



Date of Council Meeting: September 22, 2015

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Catoctin SkatePark

Staff Contacts: Rich Williams, Director, Department of Parks and Recreation
Anne Geiger, Senior Engineer, Department of Public Works and Capital Projects

Council Action Requested: That Council identify a location for the redevelopment of the Catoctin SkatePark.

Staff Recommendation: Staff concurs with the position of the Parks and Recreation Advisory Commission that the skatepark should be redeveloped within its current footprint. However, both the adjacent gravel lot and Ida Lee Park are viable locations for the development of a quality skatepark.

Commission Recommendation: The Parks & Recreation Advisory Commission has identified a preference that the Catoctin SkatePark be redeveloped within its current footprint, and the adjacent gravel lot be utilized as parking and greenspace.

Fiscal Impact: The approved Fiscal Year 2016 Capital Improvement budget includes \$544,800 to renovate the facility at its current location/footprint. If the skatepark facility is relocated to the adjacent gravel parking lot or to another location in Town, the project costs will increase by an estimated \$260,000. However, final development costs for this project are dependent upon the site location to be determined by Council.

Work Plan Impact: There is no work plan impact since this project has been identified as part of the approved Fiscal Year 2016 Capital Improvement Program.

Executive Summary: The Catoctin SkatePark facility has been approved for renovation at its current location on Catoctin Circle in the amount of \$544,800 as part of Fiscal Year 2016 Capital Improvements Program. The approved capital improvement project identifies a completion schedule in the summer of 2016.

However, since approval of the budget, public discussion has been held on the possible relocation of the skatepark facility to other sites in the Town including Douglass Community Center and Ida Lee Park. In addition, the Loudoun County Volunteer Rescue Squad 13 has requested Council to relocate the facility and lease the site to the squad in order accommodate future expansion. At the same time, Dulles Motorcars, Inc. has offered to purchase the site, and donate part of the land to the rescue squad while retaining a portion of the land for their business use.

Town staff from the Departments of Parks and Recreation, Public Works and Capital Projects, and Plan Review met with the Town’s project consultant, Spohn Ranch, to develop two realistic development timetables as listed below.

Schedule A is based on the SkatePark remaining within its current physical footprint at Catoctin Circle. Schedule B is based on the relocation of the facility to either the adjacent gravel parking lot at the Catoctin site, the Douglass School site, or within Ida Lee Park. The additional time built into Schedule B would allow for the design, review, and approval of more detailed site work, and storm water management requirements and its associated construction.

If Council makes a final decision on the location by September 22, 2015 that keeps the SkatePark on its existing footprint, the established schedule in the approved Capital Improvement Program of summer 2016 can be met (See Schedule A). If Council chooses to relocate the facility from its existing footprint, the SkatePark is estimated for completion in September 2016 (See Schedule B).

Schedule A:

	Duration**	Start	Finish
Public Input/Outreach	25 days	7/7/2015	8/10/2015
Final site decision by Town Council	46 days	7/7/2015	9/8/2015
Design & Permitting	120 days	9/23/2015	3/8/2016
Construction	75 days	3/9/2016	6/21/2016
Grand Opening			6/28/2016

** working days

Schedule B:

	Duration**	Start	Finish
Public Input/Outreach	25 days	7/7/2015	8/10/2015
Final site decision by Town Council	46 days	7/7/2015	9/8/2015
Design & Permitting	145 days	9/23/2015	4/21/2016
Construction	110 days	4/22/2016	9/13/2016
Grand Opening			9/20/2016

** working days

Engineers within the Department of Public Works and Capital Projects have developed preliminary estimates as to the additional funds necessary to redevelop the 12,000 square foot SkatePark outside of the park’s current footprint and are represented below (See *Schedule C*).

The 12,000 square foot. SkatePark cannot be developed outside of its current footprint to the scope of the original project without the expenditure of additional funds. The cost escalation is based on specific and potential site conditions, storm water Best Management Practices (BMP) design and its associated construction, utility relocation, and removal and relocation of the existing site lighting.

