

From: [Kim Burstein](#)
To: [Lia Niebauer](#)
Subject: [EXTERNAL]For Oct. 6 BAR meeting-Heritage
Date: Sunday, October 3, 2021 6:25:34 PM

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Dear Members of the Board of Architectural Review:

I am writing today to submit comments ahead of the October 6, Board of Architectural Review meeting because I am extremely concerned about the mass of the project and its seven-story height. Even though the developer has slightly reduced the number of units since its submission of plans in January 2020, the current plan seems architecturally out of character for our residential neighborhood.

I have been a homeowner at 526 South Alfred Street for 20 years. My home is located across the street from Block 4 of the Heritage Project. I chose to move here because of the unique charm of Old Town that is substantially enhanced by the tree-lined streets and its quiet location, while still being close to King Street.

I understand the project is trying to accommodate many needs, including affordable housing, which I support; however, I believe the height and density of the buildings is out of character with the neighborhood, where the highest building is the four-level Clayborne Apartments on South Columbus Street, the easiest and closest comparison.

My neighbor had requested a shadow study be completed because we are concerned about the diminished sunlight that would result from the height of the buildings and its impact on our homes, which are across the street. I still have no idea if this has been conducted even though Ms. Puskar previously said it would be.

I urge you and your fellow members to encourage the developer to reconsider adjusting the mass and scale of this project, so it more appropriately fits into the residential neighborhood.

Thank you for your consideration.

Sincerely,
Kimberly Burstein
703-474-9889
kimburstein@yahoo.com

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From: [Chuck Weber](#)
To: [Lia Niebauer](#)
Subject: [EXTERNAL]Heritage
Date: Sunday, October 3, 2021 6:41:02 PM

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Members of the BAR,

I urge you to deny a certificate of appropriateness for the proposed Heritage project. It should not even be before the BAR at this time as numerous zoning issues and lack of waiver requests remain at issue.

Little change has been accomplished following their multiple design submittals.

The project still remains in violation of significant zoning requirements, not to mention the South Patrick Street Small Area Plan.

It does not belong in the OAHD. It is totally unimaginative In that it looks very much like other area designs by the architect. We are not Crystal City. Surely Old Town deserves better. The project is massive, and not in the least compatible with the surroundings. It robs the rest of the small area plan's thoughtful proposal for development, and sets a bad precedent for the remainder of the area in the SPSAHS.

I support affordable housing, but this project capitalizes on this in the wrong way and is more destructive than it is productive.

Please do not approve this monstrosity in its present form. There is significant room for improvement.

Chuck Weber
407 South Saint Asaph Street
Alexandria

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From: [martha.raymond](#)
To: [Lia Niebauer](#)
Subject: [EXTERNAL]Heritage project - BAR Hearing—October 6, 2021, Docket # 2021-00341-Letter Submission
Date: Tuesday, October 5, 2021 9:11:09 AM

You don't often get email from m.raymond2006@yahoo.com. [Learn why this is important](#)

To: Lia Niebauer

Note: Please provide a copy of my letter to the BAR board members. Thank you.

I am writing to continue to urge the Board of Architectural Review (BAR) to press for height and size reduction of the new Heritage project buildings and to increase the distance between the new buildings. The developer has made modest design changes in the facades after the July BAR meeting but did not follow the most essential guidance provided by BAR — to substantially reduce the height, size, scale and massing of the buildings. Not only are there issues with lack of compatibility of the new construction with regard to historic district, but there are safety issues as well. I believe these safety issues - specifically fire safety issues - are within BAR's purview to protect the historic district by reviewing the extent to which the new buildings will preserve or protect historic places and areas of historic interest in the city.

The new Heritage project construction type is multi-story wood over a concrete base or podium. There are too many incidences of massive fires in such buildings - all over the country. The fires occur because the upper-stories are constructed of thin wood framing that is highly combustible especially before sprinkler systems are installed and functional, but occupied buildings are vulnerable, too. Since the codes changed to allow this type of construction there have been more than 90 of catastrophic fires of this type in the US alone.

Such fires - like the February, 2020, Penn Daw fire on Route 1 just south of Alexandria, can grow to be catastrophic, and inextinguishable, very quickly. This is a understandably urgent issue in a closely-built neighborhood environment, such as the SW quadrant.

The Route 1 fire melted exteriors of nearby buildings. An eyewitness in a building 1/2-mile away described what he saw and felt - the waves of heat, numerous explosions that shook his building and blew open his doors, people fleeing the fire across Route 1, the red hot embers the size of dinner plates landing in his parking lot and roof, a toxic cloud of smoke descending over the building. Again, this was 1/2-mile away from the fire itself.

There are long-term considerations as well. To quote a former fire-fighter, now an instructor of fire science [Glenn Corbett] with regard to this type of construction: "We are intentionally putting problems in every community in the country, problems that generations of fire fighters...are going to have to deal with." It is also important to note that there are currently more firefighting access

easements at the Heritage than there will be if the project goes ahead as proposed. Mr. Corbett has also stated “if you asked me the question of would I live in one of these buildings - No, I would not. I would not go anywhere near it because I know what the problems are, and, the thing is, most of the public has no idea.”- Glenn Corbett, associate professor of fire science at the John Jay College of Criminal Justice in NYC and editor for the trade publication Fire Engineering.

I urge the BAR to take fire safety issues into consideration along with the very compelling issues and concerns raised by the community and others, because of the numerous examples of fires in this type of construction damaging neighboring buildings. The New York City fire district (most of the boroughs) already bans this type of construction due to the documented safety hazards.

A Facebook group, titled “Massive Fires Damage Lives” describes the “Citizen’s Fire Safety Bill” that proposes changes to the codes that allow this type of construction. The changes would limit floor area, limit height, require open space between buildings, require 24/7 fire watch during construction, notify residents of fire safety limitations in such buildings, and prohibit such construction in areas with population density greater than 5,000 persons per square mile.

I urge the BAR to look into this. Look at the Citizen’s Fire Safety Bill — see how the recommended lower heights, less bulk, and increased open space between building mesh with many local resident comments and many previous comments of the BAR. Here is an opportunity to tackle some of the safety issues through design review considerations. Seek guidance from fire fighters and fire science professionals. You’ll see why action on this topic is so important.

Thank you for your consideration.

Martha Raymond
Alexandria, VA

914/393-1387 (cell phone)

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Subject: BAR Certificate of Appropriateness Application dated June 21, 2021

Dear Chair and Members of the Board of Architectural Review,

I ask that you deny the developer's request for a Certificate of Appropriateness for the proposed Heritage project because it fails to meet the criteria established in the South Patrick Street Affordable Housing Strategy, subsequently adopted as city Ordinance 5165. The Height, Mass and Density of the proposal are outside the Ordinance's established limits and are inconsistent with the surrounding neighborhood as promised by the city.

The project building heights exceed the established limits of 45-50' for Block 1 and 62' for Block 2 (Page 69 of the Docket). The developer has invoked a bonus height up to 78' because they have claimed affordable housing assets that belong to Block 3. The Strategy and the Ordinance limited the use of affordable housing assets for the purpose of increased height and density to the assets currently belonging to each block. When the City Council approved the Heritage proposal in their meeting of February 20th they voted to remove "Condition 140". Their decision changed the terms of the Ordinance to allow the developer to use affordable units that belong to Block 3 and increase the building heights without public review, comment or opportunity for input in violation of established protocol and procedure. Accordingly, the request should be denied because the proposed building heights exceed the limits established by city Ordinance.

The project's mass is directly related to its site coverage. Based on the documentation submitted for the docket (Page 69) the site area of Blocks 1 and 2 is 207,158 SF (4.75 Acres) and the required Open Space is 51,790 SF (25% of the site area). From the existing Demolition Plans (Pages 62 & 64) the existing buildings cover about 29,940 SF leaving 85.5% of the site as open space. The Proposed buildings (Pages 74 & 76) would leave 42,330 SF as open space which includes rooftop and courtyard areas that are not appropriately considered open space. Since the proposed buildings would leave only 20.4% of the sites as open space the request for Appropriateness should be denied.

The project's density at 749 units is more than double the current units on Blocks 1 and 2. At the February 20, 2021 City Council meeting, Mayor Wilson and the council unanimously approved the 7-story Heritage development at a scale and density inconsistent with Old Town and the surrounding neighborhood. They justified their approval by "removing condition 140 entirely" from Ordinance 5165. They did this because Condition 140 would have limited the Heritage development to 5 stories and the number of apartment units to about 584. The table below shows the impact of Condition 140.

With "Condition 140"		Without "Condition 140"	
	# of Units		# of Units
Affordable Housing	140	Affordable Housing	195*
Bonus Density**	280	Bonus Density**	390
FAR by Right	164	FAR by Right	164
TOTAL	584	TOTAL	749

*Note: "Condition 140" assigns 140 affordable units to Heritage where they currently exist and assigns the other 55 units to Olde Towne West II where they exist now.

Ordinances are approved through a process with city staff and citizen participation where the resulting document is finally approved by a Council vote after periods of internal and public

scrutiny and comment. Mayor Wilson and the council decided, however, it was easier to delete "Condition 140" without due process and approve the project without delay or public input. This appears to violate city code.

Other restrictions that would have limited the scale and density of the Heritage project are contained in Ordinance 5165 and City Ordinance Section 11-504(A) and were similarly ignored in approving the Heritage project. For example, City Ordinance Section 11-504(A) states that the Council could approve an SUP/DSUP (Special Use Permits, which were necessary to allow Heritage to be approved at its current scope) "where it finds that the proposal; (1) will not adversely affect the health or safety of persons residing or working in the neighborhood; (2) will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and (3) will substantially conform to the master plan of the city." Heritage's project is 7 stories tall, more than double the number of existing units, and covers most of its site without the setbacks required in Ordinance 5165 in an Old Town neighborhood of largely 2-story homes with 25% of their sites as green space. The Heritage project approved by council, does not satisfy these criteria and does not qualify for SUP consideration.

For the reasons above, I ask that you deny the developer's request for a Certificate of Appropriateness. I recognize that this would be a bold move and there are already several members of the Board who believe that denying a Certificate of Appropriateness would be a pointless gesture because it would be immediately overruled by City Council, I believe the BAR has an opportunity here to stand by its charter and protect the Historic District from inappropriate development. Thank you for your consideration.

Best regards,

Chris Morell
421 South Columbus Street
Alexandria, VA 22314

Mobile @ 703-350-1571

**Comparison of the Existing and Proposed Open Space for the Heritage Project
Based on Block 1 & 2 Information from the BAR 2021 - 00341 Staff Report.pdf
(See 7/29/21 Meeting Docket)***

See pages	62	Block 1 Demolition Plan (Shows Building dimensions at Grade)
	64	Block 2 Demolition Plan (Shows Building dimensions at Grade)
	69	Site Plan and Area Tabulation Notes (Defines areas & requirement)
	71	Context Plan – Adjacent Property Heights and Distance
	74	Open Space Plan – Block 1 (Proposed)
	76	Open Space Plan – Block 2 (Proposed)

From Page 62 Block 1 Building Sizes Existing

See Building Drawing Dimensions N-S (Length) x E-W (Width)

Building 900/902	161.0 Feet x 36.9 Feet	Building Area @ Grade 5,940.90 SF
Building 904/906	161.1 Feet x 36.9 Feet	Building Area @ Grade 5,944.59 SF
Building 908/910	147.4 Feet x 37.1 Feet	Building Area @ Grade 5,468.54 SF
		Existing Building Area 1 17,354.03 SF

From Page 64 Block 2 Building Sizes Existing

See Building Drawing Dimensions N-S (Width) x E-W (Length) (Without Extensions)

Building 431	211.1 Feet x 59.6 Feet	Existing Building Area 2. 12,581 SF
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Total Existing Blocks 1 & 2 Area 29,935.59 SF

From Page 69 the Size of Site Area Blocks 1 and 2

Site Area Total Blocks 1 & 2 is 207,158 SF (4.75 Acres)

Required Open Space is 25% (207,158 SF x 0.25) is 51,790 SF

Existing Open Space of Blocks 1 and 2 is 177,222 SF (85% Open Area)

207,158 SF (Site Area) – 29,936 SF (Building Area)

From Page 55 Proposed Block 1 Open Space

Open Space at Grade Level	16,585 SF
Open Space at Courtyard	5,893 SF
Open Space at Rooftop	6,106 SF
Total Block 1 Proposed Open Space	28,584 SF

From Page 57 Proposed Block 2 Open Space

Open Space at Grade Level	8,043 SF
Open Space at Courtyard	2,421 SF
Open Space at Rooftop	3,282 SF
Total Block 1 Proposed Open Space	13,746 SF

Total Combined Proposed Block 1 & 2 Open Space

Open Space at Grade Level	24,628 SF
Open Space at Courtyard	8,314 SF
Open Space at Rooftop	9,388 SF
Total Proposed Open Space	42,330 SF
(Less than the required 25% of Site)	

*Note: *To access the Meeting Docket from the 7/29/21 BAR 2021 - 00341Staff Report.pdf Go to the Alexandria website (alexandriava.gov), click on “Government” near the top of the home page, click on ‘Boards and Commissions”, “click on “Board of Architectural Review”, click on “Dockets, Webcasts and Staff Reports”, halfway down the page click on “Dockets, Webcasts and Staff Reports” again, scroll down to “Archived Meetings”, 7/29/21 Board of Architectural Review” and click on “Action Dockets”, in the Docket scroll down to and click on “BAR 2021 - 00341Staff Report.pdf”. Your computer will download the report and you have to open. The pages used for this paper are listed at the top of the paper.*

Additional Note: Based on Page 53, “Context Plan – Adjacent Property Heights and Distance” the distance of Block 1 and 2 Buildings from their Property Line is about **6 Feet**. This is not consistent with the street topology in the South Patrick Street Affordable Housing Strategy.

Summary Table

Criteria	Quantity	Notes
Area of Blocks 1 & 2	207,158 SF	
Blocks 1 & 2 Open Space	51,790 SF	Required Open Space is 25% of site
Existing Building Area @ Grade	29,936 SF	From drawings on Pages 43 & 45
Existing Open Space @ Grade	177,222 SF	Exceeds Requirement by 125,432 SF and is 85% of site is open space
Proposed Open Space (From Pages 55 & 57)	42,330 SF	Less Than Requirement by 9,460 SF (Even after counting the courtyard and rooftops as “Open Space”)

From: [Richard Green](#)
To: [Lia Niebauer](#)
Subject: [EXTERNAL]Heritage project, BAR hearing 10/6/2021, docket #2021-00341
Date: Tuesday, October 5, 2021 10:46:56 AM

You don't often get email from rileygreen1972@gmail.com. [Learn why this is important](#)

I am writing to ask you to deny the certificate of appropriateness for the Heritage proposal.

In February, 2021, the Alexandria City Planning Commission overrode local resident concerns and approved the many variances requested to allow construction of the 750-unit Heritage development using multi-story light wood-frame construction over a concrete base. This is phase one of a much larger project in the Southwest quadrant of Alexandria.

In the early 2000's, building codes changed to allow construction of multi-story condo, apartment, and senior community buildings using light wood-frame construction. The use of less flammable materials such as steel and masonry is no longer required. With the change of this code and the potential greater profitability, hedge funds and Real Estate Investment Trusts have gotten into the multi-story housing business. There is an article on [bloomberg.com](#) that explains this change in detail.

