



LEESBURG BOARD OF ARCHITECTURAL REVIEW

ADDENDUM #3 TO STAFF REPORT*

WORK SESSION: MONDAY, MARCH 2, 2015

AGENDA ITEMS #9A, #9B, #9C, #9D

BAR Case Numbers: TLHP-2014-0115 (Certificate of Appropriateness)
TLHP-2014-0116 (Certificate of Appropriateness)
TLHP-2014-0117 (Certificate of Appropriateness)
TLHP-2014-0118 (Certificate of Appropriateness)

Addresses: 112 Edwards Ferry Road NE
110 Edwards Ferry Road NE
108 Edwards Ferry Road NE
106 Edwards Ferry Road NE

Proposed Action: Demolish contributing historic buildings for courthouse expansion

PIN (Parcel ID#): 231-38-8886

Zoning/Overlay: GC/H-1 Overlay District

Applicant: Marlene Walli Shade, AIA, Dewberry Architects Inc.

Owner: Loudoun County
c/o Peter Hargreaves, DTCl, Design Manager

Reviewer: Tom Scofield, AICP, Preservation Planner

Recommendation: Continue review of application to mutually agreed upon meeting date

Critical Action Date: March 2, 2015 (75 days from first public hearing)

*****Please note: At the time this staff report addendum was prepared the Owner had not agreed to an extension of the Critical Action Date to allow the continued review of these Certificate of Appropriateness applications by the Board of Architectural Review.*****

Proposal

The following request is proposed in these Certificate of Appropriateness applications:

- Demolish the contributing historic resources at 112 Edwards Ferry Road NE, 110 Edwards Ferry Road NE, 108 Edwards Ferry Road NE, and 106 Edwards Ferry Road NE, primary resources in the Leesburg National Register Historic District and locally designated Old & Historic District, to construct the New District Courthouse.

Summary of New Information

As of February 27, 2015 the following additional information has been provided by the applicant:

1. Dewberry letter dated February 27, 2015 – Response letter to the questions posed by staff and the BAR and at the February 18, 2015 regular meeting (5 pages).
2. Loudoun County Board of Supervisors Agenda item #11 for March 4, 2015 meeting – Evaluation of feasibility and cost for relocation of the four buildings on Edwards Ferry Road.

*This addendum applies to all four staff reports previously prepared for the four Certificate of Appropriateness demolition applications at the addresses indicated above. New information is indicated in **bold** text. Comments on individual buildings have been generalized—refer to the original staff report for specific details on each building

In reviewing the information associated with the written narrative and presentation provided by the Applicant for the February 18, 2015 BAR meeting details from the record were researched by the Preservation Planner with the following findings:

- The Loudoun County Courts Expansion Update Facility Plan and Assessment report was completed August 2011 and identified a need to increase the size of the proposed judicial facility (referred to as the “New District Courthouse” by the Owner) by 42% to 85,000 square feet thereby revising the courthouse expansion project. Although no discussion about the possible impact of the New District Courthouse on the four Edwards Ferry Road buildings was initiated with the Leesburg Board of Architectural Review at the time, the report identified the Contributing Resource status of all four buildings and repeatedly identified the “Phase III Building Site (Old Jail Site)” in a manner that excluded the location of the four buildings.
- On June 25, 2012 information and issues about the Project were presented by Melissa (Poole) Tello, Design Manager, serving as the representative of the Owner, to the Leesburg Town Council. (Leesburg Town Council Webcast for the June 25, 2012 meeting.) The Owner’s presentation acknowledged the Subject Improvements as one of the Project’s “major challenges” stating the following: that they housed “ancillary court functions” at the time; that there is an “ongoing question of whether the houses should remain” or “should they be demolished”; and that the Owner understands the “implications of [the demolition] issue given their age and the historic district context.” The County staff recommendation at the time was to relocate the Project to an alternative site with fewer constraints. No specific questions, discussion, or direction regarding the Subject Improvements was provided by the Leesburg Town Council at this time.
- On November 20, 2012 the Finance/Government Services and Operations Committee voted to endorse the Church Street site as the preferred site for the New District Courthouse. The endorsement was subsequently forwarded to the Loudoun County Board Supervisors for final action. Attachment #1c included with this agenda item included the following statement: “Board of Architectural Review will be required for new construction and for the likely demolition of the four (4) existing houses that front on Edwards Ferry Road that are on the same Church Street parcel.” This appears to be one of the earlier points in time that demolition of the four buildings was proposed as the preferred alternative by the Owner.
- In the December 12, 2012 letter prepared by John Wells, Leesburg Town Manager, in response to the question asked by the Owner about what “specific documentation and process will be required by the Town for the demolition of the four houses on Edwards Ferry Road” accurate information was presented about the BAR process. Nothing was stated or implied in the letter that BAR approval of the proposed demolition of the Subject Improvements was a foregone conclusion.

Staff Assessment and Recommendation

Because of the delay in delivery (Friday afternoon, February 27, 2015), Town staff has not had adequate time to review the details of the information provided in the two new documents listed above. However, it does not appear that the Applicant and Owner are considering any alternative other than complete removal of the four subject buildings from the site.

Two proposed ballots have been provided for BAR final action, if needed, at the Monday, March 2, 2015 work session. What is listed as Findings of Fact serves as background for your decision. Also provided

are two sets of conclusions for approval or denial of the applications collectively. Each conclusion is to be accepted, rejected or revised by the BAR member making the motion. Additional conclusions may also be added.

PREFERRED STAFF RECOMMENDATION

It is staff's opinion that since the burden of proof lies with the Applicant and Owner in providing justification for the proposed demolitions and new information and evidence has been recently submitted, staff recommends that review of these four demolition applications by the Board of Architectural Review, be CONTINUED to a mutually agreed upon date. **However, this cannot be achieved without formal extension of the Critical Action Date in writing by an authorized representative of the Owner by the end of the day March 2, 2015.** Staff also strongly encourages the BAR to keep the public hearings associated with the review of these applications open over the course of these meetings to allow for ongoing comment by concerned citizens and any other affected parties.

IN THE EVENT THAT THE OWNER DOES NOT EXTEND THE CRITICAL ACTION DATE AND THE BOARD OF ARCHITECTURAL REVIEW IS TO TAKE FINAL ACTION AT THE MARCH 2, 2015 MEETING THE STAFF RECOMMENDATION IS AS FOLLOWS:

It is staff's opinion that based on the information, evidence, and testimony submitted by the applicant to date associated with Certificate of Appropriateness applications TLHP-2014-0115 (112 Edwards Ferry Road NE); TLHP-2014-0116 (110 Edwards Ferry Road NE); TLHP-2014-0117 (108 Edwards Ferry Road NE); and TLHP-2014-0118 (106 Edwards Ferry Road NE); observations of conditions in the field; other findings outlined in the original staff reports and staff report addendums #1, #2 and #3; and the Findings of Fact and Conclusions outlined in Ballot #2 "Motion to Deny" attached herein; these demolition requests cannot be approved for the following reasons:

- Review of the four (4) Certificate of Appropriateness applications has not been completed by the Critical Action Date and the Owner has not authorized in writing the extension of this deadline;
- The four (4) demolition requests do not meet the burden of proof requirement as outlined in Section 3.1.4 of the Leesburg Zoning Ordinance;
- The Applicant and Owner failed to establish sufficient justification in support of these Certificate of Appropriateness applications;
- The evidence provided to date by the applicant and owner is unpersuasive that demolition of these contributing resources in the Leesburg National Register Historic District and H-1 Overlay, Old and Historic District is consistent with the regulations, guidelines, and requirements governing demolition of buildings and structures;
- The four (4) historic buildings retain contributing resource status in the historic districts which is not contested by the Applicant or Owner;
- Additional historical and architectural significance has been established for these contributing resources;
- The historic exterior appearances of the four (4) historic buildings remains largely intact;
- The four (4) historic buildings contribute to the appearance of the Edwards Ferry Road streetscape through massing, scale, height, setback, and relationship to adjacent contributing

historic resources, thereby loss of the four (4) buildings would have a substantial negative impact on the Edwards Ferry Road streetscape;

- The four (4) historic buildings have been maintained by the Owner and are in stable condition;
- The proposed siting of the New District Courthouse creates a substantial setback that may allow for preservation of the four (4) historic buildings in place.
- The Board of Architectural Review has proposed an alternative to demolition that likely avoids or mitigates the impact of the New District Courthouse on the four (4) contributing resources.
- By relocating one of the concrete stormwater vaults, it appears the applicant has revised the conceptual design of proposed stormwater treatment infrastructure that allows for the preservation, all or in part, of two (2) of the four (4) historic buildings (110 Edwards Ferry Road NE and 112 Edwards Ferry Road NE) in place, but resolution on this matter was not achieved because the Owner has not agreed to an extension of the Critical Action Date.
- It appears that a technical solution for security and fire safety issues raised by the applicant likely exists, but resolution on this matter was not achieved because the Owner has not agreed to an extension of the Critical Action Date.
- Demolition of the four (4) historic buildings is not consistent with Chapter 4 of the Leesburg Town Plan, Articles 3 and 7 of the Leesburg Zoning Ordinance, and the Leesburg Old and Historic Design Guidelines.

With this denial the Demolition Delay Period as provided for in Section 7.5.8, D of the Leesburg Zoning Ordinance and §15.2-2306 of the Code of Virginia is hereby activated and in effect starting from the date of this final action. The length of the Demolition Delay Period shall be twelve (12) months based on the Fair Market Building Value established by the Loudoun County Office of the Commissioner of the Revenue and the time schedule set forth in Section 7.5.8, D.3 of the Leesburg Zoning Ordinance and §15.2-2306, A.3 of the Code of Virginia. During the Demolition Delay Period the Board of Architectural Review shall take steps it deems necessary to preserve the buildings including, but not limited to, the following:

1. Maintain ongoing dialogue with the applicant and owner to avoid or mitigate the impact of the proposed New District Courthouse on the contributing resource and historic building at 112 Edwards Ferry Road NE as required by Chapter 4 of the Leesburg Town Plan, Articles 3 and 7 of the Leesburg Zoning Ordinance, and the Leesburg Old and Historic Design Guidelines.
2. Consult with the Loudoun County Department of Economic Development's 'Design Cabinet' who have offered their services for this project, if needed. Members of the Design Cabinet are practicing architects, engineers, planners and designers who host design charrettes for public and private sector projects resulting in creative design solutions for community problems. Engagement with this organization is authorized under Section 3.10.7 of the Zoning Ordinance which allows the Board of Architectural Review to seek outside advice.
3. Find a potential occupant for the building since Loudoun County no longer has a use for or desires to maintain the building as per the memo provided by the Loudoun County Department of General Services.
4. Pursue with the owner the "Bona Fide Offer to Sell" requirement outlined in Section 7.5.8, F of the Leesburg Zoning Ordinance and 15.2-2306, A.3 of the Code of Virginia.

Attachments:

- Ballots for Approval and Denial with Proposed Findings of Fact and Conclusions
- Dewberry letter dated February 27, 2015
- Loudoun County Board of Supervisors Agenda item #11 for March 4, 2015 meeting
- Memo to Applicant from Town of Leesburg Preservation Planner dated July 30, 2014

*LEESBURG BOARD OF ARCHITECTURAL REVIEW
CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION*

TLHP-2014-0115	112 Edwards Ferry Road NE
TLHP-2014-0116	110 Edwards Ferry Road NE
TLHP-2014-0117	108 Edwards Ferry Road NE
TLHP-2014-0118	106 Edwards Ferry Road NE

In the event that the Owner does not agree to the request to extend the Critical Action Date for review of these Certificate of Appropriateness applications, this ballot may be used by the BAR at the March 2, 2015 meeting to make Findings of Fact, and either a Motion to Approve or a Motion to Deny the proposed demolitions as the final action.

PROPOSED FINDINGS OF FACT & CONCLUSIONS

[Numbering is provided below as a convenience for tracking purposes. Each finding is to be accepted, rejected or revised by the BAR. Additional findings may also be added.]

1. [] Loudoun County, a county government and political jurisdiction within the Commonwealth of Virginia, (the “Owner”) owns the buildings identified as 106 Edwards Ferry Road NE, 108 Edwards Ferry Road NE, 110 Edwards Ferry Road NE, and 112 Edwards Ferry Road NE, located in the Town of Leesburg (the “Subject Improvements”). (Exhibit 1.)
2. [] The Subject Improvements are located on a 1.89 acre land parcel identified by the Loudoun County Office of the Commissioner of the Revenue as 231-38-8886-000 (the “Subject Parcel”). (Exhibit 2.)
3. [] The Owner has maintained and occupied the Subject Improvements since acquiring them in 1980.
4. [] The Subject Improvements are located within the current boundary of the Leesburg National Register Historic District (Exhibit 3), have been identified as ‘historic’ and as ‘primary resources’ in the architectural survey as indicated on the respective Virginia Department of Historic Resources Reconnaissance Survey Forms (DHR Identification Numbers 253-0035-0491, 253-0035-0492, 253-0035-0493, and 253-0035-0494) and are designated as “Contributing Resources” in said historic district. (Copies of the VDHR Survey Forms were included in the agenda package for the December 15, 2014 meeting.)
5. [] The Subject Improvements are also located within the current boundary of the H-1 Overlay, Old and Historic District, a local historic district designation subject to the regulations outlined in Sections 3.10 and 7.5 of the Leesburg Zoning Ordinance adopted pursuant to §15.2-2306, Code of Virginia. (Exhibit 3.)
6. [] A rezoning of the Subject Parcel to “Government Center District (GC)” was approved in 1998 by the Leesburg Town Council (TLZM-1998-0155) as part of the

Loudoun County courthouse expansion project. This rezoning had no effect on the Subject Improvements' standing as Contributing Resources in the historic districts.