Schedule C:

	Est. Cost Escalation**	Est. Total Project Cost**
Current SkatePark Footprint	N/A	\$500,000
Catoctin Circle Gravel Lot	\$260,000	\$760,000
Ida Lee Park	\$259,000	\$759,000
Douglass School Property	\$260,000	\$760,000

** Includes 20% (\$43,000) recommended contingency pending final geotechnical report

The Parks and Recreation Advisory Commission has evaluated each of the potential locations for the SkatePark identified (See *Schedule C*). Areas of evaluation included the potential site’s visibility, accessibility, constructability, existing infrastructure, and impact to the surrounding environment or neighbors. Based on this evaluation, the Parks & Recreation Advisory Commission recommends that the SkatePark remain within its current footprint and the adjacent gravel lot be utilized as greenspace and parking.

Background: The existing Catoctin SkatePark is located at 141 Catoctin Circle and is a 12,000 square foot lighted skating facility that consists of wooden ramp features set atop an asphalt skating surface. The park is located within a 2.9 acre parcel of land with an appraised value of \$2.5M - \$2.9M and consists of the SkatePark and an adjacent gravel lot that is currently being used as overflow parking. The facility was developed in 1998 through a collaborative effort of a non-profit group consisting of local skaters and the Town of Leesburg.

As part of the approved Fiscal Year 2016–2021 Capital Improvement Program, renovation work in the amount of \$544,000 at the current location of the Catoctin SkatePark is identified for Fiscal Year 2016. A contract in the amount of \$500,000 was awarded to the firm of Spohn Ranch, Inc. for the design and redevelopment of the Catoctin SkatePark.

The Town has explored a partnership opportunity with Loudoun County to relocate the Skatepark to the Douglass School property. Members of the Loudoun County School Board were not adverse to a potential future partnership, however, it was not felt the Town's desired development timeline could be met. The School Board's Finance and Facilities Committee further discussed a potential partnership at their August 8, 2015 meeting. Committee members did not express an interest in locating the skate park to the Douglas site at this time due to the uncertainty of current and future school operational needs as detailed in the County Staff Report (attached). Additional discussion was held at the Joint Board of Supervisors and School Board meeting on September 10, 2015. School Board members felt there were too many unknowns as to the future uses of the property, and indicated the entire School Board may make a decision by the end of September 2015.

Formal requests for the acquisition of the Catoctin Circle location have also been received from the Loudoun County Volunteer Rescue Squad 13 and Dulles Motorcars, Inc. The Rescue Squad has requested acquisition of the current SkatePark site, and may offer financial assistance to relocate the facility. However, at the time that this memorandum is being written, staff cannot provide confirmation. Dulles Motorcars has also proposed the purchase of the current skatepark and adjacent gravel lot at fair market value. Their intent being to donate a portion of the property to the Rescue Squad and to utilize the remaining area for employee parking. Both formal requests have suggested a preference that the SkatePark be relocated to Ida Lee Park.

In addition, there have been some inquires from members of Council as to whether the Deed of Gift for the Ida Lee Park property would permit the addition of a skatepark to the site. Per the Deed of Gift and Dedication (attached), this would be permitted. The only restriction relates to the development of a roadway that fully traverses the property.

A community input design meeting was conducted by the design firm Spohn Ranch on July 7, 2015 to identify the types of elements the Leesburg skate community would like to see in the redeveloped park. However, work beyond the initial community outreach stage of the project cannot commence until a final location for the SkatePark is identified and additional funding is considered if the park is to be relocated.

Council has directed staff to cease any design work on the project until a final location is identified.

Attachment: 1) Ida Lee Park Deed of Gift and Dedication
2) Loudoun County Public Schools Staff Report

DEED OF GIFT AND DEDICATION

THIS DEED OF GIFT AND DEDICATION made this 9th day of ~~May~~ ^{July}, 1986, by and between William F. Rust, Jr. and Margaret D. Rust, his wife, Grantors, and the Town of Leesburg, Virginia, a municipal corporation, Grantee, and the Northern Virginia Regional Park Authority, a body corporate and politic.