<https://www.bloomberg.com/news/features/2019-02-13/why-america-s-new-apartment-buildings-all-look-the-same?sref=DpSsOaBt>

A Facebook page called "Stop Massive Fires / Massive Fires Damage Lives" argues for changes in the building code. There are too many fires in this type of building! The information is presented by a group of concerned municipalities, fire departments, and citizens. The page includes dozens of photographs from across the country of shocking, massive fires in this type of light wood-frame construction, and showing damage caused to nearby existing structures.

The group states that current statistics show these buildings often burn down during construction, before sprinklers are installed and operational. This results in unneeded injury, loss of property, risk to Fire Departments who are not equipped to or cannot handle this type of raging fire fueled by the soft, thin-member, pine wood. The insurance loss is huge, and passed on to the whole community. The group asks - are these light wood-frame mid-rise buildings truly less expensive than traditional, longer lasting non-combustible housing built of masonry and steel? A 2019 NY Times article states: 'until those [sprinkler] systems and other protections are in place, "it's really like a lumber yard of two-by-sixes in the air.'

<https://www.nytimes.com/2019/07/30/business/fire-commercial-real-estate-rebuilding.html>

The concerned group has drafted legislation for a safety code — the "Citizens Fire Safety Bill." Some of the provisions are: light frame wood buildings should have a maximum of 4,000 s.f. per floor; a maximum of three stories; sufficient space between buildings to keep fires from spreading; notification of all residents of the risks and safety limits of such construction; a 24/7 fire watch during construction; and no such construction in areas of density greater than 5,000 people per square mile (similar to NYC codes).

A tour of Alexandria shows this construction method occurring throughout the City. I am particularly concerned for the future residents and people living in the vicinity of the proposed Heritage development. The proposed new construction violates all 6 of the safety proposals set out in the "Citizens Fire Safety Bill."

If this massive seven-story group of buildings goes forward as proposed (and approved by the Planning Commission) the community members are rightfully concerned. This is already an area of high density in the City. Plans for the project show that existing emergency vehicle easements will be eliminated to allow for bigger buildings. Remember that this 750-unit building is just phase one. What are the other plans?

If a fire occurs during construction, what would happen to the surrounding homes? You only have to go a few miles South of Alexandria on Route 1 to find out. In last year's massive Penn Daw fire the whole development

under construction was consumed. According to the article linked below, in the existing buildings surrounding the development, "...There were 5 apartment buildings, 14 townhouses, 4 single-family structures, and a commercial building exposed to massive heat energy and embers." Many cars were also damaged. Fire Crews were run out of the burning buildings by the "explosive fire development." Even fire trucks had to retreat as windshields started to crack from the heat.

<https://companycommander.com/2020/02/10/catastrophic-fires-in-mid-rise-multifamily-dwellings-under-construction-5-considerations/>

I hope that everyone will read the information on the FaceBook page, the Bloomberg article, look at the photographs, read the fire reports and help support change to the proposed Heritage project plans and be aware of needed changes to the existing building codes.

Richard Green
Alexandria, VA

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To: Chair and Members of the Board of Architectural Review

From: Jane Weber

Date: 6 October 2021

Re: BAR Hearing October 6, 2021, Docket #6 BAR #2021-00341
Heritage at 450 South Patrick Street, 900 Wolfe Street and 431 South Columbus Street

I am writing to urge denial of the Certificate of Appropriateness for the Heritage development.

The Staff Report states: "New construction must conform to the requirements of the applicable small area plan chapter of the Master Plan." "With the approval of the DSUP, City Council found that the proposed buildings are in compliance with the adopted South Patrick Street Affordable Housing Strategy". Heritage is three of the nine blocks in the Small Area Plan, yet it is 750 (85%) of the 889 +/- total units estimated in the nine block total. Is this the precedent for the remaining six blocks?

The Small area Plan recommends height limits for individual blocks, but through the approval process the building heights have grown from a recommended 45–55 feet to 78+ feet.

SITE				EXISTING CONDITIONS			RECOMMENDED DEVELOPMENT		
BLOCK	SITE (1)	ADDRESS	PARCEL SIZE (2)	EXISTING ZONE	EXISTING BUILDING HEIGHT LIMIT	EXISTING LAND USE	RECOMMENDED FLOOR AREA RATIO (FAR) (3)(5)	RECOMMENDED BUILDING HEIGHT LIMIT (4)(5)	RECOMMENDED LAND USE
			SF		FT			FT	
1	The Heritage at Old Town	900 Wolfe	80,349	RB	45'	Residential	3.0	45'-55'	Predominantly Residential
2	The Heritage at Old Town	431 S Columbus	48,243	RC	62'	Residential	3.0	45'-55'	Predominantly Residential

The "conditions" concerning design revisions in the Staff Report recommendation for approval, would remove the BAR from the final design.

"Staff recommends approval of the Certificate of Appropriateness for new construction with the following conditions:

1. The applicant work with *staff* to determine the final location of all wall penetrations and that they be located so that they do not span from one material to another.
2. The applicant work with *staff* to revise the design for the northernmost townhouse in Block 1 facing South Alfred Street so that it is similar to the adjacent townhouses.
3. The applicant *revise the design* for the entrances on the South Alfred Street and the Columbus Street sides of Block 2 to minimize the size of the proposed sidelights and transoms
4. The applicant *modify* the three sided bays on the west side of Block 2 to provide greater articulation to the trim and make the proposed windows compatible with the adjacent punched windows.

F-3 Any adjustments to the site plan and/or elevations will be reviewed with the administrative final site plan submissions (City Department Comments. Staff Report Pg 81)"

Continued

Continued from Page 1

BAR Hearing October 6, 2021, Docket #6 BAR #2021-00341

The proposed development does not meet the requirements of the "Purpose of Zoning for the Old and Historic District".

Zoning Ordinance: Sec. 10-100 - Old and Historic Alexandria District.

10-101 - Purpose

- (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.

Please see the Presentation Document outlining the non-compliance issues that should be addressed before a Certificate of Appropriateness is considered. Adding arches to a few windows and faux gables do not make the buildings in character with the Old and Historic District. Adding cornices to the tops of the flat roofs does not diminish the height of these buildings towering over the two and three story houses in the neighborhood. Slightly recessing sections of the facade, does not diminish the massive scale. Purposely designing a streetscape that is boring and bland so as to not distract from the historic houses across the street seems depressing for the architects and the neighbors who will have that as their view.

Please deny the Certificate of Appropriateness.

Sincerely

Jane Weber

407 South Saint Asaph Street

Re: Certificate of Appropriateness before the BAR on October 6, 2021

I am asking you to deny the Certificate of Appropriate and here's why.

My husband and I have been residents on S. Columbus – just two short blocks from the Heritage for more than 35 years. For many of those years, it felt like Christmas every day. It was an awesome feeling to realize we were living and working in one of our country's oldest cities with all its treasured history and while our home wasn't as large as we might have had in the suburbs, it too had a history and every out-of-town friend who came here never seemed to tire of their visits, never seemed to be hesitant to share with other friends what they had seen and learned during their time in Old Town. Actually, many of our DMV friends voiced the same praise, all of which has accounted for an amazing number of houseguests, i.e., tourists, over the years.

At my age, feeling so blessed about where you live may have seemed a bit Pollyannish but I speak from the heart. However, in the past months I have come to see and feel differently. I am sad, disappointed and, quite honestly, very dismayed because I have always believed that if you had "right" on your side and then you worked hard, got your message out, carefully pleaded your cause, you would be successful. Certainly our elected and appointed leaders would be willing to find a good solution, certainly find a satisfactory compromise.

After we learned about Asland's plans for the Heritage in July 2020, we joined a cadre of concerned neighbors and we all worked our hearts out trying to show our city leaders that the Heritage project in its present form is inappropriate because it fails to meet our City's established requirements for Height, Mass and Density as established in the South Patrick Street Affordable Housing Strategy, subsequently adopted as the city's Ordinance 5165.

Everyone on the Planning Commission and the City Council, who has taken the time to fully understand what it means to have required height, mass and density requirements as laid out in the city's Ordinance 5165 knows these facts are true! Yet, they have chosen to ignore the ordinance or delete a vital condition or two and simply ignore residents and taxpayers who will be most directly affected and instead fully and unequivocally support the developer and his representatives with not even a crumb of compromise coming our way.

While the developer and his representatives walk away with money in their pockets, we the neighbors will be left with a gargantuan mistake that can never be changed back and the residents of the Heritage will lose the comfort and ease of living in a townhouse or what I call a boutique apartment building and instead be confined to tall buildings, long hallways, waits for elevators, and lots of rules and requirements so the market-rate residents won't be upset by noise, cooking odors, playthings in the halls, etc.

As I came to understand during the various Zoom meetings, the developer has owned the Heritage for somewhere around 10 years or more and as he said during one of the

meetings, he doesn't see himself as a developer but rather as an affordable housing specialist. As I recall when his resume was being touted, he has done a number of creative affordable housing renovations around the country. Why, if this is true, did he allow the Heritage to deteriorate to the point where now it's supposedly in too bad of shape to renovate the property?

I'd ask you to bear with me as I cite some of the effort put forth by local citizens to try to encourage the city to adhere to its own strategy, ordinance, etc. and to *carefully* consider other major and vital concerns we all know too well and to develop a better plan for the Heritage. I believe the city leaders' attitudes toward these efforts would test anyone's faith and confidence in its city's leadership.

1. We went door-to-door throughout the SW Quadrant and to friends in other parts of Old Town during Covid asking people to sign a Petition required by the city. Several weeks later, more than 200 people showed up on our patios to sign. (Only 25 were needed.)
2. Residents of the SW Quadrant dug into our pockets and paid for architectural workups showing what the oversized buildings will truly look like in our neighborhood of two-and-three-story townhouses – many of them over 100 years old and some with histories dating back to the early 1800s. (We're lucky enough to live in one of those. Thankfully that developer chose to renovate an old and dilapidated building rather than destroy it.)
3. We walked door-to-door again, this time asking neighbors to tune into the BAR's summer meeting on Zoom. The tremendous outpouring that night we later learned resulted in a 60% increase in attendance.
4. By now, our mailing list had grown so significantly that we no longer had to hand deliver messages. A hundred people tuned into the meeting with the Mayor. He politely listened and was always cordial but, like three other council members, who had been willing to meet with us, he said he was only one vote. Several of the other council members, who seemed to be with us and had actually said they recognized the unaddressed water, parking and traffic issues still voted in favor.
5. As we worked through the labyrinth of requirements for the various meetings, we witnessed numerous disparities that people new to the process, like myself, found very difficult to comprehend. Even the city staff member I asked later couldn't explain how the developer and his representatives can talk endlessly while those of us who will have to live with their ill-conceived project that violates the city's own ordinance have no opportunity for any kind of rebuttal or correction. And, often times, are cut off mid-sentence.
6. During our Zoom presentation to the Planning Commission it was quite amazing to witness appointed members to these powerful positions being so rude and deaf to the fact that the plans were in violation of Ordinance 5165. (I invite you to

review the tapes to see members leaving the discussion, eating, and, preening their cat, etc.) Even after several members recognized how we could have been misled by the wording in the Affordable Housing Strategy and even after reprimanding their staff to do a better job going forward, they -- along with all the other members -- voted in favor.

7. We have been called names – some of them very ugly – by outside callers, some of them not even residents of Alexandria. (I might add here that seldom, if ever, were any of them ever even given a warning on our behalf.)

There is so much more I could share but I think it's pretty obvious that we and the city's own regulations and Ordinance 5165 are being ignored or have been deleted in favor of an out-of-town developer who has only 7 ½ percent ownership in the project and must rely on outside sources to complete the project -- none of which are apparently known...certainly not known to the taxpayers who likely will be left to somehow pay if the developers decide they're not making enough money from the project.

Taking good care of developers shouldn't really come as a surprise I suppose given what some of them shared at the recent Reimagining Alexandria event. According to what people who paid to attend shared, a number of the developers applauded Alexandria for being so easy to work with...so much easier than Arlington and Fairfax. One even spoke of being amazed and, of course, grateful that the city gave them all the numbers so they didn't even have to get them on their own. (I believe developers reactions to our city leadership is very telling.)

Is it any wonder I, like a good number of people I know here in the SW Quadrant as well as other friends in Old Town and around Alexandria are disillusioned and disgusted by the city's response? One who worked especially hard and was full of hope chose an appropriate description. She said she felt "drubbed." For me, with the exception of the many new friends I've made, I feel the entire year's effort has been a loss to date.

However, I've been at this for more than a year so I'm giving it one last try. I ask that you deny the developer's request for a Certificate of Appropriateness for the proposed Heritage project because it fails to meet the criteria established in the South Patrick Street Affordable Housing Strategy, which was adopted as city Ordinance 5165. The Height, Mass and Density of the proposal are outside the Ordinance and are inconsistent with the surrounding neighborhood as promised by the city.

And, as those of us who have done the work know, ordinances are approved through a process with city staff and with citizen input, where the final document is approved by a Council vote ONLY after opportunity for public scrutiny and comment. It seems that Mayor Wilson and the council decided it was easier to delete Condition 140 without due process and approve the project without delay or public input. This appears to violate city code.

Other restrictions that would have limited the scale and density of the Heritage project were similarly ignored and there are numerous other examples such as ignoring the green space requirements. (I'm sure you know about these from other letters you are receiving.)

I plead with you. Please deny this request and help restore some faith in the leadership of this city. It's an opportunity to stand up against what seems to be perceived as a done-deal. Even if you're ultimately overruled, you will have known you did the right thing. You can be an example that may resonate among some of the other city leaders.

Thank you for your time.

Sincerely,

Mary Morrow-Bax
302 S. Columbus St.
Alexandria, VA 22314
703-684-8311

P.S. I hope I can assume that neither the developer nor any of his representatives will be allowed to review this letter prior to tonight's BAR meeting. Unlike earlier this year when the Heritage was on the docket for a council meeting, we learned letters delivered to council members before the council meeting were allowed to be shared so the developer and his representatives could better prepare their arguments.

To: Chair and Members of the Board of Architectural Review
From: Ellen Mosher
Date: 10/3/21
Re: BAR Hearing October 6, 2021—Docket #6 BAR #2021-00341
Heritage at 450 South Patrick St, 900 Wolfe St & 431 South Columbus St.

Please deny this application for certificate of appropriateness. The project does not meet BAR guidelines. These buildings overwhelm the existing neighborhood, and the scale, mass and architectural character are not compatible with the existing neighborhood.

Also, it does not appear that the Heritage Project is ready for the BAR review. At the city council hearing February 20, 2021, city council tasked staff to resolve unresolved issues. Per city zoning code 10-401 (B)(2) the BAR Design Guidelines were developed to be considered in granting or denying certificates of appropriateness. These guidelines state, "It is the policy of the Boards of Architectural Review not to review applications for projects which do not meet all other applicable city regulations." This project has unresolved zoning issues.

The proposed project in its current form does not comply with BAR guidelines, city codes, ordinances and policies as stated the South Patrick Street Housing Affordability Strategy Ordinance 5165. The proposed project has noncompliance issues related to the regulatory tools applied to the SUP requests for Section 7-700 Bonus Height and FAR of 3.03. These are described below.

