



Alexandria, Virginia

Historic Alexandria Resources Commission

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Alexandria, Virginia 22314-2521
(703) 746-4554



20
5-14-19

May 14, 2019

Statement of Danny Smith, PhD, PE
Historic Alexandria Resources Commission Co-Chair

RE: May 14, 2019 City Council Meeting
Docket Item 20, 19-1965, BAR #2018-00410 and BAR #2018-00411

Mister Mayor and Members of the Council:

My name is Danny Smith, and I am Co-Chair of the Historic Alexandria Resources Commission. HARC includes, among others, representatives of the Alexandria Historical Restoration and Preservation Commission, the Alexandria Historical Society, the George Washington Masonic Memorial, the Alexandria Archaeological Commission, the Alexandria Association, the Old Town Civic Association, and all of the city Planning Districts. The HARC motion to oppose the proposed changes to 619 South Lee Street was approved unanimously. The Alexandria historic preservation community finds that the proposed additions of multiple new structures to the Vowell-Snowden-Black House would be inconsistent with the historic character of the property and the neighborhood; would irrevocably destroy the vision of Supreme Court Justice Hugo Black when he granted an Open Space Easement on the property; and would violate provisions of the easement on the property, the Virginia Open Space Land Act, and our own city ordinance on historic preservation. We ask that you deny the applicants request.

The National Park Service's Historic American Buildings Survey (HABS is "the nation's first federal preservation program, begun in 1933 to document America's architectural heritage. Creation of the program was motivated primarily by the perceived need to mitigate the negative effects upon our history and culture of rapidly vanishing architectural resources.") celebrates the house and its protected open space, stating "The Vowell-Snowden-Black House, certainly one of the outstanding examples of the Federal 'row' type buildings in Alexandria, has fortunately been spared the fate of suffocation. By precept and example it stands flush with the street, but with its extensive grounds and breathing space preserved to this day." In addition, the Virginia Historic Landmarks Commission certified the Hugo Black House and Gardens as a "principal historical site... of State-wide and national significance" in large part because it was for decades the home of one of the most renowned supreme court justices of all time.

Consistent with the mission of HARC, we are seeking to preserve the historic character and open space of 619 South Lee Street via multiple courses of action. In October, 2018, we sent a letter to the Director of the Virginia Department of Historic Resources (VDHR), holder of the open

space easement on the property, asking that they reconsider their conceptual approval of additional structures on the property. We followed up with a meeting with VDHR in Richmond. Our overtures to VDHR were rebuffed with no opportunity to discuss the VDHR process or rationale for providing preliminary approval of the proposed additions.

Points addressed in the VDHR letter remain relevant. Long-time owner of the property, Supreme Court Justice Hugo Black, granted an open space easement under the provisions of the Virginia Open Space Land Act enacted to preserve permanent open space lands including in urban areas where increasing density and overcrowding threaten residents' quality of life. The statute specifies measures that must be satisfied in the event of conversion or diversion of open space lands. The first key measure is determination that the diversion is essential to the orderly development and growth of the locality and is in accordance with the official comprehensive plan for the locality. I am aware of no such determination or plan. Perhaps the most relevant official local plan is the City of Alexandria Open Space Master Plan which supports precisely the opposite of diversion of open space. The second measure is replacement of the diverted open space with property that is of at least equal fair market value, of greater value as permanent open space land, and of as nearly as feasible equivalent usefulness and location. Sadly, none of these measures has been satisfied for this property, and there is apparently no intention to do so. The statute definitely does not provide, as was suggested by two members of the BAR who voted in favor of the application, that obstruction of open space is allowable as long as future demolition of the obstructions is a possibility.

Although the applicant proposes decreasing the footprint of structures on the site by demolishing portions of the property totaling 450 square feet, new structures are proposed that will add 3174 square feet to the footprint of the structures. This would dramatically reduce open space with 700 percent more land coverage than the removals. Even more important, the proposed placement of most of the additions will substantially obstruct Lee Street sightlines to most of the open space.

The decision by VDHR in conceptual approval of proposed changes to this property, if allowed to prevail, would clearly violate the provisions of state law. More significantly, VDHR has failed to act in good faith as a steward of the irreplaceable remaining historic fabric of Alexandria. We believe that you should take into consideration in your deliberations the easement granted by Justice Black on 619 South Lee Street. Though you are not charged with enforcement of state laws, you should certainly take into consideration apparent violations of state law such as this that are brought to your attention.

Alexandria is one of the most densely populated cities in the US further highlighting the importance of protecting our limited open space. (Our population density is among the top 5% of the approximately 1,000 US cities with populations of 50,000 or more. 2016 US Census Bureau) Open space is critical to the quality of life in our city, and has been an issue in Alexandria for well over a century. An 1851 editorial in the Alexandria Gazette states "... We hope in the improvements that we trust are to take place in town the project of securing some square, as a park or promenade ground for the public, will not be overlooked. Our gardens and river banks are delightful, but they are not enough." (6/14/1851)

Alexandria City Council Resolution Number 1259 promotes the creation of open space easements through their acquisition by the city or other authorized public bodies for the purpose of preserving open-space land, especially in historic and scenic areas. The resolution acknowledges "...the need for and value of historic and scenic easements" and concurs in the finding that acquisition of rights to "...preserve permanent open-space land is essential...to the health and welfare of the citizens of the State." IT IS INCOMPREHENSIBLE THAT WITH AN OFFICIAL CITY POLICY THAT PROMOTES ACQUISITION OF OPEN SPACE EASEMENTS, THAT OUR ELECTED LEADERS COULD ABDICATE ALL RESPONSIBILITY FOR MAINTENANCE OF THE EASEMENTS EVEN TO THE POINT OF BEING TOLD TO IGNORE THEM.

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

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

Historically, additions to this property have been located at the rear (to the west), with kitchen and smoke house dependencies attached as an ell. The large open space to the south separating the main house and carriage house was restored by Justice Black prior to granting the Open Space easement on the property. The proposed added structures to the south will significantly alter the historic appearance of this structure by extending off of the main house. This expansion will not compliment the architecture. It will compete with and alter the architecture. In addition, the visual connection between the main house and historic carriage house will be lost because the open space will be removed. We do not support the proposed huge increase in finished living space on the property. However, if it is to be increased, the expansion should continue the historic precedent and extend to the west, maintaining the significant open space relationship between the historic house and carriage house.

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

At a minimum, the outbuilding fenestration (or lack thereof in the case of the garage) is not in keeping with the original home and would require modification to compliment better the surrounding architecture. Of the options offered in the response to the December 19 comments from the BAR, the fenestration for the east elevation of the garage shown in Sheet 9 (actual windows, not the recessed brick panel alternative) and for the east elevation of the kitchen shown in Sheet 7 are more compatible with the surrounding architecture.

It certainly has not escaped your attention that virtually every civic and appointed historic preservation organization in Alexandria is speaking with one voice in opposition to the addition of new structures to the property at 619 South Lee Street. As our elected leaders, you are responsible for making effective the provisions of Section 10-100 of the zoning code. A primary purpose of that section is "...to promote the... preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance."

The future of the Vowell-Snowden-Black House is an incredibly important issue in itself, and it is part of the overall issue of maintaining historic preservation easements. These easements are intended to guarantee the survival of elements of our charming city and its storied past. Granting an easement – an encumbrance on the title of a property – carries a reduction in market value that all levels of government recognize with tax credits and relief. The city foregoes substantial taxes as a result. Violation of easements with impunity essentially amounts to the city relinquishing those taxes for no benefit.

We sincerely appreciate your diligent service and in discussion with some of you have come to appreciate the crush of issues, information, and obligations that you have accepted as elected leaders of Alexandria. We appreciate all your hard work. Thank you for hearing and considering our statements and reviewing the materials we have provided on this very important issue. We believe that, in sum, the information provided should convince you to deny approval of the application as presented.

Thank you.

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5-14-19

**Robert Latane Montague III
1007 King Street
Alexandria, Virginia 22314**

May 14, 2019

**Mayor and City Council
City Hall, Alexandria, Virginia**

The home of the late Justice Hugo Black of the US Supreme Court, also known as the Vowell-Snowden House, and featured in *Seaport in Virginia, George Washington's Alexandria*, published in 1949 by my aunt Gay Montague Moore, is subject to a preservation and open space easement given to the Virginia Department of Historic Resources ("VDHR") by Justice and Mrs. Black in 1969. The intent of the Blacks to preserve the garden grounds of the property as open space is quite clear from that easement. The fact that the property was included in this book was a private sector reflection of its historic importance before there was a public register of historic landmarks.

It is the largest private garden in Old Town Alexandria comprising the equivalent of 12 town house lots, some of which were cleared of existing structures when the Blacks created their garden to include a swimming pool and a tennis court. The open space surrounding 619 S. Lee Street is rarer and more significant as a landmark than the house itself because of its design and ownership history.

Easements are an integral part of the system for historic preservation as it exists in Alexandria, Virginia and indeed in the United States. At the most expensive level of public investment are the museum houses (Carlyle House), Lloyd House, which was acquired with a grant of 50% of its \$430,000 purchase price from HUD because of its garden open space, the Lyceum, which is a publicly owned museum and meeting hall, and Gadsby's Tavern. For a much smaller but continuing level of public investment, easements held by public and private agencies protect dozens of private properties in Alexandria, and elsewhere in Virginia. The Alexandria Historic District Ordinance provides further protection of the public interest in private historic properties by use of the police power.

The VDHR has previously rejected less invasive and space consuming proposals to alter the character and amount of open space at 619 S. Lee by other owners of the property. Without public participation the VDHR has chosen to preliminarily approve the proposed substantial alteration to the house and garden by the present owners.

The City of Alexandria has a substantial financial interest in this matter because it has foregone substantial real estate taxes that would have applied to the property had it not been subject to the easement since 1969. This fact and Virginia law gives the city legal standing to

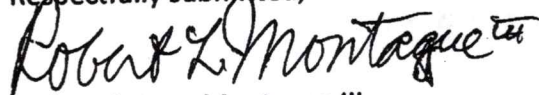
intervene in the matter and seek enforcement of the terms of the easement as specified by Virginia law. The failure to do so will seriously damage the ability to preserve open space through the use of easements in the City of Alexandria and the entire state of Virginia.

Alexandria has a public policy in support of the protection of historic sites and urban open space. This policy is further reflected in Article XI of the Constitution of Virginia which expressly includes historic sites.

I write as a past President of the Historic Alexandria Foundation, the Old Town Civic Association, the Northern Virginia Conservation Council, Conservation Council of Virginia and as a 12-year Chairman of the Alexandria Historical Restoration and Preservation Commission, which is the local government agency holding easements preserving open space associated with properties in Old Town. The Northern Virginia Conservation Council specializes in advocating for public and private open space preservation throughout Northern Virginia. It is the civic organization which fought to secure the establishment of the Alexandria Waterfront Park System beginning with Founders' Park in 1973.

Allowing this proposal to go forward will jeopardize the future of the easement program in Alexandria and the rest of Virginia. The proposed demolition and new construction for 619 S. Lee Street must be rejected and enforcement of the easement must be insisted upon by the City of Alexandria.

Respectfully submitted,

A handwritten signature in black ink that reads "Robert Latane Montague III". The signature is written in a cursive style with a large, stylized "R" and "M".

Robert Latane Montague III

Vice President,

Northern Virginia Conservation Council
(703) 609-0744

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5-14-19

Elizabeth F. Jones
Testimony before City Council
May 14, 2019

Elizabeth F. Jones, 5904 Mount Eagle Drive, Alexandria VA
22303

The testimony we have heard tonight has been focused on the fact that the Justice Black House has a perpetual easement on it that protects the property under state law and the Alexandria Open Space Master Plan. Speakers have addressed the issues in a manner, which reviewed the salient points regarding Open Space and Easements in Alexandria.

Alexandria has an important status in historic districts across the country with the preservation ordinance being the third one enacted in the country. Open Space plays an integral part of the history of the city with its beautiful gardens, patios and lawns.

What I want to address is a historic and somewhat nostalgic issue. My education and work history is in the field of historic preservation and architectural history and I am devoted to seeing that our historic patrimony is preserved.

I can only think that Justice Black, who bought the property in 1939 and lived there until 1971, purchased it because he appreciated the architecture and history of the house and grounds and placed the easement because he loved the open space and the beauty of the grounds. I can imagine him returning from a day of legal discussions and arguments before the Supreme Court and sitting in the yard enjoying the bird sounds and the peacefulness of the setting. He told his law clerk that "this place is a little piece of Eden". As a consummate

intellectual he obviously thought about how to preserve this setting for future generations. And I believe he wanted this special place not only for himself but also for the other owners, residents and visitors who would see and appreciate the open space in this prominent location in Old Town. Owners are responsible for their historic houses not only for their time of ownership but in order to protect and preserve them for the future generations. This is what an easement does and what Justice Black did when he created the easement and he understood the meaning of stewardship.

You as elected officials have the power under law and the responsibility to remand this issue to the BAR to come up with a better solution in order to uphold the law and protect the historic resources of the city especially the Justice Black House and its special environment.

Thank you.

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5-14-19

**A statement by Bert Ely to the Alexandria City Council
with regard to the appeal of the BAR decision pertaining to the
Vowell-Snowden-Black house at 619 South Lee Street**

May 14, 2019

Mr. Mayor and members of Council, I am Bert Ely and I live at 200 South Pitt. I speak to you this evening only for myself with regard to your consideration of the appeal of the BAR's approval of proposed alterations and additions to the Vowell-Snowden-Black house at 619 South Lee. Apart from the irreparable damage the proposed alterations would cause to this historic property, the proposed additions to the house would violate the open space easement Justice Black placed on the property.

Over the years and bit by bit, there has been a slow erosion of the historic fabric in the Old and Historic District as well as the loss of open space, which is an important element of that fabric. The Board of Architectural Review (BAR) was created to protect Old Town's historic fabric, specifically when the owner proposes alterations to an historic property that will harm that property's irreplaceable fabric or make irreparable changes in its appearance.

If Council stands by and allows the BAR to approve inappropriate alterations to the exteriors of historic structures in the Old and Historic District, then over time Old Town will lose its unique historic character that is so highly valued by Alexandrians as well as by the visitors the City so highly values.

Much of the time, the BAR gets it right, but when it does not, Council, in acting on an appeal, must deny the application being appealed. Denying the application for the Justice Black house will give the new BAR the opportunity to get it right at 619 South Lee should the property owner reapply to the BAR.

Additionally, Council must act in a manner that enforces the existing open-space easement, specifically by barring any incursion into the open space intended to be protected by that easement. If Council fails to ensure the enforcement of that easement, that failure will place a dark cloud over all historic and open-space easements that currently exist. A lack of enforcement also will deter other property owners from going to the expense of granting easements while clouding the tax status of existing and future easements.

Finally, it must be recognized that the Justice Black house is not just another old structure, but it was the home for 32 years of a notable justice of the United States Supreme Court who clearly intended that the historic character of his family's home and property be protected against alterations that would adversely affect that character. For that reason alone, the City should take every measure possible to preserve the historic fabric, character, and open space at 619 South Lee.

In closing, I call to your attention the admonition of the late Stewart Dunn, a long-time member of the Planning Commission and the owner for 35 years of another imposing historic home, at 418 South Lee, to the effect that the owners of historic homes are not just property owners and current occupants, but custodians of those properties, with a moral obligation to preserve them for future residents and visitors to occupy and appreciate. Council should keep Stew's wise counsel in mind as it considers this appeal.

Thank you for your time this evening – I welcome your questions.

Statement of Gail Rothrock, 209 Duke Street: 5/14/19 City Council Hearing –
Docket Item 20 – BAR #2018-00410 & 00411 - The Justice Hugo Black Property

You've heard a lot about the issues relating to the broken trust on the perpetual easement on this property. I'd like to urge that you have the ability to uphold the Landmark Open Space and deny this application. John Richard's testimony points out the requirements of the Open Space Land Act – that any conversion of easement land must be "essential to the orderly development and growth of the locality." In addition to this requirement,

You have authority and responsibility both in your own The Zoning Ordinance and in the Master Plan.-

The 2002 Open Space Master Plan. States: Regarding **privately owned open space**:

Most of Alexandria's open space is privately owned and inaccessible to the general public. Nevertheless, this land provides valuable green space for its surrounding community, creates a significant visual amenity, ...

Goal # 15 is to **protect privately owned open space**.

The very first implementation Strategy for Goal 15 reads:

- *In furtherance of the strong conservation policy of the City of Alexandria, **preserve** privately owned open space that meets **any one** of the following criteria....*

Open space containing or adjacent to any designated historical or cultural resource that provides a buffer or context for such resources.

(ALEXANDRIA OPEN SPACE PLAN, Chapter 5, p. 79)

The grounds of the Justice Black Virginia Historic Landmark property meet this criterion and the Open Space plan **directs** you to preserve it.

Now turning to the Zoning Ordinance, the Zoning Ordinance for the City was enacted:

*" to promote the health, safety and welfare of the residents of the City of Alexandria **and to implement the consolidated master plan of the city**. To these ends, the ordinance is designed:*

To protect against destruction of, or encroachment upon, historic areas and archeological sites. (Purpose G)

That important purpose is implemented by **Article X – the Historic Preservation Ordinance 10-101 – Purposes**

I'd like to focus on Purpose number G:

"To assure that new structures, additions, landscaping, and related elements be in harmony with their historical and architectural setting and environs"

So how can we be sure that purpose is being achieved? You turn to the **standards in Article 10** for approving proposed construction, reconstruction, alteration or restoration of Buildings (Section 10-5-(2)- Despite the accommodating opinion of the staff and the BAR, this project does not satisfy these standards.

In particular, Standards A, C, and G are not met.

Standard A

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

Standard C

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

Standard G

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

These standards are not met. These additions cannot be found to be "in harmony with their historical and architectural setting".

The addition of these buildings (pavilions) on the site totally destroy the quality of open space that Justice Black created. To someone passing by they appear as separate structures that are totally different than the other buildings on this block. The Kitchen/Guest Bedroom pavilion is larger than many houses in Old Town.

Finally, I'd like to direct you again to Article I, Section 200 of your Zoning Ordinance on **Conflicting Provisions**: that any provision of any state or federal statute or other city ordinance or regulation that imposes a grater requirement or a higher standard than is required by the Zoning Ordinance, **that provision shall govern**. That **shall** is the key. You have a stricter standard that you must apply – the Open Space Land Act.

In conclusion, you have the power and responsibility to deny this application and to send these applicants back to the BAR to find a solution that does not violate the terms of the open space easement and the purposes and criteria of the Open Space Master Plan and the Historic Preservation Ordinance. I urge you to do so.

Honorable Mayor and Members of the City council;

Old Town has historic charm, or is it its historic ambiance so cherished that beckons tourists from all over the world? Why is it so, people ask? Because it so authentically ties to the past, and it gives life to a young nation's history and cultural heritage. Yet, so many are so readily willing to change it without realizing that in doing so, they sever the cord to the past and in effect, the historic ambiance.

Most residents can be forgiven for thinking that Old Town has always been so iconic. But it wasn't the case. Old Town had fallen into such disrepair that in 1960 the City came up with a proposal, that as the Alexandria Gazette put it, to "Nearly raze 100 percent "of Old Town via urban renewal, 24 City blocks to be precise.

Fortunately, a more enlightened perspective and sensibility was able to fight the initiative, but it took over ten years and a law suit to limit the damage to 6 City blocks.

During all this, the Conference of Mayors had sponsored a report on Historic Preservation, which found that the country suffered from a feeling of restlessness associated with the postwar building boom and a high mobility rate. The report proved influential. The National Historic Act of 1966 incorporated many of its ideas, including the specific charge to create a sense of orientation for Americans through the Preservation Movement, into Federal Law.

Alexandria choose a policy that not only created a sense of place, but did so by conforming the entire district to certain standards as opposed to just doing an historic building code for individual houses.

It is at the height of this movement that Justice Hugo Black and Mrs. Black, in 1969, decided to preserve both the house and grounds by getting the first perpetual historic preservation easements granted in the City of Alexandria, under the Virginia Open Space and land Act of 1966.

The Hugo Black House is one of national importance, not just because it is part of the Old & Historic District, but because of its association with one of the great American jurists during a time that the history of the United States was transformed by the United States Supreme Court.

The property served as a precedent for future easements. Just like it could now serve as a precedence for their dissolution if permitted. The City has already infringed on the idea of a conforming district, wishing to become, as Ed Braswell warned the City Council, a subpar arts commission instead. This case goes further by infringing on the notion of Historic Building Code. It is amazing how a lackadaisical approach can have significant impacts in the future, and that would truly be a shame. I would venture a guess that Justice Black would never have imagined this day; I certainly never did.

Poul Hertel

Project

(CONTINUED FROM PAGE ONE)

Nearly 100 Per Cent Razing Of Large Area Downtown Is Proposed New Business Edifices, High Apartments Seen

By John A. Reichmann
Gazette Staff Writer

A master plan for reviving a dying downtown Alexandria by razing it of all but the most authentic of historic buildings and replanting a brand new business district and a high rise apartment development flanking Queen Street was made public today.

The \$18 million project, which would cost the city but a little more than \$3 million, was placed before City Council and the Alexandria Redevelopment and Housing Authority by John Beggs, expert consultant on urban renewal matters and ordered released.

Officials in disclosing the "schematic plan" to reporters this morning emphasized that it was purely tentative but represents conclusions reached by Mr. Beggs and his colleagues after a study of the area.

They had available to them a detailed report of the structural quality and use of each building in the 24 block Gadsby area. They had the financial status of every resident and business.

On these conclusions they produced a plan which is expected thoroughly to shock residents of the old town. Officials indicated that opposition will be met by the question "If not this, then what?"

Briefly the plan provides,

All of downtown King Street section east of Washington Street through the 300 block north and south would be wiped out. Under one plan, King Street would be widened and divided by a landscaped strip. Parking spaces would flank the thoroughfare and commercial establishments would line Prince Street to the south and Cameron Street to the north.

Entry to the commercial places

would be from King Street or from flanking streets.

The area contained by N. Washington Princess N. Royal and Cameron streets would be reserved for high rise apartments to house an estimated 750 family units with wide, green lawns and landscaping around them.

St. Asaph and Pitt streets between Prince and Princess streets would be eliminated.

The west side of N. Royal Street from Cameron Street to No. 224 would provide off street parking. The entire block bounded by Queen, N. Royal, Cameron and N. Fairfax Street would be given over to parking excepting for an auditorium on the northwest corner of Cameron and Fairfax streets.

In all it is anticipated to provide between 1500 and 1700 off street parking spaces under the new plan.

A great motor hotel is envisaged for the southeast corner of Washington and Oronoco streets, complete with swimming pool, restaurant and public rooms.

Of the old residences only those along the north and south sides of Queen Street, excepting for the block on the south side of Queen between Royal and Fairfax streets, would be eliminated. The Queen Street houses, while including many deteriorating structures, are held to be capable of rehabilitation.

Buildings of acknowledged historic and architectural value would be kept. These include the Fawcett House on Prince Street—possibly the city's oldest house—the Stabler and Leadbeater Pharmacy, Gadsby's Tavern, the Lee Houses on Cameron and on Oronoco streets and City Hall.

Officials who described the plan to reporters emphasized that details were by no means final. Their disclosure, however, was expected to set off a storm of protest from old town residents who came to Alexandria to get away from it all and now see it "all" catching up with them.

All officials present this morning concurred that nothing less drastic is likely to do the job of saving the downtown area from becoming a business and residential slum.

V. Ward Boswell, chairman of the ARHA, declared this is a must. King Street has been going down for the past 20 years. This project can't be done in less than three, four or five years.

"Alexandria must do something to save itself one way or another. There are vacant stores all along King Street and no one is going to move in unless something is done."

To bolster this position City Manager Edward G. Heatwole, in whose office the press conference was held, and Stuart Morrison, planning aide, cited current tax figures.

The meeting brought acknowledgement, previously denied, that because of declining business, King Street properties are being gradually devalued for tax purposes.

Charts shown indicated that the business district between Prince and Cameron streets in the eight block area from the 300 through the 600 blocks, paid business taxes of only \$51,730 last year. This is less than seven per cent of the total business tax revenue received by the city.

These figures also showed that 69 merchants did less than \$50,000 a year in business and 76 paid less than \$101 a year in taxes.

The real estate taxes paid the city totaled only \$119,630, or 2.25 per cent of the total city receipts.

John Y. Kerr, secretary general of the ARHA, gave the estimate of \$18 million for the whole project. This, he said, would represent the cost of acquiring the needed land and razing it.

Revenues from the sale of the land to private developers, as required by federal law, he said, would represent about \$4 million.

The city would be given credit for land donations and other contributions in lieu of cash to bring its share to around \$3 or \$4 million.

Before proceeding with any part of the plan, Mr. Kerr noted, it will be necessary to await public approval, Council's affirmative action, an analysis of potential economic development including land values for purchase and sale, the possible return to the city in taxes and potential rental values.

Mr. Heatwole expressed the opinion that the Alexandria Citizens Development Committee, commonly known as the Committee 77, would be reactivated to explain the plan and as a sounding board for public reaction.

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5-14-19

Katy Cannady

Docket #20
Speaker #3

Remarks before Council on the Justice Black appeal, May 14, 2019

When I came east, I left a Texas town that didn't even get on the map until the Santa Fe railroad pushed West. There's an interesting history there, but nothing to compare with the colonial history here in Virginia, a state which is nothing less than a cradle of American democracy.

