



Loudoun County, Virginia

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Office of the County Administrator

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June 11, 2015

Hand Delivered

Leesburg Town Council

Attn: Lee Ann Green, Town Clerk

Town of Leesburg, Virginia

25 W. Market St.

Leesburg, VA 20176

RE: Petition of Appeal of BAR Cases: TLHP-2014-0115; TLHP-2014-0116; TLHP-2014-0117; TLHP-2014-0118 for 112, 110, 108 and 106 Edwards Ferry Road NE (collectively the "BAR Decision")

Dear Town Council Members and Ms. Green:

On behalf of the Board of Supervisors of Loudoun County ("BOS"), I hereby appeal the above-referenced BAR Decision to the Leesburg Town Council ("Council"). Pursuant to the Town Code and procedures, the County applied for the demolition of structures as part of the planned expansion of the court facilities in the Town. The County is seeking to improve and expand the courts and associated offices on the existing site. Keeping the courts in the Town is consistent with prior decisions of both the Council and the BOS. It is also consistent with Land Use Objective 12, Central Planning Area Objective 1a, and Economic Development Objectives 1b and 1d of the Town's Comprehensive Plan. Given the constraints of the courthouse site and the need for parking and storm water management, the County applied to the Board of Architectural Review ("BAR") to demolish four adjacent structures. Attached as Exhibit 1 is a summary basis for each of the County's four applications to the BAR. The BAR Decision permits the partial demolition of the four structures. Compliance with the BAR Decision would significantly and negatively impact the project in the following terms:

1. **Design** – The County is responsible for delivering a fully functional courthouse expansion project to serve the judicial needs of a growing community. This project equates to a proposed 92,000 square foot new structure on a constrained 1.8 acre site that is hampered by an adjacent cemetery, an "L" shaped configuration, and a well-traveled local road network. The size of the proposed structure is driven by a detailed forecast of case load and minimum district courtroom size requirements of the Commonwealth of Virginia. The County performed a "Needs Assessment" in accordance with the Virginia Courthouse Facilities Guidelines. In order to meet the identified operational needs for the court facilities, parking, stormwater management and other development requirements on a constrained site, the County sought to demolish the four residential structures. Exhibit 2 shows the stormwater management facilities for the courthouse site. Retaining portions of the structures will dictate design changes that threaten the ability to provide the expansion program in this location.

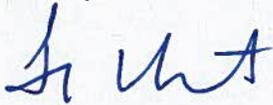
2. **Constructability** - Keeping portions of the four residential structures as required by the BAR Decision would cause significant construction issues for the court project. The type and method of construction would need to be altered in order to account for the structures. Construction work on the new facilities would need to occur around the four structures limiting the construction area. The staging of work and storage of materials would be impacted by retaining portions of the four structures. In addition, retaining portions of the four structures would impact the provision of gravity sewer because the four structures are located at the low elevation on the site. Also, keeping portions of the four structures would require the use of heavy equipment such as cranes in the adjacent right-of-way which will necessitate the closing of a well-traveled road in the Town. Attached as Exhibit 3 is a document presented to the BAR which identified the County's concerns about attempting to complete the courthouse project while retaining the four structures. The constructability issues will significantly increase the costs of the project.
3. **Public Safety** – Retaining portions of the four structures creates public safety issues both in terms of fire separation requirements and security issues by leaving separate structures in close proximity to court functions. The inability to meet fire separation requirements creates a long term public safety issue and will necessitate modifying building design and construction at an additional cost. See Exhibit 4. Of paramount importance is the security risks posed by keeping the portions of the four structures within close proximity to the court facilities. This is in violation of the standards set forth in the Virginia Courthouse Facilities Guidelines. In addition, the Town Police, the Sheriff's Office and Dewberry have participated in a study which identifies the presence of the four structures as a significant security threat to the court facilities. This type of study is referred to as Crime Prevention through Environment Design (CPTED) analysis which is a multi-disciplinary approach to deterring criminal behavior through design elements. Due to the sensitive nature of protecting the function of the court system, the actual studies are confidential and not subject to public disclosure. See Exhibit 5 for a memorandum from the Sheriff's Office and additional information from Dewberry.
4. **Courthouse Campus** – the County's consultant developed thirteen possible layouts and a well-thought out concept was endorsed by the Board of Supervisors. That concept presents a traditional design based on precedents established by courthouses and civic buildings in the region. The design concept also connects the existing historic court campus to the new campus and is in keeping with its scale and context. Attached as Exhibit 6 is an isometric view of the courthouse campus to show how the old and new court facilities are combined into a unified courthouse campus without the four structures. Also attached as Exhibit 7 is a drawing showing a streetscape rendering of the court facilities without the four structures which shows how the old and new building roof lines are designed to blend together.
5. **Cost** – The County acknowledges that the site is in the Town's Old and Historic District and that for many projects there may be additional design costs for developing in such a district. In order to have the court project blend into the District, the County

has already incurred additional design costs and will incur additional construction costs. Incurring significant additional costs to retain portions of the four structures which have no functional use on the courthouse site, however, threatens the viability of the courthouse project. Attached as Exhibit 8 is a document from Dewberry estimating the costs of retaining portions of the four structures. However, County Staff believes the entire costs to the courthouse project will be significantly higher. In addition, retaining portions of the four structures could result in significant delays. As a steward of public funds, the BOS has determined that demolishing all of the four structures is the best solution to retain this important public project in the downtown area at a reasonable cost.

The proper location and operation of the court facilities is a matter of paramount concern for both the County and the Town. The court facilities provide critical government services for our citizens. The court facilities are also an economic driver for the Town. Relocating all or a portion of the courts would not only increase operating costs, it would be inconvenient for the citizens.

The BOS respectfully requests that the Leesburg Town Council balance all the interests involved in the courthouse project and grant the County our requested Certificates of Appropriateness for Demolition for all four structures without the modifications imposed by the BAR.

Sincerely,



Tim Hemstreet
County Administrator

Cc: Board of Supervisors
Barbara Notar, Town Attorney
Kai Dentler, Town Manager
Leo Rogers, County Attorney



Loudoun County Courts Expansion

11.17.2014

Application for the removal of 106 Edwards Ferry Road.
DHR ID 253-0035-0491

Background

Loudoun County is requesting the demolition of the structure located at 106 Edwards Ferry Road to accommodate the expansion of the County Courthouse onto the Church Street lot. Over many years, the County and the Town have discussed the expansion of the current Courthouse complex to include the property bounded by Church Street, Edwards Ferry Road and the historic cemetery. Four historic structures currently exist on this property. The Town has stressed that maintaining the presence of the County Courthouse in its current location is vital to the growth and enhancement of a healthy, historic downtown. The County concurs that the larger preservation issue at hand, is the continued relevance of the historic downtown as a hub for civic, commercial, and residential activity. The expansion of the Courts complex is integral to this overarching preservation goal.

The expansion of the Courthouse complex necessitates the use of the property addressed in this application, raising the issue of the maintenance or removal of the structure located at 106 Edwards Ferry Road. The County understands that the property, and the historic structures on the property, are contributing elements to the Leesburg Old and Historic District and are thus part of the historic fabric of downtown Leesburg. The County has evaluated alternatives to demolition as part of the design of the expanded Courthouse complex. However the preservation of this structure is not possible given the requirements for the new construction associated with the expansion.

After careful analysis of possible layouts for the new courthouse the architects developed thirteen possible layouts for this courthouse. Each was driven by the minimum size of a District Courtroom in the Commonwealth of Virginia. That is 1800 square feet clear inside the Courtroom. Functional requirements drive the width and length of the courtroom. This and the adjacent requirement for in-custody defendants and both secure and public circulation paths determine the width and length of the courtroom block. Design options are greatly hampered by the overall size of this lot and the "L" shape configuration of the lot itself. Of these thirteen concepts, all of which required an overlap of the houses in question, seven were presented to the County and vetted through a consensus process with the County and Users. Five concepts were deemed acceptable for further development and were. These five were studied for appropriate building form, setback, orientation, massing and complexity of form, spacing as well as height, width, scale and directional expression, all considerations of the



Leesburg Old and Historic Design Guidelines. Through public meetings, meetings with the Town of Leesburg and further user input the five concepts were reduced to two. These are presented in this application along with materials related to the four houses themselves.

Consideration of the elements noted above all led to the two preferred final designs. This includes a footprint that provides the required 92,000 gross square feet on three floors which overlaps the four Edwards Ferry Road houses, in particular 106 Edwards Ferry Road. Due to the confines of the site, construction could not occur without some disruption beyond the footing shown-ten to fifteen feet to a minimum, which further encroaches on the structure. A cemetery to the north and existing storm water management structure to the east will direct the cranes required for this construction to Church Street or Edwards Ferry Road. The general topography of the site (which slopes approximately 18 feet from the southwest corner to the northeast corner) will require two separate storm water management solution areas (one to the north and one to the south) to meet the new Commonwealth of Virginia requirements. One SWM structure will be located to the north of the new building and two to the south. The southern solution, due to limited site area will be concrete underground sand filter structures, one of which by necessity is located directly below the structure in question. In addition to their size, these require access for yearly maintenance. Existing utility connections are shown on accompanying exhibits and will disrupt the site to the south of the new building and further impact these four houses.

106 Edwards Ferry Road

The subject structure is contributing to the historic district. However, the structure has been significantly altered, with very little original or historic materials remaining and, based on current documentation it is unlikely that this structure would be eligible for individual listing in the National Register of Historic Places. Included at the conclusion of this narrative is a synopsis of the structure inclusive of remaining historic features, alterations and replacement materials.

The viability of this structure to support continued County functions is extremely limited to non-existent due to the security issues associated with contemporary court facilities. Given the importance of retaining the courts complex in downtown, historic Leesburg, relative to the historic significance of the subject structure, the County proposes to demolish the structure at 106 Edwards Ferry Road to allow for the construction of the new courthouse, retaining the important civic presence of the courts in their current setting which is foundational to the vitality of the historic district. The increased activity in and around the proposed courthouse will support the continued vibrancy of the downtown and potentially support reinvestment in the surrounding historic properties. The expansion of the civic presence of the courts to the east will transform what is currently an underutilized property into a civic center that will support the civic core of downtown Leesburg, thereby preserving over 230 years of the presence of the Courts in the center of the town of Leesburg.

Preservation and Mitigation Strategies

Historic preservation can take many forms and there are various strategies that can be used to mitigate the loss of a historic structure. Relocation is often suggested as a means of preserving a historic structure. Relocation may be appropriate in limited cases, particularly when a structure historically significant enough to be individually eligible for the National Register. Relocation of the subject structures which are only significant in the context of the larger historic district is not a viable preservation strategy. The County is committed to preserving archivally the structures on the subject property through the completion of an intensive level architectural survey meeting Virginia Department of Historic Resources' standards and archaeological investigation of the property. The County is further committed to working with the Town to creatively incorporate and interpret the history of the subject structures as part of the development of the new courthouse in a way that is dynamic and relevant to the public at large. The courts complex is an ideal venue for public interpretation, appreciation and engagement in our shared history. Such efforts could include outline tracings of the footprints of the subject structures on the property, or selective demolition to salvage specific architectural elements that can be repurposed to create hardscape features, public sculpture, etc.

New Courthouse Construction

Preliminary, conceptual design for the new courthouse is included with this application for the BAR's reference. However, the new construction is not a part of the current application. The County expects to submit a full package for the New District Courthouse early in 2015.

