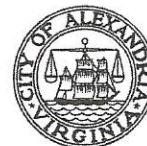


Alexandria, Virginia

Historic Alexandria Resources Commission

*220 North Washington Street
Alexandria, Virginia 22314-2521
(703) 746-4554*



February 6, 2019

Statement of Danny Smith, PhD, PE

Historic Alexandria Resources Commission Co-Chair

RE: BAR 2018-00410 and 2018-00411; February 6, 2019 Docket

Madam Chair and Members of the Board:

This statement is provided on behalf of the Historic Alexandria Resources Commission (HARC) which was first apprised of proposed modifications of the historic property at 619 South Lee Street in mid-2018. We are aware of the need for extensive restoration of the property as evidenced by personal observation, review of docket materials, and conversations with former owners of the property. We commend the present owners for their dedication to the much needed restoration of the original house, but are very concerned that some of the proposed additions of new structures are not in keeping with the historic character of the property and other important considerations.

The mission of HARC is, in part, to advise and support the City Council, the City Manager, and staff regarding responsible stewardship of our historic city from loss or deterioration of its remaining historic fabric. In furtherance of that charge, we are seeking to preserve the historic character of 619 South Lee Street via two separate courses of action. This past October, we sent a letter to the Director of the Virginia Department of Historic Resources (VDHR), holder of the easement on the property, asking that they reconsider their conceptual approval of additional structures on the property. A copy of that letter is attached.

Points addressed in that letter are relevant here. Long-time owner of the property, Supreme Court Justice Hugo Black, granted an open space easement under the provisions of the Virginia Open Space Land Act enacted to preserve permanent open space lands. That statute specifies three mitigating measures that must be satisfied in the event of conversion or diversion of open space lands. Sadly, not a single one of those measures has been satisfied for this property, nor has there been any indication that those measures will be satisfied. The statute definitely does not provide as a mitigating measure that open space can be obstructed as long as it is possible to demolish the obstructions at some point in the future.

Although the application proposes decreasing the footprint of structures on the site by demolishing modern portions of the property totaling 450 square feet, new structures are proposed that will add 3174 square feet to the footprint of the structures. This would amount to 700 percent more land coverage than the removals thus reducing open space.

Decisions by VDHR in conceptual approval of proposed changes to this property, if allowed to prevail, would clearly violate the provisions of state law. More significantly, VDHR has failed to act in good faith as a steward of the irreplaceable remaining historic fabric of Alexandria. We believe that you should take into consideration in your deliberations the easement granted by Justice Black on 619 South Lee Street. However, should you not do so, it would be inconsistent of you to allow preliminary decisions of the VDHR to influence your evaluation of the proposed actions which absolutely must take into consideration the ordinances and design guidance of the City of Alexandria.

The second course of action HARC is taking is providing input to your consideration of the proposed changes based on city requirements. I offer the following points regarding certain aspects of the proposed alterations at 619 South Lee Street which we contend will dramatically alter the character of a very significant property in a manner inconsistent with applicable city requirements.

Design Guidelines for Residential Additions page 7 state “. . . the rhythm of existing spacing between buildings along the blockface should be maintained.” Further, the guidelines state “The existing rhythm and scale of the streetscape should not be altered by an addition.”

This house has historically been added on at the rear (to the west), with kitchen and smoke house dependencies attached as an ell. There has always been a large open space to the south separating the house and carriage house. The proposed added structures to the south will significantly alter the historic appearance of this structure by extending off of the main block. This expansion will not compliment the architecture. It will compete with and alter the architecture. In addition, the visual connection between the main house and historic carriage house will be lost because the open space will be removed. If the house is to be expanded, the expansion should continue the historic precedent and extend to the west, maintaining the significant open space relationship between the historic house and carriage house.

Failing that, the majority of the houses along the west side of Lee Street front right at the sidewalk and are generally the same height at two, or two and one-half stories with side gable roofs. The proposed additions to the south are designed to appear as a series of outbuildings connected to the house by hyphens, which totally changes the streetscape. They are set back from the street breaking up the rhythm of the block, with hipped roof lines lower than the main house breaking up the scale of the block. In addition, there are no other hipped roofs in the surrounding area. While examples of hipped roofs have been identified in response to the December 19, 2018 BAR deliberations, some of the examples are not on residential structures, some are not in Northern Virginia, and of the remainder, few are roofs for outbuilding structures that are of the scale of those proposed for 619 South Lee. Furthermore, the mere presence of some hipped roof examples in Virginia says little about their compatibility with Old Town architecture.

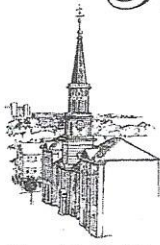
At a minimum, the outbuilding fenestration (or lack thereof in the case of the garage) is not in keeping with the original home and requires modification to better compliment the surrounding architecture. Of the options offered in the response to the December 19 comments from the BAR, the fenestration for the east elevation of the garage shown in Sheet 9 (actual windows, not

the recessed brick panel alternative) and for the east elevation of the kitchen shown in Sheet 7 are more compatible with the surrounding architecture.

I'm sure it is not lost on you that virtually every civic and appointed historic preservation organization in Alexandria is speaking with one voice in opposition to the addition of new structures to the property at 619 South Lee Street. As stated in the city Zoning Ordinance, you are responsible for making effective the provisions of Section 10-100 of the zoning code. A primary purpose of that section is "...to promote the... preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance."

We sincerely appreciate your diligent service and believe that this and other information provided should convince you to deny approval of the application as now presented.

Thank you.



