**MEMORANDUM OF AGREEMENT
AMONG THE CITY OF ALEXANDRIA, VIRGINIA;
431 S COLUMBUS ST OWNER, LLC;
AND
THE VIRGINIA STATE HISTORIC PRESERVATION OFFICE
REGARDING
THE HERITAGE AT OLD TOWN REDEVELOPMENT PROJECT IN THE CITY OF ALEXANDRIA, VIRGINIA**

THIS MEMORANDUM OF AGREEMENT (Agreement) is made this 11th day of December 2024 by and between the City of Alexandria, a Municipal Corporation of Virginia (City), 431 S Columbus ST Owner, LLC, a limited liability company (Owner), and the Virginia State Historic Preservation Office (SHPO), which in Virginia is the Virginia Department of Historic Resources (DHR), (individually "Signatory" and collectively "Signatories"), pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 United States Code (U.S.C.) § 306108, and its implementing regulations 36 Code of Federal Regulations (C.F.R.) Part 800 for the purposes herein set forth.

WHEREAS, Owner proposes to redevelop an affordable housing property assisted by project-based Section 8 Housing Assistance Payments Contract Number VA39-M000-019 (HAP Contract), located on two (2) contiguous blocks at 901 Gibbon Street, 450 & 510 S. Patrick Street, and 900 Wolfe Street, totaling 3.65 acres, by constructing approximately 598 new units, including approximately 150 affordable housing units as shown on the attached project map (Attachment I) (the "Undertaking"); and

WHEREAS, Owner has submitted an application to the U.S. Department of Housing and Urban Development (HUD) requesting approval of a Section 8 rent increase under Chapter 15 and Option 1-B of the Section 8 Renewal Policy Guidebook (Guide) and renewal of the HAP Contract under Chapter 15 and Option 1-B of the Guide for a 20-year term; and

WHEREAS, the City serves as the Responsible Entity and has assumed environmental review responsibilities in accordance with HUD's Environmental Review Procedures at 24 C.F.R. § 58 *et seq.,* including its responsibilities under the National Historic Preservation Act, as amended (54 U.S.C. § 306108) (NHPA) and its implementing regulations, 36 C.F.R. Part 800; and

WHEREAS, the City has determined that the Undertaking is subject to review under 24 C.F.R. Part 970 and is an undertaking subject to review under Section 106 of the NHPA; and

WHEREAS, the City, in consultation with the SHPO, has determined that the Area of Potential Effects (APE) for this Undertaking includes all areas within the Heritage at Old Town redevelopment site and the immediate vicinity as shown on the attached APE map (Attachment II); and

WHEREAS, the City has completed the identification of historic properties and the City and SHPO have agreed that the reports including one documentary study (Jockel, et.al., 2020) and two cultural resource studies (Mullen et. al., 2024; Sipe et. al., 2024) (Attachment III) are

consistent with the federal standards titled Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines (48 FR 44716-44742, September 29, 1983) and the SHPO's Guidelines for Conducting Historic Resources Survey in Virginia (2017); and

WHEREAS the City in consultation with the SHPO, has determined that the National Register of Historic Places (NRHP)-listed Old and Historic Alexandria District (100-0121), Alfred Street Baptist Church (100-0049/100-5015-0001), Odd Fellows Hall at 411 S. Columbus Street (100-5015-0005); the NRHP-potentially eligible DIP Urban Renewal Historic District (100-5740), St. John's Academy (100-0102), Muddiman's Tavern (100-0121-1068), the J.T. Holmes Tourist Home (100-5630); and the NRHP-eligible archaeological sites 44AX0257 and 44AX0258 are located in the APE; and

WHEREAS, the eastern half of Block 1 of the Undertaking is partially located within the Old and Historic Alexandria District, and the Alexandria Board of Architectural Review (BAR) has reviewed the Undertaking for the appropriateness of the new construction's height, mass, scale, and architectural character during public meetings held on July 15, September 2, October 21, and December 2, 2020; and

WHEREAS, the City has determined that the Undertaking will have an adverse effect on the Archeological Sites 44AX0257 and 44AX0258, the Old and Historic Alexandria District (100-0121), which is listed in the VLR and NRHP, Muddiman's Tavern (100-0121-1068), which is contributing resource to the Old and Historic Alexandria District, and the DIP Urban Renewal Historic District (100-5740), which is comprised of fifty (50) contributing resources (see list at Attachment IV) determined potentially eligible for listing in the NRHP, and has consulted with the SHPO pursuant to 36 C.F.R. Part 800; and

WHEREAS, the City informed the Federally recognized sovereign Indian Nations that have a government-to-government relationship with the United States and an interest in the area affected by the Undertaking, pursuant to 36 C.F.R. § 800.2(c)(2), about the Undertaking and invited them to be Consulting Parties. The Federally recognized sovereign Indian Nations include the Catawba Indian Nation, the Pamunkey Indian Tribe, and Delaware Nation (collectively the "Native American Tribes"), and they have declined to participate. All the letters sent to the Native American Tribes can be found in Attachment V; and

WHEREAS, in accordance with 36 C.F.R. § 800.2(a)(4), the City has consulted with individuals and organizations with a demonstrated interest in the Undertaking and the public to participate as Consulting Parties (see full list of Consulting Parties in Attachment VI) in the Section 106 process and has invited them to participate in the Section 106 process as Concurring Parties; and

WHEREAS, the City has invited Owner to participate in this consultation and to sign this Agreement as an invited Signatory; and Owner has elected to participate; and

WHEREAS, in accordance with 36 C.F.R § 800.6(a)(1) the City has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination providing the specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii).

NOW, THEREFORE, the City, Owner, and the SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to mitigate the effect of the Undertaking on historic properties.

