

# THE TRUST *for* PUBLIC LAND

Land&People

ANNUAL REPORT ISSUE

Celebrating 40 Years  
America's Next Great Park

★ Conserving a Virginia  
Riverfront

Plus  
New Parks for L.A.  
A Greenprint for Hawaii

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JOHN HENLEY

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Children enjoy the Seattle Art Museum's Olympic Sculpture Park overlooking Puget Sound. In 1999 the museum and The Trust for Public Land raised funds to acquire a former petroleum transfer and distribution facility for the park, which attracted more than 382,000 visitors last year. Photo: Darcy Kiefel



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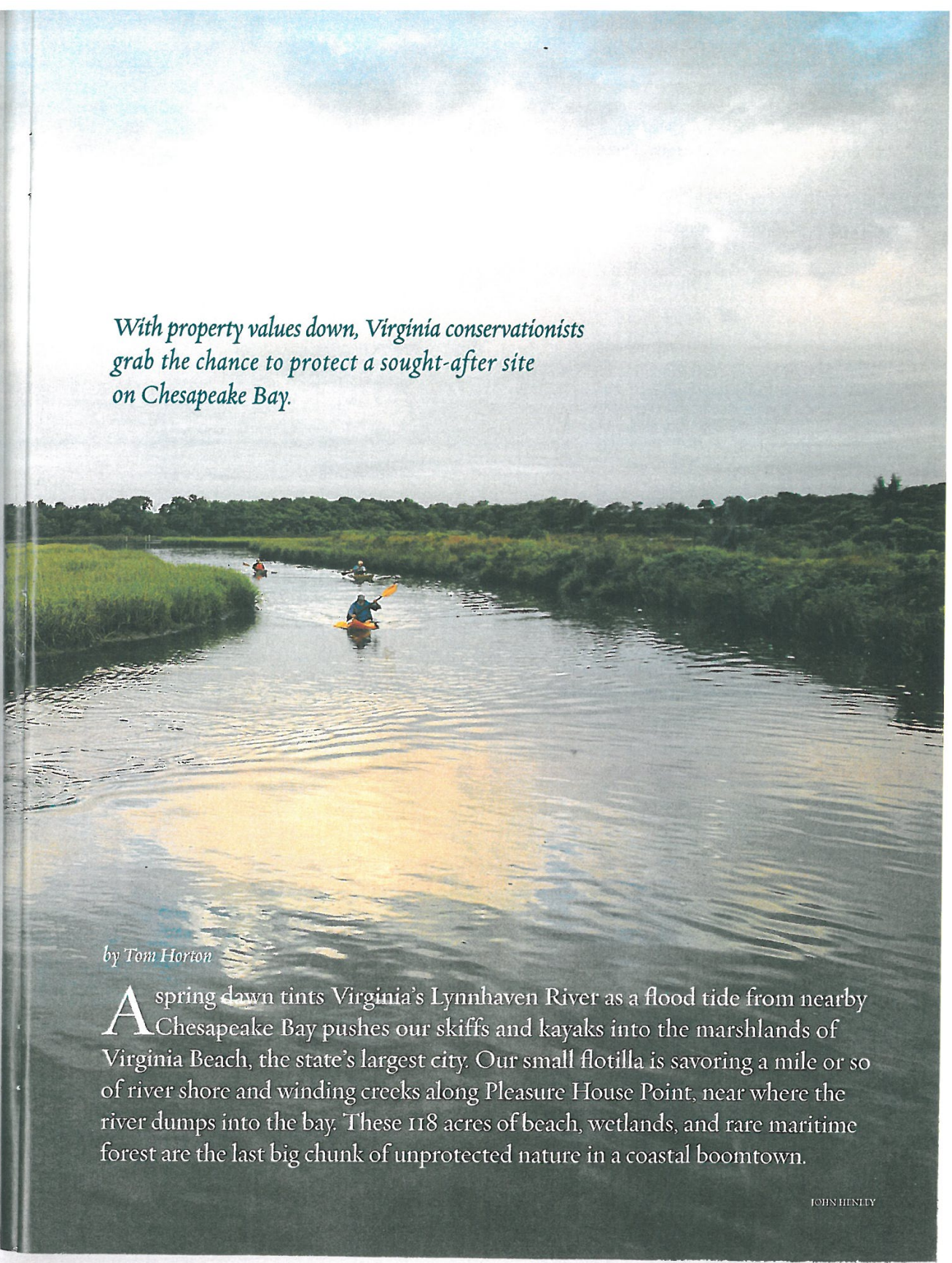
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# TURNING THE TIDE AT PLEASURE HOUSE POINT







*With property values down, Virginia conservationists  
grab the chance to protect a sought-after site  
on Chesapeake Bay.*

*by Tom Horton*

A spring dawn tints Virginia's Lynnhaven River as a flood tide from nearby Chesapeake Bay pushes our skiffs and kayaks into the marshlands of Virginia Beach, the state's largest city. Our small flotilla is savoring a mile or so of river shore and winding creeks along Pleasure House Point, near where the river dumps into the bay. These 118 acres of beach, wetlands, and rare maritime forest are the last big chunk of unprotected nature in a coastal boomtown.

