



**LEESBURG BOARD OF ARCHITECTURAL REVIEW  
WORK SESSION MINUTES**

**Monday, 02 February 2015  
Town Hall, 25 West Market Street  
Town Council Chamber**

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**MEMBERS PRESENT:** Chairman Edward Kiley, Vice Chairman Paul Reimers, Parliamentarian Dale Goodson, Richard Koochagian, Mark Malloy, Teresa Minchew, Dieter Meyer, Planning Commission Representative Lyndsay Welsh Chamblin and Town Council Representative Suzanne Fox

**MEMBERS ABSENT:** None

**STAFF:** Preservation Planner Tom Scofield, Town Legal Assistant Liz Whiting Esq. and Director of Plan Review Bill Ackman, Planning & Zoning Assistant Deborah Parry

**Call to Order and Roll Call**

Chairman Kiley called the meeting to order at 7:00pm, noted attendance and determined that a quorum was present.

**BAR Member Disclosure:**

None

**Public Hearings on Continued Cases in the H-1 Overlay District:**

**a. TLHP-2014-0095, 110 Loudoun Street SW**

**Project: Construct new addition**

Chairman Kiley noted the public hearing for this application has closed.

Mr. Scofield outlined the proposal to remove an existing one-story shed-roofed rear addition and construct a new two-story addition on the rear of the building. He noted the construction date is circa 1800 and there is also a later 1850's addition by the Norris Brothers. He stated the revised plan drops the bathroom ceiling height and addressed the window on the side which was of concern. He stated on the east side the height was raised for the windows to give balance and on the south front you can see that the addition does project slightly. He outlined the applicable sections of the guidelines, and stated additional detailed information has been provided to address some concerns from the last meeting. Further, he stated there are still concerns with size and subordination to original smaller portion of the house and recommended approval of the application with the following conditions:

1. The visual integrity of the original portion of the house shall be maintained by leaving in place the existing rake/barge board for the rear (eastern) slope of the roof on the north side of the building in a manner that does not affect the new interior floor plan.

2. Revised elevation and plan drawings showing all changes and conditions stipulated and approved by the Board of Architectural Review shall be provided to the Preservation Planer prior to the issuance of a building permit for the proposed work.
3. The historic brackets that are to be removed from the rear (north side) of the building shall be done so in a manner that does not damage the architectural feature and shall be marked, documenting the date of removal and location; placed in protective wrap; and stored in the building.

The applicant, Tom O'Neil, stated he felt the changes he made improved the building while maintaining the floorplan on the interior that works best. He provided several photographs which he stated illustrate that the addition will not be seen quite to the extent that the Board may believe.

Mr. Meyer stated he has not seen a condition similar to number 3 as proposed by staff with any prior application. He asked if the desire to have the hangers stored on site should be a recommendation versus a condition of approval.

Mr. Scofield stated the brackets are in good condition and given that the Old and Historic District Design Guidelines state that an addition should be constructed so that it can be removed in the future and the house restored, staff felt it was important to ensure they stay with the site.

Mr. Koochagian asked why the proposed condition 1 refers the interior floor plan when that is not within the purview of the Board.

Mr. Scofield stated this is an acknowledgement that much of what is seen on the exterior is driven by the interior floor plan. He stated it is more of a finding than a condition.

Mr. Koochagian stated he would seek to have that removed from a proposed motion as he does not feel it is appropriate.

Mr. Goodson asked if staff is looking to have the trim board maintained in proposed condition 1.

Mr. Scofield stated he was looking more to have the eave line maintained to acknowledge the formal integrity once the addition is constructed.

Mr. Goodson stated this was discussed at the previous meeting. He stated given the addition has already been altered with replacement siding and windows he feels that maintain the eave detail would appear forced.

Ms. Minchew thanked the applicant for the alterations. She stated she is disappointed that there does not appear to be a way to give a nod to the oldest portion of the structure in making these alterations.

Mr. Koochagian stated he remains concerned that this proposal will likely envelop one of the oldest structures in Leesburg and make it disappear. He stated when the porch on the Loudoun Street façade was enclosed the Board took great pains to ensure that the columns would remain should it be determined that the porch would return to its original construction someday; however, this

design does not accommodate for that. Further, he stated he finds the massing in the expanse of siding to be of concern given the structures proximity to the right-of-way.

Mr. Meyer moved to approve TLHP-2014-0095 per the revised submission.

The motion was seconded and approved by a 5-2 vote (Koochagian and Minchew opposed).