STIPULATIONS

The City, in coordination with Owner, shall ensure that the following measures are implemented:

I. PROFESSIONAL QUALIFICATIONS

All archaeological and/or architectural work carried out pursuant to this Agreement shall be conducted by or under the direct supervision of an individual or individuals who meets, at a minimum, the Secretary of the Interior's *Professional Qualifications Standards* (36 C.F.R. Part 61) in the appropriate discipline.

II. TREATMENT OF ARCHAEOLOGICAL RESOURCES

A. All archaeological work will be conducted in accordance with the Archaeological Protection Code Section 11-411 of the Zoning Code of the City of Alexandria, archaeology conditioning on the final site plan, the City of Alexandria Archaeological Standards (revised July 6, 2021), the SHPO's *Guidelines for Conducting Historic Resources Survey in Virginia* (September 2017), and consistent with the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation* (48 FR 44734-37, September 29, 1983).

B. Prior to initiating any Undertaking activities that will affect Sites 44AX0257 and 44AX0258, Owner and/or its designee will prepare an Archeological Data Recovery Plan (Data Recovery Plan) documenting the proposed measures for the mitigation of effects to sites 44AX0258 and 44AX0257 that shall be submitted to the City within thirty (30) days of the execution of this Agreement. The City will then distribute the Data Recovery Plan to the SHPO and Concurring Parties for a fifteen (15) day comment period in accordance with Stipulation V(A).

1. The Plan shall specify at a minimum:

    a. The property, properties, or portions of properties where site specific data recovery plans shall be carried out;

    b. The portion(s) of the site to be preserved in place, if any, as well as the measures to be taken to ensure continued preservation;

    c. Any property, properties, or portions of properties that will be destroyed or altered without data recovery;

    d. The research questions to be addressed through data recovery, with an explanation of their relevance and importance;

e. The methods to be used with an explanation of their relevance to the research questions;

f. The methods to be used in analysis, data management, and dissemination of data, including a schedule;

g. The proposed disposition of recovered materials and records;

h. The proposed methods of disseminating the results of the work to the interested public; and

2. Prior to initiating any Undertaking activities that will affect Sites 44AX0257 and 44AX0258, the Owner shall confirm with the SHPO and the City archaeologist that the Data Recovery Plan has been approved and implement the Data Recovery Plan.

3. The Owner shall confirm with the City Archaeologist that any required Resource Management Plan will be approved and implemented to recover unknown significant resources before or in concert with construction activities.

C. Owner and/or its designee shall notify the City, SHPO, and the other Concurring Parties in writing once the fieldwork portion of the Archaeological Evaluation and Data Recovery Investigation is complete and provide a brief management summary so that a site visit may be scheduled, if requested. The City, SHPO, and the other Concurring Parties will respond with any comments and/or requests for a site visit within fifteen (15) calendar days of receipt of the management summary. Following receipt of comments and any requested site visit, the City may approve implementation of the Undertaking's construction or construction-related ground disturbing activities in the area and within the boundary of any affected archeological site while the technical report is in preparation.

D. Owner and/or its designee shall prepare a report (following the requirements for preparation and review of draft and final reports in Stipulation V) of the results of the Archeological Evaluation and Data Recovery Investigation within one (1) year of the notification that fieldwork has been completed. When the final report has been approved by the City, Owner and/or its designee shall provide two copies of that document, bound and on acid-free paper and one electronic copy in Adobe® Portable Document Format (.pdf) to the SHPO; and a copy electronically to the other Concurring Parties.

III. TREATMENT OF ARCHITECTURAL RESOURCES

A. To mitigate the adverse effects to the Old and Historic Alexandria District (100-0121), and the DIP Urban Renewal Historic District (100-5740), Owner and/or its designee will prepare an Interpretive Signage Plan (Signage Plan) that shall be submitted to the City

within six (6) months of the execution of this Agreement. The City will then distribute the Signage Plan to the SHPO and Concurring Parties for a thirty (30) day comment period in accordance with Stipulation V.

1. The Signage Plan will outline the details for any additional interpretive signage, but at a minimum will involve the Owner and/or its designee to:

    a. Hire a professional consultant to work with City staff and the Owner's landscape designers to incorporate and interpret elements of the historical character and archaeological findings into the design of the open space and to prepare the interpretive elements.

    b. Design, produce, and install a minimum of (2) wayfinding signs that interpret elements of the site history and archaeological findings, The Signage Plan will include maps for all proposed sign locations; however, one (1) sign will be located within Wilkes Street Park – West.

    c. Owner shall solicit comments on the draft content and location of the signage from the City, SHPO, and other Concurring Parties in accordance with Stipulation V and consider those comments in preparing the final Signage Plan.

    d. A professional archaeological consultant or qualified historian shall prepare text and graphically design the interpretive signs using a template provided by the City. Signage will be produced and installed in accordance with the City of Alexandria Wayfinding System Design Guidelines Manual (2010). Each sign draft shall be approved prior to the final Certificate of Occupancy by Planning and Zoning and the Office of Historic Alexandria/Alexandria Archaeology for the adjacent block.

B. As additional mitigation for the adverse effects to the DIP Urban Renewal Historic District (100-5740), within six (6) months of the execution of this Agreement, the Owner will complete, in consultation with the SHPO's Register Program and Regional Staff, a Preliminary Information Form (PIF) for the DIP Urban Renewal Historic District (100-5740).

1. The Owner shall submit the PIF for the DIP Urban Renewal Historic District (100-5740) to the SHPO for a determination of eligibility as prescribed by the agency's established procedures and regulations for the Register Program, and consulting parties for a thirty (30)-day review and comment period in accordance with Stipulation V(E).

2. The Owner shall work to address comments it receives from the SHPO's Register Program and from the consulting parties and prepare a final document for

submission to the City and SHPO. If no comments are received following coordination, the City and Owner may assume the non-responding parties have no further comments. The Virginia State Review Board is under no obligation to approve the nomination for listing in the NRHP. Owner shall have no other obligations with respect to any actions that may be taken by the SHPO or any other entity relating to the nomination of the property to the NRHP.

