

**Statement to the City Council in Opposition to the Certificate of Appropriateness for the 301 N. Fairfax Street Development Proposal**

For the Public Record

July 2, 2024

The City Council should reject the Certificate of Appropriateness for the 301 N. Fairfax project that was granted, in error, on May 15 by the Board of Architectural Review (BAR), in a split decision.

Since May 2023, affected Alexandria citizens have unanimously and vociferously opposed the Hoffman project plan for 301 N. Fairfax Street, not because we oppose development and growth, but because what has been proposed there is massively out of scale in the Old and Historic District neighborhood and because it lacks virtually any reference to the architectural cadence of the medium-density residential blocks that almost completely surround it. It is one of the single most inappropriate residential structures proposed in the Old and Historic District in years.

The Council has solid grounds for rejecting this Certificate of Appropriateness, from three interconnected perspectives. As I review them here, we have to consider the essence of the mission of the BAR and how zones were originally developed by the city-appointed Zoning Task Force in 1988-1990 to understand why the two BAR members who opposed the Certificate of Appropriateness were correct, and the majority were incorrect in their vote.

The BAR administers the Old and Historic Alexandria District. It *"shall review such features and factors for the purpose of determining the compatibility of the proposed construction....with the existing building or structure itself, if any, and with the Old and Historic Alexandria District area surroundings."*

The first argument for rejecting the Certificate of Appropriateness is that the Hoffman proposal fails most of the BAR standards that the BAR is obliged to apply as part of its mission. Of the ten (10) standards under the BAR's purview, five (5) are dispositive for the 301 N. Fairfax proposal. The BAR must consider:

1. The overall architectural design, form, style and structure, including, but not limited to, the height, mass and scale of buildings or structures.
2. Design of buildings on the site; and their impact upon the historic setting, streetscape or environs.
3. The extent to which the building will preserve or protect historic places and areas of historic interest in the city.
4. The extent to which the building will promote the general welfare by the preservation and protection of historic interest in the city; and
5. The extent to which such preservation and protection will promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting visitors, and making the city a more attractive and desirable place to live.

The bland, modernist Hoffman proposal hardly meets the standard for design, form, style and structure because it is architecturally out of place in the Old and Historic District. Its height (which is essentially 5 stories counting the height of mechanical enclosures on the roof) overwhelms both the existing

townhomes that average 2.5 floors that surround the site AND the townhomes that are under proposal by another developer right now to replace the buildings at 333 N. Fairfax and 300 N. Lee Streets.

The impact of the Hoffman proposal on the historic setting, streetscape or environs will be immediately negative due to its overwhelming scale and lack of any architectural relationship to the townhomes that surround it. The proposed building would not only do nothing to preserve or protect historic places and areas of historic interest in the city, but it would denigrate the beautiful historic characteristics of homes on the 200 block of N. Fairfax and the 300 block of Queen. The Hoffman proposal does not preserve and protect the historic interest in the city because it would be an architectural anomaly adjacent to historic homes one block from historic City Hall.

The Hoffman proposal also fails the general welfare standard for increasing real estate values; its mass and density will lower adjacent property values from loss of parking, fewer hours of sunlight, and its being an architectural misfit in the historic neighborhood. It fails the general welfare standard for generating business and creating new positions because there will be no commercial use or activity in the building to generate new positions – even though the CRMU-H zone requires such commercial use.

Finally, the Hoffman proposal fails the general welfare standard because this out-of-place design will neither attract tourists, nor make the city a more attractive and desirable place in which to live.

Two (2) other of the 10 BAR standards present a different set of reasons to reject this Certificate of Appropriateness. When the BAR voted on the Certificate, it was obligated to consider:

1. Texture, material and color, and the extent to which any new architectural features are historically appropriate to the existing structure and adjacent existing structures.
2. The relation of the features to similar features of the preexisting building or structure, if any, and to buildings and structures in the immediate surroundings.

