

**4. Ethical standards: city employees and appointed members of the BAR are expected to demonstrate the highest standard of personal integrity and conduct in all activities to inspire public confidence and trust in the City,** whereas BAR approval statement is not factual; is misleading; and fails to uphold the egalitarian principle that all new houses – regardless of size, mass, prominence – “*be built on the front and be in line with the street as chief of the houses now are.*” thereby **refuting BAR approval statement use of “prominent” and “background building”:** “This setback will make the building less prominent and more of a background building on the block face.”

The architect representing 608 S. Fairfax Street LLC refutes the BAR approval statement, stating: “The architectural design of the new home will complement the mass, scale...of the neighboring structures in this block.” Attachment: BAR ISSUE DESCRIPTION

**5. BAR approval statement does not reflect: Professional and ethical approach to conducting research, report writing and editing:** “*However, in this particular case, the existing non-conforming house is being demolished and replaced with a new house with the same non-conforming setback. This setback will make the building less prominent and more of a background building on the block face, and will help to retain the historic setting of the modest townhouse at 610 South Fairfax Street.*” The correct professional and ethical approval statement: “*However, in this particular case, the existing non-conforming house [one story “cottage”] is being demolished and replaced with a new house [2.5 story building that is fourteen feet longer than the “cottage”] with the same non-conforming setback. This setback [violates City rear setback limits by extending the rear setback wall approximately thirty (30’) feet beyond the prevailing pattern of houses in the vicinity – see Attachment] will make the building less prominent [Founding Trustees prohibited houses being distinguished from each other by requiring all new houses – regardless of size and mass - be built on the front lot line and in line with the street and the chief house on the block face] and more of a background building [violates Founding Trustees egalitarian requirement that all new houses be built on the front and be in line with the street] on the block face, and will help to retain the historic setting.* **Not true:** authentic setting of 610 S. Fairfax townhouse (610 townhouse) is setback 20.2’ from the front plane of the original 608 S. Fairfax Street house that was built on the front lot line and in line with the street in accordance with the Founding Trustees Act of the City]. City records show 610 townhouse was built in 1892 -- setback 20.2 feet from the front plane of the original 608 S. Fairfax house that was built on the front lot line in line with the existing houses on the street. 610 townhouse has no historic significance the causation of the BAR approving demolition of the 608 S. Fairfax Street cottage; is not important in history; and is not consequential; thus, the word “historic” has no relevance to 610 townhouse. New replacement house’s authentic historic setting is built on the front lot line (as was the original house at 608 S. Fairfax Street), in line with 600, 604, 612, and 614 S. Fairfax Street. Attachments

**6. Ex parte communication influenced Planning and Zoning Department’s recommendation re: 608 S. Fairfax Street new construction.** Evidence of ex parte communication among: owner of 608 S. Fairfax Street LLC, architect representing 608 S. Fairfax Street LLC, a 608 S. Fairfax Street abutter, et al. on December 2, 2015, in the hallway outside the City Council Chambers immediately after residents witnessed the BAR passing (without a quorum) 608 S. Fairfax Street new construction. As a group of frustrated residents gathered in the hallway, the abutter to 608 S. Fairfax Street approached the owner of 608 S. Fairfax Street LLC and the architect expressing concern about complaints that the “cottage” should not be demolished, and the non-conforming setback encroaching into the open area behind the houses on the block face, and killing trees -- causing the apprehensive abutter to worry that the “historic setting of the modest townhouse” would not be approved.

Courts hold ex parte communication to be improper, and legal grounds for overturning BAR’S approval of non-conforming setback for the new construction at 608 S. Fairfax.

**7. BAR statements re: 610 townhouse’s “historic setting” are wrongful and refuted.** 610 townhouse has no “historic” significance as certified by the BAR approval



vegetation and created a sanctuary for birds, a respite from the hot summer heat, and provide fresh air to the Gibbon Street block – which is even more vital due to the City’s arbitrary decision to designate Gibbon Street alone as the HAUL ROUTE for thousands of diesel trucks hauling debris from the City’s two major waterfront projects. The ECO-CITY ALEXANDRIA CHARTER, ALEXANDRIA URBAN FORESTRY MASTER PLAN, and LANDSCAPE GUIDELINES – ALEXANDRIA, WATER MANAGEMENT – WHY YOUR PART IS IMPORTANT appeal to private landowners to aid the city by funding nine trees, and providing expert care for the Wilson’s tree-replenishment contribution to the City. Joe Wilson has forty-four years of experience caring for trees, to include three years with the U.S. Department of Agriculture. The Wilsons responded to City’s appeal to private landowners to help the City comply with: Chesapeake Bay Preservation Act, Amendments to City of Alexandria Article XIII Environmental Management Ordinance and ECO-CITY ALEXANDRIA CHARTER by replenishing nine trees, sustaining a maple tree, and installing a rainwater collection system that minimizes potential pollution from stormwater runoff, and maximizes rainwater infiltration from the entire roof area to the back yard’s 558 Sq. Ft. of pervious soil. 74% of total rainfall on 210 Gibbon is infiltrated into 558 Sq. Ft. of pervious soil, thereby preventing 781 gallons of stormwater runoff per inch of rain from negatively impacting the Potomac River and the Chesapeake Bay. The Wilson 210 Gibbon Street Conservation Design can annually prevent as much as 24,000 gallons of stormwater runoff from negatively impacting the Potomac River and the Chesapeake Bay.

- Total area: 1,680 Sq. Ft. porous pavers 130 Sq. Ft.
  - Pervious soil: 558 Sq. Ft. Total stormwater
  - Roof area: 562 Sq. Ft. retrofit area 1,250 Sq. Ft.
  - 1,250 Sq. Ft. stormwater retrofit area/1,680 Sq. Ft. property area = 74%
- | Property sq. ft. | pervious soil sq. ft. | rainwater infiltration percentage |
|------------------|-----------------------|-----------------------------------|
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210 Gibbon	1,680 SF	558 SF	74% of property area	
608 S. Fairfax	1,975 SF	300 SF	15% of property area	
	trees	wisteria	shrubs	lawn
210 Gibbon	10	1 (large)	3	None
608 S. Fairfax	None	None	2	250 SF

**608 S. Fairfax is non-compliant with “Building Green” policy of ECO-CITY ALEXANDRIA CHARTER** that requires the “best in practice measures to reduce overall environmental impact of new development.”

The 1,975 Sq. Ft. property has no trees, two shrubs, and 300 Sq. Ft. of pervious soil capable of infiltrating only 15% of the property’s rainwater; and negatively impacts 210 Gibbon Street Conservation Design.

City has a covenant with the Wilsons to ensure that any new construction on the 608 S. Fairfax Street lot will not extend any further back than the existing rear wall setback of the cottage. The Wilsons confirmed this protection prior to buying and planting five hornbeam trees along their west property line as illustrated in the lower left picture in front of the white brick wall. The City officially recognized the 210 Gibbon Street Conservation Design’s environmental contribution to the City in 2004. Upper left picture shows the back of 608 S. Fairfax cottage. Site picture shows 608 S. Fairfax cottage’s rear setback already exceeds the prevailing pattern of the houses in the immediate vicinity. The additional fourteen feet of the new 2.5 story house will extend the rear wall setback to thirty (30’) beyond the prevailing pattern of houses in the immediate vicinity. The fourteen feet extension of the rear wall of the new 2.5 story house endangers the Wilson’s maple tree by violating the Critical Root Zone (CRZ) that requires one foot of protective area for each inch of tree diameter: maple tree has a thirteen (13”) inch diameter, thereby requiring no soil be disturbed within thirteen (13’) feet of the Wilson’s maple tree.



The maple tree and five hornbeam trees have standing. Joe Wilson's forty-four years tree care management experience, including three years United States Department of Agriculture Cooperative Extension Service, has standing. Federal, State, and City statues protect the maple tree and the five hornbeam trees and the stormwater management system of the Gibbon Street Conservation Design. "Trees have standing" stated Associate Justice William O. Douglas, *Sierra Club v. Morton*, 1972 - the environmental landmark United States Supreme Court case. Joe Wilson and the Gibbon Street Conservation Design have standing:

1. Threat to: the maple tree; five hornbeam trees; the Wilson's financial investment in their conservation design; and environmental assets that the City officially recognized in 2004;
2. Maple tree, five hornbeam trees and Joe Wilson have standing: Joe Wilson has cared for these trees as evidence in the pictures when Wilsons bought 210 Gibbon Street in 1996, and how the maple tree and hornbeam trees have thrived under Joe Wilson's expert care (Joe Wilson has 44 years of tree care experience); and
3. City Council can redress the wrongful actions of the Planning and Zoning Department and the Board of Architectural Review (BAR) by: building the house design approved by the BAR on the front lot line in accordance with 1) *Founding Trustees Act of the City*, July 18, 1752 requiring all new houses "be built on the front and be in line with the street." and 2) Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT: "All new construction in the RM zone must be located on the front property line."

City Council can REDRESS this situation: owners of 608 S. Fairfax Street LLC can have their house deign; and the City sustains the "on the front property streetscape integrity" by enforcing the *Founding Trustees Act of the City*, and *DESIGN GUIDELINES OF THE OLD AND HISTORIC ALEXANDRIA DISTRICT* -- and build the new replacement house at 608 S. Fairfax Street on the front property line.

BAR approval statement for the non-conforming setback is REFUTED by City laws and records; and the 263-year precedent of the *Founding Trustees Act of the City* starting on July 18, 1752: that all new houses "be built on the front and be in line with the street as chief of the houses now are." The **Founding Trustees distrusted government despotism**. Intellectual and Political thought in mid-18<sup>th</sup> century Virginia was greatly influenced by the Enlightenment; and these ideals influenced the City Founders to plan a city with egalitarian attributes. Their wisdom has allowed OLD TOWN to grow and remain the same. Planning and Zoning Department and Board of Architectural Review decisions undermine these egalitarian principles and demonstrates ignorance of the City's heritage. Also, BAR approval of non-conforming setback fails to recognize and account for the houses in the immediate vicinity that are larger in size and mass than the replacement house - houses that are built on the front lot line and are in line with the street:

604 S. Fairfax	3 story house; 3,360 sq. ft. above grade
221 Gibbon (corner)	3.25 story house; 4,034 sq. ft. above grade
609 S. Fairfax	2.5 story house; 2,348 sq. ft. above grade

**Architect for 608 S. Fairfax Street LLC refutes any need for the non-conforming setback**: "the new home will complement the mass, scale of the neighboring structures in the block." See architect's ISSUE DESCRIPTION Architect's MODEL VIEW FINAL CONCEPT shows 604 S. Fairfax is larger and has more mass that the new replacement house at 608 s. Fairfax. 604 S. Fairfax is "chief" of the houses on the block face. Attachments

## **CITY COUNCIL HAS PURVIEW TO PROTECT AND PRESERVE EXISTING VEGETATION THREATENED BY NEW CONSTRUCTION.**

1. City Council is responsible and accountable for preserving existing vegetation that is threatened by new construction in accordance with state and City laws, ordinances, policies, charters to include but not

limited to: Chesapeake Bay Preservation Act; *Amendments to City of Alexandria Article XIII Environmental Management Ordinance*; *ECO CITY ALEXANDRIA CHARTER*; *Alexandria Watershed Management policy: Why Your Involvement Is Important*; and *Alexandria Urban Forestry Master Plan*; *Founding Trustees Act of the City, 1752*; *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT*.

2. City Council is responsible and accountable for enforcing the *Founding Trustees Act of the City, July 18, 1752*: “that all dwelling houses from this day not begun or to be built hereafter shall be built on the front and be in line with the street as chief of the house now are.”

In accordance with the *Founding Trustees Act of the City, prior tempore potior iure*, the new house at 608 S. Fairfax Street must be built on the front and be in line with the street as chief of the houses now are.”

3. City Council is responsible and accountable for enforcing the *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT, New Construction, Siting*: “New residential structures should be sited so that the front plane of the building is in line with the prevailing plane of the other residential buildings on the street...and the rear setback should reflect the prevailing pattern in the immediate vicinity of the proposed new construction.” In accordance with the *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT* the new house at 608 S. Fairfax Street must be built on the front and be in line with the street.

4. City Council can Redress the situation and allow the owners of 608 S. Fairfax Street LLC to have the exact house design approved by the BAR by requiring that the new house be built just as new houses in OLD TOWN have been built for 263 years – in accordance with the *Founding Trustees Act of the City, July 18, 1752*: “that all dwelling houses from this day not begun or to be built hereafter shall be built on the front and be in line with the street as chief of the house now are.”