Regulatory Tools to Retain Existing Affordable Housing with Bonus Density & Height

Ordinance 5165 The South Patrick Street Housing Affordability Strategy (Strategy) purpose and objective (Strategy pages 1 and 3) is to preserve the long-term affordability of committed affordable units of which 140 units are at The Heritage. **Page 10** states:

- prior regulatory tool *Section 7-700* was “not sufficient to accommodate the density needed to retain the existing affordable housing units”, therefore
- “the only viable alternative is to grant the property owners additional density, through a recommended rezoning, paired with some added height to retain the committed affordable housing units”.

The only viable alternative resulted in the Strategy Recommendations and the Residential Multifamily (RMF) zone that includes:

- **Affordable Housing Recommendation 2.1:** Use additional density and height as a tool to incentivize the retention of all existing committed affordable units of which 140 units for the Heritage are applicable here.
- **Affordable Housing Recommendation 2.2:** Rezoned properties are also subject to all other recommendations of the Strategy.
- **Planning and Land Use Recommendation 3.34:** The additional FAR provided by the new zone is available to the affordable housing sites (1, 2 & 4) that provide the recommended committed affordable housing units.
- **Sec. 3-1401 Purpose:** to preserve long term affordability of housing.
- **Sec. 3-1406 (A)(B) FAR SUP Bonus Density:** FAR by Right .75 and FAR up to 3.0 where 1/3 of FAR are affordable units
- **Sec. 3-1407 Height:** maximum permitted height of buildings shall be the height as depicted in the governing small area plan.
- **Table 1:** Recommended FAR, Recommended Building Height Limits, and Notes 1-5
- **Table 1, Note 5:** Use of Section 7-700 will be subject to compliance with the Strategy’s affordable housing, planning, and land use recommendations and ensuring that the building scale is compatible with the neighborhood and intent of the Strategy. Use of Section 7-700 for bonus density and/or height requires a special use permit approval by City Council.

“Approximately three additional [market rate] units will be required to preserve each affordable unit [215 CAUs] in the South Patrick Street area” (Page 12). “The new zone will allow additional Floor Area Ratio (FAR) to incentivize retention of the existing 215 affordable units, in a manner consistent with the recommendations of this Strategy.” (Page 29)

Regulatory Tools to Retain Existing Affordable Housing with Bonus Density & Height, continued

Using the applicant's floor plans (see next page), the units and square feet were allocated by building by floor.

HERITAGE PROJECT - UNITS ALLOCATED USING APPLICANT'S FLOOR PLANS									
Square Feet					Units				
	Block 1	Block 2	Block 4	Total SF		Block 1	Block 2	Block 4	Total Units
FAR by Right - SF					FAR by Right - Units				
Floor 1	43,768	25,498	-	69,266	Floor 1	43	23	0	66
Floor 2	18,863	25,489	41,747	86,099	Floor 2	24	29	45	98
(Block 1, 2nd flr allocated .4527 SF)				155,365	(Block 1, 2nd flr allocated .4527 SF)				164
Bonus FAR - SF					Bonus FAR - Units				
Floor 2	22,805			22,805	Floor 2	29			29
Floor 3	45,643	26,923	43,418	115,984	Floor 3	58	31	54	143
Floor 4	43,072	26,161	44,879	114,112	Floor 4	55	31	57	143
Floor 5	21,469		44,620	66,089	Floor 5	27		57	84
Floor 6			16,455	16,455	Floor 6			21	21
(Block 1, 2nd flr allocated .5473 SF)				335,445	(Block 1, 2nd flr allocated .5473 SF)				420
(Block 4, 6th flr allocated .61765 SF)					(Block 4, 6th flr allocated .61765 SF)				
Total	195,620	104,071	191,119	490,810	Total	236	114	234	584
LOT SF	80,349	48,243	78,566	207,158					
FAR	2.43	2.16	2.43	2.37					

Using the above chart, zoning ordinance 5165 was applied to determine if extra height is needed to meet the project goal of preserving 140 HUD units.

The chart has 3 sections:

- FAR by Right Units: 164
- HUD units of 140 + Bonus units of 280 = Total HUD & Bonus Units: 420
- HUD units 140
- + Bonus Units at the rate of 2 Bonus Units for 1 HUD Unit: 280
- Total HUD + Bonus Units: 420
- Excess Units, Density & Height NOT Needed to achieve ordinance 5165 goal of retaining 140 HUD units on the Heritage site. Total excess units: 165

HERITAGE PROJECT - UNITS ALLOCATED USING APPLICANT'S FLOOR PLANS									
Square Feet					Units				
	Block 1	Block 2	Block 4	Total SF		Block 1	Block 2	Block 4	Total Units
FAR by Right - SF					FAR by Right - Units				
Floor 1	43,768	25,498	-	69,266	Floor 1	43	23	0	66
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(Block 1, 2nd flr allocated .4527 SF)				155,365	(Block 1, 2nd flr allocated .4527 SF)				164
Bonus FAR - SF					Bonus FAR - Units				
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Floor 3	45,643	26,923	43,418	115,984	Floor 3	58	31	54	143
Floor 4	43,072	26,161	44,879	114,112	Floor 4	55	31	57	143
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Floor 6			16,455	16,455	Floor 6			21	21
(Block 1, 2nd flr allocated .5473 SF)				335,445	(Block 1, 2nd flr allocated .5473 SF)				420
(Block 4, 6th flr allocated .61765 SF)					(Block 4, 6th flr allocated .61765 SF)				
Excess Units, Density & Height - SF					Excess Units, Density & Height - Units				
Floor 5		13,611		13,611	Floor 5		14		14
Floor 6	20,580	13,639	10,188	44,407	Floor 6	27	14	13	54
Floor 7	18,722	8,620	26,317	53,659	Floor 7	24	9	34	67
Floor 8			24,251	24,251	Floor 8			30	30
(Block 4, 6th flr allocated .3824 SF)				135,928	(Block 4, 6th flr allocated .3824 SF)				165
Total	234,922	139,941	251,875	626,738	Total	287	151	311	749
LOT SF	80,349	48,243	78,566	207,158					
FAR	2.92	2.90	3.21	3.03					

Extra height is not needed to retain 140 HUD units

Continued. Page 3 of 10

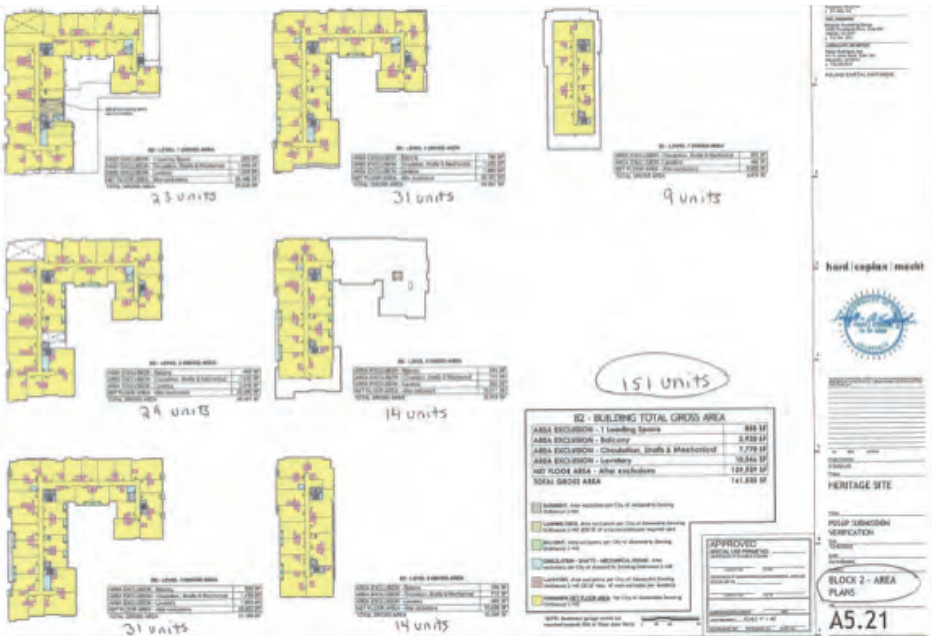
Argument. continued

Applicant's Floor Plans Used To Create The Above Charts

Block 1 Floor Plan
Total Units: 287



Block 2 Floor Plan
Total Units: 151



Block 4 Floor Plan
Total Units: 311



Conclusion

There's a disconnect between the plain meaning of city zoning codes, zoning ordinances and policies, and the supersized plan with 750 units. Leeway can be given if it's a question of interpretation, however these zoning codes, zoning ordinances and policies are unambiguous and clearly state what needs to be done.

- **Ordinance 5165 Strategy Affordable Housing Recommendation 2.1 states** "use additional density and height as a tool to incentivize the retention of all existing committed affordable units of which 140 units for the Heritage are applicable here", *not extra affordable units.*
- **Ordinance 5165 Strategy Affordable Housing Recommendation 2.2 states** "rezoned properties are also subject to all other recommendations of the Strategy."
- **Ordinance 5165 Strategy Planning and Land Use Recommendation 3.34 states** "the additional FAR provided by the new zone (RMF zone Section 3-1406) is available to the affordable housing sites (1, 2 & 4) that provide *the recommended* committed affordable housing units (as stated in 2.1)."
- **RMF Zone Section 3-1401 Purpose states** "the RMF zone is established to provide land areas for multifamily residential development and to enhance or preserve long term affordability of housing."
- **RMF Zone Section 3-1406(B) SUP FAR bonus density use**, per Ordinance 5165 Affordable Housing Recommendation 2.1 and Planning and Land Use Recommendation 3.34, states "the floor area ratio may be increased to an amount not to exceed 3.0 if the applicant commits to providing committed affordable housing in the building or project which is the subject of the permit application in compliance with the following requirements: (1)The committed affordable housing shall be equivalent to at least one third of the increase in the floor area ratio above the maximum permitted." *These units are for the retention/preservation of the 140 Heritage units. The bonus density tool is limited to those units, not other uses such as 55 or any number of additional units requested.*
- **RMF Zone Section 3-1407 Height states** "The maximum permitted height of buildings shall be the height as depicted in the governing small area plan."
- **Table 1 Note 5 states Section 7-700** is "subject to compliance with the Strategy's affordable housing, planning, and land use recommendations" but it is not in compliance with them as noted above.
- **Table 1, Note 5 states** "ensuring the building scale is compatible with the neighborhood and intent of the Strategy" *but the building scale is not compatible nor with the intent of the Strategy.*
- **Strategy page 12 states** "approximately three additional [market rate] units will be required to preserve each affordable unit [215 CAUs] in the South Patrick Street area." *The number of Strategy CAU's has remained constant throughout the Ordinance 5165.*
- **Strategy page 12 states** "the new zone will allow additional Floor Area Ratio (FAR) to incentivize retention of the existing 215 affordable units, in a manner consistent with the recommendations of this Strategy." *Again, the Strategy's objective is preserving 215 affordable units of which 140 units for the Heritage are applicable here.*

By applying city zoning codes, zoning ordinances and policies, the Strategy objective of preserving 140 HUD units could be achieved within the Ordinance 5165 height limits as illustrated in the below above and in the below support. The applicant's floor plans illustrate that +/- 584 units exist within 3 to 5 story buildings at a +/- 2.37 FAR. This is the size the Strategy envisioned, illustrated in the strategy documents, supported by residents, approved by City Council October 13, 2018, and what residents expect now. Please deny this project request in its current form. Thank you.

Continued. Page 5 of 10

Argument

Regulatory Tools	From Page 10 of the Strategy	EXPANDED FROM PARAGRAPHS
<p>The City's primary tool to incentivize affordable housing through the development process is Section 7-700 of the Zoning Ordinance, commonly referred to as the Bonus Density and Height Program. This zoning tool incentivizes the provision of low- and moderate-income housing in exchange for "bonus" (up to 30%) density and/or height (up to 25 feet) in new development, wherein at least one-third of the bonus approved must be affordable. In the case of The Heritage at Old Town and Olde Towne West III, the bonus density allowed through Section 7-700 under existing zoning is not sufficient to accommodate the density needed to retain the existing affordable housing units.</p>	<p>"... the bonus density allowed through Section 7-700 under existing zoning is <u>not sufficient</u> to accommodate the density needed to retain the existing affordable housing units."</p> <p>"The <u>only viable alternative</u> is to (A) grant the property owners additional density (B) through a recommended rezoning (C) paired with some added height to retain the committed affordable housing units"</p>	<p>SOLUTION- (since Section 7-700 was <u>not sufficient</u>)</p> <p><u>A. grant the property owners additional density</u></p> <ul style="list-style-type: none"> ▪ Sec 3-1406 – FAR up to 3.0 where 1/3 of FAR are affordable units ▪ Affordable Housing Recommendation 2.1 Use additional density and height as a tool to incentivize the retention of all existing committed affordable units of which 140 Heritage units are applicable here. ▪ Planning and Land Use Recommendation 3.34 and Table 1, note 3 defined bonus density up to 3.0 FAR is limited to 140 Heritage units. <p><u>B. through a recommended rezoning</u></p> <ul style="list-style-type: none"> ▪ Residential Multifamily (RMF) zone sec. 3-1400 ▪ sec. 3-1401 purpose preserves long term affordable housing ▪ Affordable Housing Recommendation 2.2 Rezoned properties are also subject to all other recommendations of the Strategy. <p><u>C. paired with some added height</u></p> <ul style="list-style-type: none"> ▪ Affordable Housing Recommendation 2.1 Use additional density and height as a tool to incentivize the retention of all existing committed affordable units of which 140 units for the Heritage are applicable here. <i>This height is the recommended building height limit in Table 1.</i> ▪ Sec. 3-1407 – Height maximum permitted height of buildings shall be the height as depicted in the governing small area plan.

Argument, continued

From Page 29 of The Strategy

From Page 29 of the Strategy



FLOOR AREA RATIO

Simply defined, Floor Area Ratio (FAR) is a ratio used to show the ratio of a building's footprint to the lot it sits upon. This FAR calculation used by the city is defined in the City Zoning Ordinance.

ZONING

The existing zoning for the potential redevelopment sites within the core area ranges from C1 - Commercial Low, C3a - Commercial Service Low, and RB - Townhouse zone as shown in Table 3. The existing zoning is intended for auto-oriented uses on South Patrick Street and townhouses on the remainder of the sites.

To achieve the affordable housing objectives of the Strategy, a new zone is recommended for the affordable housing sites (sites 1, 2, 3, 4, and 5). Consistent with the objectives of the Housing Master Plan to expand options for affordable housing in the city, this new zone will become a new tool in the City's overall affordable housing program, in addition to the existing Bonus Density Program. The new zone will allow additional Floor Area Ratio (FAR) to incentivize retention of the existing 215 affordable units, in a manner consistent with the recommendations of this Strategy. In addition, a rezoning of the commercial sites (sites 6, 7, and 8) on South Patrick Street is recommended to incentivize redevelopment consistent with the intent of the Strategy. Figure 3.13 identifies parcels recommended for a new zone or rezoning. As shown in Table 3, the Strategy recommends a FAR between 2.0 - 3.0 for these sites. Land use will be multi-family, townhouse, and neighborhood serving ground floor commercial uses that are compatible with the adjacent residential uses.

The additional floor area provided by the new zone is available to the affordable housing sites (1, 2, 3, 4, and 5) that provide the recommended committed affordable housing units. The additional floor area provided by a rezoning is available to the commercial sites (6, 7, and 8) that meet the intent of the Strategy. Rezoned properties are also subject to all other recommendations of the Strategy.

