

MEETING SUMMARY

Purpose: Ramsey Homes Development, Section 106

Meeting Date & Time: September 15, 2016, 10:00 AM

Location: Charles Houston Center

Attendees: Al Cox (City of Alexandria Planning & Zoning), Connie Staudinger (ARHA), Catherine Miliaras (City of Alexandria Planning & Zoning), Boyd Sipe (Thunderbird Archeology/Wetlands), Leroy Battle (ARHA), Eric Keeler (City of Alexandria Office of Housing), Gail Rothrock (HAF, HARC), Bill Hendrickson, Boyd Walker (Greater Alexandria Preservation Alliance), Ninette Sadusky, Elizabeth Jolly, Roger Kirchen, (Virginia Department of Historic Resources), Judy Noritake, Audrey Davis

Mr. Keeler, with the Office of Housing, opened the meeting by introducing himself and stating that the Ramsey Homes project has been determined by HUD to be a federal undertaking and that HUD has delegated its authority in this matter to the City Office of Housing.

The attendees were asked to introduce themselves. Ms. Staudinger provided an update on the project and schedule. There were a series of questions and comments as follows:

Would HUD have to approve the Disposition before or after resolution of the Section 106 process? It was stated that the Section 106 process would have to be completed before HUD would give final approval for the disposition.

Ms. Sadusky stated that she felt that the current design was not an option that the community endorsed.

Mr. Kirchen, stated that the state would like to see more of the proposed architecture.

Ms. Noratacki stated that the community, city staff and Council work has been exhaustive and that Mr. Kirchen should be aware of that work.

Ms. Staudinger added that the summary reviews and iterative studies were also extensive. She informed the attendees that there would be an open house on the Ramsey open space on September 22, 2016.

A presentation was given on the current architecture using the exhibits submitted to the BAR. In plan-view, the architecture is in the form of a rectangular shaped building with a North/South orientation and three East-West wings giving it a "U" shape. The design concept was endorsed by the ARHA Work Group, consisting of the Vice Mayor, Councilman Chapman, the Planning Commission Chair, and the Chair and Vice Chair of the ARHA Board of Commissioners. The Planning Staff supported the layout due to the overall form and scale being more compatible with existing architecture prevalent throughout the Parker-Gray Historic District. The color scheme for the 3/4-story building consists predominantly of red

brick and grey cementitious siding with Juliette balconies, and metal sun shades for accent. The BAR asked that ARHA restudy several elements including the sun shades and the pergola.

Ms. Ault, provided a live orientation of the ARHA/Ramsey website with navigational insights for locating architectural drawings, history, and the events calendar. It was suggested that the calendar reflect the dates and timelines provided in the introduction.

Mr. Kirchen provided an overview of the Section 106 process. He stated that there were a lot of misconceptions of the Section 106 process, its intent and role. The Federal government created the process to protect historic property and considerations. It does not state preservation in its mission, but only protection, and requires that we minimize or mitigate impacts. HUD has delegated its authority to facilitate the Section 106 Process to the Office of Housing. He further stated that the delegation is official and that the steps are clear:

- Identify an undertaking that affects an historic property.
- Consider the indirect effect on the surrounding area.
- Once the area is determined, there shall be an effort to identify the impacts as it relates to archeological findings. Critical questions include how does the demolition of contributing resources have an adverse effect and how does the redevelopment add positive impacts. The undertaking includes both demolition and redevelopment. Effects of both should be explored.
- The Agency directs the party to consider alternatives. There is not a prescribed outcome to the negotiation. The process will consider the attempts to minimize adverse effects; however, some adverse effects are unavoidable in some cases.

Mr. Kirchen stated that they try not to put a price tag on mitigation, but developers have contributed to a fund to support preservation of other structures or education. Department of Historic Resources (DHR) will try to stay away from monetization to have a reasonably proportionate benefit that is valued by the community.

Mitigation should benefit the affected area. Efforts to document the historic property is an act of mitigation. Mr. Kirchen stated that mitigation is a negotiated outcome among interested parties. A question was raised as to whether or not consultation could result in redesign. Mr. Kirchen stated that redesign is outside of the scope of the 106 process and hopefully those considerations would have been resolved prior to the Section 106. Certain design aspects or features could be included in the Memorandum of Agreement (MOA) as part of the mitigation.

Ms. Sadusky asked who the signatory on the MOA is for the City. Mr. Kirchen stated that the City Manager would sign the MOU along with the Consulting Parties. Mr. Sipe stated that if the Consulting Parties wish to sign the MOA, they must formally request that signatory authority be granted by the federal agency. He also suggested that a letter be sent out to each Consulting Party to ask if they want to be a signing authority.

Mr. Kirchen stated that the designated agency can make whatever decision it wants to make relative to mitigation because it bears the legal responsibility, as long as the prescribed process is adhered to in making the decision. DHR is only an advisory and has no regulatory authority which rests with the delegated (Alexandria Office of Housing) or federal agency. Under the regulations, only two signatures

are required, the federal agency and DHR. There are invited signatories that agree to uphold responsibilities such as ARHA. The 4th class are concurring parties. Concurring signatories cannot amend the agreement. Only required signatories or invited signatories can make changes. If the concurring parties choose not to sign the agreement, it is still valid. Mr. Kirchen stated that the City can move forward without the State's sanction. Mr. Kirchen stated that complainants can mount a legal challenge to the Section 106 process or appeal to the Advisory Council. Mr. Kirchen also stated that adverse effects are allowed. The law was not enacted to stop a project, but only to allow agencies to pause, assess, and mitigate adverse impacts.

Mr. Sipe provided an overview of the Section 106 law, ARHA's obligations, the status of the archeological findings and Historic Study. He stated that most of the findings indicated that the substrata for the site outside of the building footprint is fairly disturbed from several inches down to approximately 2 feet. The artifacts found thus far include civil war era artifacts, stoneware, bottles, and glass. Wetlands is wrapping up the study which will be submitted to the City, State and Consulting Parties within the next several weeks. Mr. Walker asked if the study would include an oral history. Mr. Sipe stated that was done for James Bland, but they did not do it for Ramsey. Mr. Sipe stated the identity of the residents was found to be classified. Ms. Sadusky mentioned that she went to the Suitland Federal Service Center to search for records on the earlier occupants.

Mr. Kirchen was asked what recourse Alexandria Archeology has. He stated that they could suggest that a Resource Management Plan be prepared along with monitoring during the demolition.

Ms. Noratake inquired as to when we will be able to have substantive discussion of the mitigation. Mr. Kirchen replied the mitigation should be commensurate with the scale and impact of the adverse effect. As demolition is a point of no return, the mitigation should consist of more than a commemorative plaque. Ms. Noratake asked that the HABS drawings be made available. Ms. Staudinger agreed to send these to Ms. Noratake.

Tentative Schedule of Events

Oct. 19 – Alexandria Archeology, DHR and Consulting Parties comment on report

Late Oct. 2016 – Potential 3rd Ramsey Homes 106 Meeting

November 2016 Mitigation Plan and draft Memorandum of Agreement prepared

January 2017 – MOA executed.