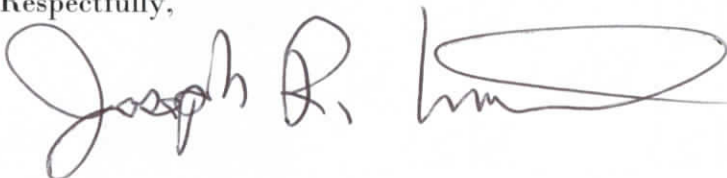
5. BAR DECLARATION: “All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which is the case here.”

6. The law is clear; the actions and declarations of the Planning and Zoning Department and the BAR are unwarranted and wrongful; and the City Council is obligated to protect and preserve existing vegetation from negative impact caused, or threatened by new construction and development that threatens environmental assets to the City’s health; and tree-replenishment financed by Joe Wilson responding to City appeal for help.

7. City Council has the authority, responsibility and accountability to redress BAR wrongful approval of non-conforming setback at 608 S. Fairfax Street – and enforce the *Founding Trustees Act of the City*, and the *Guidelines for the OLD and HISTORIC ALEXANDRIA DISTRICT* that require new construction to be built on the front property line, and “be in line with the street” thereby, compelling City Council to enforce 608 S. Fairfax Street compliance.

Upon Declaratory Ruling to overturn BAR wrongful approval of non-conforming setback for new construction at 608 S. Fairfax Street, and enforcement of said new construction being located on the front property line, and in line with the street, Joe Wilson will withdraw the aforementioned complaint, take no further action with “prejudice” and welcome his new neighbors with the offering that Joe will trim the branches of the maple tree to their reasonable expectation.

Respectfully,





ALEXANDRIA CITY COUNCIL:

March 1, 2016

Petitioner: Joe Wilson, 210 Gibbon Street (703-549-8214)

Petitioner relies on Federal, Virginia, and CITY of ALEXANDRIA (CITY) laws, ordinances, charters and policies which accord procedural due process to a "person suffering legal wrong" because of CITY VIOLATIONS, or [who is] adversely affected or aggrieved by CITY action within the meaning of relevant statutes, ordinances, charters or policies." On the theory that this was a "public" action that violates the CITY's laws pertaining to the siting of new construction in OLD TOWN, as well as laws, ordinances, charters and policies pertaining to the preservation of the water quality of the Potomac River and the Chesapeake Bay: laws, ordinances, charters and policies that are clear, publicized, and applied evenly and protect fundamental rights including the security of persons, private property, and procedural due process to include, but not limited to: Founding Trustees Act of the City, 1752, prior tempore potior iure requiring: new houses "be built on the front and be in line with the street as chief of the houses now are"; Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT requiring: "All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which [BAR declares] is the case here"; Chesapeake Bay Preservation Act; Amendments to City of Alexandria Article XIII Environmental Management Ordinance; ECO-CITY ALEXANDRIA CHARTER; Alexandria Watershed Management policy: Why Your Involvement Is Important; Landscaping Guidelines - City of Alexandria, Virginia; Alexandria Urban Forestry Master Plan; and Sierra Club v. Morton: "Trees have standing." Attachments

1. Declaratory Ruling to overturn BAR wrongful approval of non-conforming setback for new construction at 608 S. Fairfax Street (non-conforming setback). BAR proclaims the law: "All new construction... must be located on the front property line" in accordance with: 1) Founding Trustees Act of the City, enacted July 18, 1752, requiring that all new houses "be built on the front and be in line with the street as chief of the houses now are." and 2) Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT requiring "All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, [BAR Declaration:] which is the case here." Confirming that the 600 S. Fairfax block meets the "majority of the houses on the block" criteria, BAR declares new construction at 608 S. Fairfax Street must be located on the front property line. BAR members are not authorized to disobey these laws and ordinances – which is what the BAR did when it reversed the declaration that new construction at 608 S. Fairfax "must be located on the front property line" and wrongfully approved the non-conforming setback of twenty.2 (20.2') feet from the front property line. One BAR member voted "NAY" and another member recused herself as she was the realtor for the seller. City Council appoints BAR members; City Council is responsible to redress the wrongful actions of the BAR. The Founding Trustees Act of the City in requiring all new houses "be built on the front and be in line with the street as chief of the houses now are" incorporated an egalitarian principle so as not to distinguish a new house from existing houses already located on the front property line and in line with each other. This egalitarian principle has been OLD TOWN's core building requirement for 263 years, thereby making the Founding Trustees Act of the city prior tempore potior iure. Also, the BAR premises for approving the non-conforming setback are misleading, untrue and apparently influenced by evidence of ex parte communication. Also, the BAR unilaterally grants "standing" (sufficient connection to 608 S. Fairfax Street cottage) to the townhouse located at 610 S. Fairfax Street – an action which is groundless, and refuted by BAR Case#2015-0358 & 0359. III. ANALYSIS Permit to Demolish, item No. (5), whereby BAR declares that the cottage and the contiguous townhouse at 610 S. Fairfax Street do not have "any historic interest to the City." BAR declaration re:



Permit to Demolish, item No. 5 proclaims that the townhouse at 610 S. Fairfax Street has no historic significance; is not important in history; is not consequential, thereby nullifying any reference to said townhouse and voiding any "standing" - stated or implied - to the townhouse at 610 S. Fairfax Street. In reality, the Permit to Demolish, item No. 5 establishes that both the 608 S. Fairfax Street cottage (approved by the BAR to be demolished) and the townhouse at 610 S. Fairfax Street are aberrations under the *Founding Trustees Act of the City, 1752*. **City Council can redress the wrongful actions, decisions and declarations by the Planning and Zoning Department and the BAR by 1) enforcing the *Founding Trustees Act of the City* requiring that the new construction at 608 S. Fairfax Street "be built on the front and be in line with the street as chief of the houses now are." and 2) *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT* requiring "All new construction in the RM zone must be located on the front property line."** Failure to do so leaves Joe Wilson no

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ALEXANDRIA CITY COUNCIL:

March 12, 2016

On March 1, 2016, Joe Wilson delivered the below complaint to the City Council Office. The City has not contacted Joe Wilson, therefore the causation of this submittal today to the City Council.

Petitioner: Joe Wilson, 210 Gibbon Street (703-549-8214)

Petitioner relies on Federal, Virginia, and City of Alexandria (City) laws, ordinances, charters and policies which accord procedural due process to a "person suffering legal wrong" because of City violations, or [who is] adversely affected or aggrieved by City action within the meaning of relevant statutes, ordinances, charters or policies." On the theory that this was a "public" action that violates the City's laws pertaining to the siting of new construction in OLD TOWN, as well as laws, ordinances, charters and policies pertaining to the preservation of the water quality of the Potomac River and the Chesapeake Bay: laws, ordinances, charters and policies that are clear, publicized, and applied evenly and protect fundamental rights including the security of persons, private property, and procedural due process to include, but not limited to: *Founding Trustees Act of the City*: new houses "be built on the front and be in line with the street as chief of the houses now are"; *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT*: "All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which [BAR declares] is the case here; *Chesapeake Bay Preservation Act*; *Amendments to City of Alexandria Article XIII Environmental Management Ordinance*; *ECO-CITY ALEXANDRIA CHARTER*; *Alexandria Watershed Management policy*: *Why Your Involvement Is Important*; *Landscaping Guidelines-City of Alexandria, Virginia*; *Alexandria Urban Forestry Master Plan*; and *Sierra Club v. Morton*: "Trees have standing." *Attachments*

**1. Declaratory Ruling to overturn BAR wrongful approval of non-conforming setback for new construction at 608 S. Fairfax Street.** BAR proclaims: "All new construction... must be located on the front property line" in accordance with: 1) *Founding Trustees Act of the City*, enacted July 18, 1752: all new houses "be built on the front and be in line with the street as chief of the houses now are." and 2) *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT*: "All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which is the case here." Confirming that the 600 S. Fairfax block meets the "majority of the houses on the block" criteria, BAR first declared new construction at 608 S. Fairfax Street must be located on the front property line.

But then the BAR wrongfully approved the non-conforming setback: the causation of the twenty (20') foot setback from the front property line threatens City, State and regional environmental assets. The explanation for reversing the BAR's declaration that the replacement house at 608 S. Fairfax Street "must be located on the front property line" is groundless, misleading, unwarranted, wrongful and influenced by *ex parte communication*. BAR vote on non-conforming setback was not unanimous: one BAR member voted "NAY" and one member recused herself.

The *Founding Trustees Act of the City* egalitarian principle requiring new houses "be built on the front and...in line with the street" equalizes the siting of new houses. New houses built on the front property line has been OLD TOWN's core building requirement for 263 years, making the *Founding Trustees Act of the City* prior tempore potior iure. The egalitarian principle of houses built on the front...in line with the street is OLD TOWN's historic identity. The City's "Official Visitors Guide Extraordinary Alexandria" markets the egalitarian streetscape of houses on the front property line.



City via BAR, Planning and Zoning Department decisions, actions and declarations is in violation of:

1. *Founding Trustees Act of the City*, July 18, 1752, requiring all new houses "be built on the front and be in line with the street."
2. *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT* requiring "All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which [BAR declaration] is the case here."
3. Procedural due process, whereas: 1) Joe Wilson was denied fair and reasonable opportunity to present evidence that refutes City's wrongful reasons for approving 608 S. Fairfax Street non-conforming setback; 2) City granted unilateral and unwarranted "standing" (sufficient connection to cottage at 608 S. Fairfax Street) to the townhouse at 610 S. Fairfax Street despite BAR approval of the 608 S. Fairfax "cottage" for demolition, thereby establishing that 608 and 610 S. Fairfax Street houses do not qualify as an "area of historic interest" (a criteria for approving demolition of the "cottage"); 3) City failed to include evidence of existing vegetation on abutting properties, to include 210 Gibbon Street, that will be negatively impacted by the new construction at 608 S. Fairfax Street, thereby potentially violating the Chesapeake Bay Preservation Act; and 4) City failed to communicate with Joe Wilson – owner of 210 Gibbon Street, and investor in and manager of the 210 Gibbon Street Conservation Design "when proposed development impacts existing vegetation on neighboring properties, prior to commencement of construction, provide the following: a. documentation that includes: notification of construction impact, timing/scheduling/phasing, potential for loss or damage, and agreed upon remedial measures should loss or damage occur; b. Certified communication with the subject owner(s) and jointly approved binding agreement between affected parties."
4. Ethical standards: city employees and appointed members of the BAR are expected to demonstrate the highest standard of personal integrity and conduct in all activities to inspire public confidence and trust in the City, whereas BAR approval statement is not factual; is misleading; and demonstrates an ignorance of the egalitarian principles that the Founding Trustees incorporated into the requirement that all new houses – regardless of size, mass, prominence – "be built on the front and be in line with the street as chief of the houses now are." thereby refuting BAR approval statement use of "prominent" and "background building": "This setback will make the building less prominent and more of a background building on the block face,..." City Council needs to investigate because the architect that designed the replacement house, and represented 608 S. Fairfax Street LLC at the BAR Public Hearings on December 2, and 16, 2015, and January 20, 2016 states: "the new home will complement the mass, scale of the neighboring structures in the block." Attachments
5. Professional and ethical approach to conducting research, report writing and editing to avoid misleading and untrue BAR approval statement: *However, in this particular case, the existing non-conforming house is being demolished and replaced with a new house with the same non-conforming setback. This setback will make the building less prominent and more of a background building on the block face, and will help to retain the historic setting of the modest townhouse at 610 South Fairfax Street."* Attachment

The same BAR approval statement – when the facts are reported – reads: "However, in this particular case, the existing non-conforming house [one story "cottage"] is being demolished and replaced with a new house [2.5 story building that is fourteen feet longer than the "cottage"] with the same non-conforming setback. This setback [violates City rear setback limits by extending the rear setback wall approximately thirty (30') feet beyond the prevailing patten of houses in the vicinity – see Attachment] will make the building less prominent [Founding Trustees prohibited houses being distinguished from each other by requiring all new houses – regardless of size and mass - be built on the front lot line and in line with the street and the chief house on the block face] and more of a background building [violates Founding Trustees egalitarian requirement that all new houses be built on the front and be in line with the street] on the block face, and will help to retain the historic setting [Not true: authentic setting of 610 S. Fairfax townhouse is setback 20.2' from the front plane of the original 608 S. Fairfax Street house that was built on the front lot line and in



line with the street in accordance with the Founding Trustees Act of the City, 1752]. City records show 610 S. Fairfax townhouse was built in 1892 and was setback 20.2 feet from the front plane of the original 608 S. Fairfax house that was built on the front lot line in line with the existing houses on the street. The townhouse at 610 S. Fairfax has no historic significance – no reference to 610 S. Fairfax townhouse in City’s analysis of “historic interest” as required in the case of application for demolition of a house in OLD TOWN; is not important in history; and is not consequential; thus, the word “historic” has no relevance to the townhouse at 610 S. Fairfax Street. The new replacement house’s authentic historic setting is built on the front lot line (as was the original house at 608 S. Fairfax Street), in line with 600, 604, 612, and 614 S. Fairfax Street. Attachments

