

20
9-15-07

Docket Item #
BAR CASE # 2007-0085

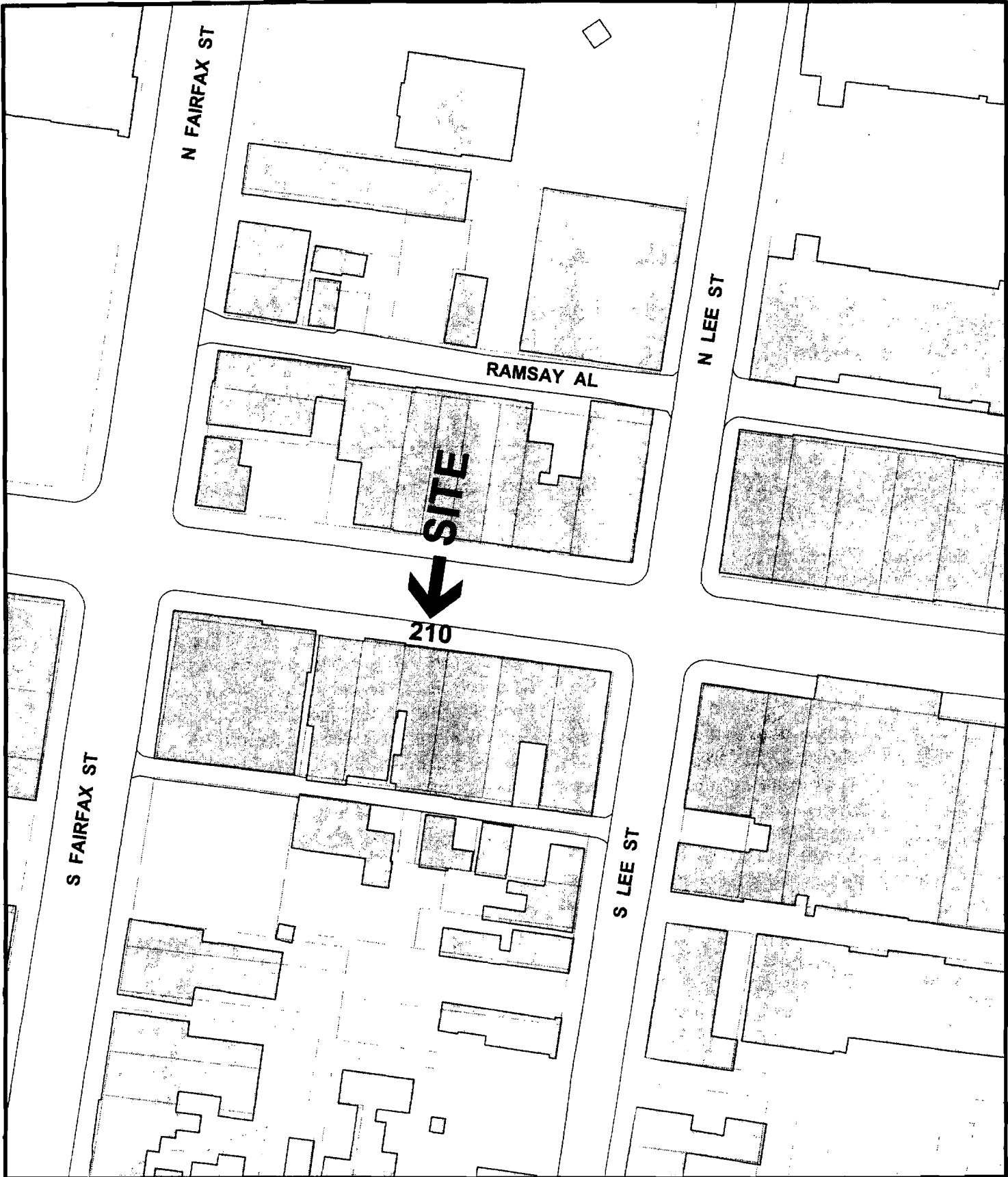
City Council
September 15, 2007

ISSUE: Appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria, denying a Permit to Demolish and Capsulate

**APPLICANT
AND APPELLANT:** Michael Zarlenga

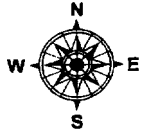
LOCATION: 210 King Street

ZONE: KR/ King Retail



BAR CASE #2007-0085/86

6/6/07



I. EXECUTIVE SUMMARY

Issue:

- The applicant is appealing a Board of Architectural Review decision to deny a Permit to Demolish and Capsulate portions of the commercial building at 210 King Street. The decision of the Old & Historic Alexandria District Board of Architectural Review was appealed on June 14, 2007 by the applicant, in accordance with Section 10-107 of the Zoning Ordinance. The applicant believes that the Permit to Demolish should be granted so that an addition can be constructed at the rear of the building.
- The decision before the Council is whether the denial of the proposed demolition meets the Criteria for Demolition as set forth in the Zoning Ordinance.
- The Old and Historic Alexandria Board of Architectural Review denied the application on June 6, 2007 by a roll call vote of 4-0.
- The Board of Architectural Review found the proposed demolition of portions of the building represented a loss of portions of a historic building that was significant in the historic district.

Recommendation: Council should support the decision of the BAR and deny the Permit to Demolish.

II. BACKGROUND

The proposal before the Board last June consisted of two applications to allow demolition, renovations and construction of an addition to the rear portion of the structure at 210 King Street. The first application involved a request for approval of demolition of portions of the rear flounder that would be necessary for the construction of the addition. The second application was for the approval of the design of the addition. The Board considered the applications separately.



Figure 1 - View of King Street facade

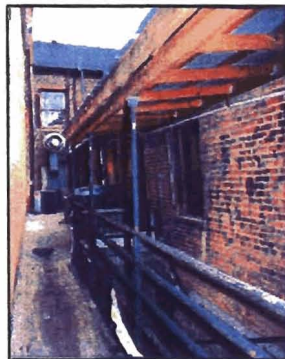


Figure 2 - View of west elevation from alley

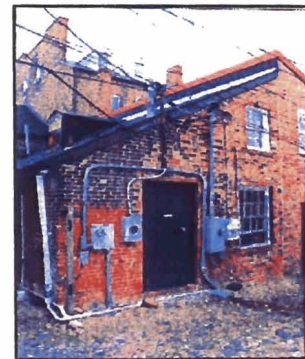


Figure 3 - View of south elevation from alley

The Board denied the application for demolition of portions of the rear of the building because it believed that the amount of demolition presented was an unacceptable loss of historic fabric of an important building in the historic district. It was the conclusion of the Board that the demolition of portions of important historic buildings should be avoided.

Because the Board denied the Permit to Demolish, it did not consider the companion application for a Certificate of Appropriateness to construct an addition, since the addition could not be constructed without the requisite demolition of the rear of the building.

