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2-25-17

## Jill Rieth – Remarks - 319 Queen Street 02/25/2017

When we first saw this house we had a vision for our forever home. We hired Bill Cromley who understood our passion for maintaining the charm and character of the old house, modifying it for today and tomorrow's lifestyle. On our research we discovered the city of Alexandria allows expansion of a house up to 65% of the lot size, leaving 35% of open space. - Which we have done. Also, any changes to a historical house that is seen from a street by the public must have the B.A.R. approval. - which we received. The front of the house will remain the same, except for making much needed repairs and removing a upstairs ac window unit.

This a fee simple property, which is only governed by government restrictions and laws – which we have followed.

The back of the house addition seen from the street is in my opinion a refreshing surprise of where old blends with new.

This project delay is costing everyone money – not only us but the city as well. The city is losing property tax revenue, employment opportunities for those who live in the city and revenue for Merchants who sell building supplies and services.

Improving 319 Queen Street and similar projects will increase the real estate value and bring in revenue to the city..

I want to leave you with a Quote from JFK

"Change is the law of life. And those who look only to the past or present are certain to miss the future." JFK

Read more at: <https://www.brainyquote.com/quotes/quotes/j/johnfkenn121068.html>

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Rieth Remarks to City Council - 02/25/2017

My wife Jill and I have been looking for a home in Old Town for the past three years. When we found 319 Queen Street, although it had been neglected for many years, we saw its potential and believed we could make it our "forever" home.

After meeting with the historical preservation staff and the board of architectural review on two occasions, we made a lot of compromises; such that we will make only modest alteration of the exterior wall, despite the fact that it will only be seen from within the house. We also agreed to an easement to avoid any further alteration of the wall and other historic elements without preservation commission approval. The B.A.R. unanimously approve the encapsulation of the Ell and also approve the addition, which is visualized from the public way.

Prior to the B.A.R. meeting we hosted a reception for our new neighbors at which time we shared our floor plans. This was cordial and well received with the exception of one individual. Prior to the B.A.R. meeting, I was shocked and disheartened when I was made aware of a half page advertisement in the local paper describing how we're "destroying" a historic property which was simply false. A flurry of emails was circulated stating that we were doubling the size of the home creating a McMansion and in this just for the money. All untrue. As recently as this week, large signs have been placed in several neighborhood windows stating that we are doing major demolition of this house and exhorting people to come to this meeting to protest. When I have encountered passers-by and been asked what is happening and explain, the response is "that's a relief I thought you were going to tear it down? These tactics to me border on bullying. So much misinformation, hyperbole and "alternative facts" have been disseminated that I do not believe it is difficult to petition signatures from people some of whom I know have not even seen the plans.

I can't begin to tell you how frustrating and discouraging this has been. Inciting controversy was never our intent. We have spent a great deal of time and money following the rules, regulations, and procedures governing building and renovation in the historic district. Yet, here we are again months down the line defending our project for a third time having made significant compromises along the way.

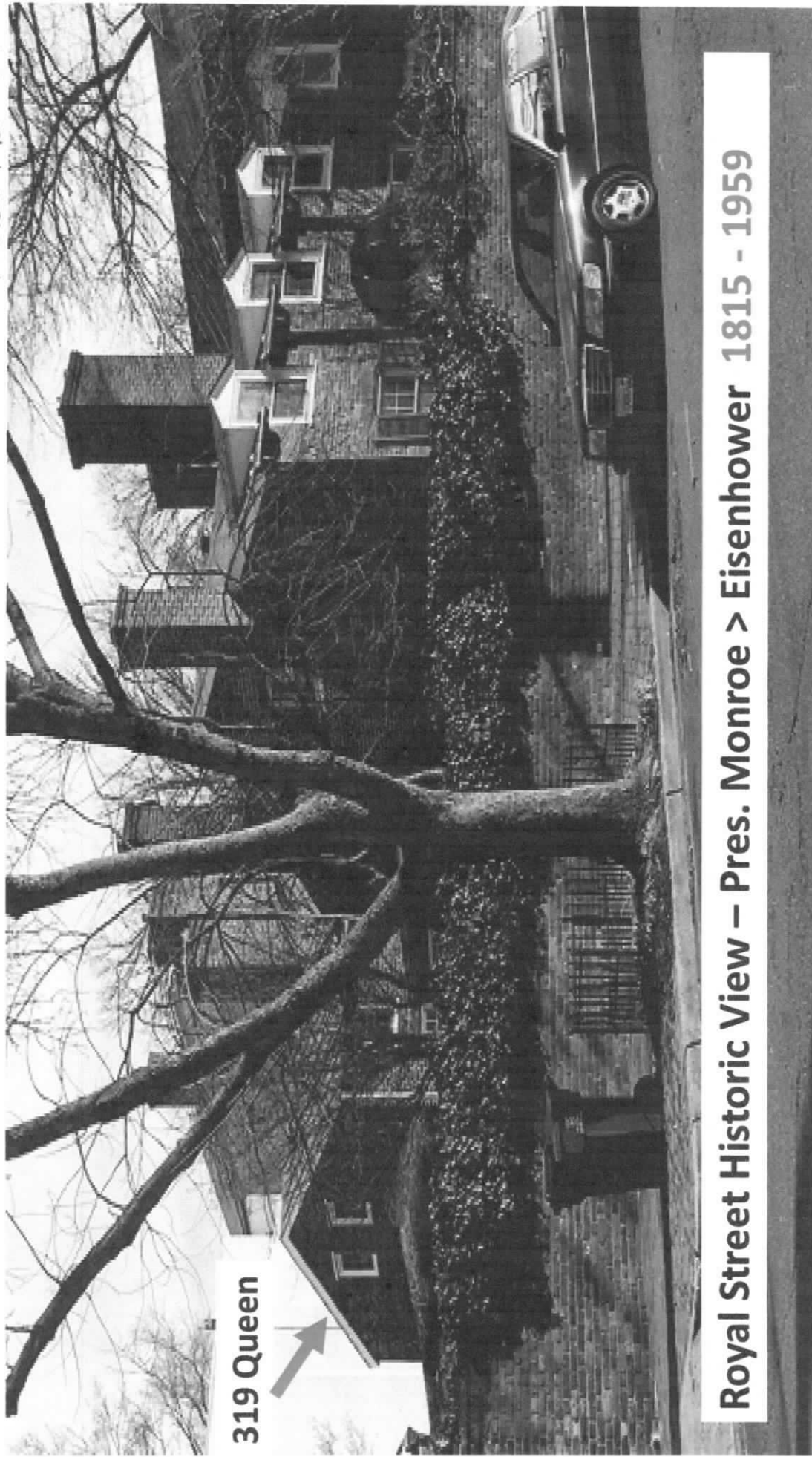
I realize that some people are uncomfortable and opposed to change of any kind, but change is inevitable. As one member of the B.A.R. stated "Old Town is not a museum", it is a thriving, evolving, historic community.

I respect the good work done by the B.A.R. and staff. They are knowledgeable, thorough, well informed and generous of their time. The rules and regulations are strict, but fair and reasonable. What more is an individual expected to do than abide by the process. If the process is flawed, it should be revisited, but I do not believe this is the case as it has been working well for many years. I would ask this Council to accept the B.A.R decision to approve our plans in a non-arbitrary way.