6. Ex parte communication influenced Planning and Zoning Department’s recommendation re: 608 S. Fairfax Street new construction. Evidence of an ex parte communication among the owner of 608 S. Fairfax Street LLC, the architect representing 608 S. Fairfax Street LLC, and an abutter to 608 S. Fairfax Street, et al. surfaced on December 2, 2015, in the hallway outside the City Council Chambers immediately after residents witnessed the BAR passing (without a legal quorum) 608 S. Fairfax Street new construction. As a group of frustrated residents gathered in the hallway; the abutter to 608 S. Fairfax Street approached the owner of 608 S. Fairfax Street LLC and the architect expressing concern about complaints that the “cottage” should not be demolished, and the non-conforming setback encroaching into the open area behind the houses on the block face, and also killing trees -- causing the apprehensive abutter to worry that the “historic setting of the modest townhouse” would not be approved. Joe Wilson was astonished to hear that an ex parte communication “deal” had apparently influenced the non-conforming setback statement. Planning and Zoning Department wrongfully uses the term “historic” because: 1) BAR approval of the 608 S. Fairfax “cottage” for demolition establishes that 608 and 610 S. Fairfax Street houses do not qualify as an “area of historic interest” (a criteria for approving demolition of the “cottage” at 608 S. Fairfax Street); 2) the 610 S. Fairfax Street townhouse has no historic significance; is not important in history; and is not consequential; 3) said townhouse does not have an entryway facing S. Fairfax Street – but rather has an entrance on the south side of the townhouse, setback far from the front plane of the building’s front wall, thereby demonstrating that it is independent of the 608 S. Fairfax Street “cottage” and will not be negatively impacted by the new construction at 608 S. Fairfax Street being built on the front lot line – which is the authentic setting of the original house at 608 S. Fairfax Street and was in existence in 1892 when the townhouse at 610 S. Fairfax Street was built setback 20.2 feet from the front plane wall of the original house at 608 S. Fairfax Street; 4) and the term “modest” townhouse is a Freudian slip – the Founding Trustees deliberately prohibited distinguishing houses from one another by requiring new houses – regardless of size – “be built on the front...in line with the street where chief of the houses now are.” Therefore, the term “modest” has no relevance under the 263-year Founding Trustees Act of the City and suggests manipulative interest – not ethical historical research – influenced the Planning and Zoning Department’s recommendation statement which, subsequently, is the BAR approval statement for the non-conforming setback at 608 S. Fairfax Street. City Council may want to question the Planning and Zoning Department as to the justification for granting the 610 S. Fairfax Street “standing” -- when in doing so the department grants unilateral favor to the townhouse at 610 S. Fairfax Street, and misrepresents the facts as to the authentic setting of the townhouse at 610 S. Fairfax Street. City real estate records give evidence that in 1892, the townhouse at 610 S. Fairfax Street was built next to the original house at 608 S. Fairfax Street -- that was built on the front lot line, and was in line with the existing houses that were built on the front lot line and in line with the street in accordance with the *Founding Trustees Act of the City, 1752*. The 610 S. Fairfax Street townhouse is an aberration under the Founding Trustees Act of the City; has no historic significance, thereby, annulling any basis for being associated with the word “historic” and, due to the ex parte communication violation, perhaps, will be found by City Council, or the court, to have forfeited any “right” to have the non-conforming setback of the townhouse at 610 S. Fairfax Street used for any consideration in the final enforcement of the front plane of the new construction at 608 S. Fairfax Street. The authentic setting of the 608 S. Fairfax Street dwelling requires that the new



construction at 608 S. Fairfax Street be built on the front property line, and be in line with 600, 604, 612, and 614 S. Fairfax Street, all of which are built on the front property line – and in line with 604 S. Fairfax Street house which is larger in size and mass than the new construction approved for 608 S. Fairfax Street. 604 S. Fairfax Street is “chief” of the houses on the block face.

Courts hold ex parte communication to be improper and provides legal grounds for overturning the Board of Architectural Review’s approval of non-conforming setback for the new construction at 608 S. Fairfax.

7. City “PUBLIC TRUST COVENANT” whereas, Joe and Donna Wilson invested their money, labor and expertise in response to the City’s published appeal for: 1) tree-replenishment contributions to increase and maintain the City’s Urban Forest tree canopy cover in accordance with the *Alexandria Urban Forestry Master Plan* and the *ECO-CITY ALEXANDRIA CHARTER*; and 2) stormwater management system in compliance with the Chesapeake Bay Preservation Act, *Amendments to City of Alexandria Article XIII Environmental Management Ordinance*; *ECO-CITY ALEXANDRIA CHARTER*; and *Alexandria Watershed Management policy: Why Your Involvement Is Important*. Approval of non-conforming setback threatens six trees and will cut the stormwater management systems capacity to prevent stormwater runoff by as much as forty (40%) percent.

8. City’s legal responsibility to protect and preserve environmental assets provided by the 210 Gibbon Street Conservation Design: the conservation system designed, paid for, and managed by Joe Wilson, consisting of ten trees (nine trees purchased by the Joe Wilson in response to the City’s appeal to private landowners to replenish City Urban Forest); and a stormwater management system that conveys rainwater from the entire roof surface via downspouts, rainwater collection tanks, and hoses to be infiltrated down into 558 sq. ft. of pervious soil in the back yard, thereby annually preventing as much as 24,000 gallons of stormwater runoff from negatively impacting the Potomac River and the Chesapeake Bay.

In 2004 the City recognized the Wilson’s tree-replenishment contribution. Mr. Peter Leiberg, Alexandria Zoning Manager, thanked Joe and Donna Wilson for their significant tree contribution to the environmental health and aesthetic beauty of their OLD TOWN neighborhood. The pictures show 210 Gibbon Street rear yard when purchased in June 1996; and 210 Gibbon Street Conservation Design assets. The cottage at 608 S. Fairfax Street (upper left picture) has a rear setback that exceeds the law. The additional fourteen (14’) feet of the replacement 2.5 story house will extend the new rear wall setback thirty (30’) feet beyond the prevailing pattern of the houses in the immediate vicinity (Note: 610 S. Fairfax townhouse is an aberration). Attachments

Non-conforming setback threatens 210 Gibbon Street Conservation Design by endangering six of the ten trees and causing the potential reduction of the stormwater management system’s effectiveness by as much as forty (40%) percent. If the City enforces the non-conforming setback, the new replacement 2.5 story replacement building will extend approximately fourteen (14’) feet beyond the rear wall setback of the one story cottage being demolished, thereby violating the maple tree’s Critical Root Zone mandatory protection area and blocking sunlight to the maple tree and five hornbeam trees during the spring when sunlight is vital to hormonal growth and fall and winter when sunlight is vital to repairing the damaged root system due to the summer’s heat and dry spells, as well as growing new roots to sustain the health of the trees another year – which is constant challenge in urban areas.

Non-conforming setback of the cottage at 608 S. Fair is an aberration under the *Founding Trustees Act of the City*, July 18, 1752, and if built today would not be approved by the BAR in accordance with the *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT*: “All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which [BAR states] is the case here.



Malfeasance is a serious allegation. Please then explain why the video recording of the December 16, 2015 BAR Public Hearing show Joe Wilson walking in front of the microphone to again provide members of the BAR with copies of the written concerns and pictures that he had submitted to the Planning and Zoning Department on December 10, 2015. (copy submitted to the City Attorney's office on December 10) to be provided to the members of the BAR for the December 16, 2015. BAR Public Hearing. Apparently, these documents never got to the BAR members as evidenced in the video recording of the December 16 2015 BAR Public Hearing that shows Joe Wilson walking in front of the microphone to again provide members of the BAR with the information Joe Wilson already submitted to the Planning and Zoning Department on December 10, 2015. How the Chairman of the BAR handled this is disgraceful. The BAR chairman summoned an Alexandria Police Officer to remove Joe Wilson from the podium because Joe Wilson over-extended his allotted three minutes – of which at least one minute was consumed at no fault of Joe Wilson to resubmit evidence that was critical to his dissent – evidence that the Planning and Zoning Department was responsible for providing BAR members. Someone sitting in the hall saw the policeman approaching Joe Wilson from his rear and informed Joe Wilson, who immediately upon seeing the officer withdrew from the podium and sat down without incident. Joe Wilson surrendered a deferment from serving our great country during Vietnam (teaching deferment) and accepted a commission in the United States Army, Adjutant General Corps. Joe Wilson asked for the police officer's card and inquired if there he was any charge -- to which the police officer said no and thanked Joe Wilson for his military service. Does City Council approve of the manner in which the BAR treated Joe Wilson, who as a private landowner has invested his own money, labor and tree-care expertise to contribute tree-replenishment and stormwater management assets to the City? Does the City Council want this disgraceful video recording played in court? One member of the BAR voted "Nay" during the vote to approve BAR CASE#2015 0359 608 S. Fairfax Street New Construction. It might be prudent for City Council to investigate.

Joe Wilson was given three minutes, as were the other abutters, to present support and concerns re: BAR CASE#2015 0358 & 0359 - 608 S. Fairfax Street demolition of the existing "cottage" and new construction of a 2.5 story building that as the result of the 20.2 feet non-conforming setback from the front lot line extends the replacement building approximately thirty (30') feet beyond the pattern of houses in the immediate vicinity, thereby violating City laws. The 2.5 Story replacement house is approximately fourteen (14') longer than the "cottage" and will encroach within the CRITICAL ROOT ZONE of the maple tree on the Wilson property within six feet of the tree – a violation of the universally accepted CRITICAL ROOT ZONE protection area. The maple tree has a 13" diameter, thereby requiring a thirteen-foot CRITICAL ROOT ZONE protection radius (one foot per inch of tree diameter). In addition, the non-conforming setback causes the 2.5 story building (replacing a one story cottage) to endanger six trees growing along the Wilson west lot line by blocking direct sunlight during the spring when the sun develops auxin hormones for tree growth; and again in the fall and winter when the sun is vital to the healing of damaged roots and growth of new roots for the trees survival. Even under the best environmental conditions trees live a much shorter life in urban environments. The Critical Root Zone is vital to their survival.

By causing the extension of the new house's rear setback fourteen feet beyond the existing rear wall of the "cottage" the non-conforming setback endangers six of the ten trees of the 210 Gibbon Street Conservation Design, and will reduce the effectiveness of the stormwater management system by forty (40%) percent. By contrast, the approved 608 S. Fairfax Street new construction has no trees, a few shrubs and approximately 300 sq. ft. of pervious soil. The 608 S. Fairfax Street new construction is non-compliant with the *ECO-CITY ALEXANDRIA CHARTER, CHESAPEAKE BAY PRESERVATION ACT, AMENDMENTS TO*



**ARTICLE XIII, and feasibly – upon protest to BAY ACT authorities – could enjoin both 608 S. Fairfax Street and 210 Gibbon Street properties, thereby requiring the new construction to satisfy Bay Act requirements pertaining to an impacted area of more than 2,500 sq. ft.**

When the Wilsons purchased 210 Gibbon Street on June 28, 1996, they accepted the challenge to turn their bleak back yard into an environmental asset for themselves and the neighborhood. The set of four pictures illustrates how much the Wilsons have improved the vegetation and created a sanctuary for birds, a respite from the hot summer heat, and provide fresh air to the Gibbon Street block – which is even more vital due to the City's arbitrary decision to designate Gibbon Street alone as the HAUL ROUTE for thousands of diesel trucks hauling debris from the City's two major waterfront projects. The *ECO-CITY ALEXANDRIA CHARTER*, *ALEXANDRIA URBAN FORESTRY MASTER PLAN*, and *LANDSCAPE GUIDELINES – ALEXANDRIA, WATER MANAGEMENT – WHY YOUR PART IS IMPORTANT* appeal to private landowners to aid the city by funding nine trees, and providing expert care for the Wilson's tree-replenishment contribution to the City. Joe Wilson has forty-four years of experience caring for trees, to include three years with the U.S. Department of Agriculture.