The BAR's acceptance of the developer's claim that the architectural features of its proposed condominium should be compared to the three 1970's office buildings that occupy this entire block is illogical and wrong. The current building at 301 N. Fairfax will be demolished, so comparing its proposed replacement to what will disappear makes no sense. We understand that the owner of the other two buildings that occupy that block – 333 N. Fairfax and 300 N. Lee Streets – is in discussion with another developer to build townhomes to replace those 1977's buildings, so comparing Hoffman's proposal for 301 N. Fairfax to the height of these two buildings that we know will be demolished, as Hoffman's counsel insists on doing, is obviously wrongheaded.

The BAR cannot rationally maintain that the Hoffman proposal meets the standards for architectural features that are historically appropriate to adjacent existing structures, when it is common knowledge that all three existing buildings will disappear, as we have been warning for a year is inevitable. When the rest of this block is developed as lovely 2-3 story townhomes by a developer that we believe has far more awareness of, and respect for the surrounding neighborhoods where it builds, the Hoffman proposal will stand out like a sore thumb and a terrible, overly dense architectural mistake by the city, because it will be fully surrounded by medium density residential and commercial townhomes and one-story commercial buildings – that it would overwhelm.

This is exactly why this proposal resulted in such a contentious Planning Commission debate on December 5, when Commissioners Brown, Ramirez and Koenig argued that proper planning should have

preceded the improper spot zoning of 301 N. Fairfax, since it was inevitable that the entire block would be redeveloped immediately after the 301 N. Fairfax site. Commissioner Brown argued that *“the proposed development is the latest in a trend of buildings being rezoned and redeveloped without being part of any kind of broader plan on the city’s part.”*

Even the Chair of the Planning Commission that evening publicly admitted that the Commission should have planned the entire block bounded by Queen, Fairfax, Princess, and Lee Streets before spot zoning 301 N. Fairfax for a powerful developer, but just didn’t have the staff, the time, or the inclination to do it right. He then declared that he thinks this entire block that includes 301 N. Fairfax should be a “transitional” block between the Old and Historic District and North Old Town, ignoring that 301 N. Fairfax sits two full blocks south of the boundary of those districts.<sup>1</sup>

For these reasons, the Certificate of Appropriateness should be rejected because the Hoffman proposal does not meet the BAR standards for size, scale, impact on the historic surroundings or its promotion of the general welfare as defined in the BAR standards.

Hoffman also wants the BAR and the Council to compare its proposal for 301 N. Fairfax to the commercial buildings on the south side of the 200 block of Queen Street. We welcome that comparison, because the Hoffman proposal massively overwhelms all of them – the one and a half story mission revival building at 225 N. Fairfax, the historic 3-story townhomes that now house Elaines and Momo restaurants, and the one-story head shop on the corner of Queen and Lee Street. So, for that reason as well, the Certificate of Appropriateness should be rejected because the proposal does not meet the BAR standards for being historically appropriate to what is and will be adjacent existing structures or the relation of its features to similar features to those of buildings and structures in the immediate surroundings.

There is a second reason to reject the Certificate of Appropriateness. The relationship between the BAR’s obligation to protect the Old and Historic District directly intersects with the Design Guidelines that govern new development on sites in both the Old Town and Waterfront Small Area Plans. The 301 N. Fairfax site lies in both Plans. The Hoffman proposal fails to comport with any of the Design Guidelines in Chapter 6 governing the Old Town Small Area Plan, which provides that:

- *“Boards favor contextual background building which allows historic structures to maintain the primary visual importance.”* The Hoffman proposal fails this test.
- *“Single buildings in the latest architectural vocabulary are generally discouraged.”* Hoffman exemplifies the discouraged architectural vocabulary.
- Alexandria Boards promote development that is *“compatible with the historic characteristics of historic districts.”* Hoffman fails this compatibility test.
- *“Designs should complement and reflect the architectural heritage of the city.”* Hoffman fails here as well.
- New buildings *“should not create an appearance with no historical basis.”* Hoffman offers none.
- Guidelines require that multifamily residences *“should not overwhelm adjacent buildings.”* Hoffman clearly fails this test.