- b. TLHP-2014-0115, 112 Edwards Ferry Rd NE**  
**Project: Demolish contributing building for courthouse expansion**
- c. TLHP-2014-0116, 110 Edwards Ferry Rd NE**  
**Project: Demolish contributing building for courthouse expansion**
- d. TLHP-2014-0117, 108 Edwards Ferry Rd NE**  
**Project: Demolish contributing building for courthouse expansion**
- e. TLHP-2014-0118, 106 Edwards Ferry Rd NE**  
**Project: Demolish contributing building for courthouse expansion**  
Chairman Kiley noted the public hearing for these applications remains open.

Mr. Scofield outlined the proposal to demolish the four contributing historic buildings at 106, 108, 110 and 112 Edwards Ferry Road NE, which are primary resources in the Leesburg National Register District and locally designated Old & Historic District, to construct a new courthouse facility. He outlined the procedure for review of demolition requests noting the first step is to determine whether the Historic Survey designates the structures as historic, which it does. He stated the second step is to consider whether the structure is contributing by examining whether it retains integrity in the areas of location, setting, workmanship, feeling, design, materials and association. He provided background on each of these elements and noted that it is the opinion of staff and the applicant's historic resource consultant that the structures are contributing. He noted the Board did participate in a site visit to view the four structures to ensure that the third criteria of structural integrity is present; further he stated the applicant has also found the structural integrity of these buildings to be sound. He stated the fourth step is to consider post demolition plans and outlined the footprint and design option for the proposed courthouse building. Further, he recommended that the cases be continued to a future meeting and that the applicant to provide the following additional information:

1. A copy of the archeological survey report prepared by John Milner Associates for the recent archeological work completed on site in 2014.
2. Information regarding the use of federal and state funds, non-financial assistance, and/or permit approval requirements associated with the construction of the new District Courthouse that may activate such a federal or state review.
3. An analysis of the anticipated impacts of demolition and new construction on other contributing historic resources in close proximity.
4. An historical assessment of the jail yard wall.

Peter Hargreaves, design manager for the courts project, introduced himself and other members of Loudoun County staff who accompanied him.

Marlene Shade, Dewberry, outlined the scope of the project to include the following; new courthouse building, Pennington parking garage, renovation of the Valley Bank building, tunnel connection under Church Street, streetscape improvements from the Pennington lot to the new courthouse, Semones lot upgrades for accessibility, site utility reconfigurations and traffic improvements. She provided an over view of the four structures proposed for demolition stating the County does not contest the contributing status of these structures; however, she does not completely agree with all of staff's findings. She stated she has not received the final report from the structural engineer; however, he has informally stated that there were no findings to prevent the possible relocation of the structures. Further, she stated the archeology studies have been completed for the proposed courts location and the Pennington lot with no significant findings.

Chairman Kiley asked if the County is challenging whether the four structures have structural integrity.

Ms. Shade stated the engineer has toured the homes and while he has not provided a formal report as of yet, he stated in an email that there is no reason the houses couldn't be moved.

Chairman Kiley stated relocation is not the issue, he stated the issue is do they retain structural integrity where they are right now.

Ms. Shade stated there are some repairs which are needed; however, they do retain structural integrity currently.

Jim Bey, Dewberry, provided several examples of campus designs within the State of Virginia which provided design inspiration for the new courthouse. He stated the overall goals of the project are to provide a traditional design with roots in the Town's historic character which connect, respect and reinforce the importance of the existing structures on the campus while being mindful of the established cost model and the programmatic needs of the courts and courts related agencies. He stated there were concepts early on which looked to keep the four buildings on Edwards Ferry Road; however, given the nature of the courthouse requirements and intensity of development, those concepts were not moved forward. Further, he stated this design was unanimously endorsed by the Board of Supervisors.

Ms. Shade stated she would like to touch on how the project team feels the courthouse design meets the Old and Historic District Design Guidelines. She noted the importance of setbacks and maintaining the green space along the side of the proposed building to match with the existing campus.

Chairman Kiley noted the focus of this meeting is the proposed demolition of the structures on Edwards Ferry Road. He noted the applicant will have to provide the design information in the future when the new construction application is submitted and suggested that the information relating to the design of the courthouse be saved until that time.

Mr. Meyer asked if there is anything in the applicant's presentation which is critical to give the Board context in regards to the demolition.

Mr. Shade highlighted the various site constraints related to stormwater management, transformers, two generators, areaway access to mechanical rooms, trash storage, loading/delivery areas, public space, buffer zones, access for physical construction, site and building security, the adjacent cemetery, parking and fire access. She stated the Board of Supervisors have asked that the four houses be evaluated for relocation and she is preparing that information for the Board.