7. [] The rezoning approval includes a conceptual site plan for the Subject Parcel showing a proposed judicial facility 60,000 square feet in size, a surface parking lot, and the Subject Improvements preserved in place, identified at the time as "Phase 2." (Exhibit 4.) Phase 1 and a modified Phase 2 of the Loudoun County courthouse expansion project were completed in 2004 with only the surface parking lot having been constructed on the Subject Parcel. This approval including the conceptual site plan remains in effect until otherwise amended by the Leesburg Town Council.
8. [] On October 22, 2010 during preparation of the Updated Courts Facility Plan and Assessment Report by Wisenewski Blair & Associates, Ltd. (now HGA Mid-Atlantic, Inc.) requested by the Owner, a meeting was held on the Subject Parcel with a former Preservation Planner and other Town of Leesburg staff members to discuss review processes and requirements. (Dewberry memo submitted on February 11, 2015.) Demolition review procedures and requirements for Contributing Resources in the H-1 Overlay, Old and Historic District were the same at that time as they are today.
9. [] The *Loudoun County Courts Expansion Update Facility Plan and Assessment* report was completed August 2011 and identified a need to increase the size of the proposed judicial facility (referred to as the "New District Courthouse" by the Owner) by 42% to 85,000 square feet thereby revising the courthouse expansion project (the "Project"). Although no discussion about the possible impact of the Project on the Subject Parcel or Subject Improvements was initiated with the Leesburg Board of Architectural Review (the "BAR") at the time, the report identified the Contributing Resource status of the Subject Improvements and repeatedly identified the "Phase III Building Site (Old Jail Site)" in a manner that omitted the location of the Subject Improvements. (Exhibit 5.)
10. [] On June 25, 2012 information and issues about the Project were presented by Melissa (Poole) Tello, Design Manager, serving as the representative of the Owner, to the Leesburg Town Council. (Leesburg Town Council Webcast for the June 25, 2012 meeting.) The Owner's presentation acknowledged the Subject Improvements as one of the Project's "major challenges" stating the following: that they housed "ancillary court functions" at the time; that there is an "ongoing question of whether the houses should remain" or "should they be demolished"; and that the Owner understands the "implications of [the demolition] issue given their age and the historic district context." The County staff recommendation at the time was to relocate the Project to an alternative site with fewer constraints. No specific questions, discussion, or direction regarding the Subject Improvements was provided by the Leesburg Town Council at this time.
11. [] On November 20, 2012 the Finance/Government Services and Operations Committee voted to endorse the Subject Parcel as the preferred site for the Project. The endorsement was subsequently forwarded to the Loudoun County Board Supervisors for final action. Attachment #1c included with this agenda item included the following statement: "Board of Architectural Review will be required for new construction and for the likely demolition of the four (4) existing houses that front on

Edwards Ferry Road that are on the same Church Street parcel.” This appears to be one of the earlier points in time that demolition of the Subject Improvements was proposed as the preferred alternative by the Owner. No information or presentation was provided to the BAR about the Project at the time.

12. [] In the December 12, 2012 letter prepared by John Wells, Leesburg Town Manager, in response to the question asked by the Owner about what “specific documentation and process will be required by the Town for the demolition of the four houses on Edwards Ferry Road” accurate information was presented about the BAR process. Nothing was stated or implied in the letter that BAR approval of the proposed demolition of the Subject Improvements was a foregone conclusion.
13. [] Between June 2012 and January 2013 input was solicited from “stakeholders” about the Project including alternative locations for siting the proposed judicial facility. (Dewberry memo submitted on February 11, 2015.) Input was not solicited from the BAR about the Project’s impact on the Subject Improvements during this period of time.
14. [] On January 16, 2013 the Loudoun County Board of Supervisors voted to keep the Project on the Subject Parcel. Discussion before the vote included “the demolition of the Edwards Ferry Road structures.” (Dewberry memo submitted on February 11, 2015.) The content of this discussion has not been researched by the Preservation Planner. The BAR was not consulted on any aspect of the Project before this vote.
15. [] In November 2013 Dewberry Architects, Inc. of Leesburg, Virginia (the “Applicant”) initiated the design development phase of the Project including an update of space programming needs for judicial services. (Dewberry memo submitted on February 11, 2015.)
16. [] On April 23, 2014, on the date and at the time of the BAR regular business meeting, the Applicant held a ‘Community Meeting’ to present five (5) massing concepts for the Project to the general public. (Dewberry memo submitted on February 11, 2015.)
17. [] On May 12, 2014 the Applicant and Owner presented the four (4) massing options for the Project to the Leesburg Town Council each of which showed removal of the Subject Improvements. (Dewberry memo submitted on February 11, 2015.) A preference was stated by some members of the Town Council for massing option #3. The Town Council also requested the following of the Applicant and Owner:
 - a. [] Initiate dialogue with the Preservation Planner and other members of town staff who will be reviewing the Project;
 - b. [] Provide a courtesy briefing to the BAR;
 - c. [] Request input from the Preservation Planner and the BAR on the massing options proposed for the Project; and
 - d. [] Consider providing a buffer between the Project and the adjacent historic cemetery;
18. [] On June 5, 2014 at the request of the Applicant and Owner the current Preservation Planner for the Town of Leesburg and other Town staff members met to

discuss issues and review Town procedures and processes. A memo was prepared for the meeting by the Preservation Planner entitled *Preservation Planning Issues for Courthouse Expansion Project* and provided to the Applicant. The following information was exchanged:

- a. The four (4) massing options for the Project were presented by the Applicant with massing option #3 identified as the alternative preferred by “stakeholders.”
 - b. In response to the question stated in the memo, “Is there any Courthouse Expansion scenario in the County’s plans whereby the buildings [i.e. the Subject Improvements] remain standing?”--the response by the Applicant was “not currently.”
 - c. A statement was included in the memo indicating that all four (4) of the buildings (i.e. the Subject Improvements) on the Subject Parcel are Contributing Resources and an evaluation by the Preservation Planner confirmed this determination.
 - d. A statement was included in the memo that a site inspection, a structural engineering report documenting physical condition of the Subject Improvements, a feasibility study for rehabilitating or reusing the Subject Improvements, and/or a relocation feasibility study may be requested by the BAR during review of a demolition request as outlined in the *Leesburg Old and Historic District Design Guidelines*.
 - e. A request was made in the memo that impacts on Contributing Resources adjacent to the Subject parcel be evaluated and any negative impacts mitigated.
 - f. A request was made at the meeting by the Preservation Planner that separate Certificate of Appropriateness applications be submitted for each of the four (4) Subject Improvements.
 - g. No mitigation strategies or alternatives to demolition were communicated or proposed by the Applicant at the time.
19. At the August 4, 2014 meeting the Applicant made a presentation about the Project to the BAR which included the following:
- a. The four (4) massing options for the Project with massing option #3 identified as the alternative “chosen by consensus” by “stakeholders.”
 - b. Five (5) different design concepts based on massing option #3 were shown that further developed the Edwards Ferry Road side (south elevation) of the Project. Preferences were stated by BAR members at the time for concepts #3 and #5.
 - c. No mitigation strategies or alternatives to demolition were communicated or proposed by the Applicant at the time.
20. The Preservation Planner provided an updated version of the *Preservation Planning Issues for Courthouse Expansion Project* memo dated July 30, 2014 that

included detailed information on design issues associated with post-demolition plans (i.e. the Project).

21. [] After the presentation the BAR requested the following information from the Applicant when Certificates of Appropriateness for demolition of the Subject Improvements were submitted:
 - a. Evidence and justification demonstrating the necessity for demolition.
 - b. Consider and explore reasonable alternatives to demolition.
 - c. One (1) possible demolition alternative was suggested to the Applicant by the BAR at the time.

22. [] Four (4) Certificate of Appropriateness applications (TLHP-2014-0115, TLHP-2014-0116 TLHP-2014-0117, and TLHP-2014-0118) requesting demolition as defined in Section 7.5.8 of the *Town of Leesburg Zoning Ordinance* of the Subject Improvements (the “Applications”) were submitted to the Leesburg Planning & Zoning Department by the Applicant on November 17, 2014.

23. [] The staff report prepared for the December 15, 2014 BAR meeting identified concerns and issues with the Applications and provided the following analysis:
 - a. [] Courthouse in Downtown Leesburg – It has been established that the County court system is vital to the growth and enhancement of a healthy, historic downtown Leesburg. It is the objective of Town staff, board members, and elected officials to assist in every way possible to work through the planning and technical issues associated with this Project that result in a high functioning and efficient County court system while maintaining a high standard of design and achieving the purpose, intent and objectives set forth in Town plans, guidelines, and ordinances.
 - b. [] Town Plan objectives - The proposed demolitions as presented in the initial applications are not consistent with Objective 3 in Chapter 4, Heritage Resources, of the *Leesburg Town Plan* which reads as follows: “Use the review process of private and public development to ensure that heritage resources are identified, conserved, and/or preserved. Ensure that potential impacts on heritage resources are identified and mitigated,” No mitigation strategy is proposed that lessens the impact of the Project on the Contributing Resources (i.e. the Subject Improvements).
 - c. [] Guidelines avoidance procedures - The proposed demolitions as presented in the initial application are not consistent with Chapter VIII, Procedures and Regulations for Demolition and Relocation of Existing Structures, of the *Leesburg Old and Historic District Design Guidelines* which reads in part, as follows: “With each demolition or relocation, the integrity of the district is further eroded. Therefore, the demolition or relocation of any building in the Old and Historic District should be considered very carefully. The demolition or relocation of contributing buildings should be avoided.” The Applicant and Owner have not adequately demonstrated that an effort has been made to develop a Project alternative that avoids demolition of the Subject Improvements.

- d. [] Historic district contributing status - The professional opinion and recommendation of the Preservation Planner is that the Subject Improvements should retain their Contributing Resource status because they continue to possess architectural and historic integrity as it relates to the property, neighborhood and historic district that is consistent with the criteria for location, design, setting, materials, workmanship, feeling, and association set forth in the *Leesburg Old and Historic District Design Guidelines*.
- e. [] Historic district contributing status - The Applications include the professional opinion of Sarah Traum, Architectural Historian with JMA, Inc., hired by the Applicant and Owner as the historic resource consultant for the Project, that the Subject Improvements should retain their Contributing Resource status as stated in the November 5, 2014 *Management Summary* and in the April 2014 update of the *Virginia Department of Historic Resources Architectural Survey Form*.
- f. [] Historic district contributing status - The Applicant and Owner have repeatedly communicated, both verbally and in writing, that they do not contest the Contributing Resource status for any of the Subject Improvements.
- g. [] National Register district boundary - Loss of the subject Improvements represents a significant loss to the fabric of the Leesburg National Register Historic District and would likely result in the eventual readjustment of the Leesburg National Register Historic District northern boundary line.
- h. [] Building condition report - The *Leesburg Old and Historic District Design Guidelines* encourage the BAR to request preparation of an “unbiased structural engineering report that document’s the building’s physical condition.” However, the Applicant and Owner do not make a claim that the Subject Improvements are structurally unsound or in a deteriorated condition. A statement is made in the Applicant’s original cover letter that the Subject Improvements are “structurally sound.”
- i. [] Rehabilitation/reuse feasibility study - The *Leesburg Old and Historic District Design Guidelines* encourage the BAR to request preparation of “an economic and structural feasibility study for rehabilitating or reusing the structure” in place. However, the Owner has rehabilitated, expanded and maintained the Subject Improvements since purchasing all four properties in 1980 as office and storage space. Two of the four Subject Improvements are currently occupied and in use thereby demonstrating continued viability and function.
- j. [] Increase in Project size - Information in the Applications state that the Project has increased from 85,000 square feet to 92,000 square feet in size without any increase in available land area for the Subject Parcel. This represents a 53% increase in size from the original 60,000 square feet approved in the 1998 rezoning.

- k. [] Post-demolition plans, conceptual design – Section 7.5.8, C of the Zoning Ordinance direct the BAR to consider the appropriateness of post-demolition plans as part of the review of demolition requests. In the initial Applications it was not clearly communicated why conceptual design alternatives that preserved one or more of the Subject Improvements in place were never explored or studied by the Applicant.
- l. [] Post-demolition plans, Stormwater treatment – In the initial Applications it was not apparent that all stormwater infrastructure alternatives and technical solutions associated with the Project had been adequately explored by the Applicant thus avoiding or minimizing demolition of the Subject Improvements.
- m. [] Post-demolition plans, construction staging – In the initial Applications it was not apparent that all alternatives and technical solutions associated with staging construction of the Project had been adequately explored by the Applicant thus avoiding or minimizing demolition of the Subject Improvements.
- n. [] Post-demolition plans, new building setback – The preferred massing option (#3) for the Project includes a proposed setback that potentially accommodates the Subject Improvements as long as technical issues such as stormwater treatment infrastructure, fire safety, and security issues are addressed.
- o. [] Post-demolition plans, new building appearance – In the initial Applications two (2) preferred design concepts for the Edwards Ferry Road side (south elevation) of the Project from the August 4, 2014 BAR presentation were submitted. The two design concepts were very different in appearance thus additional information was requested from the Applicant regarding appearance of the Project including all four (4) building elevations.
- p. [] Relocation study - A relocation feasibility study may be warranted once all other viable preservation alternatives and options have been adequately considered and explored by the BAR and Applicant.
- q. [] Impact on adjacent resources – The request for an impact assessment and mitigation plan for Contributing Resources adjacent to the Project as previously outlined in the July 30, 2014 memo was restated because this information was not included in the Applications..
- r. [] Federal & State participation - A request was made in the staff report for the Owner to share any available information regarding the proposed use of federal and state funds, non-financial assistance, and/or permit approval requirements associated with the construction of the Project to avoid duplication in historic preservation review requirements. The Owner provided a response that funding for the project is to be paid for entirely with local tax dollars.

24. [] The Applications and accompanying staff reports, were forwarded to the BAR for consideration, discussion, and public hearing at the December 15, 2014 meeting.
25. [] The following events occurred at the December 15, 2014 BAR regular business meeting:
- a. [] The Preservation Planner provided a presentation that summarized the Application; outlined known information on the historical and architectural significance of the Contributing Resource; and defined the applicable design guidelines, relevant ordinances, and the overall demolition review process.
 - b. [] The Applicant deferred in making a presentation.
 - c. [] The public hearing was opened with comments made by two (2) members of the general public: a Leesburg resident expressed concern about the Owner's lack of interest in preserving the four buildings in place and a property owner expressed interest in the possibility of relocating one or more of the buildings proposed for demolition to property on Edwards Ferry Road NE. Chair Kiley stated that the public hearing would remain open during the entire review of the Application by the BAR.
 - d. [] The BAR advised the Applicant and Owner that the initial Applications did not provide adequate justification and evidence demonstrating the necessity for demolition.
 - e. [] The BAR advised the Applicant and Owner that the initial Applications did not communicate whether any alternatives to demolition or mitigation strategies were considered or explored.
 - f. [] The BAR arranged a site visit with the Applicant and Owner for January 14th, 15th or 16th to inspect the Subject Improvements.
 - g. [] During discussion about continuing review of the Applications to the next regularly scheduled meeting (January 3, 2015), the Applicant informed the BAR that the additional information requested could not be provided until the February 2, 2015 BAR meeting because consultation with the Loudoun County Board of Supervisors was necessary. A motion was made and seconded to continue review of the Applications to the February 2, 2015 BAR meeting which was approved 6-0-1.
26. [] A site visit attended by all seven (7) BAR members was held on January 16, 2015 where the interior and exterior of the Subject Improvements were examined and inspected.
27. [] The following events occurred at the February 2, 2015 BAR work session:
- a. [] The Preservation Planner provided a detailed presentation on contributing status, architectural integrity, and historical significance of the Subject Improvements.
 - b. [] The Applicant made a presentation that summarized stormwater treatment, security, and fire safety issues. In addition, the Applicant made

a statement that the contributing status, architectural integrity, and historical significance of the Subject Improvements would not be contested.

