

EXHIBIT NO. 1

14E15
4-21-01

Docket Item #
BAR CASE #2001-01 and #2001-02

ISSUE: Appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, the capsulation of the rear (east) wall of 104 South Union Street and the construction of a rear addition.

APPELLANT: Old Town Civic Association, by J.W. Wilbor

LOCATION: 101 Wales Alley

ZONE: CD/Commercial downtown

Summary

This case concerns the proposed construction of a structure at the southeast corner of the block bordered by King Street, South Union Street, the Strand, and Wales Alley. It involves two approvals by the Board of Architectural Review, Old and Historic Alexandria District:

- (1) the capsulation of the rear (east) wall and the removal of a dormer at 104 South Union Street; and
- (2) the construction of an addition at the rear of that building.

The block now contains two buildings, the former Seaport Inn restaurant building at 102 South Union Street and the adjacent Virginia Shop building at 104 South Union Street, which are extremely important to the Historic District. Because the open area behind 104 South Union Street had historically been occupied by part of a large warehouse building, and because the proposed new structure respects the historic nature of the existing buildings and the site, the Board approved the construction of a new office building to be located behind 104 South Union Street, and to bear the address: 101 Wales Alley.

Basis of Appeal

Appellant, the Old Town Civic Association, by Jonathan Wilbor, states the following as the basis of its appeal: "The approved architecture for new construction at 101 Wales Alley is incompatible with the exceptionally historic building known as the "Seaport Inn" and the "Virginia Shop," against which this proposal is to be constructed." The appeal is accompanied by a petition signed by some 65 residents.

Procedural History

In addition to BAR approval, the new building requires and has received approval from the Planning Commission and City Council for a special use permit for an increase in height and density.¹ The proposed new building has received each of the required approvals several times in the past; additional approvals were required because the applicant allowed its approvals to lapse and sought to have the original approval extended or reapproved. The project has received the following approvals:

Planning Commission	SUP #96-0184	March 4, 1997
City Council	SUP #96-0184	March 15, 1997
BAR	Case #96-0271, #97-0072	April 15, 1997
Planning Commission	DSUP #98-0014	October 6, 1998 (extension)
City Council	DSUP #98- 0014	October 17, 1998 (extension)
BAR	Case #99-0178, #0179	November17,1999(reapproval)
Planning Commission	DSUP #2000-0006	April 4, 2000 (extension)
City Council	DSUP #2000-0006	April 15, 2000 (extension)
Planning Commission	DSUP #2000-0052	January 2, 2001 (reapproval)
Council approval	DSUP#2000-0052	January 13, 2001(reapproval)
BAR approval	Case #2001-0002	February 7, 2001 (reapproval)

The proposal has remained essentially the same from the onset.

Historic Importance of the Building and Site

The existing buildings and site are important as examples of early architecture, land use and people in Alexandria. According to Ethelyn Cox in Alexandria Street by Street, the original warehouse building at this location was constructed ca. 1787 and was owned by Col. John Fitzgerald, an important Revolutionary War figure. The warehouse was obviously in existence by 1797 because there was an advertisement for the property in January 1798: "Sail-Loft. The subscriber thinks it proper to inform the public, that he has moved his sail-loft, over the warehouse belonging to Colonel Fitzgerald; south east corner of King and Union Street...Daniel M'Dougall. Jan. 18." The Times and Alexandria Advertiser, January 18, 1798. Columbian Mirror and Alexandria Gazette, dated January 18 and published February 8, 1798.

Colonel John Fitzgerald

John Fitzgerald emigrated from Ireland. During the Revolution he was a Colonel and aide de camp to Washington and reportedly saved Washington's life at the battle of Princeton. After the

¹ The proposed building required an increase in floor area ratio from 1.5 to 2.5 and an increase in height from 30 feet to 38 feet. The standards for the increase in height and density, as part of the SUP process, are discussed in Exhibit 1, the staff report from SUP #96-0184, the original application to the Planning Commission and Council. Council has approved and reapproved the SUP as meeting those criteria.

Revolution he served as mayor of Alexandria in 1787 and collector of the port in 1798. He was an active Roman Catholic who was largely responsible for the establishment of St. Mary's Roman Catholic Church in what is now the 1000 block of South Washington Street and instrumental in establishing St. Mary's as the first Roman Catholic parish in Virginia.

The celebrations of the bicentennial of Washington's birth in 1932 brought renewed interest in plaquing places associated with his life. In November 1932 three sycamore trees were planted at St. Mary's Cemetery as a memorial to respectively George Washington, Col. John Fitzgerald and Robert Hooe, Alexandria's first elected mayor. A month later in December 1932, also at St. Mary's Cemetery, a bronze plaque set into a stone taken from the Potomac Canal was dedicated to honor John Fitzgerald. The canal stone symbolized the ties between Fitzgerald and Washington who both served as directors of the Potomac Canal Company.

The memorial sycamore trees and the plaque were installed at the western edge of the cemetery abutting the Memorial Parkway so that the "pilgrims" to the Mount Vernon shrine would have a more memorable experience by understanding Washington's Alexandria affiliations. According to contemporary newspaper accounts, approximately 2,000 people attended the dedication service which took place on the newly opened Mount Vernon Memorial Highway.

In 1933, Fitzgerald received additional recognition with a plaque mounted on the north side of the Burke and Herbert bank at King and South Fairfax Streets noting that Fitzgerald's house had once stood on the site. The dedication ceremony included a large number of members of the New Jersey Catholic Historical Society who came to Alexandria aboard a chartered train. Unfortunately, the well intentioned and highly visible plaque to honor Fitzgerald was not placed on the correct site of his home. Fitzgerald's house was not at the corner of King and S. Fairfax Streets, but rather in the 300 block of Duke Street. Fitzgerald did own property at this corner of South Fairfax Street, but it served as his office rather than his residence. The Fitzgerald home on Duke Street was torn down in 1953 to provide additional parking space for the surface parking lot of St. Mary's. Both of the Fitzgerald plaques are extant.

The original warehouse building

A building was originally constructed on the southeast corner of King and South Union Streets in approximately 1785, shortly after the area was filled in and fast land created on what had formerly been Potomac River shoals. The original brick building still stands and is 3 ½ stories in height (three stories plus an attic) with a stone base and regular spacing of the windows on the south and west facades. The original structure was built as a large warehouse and occupied half of the block; it has since been divided for use into two buildings: 102 South Union (Seaport Inn) and 104 South Union (Virginia Shop). An 1805 Mutual Assurance Society policy depicts a "3 story brick warehouse" on this site (Mutual Assurance Society Policy #538, August 16, 1805). The eastern half of the block, the area closest to the Strand, was open.



Figure 1
Three story rear addition to 104 South Union Street as depicted on the 1863 bird's eye view

By 1863, the famous bird's eye view picture clearly shows that additions had been built filling in the remainder of the block. Specifically, there was a three story rear addition behind 104 S. Union Street, in the same location as the building now proposed to be built. The same graphic also shows a similar addition behind the Seaport Inn portion of the original building at 102 South Union Street.

Those additions or ones very similar to them remained through much of the twentieth century as well. A 1921 Sanborn insurance map indicates a two story brick addition behind 104 South Union Street. The insurance map also shows that the original warehouse building at 104 South Union Street and the addition directly abutted each other with access between the two through a doorway on the second floor. The 1921 map indicates that both the front section and the addition were vacant.

A March 25, 1937, photograph clearly shows that the rear addition was two and a half stories in height, constructed of brick with regularly spaced multi-pane wood windows with three dormers running the length of the building on the gable ends which are at ninety degrees to the gable direction of the building fronting on South Union Street. Based upon the style of the addition in the photograph, staff would date it to the early to mid 19th century. This same configuration can be observed in a 1941 aerial photograph looking west on King Street. However, a second World War II era photograph dated 1943 shows the site to have been cleared.



Figure 3
Historic American Buildings Survey
Photograph 1937

Thus, staff concludes that at least a two story addition to the 18th century warehouse at 104 South Union Street existed on the site from ca. 1850 to the period 1941-1943. Staff notes that there is some uncertainty with regard to when the 3 ½ story warehouse shown in the 1863 bird's eye view graphic changed to the 2 ½ story warehouse seen in the 1937 photograph, and the distinction is important in this appeal. Staff has been unable to find any information regarding the change, but hypothesizes that there was a fire which destroyed the top floor of the addition, and the building owner simply roofed over the remaining building and continued the warehouse use. Staff is aware of such circumstances with regard to other buildings in the area.