JOHN HENTLY



Even at 6:30 a.m., traffic is buzzing along nearby Shore Drive, a busy artery serving a sprawling metro area of 1.7 million residents that includes not only Virginia Beach but also Norfolk, Portsmouth, and Hampton Roads.

Improbably and delightfully, the sights and sounds of the metropolis fade away as our boats enter the nooks and crannies of the Lynnhaven's creeks and marshes, vibrant with the singing of redwing blackbirds and saltmarsh sparrows. It's at least a hint of what colonists from Jamestown found here when they explored up the Lynnhaven nearly 400 years ago. Green herons stalk shorelines clumped with oysters and mussels, and shorebirds peck mudflats ahead of the rising tide. Black skimmers glide inches off the water sipping minnows, their lower beaks tracing delicate Vs in its glassy surface. Periwinkles climb the marsh grass stalks, grazing on algae. A fisherman ambles down a sandy trail from a nearby condo complex and wades out waist deep into Pleasure House Creek—casting for toothsome speckled trout.

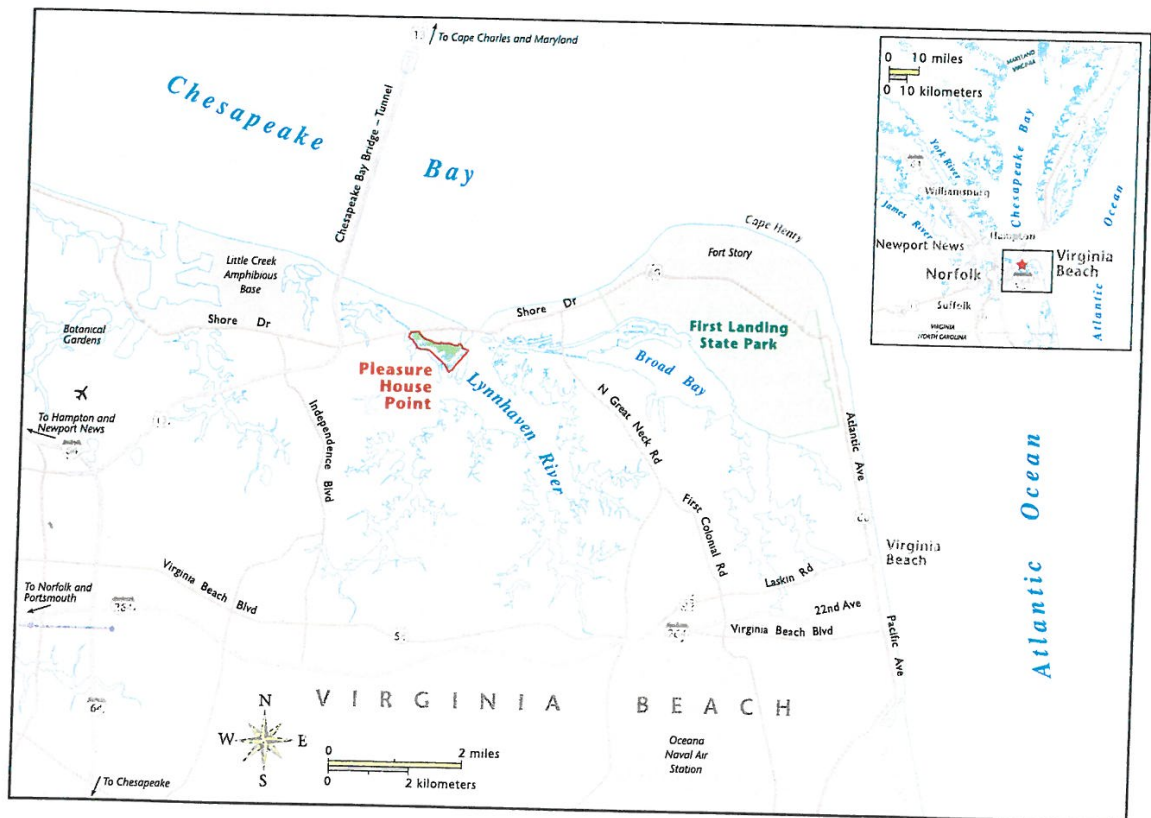


JOHN HENLEY

"Tree-hugging capitalist" Tim Solanic in his Save Pleasure House Point shirt. Pages 26-27: Kayakers explore the waterways around Pleasure House Point.