S

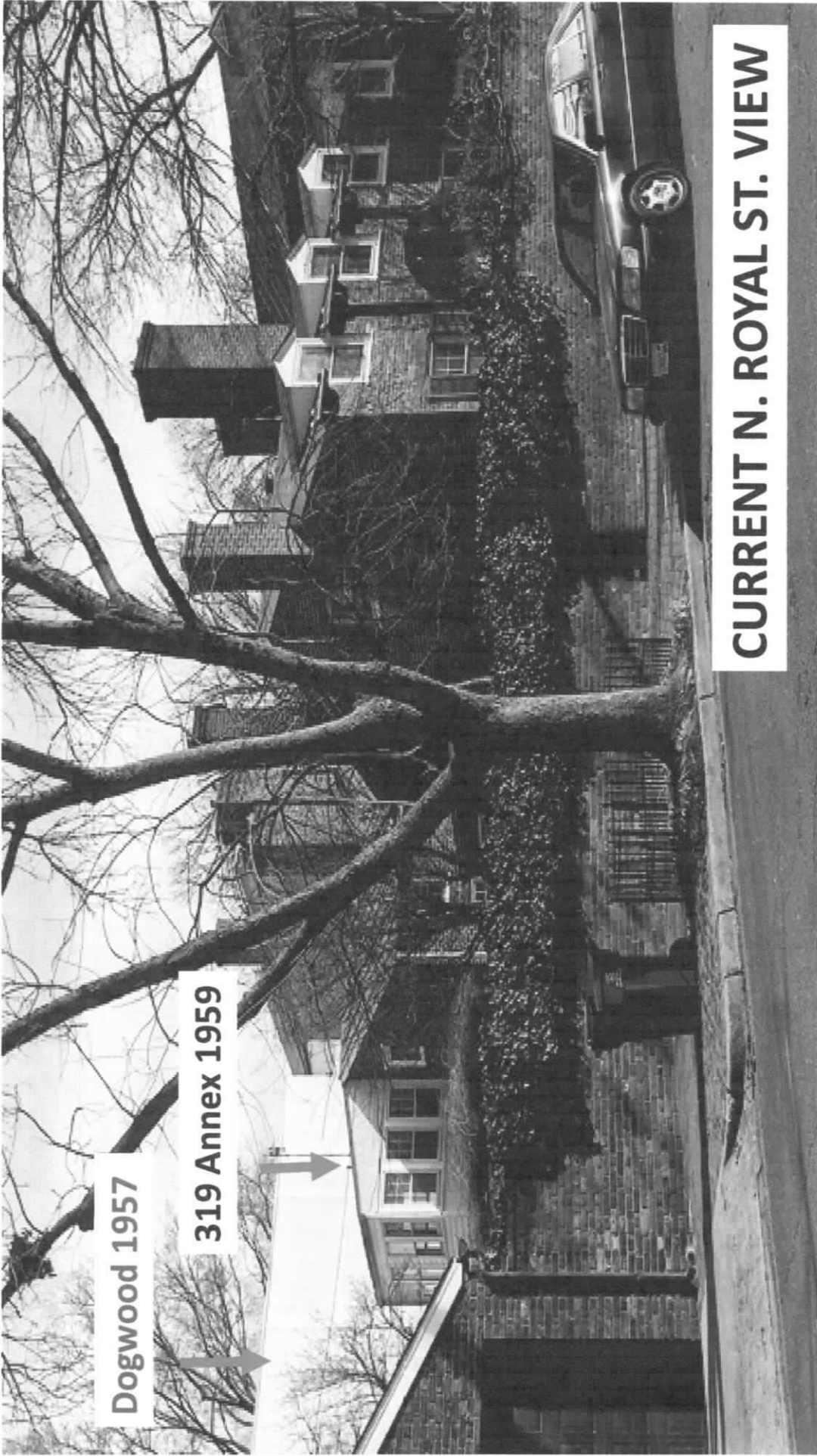
2-25-17

Michael Maibach



319 Queen

Royal Street Historic View – Pres. Monroe > Eisenhower 1815 - 1959

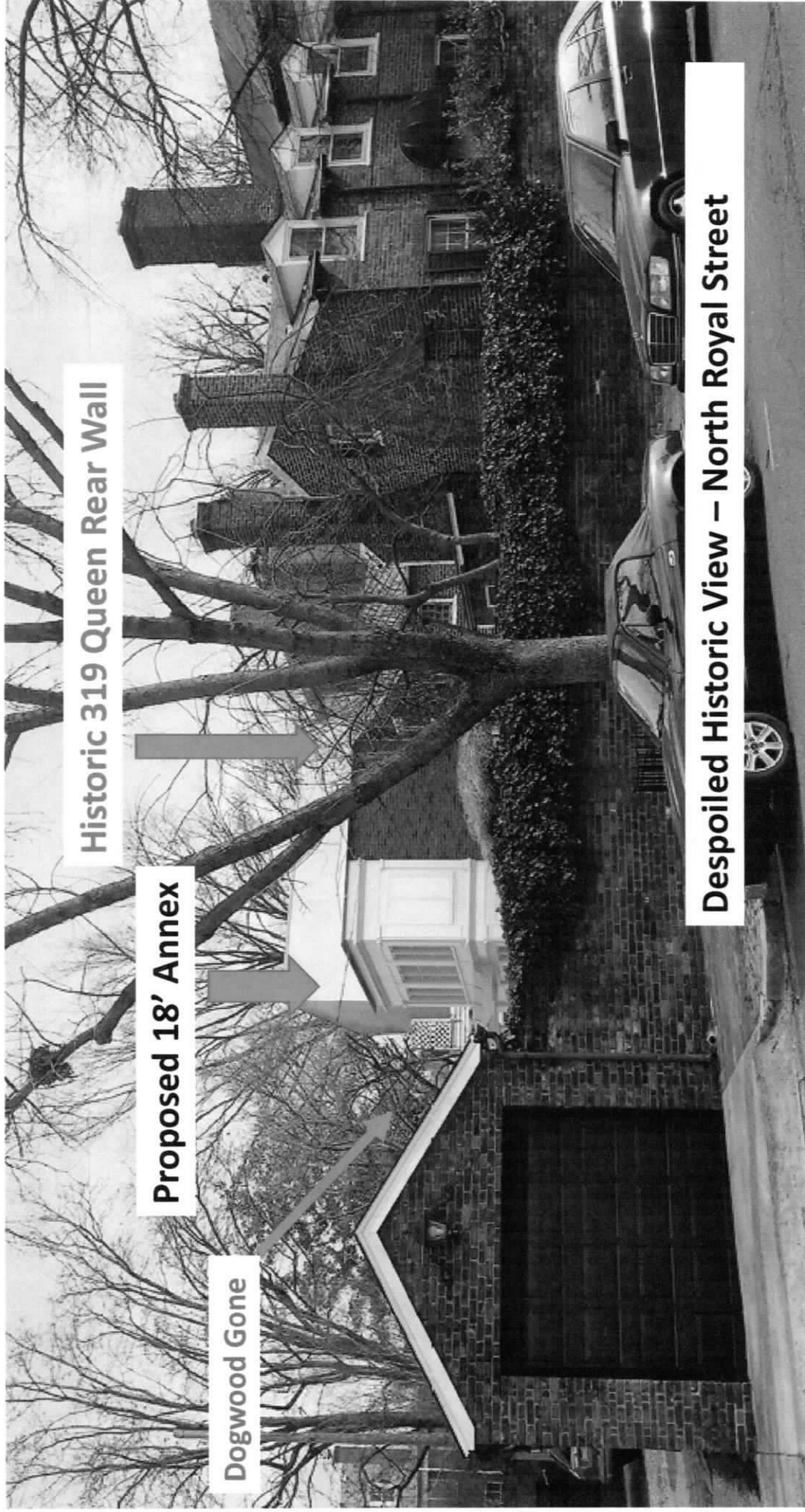


**Dogwood 1957**

**319 Annex 1959**

**CURRENT N. ROYAL ST. VIEW**



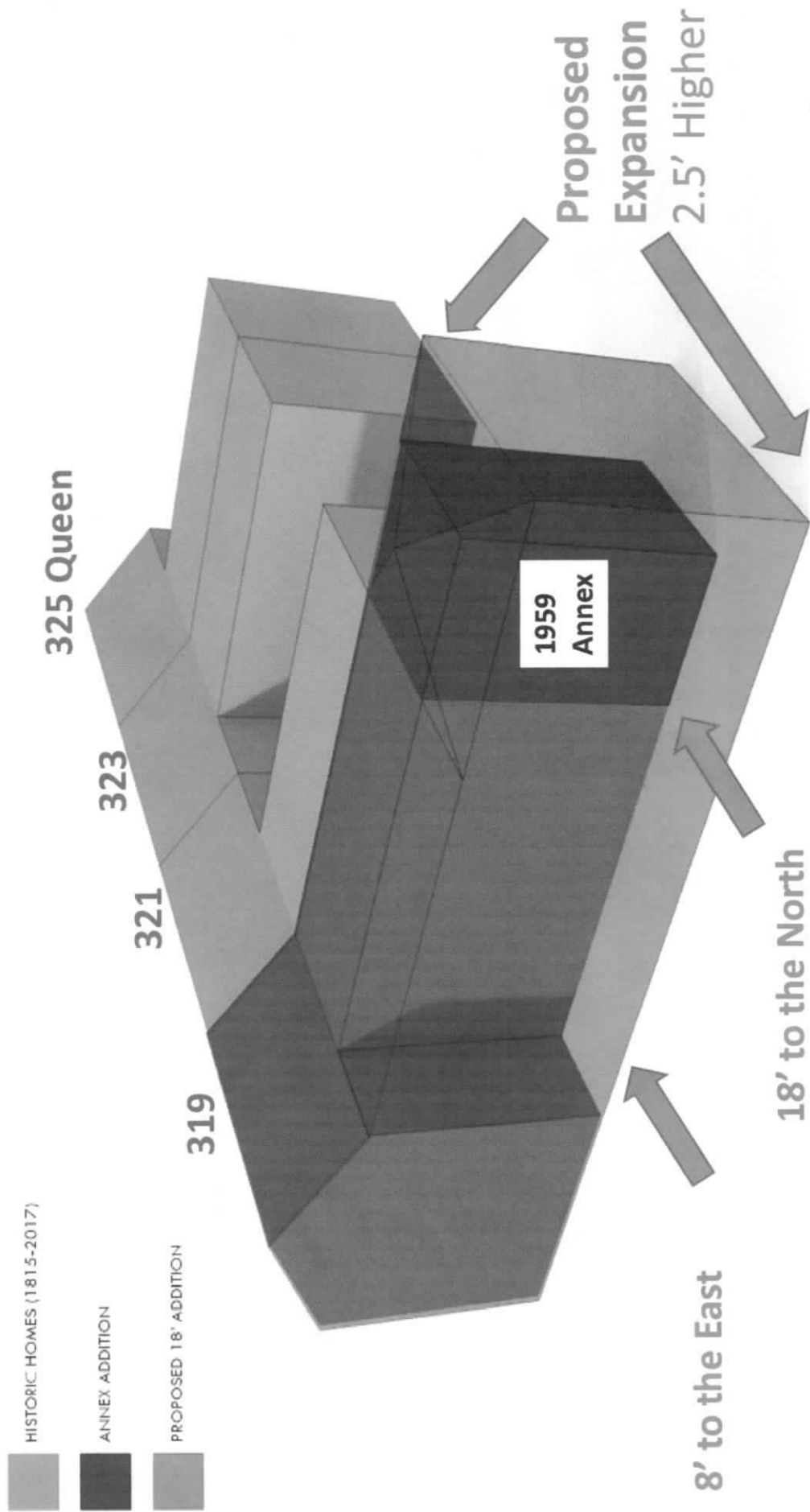


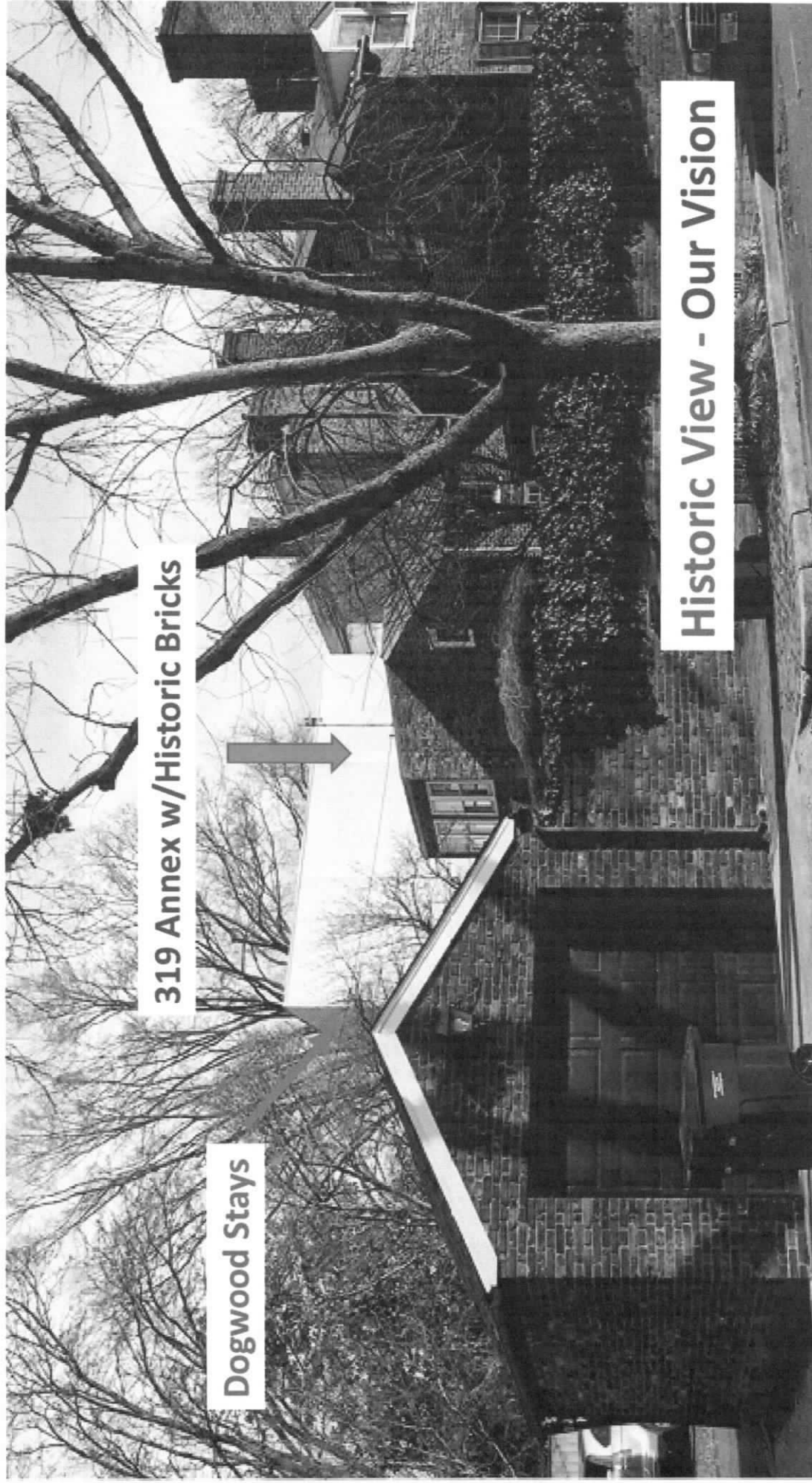
Historic 319 Queen Rear Wall

Proposed 18' Annex

Dogwood Gone

Despoiled Historic View – North Royal Street





**319 Annex w/Historic Bricks**

**Dogwood Stays**

**Historic View - Our Vision**

# 319 QUEEN ST PROJECT



MICHAEL MAIBACH | 319 QUEEN ST  
ALEXANDRIA, VA

Daniel Zeballos, Principal, IMD  
805 King Street, Alexandria 22314  
703-548-2929



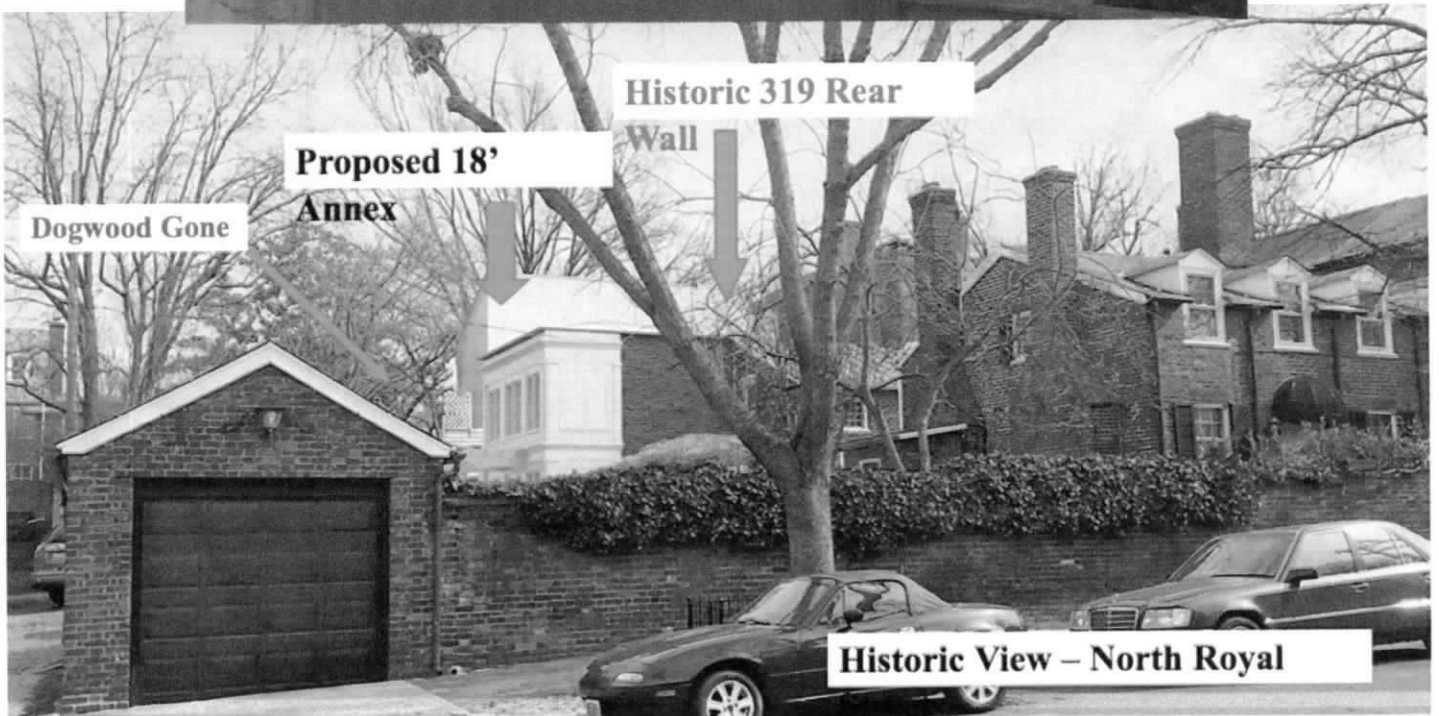
02/23/2017



Gebe  
Martinez

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2-25-17



Historic 319 Rear  
Wall

Proposed 18'  
Annex

Dogwood Gone

Historic View – North Royal



Feb. 25, 2017 - Docket #5

My name is Gebe Martinez Johnson and my husband and I live at 309 N. Royal Street.

The top photo shows the current view from our house without the extra 8 feet that are proposed, so this issue hits close to home.

Thank to each of you for the attention you have paid to this very important case.

It is important. It calls for partial demolition, encapsulation and expansion of a truly historic house, whose fabric would be ruined forever.

The record of this case is thick but the issue is not complicated. Here are six key reasons to reject this proposal:

1. The City Council has the authority and duty to maintain Alexandria's historic and architectural heritage.

This house is a Historic Landmark; it is in a National Register Historic District, and is in the original city of Alexandria that was bounded on the west by North Royal Street.

2. The council should reject this proposal because it forever alters one of four row houses on Queen Street with iconic architectural features. It calls for tearing down and concealing parts of historic exterior walls and unique roof systems that make this property a valued piece of historic Alexandria architecture. Once it's gone, it's gone.

3. The city council must find that this plan is inappropriate and violates the basic purpose of the zoning ordinance, to preserve and protect landscapes, settings and neighborhoods, as well as building and structures.

This house would be transformed in width and length into something resembling a Greek Revival hulk that would loom over neighboring homes, permanently altering the look of the block and literally ruining the back story of the four unique homes, and the historic streetscape on North Royal Street.

The view is enhanced by a common use alley behind the houses that gets considerable foot traffic, as we saw Monday at the Presidents Day Parade.

4. This proposal is out of context on THIS HISTORIC BLOCK and would set a very bad precedent.

Among the many missteps we observed in the handling of this case, I want to highlight that, incredibly, the North Royal Street streetscape was never fully addressed by the staff or the BAR, and only raised by neighbors.

5. Also, the BAR approved an incomplete application. The design elements for the front of the house were not available when the BAR voted, and the staff has been asked to decide how much to raise the height of the Greek Revival roof on the back side.

6. A proposed historic preservation easement to prevent further destruction is not enforceable.

I could go on. But this is not just about one house.

This is about the city sending a message that we DO value our city's history that contributed to our beginnings as a nation; a history that is cherished by residents; and frankly, a history that draws millions of dollars in tourism each year.

It's about our credibility as a city.

The city's website states: Each Alexandria homeowner has the privilege and obligation of preserving the historic character of our town and the beauty of its architectural heritage.

That's what we are fighting for as we appeal to you to reject the BAR's decision.

Mary Palmer

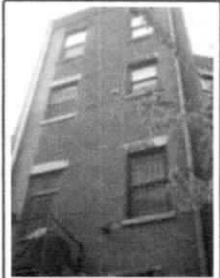
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2-25-17

Home › Preservation by Prevention › Preservation by Prevention: Historic Row Houses: the Rear Ell

## Preservation by Prevention: Historic Row Houses: the Rear Ell

Published April 28, 2010 in **Preservation by Prevention**

1



A single ell is shared by two properties in New York, split between the windows with a party wall.

As I conducted some of the Trust's annual monitoring inspections in New York City recently, I was repeatedly struck by the ubiquity of the rear ell in row house designs throughout New York. This urban housing type is found in other cities where the Trust works, as well, including Baltimore and Boston.

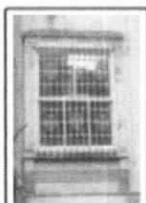
Often when visiting a brownstone, I would pass through a paired, 19th-century parlor and dining room to a kitchen located in a narrower ell at the rear of the building, from which I could access the rear yard and complete the monitoring visit.

Though the designs differ from house to house, the ells have a few things in common – they are almost universally shorter than the main block of the house, and they are constructed of common brick. In some cases, I found no ell at all, and it was clear that one had never existed. The universality of the ell and its common design attributes led me to wonder about its history and articulation.

### HISTORY OF THE REAR ELL

It was not uncommon for Federal row houses (1785-1820), the earliest type found in the U.S., to have back buildings or ells in the rear yard that housed the kitchen, privies, and slave or servant quarters. English row house, or terrace, precedents dating to the mid-to-late 18th century had developed with similar floorplans, where a narrow rear extension often housed the kitchen and a washroom with extra bedrooms above.

The long and narrow house types were well-suited to the long and narrow urban lots laid out by developers and land speculators on previously open lands as they were subdivided and sold. This type of lot allowed a maximum number of houses to be built along a blockfront, thereby maximizing profits. Further, in the days before electricity, the ell arrangement provided space for at least one window in the rear wall of the main block that provided light to its rear rooms. Windows in the sidewall of the ell itself provided sufficient light to the kitchen and extra bedrooms. If instead the house was built to the full width of the lot as it extended toward the rear lot line, a central pile of rooms without natural light would have been created. Although this did happen in some row house plans, the floorplan was much less desirable. This became less of a problem after the advent of electric lighting.



A corbelled brick window enframing around an oversized window on the rear façade of a New York row house.

In some of the grandest early row houses, the kitchen ell was connected to the main block of the row house with a small hyphen, often used as a pantry. The pantry might also contain a set of back stairs that provided a secondary means of access to the bedrooms for servants. Row houses designed and built for members of the working class might have a simple one-story ell without a hyphen that contained only the kitchen.

As the 19th century progressed and mechanization in the building trades made it possible for row houses to be constructed quickly in long groups, the traditional arrangement with a main block and a rear ell was perpetuated by developers. It was often, although not always, more economical to join the rear ells of adjoining houses. With such an arrangement, each house was a mirror image of its next-door neighbors. This eliminated the need for construction of two exterior ell walls by replacing those two walls with one party wall constructed down the middle of what was essentially a single ell structure. Party walls were often thinner, requiring less brick, than exterior walls. This practice reduced construction materials and time.

Further, the two ells could be housed under a single roof structure. Using joined ells also allowed light and air to penetrate into the space of two joined lots instead of the small rear yard of a single lot. In this manner, neighbors could visually

The most important thing you can do to preserve your rear ell is keep its footprint intact. That, more than any other feature, defines its character and the overall character of row house development in your city.

In addition, accepting and celebrating the rear façade of your building for its simplicity and utilitarian appearance will preserve a reminder of the way that rear yards were once used. You can assist with its preservation by ensuring that masonry is repointed appropriately and left unpainted and unparged. Retaining the original pattern of windows and doors on the rear façade is another laudable choice. Windows placed asymmetrically between floors may indicate the location of a now-lost stairwell, while the appearance of unusually short or narrow windows may give hints of the original floorplan, helping to locate an original bathroom, storage, or kitchen space. All of these clues will help current and future historians understand the ways in which people have lived in and used these significant buildings throughout their history.

## FOR ADDITIONAL INFORMATION:

Bunting, Bainbridge. *Houses of Boston's Back Bay: An Architectural History, 1840-1917*. Cambridge: The Belknap Press of Harvard University, 1967.

Hayward, Mary Ellen and Charles Belfourse. *The Baltimore Rowhouse*. New York: Princeton Architectural Press, 2001.

Rybczynski, Witold. *City Life*. New York: Simon & Schuster, 1995.

### 📍 Historic Row Houses. Rear Ell

[◀ Reduce, Reuse, Rehab: Green Cleaning and Historic Exteriors](#)

[Architectural Ambler: Gaslamp Quarter Historic District ▶](#)

## BLOG PUBLICATIONS

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- [Architectural Ambler \(17\)](#)
- [Columns \(10\)](#)
- [Miscellaneous \(2\)](#)

## Jackie Henderson

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5  
2-25-17

**From:** John Bruce via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Friday, February 24, 2017 11:13 AM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114970: Mayor, Vice Mayor, City Council My name is John Bruce and I live at 992

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114970.

### Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: John Bruce
- Approximate Address: No Address Specified
- Phone Number: 703 992 5231
- Email: jwbruce@ladsiinc.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: My name is John Bruce and I live at 992 North Royal Street. I had heard there was a controversy about the demolition of the rear of a property at the corner of Royal and Queen Streets. I visited the location, and came away convinced that it would be a shame to allow the proposed demolition and new construction to proceed as proposed. I have no idea of the legal classification of this property, but I would urge the Council to deny the permission for the changes as requested. The neighborhood is homogenous, and the proposed new building would strike an off note. The neighborhood has a nice ambiance of the sort the Council should want to preserve. It is in the greater interest of the city, as well as concerned neighbors. I hope the Council will decide accordingly. Thank you.
- Expected Response Date: Friday, March 3

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact [CallClickConnect@alexandriava.gov](mailto:CallClickConnect@alexandriava.gov) or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.



## Jackie Henderson

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**From:** Charles Trozzo via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Thursday, February 23, 2017 4:33 PM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114930: Mayor, Vice Mayor, City Council Please forward the attached file (letter

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114930.

### Request Details:

This is a "private" request. Information should only be provided to the original customer or those who know the full Call.Click.Connect. request number for this, which is "114930-6CHD47".

- Name: Charles Trozzo
- Approximate Address: No Address Specified
- Phone Number: 703 549 5176
- Email: c.trozzo@att.net
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Please forward the attached file (letter) to the Mayor and members of the City Council. This is a second attempt. I got a response that the attachment did not get through.
- Attachment: clt Letter to CC re 319 Queen Street b.doc
- Expected Response Date: Thursday, March 2

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

**Charles L. Trozzo**

209 Duke Street  
Alexandria, VA 22314

February 23, 2017

Mayor Allison Silverberg  
Members of the City Council  
City Hall 301 King Street  
Alexandria, VA 22314

Re: Item 5 City Council Public Hearing February 25, 2017

Dear Madame Mayor and Members of the City Council:

I have been a resident of Old Town for more than 35 years, became an advocate for historic preservation shortly after taking up residence, and served as a member of the Alexandria Historical Restoration and Preservation Commission for nearly 20 years including being its Vice Chair and Chair for more than 12 years.

My opposition to the proposed project and support for the appeal are based on several objections that I have with the Staff Report analysis and the recommendations it makes. However, I only address in this letter the primary concerns I have with the Board of Architectural Review's condition that the property owner must enter into a preservation easement before permits may be issued for the partial demolition and encapsulation of the L -portion of the structure.

**Proffer of the easement**

A preservation easement must basically be a gift by the property owner (grantor) to the organization that will be the holder (grantee) of the easement. [VA Code Ann, section 10.1-1009] The BAR condition is that the easement must be tendered before the permit to encapsulate will be issued. This is compulsory, not a gift.

In fact, the proposed easement is the *quid pro quo* which the BAR is requiring for the project to proceed. The stated purpose of this easement is to protect the remains of the original exterior wall **after** the demolition has taken place. However, such protection would not be needed if the BAR did not authorize the encapsulation of the remaining east wall. If the wall had remained exposed, i.e., had continued to be an exterior wall, the BAR would retain the authority under the Zoning Ordinance to review and pass on any further demolition proposed at some later time. By trying to accommodate the proposed project, permitting the encapsulation and making the wall an interior structure, under the Zoning Ordinance the BAR has itself forfeited its control over the wall's fate. Therefore, the easement requirement is really an attempt by the Board to circumvent the provisions of the Ordinance that limit the purview of the Board.

The Board has yet to offer an explanation of what legislative or regulatory authority it relies upon to require such a condition. **This is no less than a subterfuge to circumvent the Ordinance. This can only be considered an unsanctioned overreach by the BAR and its staff that should be rejected and overturned by the City Council. Surely, the legislative expression in the Ordinance should prevail.**

### **Enforcement of the Easement Terms**

There is no question that the BAR wants to remain the controlling authority over the future development of the wall that the project would encapsulate. While the grantee is the enforcer under the terms of the Virginia General Assembly Act authorizing preservation easements, if recent (but not challenged) practice is any indication, the BAR staff can be expected to take steps to try to be the “power behind the throne.” There were inserted into a recent easement, undertaken in similar conditions, statements that the easement has been granted as a result of a condition imposed by the BAR upon issuance of a permit to encapsulate and certificate of appropriateness for that property. The easement language goes even farther by requiring that the grantee confer with the BAR staff to assure that any subsequent changes to the covered structure are what the BAR and its staff intended at the time the easement was issued. There can be little interpretation of this other **than the BAR is maneuvering to usurp what is the basic power of the grantee of the easement.**

There is an additional complication involved in the BAR’s “interference” with the preservation easement process. This arose in proceedings in July 2016 regarding developments at 420 South Lee Street where both easement and BAR responsibilities were involved. Taking a stance in the hearing that the staff had been expressing in less formal settings, **the staff had the Chair read into the record:**

**A preservation easement or open space easement is a private agreement between a property owner and the easement holding organization. While the BAR and many easement holding organizations generally share common preservation beliefs, the BAR cannot consider, interpret or enforce the terms of a preservation or open space easement.**

When challenged about the validity of the above statement, staff could not cite any legislative or regulatory authority other than advising that the City Attorney’s Office had no objection to the statement. The Historic Alexandria Foundation submitted to the City Attorney’s Office shortly thereafter a rather detailed and well considered inquiry about this statement in light of the Virginia Open-Space Land Act/Virginia Conservation Easement Act [Va. Code 10.1-1700 et seq. and Va. Code 10.1-1009 et seq.] and other documents. There has been no reply responsive to that inquiry. **If the BAR maintains that stance, it cannot now inject itself into the terms of the easement proposed for the current case in a manner that appears as though it has powers like those of a co-grantee.**

A derivative issue arises from (a) the coercive nature of the BAR condition requiring submission of an easement before the permit to encapsulate is issued, (b) the BAR stance on the General Assembly authority for preservation easements, and (c) the still to be established source of the BAR authority to be an integral party to such. **That issue is, what is the chance that such an easement could survive a legal challenge by future or even the current owners of the property that the easement should be legally vacated?**

### **Tax Considerations**

Preservation easements entered under the authority of the General Assembly enabling legislation generally entail federal and state tax relief in view of the public purpose that is served by the

easement. Federal and state income tax relief, as well as local property tax reductions are based upon the extent to which the assessed value of the property may be decreased as a result of the granting of the easement. Therein is contained a stumbling block. The easement is required by the BAR before the permit to encapsulate may be issued. The tendering of the easement therefore empowers the owners to expand their structure, thereby increasing its useable enclosed space and thereby the property value.

From a historic preservation perspective, that encapsulation destroys historic values embodied in the basic form of the original structure. While the after-the-fact easement may, or may not, protect remaining bricks and mortar, it enables the “cocooning” of the east section of the L-shape. Unless one totally demeans the basic footprint and architectural form of the pre-easement property as important character-defining features, [National Park Service Preservation Brief 17] not protecting those should weigh against any benefits that might be attributed to saving the bricks and mortar. **The bottom line is that the proposed easement does not have a positive public benefit and should not be eligible for the one-time federal and state income tax credits, or the local annual property tax reductions.**

### **Conclusion**

The BAR’s enthusiasm to accommodate the owners’ wish to increase the floor space by building an encapsulating structure on the east (and north) wall of the historic L-form of the house obviously created problems for itself. For some reason, it undervalues the historic authenticity of the form of the structure, destroying it while trying to assure some survival of the remaining bricks and mortar of what was an exterior wall that will become an interior element no longer under its control. In a historic district, accommodation is really a two-way street. The proposal should also take steps to accommodate itself to what will not destroy important historic values. The BAR essentially threw the problem over the transom in the hopes that downstream an easement could protect those bricks and mortar while the architectural form is let fall into a cocoon.

The discussion above convincingly shows that there are several matters that call into question whether an easement is even a partial solution to developing proposals before the BAR that can sustain the character and authenticity of the Old and Historic Alexandria District. Given the problems of the legitimacy of the application of easements in cases such as the present proposal and the implications involved, the outcome should be the denial of this project. **By rejecting the appeal, the Council would be setting a precedent that would legitimize cocoons for whatever reasons throughout the historic districts. That can only have the effect of increasing the rate of the deterioration of the character of our Old Town historic district.**

Thank you for your attention to this very important case.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles L. Trozzo".

Charles L. Trozzo

## Jackie Henderson

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**From:** Michael Hobbs via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Tuesday, February 21, 2017 5:00 PM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114770: Mayor, Vice Mayor, City Council Dear Mayor Silberberg, Vice Mayor Wilson

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114770.

### Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Michael Hobbs
- Approximate Address: No Address Specified
- Phone Number: 703 548-5798
- Email: mhobbs27@comcast.net
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear Mayor Silberberg, Vice Mayor Wilson, and Members of Council:

The statement on behalf of Old Town Civic Association that I submitted for the record at the December 21, 2016 BAR hearing on 319 Queen Street was omitted from the materials forwarded by staff for your consideration in connection with the appeal of the BAR's action, Item #5 on the docket for your February 25 public hearing.

I am attaching a copy here. I respectfully request, and thank you for, your consideration.

- Attachment: 319 Queen St. - BAR 12-21-16.doc
- Expected Response Date: Tuesday, February 28

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact [CallClickConnect@alexandriava.gov](mailto:CallClickConnect@alexandriava.gov) or call 703.746.HELP.

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Statement of Michael E. Hobbs  
on behalf of the  
Old Town Civic Association  
Board of Architectural Review  
Old and Historic Alexandria District  
December 21, 2016

BAR Cases #2016-00396 and 2016-00397, 319 Queen Street

Thank you, Chairwoman Kelly and members of the Board. I am Michael Hobbs, speaking on behalf of the Old Town Civic Association.

The Board of Old Town Civic Association has reviewed these applications and urges that you not approve these requests for partial demolition, capsulation, alterations and an addition at 319 Queen Street.

Your staff report notes that this case involves three interrelated actions: (1) demolition of portions of the rear ell, (2) capsulation of the historic rear ell, and (3) construction of a rear and side addition. We wish to address each of those.

Demolition of Portions of the Rear Ell

There has been much discussion between the applicant and the staff, at this Board's previous hearing, and in the staff report about how much destruction of the roof and walls of the ell of this historic house should be permitted, more or less, in order to enable the size and design of the new family room, gallery, home office, master bath, laundry, and storage that the applicant would like to add to this house.

That suggests, in a sense, that the Board's task is to search for a "proper balance"—how much demolition of the historic structure is reasonable and necessary, given the requirements of the addition that the homeowner desires?

We would suggest, rather, that your standard should be, "What is the absolute minimum amount of demolition that is unavoidably necessary in order to accomplish a change for so compelling a purpose that it would justify any demolition of this historic structure at all?" Your default position ought to be that even partial destruction of a protected historic structure is not ordinarily permitted—and that the burden is on the applicant to demonstrate that a compelling public or private purpose can be achieved in no other way, and justifies setting aside the core standards of the historic district ordinance.

Any homeowner can empathize with the aspiration for larger and more comfortable living spaces—but that wish alone should not be conclusive in the case of a perfectly livable home in a historic structure in the nation's third-oldest historic district. We submit that the purpose of the construction here, and the consequent amount of demolition proposed, does not meet that threshold test.

If the standard, rather, is to permit some amount of demolition for any application, so long as it is no more than is reasonably necessary to achieve the applicant's purpose—then the inexorable result over time is that we will demolish the fabric of our historic structures little by little, a piece at a time—until there is none left, in the long run.

### Capsulation of the Rear Ell

It is proposed that the applicant be permitted to capsule the rear ell entirely, provided that he provides an easement to a qualified preservation organization to ensure that there will be no further destruction of the historic fabric in the future—beyond what is permitted now—unless that organization approves.

But such an approach would remove entirely from public view, for all time, the distinctive, historic architectural feature of this house. It is suggested that such an easement would preserve the future visibility of the ell to “the “owners and their guests and for future students, historians and architects.”

But we are not sure how that would work. Critics sometimes caution that the ordinance is not meant to preserve the Old and Historic Alexandria District intact and unchanged as some kind of “museum piece,” like Colonial Williamsburg. But what does the complete capsulation of this historic ell do, other than make it a kind of museum piece, never again visible except to those who are granted admission to the “museum”? Would students and historians be admitted to come inside to view the remaining structure of the ell on request? What about the general public? What are the visiting hours? Is there an admission fee?

We would submit that, in any case, the historic ordinance’s assurance of the external visibility of Old Town’s historic structures, at least, is not intended alone for the benefit of future historians and architects, but for the benefit of all of Alexandria’s residents and visitors, of the public at large.

### Construction of Rear and Side Addition

The staff report discusses the character of the proposed addition in relation to each of the *Standards* listed in Section 10-105 of the zoning ordinance. Some of those enumerated standards have to do with the George Washington Memorial Parkway, and the observation that those are not impacted here are simple statements of fact. But the statements about several of the other standards are matters not of fact but of opinion or conclusion (“...consistent with other rear additions ... will not overwhelm the historic building” ... “adequate in its relationship to the existing building” ... “an appropriate response ... while using a compatible and contextual vocabulary”... “will not have a negative impact on the character of this historic block” ... “may not attract visitors, [but] will certainly not detract a range of people from visiting”).

The staff’s professional advice obviously merits the Board’s most respectful—but not necessarily conclusive—consideration; for it is the Board itself that must make the final judgment on whether and how faithfully each of the *Standards* has been met. The staff advises (correctly, in our view) that the Board’s charge “to ensure that additions, alterations and new construction are compatible with nearby buildings of historic merit” ... “is more subjective and varies case by case, recognizing that what is appropriate in one block may not be appropriate in another block....” and that “the BAR must ‘consider’ the elements and features identified [in the *Standards*] but ... there is not a ‘yes’ or ‘no’ response, as the BAR typically finds with the criteria for a Permit to Demolish.”

We are concerned particularly by the observation that the addition, while substantial, adds no more additional depth than the amount that had already been added earlier by the existing 1950’s addition. That seems to us a kind of “bootstrap” argument, using the existing 9’ addition, which is of no historic or architectural merit—and is, in fact, to be demolished—as the justification for a new addition, twice its size, to replace it.

More generally, we respectfully disagree with the conclusions that the addition proposed here is “adequate in its relationship to the existing building” and that it “will not have a negative impact on the character of this historic block.”

### The Broader Context of This Proposal

In reviewing the particulars of the design elements of this proposal and their relation to the standards and criteria in the ordinance, we urge most especially that you keep the “forest” in view while you are examining each of these “trees”. The standards should be considered not in the abstract, but in the context of the specific structure and its neighbors that are to be affected.

My home, one of a group of five in the 400 block of Cameron Street, for example, dates from 1978. It has no historical significance or distinguishing architectural merit: practically any alteration would be permissible. But 319 Queen Street and its three adjoining neighbors to the west are not just another random collection of four houses in Old Town. They are four historic houses built together, dating back at least 200 years, and their antecedent structures perhaps still further, to the presidency of George Washington—who resigned his commission and bade farewell to his neighbors a little over a block away at Wise’s Tavern. They stood, at the time, near the brow of the bluff overlooking the Potomac, a block away from the center of the new city of Alexandria. (In the original design, Cameron Street—after Lord Cameron—was to be the central spine, with King and Queen a block to the north and south, Prince and Princess the next block removed, and so forth.)

I know of few if any other groups of four houses in Alexandria that were built together in the late 18<sup>th</sup> or early 19<sup>th</sup> century that are still virtually intact. There was an addition to 319 sixty years ago—but it was apparently “tacked on”, demolishing little if any of the original house. The BAR authorized a shed and a pergola behind 321 a dozen years ago—but again, there was no alteration of the historic house. If this application were granted, it would be, so far as we know, the first significant or substantial alteration or demolition of the original structure of any of these houses in their history.

Given the extraordinary historic character and significance not only of this block, but of this very house and of its group of three neighbors, and of its place in the Old and Historic Alexandria District, you should apply as strict a standard of scrutiny here as you ever do anywhere in the District. If you, as the guardians of that District, are not able to apply the ordinance to preserve the historic character of this group of houses, then where? And if not now, when?

Old Town Civic Association urges you not to approve this Permit to Demolish and Capsulate, nor a Certificate of Appropriateness for alterations and additions, as proposed.

Thank you for your consideration.

## Jackie Henderson

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**From:** Thomas and Margaret Kilfoyle via Call.Click.Connect.  
<CallClickConnect@alexandriava.gov>  
**Sent:** Thursday, February 23, 2017 12:50 PM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114907: Mayor, Vice Mayor, City Council Dear Mayor Silberberg and members of the

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114907.

### Request Details:

This is a "private" request. Information should only be provided to the original customer or those who know the full Call.Click.Connect. request number for this, which is "114907-D98E6H".