3. The PIF will be submitted to the City in a format suitable for public distribution and use on the City's web site.

4. All work carried out pursuant to this Stipulation will be conducted by or under the direct supervision of an individual or individuals who meets, at a minimum, the Secretary of the Interior's *Professional Qualifications Standards* (48 FR 44738-9, September 29, 1983) in History or Architectural History.

C. To mitigate the adverse effects to Muddiman's Tavern (100-0121-1068/44AX0051), the Owner shall:

1. Develop a scope of work for approval by Planning and Zoning and the Office of Historic Alexandria/Alexandria Archaeology for a Documentary Study of this historic resource and archaeological site within six (6) months of the execution of this Agreement. Upon approval of the scope of work, the Consultant will undertake a Documentary Study according to Alexandria Archaeology Standards and produce a draft report for inclusion on the City's website. The draft report shall be sent to the City and Concurring Parties for a thirty (30) day comment period before submitting the final report to the City.

2. The documentation shall also include entering the documentation into DHR's Virginia Cultural Resource Information System (VCRIS); detailed exterior architectural description, exterior (all accessible elevations and significant architectural details) photographs; background research into the history of the property, which can include but is not limited to, oral history, deeds, city directories, US census data, Sanborn maps and historic photographs; and a site plan.

   a. The survey and documentation shall be completed by an architectural historian meeting the Secretary of the Interior's Professional Qualification Standards (48 Fed. Reg. 44716-44742, September 29, 1983), DHR's Guidelines for Conducting Historic Resources Survey in Virginia (rev. 2017).

   b. The Owner shall submit the documentation and survey to the SHPO for review and approval within six (6) months of the execution of this Agreement. The SHPO shall have thirty (30) days

upon receipt of the complete documentation package to review and respond. The draft letter report shall concurrently be sent to the City and Concurring Parties for a thirty (30) day comment period in accordance with Stipulation V(E) before submitting the final letter report the City.

IV. CURATION

Within thirty (30) days of the City's approval of the final technical report documenting the Archaeological Evaluation and/or, if necessary, Archaeological Data Recovery Plan, notes, maps, drawings, and photographic records collected as a result of archaeological investigations arising from this Agreement (with the exception of human skeletal remains and associated funerary objects) for permanent curation with the City of Alexandria, Virginia, a repository which meets the requirements in 36 C.F.R. Part 79, *Curation of Federally Owned and Administered Archeological Collections*. Owner and/or its designee shall provide the City with a copy of the curation agreement (Deed of Gift) as evidence of its compliance with this stipulation. All such items shall be made available to educational institutions and individual scholars for appropriate exhibit and/or research under the operating policies of the City.

V. PREPARATION AND REVIEW OF DOCUMENTS

A. Except as otherwise stated elsewhere in this Agreement, Owner and/or its designee shall submit a draft of each technical report, treatment plan, and other documentation required by Stipulation II or Stipulation III of this Agreement to the City and the SHPO for thirty (30)-day review and comment. Owner and/or its designee shall address all comments received within thirty (30) days of confirmed receipt in the revised technical report/documentation. Following written approval by the City and SHPO, final reports either electronic or physical will be provided to the Signatories.

B. All technical reports prepared pursuant to this Agreement will be consistent with the federal standards entitled *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* (48 Fed. Reg. 44716-44742, September 29, 1983), the SHPO's *Guidelines for Conducting Historic Resources Survey in Virginia* (rev. 2017), and the *City of Alexandria Archaeological Standards* (revised July 6, 2021), or any subsequent revisions or replacements of these documents.

C. All architectural and landscape studies resulting from this Agreement shall be consistent with pertinent standards and guidelines of the Secretary of the Interior, including as applicable the Secretary's *Standards and Guidelines for Historical Documentation* (48 Fed. Reg. 44728-30) and for *Architectural and Engineering Documentation* (48 Fed. Reg. 44730-34).

D. The SHPO and other Concurring Parties agree to provide comments on the management summary of the Archaeological Evaluation and, if necessary, Archaeological Data Recovery Plan investigations within fifteen (15) calendar days of receipt. If no comments are received from the SHPO or other Concurring Parties within the fifteen (15) day review period, the City and Owner may assume the non-responding party has no comments.

E. The SHPO and other Concurring Parties agree to provide comments on all other technical reports, treatment plans, and other documentation arising from this Agreement within thirty (30) calendar days of receipt. If no comments are received from the SHPO or other Concurring Parties within the thirty (30) day review period, the City and Owner may assume the non-responding party has no comments.

VI. UNANTICIPATED DISCOVERIES

A. Owner and/or its designee shall ensure that the following provision is included in all construction contracts: "If previously unidentified historic properties or unanticipated effects to historic properties are discovered during construction, the construction contractor shall immediately halt all activity within a one hundred (100) foot radius of the discovery, notify Owner and/or its designee of the discovery, and implement interim measures to protect the discovery from looting and vandalism."

B. Immediately upon receipt of the notification required in the above Stipulation VI.A, Owner and/or its designee shall:

1. inspect the construction site to determine the extent of the discovery and ensure that construction activities have halted; and

2. clearly mark the area of the discovery; and

3. implement additional measures, as appropriate, to protect the discovery from looting and vandalism; and

4. immediately notify Alexandria Archaeology at (703) 746-4399 to have a City archeologist inspect the construction site within 48 hours of the discovery to determine the extent of the discovery and provide recommendations regarding its NRHP eligibility and treatment; and

5. notify the City, the SHPO, and other Concurring Parties of the discovery describing the measures that have been implemented to comply with this Stipulation VI.B.