The Wilsons responded to City's appeal to private landowners to help the City comply with: *Chesapeake Bay Preservation Act*, *Amendments to City of Alexandria Article XIII Environmental Management Ordinance* and *ECO-CITY ALEXANDRIA CHARTER* by replenishing nine trees, sustaining a maple tree, and installing a rainwater collection system that minimizes potential pollution from stormwater runoff, and maximizes rainwater infiltration from the entire roof area to the back yard's 558 Sq. Ft. of pervious soil. 74% of total rainfall on 210 Gibbon is infiltrated into 558 Sq. Ft. of pervious soil, thereby preventing 781 gallons of stormwater runoff per inch of rain from negatively impacting the Potomac River and the Chesapeake Bay. The Wilson 210 Gibbon Street Conservation Design can annually prevent as much as 28,000 gallons of stormwater runoff from negatively impacting the Potomac River and the Chesapeake Bay.

- Total area: 1,680 Sq. Ft.                      porous pavers                      130 Sq. Ft.
- Pervious soil: 558 Sq. Ft.                      Total stormwater
- Roof area: 562 Sq. Ft.                      retrofit area                      1,250 Sq. Ft.
- 1,250 Sq. Ft. stormwater retrofit area/1,680 Sq. Ft. property area = 74%

	Property sq. ft.	pervious soil sq. ft.	rainwater infiltration percentage	
210 Gibbon	1,680 SF	558 SF	74% of property area	
608 S. Fairfax	1,975 SF	300 SF	15% of property area	
	Trees	Wisteria	shrubs	lawn
210 Gibbon	10	1 (large)	3	None
608 S. Fairfax	None	None	2	250 SF

**608 S. Fairfax is non-compliant with “Building Green” policy of ECO-CITY ALEXANDRIA CHARTER** that requires the “best in practice measures to reduce overall environmental impact of new development.” The 1,975 Sq. Ft. property has no trees, two shrubs, and 300 Sq. Ft. of pervious soil capable of infiltrating 15% of the property's rainwater and negatively impacts **210 Gibbon Street Conservation Design.**  
Attachment

The City has a covenant with the Wilsons to ensure that any new construction on the 608 S. Fairfax Street lot will not extend any further back than the existing rear wall setback of the cottage. The Wilsons confirmed this protection prior to buying and planting five hornbeam trees along their west property line as illustrated in the lower left picture in front of the white brick wall. The City officially recognized the 210 Gibbon Street Conservation Design's environmental contribution to the City in 2004. The upper left picture shows the back of

the cottage at 608 S. Fairfax Street. And the SITE PICTURE shows that the existing cottage's rear setback already exceeds the prevailing pattern of the houses in the immediate vicinity. The additional fourteen feet of the new 2.5 story house will extend the rear wall setback to thirty (30') beyond the prevailing pattern of houses in the immediate vicinity. The fourteen feet extension of the rear wall of the new 2.5 story house endangers the Wilson's maple tree by violating the CRITICAL ROOT ZONE (CRZ) that requires one foot of protective area for each inch of tree diameter: the maple tree has a thirteen (13") inch diameter, thereby requiring no soil be disturbed within thirteen (13') feet of the trunk of the Wilson's maple tree. The maple tree has standing and will not be compromised. Federal, State, and City statutes protect the maple tree. And *Sierra Club v. Morton*, 1972, will be considered in that there is 1) a threat to the maple tree, to the financial investment by the Wilsons, to the environmental asset to the City, and the City officially recognized said environmental assets; 2) that both the maple tree and Joe Wilson have standing in that Joe Wilson has cared for the maple tree as evidence in the pictures when Wilsons bought 210 Gibbon Street in 1996 and how the maple tree has thrived under Joe Wilson's care, Joe Wilson has 44 years of tree care experience; and 3) the wrongful actions of the Planning and Zoning Department and the Board of Architectural Review (BAR) CAN BE REDRESSED IN A FAIR AND REASONABLE MANNER BY ALLOWING THE HOUSE DESIGN DESIRED BY THE OWNERES OF 608 S. FAIRFAX STREET LLC - THAT IS APPROVED BY THE BAR HAVING PURVIEW TO APPROVE ARCHITECTURAL APPLICATIONS FOR NEW CONSTRUCTION IN OLD TOWN ALEXANDRIA - AND BE BUILT ON THE FRONT LOT LINE AND IN LINE WITH THE STREET IN ACCORDANCE WITH 1) *Founding Trustees Act of the City*, July 18, 1752 requiring all new houses "be built on the front and be in line with the street." And 2) *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT*: "All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which [BAR confirms] is the case here."

City Council can REDRESS this situation; the owners of 608 S. Fairfax Street LLC can have the exact house deign approved by the BAR, on or about January 21, 2016, by obeying the *Founding Trustees Act of the City*, as well as be in compliance with the *DESIGN GUIDELINES OF THE OLD AND HISTORIC ALEXANDRIA DISTRICT* and build the new replacement house at 608 S. Fairfax Street. What is the reason that this house is different from the houses for 263 years were built on the front and in line with the other houses in line on the street?

The BAR approval statement for the non-conforming setback is REFUTED by City laws and records; and the 263-year precedent starting on July 18, 1752: "*be built on the front and be in line with the street as chief of the houses now are.*"

The Founding Trustees distrusted government despotism. Intellectual and Political thought in mid-18<sup>th</sup> century Virginia was greatly influenced by the Enlightenment; and these ideals influenced the Founders to plan a city with egalitarian attributes. Their wisdom has allowed OLD TOWN to grow and remain the same. Planning and Zoning Department and Board of Architectural Review decisions undermine these egalitarian principles and demonstrates ignorance of the City's heritage. Also, BAR approval of non-conforming setback fails to recognize and account for the houses in the immediate vicinity that are larger in size and mass than the replacement house - houses that are built on the front lot line and are in line with the street:

604 S. Fairfax	3 story house; 3,360 sq. ft. above grade
221 Gibbon (corner)	3.25 story house; 4,034 sq. ft. above grade
609 S. Fairfax	2.5 story house; 2,348 sq. ft. above grade and is in line with four historic-plaque houses

Architect for 608 S. Fairfax Street LLC refutes any need for the non-conforming setback; see architect's ISSUE DESCRIPTION: "the new home will complement the mass, scale of the neighboring structures in the block." Architect's MODEL VIEW FINAL CONCEPT shows



604 S. Fairfax is larger and has more mass than the new replacement house at 608 S. Fairfax. 604 S. Fairfax is “chief” of the houses on the block face. Attachments

Why is the replacement house at 608 S. Fairfax Street any different from the hundreds of houses built since July 18, 1752? The doctor tending our first President lived in the a house built on the front lot line; the current U. S. Senator, and former Governor of Virginia, lives in a house built on the front lot line; Joe and Donna Wilson, who with their own hands restored their 210 Gibbon Street home and designed and implemented the 210 Gibbon Street Design that provides environmental benefits to the neighborhood and the water quality of the Potomac River and Chesapeake Bay, live in a house built on the front lot line.

Founding Trustees of the City required all new houses “be built on the front and be in line with the street as chief of the house now are” so as money, power, political office held no advantage. City Council must honor our City Founding Trustees legacy and sustain their egalitarian streetscapes.

#### **CITY COUNCIL HAS PURVIEW TO PROTECT AND PRESERVE EXISTING VEGETATION THREATENED BY NEW CONSTRUCTION.**

City Council is responsible and accountable for preserving existing vegetation that is threatened by new construction in accordance with state and City laws, ordinances, policies, charters to include but not limited to: Chesapeake Bay Preservation Act; *Amendments to City of Alexandria Article XIII Environmental Management Ordinance*; *ECO CITY ALEXANDRIA CHARTER*; *Alexandria Watershed Management policy*; *Why Your Involvement Is Important*; and *Alexandria Urban Forestry Master Plan*; *Founding Trustees Act of the City, July 18, 1752*; *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT*.

The maple (right corner top two pictures) has a thirteen inch diameter and a twenty-five feet canopy crown. The large pecan tree in the background was lost in a storm – leaving the maple tree the second largest deciduous tree in the open area of MAP 081.

City Council is responsible and accountable for enforcing the *Founding Trustees Act of the City, July 18, 1752*: “*that all dwelling houses from this day not begun or to be built hereafter shall be built on the front and be in line with the street as chief of the house now are.*” In accordance with the City’s *Founding Trustees Act of the City, prior tempore potior iure*, the new house at 608 S. Fairfax Street must *be built on the front and be in line with the street as chief of the houses now are.*”

City Council is responsible and accountable for enforcing the *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT, New Construction, Siting*: “*New residential structures should be sited so that the front plane of the building is in line with the prevailing plane of the other residential buildings on the street...and the rear setback should reflect the prevailing pattern in the immediate vicinity of the proposed new construction.*” In accordance with the *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT* the new house at 608 S. Fairfax Street must be built on the front and be in line with the street.

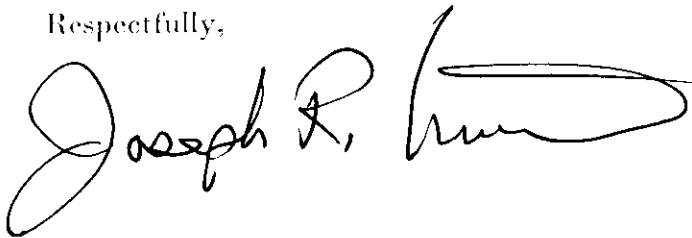
City Council can REDRESS the situation and allow the owners of 608 S. Fairfax Street LLC to have the exact house design approved by the BAR by requiring that the new house be built just as new houses in OLD TOWN have been built for 263 years – in accordance with the *Founding Trustees Act of the City, July 18, 1752*: “*that all dwelling houses from this day not begun or to be built hereafter shall be built on the front and be in line with the street as chief of the house now are.*”

**BAR DECLARATION:** “All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which is the case here.”

City Council has the authority, responsibility and accountability to redress BAR wrongful approval of non-conforming setback at 608 S. Fairfax Street – and enforce the *Founding Trustees Act of the City*, and the *Guidelines for the OLD and HISTORIC ALEXANDRIA DISTRICT* that require new construction to be built on the front property line, and “be in line with the street” thereby, compelling City Council to enforce 608 S. Fairfax Street compliance.

Upon Declaratory Ruling to overturn BAR wrongful approval of non-conforming setback for new construction at 608 S. Fairfax Street, and enforcement of said new construction being located on the front property line, and in line with the street, Joe Wilson will withdraw the aforementioned complaint, take no further action with “prejudice” and welcome his new neighbors with the offering that Joe will trim the branches of the maple tree to their reasonable expectation. This significant indication of “good will” includes Joe Wilson’s knowledge of the many challenges that face new construction – having worked with leading track-housing builders for 15 years in the capacity as a sales and installation manager for major U.S. manufacturers of building materials.

Respectfully,

A handwritten signature in black ink, appearing to read "Joseph R. Wilson". The signature is fluid and cursive, with a large, sweeping initial "J" and a long, horizontal flourish at the end.