- Name: Thomas and Margaret Kilfoyle
- Approximate Address: No Address Specified
- Phone Number: 9176937578
- Email: pbtinnyc@aol.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear Mayor Silberberg and members of the City Council, We are writing to urge you to vote "no" on Docket #5 at the Feb. 25 public hearing in order to preserve the architectural heritage of the Queen Street neighborhood.
- Expected Response Date: Thursday, March 2

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact [CallClickConnect@alexandriava.gov](mailto:CallClickConnect@alexandriava.gov) or call 703.746.HELP.

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## Jackie Henderson

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**From:** Daniel Horowitz via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Thursday, February 23, 2017 11:45 AM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114902: Mayor, Vice Mayor, City Council Dear Mayor Silberberg and Members of the

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114902.

### Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Daniel Horowitz
- Approximate Address: No Address Specified
- Phone Number: 703-629-6576
- Email: horowitzdaniel@me.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear Mayor Silberberg and Members of the City Council:

I write concerning file item #16-6197, the proposal to permit substantial alterations to the historic house at 319 Queen Street in Old Town. As you know on February 25 the council will consider an appeal of the recent decision by the Board of Architectural Review (BAR) that would allow those alterations to move forward.

I have lived at 313 North Royal Street for the past 17 years. The back of 319 Queen Street is visible from my backyard and from the upper windows in the back of my house.

I do not oppose all development in the neighborhood, nor do I think that houses here ought to adhere to a rigid Colonial or Federal style or be treated like museums. With all that said I do not believe the BAR should have approved all the proposed changes to 319 Queen Street.

The property has an unsightly 1950's addition at the rear of the house – an enclosed sleeping porch – which is visible from the street and from my yard. I have no objection to demolition of this structure and to the installation of the well-designed two-story rear addition that the applicants have proposed, consisting of a bedroom upstairs and a family room below. Not only would this addition be an improvement over what appears now, but it would help screen the large, unattractive, three-story white stucco addition on the adjacent property, which dates to the 1970's. I do not object to the scale or the style of this new rear addition at 319 Queen, even if it occupies the full width of the lot.

However I do oppose the proposed partial demolition and complete encapsulation of the historic 1818 ell that connects the new addition to the main house that fronts on Queen Street. These historic structures are increasing rare and we are fortunate to have such an intact and well-preserved example in the neighborhood, even though it is hidden from public view. While the city staff and BAR should be commended for obtaining the owners' agreement to a preservation easement, the fact remains that if the BAR decision is upheld, this unique two-century-old historic structure will be entirely swallowed up inside a larger modern building, most likely never to be seen again.

The 319 Queen Street house is a modest property that could be expanded somewhat, but I do not believe it needs to be remade to accommodate every conceivable suburban amenity, including a master bathroom suite, laundry room, storage rooms, home office, and an elevator. All of us in the Old and Historic district make certain sacrifices of convenience in order to protect the historic integrity of our neighborhood. I believe the applicants could achieve many of their objectives without encapsulating the historic ell or altering its historic roofline. A two-room, two-story addition at the rear of the property (replacing the current 1950's sleeping porch) could



significantly augment the size of the house without disturbing its historic fabric.

For example, the current eight-foot wide open area between 319 Queen and the adjacent house at 317 Queen – which the applicants have described as a “hostile space” and proposed to completely fill in – could instead be turned into an attractive courtyard or glass-enclosed atrium, while leaving the 200-year-old historic ell entirely intact for future generations to enjoy and appreciate. One of the BAR members floated such an approach during the BAR hearings, but regrettably this idea was not pursued further.

For all the reasons above, I encourage the Council to overturn the BAR's decision to approve the changes to 319 Queen Street and to seek further measures to protect the historic integrity of this property.

I also encourage the Council to pursue a more holistic solution to these issues by protecting more of Old Town's unbuilt open spaces and discouraging excessive building on smaller lots. It is ironic and unfortunate that the proposed expansion of 319 Queen Street to a nearly 3,000 square foot dwelling would still comply with the city's existing limit on floor area ratio (FAR). Clearly this limit needs to be reviewed and lowered, rather than attempting to address each expansion on a case by case basis.

Thank you for considering my views.

Sincerely,

Daniel Horowitz  
313 N. Royal St.  
Alexandria, VA 22314

- Expected Response Date: Thursday, March 2

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## Jackie Henderson

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**From:** Susan Prytherch via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Wednesday, February 22, 2017 5:06 PM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114855: Mayor, Vice Mayor, City Council Dear Mayor and Council:I am writing

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114855.

### Request Details:

This is a "private" request. Information should only be provided to the original customer or those who know the full Call.Click.Connect. request number for this, which is "114855-66AGB7".

- Name: Susan Prytherch
- Approximate Address: No Address Specified
- Phone Number: 202 646 5187
- Email: s\_prytherch@hotmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear Mayor and Council:

I am writing regards to the planned changes to the house on the 300 block of Queen. I am concerned that the BAR approved the tearing down/modification of a 200 year old house, especially one that is integral to the look of that block. If we start there, where does it end? The charm of Old Town is in its cityscape. My recollection of election promises was to maintain the look and feel of Old Town. Please override the BAR.

I am also concerned about the plans for Alfred Street. Have you ever tried to go down Duke Street on a Sunday? And they want to add more traffic to the mix. Last Easter I had a family emergency and could not get out of my neighborhood because the streets were shut down. Putting aside my personal emergency - how do we let one group interfere with the rest of the town wanting to get to their places of worship and families during a major holiday?

Thanks for your consideration.

Susan Prytherch

- Expected Response Date: Wednesday, March 1

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## Jackie Henderson

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**From:** pringle robert via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Saturday, February 18, 2017 2:33 PM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114605: Mayor, Vice Mayor, City Council In reference to Docket No. 5 Feb 25 City

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114605.

### Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: pringle robert
- Approximate Address: No Address Specified
- Phone Number: 703 519 8252
- Email: rpringle9@comcast.net
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: In reference to Docket No. 5 Feb 25 City Council public hearing: Please Vote NO. This Queen St block and the others nearby are among the finest in our historic district, justifiably famous for their charm and integrity. This kind of middle class housing is rarely preserved and Alexandria justifiably famous for it. The City is going crazy trying to attract visitors, yet the BAR, which of all agencies should know better, is out to kill the goose that lays the eggs that do it! Dear BAR: you need members -- you used to have them -- who understand what historic preservation is all about and why it makes economic sense. Please, City Council, VOTE NO. Sorry I can't attend the meeting. Robert Pringle, 216 Wolfe St, tel 703 519 8252, rpringle9@comcast.net
- Expected Response Date: Tuesday, February 28

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact [CallClickConnect@alexandriava.gov](mailto:CallClickConnect@alexandriava.gov) or call 703.746.HELP.

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## Jackie Henderson

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**From:** Gail C. Rothrock via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Friday, February 24, 2017 11:22 AM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #114974: Mayor, Vice Mayor, City Council Madam Mayor and Council Members, Please

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 114974.

### Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Gail C. Rothrock
- Approximate Address: No Address Specified
- Phone Number: (703) 549-5176
- Email: gcrothrock@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Madam Mayor and Council Members,  
Please read and consider this attached letter before taking up Docket Item #5, tomorrow - BAR Case 2016-0396 and 0397.  
Thank you.  
Gail Rothrock
- Attachment: [HAF-CC.319 Queen. 2.24.17ltr-1.pdf](#)
- Expected Response Date: Friday, March 3

Please take the necessary actions in responding, handling and/or updating this request at [the \*Call.Click.Connect.\* staff interface.](#)

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## Historic Alexandria Foundation

218 North Lee Street, Suite 310 • Alexandria, Virginia 22314

(703) 549-5811 • FAX (703) 548-4399

Email: [h.a.f@erols.com](mailto:h.a.f@erols.com) • Website: [HistoricAlexandriaFoundation.org](http://HistoricAlexandriaFoundation.org)

February 24, 2017

The Honorable Allison Silverberg and  
Members of the City Council  
City Hall, 301 King Street  
Alexandria VA 22314

RE: BAR Case No. 2016-0396 & 2016-0397, Docket Item #5

Dear Madam Mayor and Council Members.

Since its founding in 1954, the Historic Alexandria Foundation (HAF) has advocated for the preservation of the character of individual buildings, streetscapes and open spaces in the historic districts. All of its founding board members were deeply involved in the creation of the Old and Historic Alexandria District in 1946. **We are adamantly opposed to this proposal because it totally engulfs the historic footprint and destroys the character of one of Alexandria's early houses.**

### Historic Significance

As you have read in the staff report, the house at 319 Queen was constructed in 1818 by James McGuire and Presley Barker, as part of a row of four two-story row houses. James McGuire was one of Alexandria's prominent early citizens. *"He was an entrepreneur and had many interests. Primarily a house joiner, he acted as Port inspector, lumber dealer (He supplied wood for the new St. Paul's Episcopal Church in 1817), sold sand and limestone and had a sand pit at the intersection of Queen and Royal. James and his wife Lucy lived around the corner at 217 North Royal. He also built 219 -221 N. Royal and 113-117 Prince. Besides his professional interests, which included overseeing construction of the (old) Market House, he was a member of Brooke Masonic Lodge, Superintendent of Police, first commander of Friendship Fire Company, D. C. Surveyor (appointed by President Andrew Jackson) and in 1825 was asked to give a toast to the visiting Marquis de Lafayette."* [Ruth Lincoln Kaye, The History of 319 Queen Street, Alexandria VA, October 1996]

The house at 319 Queen Street meets the test of at least two criteria of significance in determining whether or not to grant a permit to demolish or capsulate:(Sec. 10-105(B) (1) and (3)):

*(1) The structure is "of such architectural or historical interest that its moving, removing, **capsulating**, or razing would be to the detriment of the public interest:" and*

*(3) The building is of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty;"*

It can easily be argued that the building also meets criteria 2, 5 and 6, but for purposes of conciseness, I point out that a building need meet only one of the criteria for the BAR to deny the permit.

#### The Historic Building Form

These two criteria should have meant that the BAR denied the request for demolition. The BAR erred in granting demolition subject to an interior easement to be placed over compromised historic fabric. We want to re-emphasize here that the proposal destroys the original historic, traditional L-shaped footprint of the structure. Moreover, the proposed infill to the ell and change to the historic footprint is a serious breach of the standards for approval of a certificate of appropriateness. (10-105(A) (2)(a) (b) and (c).

It should be pointed out that this area of Queen Street is part of the original plat of the City of Alexandria, as laid out in 1749. (See attached plat) **The City does not know whether there are any other intact rows of early 19<sup>th</sup> century buildings with their historic ells within the original town lots because there has never been an inventory to answer this question.**

Why are the Ells important - In the days before electricity, one of the purposes of the ell shape was to bring daylight into the living room (rear) and the rooms of the ell (usually dining and kitchen). Today, they serve the same purpose. Standing on the sidewalk and looking in the living room window from the street, one can see through to the rear window and the daylight coming in from the ell-footprint. This quality is something that tourists enjoy as they walk down our historic streets, and of course is appreciated every day by homeowners.

If this ell is allowed to be encapsulated, the precedent is set for the remaining ells on this block to be filled in, let alone setting a precedent for future encapsulation of the unknown remaining number of historic ells. This is a serious threat as we are fast losing an important example of this building form.

#### Why this Proposal Should be Denied

1. This intact early house meets at least two and arguably five of the criteria for rejecting a demolition application.
2. The proposed addition does not meet the standards for approval of a Certificate of Appropriateness [10-105(A) (2) a, b, and c – as discussed below.
3. The project bumps out the house to the maximum allowed by the R-M zoning, with a total Floor Area of 2943 square feet, (just 57 feet under the maximum). It builds to the minimum required for open space (700 square feet). Whereas now the existing open space is 862 square feet, the proposal results in approximately a **20 percent reduction of open space.**



### Standards for a Certificate of Appropriateness

This proposal also does not meet the standards for a Certificate of Appropriateness required by the Preservation Ordinance. The BAR (and Council on appeal) must consider the standards set forth in Section 10-105 *Matters to be considered in approving certificates and permits*”:

*10-105(A) (2):*

*(a) Overall architectural design, **form**, style and structure, including but not limited to, the height, **mass and scale of buildings and structures**;*

*(b) Architectural details, including, but not limited to: **Original materials and methods of construction, the pattern, design and style of fenestration,... the degree to which the distinguishing original qualities or character of a building, structure or site, including architectural materials**) are retained;*

*(c) Design and arrangement of buildings and structures on the site; **and the impact upon the historic setting, streetscape or environs***

The proposal to turn this historic building into a modern box where it loses its distinguishing original ell and its original fenestration and materials will detrimentally impact the historic character of this building, (Criteria a and b) as well as the North Royal streetscape and the qualities of open space on this block (Criterion c). Moreover, it sets an extremely bad precedent for other such proposals.

### BAR's Responsibility to protect open space:

It is a major issue that the proposal's expansion fills to the brim the available open space in the lot at 319. The retention of open space, a defining characteristic of Old Town, is a major concern to the historic preservation community, as it has been to the Council in passing City Council Resolution No. 1259, June 24, 1987. The 35 percent requirement relating to parcels with RM zoning is not cast in concrete. It sets a minimum requirement. **If proposals placed before the BAR that meet the 35 percent requirement have impacts that detract from and/or diminish the historic character of the Old and Historic District, then it is the authority and responsibility of the BAR to deny such proposals.** The BAR and the Council on appeal, must, as well, take into account the precedent being set if they grant certificates of appropriateness that contribute to--or, indeed, accelerate--the loss.

The demolition of the majority of the historic fabric of the east elevation and roof structure of the ell and its total encapsulation should not be allowed. Our conclusion is that the purpose of the Historic District ordinance would be egregiously violated if this demolition and encapsulation were approved, and that the addition would not be “in harmony with its historic and architectural setting and environs”.

Thank you for your consideration of these comments.

Sincerely,



Gail C. Rothrock, Co-Chair  
HAF Advocacy Committee



1749 Plat of Original lots. (House is on part of Lot 29)

## Jackie Henderson

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**From:** Laura Roberts via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Friday, February 24, 2017 2:31 PM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #115001: Mayor, Vice Mayor, City Council Please preserve Old Town Alexandria's ar

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 115001.

### Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Laura Roberts
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: lhroberts62@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Please preserve Old Town Alexandria's architectural history by voting NO on Docket #5 February 25, 2017 Public Hearing. Do not allow the partial demolition of the historic townhouse on Queen Street that destroys the historic value of this townhome and the historic value of Old Town.
- Expected Response Date: Friday, March 3

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact [CallClickConnect@alexandriava.gov](mailto:CallClickConnect@alexandriava.gov) or call 703.746.HELP.

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## Jackie Henderson

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**From:** Michael Hobbs via Call.Click.Connect. <CallClickConnect@alexandriava.gov>  
**Sent:** Friday, February 24, 2017 2:58 PM  
**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton  
**Subject:** Call.Click.Connect. #115004: Mayor, Vice Mayor, City Council Dear Mayor Silberberg, Vice Mayor Wilson

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 115004.

### Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Michael Hobbs
- Approximate Address: No Address Specified
- Phone Number: 703 548-5798
- Email: mhobbs27@comcast.net
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear Mayor Silberberg, Vice Mayor Wilson, and Members of Council:

I apologize for inflicting another document on you with respect to the appeal of the BAR's decision regarding 319 Queen Street (item #5 on tomorrow's docket). The earlier document was my statement for the BAR's 12/21/16 hearing, which was omitted from the materials forwarded for tomorrow's docket item. The attachment is my statement on behalf of OTCA for your hearing tomorrow on the appeal.

Thank you for your patience, and for your consideration.

- Attachment: [319 Queen St. - Council 2-25-17.doc](#)
- Expected Response Date: Friday, March 3

Please take the necessary actions in responding, handling and/or updating this request at [the \*Call.Click.Connect.\* staff interface](#).

If you need assistance with handling this request, please contact [CallClickConnect@alexandriava.gov](mailto:CallClickConnect@alexandriava.gov) or call 703.746.HELP.

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Statement of Michael E. Hobbs  
on behalf of the  
Old Town Civic Association  
City Council  
February 25, 2017

BAR Cases #2016-00396 and 2016-00397, 319 Queen Street

Thank you, Mayor Silberberg, Vice Mayor Wilson and Members of Council. I am Michael Hobbs, speaking on behalf of the Old Town Civic Association.

The Board of Old Town Civic Association has reviewed these applications and urges that you not approve these requests for partial demolition, capsulation, alterations and an addition at 319 Queen Street.

An issue such as this—regarding the protection and preservation of the defining character of the historic core of Alexandria—goes to the very heart of the reason that so many citizens of our City banded together to establish our Association almost seventy years ago, and have worked so diligently ever since to preserve that heritage.

In the early decades of the 20<sup>th</sup> century, much of the public face of the old city of Alexandria had, frankly, become more than a little down at the heels. Much of its stock of original, historic buildings was imperiled; and there was little effort to promote Alexandria as an attractive destination for visitors from near or far interested in the our city's, region's or nation's history. As a native Washingtonian, I remember driving visiting friends and family quickly through Alexandria on our way to Mount Vernon—because there wasn't much to see or enjoy here.