Further, this Strategy recommends that the Wilkes Street public open space be rezoned from RB (Residential) to POS (Public Open Space) to ensure long term retention of this important public park.

03 - Planning, Land Use, & Design 29

EXPANDED FROM PARAGRAPH

To achieve the affordable housing objectives of the Strategy, a new zone is recommended for the affordable housing sites (sites 1, 2, 3, 4, and 5). Consistent with the objectives of the Housing Master Plan to expand options for affordable housing in the city, this new zone will become a new tool in the City's overall affordable housing program, in addition to the existing Bonus Density Program. **The new zone will allow additional Floor Area Ratio (FAR) to incentivize retention of the existing 215 affordable units, in a manner consistent with the recommendations of this Strategy.**

Regulatory Tools to Retain Existing Affordable Housing with Bonus Density and Height

RECOMMENDATIONS
(Affordable Housing Recommendations)

FUTURE REDEVELOPMENT OF THE HERITAGE AT OLD TOWN AND OLDE TOWNE WEST III:

2.1 Use additional density and height as a tool to incentivize the retention of all existing 215 committed affordable units at The Heritage at Old Town and Olde Towne West III.

2.2 Consider rezoning[s] for the affordable housing sites that retain the recommended committed affordable housing units. Rezoned properties are also subject to all other recommendations of the Strategy.

EXPANDED FROM RECOMMENDATIONS

2.1 Use additional density and height as a tool to incentivize the retention of all existing committed affordable units of which 140 units for the Heritage are applicable here.

2.2 Rezoned properties are also subject to all other recommendations of the Strategy.

Conclusions:

- 2.1 defines the number of committed affordable units as 140 units at The Heritage to retain.
- 2.1 The tool of additional density and heights applies to retaining 140 Heritage units.
- 2.1 The tool of additional density does not apply to any additional affordable units.
- 2.1 Additional density use is defined in Planning and Land Use Recommendation 3.34.
- 2.1 Additional height is the recommended height limit for block sections from 45 ft. to 55 ft. in Table 1.

Continued. Page 7 of 10

Argument, continued

Regulatory Tools to Retain Existing Affordable Housing with Bonus Density and Height

Zoning
(Planning and Land Use Recommendation)

3.34 Create a new zone to implement the recommendations of the Strategy. The zone will be predominantly for residential uses; however, ground floor commercial uses supportive of the residential use, such as day care, as well as neighborhood-serving ground floor commercial and retail uses compatible with adjacent residential uses, will be encouraged. The additional floor area provided by the new zone is available to the affordable housing sites (1, 2, 3, 4, and 5) that provide the recommended committed affordable housing units. Additional floor area provided by a rezoning is available to the commercial sites (5, 6, 7, and 8) that meet the intent of the Strategy. Rezoned properties are also subject to all other recommendations of the Strategy.

EXPANDED FROM RECOMMENDATIONS

3.34 The additional FAR provided by the new zone is available to the affordable housing sites (1, 2 & 4) that provide **the recommended** committed affordable housing units.

CONCLUSIONS:

- Section 3-1400 Residential Multifamily (RMF) zone is the new zone.
- The recommended committed affordable units are defined as 140 existing units for The Heritage to retain in Affordable Housing Recommendation 2.1.
- FAR bonus density use is for retaining 140 Heritage units.
- The tool of additional density use applies to retaining 140 Heritage unit, per Affordable Housing Recommendation 2.1.
- The tool of additional density use does not apply to additional affordable units, per Affordable Housing Recommendation 2.1.

From Page 12 of The Strategy

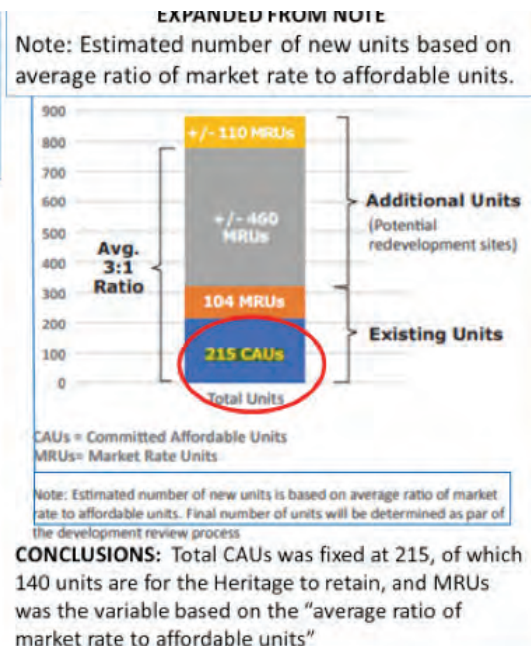
EXPANDED FROM PARAGRAPH

For planning purposes, based on previous projects as described, it is anticipated that, on average, approximately three additional units will be required to preserve each affordable unit in the South Patrick Street area, as illustrated below.

HOW MANY UNITS ARE NEEDED TO RETAIN AFFORDABILITY?

The total number of units in the potential redevelopment sites will not be known until the projects are proposed for development review. Unit count for a project can vary as it is affected by many factors, such as unit size and number of bedrooms for each unit, Low Income Housing Tax Credit requirements, or site constraints, to name a few.

For planning purposes, based on previous projects as described, it is anticipated that, on average, approximately three additional units will be required to preserve each affordable unit in the South Patrick Street area, as illustrated below: The final number of units for each site could be higher or lower depending on project development factors and will be determined as part of the development review process subject to the constraints and requirements outlined above.



Argument, continued

Regulatory Tools Applied to SUP Request for Section 7-700 Bonus Height

RUCN	SITE	SITE (1)	ADDRESS	PARCEL SIZE (2)	EXISTING CONDITIONS			RECOMMENDED DEVELOPMENT			REMARKS
					EXISTING ZONE	EXISTING PERMITTED HEIGHT LIMIT	EXISTING LAND USE	RECOMMENDED FLOOR AREA RATIO (FAR) (3)(5)	RECOMMENDED BUILDING HEIGHT LIMIT (4)(5)	RECOMMENDED LAND USE	
				5F	7F				8F		
1	The Heritage at Old Town	3000 N. 10th St.	421	80,000	RB	45'	Residential	3.0	40'-55'	Predominantly Residential	1. Figure 3.2 depicts sites where potential redevelopment is proposed to occur, and the new 10' zone. The Strategy acknowledges that for various reasons some of these sites may not be redeveloped. However, in the event that they do, they are expected to comply with the site and design recommendations of the Strategy and applicable zoning requirements. Sites not located in the 10' zone may be subject to redevelopment but will be subject to the recommendations of the Strategy and applicable zoning requirements.
2	The Heritage at Old Town	421 S. Columbus	40,283	RC	62'	Residential	3.0	40'-55'	Predominantly Residential		2. The development parcel size is based on the City's Real Estate records, not on survey data. Height and building (area) may be adjusted based on future survey information.
3	Old Town West 10'	5205 S. Alameda	55,184	RB	45'	Residential	3.0	40'-55'	Predominantly Residential		3. All existing future existing map shows the intent of this Strategy. The additional floor area provided by a new zone is available to the affordable housing sites (1, 2, 3, 4, and 5) that provide the recommended committed affordable housing units. The additional floor area provided by a new zone is available to the affordable sites (1, 2, 3, 4, and 5) that meet the intent of the Strategy. All rezoned properties are also subject to all other recommendations of the Strategy.
4	The Heritage at Old Town	5105 S. Patrick	70,568	RB	45'	Residential	3.0	40'-55'	Predominantly Residential		4. Building height limits are depicted in Figure 3.2, which option maximum height for different portions of the block. For sites with a 10-foot height limit, an increase of the floor area is permitted for architectural enhancements, if approved by the development review process.
5	Old Town West 10'	501 S. Alameda	40,407	RB	45'	Residential	3.0	40'-55'	Predominantly Residential		5. Use of Section 7-700 will be subject to compliance with the Strategy's affordable housing, planning, and land use recommendations and ensuring that the building scale is compatible with the neighborhood and intent of the Strategy. Use of Section 7-700 for bonus density and/or height requires a special use permit approval by City Council.
6	West Marina	501 S. Patrick	33,561	CSL	50'	Commercial	2.0	40'-55'	Predominantly Residential		
7	Old Town West 10'	611 S. Patrick	25,280	CSL	50'	Commercial	2.0	40'	Predominantly Residential		
8	Speedway Gas Station	620 S. Patrick	16,667	CSL	45'	Commercial	2.0	40'	Predominantly Residential		
9	Liberty Gas Station	700 S. Patrick	20,368	CSL	45'	Commercial	2.0	40'	Predominantly Residential		

Conclusions: The SUP request for Section 7-700 bonus height should be denied for the following reasons:

- *Affordable Housing Recommendation 2.1* defined committed affordable units as 140 for The Heritage to retain.
- *Planning and Land Use Recommendation 3.34 and Table 1, note 3* defined bonus density up to 3.0 FAR is limited to 140 Heritage units to retain.
- *Per note 5*, request for Section 7-700 bonus height **does not comply** with 2.1 and 3.34. Section 3-1406(B) bonus density cannot be used with Section 7-700 bonus height for units in excess of 140 already retained.
- *Per note 5*, building scale **is not compatible** with neighborhood or the intent of the Strategy.

Applicant's Request From page 40 of the Staff Report:

"Generally, the RMF zone SUP facilitates one-for-one replacement of the 140 HUD-subsidized HAP units with the redevelopment, while the additional application of the Section 7-700 SUP allows for the applicant to provide 55 additional affordable units through the areas of bonus height."

Conclusion: SUP request for Section 7-700 bonus height should be denied. Applying Section 7-700 bonus height, for additional affordable units in excess of 140 Heritage units, to RMF zone bonus density is not in compliance with the RMF zone Sec. 3-1401, 3-1406(B), 3-1407 & Recommendations 2.1, 2.2, 3.1 & 3.34 limiting bonus density use to retaining 140 Heritage units.

Per the RMF Zone 3-1400:

3-1407 - Height. The maximum permitted height of buildings shall be the height as depicted in the governing small area plan.

3-1406 FAR SUP Bonus Density FAR up to 3.0 where 1/3 of FAR are affordable units

3-1401 - Purpose. The RMF zone is established to provide land areas for multifamily residential development and to enhance or preserve long term affordability of housing.

Per Ordinance 5165:

Recommendation 2.1 Use additional density and height as a tool to incentivize the retention of all existing 140 committed affordable units at The Heritage at Old Town.

Recommendation 2.2 Consider rezoning(s) for the affordable housing sites that retain the recommended committed affordable housing units. Rezoned properties are also subject to all other recommendations of the Strategy.

Recommendation 3.1 Potential redevelopment sites will be subject to all requirements and applicable provisions of the Development Summary Table (Table 1).

Recommendation 3.34 Create a new zone to implement the recommendations of the Strategy. The zone will be predominantly for residential uses; The additional floor area provided by the new zone is available to the affordable housing sites (1, 2, 3, 4, and 5) that provide the recommended committed affordable housing units.

Argument. continued

Heritage Project—Units Allocated Using Applicants Floor Plans

Square Feet					Units				
	Block 1	Block 2	Block 4	Total SF		Block 1	Block 2	Block 4	Total Unit
FAR by Right - SF					FAR by Right - Units				
Floor 1	43,768	25,498	-	69,266	Floor 1	43	23	0	66
Floor 2	18,863	25,489	41,747	86,099	Floor 2	24	29	45	98
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Floor 6			16,455	16,455	Floor 6			21	21
(Block 1, 2nd flr allocated .5473 SF)				335,445	(Block 1, 2nd flr allocated .5473 SF)				420
(Block 4, 6th flr allocated .61765 SF)					(Block 4, 6th flr allocated .61765 SF)				
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LOT SF	80,349	48,243	78,566	207,158					
FAR	2.43	2.16	2.43	2.37					

Regulatory Tools Applied for SUP Request for Section 7-700 Bonus Height and SUP Request for 3-1406(8) FAR of 3.03

Applicant's Plan By Block By Floor

HERITAGE PROJECT - UNITS ALLOCATED USING APPLICANT'S FLOOR PLANS				
Units				
	Block 1	Block 2	Block 4	Total Units
FAR by Right - Units				
Floor 1	43	23	0	66
Floor 2	24	29	45	98
(Block 1, 2nd flr allocated .4527 SF)				(A) 164
Bonus FAR - Units				
Floor 2	29			29
Floor 3	58	31	54	143
Floor 4	55	31	57	143
Floor 5	27		57	84
Floor 6			21	21
(Block 1, 2nd flr allocated .5473 SF)				(B) 420
(Block 4, 6th flr allocated .61765 SF)				
Excess Units, Density & Height - Units				
Floor 5		14		14
Floor 6		27	13	54
Floor 7		24	9	34
Floor 8			30	30
(Block 4, 6th flr allocated .3824 SF)				(C) 165
Total	287	151	311	749

Regulatory Tools Applied for SUP Request For Section 7-700 Bonus Height and SUP Request for 3-1406(B) FAR of 3.03

CONCLUSIONS:

RMF zone Sec 3-1406 (A) & (B), & Ordinance 5165 Recommendations 2.1 & 3.34:

(A) FAR by Right: .75 FAR by Right units = 164 units

(B) Bonus Density: preserving 140 HUD unit + 280 bonus units = 420 units

(C) Using 7-700 bonus height to RMF zone bonus density use for units in excess of 140 HUD units already retained = 166 units that do not comply with the Strategy or the RMF Zone

Presentation to Board
of Architectural Review
6 October 2021
Heritage Project
BAR #2021-00341 OHAD



SUMMARY



- **Does not comply** with 11-503 (A) (6), 11-504 (A)(3), 11-504(B)(10), 11-504(B)(11) criteria for approval of Section 7-700 bonus height for affordable units in excess of 140 affordable units already preserved for the Heritage.

Page 3, 19-26

- **Does not comply** with 6-402, 6-403(A), 12-102 (B), 7-703, Sec. 8-200 (A) (2) (a) (ii)(i)(B) and (C), 3-1401, 3-1407 related to height, setbacks, parking reductions and bonus density use.

Page 4

- Heritage Development represents 85% of the total units planned in the 9 Block South Patrick Street Housing Affordability Strategy

Pages 6-12

- **Does not comply** with Zoning Ordinance NO. 5165: The Strategy Objective is to **preserve 140 affordable units**.

Page 8-9

- **Does not comply** with Zoning Ordinance 3-1400: Residential MultiFamily (RMF) Zone 3-1401. The RMF zone is established to provide land areas for multifamily residential development and to enhance or *preserve* longterm affordability of housing.

Page 10

- **Does not comply** with 3-1407 Height. The maximum permitted of buildings shall be the height as depicted in the governing small area plan.

Page 10

- **Does not comply with Sec. 8-200 (A) (2) (a) (ii)(i)(B) and (C), Parking Reduction.** Walkability distance credits: The applicant shall provide a scaled area plan or map showing the location of the project site... qualifying uses are based on walking distance and not a radius. **The application does not qualify for parking reductions** provided a radius map with establishments outside the walkability zone.

Page 13

- **Does not comply** with 12-102 (B) Reconstruction. The Block 2 proposed new building must comply with the 50 FT Old Town Building Height Limit.