The courthouse expansion and associated site improvements will represent the natural growth and evolution of the Courts Campus within the Town of Leesburg. Our new structure will act to frame and highlight the highly historic structures on the campus; the second oldest bank in the Country-the 1820 Valley Bank, the 1895 Historic Courthouse and the 1844/1873 Academy Building along with the 1955 "clone."

We are currently exploring the landscape design of the public space which will be created along Edwards Ferry Road by the placement of the New District Courthouse. It is proposed that this new green space will align with the existing open space on the current courts campus which fronts on Market Street. Again, it is our intent to acknowledge the former location of the structure at 106 Edwards Ferry Road in some manner. We will also have on display in the completed courthouse appropriate artifacts that were found during the archeological investigation. The new building, being designed with input from all sectors of the community, will represent the future of justice in Loudoun County and will take the Courts into 2025, while supporting the continued vibrancy of historic Leesburg, VA.

Structure at 106 Edwards Ferry Road

DHR ID 253-0035-0491

The original footprint was el shaped with leg of ell to west. Later addition filled in ell to create a rectangle. A one-story porch was within the ell from ca. 1894 and enclosed after 1937. The building was built between 1878 and 1894.

Non-Historic	Doors, aluminum windows, roof, exterior lights, porch stoop, gable Vent on north elevation, concrete foundation on addition, siding on Addition.
Historic-	Front door frame, window frames, gable vent on south elevation, siding on original portion of house, stone foundation.

Site: This building stands along the northern side of Edwards Ferry Road in the Town of Leesburg. It abuts the concrete sidewalk along the street, which slopes gently down to the east, in front of the house. To the east is another building. An asphalt-paved parking lot is west and north of the house, with the western edge denoted by a brick retaining wall, and the ground steeply sloping up to the parking lot on the north side of the building. A wooden picket fence extends along the sidewalk on either side of the house.

Exterior: This two-story, frame former dwelling stands on a rubble stone foundation. The building measures three bays wide and one bay deep, with a three-bay deep, two-story gabled rear ell. A one-story, shed-roof addition is located along the west wall of this ell. The side-gabled roof is covered with standing seam metal and features partial cornice returns. The exterior is clad with German siding. A wooden stoop with modern, wooden railing provides access to the front door. The main entry is through a six-panel wooden door, flanked by side lights and topped with a transom. The trim around the door and windows is very narrow. The windows are wooden, two-over-two, double-hung sash, except for two awning windows on the west elevation of the one-story addition. A row of three skylights is also found on the roof of this addition. There are two brick, corbelled cap interior chimneys found on the rear ell, one near the roof junction with the core of the house, the other at the northern gable end of the ell.

Loudoun County Courts Expansion

11.17.2014

Application for the removal of 108 Edwards Ferry Road.
DHR ID 253-0035-0492

Background

Loudoun County is requesting the demolition of the structure located at 108 Edwards Ferry Road to accommodate the expansion of the County Courthouse onto the Church Street lot. Over many years, the County and the Town have discussed the expansion of the current Courthouse complex to include the property bounded by Church Street, Edwards Ferry Road and the historic cemetery. Four historic structures currently exist on this property. The Town has stressed that maintaining the presence of the County Courthouse in its current location is vital to the growth and enhancement of a healthy, historic downtown. The County concurs that the larger preservation issue at hand, is the continued relevance of the historic downtown as a hub for civic, commercial, and residential activity. The expansion of the Courts complex is integral to this overarching preservation goal.

The expansion of the Courthouse complex necessitates the use of the property addressed in this application, raising the issue of the maintenance or removal of the structure located at 108 Edwards Ferry Road. The County understands that the property, and the historic structures on the property, are contributing elements to the Leesburg Old and Historic District and are thus part of the historic fabric of downtown Leesburg. The County has evaluated alternatives to demolition as part of the design of the expanded Courthouse complex. However the preservation of this structure is not possible given the requirements for the new construction associated with the expansion.

After careful analysis of possible layouts for the new courthouse the architects developed thirteen possible layouts for this courthouse. Each was driven by the minimum size of a District Courtroom in the Commonwealth of Virginia. That is 1800 square feet clear inside the Courtroom. Functional requirements drive the width and length of the courtroom. This and the adjacent requirement for in-custody defendants and both secure and public circulation paths determine the width and length of the courtroom block. Design options are greatly hampered by the overall size of this lot and the "L" shape configuration of the lot itself. Of these thirteen concepts, all of which required an overlap of the houses in question, seven were presented to the County and vetted through a consensus process with the County and Users. Five concepts were deemed acceptable for further development and were. These five were studied for appropriate building form, setback, orientation, massing and complexity of form, spacing as well as height, width, scale and directional expression, all considerations of the



Leesburg Old and Historic Design Guidelines. Through public meetings, meetings with the Town of Leesburg and further user input the five concepts were reduced to two. These are presented in this application along with materials related to the four houses themselves.

Consideration of the elements noted above all led to the two preferred final designs. This includes a footprint that provides the required 92,000 gross square feet on three floors which overlaps the four Edwards Ferry Road houses, in particular 108 Edwards Ferry Road. Due to the confines of the site, construction could not occur without some disruption beyond the footing shown-ten to fifteen feet to a minimum, which further encroaches on the structure. A cemetery to the north and existing storm water management structure to the east will direct the cranes required for this construction to Church Street or Edwards Ferry Road. The general topography of the site (which slopes approximately 18 feet from the southwest corner to the northeast corner) will require two separate storm water management solution areas (one to the north and one to the south) to meet the new Commonwealth of Virginia requirements. One SWM structure will be located to the north of the new building and two to the south. The southern solution, due to limited site area will be concrete underground sand filter structures, one of which by necessity is located directly below the structure in question. In addition to their size, these require access for yearly maintenance. Existing utility connections are shown on accompanying exhibits and will disrupt the site to the south of the new building and further impact these four houses.

108 Edwards Ferry Road

The subject structure is contributing to the historic district. However, the structure has been significantly altered, with very little original or historic materials remaining and, based on current documentation it is unlikely that this structure would be eligible for individual listing in the National Register of Historic Places. Included at the conclusion of this narrative is a synopsis of the structure inclusive of remaining historic features, alterations and replacement materials.

The viability of this structure to support continued County functions is extremely limited to non-existent due to the security issues associated with contemporary court facilities. Given the importance of retaining the courts complex in downtown, historic Leesburg, relative to the historic significance of the subject structure, the County proposes to demolish the structure at 108 Edwards Ferry Road to allow for the construction of the new courthouse, retaining the important civic presence of the courts in their current setting which is foundational to the vitality of the historic district. The increased activity in and around the proposed courthouse will support the continued vibrancy of the downtown and potentially support reinvestment in the surrounding historic properties. The expansion of the civic presence of the courts to the east will transform what is currently an underutilized property into a civic center that will support the civic core of downtown Leesburg, thereby preserving over 230 years of the presence of the Courts in the center of the town of Leesburg.

Preservation and Mitigation Strategies

Historic preservation can take many forms and there are various strategies that can be used to mitigate the loss of a historic structure. Relocation is often suggested as a means of preserving a historic structure. Relocation may be appropriate in limited cases, particularly when a structure historically significant enough to be individually eligible for the National Register. Relocation of the subject structures which are only significant in the context of the larger historic district is not a viable preservation strategy. The County is committed to preserving archivally the structures on the subject property through the completion of an intensive level architectural survey meeting Virginia Department of Historic Resources' standards and archaeological investigation of the property. The County is further committed to working with the Town to creatively incorporate and interpret the history of the subject structures as part of the development of the new courthouse in a way that is dynamic and relevant to the public at large. The courts complex is an ideal venue for public interpretation, appreciation and engagement in our shared history. Such efforts could include outline tracings of the footprints of the subject structures on the property, or selective demolition to salvage specific architectural elements that can be repurposed to create hardscape features, public sculpture, etc.

New Courthouse Construction

Preliminary, conceptual design for the new courthouse is included with this application for the BAR's reference. However, the new construction is not a part of the current application. The County expects to submit a full package for the New District Courthouse early in 2015.

The courthouse expansion and associated site improvements will represent the natural growth and evolution of the Courts Campus within the Town of Leesburg. Our new structure will act to frame and highlight the highly historic structures on the campus; the second oldest bank in the Country-the 1820 Valley Bank, the 1895 Historic Courthouse and the 1844/1873 Academy Building along with the 1955 "clone."

We are currently exploring the landscape design of the public space which will be created along Edwards Ferry Road by the placement of the New District Courthouse. It is proposed that this new green space will align with the existing open space on the current courts campus which fronts on Market Street. Again, it is our intent to acknowledge the former location of the structure at 108 Edwards Ferry Road in some manner. We will also have on display in the completed courthouse appropriate artifacts that were found during the archeological investigation. The new building, being designed with input from all sectors of the community, will represent the future of justice in Loudoun County and will take the Courts into 2025, while supporting the continued vibrancy of historic Leesburg, VA.

Structure at 108 Edwards Ferry Road

DHR ID 253-0035-0492

The original footprint was a 2-story rectangle with a 1-story rectangular addition on the rear of the building built ca. 1873. The rear ell expanded again, to 2 stories tall between 1907 and 1912.

Non-Historic

Doors, door frames, metal windows, exterior lights, porch stoop, gable vent on north elevation, concrete foundation on addition, siding on addition, porch, concrete foundation on addition, new brick porch piers, decks and ramps to side and rear, roofing.

Historic-

Window frames, porch posts, railings and brackets, gable Vent on south elevation, siding on original portion of house, stone Foundation.

Site: This building stands along the northern side of Edwards Ferry Road in the Town of Leesburg. It has a narrow setback from the street, which slopes gently down to the east in front of the house. To the east and west are other former dwellings. North of the house the ground slopes steeply up to a parking lot. A wooden picket fence extends along the sidewalk in front of the house.

Exterior: This two-story frame building stands on a parged foundation. The building measures two bays wide and two bays deep with a one-story tall, shed roof rear addition. The front gabled roof is covered with standing seam metal and features partial cornice returns. The exterior is clad with weatherboard. A full-width, hipped roof porch is on the façade. This porch features turned posts, scroll-sawn brackets, and a matchstick railing. The main entry is a six-panel wooden door. The windows are two-over-two, double-hung wooden sash with simple board trim. An interior, brick, corbelled-cap chimney rises through the ridge near the center of the roof.

Loudoun County Courts Expansion

11.17.2014

Application for the removal of 110 Edwards Ferry Road.
DHR ID 253-0035-0493

Background

Loudoun County is requesting the demolition of the structure located at 110 Edwards Ferry Road to accommodate the expansion of the County Courthouse onto the Church Street lot. Over many years, the County and the Town have discussed the expansion of the current Courthouse complex to include the property bounded by Church Street, Edwards Ferry Road and the historic cemetery. Four historic structures currently exist on this property. The Town has stressed that maintaining the presence of the County Courthouse in its current location is vital to the growth and enhancement of a healthy, historic downtown. The County concurs that the larger preservation issue at hand, is the continued relevance of the historic downtown as a hub for civic, commercial, and residential activity. The expansion of the Courts complex is integral to this overarching preservation goal.

The expansion of the Courthouse complex necessitates the use of the property addressed in this application, raising the issue of the maintenance or removal of the structure located at 110 Edwards Ferry Road. The County understands that the property, and the historic structures on the property, are contributing elements to the Leesburg Old and Historic District and are thus part of the historic fabric of downtown Leesburg. The County has evaluated alternatives to demolition as part of the design of the expanded Courthouse complex. However the preservation of this structure is not possible given the requirements for the new construction associated with the expansion.