- c. The public hearing continued with comments provided by two (2) members of the general public – both expressed concern about the Owner’s lack of interest in preserving the four buildings in place.
 - d. The BAR advised the Applicant that the Applications did not adequately communicate the steps taken in the planning and conceptual design phases of the Project. Information was requested including any communications, conceptual studies, sketches, and drawings that show how one or more of the Contributing Resources (i.e. the Subject Improvements) may have been incorporated into the site design of the Project at whatever stage of the design process the concepts or proposals were presented along with reasons why they were discarded.
 - e. Members of the BAR advised the Applicant and Owner that the Applications did not adequately communicate all alternatives considered for stormwater treatment. Information was requested on all available stormwater treatment alternatives considered by the Applicant. Also the BAR requested that the Applicant consider relocating the concrete stormwater vaults so that demolition of the Subject Improvements may be mitigated or avoided.
 - f. Members of the BAR advised the Applicant that the Applications did not include any detailed information on fire safety and security issues. Support documentation was requested by the BAR including, but not limited to, written narratives, diagrams, illustrations, specifications, and code requirements.
 - g. In response to the request by the BAR to extend the Critical Action Date to allow for the continued review of the Applications, the Applicant stated that they were not authorized to consent to an extension.
 - h. A motion was made and seconded to continue review of the Applications to the February 18, 2015 BAR meeting which was approved 7-0.
28. In response to questions asked and comments previously made by staff and by the BAR at the February 2, 2015 work session, the Applicant submitted additional information about the Project on February 11, 2015 which included:
- a. A summary of associated planning and design activities leading to the current design concept;
 - b. A synopsis of stormwater treatment alternatives considered and a diagram showing a new configuraton for the concrete stormwater vaults;
 - c. An explanation of desired judicial facility exterior perimeter security distances including a letter dated February 12, 2015 prepared by the

Loudoun County Sherriff's Office summarizing security standards and issues;

- d. Code requirements for fire safety clear zones along with a diagram depicting distances between the Project and the Subject Improvements;
- e. A letter dated February 9, 2015 prepared by the Loudoun County Department of General Services summarizing the lack of need for future use of the Subject Improvements by the Owner;
- f. A letter prepared by Ben Mays, Chief Financial Officer for Loudoun County, dated January 27, 2015 identifying the source of funding for the Project. All anticipated funds for the design and construction of the Project are from local tax funding and lease revenue financing sources. No information was provided on Federal or state permitting requirements; and
- g. A report for Phase II Archaeological investigations (75% draft) prepared by John Milner Associates, Inc. dated January 2015 summarizing archeological investigations conducted in the vicinity of the Subject Improvements. Seven (7) 5x5 units were excavated and 14,284 artifacts have been recovered to date. Preliminary findings suggest that the archeological deposits associated with the Subject Improvements are not eligible for National Register listing.

29. [] The following occurred at the February 18, 2015 BAR regular business meeting:

- a. [] The Preservation Planner provided a synopsis of the demolition review process to date and a summary of new information provided by the Applicant.
- b. [] The Applicant made a presentation about the Project that provided considerations, constraints, and additional details about stormwater treatment alternatives, exterior perimeter security, and fire safety clear zones.
- c. [] The public hearing continued with a comment provided by a member of the general public who expressed concern about the Owner's refusal to extend the Critical Action Date.
- d. [] The BAR continued discussion with the Applicant about stormwater treatment issues for the Project – the Applicant provided a diagram that relocates one of the proposed concrete stormwater vaults to avoid the two of the Subject Improvements.
- e. [] The BAR continued discussion with the Applicant about fire safety and security issues for the Project – the BAR asked the Applicant to respond to a previously suggested alternative that removes the rear non-historic additions from the Subject Improvements to provide a reasonable clear zone for fire safety and security purposes between the Project and the Contributing Resource.

- f. In response to the request by the BAR to reconsider extending the Critical Action Date to allow for the continued review of the Applications, a representative of the Owner, Assistant County Manager Charles Yudd, did not agree to the request. Chair Kiley stated that the BAR offer to extend the Critical Action Date will remain in effect until the end of the March 2, 2015 meeting if the Owner desires to change their position on the matter.
 - g. A motion was made and seconded to continue review of the Applications to the March 2, 2015 BAR meeting which was approved 6-0-
30. In response to questions asked and comments made by the BAR at the February 18, 2015 regular business meeting the Applicant submitted the following:
- Dewberry letter dated February 27, 2015.
 - Loudoun County Board of Supervisors Agenda item #11 for March 4, 2015 meeting
31. The following events occurred at the March 2, 2015 BAR work session:
- Staff presented a preferred recommendation that review of the Applications be continued by the BAR because new information was provided by the Applicant and Owner on February 27, 2015.
 - If the Critical Acton Date is not extended by the Owner on March 2, 2015 the staff recommendation is to deny all four Applications collectively.
 - _____
 - _____
 - _____
32. The internal approval requirements and lengthy response time dictated by the Owner consumed the majority of the time available (49 days of the minimum 75 day period or 65%) for review of the Applications by the BAR. The BAR has repeatedly stated a willingness to extend the Critical Action Date for review of these Applications.

EXHIBITS



106 Edwards Ferry Road NE



108 Edwards Ferry Road NE



110 Edwards Ferry Road NE



112 Edwards Ferry Road NE

Exhibit 1 – The four (4) buildings identified as the “Subject Improvements”



Exhibit 2 – The land parcel identified as the “Subject Parcel” (Parcel Id No. 231-38-8886-000)

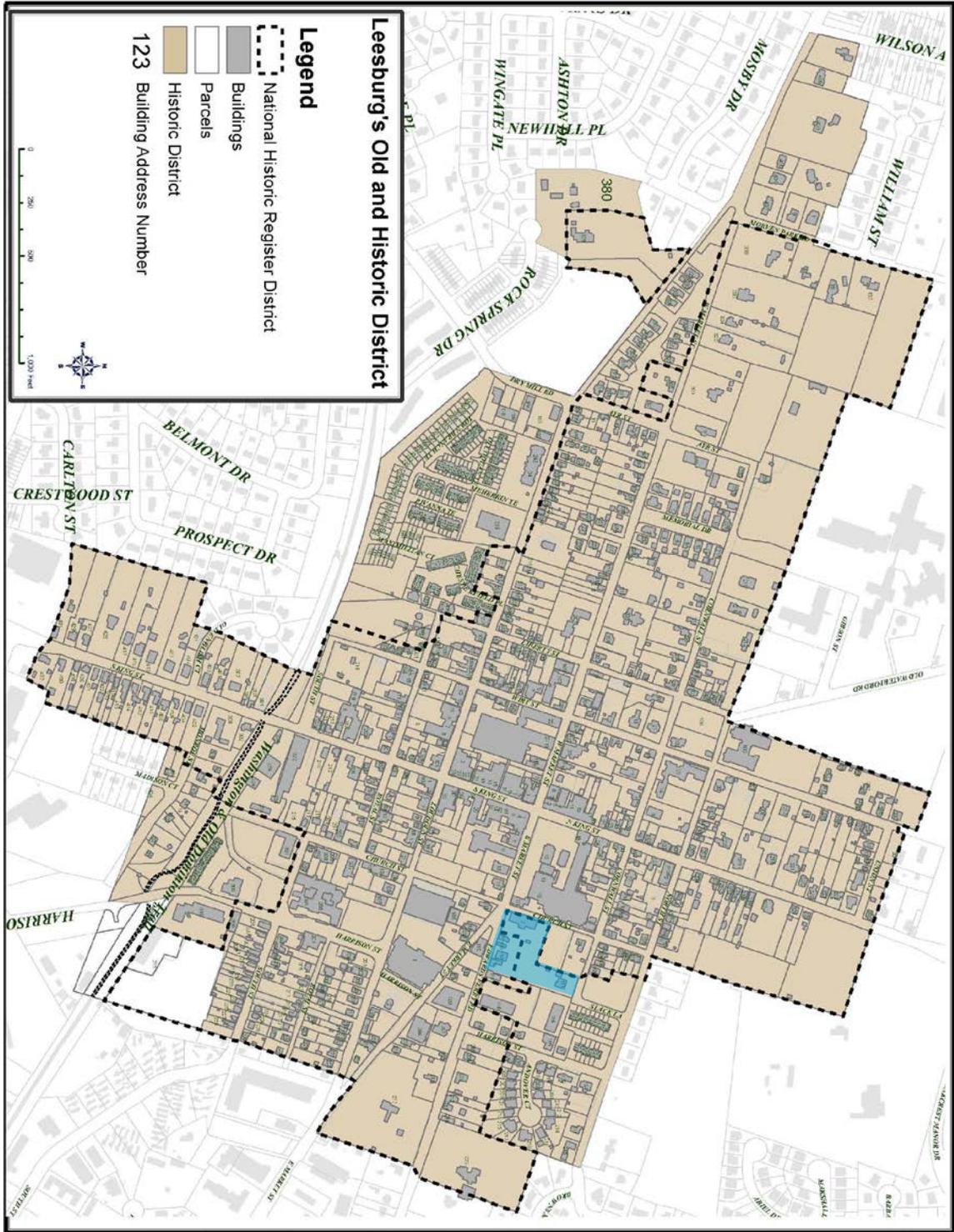


Exhibit 3 - Map of historic districts with subject property highlighted in blue

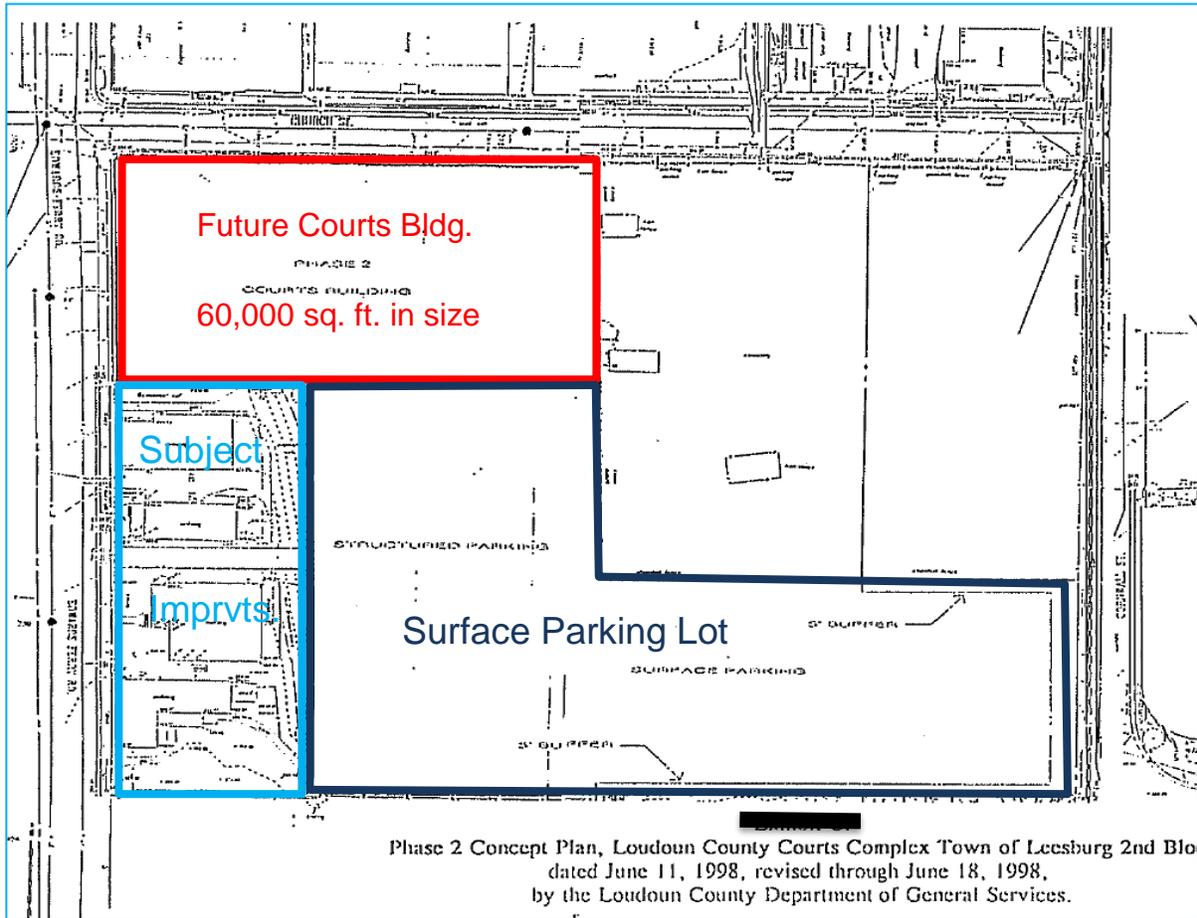


Exhibit 4 – Excerpt from the approved Conceptual Site Plan for rezoning application TLZM-1998-0155 showing the Subject Parcel with a proposed judicial facility 60,000 square feet in size, a surface parking lot, and the Subject Improvements preserved in place identified at the time as “Phase 2” (Exhibit has been enhanced for clarity)