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<sup>1</sup> For the record, we do not think that kind of personal determination is in the Chair’s job description, nor was it his job to excoriate the BAR by insisting incorrectly that it has no jurisdiction over size and scale of new construction.

- And Chapter 8 of the Design Guidelines for the Waterfront Small Area Plan declares a “*strong preference to reflect traditional architectural styles found in the Old and Historic District that complement and reflect the architectural heritage of the city and use historic design elements found in the Old and Historic District.*” Hoffman fails this test as well.

Because the Hoffman proposal violates the Design Guidelines in the two SAPs in which it lies, the Council has yet further grounds for rejecting the Certificate of Appropriateness.

There is a third reason to reject the Certificate of Appropriateness. While the BAR’s focus is not on zoning, the history of the commercial residential mixed use high density (CRMU-H) zone informs the underlying legitimacy of the Certificate of Appropriateness. To make its proposal, Hoffman relies on the Council’s incorrect rezoning of this single site to the commercial residential mixed use high density (CRMU-H) zone, we believe in violation of both the letter and spirit of Section 5-305 of the Zoning Ordinance. It is the legislative history of how the CRMU-H zone came to be, that is dispositive in this hearing about the Certificate of Appropriateness.

The minutes from the August 1, 1989 meeting of the city-appointed Zoning Task Force reveal that members specifically identified the application of the CRMU zone *only* in the small area plans for the Braddock Road Metro Station Area, Alexandria West, Landmark/Van Dorn, and the Southwest Quadrant – never in the area controlled by the Old Town Small Area Plan. Minutes additionally provide that “*...CRMU areas may be proposed in Old Town North and King Street/Eisenhower Valley small area plans.*” Sites in the Old Town Small Area Plan were never so identified, either by the Task Force or Planning Commission.

The September 9, 1989 minutes of the Zoning Task Force further provide that “*...in the Old Town area and vicinity, there’s only a few [sites identified for the application of the CRMU zone] identified, which include the Braddock Road Metro area and the Old Town North area.*” In numerous Task Force meeting minutes from 1988-1990 not only were no sites lying within the Old Town Small Area Plan (as 301 N. Fairfax does) ever identified as ones that should be zoned CRMU-H, but also there is ample language about specifically excluding parcels in the Old Town Small Area Plan from CRMU-H zoning. The intent of the city-appointed Zoning Task Force could not be clearer.

Those minutes also show that the “reward” of extra density was designed for mixed uses, not for single uses like the Hoffman proposal, as evidenced by the very title of Section 5-305 of the Zoning Ordinance and its Purpose section. In the August 1, 1989 meeting minutes, the city’s then Director of Planning and Community Development said, “*In general, I think that if mixed use development is desirable, we should consider increasing the densities on those sites as an inducement to mixed use.*”

It was the unprecedented grant of the CRMU-H zone at 301 N. Fairfax that was the single condition precedent for the overwhelming size of Hoffman’s proposed condominium, and thus the root cause of its gross violation of the mass and scale standards for new construction on sites in the Old Town and Waterfront Small Area Plans. In fact, the re-zoning and SUP were designed specifically so a grossly oversized building could be built there. The reason that the Hoffman proposal was sent back for downsizing at three BAR meetings by a BAR obviously conflicted about its overwhelming mass and scale, is because the project plan does not meet the Design Guidelines of the Old Town Small Area Plan or the Waterfront Small Area Plan – for both architectural and mass and scale reasons. The fact that it was

passed by the BAR, in error and over the objections of two members that voted correctly, should be reversed tonight by the City Council by rejecting the resulting Certificate of Appropriateness.

The Council has this opportunity to publicly vote against the wildly unpopular 301 N. Fairfax plan and show that you support citizens' interests over developers' interests, by voting to reject the Certificate of Appropriateness as having been mistakenly approved by the BAR. Failing to reject the Certificate of Appropriateness would put the fundamental character of the Old and Historic District at risk and be contrary to the operation of the Old Town and Waterfront Small Area Plans, the purpose of the CRMU-H zone, and the intent of the Zoning Task Force that created it for use elsewhere in Alexandria.