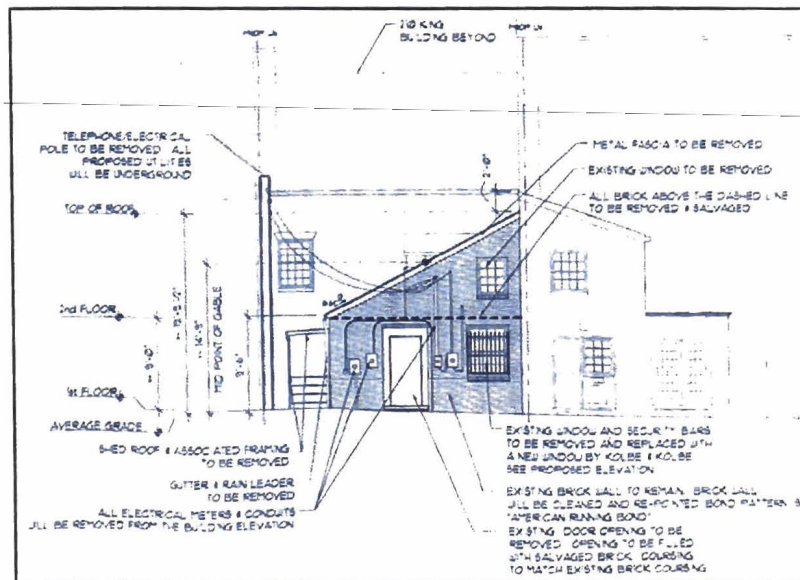


Figure 4 - Existing south elevation showing proposed demolition

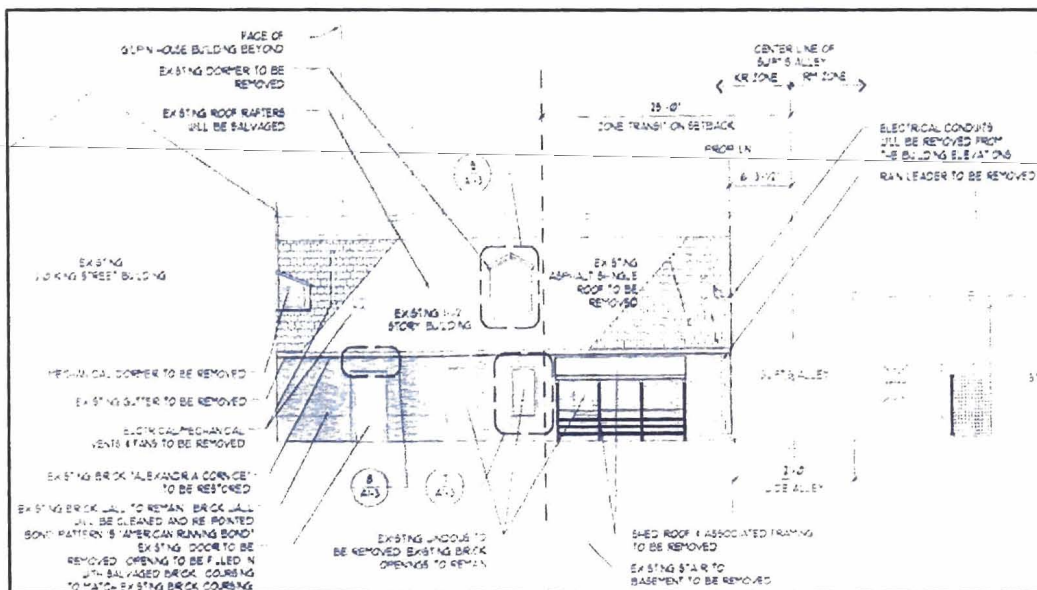


Figure 5 - Existing west elevation showing proposed demolition

At the June 6th public hearing, the Board denied the Permit to Demolish and Capsulate on a roll call vote of 4-0.

III. DISCUSSION AND ANALYSIS

The Decision on the Permit to Demolish/Capsulate

In considering a Permit to Demolish/Capsulate, the Council must consider the following criteria set forth in the Zoning Ordinance, Section 10-105(B):

- (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 America culture and heritage, and making the city a more attractive and desirable place in which to live?

The decision of the Board and the City Council must be based on a finding that these criteria have been met. It was the conclusion of the Board of Architectural Review that Criteria 1, 2, 3, 5 and 6 applied to this request and that, therefore, the Permit to Demolish and Capsulate should be denied. The Board found that the amount of proposed demolition and encapsulation would result in a significant loss of early architectural fabric on the building and was detrimental to the integrity of the building and the historic district.

In addition, the Board found that the building at 210 King Street was originally constructed at the turn of the 19th century and that the flounder ell form was iconic to Alexandria and should be preserved.

In considering the appeal, City Council must base its decision on the criteria set forth in Zoning Ordinance Section 10-105(B). Based on the findings, City Council may:

1. Uphold the Board denial of the Permit to Demolish and Capsulate;
2. Approve the request with modifications or amendments;

3. Remand the application to the Board; or
4. Approve the Permit to Demolish and Capsulate.

IV. RECOMMENDATION

Staff recommends that the Council support the decision of the Board of Architectural Review and deny the Permit to Demolish and Capsulate.

In the alternative, if the Council votes to overturn the decision of the Board of Architectural Review, because of the importance of the flounder section at the rear to Alexandria historic architecture, staff recommends the following conditions:

1. Large scale 4" x 5" negative black and white record photographs to Historic American Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record;
2. Measured drawings prepared to Historic American Building Survey Standards of the interior and exterior of the area to be demolished are to be made and approved by staff prior to the issuance of a building permit. The drawings are to be deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record;
3. Physical design detail elements that are to be removed may be retained by the City of Alexandria to be determined at the discretion of the Director of the Lyceum and deposited in the collections of the Lyceum in consultation with Staff of the Department of Planning & Zoning; and,
4. The original roof structure, framing and decking should be saved and re-used as part of the renovation project.

Attachment 1: BAR Staff Report, June 6, 2007

Attachment 2: BAR Application Plan Set dated April 16, 2007

STAFF: Faroll Hamer, Director, Department of Planning and Zoning
Stephen Milone, Division Chief, Zoning and Land Use Services
Peter H. Smith, Staff, Boards of Architectural Review
Lee Webb, Staff, Boards of Architectural Review

BAR Meeting
June 6, 2007

ISSUE: Demolition/encapsulation
APPLICANT: Michael W. Zarlenga
LOCATION: 210 King Street
ZONE: KR/King Street Retail

BOARD ACTION, JUNE 6, 2007: The Chairman called the question on the staff recommendation which was denial of the Permit to Demolish and Capsulate. The roll call vote on the motion was 4-0.

REASON: The Board agreed with the staff analysis that the demolition would result in a significant loss of early architectural fabric of the historic district. The Board members agreed that the form of the flounder was unique and should be preserved.