The Virginia Shop building at 104 South Union Street has also undergone a number of changes since the demolition of the addition in the 1940s. Dormers have been added on both the east and west slopes of the roofs. No dormers are evident in the 1937 photograph. Staff can find no record of approval for their construction. However, when the entire west roof was removed and reconstructed in 1991, the dormers were in such poor condition that they also needed to be reconstructed. On the east (rear) facade of the building, the ghost outlines of the gable form from the 19th century addition is visible. The two windows on this facade are clearly not historic windows. The Palladian shaped window on the third level and the large multi-pane picture window on the second level were likely added to replace the access doorways after the addition was demolished.

Proposed Construction

The proposal that is the subject of this appeal is a small, 5,000 square foot office building to be located behind the Virginia Shop building at 104 South Union Street. The proposed building will fill a small paved area that is now used for parking. It will be connected to the Virginia Shop building and will contain office space with retail uses on the ground floor. The applicant will enhance Wales Alley with landscaping and pedestrian amenities as part of the project.

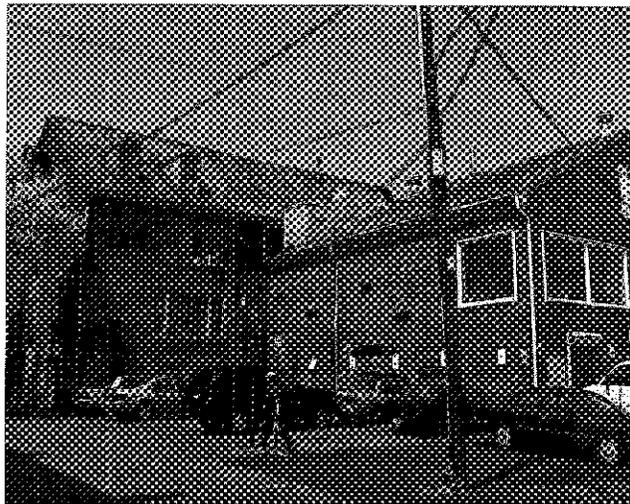


Figure 4
Existing Conditions, 101 Wales Alley

The proposal is for a 3 ½ story (approximately 38' tall), gable roofed masonry structure connected to the existing historic warehouse building by a 16' wide, flat roofed, curtain wall transparent glass

hyphen which is recessed 13' from the south walls of both buildings. Mechanical units will be screened within a rooftop well above the hyphen stairs. The entrance to the offices will be from the hyphen, facing Wales Alley.

The plan for the addition shows deeply recessed punched windows in a thick masonry wall. The ground floor will be rusticated by recessing the face of every sixth brick course. The addition will have a standing seam metal roof and the single light, metal clad windows will be either casement or awning type. The French doors on the second, third and fourth levels will have simple metal railings. The applicant is also proposing a small rooftop terrace with sliding glass doors on the fourth level at the rear, facing the river, similar to the one on the building at the southwest corner of North Saint Asaph and Cameron Streets.

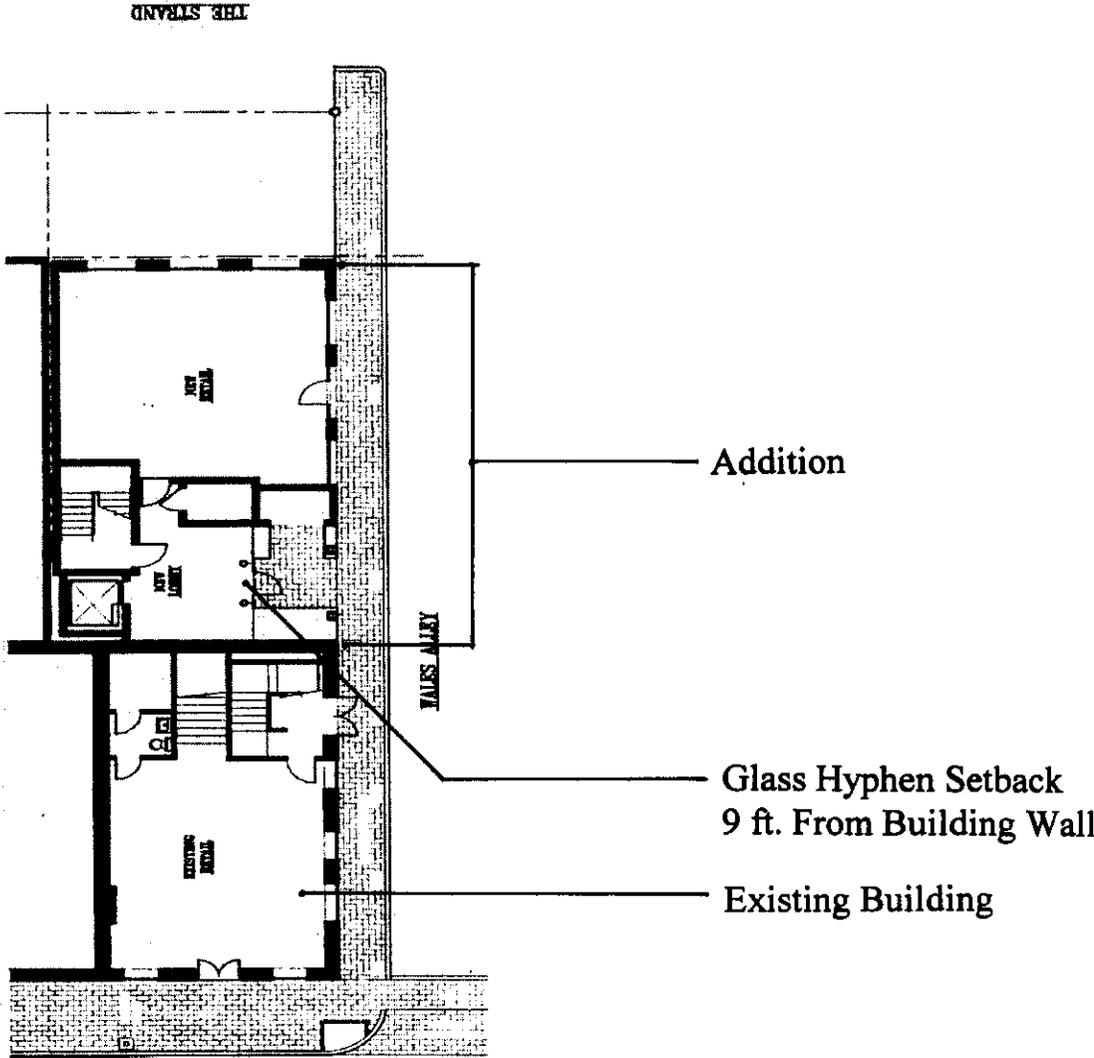


Figure 5
Proposed site plan for 101 Wales Alley
addition as seen from Olsson's Books

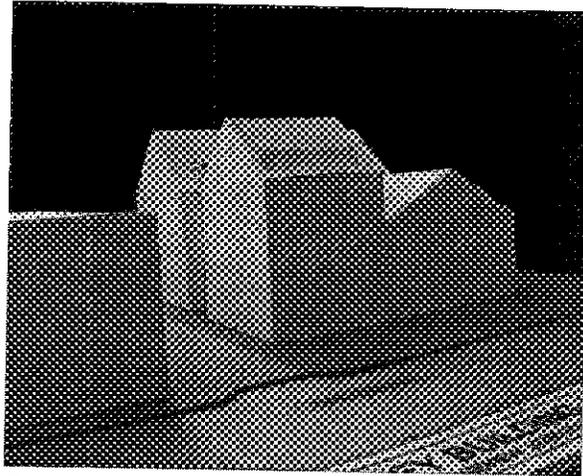


Figure 6
Modelscape view of massing of proposed
addition at rear of 104 South Union Street

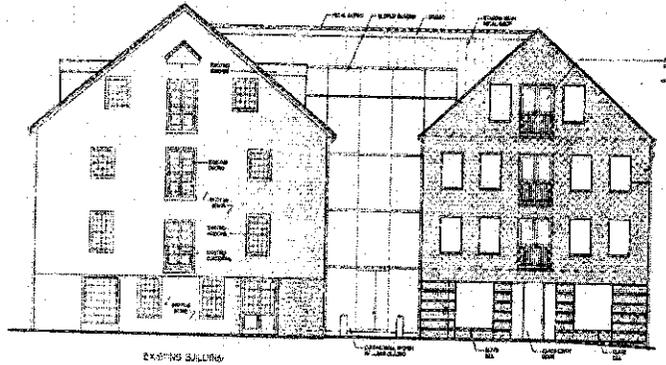


Figure 7
Alley elevation of proposed addition as seen from
Olsson's bookstore

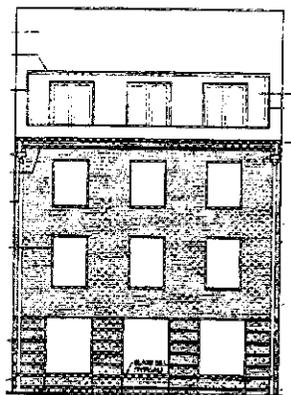


Figure 8
Rear elevation of
proposed addition as
seen from Waterfront
Park

Issues on Appeal

Encapsulation permit

The Board has approved a permit allowing the encapsulation of the rear of the historic structure at 104 S Union. This permit is required because a portion of the 18th century structure will be covered by new construction. The standards by which the Board is to judge a permit to demolish or encapsulate are attached as Exhibit 2. Under this question the Board must find generally that the damage, removal, covering or interference with an important historic structure will not be so great as to harm the district or be detrimental to the public interest. Council must determine whether the Board properly approved this permit.