Page 15-16

- City Code Section 1-400 B-4 states: "In the case of a conflict among various zone requirements, such as density, lot size, height and floor area ratio, permitted development shall comply with the most restrictive of such requirements."

Page 17

SUP APPLICATION PROCEDURES



SUP Application Procedures for Section 7–700 Bonus Height and/or Density and Section 3–1406 FAR up to 3.03 Bonus Density

SUP requests for Section 7–700 bonus height and 3–1406(B) FAR up to 3.03 bonus density use should be DENIED. Applying Section 7–700 bonus height, for additional affordable units in excess of 140 Heritage units already retained, to RMF zone 3–1406(B) bonus density use is not in compliance with the RMF zone Sec. 3–1401, 3–1406(B), 3–1407 & Recommendations 2.1, 2.2, 3.1 & 3.34 limiting bonus density use to retaining 140 Heritage units, plus additional city codes and zoning ordinances.

- 11–503 (A)(6) Include: Plans and other documents exhibiting compliance with any other requirements contained in this ordinance for the special use proposed.
- **11–504 Considerations on review.**
- 11–504 (A) The city council may approve the application, **provided all regulations and provisions of law have been complied with**, if it finds that the use for which the permit is sought:
- 11–504 (A) (3) Will substantially conform to the master plan of the city.
- 11–504 (B) In reviewing the application, the city council may take into consideration the following factors where it determines that such factors are relevant and such consideration appropriate:
- 11–504 (B)(10) Whether the proposed use will have any substantial or undue adverse effect upon, or will lack amenity or **will be incompatible with**, the use or enjoyment of adjacent and surrounding property, **the character of the neighborhood, traffic conditions, parking**, utility facilities, and other matters affecting the public health, safety and general welfare.
- 11–504 (B) In reviewing the application, the city council may take into consideration the following factors where it determines that such factors are relevant and such consideration appropriate:
- 11–504 (B) (11) Whether the proposed use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable zone regulations.
- **In determining whether the proposed use will so dominate the immediate neighborhood, consideration may be given to:**(a) **The location, nature, height, mass and scale of buildings, structures**, walls, and fences on the site; and(b) The nature and extent of landscaping and screening on the site.

RESPONSE:

- Zoning code 11–503(A)(6)—Plans and documents exhibit noncompliance with the requirements contained in this ordinance for the special use permit.
- Zoning code 11–504(A)—Plans for Block 2 exhibit noncompliance with height limit and relationship to height setback.
- Zoning code 11–504(A)(3)—Plans exhibit noncompliance with RMF zone purpose and height limit.
- Zoning Code 11–504 (B)(10)—Plans exhibit noncompliance of incompatibility with the character of the neighborhood
- Zoning Code 11–504 (B)(11)—Plans exhibit noncompliance by dominating the immediate neighborhood with building location, height, mass and scale.

SUP APPLICATION PROCEDURES



Summary of Noncompliance for Section 7-700 SUP and Section 3-1406 Requests, Continued

SUP requests for Section 7-700 bonus height and 3-1406(B) FAR up to 3.03 bonus density use should be DENIED. Applying Section 7-700 bonus height, for additional affordable units in excess of 140 Heritage units already retained, to RMF zone 3-1406(B) bonus density use is not in compliance with the RMF zone Sec. 3-1401, 3-1406(B), 3-1407 & Recommendations 2.1, 2.2, 3.1 & 3.34 limiting bonus density use to retaining 140 Heritage units, plus additional city codes and zoning ordinances.

- **Zoning code 6-402** Old Town Height limit of 50 feet on Block 2—plans exhibit noncompliance with the height limit.
- **Zoning code 6-403(A)** Relationship to height setback in Old Town Height limit map —plans exhibit noncompliance to these setbacks.
- **Zoning code 12-102 (B)**
Noncomplying structure expansions and reconstruction—plans exhibit noncompliance with these codes therefore building height cannot be prior building height before reconstruction.
- **Zoning code 7-703**—plans exhibit noncompliance with bonus height on building height 50 feet or less on Block 2.
- **Sec. 8-200 (A) (2) (a) (ii)(i)(B) and (C)** Plans exhibit noncompliance with required minimum garage parking space requirements. Walkability Index calculation therefore ineligible for 10% parking garage reductions requested.

- **Zoning Ordinance 3-1401 RMF zone**—this SUP requesting additional height results in adding affordable housing units to the RMF zone yet the zone is restricted to enhancing or preserving affordable units, not adding units.
- **Zoning Ordinance RMF Zone-3-1406(B)** SUP FAR bonus density use, per Ordinance 5165 Recommendations 2.1 and 3.34, states “the floor area ratio may be increased to an amount not to exceed 3.0 if the applicant commits to providing committed affordable housing.” These units are defined as the retention/preservation of the 140 Heritage units and this bonus density use tool is limited to those units, not other uses such as 55 or any number of additional units in excess of the 140 units already retained.
- **Zoning Ordinance 3-1407 RMF zone**—this SUP requesting additional height in noncompliant with this ordinance where the height restriction for the zone is the maximum height permitted in the governing small area plan..
- **Strategy Ordinance 5165**—the objective of this ordinance is to preserve 140 HUD units, not adding them.
- **Ordinance 5165**—Plan exhibits noncompliance with recommendations 3.1, Table 1, Notes 4 & 5 regarding height and ensuring compatibility with the neighborhood.

- **Ordinance 5165 Affordable Housing Recommendation 2.1** states “use additional density and height as a tool to incentivize the retention of all existing committed affordable units of which 140 units for the Heritage are applicable here”, not affordable units in excess of the 140 already retained.
- **Ordinance 5165 Affordable Housing Recommendation 2.2** states “rezoned properties are also subject to all other recommendations of the Strategy.”
- **Ordinance 5165 Strategy Planning and Land Use Recommendation 3.34** states “the additional FAR provided by the new zone (RMF zone Section 3-1406) is available to the affordable housing sites (1, 2 & 4) that provide the recommended committed affordable housing units (as stated in 2.1).” Not affordable units in excess of the 140 already retained.
- **Table 1 Note 5** states Section 7-700 is “subject to compliance with the Strategy’s affordable housing, planning, and land use recommendations” but it is not in compliance with them as noted above.
- **Table 1, Note 5** states “ensuring the building scale is compatible with the neighborhood and intent of the Strategy” but the building scale is not compatible nor with the intent of the Strategy.

BUILDING UNITS

WAS



HERITAGE DEVELOPMENT AREA COVERS ONLY 3 BLOCKS WITHIN THE 9 BLOCK SOUTH PATRICK STREET HOUSING AFFORDABILITY STRATEGY



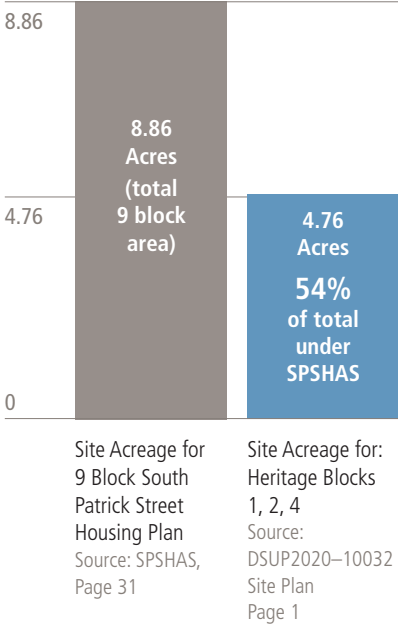
“The master plan for the area envisions a fourth building, Block 3, of *similar scale* immediately to the west of the new Wilkes Street Park and the Block 2 building.”

Source: BAR #2021-00341 Staff Report (29 July 2021) Page 16

LEGEND

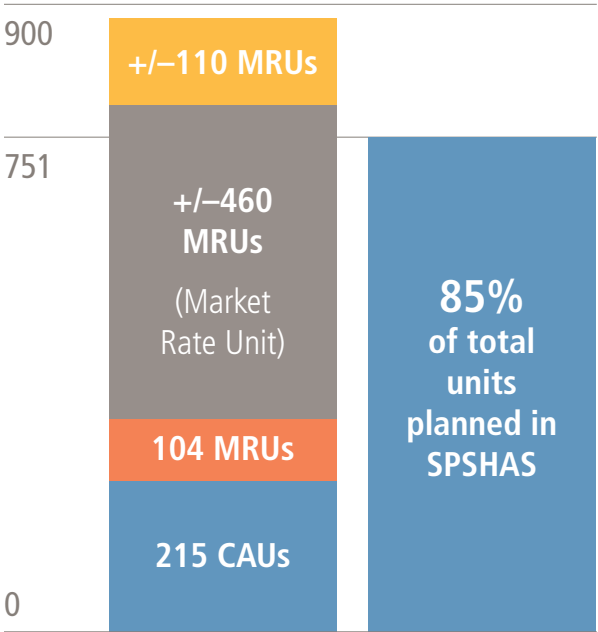
- South Patrick Street Housing Affordability: total 9 blocks
- Heritage Blocks 1, 2, 4

Acreage totals: 9 Block Area Plan vs Heritage Proposal



HERITAGE DEVELOPMENT AREA COVERS ONLY 3 BLOCKS WITHIN THE 9 BLOCK
SOUTH PATRICK STREET HOUSING AFFORDABILITY STRATEGY

Unit totals: 9 Block Area Plan vs
Heritage Proposal



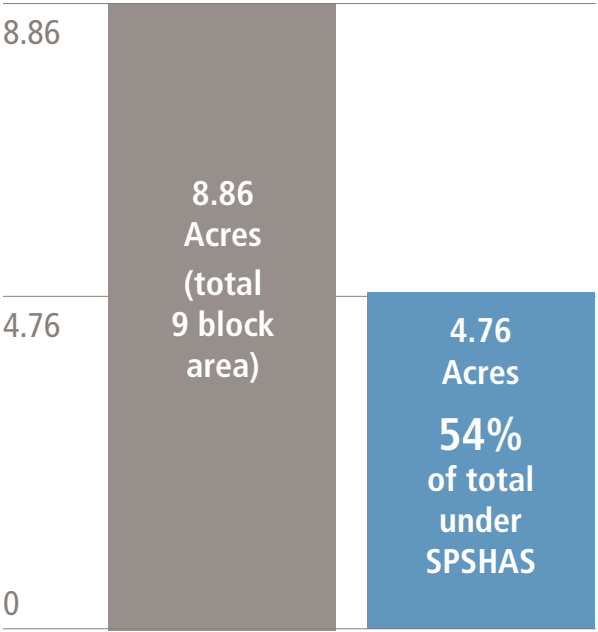
889 +/- Total
Units Estimated for
9 Block SPSHAS

Source: South Patrick Street
Housing Affordability Strategy,
Page 12

750 Total Units
proposed:
Heritage Blocks
1, 2, 4

Source: DSUP2020-10032
Site Plan, Page 1

Acreage totals: 9 Block Area Plan
vs Heritage Proposal



Site Acreage for
9 Block South
Patrick Street
Housing Plan

Source: SPSHAS,
Page 31

Site Acreage for:
Heritage Blocks
1, 2, 4

Source: DSUP2020-10032
Site Plan
Page 1

HERITAGE DEVELOPMENT UNIT TYPES

FAR TABULATIONS

	FAR	DENSITY	UNITS
SUP RMF	3.00	621,474.00	744
BY RIGHT RMF	0.75	155,368.50	193
RMF BONUS (3.0 – 0.75)	2.25	466,105.50	551
AFFORDABLE 1/3 OF RMF BONUS	0.75	155,368.50	193
SEC 7-700 BONUS	0.03	5,260.00	6
AFFORDABLE 1/3 OF 7-700 BONUS	0.01	1,753.33	2
TOTAL PROPOSED	3.03	622,853.00	750
TOTAL AFFORDABLE BONUS	0.76	155,828.17	195
TOTAL MARKET	2.27	467,024.83	555

* MARKET AND AFFORDABLE UNIT COUNT
AND TYPE MAY CHANGE SUBJECT TO
HUD AND FAIR HOUSING
REQUIREMENTS.

Source: DSUP2020-10032 Site Plan, Page 1

Per ZONING ORDINANCE NO. 5165:

The Strategy Objective
is to **preserve 140**
affordable units.

