

From: Scott Corzine <scorzine54@gmail.com>
Sent: Saturday, April 27, 2024 12:46 PM
To: William Conkey <william.conkey@alexandriava.gov>
Cc: Scott Corzine <scorzine54@gmail.com>
Subject: [EXTERNAL]Docket for Wednesday May 15 - Inquiry

Bill - I hope you're well. Thanks again for accelerating the permit so we could rebuild after the large tree incident last summer - all construction is complete. Drop by one day and have a look if you'd like!

I see that on May 15, BAR#2024-00160 OHAD is on the docket to consider the Certificate of Appropriateness for new construction at 301 N Fairfax Street by 301 N Fairfax Project Owner LLC (Hoffman).

Is the BAR aware that my group has active litigation in Alexandra Circuit Court, with a hearing Monday May 6 at 10 AM, where we are suing the City and developer to halt this process until the judiciary can interpret the Zoning Ordinance that governs whether this building can be built to a 1.25 or 2.5 FAR?

In the likely event that our lawsuit is accepted by the Court, what purpose for the common good would it serve for the BAR to consider the requested Certificate of Appropriateness on May 15, while our litigation is pending and could result - should we prevail - in compelling the developer to propose a smaller project at 301 N. Fairfax?

I'd request that the BAR vote to remove this item from your docket on May 15 until the legality of the proposal is settled in court.

Can you give me a sense of this, in your reply?

Bill, thanks so much,

Scott

Statement for the Public Record

BAR#2024-00160 OHAD

May 12, 2024

To the Members of the Board of Architectural Review and Staff:

For one full year since our first appearance before the BAR, educated and informed citizens have voiced their unanimous opposition to the size, scale, mass, and architectural ignorance of the proposal before the BAR on May 15, 2024. We have spoken before you three earlier times, and have appealed to the Waterfront Commission, the Planning Commission, and the City Council to appropriately this unfortunate building design.

At those three earlier BAR concept meetings, BAR members expressed their well-founded concern that the building proposed for 301 N. Fairfax will overwhelm the surrounding neighborhood. Despite offering to meet the developer half-way and compromise on a building with a smaller footprint and lower height, over this last full year not one square inch of size has been removed from the plan now before you today, when you finally have the authority to reject its mass and scale. The developer arrogantly refused to bring their concept back to this body after members continued to ask them to downsize the design after their third concept presentation to you.

Instead, the developer and architect have nibbled around the edges in a cynical “whack-a-mole” exercise that simply moved the structure a few feet this way, then a few feet that way, but always keeping exactly the size and mass that equates to the 2.5 FAR they continue to insist on and that we are challenging in court. The developer has shown their disrespect for neighbors and this Board by coming back at every turn with exactly the same sized building that we started with a year ago. That makes neighbors angry; we hope it affects you the same way.

In spite of some architectural accommodations, the building remains far too large for the lot and the surrounding neighborhood. Elevation 1 shown on page 18 of the developer’s application illustrates how it dominates Queen Street homes. This elevation deceptively includes the very telephone pole in front of 301 Queen that the developer’s attorney always brags will be buried underground in their plan - in order to trick the eye and make the viewer think the developer’s five-story building is not so dominant. But when one removes that pole elevation, we see that the top half of the third floor and both fourth and fifth floor (tall roof deck enclosures) still rise well above the roof height on the north side of Queen, overwhelming the block. Elevation 2 on the same page rises to almost twice the height of the charming mission revival façade of 225 N. Fairfax, overwhelming it as well. The developer has ignored the BAR’s continued request to lessen the scale of the building, showing their contempt for the neighborhood and this body, calculating that the City Council’s addiction to density – however inappropriate – will prevail.

While the developer doesn’t care that their design would dominate the area, the BAR certainly should. This building will overwhelm the Old and Historic District neighborhood. For a year we have pointed out how poorly the design adheres to the Design Guidelines’ requirement that new construction meaningfully reference the current architectural cadence in the adjoining neighborhoods. Every suggestion we have made to bring in Old Town architectural features have been rejected. For example, the pedestrian entry gate on the Queen Street façade from the street to the back courtyard is a right-

angle opening. Both our group and BAR members themselves suggested that the opening be changed to emulate Queen Street horse alleys by making this opening an arch - a simple, reasonable change that was immediately rejected.

The much-vaunted five-foot setback was added to the north property line in a cynical “hail Mary” pass made by the developer only when their case had to be postponed from the December Council meeting to the January meeting because they would have lost the required super-majority vote in December. They used the extra month to lobby and convince inattentive members of the Council, in a slight of hand gesture, that this five-foot set-back addressed our demand for the reinstatement of a required pedestrian alleyway. In fact, the inadequate five feet that the developer “removed” from the north property line was simply added back onto the Fairfax property line and resulted in an actual *reduction* of the already inadequate set-back along Fairfax. No mass has been removed from the original design in over a year.

Our group has begged the BAR, the Planning Commission, the City Council, and the developer to re-imagine this building as if it were thoughtfully designed to fit into the Historic Old Town architectural cadence. We’ve asked for it to be reduced to the size that we feel is legally permitted to build, based on the City’s zoning ordinance – an argument we will take all the way to the Court of Appeals, if necessary. But the architect and developer have insisted on a banal, modernist hodge-podge of Old Town North design elements with no perceivable architectural features that credibly reference the historic surrounding Old and Historic neighborhood. Cheap looking, curved “Juliet balconies” hardly belong in the Old and Historic District.

The design remains exactly the massively oversized design that it has always been - not one square inch of mass has been removed from the original proposal this time last year. This intransigent developer believes they have the power, relationships, and influence to push through this unfortunate plan even though everyone knows this size, scale and design does not belong at 301 N. Fairfax.

To approve this Certificate of Appropriateness only makes a mockery of the notion of "appropriateness" and will be the first stake in the heart of the Old Town block bounded by Fairfax, Queen, Lee, and Princess streets, where both 333 N. Fairfax and 300 N. Lee will next use your decision today to grant the next developer equally inappropriate size and scale – destroying the chance to make this a showpiece block that effectively marries contemporary and historic elements.

I respectfully submit that it is your fundamental responsibility to protect the historic architectural history of Old Town, which obviously extends to ensuring that new development of 1970's-era mistakes don't compound the problem by letting the modern North Old Town architecturally creep into Historic Old Town one block from City Hall.

Please reject this application for a Certificate of Appropriateness and require the developer to bring back a smaller design that is appropriate in this historic neighborhood.

Respectfully,

Scott Corzine
Old Town Neighbors