk below.

CB-Carole Bailey, W&L Director of Capital Projects

CP-Charles Piper, Quinn Evans Architects, Richmond, W&L consultant

HL-Hugh Latimer, W&L Architect and Planner

JH-Jim Halasz, City of Lexington City Manager

KB-Kate Beard, Administrative Assistant, City of Lexington

NRHP-National Register of Historic Places

PCAG- Angela Greene, Chief of Police, City of Lexington

SP-Steve Paulk, City of Lexington Building Inspector and Authority Having Jurisdiction [AHJ]

TK- Tom Kalasky/ Quinn Evans

TR-Trent Roberts, City of Lexington Fire Marshal

VCC Virginia Construction Code, 2018

VEBC Virginia Existing Building Code 2018 Edition, adopted 2021.

MATERIAL CORRESPONDENCE EXTRACTS

DATE/Time am/pm FROM TO / QUOTES:

11.2.21 2:03 p.m. **Carole Bailey to Steve Paulk:** "We are going to be working with Quinn Evans Architects out of Richmond on modifications to the University Chapel. [They]...will be assisting us in identifying a design that will offer a separation between the auditorium and the statue chamber."

11.17.21 12:47p.m. **Steve Paulk to Carole Bailey, Hugh Latimer, cc Trent Roberts:** "Hugh and Carole thanks for inviting the Fire Marshal and I yesterday to the University Chapel to discuss the current plans the University is moving forward on. [I have] included the Virginia Uniform Statewide Building Codes. The 2018 Virginia Existing Building Code (VEBC)...is required to be used on existing buildings.gives the Designer a direction of how to proceed with the upgrades and when the 2018 Virginia Construction Code is required to be used.In the VEBC there is a section in Chapter 9 Historic Building ...but please first review Chapter 2 Definitions and let us know if the University Chapel is considered a Historic Building."

11.23.21 11:18 a.m. **Trent Roberts to Steve Paulk** commenting on his search results that 'University' Chapel is a historic building: " Hummmm....where does this turn the wall project?" Roberts attached an online quote: "University Chapel of Washington and Lee University is a National Historic Landmark in Lexington, Virginia. It was constructed during 1867-1868 at the request of Robert E. Lee, who was president of the school, and after whom the university is, in part, named."

11.30.21 11:34 a.m. **Charles Piper to Carole Bailey** [Responding to Steve Paulk's inquiry about historic building status]: "The University (Lee) Chapel is listed on the National Historic Places where it was listed on October 12, 1966. The building had first been designated a National Historic Landmark on December 19, 1960. It was added to the Virginia Landmarks Register on September 9, 1969. As such, the building qualifies as a Historic Building per the definition offered in Section 202 "Historic Building" in the 22018 Virginia Existing Building Code."

12.1.21 11:13 a.m. **Steve Paulk to Carole Bailey, cc to Trent Roberts, Hugh Latimer, Arne Glaeser**

"It appears Mr. Piper is following the 2018 Existing building Code.Please follow the protocols of the **NRHP** and life safety concerns the Fire Marshal requires."

[Mr. Paulk was out of his office on extended medical leave for many weeks; he worked through Fire Marshal Roberts to discuss the project with W&L representatives.]

5.23.22 8:39 a.m. **Trent Roberts to Carole Bailey, cc to Steve Paulk**

"Inspector Paulk does not approve of the installation of the proposed wall at the University / R.E. Lee Chapel. Cause: Installation of a barrier, which reduces the life-safety configuration of the building. The wall will eliminate access to the rear stair, which although is not a posted exit leading from the sanctuary, upon the

occurrence of an emergency, that stair is currently accessible as a building discharge."

5.26.22 5:19 p.m. **Carole Bailey to Steve Paulk**, cc. to **Trent Roberts, Arne Glaeser, Hugh Latimer, Tom Kalasky**

Ms. Bailey enclosed a May 25, 2022 letter from Charles Piper/Quinn Evans explaining reasons the barrier interior wall should be approved.

Ms. Bailey provided a preliminary drawing set for Paulk's review. A full set of plans was expected from Quinn Evans to be "... submitted as part of the building permit application." ... "In addition to the code analysis presented in Mr. Piper's letter, recommendations to the University will develop an operations plan consistent with these recommendations that will be implemented moving forward."

5.25.22 **Charles Piper/Quinn Evans to Steve Paulk** Letter

Summarized, as follows:

a. That the applicable Code is the Virginia Existing Building Code, 2018 [VEBC] and relevant 2018 VCC [Virginia Construction Code];

b. "The University (Lee) Chapel is listed on the National Historic Places where it was listed on October 12, 1966. The building had first been designated a National Historic Landmark on December 19, 1960. It was added to the Virginia Landmarks Register on September 9, 1969. As such, the building qualifies as a Historic Building per the definition offered in Section 202 "Historic Building" in the 2018 VEBC."

c. "The **AHJ** [Mr. Paulk] indicated that they have never considered the anteroom stair as a second means of egress from the auditorium. The stair is not signed for egress from the auditorium and the path to the stair, including negotiating the stairs onto the platform, the additional steps impractical and inadvisable to consider it compliant second means of egress for the auditorium. The Auditorium has operated as an assembly space with one means of egress (the front door) for 150 years."Two issues were raised by Mr. Paulk....Emergency egress from the Anteroom and Sculpture Chamber....the existing stairway is only 33 1/3" wide. For context, the minimum stair width permitted by the Virginia

Construction Code for spaces serving fewer than 50 occupants in new construction is 36 inches. While the existing stair is permitted to remain relative to the terms of the VEBC, since no alterations are planned to the stairway, the AHJ expressed concern that the occupant load of the anteroom and sculpture chamber be controlled so as not to exceed the capacity of this narrow egress.