C. Upon receipt of the information required in the above Stipulation, the City shall provide Owner, the SHPO and other Concurring Parties with its assessment of the NRHP eligibility of the discovery and the measures proposed to resolve adverse effects. In making its evaluation, the City, in consultation with the SHPO, may assume the discovery to be NRHP eligible for the purposes of Section 106 pursuant to 36 C.F.R. § 800.13(c). Owner, the SHPO and other Concurring Parties shall respond to the City's assessment within forty-eight (48) hours of receipt.

D. The City will take into account the Owner, SHPO, ACHP, and other Concurring Parties' recommendations on eligibility and treatment of the discovery and will notify Owner of any appropriate required actions. Owner and/or its designee must comply with the required actions and provide the City and Concurring Parties with a report on the actions when implemented. Any actions that the City deems appropriate for Owner to take with regard to such discovery will automatically become additional stipulations to this Agreement and thereby will be incorporated in the permit and become conditions to the permit. If Owner fails to comply with such actions, such failure will constitute a breach of this Agreement and noncompliance with the requirements for HUD authorization to use funds pursuant to a Request for Release of Funds and Certification (form HUD-7015.15).

E. Construction activities may proceed in the area of the discovery, when the City has determined that implementation of the actions undertaken to address the discovery pursuant to this Stipulation are complete. The City will not unreasonably withhold its determination and approval so as the development's required Placed In Service date is met in accordance with Section 42 of the Internal Revenue Code.

F. The City shall ensure that all other activities outlined in this Agreement that are not the subject of the discovery shall be implemented while the discovery is addressed.

VII. HUMAN REMAINS

A. Owner and/or its designee shall make all reasonable efforts to avoid disturbing gravesites encountered during the Undertaking, including those containing Native American human remains and associated funerary artifacts. Owner and/or its designee shall treat all human remains in a manner consistent with the ACHP's March 2023 Policy Statement On Burial Sites, Human Remains and Funerary Objects (https://www.achp.gov/sites/default/files/policies/2023-07/PolicyStatementonBurialSitesHumanRemainsandFuneraryObjects30June2023.pdf).

B. Owner and/or its designee shall ensure that human skeletal remains and associated funerary objects encountered during the course of actions taken as a result of this

Agreement shall be treated in accordance with the Regulations Governing Permits for the Archaeological Removal of Human Remains (Virginia Register 390-01-02) found in the Code of Virginia (10.1-2305, *et seq.*, Virginia Antiquities Act). If removal is proposed, the Owner and/or its designee shall apply for a permit from the SHPO for the removal of human remains in accordance with the regulations stated above.

C. Owner and/or its designee shall make a good faith effort to ensure that the general public is excluded from viewing any Native American burial site or associated funerary artifacts. The Concurring Parties to this Agreement shall not release photographs of any Native American burial site or associated funerary artifacts to the press or general public. The City shall notify the appropriate Federally recognized Tribe(s), and/or appropriate tribal leaders when Native American burials, human skeletal remains, or funerary artifacts are encountered on the project, prior to any analysis or recovery. Owner and/or its designee shall deliver any Native American human skeletal remains and associated funerary artifacts recovered pursuant to this Agreement to the appropriate tribe to be reinterred. The disposition of any other human skeletal remains and associated funerary artifacts shall be governed as specified in any permit issued by the SHPO or any order of the local court authorizing their removal. Owner will be responsible for all reasonable costs associated with treatment of human remains and associated funerary objects.

VIII. DISPUTE RESOLUTION

A. Should any person or entity signing this Agreement object in writing to the City regarding any action carried out or proposed with respect to any undertakings covered by this agreement or to implementation of this Agreement, the City will consult with the objecting party to resolve the objection.

B. If after initiating such consultation, the City determines that the objection cannot be resolved through consultation, the City shall forward all documentation relevant to the objection to ACHP, including the proposed response to the objection.

C. Within thirty (30) days after receipt of all pertinent documentation, ACHP shall exercise one of the following options:

1. Advise the City that ACHP concurs with the City's proposed response to the objection, whereupon the City will respond to the objection accordingly; or

2. Provide the City with recommendations, which the City shall take into account in reaching a final decision regarding its response to the objection; or

3. Notify the City that the objection will be referred for comment pursuant to 36 C.F.R. § 800.7(a)(4), and proceed to refer the objection and comment. The City shall take the resulting comment into account in accordance with 36 C.F.R. § 800.7(c)(4) and Section 110(l) of the NHPA.

D. Should ACHP not exercise one of the above options within thirty (30) days after receipt of all pertinent documentation, the City may assume ACHP's concurrence in its proposed response to the objection.

E. The City shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection; the City's responsibility to carry out all the actions under this Agreement that are not the subjects of the objections shall remain unchanged.

IX. PUBLIC OBJECTIONS

At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement be raised by a member of the public, the City shall notify Owner and other Signatories to this Agreement and take the objection into account, consulting with the objector and, should the objector so request, with any of the parties to this Agreement to resolve the objection.

X. AMENDMENTS

Any Signatory to this Agreement may propose to the City that the Agreement be amended, whereupon the City will consult with the other parties to this Agreement to consider such an amendment. Upon approval of the language in the amendment, all original Signatories to the Agreement must sign the amendment. The amendment will be effective on the date it is signed by the last Signatory.

XI. TERMINATION

A. If Owner decides it will not proceed with the Undertaking, it shall so notify the City, the ACHP, the SHPO, and the other Concurring Parties and this Agreement shall become null and void.

B. If Owner determines that it cannot implement the terms of this Agreement, or if the City, the ACHP, or SHPO determines that the Agreement is not being properly implemented, Owner, the City, the ACHP, or the SHPO may propose to the other parties to this

Agreement that it be amended or terminated. The Signatories will first consult per Stipulation XII, above. If within thirty (30) days (or another time period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate the Agreement upon written notice to all Signatories.