We call on the Council to reject the Certificate of Appropriateness as demonstrably inappropriate for this site in the Old and Historic District.

Respectfully,

Scott Corzine

300 Queen Street



19  
7-2-24

Re: Docket Item # 19

BAR 2024---00160

OHA 24-2313

Dear Mr. Mayor and members of the Alexandria City Council:

I would respectfully ask that you postpone a vote affirming the Board of Architectural Review to approve the Certificate of Appropriateness for new construction at 301 N. Fairfax, for the reasons set forth below.

In its report to the City Council, the recommendation to affirm the vote was conditional.

Staff noted that:

1. The applicant should work with staff to revise the design of the main entrance to make it a more prominent feature of the building façade;
2. The applicant should work with staff on the design and material for the terrace dividers to ensure that they are as minimally visible as possible and are compatible with the design of the building
3. That the proposed Ceraclad rainscreen system be used on all elevations including where the submission indicates the use of other fiber cement panels.
4. The applicant should work with staff on the specifications for the proposed cast stone elements to ensure that the color of this material does not fade.

Please note the verb “should” here. This is what lawyers like to call a “precatory” verb. It means that something is desirable but not necessarily required.

As you well know, this development was opposed—strongly opposed—by the residents in the surrounding neighborhood and by every other citizen who spoke, signed petitions, and otherwise addressed the issue of the height, scale, mass, density, and architectural details of the proposed development. It is also a fact that the developer did next to nothing to address any of the concerns of the opponents. From the outset, this development was presented to the community as a “no compromise/no dialogue--this is what we are doing” attitude.

It should also then come as no surprise that this matter is now in court, with a hearing date in the appellate court likely to happen anytime soon.

What I would respectfully suggest is that Council take the 4 recommendations outlined above and make them mandatory. Let the developer know that the design of the

main entrance is to be reworked, that the design for the terrace dividers are to be minimally visible, etc. The "should" becomes "shall".

I for one have full confidence in the ability of staff to engage in good faith dialogue with the developer to see that those conditions are met. That will provide a (minimal) improvement to what will otherwise be seen as a dismal failure.

I have little to no confidence that even these minimal conditions will be negotiated in good faith by the developer unless there are more teeth in these recommendations.

Thank you.

Respectfully,

Yvonne Weight Callahan

19  
7-2-24

Date: July 2, 2024

TO: The Honorable Justin Wilson and Members of the City Council

From: Gail Rothrock, representing the Historic Alexandria Foundation

RE: **July 2 Docket Item #19: BAR 2024-00160**

I would like you to consider the following comments tonight regarding the BAR's decision on a Certificate of Appropriateness for the project at 301 N. Fairfax Street.

I enter these comments because the Historic Alexandria Foundation's mission is to assist in efforts to protect and maintain the historic fabric AND the historic character of the City's historic districts. We spoke against the demolition of the 301 N. Fairfax office building, not because of historic or architectural significance but because the existing building is set back from the street and unobtrusive, AND because the existing building could be repurposed, a green solution needed in this global warming era. It's been pointed out that two blocks north on Fairfax Street what a great success architecturally the Oronoco Condos adaptive use project is. Such an opportunity is lost here.

This architectural project just does not fit into the character of this central part of the Old and Historic District. It does not meet the Subtitle 10 Standards for New Construction (10-105(A)(2)(a-e) **of compatibility with the Old and Historic Alexandria District area surroundings. The height, massing, scale and architectural detailing is just wrong for this site.**

First, unlike the position of staff, **the two and three story buildings on the south side of Queen Street are part of the character and fabric of the historic district. That is why this massive building is so incongruent.**

Second, although the proposed building is separated by the two streets – Queen and Fairfax, as staff makes a point of -- **its massive size totally changes the character of the historic district in this area. It's like a big sign: The Historic District stops here.**

I have reviewed the statement of Yvonne Weight Callahan, and respectfully suggest that you consider and endorse her recommendation that you make the staff's recommended conditions mandatory.