d. "Life Safety access to the Anteroom and Sculpture Chamber for Emergency Personnel. The Fire Marshal indicated that the current path of access to the Anteroom and Sculpture Chamber for Emergency Personnel is through the front door, auditorium, platform and into the Anteroom. In the event of a person experiencing a medical emergency in the Anteroom or Sculpture Chamber, Emergency Personnel cannot bring a stretcher or gurney up the narrow access stairs to get to the individual or to get them out of the building."

e. [summarized or quoted] Response by Quinn Evans; current limits on visitor load by staff are in place. Signs posting maximum occupancy are proposed for upper spaces at 16 based on main floor square footage of 488. Life safety issues raised cannot be resolved on the existing rear staircase, "...and is inadequate to widen or extend without substantial demolition or modification of the historic structure." Proposes a 3' x 7' access door in the proposed wall with control button for emergency use only, magnetic lock wired into the fire and electrical systems to '...release and partially open with a fire alarm is activated or the building loses power."

f. "...your office indicates that the proposed wall and access door will reduce the life-safety provided by the existing condition. We believe that properly designed, the door connecting the Chapel and Anteroom in the new partition, will be at least equivalent to the life-safety provided by the existing condition."

g. Summarized: Mr. Piper also asserts that the VCC does not require the new door to be accessible, to be fire rated, or to be an egress door with exit signs and exit hardware. "it is inappropriate to sign the door as an exit and the historic character of the space would argue against a visible exit sign. Historically this opening has often been closed off by curtains and decorative panels, obscuring any view to the space beyond. There is currently no indication that a building discharge is accessible through the Anteroom, and similarly, there will be no indication that a building discharge is accessible through the new wall in the new condition." Mr. Piper contests Mr. Paulk's assertion that the wall will eliminate access to the rear stair, saying their proposed magnetic lock emergency door will open with a fire

alarm signal or power loss. He also argues the door will avoid mass crowding toward the back stair. Attached to this letter: materials on Quinn Evans's analysis of life safety and access at Lee Chapel which concludes to say, "The installation of the separating wall between the auditorium and the anteroom has no affect [sic] on the accessibility of the facility in compliance with Section 404.1."

5.26.22 Steve Paulk to Arne Glaeser, Trent Roberts, Kate Beard, Tom Kalasky, Hugh Latimer, Charles Piper

Mr. Paulk points out that the University advertises seating capacity of 525 persons. He then goes on to say; "The Chapel has one exit which the Virginia Construction Code designates a limit of 49 occupants with one exit. The University is advertising the Chapel with an occupancy of 525. Please explain how that meets life safety. Two balconies with under sized means of egress steps that merge with the means of egress for the main down stair assembly."

6.1.22 11:14 a.m. Steve Paulk to Carole Bailey, Arne Glaeser, Trent Roberts, Kate Beard, Tom Kalasky, Charles Piper

Mr. Paulk cites guidelines and restrictions, Virginia Fire Safety Regulations Article 14, Means of Egress, Section 1402.2 "Places of Assembly (a) Every room used as a Place of Assembly shall have at least two Exit Doorways. (b) Every Place of Assembly having a capacity greater than 200 persons shall have Exitway conforming as to number and width with Paragraph 401-2(b) and subsection 404-4. In applying Subsection 4-4-4, a stairway 40 inches wide may be accepted as two units."

6.2.22 3:43 p.m. Steve Paulk to Carole Bailey, Arne Glaeser, Trent Roberts, Kate Beard, Tom Kalasky, Hugh Latimer, Charles Piper

Mr. Paulk received an archival file on Lee Chapel from W&L. The 1929 record file "...shows a means of egress stairway located in the area behind the pulpit stage area. This means of egress stairway terminates at the lower floor and directs the occupancy's though [sic] the Lee Family's Vault viewing area. To exit this area the means of egress door to the exterior is located on the lower floor south side.

The Building Official's review of the 1929 plan interprets the stairway as a dedicated means of egress from the main chapel and lower floor."

"The 1962 file shows a new means of egress stairway that terminates at the lower floor. A new means of egress door to the exterior is shown on the north side of the building. The existing means of egress door to the exterior on the south side of the building remains. The Building Official's review of the 1962 plan interprets the new stairway and as [sic] a dedicated means of egress from the main chapel and lower floor."

"Restricting the means of egress as proposed is not approved."

Mr. Paulk provides an aggrieved party to this proceeding with appeal provisions to the Local Board of Building Code Appeals.

6.13.22 1:54 p.m. **Steve Paulk to Carole Bailey, Trent Roberts, Arne Glaeser**

Mr. Paulk refers to Police Chief Greene's presentation on providing school staff training in the event of mass shooting with all Public Schools. He asked that she be invited to attend a meeting scheduled for W&L and City of Lexington staff for June 16, 2022 saying, " I am requesting you to invite Chief Greene to the meeting. She is not familiar with the building's egress or occupancy gatherings. [referring to Lee Chapel].

6.16.22 4:14 p.m. **Steve Paulk to Angela Greene, cc to Trent Roberts, Arne Glaeser**

Mr. Paulk thanked Police Chief Greene for attending the 6-16-22 meeting with him and W&L officials about Lee Chapel. "Thanks for making the time and input at the meeting today."

6.16.22 4:31 p.m. **Angela Greene to Steve Paulk** Quoting: "You are welcome! Thanks for including me. I hope they understand the seriousness of the safety issue."

6.16.22 4:36 p.m.

Steve Paulk to Angela Greene:

"We can only hope so."