Alexandria, Virginia

Historic Alexandria Resources Commission

*220 North Washington Street
Alexandria, Virginia 22314-2521
(703) 746-4554*



October 31, 2018

By Email and U.S. Mail

Julie.langan@dhr.virginia.gov

Julie V. Langan, Director
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

**Re: Vowell-Snowden-Black House (DHR Easement File No. 100-0111)
Objection to Continued Approval of Construction Plans**

Dear Ms. Langan:

The Historic Alexandria Resources Commission (HARC) was established to advise the City of Alexandria on the preservation of historic sites and buildings, artifacts, and records from loss or deterioration; and promotes citizen and tourist use of historic sites such as the Torpedo Factory Art Center. Commission members are appointed by City Council and must be citizens of Alexandria.

We have recently learned of the extensive development plans to the historic property located at 619 South Lee Street in Alexandria (the Vowell-Snowden-Black House). An open space easement was granted to the Commonwealth of Virginia on the property by prominent Supreme Court Justice Hugo Black and his wife Elizabeth on 26 December 1969 just three years after the Open Space Land Act was created in Virginia. The easement was granted in perpetuity and allowed for no additional building or structures on the site to be built.

The current proposal for 619 South Lee Street would remove modern additions to the house that cover approximately 422 square feet of land and replace them with new additions that cover approximately 3174 square feet of land, or 750 percent more land coverage than the removals. Further, four of the proposed structures (two buildings and two connectors) will extend to the south of the historic house along the entire street front of the property obscuring the open space from public view. This expansive proposal clearly violates the spirit of the original easement granted by Justice Black and his wife, and the requirements of the Virginia Code.

The open space easement is governed by VA. Code Ann. § 10.1-1704, which provides that:

No open-space land, the title to or interest or right in which has been acquired under this chapter and which has been designated as open-space land under the authority of this chapter, shall be converted or diverted from open-space land use unless (i) the conversion or diversion is determined by the public body to be (a) essential to the orderly development and growth of the locality and (b) in accordance with the official comprehensive plan for the locality in effect at the time of conversion or diversion and (ii) there is substituted other real property which is (a) of at least equal fair market value, (b) of greater value as permanent open-space land than the land converted or diverted and (c) of as nearly as feasible equivalent usefulness and location for use as permanent open-space land as is the land converted or diverted. The public body shall assure that the property substituted will be subject to the provisions of this chapter.

The further development of the property at 619 South Lee Street is not included in any official comprehensive plan for Alexandria, and no other real property of equal or greater market value in nearly equivalent location has been designated as permanent open space.

Open space within Alexandria's Old and Historic District is limited. Your approval of changes to the open space easement on the property at 619 South Lee Street will set a dangerous precedent that opens the way for future development on other properties held in easements throughout Virginia.

The Commission will advise the City of Alexandria to reject the proposed plans for expansion at 619 South Lee Street, and we respectfully request that you reconsider the decision you made to approve the preliminary plans for development at 619 South Lee Street and reject the final proposal and any future proposals for development of this property that are in clear violation of the easement and Open Space Land Act.

Respectfully,

Danny Smith

Elizabeth McCall

Co-Chairs
Alexandria Historic Resources Commission



PRESERVATION VIRGINIA

February 5, 2019

Board of Architectural Review, Old and Historic District
City of Alexandria
City Hall, 301 King Street
Alexandria, Virginia 22314

RE: BAR jurisdiction and 619 S. Lee Street (Hugo Black House)

Dear Chair Kelley and Members of the Board:

Thank you for the civic role you play in assisting the City of Alexandria in the preservation of its authentic historic resources. The function of the Board of Architectural Review, to sensitively and thoughtfully guide changes in its self-identified places of significance, is often not an easy task; decisions that rely on zoning ordinances, legal protections like easements, and location-specific guidelines must be well-informed and defensible. As a senior member of Virginia's statewide historic preservation organization and an experienced architectural review board member myself, I am writing today as a colleague and peer, in response to multiple inquiries our Public Policy Committee has received regarding the Hugo Black House.

Preservation Virginia is very concerned about the extent of alteration being considered for the Hugo Black property. We believe that the proposed alterations represent irrevocable changes to significant architectural and landscape features and characteristics and are likely to result in an adverse effect on the integrity of the property and the district in which it is located.

Without addressing specific design issues or details with the submission material intended to be reviewed by the board on February 6, I would like to speak to the role of the BAR as it relates to input or preliminary recommendations provided by the Virginia Department of Historic Resources (DHR). As Director of Preservation Initiatives and Engagement, I partner with DHR's staff and leadership on nearly a daily basis. For the past several years, we have worked jointly to provide review board and Certified Local Government (CLG) training for localities across the Commonwealth. Such workshops often address the authority of the locality to create, review, and enforce its own preservation guidelines within a larger statewide and national context consistent with the Commonwealth's enabling legislation. As a review and compliance state agency that relies solely on the reading of information it receives from applicants, DHR's recommendations should be weighed carefully at the city or county level based on the nature and completeness of the information supplied. DHR's position does not automatically supersede local decision-making processes; in fact, DHR has no jurisdictional authority over local decision-making. In some instances, DHR and a locality may possess different information and materials and be at different stages in their reviews and decision-making.



PRESERVATION VIRGINIA

In the case of the Hugo Black House, it appears that **new information** has come to light since DHR's original, preliminary review of plans to perform selective demolition and addition of new structures on the site. Information about the originality of the "curve" where the ell joins the main block of the house, as well as additional research on the easements protecting the property and its landmark status, warrant (re)consideration at DHR's level and, most importantly, at the local level in the light of Alexandria's existing zoning ordinances and Old and Historic District guidelines. The level of review afforded the BAR by these ordinances and guidelines is more powerful and legally defensible than a preliminary "approval" from DHR. In other words, it is the BAR's responsibility to consider existing easements and its own guidelines in full in order to responsibly and reasonably mediate changes proposed to be made to this significant property.

Sincerely,

Justin A. Sarafin