**Trees Matter**

**Water Quality Matters**

**Chesapeake Bay Matters**



- Attachment 1 BAR CASE 608 S. Fairfax Street - History, pages 6 & 7; New Construction, page 7  
authentic setting: original 608 S. Fairfax house built on front lot line
- Attachment 2 *Founding Trustees Act of the City*, July 18, 1752: "all new houses built on the front  
and be in line with the street as chief of the house now are"
- Attachment 3 *Design Guidelines for the OLD AND HISTORIC ALEXANDRIA DISTRICT* requiring  
all new houses be located on the front property line
- Attachment 4 set of four (4) pictures: 210 Gibbon Street when purchased in June 1996; and  
210 Gibbon Street Conservation Design tree-replenishment
- Attachment 5 *Landscape Guidelines - City of Alexandria, Virginia - 2007*, pages 8 & 12
- Attachment 6 *ECO-CITY CHARTER 2008*, page 8, 9 & 10
- Attachment 7 BAR CASE New Construction: All new construction must be located on the front  
property line
- Attachment 8 picture: 604 S. Fairfax Street  
picture: 604 S. Fairfax Street 600 S. Fairfax Street
- Attachment 9 picture: 221 Gibbon Street (on corner of S. Fairfax and Gibbon Streets)
- Attachment 10 picture: Street view of 221 Gibbon , 600, 604, and 612 S. Fairfax Street
- Attachment 11 picture: 609 S. Fairfax: 2.5 story house withh American Flag
- Attachment 12 Architect ISSUE DESCRIPTION: "new home will complement the mass, scale...of  
neighboring structures - architect refutes BAR claim of new house's prominence  
Architect Model Views - Final Concept shows 604 S. Fairfax is "chief" house on street.
- Attachment 13 BAR areial site map showing setbacks of houses on S. Fairfax Street  
Google Maps bulding images showing setbacks of houses on S. Fairfax Street  
Zillow areial photo showing setbacks of houses on S. Fairfax Street
- Attachment 14 *Tree Hormones and Why They Matter*
- Attachment 15 610 S. Fairfax Street - Year Built: 1992; original 608 S. Fairfax house demolished in  
1912, therefore 610 S. Fairfax townhouse was built setback from original house at  
608 S. Fairfax Steet - that was build on the front property line and in line with the street







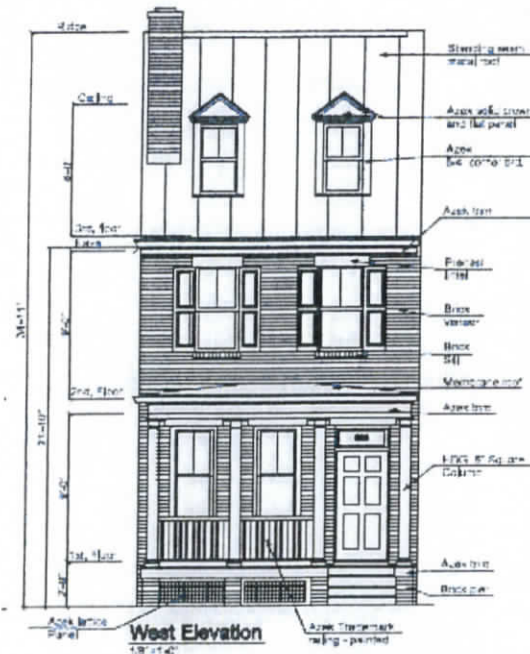


Figure 2: Approved but as yet Unconstructed New Townhouse at 606 S Fairfax

### Rear (east) Elevation

The ground floor will have three full-light French doors, while on the second floor there will be three ganged double-hung windows. The third floor will have full light patio doors leading to the upper balcony carved into the gable roof.

### Materials

The following materials are proposed:

- Jeld-wen six-panel wood front door with a stained finish
- Jeld-wen full-light wood patio doors
- Aged copper exterior lantern-style light fixtures
- Smooth Hardie Plank Artisan Series lap siding with a smooth face and 4" exposure, painted a blue-grey for the gable roof portions and a lighter grey in between
- Jeld-wen Sitrine EX wood, double-hung, simulated-divided-light windows in a six-over-six configuration
- Millable and paintable trim (AZEK brand)
- Standing seam metal roof in dark bronze
- Operable wood louvered shutters painted dark green
- EPDM rubber roofing in dark grey on the flat roof portion
- Half round metal gutters and round downspouts

## II. HISTORY

The one-story, three-bay house at 608 South Fairfax Street dates from late 1921-early 1922, according to the History Report prepared by Christine Fisher (October 2015). Prior to the construction of the existing house there was a house located at the front lot line, which was

## II. HISTORY

The one-story, three-bay house at 608 South Fairfax Street dates from late 1921-early 1922, according to the History Report prepared by Christine Fisher (October 2015). Prior to the construction of the existing house there was a house located at the front lot line, which was demolished by 1912. The building is a simple, small "cottage" style house with no distinguishing ornamentation, constructed of wood framing with cement asbestos siding. There have been few modifications to the house over the years, with the exception of a cellar added in 1936 and a small rear bathroom addition in 1946.

### New Construction

All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which is the case here. However, in this particular case, the existing non-conforming house is being demolished and replaced with a new house with the same non-conforming setback. This setback will make the building less prominent and more of a background building on the block face, and will help to retain the historic setting of the modest townhouse at 610 South Fairfax Street.

Staff has met with the applicant a number of times prior to submission of the BAR application and the design has evolved to staff's satisfaction. As the *Design Guidelines* note, the Board is most concerned with the compatibility of new structures with adjacent and nearby historic

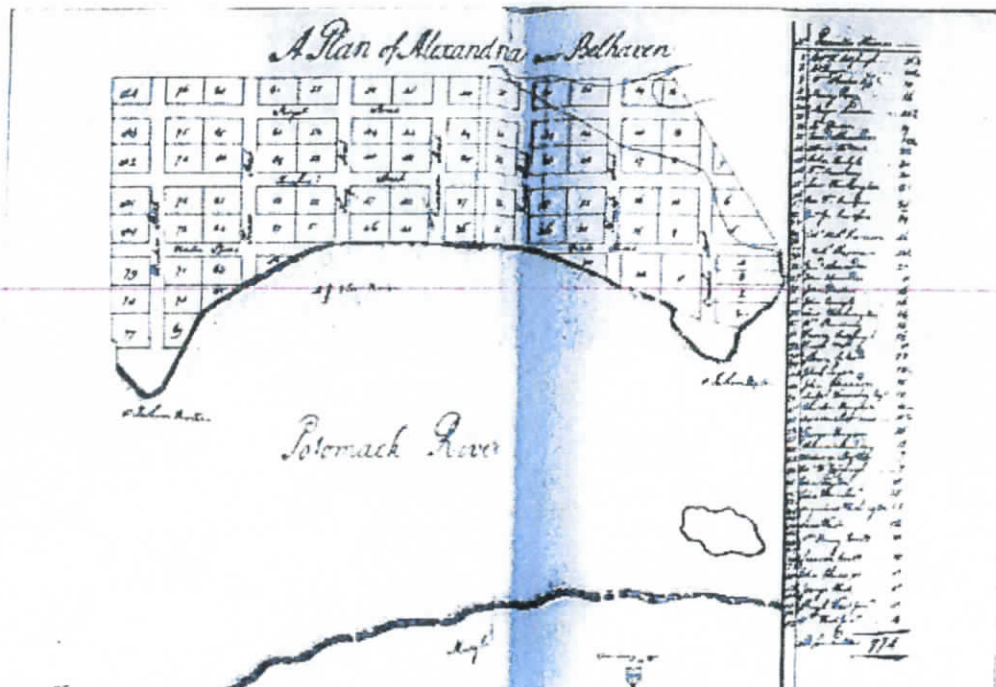




## THE TOWN BUILT

For many months the trustees were primarily concerned with the disposal of the lots and "advertisements were set up to that purpose,"<sup>[20]</sup> in the gazettes. Sales were numerous, houses began to go up speedily. By January 1750, eighty lots had been sold with two lots set apart for the town house and market square. In August 1751, Colonel Carlyle was "appointed to have a good road cleared down to Point Lumley and to see the streets kept in repair."<sup>[21]</sup> On July 18, 1752, the trustees "Ordered on Coll. George Fairfax's motion that all dwelling houses from this day not begun or to be built hereafter shall be built on the front and be in a line with the street as chief of the houses now are, and that no gable or end of such house be on or next to the street, except an angle or where two streets cross, otherwise to be pulled down."<sup>[22]</sup>

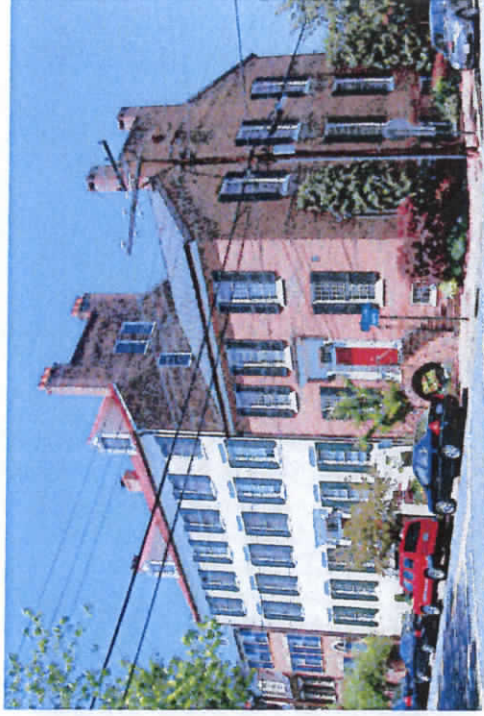
While the trustees were feverishly building the new port, the Assembly at Williamsburg was discharging the purchasers of marsh lots from the necessity of building on and improving them; approving the proposition "for appointing fairs to be kept in the Town of Alexandria."<sup>[23]</sup> Fairs and lotteries were the principal source of municipal income in early years; the journals of the House of Burgesses contain frequent requests for such from many of the Virginia towns.



Plan of the Town of Alexandria by George Washington.  
(From the Washington Papers in the Library of Congress)  
(click on image for larger version)

# Local Laws Affect Form and Materials

3. A 1752 resolution by the trustees further required that “all dwelling houses ...be in line with the street as chief of the houses now are, and that no gable or end of such house be on or next to the street.”



Queen Street



#### • Multi-family structures

In general, multi-family structures such as apartment buildings are much wider than single family residential structures. The facade articulation should be compatible with nearby buildings.

#### • Siting

New residential structures should be sited so that the front plane of the building is in line with the prevailing plane of the other residential buildings on the street. Such a requirement has a long history in Alexandria. The founding act of the city in 1748 required houses "to be in line with the street...."

Side and rear yard setbacks should also reflect the prevailing pattern in the immediate vicinity of the proposed new construction.

#### • Fenestration

The fenestration pattern, that is the relationship of solid to void, such as walls and windows, should be compatible with the historic fenestration patterns in the districts. For example, buildings which express very large areas of void are discouraged.

#### • Roof

In general, the roof form should reflect the roof forms expressed along the blockface. However, as a general rule, the gable end of a structure should not face the street. Such a requirement has a long history in Alexandria. The founding act of the city in 1748 required "that no gable or end of such house to be on or next to the street...."

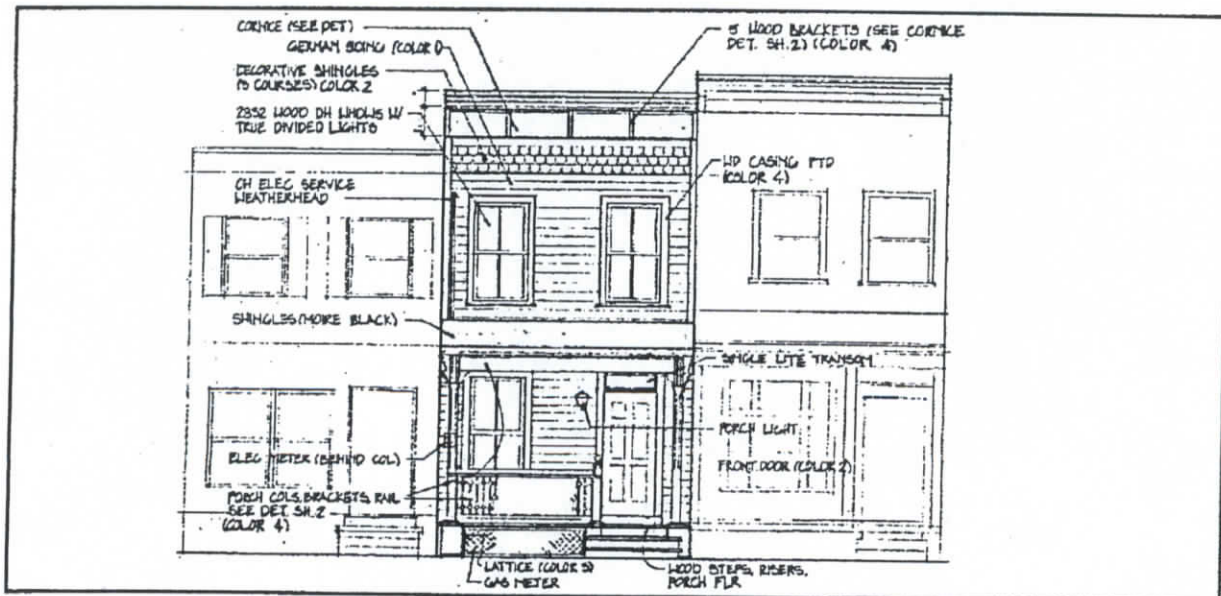
Roofing materials should reflect the traditional use of wood, metal and slate in the historic districts. Additional information is provided in the Roofing section of Chapter 2, Building Alterations.

#### • Spacing Between Buildings

The spacing or lack of it between a new residential building and existing structures should reflect the pattern of spacing between buildings along the blockface to maintain a consistent rhythm. For example, party wall rowhouse construction is inappropriate in certain areas of the historic districts which have large detached residential buildings.

