

July 30, 2005

Ms. Jackie Henderson  
City Clerk and Clerk of Council  
City Hall, Room 2300  
301 King Street  
Alexandria, Virginia 22314

RE: Consideration of a request for a vacation of public right-of-way at 1514-1602 King Street and 1602 Dechantel Street

Dear Ms. Henderson,

Pursuant to the authorization given to Mayor William D. Euille by the City Council at its Regular Meeting on April 16, 2005, we the undersigned were appointed viewers to view the property located between 1514-1602 King Street and 1602 Dechantel Street.

We have viewed the property and determined that the vacation and discontinuation would cause harm to the historic character and view scape of King Street. While this parcel is not within the historic district it is difficult to imagine why the historic district stops where it does. The building at 1520 King Street is over 150 years old and the "pink" French Antique building has definite aesthetic architectural and eye appeal. The engineering building in the 1400 block of King Street was the first architectural domino to fall. Across the street from the viewed parcel, two twentieth century buildings present a stark contrast in between the elegant recessed building at 1607 King St. (Tisara Photography) and the charming Victorian structures to the east.

In William Searle's book, A Guide to Historic Alexandria, the introduction states that what makes our city different from other historic cities is "the crazy quilts of buildings of all kinds. . . other historic towns, [the] lesser structures have been weeded out, emphasizing the best architecture. Here [in Alexandria] the accumulation is of all classes."

We feel that the Planning Department is forced to negotiate and accept a compromise to our city's architectural heritage and legacy. The city council discussion on Saturday, May 14, 2005 acknowledged that there is not a provision against demolition and the majority of the buildings will be maintained to the point of 90% protection. There is confusion over the 90%. If three buildings exist; one to be torn down completely, one to be retained, and the third to only have the façade retained, there is a question of how this adds up to 90%.

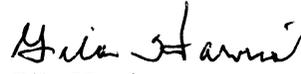
In conclusion, there is a strong sense of cultural and architectural history that is requested to be "vacated," in addition to the few inches of public right of way. For these reasons, we do not agree that the revitalization of King Street to be synonymous with destruction of architectural character. King Street is a route of access to a historic and cultural district; a fine historic district that is like none other in the Northern Virginia area. For

these reasons, we respectfully agree that this parcel not discontinue and vacate the public right-of-way, in order to preserve what can not be replicated, our architectural heritage. With the loss of buildings with architectural character, what will Todd Healy paint for future calendars?

Respectfully submitted,



Elizabeth Wright, Chair  
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Alexandria, VA 22304  
703.370.9463



Gila Harris  
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Ross Bell  
820 S. Washington Street  
Alexandria, VA 223  
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12  
9-13-05

Mayor and Council—

It is our intention to take item #12 (the vacation) off the consent calendar on Tuesday evening. It will be discussed as part of the Reports and Recommendations of the City Manager.

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9-13-05

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September 8, 2005

Honorable William D. Euille, Mayor and  
Members of City Council  
City of Alexandria  
City Hall, Room 2300  
301 King Street  
Alexandria, Virginia 22314

Re: Docket Item #12. Vacation #2002-0041 – 1514-1602 King Street

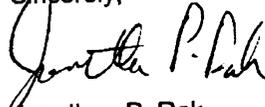
Dear Mayor Euille and Members of Council:

I am writing on behalf of DSF Long King Street I, LLC ("Applicant") to respond to the viewer's report in the above-referenced matter. The report clearly misunderstands the vacation application. The report incorrectly argues that the vacation would harm the historic character and "view scape" of King Street. The sole purpose of the vacation is to preserve portions of existing buildings that are located in the public right-of-way.

The Applicant proposes to preserve the 100 year-old building located at 1520, 1522 and 1524 King Street. Approximately one foot of this building extends onto public right-of-way. In response to staff and community requests, the Applicant also agreed to preserve the façade of the non-historic building located at 1600 and 1602 King Street. This façade extends 3.5 feet onto public right-of-way. Without the vacation the Applicant would be required to remove the front wall of both buildings because buildings are not an allowable encroachment under City Code Section 5-2-29. Therefore, in order to preserve the buildings, the applicant was required to apply for the vacation.

The vacation does not authorize any new construction nor does it permit or enable any demolition. Because the purpose of the vacation is to in fact preserve the buildings, we respectfully request that you approve the vacation ordinance despite the recommendation of the viewers.