That began to change when the citizens of Alexandria began to advocate for the preservation of our unique and irreplaceable historical and architectural heritage, culminating in the establishment of Alexandria's Old and Historic District in 1946—the third such district in the nation. Many of the same champions were central to the organization of OTCA five years later, establishing as its core purpose “the preservation of the historical and residential character, architecture, and traditions of the community of Old Town in the City of Alexandria.”

Given that purpose, we have deep concern about this project at 319 Queen Street, and particularly about the proposal to demolish a significant amount of the original, late 18<sup>th</sup> and early 19<sup>th</sup> structure of this home, and to encapsulate much of what would remain.

The criteria according to which the BAR initially, and you on appeal, are to consider a proposed demolition and capsulation, are clearly stated in the historic preservation ordinance. According to the staff report, several members at the first BAR hearing on this proposal agreed with staff that some of those criteria applied in this case. Staff advises that two of the criteria would still apply, if the demolition and capsulation were not conditioned on the owners' granting a preservation easement on the remainder.

But surely the criteria enumerated in the ordinance do not change from case to case depending on how much demolition is proposed, or what protection the historic structure may or may not have going forward. The ordinance sets forth seven specific criteria

any or all of which the Council on appeal shall consider in determining whether or not to grant a permit to move, remove, capsule or demolish in whole or in part a building or structure within the Old and Historic Alexandria District. (§10-105(B) Permit to ... Capsulate or Demolish in Whole or in Part....)

Criteria (4) and (7), relating to the George Washington Memorial Parkway and to City-owned buildings, are not applicable here. But we submit that the answer to the questions posed in all five of the other criteria should be “yes”—for the reasons stated in the attached chart, briefly:

- (1) that the structure is of “such architectural and historic interest that its demolition or capsulation would be a detriment to the public interest”;
- (2) that the building, and its immediate neighbors, taken together, are already a uniquely important historic asset to Alexandria, though perhaps not a “shrine”;
- (3) that the building is of “such old and unusual design, texture and material that it could be reproduced only with great difficulty”, if at all;
- (5) that retention of the structure (with the others in the group) would help “preserve and protect an historic place or area of historic interest in the city”; and
- (6) that retention of the building would promote several of the enumerated public and private benefits, such as increasing (or at least maintaining) real estate values; attracting tourists, historians, and new residents; stimulating interest 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.

(Chart of criteria questions and answers attached.)

The question for the Council, rather, is not whether these criteria are applicable at all—the ordinance itself says that they are—but whether, in measuring the proposed demolition and capsulation in this case against those criteria, the Council can conclude that Alexandria’s public interest would be served by permitting the demolition to proceed.

In considering that question, the specific context certainly matters, and should be given great weight in your judgment. You would certainly not authorize the demolition and capsulation of any substantial portion of the Carlyle House, or Gadsby’s Tavern, or Christ Church. Nor, conversely, do you or the BAR ordinarily have any concern about modest renovations or additions to late-20<sup>th</sup> century houses, if they are compatible with the surrounding neighborhood and respect the BAR’s *Design Guidelines*.

But this is not just another house somewhere in the Historic District. This is one of four historic houses built together, dating back at least 200 years, and their antecedent structures perhaps still further, to the presidency of George Washington—who resigned his commission and bade farewell to his neighbors a little over a block away at Wise’s Tavern.. They incorporate features which are distinctive and characteristic of the architecture of Alexandria houses of that period—in particular the rear “ell” which is here proposed to be partially demolished and entirely encapsulated. They stood, at the time, near the brow of the bluff overlooking the Potomac, a block away from the center of the new city of Alexandria.



I know of few if any other groups of four 18<sup>th</sup> or early 19<sup>th</sup> century houses in Alexandria that are still virtually intact. If this application were granted, it would be, so far as we know, the first substantial demolition and encapsulation, on anything even approaching this scale, of the original structure of any of these houses in their history.

The staff report cautions that “the existing shed roofed rear ell is representative of this townhouse building form and retains a high level of historic integrity....” It notes that in other instances, the staff and BAR have insisted that “demolition of the rear ells should be limited to what was **absolutely necessary**....” (Emphasis added.) We urge that the demolition and capsulation of the “high level of historic integrity” proposed here, in order to accommodate a new family room, gallery, home office, master bath, laundry, and storage, go impermissibly beyond what is “absolutely necessary.”

It is suggested that the proposed preservation easement would ameliorate some of that damage. But approving demolition of part of the original ell, encapsulating most of what remains, and then applying an easement to that reminder, suggests a poor metaphor. It would be as if a curator told the archaeologist who discovered the original, intact sculpture of the Venus de Milo that it would be okay for him to knock off her right arm above the elbow, and to enclose what remained of the statue in a wooden crate, never again to be seen in public, if he would promise not to remove any more of her limbs in the future.

In considering the intricacies of alternative interpretations of the various criteria, you should keep in mind most of all the fundamental purpose of the Historic District Ordinance, which is

...to promote the education, prosperity and general welfare of the public through the identification, preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic and architectural significance. (§10-101 – Purpose.)

Richard Pratt’s A Treasury of Early American Homes recalls that fifty years after a young surveyor’s assistant helped to lay out the site of the new town of Alexandria, he was celebrated as “the Father of his Country. By that time, Alexandria had grown to be one of the most beautiful of the early American cities, and so it remains”, thanks especially to its “blocks of Colonial and Federal houses ... [that] have no equal anywhere for period completeness.”\*

Given the extraordinary historic character and significance not only of this block, but of this very house and of its group of three neighbors, and of its place in the Old and Historic Alexandria District, you should apply as strict a standard of scrutiny here as you ever do anywhere in the District. If you, as the guardians of Alexandria’s unique and authentic heritage, are not able to apply the ordinance to preserve the historic character of this group of houses, then where? And if not now, when?

Old Town Civic Association urges you not to approve this Permit to Demolish and Capsulate, nor a Certificate of Appropriateness for alterations and additions, as proposed.

Thank you for your consideration.

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\* McGraw-Hill, New York, 1946; p. 52

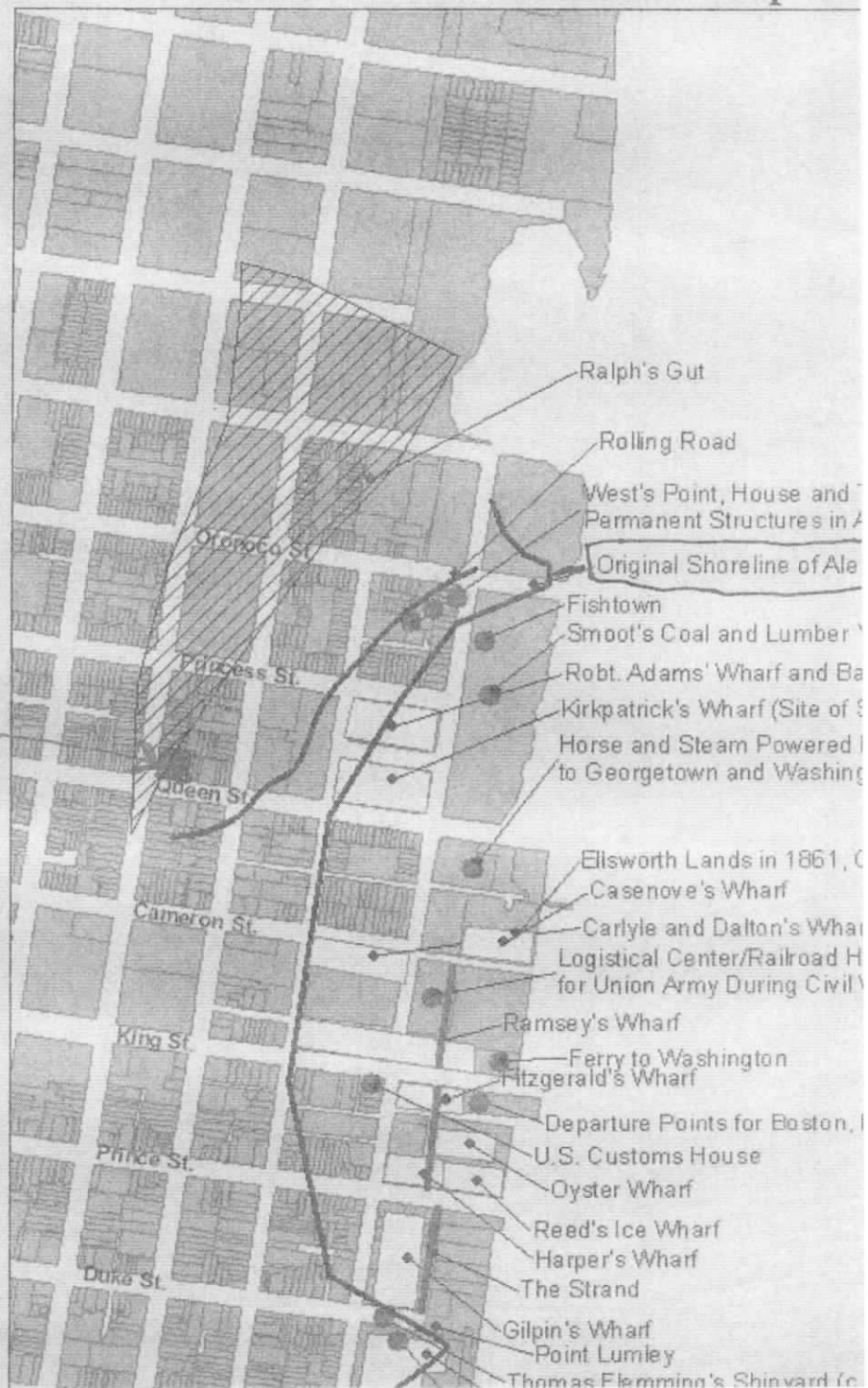
# Applicability of Demolition/Capsulation Criteria (Ordinance § 10-105(B)) to 319 Queen Street

Criteria	Description
<b>(1)</b>	<b>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?</b>
Staff Report:	Criterion would be applicable if demolition/capsulation were not conditioned on an historic preservation easement.
OTCA:	YES. The house at 319 Queen Street <u>is</u> "of such architectural and historic interest that its demolition or capsulation would be a detriment to the public interest"; and an easement applied after the demolition/capsulation have occurred does not reverse the damage.
<b>(2)</b>	<b>Is the building or structure of such interest that it could be made into a historic house?</b>
Staff Report:	No
OTCA:	319 Queen and its three neighbors to the west, taken together, are <u>already</u> "historic houses"--a uniquely important historic asset to Alexandria—though perhaps not a "shrine," in the word used in the ordinance.
<b>(3)</b>	<b>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?</b>
Staff Report:	Criterion would be applicable if demolition/capsulation not conditioned on an historic preservation easement.
OTCA:	319 Queen <u>is</u> "of such old and unusual design, texture and material" that it could not be reproduced, once destroyed; and an after-the-fact easement would not change that fact.
<b>(5)</b>	<b>Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?</b>
Staff Report:	No
OTCA:	Retention of 319 Queen (with its three neighbors) <u>would</u> help to "preserve and protect an area of historic interest in the city," on a block in the center of the original area of the city that surveyor's assistant George Washington helped to lay out, close by Wise's Tavern, the Carlyle House, and other historic sites on the bluff overlooking the waterfront.
<b>(6)</b>	<b>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?</b>
Staff Report:	No
OTCA:	Retention undamaged of this unique group of historic houses <u>would</u> help to maintain real estate values; attract tourists, historians, and new residents; stimulate interest in and study of architecture, design, Alexandria culture and heritage; and keep the city a more attractive and desirable place in which to live.

## APPENDIX 3

Alexandria Waterfront  
Historic Sites Map

319-325  
Queen St.



## QUEEN STREET COALITION RESPONSE

BAR CASE # 2016-00396  
2016-00397

City Council  
February 25, 2017

**ISSUE:** Appeal of a decision of the Board of Architectural Review, Old & Historic Alexandria District, approving a Permit to Demolish and Certificate of Appropriateness

**APPLICANT:** Jill and Ken Rieth

**APPELLANT:** Michael C. Maibach, on behalf of Petitioners

**LOCATION:** 319 Queen Street

**ZONE:** RM / Residential

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**"There are only a few other communities in the United States that have as many existing examples of Georgian and Federal period architecture. Each Alexandria homeowner has the privilege and obligation of preserving the historic character of our town and the beauty of its architectural heritage."... City of Alexandria**

**"Old Town is "a museum without walls."...Alexandria Convention and Visitors Assn.**

This case involves four actions:

- a) Demolition of part of the historic, early 19th Century rear ell;
- b) Encapsulation of the rear ell;
- c) Construction of a large addition across the side and at the rear of the house;
- d) Restoration of the front of the house, including cleaning and repointing brick, replacing the front door, transom and windows and installing a new gas lamp.

#### Key Points:

The City Council has the authority and obligation to maintain Alexandria's historic and architectural heritage and block destruction of a 200-year-old Queen Street home that is an Historic Landmark, as well as in a National Register Historic District and a Local Zoning Historic District.

City Council has the authority and duty to determine that the project approved by the Old and Historic Alexandria District (OHAD) Board of Architectural Review's is not appropriate for this historic block, as it also impacts the historic streetscape on North Royal Street which offers a rare view of the rears of the four 200-year-old homes. Besides the proposed partial demolition of historic walls, the project includes an oversized addition that is not compatible with the house or the character of the block. The "Greek Revival" style on the rear, which is visible from North Royal Street, will have 39 percent glass, compared to 16 percent on the historic facade.

Allowing partial demolition and an over-sized addition to a historic house undermines the city's mission to preserve the architectural heritage of our historic homes and the character of the settings in which they are located. 319 Queen Street is part of row of four two-story brick row houses and possesses iconic architectural features characteristic of houses built in an early period of Alexandria's history.

This BAR case represents the always-threatening erosion of the city's historic character that is beloved by residents and tourists alike. The city's website states: "The integrity of the city's historic character is continually threatened with erosion through demolition, neglect, 'densification,' encroachment by major construction projects, as well as lesser forms of modern development."

City Council must find the BAR fell short of the historic preservation ordinance and established a ruinous precedent, not only on one of the most historic, tourist-traveled blocks in Old Town, but throughout the historic districts. The BAR's charge is to take care of structures with "special historical significance," (Code Sec. 10-101. Purpose) implying a broader view than what the discussion considered.

Approval of this project reverses previous historic preservation decisions on this block bound by Queen and North Royal Streets, while ruining the architectural integrity of a 200-year-old house.





BAR2016-00396 & 00397





## I. ISSUE

The petitioners are appealing a decision of the Old & Historic Alexandria District Board of Architectural Review (BAR) that approved a Permit to Demolish and a Certificate of Appropriateness, on December 21, 2016 for the dwelling located at 319 Queen Street. The applicants in this case are Jill and Ken Rieth, represented by Bill Cromley.

The appellant is Michael C. Maibach on behalf of the petitioners. The petitioners' bases for appeal are the following: "BAR must uphold City and BAR mission to protect Alexandria's historic district and homes. 319 Queen owners seek to partially demolish historic (200+ year old) interior and expand north 18' from original house structure. This doubles historic footprint. BAR must also protect historic views from Royal Street. This 'McMansion' is not in keeping with these 4 identical 200+ year old row houses."

## II. DISCUSSION

### History

319 Queen Street is located near the northeast corner of Queen and North Royal Streets and is one in a series of four two-story brick rowhouses built by James McGuire (1772-1850) and Presley Barker in 1818 as part of a speculative venture, according to Ethelyn Cox in *Historic Alexandria, Virginia: Street by Street*. McGuire worked as a house joiner in the early 19th century and as a lumber merchant. He was the first commander of the Friendship Fire Company and a prominent Masonic lodge member. He became Superintendent of Police in the early 19th century and was subsequently appointed Surveyor for the District of Columbia and Inspector of Revenue for the Port of Alexandria by President Jackson. According to Penny Morrill in *Who Built Alexandria* he was "one of Alexandria's prominent citizens." (p. 30)

The house was built by prominent Alexandrian

The existing two-story addition at the north end of the rear ell was constructed circa 1959, according to building permit research (Building Permit #15660, 12/10/59), and includes a masonry first story and enclosed porch second story.

On December 21, 2016, the BAR approved (1) a Permit to Demolish for partial demolition and capsulation, by a roll call vote of 7-0 and (2) a Certificate of Appropriateness for an addition, by a vote of 6-1. The approvals were granted with the following conditions:

1. No alterations to front elevation are approved at this time and replacement of the windows, porch light, door and transom and roofing on the front elevation must return to the Board for approval at public hearing.
2. The applicant shall work with staff on the final size and alignment of the windows and doors on the north elevation, add blind windows to the brick wall on the east side of the addition to recall the windows of the existing sleeping porch and to restudy the height of the pyramidal roof.
3. Record a legal instrument, prior to release of a building permit, requiring approval by a qualified preservation organization to alter the remaining capsulated historic roof

Too many important issues remain unresolved. The BAR vote of approval was premature.

framing, decking and the brick walls of the ell and the north wall of the main block of the house in the future.