After careful analysis of possible layouts for the new courthouse the architects developed thirteen possible layouts for this courthouse. Each was driven by the minimum size of a District Courtroom in the Commonwealth of Virginia. That is 1800 square feet clear inside the Courtroom. Functional requirements drive the width and length of the courtroom. This and the adjacent requirement for in-custody defendants and both secure and public circulation paths determine the width and length of the courtroom block. Design options are greatly hampered by the overall size of this lot and the "L" shape configuration of the lot itself. Of these thirteen concepts, all of which required an overlap of the houses in question, seven were presented to the County and vetted through a consensus process with the County and Users. Five concepts were deemed acceptable for further development and were. These five were studied for appropriate building form, setback, orientation, massing and complexity of form, spacing as well as height, width, scale and directional expression, all considerations of the



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110 Edwards Ferry Road

The subject structure is contributing to the historic district. However, the structure has been significantly altered, with very little original or historic materials remaining and, based on current documentation it is unlikely that this structure would be eligible for individual listing in the National Register of Historic Places. Included at the conclusion of this narrative is a synopsis of the structure inclusive of remaining historic features, alterations and replacement materials.

The viability of this structure to support continued County functions is extremely limited to non-existent due to the security issues associated with contemporary court facilities. Given the importance of retaining the courts complex in downtown, historic Leesburg, relative to the historic significance of the subject structure, the County proposes to demolish the structure at 110 Edwards Ferry Road to allow for the construction of the new courthouse, retaining the important civic presence of the courts in their current setting which is foundational to the vitality of the historic district. The increased activity in and around the proposed courthouse will support the continued vibrancy of the downtown and potentially support reinvestment in the surrounding historic properties. The expansion of the civic presence of the courts to the east will transform what is currently an underutilized property into a civic center that will support the civic core of downtown Leesburg, thereby preserving over 230 years of the presence of the Courts in the center of the town of Leesburg.

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New Courthouse Construction

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The courthouse expansion and associated site improvements will represent the natural growth and evolution of the Courts Campus within the Town of Leesburg. Our new structure will act to frame and highlight the highly historic structures on the campus; the second oldest bank in the Country-the 1820 Valley Bank, the 1895 Historic Courthouse and the 1844/1873 Academy Building along with the 1955 "clone."

We are currently exploring the landscape design of the public space which will be created along Edwards Ferry Road by the placement of the New District Courthouse. It is proposed that this new green space will align with the existing open space on the current courts campus which fronts on Market Street. Again, it is our intent to acknowledge the former location of the structure at 110 Edwards Ferry Road in some manner. We will also have on display in the completed courthouse appropriate artifacts that were found during the archeological investigation. The new building, being designed with input from all sectors of the community, will represent the future of justice in Loudoun County and will take the Courts into 2025, while supporting the continued vibrancy of historic Leesburg, VA.

Structure at 110 Edwards Ferry Road

DHR ID 253-0035-0493

The original footprint was a rectangle with a smaller porch on front (the current east part of the building, dates to ca. 1850.) An addition to west, ca. 1907-1912, is almost as large as the house. After this addition, the building had an ell plan. The 2-story addition within the ell was added in 1986-1988. This addition was done at two different times with the most recent from about 6'0" north of the chimney to the rear of the house.

Non-Historic- Exterior lights, concrete steps, other doors, vinyl windows, roofing on addition, shutters, concrete foundation under latest addition, parts of roofing.

Historic- Parts of roof except at latest addition, front door and frame, porch, gable windows, window frames.

Site: This building stands along the northern side of Edwards Ferry Road in the Town of Leesburg. It has a deep setback from the street and stands amidst a level, grassy lawn. To the east and west are other former dwellings. North of the house is a wooden retaining wall in front of a parking lot. A wooden picket fence extends along the sidewalk in front of the house.

Exterior: This frame, vernacular building has two main sections. The eastern section has a side-gabled roof and is two bays wide. The western section is two-and-one-half stories tall with a center-gabled roof and measuring three bays wide. The center-gable section stands slightly forward of the side-gabled section. A two-story tall gabled ell extends from the north elevation of the center-gable section, while a shed roof section extends from the side-gabled section. The roof is covered with standing seam metal and features partial cornice returns on the center-gable section. The exterior is clad with German siding with decorative wooden shingles in the central gable. A full-width, hipped roof porch is on the center-gable section while a modern flight of wooden stairs and wooden access ramp lead to the rear entrance on the north elevation. The front porch features turned wood posts, scroll-sawn brackets, and a matchstick railing. The main entry is in the eastern bay of the center-gable section and features a pane-and-panel door with sidelights and a transom. The windows in the side-gable section are six-over-six, double-hung sash while the remainder of the windows are two-over-two, double-hung sash, with an arched window in the center gable. An exterior, corbelled cap, brick chimney is found on the eastern gable end of the side-gable section.

Loudoun County Courts Expansion

11.17.2014

Application for the removal of 112 Edwards Ferry Road.
DHR ID 253-0035-0494

Background

Loudoun County is requesting the demolition of the structure located at 112 Edwards Ferry Road to accommodate the expansion of the County Courthouse onto the Church Street lot. Over many years, the County and the Town have discussed the expansion of the current Courthouse complex to include the property bounded by Church Street, Edwards Ferry Road and the historic cemetery. Four historic structures currently exist on this property. The Town has stressed that maintaining the presence of the County Courthouse in its current location is vital to the growth and enhancement of a healthy, historic downtown. The County concurs that the larger preservation issue at hand, is the continued relevance of the historic downtown as a hub for civic, commercial, and residential activity. The expansion of the Courts complex is integral to this overarching preservation goal.

The expansion of the Courthouse complex necessitates the use of the property addressed in this application, raising the issue of the maintenance or removal of the structure located at 112 Edwards Ferry Road. The County understands that the property, and the historic structures on the property, are contributing elements to the Leesburg Old and Historic District and are thus part of the historic fabric of downtown Leesburg. The County has evaluated alternatives to demolition as part of the design of the expanded Courthouse complex. However the preservation of this structure is not possible given the requirements for the new construction associated with the expansion.

After careful analysis of possible layouts for the new courthouse the architects developed thirteen possible layouts for this courthouse. Each was driven by the minimum size of a District Courtroom in the Commonwealth of Virginia. That is 1800 square feet clear inside the Courtroom. Functional requirements drive the width and length of the courtroom. This and the adjacent requirement for in-custody defendants and both secure and public circulation paths determine the width and length of the courtroom block. Design options are greatly hampered by the overall size of this lot and the "L" shape configuration of the lot itself. Of these thirteen concepts, all of which required an overlap of the houses in question, seven were presented to the County and vetted through a consensus process with the County and Users. Five concepts were deemed acceptable for further development and were. These five were studied for appropriate building form, setback, orientation, massing and complexity of form, spacing as well as height, width, scale and directional expression, all considerations of the



Leesburg Old and Historic Design Guidelines. Through public meetings, meetings with the Town of Leesburg and further user input the five concepts were reduced to two. These are presented in this application along with materials related to the four houses themselves.

Consideration of the elements noted above all led to the two preferred final designs. This includes a footprint that provides the required 92,000 gross square feet on three floors which overlaps the four Edwards Ferry Road houses, in particular 112 Edwards Ferry Road. Due to the confines of the site, construction could not occur without some disruption beyond the footing shown-ten to fifteen feet to a minimum, which further encroaches on the structure. A cemetery to the north and existing storm water management structure to the east will direct the cranes required for this construction to Church Street or Edwards Ferry Road. The general topography of the site (which slopes approximately 18 feet from the southwest corner to the northeast corner) will require two separate storm water management solution areas (one to the north and one to the south) to meet the new Commonwealth of Virginia requirements. One SWM structure will be located to the north of the new building and two to the south. The southern solution, due to limited site area will be concrete underground sand filter structures, one of which by necessity is located directly below the structure in question. In addition to their size, these require access for yearly maintenance. Existing utility connections are shown on accompanying exhibits and will disrupt the site to the south of the new building and further impact these four houses.

112 Edwards Ferry Road

The subject structure is contributing to the historic district. However, the structure has been significantly altered, with very little original or historic materials remaining and, based on current documentation it is unlikely that this structure would be eligible for individual listing in the National Register of Historic Places. Included at the conclusion of this narrative is a synopsis of the structure inclusive of remaining historic features, alterations and replacement materials.

The viability of this structure to support continued County functions is extremely limited to non-existent due to the security issues associated with contemporary court facilities. Given the importance of retaining the courts complex in downtown, historic Leesburg, relative to the historic significance of the subject structure, the County proposes to demolish the structure at 112 Edwards Ferry Road to allow for the construction of the new courthouse, retaining the important civic presence of the courts in their current setting which is foundational to the vitality of the historic district. The increased activity in and around the proposed courthouse will support the continued vibrancy of the downtown and potentially support reinvestment in the surrounding historic properties. The expansion of the civic presence of the courts to the east will transform what is currently an underutilized property into a civic center that will support the civic core of downtown Leesburg, thereby preserving over 230 years of the presence of the Courts in the center of the town of Leesburg.

Preservation and Mitigation Strategies

Historic preservation can take many forms and there are various strategies that can be used to mitigate the loss of a historic structure. Relocation is often suggested as a means of preserving a historic structure. Relocation may be appropriate in limited cases, particularly when a structure historically significant enough to be individually eligible for the National Register. Relocation of the subject structures which are only significant in the context of the larger historic district is not a viable preservation strategy. The County is committed to preserving archivally the structures on the subject property through the completion of an intensive level architectural survey meeting Virginia Department of Historic Resources' standards and archaeological investigation of the property. The County is further committed to working with the Town to creatively incorporate and interpret the history of the subject structures as part of the development of the new courthouse in a way that is dynamic and relevant to the public at large. The courts complex is an ideal venue for public interpretation, appreciation and engagement in our shared history. Such efforts could include outline tracings of the footprints of the subject structures on the property, or selective demolition to salvage specific architectural elements that can be repurposed to create hardscape features, public sculpture, etc.

New Courthouse Construction

Preliminary, conceptual design for the new courthouse is included with this application for the BAR's reference. However, the new construction is not a part of the current application. The County expects to submit a full package for the New District Courthouse early in 2015.

The courthouse expansion and associated site improvements will represent the natural growth and evolution of the Courts Campus within the Town of Leesburg. Our new structure will act to frame and highlight the highly historic structures on the campus; the second oldest bank in the Country-the 1820 Valley Bank, the 1895 Historic Courthouse and the 1844/1873 Academy Building along with the 1955 "clone."

We are currently exploring the landscape design of the public space which will be created along Edwards Ferry Road by the placement of the New District Courthouse. It is proposed that this new green space will align with the existing open space on the current courts campus which fronts on Market Street. Again, it is our intent to acknowledge the former location of the structure at 112 Edwards Ferry Road in some manner. We will also have on display in the completed courthouse appropriate artifacts that were found during the archeological investigation. The new building, being designed with input from all sectors of the community, will represent the future of justice in Loudoun County and will take the Courts into 2025, while supporting the continued vibrancy of historic Leesburg, VA.

Structure at 112 Edwards Ferry Road

DHR ID 253-0035-0494

The original footprint ca. 1820, was the one-story building. By 1899, a frame 2-story was added to the brick portion, and a 1-story rear ell. The rear ell was expanded to 2-stories between 1912 and 1930. The 2-story porch was added between 1982 and 1988.