As a life-long history buff, I have always found it thrilling to live in a place with connections to so much important American history. I'm an active member of some of the local groups which promote history. I come to Old Town often to attend meetings or visit friends. Every time I get a fresh jolt of excitement at driving the streets here because they are still like the ones some of the founders would have known.

I suspect that Justice Hugo Black must have felt a similar thrill when he chose to live in Old Town. His home, having been built in the 1880s, was already historic when he moved in. Yet of all the residents he is the most important historical personage ever to live there. The home is eligible for designation as an historic landmark on the anniversary of his death which comes up in 2020.

Like some of the founders he promoted the expansion of democracy from his seat on the Supreme Court. He also chose to contribute to his adopted city with one of the first open space easements.

I'm appalled that the current owner would change that by erecting some large two story structures on part of that easement. They will be nothing less than jarring in close proximity to that fine 1880s house.

When I bought my Alexandria home, I chose one outside of Old Town. I wanted a front yard and a driveway and no interior stairs, things most Old Towners forego. When I visit Old Town, I still look at the old historic houses the same way the tourists do, with a little awe and wonder. Please don't disappoint me or more importantly those tourists.

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5-14-19

Statement of Michael E. Hobbs
for the
City Council
May 14, 2019

619 South Lee Street (Hugo Black Property)

Thank you, Mayor Wilson, Vice Mayor Bennett-Parker, and members of Council. I am Michael Hobbs, residing at 419 Cameron Street.

Those who follow your deliberations know that appeals of BAR decisions are not the City Council's favorite items of business. (Those of you who are new to the Council will no doubt have appreciated by now why your colleagues are not enthusiastic about such appeals.)

BAR appeals often involve disputes between neighbors about proposed changes to one of the neighbors' houses, and you are understandably reluctant to get caught in the middle. Sometimes the appellant is an individual homeowner, angered by the BAR's denying him the right to choose the paint color or the type of replacement windows or siding that he wants to put on his house. All of the professional jargon about ells, hyphens, vernacular, and the like, does not make for the most entertaining reading.

But this is nowhere near your "typical" BAR case. This is not, as someone has said, "another Yates Garden townhouse." It is not even another 200-year-old Queen Street rowhouse. This is the most important case you have considered under your Historic District Ordinance since any of you have been on Council, or that any of you will see for as long as you serve in the future.

That is so because of the extraordinary importance of this property to Alexandria's historic legacy, and to the almost incomparable recognition of its value not just locally, but at the state and national levels as well.

The Hugo Black Property is a certified Virginia Historic Landmark. For some reason, perhaps clerical error, it does not appear on the agency's most recent list of those landmarks; but I think the documents submitted by the Historic Alexandria Foundation establish that such a designation was sought by Justice and Mrs. Black; that the Virginia Historic Landmarks Commission granted that certificate; and that the Attorney General and Governor approved it.

At the national level, the Black House is celebrated in the Historic American Buildings Survey as

one of the outstanding examples of the Federal ‘row’ type buildings in Alexandria, [that] has fortunately been spared the fate of suffocation. By precept and example it stands flush with the street, but with its extensive grounds and breathing space preserved to this day.

A historian retired from the National Park Service’s National Historic Landmark program advises you that in his US Constitution: A National Historic Landmark Theme Study more than thirty years ago, he identified the Black Property as an exemplary prospect for National Landmark designation, and that he would proudly nominate it for that honor when it becomes eligible fifty years after Justice Black’s death, in 2021—but that **“if the house loses its historic integrity [it] cannot be honored with the [National Historic] Landmark designation [it] deserves.”**

As a Virginia Historic Landmark, as a property on the national Historic American Buildings Survey, and as a likely near-term nominee as a National Historic Landmark, the Hugo Black Property thus stands in the top rank even amid the wealth of historic buildings in Alexandria. It ranks with such treasures as Gadsby’s Tavern, Christ Church, Carlyle House, the Lyceum and Lloyd House as one of jewels in the crown of Alexandria’s unique and authentic historic heritage.

Because of its national significance, and especially because of its importance to Alexandria, I believe that you have a special duty to afford this property, and any proposed changes to it, your highest standard of care and protection—your “strictest scrutiny,” as the lawyers say.

Fortunately, your Historic District Ordinance gives you all of the power and authority you need to protect this property.

Applicants, staff, preservationists, advocates and opponents will no doubt argue about the details, as they always have; and that is not inappropriate because, as the aphorism goes, the devil is often in the details.

But in exercising your responsibility to interpret and apply your Historic District Ordinance, I would urge you to take care not to get caught up in the weeds—not to lose sight of the forest because of the trees.

In particular, in evaluating and applying the individual standards and criteria of the Historic Preservation Ordinance, you should have foremost in mind the **overarching purpose of the ordinance**—the very reason that it was enacted in the first place.

The very first section of the Ordinance states its purpose. That section is seldom referred to in Staff Reports for the BAR, nor is it in this Report. At its core, it declares that

The City of Alexandria seeks ... to promote the education, prosperity and general welfare of the public through the **identification, preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance.**

and then sets forth a number of specific purposes toward that end. It would be tedious to read the section in its entirety. But I have attached it to my written statement, and I urge that you review it, and that you hold it as the central standard against which you will measure all of your decisions, in this case and beyond.

The staff necessarily focusses on the particular criteria that the Ordinance requires be considered in its analyses of the proposals that come before the BAR. On an appeal, you need to make your own judgment about those instructions. But I would urge you not to proceed with the narrowest interpretation, according to a sort of mechanistic checklist. Rather, I believe that you have a higher responsibility, for a broader and less constrained view of how you should interpret and apply the Historic District Ordinance so as to best achieve its founding and central purpose—how you can best protect and preserve the signature contribution of these extraordinary historic resources to Alexandria's unique, defining and authentic character.

Can you preserve and protect Justice Black's iconic property? To paraphrase another incomparable American's famous question, you might well ask, "If not here, where? And if not now, when?"

In presenting and describing our city, we celebrate our rich history and faithfully preserved historic sites as a foremost reason why visitors from around the nation and the world will cherish their experience here. Your decision in this case will represent your choice as to whether that defining character will be reaffirmed and reinforced, or whether it will begin an inexorable decline.

Thank you for your consideration.

Listing As Of 5-14-19 – Should include Hugo Black Property, but Does Not!

* **VIRGINIA LANDMARKS REGISTER** *
NATIONAL REGISTER OF HISTORIC PLACES
Updated Through DHR December 14, 2017, and NPS February 14, 2018
Announcements

| <u>Multiple Property Documentation Forms throughout Virginia</u> | <u>VLR</u> | <u>Date of Acceptance by the NPS</u> |
|--|------------|--|
| | | |
| <u>CITY OF ALEXANDRIA</u> | | |
| Alexandria Historic District | 11-05-1968 | 11-13-1966 100-0121 NHL 11-13-1966 |
| Addendum | 10-16-1984 | 12-12-1984 100-0121 |
| LYCEUM | 05-13-1969 | 05-27-1969 100-0091 |
| GADSBY'S TAVERN | 09-09-1969 | 10-15-1966 100-0029 NHL 11-04-63 |
| CARLYLE HOUSE | 05-13-1969 | 11-12-1969 100-0010 |
| Bank of Alexandria | 04-17-1973 | 06-04-1973 100-0004 |
| CHRIST CHURCH | 09-18-1973 | 04-15-1969 100-0012 NHL 04-15-1970 |
| LLOYD HOUSE | 02-17-1976 | 07-12-1976 100-0090 |
| Franklin and Armfield Office | 10-16-1979 | 06-02-1978 100-0105 NHL 06-02-1978 |
| Lee-Fendall House | 04-17-1979 | 06-22-1979 100-0024 |
| Alexandria Canal and Tidlock (44AC4) | 11-20-1979 | 01-15-1980 100-0099 |
| Old Dominion Bank Building | 11-20-1979 | 03-20-1980 100-0002 |
| Jones Point Lighthouse and District of Columbia South Cornerstone | 03-18-1980 | 05-19-1980 100-0116 |
| Protestant Episcopal Theological Seminary | 05-16-1978 | 11-17-1980 100-0123 |
| Fort Ward | 12-15-1981 | 08-26-1982 100-0113 |
| Mount Vernon Memorial Highway (see Fairfax County) | 03-17-1981 | 05-18-1981 029-0218 |
| Stabler-Leadbeater Apothecary Shop | 03-17-1981 | 11-24-1982 100-0106 |
| Alexandria City Hall and Market House | 11-15-1983 | 03-08-1984 100-0126 |
| Saint Paul's Episcopal Church | 04-16-1985 | 05-09-1985 100-0104 |
| Gerald R. Ford, Jr., House | 03-19-1997 | 12-17-1985 100-0165 NHL 12-17-1985 |
| Robert E. Lee Boyhood Home | 12-17-1985 | 06-05-1986 100-0082 |
| Bayne-Fowle House | 06-17-1986 | 11-06-1986 100-0006 |
| Fairfax-Moore House | 04-17-1990 | 01-17-1991 100-0022 |
| Southwest No. 1, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 000-0022 |
| Southwest No. 2, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 000-0022 |
| Southwest No. 3, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 000-0022 |
| Southwest No. 4, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 000-0022 |
| Southwest No. 5, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 000-0022 |
| Southwest No. 6, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 000-0022 |
| Southwest No. 7, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 000-0022 |

| Property | VLR | NRHP | DHR# |
|--|------------|------------------------------|---------------|
| Southwest No. 8, Boundary Marker of the Orig. District of Columbia (MPD) | 08-21-1990 | 01-28-1991 | 000-0022 |
| Rosemont Historic District | 12-11-1991 | 09-24-1992 | 100-0137 |
| Town of Potomac Historic District | 12-11-1991 | 09-10-1992 | 100-0136 |
| Alexandria National Cemetery (MPD) | 10-19-1994 | 03-02-1995 | 100-0138 |
| Parkfairfax Historic District | 12-10-1998 | 02-22-1999 | 100-0151 |
| Bruins Slave Jail | 12-01-1999 | 08-14-2000 | 100-0047 |
| Old Presbyterian Meeting House | 12-06-2000 | 02-16-2001 | 100-0098 |
| Orange and Alexandria Railroad Hooff's Run Bridge | 09-11-2002 | 08-07-2003 | 100-0149 |
| Alfred Street Baptist Church | 09-10-2003 | 01-16-2004 | 100-5015-0001 |
| Beulah Baptist Church | 09-10-2003 | 01-16-2004 | 100-5015-0002 |
| Dr. Albert Johnson House | 09-10-2003 | 01-16-2004 | 100-5015-0003 |
| Moses Hepburn Rowhouses | 09-10-2003 | 01-16-2004 | 100-5015-0004 |
| Odd Fellows Hall | 09-10-2003 | 01-16-2004 | 100-5015-0005 |
| Davis Chapel (Roberts Memorial United Methodist Church) | 09-10-2003 | 01-16-2004 | 100-5015-0006 |
| George Lewis Seaton House | 09-10-2003 | 01-16-2004 | 100-5015-0007 |
| Uptown Parker-Gray Historic District | 06-19-2008 | 01-12-2010 | 100-0133 |
| Alexandria Union Station | 12-13-2012 | 02-27-2013 | 100-0124 |
| Contrabands and Freedmen Cemetery | 06-21-2012 | 08-15-2012 | 100-0121-1085 |
| Charles M. Goodman House | 03-21-2013 | 05-28-2013 | 100-5265 |
| George Washington Masonic Lodge National Memorial | | 08-03-2015 NHL 08-03-2015 | 100-0128 |
| Appomattox Statue | 03-16-2017 | 06-12-2017 | 100-0284 |
| Oakland Baptist Church Cemetery | 12-14-2017 | Pending | 100-5339 |

ARTICLE X. - HISTORIC DISTRICTS AND BUILDINGS

Sec. 10-100 - Old and Historic Alexandria District.

10-101 - PURPOSE.

The City of Alexandria seeks, through the establishment of the Old and Historic Alexandria District, to protect community health and safety, to promote the education, prosperity and general welfare of the public through the identification, preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance. To achieve these general purposes, the City of Alexandria seeks to pursue the following specific purposes:

- (A) To enrich the quality of life for city residents by **protecting the unique resource that is the historic district, including familiar landmarks and other treasured elements of the area;**
- (B) To **protect historical and cultural resources thus promoting tourism and enhancing business and industry as well as the quality of life of the residents of the city;**
- (C) To maintain and improve property values by providing incentives for the upkeep, rehabilitation and restoration of older structures in a safe and healthful manner; and by encouraging desirable uses and forms of economic development that will lead to the **continuance, conservation and improvement of the city's historic resources in their setting;**
- (D) To **educate residents and visitors about the city's cultural and historic heritage;**
- (E) To **promote local historic preservation efforts through the identification and protection of historic resources** throughout the city;
- (F) To **encourage the nomination of historic properties to the National Register of Historic Places and the Virginia Landmarks Register.**
- (G) To **assure that new structures, additions, landscaping, and related elements be in harmony with their historical and architectural setting** and environs; and
- (H) To safeguard the city's portion of the George Washington Memorial Parkway and other significant routes of tourist access to the city's historic resources by assuring that development in and along those transportation arteries be in keeping with their historical, cultural and traditional setting.

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5-14-19

City Council

May 14, '19

As I will not be able to attend the meeting tonight, I would like to add my thoughts now.

It is imperative that Alexandria support the Virginia Open Space Land Act of 19'66 and the Virginia Department of 'Historic Resources' easement with regards to the Hugo Black house. Many of us are already most uncomfortable with the "modern" structures being built on our waterfront. Our "Fort City" is taking on the ambience of the D.C. Wharf.

To let any aberation into the heart of the Old Town section, however, would be nothing less than sacrilege! Furthermore, if the Act of 19'66 is declawed, rampant mediocre change could take over. It is bad enough that so many of our fine old buildings are being gutted on the insides, losing their historic charm.

Those of us who live here do so because we love our city. We willingly make the choice to respect the building constraints. There are plenty of places to live for those who do not like our customs. And it's not like Alexandria is experiencing a real estate recession.

Tourists come here to see Gadsby's Tavern, not Eisenhower Avenue. Lest we protect our historic area, we may follow Colonial Williamsburg, which has made a variety of bad decisions, leading to a drop in tourism. George Washington's Home town must survive and thrive for its residents, tourists, and posterity! We have added so many historic areas and activities in the past couple years. And now comes a sailing ship. Let us not start slipping backwards now.

With all good intentions,

Fancy Nielsen

Fancy Nielsen
525 Duke Street
Alexandria

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5-14-19



CERTIFICATION OF PROPERTY AS LANDMARK OF "STATEWIDE OR NATIONAL SIGNIFICANCE"

BOOK 705 PAGE 494

Acceptance by the Virginia Historic Landmarks Commission of this conveyance is authorized by Sections 10-138 and 10-142 of the Code of Virginia, and by such acceptance below the Commission designates the property described above as a certified landmark.

WITNESS the following signatures and seals:

BOOK 705 PAGE 495

Hugo L. Black (SEAL)
Hugo L. Black

Elizabeth S. Black (SEAL)
Elizabeth S. Black

Accepted:

VIRGINIA HISTORIC LANDMARKS COMMISSION

By J. W. Moody 12/30/69
Executive Director
[SEAL]

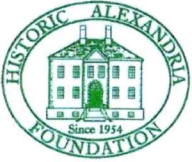
Minutes of Historic Landmarks Commission - January 6, 1970

Mr. Moody reported that the easement from Justice Hugo L. Black on his property at 619 South Lee Street in Alexandria was recorded on December 31, 1969. Permission was granted by the State Attorney General's office for Mr. Moody to sign the easement for the Commission and the transaction was approved by the Governor's office.



Virginia Historic Landmarks Commission

Minutes and records, 1966-1973 1



According to the Virginia Department of Historic Resources, 619 South Lee Street is not individually listed on the Virginia Landmarks Register ***and, even if it were, that designation affords no special consideration for BAR review.*** While the BAR encourages that properties be listed on the both the National Register of Historic Places and the Virginia Landmarks Register, and there are 54 Alexandria buildings and sites that are presently listed on these registers, ***these are honorific designations that have no regulatory bearing on the criteria and standards listed in the Zoning Ordinance that the BAR must consider*** in acting on the appropriateness of demolition, new construction or alterations to any property in the historic district.

Staff Report at 5 (emphasis added).

B. For the purposes of this chapter, ***designation by the Board of Historic Resources*** shall mean an act of official recognition designed (i) to educate the public to the significance of the designated resource and ***(ii) to encourage local governments and property owners to take the designated property's historic, architectural, archaeological, and cultural significance into account in their planning,*** the local government comprehensive plan, ***and their decision making.*** Such designation, itself, shall not regulate the action of local governments or property owners with regard to the designated property.

Va. Code Ann. § 10.1-2204 (emphasis added).



10-101 - Purpose.

The City of Alexandria seeks, through the establishment of the Old and Historic Alexandria District, to protect community health and safety, to promote the education, prosperity and general welfare of the public through the identification, preservation, and **enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance**. To achieve these general purposes, the City of Alexandria seeks to pursue the following specific purposes:

- (A) To enrich the quality of life for city residents by protecting the unique resource that is the historic district, **including familiar landmarks** and other treasured elements of the area;
- (B) **To protect historical and cultural resources** thus promoting tourism and enhancing business and industry as well as the quality of life of the residents of the city;
- (C) To maintain and improve property values by providing incentives for the upkeep, rehabilitation and restoration of older structures in a safe and healthful manner; and by encouraging desirable uses and forms of economic development that will lead to the **continuance, conservation and improvement of the city's historic resources in their setting**;
- (E) **To promote local historic preservation efforts through the identification and protection of historic resources throughout the city**;



**“To protect against destruction of, or encroachment upon, historic areas and archeological sites.”
§ 1-102(G)**

- BAR is “responsible for making effective the provisions of Article X” § 10-104(B)(4),
- “protecting the unique ... **familiar landmarks ... of the area**” § 10-101(A).
- With the “**conservation ... the city's historic resources in their setting.**” § 10-101(C).
- And “assure that new structures, additions, landscaping, and related elements **be in harmony with their historical setting and environs**” § 10-101(G).

BAR empowered:

- “**to prevent any construction**, ... alteration or restoration incongruous to such existing building or structure [or], **area surroundings.**” § 10-105(A)(1).

BAR is Required to consider:

- To consider “the height, mass and scale of buildings or structures” § 10-105(A)(2)(a)
- “the degree to which **the distinguishing** original qualities **or character** of a ... **site** ... are retained.” § 10-105(A)(2)(b).
- “Design and arrangement of buildings and structures on the site; **and the impact upon the historic setting, streetscape or environs**” § 10-105(A)(2)(c).
- “**The extent to which the building or structure will preserve or protect historic places and areas of historic interest in the city**” § 10-105(A)(2)(g).



Sec. 1-200 - General application of ordinance.***

(F) Conflicting provisions. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, or general welfare. **Whenever any provision of this ordinance imposes a greater requirement or a higher standard than is required in any state or federal statute or other city ordinance or regulation, the provision of this ordinance shall govern.** **Whenever any provision of any state or federal statute or other city ordinance or regulation imposes a greater requirement or a higher standard than is required by this ordinance, the provision of such state or federal statute or other city ordinance or regulation shall govern.**



Open Space Land Act

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

Va. Code Ann. § 10.1-1704 (emphasis added).

See 2012 Op. Va. Att'y Gen. at 32.



Open Space Land Act Expressly Controls Over Any Other Law

§ 10.1-1705. Chapter controlling over other laws; powers supplemental

Insofar as the provisions of this chapter are inconsistent with the provisions of any other law, the provisions of this chapter shall be **controlling**. The powers conferred by this chapter shall be in addition and supplemental to the powers conferred by any other law.

Va. Code § 10.1-1705



KEY DOCUMENTS OMITTED FROM THE STAFF REPORT

- 1) Letter from Historic Alexandria Resources Commission (HARC) dated March 31, 2019
(Proposed buildings are not in keeping with the historic character of the House).
- 2) Letter from A.E “Dick” Howard -- Warner-Booker Distinguished Professor of Law at the University of Virginia dated April 1, 2019 (Justice Black one of the most influential figures in American History).
- 3) Letter from Professor W. Brown Morton III dated April 3, 2019 (“the present project proposal does not reflect or support the goals and intent of the Secretary of the Interior’s Standards for Rehabilitation.”)
- 4) Email from Harry Butowsky (NPSNHL Historian Retired)(should permission be given to make the changes proposed Alexandria would lose a National Historic Landmark).
- 5) Letter from John Dumsick (Licensed Structural Engineer)(argument that difficulties of maintenance and repair justify demolition of the historic curve is unsupportable).
- 6) Preservation Virginia Letter dated April 8, 2019 (“We believe that the proposed alterations represent irrevocable changes to significant architectural and landscape features and are likely to result in an adverse effect to the integrity of the property and the historic district in which it is located.”)
- 7) Letter from Josephine Black Pesaresi (Daughter of Justice Black, Signatory of Easement testifying that the Project Violates her Family’s Intent in Giving the Easement to the Commonwealth)

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5-14-19

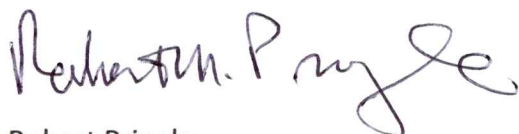
Subject: the Hugo Black House

My mother moved to Alexandria when I was in high school, partly because of its historic houses, and I have lived here ever since. The Hugo Black house has always stood out to me as one of the best, both for its classic architecture and its spacious grounds.

Judge Black clearly realized the historic and esthetic importance of its grounds. That is why he paid to enact the easement which is now mortally threatened.
On what grounds can its legal merits be threatened?

The importance of preserving the surroundings of this great house have only increased since it was created, as the property itself increases in value.

This is a matter of greed overcoming good government, which includes keeping covenants. The role of such easements in securing Alexandria's heritage have never been greater. The current ruling must not be allowed to stand.



Robert Pringle
216 Wolfe St
703 519 8252

Remarks by Gebe Martinez Johnson to the Alexandria City Council - May 14, 2019

Tonight you will either reaffirm your commitment to preserving historic Alexandria for generations to come, by voting to preserve the property of the late Supreme Court Justice Hugo L. Black, as he specified in an easement...

Or your vote will be seen as a historic blunder, calling into question the council's commitment to "Historic Alexandria," of which we are all so proud.

The choice is very clear.

The case might seem complicated because of all the ways the state and BAR ignored legal authority to protect this recognized certified historic landmark. The BAR and staff also ignored or misapplied the city's own zoning and historic ordinance codes regarding the appropriateness of the plan.

But, if you follow the laws of the state and city you will see a straight path to rejection of this plan and preservation of the property.

In the eyes of the public, this is a NO BRAINER.

In recent weeks, we have distributed 1,500 flyers at the farmer's market and around Old Town, and asked people to email the City Council and sign our online petition. As of this hour, the petition has received ____ signatures, most of them Alexandria residents, but also tourists and people who work here.

The comments generally ask the council to make the right decision on legal and moral grounds:

The moral obligation to respect the wishes of Justice Black and his family;
The bad precedent approval would set by undermining the validity of easements here, in Virginia and perhaps in other states;
And questioning whether this council wants to go down in history as the one that did not protect our precious historic resources.

For example:

“The city has a responsibility to consider the easement granted under the Virginia Open Space Land Act. To ignore this responsibility is a flagrant breach of civic trust.”

“Honor the rule of law by adhering to the restrictive easement Justice Black placed on the property.”

“Change is inevitable, but disrespecting the easement on the Justice Black property for the sole benefit of its new private owners leaves a sour taste. Not only does the Justice Black residence and property merit the protection because of its historic significance, but waiving the terms of the easement on 619 S. Lee Street will set a precedent to undermine the entire system of historic and open space easements and historic preservation.”

“It’s absolutely nonsensical that the board approved the damaging changes to this lovely property. These property owners will sell this home and move on and the integrity of this landmark will be lost forever. Do you want to be the people who approved that? Shame.”

— — —

“To grant this plan would be a travesty for Alexandria and the state of Virginia. Please reject this proposal.”

“At some point a promise has to be a promise, not just as long as it's convenient.”

“I am a state representative in PA, and founder of a historic preservation group in my hometown. Please, please, please honor the easement. Letting it go and permitting the proposed alterations will change your wonderful town forever.”

“Poor decisions made now will have lasting consequences. And there will be no turning back.”

— — — —

REMEMBER: A vote against this project does NOT stop progress, but a vote to destroy a historic property WILL UNDERMINE YOUR COMMITMENT TO “HISTORIC ALEXANDRIA.”



This petition has collected
395 signatures
using the online tools at [ipetitions.com](https://www.ipetitions.com)

Printed on 2019-05-14

#SaveJusticeBlackProperty

About this petition

To be delivered to City of Alexandria, VA Mayor and City Council:

Historic preservation is facing a grave threat. The historic integrity of the Justice Hugo L. Black house and open space — a certified historic landmark covered by a preservation easement with the Commonwealth of Virginia to protect the house AND open space — is proposed for massive demolition and reconstruction on the site. The Board of Architectural Review has approved a project that would demolish historic elements of the home and diminish cherished open space in Old Town Alexandria. The City Council must REJECT this plan and uphold Virginia and Alexandria's preservation laws. Failure to do so will result in long-term and extensive damage to historic preservation in Alexandria and throughout Virginia.