#### • Building Orientation

The front entrances to new residential buildings should be oriented to the primary street frontage.



*Proposal for a new infill residential building between two existing houses.*

SOURCE: 307 North West Street, BAR Case #92-6PG, Frank Deichmeister, Design Plus, Architects



# I. Standards and Requirements

## Protection and Preservation of Existing Vegetation

### C. Methods and Procedures (continued)

9. When proposed development impacts existing vegetation on neighboring properties, prior to commencement of construction, provide the following:
  - a. Documentation that includes; notification of construction impact, timing/schedule/phasing, potential for loss or damage, and agreed upon remedial measures should loss or damage occur.
  - b. Certified communication with the subject owner(s) and jointly approved binding agreement between affected parties.

10. When proposed development impacts existing vegetation within a Resource Protection Area (RPA) provide the following:

- a. Water Quality Assessment as approved by the City.
- b. Evidence of quality and quantity mitigation consistent with Riparian Buffer Modification and Mitigation practices as available through the Commonwealth of Virginia, Department of Conservation and Recreation. Reference <http://www.state.va.us/dnh/>

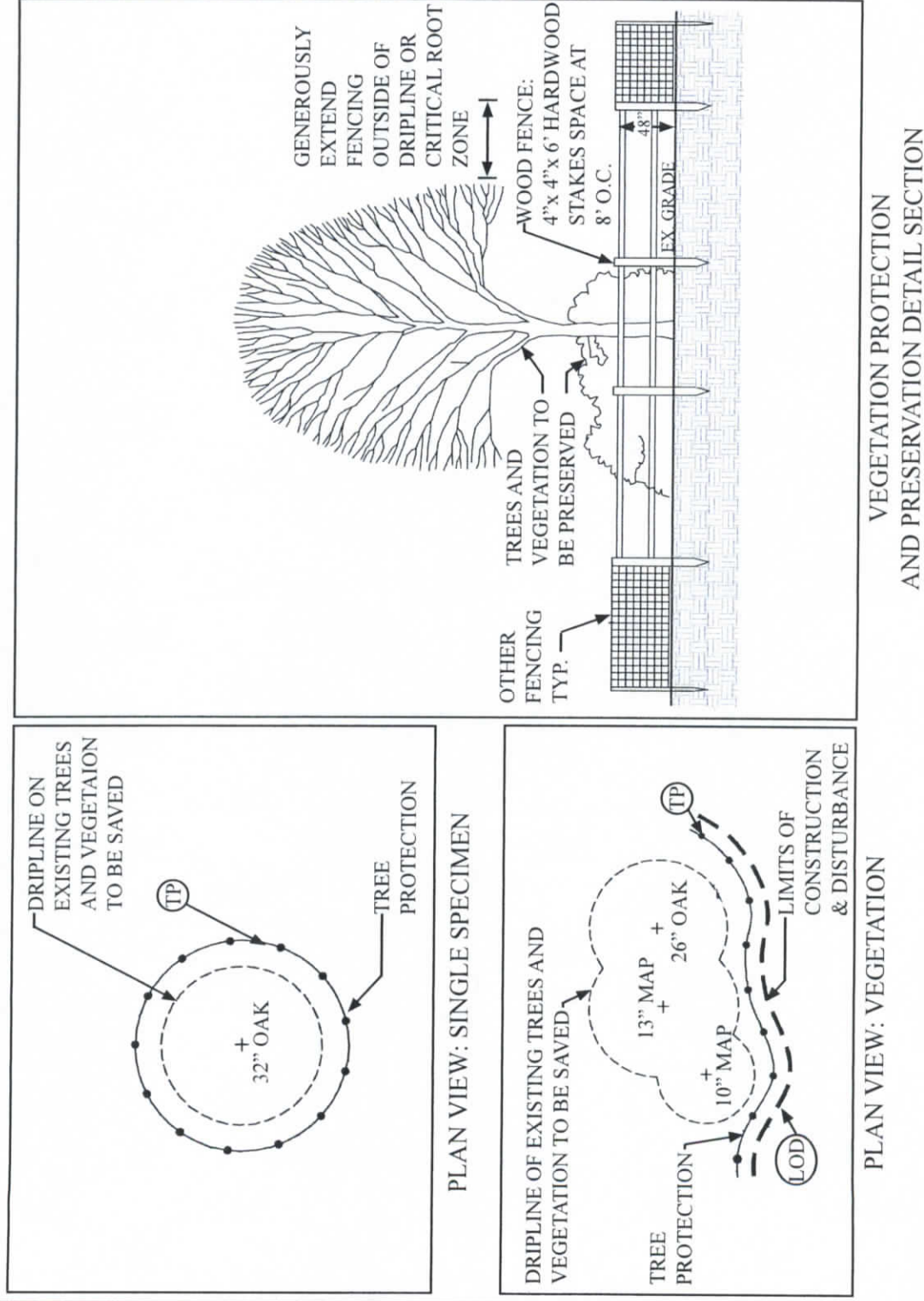
### D. Maintenance

Vegetation designated for protection and/or preservation shall continuously receive an enhanced level of maintenance throughout the entire construction period.

1. Maintenance shall be pro-active.
2. Maintenance operations shall aggressively monitor the health, growth and vigor of vegetation and prescribe approved selective pruning, removal of volunteer and/or invasive species, watering, fertilization and installation of mulch/topdressing.
3. Maintenance shall be performed to the satisfaction of the City Arborist.

# I. Standards and Requirements

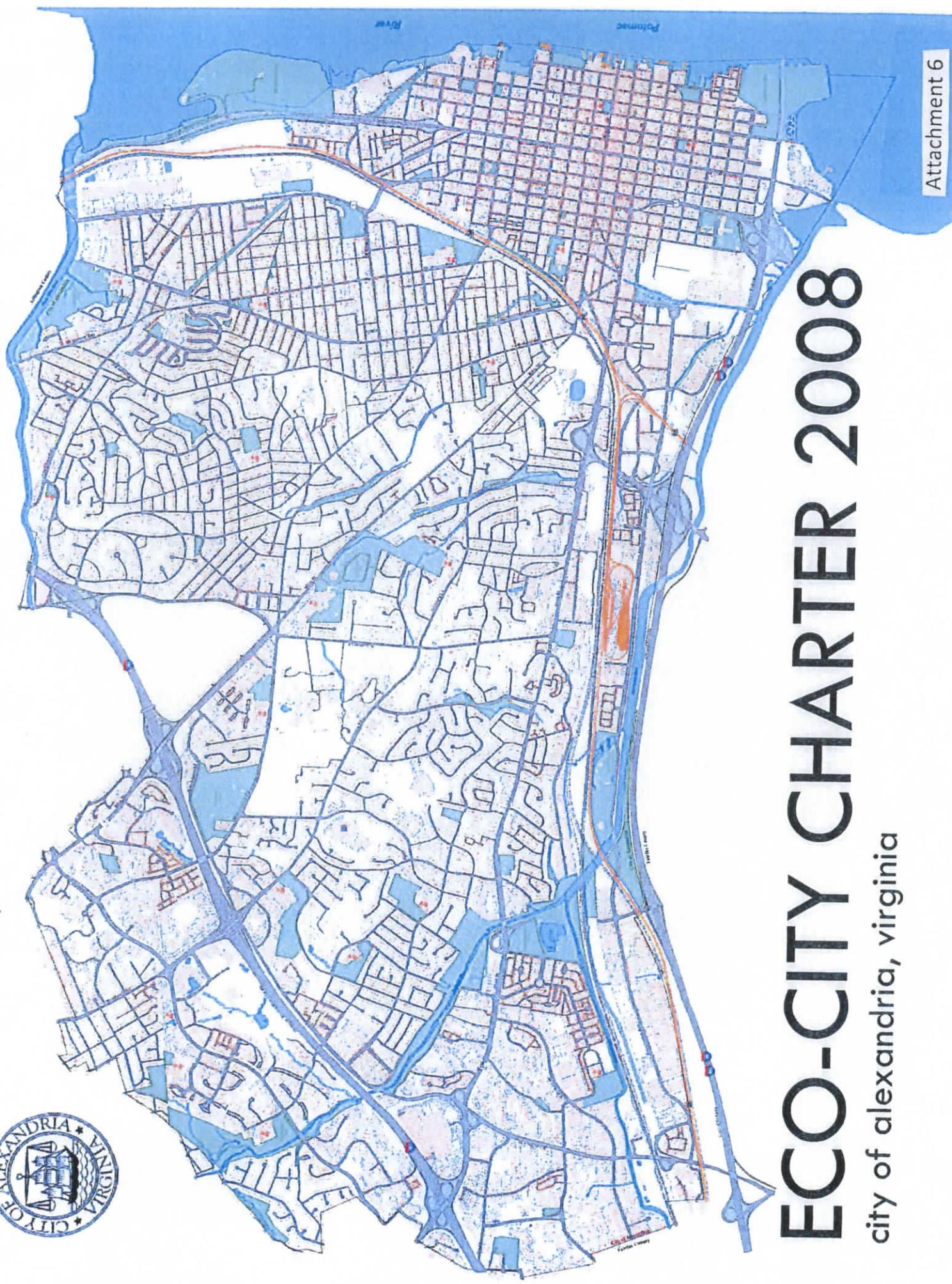
Figure I-B. Tree Protection







Source: Esri  
Aerial Imagery



# ECO-CITY CHARTER 2008

city of alexandria, virginia



608 S. Fairfax is non-compliant with Building Green policy: non-conforming setback threatens 210 Gibbon Street Conservation Design's six trees and 40% of the stormwater management system's capacity to prevent stormwater runoff impacting the Potomac River and the Chesapeake Bay.

## BUILDING GREEN

Alexandria's government, businesses, and citizens impact our environment through the choices they make when renovating existing structures and constructing new ones. These choices manifest themselves in the quantity and types of energy we use, the impact we have on our water quality, the amount of waste we create, the amount and quality of green space available to us, and our public health. Therefore, the City's building practices will:

- Adopt and maintain initiatives that require best in practice measures to reduce overall environmental impact of renovation, redevelopment, and new development.
- Integrate green building and sustainability standards into all private and public development, including historic preservation, renovation, and new construction.
- Encourage the preservation and adaptive reuse of existing buildings, and promote the reuse and recycling of building materials in all development.

## SOLID WASTE

Recognizing that managing waste is a public health issue as well as a quality of life issue, Alexandria will maintain its well-preserved public image by managing, handling, and disposing of solid waste in an environmentally sustainable manner. Alexandria will manage waste as a hierarchy of uses with the following priorities:

- Priority One: Reduce
- Priority Two: Reuse
- Priority Three: Recycle
- Priority Four: Resource recovery (e.g., convert to energy, composting, etc.)
- Priority Five: Proper disposal

### 210 Gibbon Street Conservation Design:

Ten trees replenish oxygen, absorb car & Diesel truck pollution, reduce summer "Island Heat" and provide aesthetic benefits to the open space behind the houses of S. S. Fairfax Street and Gibbon Street and offer sanctuary for birds.

### 210 Gibbon Street Conservation Design:

Stormwater management systems prevents 24,000 gallons of stormwater runoff from annually polluting the Potomac River and the Chesapeake Bay and conserves public water of rainwater collection system.

## ENVIRONMENT & HEALTH

Sustainability is not just about the health of the earth; it is also about human health. Indoor and outdoor air quality, water quality, land use planning, toxic chemical exposure, noise and light pollution, and the safety and habitability of buildings directly impact human health and the natural environment. Alexandria will:

- Promote and support policies and individual decisions that reduce exposure to toxins and pollutants, minimize environmental impact, and encourage a healthy lifestyle.
- Increase equitable access to safe, healthy, and organic food, in particular for children and adolescents, and encourage local and regional food production.

## EMERGING THREATS

Alexandria must be adaptive and responsive to emerging and unforeseen environmental threats – such as climate change – that could strain infrastructure, deplete natural resources, disrupt the economy, and threaten public health. Failure to respond quickly and appropriately to such threats will likely have severe consequences for the health and economy of Alexandria and its citizens. To better prepare for and avert environmental crises, Alexandria will:

- Make policy, infrastructure, and land use decisions that prepare for flooding, drought, disease, and other impacts to humans and wildlife from environmental threats such as climate change.
- Conserve energy and achieve carbon-neutrality.

- Identify ways to reduce/eliminate nutrient loading to waterways.
- Conduct accurate and continual assessments of resource and infrastructure capacity when planning to ensure growth and development does not exceed capacity.
- Ensure that Alexandria understands these threats, its role in the problem, and its part in the solution.