C. Once the Agreement is terminated, and prior to work continuing on the Undertaking, the City must either (1) execute an MOA pursuant to 36 C.F.R. § 800.6; or (2) request, take into account, and respond to the comments of the ACHP under 36 C.F.R. § 800.7. The City shall notify the Signatories as to the course of action it will pursue. Owner will share a technical report or other documentation on the work done up to and including the date of termination.

XII. DURATION OF AGREEMENT

This Agreement will continue in full force and effect for five (5) years after the date of the last Signatory's signature. All obligations under this Agreement must be complete before expiration of this Agreement. At any time in the six (6)-month period prior to the Agreement's expiration, the City may request that the Signatories consider an amendment to extend or modify this Agreement per Stipulation X, above.

XIII. EXECUTION OF AGREEMENT

This Agreement may be executed in counterparts, with a separate page for each party. The City will ensure that each party is provided with a copy of the fully executed Agreement.
Execution of this Agreement by the City, Owner, and the SHPO and implementation of its terms, is evidence that the City has taken into account the effect of the Undertaking on historic properties.

SIGNATORY PARTY:

CITY OF ALEXANDRIA

By: _____ Date 12/12/24
James F. Parajon

Title: City Manager

Deputy City Attorney
Approved as to Form

SIGNATORY PARTY:

VIRGINIA STATE HISTORIC PRESERVATION OFFICE

By: _____ Date _____
Julie V. Langan

Director, Department of Historic Resources and State Historic Preservation Officer

SIGNATORY PARTY:

431 S COLUMBUS ST OWNER, LLC

By: _____ Date 12/10/24

Name: Jair K. Lynch

Title: Authorized Representative

FILED BY ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date _____

Name: _____

Title: _____

CONCURRING PARTY:

Alexandria Archaeology Commission

By: _____ Date _____

Name: _____

Title: _____

CONCURRING PARTY:

Historic Alexandria Foundation

By: _____ Date _____

Name: _____

Title: _____

CONCURRING PARTY:

Historic Alexandria Resources Commission

By: _____ Date _____

Name: _____

Title: _____

ATTACHMENT I: LOCATION OF PROJECT

ATTACHMENT II: AREA OF POTENTIAL EFFECT (APE)

ATTACHMENT III: ROSTER OF CULTURAL RESOURCE STUDIES COMPLETED ON THE HERITAGE AT OLD TOWN PROJECT AREA

Year	Report Title	Authors/Affiliation
2020	Documentary Study of Heritage at Old Town, City of Alexandria, Virginia WSSI #30786.01	Kathleen Jockel, M.A.A./M.H.P., Rebekah Yousaf, MISP, John P. Mullen, M.A., RPA Thunderbird Archeology, a Division of Wetland Studies and Solutions, Inc
2024	Phase I and Phase II Archeological Investigation at the Heritage at Old Town, City of Alexandria, Virginia WSSI #30786.02	John Mullen, M.A., RPA, Alison Hodges, M.S., RPA, and Sebastian Salgado-Flores, M.A. Thunderbird Archeology, a Division of Wetland Studies and Solutions, Inc
2024	Phase I Architectural Investigation of the Heritage at Old Town, City of Alexandria, Virginia WSSI #30786.02 DHR File No.	Kathleen Jockel, M.A.A./M.H.P., Rebekah Yousaf, MISP, John P. Mullen, M.A., RPA Thunderbird Archeology, a Division of Wetland Studies and Solutions, Inc

ATTACHMENT IV: DIP URBAN RENEWAL HISTORIC DISTRICT RESOURCES

DHR ID Number	Resource Name
100-5633	The Heritage at Old Town Apartments
100-5634	Old Town West Apartments
100-5636	Apartments, 601 S. Alfred Street
100-5637	Townhomes, 901 Wolfe Street
100-5638	515 S. Patrick Street
100-5639	513 S. Patrick Street
100-5640	511 S. Patrick Street
100-5641	509 S. Patrick Street
100-5642	507 S. Patrick Street
100-5643	505 S. Patrick Street
100-5644	503 S. Patrick Street
100-5645	501 S. Patrick Street
100-5649	316 S. Columbus Street
100-5650	318 S. Columbus Street
100-5651	320 S. Columbus Street
100-5685	Townhome, 410 S. Columbus Street
100-5686	Townhome, 412 S. Columbus Street
100-5687	Townhome, 414 S. Columbus Street
100-5688	Townhome, 416 S. Columbus Street
100-5689	Townhome, 503 S. Henry Street
100-5690	Townhome, 505 S. Henry St
100-5693	Townhome, 519 S. Henry Street
100-5694	Townhome, 521 S. Henry Street
100-5695	Townhome, 501 S. Henry Street
100-5696	Townhome, 1102 Wilkes Street

DHR ID Number	Resource Name
100-5697	Townhome, 1104 Wilkes Street
100-5698	Townhome, 1106 Wilkes Street
100-5699	Townhome, 1108 Wilkes Street
100-5700	Townhome, 1110 Wilkes Street
100-5701	Townhome, 1112 Wilkes Street
100-5702	Townhome, 1114 Wilkes Street
100-5703	Townhome, 502 S. Henry Street
100-5704	Townhome, 504 S. Henry Street
100-5705	Townhome, 506 S. Henry Street
100-5706	Townhome, 508 S. Henry Street
100-5707	Townhome, 510 S. Henry Street
100-5708	Townhome, 512 S. Henry Street
100-5709	Townhome, 514 S. Henry Street
100-5710	Townhome, 516 S. Henry Street
100-5711	Townhome, 1013 Gibbon Street
100-5712	Townhome, 1011 Gibbon Street
100-5713	Townhome, 1009 Gibbon Street
100-5722	Townhome, 1007 Gibbon Street
100-5723	Townhome, 1005 Gibbon Street
100-5724	Townhome, 1003 Gibbon Street
100-5725	Townhome, 1001 Gibbon Street
100-5726	Townhome, 1010 Wilkes Street
100-5727	Townhome, 1012 Wilkes Street
100-5728	Townhome, 1014 Wilkes Street
100-5729	500 S. Henry Street