Background:

1. The Justice Black Property, constructed circa 1800, is a Certified Historic Landmark. The Virginia Historic Landmarks Commission certified the Black house and gardens as a "principal historic site — of state-wide and national significance," largely because, for decades, it was the home of renowned U.S. Supreme Court Justice Hugo L. Black.
2. The National Park Service's Historic American Buildings Survey celebrates the house as an "outstanding example of the Federal 'row'- type buildings in Alexandria" that "has fortunately been spared the fate of suffocation. By precept and example it stands flush with the street, but with its extensive grounds and breathing space preserved to this day."
3. Upon the 50th anniversary of Justice Black's death, September 25, 2021, the property would become eligible for designation as a National Historic Landmark, the highest preservation listing, but not if its historic integrity were lost by approval of the proposed additions and demolitions.
4. Justice Black purchased the property in 1939, two years after President Franklin D. Roosevelt appointed him to the U.S. Supreme Court. He lived there until his death in 1971.
5. Justice Black is regarded as one of the most influential Supreme Court justices in American history. Highlights: (a) He believed the First Amendment is the cornerstone of liberty, and Freedom of Speech as the core of the First Amendment. (b) In 1964, after 10 years of foot-dragging by the exponents of segregation, Justice Black wrote an opinion that put an end to the denial of African American school children's right to an equal education in Virginia and the nation: "The time for mere 'deliberate speed' has run out, and that phrase can no longer justify denying these Prince Edward County school children their constitutional rights to an education equal to that afforded by the public schools in other parts of Virginia."
6. Justice Black and Mrs. Elizabeth Black EXECUTED AN EASEMENT ON THE PROPERTY to preserve in perpetuity the open space, including the house and grounds, under the Virginia Open Space Land Act of 1966. This was the second ever easement in the history of Virginia and the first in Alexandria. In 1973, Black's widow and heirs reiterated the easement.
7. The Virginia Open Space Land Act of 1966 PROHIBITS the diversion of open space protected by the Act unless five specific conditions are met. NONE OF THOSE FIVE CONDITIONS HAS BEEN SATISFIED in this case, nor has there been any attempt to do so.
8. Justice Black's property is subject both to applicable state and local laws. The city has a responsibility to consider the easement granted under the Virginia Open Space Land Act, as

well as the Alexandria Historic Preservation Ordinance; the Historic Preservation and Open Space Citywide Chapters of the Alexandria Master Plan; and other applicable ordinances.

The proposed modifications and additions would further erode the historic character of the property and of the city and should be denied. It bears repeating that if the City Council were to approve this project, the impact would be long-term and extensive damage to historic preservation in Alexandria and throughout Virginia.

Therefore, we, the undersigned, respectfully request that the Alexandria, VA City Council overturn the ruling of the BAR and stop this project from moving forward.

Signatures

1. Name: Meg bailey on 2019-05-03 23:30:26
Comments:

2. Name: Patrick S Canty on 2019-05-03 23:38:46
Comments:

3. Name: Tom Foley on 2019-05-03 23:40:01
Comments: We must protect this property!

4. Name: Mary Anne Hess on 2019-05-03 23:47:38
Comments:

5. Name: John L Kirby on 2019-05-03 23:48:28
Comments:

6. Name: Sally Graham on 2019-05-03 23:50:10
Comments: Note to Council—Honor Justice Black's intentions and enforce the easement as required by the law.

7. Name: Gail Rothrock on 2019-05-03 23:59:36
Comments:

8. Name: Gebe Martinez on 2019-05-04 00:05:48
Comments:

9. Name: Aubree Schwartz on 2019-05-04 00:08:18
Comments:

10. Name: Rose Downes on 2019-05-04 00:09:56
Comments:

11. Name: Kerri Hart on 2019-05-04 00:11:03
Comments:

12. Name: Nora Babcock on 2019-05-04 00:16:39
Comments:

13. Name: Melissa Rosario on 2019-05-04 00:27:02
Comments:

14. Name: Katie King on 2019-05-04 00:28:16
Comments:
-
15. Name: Elizabeth G da cruz on 2019-05-04 00:33:10
Comments: Please keep the house
-
16. Name: Barbara Liss on 2019-05-04 00:38:03
Comments:
-
17. Name: Joana Gomes on 2019-05-04 00:51:41
Comments:
-
18. Name: John Dumsick on 2019-05-04 00:52:32
Comments: Enforce the easement.
-
19. Name: Mary Rowley on 2019-05-04 00:54:47
Comments: Alexandria's rich history stretches past the colonial era and past the Civil War. Justice Black was an important figure in 20th century America (Brown v Board, for starters.) His home should be preserved. I live and vote in Alexandria.
-
20. Name: Bette Foster on 2019-05-04 01:17:10
Comments: Go ,Gebe 🗳️
-
21. Name: Mary Ann Smith on 2019-05-04 01:17:58
Comments: Save history!
-
22. Name: Nancy Kegan Smith on 2019-05-04 01:25:11
Comments: It is so important to save this historic property in keeping with what Justice Black proactively protected.
-
23. Name: Tescia Yonkers on 2019-05-04 01:27:13
Comments:
-
24. Name: Abby Owen on 2019-05-04 01:27:57
Comments: Upholding the will of Supreme Court Justice Hugo Black is a tribute to him and the love he had for Old Town. Most of it upholding the easement shores up the historical rules and regulations that govern life in our wonderful city.
-
25. Name: Susan E Batchelder on 2019-05-04 01:41:52
Comments: Leave the building and gardens alone!
-
26. Name: chris clark on 2019-05-04 01:43:20
Comments:

-
27. Name: Matt Downs on 2019-05-04 01:55:13
Comments:
-
28. Name: Robert Eversz on 2019-05-04 02:54:11
Comments:
-
29. Name: Paul Alers on 2019-05-04 03:05:19
Comments:
-
30. Name: Paloma Zuleta on 2019-05-04 03:20:30
Comments: Save History!
-
31. Name: Alice Chang on 2019-05-04 03:54:49
Comments:
-
32. Name: Suzanne Smith on 2019-05-04 11:18:06
Comments:
-
33. Name: Beverly Harris on 2019-05-04 11:53:05
Comments:
-
34. Name: Van Keane on 2019-05-04 12:52:13
Comments:
-
35. Name: Antonio Alcala on 2019-05-04 13:13:09
Comments:
-
36. Name: Barbara Beach on 2019-05-04 14:45:18
Comments:
-
37. Name: Leland Ness on 2019-05-04 15:05:24
Comments: The intent of the easement donor is clear and should be honored. The Open Space Act requires constant vigilance - it is time for the City Council to step up.
-
38. Name: Stephen Milone on 2019-05-04 15:29:08
Comments: City Council must step up and support the open space easement that Justice and Mrs. Black's gifted to the public good of Alexandrians, Virginian and the nation.
-
39. Name: peter rickert on 2019-05-04 15:42:44
Comments:
-

40. Name: Beverly Keane on 2019-05-04 15:44:02
Comments: Please respect Justice Blacks wishes.
-
41. Name: Timothy D Belevetz on 2019-05-04 16:03:14
Comments: Please do the right thing. We—and you—are stewards of this historic city.
-
42. Name: Joanne J Platt on 2019-05-04 16:13:24
Comments:
-
43. Name: Ken Lopez on 2019-05-04 16:51:08
Comments:
-
44. Name: John Thorpe Richards Jr on 2019-05-04 17:08:24
Comments: The City Council has both the right and responsibility to preserve this landmark property with its unique urban open space so that the generations of the future can see the place where this renowned Justice of the Supreme Court transformed the law of the land for the better.
-
45. Name: Susan Yoon Edgington on 2019-05-04 17:44:16
Comments: Alexandria City Council should support preservation of historical property and land!
-
46. Name: Eric Edgington on 2019-05-04 17:44:53
Comments:
-
47. Name: Monique Dean on 2019-05-04 18:09:40
Comments:
-
48. Name: Deb Schroeder on 2019-05-04 19:42:40
Comments:
-
49. Name: Yvonne D Callahan on 2019-05-04 20:08:14
Comments: please do the right thing and protect this historic property. your legacy will be preserved if you do so--and will never recover if you don't.
-
50. Name: Kelly Johnson on 2019-05-04 20:46:51
Comments:
-
51. Name: Norman Lisy on 2019-05-04 21:00:08
Comments:
-
52. Name: Felix Garcia Jr on 2019-05-04 21:09:44
Comments: Protect this property for its historical significance!!

| | | |
|-----|-----------------------------|---|
| 53. | Name: Claudia Rocabado Bond | on 2019-05-04 21:54:16 |
| | Comments: | |
| 54. | Name: Melissa Badding | on 2019-05-04 22:18:01 |
| | Comments: | |
| 55. | Name: Jay Zane | on 2019-05-04 22:19:44 |
| | Comments: | |
| 56. | Name: C Crandall | on 2019-05-04 22:28:26 |
| | Comments: | |
| 57. | Name: Jerry Steen | on 2019-05-04 22:28:29 |
| | Comments: | |
| 58. | Name: Barbara Faulkner | on 2019-05-04 22:40:56 |
| | Comments: | |
| 59. | Name: Erick Min | on 2019-05-04 22:43:00 |
| | Comments: | Keep it natural as is. No need for more commercial space. |
| 60. | Name: Peter Pennington | on 2019-05-04 22:53:37 |
| | Comments: | Looks like a rethink would be in order |
| 61. | Name: Anita | on 2019-05-04 23:24:56 |
| | Comments: | |
| 62. | Name: sally r hitchcock | on 2019-05-05 00:29:48 |
| | Comments: | |
| 63. | Name: Dennis Jamison | on 2019-05-05 00:30:27 |
| | Comments: | |
| 64. | Name: Mitchell Shirley | on 2019-05-05 01:29:45 |
| | Comments: | All history should be preserved especially such an important yet under-credited landmark! |
| 65. | Name: Ellen Kelly Holland | on 2019-05-05 02:01:29 |
| | Comments: | |
| 66. | Name: Jordan Wright | on 2019-05-05 02:18:54 |

Comments: Please hold up the original demand to preserve this property.

-
67. Name: Anna Bowman on 2019-05-05 02:25:18
Comments: You must honor the agreement and prioritize preserving open space and historical spaces in Old Town.
-
68. Name: Anne Fogle on 2019-05-05 02:55:26
Comments:
-
69. Name: Anne Farr on 2019-05-05 06:09:26
Comments:
-
70. Name: DonnaSchmidt on 2019-05-05 11:21:11
Comments:
-
71. Name: Laurie Jennings on 2019-05-05 11:55:58
Comments:
-
72. Name: Charles Weber on 2019-05-05 14:53:26
Comments: Please do not destroy this very significant and precious site.
-
73. Name: lana skirboll on 2019-05-05 16:16:47
Comments:
-
74. Name: Diane Dubovsky on 2019-05-05 17:01:33
Comments: Do the right thing and save this property
-
75. Name: Tal Day on 2019-05-05 17:11:31
Comments: The open space easement executed by Justice Black must be honored. DHR approval of the encroachments was administratively erroneous, both substantively and procedurally.
-
76. Name: Michael Hobbs on 2019-05-05 18:54:12
Comments: The Hugo Black house and grounds are one of Alexandria's crown jewels. Council's interpretation and application of our Historic District Preservation Ordinance governs. If they can't protect this extraordinary piece of our heritage, then the ordinance is essentially vitiated.
-
77. Name: Francois Duret on 2019-05-05 20:04:55
Comments: This would be a disgrace. A new council has been elected as every elector was fed up with the habits of the old one. Lets not repeat the mistakes of the past.
-
78. Name: Nora Brownell on 2019-05-05 20:11:34

Comments: Do not let our history be bulldozed.

-
79. Name: hillary bennett on 2019-05-05 20:24:23
Comments: Please, preserve our historic homes, and stop putting up highrises, modern hotels and condos.
-
80. Name: elise latawiec on 2019-05-05 20:35:53
Comments: Please preserve historic buildings.
-
81. Name: Lauren Kramer on 2019-05-05 20:59:25
Comments: Old Town is a historic district. Please, Mayor and City Council - though we are keenly aware that none of you live here thus care not - please preserve the charming character of this gem of a city.
- Perhaps it IS time for Wards so we can ensure the OTCA work is heard.
- Do the right thing!
- Lauren Kramer
-
82. Name: Diane Fiske on 2019-05-05 23:30:28
Comments:
-
83. Name: Michelle Michaels on 2019-05-06 00:25:12
Comments:
-
84. Name: Patrick Rodjom on 2019-05-06 00:35:12
Comments:
-
85. Name: Wayne Fisher on 2019-05-06 01:47:28
Comments: If there is indeed a covenant signed re: the preservation of that open space , then that should be honored. I have lived here almost 40 yrs now and to see someone with what would appear to be limitless funds to pay attorneys to do what they feel entitled to do is a slap in the face to the meaning of these documents. We are all brief stewards of these properties in the history of this treasure of our city.
- I own property next to the house next to the cabinet maker's house that built George Washington and Martha's coffin .
That property was completely desecrated
25 years ago by someone who lied to the
BAR while serving ON it, so that he could demolish most of the structure to build a fake flounder to house his car collection.
Not only is he gone , but so is this historic treasure - - forever. Profoundly sad.
-
86. Name: Everett Spears on 2019-05-06 05:17:20

Comments:

-
87. Name: Leonard Taylor on 2019-05-06 12:29:43
Comments: Seems shameful that the BAR that has done a good job protecting the integrity of the city, would, in one move trash years of precedent and sell out.
-
88. Name: Richard Whelan on 2019-05-06 12:54:38
Comments:
-
89. Name: Rachel Welsh on 2019-05-06 20:37:17
Comments:
-
90. Name: Julia LaCava on 2019-05-06 21:19:19
Comments:
-
91. Name: Sherri Pappas on 2019-05-06 22:05:08
Comments:
-
92. Name: Lauren McCarthy on 2019-05-06 23:40:53
Comments:
-
93. Name: Adrienne Buskard on 2019-05-07 03:55:54
Comments: This is an important historic landmark and important for Alexandria to preserve as much of its history as possible.
-
94. Name: James H Hardaway on 2019-05-07 12:15:47
Comments: The fact this case has gotten as far as it has is symptomatic of an even bigger problem, a city hall that ignores rules, regulations and laws, even its own, in pursuit of more density and development.
-
95. Name: Joan Niles on 2019-05-07 12:19:42
Comments: Please honor the law and preserve the open space land act of 1966. Our city thrives on its historic character and our government should work to preserve and promote this unique aspect for the good of our city and its people.
-
96. Name: Heather McCafferty on 2019-05-07 13:29:17
Comments: Please preserve the Justice Black property. Enforce the conservation and open space easement to preserve the historic house and adjoining garden in the historic district of Alexandria, Virginia.
-
97. Name: John Conrad on 2019-05-07 16:11:50
Comments:

-
98. Name: Nancy Niedernhofer on 2019-05-07 20:25:05
Comments: As an architectural historian and historic preservationist, I oppose these proposed changes to the Justice Hugo Black house and property.
As the former National Register of Historic Places Coordinator for the State of Oregon, the designation relies upon local jurisdiction's zoning and ordinances to protect and preserve the historic and architectural integrity of these significant properties. Allowing these changes does not provide such intended protection. Additionally with the open space easement, that has been in place for decades, and likely has provided homeowners with tax deductions or credits, allowing construction in the designated open space should never be allowed.
- I urge you to reject the plan for partial demolition and new construction in preserved open space.
Sincerely, Nancy Niedernhofer
-
99. Name: Alexander St Clair on 2019-05-07 20:28:48
Comments: I think the historical integrity should be kept. The owners knew when they bought the house that they were buying a property with historical value that had restrictions. Any success in convincing the City to allow them to violate those rules now would set a bad example.
-
100. Name: Anna Caraveli on 2019-05-07 20:35:06
Comments: So many historic properties have been razed down over the years. Please save this one. The City has been accommodating developers to the detriment of our heritage.
-
101. Name: Jane Weber on 2019-05-07 21:03:19
Comments:
-
102. Name: Kevin Johnson on 2019-05-07 21:32:54
Comments:
-
103. Name: Susannah Rast on 2019-05-08 01:23:44
Comments:
-
104. Name: Melissa M Hayworth on 2019-05-08 02:04:05
Comments:
-
105. Name: Brian Teaney on 2019-05-08 02:06:10
Comments:
-
106. Name: Charles Trozzo on 2019-05-08 02:34:13
Comments: City Council must step up to its responsibility and authority to be the steward of this very important component of the Old and Historic Alexandria District by rejecting

the proposed new structures and maintaining the open space that is an essential defining characteristic of it.

-
107. Name: Janet Ness on 2019-05-08 03:08:05
Comments:
-
108. Name: Barbara Granfield on 2019-05-08 10:24:52
Comments:
-
109. Name: Michelle bushey on 2019-05-08 11:20:04
Comments:
-
110. Name: Lynn Rogerson on 2019-05-08 12:09:49
Comments: We need to retain the historic structures of Old Town. Inside alterations are fine, but exterior changes should be denied, especially in a property granted a tax-benefit easement. Old Town retains its original character (and tourist "draw") because we are attentive to protecting our architectural heritage!
-
111. Name: Louis Boero on 2019-05-08 12:15:43
Comments:
-
112. Name: Jaye smith on 2019-05-08 12:19:02
Comments:
-
113. Name: Carl smith on 2019-05-08 12:20:21
Comments:
-
114. Name: Judith Sundue on 2019-05-08 12:36:16
Comments:
-
115. Name: Carol Anderson on 2019-05-08 13:12:01
Comments:
-
116. Name: Christine Murray on 2019-05-08 13:24:23
Comments: Please reject the proposed construction and demolition on the Justice Black property. Old Town is special because it is preserved. If the property's owners cannot support the easement Justice Black intended, they should sell and move to an unprotected part of the metro area where new homes offer the modern amenities they seek. City Council members, just say no!
-
117. Name: Barbara Hayes on 2019-05-08 13:50:44
Comments:
-

118. Name: Steve hayes on 2019-05-08 13:51:45
Comments:
-
119. Name: Margaret Turqman on 2019-05-08 13:57:38
Comments: I stand with the historic and civic associations and oppose the building plans on this space. Uphold the protective easemenr!
-
120. Name: Bill Anderson on 2019-05-08 14:10:49
Comments:
-
121. Name: Allison Baker on 2019-05-08 15:03:33
Comments:
-
122. Name: Caleigh Pistorius on 2019-05-08 15:04:25
Comments:
-
123. Name: Susan Davis on 2019-05-08 15:27:28
Comments:
-
124. Name: Richard Klingenmaier on 2019-05-08 15:41:09
Comments:
-
125. Name: Trish Klingenmaier on 2019-05-08 16:09:13
Comments:
-
126. Name: Cynthia Spoehr on 2019-05-08 16:10:10
Comments:
-
127. Name: Heather Gilbert on 2019-05-08 16:29:47
Comments: Keep Alexandria historic! This is what I love about living in this city, and it pains me to see more and more of removed each year.
-
128. Name: Elaine Johnston on 2019-05-08 17:06:11
Comments:
-
129. Name: Leslie Ariail on 2019-05-08 17:30:14
Comments:
-
130. Name: Jen Bluestein on 2019-05-08 17:58:02
Comments: I am a local resident of this neighborhood and would be so upset to see this house go.
-

131. Name: Elizabeth Turqman on 2019-05-08 21:17:10
Comments:
-
132. Name: Gwen Pegram on 2019-05-08 21:28:43
Comments: Please dont alter in any manner this historic landmark.
-
133. Name: Jana McKeag on 2019-05-08 22:25:27
Comments:
-
134. Name: Jane Coughran on 2019-05-08 22:30:15
Comments:
-
135. Name: Halley Coyne on 2019-05-08 22:46:41
Comments:
-
136. Name: Divya shenoy on 2019-05-08 22:59:27
Comments: Please preserve the historic integrity of Old Town. Stop trying to make Old Town become Arlington- we are special for a reason. The historic nature and quaintness is what keeps Alexandria special. Do not allow the wishes of preservation and Open Land to be ignored!
-
137. Name: Rebecca Squires on 2019-05-09 00:54:28
Comments:
-
138. Name: Gary Korn on 2019-05-09 01:19:55
Comments: Wonderful open space along the street where I live. Please respect the easement given to us by one of our most respected Supreme Court Justices and keep the open space he bestowed upon us. Gary, 732 S Lee Street.
-
139. Name: Jere Gibber on 2019-05-09 01:23:25
Comments:
-
140. Name: Jane Loeffler MCP PhD on 2019-05-09 01:27:17
Comments:
-
141. Name: A S Mason Montague Bavin on 2019-05-09 01:39:15
Comments:
-
142. Name: Carol James on 2019-05-09 02:05:46
Comments:
-
143. Name: Ian McDuffie on 2019-05-09 02:08:26
Comments:

-
144. Name: Katherine Pinson on 2019-05-09 02:20:05
Comments: This would be a tragic denegration of both history and architecture. Please preserve this land as it was originally intended.
-
145. Name: Bruce Schafer on 2019-05-09 02:22:43
Comments:
-
146. Name: Rebecca Gibson on 2019-05-09 02:52:16
Comments:
-
147. Name: Sean Murphy on 2019-05-09 02:54:15
Comments:
-
148. Name: Robert Wagner on 2019-05-09 03:03:58
Comments:
-
149. Name: Linda Bridgman on 2019-05-09 03:37:42
Comments:
-
150. Name: Kathleen Kalchthaler Oehler on 2019-05-09 05:44:52
Comments:
-
151. Name: Sean Oh on 2019-05-09 06:42:20
Comments: Please preserve the character of the neighborhood and respect the historical nature of this home. We won't be able to go back and undo this loss of history.
-
152. Name: Margaret Townsend on 2019-05-09 08:27:14
Comments:
-
153. Name: Mary Morgan on 2019-05-09 10:20:43
Comments:
-
154. Name: Susan Nelson on 2019-05-09 10:59:35
Comments:
-
155. Name: Karen buck on 2019-05-09 11:33:18
Comments:
-
156. Name: Anthony Pinson on 2019-05-09 11:55:17
Comments:
-

157. Name: Krista Oberlamder on 2019-05-09 12:33:02
Comments:
-
158. Name: India on 2019-05-09 13:24:00
Comments: So much American history is being lost to development. Don't let this house go with it. Please let the Hugo Black House be.
-
159. Name: Hattie Barker on 2019-05-09 13:34:32
Comments: How can the City hold others to a standard of historic preservation while dismissing the intent of Justice Black and the clear and legal Historic Landmark Designation as well as the Open Space Easement?
What was the motivation that drove the members of the Board of Architectural Review to override the contract between the Commonwealth and Justice Black?
It is up to the Council to honor and maintain the agreement between Justice Black and the Commonwealth of Virginia.
-
160. Name: Nick Kunesh on 2019-05-09 13:48:00
Comments: Our City Council has a track record of degrading our historic district favoring developers and activities that create tax revenue. This needs to stop!
-
161. Name: Susan Horne on 2019-05-09 14:06:51
Comments: This is a terrible violation of the easement granted by the Black family.
-
162. Name: Deborah Bennett on 2019-05-09 14:11:42
Comments:
-
163. Name: Laura Ruppalt on 2019-05-09 14:12:24
Comments:
-
164. Name: Patricia L DePuy on 2019-05-09 14:19:00
Comments:
-
165. Name: Rob Fowler on 2019-05-09 14:23:24
Comments:
-
166. Name: Andrew B Creedon on 2019-05-09 14:37:44
Comments:
-
167. Name: Mary Lou EGAN on 2019-05-09 16:00:42
Comments: It's simple. Honor the legal and ethical commitments made to this property, city and members of the Black family.
-
168. Name: Julie Wieland on 2019-05-09 16:25:22
Comments:

-
169. Name: Robert August Pearson on 2019-05-09 16:40:05
Comments:
-
170. Name: Bette Stubbs Gorman on 2019-05-09 16:55:31
Comments:
-
171. Name: Wendy M Hogan on 2019-05-09 17:05:16
Comments:
-
172. Name: Margot Benedict on 2019-05-09 17:53:30
Comments:
-
173. Name: Lauren McHale on 2019-05-09 18:59:41
Comments:
-
174. Name: Archer Heinzen on 2019-05-09 19:04:01
Comments:
-
175. Name: Richard Longstreth on 2019-05-09 19:04:04
Comments: The Secretary of Interior's Standards mean something and should not be so compromised. The proposal does not reflect well on the community's political leadership.
-
176. Name: Glen Hewitt on 2019-05-09 19:13:02
Comments: The legal and bucolic space of this historic property should be maintained. Old Town Alexandria contains many unique features and allowing wealth to corrupt our community degrades the value for others.
-
177. Name: Danielle George on 2019-05-09 19:17:18
Comments:
-
178. Name: Heather Booth on 2019-05-09 19:19:33
Comments:
-
179. Name: Elizabeth Parrow on 2019-05-09 19:20:30
Comments:
-
180. Name: Mary Kelley on 2019-05-09 20:15:05
Comments: Leave the open space as it is.
-
181. Name: Robin Noyes on 2019-05-09 20:25:19
Comments: Just because he's rich doesn't mean he should be able to buy support for this

terrible proposal.