## IMPLEMENTATION

Improving environmental quality, conservation and the public welfare requires a harmonized approach to implementation, as well as collaboration both within and around Alexandria. The primary responsibility of environmental stewardship shall be equally shared by all Alexandrians. In order to achieve the Eco-City Vision and the Guiding Principles set forth in this Charter, the City will:

- Educate and engage its citizens, visitors, local businesses, schools, and civic organizations on the City's concept of sustainability, the importance of identifying goals for environmental quality, and the vision and principles of this Charter.
- Develop and encourage more public-private-civic partnerships within Alexandria and beyond, and work with federal, state, and neighboring governments to implement these principles and achieve sustainability.
- Conserve resources, make sustainable purchasing choices, and make the long- and short-term investments necessary to achieve the principles of this Charter.
- Ensure city policies give incentives for achieving the vision and principles of this Charter and disincentives for behaviors that impede sustainability.
- Become a leader, educator, advocate, facilitator, integrator, and innovator in sustainability.

# roles & responsibilities

The Eco-City Charter serves as a guide for moving the city towards a sustainable future. Fulfilling this Charter requires coordinated participation and commitment by the EPC, City government, and the community. The Charter's success depends on each of these parties taking an active and innovative role as stewards and guardians of this Charter's principles and vision.

## ENVIRONMENTAL POLICY COMMISSION

- Develop an Environmental Action Plan that adheres to the principles outlined in this Charter and advances the City towards the vision of a sustainable city; review and revise the Action Plan as needed, but no less than once every five years.

## 210 Gibbon Street Conservation Design:

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- Inform and educate the community on the vision, principles, and policies outlined in the Charter and the Environmental Action Plan.
- Identify specific steps that citizens and businesses can take to help Alexandria achieve the principles and vision set forth in this Charter.
- Work with and support City Departments, Boards, and Commissions to promote and ensure that the principles within the Charter are considered in key decisions and infused in City programs and policies.
- Produce an annual report card that evaluates the progress of the City toward meeting the sustainable vision set forth in the Charter and Environmental Action Plan.
- Review the Charter no less than every ten years and amend as necessary to ensure that it continues to meet emerging sustainability issues and the needs of the City and its residents.

## CITY COUNCIL, CITY MANAGER, CITY DEPARTMENTS, BOARDS & COMMISSIONS

- Lead by example: identify and implement specific projects for the City government to become more sustainable and create incentives for Alexandria citizens to do the same.
- Maintain our best environmental practices while investing in new ideas to achieve the vision and principles of this Charter.
- Incorporate sustainability practices, and encourage interdepartmental coordination to ensure all City decisions are compatible with the principles of the Charter.
- Work with the Environmental Policy Commission to advance the principles in the Charter and the steps set forth in the Environmental Action Plan.
- Work to make sustainability the natural, easy, and preferred choice for decisions by the City as well as its citizens and businesses.
- Develop and implement an outreach program to educate the community on the vision and principles in the Charter, with particular attention on ensuring that the City's youth are given a foundation of knowledge in the principles of environmental stewardship.
- Identify and develop key regional partnerships to address the sustainability challenges of the region.

## CITIZENS & COMMUNITY

- Take responsibility for the social, environmental, economic, and health impacts of our decisions and be accountable for our actions.
- Encourage children, businesses, neighbors and community organizations to practice and demand sustainability.
- Engage in and contribute to the City's sustainability planning processes and bring forth ideas to ensure the Charter and the Environmental Action Plan are current and meet the needs of the community.
- Hold local, regional, state, and national leaders accountable for achieving sustainability.

### 210 Gibbon Street Conservation Design:

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demolished by 1912. The building is a simple, small “cottage” style house with no distinguishing ornamentation, constructed of wood framing with cement asbestos siding. There have been few modifications to the house over the years, with the exception of a cellar added in 1936 and a small rear bathroom addition in 1946.

### III. ANALYSIS

#### Permit to Demolish

In considering a Permit to Demolish, the Board must consider the following criteria set forth in the Zoning Ordinance, §10-105(B):

- (1) Is the building or structure of such architectural or historical interest that its moving, removing, capsulating or razing would be to the detriment of the public interest?
- (2) Is the building or structure of such interest that it could be made into a historic house?
- (3) Is the building or structure of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?
- (4) Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway?
- (5) Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?
- (6) Would retention of the building or structure promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, and making the city a more attractive and desirable place in which to live?

In staff's opinion, none of the criteria for demolition are met and the Permit to Demolish should be granted. The applicant commissioned a History Report on the subject property which clearly documents the building's construction in the early 20<sup>th</sup> century. The modest construction is not unusual or unique, nor does it exhibit a high degree of craftsmanship and the materials used are not uncommon and are readily available today. Staff recommends approval of the Permit to Demolish.

#### New Construction

All new construction in the RM zone must be located on the front property line if the majority of the houses on the block are also located on the front lot line, which is the case here. However, in this particular case, the existing non-conforming house is being demolished and replaced with a new house with the same non-conforming setback. This setback will make the building less prominent and more of a background building on the block face, and will help to retain the historic setting of the modest townhouse at 610 South Fairfax Street.

Staff has met with the applicant a number of times prior to submission of the BAR application and the design has evolved to staff's satisfaction. As the *Design Guidelines* note, the Board is most concerned with the compatibility of new structures with adjacent and nearby historic



604 S. FAIRFAX STREET



600 S. FAIRFAX

604 S. FAIRFAX





221 GIBBON STREET

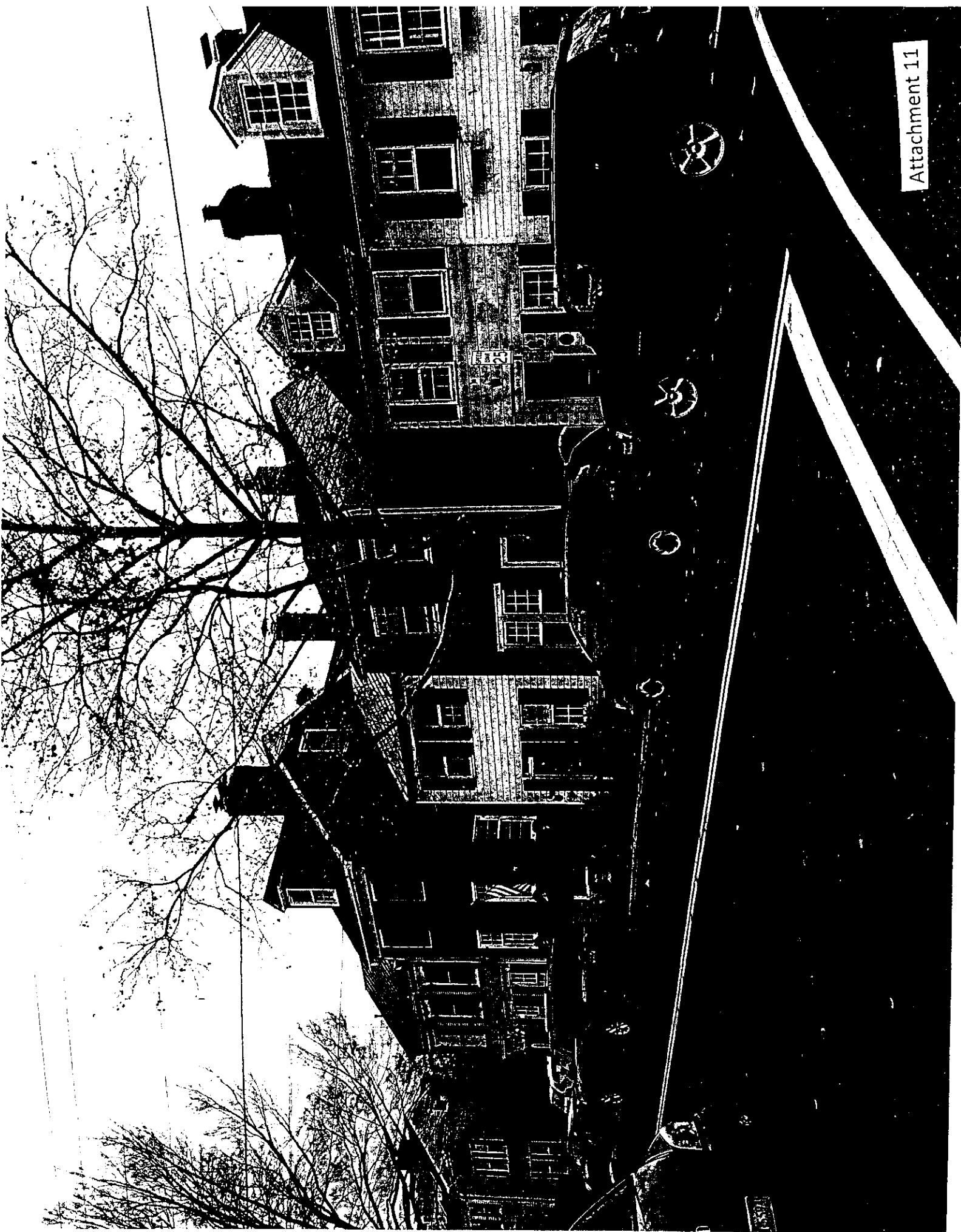


STREET VIEW

221 GIBBON STREET  
600 S. FAIRFAX STREET  
604 S. FAIRFAX STREET









DEC 29 2015

**NOTICE OF PUBLIC HEARING  
BOARD OF ARCHITECTURAL REVIEW**

Dear Property Owner:

You are hereby notified of the following public hearing to be held on the issue described below by the Board of Architectural Review (**check one**):

- ☒ Old and Historic Alexandria District  
☐ 100 Year Old Building (Heard before the Old and Historic Alexandria District)  
☐ Parker-Gray Historic District

**BOARD OF ARCHITECTURAL REVIEW MEETING DATE:** December 16, 2015  
**7:30 P.M., City Hall**  
**301 King Street**  
**City Council Chambers, 2nd Floor**  
**Alexandria, Virginia 22314**

**ISSUE DESCRIPTION:**

Applicant will construct a new wood frame two and a half story single-family dwelling after demolishing the existing structure on the property. The front wall of the house will be placed at the same location as the front wall of the former house, aligned with the face of the existing adjacent house to the South. The architectural design of the new home will complement the mass, scale, style, and materials of the neighboring structures in this block in the Old & Historic Alexandria District.

**PROPERTY ADDRESS:** 608 S Fairfax Street

**TAX ASSESSMENT MAP NUMBER:** 081.01-02-07

As a citizen and party of interest, you are invited to attend these meetings and express your views concerning the above issue. If you have any questions regarding the request, you can reach me at (703) 826-7243 and [steve@kulinskiaroup.com](mailto:steve@kulinskiaroup.com).

Sincerely,

  
\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
STEPHEN W. KULINSKI  
Applicant Printed Name

\*Date Mailed: 12/04/15

**\*Applicant to mail this notice to adjoining and abutting property owners at least ten but no more than thirty days prior to the hearing.**

**NOTE:** Applicant to return this copy at least five days prior to the hearing to: Department of Planning and Zoning, 301 King Street, Room 2100.