Certificate of Appropriateness

The Board also approved a certificate of appropriateness finding that the new building proposal met the standards in the zoning ordinance for new construction in the historic district. Those standards are attached as Exhibit 3, and generally ask the Board to consider:

- the height, mass and scale of the project;
- the design details, including windows, materials, and methods of construction;
- the project's impact on its historic setting, including the degree to which new architectural elements are historically appropriate to adjacent existing structures; and
- the effect of the project on the promotion and protection of the historic district, including the district's ability to retain and increase property values, generate business, attract tourists and others to the district, and make the city an attractive place to live.

As part of the certificate of appropriateness, the Board also was required to find that the project met the required considerations for increased height for buildings in the Potomac River Vicinity area of the city. To do so, the Board considered the degree to which the proposed building's form, materials, fenestration pattern and overall style reflects the historic buildings in the district and along the waterfront. The Additional Standards – Potomac River Vicinity are attached as Exhibit 4. Council has already determined that this project meets those standards as part of the SUP and its reapproval on Jan, 2001.

The Board's Decision

The Board found that the proposal meets the requirements for a certificate of appropriateness at this location. The minutes of each of the Board's approvals of this project are attached as Exhibits 5, 6, and 7. From Board member comments at the hearings, it is possible to summarize the rationale for the Board's findings as to the appropriateness of the proposed construction. It is also possible to anticipate the arguments of the appellants. Staff believes the main architectural issues on appeal concern the height of the proposed building and the introduction of modern materials for a portion of the construction.

Summary of Board's decision

The Board as well as all speakers at its hearings have acknowledged the significance of the original warehouse building on South Union Street and its importance to the historic district. The Board has also acknowledged the fact that there had been an addition on the site for most of the original building's existence. With those two points as givens, the bulk of the hearings before the Board have concerned the issue of how best to have the new addition respect and reflect the original main building.

The proposed building uses traditional forms, as seen in the rectangular form of the building and the gable design of the roof. The roof line will be parallel to the line of the existing building. The basic design of the building includes traditional materials; the exterior construction will be of thick walled brick with regular punched windows. The base of the building will reflect the rustication (stone) of the main building by including a pattern in the brick.

The proposal does introduce some modern design elements, such as metal window frames and a roof terrace on the east facade. In addition, the proposed addition is connected to the main, historic building by a glass walled enclosure. Called a hyphen, the connection between the two buildings is to be constructed all of glass, and the Board spent much time at the most recent hearing and at the prior reapproval hearings discussing the details of the glass construction. The Board was successful in working with the applicant to ensure it used a Pilkington system, which is one that allows the glass panes to be attached in an apparently seamless way. Thus, the glass wall becomes as invisible as possible.

The Board believed that glass was appropriate in this location, even though an expanse of glass was not a historic construction feature, for two reasons. First, to the extent the addition covers up a small portion of the original building, the glass covering at that location allows continual visual access to the historic structure. If the connection were of brick, then the historic brick wall of the original building would be covered and lost to the public. Secondly, the Board follows a historic preservation design principle which asks that new construction in the historic district *not* attempt to strictly duplicate historic structures. It is important that new construction reflect the historical form, and be compatible with the historic structure, but not replicate it. Especially when the new construction is an addition to a historic building, there needs to be a means of differentiating the new from the old. The issue is discussed and applied repeatedly in Alexandria by the Board as numerous buildings in the District, including residential buildings, build additions. The Design Guidelines adopted by the Board include the principle, asking applicants to differentiate (not replicate) between historic designs and new construction when additions are built. The concept of differentiation is also part of the Secretary of Interior's Standards for Rehabilitation applied nationally.

Staff's position

Staff has generally supported the proposed addition through its several applications. The addition is a simple, warehouse form masonry structure with contemporary details which clearly distinguish it from the adjacent historic warehouse. Staff had one concern that was not met; it preferred that the height of the hyphen be lowered to be the same as the roof cornice line of the historic building. The Board, however, approved the glass hyphen at a slightly higher height.

Appellant's position

Staff believes, from Jon Wilbor's statements at the Board hearing and from discussions with him, that he has two main disputes with the Board's approval. First, he believes that any addition in the rear of 104 South Union Street should be of similar size and orientation to the addition that was historically there. He has specifically cited the 1937 addition as an example of what he would prefer. From approximately 1850 to 1943, there was a building addition on the same site as the one proposed now. The footprint of the addition proposed now is similar to the one that was there earlier, although the direction of the roof line has changed. As seen in the 1863 bird's eye view picture and the 1937 photograph, the gable roof of the nineteenth century addition ran perpendicular to South Union Street. The current proposal includes a gable roof that runs parallel to the one on the historic building. As to the height of the addition, however, that evidently changed over time. In 1863 the building addition was 3 ½ stories; in 1921 and 1937 it was 2 ½ stories. The proposed building replicates the earlier building, not the later one.

Mr. Wilbor's second point concerns the introduction of the modern, glass walled hyphen. He has stated that he prefers an addition which replicates the original design and does not attempt to distinguish itself from its historic neighbor. If the addition were trying to replicate the original structure, then glass would be inappropriate. However, the Board's decision approving the glass hyphen, is consistent with its approach in favor of differentiation, not replication.

Attachments

- Exhibit 1: SUP #96-0184
- Exhibit 2: Standards for Permit to Demolish
- Exhibit 3: Standards for Certificate of Appropriateness
- Exhibit 4: Additional Standards – Potomac River Vicinity
- Exhibit 5: BAR Minutes, April 15, 1997
- Exhibit 6: BAR Minutes, November 17, 1999 (reapproval)
- Exhibit 7: BAR Minutes, February 7, 2001 (reapproval)

Docket Item #16
SPECIAL USE PERMIT #96-0184
WALES ALLEY SITE

Planning Commission Meeting
March 4, 1997

ISSUE: Consideration of a request for a special use permit for an outlot development, with site plan, for construction of a 5,160 square foot commercial building and request to increase floor area ratio, and increase building height.

APPLICANT: Watauga Properties
by Harry P. Hart, attorney

LOCATION: 101 Wales Alley

ZONE: CD/Commercial Downtown

CITY COUNCIL ACTION, MARCH 15, 1997: Approved the recommendation of the Planning Commission and approved the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

PLANNING COMMISSION ACTION, MARCH 4, 1997: On a motion by Mr. Wagner, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 6 to 1, with Ms. Fossum voting against.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Mr. Cyril Calley, attorney for the applicant.

Mr. Jim Brown, architect.

Mr. Dave Bynum, owner of the Seaport Inn, opposed the application.

Mr. John Wilbar, Old Town Civic Association, opposed the application.

STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. Any inconsistencies between the various drawings submitted by the applicant shall be reconciled to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z)
2. Utility structures, including transformers if required, shall be located within the building to the satisfaction of the Director of Planning and Zoning.
3. Trash and recycling shall be stored within the building only, no dumpsters or trash containers are allowed outside. (P&Z)
4. Temporary structures for construction personnel, as well as sales/marketing signs, shall be permitted, and the period such temporary structures are to remain on site, as well as the size and site design for such structures, including signs, shall be subject to the approval of the Director of Planning and Zoning. (P&Z)
5. The applicant shall be permitted to make minor adjustments to lot lines and/or building foot prints to accommodate the final design of buildings, to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z)
6. The applicant shall provide a landscaping plan to the satisfaction of the Directors of Planning and Zoning and the Recreation and Parks, which may include a fee in lieu of some of the required landscaping, to be utilized for landscaping and pedestrian improvements in the surrounding area (Waterfront Park or pedestrian access between Waterfront Park and King Street). (P&Z)
7. A barrier such as a low screen wall or landscape hedge shall be provided along the north side of the sidewalk between the building and the Strand to screen the adjacent parking lot and to prevent cars from driving over the sidewalk to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z) (T&ES)