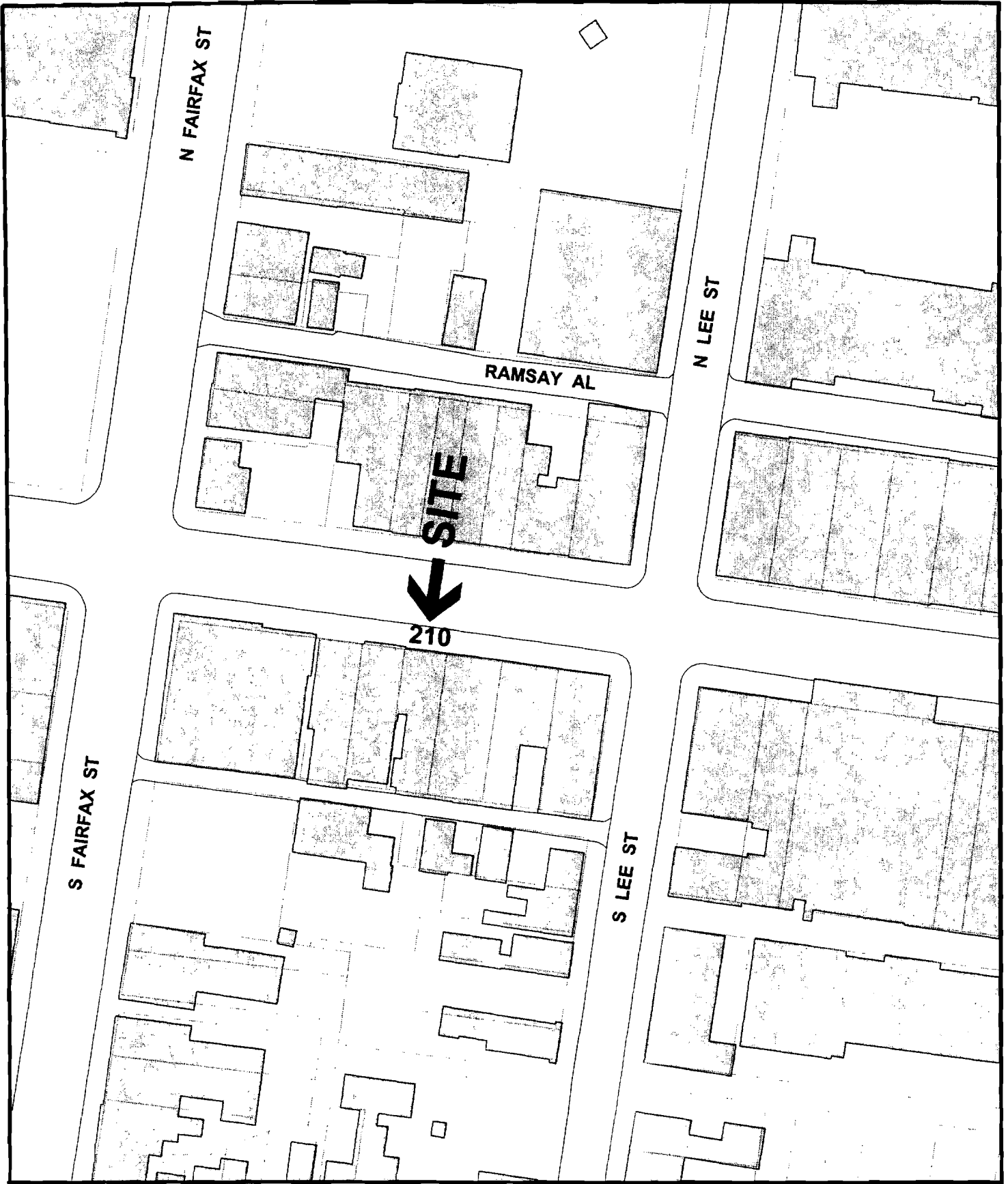
SPEAKERS: Michael Zarlenga, applicant, spoke in support.
Lee Quill, project architect, spoke in support.
Duncan Blair, attorney for the applicant, spoke in support.
Morgan Delaney, 202/204 King Street, spoke in opposition.
John Hynan, representing Historic Alexandria Foundation, spoke in opposition.

STAFF RECOMMENDATION, JUNE 6, 2007: Staff recommends denial of the Permit to Demolish and Capsulate.

In the alternative, if the Board recommends approval of the Permit to Demolish and Capsulate staff recommends the following conditions:

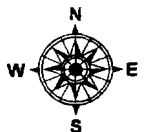
1. Large scale 4" x 5" negative black and white record photographs to Historic American Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record;
2. Measured drawings prepared to Historic American Building Survey Standards of the interior and exterior of the area to be demolished are to be made and approved by staff prior to the issuance of a building permit. The drawings are to be deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and

- Record;
3. Physical design detail elements that are to be removed may be retained by the City of Alexandria to be determined at the discretion of the Director of the Lyceum and deposited in the collections of the Lyceum in consultation with staff of the Department of Planning & Zoning; and,
 4. The original roof structure, framing and decking should be saved and re-used as part of the renovation project.



BAR CASE #2007-0085/86

6/6/07



3

Note: This docket item requires a roll call vote.

I. ISSUE:

The applicant is requesting a Permit to Demolish and Capsulate portions of the rear wall and ell of the existing structure at 210 King Street in order to allow for the construction of alterations and a new addition. The primary area to be removed is the roof and framing of the flounder.

II. HISTORY:

The building at 210 King Street is a three story brick rowhouse with a one story brick rear flounder ell. According to Ethelyn Cox in *Alexandria Street by Street* it dates from ca. 1800 [p.65]. A house history by Ruth Lincoln Kaye, commissioned for the current application, dates the front portion of the building as beginning construction ca. 1800 with completion by 1805 and with the flounder section at the rear preceding construction of the front section by a few years which she dates to 1799. However, physical evidence indicates a slightly earlier date of construction than the documentary evidence would imply. Bricked up window openings on the third floor (attic) level indicate that the structure at 210 predates the construction of that at 208/206 King Street which dates from 1798.

[Gilpin House at 206/208 King Street was "restored" in the early 1950s and involved replacement of woodwork and doors which was acquired from historic houses in Maryland and Virginia.]

The main historic block of 210 fronting on King Street appears today to be a center entry plan but was likely built as a sidehall entrance structure as was typical of late 18th /early 19th century rowhouses in Alexandria. The front façade is laid up in Flemish bond. It appears that the first floor widows were changed out to large paned two-over-two windows as well as the entry doorway and doors in the late 19th century.

The rear flounder ell, which is the subject of the Permit to Demolish application, was clearly extant by 1805 because a Mutual Assurance policy for the building at 202/204 King Street of that date notes for fire insurance rating purposes the presence of brick buildings at the rear of the lot at 210 King Street.

However, the rear flounder postdates the front section of 210 by several years. Thus, the current brick flounder is second period. Evidence of this fact is a window in the rear wall of the historic main block which was covered over as a result of the construction of the flounder ell clearly demonstrating the separate periods of construction. So it is clear that the flounder ell was constructed sometime after the main historic block. The construction techniques found on the flounder are typical of those found on late 18th century/early 19th century buildings. Notably, the cornice of the flounder ell displays a three quarter turned brick sawtooth type detail that is typical on brick buildings in Alexandria dating from the first two decades of the 19th century at least according to staff observations. The brickwork of the flounder is 5/6 course American bond (although unfortunately repointed with Portland cement) which is also indicative of a late 18th/early 19th century construction period.