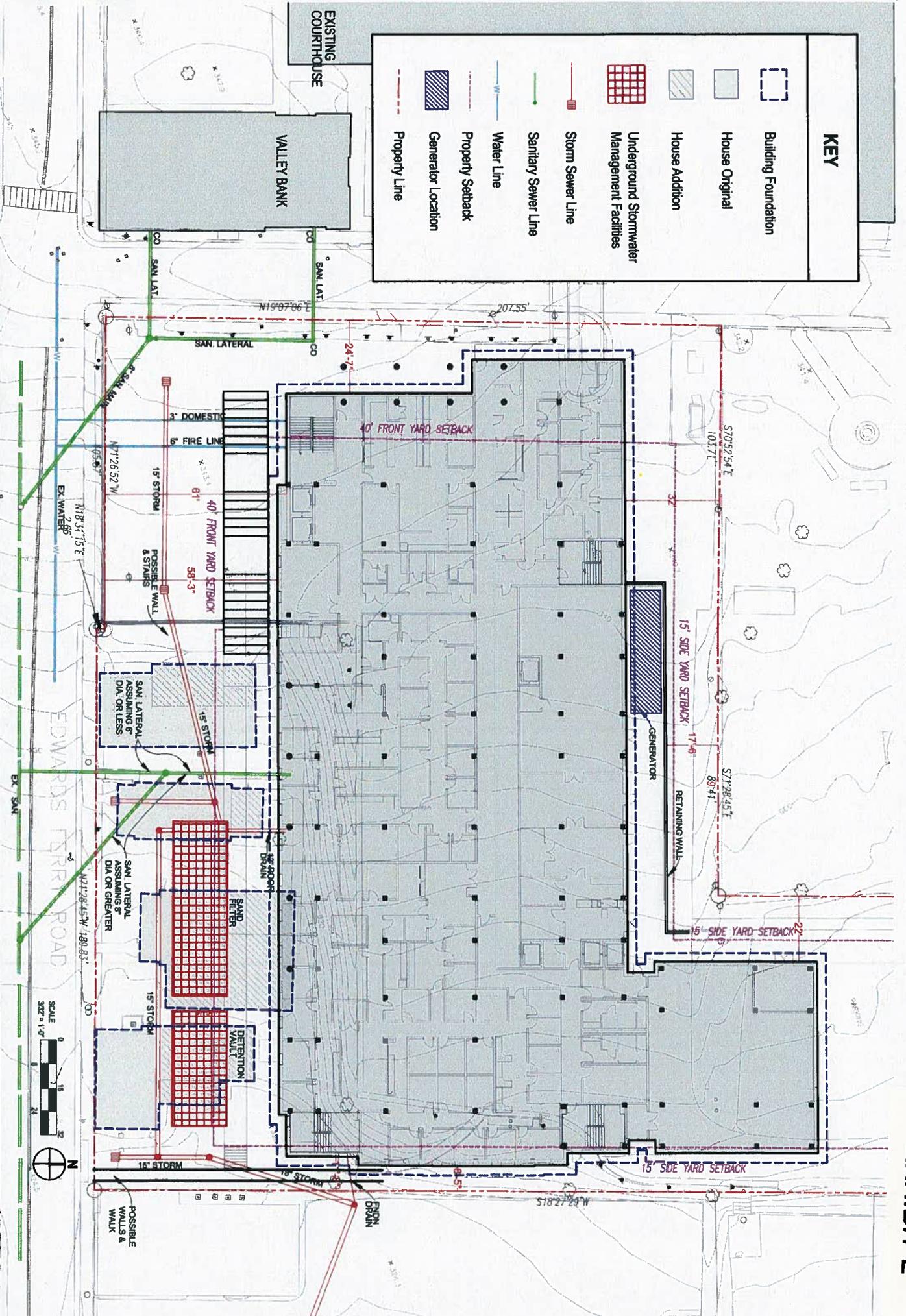
Not Historic- Windows, siding, gable vents, shutters, doors, door frames, cornice trim, rear porch, rear concrete slab.

Historic- Gable windows original, most of brick original, window frames, water table between first and second floor. Roofing may be historic.

Site: This building stands along the northern side of Edwards Ferry Road in the Town of Leesburg. It abuts the concrete sidewalk along the street. To the east and west are other former buildings. A board fence is found north of the house along an asphalt-paved parking lot. A level lawn is found immediately east, west, and north of the house.

Exterior: This two-story former dwelling stands on a brick foundation. The core of the building measures four bays wide and one bay deep with a four-bay deep gabled rear ell. The side-gabled roof is covered with standing seam metal and features partial cornice returns. The first floor of the core is six-course common bond brick while the remainder of the building, the second floor of the core and the rear ell, are of frame clad with German siding. A two-story tall, wooden porch with square wooden posts and matchstick railing is found between the north wall of the core and the rear ell. The main entry is in the second-from-the-west bay of the façade. The windows are two-over-two, double-hung sash, having stone stills and flat brick arches on the first floor, and simple board trim in the remainder of the building. There are three corbelled cap brick chimneys in this building, one at each gable end of the core and the other in the center of the rear ell.

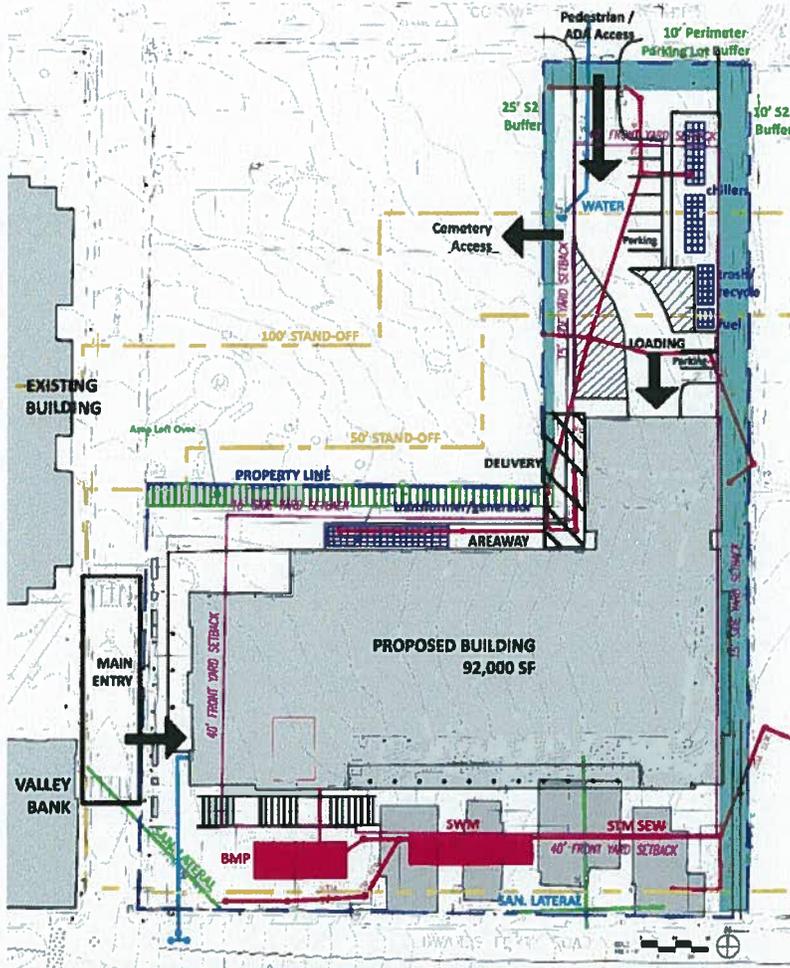
KEY	
	Building Foundation
	House Original
	House Addition
	Underground Stormwater Management Facilities
	Storm Sewer Line
	Sanitary Sewer Line
	Water Line
	Property Setback
	Generator Location
	Property Line



HISTORIC HOUSES / COURTHOUSE BUILDING OVERLAP

12-16-2014





**PROJECT CONSIDERATIONS
CONSTRUCTABILITY**

GREAT DEMANDS UPON THE 1.8882
ACRE SITE

LAYDOWN ON SEMONES

18 MONTH CLOSE DOWN
OF CHURCH STREET FOR
TUNNEL

CONSTRUCTION FROM
WEST TO EAST

CEMETARY OFF LIMITS

CLOSURE OF EDWARDS
FERRY DURING
TEMPORARY HOUSE
RELOCATION

NO ASSURED ACCESS TO
PARKING LOT TO EAST

REDEPLOYMENT OF
FOUNDATION TEAM,
UTILITY TEAM

FIRE SEPARATION ISSUES

COURTHOUSE 2A CONSTRUCTION

SEPARATION DISTANCE

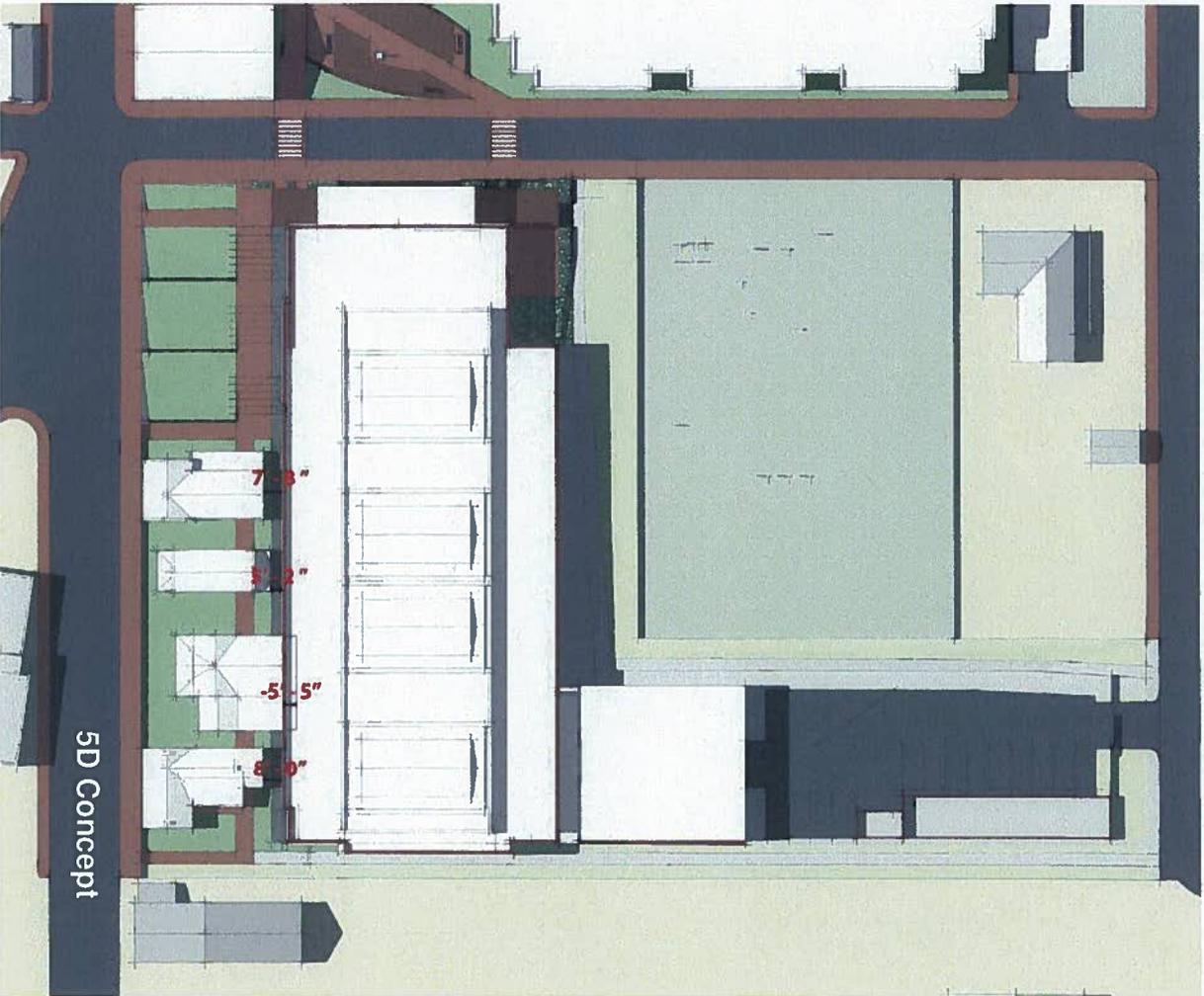
106 – 7'-8"