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8. Provide curb and gutter (CSCG-1 coping curb) with minimum five foot wide brick walk along the north side of Wales Alley and a minimum of 18 inches along the south side of Wales Alley from South Union Street to the Strand to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (T&ES)(P&Z)
9. Show on the plan what is to be done with the existing overhead telephone and electric wires. (T&ES)
10. Any opening between the proposed building and existing building below the 100-year flood plain elevation (11.0) will require that all buildings be waterproofed. (T&ES)
11. Provide backflow prevention devices on storm and sanitary sewer connections. (T&ES)
12. Show all existing and proposed street and site lights, including mounting heights, type of fixture, with manufacturers specifications and strength of fixture in Lumens. (T&ES)
13. Provide lighting calculations to verify that the lighting meets City standards. (T&ES)
14. Consult with the Crime Prevention Unit of the Alexandria Police Department regarding locking hardware and alarm systems for the building. (Police)
15. Provide adequate lighting to the satisfaction of the Director of Transportation and Environmental Services and the Chief of Police. (Police) (T&ES)
16. The applicant shall attach a copy of the released final development plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the released final development plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (P&Z)
17. Submit building location survey or partial as-built plan for Planning staff approval when applying for certificate of occupancy permit. (P&Z)
18. The applicant shall submit final "as-built" plan for the development prior to applying for certificate of occupancy permit. (P&Z)

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19. The developer shall make a contribution to the City's Housing Trust Fund of \$.50 per gross square foot, payable before the receipt of a certificate of occupancy. (Office of Housing)

Special use permits requested:

1. Special use permit for outlot development.
2. Special use permit for an increase in floor area ratio from 1.5 to 2.5.
3. Special use permit for an increase in building height from 30 feet to 38 feet, to midpoint of the gable.

BACKGROUND

The applicant, Watuga Properties, is requesting approval of a development special use permit, with a site plan to allow a building to be constructed at 104 South Union Street, behind the Virginia Shop building. The applicant's scheme requires special use permit approval for outlot development, an increase in the floor area ratio allowed from 1.5 to 2.5, and an increase in the allowable height from 35 feet to 38 feet to the mid-point of the gable. The 1,531 square foot property is currently vacant and used as parking lot.

The lot is separated from The Strand to the east by a small parking lot. The Old Dominion Boat Club's parking lot and boat ramp are located to the east across the Strand. The City's Waterfront Park is located diagonally across the Strand to the southeast. Olsson's Books and Records occupies the building to the south across Wales Alley and the Seaport Inn occupies the building to the North.

The proposed brick building will be three and one-half stories tall. The applicant proposes to connect the new building and the existing Virginia Shop building with a glass-walled connector between the two buildings. Access between the two buildings will be provided on all floors. The applicant proposes 902 gross square feet of retail on the ground floor and 4,258 gross square feet of office space on the upper floors. A balcony is proposed on the top floor along the eastern facade to provide views to the Potomac River. Pursuant to Section 8-300(B) of the zoning ordinance, the project is exempt from providing parking because the lot has an area less than 10,000 square feet and is in the Central Business District. No parking is proposed.

At its December 4, 1996 meeting, the Board of Architectural Review recommended approved the applicant's concept plan for the proposed building. The Board of Architectural Review staff indicated that it had "no objection to the scale, mass or form of the proposed addition." It was concerned about the height of the glass connector and recommended that it be lowered to below the cornice of the existing building. The Board of Architectural Review approved the connector, directing the applicant to restudy its design and limited the height of the new building to a maximum of 38 feet as measured by the zoning ordinance. It also required the applicant to maintain the height of the cornice at a height lower than the existing building's cornice (31 feet).

**104 SOUTH UNION STREET
OFFICE BUILDING WITH GROUND FLOOR RETAIL
SUMMARY OF PROPOSED DEVELOPMENT**

Property Address: 104 South Union Street
 Total Site Area: 1,531 sq. ft. (0.0351 acres)
 Zone: CD/Commercial Downtown
 Current Use: Vacant lot
 Proposed Use: Office building with ground floor retail

	<u>Permitted/Required</u>	<u>Proposed</u>
Floor Area	1.5 F.A.R. 2,296.5 nsf	
	2.5 F.A.R. w/SUP 3,827.5 nsf	2.5 F.A.R. w/SUP 3,827 nsf
Lot Size	1,531 sf	1,531 sf
Yards:	NA	NA
Height	30' 50' (w/ SUP approval)	38' to midpoint of gable.
Open Space	NA	
Parking	0 (property is located within CDB and has an area less than 10,000 sq.ft.)	0

STAFF ANALYSIS

The applicant has requested several special use permits in order to construct the proposed addition, special use permits for: outlot development, increase in the floor area ratio, and increase in height. Staff has no objections to these requests, which are discussed in more detail below.

Outlot development

The subject lot does not have frontage on a public street, only on Wales Alley (a public alley) and is, therefore, an outlot. A small lot is located between the subject lot and The Strand, which is a private street owned by the Old Dominion Boat Club. Staff has no objection to developing the outlot since the building fronts on Wales Alley.

Increase in Floor Area Ratio

The applicant is requesting a special use permit to increase the floor area ratio above the 1.5 permitted in the CD zone to just 2.5. Staff supports the applicant's request to increase the floor area ratio based on the character of the proposed office building with ground floor retail. The mass of the building is consistent with the character of nearby buildings and the historic character of the area.

Landscaping in Wales Alley

The applicant's proposal included numerous planter boxes and large trees in the Wales Alley. Staff is concerned that the landscaping, as proposed, will not survive due to the limited area allotted and lack of light. However, staff has been discussing alternatives with the applicant, including provision of landscaping along only the north side of the alley, providing adequate room for the landscaping to develop while still maintaining vehicular and pedestrian space. Staff will continue to work with the applicant to develop a viable landscape scheme for the alley. Further, the applicant has agreed to provide a fee in lieu of any required landscaping that cannot be provided within the limited alley space, which will be utilized in the larger area. The Waterfront Committee and Parks Commission will be studying the King Street area within the next year. The fee in lieu could be used to implement a portion of the ultimate plan for waterfront improvements in the area. For example, improvements to Waterfront Park or a pedestrian walkway connecting Waterfront Park to King

SUP 96-0184

Street.

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Increase in Height

This site is located in the Potomac River Vicinity Height District, which allows an increase from 30 feet up to a maximum of 50 feet in height with special use permit approval, if five "standards and guidelines..." relating to architectural character and pedestrian amenities "...to the extent relevant in each individual case..." are met. These standards and guidelines are in addition to those generally applied to buildings in the city's Old and Historic Alexandria District by the Board of Architectural Review. The applicant is requesting an increase to 38 feet (measured by the zoning ordinance to the mid point of a gable). Each of the standards, along with staff's assessment of the applicant's proposal relative to the standards, is discussed below.

- (a) The degree to which imaginative and creative architectural solutions advance recreational access to and enjoyment of the historic waterfront from public streets and other public areas. Buildings should be in harmony with existing buildings of genuine architectural merit, to be found in the historic district.

In staff's opinion, the overall building is in harmony with existing buildings of architectural merit in the surrounding area. The applicant's architect has proposed using glass wall in the connecting section so that rear wall of the Virginia Shop building, which was constructed in the 1780's, remains visible to the public. The Board of Architectural Review staff has no concerns about the overall height or scale of the project.

A major public benefit of the proposed development will be the improvement of Wales Alley, an important connection between the lower King Street area and the Waterfront Park, to make it more pedestrian friendly. By replacing the parking with a building and brick sidewalks, the pedestrian environment will be greatly improved. In addition, the applicant will provide funds for landscaping and pedestrian improvements nearby.

- (b) The degree to which the basic 30 feet height is maintained at the street faces and the waterfront face of the proposed building or buildings. To provide a transition, building heights over this basic height level

should be set back from the street faces and waterfront faces.

In reviewing the varying heights and setbacks of the existing historic buildings in this block, staff found no particular relationship to a 30 foot height. The Virginia Shop next and Seaport Inn are 52 feet tall at the ridge line and 31 feet tall at the cornice along South Union Street. The rear addition to the Seaport Inn, facing the Strand, is 21 feet to the midpoint of the gable. Olsson's Books and Records (constructed in the mid 19th century) is approximately 30 feet tall at its parapet in the front and 28 feet at the cornice along the side. Both the old Torpedo Factory building and the office/retail building across King Street to the south are 44 feet tall. Clearly, there is no particular height in this area, especially looking from the Strand. Further, the BAR's Design Guidelines note "The historical height of waterfront structures is 40-45 feet. New buildings in the waterfront area should reflect this historical relationship."

The building will be 38 feet to the midpoint of the gable: its cornice will be below 31 feet tall. The Board of Architectural Review approved the development in concept, provided that the height of the ridge on the new building does not exceed the height of the ridge line of the Virginia Shop building. Since the adjacent building to the west along South Union Street is higher than the proposed building, the proposed building will block few, if any, views; staff, therefore, believes that there is no compelling reason to step back at 30 feet and that this guideline is not relevant to this individual case.