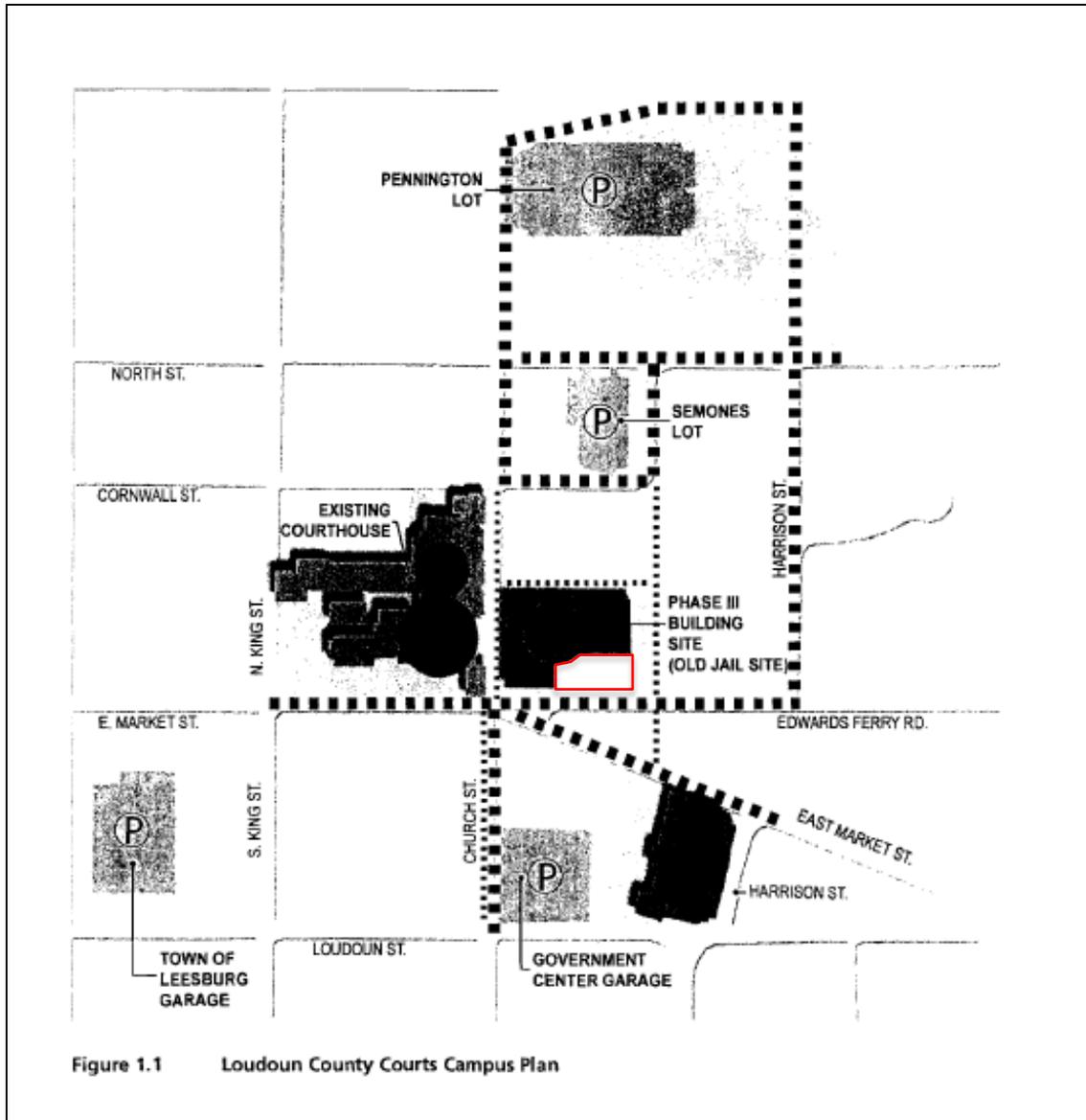


Exhibit 5 – Example of figure from *Loudoun County Courts Expansion Update Facility Plan and Assessment, August 2011* (Exhibit has been enhanced--location of Subject Improvements outlined in red)

*BALLOT FOR
MOTION TO APPROVE
THE DEMOLITION REQUESTS COLLECTIVELY*

MOTION:

I move that the Board of Architectural Review APPROVE the request by the applicant to demolish the buildings at 106, 108, 110, and 112 Edwards Ferry Road NE as outlined in Certificate of Appropriateness applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117, and TLHP-2014-0118 based upon the findings of fact and the following conclusions:

CONCLUSIONS:

[Each conclusion is to be accepted, rejected or revised by the BAR member making the motion. Additional conclusions may also be added.]

- A. As set forth in Chapter VIII, Procedures and Regulations for Demolition and Relocation of Existing Structure, of the *Leesburg Old and Historic District Design Guidelines*, the BAR has evaluated the information submitted by the Preservation Planner and Applicant and concludes that the Subject Improvement no longer retains integrity for the following:
 - 1. location,
 - 2. design,
 - 3. setting,
 - 4. materials,
 - 5. workmanship,
 - 6. feeling, or
 - 7. associationand, therefore, no longer contributes to the architectural and historic significance of the property, neighborhood or historic district.

- B. As set forth in Chapter VIII, Procedures and Regulations for Demolition and Relocation of Existing Structure, of the *Leesburg Old and Historic District Design Guidelines*, the BAR has evaluated the information submitted by the Applicant, has conducted a site visit to inspect the building, and concludes that the Subject Improvement no longer retains structural integrity and is in a physical condition that is not reasonable for continued use and occupancy described and observed as follows:
 - _____
 - _____
 - _____

C. The requested demolition of the Subject Improvement is consistent with Objective 3 in Chapter 4, *Heritage Resources*, of the Leesburg, Virginia Town Plan. Specifically, potential impacts on heritage resources (i.e. the Subject Improvement) have been adequately mitigated in the following manner:

D. The requested demolition of the Subject Improvement is consistent with Chapter VIII, Procedures and Regulations for Demolition and Relocation of Existing Structures, of the *Leesburg Old and Historic District Design Guidelines*. Specifically, the demolition or relocation of contributing buildings (i.e. the Subject Improvement) is justified and warranted for the following reasons:

E. Based on the merits of the Application it is not necessary that the Applicant and Owner address alternatives to demolition of the Subject Improvement to mitigate or avoid the impact of the Project on the Contributing Resource as required by the *Leesburg, Virginia Town Plan* and the *Leesburg Old and Historic District Design Guidelines* for the following reasons:

F. The preponderance of the evidence presented by the Applicant and Owner proves the necessity for demolition of the Subject Improvement as proposed in the Application and, therefore, meets the ‘Burden of Proof or Persuasion’ requirement outlined in Section 3.1.4 of the *Town of Leesburg Zoning Ordinance* in the following manner:

The BAR finds that the Applicant and Owner established sufficient justification in support of these Applications and demolition of the Subject Improvements can be approved. Applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117, and TLHP-2014-0118 accordingly are APPROVED.

SECOND:

VOTE:

AYES:

NAYS:

ABSTENTIONS:

ABSENT FOR VOTE:

CERTIFIED this __ day of _____, 2015:

CHAIR, BOARD OF ARCHITECTURAL REVIEW

*BALLOT FOR
MOTION TO DENY
THE DEMOLITION REQUESTS COLLECTIVELY*

MOTION:

I move that the Board of Architectural Review DENY the request by the applicant to demolish the buildings at 106, 108, 110, and 112 Edwards Ferry Road NE as outlined in Certificate of Appropriateness applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117, and TLHP-2014-0118 based upon the following findings of fact and conclusions:

CONCLUSIONS:

[Each conclusion is to be accepted, rejected or revised by the BAR member making the motion. Additional conclusions may also be added.]

- A. [] The Owner currently has a Conceptual Site Plan approved as part of the 1998 rezoning (TLZM-1998-0155) for a proposed 60,000 square foot judicial facility on the Subject Parcel maintaining the Subject Improvements in place that is potentially consistent with the historic preservation goals, objectives, guidelines and ordinances adopted by the Town of Leesburg.
- B. [] As set forth in Chapter VIII, Procedures and Regulations for Demolition and Relocation of Existing Structure, of the *Leesburg Old and Historic District Design Guidelines*, the BAR has evaluated the information submitted by the Preservation Planner and Applicant and concludes that the Subject Improvements retain integrity for location, design, setting, materials, workmanship, feeling, and association; therefore, shall continue to be designated as Contributing Resources adding to the architectural and historic significance of the property, neighborhood and historic district.
- C. [] As set forth in Chapter VIII, Procedures and Regulations for Demolition and Relocation of Existing Structure, of the *Leesburg Old and Historic District Design Guidelines*, the BAR has evaluated the information submitted by the Applicant, has conducted a site visit to inspect the building, and concludes that the Subject Improvement retains structural integrity and is in a physical condition that is reasonable for continued use and occupancy.
- D. [] The requested demolitions of the Subject Improvements are not consistent with Objective 3 in Chapter 4, Heritage Resources, of the *Leesburg Town Plan*. Specifically, potential impacts on heritage resources (i.e. the Subject Improvement) have not been adequately mitigated.
- E. [] The requested demolitions of the Subject Improvements are not consistent with Chapter VIII, Procedures and Regulations for Demolition and Relocation of Existing Structures, of the *Leesburg Old and Historic District Design Guidelines*. Specifically, the demolition or relocation of contributing buildings (i.e. the Subject Improvement) has not been avoided.

- F. As required by the *Leesburg Town Plan* and the *Leesburg Old and Historic District Design Guidelines*, the Applicant and Owner have not proposed or addressed alternatives to demolition of the Subject Improvements to mitigate or avoid the impact of the Project on these Contributing Resources after repeated requests made by the BAR to do so since August 4, 2014.
- G. The preponderance of the evidence presented by the Applicant and Owner does not prove the necessity for demolition of the Subject Improvements as proposed in these Applications and, therefore, does not meet the Burden of Proof or Persuasion requirement outlined in Section 3.1.4 of the *Town of Leesburg Zoning Ordinance*.
- H. The Owner has had ample opportunity since October 2010 to present information and discuss issues regarding the Project with the BAR in earlier stages of the planning and design process and has failed to do so.
- I. The Applicant has had opportunity since November 2013 to engage the BAR as a stakeholder in the Project before final design decisions about demolition of the Subject Improvements was made.
- J. After repeated requests by the BAR to extend the Critical Action Date as set forth in Section 3.10.5 of the Zoning Ordinance, the Owner has demonstrated an unwillingness to mutually agree to such an extension, therefore, terminating review of the Applications before all reasonable alternatives to mitigate or avoid demolition were adequately explored.
- K. The Applicant and Owner are not prioritizing the historic preservation goals, objectives, guidelines, and ordinance requirements adopted by the Town of Leesburg as demonstrated by the lack of effort to avoid or mitigate the impact of the Project on the Contributing Resources (i.e. the Subject Improvements)
- L. The BAR finds the Applicant's and Owner's evidence unpersuasive that demolition of these Subject Improvements being Contributing Resources in the Leesburg National Register Historic District is consistent with the regulations, guidelines, and requirements governing demolition of buildings and structures in the H-1 Overlay, Old and Historic District except with regard to the following:

The BAR finds that the Applicant and Owner failed to establish sufficient justification in support of these Applications and demolition of the Subject Improvements cannot be approved. Applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117, and TLHP-2014-0118 accordingly are DENIED.

SECOND:

VOTE:

AYES:
NAYS:
ABSTENTIONS:
ABSENT FOR VOTE:

CERTIFIED this __ day of _____, 2015:

CHAIR, BOARD OF ARCHITECTURAL REVIEW

February 27, 2015

Mr. Tom Scofield
Town of Leesburg, Department of Planning and Zoning
25 West Market Street
Leesburg, VA 20176

Re: Applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117, TLHP-2014-0118

Dear Mr. Scofield:

In advance of the March 2nd work session with the Board of Architectural Review, we wish to respond to the questions which arose at the February 18th BAR meeting and in correspondence since received.

- 1. Provide a response to the BAR proposal of removing non-historic and later historic additions from the rear of the four historic buildings to create a greater separation between the New District Courthouse and the historic buildings for purposes of fire safety and security as an alternative to demolition. This proposal also includes moving 110 Edwards Ferry Road closer to the street. The information provided to date does not directly address the technical feasibility of reusing and rehabilitating the four buildings in place. Please be aware that the technical feasibility of rehabilitation and reuse of the buildings in place is one of the factors that the BAR is to consider during review of demolition requests as outlined on page 117 of the Old & Historic District Design Guidelines even if it is not your preferred alternative or priority.*

Response:

At the January 21st meeting of the Board of Supervisors, DTCI was directed to "to complete an evaluation of the existing buildings located at 106, 108, 110, and 112 Edwards Ferry Road to determine their construction type and structural suitability for relocation or dismantling and include an estimate of the cost thereof for each building if they are deemed suitable for relocation dismantling." This study is complete and on the agenda for the March 4th Board of Supervisor's meeting and will be made available to The Town of Leesburg Planner and Board of Architectural Review members on February 27th.

At this time, DTCI staff has not been directly authorized to further analyze moving or relocating non-historic and later historic additions from the rear of the four historic buildings to create a greater separation between the New District Courthouse and the historic buildings for purposes of fire safety and security as an alternative to demolition. The information contained in the March 4th Board of Supervisors staff report, does provide additional background relative to the components of the existing structure and County staff will ask the Board of Supervisors on March 4th, if they would consider additional analysis of the non-historic and later historic additions of the existing structures. The County staff and consultant team would be happy to

discuss alternatives with the BAR at the March 2nd meeting so this information can be conveyed to the Board of Supervisors at their March 4th meeting.

- 2. In regard to the discussion about the proposed security perimeter around the New District Courthouse, the BAR has requested an answer to the following question: Is it in the interest of the County and/or are there any plans to acquire additional properties immediately adjacent to the existing and proposed courthouse buildings for the purposes of establishing and/or maintaining the preferred 100 foot security perimeter?*

Response: The County has no currently planned effort to purchase any structures that fall within the 100 foot security perimeter of the proposed courthouse or within the National Historic Register District. Security standards recognize that many existing Courthouses are in historic districts or in urban environments where the recommended stand-offs need to be supplemented with other means of providing security. These measures include bollards spaced along vehicular routes, depressions in the grade, ballistic glazing and exterior envelope hardening to minimize bullet and explosive threats and structural design measures to minimize building or structural collapse. If requested, representatives from the Sheriff's Office would be available to discuss in detail the need for stringent security measures to keep the building and occupant's safe from threats.

- 3. Request from the BAR: Please confirm when the structures were acquired by the County and what their intended purpose was at the time of acquisition.*

Response: The structures were acquired by the County in 1980 and have primarily been used for court related support functions and as a mental health group home. The buildings were not purchased exclusively for the Courts. Currently 106 and 112 Edwards Ferry Road buildings are vacant. 108 Edwards Ferry Road is used by Loudoun Museum for artifact storage and 110 Edwards Ferry Road is used by the Commonwealth Attorney. All 4 structures are in need of upgrades to their foundations. We have employed a house moving consultant to review the 4 buildings for the possibility of relocation. He reviewed their structural and envelope condition and in the crawl spaces he was able to access, he identified that they all of the require foundation repairs. Most of the damage he observed was sill rot and because of the wood rot, the floor joists may now be sitting on the stone foundations, which may be causing further structural damage.