4. All materials must be in conformance with the BAR's adopted policies.
5. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Demolition, Basement/Foundation Plans, Landscaping, Erosion and Sediment Control, Grading, Utilities and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
  - a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
  - b. The applicant/developer shall not allow any metal detection or other artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.

#### Review by City Council

Upon appeal City Council must determine whether to affirm, reverse or modify, in whole or in part, the decision of the BAR. The City Council's review is not a determination regarding whether the BAR's decision was correct or incorrect but rather: (1) whether the Permit to Demolish should be granted based upon City Council's review of the standards in Zoning Ordinance Section 10-105(B) and (2) whether the Certificate of Appropriateness should be granted based upon City Council's review of the standards in Zoning Ordinance Section 10-105(A)(2). While City Council may review and consider the BAR's previous actions, City Council will make its own decision based on its evaluation of the material presented. **Response on next page.**

#### Purpose of BAR

The BAR's charge is first to identify and "protect historic and cultural resources" and second to ensure that additions, alterations and new construction are compatible with nearby buildings of historic merit. The first charge is discussed in the Permit to Move, Remove, Capsulate or Demolish analysis. The second charge is discussed in the Certificate of Appropriateness analysis, and recognizes that what may be appropriate in one block may not be appropriate in another block, or even in different locations on the same block. The BAR's *Standards* and criteria in the Zoning Ordinance, as well as the BAR's adopted policies and *Design Guidelines*, have been used through the years as the basis for recognizing that the historic fabric of Old Town is not frozen in time but may be appropriately modified, altered and expanded to allow the historic buildings to continue to be used and cherished. The BAR's role has always been to strike a balance between preservation of the identified historic fabric and urban character while managing appropriate growth and change in a living city. **Response on next page.**

## QUEEN STREET COALITION RESPONSES TO STAFF REPORT

### P. 3 under Discussion section:

1. "No alterations to front elevation are approved at this time and replacement of the windows, porch light, door and transom and roofing on the front elevation must return to the Board for approval at public hearing."

...The city staff initially informed the board that it did not need to review those items, as, "These are things we normally do routinely." One member, Christine Roberts, asked for the items to be returned to the board, and the resolution was not clear to neighbors. The "must return" language was not stated at the BAR hearing before the vote of approval, so this clarification is very helpful but points to the requirement to RETURN TO THE BAR.

2. "The applicant shall work with staff on the final size and alignment of the windows and doors on the north elevation, add blind windows to the brick wall on the east side of the addition to recall the windows of the existing sleeping porch and to restudy the height of the pyramidal roof."

...The BAR was ambivalent to Mr. Elkins recommendation that the height of the pyramidal roof be raised to the existing eels, so it went along with the recommendation. This will be settled by staff, not the BAR.

3. "Record a legal instrument, prior to release of a building permit, requiring approval by a qualified preservation organization to alter the remaining encapsulated historic roof framing, decking and the brick walls of the ell and the north wall of the main block of the house in the future."

...The phrase "legal instrument" is more ambiguous than the previously stated "historic preservation easement," so the requirement should state, "Record a historic preservation easement or legal instrument of comparable effect, ..."

Also, the proposed document will not protect the historic fabric that is now present, and it is questionable whether they are enforceable to prevent future demolition, as they carry the expectation that future property owners will follow the legal document's requirements. Interior walls are no longer subject to BAR review.

### P. 4 - REVIEW BY COUNCIL:

"Appropriateness" is a subjective finding, according to the staff. It is ultimately the Council's responsibility and authority to determine what is most "appropriate" and achieves the purposes of the historic preservation ordinance.

### PURPOSE OF BAR:

The BAR's charge is not merely to "protect historic and cultural resources," but more fundamentally "to promote the education, prosperity and general welfare of the public through the identification, preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance." (Code Sec. 10-101. Purpose) The defining goal of preserving "landscapes, settings, and neighborhoods" with "special historical significance" implies a broader view than merely considering those portions of a design which can be clearly seen from a public right-of-way.

Permit to Move, Remove, Capsulate or Demolish

Section 10-103(B) sets out when a permit to move, remove, capsulate or demolish is required and states.

No building or structure within the Old and Historic Alexandria District shall be moved, removed, capsulated or demolished in whole or in part without first obtaining a permit approved by the Old and Historic Alexandria District board of architectural review or the city council on appeal . . . except for demolitions of portions of buildings resulting in the removal of less than 25 square feet total of exterior wall, roof or surface which shall be deemed an alteration and subject to section 10-103(A). The board of architectural review or the city council on appeal may refuse such permit for any building or structure of such architectural or historic interest, the moving, removing, capsulating or demolition in whole or in part of which, in the opinion of the board or the city council on appeal, would be detrimental to the public interest of the city.

Ever since the 1946 ordinance established the Old and Historic Alexandria District, the principle of reviewing all demolition over 25 square feet in area, regardless of visibility, but only reviewing new construction and alterations subject to public view has been clearly articulated. This approach serves two primary preservation goals: (1) it preserves historic fabric and entire buildings rather than just facades when demolition or capsulation is considered, and (2) it allows for property owners to appropriately modify buildings as inhabitants change and uses evolve over time. Thus, the BAR must review demolition and capsulation of this exterior wall or roof area regardless of visibility from a public way.

Demolition refers to the destruction and removal of the exterior wall or roof area proposed to be demolished. Whereas, capsulation refers to the enclosure of a specified exterior portion of the wall or roof. Typically, most additions involve some combination of both partial demolition and capsulation.

In considering a Permit to Move, Remove, Capsulate or Demolish, the BAR must consider the criteria set forth in the Zoning Ordinance Section 10-105(B) and included in the following table. Because there are several different features proposed for demolition or capsulation in this proposal, the applicability of the criteria to each of these features is discussed separately below.

Criteria	Description
(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? <b>YES</b>
(2)	Is the building or structure of such interest that it could be made into a historic house? <b>YES</b>
(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? <b>YES</b>
(4)	Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway? <b>NA</b>
(5)	Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city? <b>YES</b>

(1) YES. The rear ell, which is proposed to be partially demolished and then encapsulated, is an iconic architectural feature characteristic of houses built in this early period of Alexandria's history. The structure and its neighbors to the west are of great historical interest because of their location in the core of the original historic Alexandria.

(2) YES. This IS historic.

(3) YES, it would be virtually impossible to reproduce. Attempting to replace it would be like trying to replicate the Mount Vernon mansion with a Howard Johnson's restaurant building.

5

(5) Old Town is a museum without walls, according to the city's tourism agency. This structure and its three neighboring houses ARE THEMSELVES an "historic place and area of historic interest.

(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? <b>YES</b>
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Response continues on following P. 6a

#### **Demolition of the 1959 addition**

Staff has no objection to the proposed demolition of the mid-20<sup>th</sup>-century two-story rear addition, as it is undistinguished later construction, not of uncommon or unusual design or material and its retention would not preserve an historic area of the city. *Therefore, none of the criteria above would apply.*

#### **Demolition of specific portions of the 1818 rear ell**

The existing shed roofed rear ell is representative of this townhouse building form and retains a high level of historic integrity, including many original elements and materials such as the saw-tooth brick cornice, window openings and the entire roof framing system.

Notes the staff's recognition that existing shed roofed rear ell "retains a high level of historic integrity..."

In early conversations with staff, the applicant expressed a desire to demolish the entire rear ell due to the low ceiling height at the second story and staff advised that there would be no support for such a request. Staff was also concerned about the totality of the proposed demolition in the first proposal reviewed by the BAR on December 7, 2016, which proposed to demolish approximately 50% of the roof and wall area, resulting in a significant loss of historic fabric and any understanding of this element as a rear ell.

The applicant's revised proposal, approved by the BAR on December 21, 2016, and currently before City Council on appeal, has significantly limited the amount of demolition. The area proposed for demolition is limited to areas below existing windows (to convert the opening to a door), one small area adjacent to a window opening and demolition of small portions of the existing roof above two existing windows (See Figure 1). The more limited demolition allows the rear ell, both in material and form, to continue to convey its original form, material and craftsmanship and retains its historic integrity. The current proposal to remove only a small part of the roof sheathing and to retain the majority of the brick walls will still permit future historians and architects to be able to study this particular house from the interior. *Staff believes that none of the criteria above apply to the small amount of demolition approved by the BAR.*

The fact that this is "limited" demolition is no excuse for ruining the historic fabric. Also, Figure 1 does not show the partial demolition of the rear window in the existing living room that would be the entry to the "gallery."

**Response to Criterion 6:**

Destroying 200-year old walls and replacing them with today's bricks, aluminum and glass does not preserve history but removes for everyone — residents, visitors and historians — the unique resource that is the Historic District.

This row of homes is part of an architectural history that is disappearing. The row also offers a unique look of the rear sides of historic Alexandria homes. Retention of this structure without demolition and capsulation WOULD "promote the general welfare by enhancing such objectives as "increasing real estate values...attracting tourists [and] historians...encouraging interest in American history...stimulating study and interest in architecture and design, educating citizens in [Alexandria's] heritage" and the like.

People move to Old Town to experience history; visitors spend their tourism dollars to get a glance of structures that have remained livable for 200 years. Historians cannot appreciate structures that have been undermined or demolished.

A marketing study for the Alexandria Convention and Visitors Association some years ago revealed that, in competition with other destinations, most visitors to Alexandria are attracted, not by specific individual buildings (and certainly not by any unique appeal of its hotels or restaurants), but by the authenticity and charm of its historic ambience. Destruction of that historic character, piece by piece, can only reduce Alexandria's signature characteristic and attraction to visitors over time.

Preservation of only a portion of the fabric of Alexandria's historic structures, accessible for study only in the interior of such structures by invited guests, is a poor substitute, allowing no visibility from the exterior and thus vitiating any attraction to most Alexandria neighbors and tourists alike.

The City Council must represent our city's best interest, and that includes continued sustenance of our historic and architectural heritage.



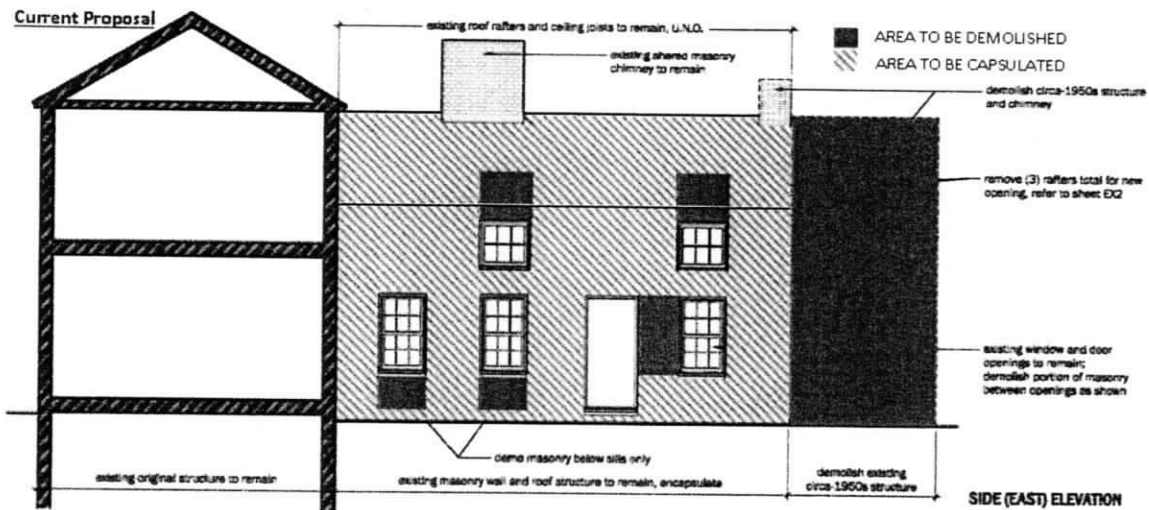


Figure 1. East (side) elevation of proposed work. Bottom shows area approved by BAR for demolition (solid red) and capsulation (hatched).

### Capsulation of the 1818 rear ell and north wall of the main block

Once an exterior wall is capsulated, it then becomes an interior element and is no longer subject to BAR review. While current owners may agree to retain walls that have been capsulated, unless some form of preservation easement is provided, there is no guarantee that a future owner would not demolish a capsulated wall. The hatched area in Figure 1 shows the area on the east elevation proposed for capsulation, including the brick wall and roof. Therefore, when the BAR has been concerned about the extent of capsulation of a historic wall in the past, the BAR has required that a preservation easement be placed on the area to-be-capsulated in order to ensure that it would be preserved with those materials and in that form once enclosed. At the December 7<sup>th</sup> hearing, several BAR members agreed with staff that demolition criteria 1 & 3 would apply in this case if there was no easement to protect the rear ell in the future, specifically noting that the 1818 rear ell did represent an uncommon design, hand craftsmanship and use of material that would be difficult to reproduce today and that its demolition would be deleterious to the understanding of this building element. There was no consensus among the BAR members for capsulation without a preservation easement on the walls and roof of the ell.

Notes staff's original findings on the 1818 rear ell's uncommon designs and

features. The following are examples from other similar cases where the BAR has conditioned approval upon acquiring a preservation easement of a portion of a building impacted by the BAR's approval. The BAR's approval of partial demolition/capsulation of a late 18<sup>th</sup>/early 19<sup>th</sup>-century rear ell at 215 Prince Street in 2013 was conditioned upon granting a preservation easement on the exterior masonry walls to be capsulated, after the applicant had worked with staff to minimize the demolition of these walls. In 2013, the BAR conditioned approval of partial demolition/capsulation and a rear addition upon the applicant granting an easement to both preserve one wall of the rear ell and one of the main block, at 203 North Columbus Street. In both of these instances, the direction from both staff and the BAR was that demolition of the rear ells should be limited to what was absolutely necessary and should allow the rear ell forms to clearly

Preservation easements are rejections of preservation and offer false promise that current and future owners would be prevented from demolishing a capsulated wall. An easement also removes property from BAR review.

Highlighted to underscore the staff's and BAR's view of its fundamental responsibility to assure that any demolition of historic fabric, such as the rear ells of these houses, should be limited to what is ABSOLUTELY NECESSARY.

be legible, even if just for the daily visibility on the interior by owners and their guests and for future students, historians and architects.

In this case, the applicant met several times in the field with staff and as a result of staff comments made significant changes to their original plan to demolish the entire ell, considerably reducing the extent of demolition. The retention of the majority of the rear ell will allow not just the materials and walls to be retained but also the form and volume will be retained (Figure 2). It is true that the rooms of the rear ell are small by today's standards, which often feature open concept floor plans, but this area has been used for living for almost 200 years and the addition of a hallway in the current side yard will allow furniture to be placed much more efficiently while still preserving the historic volume of the rooms, and therefore the understanding of the evolution of the house over time. Additionally, the applicant agreed to the BAR's condition that a legal instrument be recorded by a qualified preservation organization with respect to the remaining encapsulated historic roof framing, decking and the brick walls of the ell and the north wall of the main block of the house in the future. The applicant has begun conversations with the Alexandria Historical Restoration and Preservation Commission regarding donation of an easement on the rear ell.

#### **DEMOLITION AND ENCAPSULATION:**

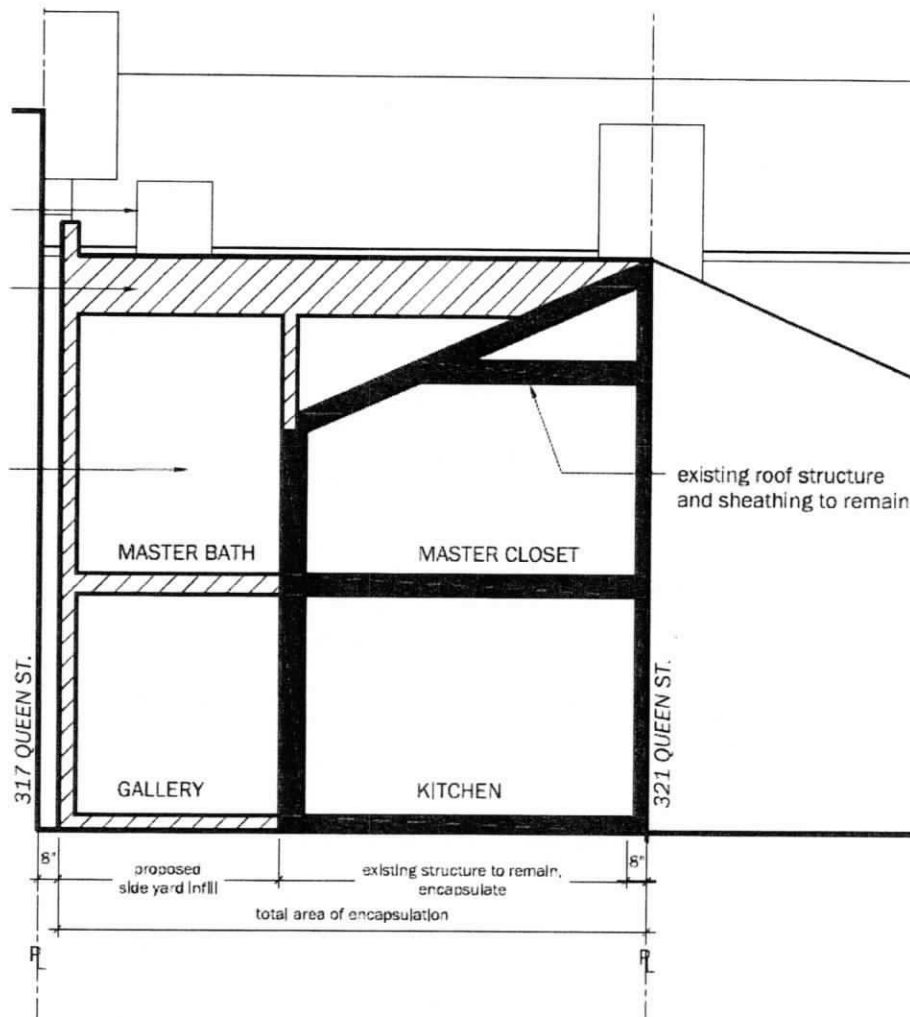
In its Dec. 7 report, the staff stated it was concerned about the extent of the demolition on the early 19th century rear ell, especially its east elevation and the roof of the rear ell. It recommended that demolition be limited to existing windows and doors on the first and second floors.