UNIT TYPES

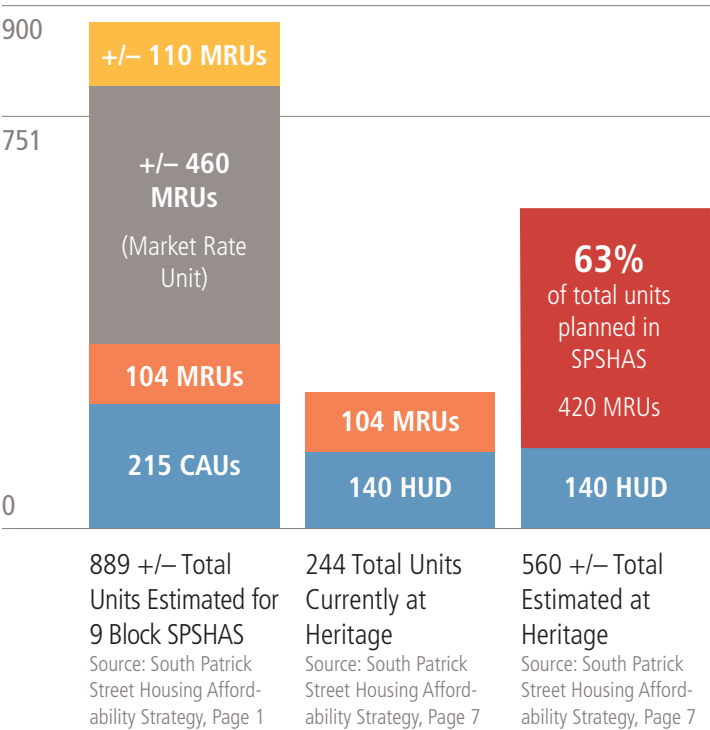
Total Units: 750

Affordable Units: 195

Market Rate Units: 555

HERITAGE DEVELOPMENT PER SOUTH PATRICK STREET HOUSING AFFORDABILITY STRATEGY

Units: Per Table 1:
Development Summary Table

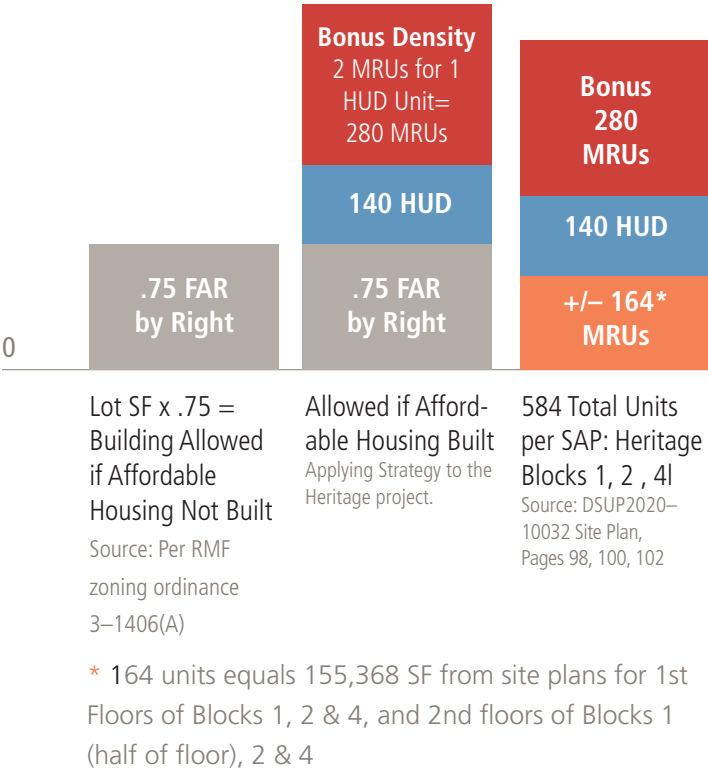


Heritage Development

Per Ordinance 5165:
South Patrick Street Housing Affordability Strategy

OBJECTIVE: Preserve 140 HUD units and
comply with Strategy Recommendations

HERITAGE DEVELOPMENT PER SOUTH PATRICK STREET HOUSING AFFORDABILITY ZONING ORDINANCE



Heritage Development

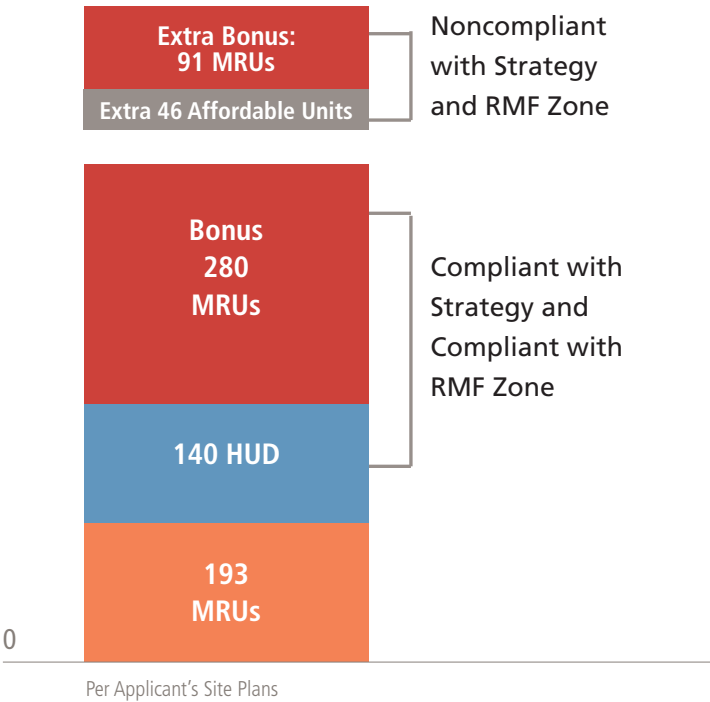
Per Zoning Ordinance 3-1400:
Residential MultiFamily (RMF) Zone

3-1401 Purpose: The RMF zone is established to provide land areas for multifamily residential development and to enhance or preserve longterm affordability of housing.

3-1407—Height. The maximum permitted of buildings shall be the height as depicted in the governing small area plan.

HERITAGE DEVELOPMENT PER APPLICANT

Height of +/- 80 ft does not comply with RMF Zone Limit or Strategy Limit



PER APPLICANT

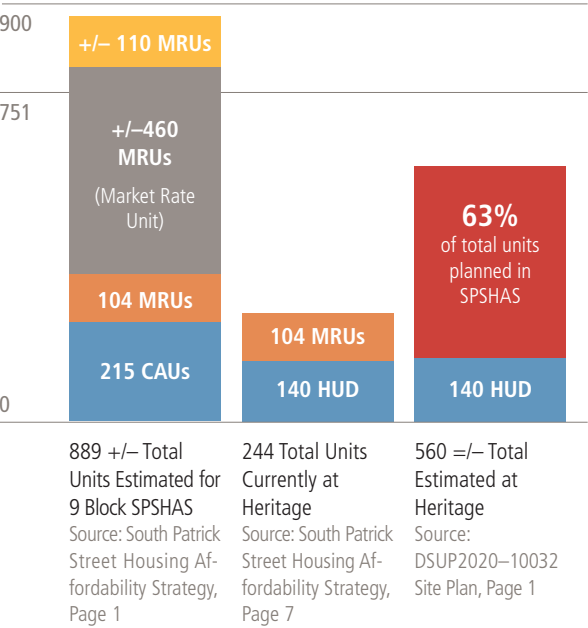
Increase of 46 affordable units with 91 extra bonus density units **does not** comply with RMF Zone. RMF Zone is to **preserve** affordable units.

HERITAGE DEVELOPMENT PER SOUTH PATRICK STREET HOUSING AFFORDABILITY SUMMARY

Per Zoning Ordinance 5165:
South Patrick Street Housing Affordability Strategy

OBJECTIVE: Preserve 140 HUD units and comply with Strategy Recommendations

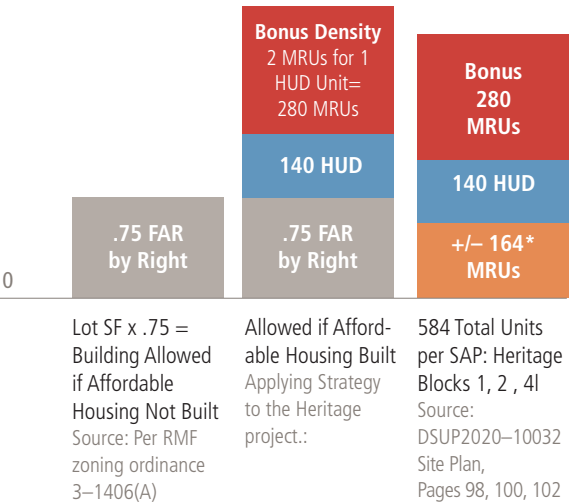
HEIGHT: Per Table 1:
Maximum height 45ft – 55ft



Per Zoning Ordinance 3-1400:
Residential MultiFamily (RMF) Zone

3-1401 PURPOSE: The RMF zone is established to provide land areas for multifamily residential development and to enhance or preserve longterm affordability of housing.

3-1407 – HEIGHT. The maximum permitted of buildings shall be the height as depicted in the governing small area plan.

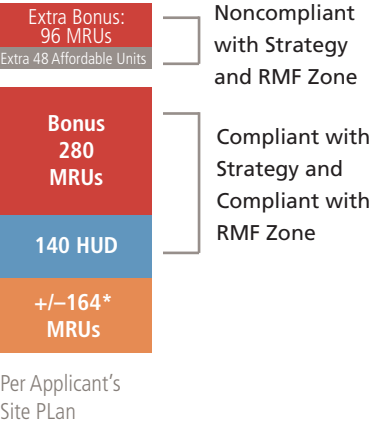


Per Applicant

Increase of 46 affordable units with 91 extra bonus density units does not comply with RMF Zone.

- RMF Zone is to preserve affordable units.
- Strategy objective is to preserve 140 HUD Units

HEIGHT of +/-80 feet site plans exhibit noncompliance with RMF zone ordinance and Strategy ordinance.



ADJACENT OWNER INFORMATION
(BY CITY OF ALEXANDRIA DATA, 3/17/2018)

1. QUBI TOWN WEST PROPERTIES LLC 807 WOLFE ST. ALEXANDRIA, VA 22314 ZONING: RM USE: MULTIPLE-RESIDENTIAL	4. KIM HOMEOWNERS ASSOCIATION 325 S. COLUMBIA ST. ALEXANDRIA, VA 22314 ZONING: RM USE: VACANT LAND COM AREA	7. BLUE TOWN WEST TOWN HOUSE ASSOC INC. PO BOX 100 ALEXANDRIA, VA 22315-0283 TEL: 571-453-1000 ZONING: RM USE: VACANT LAND COM AREA
5. TEN HOMEOWNERS ASSOCIATION 1776 WOLFE AVE S. COLUMBIA ST. ALEXANDRIA, VA 22314 TEL: 571-453-1000	6. BOYER EQUIPMENT CO INC 500 N. SHAW ST. ALEXANDRIA, VA 22314 TEL: 571-453-1000	8. OLD TOWN STATION GROUPS ASSOCIATION 200 N. SHAW ST. ALEXANDRIA, VA 22314 TEL: 571-453-1000

APPROVED
SPECIAL USE PERMIT NO. _____
(APPROVED BY PLANNING & ZONING)

DATE: _____

APPROVED BY: _____

PARKING REQUIRED	696 Spaces (min) 937 Spaces (max)
MARKET RATE	Bedrooms = 690 Ratio: $1.0 - (1.0 \times (0.10^* + 0.05^{**})) = 0.85$ per bedroom Spaces=587 Excluding walkability credit = 656
AFFORDABLE AT 40%	Units = 193 Ratio: $0.65 - (0.65 \times (0.10^* + 0.05^{**})) = 0.5525$ per unit Spaces = 107 Excluding walkability credit = 120
AFFORDABLE AT 60%	Units=2 Ratio: $0.75 - (0.75 \times (0.10^* + 0.05^{**})) = 0.6375$ per unit Spaces=2 Excluding walkability credit = 2

NOTE: Applicant does not qualify for a
walkscore credit per Walkability Worksheet

39

HERITAGE WALKABILITY DISTANCE CREDITS, PART 2

Project Name: Heritage

Address: 450 S Patrick Street

DSUP/SUP #: DSUP2020-10032

DOCUMENT PROVIDED BY APPLICANT. REVIEW NOTES BOXED IN RED IN FAR RIGHTHAND COLUMN AND POINT ADJUSTMENT SUMMARY ON BOTTOM OF PAGE:

Per city code, only max points for each category are used so point reductions are listed below.

Category	Use or Service Type	0.25 mile or less	0.25 - 0.5 mile	Score	Details (business name, address, etc.)	Max Points	Total Points
Food Retail	Supermarket or grocery with produce section (min 5,000 gross sf)	15	5	5	Balducci's	15	5
Community-serving retail	Convenience Store	7	3	7	Speedway	20	21
	Farmers Market (min. 9 months per year)	5					
	Hardware Store	5					
	Pharmacy	5		5	CVS		
	Other Retail	3		9	Bloom Fresh Flowers, Global Bridal, West Marine		
Services	Bank (not ATM)	5		5	Capital One	20	25
	Family entertainment venue (e.g. theater, sports)	5		5	Little Theater of Alexandria		
	Gym, health club, exercise studio	5		5	Barre3		
	Hair care	5		5	Claude Marcel Salon		
	Laundry, dry cleaner	5		5	Aurora Hills		
	Restaurant, café, diner (excluding those with only drive-thru only service)	5	5				
Civic and community facilities	Adult or senior care (licensed)	3				35	36
	Child care (licensed)	3		3	Tinyville Academy		
	Cultural arts facility (museum, performing arts)	5					
	Education facility (e.g. K-12 school)	10	5	10	Lyles Crouch		
	Education facility (e.g. university, adult education center, vocational school, community college)	5		5	The Campagna Center		
	Government office that serves public on-site	3					
	Medical clinic or office that treats patients	3		3	Inova Primary Care Old Town		
	Place of worship	5		5	Alfred Street Baptist		
	Police or fire station	3					
	Post Office	5					
	Public library	5					
	Public park	10	5	10	Wilkes St Park		
	Community recreation center	3					
	Social services center	3					
Community anchor uses	Business office (100 or more FTE)	10	5	10	Alexandria Gateway	10	10
Total						100	90

80-89 points = 5% credit
90-100 points = 10% credit

POINT ADJUSTMENT SUMMARY:

Total per applicant: 90

ADJ: Community serving retail pt overage -1

ADJ: Services pt. overage -5

ADJ: Civic & community facilities pt overage -5

Revised total points: 79

79 points = not between 80 - 100 points so does not qualify for parking reduction

Required Documentation

The applicant shall provide a scaled area plan or map showing the location of the project site, applicable building entrance(s), each identified contributing use, and the walking routes as well as distance to each identified use.

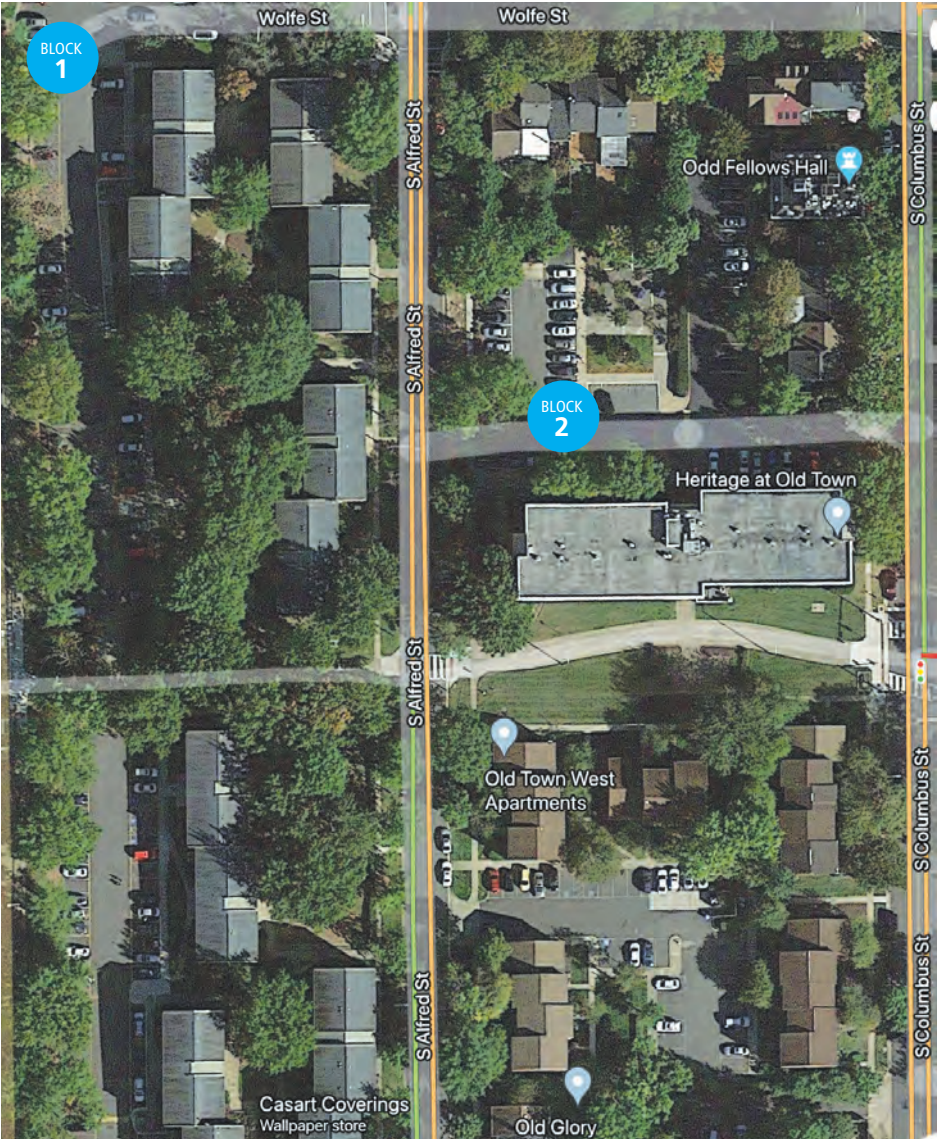
Per the Walking Distance definition, **qualifying uses are based on walking distance (i.e. walkshed) and not a radius.**

Source: Parking Standards for Multi-Family Residential Development Projects Guiding Document Page | 12 GUIDING DOCUMENT February 24, 2016

Source: Applicant's Support for Heritage Project Parking Reduction.