Mr. Malloy stated the applicant has enumerated the various constraints; however, there has been no presentation of those graphically to walk us through the design process. He stated when putting together a building there are always constraints as well as a number of ways to address those constraints. He stated his main focus would be to address alternate solutions for stormwater management as that seems to be the primary constraint with regards to the four demolition applications.

Bill Fissel, Dewberry, stated the project is subject to new stormwater management criteria adopted last year by the State. He stated he has retention requirements as well as stringent water quality requirements measured on pounds of phosphate. He stated given the east to west slope of the site, the stormwater outfall occurs between the proposed building and the building next door. He stated the entire storm sewer system is very old and therefore the storm sewer system for this site needs to be designed so that when the larger system is flooding it does not flood back into this system. He stated a series of vaults are planned for the site of the four houses to meet these demands.

Mr. Malloy stated it has been his experience that such vaults can be placed within a building.

Mr. Fissel stated they can be done in a building; however, with the size, space, maintenance and cost restraints present, there are other options; however this proposal is the most straight forward approach.

Mr. Malloy stated he has also seen such accommodations made on the roof of buildings and noted that he is currently working on a project where the system is located in the garage. He stated you have to look at the totality of building systems to see the tradeoffs for equipment to put on the lawn versus the building. He stated he would like to see the locations for the generators, cooling, heating and back of house equipment and then discuss possible alternatives.

Ms. Minchew asked to what extent it is within the Board's purview to consider site constraints in determining whether buildings are appropriate for demolition.

Mr. Scofield stated it is the Board's responsibility to weigh the information provided and determine whether adequate justification is provided regarding the loss of these four structures.

Ms. Minchew stated the 1998 rezoning currently in place for this property does not include these structures and asked if that has any bearing on the design process.

Ms. Shade noted the project today is quite different than what was thought to be needed in 1998.

Mr. Scofield stated the lead parcel was rezoned to Government Center as part of that approval a site plan was approved which showed a future courthouse structure as well as the four structures not proposed for demolition.

Vice Chairman Reimers stated the applicant has mentioned relocation of the structures; however, that should be a last resort. He stated the cost of relocation may necessitate a different storm water solution.

Mr. Meyer stated all alternatives need to be considered. He asked if consideration was given to preserving the buildings and then discarded early on and if so, why was it discarded in light of the Town's guidelines which clearly state that demolition should be avoided at most costs.

Ms. Shade stated as more and more information came in regarding the requirements to be placed on the site and the building programming up to 2030 and what is required to meet the needs it became clear.

Mr. Meyer asked if stormwater management is the only concern pertaining to the four structures.

Ms. Shade stated there are fire code issues with proximity of wood structures to the courthouse. She stated code officials would require minimal openings or protecting the exterior walls. She stated there are also security issues in that courthouses usually have a significant standoff because of recent acts of violence.

Mr. Meyer asked that documentation be provided outlining each of these concerns. He stated even if these are not the four most significant buildings in the downtown they are four structures together making up one block which gains greater significance.

Mr. Koochagian clarified that the design guidelines do not belong to the Board, rather they were adopted by the Council and belong to the people of the Town. He asked Mr. Scofield whether it is his opinion that the portion of the design guidelines is comparable to what would be seen in other historic districts.

Mr. Scofield stated in his opinion the Town's guidelines regarding demolition are typical and not overly burdensome compared to other jurisdictions.

Mr. Koochagian stated in a previous presentation he understood that the design life of the proposed courthouse would go through 2025; however, he just heard the applicant state the design life as 2030 and asked for clarification.

Ms. Shade stated the correct date is 2025.

Mr. Koochagian verified the design team is seeking LEED Silver certification for the courthouse project and asked to what extent the storm water management solution proposed will contribute to this certification.

Ms. Shade stated they are hoping to achieve several points for stormwater management which requires that the building at a minimum meets the requirements of this jurisdiction. She stated a few alternatives such as buying credits for the bay would need to be investigated.

Mr. Koochagian stated understanding the systems as a whole and their impact would be beneficial. He stated it would also be helpful to see the design proposals that have been considered to determine what other alternatives may exist. Further, he stated retention of the four structures would also go a long way to finding a solution for the new construction given its size.

Mr. Goodson asked when the design process began and a determination was made that retention of the four structures was not feasible, was there consideration at that point of coming forward to the Town versus planning the site without the four structures.

Ms. Shade stated the team wanted to reserve meeting with the Board until all of the studies were in place.