- (c) **The degree to which the height, mass and bulk of the proposed construction are compatible with and reflect the traditional height, mass, and bulk of buildings and structures displayed within the streetscapes of the historic district.**

The proposed building is similar in height and scale to the surrounding historic buildings. In fact, the Board of Architectural has directed the applicant to maintain a lower height for the cornice of the proposed building than that of the existing Virginia Shop building. While the building is taller than Olsson's, it will not overshadow the 19th century building.

- (d) The degree to which imaginative and creative architectural solutions enhance views and vistas from public streets and other public-access areas along the historic waterfront. The waterfront faces of the buildings, in particular, should be designed and integrated so as to enhance pedestrian enjoyment of the waterfront, and the quality and character of the historic waterfront, as a totality, when viewed from passing vessels.

As discussed above, the applicant is committed to improving the appearance of Wales Alley and making it more friendly to pedestrians. Currently, the location is used as a parking lot and contains a number of dumpsters that appear to belong to the Seaport Inn. On the other side, along the northern facade of Olsson's Books and Records, overgrown plants encroach into the alley. With the construction of the new building, this will all be cleaned out. Further, the Department of Transportation and Environmental Service requires that a minimum five foot wide brick sidewalk with curb, be installed along the northern side of the alley. The applicant has agreed to pay for off-site landscaping along the waterfront.

- (e) The degree to which the use or uses of the proposed building or buildings are compatible with historical waterfront-related uses in the City of Alexandria.

The proposed retail/commercial mixed use was a historic use along the Alexandria waterfront and is encouraged in the present CD zone. The Strand and adjacent wharfs were bustling with people from the 18th through the early 20th centuries. Ships were loaded and unloaded, retail merchants traded goods on the sidewalks, manufacturing took place on the upper floors of warehouses.

The applicant proposes 900 square feet of retail on the ground floor, which will draw pedestrians down Wales Alley and to the Waterfront Park. The upper stories will have 3,000 square feet of office uses.

Police Department Concerns

Staff notes that the Police Department staff have raised concerns about the design of the building, because its entrance courtyard off Wales Alley would be hard to monitor. Planning and Zoning Staff have discussed these concerns with the applicant, who is willing to provide adequate lighting and design utilities and other features so that there are no natural hiding places in the courtyard. Staff believes that this commitment should mitigate the Police Department's concerns.

STAFF RECOMMENDATION

Staff has no objection to the proposed development. The retail uses will be a draw to pedestrians in the lower King Street. The new office buildings will improve the view from the Strand and the River. Staff recommends approval of the outlot development, increased F.A.R. and height.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning; Kimberley Johnson, Chief, Development; Elizabeth Wilcox, Urban Planner.

SUP 96-0184

REPORT ATTACHMENTS

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CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation
 S - suggestion F - finding

Historic Alexandria (Archaeology):

- F-1 This property has been registered as an archaeological site (44AX146-Fitzgerald's Wharf) with the Virginia Department of Historic Resources. Excavations have high potential to yield significant archaeological resources relating to Alexandria's eighteenth and nineteenth century waterfront and could provide insight into the City's economic and maritime history.
- F-2 The appropriate comment is included on the Preliminary Site Plan (No. 15 in the General Notes). Any additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology after the required archaeological investigation is completed.
- C-1 The applicant must hire an archaeological consultant to prepare a set of Ground Impact Maps, a Documentary Study and an Archaeological Evaluation/Resource Management Plan, as outlined in the City of Alexandria Archaeological Standards.
- C-2 All Archaeological preservation measures must be completed prior to ground-disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance).

Code Enforcement:

- C-1 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor; e) fire protection plan.
- C-2 The building must be fully sprinklered.
- C-3 The developer shall provide a separate Fire Service Plan which illustrates: a) emergency ingress/egress on the site; b) fire hydrant located with a maximum distance of 300 feet between hydrants; c) a maximum one hundred 100 feet distance between fire hydrant and fire department connection; d) all Fire Service Plan elements are subject to the approval of the Fire

Marshal.

- C-4 Prior to submission of the Final Site Plan, the developer shall provide a fire flow analysis by a certified licensed fire protection engineer to assure adequate water supply for the structure being considered.
- C-5 A Certificate of Occupancy shall be obtained prior to any occupancy of any building or portion thereof, in accordance with USBC 115.0.
- C-6 New construction must comply with the current edition of the Virginia Uniform Statewide Building Code.

Health Department:

- C-1 An Alexandria Heath Department permit is required for all regulated facilities.
 - A) Permits are not transferable.
 - B) Permits must be obtained prior to operation.
 - C) Five sets of plans are to be submitted to and approved by the Health Department prior to construction of any facility regulated by the Health Department.
 - D) Personal grooming facilities must comply with Title 11, Chapter 7, Personal Grooming Establishments.
 - E) Tanning Salons must comply with State Code Title 59.1, Chapter 24.1, Tanning Facilities.
 - F) Massage facility plans must comply with Title 11, Chapter 4.1, Massage Regulations.
 - G) Coin operated dry cleaning facilities must comply with Title 9, chapter 4, Coin Operated Dry Cleaning Establishments.
 - H) Coin operated laundry facilities must comply with Title 9, chapter 5, Coin Operated Laundries.

Alexandria Sanitation Authority:

- F-1 City should ensure that the additional flow will not surpass

available capacity in the eight inch pipe.

Virginia American Water Company:

- F-1 VAWC has an existing eight inch main in the sidewalk. Make service connections to eight inch main and avoid street cut.
- F-2 Make the fire service and domestic service separate connections back to eight inch main.

Police Department:

- F-1 The design of this building does not lend itself to natural surveillance. The area of concern is they courtyard, which should be redesigned. (Police)

Transportation and Environmental Services:

- C-1 A bond for the required public improvements must be posted prior to the release of the plan.
- C-2 The sewer tap fee must be paid prior to the release of the plan.
- C-3 All utilities serving the site must be underground.
- C-4 Comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control
- C-5 An erosion control plan conforming to the Virginia Erosion and Sediment Control Handbook (Third Edition 1992) with delineation of the disturbed area must be submitted and approved by the Department of Transportation and Environmental Services.
- C-6 The property is within the 100-year flood plain. The developer must comply with City Floodplain Ordinance and all applicable regulations and codes.

Exhibit 2

Sec. 10-105(B) Standards to Demolish or Encapsulate an Existing Building

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

Sec. 10-105 Matters to be considered in approving certificates and permits.

(A) Certificate of appropriateness

(2) **Standards.** Subject to the provisions of section 10-105(A)(1) above, the Old and Historic Alexandria district board of architectural review or the city council on appeal shall consider the following features and factors in passing upon the appropriateness of the proposed construction, reconstruction, alteration or restoration of buildings or structures:

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

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

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

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

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

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

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

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

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

(j) The extent to which such preservation and protection will promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage and making the city a more attractive and desirable place in which to live.

Exhibit 4

Sec. 10-105(A)(4) Additional standards – Potomac River Vicinity

- (a) The degree to which imaginative and creative architectural solutions advance recreational access to and enjoyment of the historic waterfront from public streets and other public areas. Buildings should be in harmony with existing buildings of genuine architectural merit, to be found in the historic district.
- (b) The degree to which the basic 30 feet height is maintained at the street faces and the waterfront face of the proposed building or buildings. To provide a transition, building heights over this basic height level should be set back from the street faces and waterfront faces.
- (c) The degree to which the height, mass and bulk of the proposed construction are compatible with and reflect the traditional height, mass, and bulk of buildings and structures displayed within the streetscapes of the historic district.
- (d) The degree to which imaginative and creative architectural solutions enhance views and vistas from public streets and other public-access areas along the historic waterfront. The waterfront faces of the buildings, in particular, should be designed and integrated so as to enhance pedestrian enjoyment of the waterfront, and the quality and character of the historic waterfront, as a totality, when viewed from passing vessels.
- (e) The degree to which the use or uses of the proposed building or buildings are compatible with historical waterfront-related uses in the City of Alexandria.

Exhibit 5

Excerpt from B.A.R. Minutes. April 15, 1997

CASE BAR-96-0271

Request for approval of a permit to demolish/capsulate a portion of **104 South Union Street**, zoned CD Commercial.

APPLICANT: Watauga Properties

BOARD ACTION: **Approved as amended by a roll call vote, 6-0.**

MOTION: To consolidate discussion of docket item #'s 17 & 18.

MAKER: Mr. Keleher

SECOND: Mr. Wheeler

The motion passed by a vote of 6-0.