# CITY OF ALEXANDRIA - BOARD OF ARCHITECTURAL REVIEW OLD & HISTORIC DISTRICT - PLAN SUBMITTAL



FINAL CONCEPT

VIEW LOOKING SOUTHEAST - FROM SOUTH FAIRFAX STREET



FINAL CONCEPT

VIEW LOOKING EAST - FROM SOUTH FAIRFAX STREET



FINAL CONCEPT

VIEW LOOKING NORTHEAST - FROM SOUTH FAIRFAX STREET



VIEW LOOKING EAST - FROM SOUTH FAIRFAX STREET

6

KULINSKI  
ARCHITECTS, P.C.  
2015-00358/00359  
12/9/2015

THE RANSOM COMPANY  
608 SOUTH FAIRFAX  
ALEXANDRIA, VA 22314

MODEL VIEWS - FINAL CONCEPT  
THE RANSOM COMPANY - 608 SOUTH FAIRFAX  
ALEXANDRIA, VA 22314

PROJECT NUMBER	12/2015
DATE	12/2015
SCALE	AS NOTED
TITLE	ARCHITECTURAL
DATE	12/2015
BY	AK
CHECKED BY	AK
DATE	12/2015

A6-A  
A6-A



# CITY OF ALEXANDRIA - BOARD OF ARCHITECTURAL REVIEW OLD & HISTORIC DISTRICT - PLAN SUBMITTAL



FINAL CONCEPT

VIEW LOOKING SOUTHEAST



FINAL CONCEPT

VIEW LOOKING EAST



FINAL CONCEPT

VIEW LOOKING NORTHEAST



24

FINAL CONCEPT

FINAL CONCEPT

FINAL CONCEPT





**BAR2015-00358 & BAR2015-00359**



Google Maps

221

600

604

608

610

612

614

616

Google

Map data ©2016 Google 20 ft

Google Maps



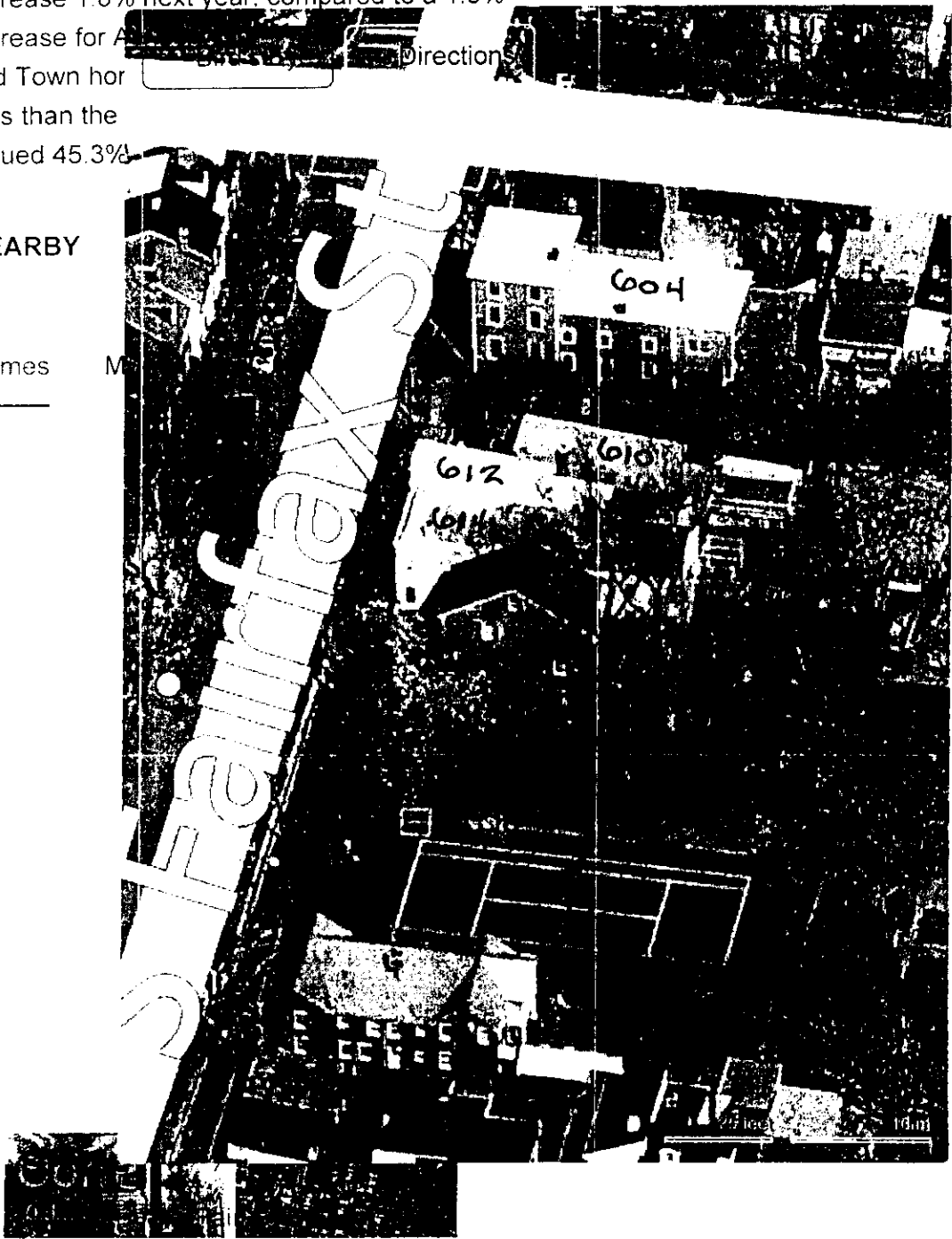
Save home

Share

Zillow predicts Old Town home values will increase 1.8% next year, compared to a 1.5% increase for Alexandria, VA. Old Town home values are less than the national average, valued 45.3% below the national average.

NEARBY

Homes



Alexandria, VA 22314-3834

# Tree Hormones and Why They Matter

Joseph Murray

Trees are the oldest, largest, and perhaps the most complex organisms on earth. Increasingly, society has moved beyond simply appreciating trees for the beauty and shade they offer, and now recognizes the significant societal, environmental, and economic benefits trees provide. These benefits can be especially important in urban areas, yet many urban sites present very difficult situations for growing trees. Most tree species should be able to live and provide benefits for several hundred years, but urban trees—often plagued by poor soil, restricted root zones, and limited care—rarely achieve even a fraction of their potential life spans. The more we (arborists, city foresters, growers, etc.) know about the biology of trees, the better we will be able to apply proper arboricultural practices to help trees help themselves.

Plant hormones and their effect on tree behavior is an often overlooked aspect of arboriculture. Plant hormones—generally defined as substances produced in very small amounts in the plant that influence the plant's physiological processes—play a crucial role in helping the plant to make adjustments in a changing environment. Knowing more about how plant hormones work in trees helps in understanding the implications of such common arboricultural practices as pruning, planting, fertilization, and irrigation.

## What Do We Know About Plant Hormones?

Prior to 1950 in the United States, this article would only have addressed two hormones, auxin and ethylene, which were then considered responsible—by their presence, absence,

concentration, or interaction—for everything happening in trees. Today, most plant science textbooks describe five major plant hormones: auxin, cytokinin, gibberellins, abscisic acid, and ethylene. However, there are more than five hormones in plants and research is ongoing.

Plant hormones present a number of challenges to the physiologists attempting to understand how they operate. Plant hormones are produced, and are active, in very small concentrations. At different times during the growing season, different parts of the plant produce specific hormones that influence dis-



The hormone pathway runs from roots to branch tips in trees such as this *Stewartia pseudocamellia*.

PETER DEL TREDICI



01/2004	\$270,200	\$339
01/2003	\$225,200	\$310
01/2002	\$145,000	\$295
01/2001	\$159,200	\$246
01/2000	\$144,700	\$225

**Sales Information**

Sale Date	Sale Price	Grantor
03/17/2009	\$0	HIGGINS ELLEN Q HIGGINS ROBERT L
09/16/2005	\$0	MARSTON PHILIP AND GWENAELE T
03/15/2001	\$400,000	MARSTON PHILIP M OR GWENAELE
01/08/2001	\$0	MARSTON, PHILIP M OR GWENAELE T
02/16/1999	\$340,000	

**Land Description**

Lot Size (Sq. Ft.): 1,788

Zoning: RM

**Building Description**

Year Built: 1892

Construction Quality: GOOD

Building Condition: AVERAGE

HVAC: HOT WATER BASE BOARD W/AC

Building Type: 2 STORY

Ext. Wall Construction: FRAME SIDING

Above Grade Living Area (Sq. Ft.): 1,409

Total Basement Area (Sq. Ft.):

Finished Basement Area

Full Baths: 1

Half Baths: 1

Fireplace Description: DOUBLE 2 STORY - GOOD

FP Units: 1

There may be additional data for this property; contact Office of Real Estate Asses

**NOTE: Building area is above grade and does not include bas**[Contact Us](#) | [Privacy & Legal Notices](#) | © 1995-2016 City of Alexandria, VA

2  
3-12-16

Speech for City Council  
William Goff Member of the Seminary Hill Board

March 12, 2016

The current negotiations of building a new school at Patrick Henry reminds me of the discussions which were held in 2004 when the city decided to build a new high school. The stadium was originally planned for the front of the school, desired by the architect, but the city and school board decided to place the field in the rear of the school—essentially leaving the field where it was. Why? -first of all money -the project was hemorrhaging money and second it was running behind schedule so the city had to capitulate. The placement of the stadium in the front of the school would have made lights feasible--placement of the field in the rear of the school would result in no lights but due to circumstances it was an easy answer for the city. These city officials had the chance to locate the field wherever they wanted—they made a decision to locate the field in the rear area of the school where homes are 21 feet from the field and there would be no possibility of lights, and so DSUP-85 was born. Ladies and Gentlemen let me assure you no house in Alexandria is 21 feet from a lighted field. Ms Pepper your field at Brenaman is 275 feet from your residence—Minnie Howard is 165 feet from the nearest house, there are lights at Fort Ward Park which are 170 feet from a residence while Whittier is over 1,00 feet from the nearest house. The decision to place the field in the rear of the school rests solely with the city and school board—it was their choice based upon \$ and time. The neighborhood and city confirmed this agreement in the DSUP-85 document.

A couple of questions come to mind—why would the city and the school board deliberately devalue a neighborhood— estimates of property value loss range from 10-20% in any neighborhood supporting lights. The city of Alexandria is almost fully built out-- how do you just drop a set of lights onto a field in the middle of a neighborhood where they never existed and walk away, hell in this city all we have to do is yell “new technology” and its a done deal.



How can we as residents ever believe the city or school board that lights will not appear at other schools which we are renovating -if you think you can break one DSUP can't you break others. Can the city circle back in 5 years and light the field at Patrick Henry why not -T.C. is the precedent. Why would we ever want to build fields to rent them out—build to scale -build to what is needed build to what we can afford constant use portends more maintenance. Mr Smegberg you are our champion of fiscal restraint-- how can we allow the \$320,000 stadium design to be spent when there are better alternatives. The field at GW needs our consideration—GW is broken it needs a renovation -why not attach a stadium to the project In this period of failing small businesses in Old Own --Del ray would flourish --private partnerships would love to invest there and advertise in the stadium. There has been absolutely no citizen dialogue about GW if this is about Friday night lights and titans football its not about T.C.W. Its about GW the perfect location, metro accessible and filled with history and a former 15,000 seat stadium. The school board is running with this project and I have been told they are intent in shoving it down our throats-- I want to slow the process down and consider the promise and consider GW before any action is taken.

I extend to you the city council an open invitation to see the stadium up close --to view it from the Woods and Chapel Hill neighborhood to see how dark the nights are and how much glare would be produced by lighting the field. Let us engage in frank discussions lets find a solution- no one, no one would ever tolerate a stadium 21 feet from their property -and neither will we. I am offering an alternative-

2  
3-12-16

***Presentation to the Alexandria City Council***

***March 12, 2016***

Mayor Silberberg, Vice-Mayor Wilson, Members of the City Council,

My name is Chuck Ziegler, Vice-President for Advocacy of the Friends of the Beatley Central Library. Last year, the Friends of the Beatley Central Library offered partnership to you in our efforts to ensure that the Alexandria Public Libraries had sufficient funds to fulfill its role in the mission of creating a Community of Healthy and Thriving Residents. In response, you have supported Alexandria's libraries in various ways, for instance funding the initial phase of the Beatley Envelope Project that addresses serious water intrusion; continuing to support longer hours at the branch libraries; providing a one-time \$50,000 matching grant to augment the Library's collection of books, e-books and audio-visual materials; and funding a position to expand passport acceptance services at the Barrett branch library. We sincerely thank you for your support.

However, the proposed budget for FY17 contains a serious danger to the well-being of Alexandria's libraries. In the FY16 budget the library Capital Facilities Maintenance Program (CFMP) is \$175,000, with \$285,000 scheduled for FY17 and \$100,000 for each year in FY18-FY25. Imagine my shock and consternation to read that the FY17 CFMP figure is a mere \$10,000, with *zero* funding for FY18-20. At first I thought it had to be a misprint, but further investigation proved that these figures were, alas, all too accurate.

I recognize that the City is operating in a constrained resource environment, with many pressing demands on scarce funds. But as the recent report on the City's facilities has vividly illustrated, deferred maintenance entails larger long-run costs. It also threatens potentially serious damage not only to the library buildings themselves, but to their contents as well.

Recall that Beatley Central Library and the branch libraries are community hubs that enrich the lives of our seniors and families, they are the incubators for entrepreneurs, and the enablers of small businesses, providing services available to every resident of our City, from the oldest to the youngest, even those in jail! Our public libraries are *the Single Public Resource* that has the ability to touch and improve the lives of *every* resident of Alexandria. These are all excellent reasons for you to restore the necessary funding to maintain—indeed, enhance—this valuable public resource.

***C. Ziegler***  
***2016-03-12***