Sincerely,

  
Jonathan P. Rak

cc: Ms. Eileen Fogarty, Director of Planning and Zoning  
Brian Selfe, The Long Company  
Joshua Solomon, DSF Long King Street I, LLC

12  
9-13-05

September 20, 2005

Dear Mr. Hartmann,

I would like to respond to comments regarding the report our viewing team turned in to deny the request of vacation of public right of way at 1514 – 1602 King Street. The fact that no one remembers a denial in recent history should not preclude that denials don't exist! Unless "denial" takes on another connotation.

I specifically take issue with the Vacation of Public Right of Way process. First, all members of the viewing team received a letter requesting that we view said parcel. We were never given *specific* instructions or guidance. I'm sure staff will concur that we stated we did not understand the requirement to view this parcel and I requested a full explanation of exactly what a Vacation meant. It appeared that the horse was out of the barn since the Planning Commission and City Council both had *approved* the Special Use Permit (SUP). Why would citizens be asked to review/decide on something *after* government approval?

Ignacio Pessoa, city attorney, graciously explained the process in lay terms. Once we understood that the viewing was a legal requirement we undertook the assignment with sincerity and respect. We even went so far as to inquire how the businesses in the middle building felt since their building would remain when the adjacent buildings around them would be removed/demolished. What we learned about their lease and what was written in the staff report differed considerably. As we struggled with exactly what we were tasked to do and what the focus was, we again went back to city staff and inquired exactly what was being vacated. Once again Mr. Pessoa was the only one who responded to our inquiries. Mr. Pessoa reported he was out of town and he requested Planning and Zoning staff to respond. This is not a judgement, but a comment on what we experienced. When we asked for specifics, Planning and Zoning did not respond. Even after directed to respond by the city attorney.

For this reason I take exception to Mr. Jonathan Rak's letter of September 8, 2005. At no point or place does the city staff report explain exactly what vacation is requested. To further complicate matters, the staff report cites both King Street and Dechantel Street. Unless there is a convergence of King and Dechantel we had no guidance on what we were viewing. Repeated requests went unanswered. If this is an example of city process this is a sad state of affairs.

This vacation of right of way request is reminiscent of another SUP in the city. An SUP that was a subset of the Ben Brenman Park project with a pedestrian bridge that was installed 100 feet downstream without proper process or review. Citizen outcry in that case in 2000 resulted in the Planning Department revamping their process in how adjacent land owners are contacted and placing the communication in plain English. In the recent case, there wasn't even obscure language..

I respectfully suggest that when citizens are called upon to participate in required legal land use matters, that a clear and precise process exist that removes all doubt of what the task requires.

When a citizen review panel is needed, said citizens should be identified and “invited” to witness any dialogue and discussion, such as Planning Commission, Board of Architectural Review, and/or City Council. To be asked to review after these discussions take place appears out of sequence. Not that citizens who view vacation requests *have* to view previous discussions; but at least this allows responsible consideration in the process.

I was fortunate to view a video tape of the Saturday City Council discussion of this property. If I understood correctly, the city attorney identified a state code that allows for protection of historic properties that are outside protected historic districts. Visual appeal/approach to a historic district constitutes and supports protection of properties.

As the viewers considered this parcel, the surrounding area, and the entire ambience of King Street, we felt compelled to explain the reason behind our decision. To hear the legality of our report questioned brought an amused thought, “were 19<sup>th</sup> century Virginians asked to view and then gagged?” I think not.

The definition of vacation of right of way implies the use of a public road. Our public road, our Main Street, is surely King Street. No other Metro jurisdiction has the quality and number of historic buildings other than Georgetown. For this reason, we chose to deny the request. If Alexandria wants to promote and market the historic fabric of Old Town during December or any other time of year, then we need to protect and preserve our architectural heritage. And not vacate our duty to preserve what makes Alexandria “Alexandria.”

Back to the question of process, I also don’t understand how the BAR was asked to accept this project, after City Council had already voted its decision. I can’t explain the logic or schedule of this land use process. And I certainly can’t explain why there isn’t a report or signature from an appropriate city historic commission or board on the BAR report. I strongly suggest that the entire land use process be reviewed for properties that comply with the city’s designation as “historic.” And a definition of what “historic” actually means. One building alone or the ambience and atmosphere of a block, section, or area of Old Town? Historic geographic districts are arbitrary but age of buildings, and/or the use of buildings, are not arbitrary.

I leave the wisdom of voting to demolish “sheds” without understanding clearly the “use” of said sheds to the bodies voting. One quick view of what the shed actually is leaves one to wonder how well governing bodies understand or study what they vote on.

Respectfully yours,

Elizabeth Wright