-
182. Name: Sylvia Edgerton on 2019-05-09 20:26:25
Comments:
-
183. Name: Karen C O'Hern on 2019-05-09 20:32:31
Comments:
-
184. Name: Susan Stafford on 2019-05-09 21:25:16
Comments:
-
185. Name: Michael Garrison on 2019-05-09 21:29:00
Comments: Resident on Wilkes St
-
186. Name: Christine Bernstein on 2019-05-09 22:07:27
Comments:
-
187. Name: Jackie Kendall on 2019-05-09 22:45:13
Comments:
-
188. Name: Mary Palmer MD on 2019-05-09 22:45:52
Comments: How dare a City disrespect this easement (how is that legal?) and disturb the deathbed wishes and plans of Justice Black?
-
189. Name: S Diane Henry on 2019-05-09 23:52:15
Comments: uphold the law on easements
-
190. Name: suzanne Olsen on 2019-05-10 00:04:24
Comments: What makes Alexandria so unique is our historic city with its history Do not destroyed our history it will be lost forever
-
191. Name: Donna Chin on 2019-05-10 01:20:12
Comments:
-
192. Name: Laurie Salama on 2019-05-10 02:01:30
Comments:
-
193. Name: Claire Heffernan on 2019-05-10 02:32:21
Comments:
-
194. Name: Sandra Ludwig on 2019-05-10 04:37:02
Comments:

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| 195. | Name: Chloe Daley on 2019-05-10 04:50:33 Comments: |
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| 196. | Name: jon on 2019-05-10 05:26:13 Comments: very important to me |
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| 197. | Name: Landon McCampbell on 2019-05-10 06:14:24 Comments: |
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| | |
|------|--|
| 198. | Name: Ninette Sadusky on 2019-05-10 11:19:02 Comments: |
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| 199. | Name: Edward Nolin on 2019-05-10 11:24:08 Comments: Why is the destruction / construction necessary? Leave as is. |
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| 200. | Name: Susanne Arnold on 2019-05-10 11:33:58 Comments: Act now - preserve the integrity of this property NOW. |
|------|--|

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| 201. | Name: Barbara Lee Wachter on 2019-05-10 11:52:45 Comments: Historic preservation is essential to maintaining the character of Old Town. Make no exceptions unless safety is an issue. Please reject the Board of Architectural Review's approval for demolition and reconstruction on the Justice Black property. What were they thinking? |
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|------|---|
| 202. | Name: Nancy Ramsey on 2019-05-10 11:53:38 Comments: |
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|------|---|
| 203. | Name: Dana on 2019-05-10 12:25:02 Comments: |
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|------|---|
| 204. | Name: Kathryn Mims on 2019-05-10 13:01:45 Comments: |
|------|---|

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|------|---|
| 205. | Name: Kathleen on 2019-05-10 13:05:25 Comments: |
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|------|---|
| 206. | Name: Norma Dempsey and RobertDempsey on 2019-05-10 13:35:12 Comments: As owners of an historic Old Town residential property and Bob being past President of the Old Town Civic Association we strongly support the OTCA's position . Also, there is the question of the tax exemption or preference that this property has received through the years |
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207. Name: Ed Wachter on 2019-05-10 13:49:29
Comments:
-
208. Name: Danielle Kozlowski on 2019-05-10 14:37:21
Comments:
-
209. Name: Kevin Coyne on 2019-05-10 15:05:47
Comments:
-
210. Name: Michele Cappelle on 2019-05-10 15:37:34
Comments: The current owner knew about the easement!
-
211. Name: lee Ann Gardner on 2019-05-10 16:05:15
Comments: Please--if you buy a historic property in Alexandria, or anywhere for that matter, don't alter it. If you don't like the house the way it is, please buy one that suits your needs and let someone who appreciates history and tradition assume stewardship of the property.
-
212. Name: Joel Hoffman on 2019-05-10 16:17:50
Comments: As an Old Town resident for 37 years, most of it on S. Lee St., I am appalled and angered by the proposed project. Firstly, the house and its surrounding open space are critical to the character of its neighborhood, which will be diminished if the proposed changes are allowed. Secondly, the integrity and effectiveness of the entire open space easement program will be undermined if not destroyed if this project is allowed to proceed.
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213. Name: Marianne F Horan on 2019-05-10 17:04:48
Comments:
-
214. Name: Elizabeth Noyes on 2019-05-10 17:12:14
Comments:
-
215. Name: Marsha Mercer on 2019-05-10 17:22:43
Comments:
-
216. Name: Dale Claire Gibb on 2019-05-10 17:26:21
Comments: The property as it is now and is under an official historic easement should not be subject to new or redevelopment. How did this effort get so far???
-
217. Name: Monica St Dennis on 2019-05-10 17:57:07
Comments: As an Alexandria resident who believes in the value of historic preservation (including the value provided by open-space easements), I am concerned about the precedent that allowing these changes will set.
-

218. Name: Jean Orr on 2019-05-10 18:10:52
Comments:
-
219. Name: Mary Peterson on 2019-05-10 18:56:55
Comments:
-
220. Name: Ann Hobbs on 2019-05-10 19:20:58
Comments:
-
221. Name: Anne Kelly on 2019-05-10 20:26:34
Comments: My comments have been submitted to the City Council at the Alexandria.gov website.
-
222. Name: Jay Horan on 2019-05-10 20:51:28
Comments:
-
223. Name: Laurel Booth on 2019-05-10 20:52:30
Comments: How can the Alexandria City Council allow such a thing? Was no legal research done? I own a historic home in Old Town and I expect that The Board of Architectural Review would preserve the historic integrity of our city. In light of the status of this property, this is appalling to say the least.
-
224. Name: Katherine Hoffman on 2019-05-10 21:19:27
Comments: Save Justice Black Property
-
225. Name: Rick Metzger on 2019-05-10 21:47:28
Comments: I strongly believe it is a matter of honor that all elected officials respect and enforce the the laws of our Commonwealth and the ordinances of our City. I deeply regret that our Commonwealth representatives have shirked their responsibilities and have shown themselves unworthy of the trust we've placed in them. I implore all members of our City Council to stand firm in upholding our laws and ordinances by denying the proposed project. There is no question as to the Black family's wishes. The current owner(s) of the property knew of the restrictions on the property's use when they purchased it. The owner(s) must be forced to challenge the law or the Black family's use of it. Our City Council must not allow itself to be put in the position of aiding and abetting the subversion of our laws and ordinances.
-
226. Name: Laura Morton on 2019-05-10 22:43:56
Comments:
-
227. Name: M Crawford Horan on 2019-05-10 22:44:58
Comments: It is sad we have come to the point where we must defend the wishes of a family, much less that of a Supreme Court Justice, who worked so hard to protect a beautiful, historic piece of property in Alexandria. With as many buildings that have recently been taken down and replaced by monstrosities, we must do all we can do

preserve the HISTORIC Alexandria we love.

-
228. Name: Martha Harris on 2019-05-10 23:12:13
Comments:
-
229. Name: james brashear on 2019-05-11 02:28:24
Comments:
-
230. Name: Abby cobey on 2019-05-11 11:36:34
Comments:
-
231. Name: Kurt Diehl on 2019-05-11 13:27:42
Comments: Please preserve Justice Black's historic home by denying the request for partial demolition and new construction at this landmark Alexandria property.
-
232. Name: Ronald and Carolyn Cooper on 2019-05-11 14:00:12
Comments: As long-time residents of Old Town we strongly support preservation standards. This is particularly true for such a unique property.
-
233. Name: Cecil Slaughter on 2019-05-11 14:23:41
Comments: I would like to keep the home and open space of Justice Hugo Black preserved as is.
-
234. Name: Christine M Nauss on 2019-05-11 14:25:04
Comments: #SaveJusticeBlackProperty
-
235. Name: Daiva Balkus on 2019-05-11 16:23:20
Comments: Preserve our historic heritage! It's what makes us special and unique!
-
236. Name: James Tomkins on 2019-05-11 16:25:30
Comments: I sent an email directly to the mayor stating my opposition to the proposed redevelopment.
-
237. Name: Lynn Green Penati on 2019-05-11 17:02:37
Comments:
-
238. Name: Roger L Hiyama on 2019-05-11 17:38:55
Comments: #SaveJusticeBlackProperty

Don't allow city council to skirt historic preservation of Old Town Alexandria
-
239. Name: Sharon H Cooper on 2019-05-11 18:53:58
Comments:

-
240. Name: Shannon Ciesla on 2019-05-11 18:56:53
Comments: What a historic home. It would be a shame to have it ruined. A floodgate would open for all other people who would want to violate an easement. Please consider saving this house
-
241. Name: Grace Brown on 2019-05-11 19:13:30
Comments: I support this petition
-
242. Name: Chris Brown on 2019-05-11 19:19:06
Comments:
-
243. Name: Steve Stuart on 2019-05-11 20:46:01
Comments:
-
244. Name: Jill Kester on 2019-05-11 21:56:11
Comments:
-
245. Name: Kate Hornyan on 2019-05-11 23:07:10
Comments:
-
246. Name: Marian L Hobbs on 2019-05-12 01:13:42
Comments: I believe in Historic Preservation, If you destroy this property, you can never get it back.
-
247. Name: Virginia Ann Coslett on 2019-05-12 02:39:14
Comments: Preserve Justice Black's house in it's current configuration
-
248. Name: Marc Bendick Jr on 2019-05-12 09:56:33
Comments:
-
249. Name: John Gosling on 2019-05-12 10:59:59
Comments:
-
250. Name: Kay Cowan on 2019-05-12 11:27:14
Comments: I oppose the changes to the Justice Black property.
-
251. Name: Bert Ely on 2019-05-12 11:50:17
Comments: Honor the rule of law by adhering to the restrictive easement Justice Black placed on the property.
-
252. Name: Sandra Graham on 2019-05-12 11:58:55

Comments:

-
253. Name: Stephen Sweeney on 2019-05-12 12:52:13
Comments:
-
254. Name: Charlie Murray on 2019-05-12 14:15:27
Comments:
-
255. Name: MICHELLE HAYNES on 2019-05-12 14:29:23
Comments: Please preserve this historic property.
-
256. Name: William Potter on 2019-05-12 14:44:29
Comments:
-
257. Name: Elizabeth Gamble on 2019-05-12 14:55:17
Comments:
-
258. Name: Kate Eltzroth on 2019-05-12 15:37:07
Comments:
-
259. Name: Judith Viggers Nordin on 2019-05-12 15:39:58
Comments:
-
260. Name: Brown Morton on 2019-05-12 15:43:01
Comments: Indeed,he city has a responsibility to consider the easement granted under the Virginia Open Space Land Act. To ignore this responsibility is a flagrant breach of civic trust.
-
261. Name: David Rossell on 2019-05-12 15:59:59
Comments: I am an Alexandria resident and strongly urge the City Council to reject this unwarranted development.
-
262. Name: C van derslice on 2019-05-12 16:14:19
Comments:
-
263. Name: Thomas van derslice on 2019-05-12 16:15:16
Comments:
-
264. Name: India Benoit on 2019-05-12 16:27:53
Comments: As a Real Estate Broker and former resident of Alexandria I feel the integrity of the Justice Black house MUST be preserved.
-

265. Name: Karen Paul on 2019-05-12 16:51:39
Comments: Please uphold the integrity of Virginia's easement program.
-
266. Name: Tina C on 2019-05-12 17:06:01
Comments:
-
267. Name: Thomas William Schultz on 2019-05-12 17:07:26
Comments: City Council,

Reject the BAR approval. - Tom
-
268. Name: Ann Shaxk on 2019-05-12 17:22:09
Comments: Let's honor our history and our Country by preserving this historic building and grounds. Our children and newcomers to our Country need to understand our past and our values.
DO NOT allow any destruction to Justice Black's property or to anything historic within the City of Alexandria. Thank you.
-
269. Name: Virginia Martin on 2019-05-12 17:57:28
Comments:
-
270. Name: Barbara Saperstone on 2019-05-12 18:03:37
Comments: I am an Alexandria resident and strongly urge the City Council to honor the easement granted under the VA Open Space Land Act. It is your responsibility to uphold such Acts.
-
271. Name: Charlotte Forster on 2019-05-12 18:34:53
Comments: Please help preserve this home and its easement.
-
272. Name: Stephen Saperstone on 2019-05-12 18:42:33
Comments: City Council should adhere to the tenets of our Our Old and Historic District
-
273. Name: S E Batchelder on 2019-05-12 18:57:15
Comments:
-
274. Name: Edward Kemp on 2019-05-12 19:06:55
Comments: Preserve this open space in Old Town as part of the fabric of the community!
-
275. Name: Margaret R Wood on 2019-05-12 20:04:28
Comments:
-
276. Name: Evans Gail on 2019-05-12 20:11:21
Comments: This is an outstanding piece of architecture. Please do not allow it to be demolished!

-
277. Name: John Thomas Schriempf on 2019-05-12 20:23:29
Comments: As an Alexandria resident, homeowner and taxpayer for more than fifty years, I implore City Council to do their duty and honor the easement granted under the VA Open Space Land Act.
-
278. Name: Julie Stoyanova on 2019-05-12 20:24:32
Comments:
-
279. Name: Ann McCracken on 2019-05-12 22:00:41
Comments: City Council,
Honor the easement, architectural integrity and historic preservation!
-
280. Name: Stephanie Benson on 2019-05-12 22:53:49
Comments:
-
281. Name: Richard Platt on 2019-05-12 23:05:13
Comments:
-
282. Name: Mark Michael Ludlow on 2019-05-12 23:46:23
Comments: It is unacceptable to notably alter or destroy this historic landmark in a Federally designated historic district.
-
283. Name: Megan Ritter on 2019-05-13 00:00:17
Comments:
-
284. Name: Janet King on 2019-05-13 00:18:53
Comments: I am so proud of our historic city. As I have for decades, on April 27th I took advantage of the Historic Virginia Garden Week House Tour to view 5 magnificent homes - and to admire others as I passed through the historic district. The pride we have in this destination city should be for every one of us demonstrated via the legacy we leave to future visitors and to all residents. Please do nothing to negatively impact this legacy.
-
285. Name: Maryanne Beatty on 2019-05-13 01:37:51
Comments:
-
286. Name: Marilynne Black on 2019-05-13 01:39:12
Comments: Alexandria's historic buildings attract tourists and contribute to the economic value of the city. Massive changes to these buildings detract from the character and atmosphere we treasure in this unique community. Oppose these changes.
-
287. Name: Sofía Estévez on 2019-05-13 02:07:34
Comments: Historic landmark should be preserved for future generations.

| | | |
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| 288. | Name: Kara hourihan | on 2019-05-13 03:05:29 |
| | Comments: | |

| | | |
|------|--|------------------------|
| 289. | Name: Charles Ablard | on 2019-05-13 03:15:17 |
| | Comments: Council should send the matter back to BAR to reduce the mass of 3 outbuildings. | |

| | | |
|------|--|------------------------|
| 290. | Name: Michael C Maibach | on 2019-05-13 03:31:33 |
| | Comments: We ask Mayor Wilson and the City Council to be strong, reliable stewards of Old Town's historic gems like the Black House. The last three generations have passed it to us for our safe keeping, and to hand down to our children. | |

| | | |
|------|--|------------------------|
| 291. | Name: Michael C Maibach | on 2019-05-13 03:31:33 |
| | Comments: We ask Mayor Wilson and the City Council to be strong, reliable stewards of Old Town's historic gems like the Black House. The last three generations have passed it to us for our safe keeping, and to hand down to our children. | |

| | | |
|------|-------------------------------------|------------------------|
| 292. | Name: Patricia Mellen | on 2019-05-13 03:42:40 |
| | Comments: Please honor the easement | |

| | | |
|------|-------------------|------------------------|
| 293. | Name: Nancy Lopez | on 2019-05-13 10:24:11 |
| | Comments: | |

| | | |
|------|--------------------|------------------------|
| 294. | Name: Jayne Osgood | on 2019-05-13 10:46:30 |
| | Comments: | |

| | | |
|------|------------------------|------------------------|
| 295. | Name: mary crutchfield | on 2019-05-13 11:17:52 |
| | Comments: | |

| | | |
|------|---------------------|------------------------|
| 296. | Name: Ivy Whitlatch | on 2019-05-13 11:51:54 |
| | Comments: | |

| | | |
|------|-------------------|------------------------|
| 297. | Name: Ruth Arnold | on 2019-05-13 12:14:41 |
| | Comments: | |

| | | |
|------|--------------------------------|------------------------|
| 298. | Name: Sara V Loeppert | on 2019-05-13 13:17:26 |
| | Comments: Protect our history. | |

| | | |
|------|--------------------|------------------------|
| 299. | Name: Diane Tupper | on 2019-05-13 13:42:30 |
| | Comments: | |

300. Name: Tatyana Schremko Schriempf on 2019-05-13 14:24:38
Comments: The erosion of history and open space is counterproductive to what attracts visitors and tourists to Alexandria, which has a negative impact on our economy. Alexandria is a landmark historic city and that is a magnet for visitors. This violation of the Virginia Open Space Land Act robs the citizens for the benefit of a few.
-
301. Name: Dene Garbow on 2019-05-13 14:41:43
Comments:
-
302. Name: Richard Loeppert on 2019-05-13 14:51:53
Comments:
-
303. Name: mary landis on 2019-05-13 15:02:34
Comments: please do not destroy this beautiful historic property. So many of our historic landmarks are being removed by the city, soon we will not be Historic Alexandria but just a suburb of Washington..
keep our history intact.. we do not need more condos in Old Town or parks when it destroys history..
-
304. Name: Randy Maddox on 2019-05-13 15:19:54
Comments: And add a hearty "Hell yes!!" from me. The Justice Black house is part of our history and MUST be preserved.
-
305. Name: janice magnuson on 2019-05-13 15:28:02
Comments: If City Council approves this demolition it is another example of the lack of knowledge of the importance of history to Alexandria. Each loss makes it easier for the next proposal to be approved.
-
306. Name: Amy h young on 2019-05-13 15:38:09
Comments:
-
307. Name: Shannon Ross on 2019-05-13 16:00:33
Comments:
-
308. Name: Dylan Colligan on 2019-05-13 16:45:24
Comments:
-
309. Name: Judith Shehan on 2019-05-13 17:12:20
Comments: To grant this plan would be a travesty for Alexandria and the state of Virginia. Please reject this proposal
-
310. Name: Kyle Iturralde on 2019-05-13 17:55:01
Comments:
-

311. Name: Myra Matthews on 2019-05-13 18:05:03
Comments:

312. Name: Martina Hofmann on 2019-05-13 18:40:05
Comments: my husband, Robert Deitz, and I were taken aback to hear that the perpetual historic preservation easements granted by Justice Black to the Commonwealth of VA and the City of Alexandria to protect his house and property in perpetuity, as deserves such a certified landmark and cherished home of a Supreme Court Justice, is being waived to allow the demolition of historic fabric and the building of additional structures. We cannot find a legitimate reason for this decision. Certainly not regarding the permission to add additional structures despite the open space easement.

Our position and standing with respect to this controversy is not just based on our being long time residents of Alexandria. Our own home of 25 years at 218 S. Lee Street and its open space are also protected by a historic easement. We bought the property subject to a deed of scenic, exterior open space and architectural facade easement granted by the former owners, Mr. & Mrs Moore, to the Alexandria Historical Restoration and Preservation Commission in 1992. Over the years, we have restored the facade and the iron stairs and landing working with the BAR and the AHRPC to make sure to respect the terms of the easement.

Alexandria is a special City in many respects. It is a privilege to live in a diverse and well managed Town that also boasts a charming historic center that attracts locals and tourists alike. Change is inevitable, but disrespecting the easement on the Justice Black property for the sole benefit of its new private owners leaves a sour taste. Not only does the Justice Black residence and property merit the protection because of its historic significance, but waiving the terms of the easement on 619 S. Lee Street will set a precedent to undermine the entire system of historic and open space easements and historic preservation.

313. Name: Steve Skeldon on 2019-05-13 18:40:25
Comments:

314. Name: Erin Abell on 2019-05-13 18:45:34
Comments:

315. Name: Louise Meng on 2019-05-13 18:47:32
Comments:

316. Name: Melissa Rosario on 2019-05-13 18:51:35
Comments: As more and more development continues in our historic community, we are in danger in losing our historic homes. Please do not allow for this easement to be breached.

317. Name: Virginia Drewry on 2019-05-13 18:53:54
Comments:

-
318. Name: Divya Shenoy on 2019-05-13 18:55:18
Comments: Preserve the historical integrity of this home and abide by the protected open space agreement. The current owners had sufficient knowledge of the restrictions for this property. The City needs to stop trying too modernize a historical community! We need to preserve our historical charm! Also respect the wishes of a great Justice and political figure in US history!
-
319. Name: Christa Lyons on 2019-05-13 19:03:52
Comments:
-
320. Name: Kevin Connell on 2019-05-13 19:09:17
Comments: The City Council should deny the request to develop new outbuildings and maintain fidelity to the preservation easement intent.
- There are abundant, patently obvious reasons not to allow the requested changes, chief among them: (1) complying with the preservation easement and (2) preventing additional loss of open / green space in a city experiencing ever more development and construction. What many of us following this debate can't comprehend is any reasons TO allow the requested changes.
- The buyers of this property made their decision to purchase with full knowledge of the preservation easement. What reason could the City Council possibly have to approve the request? An approval would benefit only the property owners, who knew of this restriction when they made the decision to purchase the property, and would not benefit the city not the city's residents. Moreover, an approval would render the entire point of a preservation easement meaningless and establish a dangerous precedent.
- The City Council needs to deny this request for the reasons noted above.
-
321. Name: John Hundley on 2019-05-13 19:23:58
Comments:
-
322. Name: Daniela Gressani on 2019-05-13 19:43:41
Comments:
-
323. Name: Hazel Miller on 2019-05-13 19:49:11
Comments: My understanding the easement is a binding agreement and the buyers were fully aware of this when they bought the property.
-
324. Name: Hourig Charalambopoulos on 2019-05-13 20:07:53
Comments:
-
325. Name: Jane Dunning on 2019-05-13 20:29:55
Comments:

-
326. Name: william doying on 2019-05-13 20:33:30
Comments: At some point a promise has to be a promise, not just as long as it's convenient.
-
327. Name: Polly Bannerman on 2019-05-13 20:38:36
Comments:
-
328. Name: Barbara Belmont on 2019-05-13 21:34:11
Comments:
-
329. Name: Susan Pettey on 2019-05-13 22:11:12
Comments:
-
330. Name: Scott Quehl on 2019-05-13 22:13:33
Comments:
-
331. Name: Robert Shehan on 2019-05-13 22:58:10
Comments:
-
332. Name: Paul Mazzuca on 2019-05-13 23:04:08
Comments: Thank you for preservation advocacy.
-
333. Name: Taylor Thistlethwaite on 2019-05-13 23:13:22
Comments:
-
334. Name: James Doll on 2019-05-13 23:13:44
Comments: Respect the preservation easement!
-
335. Name: Harriet Larsen on 2019-05-13 23:58:28
Comments: Please retain this historic landmark as it is.
-
336. Name: Sharon on 2019-05-14 01:02:52
Comments: Please reject redevelopment. This is important to the neighbors, including me.
-
337. Name: frank on 2019-05-14 01:03:34
Comments: Please reject redevelopment. This is important to the neighbors, including me.
-
338. Name: Brian Branton on 2019-05-14 01:45:34
Comments: Don't throw away history. Save the Justice Black house.

-
339. Name: Alison Cavicchio on 2019-05-14 01:54:07
Comments: It is important to maintain this historic space and in turn the historic character of the building as it relates to the historic district of Old Town Alexandria and its guidelines. Respect the easement.
-
340. Name: Kelli Pennington on 2019-05-14 02:22:50
Comments: Please help us preserve our historical buildings.
-
341. Name: Patricia Johnson on 2019-05-14 02:27:58
Comments: The same destruction of older/historic homes is happening in our community. Please stop this before it's too late...
-
342. Name: Casey Hastings Johnson on 2019-05-14 02:30:44
Comments: As a property owner in Old Town Alexandria, I support the movement to maintain the historic homes and sights in the area.
-
343. Name: Chase Burleigh on 2019-05-14 02:38:16
Comments: This development should be rejected! Save Justice Black!
-
344. Name: Jeanne Schmid on 2019-05-14 02:52:34
Comments:
-
345. Name: Lawson on 2019-05-14 02:59:18
Comments: Alexandria has a long way to go to catch up to charming towns such as Charleston. Naming part of the city "Old Town" then eliminating all remnants that are Old is absurd. This historic destruction and continued overcrowding in "Old Town" will ensure the city's faster demise into just another cookie cutter city. Get with the times, PRESERVE historic properties such as this.
-
346. Name: Katie Barber on 2019-05-14 03:04:54
Comments:
-
347. Name: Emilia Thomason on 2019-05-14 03:17:19
Comments:
-
348. Name: Mary Morrow-Bax on 2019-05-14 03:30:35
Comments: PLEASE honor Justice and Mrs. Black's intention to preserve the house and the yard and gardens — with the historic preservation easement— and do not allow for the demolition and new construction at the Justice Black Property. I recently heard a City Council Member citing the two million visitors the City enjoyed this past year and adding that the City is hoping to see that number increase to three million. Why do they come? Is there anyone who would doubt that it's our rich history and our beautifully preserved architecture that brings visitors here from all around the world. We must preserve this

beautiful gift that's been passed down by so many generations before us. Each unnecessary cut to the fabric of our historic community frays the impact of our history. Poor decisions made now will have lasting consequences. And there will be no turning back. And tax revenues will certainly be affected. Thank you for caring enough to vote to save our history.