MOTION: To approve the Staff recommendations for both applications, add additional conditions to the approval and to defer other portions for restudy. The Staff recommendations adopted are: Approval of the Permit to Demolish with the following conditions:

1. that the recordation of the building as outlined in the Discussion section be undertaken and accepted by Staff prior to the issuance of a building permit; and,
2. that a preservation easement on, at least, the east (rear) facade be granted in perpetuity to the City of Alexandria's Historical Restoration and Preservation Commission and recorded prior to Staff approval of the building permit.

Approval of the scale and mass of the proposed addition with the following conditions:

1. That the southern dormer on the east slope of the 104 South Union Street building be retained;
2. That the windows on the fourth level on the south side of the new addition be modified in shape or in size; and
3. That the form and location of all graphics or awnings for the building be reviewed integrally with the building design.

Additional conditions of approval:

1. The Board recommends to the Director that reconsideration be given to the planting of a tree at the hyphen juncture; and,
2. The north elevation is approved as submitted by the applicant at the public hearing.

Deferral for restudy of:

1. Glazing system details;
2. The materials of the balcony; and,
3. The visible portion of the interior of the hyphen.

MAKER: Chairman Hulfish

SECOND: Mr. Oinas

SPEAKERS: James Brown, James Brown & Associates, project architect
John Wilbor, 310 South Lee Street
Jonas Neihart, representing the Old Town Civic Association

NOTES: Mr. Brown said that the study model had been revised to reflect the fourth floor balcony on the east facade as well as the proposed placement of the HVAC condensers. He also displayed samples of the brick and noted that two different types were proposed - one for the first floor retail level and the other for the remainder of the building. He said it was the intention to have a rusticated base. He further said that the details of the butt glazing system had not been fully worked out, but that it was likely that on the exterior the panels would be connected by a brushed aluminum connector approximately 4" x 6". He also said that it was his intention that no ductwork be visible in the glass hyphen. He also said that he found the Staff recommendation for retention of the southernmost dormer on 104 South Union Street.

Mr. Wilbor said that the existing warehouse was one of the treasures of Old Town. He said he had a concern about filling in the alley at the rear. He further said that the base of the new addition should have a stone base like that existing on the warehouse. He said that he did not favor single light windows and that true divided light windows should be installed so that the new addition would look more historic. He said that a glass atrium was quite troubling in Old Town. He said such an atrium was more suited to Boston or New York City but not to the historic environment of Alexandria. He said that the addition was too modern in design to be appropriate in Old Town. He said the new addition was truly unauthentic.

Mr. Neihart said that it was the position of the OTCA that the glass of the atrium should be transparent so that the historic wall of the warehouse was clearly visible through the glass. Further he said that the OTCA would prefer that the interior of the atrium not be cluttered with mechanical equipment. He said that consideration might be given to a closed connector rather than a glass atrium if such a case arises.

Mr. Wheeler said he agreed with Staff about the signage and awning details. He said that they should be coordinated with the development for future tenants. He asked how high the knee wall of the balcony would be and if a railing was contemplated.

Mr. Brown replied that the knee wall would be approximately 30" with a railing above.

Mr. Wheeler said that he had concerns that a railing would break up the plane of the roofline. He also asked what material was being considered for the rear wall of the balcony area.

Mr. Brown replied that he was considering stucco of a similar color of the brick proposed for the building.

Mr. Wheeler said he would prefer that the rear wall of the balcony match the ocher color proposed for the roof. He said that this coloration would visually lessen the void in the roof created by the balcony. He also asked about the butt glass system. He said the Board should review the details of the system at a later date. On the west section of the addition he suggested that blind openings be considered to match the existing openings on the east facade of the historic building.

Chairman Hulfish asked about the use of stone as a base material.

Mr. Brown said that initially a stone base was considered. However, he said that he did not want to replicate the historic warehouse, but to respect the mass and scale.

Chairman Hulfish said he liked the glass atrium and compared it to the atrium at Portner's which he described as successful. He said the glass atrium proposed here was exciting and looked like it would work well.

Mr. Brown said that he did not necessarily agree with the Staff about the use of canopies on the retail level. He said that for the next review round he would provide a sign plan for the building.

Mr. Keleher said that in his opinion this was a well thought out plan. However, he said that he was not entirely happy with the brick base proposed and that a stone base could be very appealing.

Mr. Brown said he felt that there would be too much stone if the base of the addition was also constructed of stone.

Dr. Fitzgerald asked about the details of the glass connector system. He said he would prefer that the metal connectors not have a silvery finish.

Mr. Brown said he would supply a sample of the connector at the next review session.

Mr. Smeallie said that the design was excellent, but asked why single pane window were proposed.

Mr. Brown said that he did not want to try to replicate an historic building. He said that the single pane windows would allow for clean punched openings. He said that the windows would operable and set back approximately 8" from the face of the building. He said that the retail windows would be recessed approximately 14".

Mr. Smeallie asked about the structural system for the glass wall on the interior of the atrium.

Mr. Brown said that there would be two columns of 8" diameter concrete set back approximately 2' from the glass wall to which connecting rods would be attached to the metal connectors on the glass wall.

Mr. Smeallie said he did not necessarily agree that such a structural system was appropriate. He said that this was a pure urban landscape form that should remain as uncluttered as possible.

Mr. Oinas said that in his opinion the new addition sits well by itself. He said he preferred a brick base so that the addition did not read like the old building. He said that further work on detailing was necessary. He suggested that Mr. Brown look at the glazing systems that were used on the buildings at the corner of Connecticut Avenue and L Streets, N.W. He said he shared Mr. Smeallie's concerns about too much of a structural system in the atrium space. He said he did not like the elevation details proposed for the fourth floor of the north facade of the addition. He also said that in the end it likely that one won't really see much of the interior of the atrium space.

Chairman Hulfish then made a motion to approve the Staff recommendations for both applications, add additional conditions to the approval and to defer other portions for restudy. The Staff recommendations adopted are:

Approval of the Permit to Demolish with the following conditions:

1. that the recordation of the building as outlined in the Discussion section be undertaken and accepted by Staff prior to the issuance of a building permit; and,
2. that a preservation easement on, at least, the east (rear) facade be granted in perpetuity to the City of Alexandria's Historical Restoration and Preservation Commission and recorded prior to Staff approval of the building permit.

Approval of the scale and mass of the proposed addition with the following conditions:

1. That the southern dormer on the east slope of the 104 South Union Street building be retained;
2. That the windows on the fourth level on the south side of the new addition be modified in shape or in size; and
3. That the form and location of all graphics or awnings for the building be reviewed integrally with the building design.

Additional conditions of approval:

1. The Board recommends to the Director that reconsideration be given to the planting of a tree at the hyphen juncture; and,
2. The north elevation is approved as submitted by the applicant at the public hearing.

Deferral for restudy of:

1. Glazing system details;
2. The materials of the balcony; and,
3. The visible portion of the interior of the hyphen.

Mr. Oinas seconded the motion which was approved by a roll call vote of 6-0.

18. CASE BAR-97-0072

Request for approval of an addition to be constructed at **101 Wales Alley**, zoned CD Commercial.

APPLICANT: Watauga Properties

BOARD ACTION: **Approved portions; deferred portions for restudy by a roll call vote, 6-0.**

See docket item #17 for discussion.

Exhibit 6

Excerpt from B.A.R. Minutes, November 17, 1999 (reapproval)

CASE BAR-99-0179

Request for approval of an addition to be constructed at **101 Wales Alley**, zoned CD Commercial. Portions of this item were deferred from the meeting of November 3, 1999.

APPLICANT: Watuga 2 Properties

BOARD ACTION: **Approved as amended, 6-0.**

MOTION: To approve the Staff recommendation which was: approval of the proposed addition with the following conditions:

1. That the form and location of all graphics or awnings for the building be reviewed and approved by the Board integrally with the building design.
2. The applicant submit to Alexandria Archaeology a more detailed plan with piling and impact information.
3. The applicant hire an archaeological consultant to prepare a Documentary Study, conduct an Archaeological Evaluation and submit a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards*.
4. All archaeological preservation be completed prior to ground-disturbing activities (such as grading, filling, vegetation removal, undergrounding of utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399.
5. The above statement (#4) appear in the General Notes of all site plans. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology.

MAKER: Ms. Quill

SECOND: Mr. Wheeler

SPEAKER: James Brown, project architect

NOTES: Mr. Brown noted that at the last public hearing that the Board had deferred three items for restudy including the glazing system. He said the glazing system that had originally been proposed did not meet the statewide energy code.

Mr. Wheeler noted that the Board had been provided a brochure on the Pilkington glazing system and asked which of the systems illustrated was being proposed.

Mr. Brown pointed out to the members the system that was being proposed. He also said that the glass would appear to float in front of the two columns in the atrium.

Mr. Wheeler said that he would prefer a more minimal structural system.