To configure a residential structure to commercial/office use is problematic. The current Edwards Ferry road buildings were built in an era where rooms were sized for a population that did not require the expansive rooms we require today. To convert a bedroom, that was built in 1890, to an office is difficult as desks, chairs, storage cabinets, and working area have grown in size and number which cannot be accommodated by the smaller room size. Many of these

rooms were sized according to its particular use and consequently they are small with many of the enclosing walls being load bearing, which prevents increasing the floor plate to support a larger office function. In programming for users/groups, it is the desire of office management to keep their team in one location. Again, the square feet of the houses are so limited, that not one of the Edwards Ferry Road buildings can support any department scheduled to move into the new Courthouse. Lastly, the technology and air/temperature conditioning requirements would require a total interior demolition (down to the studs and floor framing) to accommodate these systems. Lastly, please refer to Letter for General Services, dated February 9th 2015, which was provided to Town of Leesburg staff in the February 18th BAR packet.

Additional questions and comments which were noted during the February 18th BAR presentation are presented below. Though some of these questions may be premature for this application, they are still relevant and will be addressed in a more detailed manner in subsequent BAR presentations and design meetings. They are;

4. Existing Retaining Wall. You have requested further investigation of the existing retaining wall at the edge of the existing courts parking lot. We have asked our Historic Consultant, Milner and Associates, to investigate the wall that may have been part of the Jail. This information will be forwarded as soon as it is complete.
5. Impact on 114 Edwards Ferry Road. The impact of the new Courthouse on this property-will be minimal. This structure is 4" from the property line of the Church Street Lot owned by the County and it may be possible that its foundation actually extends beyond its property line into and under our lot. There will be a required buffer zone of vegetation between the county owned property and 114 Edwards Ferry Road. All efforts will be made to protect this adjacent property during the construction of the new courthouse.
6. The 1998 Master Plan. This study has been raised at several meetings by the Board of Architectural Review and requires us to provide additional clarification. This plan/study was developed 17 years ago and simply does not reflect the overall growth and development of the courts. The 1998 Master Plan does not reflect the program required by the current Courts users. The programming, which has occurred the last year, determined that 92,000 gross square foot is required for the courthouse to house the courts departments so they may function effectively.
7. The Slack Family. We have taken notice and understand the importance of the Slack Family to the Town of Leesburg. Our team is currently developing several design ideas which will commemorate this family on the site which we would like to discuss in more detail in future BAR presentations and meetings. One of these ideas is working with the Town of Leesburg in

8. developing a commemorative footprint of the structures on the "Front Lawn" of the courthouse and creating an interpretive exhibit in the lobby of the courthouse.

We have thoroughly reviewed the Town of Leesburg's "Old and Historic Design Guidelines" and our Certificate of Appropriateness application, submitted November 17th 2014, contained all required information. We have made every effort to provide the information you have required at every step in the process. Our first presentation to you on December 15th 2014 we discussed items to be presented at the January 7th meeting, which the County could not meet because of time constraints and was later scheduled for February 2nd, which included;

- Review of property status and contributing status
- Scheduling the BAR site visits
- Discussion on condition, integrity, and adaptive re-use potential for historic buildings
- Discussion on the New District Courthouse siting, appearance, construction staging and associated storm water infrastructure.

DTCI staff arranged for site visits for members of the Town of Leesburg, as well as the BAR members, and these visits were completed as requested on January 14th and 16th.

Before our second meeting on February 2nd, DTCI staff discussed with Town of Leesburg staff what information would be best to present that would assist both Town of Leesburg and the BAR members in their decision making process. We built our presentation around that information. We presented and unfortunately, a portion of the slide that contained the plan, which was keyed to all our talking points, was missing. The issue regarding the slide became mute as the presentation was interrupted and we were not allowed to finish. This presentation included a discussion on the project scope, COA Applications, a statement that we are not contesting that the buildings are historic, Virginia Courthouse design, as well as our current Board of Supervisors endorsed design; Concept 5D.

At the February 18th meeting we were allowed to present our information which contained our talking points from the February 2nd meeting with additional information describing numerous site constraints. This presentation contained detailed site information and discussed all issues that affect the placement of the courthouse on the Church Street site. This presentation was supplemented with 8 attachments in the hope that they would provide insight into our design and planning process. From the response of the BAR members at the conclusion of our presentation, it appeared to us that the complexity of issues facing us, was in part, conveyed.



Dewberry Architects Inc.
8401 Arlington Boulevard
Fairfax, VA 22031-4666
703.698.9050
703.698.9049 fax
www.dewberry.com

It is our desire to move forward in this process, with you contributing to the design in any manner that you feel comfortable, so that we can arrive at a solution that represents all of our interests.

Please do not hesitate to call me if you have any questions about what we have submitted.

Sincerely,

A handwritten signature in black ink, which appears to read "Marlene Walli Shade". The signature is written in a cursive, flowing style.

Marlene Walli Shade AIA
Associate Principal



Loudoun County, Virginia

Board of Supervisors

1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0204 • Fax (703) 777-0421

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BOARD BUSINESS MEETING

AGENDA

Board Room, First Floor, Government Center

Wednesday, March 4, 2015

4:00 P.M.

4:00 P.M. Call to Order

(Proposed on Consent)*

I. Call to Order - Chairman York

II. Invocation/Pledge of Allegiance – Supervisor Volpe

III. Adoption of Consent Agenda

IV. Requests for Additions/Deletions to the Agenda

V. Closed Session

VI. Administrator's Comments

VII. Chairman's Information Items (AS NEEDED)

VIII. Information Items

I-1 Briefing Item: Land Development Applications March 11, 2015 Public Hearing
(Armstrong/Merrithew)

IX. Action Items

1. APPOINTMENTS

1a. *Confirmations

1b. Nominations

2. *Administrative Items Report of March 4, 2015

3. State and Federal Legislative Report (Sandy/Gore)

4. Resolution for Personal Property Tax Relief (PPTR) for Tax Year 2015
(Wertz/Zurn/Kinney)
5. Review and Renewal, Modification or Termination of the Oatlands Agricultural and Forestal District (Catoctin) (Boles/Rizer)
6. SPEX 2014-0003, SPEX 2014-0004 & ZMOD 2014-0001/Edgewater Day Care (Dulles) (Birkitt/Merrithew)
7. ZMAP 2013-0014/McIntosh Assemblage (Blue Ridge) (Birkitt/Merrithew)
8. *Application for Virginia Department of Transportation FY 2016 High Volume Unpaved Road Program Funds (Laycock/Kroboth)
9. Traffic Study to Increase Parking Along Oak Grove Road (Broad Run) (King/Leidich/Kroboth)
10. Courts Complex Phase III – Evaluation of Edwards Ferry Road Buildings (Leesburg) (Kroboth/Glassmoyer/Hargreaves)
11. Installation of Traffic Calming Measures in the Hunt Subdivision (Ashburn) (Thring/Leidich/Kroboth)
12. Transit Development Plan Comprehensive Update Stakeholder Working Group (Kroboth/Leidich/Mounier)
13. Purcellville Northern Collector Road Study (Blue Ridge and Catoctin) (Leidich/Toth/Kroboth)
14. Board Member Initiative: Position on the Pacific 230 kV Transmission Line and Substation Project (Williams)
15. Board Member Initiative: Braddock Road/Supreme Drive/Summerall Drive Intersection (Letourneau/Clarke)
16. **Finance/Government Services and Operations Committee Reports:**
 - 16a. Draft Fiscal Policy-Community Water and Wastewater Projects (Kennedy/Brewer/Brown/Mays)
 - 16b. Land Acquisition Policy for School Sites (Rogers)
 - 16c. *Policies Regarding Capital Funding Requests from Volunteer Fire and Rescue Corporations (Csizmar/Brown/Kroboth)

17. Transportation and Land Use Committee Reports:

17a. ZMAP-2014-0009, Removal of Land from the Goose Creek Historic and Cultural Conservation Overlay District- Miller Property (Catoclin) (J.Harlow/Merrithew)

17b. ZMOD 2013-0001/Dulles North Business Park Sign Plan (Broad Run) (Carter/Merrithew)

18. Purchase of Property from Antonio Baiza for Crosstrail Boulevard (Catoclin) (Sigler/Rogers/Klassen/Kroboth)

X. Presentation of Ceremonial Resolutions (To start as early as 6:00 p.m.)

R-1 *Resolution of Appreciation for Joan Rokus (York) (Approval and Presentation)

R-2 *Resolution of Commendation for Matthew Newcomer (Reid) (Approval & Presentation)

R-3 *Resolution Commemorating the 10th Anniversary of the Purcellville Teen Center (Clarke) (Approval and Presentation)

XI. Public Input (To start as early as 6:00 p.m.)

XII. Board Comments/Disclosures (5 Minutes Each)

XIII. Adjourn

Please note:

Advanced sign-up for Public Input is available. Contact the Office of the County Administrator at (703) 777-0200 to sign-up to speak. Advanced sign-up is open until noon the day of the Business Meeting. The meeting can be viewed via webcast at: <http://www.loudoun.gov/index.aspx?NID=2203>.

Copies of agenda items are available in the County Administrator's Office and also available online at <http://www.loudoun.gov/bosdocuments>. If you wish to provide information to the Board via the visual display equipment in the Board Room please notify Jeanette Gilbert, Deputy Clerk, in advance of the meeting at 703-771-5679.

Agenda packets are usually posted by close of business on the Friday prior to the Business Meeting. The Action Report of the meeting is usually available in this packet by close of business two days following the Business Meeting. If you need assistance accessing this information contact County Administration at 703-777-0200.

**BOARD OF SUPERVISORS
BUSINESS MEETING
ACTION ITEM**

SUBJECT: Courts Complex Phase III – Evaluation of Edwards Ferry Road Buildings

ELECTION DISTRICT: Leesburg

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACTS: Chris Glassmoyer, Transportation & Capital Infrastructure
Peter Hargreaves, Transportation & Capital Infrastructure
Joe Kroboth, Transportation & Capital Infrastructure

PURPOSE: To present an evaluation of feasibility and cost for relocation of the four County-owned buildings on Edwards Ferry Road as directed by the Board of Supervisors on January 21, 2015, and to provide an update on the Town of Leesburg Board of Architectural Review Process.

RECOMMENDATIONS:

Staff: Staff recommends that the Board direct staff to proceed with the Courts Phase III project as planned, cooperating with the Town of Leesburg to obtain the necessary approvals to implement design Concept 5D with the understanding that the design concept requires the demolition of the existing buildings located at 106, 108, 110, and 112 Edwards Ferry Road. Staff also recommends that the Board authorizes staff to further evaluate the requests of the Town of Leesburg Board of Architectural Review (BAR) to include removing non-historic and later historic additions from the four buildings, moving 110 Edwards Ferry Road closer to the street and to further address the feasibility of reusing the rehabilitating the four buildings in place and for the Board to direct staff to present this information directly to the BAR at their March 16, 2015 Business Meeting.

BACKGROUND: Dewberry Architects, Inc. (Dewberry) began the design process for the Courts Phase III project in November 2013 with space programming. In July 2014, the Board of Supervisors (Board) approved a modification to the adopted scope for the Courts Phase III project to add approximately 7,000 square feet to provide for the Phase IV space requirements thus bringing the total project scope to be constructed with Phase III to a maximum of 92,000 square feet for the new General District Courthouse on the Church Street site.

After careful analysis of possible layouts for the new General District Courthouse, Dewberry developed thirteen (13) possible layouts for the new building. Each was driven by the minimum size of a District Courtroom in the Commonwealth of Virginia. Design options were greatly hampered by the overall lot size, nearby constraints such as the cemetery and roadway network and the “L” shape configuration of the lot itself. The existing County-owned buildings at 106, 108, 110 and 112 Edwards Ferry Road were also considered as they are located on the same parcel. The thirteen (13) concepts, all of which required removal of the four (4) buildings, were narrowed down to seven (7) concepts through initial County and Courts stakeholder review.

On November 17, 2014 Dewberry, on behalf of Loudoun County, submitted a Certificate of Appropriateness (COA) Application for each of the four (4) County-owned buildings on Edwards Ferry Road to initiate the review process for ultimate demolition of the buildings. On December 15, 2014, staff and Dewberry appeared before the Town’s Board of Architectural Review (BAR) regarding the demolition of the four (4) buildings. The BAR members indicated their strong support for retaining the buildings and asked the County and Dewberry to re-evaluate the building's program, functionality, configuration, size and height to develop alternatives that retain the structures in question on the site. County staff and Dewberry returned to the Town’s BAR for a Work Session on February 2, 2015. Discussion with the BAR at that time, included requests for additional technical details on storm water management and supporting documentation for design considerations including security, code requirements and other elements which constrain the use of the site.

ISSUES:

At the January 21, 2015 Business Meeting, the Board endorsed Concept 5D for the new General District Courthouse (9-0), (Attachment 1). The endorsed design has two distinct components which include building aesthetics and physical position on the site. In regards to the physical position on the site, this concept requires the removal of the four (4) buildings on Edwards Ferry Road. The Board also directed staff to complete an evaluation of the existing buildings located at 106, 108, 110, and 112 Edwards Ferry Road to determine their construction type and structural suitability for relocation or dismantling and include an estimate of the cost thereof for each building if they are deemed suitable for relocation dismantling (9-0).

The Department of Transportation and Capital Infrastructure (DTCI) and Dewberry have evaluated each of the four (4) buildings. Dewberry, in association with their historic preservation, structural and relocation consultants, have completed the evaluation. The findings are summarized in Attachment 2.

Construction Type: 106, 108 and 110 Edwards Ferry Road are wood framed buildings, while 112 Edwards Ferry Road is a combination of masonry (brick) and wood construction. None of the structures have a basement while they each do each have a crawl space albeit very shallow in some of the structures. All of the buildings are currently structurally stable.

Structural Suitability for Relocation or Dismantling: 106, 108 and 110 Edwards Ferry Road, as wood framed structures, could be relocated with some excavation required to add supporting structure necessary to stabilize the building for a move. The relocation consultant recommends removal (demolition) of the later additions to 106 and 110 Edwards Ferry Road in order to simplify the move. The building located at 112 Edwards Ferry Road is more complicated to relocate given the combination of the masonry and wood framed construction. The relocation consultant recommends removal (demolition) of the rear addition and more extensive excavation including removal of the side walk in order to move 112 Edwards Ferry Road building.

Each of the four (4) structures has some form of a masonry or rubble foundation which would require dismantling and reassembly at the new location in addition to new foundation work at the new location.