349. Name: Audrey Keller on 2019-05-14 03:50:34
Comments:

350. Name: Lisa Fagan on 2019-05-14 05:22:14
Comments:

351. Name: Elizabeth Cochran on 2019-05-14 05:27:56
Comments:

352. Name: Phil Cochran on 2019-05-14 05:29:42
Comments:

353. Name: Nash Cochran on 2019-05-14 05:30:21
Comments:

354. Name: Mary Simmons on 2019-05-14 05:31:46
Comments:

355. Name: Jen Hoehn on 2019-05-14 06:10:12
Comments:

356. Name: Margaret Mary Payne on 2019-05-14 06:12:36
Comments: Please reject this development!

357. Name: Monica Johnson on 2019-05-14 06:46:41
Comments:

358. Name: Sarah Bobbin on 2019-05-14 10:04:04
Comments: I'm all for home improvement, but for such a historic property in HISTORIC ALEXANDRIA, let's keep it to additions more in keeping with the history of the property!

359. Name: Stephen Wenderoth on 2019-05-14 10:13:54
Comments:

360. Name: Jaime Ann on 2019-05-14 10:14:23
Comments:

361. Name: Bethany Gripp on 2019-05-14 10:20:27
Comments: restoration not renovation
-
362. Name: Megan Griffin on 2019-05-14 10:44:15
Comments:
-
363. Name: Beth Everett on 2019-05-14 11:05:45
Comments: Please do not allow the Justice Black property to be drastically altered. If the house has already been given historical significance it should stay the same. To open this door for one home is to open the door for all historic homes.
-
364. Name: Heather on 2019-05-14 11:10:59
Comments:
-
365. Name: Eli Hanisian on 2019-05-14 11:20:20
Comments:
-
366. Name: Kathleen Fox on 2019-05-14 11:48:52
Comments:
-
367. Name: Wayne Bench on 2019-05-14 11:52:11
Comments:
-
368. Name: Sharon Shearer on 2019-05-14 13:02:38
Comments: Please do not allow this house to be demolished. History - especially in your quaint historic town - is the reason people love coming to visit.
-
369. Name: Syndi McCabe on 2019-05-14 13:08:13
Comments: It's absolutely nonsensical that the board approved the damaging changes to this lovely property. These property owners will sell this home and move on and the integrity of this landmark will be lost forever. Do you want to be the people who approved that? Shame.
-
370. Name: J Wallian on 2019-05-14 13:14:41
Comments: Please don't allow the destruction of the easement!
-
371. Name: Alexander Haines on 2019-05-14 13:26:15
Comments:
-
372. Name: Matthew Detar on 2019-05-14 13:26:35
Comments:
-
373. Name: Kaitland Henley on 2019-05-14 13:31:47

Comments: Restoration not renovation

374. Name: Alix on 2019-05-14 13:33:08
Comments:

375. Name: Gina Koch on 2019-05-14 13:39:52
Comments:

376. Name: Christina Sappey on 2019-05-14 13:49:35
Comments: I am a state representative in PA, and founder of a historic preservation group in my hometown. Please, please, please honor the easement. Letting it go and permitting the proposed alterations will change your wonderful town forever.

377. Name: Jordan Skibinski on 2019-05-14 14:01:23
Comments:

378. Name: Gracie Qualls on 2019-05-14 14:04:29
Comments:

379. Name: Kate Whitehead on 2019-05-14 14:08:44
Comments:

380. Name: Leslie Siphers on 2019-05-14 14:17:33
Comments:

381. Name: Sarah Qualls on 2019-05-14 14:30:35
Comments:

382. Name: Libby Cooperman on 2019-05-14 14:41:05
Comments: Restoration not renovation

383. Name: Eve on 2019-05-14 14:55:12
Comments: Stop the destruction of open spaces now. Stop demolishing old growth trees for asphalt.

384. Name: Todd Hirsch on 2019-05-14 15:01:10
Comments:

385. Name: Sudhakar Shenoy on 2019-05-14 15:08:07
Comments:

386. Name: Deborah Cureton on 2019-05-14 15:15:35

Comments:

-
387. Name: Juliana Falk on 2019-05-14 15:40:30
Comments: Please do not allow this project to move forward as the effect would not only be highly detrimental to the unique historic quality of this property, but it would irreparably harm the historic district of Alexandria as a whole.
-
388. Name: Gail McCurry on 2019-05-14 15:59:32
Comments:
-
389. Name: Nicholas Qualls on 2019-05-14 16:41:45
Comments: Preserve history! Preserve this house!
-
390. Name: Matt on 2019-05-14 16:42:22
Comments:
-
391. Name: Christi Cline on 2019-05-14 17:22:17
Comments:
-
392. Name: S Williams on 2019-05-14 17:43:25
Comments: I am a homeowner in SE Old Town Alexandria and strongly oppose the renovations proposed to this property. This shouldn't even be a discussion issue as the house is protected by an easement.
-
393. Name: Elizabeth Clifton on 2019-05-14 18:42:27
Comments:
-
394. Name: Jan Rivenburg on 2019-05-14 18:49:19
Comments:
-
395. Name: Deborah Kaplan on 2019-05-14 19:20:34
Comments: Abide by the law. The owners knew the law when they bought the house.
-

Gloria Sitton

From: Kim Agee
Sent: Tuesday, May 14, 2019 12:48 PM
To: Gloria Sitton
Subject: FW: Call.Click.Connect. #178027
Attachments: map.png

Importance: High

Hi Gloria,

Here's another CCC regarding 619 S. Lee St.

Re the Black Snowden House urge the Mayor/City Council to embrace Right Reason and turn back the tide of encroachment on easements .. not doing so would render great damage to historic preservation efforts not to mention setting a dangerous precedent whereby the opened floodgates would potentially erode established principles underpinning OTA's historical character.

Mark Hill

512 Prince St

Thank you.

Kim Agee

City Of Alexandria

Department of Planning & Zoning

703 746 3809

From: Al Cox
Sent: Tuesday, May 14, 2019 9:04 AM
To: Kim Agee <Kim.Agee@alexandriava.gov>
Subject: FW: Call.Click.Connect. #178027: Historic Preservation Inquiries, Compliments, Complaints at 619 S LEE ST Re the Black Snowden House urge...
Importance: High

Please add this to the letters received on this case and send to Gloria.

Thank you,

al

From: Amirah Lane
Sent: Tuesday, May 14, 2019 9:00 AM
To: Al Cox <Al.Cox@alexandriava.gov>
Subject: FW: Call.Click.Connect. #178027: Historic Preservation Inquiries, Compliments, Complaints at 619 S LEE ST Re

the Black Snowden House urge...

Importance: High

From: Mark Hill via Call.Click.Connect. <CallClickConnect@alexandriava.gov>

Sent: Monday, May 13, 2019 11:45 PM

To: CCC PZ HistPres <CCCPZHistPres@alexandriava.gov>

Subject: Call.Click.Connect. #178027: Historic Preservation Inquiries, Compliments, Complaints at 619 S LEE ST Re the Black Snowden House urge...

Importance: High

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 178027.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Mark Hill
- Approximate Address: 619 S LEE ST (See [map below](#))
- Phone Number: No Phone
- Email: markhill11@gmail.com
- Service Type: Historic Preservation Inquiries, Compliments, Complaints
- Request Description: Re the Black Snowden House urge the Mayor/City Council to embrace Right Reason and turn back the tide of encroachment on easements .. not doing so would render great damage to historic preservation efforts not to mention setting a dangerous precedent whereby the opened floodgates would potentially erode established principles underpinning OTA's historical character.

Mark Hill

512 Prince St

- Expected Response Date: Saturday, May 18



Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Jack Lynn via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Tuesday, May 14, 2019 10:31 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #178089: Mayor, Vice Mayor, City Council at 219 North Fairfax Street
Please oppose plans to change...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 178089.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Jack Lynn
- Approximate Address: 219 North Fairfax Street
- Phone Number: 7036832996
- Email: ajlynn@aol.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Problem address entered by customer: 219 North Fairfax Street
Please oppose plans to change Justice Black's house and grounds. When I first moved to Old Town, I lived on South Fairfax Street, behind the Justice's property. I believe he still used the tennis court. I'd look through the hedge trying to see Justice Black. I never did. While I didn't agree with many of his rulings on the Court, I do agree that the property should be left as it is. As a long time Alexandria resident, I wanted to register my opposition to plans to re-develop any part of the Justice Black house and grounds.
- Expected Response Date: Sunday, May 19

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Alexander Haines via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Tuesday, May 14, 2019 9:42 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #178072: Mayor, Vice Mayor, City Council Dear City Council of Alexandria, VA,...

Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 178072.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Alexander Haines
- Approximate Address: No Address Specified
- Phone Number: 7177125438
- Email: alexander.haines@me.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear City Council of Alexandria, VA,

I am writing to urge you to protect the easement on the Justice Hugo Black House.

Living in a historic home with an easement myself, I understand the restrictions and challenges that come with this choice but also understand the need to protect what has survived from 200 years ago and preserve it for people 200 years from now.

Our historic structures make up the fabric of our nation and properties like this are not only important artifacts of our past but also serve living history for all people to enjoy. It is important to understand the value that this house holds, not because of it's ties to prominent members of our country's history, but because of its current value to society as a rare, intact historic structure. This is a bigger issue than current owners wanting to expand a property they may own for the next 50 years, this is about protecting our nation's history for years to come.

I ask this question, would you allow a painting in the national portrait gallery to be altered? What about cutting in half a historic legal document? Changes to objects like these can never be undone and our nation's historic structures and land should be thought of in the same light.

I hope you consider my plea to save this home.

Best regards,
Alexander Haines

- Expected Response Date: Sunday, May 19

Please take the necessary actions in responding, handling and/or updating this request at [the *Call.Click.Connect.* staff interface.](#)

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Elizabeth Walden via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Tuesday, May 14, 2019 12:20 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #178029: Mayor, Vice Mayor, City Council #savejusticeblackproperty The...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 178029.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Elizabeth Walden
- Approximate Address: No Address Specified
- Phone Number: 334-221-9394
- Email: ekmwalden@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: #savejusticeblackproperty

The Honorable Hugo Black is one of the few famous people Alabama can be proud of. Justice & Mrs. Black saved the former Vowell home in Alexandria. Please don't let new owners ruin it! Alexandria must keep its charm and not falter to ridiculous renovations and not keeping with historic places. Please do not allow Hugo Blacks home to be destroyed!

- Expected Response Date: Sunday, May 19

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Mary Morrow-Bax via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Tuesday, May 14, 2019 12:05 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #178028: Mayor, Vice Mayor, City Council Please do the right thing on May 14...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 178028.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Mary Morrow-Bax
- Approximate Address: No Address Specified
- Phone Number: 703-684-8311
- Email: mmbfrd@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Please do the right thing on May 14 and vote to save the Justice Black Property and do not allow the proposed demolition and new construction. This City is a beautiful gift that has been entrusted to us by the many generations who have come before us. I recently heard a City Council Member citing the two million visitors the City enjoyed this past year and adding that they hope to see the number increase to three million. Why do they come? Can anyone doubt that it's our rich history and our beautifully preserved architecture that brings visitors here from around the world. We have an obligation to preserve this amazing gift we've been given. Each unnecessary cut to the precious fabric of our historic community frays its impact. Poor decisions made now will have lasting consequences. And there will be no turning back. And tax revenues will certainly suffer.

If I may share a personal story. Last week I had a houseguest who went out each morning and came back raving about all she had seen: the charming homes with their historic plaques and the interesting 18th and 19th century architecture were always on the top of her list as she spoke about how lucky I was to live in this wonderful town. Please let's keep it that way for all the visitors to follow. Thank you for doing the right thing by voting in favor of saving our rich and irreplaceable history as it was intended to be. As Justice Black intended it to be.

- Expected Response Date: Sunday, May 19

Please take the necessary actions in responding, handling and/or updating this request at [the Call.Click.Connect. staff interface.](#)

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Martina Hofmann via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 10:12 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #178026: Mayor, Vice Mayor, City Council Dear Mayor and City Council members,...

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 178026.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Martina Hofmann
- Approximate Address: No Address Specified
- Phone Number: 202 550 4553
- Email: tfhofmann@comcast.net
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear Mayor and City Council members,

My husband, Robert Deitz, and I, were taken aback to hear that the historic preservation easements granted by Justice Black to the Commonwealth of VA and the City of Alexandria to protect his house and property in perpetuity, as deserves such a certified landmark and cherished home of a Supreme Court Justice, is being waived to allow the demolition of historic fabric and the building of additional structures. We cannot find a single legitimate reason for this decision. Certainly not regarding the permission to add additional structures despite the open space easement.

Our standing with respect to this controversy goes beyond our being long term residents of Alexandria. Our own home of 25 years in Old Town is also burdened by an easement. We bought the property subject to a deed of scenic, exterior open space and architectural facade easement granted by the former owners to the Alexandria Historical Restoration and Preservation Commission in 1992. Over the years, we have restored the facade and the iron stairs and landing working with the BAR and the AHRPC to make sure to respect the terms of our easement.

For a purchaser and an owner an easement is both a burden and a benefit. The limitations it imposes on the property tends to lower its value, which usually translates into a lower purchase price and lower taxes. It would be ironic if one could benefit from an easement at purchase only to have its restrictions set aside shortly thereafter.

Alexandria is a special City. It is a privilege to live in a diverse and well managed Town that also boasts a charming historic center that attracts locals and tourists alike. Change is inevitable, but disrespecting the easement on the Justice Black property for the sole benefit of its new private owners leaves a sour taste. Not only does the Justice Black residence and property merit the protection because of its historic significance, but waiving the terms of the easement on 619 S. Lee Street will set a precedent to undermine the entire system of historic and open space easements and historic preservation. We, the citizens of Alexandria, need to work together to protect our historic properties and open spaces.

Sincerely, Martina Hofmann & Robert Deitz

- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Susan Pettey via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 6:18 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177999: Mayor, Vice Mayor, City Council Please preserve the integrity of the...

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177999.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Susan Pettey
- Approximate Address: No Address Specified
- Phone Number: 703-548-8209
- Email: susan.pettey@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Please preserve the integrity of the easement on the Justice Black house. Do not gut Alexandria's commitment to preservation by allowing massive changes to this historic property.
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: CallClickConnect@alexandriava.gov
Sent: Monday, May 13, 2019 4:14 PM
To: Gloria Sitton
Subject: Call.Click.Connect. #177974: City Clerk and Clerk of Council As someone who grew up in Old Town,...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177974.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: **Call.Click.Connect.** Customer
 - Approximate Address: No Address Specified
 - Phone Number: No Phone
 - Email: No Email
 - Service Type: City Clerk and Clerk of Council
 - Request Description: As someone who grew up in Old Town, one thing I love about this place is the rich history that can be seen all around us. From the cobblestone roads and brick sidewalks to the beautiful town homes and those with the rare luxury of gardens and open space, there is much to be celebrated everywhere we look. What has traditionally been preserved here in Old Town is a rarity in today's 21st Century society of suburbia and carbon copy homes. In recent years, the BAR, City Council, and the Mayor have continued to approve massive buildings that seek not to preserve the environment and beauty of our community, but look only to shove as many people as possible into high-rise buildings (ex. the 300 block of South Union Street), with complete disregard to the city's history and integrity. Unfortunately, what is done is done. But, you and the Mayor are now faced with an opportunity to stand up for what HISTORIC Old Town Alexandria is all about, and respect those who built, cared for, and loved this city before many of us had the opportunity to. Protecting Justice Black's home, particularly as we approach the 50th Anniversary of his death when the home would be eligible for National Historic Landmark designation, is essential at a time when a number of changes threaten our designation as an historic city. "This place is a little piece of Eden", Justice Black would tell his clerk, a remark that presidents and dignitaries who enjoyed his company at the estate also felt to be true, and I feel the same about Old Town. I, along with many others, may be forced to change our stance if this construction is allowed to move forward. Please, do not let money drive your decision on this matter; the current, and previous owners, were all well aware of the conditions of their purchase. The BAR's ignorance does not equal your ignorance, and is not justification to support these changes. Please, do not support the destruction of history. How are we meant to respect your decisions, past, present, and future, if you disregard the wishes (not to mention laws on the books) of a man so influential in shaping local, state, and national law?
- Best, a young South Lee Street resident
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at [the **Call.Click.Connect.** staff interface.](#)

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Joel Hoffman via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 3:04 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177960: Mayor, Vice Mayor, City Council I have been an Old Town resident and...

Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177960.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Joel Hoffman
- Approximate Address: No Address Specified
- Phone Number: 7035494245
- Email: joelhoffman9@msn.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I have been an Old Town resident and taxpayer for 37 years, 32 of them on South Lee St. The proposal to override the open space easement on the Vowell-Black house at 619 S. Lee St. is an affront to the community. On its own terms, the proposal would irretrievably alter one of the distinctive, and highly desirable, amenities of its neighborhood -- the delightful wooded space that contributes to its airiness and open feel. Even worse (if that were possible), it makes a mockery of the entire open space easement scheme, calling into question the good faith and integrity of the branches of government that allow such a breach. And it sets a precedent for disregarding the unique historic fabric of Old Town whenever that fabric gets in the way of self-serving individual property owners who think their own convenience and profit should supersede the common good -- ironically, even though it's the historic fabric that created their investment value in the first place. The historic fabric is what makes Alexandria unique, and is the source of its tourism revenue. Do not kill the goose that lays so many golden eggs.
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at [the *Call.Click.Connect.* staff interface.](#)

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Erin Abell via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 2:45 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177955: Mayor, Vice Mayor, City Council Please do not allow the destruction...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177955.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Erin Abell
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: erinlabell@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Please do not allow the destruction of open space and the alteration of the historic Justice Black House. History is what makes old town such a special place to live. Both the Justice and his wife did all they could in their lifetimes to preserve this property, and filed the correct paperwork to preserve it. To ignore their wishes would be a travesty.
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at [the Call.Click.Connect. staff interface.](#)

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Steve Skeldon via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 2:43 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177954: Mayor, Vice Mayor, City Council I'd like to voice my opposition to...

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177954.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Steve Skeldon
- Approximate Address: No Address Specified
- Phone Number: 7038685558
- Email: s.skeldon@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I'd like to voice my opposition to the proposed alterations and demolitions of the historic Justice Black house.
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: CallClickConnect@alexandriava.gov
Sent: Monday, May 13, 2019 2:08 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177946: Mayor, Vice Mayor, City Council I am requesting that the City...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177946.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: **Call.Click.Connect.** Customer
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: No Email
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I am requesting that the City Council SAVE the Justice Hugo Black Property -- all of it.

This home is emblematic of all we love about Old Town.

Because of its BEAUTY, its AGE, and its SIGNIFICANCE as Justice Black's home, it would be a TERRIBLE PRECEDENT to allow development to encroach on the property.

Please please please save this property and its open space.

Sincerely yours, L. P.

- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Kyle Iturralde via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 1:57 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177940: Mayor, Vice Mayor, City Council Please preserve the Justice Hugo...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177940.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Kyle Iturralde
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: kiturralde35@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Please preserve the Justice Hugo Black home.
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Alice Tong via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 10:17 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177889: Mayor, Vice Mayor, City Council Dear Mayor Wilson and Members of...

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177889.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Alice Tong
- Approximate Address: No Address Specified
- Phone Number: 3619350985
- Email: alice.l.tong@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear Mayor Wilson and Members of City Council,

I am writing to express my endorsement of Maribel Ramos to the Alexandria Commission for Women. I know Maribel personally, have worked with her in a professional capacity, most recently on Sen. Tim Kaine's campaign, and served as fellow Commissioners on the Commission for Women. I encourage you to approve Maribel's residency waiver and re-appointment to the Alexandria Commission for Women.

Maribel has been a leader in contributing to Commission policy documents and statements regarding immigrant rights and served as one of the five writers of the Status of Women Report. As you know, there has been significant turnover in the Commission due to term limits and resignations. My concern is with Maribel's departure, there is a loss of institutional knowledge on one of the Commission's most important projects executed in decades. Furthermore, she has been nominated by her fellow Commissioners to serve as Chair where she'll be the only candidate for the first or second vice chair that has been on the Commission for fewer than two years.

Maribel is an Alexandria taxpayer and owns property in the City. She is someone who has a unique combination of professional experiences and institutional knowledge that add value to serving as a Commissioner. She'll be an asset to the Commission and strongly urge you to reappoint her.

Sincerely,
Alice Tong

- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at [the *Call.Click.Connect.* staff interface.](#)

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Brian Branton via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Tuesday, May 14, 2019 8:47 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #178046: Mayor, Vice Mayor, City Council Save Justice Black House. I moved to...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 178046.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Brian Branton
- Approximate Address: No Address Specified
- Phone Number: 2025101011
- Email: brian.e.branton@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Save Justice Black House. I moved to Old Town after living in DC for 27 years because of its history and the charm it exudes living amongst this history. I bought a house from c. 1808 that I have been lovingly restoring to preserve its history for future generations. And I have immersed myself in Old Town history by photographing my favorite homes on Instagram and doing a history of the homes to show that a home did not have to have a famous person living in it to have a rich and colorful history. I post these house histories under #favoritehomesofoldtown if you care to read them. And because of this, I have garnered a following of 11,000 individuals who read them. The Justice Black house is one of those favorite houses. And what saddens me is you think by preserving the main structure that is all you need to do to preserve its history. But adding on this enormous structure is not only not in keeping with the house but it goes against the very historic easement that Justice and Mrs. Black placed on the property. Please do the right thing and deny this request and save the Justice Black house. It's the right thing to do for this house and for Alexandria. Brian Branton, 307 N. Washington Street
- Expected Response Date: Sunday, May 19

Please take the necessary actions in responding, handling and/or updating this request at the [Call.Click.Connect. staff interface](#).

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Susan Pettey via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 6:18 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177999: Mayor, Vice Mayor, City Council Please preserve the integrity of the...

Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177999.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Susan Pettey
- Approximate Address: No Address Specified
- Phone Number: 703-548-8209
- Email: susan.pettey@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Please preserve the integrity of the easement on the Justice Black house. Do not gut Alexandria's commitment to preservation by allowing massive changes to this historic property.
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Alexander Haines via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Tuesday, May 14, 2019 9:42 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #178072: Mayor, Vice Mayor, City Council Dear City Council of Alexandria, VA,...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 178072.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Alexander Haines
- Approximate Address: No Address Specified
- Phone Number: 7177125438
- Email: alexander.haines@me.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Dear City Council of Alexandria, VA,

I am writing to urge you to protect the easement on the Justice Hugo Black House.

Living in a historic home with an easement myself, I understand the restrictions and challenges that come with this choice but also understand the need to protect what has survived from 200 years ago and preserve it for people 200 years from now.

Our historic structures make up the fabric of our nation and properties like this are not only important artifacts of our past but also serve living history for all people to enjoy. It is important to understand the value that this house holds, not because of its ties to prominent members of our country's history, but because of its current value to society as a rare, intact historic structure. This is a bigger issue than current owners wanting to expand a property they may own for the next 50 years, this is about protecting our nation's history for years to come.

I ask this question, would you allow a painting in the national portrait gallery to be altered? What about cutting in half a historic legal document? Changes to objects like these can never be undone and our nation's historic structures and land should be thought of in the same light.

I hope you consider my plea to save this home.

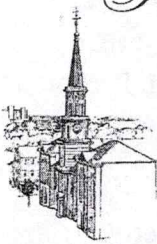
Best regards,
Alexander Haines

- Expected Response Date: Sunday, May 19

Please take the necessary actions in responding, handling and/or updating this request at [the Call.Click.Connect. staff interface](#).

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.



Alexandria, Virginia

Historic Alexandria Resources Commission

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



May 14, 2019

Statement of Danny Smith, PhD, PE
Historic Alexandria Resources Commission Co-Chair

RE: May 14, 2019 City Council Meeting
Docket Item 20, 19-1965, BAR #2018-00410 and BAR #2018-00411

Mister Mayor and Members of the Council:

My name is Danny Smith, and I am Co-Chair of the Historic Alexandria Resources Commission. HARC includes, among others, representatives of the Alexandria Historical Restoration and Preservation Commission, the Alexandria Historical Society, the George Washington Masonic Memorial, the Alexandria Archaeological Commission, the Alexandria Association, the Old Town Civic Association, and all of the city Planning Districts. The HARC motion to oppose the proposed changes to 619 South Lee Street was approved unanimously. The Alexandria historic preservation community finds that the proposed additions of multiple new structures to the Vowell-Snowden-Black House would be inconsistent with the historic character of the property and the neighborhood; would irrevocably destroy the vision of Supreme Court Justice Hugo Black when he granted an Open Space Easement on the property; and would violate provisions of the easement on the property, the Virginia Open Space Land Act, and our own city ordinance on historic preservation. We ask that you deny the applicants request.

The National Park Service's Historic American Buildings Survey (HABS is "the nation's first federal preservation program, begun in 1933 to document America's architectural heritage. Creation of the program was motivated primarily by the perceived need to mitigate the negative effects upon our history and culture of rapidly vanishing architectural resources.") celebrates the house and its protected open space, stating "The Vowell-Snowden-Black House, certainly one of the outstanding examples of the Federal 'row' type buildings in Alexandria, has fortunately been spared the fate of suffocation. By precept and example it stands flush with the street, but with its extensive grounds and breathing space preserved to this day." In addition, the Virginia Historic Landmarks Commission certified the Hugo Black House and Gardens as a "principal historical site...of State-wide and national significance" in large part because it was for decades the home of one of the most renowned supreme court justices of all time.