Mr. Brown said that the structural system actually was quite minimal. He said that the columns would support the interior of the building and noted that they had been part of the design from the very first. He also said that the glass would be clear.

Mr. Smeallie asked about the size of the columns.

Mr. Brown said that they would be round 8" columns.

Ms. Quill said that she was very pleased with how the design had progressed. She described this as a strong idea and a strong design. She said that she hoped that the Board could point to this as an example of what an addition to a commercial building should be. She said, however, that she was somewhat concerned about the bollards. She said that she would prefer that they have integral lights rather than simply being cut into round metal bollards. She said that this would be a cleaner design.

Mr. Brown said that the bollards were actually performing double duty and would be part of the flood protection system for the building. He said that they would be made of heavy steel and could support a metal flood gate to withstand three foot high water.

Ms. Quill then made a motion to approve the Staff recommendation which was: approval of the proposed addition with the following conditions:

1. That the form and location of all graphics or awnings for the building be reviewed and approved by the Board integrally with the building design.
2. The applicant submit to Alexandria Archaeology a more detailed plan with piling and impact information.
3. The applicant hire an archaeological consultant to prepare a Documentary Study, conduct an Archaeological Evaluation and submit a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards*.
4. All archaeological preservation be completed prior to ground-disturbing activities (such as grading, filling, vegetation removal, undergrounding of utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399.
5. The above statement (#4) appear in the General Notes of all site plans. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology.

Mr. Wheeler seconded the motion which passed by a vote of 6-0.

Exhibit 7

Excerpt from B.A.R. Minutes, February 7, 2001 (reapproval)

10. CASE BAR2001-001

Request for approval of a permit to capulate portions of a building at **101 Wales Alley**, zoned CD Commercial.

APPLICANT: Watauga Properties

BOARD ACTION: **Approved as amended by roll call vote, 6-1.**

The Chairman asked that this item be coupled with docket item #11.

11. CASE BAR2001-002

Request for approval of an addition at **101 Wales Alley**, zoned CD Commercial.

APPLICANT: Watauga Properties

BOARD ACTION: **Approved as amended, 6-1.**

MOTION: To approve the Staff recommendations which were:

- A. re-approval of the Permit to Demolish with the following conditions:
 - 1. that the recordation documents and photographs as outlined in the Discussion section be completed and accepted by Staff prior to the issuance of a building permit; and,
 - 2. that a preservation easement on, at least, the east (rear) facade be granted in perpetuity to the City of Alexandria's Historical Restoration and Preservation Commission and recorded prior to Staff approval of the building permit;and,
- B approval of the proposed addition with the following conditions:
 - 1. That the form and location of all graphics or awnings for the building be reviewed and approved by the Board integrally with the building design.
 - 2. The applicant submit to Alexandria Archaeology a more detailed plan with piling and impact information.
 - 3. The applicant hire an archaeological consultant to prepare a Documentary Study, conduct an Archaeological Evaluation and submit a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards*.
 - 4. All archaeological preservation be completed prior to ground-disturbing activities (such as grading, filling, vegetation removal, undergrounding of utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399.
 - 5. The above statement (#4) appear in the General Notes of all site plans. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology.

MAKER: Mr. Wheeler

SECOND: Ms. Quill

SPEAKERS: James Brown, project architect, James L. Brown Associates
Jon Wilbor, representing the Old Town Civic Association

NOTES: Mr. Brown said that the project was originally approved in 1997 and re-approved in 1999

with suggested changes. He also noted that the special use permit had expired and was extended but construction did not occur before the deadline. During that time the certificate of appropriateness had also expired. He said that there are no design changes to the previously approved application.

Mr. Wilbor said that OTCA's position has not changed but that they have seen other issues arise that they have not discussed in the past. He said that OTCA believes that Staff research on the rear addition provided enough information to permit the construction of an addition that could reflect what previously stood on the site namely a two story rear addition with a hip roof. He said the application proposes a variety of roof lines especially noticeable from the east elevation. He said that the proposed gable is a bland adaptation of the original. He also also that the proposed glass enclosed hyphen is an ultra-modern element that is clearly inappropriate for this building. Finally he said that the history of the city as a great American seaport should be preserved in its buildings instead of watering it down with modern adaptations.

Ms. Neihardt said that she is not comfortable with this project. She said that she has not seen enough successful examples of Pilkington glass used on historic properties to be comfortable supporting this project.

Mr. Smeallie said that the Rose Planetarium at the Museum of Natural History in New York City opened since the last time this application was heard. He said that this building design uses white glass and reflects the interior of the building beautifully. He asked if this type of glass which has been used on a significant historic structure could be considered here.

Mr. Brown explained that the term is applied generically to frameless glass systems of this type where the glass seems to disappear and the focus instead is on the interior of the building.

Mr. Smeallie said that he supports the project.

Ms. Quill said that she again supports the project and the use of materials. She said that she does not find it modern but instead contextual and successfully illustrates the both the new and existing construction which is a recommendation of the *Design Guidelines*. She said that she hopes that the details illustrating window setbacks and sills, header details, expansion joints are well done.

Mr. Keleher said that he still supports the project and feels that the glass enclosure is an asset to Old Town and feels that every building should not have to be constructed of red brick.

Mr. Wheeler said he also continues to support the project and believes that the glass hyphen would allow the rear of the existing 18th century building to be seen in perpetuity.

Ms. Wheeler then made a motion to approve the Staff recommendations which were:

- A. re-approval of the Permit to Demolish with the following conditions:
 - 1. that the recordation documents and photographs as outlined in the Discussion section be completed and accepted by Staff prior to the issuance of a building permit; and,
 - 2. that a preservation easement on, at least, the east (rear) facade be granted in perpetuity to the City of Alexandria's Historical Restoration and Preservation

- Commission and recorded prior to Staff approval of the building permit;and,
- B approval of the proposed addition with the following conditions:
1. That the form and location of all graphics or awnings for the building be reviewed and approved by the Board integrally with the building design.
 2. The applicant submit to Alexandria Archaeology a more detailed plan with piling and impact information.
 3. The applicant hire an archaeological consultant to prepare a Documentary Study, conduct an Archaeological Evaluation and submit a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards*.
 4. All archaeological preservation be completed prior to ground-disturbing activities (such as grading, filling, vegetation removal, undergrounding of utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399.
 5. The above statement (#4) appear in the General Notes of all site plans. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology.

Ms. Quill seconded the motion.

Dr. Fitzgerald said that the project has been examined by the Board many times and that he continues to support the project.

Chairman Hulfish said that the glass atrium is similar to a successful example at Linden Row in Richmond where a historic block face is abutted by a glass atrium. He then called the question on the motion which passed on a roll call vote by 6-1 (Ms. Neihardt opposed the motion).

EXHIBIT NO. 2

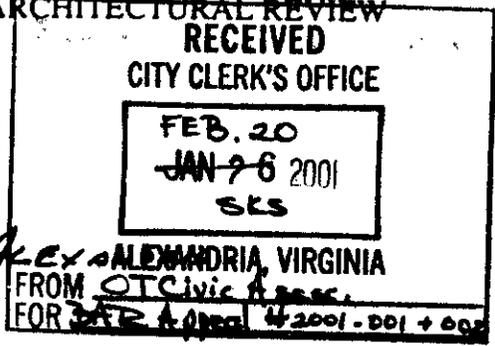
14E15
4-21-01

Sent to CC, CM, Michele,
Eileen, Peter S.



RECORD OF APPEAL

FROM A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW



Date Appeal Filed With City Clerk: 2/20/01

B.A.R. Case # 2001-001, 002

Address of Project: 101 WALES ALLEY.

Appellant is: (Check One)

B.A.R. Applicant

Other Party. State Relationship O.T.C.A. By J.W. Wilber

Address of Appellant: 310 South Lee St.
Alexandria.

Telephone Number: 703.518.8300 x 350

State Basis of Appeal: THE APPROVED ARCHITECTURE FOR NEW CONSTRUCTION AT 101 WALES ALLEY IS INCOMPATIBLE WITH THE EXCEPTIONALLY HISTORIC BUILDING KNOWN AS THE "SEAPORT 144" AND THE "VIRGINIA SHOP," AGAINST WHICH THIS PROPOSAL IS TO BE CONSTRUCTED.

Attach additional sheets, if necessary.

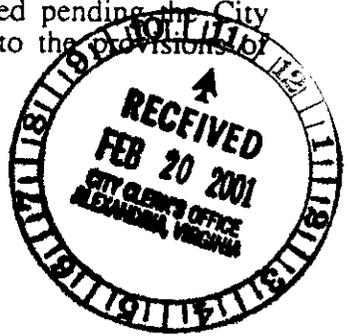
A Board of Architectural Review decision may be appealed to City Council either by the B.A.R. applicant or by 25 or more owners of real estate within the effected district who oppose the decision of the Board of Architectural Review. Sample petition on rear.