Relocation Costs: The buildings at 106, 108 and 110 Edwards Ferry Road are comparable in terms of relocation costs. As estimated by the Dewberry team, each building would cost approximately \$379,000 which includes the design costs, site and utility costs as well as the cost of relocation and contingency. The 112 Edwards Ferry Road building, due to the added complexity of the masonry construction, would cost approximately \$474,000. In total, Dewberry and staff estimate the cost of relocation of all the buildings to be \$1,611,000 exclusive of any site acquisition costs that may be required to establish a receiving site. With the buildings being designated as contributing structures to the Historic District of Leesburg, relocation to a receiving site within the Old and Historic District would likely be preferred. The County does not currently own a suitable site within the Old and Historic District.

FISCAL IMPACT: The cost estimate for the Board endorsed Concept 5D is currently within the overall project budget in the Capital Improvement Program (CIP) budget and includes an estimated cost of demolition of the four (4) Edwards Ferry Road buildings of \$200,000. Funding for design is already appropriated in the Capital Fund and totals \$9.3 million. Construction funding for the Courts Phase III project is currently planned for FY 2017 in the CIP.

The total estimated cost to relocate the buildings at 106, 108, 110 and 112 Edwards Ferry Road is approximately \$1,611,000. Based on the Board's direction on January 21, 2015 (9-0) to proceed with the planning to add an additional level to the Pennington lot parking structure, to be constructed as part of this project, the previously realized design funding surplus has been allocated to the parking structure. Therefore, supplemental funding in the project budget would be required in the amount of \$1,411,000 to cover the difference in cost between demolition and relocation options.

STATUS OF BAR REVIEW:

On February 18, 2015, County staff and Dewberry returned to the BAR at their scheduled Business Meeting. Based on the BAR's request, Dewberry presented additional technical details on storm water management and supporting documentation for design considerations including security, code requirements and other elements which constrain the use of the site. The BAR

requested consideration of removing non-historic and later historic additions from the rear of the buildings to create a larger separation between these portions and the new courthouse structure, moving 110 Edwards Ferry Road closer to the street and for the County and Dewberry team to further address the feasibility of reusing the rehabilitating the four buildings in place. Additionally, discussion included the application review timeline, request to confirm when the buildings were acquired by the County and their intended purpose for occupancy at the time of acquisition as well as comments and discussion on the post-demolition plans and design/design process of the new General District Courthouse relative to the Town's Old and Historic District Design Guidelines. A response to the BAR's requests was sent to Town staff on February 27, 2015 (Attachment 3). The response letter highlights the following points:

- The Board's direction to prepare the Building Evaluation Summary summarizes and provided with this item;
- Clarification that the Board's direction did not authorize staff to study removal of the non-historic and later historic additions of the buildings or moving 110 Edwards Ferry Road closer to the street, however, that staff would present these requests to the Board for consideration;
- Clarification that the County has no plans to purchase any structures that fall within the 100 foot security perimeter of the propose new General District Courthouse and that supplemental measures to provide appropriate security can be implemented in the new building's design;
- Confirmation that the County acquired the four (4) buildings in 1980 and they have primarily been used for court-related support functions and as a group home since the time of acquisition;
- Identification of other issues raised by the BAR in review of the COA applications for demolition that are relevant to the overall project and that will be addressed in detail in subsequent BAR presentations and design meetings to include: investigation of the history of the existing retaining wall at the edge of the existing parking lot to determine if it was part of the jail structure, impact of the new Courthouse design on the adjacent property at 114 Edwards Ferry Road, relevance of the approved 1998 Master Plan for the Church Street Lot site which planned for a 60,000 SF new Courthouse (now superseded by the current space needs of 92,000 SF) and documentation and representation of the Slack family, the owners of the four (4) buildings as residences and commemoration of the family's contributions to the history of Leesburg; and
- Summary of the timeline of the four (4) COA applications and steps considered in review with the BAR.

County staff and Dewberry will return to the BAR on March 2, 2015 at their scheduled Work Session to further discuss the applications. Staff will update the Board on March 4th as to the status of the applications given the BAR review on March 2nd.

At this time, March 2, 2015 is the required deadline for BAR action on the COA applications, and based on the intention of allowing the BAR the necessary time to complete their review, the

County Administrator has authorized an extension through March 16th which is the next scheduled meeting of the BAR. Board concurrence on this extension is requested.

ALTERNATIVES: The Board may direct staff to proceed with the project as planned and continue to work with the Town of Leesburg, and address the requested additional analysis of the four structures as part of the review of the demolition of the buildings. . The Town BAR has suggested the County submit a request for extension to defer the BAR's decision.

The Board may also direct staff to move forward with the development of strategies for relocation of the four (4) buildings. Possible strategies would include a solicitation to seek interest of private entities to purchase and relocate the buildings. Staff has been contacted by one individual who has expressed interest in considering relocation of two (2) of the buildings. Discussions with this individual have not matured to the point where staff can advise the Board of the particulars, such as, what level of the relocation cost the individual is willing to bear, where they intend to relocate the buildings to or timeline.

The Board may choose any of the alternatives proposed or direct the development of additional alternatives.

DRAFT MOTIONS:

1. I move that the Board of Supervisors direct staff to proceed with the Courts Phase III project as planned, cooperating with the Town of Leesburg to obtain the necessary approvals to implement design Concept 5D with the understanding that the physical location of the new Courts building requires the demolition of the existing buildings located at 106, 108, 110, and 112 Edwards Ferry Road.

AND

I further move that staff be directed to provide further analysis to allow the BAR to complete their review of the applications, and that the action date be extended to March 16, 2015.

OR

2. I move that the Board of Supervisors direct staff to proceed with the Courts Phase III project as planned, cooperating with the Town of Leesburg to obtain the necessary approvals to implement design Concept 5D by developing relocation strategies to move the existing buildings located at 106, 108, 110, and 112 Edwards Ferry Road. I further move to authorize staff to provide a supplemental funding plan for the Board's consideration during the FY 2016 Capital Improvement Program budget deliberations to provide \$1,411,000 in supplemental construction funds in the FY 2017 Courts Phase III capital project budget.

AND

I further move that staff be directed to provide further analysis to allow the BAR to complete their review of the applications, and that the action date be extended to March 16, 2015.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. New General District Courthouse – Concept 5D
2. Dewberry Architects' Building Evaluation Summary
3. February 27, 2015 Response Letter to Tom Scofield, Town of Leesburg Planner



AERIAL FROM EAST



VIEW FROM EDWARDS FERRY ROAD



VIEW FROM CHURCH ST

5D
OPTION

106 Edwards Ferry Road, circa 1879-94

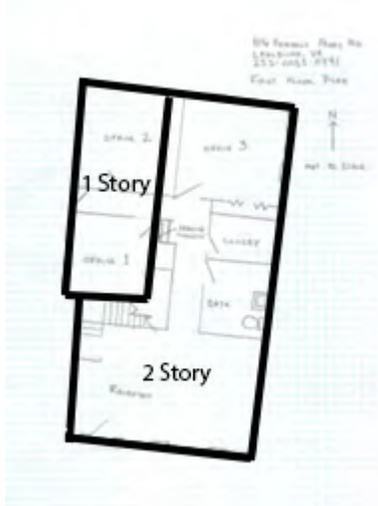
Construction Type

Wood frame structure on rubble stone and slab on grade foundation. Original footprint was an “el” shaped with leg of “el” to west. Later addition filled in “el” to create a rectangle. See diagrams below.

New Materials

Added to the Building: Doors, Windows, Roof, exterior lights, porch stoop, gable vent on north elevation, concrete foundation on addition, siding on addition.

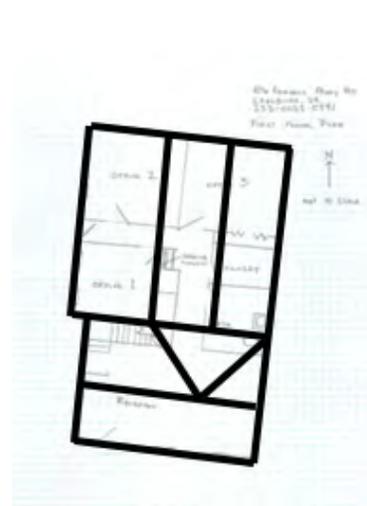
Original Materials: Door Frames, Window Frames, gable vent on south elevation, siding on original portion of house, stone foundation



1894 Footprint



1895 Footprint



2013 Footprint

Previous dwelling on lot had a deep setback from what was then called Market Street.

Structural Suitability for Relocation or Dismantling

Building 106 is a two-story wood framed structure approximately 23 feet wide by 51 feet long. It is supported by a stone foundation wall at its two-story perimeter and the one-story portion is supported by a concrete slab-on-grade. There was no access to the crawl space under the building. The original structure was L shaped and a one-story wood framed addition built on a slab-on-grade making a rectangular footprint. The building appeared to be in good structural condition. The one-story addition can not be moved and is recommended to be demolished due to the slab-on-grade construction. Some excavation would be required to install supporting structural elements under the existing framing to execute the move, but the structure is higher above grade than the other three structures.

Moving

The building is structurally sound enough to be moved. The one-story side room will have to be demolished and concrete slab floor removed to allow rest of building to be moved.

106 Conceptual Cost Estimate

• Moving	\$60,000.00 (cost based on move to Pennington Lot) (additional costs possible depending upon locations other than Pennington)
• Site Prep for new site	\$75,000.00 (can vary widely depending upon location) (costs for grading, removal of trees, excavation for foundation included)
• A&E Fees	\$24,000.00
• Civil Engineering for new site	\$12,000.00 (preparation of site plan)
• Utility Disconnections	\$5,000.00
• Demolition of One Story Addition	\$15,000.00
• New Foundation	\$15,000.00 (depending upon location)
• New Mechanical System	\$15,000.00
• Structural Support work required for move	\$10,000.00
• Replacement of any damaged interior finishes	\$20,000.00 (allowance)
• Repaint/replace rotted exterior wood	\$8,000.00
• Permits and Approvals	\$20,000.00 (conceptual cost)
• Utility Connections at new site	\$50,000.00
SUB TOTAL	\$329,000.00
15% CONTINGENCY	\$50,000.00 (rounded)
TOTAL	\$379,000.00

108 Edwards Ferry Road, circa 1873

Construction Type

Wood frame with parged stone foundation. Original footprint was rectangle with another rectangular addition on the rear.

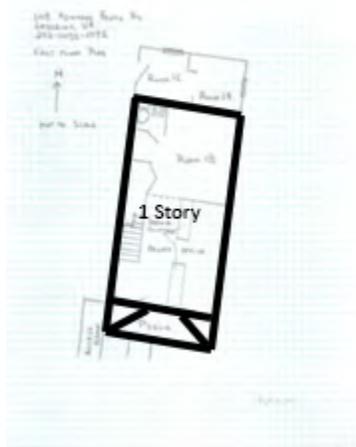
New Materials

Added to the Building:

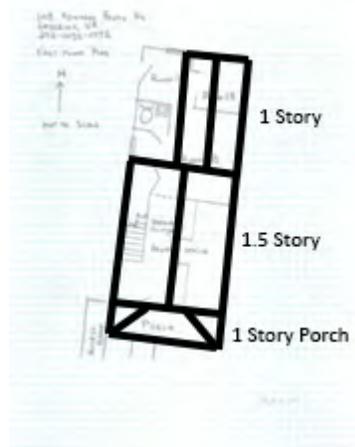
Doors, Door frames, Windows, exterior lights, porch stoop, gable vent on the north Elevation, concrete foundation on addition, siding on addition, porch Concrete foundation on addition, new porch brick piers, decks and ramp to side and rear.

Original Materials:

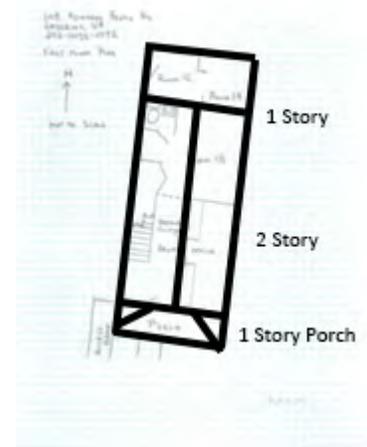
Window Frames, roofing, porch posts, railings and Brackets, gable vent on south elevation, siding on original portion of house, stone foundation.



1878 Footprint



1899 (possible) footprint



2013 Footprint

Photo exists that may show 108 structure on street edge.

Structural Suitability for Relocation or Dismantling

Building 108 is a two-story wood framed structure with a one story portion at the rear. The overall footprint is approximately 16.5 feet wide by 40 feet long. The structure is supported by an 8" wide concrete foundation wall, with the wood framing very close to grade or partially buried in places. Access to the crawl space was not available, but it is likely that there could be some deterioration of the wood sills and possibly the ground floor framing where it bears on the exterior sills. The structure appeared to be in good shape where visible, although the only exposed framing was viewed in the attic.

Moving

108 Edwards Ferry will require sill replacement and the joist are compromised at sills. The very limited crawl space will require excavation to install support beams. Th one-story addition could be removed.

108 Conceptual Cost Estimates

• Moving	\$60,000.00 (cost based on move to Pennington Lot) (additional costs possible depending upon locations other than Pennington)
• Site Prep for new site	\$75,000.00 (can vary widely depending upon location) (costs for grading, removal of trees, excavation for foundation)
• A&E Fees	24,000.00
• Civil Engineering for new site	\$12,000.00 (preparation of site plan)
• Utility Disconnections	\$5,000.00
• Demolition of One Story Addition	\$15,000.00
• New Foundation	\$15,000.00 (depending upon location)
• New Mechanical System	\$15,000.00
• Structural Support work in order to move	\$10,000.00
• Replacement of any damaged interior finishes	\$20,000.00 (allowance)
• Repaint/replace rotted exterior wood	\$8,000.00
• Permits and Approvals	\$20,000.00 (conceptual cost)
• Utility Connections at new site	\$50,000.00
SUBTOTAL	\$329,000.00
15% CONTINGENCY	\$50,000.00 (rounded)
TOTAL	\$379,000.00

110 Edwards Ferry Road, circa 1850

Construction Type

Wood Frame with stone foundation and CMU foundation. Original footprint was rectangle with smaller porch on front. Addition to east almost as large as original house. This addition was done at two different times with the most recent occurring north of the chimney to the rear of the house.