WITNESSETH:

That for and in consideration of the sum of TEN DOLLARS (\$10) and for the public purposes hereinafter set forth, the Grantors do hereby grant and convey unto the Town of Leesburg, Virginia, a municipal corporation, with GENERAL WARRANTY AND THE ENGLISH COVENANTS OF TITLE, all that certain tract of land located in the Town of Leesburg, Loudoun County, Virginia, and more particularly described by plat and survey of Bengtson, DeBell, Elkin and Titus, dated December 3, 1985, revised April 23, 1986, a copy of said plat marked "Exhibit A" being attached to and made a part of this Deed and wherein the metes and bounds are set forth as follows:

"Beginning at a point in the centerline of Old Waterford Road (Virginia State Route #698), said point marks the southeast corner of the Westmoreland Davis Memorial Foundation; thence departing said Old Waterford Road and running with the easterly line of said Westmoreland Davis Memorial Foundation N 69°51'49" E 3209.30 feet to a concrete monument (passing through a concrete monument at 15.05 feet) in the line of O'Connor and marking the northeast corner of the aforementioned Westmoreland Davis Memorial Foundation; thence departing said Westmoreland Davis Memorial Foundation and running with the southerly line of O'Connor S 16°19'56" E 612.35 feet to an iron pipe set in the line of O'Connor and marking the most northerly corner of Parcel "A" William F. Rust, Jr; thence departing O'Connor and running with said Parcel "A" S 69°51'49" W 913.43 to an iron pipe set, and S 19°06'33" W 1434.48 to an iron pipe set marking the southwest corner of said Parcel "A" and in the line of Union Cemetary Company; thence departing said Parcel "A" and running with Union Cemetary Company N 70°53'27" W 254.06 feet to an iron pipe found marking the northwest corner of Union Cemetary Company and the northeast corner of Parcel "B" William F. Rust, Jr.; thence departing said Union Cemetary Company and running with said Parcel "B" N 65°45'11" W 481.92 feet to an iron pipe set and S 24°14'49" W 262.56 feet (passing through an iron pipe set at 237.56 feet) to a point in the centerline of the aforementioned Old Waterford Road; thence

Return to: Town of Leesburg
Box 88
Leesburg, Va 22075

departing said Parcel "B" and running with the centerline of said Old Waterford Road the following: N 65°45'11" W 827.94 feet to a point; 127.79 feet along the arc of a curve to the right having a radius of 155.45 feet and a delta angle of 47°06'01" to a point; N 18°39'10" W 200.00 feet to a point; and N 18°59'55" W 517.70 feet to a point of beginning, containing 77.3451 acres as shown on a plat prepared by Bengtson, DeBell, Elkin and Titus P.C., dated December 3, 1985, and revised April 23, 1986."

The tract of 77.3451 acres herein conveyed is the second and final gift of real estate by the Grantors to the Town of Leesburg, Virginia, to be used and maintained exclusively as a public park by the Town of Leesburg, Virginia. The first tract of 60.7000 acres was conveyed by Grantors to the Town of Leesburg, Virginia, by Deed dated December 23, 1985, recorded in the Office of the Clerk of the Circuit Court for Loudoun County, Virginia, in Deed Book 881, Page 1923. By this Deed, said two tracts of real estate are being merged into one larger tract of 138.0451 acres, said two tracts of real estate being more particularly shown as Parcels A and C, respectively, on that certain plat of Bengtson, DeBell, Elkin & Titus marked "Exhibit A" attached to and made a part of this Deed, the metes and bounds description of said merged tract of 138.0451 acres being set forth as follows:

"Beginning at a point in the centerline of Old Waterford Road (Virginia Route #698), said point marks the southeast corner of the Westmoreland Davis Memorial Foundation; thence departing said Old Waterford Road and running with the easterly line of said Westmoreland Davis Memorial Foundation N 69°51'49" E 3209.30 feet to a point in the line of O'Connor and marking the northeast corner of the aforementioned Westmoreland Davis Memorial Foundation; thence running with the southerly line of O'Connor S 16°19'56" E 2187.50 feet to a point on the westerly side of U.S. Route #15, said point marks the southwest corner of O'Connor; thence departing O'Connor and running with the westerly side of U.S. Route #15 the following: S 36°53'40" W 477.7 feet to a point, 570.41 along the arc of a curve to the left having a radius of 1964.86 and a delta angle of 16°38'00" to a point; and S 20°15'40" W 81.81 feet to a point on the westerly side of U.S. Route #15 and marks the northeast corner of Union Cemetery Company;

thence departing said U.S. Route #15 and running with Union Cemetery Company the following: N 70°39'42" W 478.65 feet to a point; N 38°04'34" W 223.92 feet to a point; N 14°46'27" W 53.50 feet to a point; N 14°35'56" W 240.42 feet to a point; N 70°53'27" W 803.87 feet to a point; S 19°06'07" W 278.25 feet to a point; and N 60°00'10" W 145.41 to a point in the centerline of the aforementioned Old Waterford Road and marks the southwest corner of said Union Cemetery Company; thence running with the centerline of said Old Waterford Road the following: N 65°45'11" W 1190.13 to a point; 127.79 along the arc of a curve to the right having a radius of 155.45 and a delta angle of 47°06'01" to a point; N 18°39'10" W 200.00 feet to a point; and N 18°59'55" W 517.70 feet to a point of beginning containing 138.0451 acres of land."

This Deed of Gift and Dedication is made as to the entire 138.0451 acres on the following conditions:

1. The public park to be created on said tract of 138.0451 acres shall be known as the "Ida Lee Park" of Leesburg, Virginia.
2. The Park is given and dedicated solely as a public park to provide recreational, historical, horticultural, agricultural, forestal, archeological and other open-space areas for the benefit of the general public.
3. This Deed of Gift and Dedication is in perpetuity and the property is not be transferred, sold, exchanged, encumbered or subdivided by the Grantees.
4. Except for internal Park purposes, the Grantee shall not construct nor permit the construction of any public road across the Park, nor permit the construction of any school, fire or rescue station or other municipal type building thereon not directly related to the purposes of the Park.
5. The Grantee is to provide a sufficient fund for the proper maintenance and development of the Park and will ensure proper management and supervision of the Park for the purposes herein set forth.

Failure on the part of the Grantee to keep and observe

any of the foregoing conditions will cause the 138.0451 acre tract to revert to the Northern Virginia Regional Park Authority, to be continued as a public park on the foregoing conditions. Said Northern Virginia Regional Park Authority joins in the execution of this Deed of Gift and Dedication to indicate its willingness to accept the reverter herein provided should such necessity arise.

The property herein conveyed is part of that certain tract of 141.0451 acres conveyed to William F. Rust, Jr., one of the Grantors herein, as and for his sole and separate equitable estate, by Rust Communications Group, Inc., a New Hampshire corporation, by Deed dated June 17, 1985, and recorded in the Office of the Clerk of the Circuit Court for Loudoun County, Virginia, in Deed Book 867, Page 301.

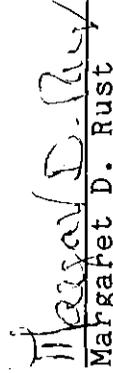
The Town of Leesburg, Virginia, by its duly authorized officials, joins in the execution of this Deed of Gift and Dedication to evidence its acceptance of this tract of real estate for the public purposes indicated and on the conditions herein set forth, said acceptance and conditions having been duly approved by a Resolution of the Town Council of the Town of Leesburg, Virginia, duly adopted on ~~May~~ ^{June} 25, 1986.

This conveyance is made subject to conditions, valid restrictions and rights-of-way of record.