108 – 5'-2"

110 – 5'-5" overlap

112 – 8'-0"

**5-10 FEET 10% OPENINGS
UNPROTECTED, NON-SPRINKLERED**



5D Concept

TABLE 703A
MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON
FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION

FIRE SEPARATION DISTANCE (ft)	DEGREE OF OPENING PROTECTION	ALLOWABLE AREA*
0 to less than 3'-6"	Unprotected, Non-sprinklered (UP, NS)	Not Permitted
	Unprotected, Sprinklered (UP, SP)	Not Permitted
3 to less than 5'-6"	Protected (P)	Not Permitted
	Unprotected, Non-sprinklered (UP, NS)	Not Permitted
5 to less than 10'-11"	Unprotected, Sprinklered (UP, SP)	13%
	Protected (P)	15%
10 to less than 15'-11"	Unprotected, Non-sprinklered (UP, NS)	25%
	Unprotected, Sprinklered (UP, SP)	23%
15 to less than 20'-1"	Unprotected, Non-sprinklered (UP, NS)	43%
	Unprotected, Sprinklered (UP, SP)	41%
20 to less than 25'-1"	Unprotected, Non-sprinklered (UP, NS)	75%
	Unprotected, Sprinklered (UP, SP)	72%
25 to less than 30'-6"	Unprotected, Non-sprinklered (UP, NS)	No Limit
	Unprotected, Sprinklered (UP, SP)	No Limit
30 or greater	Unprotected, Non-sprinklered (UP, NS)	No Limit
	Unprotected, Sprinklered (UP, SP)	No Limit

June 11, 2015

Openings. Openings in fire walls shall comply with Sections 705.8.1 through 705.8.6.

705.8.1 Allowable area of openings. The maximum area unprotected and protected openings permitted in an exterior wall in any story of a building shall not exceed the percentages specified in Table 705.8.

Exceptions:

1. In other than Group H occupancies, unlimited unprotected openings are permitted in the first story above grade plane either:
 - 1.1. Where the wall faces a street and has a fire separation distance of more than 15 feet (4572 mm); or

space. The unoccupied space shall be on the same lot or dedicated for public use, shall not be less than 30 feet (9144 mm) in width and shall have access from a street by a posted fire lane in accordance with the *International Fire Code*.

2. Buildings whose exterior bearing walls, exterior nonbearing walls and exterior primary structural frame are not required to be fire-resistance rated shall be permitted to have unlimited unprotected openings.

705.8.2 Protected openings. Where openings are required to be protected, fire doors and fire shutters shall comply

TABLE 705.8
MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON
FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION

FIRE SEPARATION DISTANCE (feet)	DEGREE OF OPENING PROTECTION	ALLOWABLE AREA ^a
0 to less than 3 ^b	Unprotected, Nonsprinklered (UP, NS)	Not Permitted
	Unprotected, Sprinklered (UP, S) ^c	Not Permitted
	Protected (P)	Not Permitted
3 to less than 5 ^b	Unprotected, Nonsprinklered (UP, NS)	Not Permitted
	Unprotected, Sprinklered (UP, S) ^c	15%
	Protected (P)	15%
5 to less than 10 ^{b,c,d}	Unprotected, Nonsprinklered (UP, NS)	10% ^e
	Unprotected, Sprinklered (UP, S) ^c	25%
	Protected (P)	25%
10 to less than 15 ^{b,c,d}	Unprotected, Nonsprinklered (UP, NS)	15% ^e
	Unprotected, Sprinklered (UP, S) ^c	45%
	Protected (P)	45%
15 to less than 20 ^{b,c,d}	Unprotected, Nonsprinklered (UP, NS)	25%
	Unprotected, Sprinklered (UP, S) ^c	75%
	Protected (P)	75%
20 to less than 25 ^{b,c,d}	Unprotected, Nonsprinklered (UP, NS)	45%
	Unprotected, Sprinklered (UP, S) ^c	No Limit
	Protected (P)	No Limit
25 to less than 30 ^{b,c,d}	Unprotected, Nonsprinklered (UP, NS)	70%
	Unprotected, Sprinklered (UP, S) ^c	No Limit
	Protected (P)	No Limit
30 or greater	Unprotected, Nonsprinklered (UP, NS)	No Limit
	Unprotected, Sprinklered (UP, S) ^c	Not Required
	Protected (P)	Not Required

^a S1: 1 foot = 304.8 mm.
^b P, NS = Unprotected openings in buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
^c P, S = Unprotected openings in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
^d = Openings protected with an opening protective assembly in accordance with Section 705.8.2.
^e Values indicated are the percentage of the area of the exterior wall, per story.
 For the requirements for fire walls of buildings with differing heights, see Section 706.6.1.
 For openings in a fire wall for buildings on the same lot, see Section 706.8.
 The maximum percentage of unprotected and protected openings shall be 25 percent for Group R-3 occupancies.
 Unprotected openings shall not be permitted for openings with a fire separation distance of less than 15 feet for Group H-2 and H-3 occupancies.
 The area of unprotected and protected openings shall not be limited for Group R-3 occupancies, with a fire separation distance of 3 feet or greater.
 The area of openings in an open parking structure with a fire separation distance of 10 feet or greater shall not be limited.
 Includes buildings accessory to Group R-3.
 Not applicable to Group H-1, H-2 and H-3 occupancies.
 For special requirements for Group U occupancies, see Section 406.3.2.



Sheriff Michael L. Chapman

LOUDOUN COUNTY SHERIFF'S OFFICE

803 Sycolin Road SE, Leesburg, Virginia 20175
Telephone 703-777-0407

February 12, 2015

Board of Architectural Review
c/o The Town of Leesburg
25 West Market Street
Leesburg, Virginia 20176

As requested by the Loudoun County Department of Capital Infrastructure and Transportation, on behalf of the Leesburg Board of Architectural Review Committee, the following information is basic input from the Loudoun County Sheriff's Office in regards to the location and design concept of the new Loudoun County Courthouse expansion project.

The Sheriff's Office-Court Security Section actively manages all security aspects of the Loudoun County Courthouse, as prescribed by Virginia State Code 53.1-120. Fundamental to that is to specifically ensure the safety of the staff, citizens, and prisoners occupying the courthouse, individual courtrooms, public access areas, and the prisoner holding areas and all who work and visit the facility do so in a safe and orderly environment. This does not exclude the responsibilities of active monitoring, prevention, intervention, and enforcement of the exterior perimeter and boundaries of the complex.

Exterior considerations include:

- a. A controlled perimeter. Typically, a physical separation between the public area and courts area is achieved. When this is not achievable, other security measures must be strengthened.
- b. Provide "stand-off distances" as required by "U.S. Courts Design Guide" and referenced documents where achievable. This includes pedestrian and vehicular traffic paths and roads, as well as uncontrolled parking spaces and areas.
- c. Provide sight lines and view angles as prescribed by "U.S. Courts Design Guide".
- d. Unobstructed space. Provide a clear field of view from the courthouse to streets, parking areas, and entrances where ever possible.
- e. Minimize concealment areas of exterior spaces where one could hide or place an object prohibited on the courthouse campus.
- f. Minimize concealment spaces of interior spaces where one could hide or place an object not authorized inside the courthouse.

In conclusion, our charge is to protect the safety of those using, as well as working in and around the proposed courthouse expansion. It is important that we meet as many as the above stated guidelines and requests, as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'CHRISTOPHER R. HARMISON'.

Christopher R. Harmison
Lieutenant Colonel



MEMORANDUM

DATE: June 11, 2015
TO: Loudoun County
FROM: Marlene Walli Shade AIA
SUBJECT: Project Issues Related to retention of 4 structures

Dewberry still stands by our original determination that the retention of the 4 structures on Edwards Ferry Road create the following issues for the Construction of the New District Courthouse

- Code Issues related to fire separation distances
- Security Issues related to the CPTED review
- Constructability Issues

The new courthouse is being designed under the IBC 2012 code, which under Chapter 7-Table 705.8 requires that buildings within a certain distance of each other be protected from a fire which might spread from one building to another. Anything under 30 feet separation requires some modification. This is more relevant on this project as the 4 existing structures on the site are wood frame buildings without any fire protections. Depending on how much of the 4 wood structures later additions are removed, we might need exterior wall-washing sprinklers on some walls of the new Courthouse to protect it from any fire incidents in the existing structures. One structure has had two previous fires.

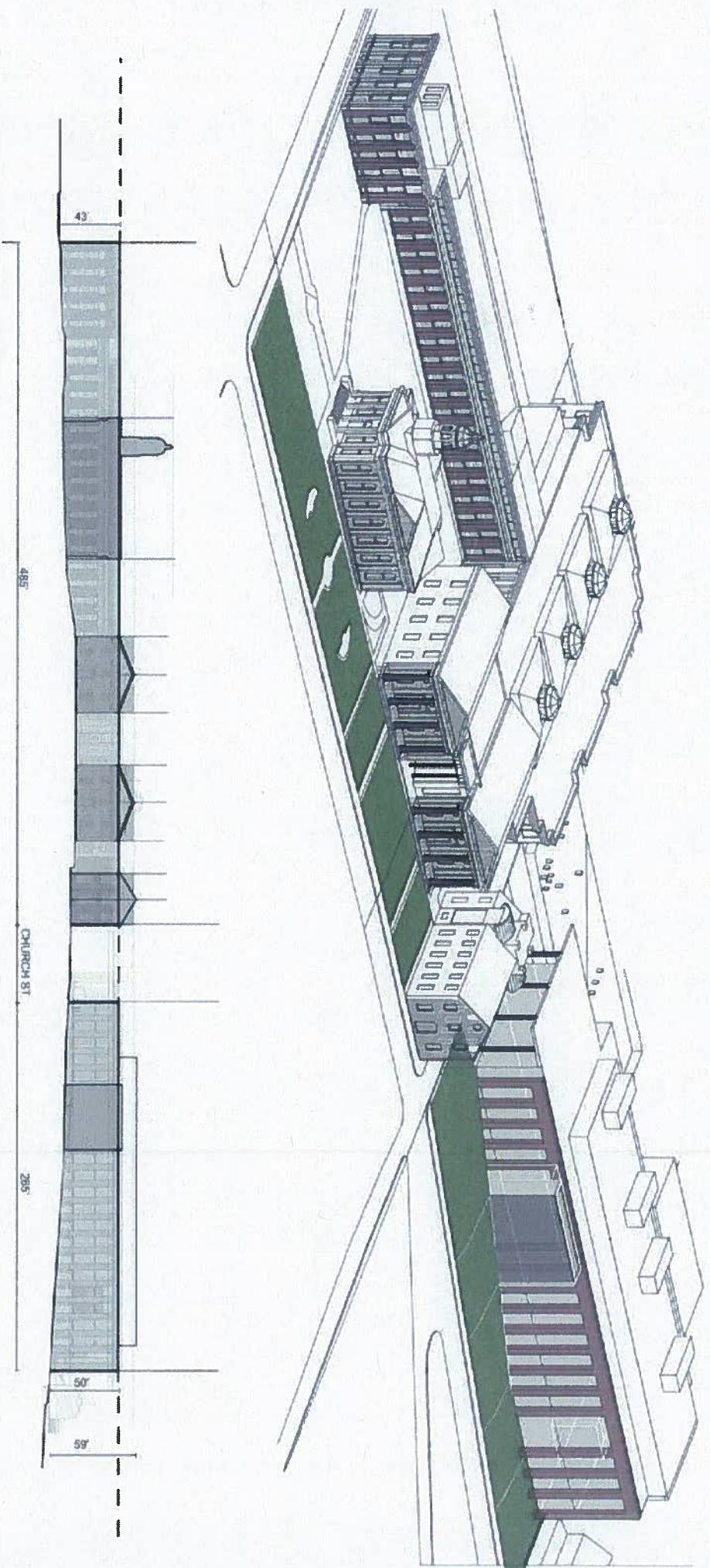
A CEPTD review of the new courthouse has been done by both the TOL Police and the Loudoun County Sheriff's office. This report is not public yet as it is still in review. Dewberry's own internal security consultants have identified increase security compromises related to retaining these structures so close to the new construction as the obscure a clear line of site to Edwards Ferry Road by security staff as they make their rounds in the building during times it is occupied.