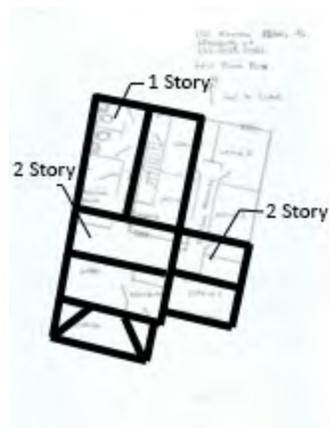
New Materials

Added to the Building: Exterior lights, concrete steps, other doors, windows, roofing on addition, shutters, concrete foundation under latest addition

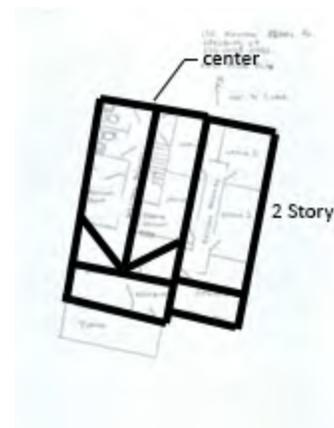
Original Materials: Roof except at latest addition, front door and frame, porch, gable windows, and window frames.



1895 Footprint



1912 Footprint



Present - 2013

Structural Suitability for Relocation or Dismantling

Building 110 is a two-story wood framed structure that appears to have been built with two additions of different vintages. The overall footprint of the original portions of the structure is 22.5 feet wide by 42 feet long. There is a 14'x14' two-story addition that appears to be fairly old to the side of the original structure with a larger 21'x26' newer addition behind that. Much of the wall framing bears on foundations that are at or below grade creating conditions where the wood framing is in contact with soil. There was no access to the crawl space at the time of the site visit, but most likely there would be some sill replacement and first floor joist repair or replacement necessary. Excavation would be required to install supporting structural elements under the existing framing to execute the move. Based on the letter prepared by a contractor estimating the cost of the move, this structure is too large to move in one piece. The newest addition has no historical significance and could be demolished. The small 14x14 addition could be moved independently from the original structure, which would require construction of a temporary wall and bracing to stabilize that structure before moving it.

Moving

For relocation of 110, it is recommended that the rear of structure be removed and demolished as the building is too wide to be moved whole. The back portions show settlement and sill rot, so it is recommended to move the front portion only.

110 Conceptual Cost Estimates

• Moving	\$60,000.00 (cost based on move to Pennington Lot) (additional costs possible depending upon locations other than Pennington)
• Site Prep for new site	\$75,000.00 (can vary widely depending upon location) (grading, removal of trees, excavation for foundation)
• A&E Fees	\$24,000.00
• Civil Engineering for new site	\$12,000.00 (preparation of site plan)
• Utility Disconnections	\$5,000.00
• Demolition of One Story Addition	\$15,000.00
• New Foundation	\$15,000.00 (depending upon location)
• New Mechanical System	\$15,000.00
• Structural Support work required for move	\$10,000.00
• Replacement of any damaged interior finishes	\$20,000.00 (allowance)
• Repaint/replace rotted exterior wood	\$8,000.00
• Permits and Approvals	\$20,000.00 (conceptual cost)
• Utility Connections at new site	\$50,000.00
SUBTOTAL	\$329,000.00
15% CONTOINGENCY	\$50,000.00 (rounded)
TOTAL	\$379,000.00

112 Edwards Ferry Road, circa 1820

Construction Type

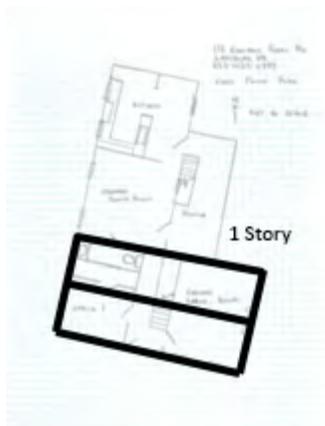
Original one story brick bearing walls, 3 wyeths thick; rest of the structure is wood frame. Original House was one story ,two rooms with “el” added at a later date. 2 story wood frame porch is recent addition to meet code requirements.

New Materials

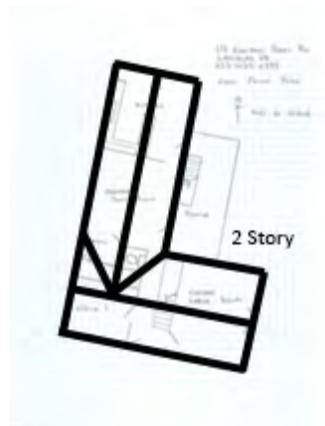
Added to the Building: Windows, siding, gable vents, shutters, doors, door frames, cornice trim, rear porch, roof, rear concrete slab,

Original Materials:

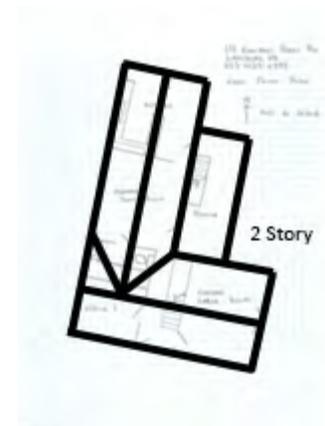
Gable windows original, most of brick original, window frames, water table, first and second floor



1854 Footprint



1878 Footprint



2013 Footprint

Structural Suitability for Relocation or Dismantling

Building 112 is a two-story L shaped wood framed structure. The front portion of the house is approximately 32 feet wide by 18 feet long with brick at the lowest level and a wood framed second story and roof. The 32'x15' two-story rear wing is entirely wood framed and, like the other structures, has little to no clearance between grade and the wood framing bearing on the foundation. There would likely be some structural repair necessary at these locations. The remainder of the structure appeared to be in good condition. Excavation would be required to install supporting structural elements under the existing framing to execute the move.

Moving

112 Edwards Ferry Road will be the most difficult to relocate. The rear portion will have to be demolished and the structure has very limited crawl space. This will require three to four feet of excavation and side walk will have to be removed to allow excavation on street side.

112 Conceptual Cost Estimates

• Moving	\$125,000.00 (based on move to Pennington Lot) (additional costs possible depending upon locations other than Pennington)
• Site Prep for new site	\$75,000.00 (can vary widely depending upon location) (Grading, removal of trees, excavation for foundation)
• A&E Fees	\$24,000.00
• Civil Engineering for new site	\$12,000.00 (preparation of site plan)
• Utility Disconnections	\$5,000.00
• Excavation for move	\$10,000.00
• Demolition of Addition	\$15,000.00
• New Foundation-	\$15,000.00 (depending upon location)
• New Mechanical System	\$15,000.00
• Structural support work required for move	\$18,000.00
• Replacement of any damaged interior finishes	\$20,000.00
• Repaint/replace rotted exterior wood	\$8,000.00
• Permits and Approvals	\$20,000.00 (conceptual cost)
• Utility Connections at new site	\$50,000.00
SUBTOTAL	\$412,000.00
15% CONTINGENCY	\$62,000.00 (rounded)
TOTAL	\$474,000.00

Notes regarding information presented above

- Structural information provided by Ellinwood and Macado structural engineers, who investigated the structures.
- Movability information provided by Expert Construction Company, structure movers, who investigated the structures for possible relocation.
- Costing information provided by several sources and is a conceptual estimate based upon current knowledge. Further investigation will be necessary and a final location identified to prepare more detailed costing.
- Exact condition structures are taken to after move can greatly impact finish costs.
- Extent of relocation of overhead utilities will depend upon final location.

February 27, 2015

Mr. Tom Scofield
Town of Leesburg, Department of Planning and Zoning
25 West Market Street
Leesburg, VA 20176

Re: Applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117, TLHP-2014-0118

Dear Mr. Scofield:

In advance of the March 2nd work session with the Board of Architectural Review, we wish to respond to the questions which arose at the February 18th BAR meeting and in correspondence since received.

- 1. Provide a response to the BAR proposal of removing non-historic and later historic additions from the rear of the four historic buildings to create a greater separation between the New District Courthouse and the historic buildings for purposes of fire safety and security as an alternative to demolition. This proposal also includes moving 110 Edwards Ferry Road closer to the street. The information provided to date does not directly address the technical feasibility of reusing and rehabilitating the four buildings in place. Please be aware that the technical feasibility of rehabilitation and reuse of the buildings in place is one of the factors that the BAR is to consider during review of demolition requests as outlined on page 117 of the Old & Historic District Design Guidelines even if it is not your preferred alternative or priority.*

Response:

At the January 21st meeting of the Board of Supervisors, DTCl was directed to “to complete an evaluation of the existing buildings located at 106, 108, 110, and 112 Edwards Ferry Road to determine their construction type and structural suitability for relocation or dismantling and include an estimate of the cost thereof for each building if they are deemed suitable for relocation dismantling.” This study is complete and on the agenda for the March 4th Board of Supervisor’s meeting and will be made available to The Town of Leesburg Planner and Board of Architectural Review members on February 27th.

At this time, DTCl staff has not been directly authorized to further analyze moving or relocating non-historic and later historic additions from the rear of the four historic buildings to create a greater separation between the New District Courthouse and the historic buildings for purposes of fire safety and security as an alternative to demolition. The information contained in the March 4th Board of Supervisors staff report, does provide additional background relative to the components of the existing structure and County staff will ask the Board of Supervisors on March 4th, if they would consider additional analysis of the non-historic and later historic additions of the existing structures. The County staff and consultant team would be happy to

discuss alternatives with the BAR at the March 2nd meeting so this information can be conveyed to the Board of Supervisors at their March 4th meeting.

2. *In regard to the discussion about the proposed security perimeter around the New District Courthouse, the BAR has requested an answer to the following question: Is it in the interest of the County and/or are there any plans to acquire additional properties immediately adjacent to the existing and proposed courthouse buildings for the purposes of establishing and/or maintaining the preferred 100 foot security perimeter?*

Response: The County has no currently planned effort to purchase any structures that fall within the 100 foot security perimeter of the proposed courthouse or within the National Historic Register District. Security standards recognize that many existing Courthouses are in historic districts or in urban environments where the recommended stand-offs need to be supplemented with other means of providing security. These measures include bollards spaced along vehicular routes, depressions in the grade, ballistic glazing and exterior envelope hardening to minimize bullet and explosive threats and structural design measures to minimize building or structural collapse. If requested, representatives from the Sheriff's Office would be available to discuss in detail the need for stringent security measures to keep the building and occupant's safe from threats.

3. *Request from the BAR: Please confirm when the structures were acquired by the County and what their intended purpose was at the time of acquisition.*

Response: The structures were acquired by the County in 1980 and have primarily been used for court related support functions and as a mental health group home. The buildings were not purchased exclusively for the Courts. Currently 106 and 112 Edwards Ferry Road buildings are vacant. 108 Edwards Ferry Road is used by Loudoun Museum for artifact storage and 110 Edwards Ferry Road is used by the Commonwealth Attorney. All 4 structures are in need of upgrades to their foundations. We have employed a house moving consultant to review the 4 buildings for the possibility of relocation. He reviewed their structural and envelope condition and in the crawl spaces he was able to access, he identified that they all of the require foundation repairs. Most of the damage he observed was sill rot and because of the wood rot, the floor joists may now be sitting on the stone foundations, which may be causing further structural damage.

To configure a residential structure to commercial/office use is problematic. The current Edwards Ferry road buildings were built in an era where rooms were sized for a population that did not require the expansive rooms we require today. To convert a bedroom, that was built in 1890, to an office is difficult as desks, chairs, storage cabinets, and working area have grown in size and number which cannot be accommodated by the smaller room size. Many of these

rooms were sized according to its particular use and consequently they are small with many of the enclosing walls being load bearing, which prevents increasing the floor plate to support a larger office function. In programming for users/groups, it is the desire of office management to keep their team in one location. Again, the square feet of the houses are so limited, that not one of the Edwards Ferry Road buildings can support any department scheduled to move into the new Courthouse. Lastly, the technology and air/temperature conditioning requirements would require a total interior demolition (down to the studs and floor framing) to accommodate these systems. Lastly, please refer to Letter for General Services, dated February 9th 2015, which was provided to Town of Leesburg staff in the February 18th BAR packet.

Additional questions and comments which were noted during the February 18th BAR presentation are presented below. Though some of these questions may be premature for this application, they are still relevant and will be addressed in a more detailed manner in subsequent BAR presentations and design meetings. They are;

4. Existing Retaining Wall. You have requested further investigation of the existing retaining wall at the edge of the existing courts parking lot. We have asked our Historic Consultant, Milner and Associates, to investigate the wall that may have been part of the Jail. This information will be forwarded as soon as it is complete.
5. Impact on 114 Edwards Ferry Road. The impact of the new Courthouse on this property-will be minimal. This structure is 4" from the property line of the Church Street Lot owned by the County and it may be possible that its foundation actually extends beyond its property line into and under our lot. There will be a required buffer zone of vegetation between the county owned property and 114 Edwards Ferry Road. All efforts will be made to protect this adjacent property during the construction of the new courthouse.
6. The 1998 Master Plan. This study has been raised at several meetings by the Board of Architectural Review and requires us to provide additional clarification. This plan/study was developed 17 years ago and simply does not reflect the overall growth and development of the courts. The 1998 Master Plan does not reflect the program required by the current Courts users. The programming, which has occurred the last year, determined that 92,000 gross square foot is required for the courthouse to house the courts departments so they may function effectively.
7. The Slack Family. We have taken notice and understand the importance of the Slack Family to the Town of Leesburg. Our team is currently developing several design ideas which will commemorate this family on the site which we would like to discuss in more detail in future BAR presentations and meetings. One of these ideas is working with the Town of Leesburg in

8. developing a commemorative footprint of the structures on the “Front Lawn” of the courthouse and creating an interpretive exhibit in the lobby of the courthouse.

We have thoroughly reviewed the Town of Leesburg’s “Old and Historic Design Guidelines” and our Certificate of Appropriateness application, submitted November 17th 2014, contained all required information. We have made every effort to provide the information you have required at every step in the process. Our first presentation to you on December 15th 2014 we discussed items to be presented at the January 7th meeting, which the County could not meet because of time constraints and was later scheduled for February 2nd, which included;

- Review of property status and contributing status
- Scheduling the BAR site visits
- Discussion on condition, integrity, and adaptive re-use potential for historic buildings
- Discussion on the New District Courthouse siting, appearance, construction staging and associated storm water infrastructure.

DTCI staff arranged for site visits for members of the Town of Leesburg, as well as the BAR members, and these visits were completed as requested on January 14th and 16th.

Before our second meeting on February 2nd, DTCI staff discussed with Town of Leesburg staff what information would be best to present that would assist both Town of Leesburg and the BAR members in their decision making process. We built our presentation around that information. We presented and unfortunately, a portion of the slide that contained the plan, which was keyed to all our talking points, was missing. The issue regarding the slide became mute as the presentation was interrupted and we were not allowed to finish. This presentation included a discussion on the project scope, COA Applications, a statement that we are not contesting that the buildings are historic, Virginia Courthouse design, as well as our current Board of Supervisors endorsed design; Concept 5D.