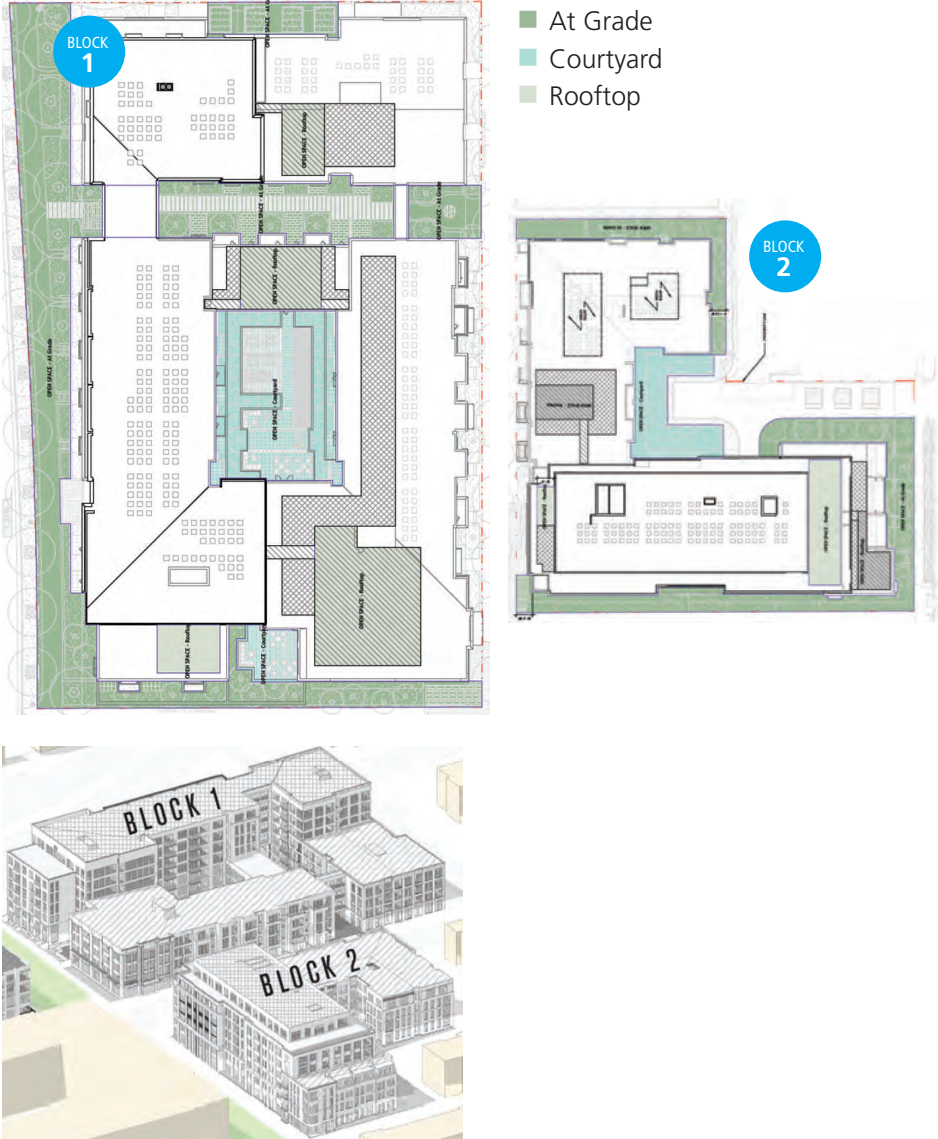
HERITAGE DEVELOPMENT: BLOCKS 1 AND 2 OPEN SPACE

Current Open Space



Source: Google Maps

Proposed Open Space Plan



Source: Developer Application Materials

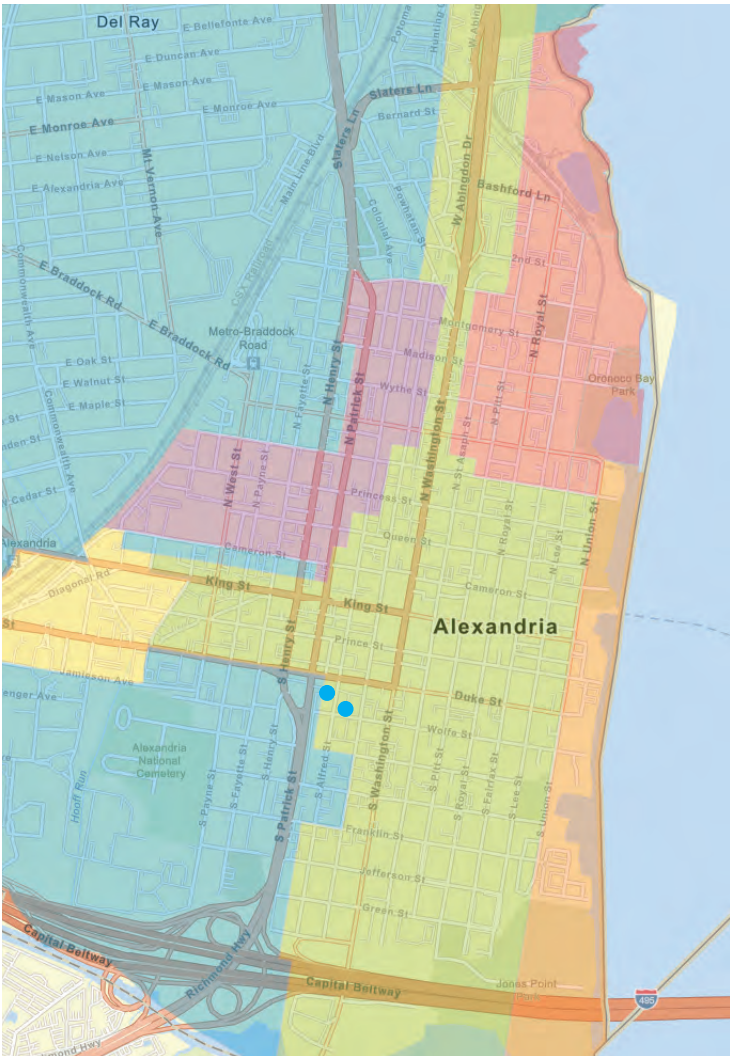
BUILDING HEIGHT

HEIGHT

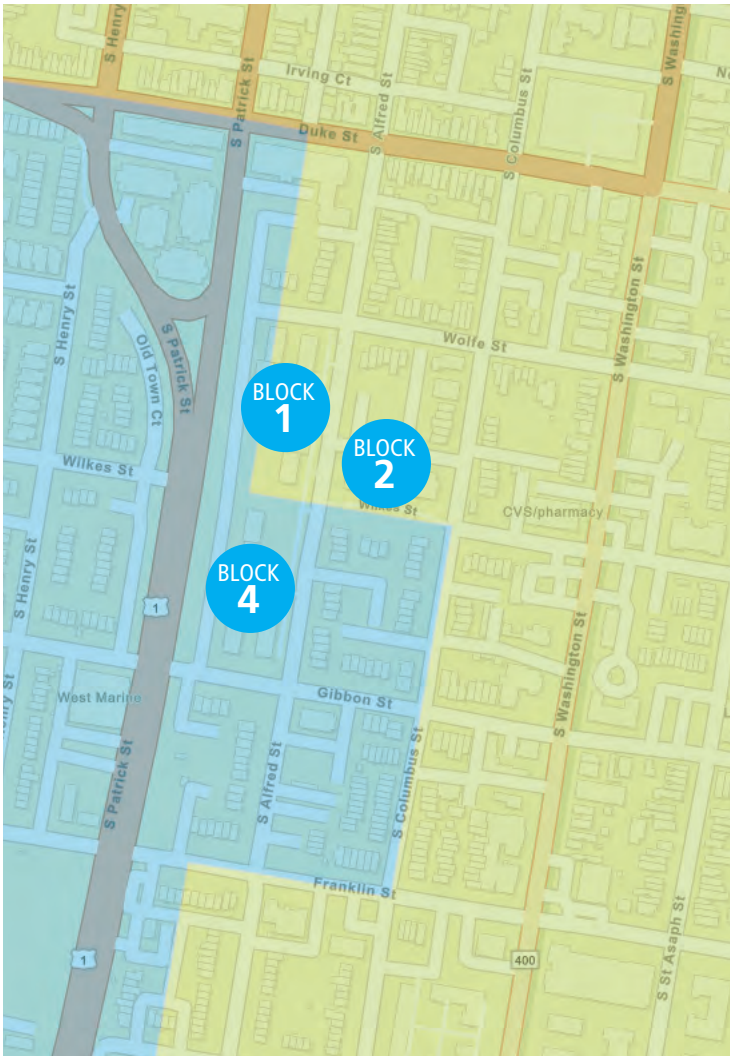


HERITAGE DEVELOPMENT: BLOCK 2 BUILDING HEIGHT

Alexandria Virginia City Height District Map
No.1 Old and Historic Alexandria Height District



Source: City of Alexandria GIS Open Data Hub

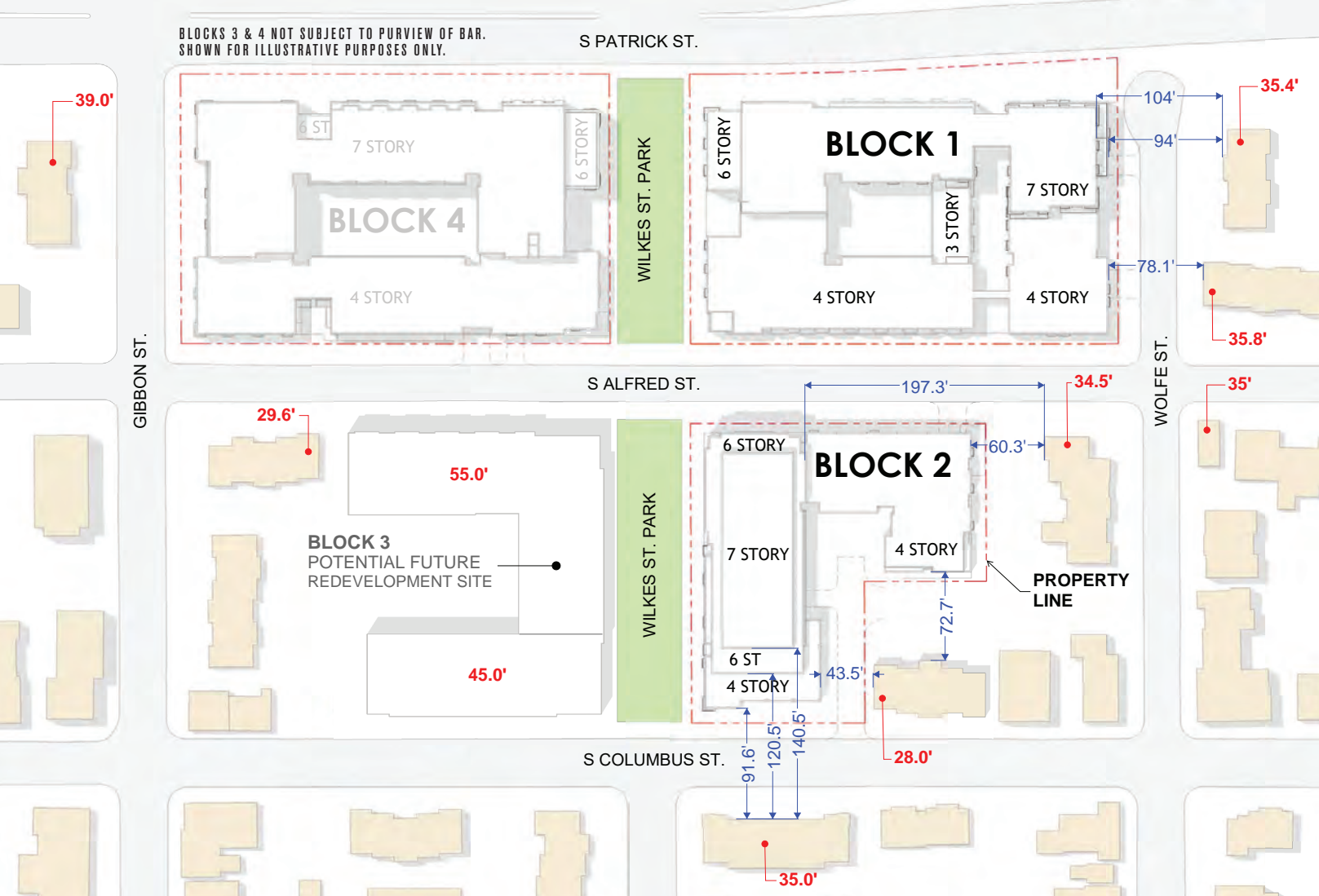


Source: City of Alexandria GIS Open Data Hub

- HD1 = Old and Historic District
- HD1 Height Limit = 50 feet
- Block 2 is in HD1 Height District Map
- Block 2 Height per City Old Town Height Limit is 50 feet

- HD4
- HD6
- HD1 50 ft / OAHD
- HD2
- HD3
- HD5

HERITAGE DEVELOPMENT: OAHG HEIGHT LIMIT 50 FEET



THE BLOCK 2 PROPOSED BUILDING HEIGHT LIMIT

Table 1: Development Summary Table

SITE				EXISTING CONDITIONS			RECOMMENDED DEVELOPMENT		
BLOCK	SITE (1)	ADDRESS	PARCEL SIZE (2)	EXISTING ZONE	EXISTING BUILDING HEIGHT LIMIT	EXISTING LAND USE	RECOMMENDED FLOOR AREA RATIO (FAR) (3)(5)	RECOMMENDED BUILDING HEIGHT LIMIT (4)(5)	RECOMMENDED LAND USE
			SF		FT			FT	
2	The Heritage at Old Town	431 S Columbus	48,243	RC	62'	Residential	3.0	45'-55'	Predominantly Residential

Should be 45 feet per Strategy and 50 feet to comply with Height District Map



The Block 2 proposed building **DOES NOT** comply with 12-102 (B) Reconstruction. The new building must comply with the 50 FT Old Town Building Height Limit.

The Block 2 existing building height of 62 feet is noncomplying within the historic district 50 foot height limit.

This proposed increase to 77-78 feet from 62 feet non complying height violates Zoning Ordinance Section 12-102 (B). Per City Zoning Ordinance Section 12-102 (B) which states: "12-102 (B) Reconstruction. If a noncomplying structure is destroyed, demolished or otherwise removed, it may be reconstructed provided that there is no increase in the floor area ratio, density, height or degree of noncompliance which existed prior to such destruction."



Per the City Code Section 1-400 B-4 states:

“In the case of a conflict among various zone requirements, such as density, lot size, height and floor area ratio, permitted development shall comply with the most restrictive of such requirements.”

ARCHITECTURAL CHARACTER

SCALE



SOUTH PATRICK STREET HOUSING AFFORDABILITY STRATEGY ARCHITECTURE CONCEPT
vs PROPOSED HERITAGE DEVELOPMENT PLANS

Concepts Presented in the Adopted South Patrick Street
Housing Affordability Strategy

BAR message on architectural style: “Singular buildings in the latest architectural vocabulary are generally discouraged. It is not the intention of the Board to dilute design creativity in residential buildings”

Source: BAR 2020–00196 (D) Staff Report, Page 24



Source: South Patrick Street Housing Affordability Strategy , page 16



Source: South Patrick Street Housing Affordability Strategy , page 24

Current Concepts Presented to Planning and
Zoning by Asland Capital Partners LLC



HERITAGE DEVELOPMENT PLANS: BLOCK 1

OLD & HISTORIC DISTRICT BLOCK.