As staff has noted previously, flounder buildings are viewed as an iconic form of Alexandria architecture. This particular flounder is often photographed and is used as emblematic of flounders in Alexandria. See, for example, Christopher Martin "Hope Deferred": The Origin and Development of Alexandria's Flounder House, *Perspectives in Vernacular Architecture*, Vol. 2, 1986 (1986), pp. 111-119 and Thomas T. Waterman, "Flounders Houses," *Antiques*, 47, (1945), p.92.

However, the roof of this particular flounder is more steeply raked than other flounders found as rear ells throughout the historic city. Staff initial impression was that the flounder ell had suffered a fire and been rebuilt resulting in the steep angle of the roof. Earlier this year, staff along with Al Cox, FAIA, was given access to the interior in order to able to conduct an on site inspection of the interior of the building. Part of the object of the review of the building was to determine if there had been a fire in the flounder ell. No evidence of fire damage or charring damage to the historic roof trusses or decking fabric that was visually accessible was observed. Staff concluded that the extant oblique angle of the flounder roof is original construction that was not altered as the result of fire damage.

The flounder ell at 210 King Street is a typical example of such construction of the late 18th and early 19th century found throughout the historic city. Such typical brick flounders were found in all of the 300-500 blocks of King Street prior to scouring of the physical environment for urban renewal.

The Board approved signs for the current restaurants in the building in 1996 and 1997 and the retail store in 2001.

III. ANALYSIS:

In considering a Permit to Demolish/Capsulate, the Board must consider the following criteria set forth in the Zoning Ordinance, §10-105(B):

- (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?

In the opinion of Staff, this is an important late 18th/early 19th century structure that is significant for its architectural contributions to the patrimony of the historic district and the proposed demolition and capsulation and meets criterion #'s 1, 2, 3, 5 & 6. Staff believes that the proposed demolition represents a significant loss of the early architectural fabric of the historic district. The *Design Guidelines* state: "The Boards actively seek to retain the existing historic fabric of the historic districts and strongly discourage the demolition of any portion of an 18th or early 19th century structure." Therefore, staff recommends that the Permit to Demolish and Capsulate be denied.

Having said that, staff notes a number of significant mitigating factors. First, with the new rooftop addition, the flounder form and massing will be continued and maintained at a new height. Second, the sawtooth cornice of the original flounder will be preserved. Staff also notes a number of other instances in which the Board has been presented similar scenarios involving the demolition of significant portions of rear additions of the late 18th or early 19th century structures and has approved their demolition for both commercial and residential purposes. For example, in 1994 the Board approved the demolition of an asymmetrical gable roof from the early 19th century in order to raise the roof to create additional retail space for the store at 1209 King Street. The minutes from that meeting state:

The Board agreed with the applicant that additional height was required in the rear section in order to operate a successful business. The Board disagreed with the Staff that the building should be maintained as it stood. However, the Board specifically noted that the roof trussing system and the configuration of the building should be maintained.
(BAR Case #94-00191, 12/4/94)

In a residential case for 210 North Fairfax Street involving a the removal of a roof of a flounder dating from the 1780s the Board also disagreed with staff which recommended denial of the Permit to Demolish and voted to approve the demolition of the flounder roof and structure. The minutes from that meeting state:

[Members] said that Alexandria is not a static community and that people did not expect it to remain the same forever...[and]that this was a tasteful and carefully done addition...[and that there was] no problem because the basic concept of the house would remain the same. (BAR Case #97-0015, 4/2/97)

In the alternative, if the Board approves the proposed demolition, staff believes that this is such an important structure that the section to be demolished and capsulated should be recorded both by photographs and measured drawings to the standards of the Historic American Building Survey. The recordation must be approved by staff prior to the issuance of a demolition or building permit. Two copies of such recordation efforts must be approved and deposited at the Local History Collections of the Alexandria Public Library and at the City of Alexandria Archives.

Staff also believes that the roof structure, framing and decking which is original and extant should be saved and re-used as part of any redevelopment of the building.

IV. STAFF RECOMMENDATION:

Staff recommends denial of the Permit to Demolish and Capsulate.

In the alternative, if the Board recommends approval of the Permit to Demolish and Capsulate staff recommends the following conditions:

1. Large scale 4" x 5" negative black and white record photographs to Historic American Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record;
2. Measured drawings prepared to Historic American Building Survey Standards of the interior and exterior of the area to be demolished are to be made and approved by staff prior to the issuance of a building permit. The drawings are to be deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record;
3. Physical design detail elements that are to be removed may be retained by the City of Alexandria to be determined at the discretion of the Director of the Lyceum and deposited in the collections of the Lyceum in consultation with staff of the Department of Planning & Zoning; and,
4. The original roof structure, framing and decking should be saved and re-used as part of the renovation project.

CITY DEPARTMENT COMMENTS

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

Code Enforcement:

C-1 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.

Historic Alexandria:

No comments were received from this agency.

210 KING STREET, LLC ALEXANDRIA, VA

BAR Certificate of Appropriateness



ZONING INFORMATION

PROPERTY LOCATION: 210 KING STREET, ALEXANDRIA VA
 ASSESSMENT MAP: 075.01
 BLOCK: 07
 LOT: 04
 ZONE: KR
 PROPOSED USE: RETAIL
 EXISTING LOT AREA: 2,050 sf
 FAR: 1.5
 ALLOWABLE NET FLOOR AREA: 2,050 $4 \times 1.5 = 3,075$ sf
 EXISTING NET FLOOR AREA: 2,723 sf
 PROPOSED NET FLOOR AREA: 2,935 sf
 ALLOWABLE BUILDING HEIGHT: 50' OR 14.706 (01)
 EXISTING BUILDING HEIGHT (REAR BUILDING): 11'-9" SEE PLANS
 PROPOSED BUILDING HEIGHT (REAR BUILDING): 21'-6" SEE PLANS
 EXISTING REAR YARD: SEE PLANS
 PROPOSED REAR YARD: SEE VARIANCE APPLICATION AND PLANS
 SIDE YARD: SEE REAR YARD
 MIN LOT AREA: NOT PRESCRIBED
 MIN LOT WIDTH: NOT PRESCRIBED
 MIN LOT OCCUPANCY: NOT PRESCRIBED

DRAWING INDEX

A0-0 COVER SHEET & ZONING INFORMATION
 A0-1 ARCHITECTURAL, SITE PLAN & SITE CONTEXT/PHOTOS
 A1-1 KING STREET BLDG. EXISTING CONDITIONS
 A1-2 KING STREET BLDG. PROPOSED ELEVATIONS & ROOF PLAN
 A1-3 EXISTING ALLEY BLDG ELEVATIONS & SECTIONS
 A1-4 PROPOSED ALLEY BLDG ELEVATIONS & SECTIONS
 A1-5 EXISTING PLANS
 A1-6 PROPOSED PLANS

CUNNINGHAM QUINN
 ARCHITECTS
 P.L.L.C.
 210 KING STREET
 ALEXANDRIA, VA
 APPLICANT:
 MICHAEL ZALENSKA
 210 KING STREET
 ALEXANDRIA, VA

BAR CERTIFICATE
 OF APPROPRIATENESS

COVER SHEET
 & NOTES

A0-0



#214 King St. - 2 1/2 Story Building at Swift's Alley



#210 King St.