Crime prevention through environmental design (CPTED) is a multi-disciplinary approach to deterring criminal behavior through environmental design. **CPTED** strategies rely upon the ability to influence offender decisions that precede criminal acts.

<https://www.cptedtraining.net>

“Keep setbacks consistent with the setbacks of a majority of historic buildings on the block and across the street.” pg 88

“Institutional buildings can use a deep setback with landscaping to emphasize their civic function.” – pg 89





AERIAL FROM EAST



VIEW FROM EDWARDS FERRY ROAD



VIEW FROM CHURCH ST

5D
OPTION

Option 2
 Option Two has reviewed the retention of all four houses, in their existing location on the site and with later additions to the rear removed. The Town of Leesburg Board of Architectural Review has indicated this would be acceptable. This scenario requires the new proposed courthouse be re-designed to allow these buildings to remain. This involves the re-design of site utilities, the storm water management system and the building elevations, including a code revision for fire protection. Several structures would still be extremely close to the new building and would have a significant impact on the cost and make constructability difficult due to proximity.

	Low End Cost	High End Cost	Comments
Additional Project Expenses			
Additional Project Costs	\$ 450,000	\$ 500,000	New Building Footprint remains as currently designed
Additional Design Fees			Redesign Elevation to account for structures
			Look at code impact of bldg proximity
			Revise DD set, recost, resubmit zoning package, redesign SWM
			Site Plans for reconfigured houses/Utility plans
			Design new elevations / areas where rear additions are removed
			Costs captured below
Added Building Cost	\$ 30,000	\$ 32,000	Additional Cameras-providing observation around the 4 structures.
Additional Security Cost HDWR			Proximity to Structures requires fire rating of South Façade. Sprinklers and alarms @ \$5,00/SF
Fire Rate South Elevation	\$ 38,500	\$ 40,000	Install Protective Framing on existing structures during construction.
House Protection	\$ 50,000	\$ 75,000	G/C's Costs for working around the structures/Monitoring movement
Inefficiency Penalty/Monitoring	\$ 300,000	\$ 330,000	Possible purchase of BMP's
BMP Purchase	\$ 30,000	\$ 40,000	Remove later additions to houses per staff preservationists recommendation
Partial Demolition of 4 houses	\$ 60,000	\$ 100,000	Upgrades to the remaining portions of the retained four structures.
Improvements to 4 Structures	\$ 320,000	\$ 360,000	If 4 structures remain we will need to provide \$16,000.00 per parking space
Parking for 4 structures	\$ 165,000	\$ 176,000	Even with additions removed, 110 is still to close to new Courthouse.
Move 110 to street	\$ 157,000	\$ 160,000	
Total Capital Cost	\$ 1,600,500	\$ 1,813,000	
Inflation 1/2% per month	\$ 48,015	\$ 54,390	6 month delay. See below for detail. 6 month times .5% per month=3% increase
Total Capital Cost w/ Inflation	\$ 1,648,515	\$ 1,867,390	
Ongoing Operational Cost			
Additional Security Staff	\$ 240,000	\$ 250,000	Rotating Security Staff/FTE's at \$32,000 per year X 75 years. 10%
Ongoing Maintenance	\$ 905,250	\$ 1,032,750	Minimum yearly anticipated maintenance X 75 years
Total 75 Year Operational Cost	\$ 1,145,250	\$ 1,282,750	
Total Cost	\$ 2,793,765	\$ 3,150,140	
Schedule Impact			
Redesign and re-Submittal			Add 4 Months
Additional Time to work around			Add 2 Month
Total Project Cost Impact based on 6 Month Delay	\$ 57,000,000	\$ 4,503,765	\$ 4,860,140

Maintain the street frontage of the 4 Structures, (partial demolition). Move 110 to street edge





Concept 5D

Aerial of Campus



Concept 5D
Southwest street view – Church Street



Concept 5D

GOALS

- 1. Based on VA Courts Precedence
- 2. Connects Historic and New in Scale and Context
- 3. Respects and defers to Existing Historic Structures
- 4. Roots in Town of Leesburg Historic Context with View to Future
- 5. Within Cost Model
- 6. Provide Programmatic Requirements



ATTACHMENT 3 – Photographs of the four (4) contributing historic buildings



Façade and east side of 112 Edwards Ferry Road NE



Façade and east side of 112 Edwards Ferry Road NE

ATTACHMENT 3 – Photographs of the four (4) contributing historic buildings



Façade of 110 Edwards Ferry Road NE



Façade and west side of 110 Edwards Ferry Road NE

ATTACHMENT 3 – Photographs of the four (4) contributing historic buildings



Rear and east side of 110 Edwards Ferry Road NE



Façade and west side of 108 Edwards Ferry Road NE

ATTACHMENT 3 – Photographs of the four (4) contributing historic buildings



Façade and east side of 108 Edwards Ferry Road NE



Rear and west side of 108 Edwards Ferry Road NE

ATTACHMENT 3 – Photographs of the four (4) contributing historic buildings



Façade and west side of 106 Edwards Ferry Road NE



Façade and east side of 106 Edwards Ferry Road NE

ATTACHMENT 3 – Photographs of the four (4) contributing historic buildings



Rear and west side of 106 Edwards Ferry Road NE



Historic resource inventory photos of the 4 contributing historic buildings

4 Houses are Contributing Structures

County is not contesting

Seven criteria reviewed in advance of demolition

- 1. Location-** Houses are along the same street they were built on. All have been reconfigured or moved.
- 2. Design-** All 4 have been altered over time. Some stories added, additions added, some moved on site.
- 3. Setting-** Setting of the site has been extensively altered over time with the addition of jail, demolition of the jail and regarding of all site areas to the north, east and west.
- 4. Materials-** Many exterior finishes have been replaced over time, some not replicating their historic setting (windows.)
- 5. Workmanship-** Workmanship on these four houses is modest for its time period.
- 6. Feeling-** All of the houses create a sense of the time in which they were built.
- 7. Association-** Several of the house were built by the same family, which had several enterprises in Leesburg.



January 26, 2015

Thank you for your staff reports of December 15, 2014 regarding the applications for certificate of appropriateness for the demolition of four buildings as part of the courthouse expansion. As stated in JMA's management summary and V-CRIS documentation for these buildings, it is JMA's (a CCRG company) opinion that, the four former residences on the north side of Edwards Ferry Road (106 Edwards Ferry Road [253-0035-0491], 108 Edwards Ferry Road [253-0035-0492], 110 Edwards Ferry Road [253-0035-0493], and 112 Edwards Ferry Road [253-0035-0494]) are contributing resources to the Leesburg Historic District (253-0035) (revised nomination NRHP listed May 22, 2002) and the locally designated Old & Historic District (established in 1963 and subsequently expanded).

While all four of these buildings have been altered through additions and other modifications since their original construction, these changes do not impact their status as contributing resources to the Leesburg Historic District and the Old & Historic District. The inclusion of changes to the buildings in our discussion of usage and occupational history was intended to provide a fuller understanding of how they have achieved their current appearance and configuration. These buildings still contribute to the architectural and historic character of the historic district through their scale, style, and building materials. While now vacant or in use as local government offices, these buildings still retain the single-family residential character that typifies this portion of the northern side of Edwards Ferry Road.

We trust that this clarification will meet your current needs. Should you wish to discuss the matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Sarah G. Traum'.

Sarah G. Traum
Project Architectural Historian

ATTACHMENT 5 – Option #4, retaining 112 Edwards Ferry Road, BOS Action Item, 5/6/15

Option 4
 Option four has reviewed the retention of the 1849 112 Edwards Ferry Road structure only, in its existing location on the site and with later additions to the rear removed. This is the design teams preferred solution. This scenario requires the new proposed courthouse be minimally re-designed to allow these buildings to remain. This involves the re-design of site utilities, the storm water management system and the building elevations, including a code revision for minimal fire protection. Proximity of the structures on the new construction would have minimal constructability/cost impact.

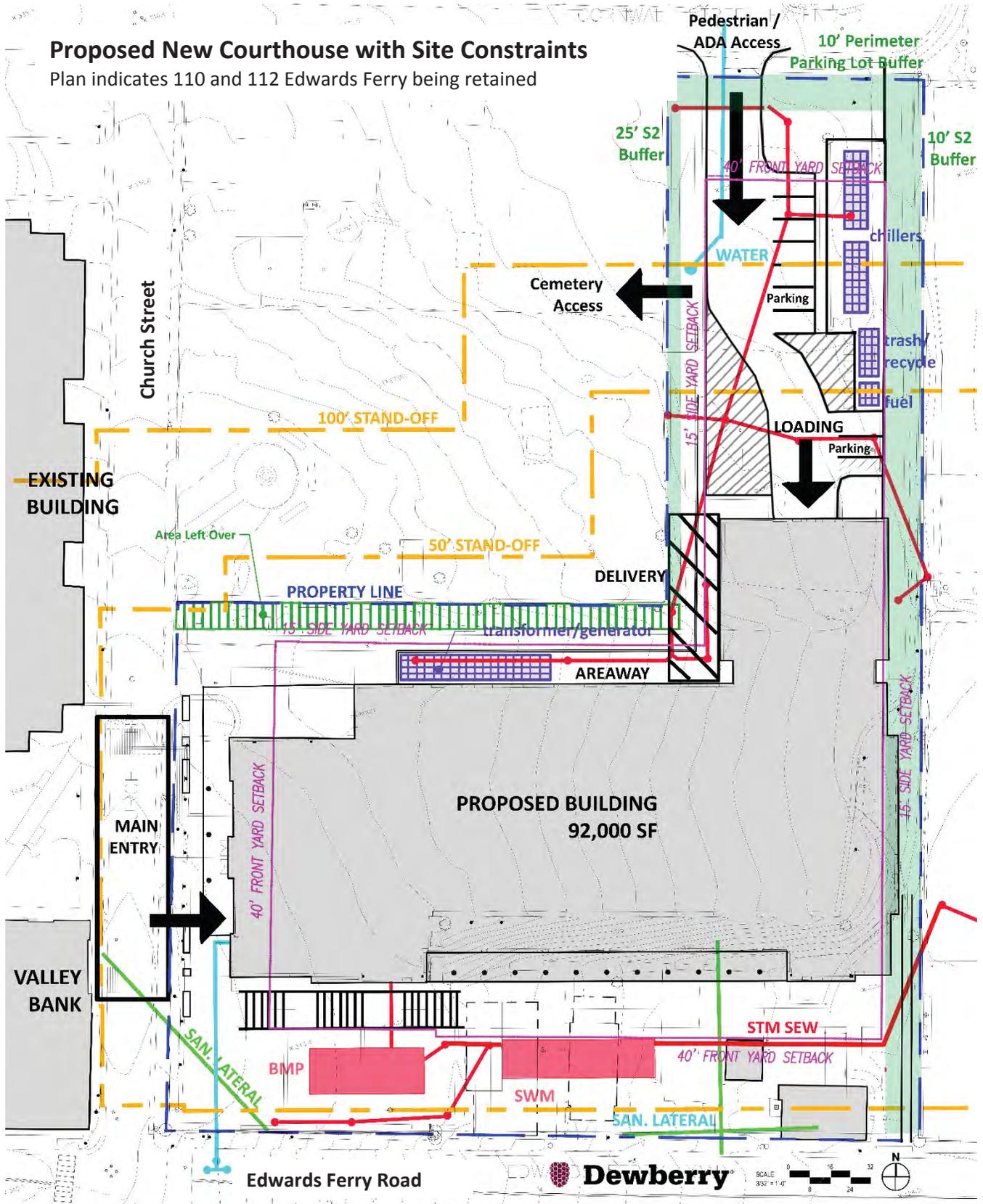
Return 112 Edwards Ferry Road to its original footprint, Remove 106, 108 and 110.