ATTACHMENT V: TRIBAL CONSULTATION LETTERS

www.alexandriava.gov

OFFICE OF HOUSING
421 King Street, Suite 215
Alexandria, Virginia, 22314

Phone (703) 746-4990
Fax (703) 838-4309
Hearing Impaired (703) 838-5056

July 29, 2024

Mr. Robert Gray, Chief
Pamunkey Indian Tribe
1054 Pocahontas Trail
King William, VA 23086

Re: THPO Consultation Request
Heritage at Old Town,
Alexandria, Virginia

Dear Chief Gray,

Pursuant to 36 CFR 800.4 this letter is to provide you with the pertinent project information for the following proposal with respect to historical and cultural properties known to be within the undertaking's Area of Potential Effects (APE):

FUNDING PROGRAM:
HUD Project-Based Section 8 Housing Assistance Payment Chapter 15 Mark-Up-to-Market– New construction of a multi-family apartment complex

LOCATION:
900 Wolfe Street & 450 South Patrick Street (Block 1)
510 South Patrick Street & 901 Gibbon Street (Block 4)
City of Alexandria, Virginia

PROJECT SIZE:
3.24 acres

PROJECT OVERVIEW:
In December 2021, Jair Lynch acquired an existing 244-unit mixed-income apartment complex known as "Heritage at Old Town", spread across three blocks (Blocks 1, 2, and 4), comprised of 12 three-story garden-style buildings and a six-story midrise building, located at 431 S

Columbus Street (the "Property"). Blocks 1 & 4 are part of a multi-phase redevelopment of the Property. This initial phase has a final City Development Special Use Permit that allows for 598 units in two new construction buildings (the "Project"). Jair Lynch is seeking to develop a mixed-income community that includes market-rate units and units affordable to incomes of 60% or less of the area median income ("AMI"). The Project will be constructed in two phases by Blocks starting with Block 4.

PRESENT CONDITION OF THE SITE:
The two city blocks, bounded by Wolfe, South Alfred, Gibbon, and South Patrick Streets, are currently vacant lots enclosed by chain link fences.

AREA OF POTENTIAL EFFECT (APE):
The Direct Area of Potential Effects (APE) is the two city blocks (totaling 3.64-acres) bounded by Wolfe, South Alfred, Gibbon, and South Patrick Streets. The Indirect APE is defined as the surrounding properties within an approximate 100-foot perimeter around the subject property, as depicted in the APE map.

DIRECT APE HISTORY:
The Property was located within the historic African American neighborhood known as the Bottoms or the Dip. The block was inhabited by free African American tenants and white property owners from the late 18th century through the mid-19th century; the neighborhood was also the location of industries and businesses. The two city blocks were included within the circa 1960s/1970s DIP Urban Renewal Project and new housing was constructed in 1976 and 1977. More recently, these ca. 1977 garden style buildings were demolished as part of the current redevelopment project.

REVIEW OF HISTORIC PROPERTY LISTINGS:
A review of the Virginia Cultural Resources Information System (V-CRIS) accessed at https://vcris.dhr.virginia.gov/vcris, shows that the Property is partially located within the Alexandria Historic District Resource (100-0121) and contains one adjacent contributing resource to the historic district: Muddiman's Tavern (100-0121-1068) located at 827 Wolfe Street, on the northeast corner of Wolfe and South Alfred Streets.

The Property was subjected to a Phase I Architectural Investigation of the APE in July 2024 by Thunderbird Archeology, a division of Wetland Studies and Solutions, Inc. The report is available upon request. Fourteen new architectural resources were recorded, and one was updated.

Resource 100-0121-1068 was previously recorded in 1983 as a contributing resource to the Alexandria Historic District (100-1021) but was not individually evaluated. In our opinion, the resource may be eligible under Criterion C for inclusion in the National Register of Historic Places (NRHP); however further research is needed to understand the history and development of the architecture and the interior layout. The remaining resources are not individually eligible, in our opinion, for listing in the NRHP under Criterion A; nor under Criterion C, as they consist of a common architectural style, design, and material for this region. The resources

were not evaluated under Criterion B; however, it is not likely that they are associated with individuals whose specific contributions to history have been identified and documented as being significant at the local, state, or national history. The resources were also not evaluated under Criterion D; however, no construction impacts are proposed within this resource; thus, no archeological testing was needed or conducted in this area.

The subject property (Direct APE) was also subjected to Phase I and Phase II Archeological Investigations in July 2024 by Thunderbird Archeology, a division of Wetland Studies and Solutions, Inc., resulting in the discovery of two new archeological sites. The report is available upon request.

Site 44AX0257 encompasses most of the city block (Block 1) bounded by 900 Wolfe Street & 450 South Patrick Street and Site 44AX0258 is located directly south of Site 44AX0257 and encompasses most of the city block (Block 4) bounded by 510 South Patrick Street and 901 Gibbon Street.

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The City of Alexandria, as the Responsible Entity for the proposed undertaking, is seeking comment from the Tribal Historic Preservation Officers (THPOs) of Native American Tribes that may have an interest in the proposed undertaking.

Your review and comment within thirty (30) days will be appreciated. Supporting documentation is attached for your review.