Regarding the roof, staff noted its "intact hand-hewn rafters with butterfly joints at the collar ties that are increasingly rare and difficult to reproduce, which is why they are important to retain." If roof demolition proceeded as planned more than half of it would be destroyed and the rest would be encapsulated. After the architect submitted a second plan, which reduced some of the proposed demolition, the staff approved the project, but stated, "The applicant continues to propose enclosing the entire roof of the rear ell but will retain the entire roof framing system (rafters, collar ties and sheathing) for approximately half of the rear ell roof and only the rafters and collar ties for the remaining section."

A glass that was half full is now reluctantly described as full, based on the highlighted portion above.

The coalition argues there should be no more demolition than is absolutely necessary of the original and characteristic fabric of a richly historic house. Preservation easements remove property from BAR review and are false promises to protect and preserve historic structures because EASEMENTS ARE NOT ENFORCEABLE. Instead of protecting a historic structure, a legal document would be entered into to prevent further destruction. That is a false promise; a trick.

**ONCE IT'S GONE, IT'S GONE.**



**2 SECTION THRU ROOF WITH EXISTING SHEATHING**

Figure 2. Section through existing rear ell with new addition, looking south. The solid black line delineates the historic ell and components that will be capsulated (and placed under a preservation easement or similar legal instrument). The hatched lines illustrate the location of the new construction and how it will capsulate the historic ell.

In summary, the applicant has appropriately addressed the concerns identified by staff and the BAR at the first hearing and has significantly limited the proposed demolition, so that the demolition proposed no longer meets the criteria in the table above. However, staff believes that criteria numbers 1 and 3 would be applicable to capsulation of the historic walls and roof features of the ell and north wall of the main block without an easement or similar legal instrument preserving these features in the future. *Staff, therefore, recommends that City Council uphold the BAR's condition of approval of the permit to capsulate that the applicant offer a legal instrument to a qualified preservation organization that would require approval of the preservation organization to alter these features in the future.*

**COALITION STRONGLY DISAGREES FOR REASONS STATED ABOVE.**

Certificate of Appropriateness

Section 10-105(A)(1) sets out the scope of review for the BAR, and City Council on appeal, and states.

The Old and Historic Alexandria District board of architectural review or the city council on appeal shall limit its review of the proposed construction, reconstruction, alteration or restoration of a building or structure to the building's or structure's exterior architectural features specified in sections 10-105(A)(2)(a) through (2)(d) below which are subject to view from a public street, way, place, pathway, easement or waterway and to the factors specified in sections 10-105(A)(2)(e) through (2)(j) below; shall review such features and factors for the purpose of determining the compatibility of the proposed construction, reconstruction, alteration or restoration with the existing building or structure itself, if any, and with the Old and Historic Alexandria District area surroundings . . . and may make such requirements for, and conditions of, approval as are necessary or desirable to prevent any construction, reconstruction, alteration or restoration incongruous to such existing building or structure, area surroundings or memorial character, as the case may be.

The scope of review specifies and limits the BAR's purview for a Certificate of Appropriateness to that which is visible from a public way, including streets, pathways, easements, waterways and the like. (This is intentionally different from the BAR's role when reviewing requests for a Permit to Demolish/Capsulate where the BAR reviews all exterior demolition or capsulation greater than 25 square feet in area *regardless of visibility*.) Being visible from a public way does not automatically make a project inappropriate or incompatible. As the *Design Guidelines* note, "the expansion of the housing stock within the historic districts is continual." Alexandria's preservation ordinances are written with the expectation that there will be alterations, additions and other changes through the years.

Being visible from a public way remains a criterion for determining whether it is appropriate, particularly if it is not compatible with the existing structure or with area surroundings. Public visibility does not "automatically" make a project incompatible, to be sure; but discounting that visibility undermines the basic purpose of the ordinance to preserve and protect "landscapes, settings [and] neighborhoods," as well as buildings and structures.

THIS IS  
MISLEADING.  
SEE BELOW.

Figure 3 shows the project's visibility from the public way (North Royal Street). (The rear alley is privately owned according to the City Surveyor.) The second story rear (north elevation) and side (west elevation) will be the only parts visible because this is a mid-block rowhouse and the lower levels are visually blocked by garden walls and a one-story garage. Therefore, only the second story of the project visible from the public way is within the BAR's and Council's scope of review.

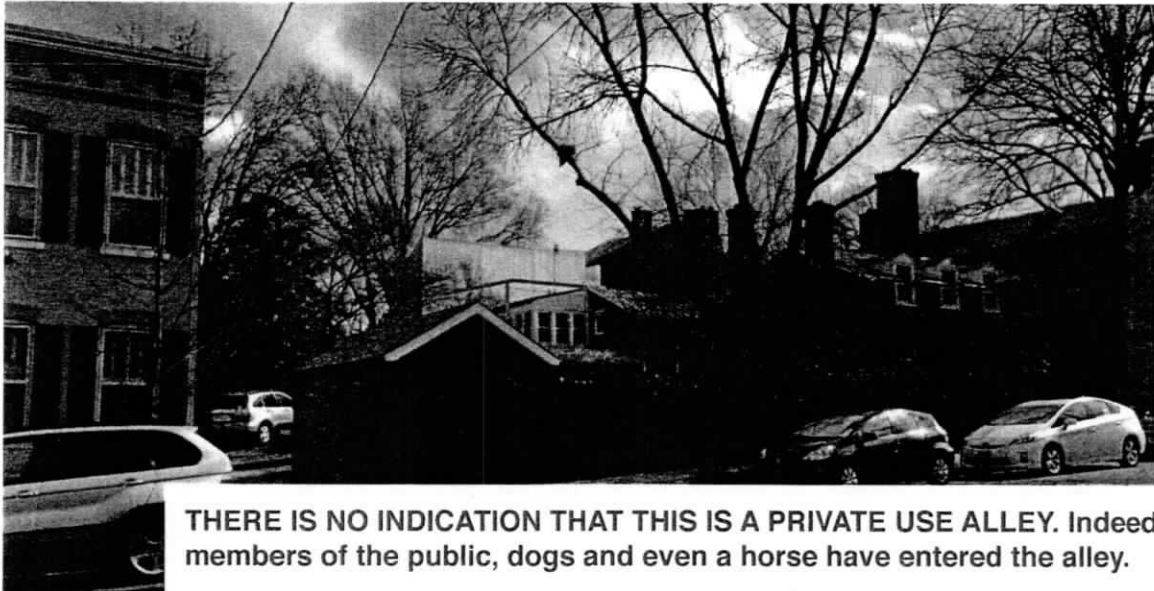
Additionally, the scope of review notes that the BAR must consider not just the individual property but also the compatibility of an alteration or addition with the "Old and Historic Alexandria District area surroundings." (This is also articulated through the standards examined below.) The BAR's practice over the years has been to consider the immediate vicinity and the surrounding block when considering compatibility. The *Design Guidelines* chapter on Residential Additions states: "It is not the intention of the Boards to dilute design creativity in residential additions. Rather, the Boards seek to promote compatible development that is, at once, both responsive to the needs and tastes of the late-20<sup>th</sup> century while being compatible with the historic character of the districts. For example, the design approach for residential additions for late-18<sup>th</sup> and early-19<sup>th</sup> century buildings on Royal Street will be different than for 20<sup>th</sup>-

10  
The "Common Use" alley is not owned by any single homeowner and not marked "PRIVATE;" it's status is conflicting. Also, the block slopes downward towards North Royal St. on the west, thus the 1959 addition already is greatly visible as further exhibits will show.

century urban row-houses on Oronoco Street. Additions must be designed so that they are compatible with both the architectural character of the existing house and the immediate neighborhood.”

This can be achieved by studying the building and development patterns of surrounding buildings and understanding how new construction will fit within the existing built environment, the intent being to approve projects that are compatible and sensitive to the buildings nearby. This is also guided by an understanding that, to a great extent, the character of the historic district is found in the variety that evolved from Alexandria’s growth over time: two-story buildings beside three-story buildings alongside one-story elements and open space as well as three-bay rowhouses beside two-bay rowhouses with variations in setbacks and architectural styles. In this instance, Figure 5 illustrates the varying roof forms found in the vicinity: steeply-pitched shed roofs, gable roofs, roofs with dormers, and flat roofs. The image also shows that there are one-story, one-and-one-half-story, two-story and three-story elements all found within the immediate vicinity. This variety captures the essence of the historic district and allows the BAR to find multiple solutions and approaches to the construction of rear additions both here and throughout the historic district.

**319 Queen St. is one of four near identical historic houses. All houses to the west are two-story homes. The one-story structure is a garage. The house to the east has an addition built almost 50 years ago and is out of context. It should not be used as a basis for approval. TWO WRONGS DO NOT MAKE A RIGHT.**



**THERE IS NO INDICATION THAT THIS IS A PRIVATE USE ALLEY. Indeed, members of the public, dogs and even a horse have entered the alley.**

**Figure 3. View from North Royal Street looking southeast toward the rear of subject property. Red box indicates an outline of the approximate area of expansion beyond the existing sleeping porch. The vehicular alley to the left of the garage is private.**

The BAR’s determination for a Certificate of Appropriateness must consider the *Standards* listed in Section 10-105 of the Zoning Ordinance. For reference, staff has included the *Standards* with a brief discussion with respect to this case. It should be noted that the BAR must “consider” the elements and features identified below but that there is not a “yes” or “no” response, as the BAR typically finds with the criteria for a Permit to Demolish.



Section 10-105(A)(2) discusses the standards for a Certificate of Appropriateness and states that the BAR, and City Council on appeal, “shall consider the following features and factors in passing upon the appropriateness of the proposed construction, reconstruction, alteration or restoration of buildings or structures”:

*(a) Overall architectural design, form, style and structure, including, but not limited to, the height, mass and scale of buildings or structures;*

The BAR examines and determines the appropriateness of the height, mass and scale of a new building or an addition and considers how such a proposal fits within the historic district by examining the existing context of the block area where the addition will be located. The immediate context here includes rear additions that are both two and three stories in height. The proposed addition’s massing and scale, as visible from a public way, are consistent with other rear additions and will not overwhelm the historic building. The height and massing of the proposed addition are proportional to the rowhouse to which it will be attached. Additionally, the only building that will be blocked from the construction of this addition is an existing three-story blank wall that was constructed as an addition to the property to the east. Staff finds the proposed addition to complement the scale and massing of the immediate context. See Figure

4.  
\* The above paragraph does not adequately consider how the proposed addition will be out of scale with the other three contemporaneous 200-year-old houses to the west. The impact on this unique collection of four houses is far the more important context than the much later houses elsewhere on the block, including the mid-20th Century addition of no particular historic or architectural merit. Encapsulating its historic exterior walls and building the proposed addition to the east and north will dwarf the original structure.

\* The house to the east, 317 Queen Street, which has a more recent, 20th Century, white wall, is wrongly used to justify the size of the addition.

\* One BAR member who visited the neighborhood before the vote, observed that the white wall serves as a backdrop that tells the story of the four historic homes beginning with 319 Queen Street.

\* In its Dec. 7 report, the staff recommended the applicant include massing studies to show the addition within the context of the block and how it fits into the block’s interior. This recommendation was omitted in its December 21 report, as the project was recommended for approval.

\* Not only will the addition be entirely visible from the 300 block of North Royal Street, it also impacts the historic streetscape and destroys the public’s current view of four nearly identical historic properties from 319 to 323 Queen St.

\* The staff analysis does not consider the impact on the North Royal Street houses that slope downward from the proposed addition. (The photo below shows the current footprint from a bedroom at 309 North Royal Street. The addition would go to the tree in the photo, which would have to be removed.)

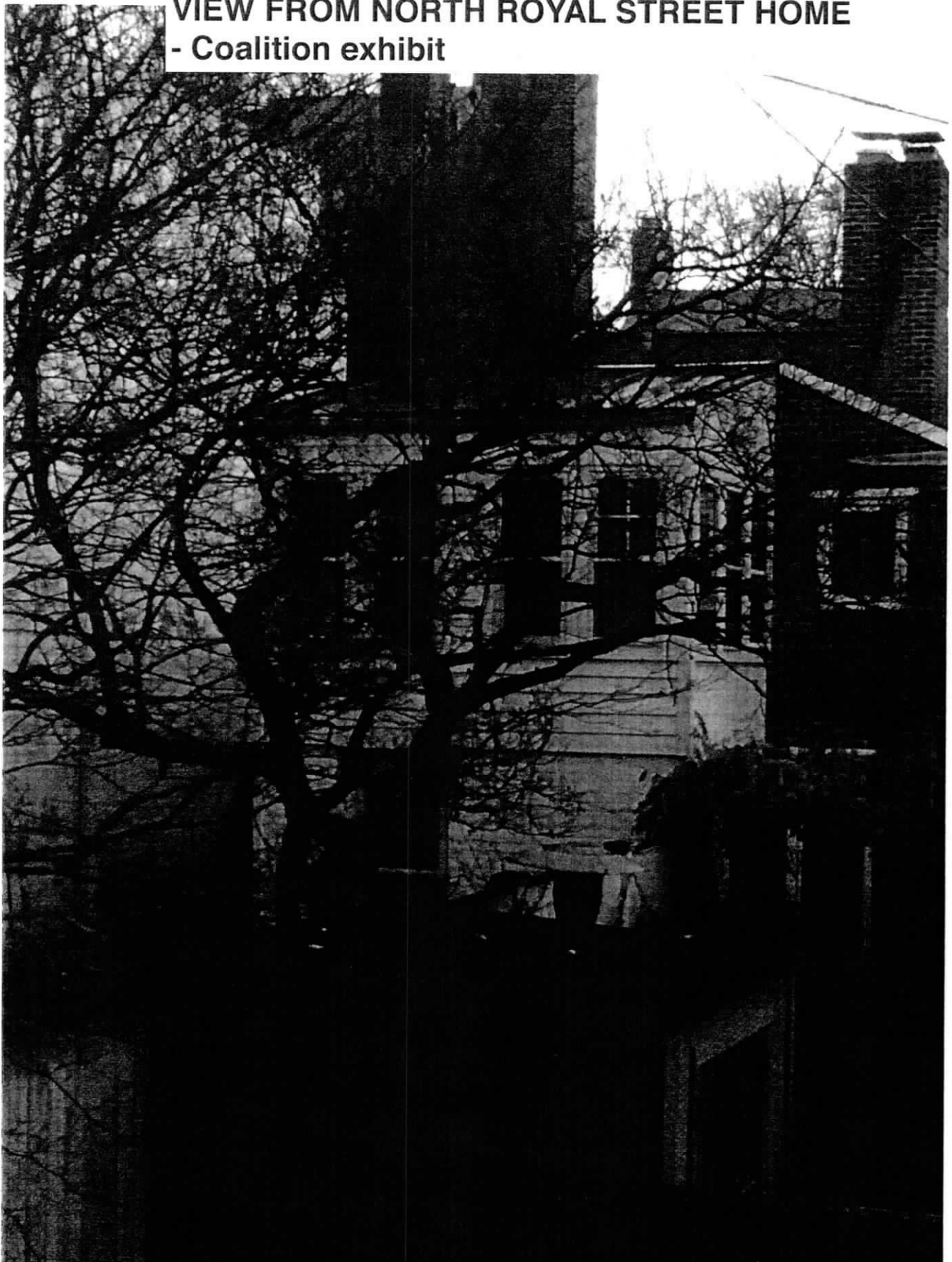
\* The proposed addition is 18.5’ wide and 17’ long, 8’ longer and approximately 8’ wider than the ell in the home’s current footprint and absolutely overbearing.