Additional Project Expenses	Low End Cost	High End Cost	Comments
Additional Project Costs			
Additional Design Costs	\$ 400,000	\$ 450,000	New Building Footprint remains as designed Redesign Elevation to account for structures Look at code impact of bldg proximity Revise DD set, recost, resubmit zoning package, redesign SWM Site plans for reconfigured houses/Utility plans Design new elevations in areas where rear additions are removed Costs captured below.
Additional Building Costs			
Additional Security Cost-HOWR	\$ 7,500	\$ 8,000	Additional Cameras-providing observation around the one structure.
Fire Rate-South Elevation	\$ 19,250	\$ 20,000	Minimal Fire Rating Required
General Conditions	\$ 200,000	\$ 250,000	GC's costs for working around the structure
Partial Demolition of 112	\$ 15,000	\$ 18,000	Remove later additions per staff preservationist's recommendations
Improvements to 112	\$ 60,000	\$ 100,000	Upgrades to the remaining portion of 112 Edwards Ferry Road
Parking for remaining structure	\$ 45,000	\$ 48,000	Parking @16,000 per space
Total Capital Cost	\$ 746,750	\$ 894,000	
Inflation at 1% per month	\$ 22,403	\$ 26,820	3 month delay
Total Capital Cost w/ Inflation	\$ 769,153	\$ 920,820	
Ongoing Operational Cost			
Additional Security Staff	\$ 24,000	\$ 28,000	Adding Security Staff/FTE's at \$32,000 per year X 75 years. 1%
Ongoing Maintenance	\$ 138,750	\$ 176,250	Minimum yearly anticipated maintenance/utility cost X 75 years
Total 75 Year Operational Cost	\$ 162,750	\$ 204,250	
Total cost	\$ 931,903	\$ 1,125,070	
Schedule Impact			
Redesign and re-Submittal		Add 2 Months	
Additional Time to work around		Add 1 Month	
Other Costs			
Moving 106 and 108	Add if moved \$	557,680	See previous reports for details-Assumes move to Pennington Lot
Move 110	Add if moved \$	283,590	See previous report for details-Assumes move to Pennington Lot



Proposed New Courthouse with Site Constraints

Plan indicates 110 and 112 Edwards Ferry being retained



Site plan above shows the structures to remain within the context of the other elements of the proposed design. 106, 108 to be removed are shown as a dotted outline. 110 and 112 are shown as a shaded object with later additions to be removed.

ATTACHMENT 7 – Section 7.5.8, Leesburg Zoning Ordinance

7.5.8 Demolition Applications

A. Board's Authority to Review Certificate of Appropriateness for Demolition.

No historic landmark, building or structure subject to the provisions of this section shall be demolished until its owner has applied for and received a Historic District Demolition Permit from the Board of Architectural Review pursuant to the procedures of Sec. 3.10, except as otherwise expressly provided in Sec. 7.5.8D.

B. Demolition Defined. Any removal of forty percent (40%) or more of the total exterior wall or roof surface of any building shall require a Certificate of Appropriateness approved in accordance with the requirements of this section. Any removal of less than forty percent (40%) of the exterior wall or roof surface of a building shall be considered an alteration and requires a Certificate of Appropriateness in accordance with the provisions of Sec. 7.5.5.

C. Consideration of Post-Demolition Plans. The Board of Architectural Review shall consider, and applicants shall be required to provide, for all principal structures to be demolished, post-demolition plans for any site governed by this article and the appropriateness of such plans to the architectural character of the district.

D. Demolition Delay Period. The owner of a building or structure, the demolition of which is subject to the provisions of this section, shall, as a matter of right, be entitled to demolish such building or structure provided that:

- 1. The owner has applied to the Board of Architectural Review for such a right.*
- 2. 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.*
- 3. 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. Any appeal which may be taken to the court from the decision of the Town Council shall not affect the right of the owner to make a bona fide offer to sell. Offers to sell as provided in subsection 7.5.8D.2 shall be made within one (1) year of the date of a final decision by the Town Council. The time schedule for offers to sell shall be as follows:*

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

E. BAR Activities While Action on Demolition Permit Suspended.

During the demolition delay period set forth above in Sec. 7.5.8D., 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 for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one or more structures or other features.

F. Owner Required to Make Bona Fide Offer to Sell During Delay Period.

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.

VIII. PROCEDURES AND REGULATIONS FOR DEMOLITION AND RELOCATION OF EXISTING STRUCTURES



PLEASE NOTE: Always check the most recent version of the Zoning Ordinance and other governing documents to ensure that your project meets the applicable regulations in the Town of Leesburg (i.e. setback, fence height) and the most recent version of the Design Review Procedures Manual for more information on how to plan a project and obtain a Certificate of Appropriateness.

Historic buildings are irreplaceable community assets and once they are gone, they are gone forever. 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 Leesburg Zoning Ordinance differentiates between planned demolition, which must be presented to the BAR for

consideration, and demolition by neglect, which is the gradual deterioration of a building due to lack of maintenance or repair.

Demolition by neglect is no less serious a matter and may have an equally serious impact on the character of the historic district. For this reason, the Town of Leesburg requires that buildings be maintained to a minimal standard, which is set forth in the Zoning Ordinance, in order to prevent demolition by neglect.



These two historic, contributing dwellings (above) were demolished in the late 1970s to make way for the multi-tenant development at Colonial Square (below).



This new development, constructed in the 1970s, replaced the historic buildings above.



VIII. PROCEDURES AND REGULATIONS FOR DEMOLITION AND RELOCATION OF EXISTING STRUCTURES

A. Demolition

The Leesburg Zoning Ordinance defines demolition as the removal of 40% or more of the exterior wall or roof surface of a building. The demolition of any building must be reviewed and approved by the BAR prior the removal of the structure.

Removal of less than 40% of the exterior wall or roof surface is considered an alteration to a building, and property owners need to follow the guidelines for obtaining a Certificate of Appropriateness in *Chapter I* of this document.

Consideration of demolition requests necessitates the BAR's approval of post-demolition plans prior to removal of the structure. Depending on the circumstances surrounding the demolition, these plans may involve site preparation and maintenance or the construction of a new building. The BAR will consider the impact of the demolition, as well as the post-demolition plans, on the property and the surrounding area. For projects involving new construction, applicants must follow the guidelines in *Chapter VII* of this document.

Demolition of Primary Buildings and Structures

For the purpose of reviewing applications for the demolition of any primary building, such as a house or commercial building, the BAR uses the Certified Local Government (CLG) grant-funded building surveys for properties in the Old and Historic District. A building listed in the survey forms as "historic" is considered to contribute to the historic character and integrity of the Old and Historic District unless it is determined to be a non-contributing resource in accordance with the steps below.

The buildings listed as "non-historic" in the building surveys are considered non-contributing to the district's historic character. On a case-by-case basis, the BAR will evaluate whether or not the demolition of any primary building or structure will have a detrimental effect upon the immediate context of the Old and Historic District. The BAR will review requests for demolition in accordance with the following steps:

1. Is the building or structure designated historic in the architectural survey for the property?
2. If the building or structure is designated as historic in the architectural survey, is it a resource that contributes to the architectural and historic integrity of the property, neighborhood, and historic district? A property is considered to be non-contributing if it does not have or retain integrity of any of the following:

- a. *Location*
By being able to interpret the structure in its original location, it is possible to understand why the property was created and its contribution to the broader history of the area.
- b. *Design*
Defined as a combination of the elements that create the form, plan, space, structure, and style of a property. Integrity of design is applied to historic districts through the way in which buildings, sites and structures relate to one another and the rhythms of the streetscape.
- c. *Setting*
The physical character of the property in which the building is situated, and the building's relationship to surrounding features, open space, and adjacent structures.
- d. *Materials*
The choice and combination of materials reveal the preferences of those who created the property and the availability of particular types of materials and technologies and help define an area's sense of time and place. It is necessary that buildings retain key exterior materials dating from the district's period of significance in order to properly convey the history of the district's development.
- e. *Workmanship*
This aspect can apply to a structure as a whole or to its individual components and provides evidence of the builder's labor, skill, and available technology.
- f. *Feeling*
Results from the presence of physical features that when considered together convey the district's historic character. The original materials, design, workmanship and setting can, for example, either convey the feeling of a mid-nineteenth century working-class neighborhood or a warehouse district of the same time period.
- g. *Association*
The presence of physical features that remain sufficiently intact to link a district's historic character to an important historical event or person and to convey such to an observer.

VIII. PROCEDURES AND REGULATIONS FOR DEMOLITION
AND RELOCATION OF EXISTING STRUCTURES



3. If the resource has been determined to be a structure that contributes to the architectural and historic integrity of the property, neighborhood, and historic district, does the building retain structural integrity? In order to document the building's structural condition, the BAR may:
 - a. Require a site visit by the BAR members to more closely inspect and evaluate the building.
 - b. Require the applicant to submit an unbiased structural engineering report that documents the building's physical condition.
 - c. Require the applicant to submit an economic and structural feasibility study for rehabilitating or reusing the structure.
 - d. Require the applicant to submit a feasibility study for the relocation of the building as an alternative to demolition.
 - e. Require the testimony of expert witnesses at the public hearing at which the demolition request is being considered.