Consistent with the mission of HARC, we are seeking to preserve the historic character and open space of 619 South Lee Street via multiple courses of action. In October, 2018, we sent a letter to the Director of the Virginia Department of Historic Resources (VDHR), holder of the open

space easement on the property, asking that they reconsider their conceptual approval of additional structures on the property. We followed up with a meeting with VDHR in Richmond. Our overtures to VDHR were rebuffed with no opportunity to discuss the VDHR process or rationale for providing preliminary approval of the proposed additions.

Points addressed in the VDHR letter remain relevant. Long-time owner of the property, Supreme Court Justice Hugo Black, granted an open space easement under the provisions of the Virginia Open Space Land Act enacted to preserve permanent open space lands including in urban areas where increasing density and overcrowding threaten residents' quality of life. The statute specifies measures that must be satisfied in the event of conversion or diversion of open space lands. The first key measure is determination that the diversion is essential to the orderly development and growth of the locality and is in accordance with the official comprehensive plan for the locality. I am aware of no such determination or plan. Perhaps the most relevant official local plan is the City of Alexandria Open Space Master Plan which supports precisely the opposite of diversion of open space. The second measure is replacement of the diverted open space with property that is of at least equal fair market value, of greater value as permanent open space land, and of as nearly as feasible equivalent usefulness and location. Sadly, none of these measures has been satisfied for this property, and there is apparently no intention to do so. The statute definitely does not provide, as was suggested by two members of the BAR who voted in favor of the application, that obstruction of open space is allowable as long as future demolition of the obstructions is a possibility.

Although the applicant proposes decreasing the footprint of structures on the site by demolishing portions of the property totaling 450 square feet, new structures are proposed that will add 3174 square feet to the footprint of the structures. This would dramatically reduce open space with 700 percent more land coverage than the removals. Even more important, the proposed placement of most of the additions will substantially obstruct Lee Street sightlines to most of the open space.

The decision by VDHR in conceptual approval of proposed changes to this property, if allowed to prevail, would clearly violate the provisions of state law. More significantly, VDHR has failed to act in good faith as a steward of the irreplaceable remaining historic fabric of Alexandria. We believe that you should take into consideration in your deliberations the easement granted by Justice Black on 619 South Lee Street. Though you are not charged with enforcement of state laws, you should certainly take into consideration apparent violations of state law such as this that are brought to your attention.

Alexandria is one of the most densely populated cities in the US further highlighting the importance of protecting our limited open space. (Our population density is among the top 5% of the approximately 1,000 US cities with populations of 50,000 or more. 2016 US Census Bureau) Open space is critical to the quality of life in our city, and has been an issue in Alexandria for well over a century. An 1851 editorial in the Alexandria Gazette states "... We hope in the improvements that we trust are to take place in town the project of securing some square, as a park or promenade ground for the public, will not be overlooked. Our gardens and river banks are delightful, but they are not enough." (6/14/1851)

Alexandria City Council Resolution Number 1259 promotes the creation of open space easements through their acquisition by the city or other authorized public bodies for the purpose of preserving open-space land, especially in historic and scenic areas. The resolution acknowledges "...the need for and value of historic and scenic easements" and concurs in the finding that acquisition of rights to "...preserve permanent open-space land is essential...to the health and welfare of the citizens of the State." IT IS INCOMPREHENSIBLE THAT WITH AN OFFICIAL CITY POLICY THAT PROMOTES ACQUISITION OF OPEN SPACE EASEMENTS, THAT OUR ELECTED LEADERS COULD ABDICATE ALL RESPONSIBILITY FOR MAINTENANCE OF THE EASEMENTS EVEN TO THE POINT OF BEING TOLD TO IGNORE THEM.

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

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

Historically, additions to this property have been located at the rear (to the west), with kitchen and smoke house dependencies attached as an ell. The large open space to the south separating the main house and carriage house was restored by Justice Black prior to granting the Open Space easement on the property. The proposed added structures to the south will significantly alter the historic appearance of this structure by extending off of the main house. This expansion will not compliment the architecture. It will compete with and alter the architecture. In addition, the visual connection between the main house and historic carriage house will be lost because the open space will be removed. We do not support the proposed huge increase in finished living space on the property. However, if it is to be increased, the expansion should continue the historic precedent and extend to the west, maintaining the significant open space relationship between the historic house and carriage house.

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

At a minimum, the outbuilding fenestration (or lack thereof in the case of the garage) is not in keeping with the original home and would require modification to compliment better the surrounding architecture. Of the options offered in the response to the December 19 comments from the BAR, the fenestration for the east elevation of the garage shown in Sheet 9 (actual windows, not the recessed brick panel alternative) and for the east elevation of the kitchen shown in Sheet 7 are more compatible with the surrounding architecture.

It certainly has not escaped your attention that virtually every civic and appointed historic preservation organization in Alexandria is speaking with one voice in opposition to the addition of new structures to the property at 619 South Lee Street. As our elected leaders, you are responsible for making effective the provisions of Section 10-100 of the zoning code. A primary purpose of that section is "...to promote the... preservation, and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural, artistic, and architectural significance."

The future of the Vowell-Snowden-Black House is an incredibly important issue in itself, and it is part of the overall issue of maintaining historic preservation easements. These easements are intended to guarantee the survival of elements of our charming city and its storied past. Granting an easement – an encumbrance on the title of a property – carries a reduction in market value that all levels of government recognize with tax credits and relief. The city foregoes substantial taxes as a result. Violation of easements with impunity essentially amounts to the city relinquishing those taxes for no benefit.

We sincerely appreciate your diligent service and in discussion with some of you have come to appreciate the crush of issues, information, and obligations that you have accepted as elected leaders of Alexandria. We appreciate all your hard work. Thank you for hearing and considering our statements and reviewing the materials we have provided on this very important issue. We believe that, in sum, the information provided should convince you to deny approval of the application as presented.

Thank you.

EL703500472US

Josephine Black Pesaresi
13835 North 51st Street
Scottsdale, Arizona 85254

April 15, 2019

EXPRESS MAIL

Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221.

Ladies and Gentlemen:

I am the daughter of the late Associate Justice Hugo L. Black. In 1969 my father donated a conservation and open space easement to preserve the historic house and adjoining garden and tennis area of his property at 619 South Lee Street in the historic district of Alexandria, Virginia. The easement deed was accepted by your predecessor the Virginia Historic Landmarks Commission, which agreed to enforce it, and was approved by Governor Mills Godwin. In 1973 the easement was reiterated and executed by me and all of my father's heirs and their spouses. Unfortunately I am the only remaining signer.

The easement that my father gave and I with my family signed specified that except for tiny exceptions the house would be preserved and "No building or structure shall be built." This was recorded in the land records of Alexandria and binds later purchasers and requires that your department enforce it. I assume that you have copies of these documents.

In the past month it was brought to my attention by friends in Alexandria that some plan is underway by a new owner to tear off an old portion of the house, and also to build very large new additions that would cover much of the adjoining garden area, all contrary to the conservation and open space easement that my father signed and that I and others of my family signed. I never received any notice from the new owners, and none from you, that such a destructive action was proposed.

I wish to register my strong objection to any such violations of the conservation and open space easement, and I ask that you exercise your duty to enforce it, as Virginia promised my father to do. I also request that you send me copies of all proposals and files pertaining to 619 South Lee Street, and keep me informed of any further communications regarding this property that my father loved so much and acted legally to preserve for the future.

Sincerely,


Josephine Black Pesaresi

cc: Governor Ralph Northam

EL703501800US

EL703500472US

Josephine Black Pesaresi
13835 North 51st Street
Scottsdale, Arizona 85254

April 15, 2019

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2801 Kensington Avenue
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Sincerely,


Josephine Black Pesaresi

cc: Governor Ralph Northam

EL703501800US

Gloria Sitton

From: Joel Hoffman via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Monday, May 13, 2019 3:04 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177960: Mayor, Vice Mayor, City Council I have been an Old Town resident and...

Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177960.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Joel Hoffman
- Approximate Address: No Address Specified
- Phone Number: 7035494245
- Email: joelhoffman9@msn.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I have been an Old Town resident and taxpayer for 37 years, 32 of them on South Lee St. The proposal to override the open space easement on the Vowell-Black house at 619 S. Lee St. is an affront to the community. On its own terms, the proposal would irretrievably alter one of the distinctive, and highly desirable, amenities of its neighborhood -- the delightful wooded space that contributes to its airiness and open feel. Even worse (if that were possible), it makes a mockery of the entire open space easement scheme, calling into question the good faith and integrity of the branches of government that allow such a breach. And it sets a precedent for disregarding the unique historic fabric of Old Town whenever that fabric gets in the way of self-serving individual property owners who think their own convenience and profit should supersede the common good -- ironically, even though it's the historic fabric that created their investment value in the first place. The historic fabric is what makes Alexandria unique, and is the source of its tourism revenue. Do not kill the goose that lays so many golden eggs.
- Expected Response Date: Saturday, May 18

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Kim Agee
Sent: Monday, May 13, 2019 1:36 PM
To: Gloria Sitton
Cc: Al Cox; Stephanie Sample
Subject: CCC responses regarding 619 S. Lee St.

Hi Gloria,

Please see below CCC's that were received regarding 619 S. Lee St.

CCC# 1777796 Sender info - Sue Set SETLIFF.SUE@GMAIL.COM 703 967 6922

"Please support the owners of the Hugo Black house. They have followed all the correct procedures and will ensure the house is saved for the future."

CCC# 177792 Sender info - Kathryn Howell Dalton KATHRYNHDL@GMAIL.COM 703 678 9709

"I looked up the proposed plans for the Hugo Black house yesterday and while I am no expert, I do love historic buildings, house museums, and have an interest in architecture. I thought their plans were beautiful. Historic should not mean static maintenance—only structures in 100% of cases. We have to think not just in terms of adding what we perceive as basics like electricity, but also in terms of safety, structural integrity, and livability. Respectful renovation is key. Without it, we lose the true character of spaces because real people no longer live there."

Thank you.

CCC#177789 Sender info – Rose Downes RRDOWNES@YAHOO.COM 301 275 5229

"Please do not allow the changes to the Justice Hugo Black House. Alexandria should remain committed to historic preservation. It's what makes Alexandria so special."

Kim Agee

City Of Alexandria
Department of Planning & Zoning
703 746 3809

Gloria Sitton

From: Edward Kemp via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Sunday, May 12, 2019 3:24 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177841: Mayor, Vice Mayor, City Council I am a longtime resident of...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177841.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Edward Kemp
- Approximate Address: No Address Specified
- Phone Number: 540-415-2551
- Email: edkemp101@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I am a longtime resident of Alexandria and care about the historic, environmental and social fabric of the city. In regard to Council's upcoming vote on the easement for the the Justice Black property, 619 S Lee St: I respectfully ask the Council to reject development and new construction on this property. I believe that the wishes of the Black family should be followed and that this unique open space in Old Town deserves protection.
- Expected Response Date: Friday, May 17

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: David Rossell via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Sunday, May 12, 2019 12:07 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177835: Mayor, Vice Mayor, City Council I am writing to urge the City...

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177835.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: David Rossell
- Approximate Address: No Address Specified
- Phone Number: 2403618903
- Email: DAVIDJOHNROSSELL@GMAIL.COM
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I am writing to urge the City Council and Mayor in the strongest possible terms to reject the proposed development at the Justice Black House, 619 S. Lee St. Alexandria has one of the great concentrations of Federal Period architecture in the country and is a significant tourist destination as a result. Unless the City actively preserves its heritage, it will become just another one of DC's suburbs and tourism and the dollars that brings to our community will wither. There is no redeeming social or community value to justify the proposed modifications to the Black property. Quite the opposite. The easement holders and BAR have succumbed to lobbying and failed in their duty to protect the house and its surrounding landscape, making it incumbent on the Council to do so.
David Rossell
211 S. Royal St.
- Expected Response Date: Friday, May 17

Please take the necessary actions in responding, handling and/or updating this request at [the Call.Click.Connect. staff interface.](#)

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Michael Palmer via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Saturday, May 11, 2019 4:33 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177797: Mayor, Vice Mayor, City Council at 628 S LEE ST Mr. Mayor and Members of the City...
Attachments: map.png

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177797.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Michael Palmer
- Approximate Address: 628 S LEE ST (See [map below](#))
- Phone Number: 7038629578
- Email: mike@mikepalmer.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Mr. Mayor and Members of the City Council. We write to you regarding the appeal of the BAR decision regarding the former Justice Hugo Black's House at 619 S Lee St that you are taking up next week. We are owners of 628 S Lee St and are directly across the street from the property. For what it's worth, we have absolutely no problem with the decision the BAR came to or the plans of the new owners for renovation. There is a lot of bizarre outrage (petitions, flyers being left at our door, etc) against a renovation that is only going to help restore the historic parts of the property and allow the new owners to live there and maintain it. We urge you to reject the appeal and let the owners proceed with their plans.
Thank you,
Michael & Iris Palmer
- Expected Response Date: Thursday, May 16



Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect. staff interface**.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Roger L Hiyama via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Saturday, May 11, 2019 1:36 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177787: Mayor, Vice Mayor, City Council I'm writing to express my...

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177787.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Roger L Hiyama
- Approximate Address: No Address Specified
- Phone Number: 703-403-3403
- Email: rhiyama@aol.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I'm writing to express my disapproval of your your plan to allow partial demolition and redevelopment of the Justice Black house at 619 S Lee Street.

Our historic district needs to be preserved ...please vote no on redevelopment efforts!!

- Expected Response Date: Thursday, May 16

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Boyd Walker via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Saturday, May 11, 2019 11:15 AM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177770: Mayor, Vice Mayor, City Council In case I do not make it to the City...

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177770.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Boyd Walker
- Approximate Address: No Address Specified
- Phone Number: 7037327269
- Email: boydwalker2012@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: In case I do not make it to the City Council legislative meeting I want to submit my comments on Docket item #20, the BAR appeal of 619 Lee St.

RE: Docket Item 20, May 11th, 2019 Legislative Meeting

from: Boyd Walker

Northern Virginia Conservation Council

Subject: In support of appeal of Certificate of Appropriateness of 619 N. Lee St.

First, this may be the first important case about historic preservation, before this new city council, but I hope that the importance of historic preservation in Alexandria, which is important in American history, and that the fact that we have preserved so much of that history not only tells stories, as John Chapman well knows, but helps drive our economy by making Alexandria a unique and charming place to visit, like no other place. In fact, (to quote the city's own website):

"In May, the City of Alexandria will join cities around the country in celebrating National Historic Preservation Month by hosting events that highlight local historic preservation initiatives. A longstanding leader in the field of historic preservation, Alexandria has the country's third oldest historic district, established in 1946, and formed the country's first archaeological commission in the 1960s...Historic Preservation Month was created in 1973 by the National Trust for Historic Preservation, as a time for communities across the country to celebrate preservation. Historic Preservation Month events promote historic places, promote heritage tourism, and show the economic benefits of historic preservation, while instilling national and community pride."

I would like to now dive into specifics of the extensive staff report:

Much of the report focused on Supreme Court Justice Black while ignoring the other important figure Edgar Snowden, editor and owner of the Alexandria Gazette, who purchased the house in 1842 and it remained in the Snowden family for 70 years. The Alexandria Gazette was for many years America's Oldest Daily Newspaper until it merged with the Port Packet and became a weekly. The paper dates from 1784, purchased in 1800 by Snowden, and is an important source for historians.

Second, is the importance of private as well as public open space. There will be a significant loss of open space on the property, which is an increasingly unique parcel for the amount of open space it has in a very urban setting. "The existing lot area is 35,502 square feet. The required open space in the RM zone for this lot is 35% of the lot area which is 18,638 square feet. The existing open space is 32,012 square feet. The proposed open space is 30,141 square feet, or 85% of the total lot area and only a 6% reduction in open space from the existing." Of course, the required open space is much, much less than what will be left, but it is a factor to consider, and surely why an open space easement was put on the property in the first place, to preserve that unique character. Even though it is not in the purview of the BAR to consider open space beyond the requirement, they have made a determination. In the report it says "The BAR's standards for review of open space are subjective..." yet "The majority of the BAR also found that this site would still retain a significant amount of open space after

construction." Since it is not in the BAR purview to consider, I would ask that you not rely on their determination. Now, as to the location of the additions we find further contradictions in that "...staff concurs that the majority of the parcels in the historic district are narrow urban townhouse lots and that the only (underline added) logical place to construct an addition is on the rear of the primary building mass. However, based on a review of historic Sanborn Fire Insurance maps, it was just as common on large lots to construct additions to the side and this area was commonly filled with utilitarian outbuildings." But what is being built is not utilitarian outbuildings, but substantial additions to the house. Staff sites houses across the street where "All but four of the fourteen townhouses on the east side of this block are set back from the front lot line and nine of them have off street parking in front of the house." But this is comparing apples and oranges, as these were houses built in the mid 20th century, not an 1800 house. What is appropriate for a 1960's house may not be appropriate for an 1800 house, and the houses across the street from 619 Lee are not in the architectural period of significance for the Old and Historic District.

In the BAR report, the applicants architect, "Mr. Quill described the programmatic reasons for the pavilions being located where they are proposed". As Mr. Quill knows, the BAR can only consider the appearance and not the "programming". "The BAR's charge is first to identify and "protect historic and cultural resources" and second to ensure that additions, alterations and new construction are compatible with nearby buildings of historic merit." So in this case the property definitely has historic and cultural resources that need protection. Second is consideration of additions. In this case, I think one must ask whether any additions are appropriate, and certainly additions that neither complement or blend with the existing structure, but whose only purpose is to expand the living space for the applicant, something a lot of owners in Old Town would not have much sympathy for.

This brings us around to the question of the easement, and what, I believe must be in consideration before city council. If a property gets a significant tax break, in this case, almost 50 years, and at least %60, and the purpose of that tax break was "to help save a fine house in an appropriate setting that contributes much to the environment" and "in a neighborhood where every scrap of available land supports a new townhouse." (quote from James Moody, Virginia Historic Landmarks commission.) The city receives significant benefit from open space that helps our environment, the preservation of a historic house and its surroundings. The purpose should not be so that some later owner can claim that open space and say they want a bigger or larger house. Some future owner could come and take another percentage of the open space and so on. I can see that this owner has gone to considerable expense and extensive effort to meet all the requirements, work with staff and respond to concerns. That does not mean that they should get special consideration, and that they have an inherent right to build onto a landmark property. The owners were aware of the easement and limitations on the property when purchased and were also surely aware of the tax break, which helps one afford the luxury of enough open space for a pool and Tennis Court in Old Town. In fact, an easement removes the right to build across the property, as this property could have been subdivided into several townhouse lots prior to the easement. "In any case in which the Commission designates a structure or site as a certified landmark, it shall notify the official having the power to make assessments of properties for purposes of taxation within the ... city in which the structure or site is located and such designation and notification shall be, prima facie, evidence that the value of such property for commercial, residential or other purposes is reduced by reason of its designation." The BAR staff and members were not aware in December of the Landmark designation, which is required in order to have the easement.

Therefore, please uphold this BAR appeal and deny a certificate of appropriateness to this applicant, thereby helping to preserve Alexandria, a significant historic landmark and the purpose of the open space easement program. It is not a program meant to "reserve" space for a future owner to expand, but an easement in perpetuity, and one that the city has been significantly investing in. Justice Black's purpose in putting an easement on the property was to consolidate the open space, not just a square foot calculation of what is allowed. The house was big enough for the editor of our paper and a supreme court justice, so there is no hardship for the present owner to also live with in the walls of this historic house which they clearly love.

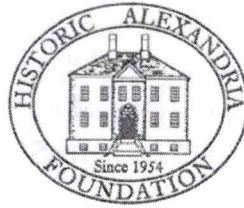
Boyd Walker

- Expected Response Date: Thursday, May 16

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May 10, 2019

By Email

The Hon. Justin M. Wilson
The Hon. Elizabeth B. Bennett-Parker
The Hon. Canek Aguirre
The Hon. John Taylor Chapman
The Hon. Amy B. Jackson
The Hon. Redella S. "Del" Pepper
The Hon. Mohamed E. "Mo" Seifeldein
Alexandria City Hall
301 King Street
Alexandria, Virginia 22314

**Re: Appeal from BAR Case Number 2108-00410 –619 S. Lee Street
(Vowell-Snowden-Black House)**

Dear Mayor Wilson and Members of the Council:

We write to you in response to the City Staff Report which was published yesterday afternoon to address some serious deficiencies in the report and recommendation which, if left uncorrected, will leave you with improper guidance on the task before you in this appeal.

I. The Staff Report's Refusal to Acknowledge the Landmark Status of the Hugo Black Property is Plain Legal Error

Historic Alexandria Foundation (HAF) has extensively documented the certified landmark status of the Hugo Black property. See HAF Letter to Council (4/2/2019), Section II(C) at 7-11 (Attach. C. to Staff Report-pdf pages 243-47); HAF Letter to BAR (2/1/2019), at 1-5 (Section A)(Attach. A to Staff Report-pdf pages 55-59; Memorandum

from James W. Moody, Jr (Attach. A to Staff Report-pdf 63); Minutes of Historic Landmarks Commission (1/6/1970)(Attach A to Staff Report at pdf-72); Deed Book 705 Page 491, at 494-95 (Attach. B to Staff Report-pdf 197-98).

One of the errors clearly spelled out in this appeal is that: "The BAR failed to give proper weight to the landmark designation of the property under Va. Code Ann . § 10.1-2204; the provisions of Article X; Sections 10-101 (A), (C),(G); 10-105(A)(2)(a)-(c), (g), 10-105(8)(1)-(3), (5)-(6), the overall purpose of Ord. § 1-102(g)." Record of Appeal (Staff Report-pdf-263).

We had thought that, after we brought this matter to the Staff's attention, they had acknowledged that the property was a landmark. See Staff Report at 19 "Additional research performed by the Historic Alexandria Foundation has determined that this property is listed as a Virginia Landmark." (Feb. 6, 2019 BAR Staff Report).¹ But the newly issued Staff Report (pdf-5) appears to retract that concession. Staff Report at 5.

Despite extensive briefing on precisely this point, see HAF Letter (12/18/2019), the Staff report fails to recognize the fact that the act of certifying the property as a landmark "of statewide or national importance" was and is a separate and distinct function and duty of the Virginia Historic Landmarks Commission (now VDHR) from its duty to publicize that designation in its register. *Compare* Former Va. Code § 10-138(a) *with* Former Va. Code 10-138(b); *cf.* VA Code § 10.1-10.1-2204(duty to designate historic landmarks and sites)(2018); VA. Code § 10.1-2202(6)-(7)(2018)(Director's duties to compile and publish lists).

For purposes of the City Council's deliberations, it is irrelevant – but somewhat telling – that VDHR has never complied with its statutory duty to include the Hugo Black House on the Virginia Landmarks Register. What is important is that the House and Grounds is a landmark certified in accordance with Va. Code 10.1-2204(A)(1).

II. The Staff Report's Insistence that the Landmark Designation No Has Regulatory Bearing on Council's Decision is Plain Legal Error.

Despite extensive briefing to the contrary, see HAF Letter (4/2/2019), Section IV.A (Attach C, pdf-252-54), the Staff Report adheres to its unsupported assertion that certification as a landmark has "no regulatory bearing on the criteria and standards listed in the Zoning Ordinance that the BAR must consider in acting on the appropriateness of demolition, new construction or alterations to any property in the historic district." Given

¹ In point of fact, HAF never suggested that the property was "listed as a Virginia Landmark," and had assumed that the Staff's failure to recognize the Landmark was the VDHR's failure to properly list it. HAF made that point expressly in its letter of December 18, 2019 (copy attached), which has strangely been omitted from the record on this appeal.

the extensive citations of the statutory and regulatory provisions contradicting this statement, you might have expected the staff report to address those legal authorities — but it does not. Not only does this assertion defy the language of the Statute and the Ordinance, Va. Code Ann. § 10.1-2204, See Alex. Zon. Ord. § 10-401(B)(4); § 10-101(A), § 10-101(C); § 10-101 (G), § 10-105(A)(1), § 10-105(A)(2)(a); § 10-105(A)(2)(b); § 10-105(A)(2)(c), § 10-105(A)(2)(g), it defies common sense. But of course the City's Zoning Ordinance provides the Council with a rich tool kit to protect historic landmarks, and the citizens of this town have every right to expect that Landmark properties will receive heightened protection.

While it is true that the Virginia statute encouraging you to take the landmark designation into account in your decision making says that the "designation, itself, shall not regulate the action of local governments," Va. Code § 10.1-2204, that just means that jurisdictions which have not enacted the type of zoning ordinance Alexandria has are not controlled by the designation.

The Staff's position that the Landmark designation is irrelevant led the BAR to misapply the appropriate standards and criteria in its review and invites the Council to make the same mistake. It is a legal assertion with no basis in law and no attempt to justify it as a legal proposition. HAF respectfully submits that you must reject this portion of the staff report.