\* The 317 Queen addition, built at a time when neighbors did not fully realize their rights to object, should not be used to justify allowing 319 Queen Street to set a new precedent for expansion on the block. TWO WRONGS DO NOT MAKE A RIGHT.

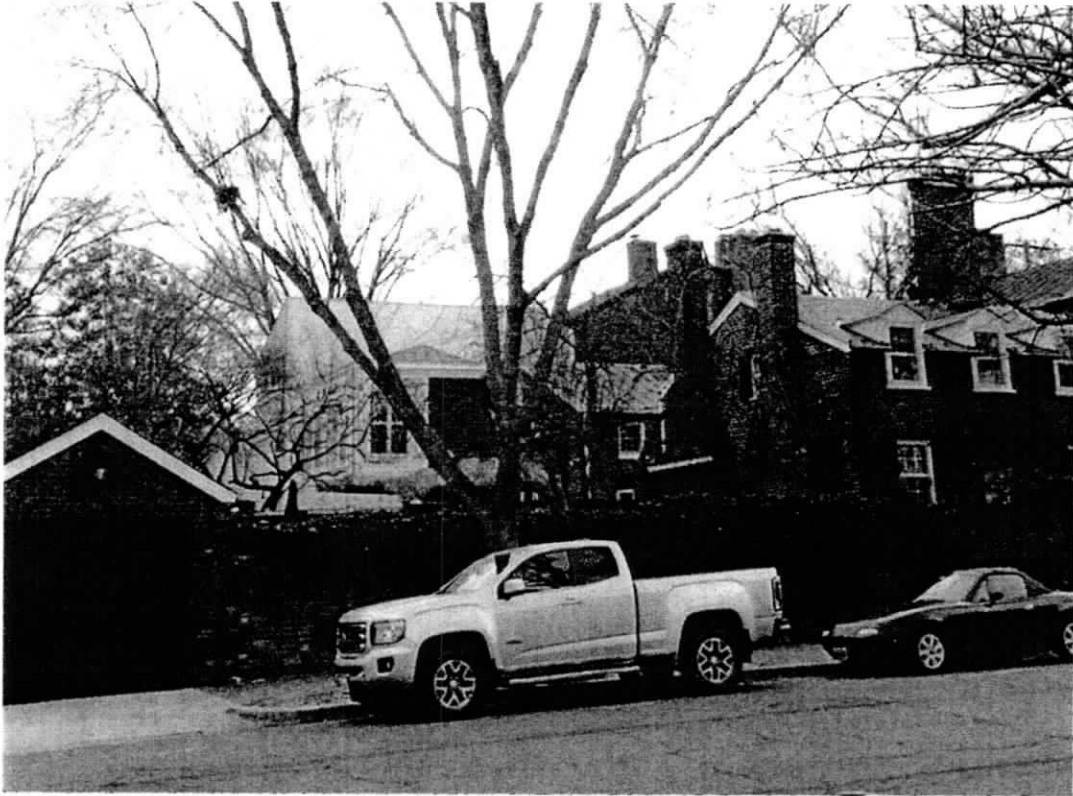
\* This project will increase mass and set wrong precedent for future homeowners to do similar additions.



**VIEW FROM NORTH ROYAL STREET HOME**  
**- Coalition exhibit**



**This obscure angle does not realistically show the impact on the next door neighbor at 321 Queen Street or on the North Royal Street.**



**Figure 4. Overlay of proposed addition to existing view from North Royal Street.**

*(b) Architectural details including, but not limited to, original materials and methods of construction, the pattern, design and style of fenestration, ornamentation, lighting, signage and like decorative or functional fixtures of buildings or structures; the degree to which the distinguishing original qualities or character of a building, structure or site (including historic materials) are retained;*

The proposed addition has a high-level of architectural detail without being overly ornate. The applicant has chosen a stylistic approach common to other rear and side additions found throughout the historic district, that of using the form and design of an enclosed sleeping porch or a conservatory. The design for the enclosed porch addition here is rooted in classical architectural traditions featuring classical proportions and columns or pilasters. Such a form typically has lots of windows/doors resulting in a visually light addition that complements historic masonry buildings. This design also allows the new construction to be differentiated from the historic building, as noted as an appropriate approach in the *Design Guidelines*.

**Response to (b) follows on inserted page.**

*(c) Design and arrangement of buildings and structures on the site; and the impact upon the historic setting, streetscape or environs;*

**COALITION RESPONSE TO (b):**

The architectural integrity of property is threatened. History does not survive demolition. The addition's "Greek Revival" design is more than "differentiated" from the front and is not appropriate for THIS BLOCK, alongside this and other historic homes.

**DESIGN AND CONSTRUCTION OF REAR ADDITION:** The Dec. 7 staff report stated, "Design Guidelines state the Board's preference for 'contextual background buildings which allow historic structures to maintain the primary visual importance,' and for 'designs that are respectful of the existing structure and which echo the design elements of the existing structure.'"

While the Dec. 7 report noted the "proposed addition will be plainly visible from North Royal Street," it did not mention the impact on the historic streetscape of North Royal nor on North Royal Street residents.

The report also stated the proposed roof was "somewhat unusual for a rear addition and in the historic district in general," but because of its "low slope and the limited visibility, the roof form will be barely perceptible from most perspectives."

However, the roof and "Greek Revival" design will be entirely visible to the public from North Royal Street. This is exacerbated by the fact that there is an approximately 10-degree decline from the corner of Queen and North Royal St. to the alley and the first houses on North Royal Street, which are on the north side of the alley.

The Dec. 21 and the Feb. 25 staff reports similarly justify the addition by referring only to the neighbor to the east, without considering the impact on the historic view to the west and north.

The design also is out of context with the historic house. Besides being pegged as a "Greek Revival" style, 39 percent of the rear wall is glass, compared to only 16 percent for the historic facade. The glass will be overbearing with regard to neighboring properties.

**RESTORATION OF THE FRONT OF THE HOUSE:** The developer withdrew that part of the application when a BAR member asked for the missing design materials for the facade. Initially, the staff said it could handle the items without BAR review, but the same member objected. This report states the developer must return to the BAR for approval of the design materials for the facade.

The proposed addition is appropriate in its relationship to the existing building, provided the demolition is limited as explained above. The addition will not be visible from Queen Street and will have no impact on the intact collection of 19<sup>th</sup>-century historic façades on Queen Street. The proposed addition is nominally larger than the existing rear addition but will not be overbearing, particularly with respect to the large white wall on the house to the east. The addition will extend north an additional 8'-3" beyond the existing two-story enclosed porch addition and extends the full 20' width of the property. The 7'-7" wide side yard area to be filled in on the east side of the property is not visible from a public way and therefore not within the BAR's or City Council's purview. The addition will not extend farther north than does the ell on the property to the east, nor is it as tall as the house to the east.

Finally, no portion of the historic masonry rear ell at 319 Queen is currently visible from the public way and the proposed addition will not diminish the visibility of the three historic rear ells at 321, 323 and 325 Queen Street from Royal Street in any way. See Figure 4.

**Response below.**

*(d) Texture, material and color, and the extent to which any new architectural features are historically appropriate to the existing structure and adjacent existing structures;*

The proposed design indicates that high-quality materials, including a standing seam copper pyramidal roof and wood columns, trim and shutters, will be used consistent with the BAR's established policies.

**Response below.**

*(e) The relation of the features in sections 10-105(A)(2)(a) through (d) to similar features of the preexisting building or structure, if any, and to buildings and structures in the immediate surroundings;*

The design approach is an appropriate response with respect to how new construction can be differentiated from historic buildings while using a compatible and contextual vocabulary. The construction of an addition that reads as an enclosed porch is a design approach that is appropriate and compatible and found in a number of locations in the historic district. For reference where such an approach has been successfully handled, Figure 5 include two examples, both located in more highly visible locations at corner properties. **Response follows.**

**COALITION RESPONSES TO (c), (d), (e):**

**(c) The view from North Royal Street IS RELEVANT AND SHOULD BE CONSIDERED.** The impact of the proposed addition to the historic setting, streetscape or environs on North Royal Street was discussed only by Coalition members at the BAR hearings.

\* This case seriously undermines the city's mission to preserve the architectural heritage of our historic homes and the character of the settings in which they are located. 319 Queen Street is part of row of four two- story brick row houses built by James McGuire (1772-1850) and Presley Barker in 1818. All four homes have historic plaques;

\* The highlighted paragraph states the addition will not be overbearing, and uses the house to the east, 317 Queen, as justification. However, the addition **WILL BE OVERBEARING**, particularly with respect to houses on the west and north sides. The rear wall will include 39 percent glass, compared to 16 percent on the front. This is out of context and must not be ignored;

\* The same highlighted paragraph on the previous page states that the expansion to the east is not within the BAR's purview because it is not visible from a public way. What about the partial demolition around the back living room window that is supposed to be the new entry to the "gallery?" That is part of the demolition that should be reviewed and is in applicant's exhibit marked EX 1.

\* The proposed addition negatively impacts the unique view that visitors and historians have to the rear of the Queen Street houses from North Royal Street and destroys the historic streetscape;

\* The proposed addition increases mass on a dense, historic city block that was a part of the original city of Alexandria, and such blocks should be protected from changes that destroy their architectural heritage;

\* Approval of the proposed addition would represent a total break from precedent previously set by the BAR, Planning Commission and City Council regarding historic preservation and density on this block, and instead establishes one that disregards historic and architectural integrity;

\* The proposed addition is out of context in size and design — a combination of original federal style and "Greek Revival" — and is NOT APPROPRIATE ON THIS block. The north side of the 400 block of Queen Street has examples of appropriate rear additions. (See photo of rear of 400 block house on next page.)

(d) The BAR did not discuss the materials for the facade. The two-story wall of glass windows and doors on the rear "Greek Revival" design is not historically appropriate to the Queen Street and Royal Street houses.

(e) The BAR is charged with protecting the historic nature of Alexandria. The rear addition is out of context with all but one home on the 300 block of Queen St, the 400 block of Queen Street, and nearby North Royal Street homes. (SEE PHOTO BELOW)

As a BAR member observed before voting, "This house is a combination of periods." City staff also stated the proposed pyramidal roof on the main part of the rear addition is "somewhat unusual for a rear addition in the historic district in general." The BAR agreed to raise the height slightly and staff will make final decision.

The sample photos in Figure 5 are not on blocks that match the historic nature of the 300 block of Queen Street. The fact that "conservatory-style additions" can be found at 504 Prince Street and 230 South Fairfax Street do not justify such an addition here. Examples of virtually any architectural style can be found somewhere in Old Town. Each proposed addition, rather, should be considered primarily in its immediate and nearby context. The examples of "conservatory-style additions" given here are quite a few blocks away, not visible from this site, and not attached to one of four 200-year-old houses.



**Example of rear addition on 400 block of Queen Street  
- Queen Street Coalition photo**





Interesting designs but not appropriate for rear of 200- year-old historic home in this group of four on Queen Street.

BAR CASE #2016-00396 & 2016-00397  
February 25, 2017



Figure 5. Conservatory-style additions found at 504 Prince Street (left) and 230 South Fairfax Street (right).

*(f) The extent to which the building or structure would be harmonious with or incongruous to the old and historic aspect of the George Washington Memorial Parkway;*

Not applicable.

*(g) The extent to which the building or structure will preserve or protect historic places and areas of historic interest in the city;*

The proposed addition will not have a negative impact on the character of this historic block. The Queen Street façade will remain unchanged and will retain its historic integrity. As shown in Figures 4 above, the existing historic rear ells which are currently visible will remain in their current form and context, serving as foreground elements with the proposed addition at 319 Queen Street being in the background.

No mention of North Royal Street view. Project will have a significant negative impact on this historic block. Preservation of the facades alone is poor substitute for comprehensive protection, the goal of ordinance. Carried to its logical extreme, it would substitute a "Potemkin village" for Alexandria's OHAD.

*(h) The extent to which the building or structure will preserve the memorial character of the George Washington Memorial Parkway;*

Not applicable.

*(i) The extent to which the building or structure will promote the general welfare of the city and all citizens by the preservation and protection of historic interest in the city and the memorial character of the George Washington Memorial Parkway; and*

The proposal retains the front of the early 19<sup>th</sup>-century townhouse and the proposed addition will be a background element from North Royal Street due to its mid-block location.

*(j) The extent to which such preservation and protection will promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting 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.*

The historic district is multi-faceted and attracts a range of people for different reasons. While the proposed addition in and of itself may not attract visitors, the addition will not compromise the historic integrity of this area and visitors will continue to view and enjoy buildings and places of historic merit.

In summary, staff finds that the BAR's approval of a Permit to Demolish and Certificate of Appropriateness for a two-story rear addition are consistent with all criteria set forth in Section 10-105 of the zoning ordinance. **Responses to (i) and (j) are on next inserted page.**

### **III. BOARD ACTION**

On December 21, 2016, the BAR ***approved the Permit to Demolish, as amended and with conditions, by a roll call vote of 7-0. The BAR also approved the Certificate of Appropriateness for the rear addition, as amended and with conditions, by a vote of 6-1, with Ms. Roberts voting in opposition.*** The Board agreed with the staff analysis, finding that the proposed partial demolition/capsulation was appropriate and that the design for the rear addition was consistent with the *Standards and Design Guidelines*.

### **IV. STANDARD OF REVIEW ON APPEAL**

Section 10-107(A)(3) of the Zoning Ordinance requires that the City Council apply the same standards as are established for the board of architectural review. The City Council "may affirm, reverse or modify the decision of the board, in whole or in part."

### **V. RECOMMENDATION**

Staff therefore recommends that City Council **affirm** the decisions of the BAR made on December 21, 2016, finding that: (1) the approved partial demolition and capsulation is consistent with the criteria to consider for a Permit to Demolish/Capsulate outlined in Section 10-105(B) of the Alexandria Zoning Ordinance and (2) the new construction for an addition is consistent with the standards to consider for a Certificate of Appropriateness outlined in Section 10-105(A)(2) of the Alexandria Zoning Ordinance for the reasons as stated in the staff report and for any additional reasons stated by City Council at the hearing.

**Coalition Response to (i) and (j):**

**(i): Approval of another enormous, modern addition does nothing to promote the general welfare of the city nor the preservation and protection of historic interests in the city. This is not in the best economic interest of taxpayers.**

**Approval will undermine the integrity of the city's mission to protect historic homes, which will affect the city's reputation for historic preservation -- a legacy that draws tourists and historic professionals alike.**

**The proposed addition, with its wall of glass, will seriously and negatively impact the historic view from North Royal Street.**

**Instead of being a "background" for the three remaining historic houses in front of it, the house will be overbearing and set a bad precedent for future similar expansions on the block, as home ownerships change.**

**(j): Destroying 200-year old walls and replacing them with today's bricks, aluminum and glass does not preserve history but removes for everyone — residents, visitors and historians — the unique resource that is the Old and Historic Alexandria District.**

**People move to Old Town to experience its history; visitors spend their tourism dollars to experience structures that have remained livable for 200 years.**

**Historians cannot study structures that have been encapsulated or demolished. Tourists will be denied the historic streetscape that now shows the story of the rears of these homes. ONCE IT'S GONE, IT'S GONE.**

**The City Council must represent the best interest of the city of Alexandria, and that includes continued sustenance of the city's historic and architectural heritage.**

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**Sec. 10-100 - Old and Historic Alexandria District. 10-101 - Purpose.**

The City of Alexandria seeks, through the establishment of the Old and Historic Alexandria District, to protect community health and safety, to promote the education, prosperity and general welfare of the public through the identification, preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance. To achieve these general purposes, the City of Alexandria seeks to pursue the following specific purposes:

(A) To enrich the quality of life for city residents by protecting the unique resource that is the historic district, including familiar landmarks and other treasured elements of the area;

(B) To protect historical and cultural resources thus promoting tourism and enhancing business and industry as well as the quality of life of the residents of the city;

(C) To maintain and improve property values by providing incentives for the upkeep, rehabilitation and restoration of older structures in a safe and healthful manner; and by encouraging desirable uses and forms of economic development that will lead to the continuance, conservation and improvement of the city's historic resources in their setting;

(D) To educate residents and visitors about the city's cultural and historic heritage;

(E) To promote local historic preservation efforts through the identification and protection of historic resources throughout the city;

(F) To encourage the nomination of historic properties to the National Register of Historic Places and the Virginia Landmarks Register.

(G) To assure that new structures, additions, landscaping, and related elements be in harmony with their historical and architectural setting and environs; and

(H) To safeguard the city's portion of the George Washington Memorial Parkway and other significant routes of tourist access to the city's historic resources by assuring that development in and along those transportation arteries be in keeping with their historical, cultural and traditional setting.

**STAFF**

Karl Moritz, Director, Department of Planning & Zoning  
Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning  
Catherine Miliaras, Historic Preservation Principal Planner, Planning & Zoning

**VI. ATTACHMENTS**

*Attachment A:* Submission Materials (subject of appeal, approved by BAR on 12/21/16)  
*Attachment B:* BAR staff report with BAR actions from the December 21, 2016 meeting  
*Attachment C:* BAR staff report with BAR actions from the December 7, 2016 meeting