At the February 18th meeting we were allowed to present our information which contained our talking points from the February 2nd meeting with additional information describing numerous site constraints. This presentation contained detailed site information and discussed all issues that affect the placement of the courthouse on the Church Street site. This presentation was supplemented with 8 attachments in the hope that they would provide insight into our design and planning process. From the response of the BAR members at the conclusion of our presentation, it appeared to us that the complexity of issues facing us, was in part, conveyed.

It is our desire to move forward in this process, with you contributing to the design in any manner that you feel comfortable, so that we can arrive at a solution that represents all of our interests.

Please do not hesitate to call me if you have any questions about what we have submitted.

Sincerely,

Marlene Walli Shade AIA
Associate Principal

- I. Regarding the proposed demolition of the four (4) buildings on Edwards Ferry Road:
- A. Is there any Courthouse Expansion scenario in the county's plans whereby the buildings remain standing? **Not currently.**
- B. The BAR shall determine if the resources (the 4 buildings) contribute to the architectural and historic integrity of the property, neighborhood, and historic district.

FYI-- All four buildings are currently listed as contributing resources in the Old & Historic District. The staff recommendation to the BAR will be that all four buildings contribute to the architectural and historic integrity of the property, neighborhood, and historic district based on the following evaluation:

<u>Address</u>	<u>Year Built</u>	<u>NRHD</u>	<u>O&HD</u>	<u>Comments</u>	<u>Previous COAS</u>
106 Edwards Ferry Rd.	ca. 1880	Yes	Yes	House may have been moved from other location on site	None (exterior changes made w/o COA)
108 Edwards Ferry Rd.	ca. 1870	Yes	Yes	On 1878 Gray's Map of Leesburg	None (exterior changes made w/o COA)
110 Edwards Ferry Rd.	1860-1890	Yes	Yes	The Slack House; appears on 1878 Gray's Map of Leesburg	None (exterior changes made w/o COA)
112 Edwards Ferry Rd.	ca. 1800	Yes	Yes	"One of the oldest on the street"	None (exterior changes made w/o COA)

- C. If the BAR determines that one or more of the buildings contribute to the architectural and historic integrity of the property, neighborhood, and historic district, the next question for BAR consideration is, do the buildings retain structural integrity? In order to document the building's structural condition, the BAR may require one or more of the following:
1. A site visit by the BAR members to more closely inspect and evaluate the building(s).
 2. The applicant to prepare an unbiased structural engineering report that documents the building's physical condition.
 3. The applicant to submit an economic and structural feasibility study for rehabilitating or reusing the structures.
 4. The applicant to submit a feasibility study for the relocation of the building as an alternative to demolition. **Since there is not currently an alternative for the courthouse expansion whereby the 4 historic contributing buildings remain in place, staff will recommend that a feasibility study for relocation be prepared by the applicant.**
 5. The testimony of expert witnesses at the public hearing at which the demolition request is being considered.
- D. Consideration of demolition requests for new development necessitates the BAR's approval of post-demolition plans prior to removal of the structures.

E. In their review, the BAR is to consider the impact of the demolition, as well as the post-demolition plans, on the property and the surrounding neighborhood.

Staff recommends that the following issues regarding the property and surrounding neighborhood be addressed by the applicant as part of the BAR review:

- Appearance of all elevations of the new courtroom building.
- Screening for surface parking lots in the H-1 Overlay District.
- Improvements for streets, driveways, and sidewalks to be impacted.
- Impact on residential areas in the historic district and viable use of adjacent historic buildings in the area of impact.
- Construction impacts on adjacent properties and historic buildings.
- The archeological study should address possible unmarked burials that may be associated with the adjacent cemetery.

F. The owner of a building or structure, the demolition of which is subject to the provisions of Section 7.5, shall, as a matter of right, be entitled to demolish such building or structure provided that:

1. The owner has for a period of time set forth in the time schedule set forth in Sec. 7.5.8D.3, and at a price reasonably related to its fair market value, made a bona fide offer to sell such building or structure, and the land pertaining thereto, to any person, firm, corporation, government or agency thereof, or political subdivision or agency thereof, which gives reasonable assurance that it will preserve and restore the building or structure and the land pertaining thereto.
2. No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such building or structure, and the land pertaining thereto, prior to the expiration of the applicable time period as set forth in the time schedule below.

Property Valued At:	Minimum Offer To Sell Period:
Less than \$25,000	3 months
\$25,000 but less than \$40,000	4 months
\$40,000- but less than \$55,000	5 months
\$55,000- but less than \$75,000	6 months
\$75,000- but less than \$90,000	7 months
\$90,000 or more	12 months

3. During the demolition delay period set forth above, the Board of Architectural Review may take such steps as it deems necessary to preserve the buildings or structures concerned, in accordance with the purposes of these regulations. Such steps may include, but are not limited to, consultation with civic groups, public agencies and interested citizens, recommendations acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one or more structures or other features.

4. *Before making a bona fide offer to sell the owner shall first file a statement with the Town Council. That statement shall identify the property, state the offering price, the date the offer of sale is to begin and name and addresses of listing real estate agents, if any. The statement shall provide assurances that the building or structure shall be preserved and/or restored, as appropriate. No time period set forth in the time schedule contained in Sec. 7.5.8 shall begin to run until the statement has been filed.*
- G. If the applicant is successful in convincing a majority of BAR members that the proposed demolition(s) are justified or time has expired without any legitimate offers to purchase the properties, the BAR has the option of requiring one or more of the following conditions in its approval (as stated in Chapter VIII of the Old and Historic District Guidelines):
1. *The applicant must conduct a reconnaissance or intensive-level survey in accordance with the Virginia Department of Historic Resource's Guidelines for Conducting Cultural Resource Surveys in Virginia (1999, revised 2000).*
FYI—Staff will likely recommend this condition for an intensive level survey documenting the interior and exterior of the buildings. **The intensive level survey shall be completed and reviewed for consistency and compliance with the VDHR guidelines by the Preservation Planner before demolition begins.**
 2. *The applicant must conduct a Phase I archaeological study to determine if the property yields information important in Leesburg's history.*
FYI—Staff will likely recommend this condition for an archeological study because of the close proximity of the project to the cemetery and the early age of at least one of the buildings. **The applicant has initiated an archeological survey of the property.**
 3. *The applicant must demonstrate that the site will be prepared and maintained in accordance with a landscape plan once the building has been demolished.*
 4. *The demolition may occur only following receipt of a building permit for the new construction.*
 5. **If demolition of any or all of the four historic contributing buildings is to occur**, staff will also recommend that salvage of significant architectural features be allowed by a qualified architectural salvage contractor. **A written summary of the architectural salvage contractors contacted, fees paid, if any, and what is to be salvaged from the buildings should be provided to the Preservation Planner before demolition begins.**
- H. *For demolition associated with new construction, the applicant is required to provide for the BAR's consideration prior to approval of the demolition application, plans for the building or buildings that will be located on the site of the demolished building. The new construction project must comply with the guidelines found in Chapter VII of Old & Historic District Design Guidelines.*
- I. **The applicant should be aware that as per Section 3.6 of the Zoning Ordinance, a "demolition permit shall expire unless the activity authorized therein commences within one year of the date of issue."**

II. Regarding **Chapter VII** of the Old and Historic District Design Guidelines:

A. Building Form: Institutional (**page 85**)

*Civic and public buildings, such as schools, libraries, churches, and museums are all structures that represent a unique aspect of community life. In many cases, these buildings are larger because they are built to house large numbers of people; nevertheless, they always relate to traditional buildings from their period of construction. **New institutional building forms must respect and relate to the surrounding context.** Institutional buildings of varied forms can be found throughout Leesburg's OHD. **The guidelines further state that in the design of new buildings, "...avoid taking design cues from non-historic structures."***

B. Building Form: Larger Individual Lots and Multi-lot Sites

*Often new commercial, office, or multi-use buildings are proposed for construction on sites much larger than the traditionally sized lots of 25 to 40 feet wide. These individual and assembled parcels can translate into new structures whose scale and mass may overwhelm neighboring existing historic buildings. Therefore, while this building type needs to respond to the various building conditions of the site, **it must also employ design techniques to reduce its visual presence with respect to the historic buildings in the immediate context.** Varying facade wall planes, differing materials, stepped-back upper levels, and irregular or additive massing help mitigate the impact of larger buildings on the historic context.*

C. Determining the Most Appropriate Building Design for a Site

In order to determine the most appropriate building design for a potential site, several factors should be considered including:

- 1. The level of historic integrity of the surrounding neighborhood*
- 2. The overall dominant physical character of the surrounding neighborhood*
- 3. The overall design character of the historic buildings in the immediate surrounding area*

D. Other design issues to be reviewed by the BAR include:

- 1. Setback** – a reasonable argument can be made for a setback that either: a) conforms to the current setback found for existing historic architecture (including the four structures proposed for demolition) found on the north side of Edwards Ferry Road; or b) conforms to the current setback found on the existing courthouse campus. The applicant prefers the latter although does creating this setback warrant demolition of four contributing historic buildings in the Old and Historic District?

The guidelines embrace either approach: For new governmental or institutional buildings, either reinforce the building plane through a minimal setback, or use a deep setback within a landscaped area to emphasize the civic function of the structure.

2. Orientation

The guidelines state that "...new construction should be consistent with the historic pattern of building orientation." Arguably, the historic pattern of building orientation is towards East Market Street and Edwards Ferry Road. However, it appears the applicant has substantial justification to warrant orientation of the actual entrance of the new courthouse facility to North Church Street. Nevertheless, even if the actual main

entrance is to be located on North Church Street, there is no reason why this additional guideline cannot be adhered to:

If a new building is to be constructed on a corner lot, the building should be designed so that architectural emphasis is placed on two elevations; either hierarchically, with emphasis on the facade oriented toward the major street; or equally, with both elevations treated as primary facades.

The approach taken will have to be “equally” since the major street is East Market Street and Edwards Ferry Road. Of the five alternatives submitted to date, only Alternative #5 complies with this guideline by treating the Market/Edwards Ferry elevation equally as a primary façade although there is no actual entrance to the building on this elevation.

3. **Spacing** – the design of the new judicial center should respect the spacing of existing historic buildings and communicate “*the rhythm of the street*” (Guideline #2 under *Spacing*). This can be achieved by providing additional articulation on the Market Street/Edwards Ferry elevation that is consistent with the historic pattern of building spacing. Currently, Alternatives #1 - #4 do not provide any sense of spacing with substantial building mass shown on the eastern two-thirds to three-quarters of the building on the Market Street/Edwards Ferry elevation. Only Alternative #5 begins to provide a sense of spacing by adding the second portico on the eastern end of the building on the Market Street/Edwards Ferry elevation.
4. **Massing and Complexity of Form** – Currently, all proposed alternatives for the Market Street/Edwards Ferry elevation reflect a massing that is too large for the established historic pattern. To better comply with the guidelines additional work is needed for this elevation with particular attention given to guideline #2 shown below:

If the proposed size of the new building is not consistent with surrounding historic structures, the following techniques may mitigate any adverse impact the structure may have. In some cases, it may be necessary to combine treatments to improve a large building’s compatibility with the smaller scale of surrounding historic buildings.

a. Additive massing.

The technique of additive massing is based on the historic practice of enlarging buildings by constructing additions. Where necessary and appropriate, divide a single large volume into smaller components by using additive massing, which consists of breaking up a large building into components that consist of smaller volumes added together.

b. Vary the surface planes of the elevations.

Varying the surface planes of large buildings may be a way to make the structure more consistent with the design of smaller-scaled historic structures in the surrounding area.

In order to successfully mitigate the impact of a larger building, the difference between the surface planes may be as little as one foot or as great as ten feet.

c. Break up the roofline.

Breaking up the roofline of a large building into smaller components, such as intersecting gables, may help reduce the perceived mass of large buildings.

Where necessary, reconfigure the roofline of larger structures so that it is more consistent with the form and pitch of the roofs of smaller-scaled historic structures.

d. Use bay divisions on the elevations.

Where necessary and appropriate, create bay divisions on the facade of large buildings to allow the building to reflect the massing of smaller-scaled historic structures.

e. Vary the materials.

Use variations in materials, textures, patterns, colors, and details to reduce the visual impact of the mass of large buildings.

f. Step back an upper story.

In instances where it is determined to have no adverse impact on the character of the streetscape, stepping back the upper stories as a building increases in height may be a successful way to reduce the perceived mass of the structure.

5. Height, Width, Scale, and Directional Expression

- **Height** - the overall height of all alternatives is generally in keeping with the height of adjacent historic buildings.
 - **Width, Scale and Directional Expression** – A more appropriate width, scale and directional expression can be achieved by adjusting the design to conform to the guidelines for **Spacing** and **Massing** outline above.
6. **Foundations** – *The ‘Foundations’ guidelines state that “the design of new buildings should incorporate a traditional foundation design for aesthetic as well as functional reasons.”* Only Alternative #5 provides a traditional foundation design shown as a water table treatment that is exposed as the elevation changes towards the eastern end of the building on the Market Street/Edwards Ferry elevation. Alternatives #1 through #4 have dominant vertical elements that prevent the appearance of a traditional foundation.
 7. **Roof Form** – Roof form and associated roof structures should clearly relate to and align properly with all elevations of the building.
 8. **Doors and Windows** – Doors and windows should be installed with a depth of reveal or recessed in a manner that creates further articulation on the elevations of the building.
 9. **Porches and Porticos** – All alternatives feature porticos that are *“appropriate as to the size, height, proportion and placement of similar existing features in the area....”* Only Alternatives #3 and #5 successfully disguise the elevator and stair tower on the Market Street/Edwards Ferry elevation. Otherwise, this feature should be located on the building’s interior or on an elevation of lesser importance.
 10. **Cornices and Trim** – Details for future review.
 11. **Architectural Details and Decoration** – Details for future review.
 12. **Material, Textures and Color** – Brick is proposed for all alternatives. Other details for future review.

III. Regarding the proposed closing of Church Street NE:

- A. Alters the downtown grid creating a super-block that does not currently exist anywhere else in the downtown core.
- B. Creates serious traffic circulation and safety concerns for right turns onto Edwards Ferry Road by westbound motorists on East Market Street. Transportation design alternatives to address this condition would likely further impact historic resources in the district.
- C. Alters the historically significant town plan created in 1757 by Nicholas Minor.

IV. Regarding the proposed parking garage:

- The property is not currently in the H-1 Overlay District although proffers for the pending rezoning for the courthouse expansion may include design review requirements.
- The proposed location of the new parking garage will be too distant from the downtown area to be used for purposes other than judicial services employees and users of the county court system.