WITNESS the following signatures and seals:

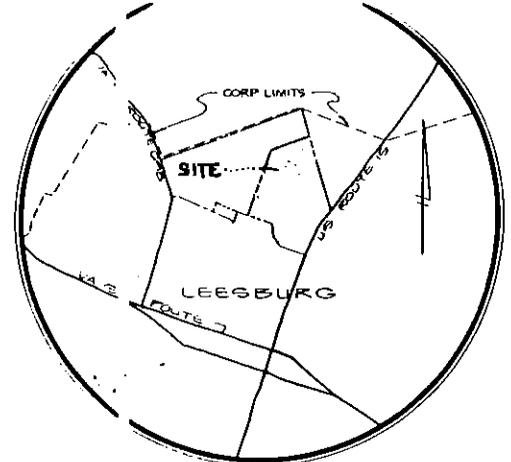
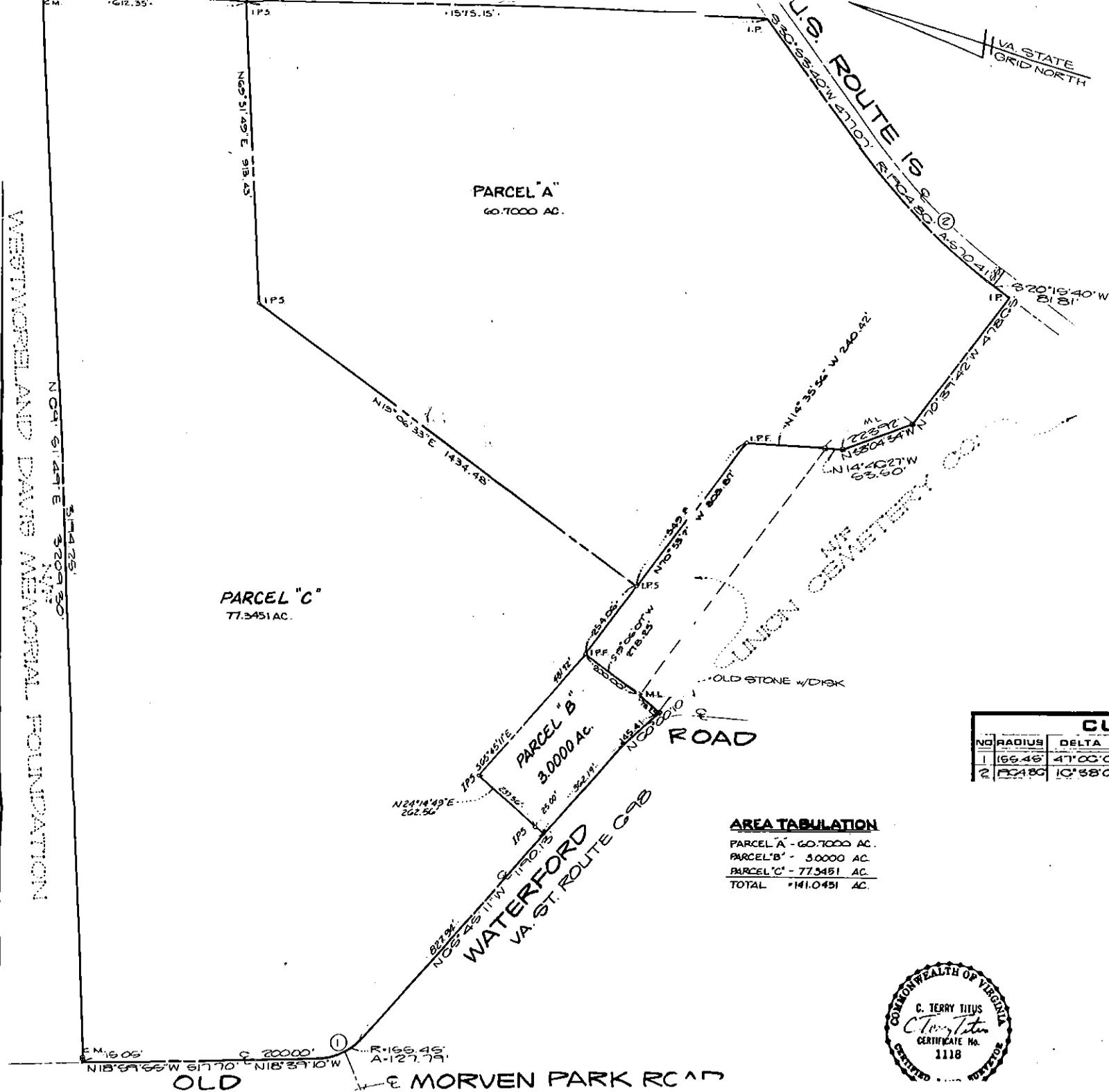