#206 King St. - 2 Story Building along Swift's Alley



#204 King Street - 2 Story Building along Swift's Alley with 8'-0\"/>



#200 King St. - 3 1/2 Story Building at the corner of Swift's Alley and South Lee Street



2 Story Burke & Herbert Bank Building at the corner of South Fairfax Street and Swift's Alley



2 1/2 Story Residence along Swift's Alley with 8'-0\"/>



3 1/2 Story Residence in Swift's Alley

1 ARCHITECTURAL SITE PLAN
Scale: 1/200"=1'-0"



1 1/2 Story Rear Building in Swift's Alley



210 King Street



Copyright © 2007
3.29.07 | VARIANCE APPLICATION

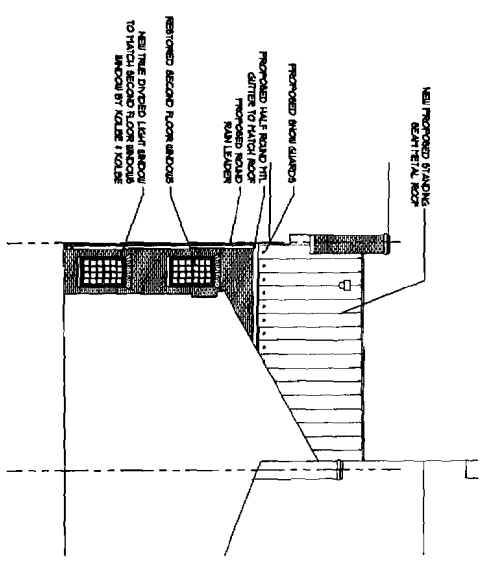
CUNNINGHAM | QUINN
ARCHITECTS
PLLC
1034 5th Street NW
Suite 215
Washington, DC
20004
Tel: 202.337.2000
www.cunninghamquinn.com

BAR CERTIFICATE
OF APPROPRIATENESS
210 KING STREET
ALEXANDRIA, VA
APPLICANT:
MICHAEL ZARLNGA
210 KING STREET
ALEXANDRIA, VA
CSA # 2101

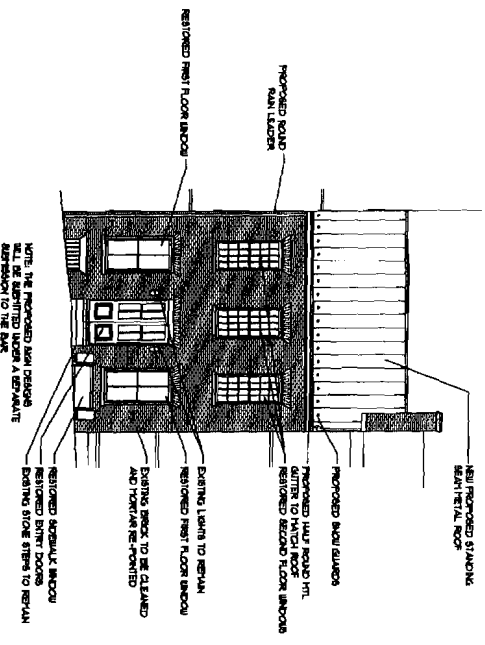
ARCHITECTURAL
SITE PLAN & SITE
CONTEXT/PHOTOS

AS NOTED
AO-1

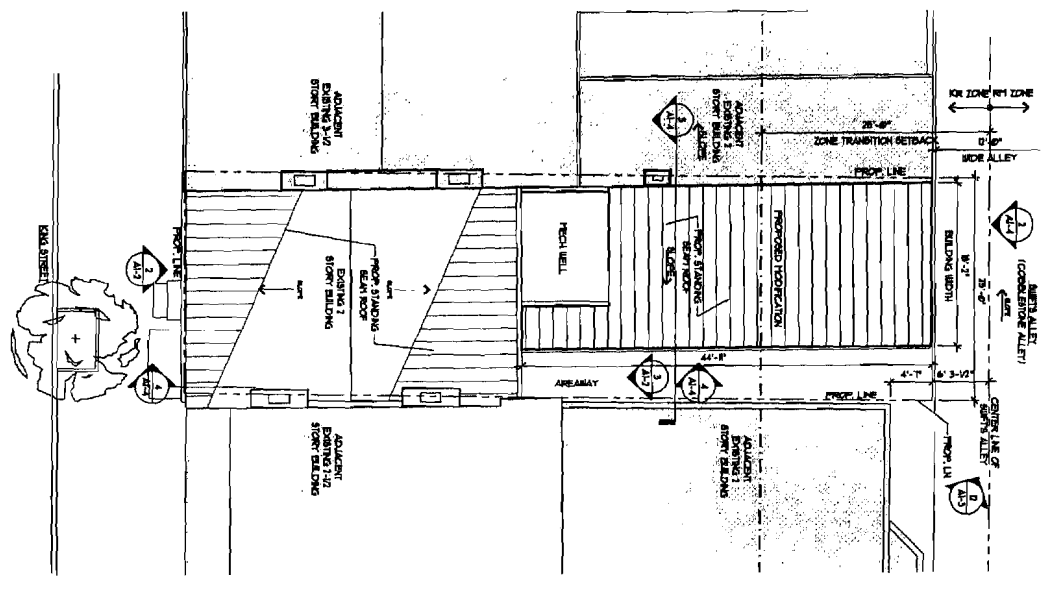
3 PROPOSED SOUTH ELEVATION
1/8" = 1'-0"



2 PROPOSED NORTH ELEVATION
1/8" = 1'-0"



1 PROPOSED ROOF PLAN
1/8" = 1'-0"

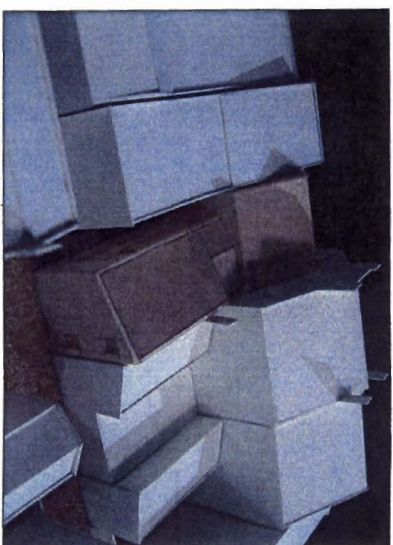


Copyright © 2007

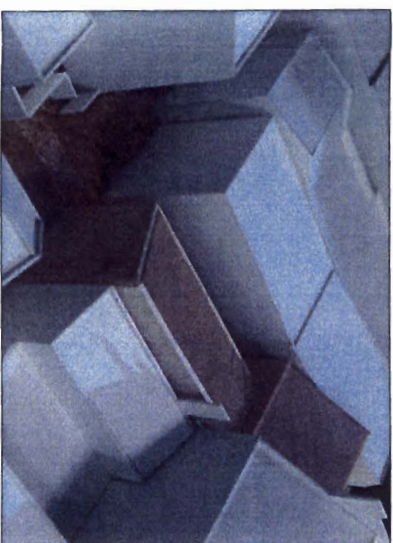
<p>CUNNINGHAM & QUILL ARCHITECTS P.L.L.C.</p>	
<p>BAR CERTIFICATE OF APPROPRIATENESS</p>	
<p>210 KING STREET ALEXANDRIA, VA</p>	
<p>APPLICANT: MARGARET ZABELKA 210 KING STREET ALEXANDRIA, VA</p>	
<p>Scale: AS NOTED</p>	
<p>3.28.07 VARIANCE APPLICATION</p>	<p>Prepared By: COA</p>
<p>PROPOSED ELEVATIONS & ROOF PLAN</p>	<p>A1-2</p>