III. The Staff Report Confuses Easement Enforcement with What Is Necessary to Comply with the Open Space Land Act.

It is unfortunate that the Staff Report, and apparently the VDHR, have confused the question of who is entitled to sue to enforce the Hugo Black easement and simple compliance with the dictates of Va. Code § 10.1-1704. The VDHR is not the arbiter or judge of whether Section 1704 applies to an easement or not. The Open Space Land Act applies to all public bodies who have taken an interest in open space pursuant to the Act – not just VDHR. And the restrictions set forth in the Act are intended to govern, in part, the conduct of VDHR. That Department does not get to decide whether or not it will comply with the Statute. Nor are they the only ones who are entitled to read the easement. Doing so is necessary for a multitude of reasons, including a determination of what open space is protected by statute from diversion or conversion.

Because the Hugo Black easement subjected the property to the provisions of the Open Space Land Act, Va. Code § 10.1-1704 prohibits the removal of the open space without compliance with its terms.

And the City Zoning Ordinance expressly requires you to apply any restriction of state law that is more restrictive than the City Ordinance. Alex. Zon. Ord. § 1-200 (***“Whenever any provision of any state or federal statute or other city ordinance or regulation imposes a greater requirement or a higher standard than is required by this ordinance, the provision of such state or federal statute or other city ordinance or regulation shall govern.”***)(emphasis added).

IV. The April 30, 2019 Letter from the VDHR Confirms the Impropriety of Granting BAR Approval in Reliance on Approvals from the VDHR

At the December 19, 2019 BAR hearing, several members of the BAR who ultimately voted to approve the plans explained that their positive views were based in part on the fact that VDHR had approved the plans. Both HAF and Preservation Virginia directly challenged the propriety of relying a VDHR easement approval as the basis for a BAR decision. See HAF Letter (2/1/2019)(Staff Report pdf-59); Preservation Virginia Letter (2/5/2019).²

The letter from VDHR to Mark Jinks confirms the accuracy of the statements made by HAF and Preservation Virginia and expressly advise you that the VDHR’s easement review is based on different considerations. It should not be taken as an opinion or endorsement that the plans they have approved under the easement review meet the City standards. “Any approvals or disapprovals made by DHR ... should have no determinative bearing on decisions made by the BAR....”

Notably, the VDHR letter makes no mention of the Open Space Land Act or the Landmark designation of the property.

V. Staff Reversal of Position on Demolition of Historic Curve

After inspecting the historic “curve” at the Hugo Black House, the BAR Staff twice recommended against the demolition of that distinctive feature. Without explanation as to why Staff has changed its position — other than that the former BAR disagreed with it — the Staff now recommends approval of the demolition.

² The letter from Preservation Virginia is inexplicably missing from the Record on Appeal. It is available here, along with two letters from HARC that are also missing from the staff report.

[http://legistar.granicus.com/alexandria/meetings/2019/2/1976 M Board of Architecture I Review-Old and Historic 19-02-06 Action Docket.pdf](http://legistar.granicus.com/alexandria/meetings/2019/2/1976_M_Board_of_Architecture_I_Review-Old_and_Historic_19-02-06_Action_Docket.pdf)

John Dumsick is a HAF Board Member and licensed structural engineer who specializes in historic preservation. He has submitted a letter to the council which has not been included in the Staff report or addressed in any way. That letter shows that the claims of difficulty in maintenance and repair are overblown.

While Mr. Dumsick is fully confident in his statement, HAF did seek permission for him to perform an in-person site visit prior to the originally scheduled April 13th hearing. The owners did not provide the necessary permission. To alleviate any concern that might be raised questioning Mr. Dumsick's opinion based on a lack of the physical inspection allowed to members of the Council, HAF repeated the request this week. The owners refused permission. (See attached email correspondence). Apparently, the owners prefer to shield their claims of damage being caused by the curve from independent inspection by competent and qualified experts.

VI. Missing Materials

As noted in the body of this letter, the Staff Report has inexplicably omitted important materials that were presented to the BAR that contradict the current Staff Report. Nor does the Staff Report even indicate that substantial amounts of information has been submitted in connection with this appeal. HAF does not yet have a list of all the materials that have been submitted by others, but is aware of at least the following:

- 1) Letter from Historic Alexandria Resources Commission dated March 31, 2019, available at http://www.historicalexandriafoundation.org/downloads/harc_black.pdf.
- 2) Letter from Professor A.E "Dick" Howard dated April 1, 2019, available at http://www.historicalexandriafoundation.org/downloads/aed_howard.pdf.
- 3) Letter from Professor W. Brown Morton III dated April 3, 2019, available at http://www.historicalexandriafoundation.org/downloads/arch_cons_black.pdf.
- 4) Email from Harry Butowsky (NPSNHL Historian Retired) dated April 5, 2011, available at <http://www.historicalexandriafoundation.org/downloads/butowsky.pdf>
- 5) Letter from John Dumsick (Structural Engineer) dated April 8, 2019, available at <http://www.historicalexandriafoundation.org/downloads/dumsick.pdf>.
- 6) Preservation Virginia Letter dated April 8, 2019.

- 7) Letter from Josephine Black Pesaresi dated April 15, 2019, available at <http://www.historicalexandriafoundation.org/downloads/Pesaresi.pdf>.

It is inconceivable that the public could properly evaluate the merits of this appeal without access to these critically important materials in advance of the hearing. And it is surprising to say the least, that the Staff Report fails to mention any of these materials or address the issues they raise.

VII. Conclusion

For the reasons set forth extensively in the submissions previously made to you, HAF Letter (4/3/2019), HAF Letter (12/12/2018), HAF Letter 12/18/2019); HAF Letter (2/1/2019), as well as the well-reasoned letters of HARC, and the materials submitted in support of this appeal, we submit that any consideration of the proposed plans under the Alexandria Zoning Ordinance and the Design Guidelines should lead you to deny the two applications before you.

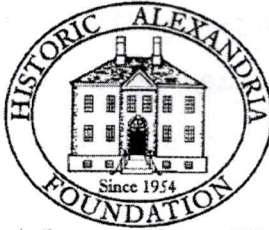
To further assist you in reviewing the issues raised by the appeal, we also attach for your consideration several power point slides.

Very truly yours,



John Thorpe Richards, Jr.
(Member of the Board)
Historic Alexandria Foundation

cc. Duncan Blair
Joanna Anderson
Mark Jinks



Historic Alexandria Foundation

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December 18, 2017

Board of Architectural Review, Old and Historic District
City of Alexandria

**Re: BAR Case Number 2108-00410 –619 S. Lee Street
(Vowell-Snowden-Black House)**

Dear Chair Kelley and Members of the Board:

In reviewing the Staff Report that was released yesterday afternoon we are concerned that the Staff has failed to appreciate the status of the Hugo Black House as a certified Landmark property and therefore given inadequate weight to the preservation interests at stake in this case.

It is perhaps understandable that in the press of business before the Board at the upcoming meeting that the staff has drafted its report to you looking to the Virginia Department of Historic Resources published register of landmark properties. It is entirely accurate for the Staff to tell you that "The property is not individually listed on the Virginia Landmarks Register or the National Register of Historic Places." Staff Report at 5. Why the Hugo Black House is not listed on the register by the VDHR as required by law is frankly a mystery to us, and perhaps their failure to recognize the landmark status of the property misled that agency in its own evaluation of the project.

But the certified landmark status of the property is a matter of public record and beyond question. As the Deed we submitted for your consideration clearly states:

Acceptance by the Virginia Historic Landmarks Commission of this conveyance is authorized by Sections 10-138 and 10-142 of the Code of Virginia, and by such acceptance below the Commission designates the property described above as a certified landmark.

WITNESS the following signatures and seals:

BOOK 705 PAGE 495

Hugo L. Black (SEAL)
Hugo L. Black

Elizabeth S. Black (SEAL)
Elizabeth S. Black

Accepted:

VIRGINIA HISTORIC LANDMARKS COMMISSION

By J. Moody
Executive Director 12/30/69
[SEAL]

To avoid any confusion about what was meant by the two former sections of the Virginia Code referenced by Justice Black and the Virginia Historic Landmarks Commission in the publicly recorded document, we are attaching for your reference a copy of former Virginia Code §§ 10-138 and 10-142. You will see that the act of certifying a property as a Landmark property is a distinct action and duty of the Commission (now VDHR) quite separate from its duty to publicize that designation in its register. Compare Former Va. Code § 10-138(a) with Former Va. Code 10-138(b); cf. VA Code § 10.1-10.1-2204(duty to designate historic landmarks and sites)(2018); VA. Code § 10.1-2202(6)-(7)(2018)(Director's duties of compile and publish lists).

§ 10-138. Powers and duties of Commission. - The Commission shall

- (a) Make a survey of, and designate as an historic landmark, **structures and sites** which constitute the principal historical, architectural and archaeological sites **which are of statewide or national significance**. No structure **or site** shall be deemed to be an historic one unless it has been prominently identified with, or best represents, some major aspect of the cultural, political, economic, military, or social history of the State or nation, or has had a major relationship with the life of an historic personage or event representing some major aspect of, or ideals related to, the history of the State or nation....

Former VA. Code Ann. § 10-138(a)(1973 Repl. Vol.)(emphasis added).

§ 1-142. Restrictions on use of property certified as being registered landmark. — Whenever the Commission, with the consent of the landowner, **certifies property as being a registered landmark**, it may seek and obtain from such landowner such restrictions **upon the use of the property** as the Commission finds are reasonable and **calculated to perpetuate and preserve the features which led it to designate such property as an historical landmark**....

Former Va. Code Ann. § 10-142 (1973 Repl. Vol.)(emphasis added).

In other words, when the Virginia Historic Landmarks Commission (“VHLC”) designated the property described above as a certified landmark,” Deed Book 704 Page 494, it designated both the “structures and sites” as a “principal historical ... site[] ... of statewide or national significance.” And the fact that the open space of the property’s gardens was included in that Landmark certification is confirmed by the fact that the VHLC took an Open Space Land Act easement on the use of the property “to perpetuate and preserve the features which led it to designate [the] property as an historical landmark.”

It is unfortunate that the staff report has failed to recognize the importance of the Landmark certification. Current state law expressly encourages you to take the designated property’s historic significance into account in your decision making. Va. Code § 10.1-2204(B)(ii)(2018). The Alexandria Zoning Ordinance requires the same. Zoning Ordinance § 10-105(a)(2).

Because the Hugo Black House and grounds is a certified historic landmark property it should properly be considered with heightened scrutiny and afforded greater protection than non-landmark property. For that reason, the staff report’s observation that, “In the past six years alone, the two BARs have approved over 100 additions, finding them appropriate and compatible” serves as no support for the recommended approval

of the current application. How many of those approvals were given on certified landmark properties of the prominence of the Hugo Black House, where the house **and gardens** were included in the landmark certification?

With all due respect to the dedicated work of the Staff, we submit that by overlooking the landmark designation of the property, it has applied an incomplete analysis of the project. The Hugo Black House and grounds deserve the highest degree of protection this Board can provide.

Respectfully,

Historic Alexandria Foundation

By: /s/

Elaine Johnston
Co-Chair, Advocacy Committee

cc. Duncan Blair

CODE OF VIRGINIA

1950

With Provision for Subsequent Pocket Parts

ANNOTATED

Prepared under the Supervision of
The Virginia Code Commission

BY

The Editorial Staff of the Publishers

Under the Direction of
W. M. WILLSON, SYLVIA FAULKNER AND PATRICIA H. QUILLEN

VOLUME 3

1973 REPLACEMENT VOLUME

*(Including Acts of the 1972 Session and annotations taken from
Virginia Reports through Volume 212, p. 652)*



THE MICHIE COMPANY, LAW PUBLISHERS
CHARLOTTESVILLE, VA.

their executive officers: Agriculture and Immigration, Conservation and Development, Education, Health, Highways, Labor and Industry, Unemployment Compensation, and the Virginia State Ports Authority. The Governor shall designate a chairman and a vice-chairman for the Council to serve during his term of office. (R. P. 1948, § 10-127; 1956, c. 491.)

§ 10-128. Rules for organization; Secretariat for Council. — The members of the Council may make rules for their own organization. The Division of Industrial Development and Planning shall serve as Secretariat to the Council. (R. P. 1948, § 10-128; 1958, c. 427; 1962, c. 355.)

§ 10-129. Expenses and compensation. — The members of the Council shall receive no salaries, but shall be paid for the necessary expenses incurred in the performance of their duties. (R. P. 1948, § 10-129.)

§ 10-130. Clerical and secretarial facilities; stationery and supplies; printing. — The Division of Industrial Development and Planning shall serve the Council as its Secretariat or central administrative office and shall furnish the Council with the necessary stationery and supplies and shall have done for the Council such printing as may be necessary. (R. P. 1948, § 10-130; 1958, c. 427; 1960, c. 164; 1962, c. 355.)

§ 10-131. Powers and duties of the Council. — The Council shall act in a capacity advisory to the Governor upon matters relating to the Virginia economy. When requested by the Governor the Council shall investigate and consider such questions and problems, so relating as may be submitted, and shall report its findings and conclusions. The Council may also make recommendations to the Governor upon its own initiative. The Council shall also endeavor to encourage research designed to further new and more extensive use of the resources of the Commonwealth, to review and initiate specific proposals, to place such proposals effectively in the hands of groups and organizations, State and local, to encourage and stimulate local governing bodies and private business initiative, and generally to arouse public interest in the economic resources of the Commonwealth. (R. P. 1948, § 10-131; 1962, c. 355.)

§ 10-132. Reports and recommendations. — All reports and recommendations made by the Council shall be made to the Governor. (R. P. 1948, § 10-132; 1962, c. 355.)

CHAPTER 10.

HISTORIC MONUMENTS AND MARKERS.

§§ 10-133, 10-134: Repealed by Acts 1950, p. 48.

CHAPTER 11.

VIRGINIA HISTORIC LANDMARKS COMMISSION; HISTORICAL MONUMENTS GENERALLY.

Sec.
10-135. Commission created.
10-136. Membership; appointment; terms; vacancies; compensation and expenses.
10-137. Executive director.
10-138. Powers and duties of Commission.

Sec.
10-138.1. Supervision of expenditure of appropriations made to nonstate agencies.
10-139. Notice to local tax-assessing official that structure or site has been designated a certified landmark.

- Sec.
10-140. Notice to local tax-assessing official of establishment of historic district.
- 10-141. Authority of Commission in counties and cities having power to establish historic districts.
- 10-142. Restrictions on use of property certified as being registered landmark.
- 10-143. Assistance of State agencies.
- 10-144. Transfer of powers, etc., of State Librarian and State Library Board relating to historical markers.
- 10-145. Construction of chapter.
- 10-145.1. Power of eminent domain vested in Attorney General to preserve historical monuments and memorials.

- Sec.
10-145.2. Erection of markers, etc., without certificate of approval forbidden.
- 10-145.3. Determination of sites, etc., justifying markers; Department of Highways to erect and maintain.
- 10-145.4. Collection of replacement cost of marker damaged or destroyed.
- 10-145.5. State Library Board authorized to create Advisory Committee on Historical Markers; members; duties; expenses.
- 10-145.6. Erection of markers by local governing bodies.
- 10-145.7. Resolutions of General Assembly.
- 10-145.8. Penalty for violation; proceedings by Attorney General.

§ 10-135. Commission created. — There is hereby created in the Executive Department of the State government the Virginia Historic Landmarks Commission, hereinafter referred to as Commission. (1966, c. 632.)

Cross reference. — As to power of eminent domain of Attorney General with respect to historical monuments and memorials, see § 10-145.1.

The numbers of §§ 10-135 to 10-145 were assigned by the Virginia Code Commission, the 1966 act having assigned no numbers.

§ 10-136. Membership; appointment; terms; vacancies; compensation and expenses. — (a) The Commission shall consist of nine members. Seven shall be appointed by the Governor and the remaining two shall be the Director of the Department of Conservation and Economic Development and the State Librarian both as ex officio members, but with full voting rights.

(b) Of the seven members appointed by the Governor, one may be chosen from a list of three names submitted to him by the Association for the Preservation of Virginia Antiquities, one may be chosen from a list of three names submitted to him by the Virginia Historical Society, one may be taken from a list of three names submitted to him by Colonial Williamsburg, Incorporated, one may be chosen from a list of three names submitted to him by the Dean of the School of Architecture, University of Virginia, one may be chosen from a list of three names submitted to him by the Virginia Chapter of the American Institute of Architects and the remainder shall be appointed from the State at large.

(c) Of the appointive members, initially two shall be appointed for terms of four years, two shall be appointed for terms of three years, two shall be appointed for terms of two years and one shall be appointed for a term of one year. Thereafter, appointments shall be made for terms of four years, except appointments to fill vacancies occurring other than by expiration of term, which shall be filled for the unexpired term.

(d) No member of the Commission shall receive compensation for his services but they shall be reimbursed their necessary expenses incurred in the performance of their duties. (1966, c. 632; 1968, c. 612.)

Cross reference. — For provision that also be in charge of the Virginia Research Center for Historic Archaeology, see § 10-146.

§ 10-137. Executive director. — The Commission may employ an executive director and such other employees, assistants and technical personnel as may be required for the performance of its duties. (1966, c. 632.)

§ 10-138. Powers and duties of Commission. — The Commission shall

(a) Make a survey of, and designate as an historic landmark, the buildings, structures and sites which constitute the principal historical, architectural and archaeological sites which are of statewide or national significance. No structure or site shall be deemed to be an historic one unless it has been prominently identified with, or best represents, some major aspect of the cultural, political, economic, military, or social history of the State or nation, or has had a major relationship with the life of an historic personage or event, representing some major aspect of, or ideals related to, the history of the State or nation. In the case of structures which are to be so designated, they shall embody the principal or unique features of an architectural type or shall demonstrate the style of a period of our history or method of construction, or serve as an illustration of the work of a master builder, designer or architect whose genius influenced the period in which he worked or has significance in current times. In order for a site to qualify as an archaeological site, it shall be an area from which it is reasonable to expect that artifacts, materials and other specimens may be found which give insight to an understanding of aboriginal man or the Colonial and early history and architecture of the State or nation.

(b) Prepare a register of buildings and sites which meet the requirements of the preceding paragraph, publish lists of such properties and inspect such properties from time to time; publish a register thereof from time to time setting forth appropriate information concerning the registered buildings and sites.

(c) With the consent of the landowners, certify and mark, with appropriately designed markers, buildings and sites which it has registered.

(d) Establish standards for the care and management of certified landmarks and withdraw such certification for failure to maintain the standards so prescribed.

(e) Acquire by purchase, gift, or lease and administer registered landmarks, sites and easements and interests therein; such acquisition may be made from funds provided by law or otherwise.

(f) Lease or sell property so acquired under terms and conditions designed to ensure the proper preservation of the landmark or site in question.

(g) Establish historic districts for registered landmarks and designate the area thereof by appropriate markers provided the county or city in which the district or registered landmark is located fails or refuses to take such action as is necessary to establish and maintain such districts.

(h) Identify historical districts for registered landmarks and aid and encourage the county or city in which the district or landmark is located to adopt such rules and regulations as the Commission may develop and recommend for the preservation of historical, architectural, or archaeological values.

(i) Prepare and place, from funds provided by law, State historical markers on or along the highway or street closest to the location which is intended to be identified upon such marker.

(j) Seek the advice and assistance of individuals, groups and governments who or which are conducting historical preservation programs and coordinate the same insofar as possible.

(k) Seek and accept gifts, bequests, endowments and funds from any and all sources for the accomplishment of the function of the Commission. (1966, c. 632.)

§ 10-138.1. Supervision of expenditure of appropriations made to nonstate agencies. — In addition to the duties set out in § 10-138, it shall also be the responsibility of the Commission to oversee the expenditure of State appropriations made available to nonstate agencies, whether private or

municipal, for purposes related to the historical collections, historic landmarks, and sites of Virginia, and to assure itself that such purposes are consistent with the statewide plan for historic preservation as established by the Commission. The Commission shall establish and require adherence to sound professional standards of historical, architectural and archaeological research in the planning, preservation, restoration, interpretation and display of such collections, landmarks, and sites, in order that public funds are used in the most appropriate, effective, and correct manner. (1972, c. 119.)

§ 10-139. Notice to local tax-assessing official that structure or site has been designated a certified landmark. — In any case in which the Commission designates a structure or site as a certified landmark, it shall notify the official having the power to make assessments of properties for purposes of taxation within the county or city in which the structure or site is located and such designation and notification shall be, prima facie, evidence that the value of such property for commercial, residential or other purposes is reduced by reason of its designation. (1966, c. 632.)

§ 10-140. Notice to local tax-assessing official of establishment of historic district. — When the Commission establishes an historic district, it shall notify the official of the county or city whose duty it is to assess property for the purpose of taxation by the county or city in which such area is located of the fact of such establishment and the boundaries of the district, together with the restrictions which are applicable to properties located in such district and of the fact that commercial, industrial and certain other uses within such district are restricted. The tax-assessing official shall take such factors into consideration in assessing the properties therein and, based on the restrictions upon the uses of such property, place a lower valuation upon the same. (1966, c. 632.)

§ 10-141. Authority of Commission in counties and cities having power to establish historic districts. — In the establishment of historic districts, the Commission shall not act in any county or city in which local officials have established such districts. In any county or city having power to establish such districts and which has not done so, the Commission shall, in appropriate case, designate such districts and notify the proper officials of the county or city in which the same is located and request them to take such action as will enable the establishment and perpetuation through local action, of historic districts. (1966, c. 632.)

§ 10-142. Restrictions on use of property certified as being registered landmark. — Whenever the Commission, with the consent of the landowner, certifies property as being a registered landmark, it may seek and obtain from such landowner such restrictions upon the use of the property as the Commission finds are reasonable and calculated to perpetuate and preserve the features which led it to designate such property as an historical landmark. All such agreements between the Commission and the landowner shall be in writing, and, when duly signed, shall be recorded in the clerk's office of the county or city wherein deeds are admitted to record and when so recorded shall be notification to tax-assessing officials of the restrictions therein set forth. Such restrictions shall be observed by the tax-assessing officials of such county or city in placing a lower valuation upon such property in future assessments or reassessments of real estate. (1966, c. 632.)

§ 10-143. Assistance of State agencies. — All agencies of the State shall assist the Commission in the disposition of its duties and functions upon the request of the Commission or the executive director thereof. (1966, c. 632.)

From: John Thorpe Richards
To: Duncan Blair
Subject: Site visit request.
Date: Wednesday, May 8, 2019 11:48:00 AM

I guess I shouldn't try to answer from my phone. It was supposed to say: "To alleviate any concern that a physical inspection is necessary to validate his opinion."

Given that we are asking John to give his time on a volunteer basis, and the shortness of time remaining, I would appreciate your client's decision in time for John to arrange his schedule if an inspection will be allowed. Thank you. jtr

-----Original Message-----

From: Duncan Blair <dblair@landcarroll.com>
Sent: Wednesday, May 8, 2019 11:27 AM
To: John Thorpe Richards <jtr@bogoradrichards.com>
Subject: RE: Would you be available to do a site visit at Black House between now and the hearing?

How is that germane to the appeal?

-----Original Message-----

From: John Thorpe Richards <jtr@bogoradrichards.com>
Sent: Wednesday, May 08, 2019 11:22 AM
To: Duncan Blair <dblair@landcarroll.com>
Cc: dumsick@gmail.com
Subject: Re: Would you be available to do a site visit at Black House between now and the hearing?

To alleviate any Cicero that a physical inspection is necessary to validate his opinion.

John Thorpe Richards, Jr.
(703) 457-7823
(703) 346-6455
Sent from my iPhone

> On May 8, 2019, at 10:47 AM, Duncan Blair <dblair@landcarroll.com> wrote:

>

> John: I will ask my client. Mr. Dumsick has an extensive conversation with Al Cox and has already submitted a letter to the City with his observations. What is the purpose for a site visit?

>

>

>

> -----Original Message-----

> From: John Thorpe Richards <jtr@bogoradrichards.com>

> Sent: Wednesday, May 08, 2019 9:25 AM

> To: Duncan Blair <dblair@landcarroll.com>

> Cc: John Dumsick <dumsick@gmail.com>

> Subject: FW: Would you be available to do a site visit at Black House between now and the hearing?

>

> Dear Duncan.

>

> I know you conveyed my letter requesting the opportunity for John Dumsick to visit the Hugo Black House and inspect the "curve" that is under consideration for demolition, but they did not give him permission to perform an

on-site inspection of the "Curve" prior to the Scheduled April 13th hearing. As I mentioned in my original letter, John works full time for the State Department on structural engineering for its Historic Buildings around the world. Notwithstanding the demands of his work schedule, he has provided me with the following times when would still be able to perform that inspection if the owners will allow it:

- >
- > -This afternoon after 4 pm
- > - Friday morning or afternoon is an opportunity but not preferred -Saturday late afternoon
- > - Tuesday after 4 (albeit an inspection a few hours before the hearing begins is hardly optimal for anyone)
- >
- > I do hope your clients will reconsider this request to allow Mr. Dumsick to personally inspect the "curve" and associated structural issues.

>

> Thank you. Jtr

>

>

> John Thorpe Richards, Jr.