Sincerely,

Kimberly Cadena
Housing Analyst
Direct Phone: 703.746.3104
Email: kimberly.cadena@alexandriava.gov

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July 29, 2024

Chief Brian Harris
996 Avenue of the Nations
Rock Hill, SC 29730

Subject: THPO Consultation Request
Heritage at Old Town,
Alexandria, Virginia

Dear Chief Harris,

Pursuant to 36 CFR 800.4 this letter is to provide you with the pertinent project information for the following proposal with respect to historical and cultural properties known to be within the undertaking's Area of Potential Effects (APE):

FUNDING PROGRAM:
HUD Project-Based Section 8 Housing Assistance Payment Chapter 15 Mark-Up-to-Market– New construction of a multi-family apartment complex

LOCATION:
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510 South Patrick Street & 901 Gibbon Street (Block 4)
City of Alexandria, Virginia

PROJECT SIZE:
3.24 acres

PROJECT OVERVIEW:
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comprised of 12 three-story garden-style buildings and a six-story midrise building, located at 431 S Columbus Street (the "Property"). Blocks 1 & 4 are part of a multi-phase redevelopment of the Property. This initial phase has a final City Development Special Use Permit that allows for 598 units in two new construction buildings (the "Project"). Jair Lynch is seeking to develop a mixed-income community that includes market-rate units and units affordable to incomes of 60% or less of the area median income ("AMI"). The Project will be constructed in two phases by Blocks starting with Block 4.

PRESENT CONDITION OF THE SITE:

The two city blocks, bounded by Wolfe, South Alfred, Gibbon, and South Patrick Streets, are currently vacant lots enclosed by chain link fences.

AREA OF POTENTIAL EFFECT (APE):

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DIRECT APE HISTORY:

The Property was located within the historic African American neighborhood known as the Bottoms or the Dip. The block was inhabited by free African American tenants and white property owners from the late 18th century through the mid-19th century; the neighborhood was also the location of industries and businesses. The two city blocks were included within the circa 1960s/1970s DIP Urban Renewal Project and new housing was constructed in 1976 and 1977. More recently, these ca. 1977 garden style buildings were demolished as part of the current redevelopment project.

REVIEW OF HISTORIC PROPERTY LISTINGS:

A review of the Virginia Cultural Resources Information System (V-CRIS) accessed at https://vcris.dhr.virginia.gov/vcris, shows that the Property is partially located within the Alexandria Historic District Resource (100-0121) and contains one adjacent contributing resource to the historic district: Muddiman's Tavern (100-0121-1068) located at 827 Wolfe Street, on the northeast corner of Wolfe and South Alfred Streets.

The Property was subjected to a Phase I Architectural Investigation of the APE in July 2024 by Thunderbird Archeology, a division of Wetland Studies and Solutions, Inc. The report is available upon request. Fourteen new architectural resources were recorded, and one was updated.

Resource 100-0121-1068 was previously recorded in 1983 as a contributing resource to the Alexandria Historic District (100-1021) but was not individually evaluated. In our opinion, the resource may be eligible under Criterion C for inclusion in the National Register of Historic Places (NRHP); however further research is needed to understand the history and development of the architecture and the interior layout. The remaining resources are not individually eligible, in our opinion, for listing in the NRHP under Criterion A; nor under Criterion C, as they consist of a common architectural style, design, and material for this region. The resources were not evaluated under Criterion B; however, it is not likely that they are associated with individuals whose specific contributions to history have been identified and documented as being significant at the local, state, or national history. The resources were also not evaluated under Criterion D; however, no construction impacts are proposed within this resource; thus, no archeological testing was needed or conducted in this area.

The subject property (Direct APE) was also subjected to Phase I and Phase II Archeological Investigations in July 2024 by Thunderbird Archeology, a division of Wetland Studies and Solutions, Inc., resulting in the discovery of two new archeological sites. The report is available upon request.

Site 44AX0257 encompasses most of the city block (Block 1) bounded by 900 Wolfe Street & 450 South Patrick Street and Site 44AX0258 is located directly south of Site 44AX0257 and encompasses most of the city block (Block 4) bounded by 510 South Patrick Street and 901 Gibbon Street.

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The City of Alexandria, as the Responsible Entity for the proposed undertaking, is seeking comment from the Tribal Historic Preservation Officers (THPOs) of Native American Tribes that may have an interest in the proposed undertaking.

Your review and comment within thirty (30) days will be appreciated. Supporting documentation is attached for your review.

Sincerely,

Kimberly Cadena
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July 29, 2024

Dr. Wenonah G. Haire, THPO
1536 Tom Steven Road
Rock Hill, SC 29730

Subject: THPO Consultation Request
Heritage at Old Town,
Alexandria, Virginia

Dear Dr. Haire,

Pursuant to 36 CFR 800.4 this letter is to provide you with the pertinent project information for the following proposal with respect to historical and cultural properties known to be within the undertaking's Area of Potential Effects (APE):

FUNDING PROGRAM:
HUD Project-Based Section 8 Housing Assistance Payment Chapter 15 Mark-Up-to-Market–New construction of a multi-family apartment complex

LOCATION:
900 Wolfe Street & 450 South Patrick Street (Block 1)
510 South Patrick Street & 901 Gibbon Street (Block 4)
City of Alexandria, Virginia

PROJECT SIZE:
3.24 acres

PROJECT OVERVIEW:
In December 2021, Jair Lynch acquired an existing 244-unit mixed-income apartment complex known as "Heritage at Old Town", spread across three blocks (Blocks 1, 2, and 4),

comprised of 12 three-story garden-style buildings and a six-story midrise building, located at 431 S Columbus Street (the "Property"). Blocks 1 & 4 are part of a multi-phase redevelopment of the Property. This initial phase has a final City Development Special Use Permit that allows for 598 units in two new construction buildings (the "Project"). Jair Lynch is seeking to develop a mixed-income community that includes market-rate units and units affordable to incomes of 60% or less of the area median income ("AMI"). The Project will be constructed in two phases by Blocks starting with Block 4.