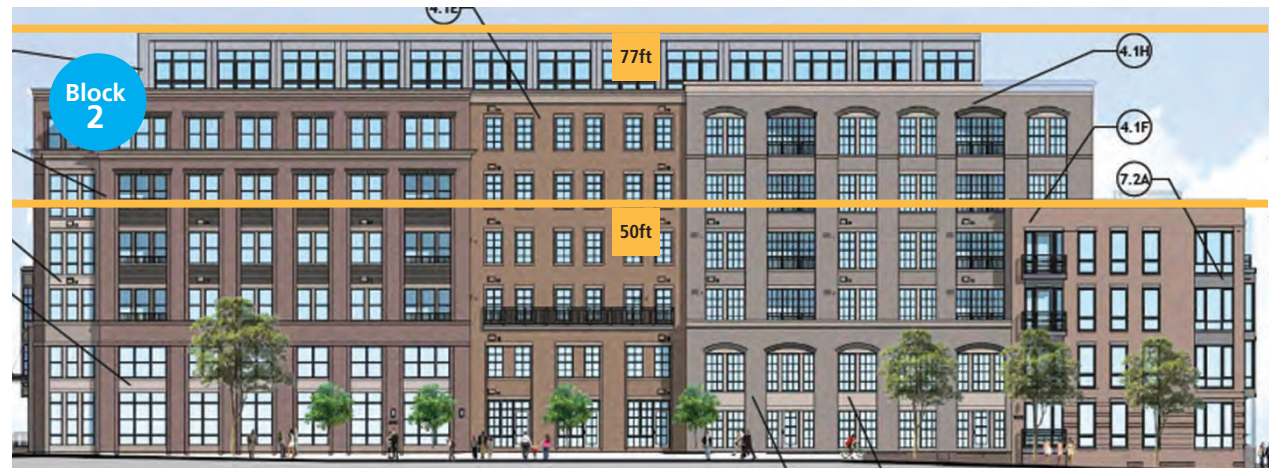
- Not compatible with existing neighborhood character.
- Building height, mass & scale is dominating the neighborhood of 2–3 story townhouses.



HERITAGE DEVELOPMENT PLANS: BLOCK 2

OLD & HISTORIC DISTRICT HEIGHT LIMIT IS 50 FEET NOT 80 FEET.

- Not compatible with existing neighborhood character.
- Building height, mass & scale is dominating the neighborhood of 2–3 story townhouses.



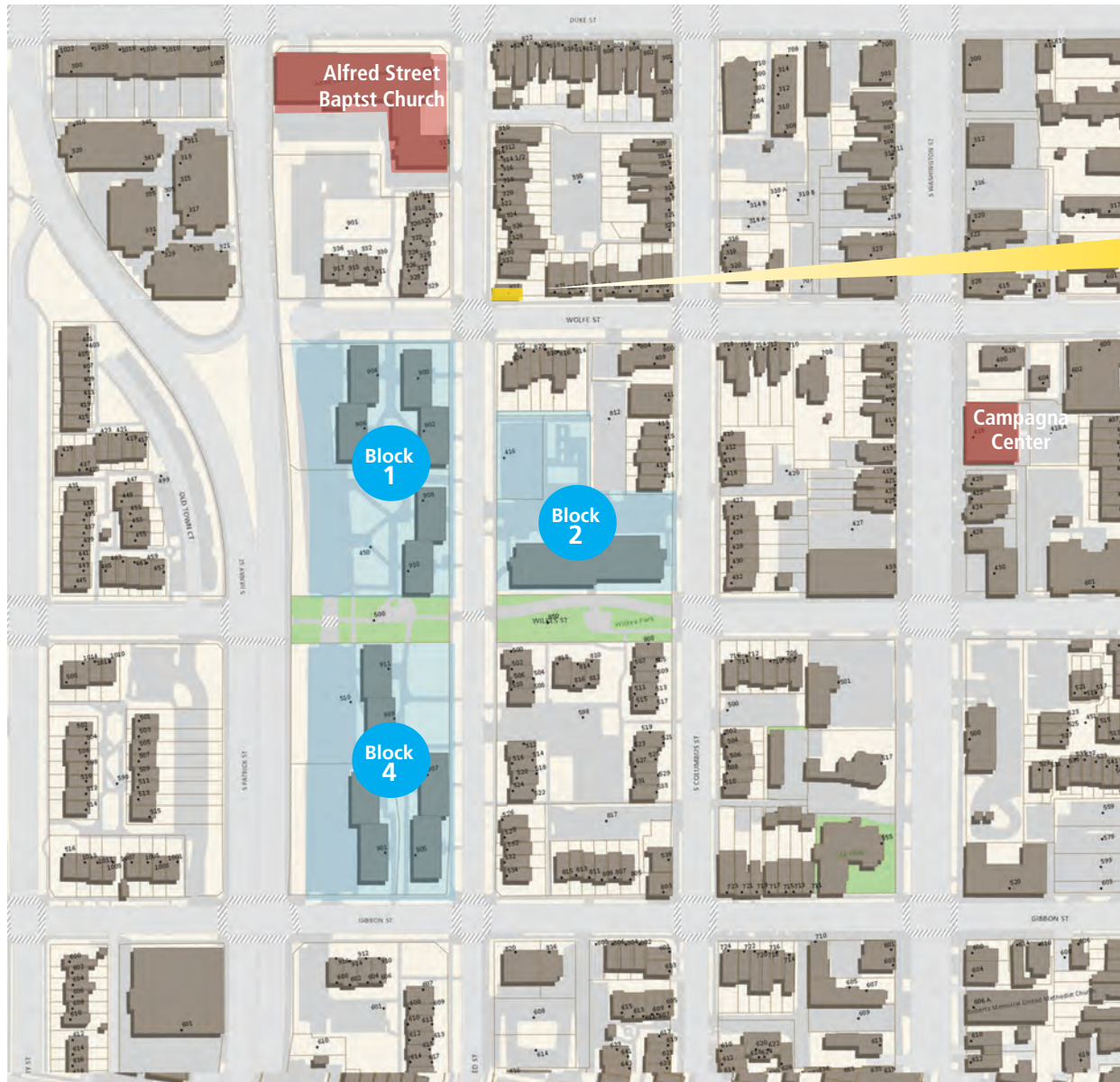
Source: Developer Application Materials

HERITAGE DEVELOPMENT PLANS: BLOCK 4

- Building height, mass & scale is dominating the neighborhood of 2–3 story townhouses.
- Not compatible with existing neighborhood character.



THE HERITAGE DOMINATES AND IS INCOMPATIBLE WITH NEIGHBORHOOD



- The Heritage Project building mass, scale and +/- 80 feet height dominates and is incompatible with the existing neighborhood.
- The Heritage Project combined site is larger than 3 football fields.
Total Lot: 207,158 SF
Football field: 57,600 SF
- Noncompliant with Ordinance 5165 recommendations 3.1, Table 1, Notes 4 & 5 regarding maximum height and ensuring that the building scale is compatible with the neighborhood.

OLD & HISTORIC DISTRICT TOWNHOUSES ON BLOCK 2
AND WITHIN ONE BLOCK OF THE HERITAGE PROJECT



INCOMPATIBLE
WITH
ALEXANDRIA'S
OLD AND
HISTORIC
DISTRICT



Heritage Block 1 OAHD

Hord | Coplan | Macht
Projects



Heritage Block 2 OAHD



Heritage Block 2 OAHD



Old Town North



Baltimore



National Harbor



Colorado



Arlington



Rockville

EXAMPLE OF DEVELOPMENT COMPATIBLE WITH THE NEIGHBORHOOD

Sunrise Project
400 North Washington Street
Old Town—Northwest Quadrant



EXAMPLE OF DEVELOPMENT COMPATIBLE WITH THE NEIGHBORHOOD

Abingdon Row Project
1023 North Royal Street
Old Town—Northeast Quadrant



TO: BAR/Board of Architectural Review

HEARING DATE: October 6, 2021

FROM: Cecily Crandall

DOCKET ITEM #6 - BAR #2021-00341 OHAD

(Request for New Construction at 431 S. Columbus S., 416 S. Alfred St., 900 Wolfe St. and 450 South Patrick St.)

I respectfully ask that the Board of Architectural Review (BAR) members DENY the applicants' request for a Certificate of Appropriateness on the basis that the height, scale, mass, and general architectural design, form, style and structure of the Heritage re-development still does not comply with the S. Patrick Street Housing Affordability Strategy nor with the BAR Old & Historic Alexandria District (OHAD) Guidelines and standards.

Throughout the planning process for the Heritage, residents have operated in good faith and within the confines of established procedures. It has been disheartening and disturbing to realize that the other players in this project have not. From the beginning, during the 2018 community meetings and charrettes, we were presented a project that is nothing like the behemoth being reviewed by the BAR on October 6. I personally asked on two (2) separate occasions for staff to clarify information they had verbally and visually (drawings) presented, that this project/buildings would be no more than three (3) stories in height on the S. Alfred St. side and four (4) stories high on the S. Patrick St. side of the building(s). Staff adamantly confirmed that the buildings would be no more than 3-4 stories and that they COULD NOT be more than that because they were in the OHAD which did not allow them to be taller. I took city staff at their word. However, as soon as the community presentation portion ended and City Council voted in September 2018 on the aforementioned plan and unbeknownst to residents, council voted to change the area zoning and allow for much taller buildings (5-7 stories) and bonus density to accommodate this project. At the February 2021 Planning Commission hearing where residents brought the height change matter to the board's attention, it fell on deaf ears. In fact, Commissioner Brown acknowledged that the issue was confusing and stated that he could see why residents probably felt like the City did a "Bait & Switch" with the 2018 presentations and the current height of the Heritage, but then followed up with a "Let's do better next time" and voted to pass a glaringly misrepresented plan. It was insulting to residents and outrageous and procedurally improper, but sadly indicative of how this entire project has been handled.

At the July 29, 2021 BAR hearing, the applicant requested, after over a year of reviews w/staff and BAR members in which few of the recommended changes were made, a deferral instead of a vote for approval. It appeared that at least a few members of the board wanted to deny the Certificate of Appropriateness (and the deferral), as many believe would have been the appropriate judgment. However, the applicant was given more time to make changes to the plans after stating that they now wanted to work with the city, neighbors and finally respect and follow to the OHAD Guidelines. Once again, few changes were made and the residents feel duped. The changes made, while a first step, are minimal and still not in keeping w/the S.

Patrick St. plan nor the OHAD Guidelines. We understand that the applicant is asking, this time, for approval of the Certificate of Appropriateness from the BAR despite only minor changes to things like the windows and gables. We do not feel that they have made a deserving effort to adhere to the rules and regulations that are in place and that every property owner must follow.

It must be addressed that both the Mayor and BAR members have publicly stated that the Heritage project is "not even in the Historic District". If there is any confusion as to what/where the OHAD boundaries are located, as to whether the S. Patrick Street Housing Affordability plan and the Heritage phase I buildings are within those boundaries (and we are aware that part of the building is not, but the overall project is within in the OHAD and all buildings are in/border on the boundaries) then the process of approving this project must immediately cease until the matter is accurately and legally defined. Additionally, any and all city and board staff and public officials must then be properly schooled on the correct definitions. This information must also be made public so that members of the community are not confused or misled in any way. To not have the OHAD boundaries and the Heritage project's location therein universally understood prior to any discussion or voting, is wrong.

It seems that the powers that be do not care about preserving the rich architectural history of our town. It appears that the carefully crafted guidelines of the OHAD or its purpose are not respected. Residents have experienced that the applicant felt there was no need to work with or receive input from the existing/surrounding neighbors (Our understanding is that other developers for projects like the Sunrise/N. Washington St. took the time to meet with neighbors, get their input and actually apply it the proposed project in an effort to be a good neighbor). How can we, the actual stewards of this lovely and special neighborhood, have our voices heard? We strongly feel that we have been dismissed and even demonized by the players involved merely for wanting the rules and regulations to be evenly applied to all property owners in the OHAD and to have new buildings that are appropriate for the neighborhood and that do not diminish its character. The proposed buildings will look ridiculously out of place, will overshadow the homes owned by the regular folks who currently live here and this project will negatively impact and change our little neighborhood and all of Old Town forever.

If this development is approved it will set the precedent for all future developments in Old Town and will be the single most significant project ever developed and ***the defining action/vote by the BAR/City of Alexandria, et al.***

To conclude, I ask the BAR committee members to weigh heavily the serious and numerous shortcomings of this project and to vote to DENY the Certificate of Appropriateness.

Thank you for your consideration.

Sincerely,
Cecily Crandall

From: [Geri Baldwin](#)
To: [Lia Niebauer](#)
Cc: [M. Catharine Puskar](#); [Melodie Seau](#)
Subject: Re: The Certificate of Appropriateness Application For The Heritage At Old Town
Date: Wednesday, October 6, 2021 4:32:20 PM

Geri Baldwin
431 South Columbus Street
Alexandria, Virginia 22314
October 6, 2021
571-274-9825

Lia Niebauer
Board of Architectural Review (BAR)

Re:The Certificate Of Appropriateness Application For The Heritage At Old Town...

I Geraldine Baldwin a resident of the Heritage At Old Town for many years and I really enjoy the beauty of our city of Alexandria., with all the many historical sites and its beauty throughout the city...

Yet! I am one believe in change and this is where I am voicing my voice for as one think about it most of all most Historical Sites are within the city of Alexandria, Virginia and that the Heritage At Old Town is really not right in the middle of our city...

The property of the Heritage At Old Town is like at a boarder line/outer side of Alexandria, not in the middle., Yet! of course is part of our city.
and is a site whereas one see as one enter from the South Side of the Beltway of Rout One of Alexandria, Virginia...

I believe the redevelopment of the Heritage At Old Town would be an enhancement to our city not alone as homes for many in need that'll be affordable for many.

I do understand as to many with this process of this redevelopment is like a matter of a sense out of one own comfort zone...
As to all the town home owner's with this site of the building might or may have one feel or think like if their home is like a shoe box of some sort.,
Yet!! I believe it will enhance the site of our community as to the same as when and whereas the new town homes was built along the 400 block of South Columbus Street., and many not like that it that point and time and But! now its site is part of our community and its beauty of three storage town homes...

I hope all and many of this Board will or would sit their difference aside and look at a view that would be brighter as to the Heritage At Old Town Property is not in the center of Old Town Alexandria, Virginia.

One and most thing that I like to express is that many of us the residents of the Heritage At Old Town is and in support of this redevelopment of the property and with that said I do share my concern for the safety of all and our near by neighbors when it come to the constructions of on the property far as lighting when dark and what type of fence of height will be surrounding the area for the safety of our residents of Alexandria, Virginia...

Sincerely,

Geri Baldwin

Resident of Heritage At Old Town

Activist and Member of Landlord Tenant Relations Board...

CC.

Catharine Puskar., Esq. For Property

Melodie Seau., Chief Division of Alexandria Housing
Landlord Tenant Relations/Board