

**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** December 14, 2009

**TO:** Judi Birkitt, Project Manager, Land Use Review

**FROM:** Heidi Siebenhoff, ~~Historic Preservation Planner~~, Historic Preservation Planner, Community Information and Outreach, Marie Genovese, Planner, Community Planning, and Brian Fuller, Planner, Parks, Recreation and Community Services.

**SUBJECT:** ZMAP 2008-0021 Kincora Village Center - 3<sup>rd</sup> Referral

*Please note that the following represents the second set of interdepartmental referral comments from the Department of Planning's, Community Planning and Community Information and Outreach Divisions, and the Department of Parks Recreation and Community Service (PRCS). Staff note that the above agencies and divisions concur with Office of Transportation Services (OTS) and Virginia Department of Transportation (VDOT) referral comments which recommend that the ultimate alignment of Pacific Boulevard avoid the Broad Run Toll House and Bridge property and allow the preservation of this resource in place.*

**Background**

The applicant is requesting a Zoning Map Amendment (ZMAP) of an approximately 336.64 acre property located in the southwest quadrant of the Route 7 and Route 28 interchange (subject property). The subject property is located within the Route 28 Tax District and is currently zoned Planned Development-Industrial Park (PD-IP) under the 1972 Zoning Ordinance. The ZMAP application requests that the property be re-zoned to Planned Development- Mixed Use Business (PD-MUB).

The current memorandum represents the third set of referral comments related to the heritage resource issues associated with the subject application and the second referral authored jointly by staff from Community Planning, Community Information and Outreach and the Department of Parks Recreation and Community Services (PRCS). The previous referral, dated August 25, 2009, outlined several specific steps for the evaluation of the historic Broad Run Toll House and Bridge property and contained recommendations for the preservation

and adaptive re-use of these resources based on the policies of the County's Heritage Preservation Plan.

### **Analysis**

Staff have reviewed the applicant's response to County agencies second round of referral comments. The applicant did not include any response to the Department of Planning and PRCS August 25, 2009 joint referral. One minor amendment has been made by the applicant to the October 5, 2009 draft Proffer Statement. Proffer "D" located on page 34 of the document has been amended to include the Loudoun County Historic District Review Committee (HDRC) as a consulting party to the applicant on the ultimate disposition of the Toll House structure. Since the Toll House and Bridge property is a County designated historic site district, per Section 6-300 of the Zoning Ordinance, the HDRC's approval of any proposed alterations to the building, including its relocation or demolition, is an Zoning Ordinance requirement that cannot be proffered to the County at the discretion of the applicant.

The Heritage Preservation Plan calls for the preservation of significant heritage resources in place (*Heritage Preservation Plan, Chapter 9, Historic Standing Structures and their Settings, Policy 1*). Staff continue to strongly advocate for avoidance of the Toll House and Bridge Ruins and consider this the only preservation outcome. As stated in the first and second referral comments, removal of the Toll House from its historic context severely undermines the historic (and likely structural) integrity of this important resource. The location of the Toll House and Bridge Ruins adjacent to the original right of way of the Leesburg Turnpike and the original bridge right of way spanning the Broad Run is integral to the historic significance of these resources and their interpretive value to the public.

Staff note that even if the approved road alignment for Pacific Boulevard avoids the Toll House, the new construction will further visually impact the historic landscape associated with the resource. However, staff recommend that this visual impact is preferable to the removal or "re-location" of the resource, since the Toll House and Bridge Ruins may still be interpreted in the context of the continued evolution of the County's transportation network. These resources can still be identified and interpreted as markers of the County's early 19<sup>th</sup> century road improvements associated with the changing economy, market centers and land uses of that century.

Staff stress that any proposed relocation of the Toll House structure is not considered "preservation" of the resource. There is little public benefit in reconstructing the Toll House apart from its original historic context. That being said, if the subject application is approved with a road alignment that requires the destruction of the Toll House, staff would encourage the salvage and recycling of all historic building materials for re-use in a project that would be of benefit to area residents, such as a park amenity associated with the Broad Run Trail.

***As currently written, the draft proffer statement remains ambiguous and fails to accommodate or address the preservation of the Toll House and Bridge Ruins in place. Moreover, the draft proffer statement does not adequately address any of the recommendations in the August 25, 2009 referral including a historic and structural analysis of the Toll House, short term protection and maintenance, and adaptive re-use of both the Toll House and the Bridge Ruins. The draft proffer continues to state that the Toll house will be relocated "if feasible", but fails to specify how and when this would be accomplished and to what purpose. Further, because "feasibility" is not defined in the proffer, there is no standard for such a determination. Therefore, Proffer "D" as currently written is not enforceable and does not provide for the evaluation, protection, preservation or re-use of the Toll House and Bridge Ruins.***

### **Recommendations**

Specific staff recommendations that would achieve the preservation of this important resource are contained in the August 25, 2009 Joint Referral and staff continue to advocate for those recommendations which are generally summarized below:

1. Staff strongly recommend that the ultimate alignment of the extension of Pacific Boulevard allows for the preservation of the Toll House and Bridge Ruins in place even if such an alignment should further visually impact the historic landscape of these resources.
2. Staff recommend that the applicant include the Toll House and Bridge property in the application. Since it does not appear that the applicant is meeting the public and civic space component of the land use mix called for in the Revised General Plan (see Community Planning 3<sup>rd</sup> referral), the inclusion of the property in the application would provide a valuable civic space component to the application and allow for the preservation of the Toll House in place as an interpretable historic public resource with pedestrian access. This recommendation would also facilitate the possible re-use of the original Broad Run Bridge right of way for a pedestrian foot bridge across Broad Run. This is a necessary connection for the future Broad Run Trail and Potomac Heritage National Scenic Trail. Salvaged building stones from the bridge ruins could be re-used to construct such a crossing.
3. Staff continue to stress the need for an historic and structural evaluation of the Toll House in the form of a Historic Building Survey conducted by a qualified professional. The data contained in such a report should be the point of departure for future decisions about the preservation, interpretation or disassembly of the structure.

4. Staff again urges the applicant to coordinate with the Virginia Department of Historic Resources. The proposed development project will likely require Section 106 review under the National Historic Preservation Act of 1966. Although the Broad Run Toll House and Bridge Ruins are off-site, impacts to this nationally recognized historic property are of such magnitude that mitigation would be required of the applicant as part of this federal review process. To ensure that any proffers approved as part of this re-zoning application are consistent with future state and federal requirements, early coordination is imperative.

cc: Julie Pastor, AICP, Director, Department of Planning  
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