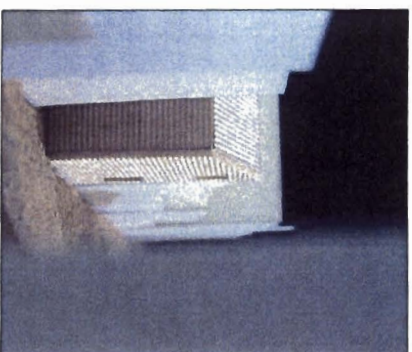
9 ALLEY VIEW FROM SOUTH LEE ST.



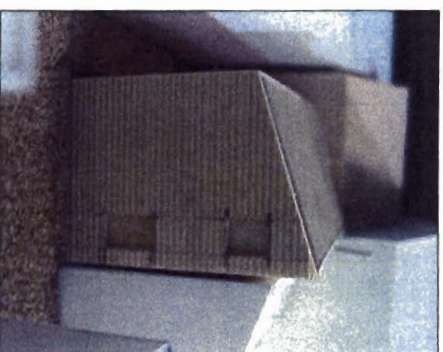
8 SWIFT'S ALLEY VIEW



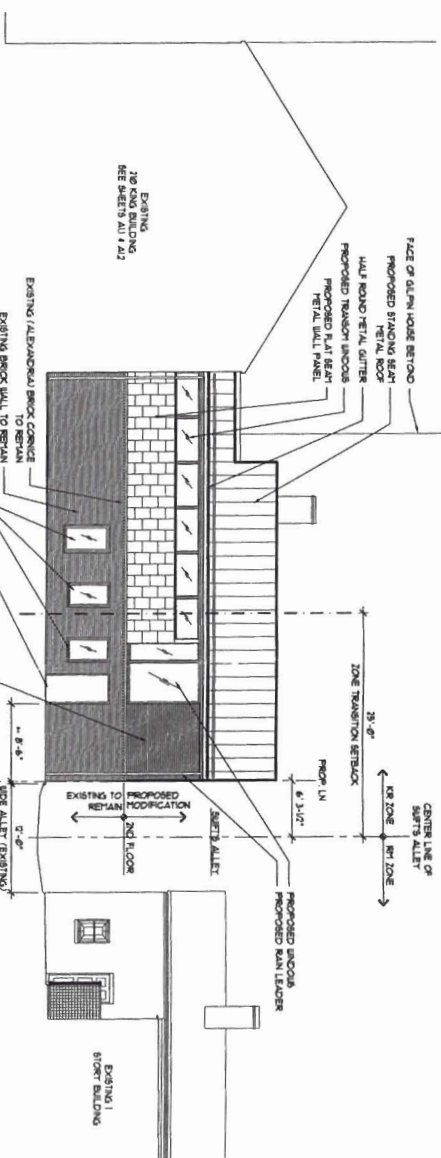
7 SWIFT'S ALLEY VIEW



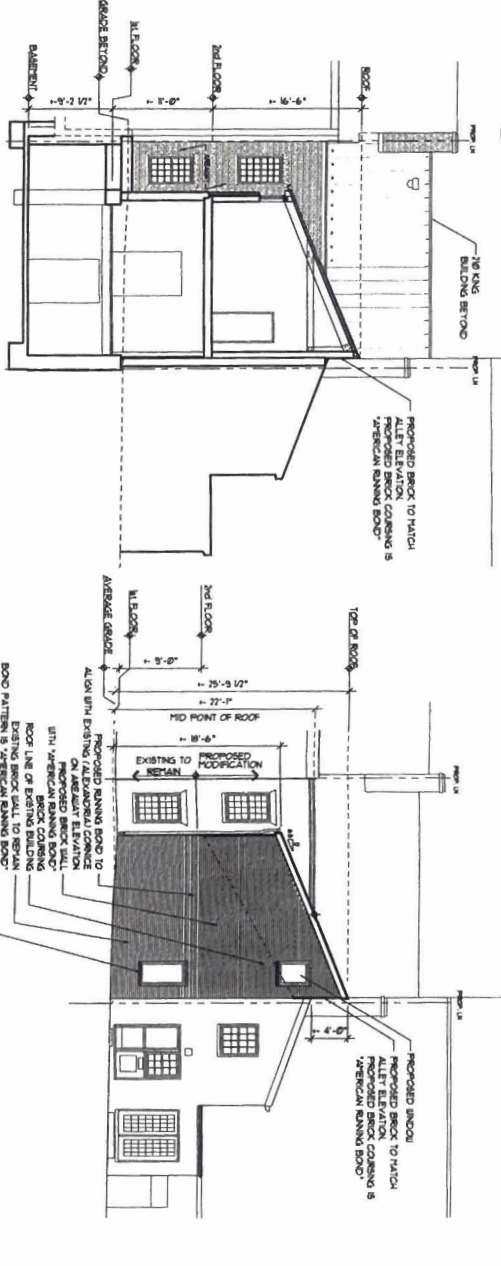
6 VIEW FROM BANK PARKING LOT



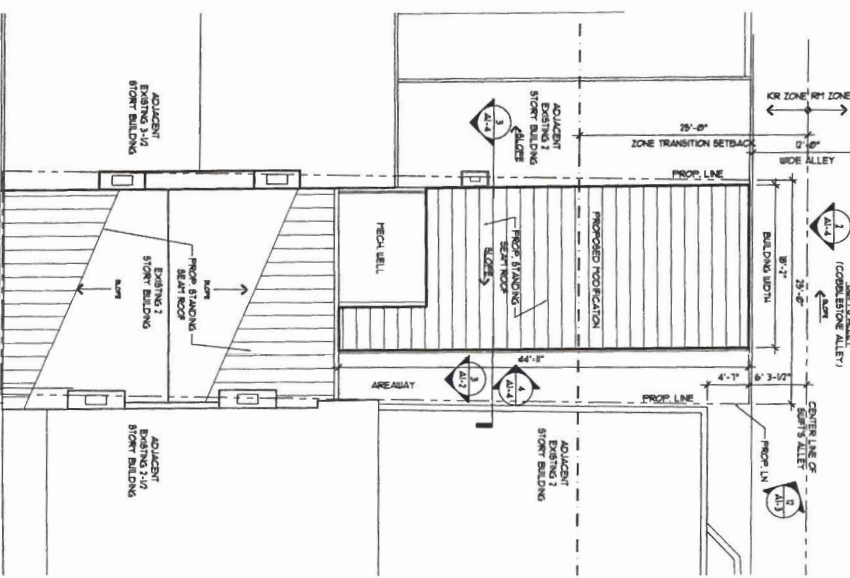
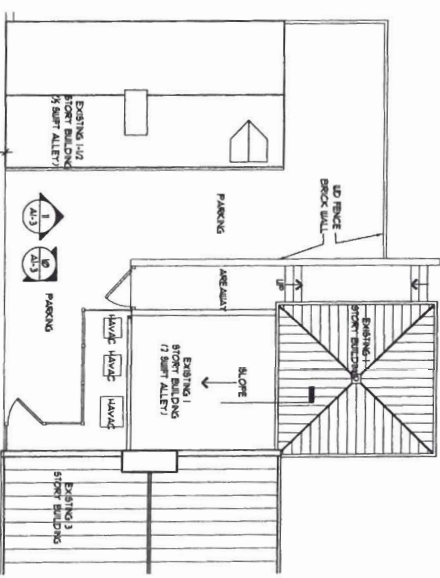
PROPOSED SOUTH ELEVATION