### A CLOSE-TO-HOME WETLAND

Our trip is a celebratory voyage of sorts, complete with champagne and oysters shucked out fat and creamy on the half-shell. Local conservationists—some of them





JOHN HENLEY

A paddle-boarder slips through the Lynnhaven River at dawn. The inlet on Chesapeake Bay is in the heart of Virginia's largest city.

along on today's trip—have recently learned that their quixotic effort to preserve Pleasure House Point has succeeded. (The name derives from a tavern that existed there in the 18th century.) With its waterfront of close to a mile, the point has been a target for development since the 1970s. The most recent plan—known as Indigo Dunes—was well advanced when a combination of environmental concerns, a crashing real estate economy, and a fruitful negotiation with the bank that held the property turned the tide to conservation.

"This marshland was all going to be filled in six feet or higher, and over there two 11-story condo towers were going to go up—more than a thousand units across the whole property," says Tim Solanic, a self-described "tree-hugging capitalist" who is sharing my skiff. Solanic, an intense and friendly man who lives only a few blocks from the point, was a key player in mobilizing a handful of residents in 2002 to preserve it. At the time, many people in Virginia Beach considered this an exercise in futility, because the land was then valued at around

*In 2002, many people in Virginia Beach considered the conservation effort an exercise in futility, because the land was valued well outside the budget of the city or any conservation group likely to protect it.*

\$250,000 per acre, well outside the budget of the city or any conservation group likely to protect it.

Solanic still remembers the day in 2002 when, while out for a walk near his home, he came upon a public notice that a developer was applying for variances to Virginia's Chesapeake Bay Protection Act for a massive housing project. "So of course I walked back there," he says, "and I was just blown away by the place, so close to all this dense development." Solanic was at a low point in his life, without a job, feeling adrift. He needed a cause. "I felt then and there, this is what I'm going to get behind, saving this land."

Solanic plunged into civic activism: working the phones and the Internet, writing letters to local newspapers, and networking with community groups, including the local





A fisherman tries his luck near Pleasure House Point. Below: A Lynnhaven oyster. Today, thanks to improving water quality, 40 percent of the Lynnhaven is open to oyster harvesting.

JAMIE BETTS

Shore Drive Coalition, which became a vocal opponent to development along the river. By 2007 the initial development proposal had given way to a new one. A major coastal developer had bought the land for close to \$30

million and was moving ahead with a \$450 million project, budgeting millions for marketing and lobbying. The Shore Drive Coalition, joined by environmental groups like Lynnhaven River NOW, fought a delaying action. "We threw up every road block we could," recalls Solanic, "requested more information, questioned every undotted 'i' in their permit applications."

The activists were not opposed to development per se, but Pleasure House Point did seem like the wrong place for it. "I'm a Realtor," says Cindy Cuskey, who's paddling with us this morning. "But we had enough condos, and we didn't have many spaces to be alone and see wildlife."

There were also sound environmental reasons for protecting land along the river. The Lynnhaven was once famed for the large size and exquisite taste of its oysters. (See "The Fanciest Oyster," page 31.) But by 2002, 99 percent of the river was so contaminated that



JAMIE BETTS



*The Chesapeake Bay Foundation had been eyeing Pleasure House Point for an outdoor teaching center—attracted not only by the land but by the community that had grown up around protecting the river.*

shellfish harvesting there was banned. In the years since, Virginia Beach has spent more than \$100 million to control pollution. Thanks to this and other water protection efforts, the oyster beds are now in resurgence. So why risk new pollution from waterside development and fill in wetlands that help keep the river clean? "The potential for restoring wetlands at Pleasure House Point dwarfs all of our other opportunities," says Karen Forget, director of Lynnhaven River NOW, a group organized in 2002 to clean up the river and restore the oyster beds.

#### THE GREEN LINING

Through 2007 the fate of the land seemed to hang in limbo. First Virginia Beach denied the developer's wetlands permits, then the state overruled the city's decision. At the same time, the Chesapeake Bay Foundation (CBF), nationally known for its environmental education programs, had been eyeing Pleasure House Point as a possible site for a state-of-the-art outdoor teaching center. The foundation was attracted not only by the land but by the community that had grown up around protecting the river. In 2008, as real estate values sagged, the foundation noticed that the developers had missed a quarterly tax payment. "Let's see if there's an opportunity there," William Baker, the foundation's president, told Christy Everett, its tidewater Virginia director.

With some 200,000 members and a multimillion-dollar annual budget, CBF has as much clout as any regional environmental group. But it didn't have the real estate expertise needed to acquire land for an educational center at Pleasure House Point. So its leaders contacted The Trust for Public Land, with whom they had partnered on previous projects. Local TPL project manager Lynda Frost met with Virginia Beach officials, who were all for protecting Pleasure House Point. But even in a real estate downturn, a likely multimillion-dollar price tag for the rare waterfront parcel seemed insurmountable.