All appeals must be filed with the City Clerk on or before 14 days after the decision of the B.A.R.

All appeals require a \$50 filing fee.

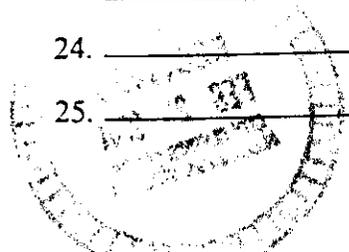
If an appeal is filed, the decision of the Board of Architectural Review is stayed pending the City Council decision on the matter. The decision of City Council is final subject to the provisions Sections 10-107, 10-207 or 10-309 of the Zoning Ordinance.

J.W. Wilber
Signature of the Appellant



We, the undersigned owners of real estate within the Old and Historic Alexandria District/ Parker- Gray District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case # 2001-00042 regarding the property at 101 WALES ALLEY (street address).

	Name	Signature	Owner of Real Property At:
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We, the undersigned owners of real estate within the Old and Historic Alexandria District/ Parker- Gray District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case #2001-0012 regarding the property at 101 WILKES ALLEY (street address).

	Name	Signature	Owner of Real Property At:
1.	Patricia Braun	Patricia Braun	206 N. Columbus St
2.	Jaynsend A. Van Fleet	Jaynsend Van Fleet	26 Wolfe St.
3.	PETER CLUGE	[Signature]	460 S. Union St.
4.	BRIAN BUZZELLI	BU Buzzelli	one Wilkes St
5.	ADAM WILSON	Adam W	310 SOUTH FAIRFAX ST.
6.	Twig Murray	Twig Murray	513 S Lee St.
7.	Jim SHARP	[Signature]	430 S. Lee ST.
8.	Margaret Wood	Margaret Wood	711 POTOMAC ST
9.	JOE ALTO	[Signature]	23 KEITHS LN
10.	SARITA SCHOTTA	[Signature]	104 PRINCE ST
11.	RIPSKEN BROWN	Ripskén Brown	205 Wilkes St
12.	ALLAN GRUER	Allan Gruer	113 Prince St
13.	Cape Horn	[Signature]	211 S. Lee St.
14.	Peter Killeen	PETER KILLEEN	464 S. Union St.
15.	Andrew H Macdonald	Andrew H Macdonald	215 S. Union St.
16.	Ellen Pickering	Ellen Pickering	103 Roberts Lane 22314
17.	RAYMOND SIDORSKY	Raymond Sidorsky	111 Prince
18.	John McKendree	John McKendree	205 Wolfe St
19.	Nancy McKendree	Nancy McKendree	205 Wolfe St
20.	Charles Schotta	[Signature]	104 Prince
21.	Linda Conturo	Linda Conturo	422 N Union
22.	B. A. Ryan	B. A. RYAN	107 Wolfe St
23.	Jill E Brantley	Jill E Brantley	7 Keith's Lane.
24.	Ruth Brantley	Ruth Brantley	3 Wilkes Street.
25.	David Oliver	[Signature]	100 Prince Street

We, the undersigned owners of real estate within the Old and Historic Alexandria District/ Parker- Gray District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case # 2001-001, 2 regarding the property at 101 WALES ALLEY (street address).

	Name	Signature	Owner of Real Property At:
1.	Douglas B. Smith	[Signature]	708 S. Union St.
2.	Jim Pattenberger	[Signature]	107 Prince Street
3.	Mary Ann Girard	[Signature]	106 DuPont St.
4.	Susan Petley	[Signature]	207 S. Royal St.
5.	ANN MC. SCOTT	[Signature]	708 S Union St
6.	Dr. Tescia Jones	[Signature]	801 Rivergate Pl.
7.	Julie Cressman	[Signature]	816 Queen St.
8.	Al Williams	[Signature]	109 Duke St
9.	Kathleen Waugh	[Signature]	27 Wilkes St.
10.	John Waugh	[Signature]	27 WILKES ST.
11.	Peggy Wilbor	[Signature]	310 So. Lee St.
12.	Mark Feldheim	[Signature]	1215 Prince St
13.	Jack Burton	[Signature]	37 S LEE ST
14.	Joan Pryce	[Signature]	322 S. Lee St
15.	William T. Pryce	[Signature]	322 S. LEE ST.
16.	ANDREA F. DIMOND	[Signature]	221 Gibson St
17.	CAROLYNE ROEHRENBECK	[Signature]	313 S. Lee St.
18.	LAURA RICCI	[Signature]	314 S. LEE ST.
19.	JAMES F. HORAN	[Signature]	604 S. LEE ST.
20.	Marionne F. Horan	[Signature]	604 S. Lee
21.	Holly K. Hemphill	[Signature]	308 S. Lee
22.	John Hemphill	[Signature]	308 S. Lee St
23.	ROBERT J. WEBSTER	[Signature]	304 S. Lee St.
24.	Catherine D Webster	[Signature]	"
25.	Jeffrey Bliss	[Signature]	402 S Lee St.

We, the undersigned owners of real estate within the Old and Historic Alexandria District/ Parker- Gray District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case # 2001-001.2 regarding the property at 101 WALES ALLEY (street address).

	Name	Signature	Owner of Real Property At:
1.	Dave Cleary	<i>[Signature]</i>	424 S. Lee St
2.	Terri Belcher	<i>[Signature]</i>	336 S. Lee St
3.	RUSSELL MURRAY 2nd	<i>[Signature]</i>	210 WILKES ST.
4.	<i>[Signature]</i>	Garnett W. Bow	220 S. Lee St
5.	<i>[Signature]</i>	Paul Doeffert	323 S. Lee St.
6.	Jean G. Johnson	<i>[Signature]</i>	226 S. Lee St.
7.	Kitt Davis	KITT DAVIS	314 S. Fairfax
8.	<i>[Signature]</i>	ED HEIDEN	318 S. Lee St.
9.	Mary Heiden	Mary Heiden	318 S. Lee St
10.	Bobbie Redent	Bobbie Redent	1316 Prince St
11.	<i>[Signature]</i>	Mary Ryan	400 Prince St
12.	Robert Montague	ROBERT MONTAGUE	1129 Prince St
13.	LEDD HEAN	LEDD HEAN	1129 BOWMAN ST
14.	Charles D. Davis	Charles D. DAVIS	220 50 Fairfax St
15.	Jonathan Wilson	<i>[Signature]</i>	310 So. Lee St.
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4

EXHIBIT NO.

3

14E15

4-21-01

To: Mayor Kerry Donley
Vice Mayor Bill Cleveland
Councilwoman Del Pepper
Councilman David Speck
Councilman Bill Euille
Councilwoman Claire Eberwein
Councilwoman Joyce Woodson

From: Board of Architectural Review
Old and Historic District

Date: April 4, 2001

RE: 101 Wales Alley

As an architect and member of the BAR – Old and Historic District, I urge you to support the application for 101 Wales Alley. The project is a renovation of the existing building and an addition to the east. The brick addition is a contextual interpretation of the existing building, linked by a glass hyphen of Pilkington glass. This project demonstrates of the importance of site visits. The addition is a dialogue between the existing building, the adjacent renovated warehouse to the south where Olsson's bookstore is located and the open space of the park and the Potomac River.

There has been some discussion about the Board's requirement of the use of Pilkington glass for the link or hyphen between the historic and new brick structure. Pilkington is a trade name for a high end, frameless glass curtainwall system. It is used in diverse situations, however one application is as an "invisible" link between existing and new construction in historic landmark structures. Examples include the just completed Queen Elizabeth II Great Court of the British Museum renovation in London, Linden Row in Richmond, Union Station in Washington, D.C. and our own Union Station on King Street . It is a proven method and accepted material for use with historic buildings.

We urge you to support this application and the decision of the BAR – Old and Historic District. It has been approved by the BAR three times and by the City Council four times. It is an excellent example of contextual mixed-use design for Old Town Alexandria.

Very truly yours,



Lori Arrasmith Quill, A.I.A.

SPEAKER'S FORM

14415 ✓

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 72

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: JAMES L. BROWN
2. ADDRESS: 104 N. WEST ST, ALEX VA 22314
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? WALES ALLEY-ARCHITECT
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: _____ AGAINST: THE APPEAL OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
ARCHITECT
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL? YES NO

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 14 & 15

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Harry P. Hart (Bud)

2. ADDRESS: 307 N. Washington St.

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Wa Tanga Prop.

4. WHAT IS YOUR POSITION ON THE ITEM? Appeal for the applicant
FOR: _____ AGAINST: _____ OTHER: _____

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.): _____

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL? YES NO

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

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