William F. Rust, Jr. (SEAL)



Margaret D. Rust (SEAL)

WESTMORELAND DAVIS MEMORIAL FOUNDATION



VICINITY MAP
SCALE 1" = 2,000'

- NOTES:**
- NO TITLE REPORT FURNISHED.
 - EXTERIOR METES AND BOUNDS OF THIS TRACT ARE TAKEN FROM A SURVEY OF THE LAND OF MARY J. CONRAD ESTATE DATED 2-28-19 AND DOES NOT REPRESENT THE RESULTS OF A NEW FIELD SURVEY BY THIS FIRM.
 - PROPERTY LOCATED ON LOUDOUN COUNTY ASSESSMENT MAP #48 PARCEL 1.

- LEGEND:**
- I.P. IRON PIPE.
 - I.P.F. IRON PIPE FOUND.
 - I.P.S. IRON PIPE SET.
 - C.M. CONCRETE MONUMENT.
 - C.M.L. CONCRETE MONUMENT (OLD LEESBURG CORPORATE LIMITS).

CURVE DATA						
NO	RADIUS	DELTA	ARC	TAN	CHORD	CH BEARING
1	166.48'	47°00'01"	127.79'	0.77	8124.22'	N42°12'10"W
2	104.80'	10°38'00"	67.04'	2.07	8568.41'	S28°34'40"W

AREA TABULATION
 PARCEL A - 60.7000 AC.
 PARCEL B - 3.0000 AC.
 PARCEL C - 77.3451 AC.
 TOTAL - 141.0451 AC.



PLAT SHOWING
 DIVISION OF THE LAND OF
WILLIAM F. RUST JR.
 DEED BOOK 867 PAGE 301
 TOWN OF LEESBURG
 DISTRICT ELECTION DISTRICT
 LOUDOUN COUNTY VIRGINIA
 SCALE: 1" = 200' DATE: DEC. 3, 1985

BENGT SON, DEBELL, ELKIN & TITUS
 A PROFESSIONAL CORPORATION
 SURVEYING ENGINEERS, SURVEYORS & PLANNERS
 LEESBURG, VIRGINIA SILVER SPRING, MARYLAND

Town of Leesburg, Virginia

by: Robert E. Sevilla, Mayor (SEAL)

Attest:
Shirley B. Powell (SEAL)
Clerk of Council

Northern Virginia Regional Park
Authority, a body corporate
and politic

by: Walter L. Mess, Chairman (SEAL)

Attest:
Darrell G. Winslow (SEAL)
Darrell G. Winslow, Secretary

STATE OF VIRGINIA)
) to-wit:
COUNTY OF LOUDOUN)

The foregoing Deed of Gift and Dedication dated ^{July 26th} ~~May~~ 9th, 1986, was acknowledged before me this 9th day of May, 1986, by William F. Rust, Jr. and Margaret D. Rust, his wife.

Frank C. Webb
Notary Public

My commission expires August 14 1989.