PRESENT CONDITION OF THE SITE:

The two city blocks, bounded by Wolfe, South Alfred, Gibbon, and South Patrick Streets, are currently vacant lots enclosed by chain link fences.

AREA OF POTENTIAL EFFECT (APE):

The Direct Area of Potential Effects (APE) is the two city blocks (totaling 3.64-acres) bounded by Wolfe, South Alfred, Gibbon, and South Patrick Streets. The Indirect APE is defined as the surrounding properties within an approximate 100-foot perimeter around the subject property, as depicted in the APE map.

DIRECT APE HISTORY:

The Property was located within the historic African American neighborhood known as the Bottoms or the Dip. The block was inhabited by free African American tenants and white property owners from the late 18th century through the mid-19th century; the neighborhood was also the location of industries and businesses. The two city blocks were included within the circa 1960s/1970s DIP Urban Renewal Project and new housing was constructed in 1976 and 1977. More recently, these ca. 1977 garden style buildings were demolished as part of the current redevelopment project.

REVIEW OF HISTORIC PROPERTY LISTINGS:

A review of the Virginia Cultural Resources Information System (V-CRIS) accessed at https://vcris.dhr.virginia.gov/vcris, shows that the Property is partially located within the Alexandria Historic District Resource (100-0121) and contains one adjacent contributing resource to the historic district: Muddiman's Tavern (100-0121-1068) located at 827 Wolfe Street, on the northeast corner of Wolfe and South Alfred Streets.

The Property was subjected to a Phase I Architectural Investigation of the APE in July 2024 by Thunderbird Archeology, a division of Wetland Studies and Solutions, Inc. The report is available upon request. Fourteen new architectural resources were recorded, and one was updated.

Resource 100-0121-1068 was previously recorded in 1983 as a contributing resource to the Alexandria Historic District (100-1021) but was not individually evaluated. In our opinion, the resource may be eligible under Criterion C for inclusion in the National Register of Historic Places (NRHP); however further research is needed to understand the history and development of the architecture and the interior layout. The remaining resources are not individually eligible, in our opinion, for listing in the NRHP under Criterion A; nor under Criterion C, as they consist of a common architectural style, design, and material for this region. The resources were not evaluated under Criterion B; however, it is not likely that they are associated with individuals whose specific contributions to history have been identified and documented as being significant at the local, state, or national history. The resources were also not evaluated under Criterion D; however, no construction impacts are proposed within this resource; thus, no archeological testing was needed or conducted in this area.

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Site 44AX0257 encompasses most of the city block (Block 1) bounded by 900 Wolfe Street & 450 South Patrick Street and Site 44AX0258 is located directly south of Site 44AX0257 and encompasses most of the city block (Block 4) bounded by 510 South Patrick Street and 901 Gibbon Street.

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Your review and comment within thirty (30) days will be appreciated. Supporting documentation is attached for your review.

Sincerely,

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July 29, 2024

Ms. Carissa Speck, Historic Preservation Director
31064 State Highway 281
Anadarko, OK 73005

Subject: THPO Consultation Request
Heritage at Old Town,
Alexandria, Virginia

Dear Ms. Speck,

Pursuant to 36 CFR 800.4 this letter is to provide you with the pertinent project information for the following proposal with respect to historical and cultural properties known to be within the undertaking's Area of Potential Effects (APE):

FUNDING PROGRAM:
HUD Project-Based Section 8 Housing Assistance Payment Chapter 15 Mark-Up-to-Market– New construction of a multi-family apartment complex

LOCATION:
900 Wolfe Street & 450 South Patrick Street (Block 1)
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City of Alexandria, Virginia

PROJECT SIZE:
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PROJECT OVERVIEW:
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Resource 100-0121-1068 was previously recorded in 1983 as a contributing resource to the Alexandria Historic District (100-1021) but was not individually evaluated. In our opinion, the resource may be eligible under Criterion C for inclusion in the National Register of Historic Places (NRHP); however further research is needed to understand the history and development of the architecture and the interior layout. The remaining resources are not individually eligible, in our opinion, for listing in the NRHP under Criterion A; nor under Criterion C, as they consist of a common architectural style, design, and material for this region. The resources were not evaluated under Criterion B; however, it is not likely that they are associated with individuals whose specific contributions to history have been identified and documented as being significant at the local, state, or national history. The resources were also not evaluated under Criterion D; however, no construction impacts are proposed within this resource; thus, no archeological testing was needed or conducted in this area.

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July 29, 2024

Ms. Kendall Stevens, THPO
Pamunkey Indian Tribe
1054 Pocahontas Trail
King William, VA 23086

Re: THPO Consultation Request
Heritage at Old Town,
Alexandria, Virginia

Dear Ms. Stevens,

Pursuant to 36 CFR 800.4 this letter is to provide you with the pertinent project information for the following proposal with respect to historical and cultural properties known to be within the undertaking's Area of Potential Effects (APE):

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Sincerely,

Kimberly Cadena
Housing Analyst
Direct Phone: 703.746.3104
Email: kimberly.cadena@alexandriava.gov

ATTACHMENT VI: CONSULTING PARTIES

Organization	Name
Advisory Council on Historic Preservation	Bill Marzella
Virginia Department of Historic Resources	Julie Langan
Alexandria Historical Restoration and Preservation Commission	Susan Horne
Office of Historic Alexandria	Gretchen Bulova
Board of Architectural Review (BAR)	William Conkey AIA
Alexandria Archaeological Commission (AAC)	Ivy Whitlatch
Alexandria Housing Affordability Advisory Committee (AHAAC)	Shelley McCabe Sean Zielenbach
Historic Alexandria Resources Commission (HARC)	Shawn Eyer
Historic Alexandria Foundation (HAF)	Robert Weinhagen
The Old Town Civic Association	Steve Milone