4 PROPOSED BUILDING (WEST) ELEVATION & ALLEY SECTION



PROPOSED SOUTH ELEVATION



1 PROPOSED ROOF PLAN

right © 2007

329.07 VARIANCE APPLICATION

CUNNINGHAM | GUILF ARCHITECTS ARCHITECTS P.L.L.C.

1054 31st STREET NW SUITE 310 DC WASHINGTON, DC 20007

TEL: 202.331.8750 FAX: 202.331.0270 WWW: cunninghamgulf.com

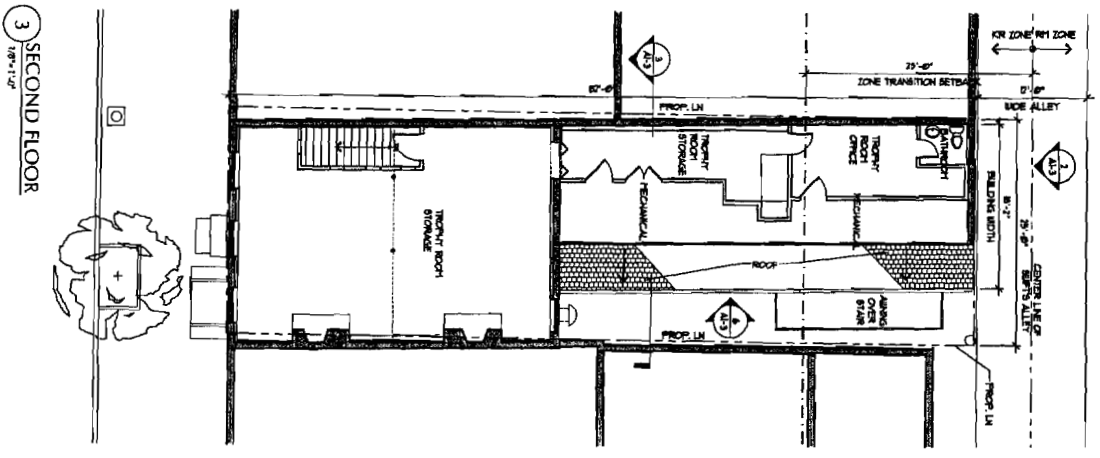
APPLICANT: MICHAEL ZALENKA 210 KING STREET ALEXANDRIA, VA 22304

PROP. ALLEY BLDG ELEVATIONS & SECTIONS

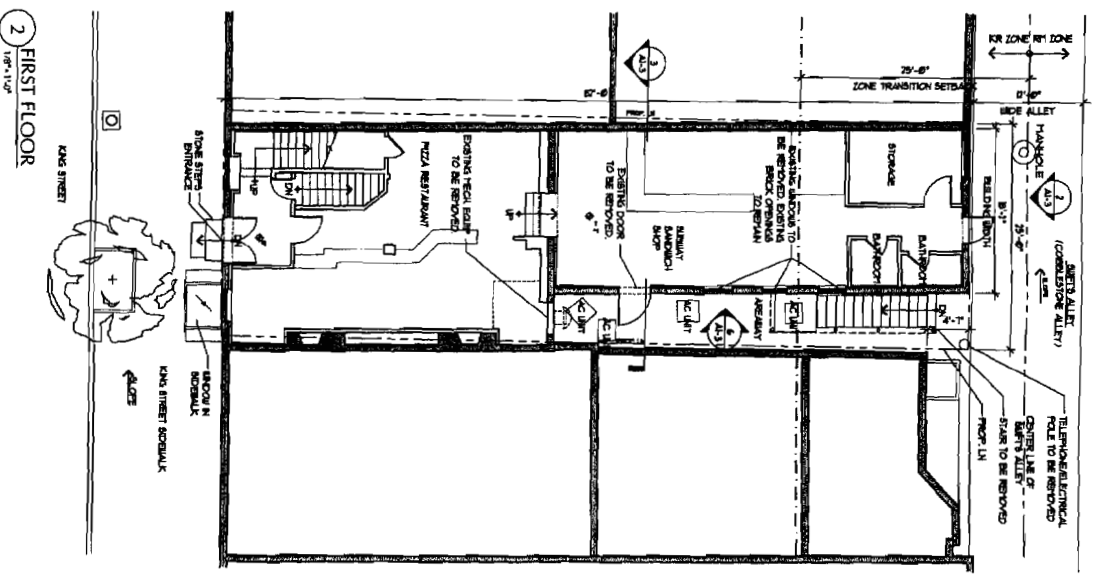
A1-4

AS NOTED

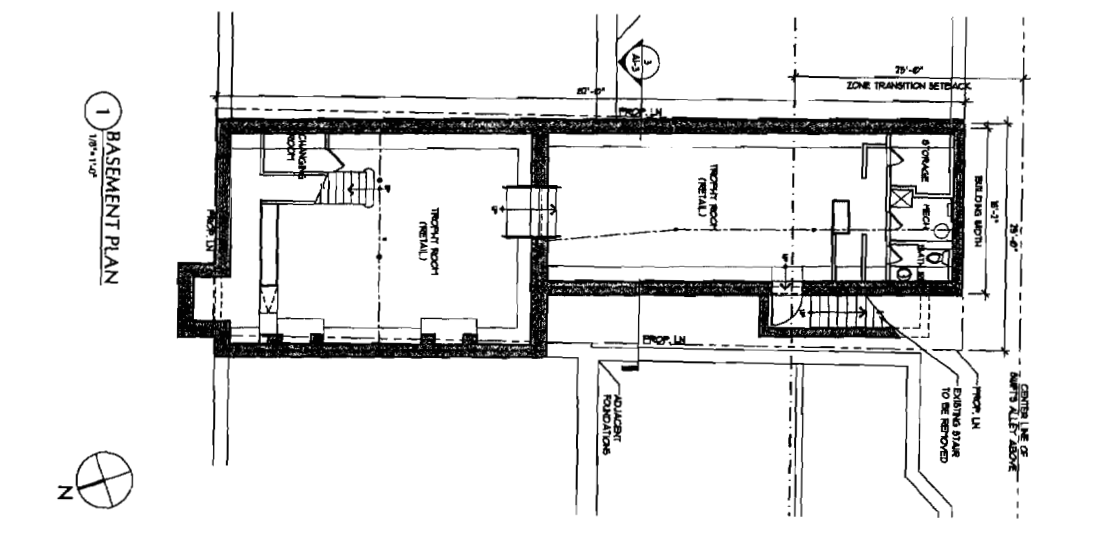
Scale: 1/8" = 1'-0"



3 SECOND FLOOR
1/8" = 1'-0"



2 FIRST FLOOR
1/8" = 1'-0"



1 BASEMENT PLAN
1/8" = 1'-0"

Copyright © 2007

CUNNINGHAM | O'NEILL
ARCHITECTS
P.L.L.C.