LOUDOUN COUNTY PUBLIC SCHOOLS

Office of the Assistant Superintendent

Department for Support Services

21000 Education Court

Ashburn, Virginia 20148

Telephone: 571-252-1385

TO: Eric Williams, Ed.D.
Superintendent

FROM: Kevin L. Lewis
Assistant Superintendent for Support Services

DATE: August 11, 2015

SUBJECT: Douglass School – Proposed Skate Park

At the June 4, 2015, meeting of *Joint Committee of the Board of Supervisors and Loudoun County School Board*, representatives from both organizations, as well as those from the Town of Leesburg (“Town”), discussed the relocation of the Town’s existing skate park to the Douglass School property, as proposed by the Town. Support Services staff evaluated the proposed plan, and, at this time, recommends the school division not move forward with a skate park at Douglass School. Staff offers the following information as an explanation of items to be considered, should the School Board choose to move forward with hosting the skate park on LCPS property:

1. Current / Future Use
 - a. The facility currently serves as the home to the LCPS Alternative High School Program, as well as ancillary uses by Loudoun County Department of Parks, Recreation and Community Services (PRCS).
 - b. The next steps would include discussions, possibly in conjunction with the CIP, to determine the School Board’s goals for the facility in the future.
2. Parking
 - a. The parking capacity at the facility would likely require expansion to host the skate park, as well as providing parking for existing daily use as a school. A zoning analysis, along with user requirements would be needed.
 - b. The next steps would include development of a parking plan sufficient to accommodate the current and future use(s).
 - c. Future discussion by the School Board, for the use as noted, will affect the ultimate need for parking.

3. Security
 - a. The facility would likely be open to the public during the school day (or a portion thereof) when students are present, both inside the school and upon the grounds for outdoor activities.
 - b. The next steps would include development of a plan to manage risks associated with the safety and security of students, with the potential interaction of visitors upon the school grounds during, and after, school hours.

4. Operations and Maintenance
 - a. The current discussion with representatives of the Town of Leesburg and the County of Loudoun have not defined details with respect to responsibilities for operating and maintaining the facility.
 - b. The next steps would include discussions among elected officials to determine areas of responsibility for management, maintenance, staff and utility costs.

5. Appropriate Use and Authority (as reported by LCPS Division Counsel)
 - a. If a final agreement were to include the School Board offering use of the property to the Town or County via a lease, certain parameters apply:
 - i. The next steps include development of lease arrangements that provide a benefit to the school district. Such a lease must be consistent with good business judgment and sound business principles and must be in accordance with the Virginia Code.
 - ii. If the proposed facility were to be determined to have no benefit to the educational programs, or to the district overall, the property may still be leased, but at market rates.
 - iii. Should a lease be approved by the School Board, the Town of Leesburg or the County of Loudoun, would be required to defend, indemnify, and hold harmless, the School Board for all claims and injuries potentially arising from the skate park.

Insurance would be required and the School Board would be listed as a named insured on the policy. LCPS would also have the benefit of sovereign immunity, provided school employees did not act recklessly or intentionally causing injury.

At this time, the proposal has not been developed to a point where staff is prepared to offer a recommendation to host the skate park on the Douglass School property. However, we are prepared to address the items noted herein in the event the School Board wishes to continue to pursue the opportunity.

Please do not hesitate to contact me if you have any questions about this correspondence or require additional information.

Copy: Dr. Michael Richards, Chief of Staff
Dr. Sam Adamo, Executive Director of Planning Services

PRESENTED September 22, 2015

RESOLUTION NO. _____

ADOPTED _____

A RESOLUTION: APPROVING THE PHYSICAL LOCATION FOR THE REVEDLOPMENT OF THE CATOCTIN SKATEPARK

WHEREAS, as part of the Town of Leesburg Fiscal Year 2016-2021 Capital Improvements Program, Council approved \$544,800 for the redevelopment of the Catoctin SkatePark; and

WHEREAS, Council has explored the options of relocating the skatepark to an adjacent lot on Catoctin Circle, the Douglass School site, and Ida Lee Park; and

WHEREAS, it is estimated that any relocation of the skatepark will escalate the total project costs by \$260,000.

THEREFORE RESOLVED, by the Council of the Town of Leesburg in Virginia that

PASSED this _____ day of _____, 2015.

Kristen C. Umstatt, Mayor
Town of Leesburg

ATTEST:

Clerk of Council