Mr. Goodson stated he would like to see information regarding any and all feasible storm water systems and why each of those possibilities has been put aside to only focus on the proposal which requires the removal of the four structures.

Ms. Shade stated she would provide that information.

Mr. Meyer stated he would like to see an in depth, technical report of all the issues and how the decisions were made along the way.

Council Member Fox asked if there is an alternate plan in place.

Mr. Shade stated there is no alternate plan in the submittal. She stated the rezoning applications for the Church Street and Pennington lots will be made in the next few days.

Council Member Fox verified the study regarding possible relocation of the four structures has not been completed.

Ms. Welsh-Chamblin asked if consideration had been given to the possibility of incorporating portions of the four structures into the proposed building.

Ms. Shade stated the design team has just begun looking at the interior design of the building and that possibility had not yet been considered. She stated there was a discussion regarding the possibility of a marker in the grass at the location of the four structures or use of elements of the structures in the proposed courtyard across the street.

Chairman Kiley noted it has been stated that the programming of the proposed courthouse would fill the County's needs until 2025 and asked the anticipated length of construction were it to begin tomorrow.

Ms. Shade stated construction is anticipated to last two years for the courthouse and one year for the parking garage.

Chairman Kiley stated if construction is expected to take three years then once complete the needs of the courts would only be met for approximately 5-6 years.

Ms. Shade noted that is a dilemma frequently found when construction is done in the public setting.

Chairman Kiley stated it has been established that the four buildings are contributing structures which have structural integrity. He stated he understands the storm water issue; however, he does not understand the fire and security issues because they have not been brought before the Board yet. He stated the plans provided tonight show that the building at 110 Edwards Ferry has a footprint which overlaps the proposed courthouse and asked if any thought had been given to moving that structure forward on its lot noting relocation on the existing site would be preferable to an alternate location. Further, he stated he is not satisfied that stormwater is the driving force in the proposed removal of these structures nor is he satisfied that other alternatives have been considered given they were not brought before the Board.

Mr. Meyer asked Sarah Traum of John Milner Associates to comment on the age and significant areas of the four structures.

Ms. Traum stated most of the rear additions on the structures are not as old. She stated the two story porch on 112 Edwards Ferry Road was added around 1986. She stated the street fronts of the structures are original although some have second story additions. Further, she stated some of the rear additions do fall into the area of significance for the historic district.

Mr. Meyer asked that the applicant provide information regarding the feasibility of preserving the streetscape by keeping the building fronts and a partial move of 110 Edwards Ferry towards the street. He stated this solution may accommodate the vaults and alleviate the fire and safety concerns.

Ms. Shade stated the building is being designed to be used for future needs as well including accommodating the Commonwealth Attorney's office.

Mr. Koochagian asked about the possibility of raising the buildings to install the vaults in place and then putting the buildings back in place.

Mr. Meyer stated that would not remove the fire and safety concerns.

Donna Givens, resident of Leesburg, stated she lives in the historic downtown and has owned property here for 40 years. She expressed concern that the demolition of these four structures would set a precedent. She stated she is stunned that the Board was not brought into the discussion earlier as a stakeholder.

Christine Hingel, stated moving 110 Edwards Ferry Road closer to the roadway seems to be a simple solution to remove the structure from the proposed footprint of the courthouse. She stated she does not believe a solution to only preserve the façades of the structures would be beneficial.

Mr. Meyer clarified he is not advocating for just the façades, but also for the front sections of the buildings as well.

Chairman Kiley suggested continuing discussion of these applications to a future meeting.

Mr. Scofield noted the critical action date for these applications is February 18<sup>th</sup>.

Mr. Goodson stated he watched part of the Board of Supervisors' discussion of this item and was disappointed that relocation was discussed as a real option given other possibilities that may exist for retaining these structures in their current locations.

Ms. Minchew stated she feels discussion of relocation at this point is premature.

Ms. Shade stated she will be prepared to come back before the Board in two weeks with all of the information requested. She noted the Board has not authorized an extension of the critical action date at this point.

Ms. Minchew noted if the County does not authorize an extension of the critical action date then the Board will be required to take action at their February 18<sup>th</sup> meeting.

Ms. Minchew moved to continue TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117 and TLHP-2014-0118 to the February 18<sup>th</sup> meeting.

The motion was seconded by Mr. Koochagian and approved by a 7-0 vote.

**Old Business**

None

**New Business**

None

**Adjournment:** The meeting was adjourned at 8:57 pm.

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Edward Kiley, Chair

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Deborah Parry, Planning & Zoning Assistant