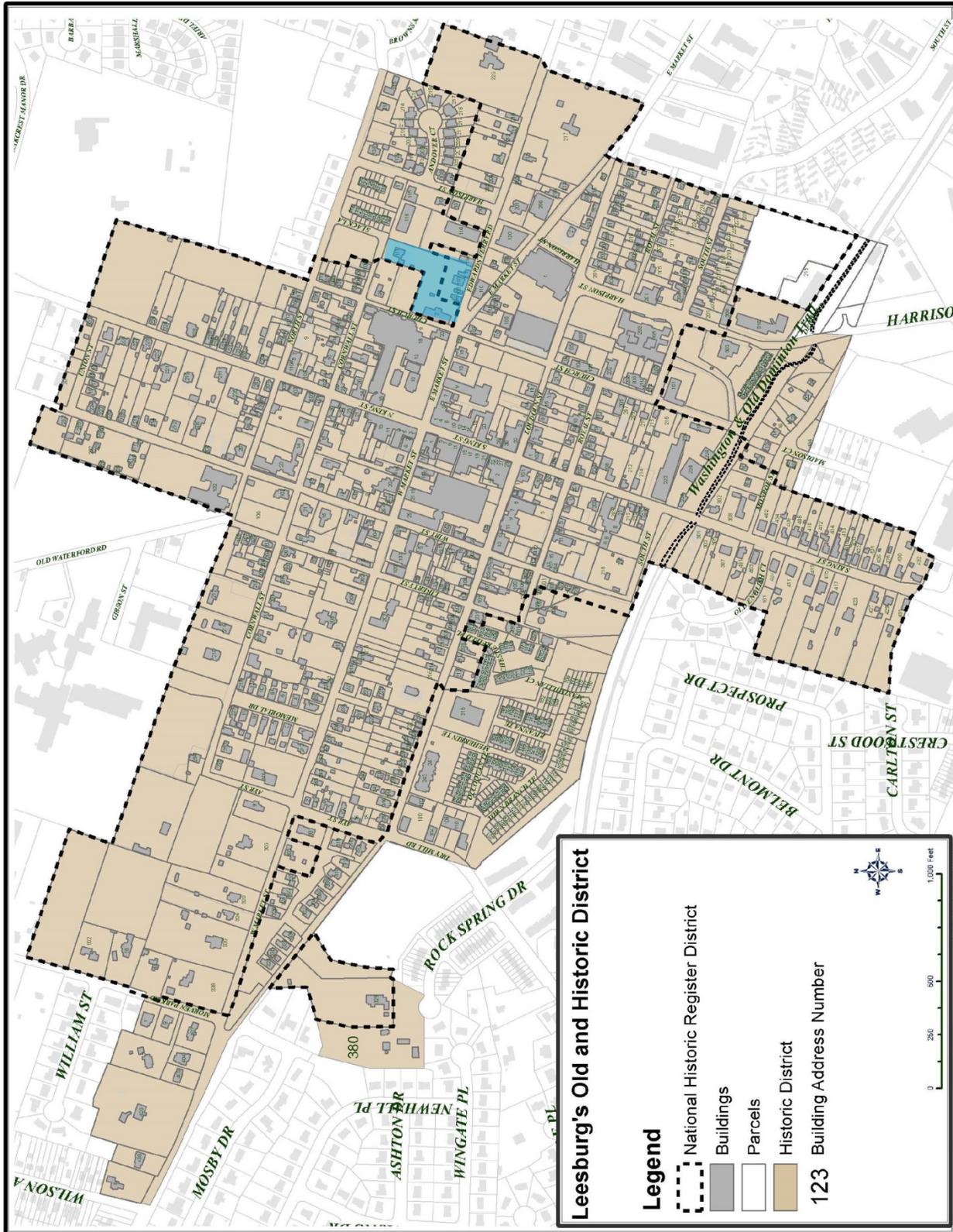
Demolition of Secondary/Accessory Structures

Demolition of secondary or accessory buildings such as sheds and garages; and structures such as fences and walls, that are historic may be appropriate if they are substantially deteriorated.

**Note on the Demolition of All
Buildings and Structures**

1. If the applicant successfully demonstrates that the building is a candidate for demolition, the BAR may approve the demolition request with one or more of the following conditions, depending on the circumstances surrounding the request:
 - a. 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).
 - b. The applicant must conduct a Phase I archaeological study to determine if the property yields information important in Leesburg's history.
 - c. The applicant must demonstrate that the site will be prepared and maintained in accordance with a landscape plan once the building has been demolished.
 - d. The demolition may occur only following receipt of a building permit for the new construction.
2. If the application for demolition is made to facilitate 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 VI* of this document.

ATTACHMENT 9 – Leesburg National Register Historic District and Old & Historic District



ATTACHMENT 10 – Enhanced photos showing Edwards Ferry Road streetscape prepared by Dewberry, Inc.

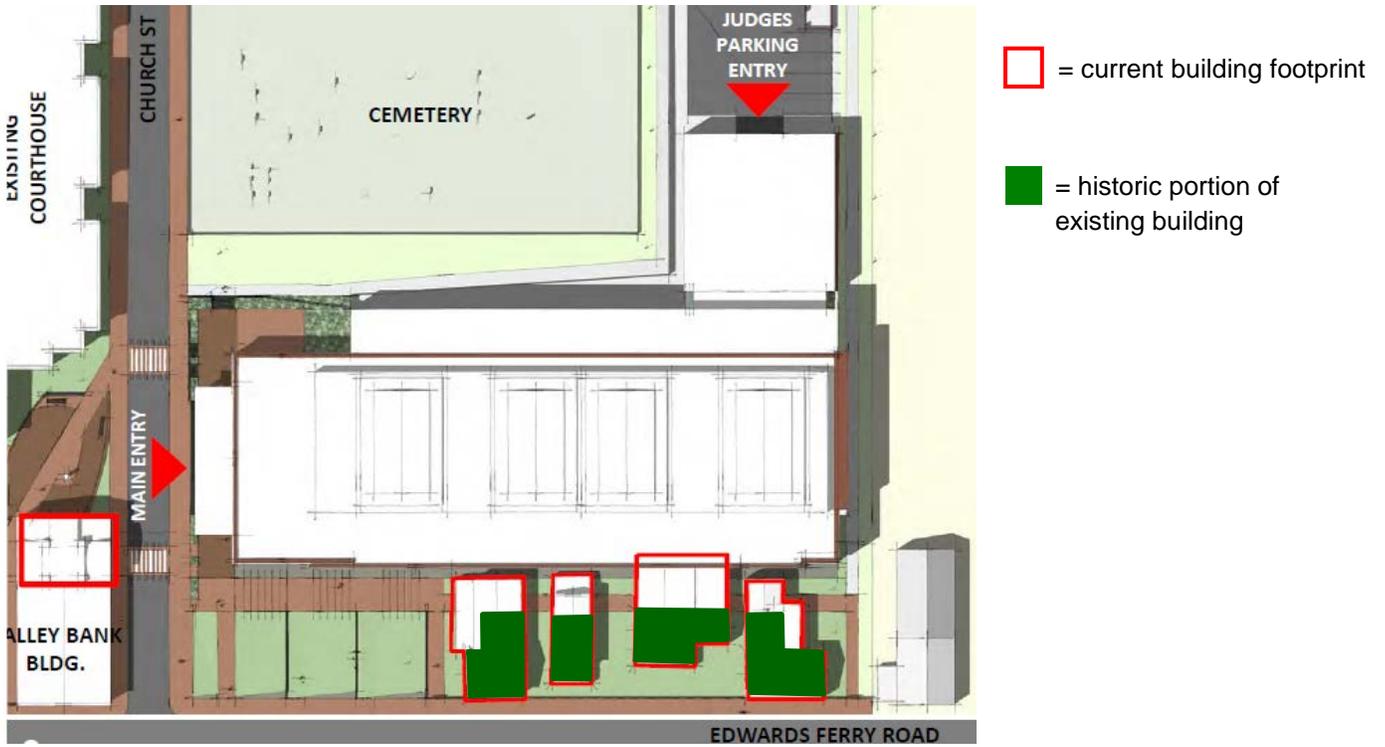


Streetscape of Edwards Ferry Road with all four buildings in place and District Courthouse in background



Streetscape with only 112 Edwards Ferry Road in place and District Courthouse in background

ATTACHMENT 11 – “Exhibit A” from final staff report prepared by Leesburg Preservation Planner



ATTACHMENT 12 – Option #2, retaining the historic portions of all 4 contributing buildings, BOS Action Item, 5/6/15

Option 2 Maintain the street frontage of the 4 Structures, (partial demolition), Move 110 to street edge

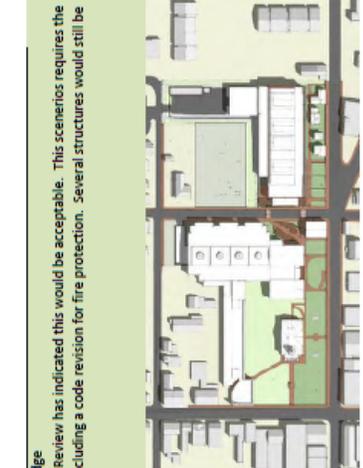
Option Two has reviewed the retention of all four houses, in their existing location on the site and with later additions to the rear removed. The Town of Leesburg Board of Architectural Review has indicated this would be acceptable. This scenario requires the new proposed courthouse be re-designed to allow these buildings to remain. This involves the re-design of site utilities, the storm water management system and the building elevations, including a code revision for fire protection. Several structures would still be extremely close to the new building and would have a significant impact on the cost and make constructability difficult due to proximity.

Additional Project Expenses	Low End Cost	High End Cost	Comments
Additional Project Costs	\$	500,000	New Building Footprint remains as designed
Additional Design Fees	\$ 450,000	\$	Redesign Elevation to account for structures Look at code impact of bldg proximity
Added Building Cost	\$	32,000	Revise DD set, recost, resubmit zoning package, redesign SWM Site plans for reconfigured houses/Utility plans
Additional Security Cost HDWR	\$	30,000	Design new elevations areas where rear additions are removed Costs captured below
Fire Rate South Elevation	\$ 38,500	\$	Additional Cameras-providing observation around the 4 structures. Proximity to Structures requires fire rating of South Façade. Sprinklers and alarms @
House Protection	\$ 50,000	\$	75,000
Inefficiency Penalty/Monitoring	\$ 300,000	\$	75,000
BMP Purchase	\$ 30,000	\$	40,000
Partial Demolition of 4 houses	\$ 60,000	\$	40,000
Improvements to 4 Structures	\$ 320,000	\$	100,000
Parking for 4 structures	\$ 165,000	\$	360,000
Move 110 to street	\$ 157,000	\$	176,000
Total Capital Cost	\$ 1,600,500	\$ 1,813,000	Remove later additions to houses per staff preservationists recommendation Upgrades to the remaining portions of the retained four structures. If 4 structures remain we will need to provide 516,000.00 per parking space Even with additions removed, 110 is still to close to new courthouse.
Inflation 1% per month	\$	96,030	
Total Capital Cost w/ Inflation	\$ 1,696,530	\$ 1,921,780	

Ongoing Operational Cost	\$	240,000	
Additional Security Staff	\$	905,250	
Ongoing Maintenance	\$	1,032,750	
Total 75 Year Operational Cost	\$	1,145,250	
Total Cost	\$	2,841,780	
Schedule Impact			
Redesign and re-Submittal			
Additional Time to work around			

Ongoing Security Staff/FTE's at \$32,000 per year X 75 years. 10%
Minimum yearly anticipated maintenance X 75 years

See below for detail





Plan of original portion of 110 and 112

Cost Summary

Loudoun County Courthouse Expansion Phase 3				3.20.2015
Analysis	106	108	110	112
Demoliton Cost(including AE fee) Currently in Project Budget	\$ 57,194	\$ 57,194	\$ 57,194	\$ 57,194
Relocation Pennington Lot	\$ 272,090	\$ 285,590	\$283,590	NA
Relocation 3rd Party Lot	\$373,290	\$384,790	\$384,790	NA
Retention on Site	NA	NA	\$128,915	\$160,195
Schedule				
Move	18-24 mo	18-24 mo	18-14 mo	NA
Demo	12 mo	12 mo	12 mo	12 mo.
Retain	NA	NA		