**BAR CERTIFICATE
OF APPROPRIATENESS**

210 KING STREET
ALEXANDRIA, VA

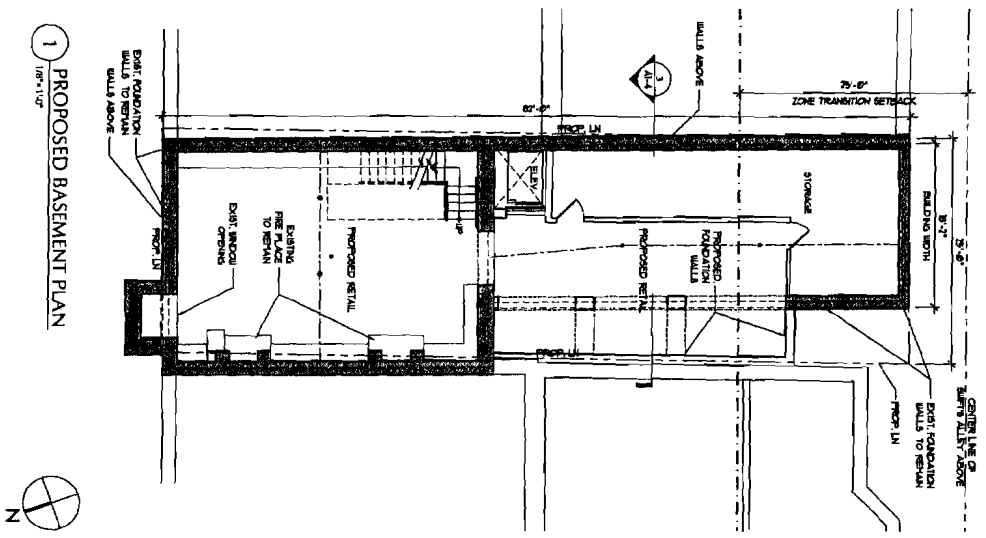
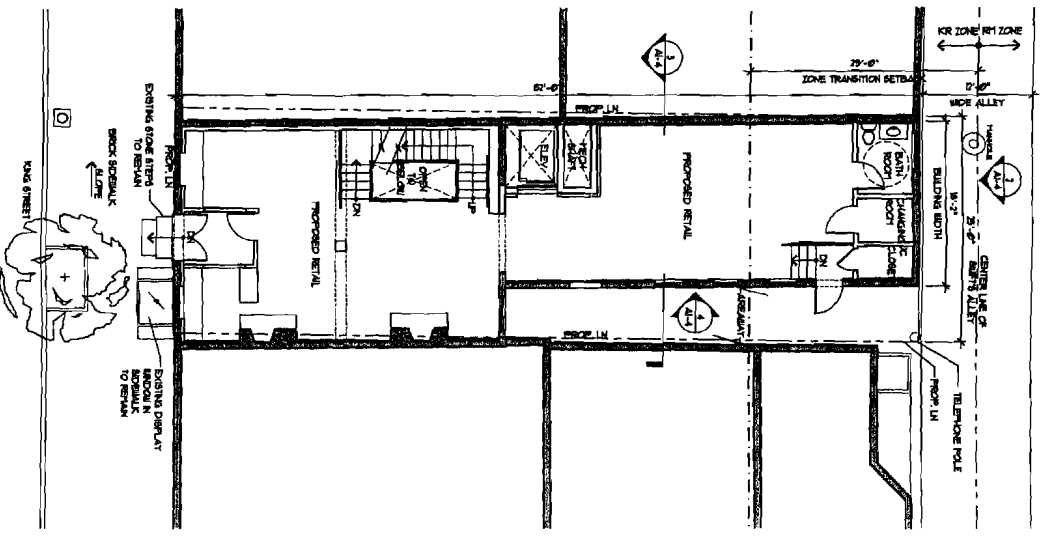
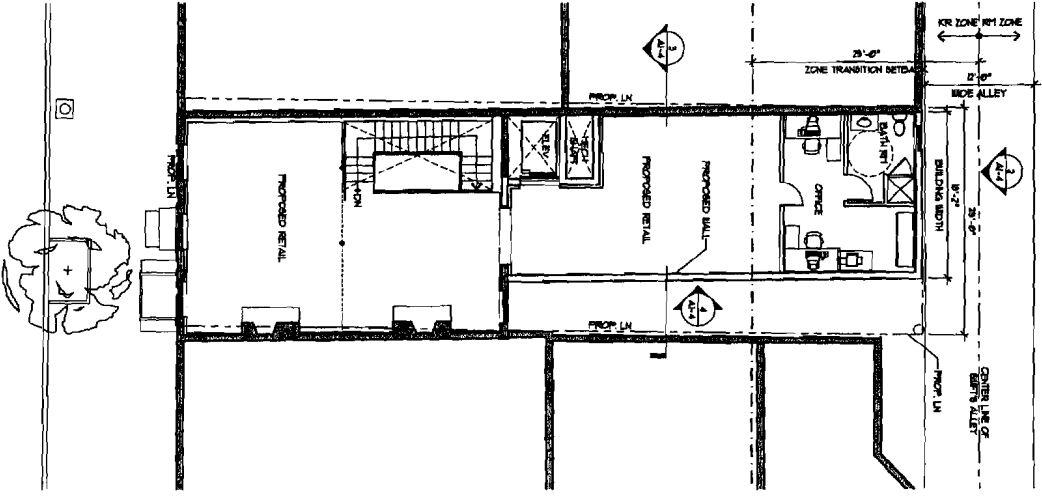
APPLICANT:
MICHAEL FARBERGA
MICHAEL FARBERGA
ALEXANDRIA, VA

EXISTING
PLANS

A1-5

AS NOTED

COA



Copyright © 2007
 CUNNINGHAM QUINN ARCHITECTS P.L.L.C.
 BAR CERTIFICATE OF APPROPRIATENESS
 210 KING STREET ALEXANDRIA, VA
 APPLICANT: MICHAEL ZARLINGA
 1501 S. MAIN ST. ALEXANDRIA, VA
 PROPOSED PLANS
 A1-6
 AS NOTED
 COA