>

> Bogorad & Richards PLLC

> 209 Madison Street

> Suite 501

> Alexandria, Virginia 22314-1764

> (703) 457-7820 (Main)

> (703) 457-7823 (Direct)

> (703) 457-7824 (Fax)

> jtr@bogoradrichards.com

>

> WWW.BOGORADRICHARDS.COM

>

> The preceding e-mail message (including any attachments) contains information that may be confidential, be protected by the attorney-client or other applicable privileges, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

>

>

>

>

From: [Duncan Blair](#)
To: [John Thorpe Richards](#)
Cc: [Duncan Blair](#)
Subject: RE: Would you be available to do a site visit at Black House between now and the hearing?
Date: Thursday, May 9, 2019 3:56:15 PM

John: Good afternoon. I am a bit confused by the request. In his April 8, 2019 letter to the Mayor and Council members Mr Dumsick states: "Neither the photographs, nor the report, reference any condition where an on-site investigation would be necessary in order for me to express the opinion I am sharing with you in this letter." He then opines as to a means and method to making repairs to the damage to the west elevation of the original core building. It seems his letter stands on own and an inspection is not required. Additionally, the Mr. and Mrs. Morris have left on their long planned trip and are not comfortable with people coming to the property without being present. For these reasons, they respectfully decline your request. Best, Duncan

-----Original Message-----

From: John Thorpe Richards <jtr@bogoradrichards.com>
Sent: Wednesday, May 08, 2019 11:22 AM
To: Duncan Blair <dblair@landcarroll.com>
Cc: dumsick@gmail.com
Subject: Re: Would you be available to do a site visit at Black House between now and the hearing?

To alleviate any Cicero that a physical inspection is necessary to validate his opinion.

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>

>

>

> -----Original Message-----

> From: John Thorpe Richards <jtr@bogoradrichards.com>
> Sent: Wednesday, May 08, 2019 9:25 AM
> To: Duncan Blair <dblair@landcarroll.com>
> Cc: John Dumsick <dumsick@gmail.com>
> Subject: FW: Would you be available to do a site visit at Black House between now and the hearing?

>

> Dear Duncan.

>

> I know you conveyed my letter requesting the opportunity for John Dumsick to visit the Hugo Black House and inspect the "curve" that is under consideration for demolition, but they did not give him permission to perform an on-site inspection of the "Curve" prior to the Scheduled April 13th hearing. As I mentioned in my original letter, John works full time for the State Department on structural engineering for its Historic Buildings around the world. Notwithstanding the demands of his work schedule, he has provided me with the following times when would still be able to perform that inspection if the owners will allow it:

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> -This afternoon after 4 pm
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> Thank you. Jtr
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>
> John Thorpe Richards, Jr.
>
> Bogorad & Richards PLLC
> 209 Madison Street
> Suite 501
> Alexandria, Virginia 22314-1764
> (703) 457-7820 (Main)
> (703) 457-7823 (Direct)
> (703) 457-7824 (Fax)
> jtr@bogoradrichards.com
>
> WWW.BOGORADRICHARDS.COM
>
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>
>
>
>

Gloria Sitton

From: Jane Weber via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Friday, May 10, 2019 5:08 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177738: Mayor, Vice Mayor, City Council at 407 S SAINT ASAPH ST
BAR Case Number 2108-00410 -...
Attachments: map.png

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177738.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Jane Weber
- Approximate Address: 407 S SAINT ASAPH ST (See [map below](#))
- Phone Number: No Phone
- Email: jane@weberdesign.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: BAR Case Number 2108-00410 - 619

Mayor Wilson, Vice Mayor Bennett-Parker and City Council

I very strongly agree with the positions of HAF, HARC, OTCA, the Northern Virginia Conservation Council, Preservation Virginia, W. Brown Morton III, A. E. Dick Howard, Josephine Black Pesaresi, Harry Butowsky and many others that the current proposal for construction on the Virginia Landmark Hugo Black House property should be denied your approval. Virginia and Alexandria's preservation laws must be upheld. The open space easement executed by Justice Black must be honored.

Sincerely
Jane Weber

- Expected Response Date: Wednesday, May 15



Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: John Richards via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Friday, May 10, 2019 4:26 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177731: Mayor, Vice Mayor, City Council at 619 S LEE ST Appeal from BAR Case Number...
Attachments: map.png
Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177731.

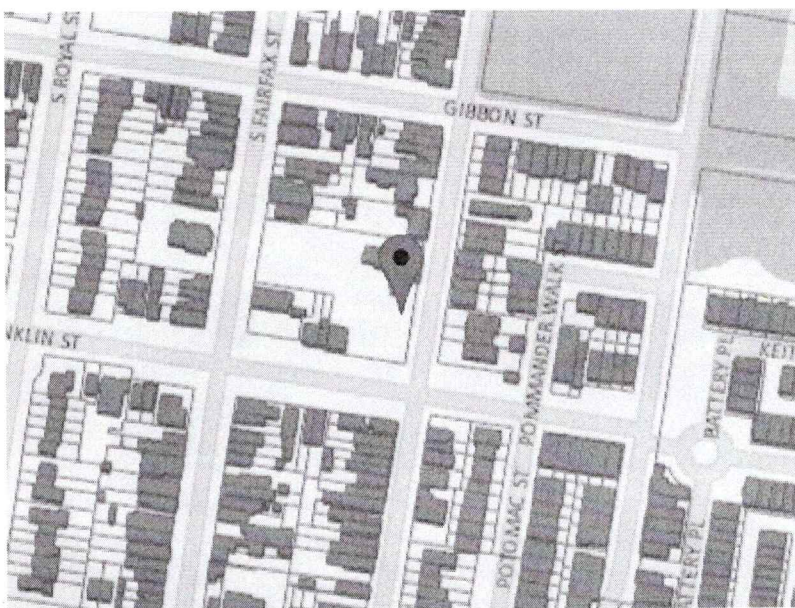
Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: John Richards
- Approximate Address: 619 S LEE ST (See [map below](#))
- Phone Number: 7034577823
- Email: jtr@bogoradrichards.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Appeal from BAR Case Number 2108-00410 –619 S. Lee Street (Hugo Black House)

Please see the accompanying power point slides to accompany the letter just submitted by Historic Alexandria Foundation

- Attachment: [2018_05_10_HAF_Council_Briefing_Slides.pdf](#)
- Expected Response Date: Wednesday, May 15



Please take the necessary actions in responding, handling and/or updating this request at the [Call.Click.Connect. staff interface](#).

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a ***Call.Click.Connect.*** request. Please do not reply to this email.

Gloria Sitton

From: John Richards via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Friday, May 10, 2019 4:05 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177728: Mayor, Vice Mayor, City Council at 619 S LEE ST : Appeal from BAR Case Number...
Attachments: map.png

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177728.

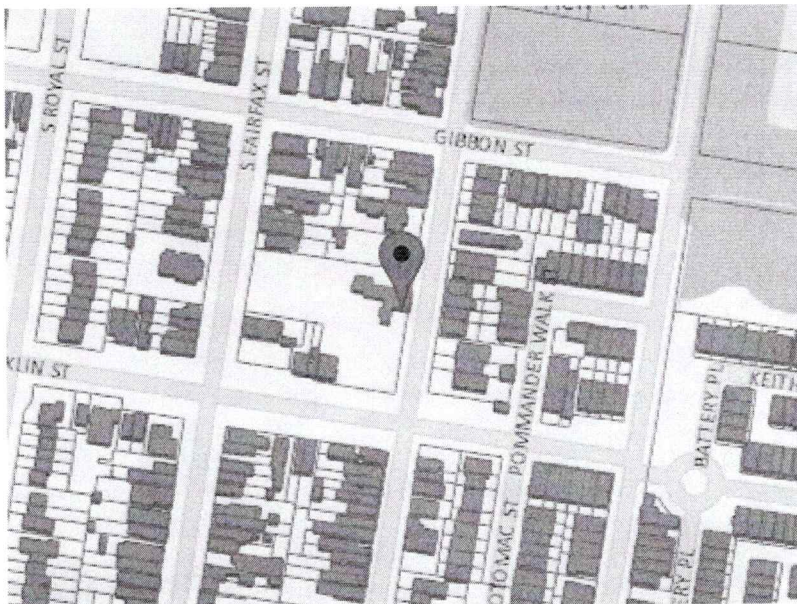
Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: John Richards
- Approximate Address: 619 S LEE ST (See [map below](#))
- Phone Number: 7034577823
- Email: jtr@bogoradrichards.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: : Appeal from BAR Case Number 2108-00410 –619 S. Lee Street (Hugo Black House)

Please see the Attached Letter from Historic Alexandria Foundation with comments on the Staff Report published yesterday. Thank you. jtr

- Attachment: [2019_05_10_HAF_LettertoCity Council.pdf](#)
- Expected Response Date: Wednesday, May 15



Please take the necessary actions in responding, handling and/or updating this request at the [Call.Click.Connect. staff interface](#).

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Marsha Mercer via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Friday, May 10, 2019 1:34 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177707: Mayor, Vice Mayor, City Council Mayor Wilson and City Council...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177707.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Marsha Mercer
- Approximate Address: No Address Specified
- Phone Number: 703-684-1724
- Email: marsha.mercer@yahoo.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Mayor Wilson and City Council members: Redevelopment of the home and open space of Justice Hugo Black at 619 S. Lee Street is a terrible idea. Please reject the proposed partial demolition and new construction, and keep the property as-is. We residents rely on you to preserve historical properties in Old Town. Thank you.
- Expected Response Date: Wednesday, May 15

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: John Dumsick via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Friday, May 10, 2019 7:33 AM
To: Gloria Sitton
Subject: Call.Click.Connect. #177658: City Clerk and Clerk of Council Dear Whom It May Concern,I...

Follow Up Flag: Follow up
Flag Status: Flagged

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177658.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: John Dumsick
- Approximate Address: No Address Specified
- Phone Number: 7039093650
- Email: dumsick@gmail.com
- Service Type: City Clerk and Clerk of Council
- Request Description: Dear Whom It May Concern,

I reviewed the staff report released yesterday for the 619 S. Lee Street BAR appeal. Per my review, the staff report did not include my letter to City Council submitted on April 8th through Call Click Connect. My submission number is 172771. Please update this for the appeals hearing and ensure city council and the mayor has this in their copies.

Also several other letters by concerned citizens was not incorporated into the docket. These include the letter by John Kester, Dick Howard, Brown Morton and Jo-Jo Black.

Please correct ASAP.

John Dumsick, PE

- Expected Response Date: Wednesday, May 15

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Deborah Bernstein via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Thursday, May 09, 2019 9:36 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177643: Mayor, Vice Mayor, City Council As a neighbor, I strongly oppose...

Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177643.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Deborah Bernstein
- Approximate Address: No Address Specified
- Phone Number: 703-683-2443
- Email: debbiegbernstein@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: As a neighbor, I strongly oppose redevelopment of the historic Justice Black property located at 619 S. Lee Street, Alexandria, Va 22314. Please protect our historic landmarks at the May 14, 2019, City Council hearing and vote.

Thank you,
Deborah Bernstein
607 S. Lee Street
Alexandria, Va 22314

- Expected Response Date: Tuesday, May 14

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Gloria Sitton

From: Tobin Tracey via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Wednesday, May 08, 2019 9:02 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177522: Mayor, Vice Mayor, City Council at 619 S LEE ST I am writing to request you all vote...
Attachments: map.png
Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177522.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Tobin Tracey
- Approximate Address: 619 S LEE ST (See [map below](#))
- Phone Number: No Phone
- Email: tntracey@aol.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I am writing to request you all vote NO on the planned demolition and massive new construction proposed for the Justice Hugo Black home at 619 S. Lee Street on your meeting May 14th. The conservation easement put on this property makes clear that Justice Black and his wife never wanted this property to be extensively altered and that the land around the house should be preserved. The owners of this property have been getting tax credits for almost fifty years because of the easement. To now allow the land to be built upon and the tax credits continued is an insult to the tax payers of Alexandria and to the memory of Justice Black. The Commonwealth of Virginia Historic Preservation Office, who holds the easement, states the only people who can object is the City anytime local organizations have tried to voice their concerns. The BAR said they can't comment on open space issues, so that only leaves you, our city leaders to do what is right and protect this property and Alexandria's history. The Historic Alexandria Resources Commission, one of your commission's who is supposed to serve as your expert advisors, is opposed to the changes. This commission is made up of citizens from many cultural organizations in town as well as public representatives. It is time for City Council to finally start listening to the commissions who serve in advisory roles for City Council and vote NO on the proposed alterations. This property and its house represent all that is good about Alexandria and why people from all around the world come to visit. This property and its house are what give the surrounding neighborhood its sense of place. It is time to stop the extensive development that is being allowed to creep into Historic Old Town Alexandria. Only you can stop this by voting NO at your meeting on May 14th.
- Expected Response Date: Monday, May 13



Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Tobin Tracey via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Wednesday, May 08, 2019 9:02 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177522: Mayor, Vice Mayor, City Council at 619 S LEE ST I am writing to request you all vote...
Attachments: map.png
Follow Up Flag: Follow up
Flag Status: Flagged

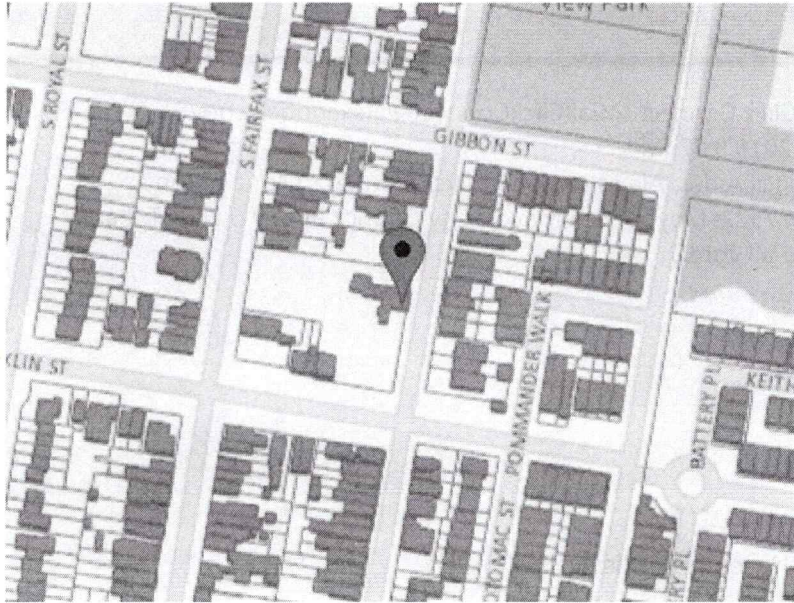
Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177522.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Tobin Tracey
- Approximate Address: 619 S LEE ST (See [map below](#))
- Phone Number: No Phone
- Email: ttracey@aol.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: I am writing to request you all vote NO on the planned demolition and massive new construction proposed for the Justice Hugo Black home at 619 S. Lee Street on your meeting May 14th. The conservation easement put on this property makes clear that Justice Black and his wife never wanted this property to be extensively altered and that the land around the house should be preserved. The owners of this property have been getting tax credits for almost fifty years because of the easement. To now allow the land to be built upon and the tax credits continued is an insult to the tax payers of Alexandria and to the memory of Justice Black. The Commonwealth of Virginia Historic Preservation Office, who holds the easement, states the only people who can object is the City anytime local organizations have tried to voice their concerns. The BAR said they can't comment on open space issues, so that only leaves you, our city leaders to do what is right and protect this property and Alexandria's history. The Historic Alexandria Resources Commission, one of your commission's who is supposed to serve as your expert advisors, is opposed to the changes. This commission is made up of citizens from many cultural organizations in town as well as public representatives. It is time for City Council to finally start listening to the commissions who serve in advisory roles for City Council and vote NO on the proposed alterations. This property and its house represent all that is good about Alexandria and why people from all around the world come to visit. This property and its house are what give the surrounding neighborhood its sense of place. It is time to stop the extensive development that is being allowed to creep into Historic Old Town Alexandria. Only you can stop this by voting NO at your meeting on May 14th.
- Expected Response Date: Monday, May 13



Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Gloria Sitton

From: Lauren Stack via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Tuesday, May 07, 2019 4:15 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177338: Mayor, Vice Mayor, City Council Thank you for considering this...

Follow Up Flag: Follow up
Flag Status: Flagged

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 177338.

Request Details:

This is a "private" request. Information should only be provided to the original customer.

- Name: Lauren Stack
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: rockyinalex@gmail.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Thank you for considering this letter in support of the proposed renovation/restoration of 619 S. Lee Street.
- Attachment: [619 S. Lee Street Letter to Council.pdf](#)
- Expected Response Date: Sunday, May 12

Please take the necessary actions in responding, handling and/or updating this request at [the *Call.Click.Connect.* staff interface](#).

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Lauren Stack
220 S. Lee Street
Alexandria, VA 22314

May 7, 2019

TO: Alexandria City Council
Mr. Justin Wilson, Mayor
Ms. Elizabeth Bennett-Parker, Vice Mayor, and
Council Members
Mr. Canek Aguirre
Mr. John Taylor Chapman
Ms. Amy Jackson
Ms. Redella Pepper
Mr. Mohamed Seifeldein

FROM: Lauren Stack

RE: 619 S. Lee Street; Alexandria, Virginia

Dear Mayor, Vice Mayor and Members of the Alexandria City Council,

First, let me begin by thanking you all for your service to the City of Alexandria. I sincerely appreciate all that you do for our wonderful City.

I am writing you in strong support of the above referenced project at 619 South Lee Street.

As an elected official, I am sure that you are aware that in Alexandria opponents to a project are generally much more vocal than supporters. However, please know that there is a quiet majority of Alexandrian's in support of this project. Quiet because there is a significant concern that coming forward publicly will raise the ire of these vocal opponents which may impact their future planned renovation projects. No one wants to subject themselves to the targeted public misinformation process that Lori and Nigel Morris are currently going through after being approved by every governing authority (the easement holder, planning and zoning, and the Board of Architectural Review) and appropriately following every single step and requirement set forth.

I believe that the opponents to this project believe they are encouraging historic preservation in the City. However, I also believe that these tactics (attacking and attempting to derail projects that have gone through legal and appropriate approvals) will have an adverse effect on our historic preservation efforts. Why would anyone want to purchase, restore and renovate a property when you can work with the authorities at each and every step, obtain approvals, and still have the project in jeopardy due to a vocal minority of opponents? Or, why would anyone

ever grant a historic easement to a reputable easement holder (such as VDHR) if its determinations will be second guessed by a self-appointed group of arbiters making emotional appeals? As you have seen with recent projects, there is a big concern for the future of historic preservation in the City should this trend continue, and we risk significant properties (such as 619 S. Lee) continuing to fall into disrepair.

It is unfortunate that there is a significant amount of intentional misinformation being put forth by an energized **minority of opponents using this project as an opportunity to challenge the Virginia Department of Historic Resources (VDHR) legal authority over administering its easements.** It is abundantly clear that the project opponents have differences of opinion from VDHR. There will always be differences of opinion on things as subjective as architectural design and historic preservation. However, I hope that as a body, the City Council will focus on the factual information and it's legal authority in making its decision about this project.

In summary, I am quite concerned that this situation demonstrates a serious problem in our City. Here, you have:

- *A couple with a track record of awarded historic preservation purchasing a significant property that has fallen into disrepair over the past several decades.*
- *Owners with demonstrated willingness to commit the time and resources to come up with a plan to renovate and restore the property.*
- *Work over a five year period with a very credible easement holder, the Virginia Department of Historic Resources, to come up with a renovation/restoration plan that addresses all historic preservation concerns with widely accepted solutions.*
- *Owners that have kept both the City staff and local preservationists (HAF) abreast of the project throughout and taken comments back to the easement holder for consideration.*
- *Approval by the Board of Architectural Review on the merits of the project within its jurisdiction of authority*
- *Property owners that are placed in an untenable position of spending significant time and financial resources following all the rules, (both in letter and spirit) obtaining all approvals and yet unable to proceed with the project.*
- *The shadow on Alexandria discouraging citizens from taking on renovation/restoration of historic properties because a small vocal minority can overrule easement holders, laws and regulations with rope-a-dope tactics .*

I ask that you vote for approval of this project. You can have no doubt that the owners will do as wonderful a job as they have in the past. I know that it will be hard to make this vote, but if you want this property to be restored and historic preservation in our City to be encouraged I believe that you will not find a better proposal than the one provided here by the easement holder and the owners.

Thank you for your consideration,

Lauren Stack
laurentkentstack@gmail.com



COMMONWEALTH of VIRGINIA

Department of Historic Resources

Matt Strickler
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

April 30, 2019

Mr. Mark Jinks
City Manager
301 King Street, Suite 3500
Alexandria, Virginia 22314

RE: Vowell-Snowden-Black House, 619 South Lee Street, Alexandria

Dear Mr. Jinks:

As you may know, the Commonwealth of Virginia, Board of Historic Resources (Board) holds a historic preservation easement on the Vowell-Snowden-Black House property at 619 South Lee Street in Alexandria. The professional staff of the Commonwealth of Virginia, Department of Historic Resources (DHR) administers the easement program on behalf of the Board.

Although the Commonwealth of Virginia and the City of Alexandria share similar goals, the terms, conditions, and restrictions set forth in a historic preservation easement held by the Board constitute a contract between the Board and the property owner and are separate and distinct from the ordinances and restrictions imposed by the Alexandria Board of Architectural Review (BAR). Because these processes are separate and distinct, the BAR has no ability to enforce the terms of such an easement and is not bound by those terms. Further, regardless of what the BAR may allow with respect to a property encumbered by an easement held by the Board, the property owner must still comply with the terms of the easement.

Any approvals or disapprovals made by DHR with respect to the easement on the Vowell-Snowden-Black House should have no determinative bearing on decisions made by the BAR, and any decision made by the BAR will have no determinative bearing on DHR's administration of the easement.


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We remain confident in DHR's administration of the easement program and in DHR's ability to steward the Commonwealth's historic assets. If you have any additional questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Julie V. Langan".

Julie V. Langan
Director

cc: Mr. Clyde P. Smith, Chair,
Board of Historic Resources
Katheryn E. Surface Burks, Esq. (OAG)
Catherine A. Shankles, Esq. (OAG)

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Gloria Sitton

From: Marsha Mercer via Call.Click.Connect. <CallClickConnect@alexandriava.gov>
Sent: Friday, May 10, 2019 1:34 PM
To: City Council; City Council Aides; Alexis Lacy; Call Click Connect; Gloria Sitton
Subject: Call.Click.Connect. #177707: Mayor, Vice Mayor, City Council Mayor Wilson and City Council...

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 177707.

Request Details:

This is a "public" request. Information may be provided to anyone who requests it.

- Name: Marsha Mercer
- Approximate Address: No Address Specified
- Phone Number: 703-684-1724
- Email: marsha.mercer@yahoo.com
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: Mayor Wilson and City Council members: Redevelopment of the home and open space of Justice Hugo Black at 619 S. Lee Street is a terrible idea. Please reject the proposed partial demolition and new construction, and keep the property as-is. We residents rely on you to preserve historical properties in Old Town. Thank you.
- Expected Response Date: Wednesday, May 15

Please take the necessary actions in responding, handling and/or updating this request at the **Call.Click.Connect.** staff interface.

If you need assistance with handling this request, please contact CallClickConnect@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.

Lauren Stack - Statement to City Council
May 14, 2019

I am in strong support of the project at 619 South Lee Street.

Unlike Historic Williamsburg, Old Town Alexandria is not a museum. It is a vibrant City with significant history.

Our City does not have the financial resources to add more city-supported house museums, and therefore we must rely on homeowners who appreciate history to maintain our historic properties as personal homes or we risk significant properties, such as this one, continuing to fall into disrepair.

For 619 S. Lee, the preservation system has worked perfectly. A property with an easement will be preserved in a manner which honors the history and allows for its use, not as a shrine or museum, but as the home that it is.

I had the privilege of restoring a property with a strict interior and exterior easement held jointly by Historic Alexandria Foundation AND the Virginia Department of Historic Resources. At the time HAF was happy to collaborate with the expertise and significant resources of what they called the "gold standard" of easement holders, the VDHR.

Both HAF and VDHR explained to me that as easement holders they recognized that properties needed to evolve. They said the point of easements was not create museums or freeze properties in time, but to assist in the evolution of these family homes with an accountability to their historic significance. Easement holders did this by working closely with property owners and architects to apply recognized preservation standards.

Like the owners of 619 S. Lee, there were years of back and forth with the architect, the easement holders, and the City. Original plans evolved to a better result over time in response to input and comments from those legally responsible. All worked together to steward the property by planning, renovating and restoring to standards of modern family living while honoring history.

HAF has established a precedent of recognizing that historic properties evolve over time. One example was when I received its Historic Preservation award after my renovation which included significant interior and exterior work, a large addition and swimming pool. In 2018 HAF gave this same award to the owners of 619 S. Lee.

I believe in preserving our City's history. What is happening in this case gives me concern.

Why grant a historic easement to a reputable easement holder (such as the gold-standard VDHR) if its determinations will be second guessed by individuals and groups with differences of opinion but no official role?

If we continue down this path, it would be very risky for anyone to purchase a property in Alexandria that was in need of renovation and under easement. As is happening here, property owners can spend years working with the easement holder and legal authorities to follow every law and rule both in letter and spirit, obtain all approvals at each and every step, and yet still have the project in jeopardy due to vocal opponents.

The owners of 619 S. Lee have developed plans that have been approved by all required parties. Because we as a city need homeowners to take on the challenge of restoring properties with easements, I ask that you send that message and support the approval of this project.

Thank you for your consideration.