### This Barrel Contains "REDWOOD ACRES" LYNNHAVEN OYSTERS

These Fine Oysters Have Been Toned, Not Dredged. Their Flavor Speaks For Itself.  
REDWOOD ACRES FARMS, Little Neck Road, LYNNHAVEN, VA. PHONE NORFOLK 53941

COURTESY OF DENT NORRED

#### THE FANCIEST OYSTER

Nothing is more iconic to the Chesapeake Bay than *Crassostrea virginica*, the eastern oyster. And no Chesapeake Bay oysters were more famous than those from the Lynnhaven River, a tidal estuary at the south end of the bay. Noted for their size and exquisite taste, Lynnhavens, or Lynnhaven "fancies," were highly prized through the 19th and first half of the 20th centuries.

Lynnhavens were served in New York's finest restaurants and to U.S. presidents and British royalty. It's said that wealthy Gilded Age businessman Diamond Jim Brady once ate three dozen Lynnhavens at a sitting. And famed French actress Sarah Bernhardt received a bushel of fancies from an



Sarah Bernhardt

admirer, who kept them in salt water and fed them oatmeal during the two-week ocean crossing.

And then they were all but gone. As the city of Virginia Beach grew up around the estuary, development led to sewage and stormwater pollution. Beginning in the 1960s, shellfish diseases rippled through the region, and by 2002, 99 percent of the Lynnhaven was closed to shellfish harvesting.

Today, thanks to pollution control and improvements in water quality, the oysters are rebounding, with 40 percent of the Lynnhaven open to harvesting. Oyster reefs and sanctuaries are being restored and new ones built, and a thriving oyster farming industry has arisen—all within the city limits of the state's largest urban center.

The benefits of the Pleasure House Point conservation project are many, including new public access to the bay and a new site for environmental education in a rapidly developing region. But perhaps no outcome is as potentially delicious as the continuing recovery of these renowned fancy oysters.





JOHN HENLEY

An egret near Pleasure House Point. "We had enough condos, and we didn't have many places to be alone and see wildlife," one conservationist said.

In 2009, Wachovia Bank, which was holding the loan on the property, was acquired by the San Francisco-based Wells Fargo Bank. Coincidentally, TPL president Will Rogers had been talking with top Wells Fargo officials about a range of properties that might be candidates for preservation. "Put Pleasure House Point at the top of your list," Frost advised. She and Kent Whitehead, director of TPL's Chesapeake Bay field office, then began working on a funding plan to see exactly how much they might be able to offer for the land. Under Mayor William Sessoms and Vice Mayor Louis Jones, the city took the lead with an initial proposed commitment of \$5 million. The Chesapeake Bay Foundation would kick in \$1 million for ten acres for its educational center. Other funds could come from state and federal conservation funding programs, and from a foundation grant. (See "Funding Pleasure House Point," page 33.)

Coincidentally, Trust for Public Land president Will Rogers had been talking with top Wells Fargo officials about properties that might be candidates for preservation. "Put Pleasure House Point at the top of your list," Lynda Frost advised.

In the end, Wells Fargo officials and TPL staff settled on \$13 million for the property—an amount more in keeping with the current real estate market and \$17 million less than the land had sold for in 2007. It was the upper limit of what TPL thought it could raise. In the spring of 2011, at a restaurant with a view across Lynnhaven Bay to Pleasure House Point, TPL staff met with Wells Fargo officials to settle on terms. As recently as that morning, Frost and Whitehead had seen commercial real estate agents cruising the land. But in the end the bank agreed to sell if TPL could pull the funding together in a reasonable time frame. "I think the bank felt we knew what we were doing, and as long as we were able to deliver a decent amount for their shareholders, a preservation outcome would be a win for them and the community," Frost says.

"We are proud to play a role in the preservation of this landmark property," said Wells Fargo Senior Vice President Bill Honaker when the project closed earlier this year. "Wells Fargo worked hand in hand with TPL to structure the transaction in a way that meets both their funding and preservation goals. We're pleased to make this investment in one of the many communities we serve."

Such opportunities to protect conservation-worthy properties have been described as a "green lining" in the otherwise dark cloud of an economic downturn that has been desperately painful for the country, especially to many homeowners and workers. But the situation is fraught with irony for conservationists, says TPL president Will Rogers. "On the one hand, there are properties such as Pleasure House Point—lands of remarkable value for public access and the environment that would have been completely out of reach for conservationists even a few years ago. On the other hand, public funding is much harder to find. We are grateful that we were able to put together this funding package, and, of course, we were very fortunate that Wells Fargo was able to make the conservation possible while still meeting its commitment to its shareholders."





Environmental restoration at Pleasure House Point dwarfs all other opportunities for wetlands recovery on the Lynnhaven River.

JAMIE BETTS

### A WIN FOR THE COMMUNITY AND CONSERVATION

Most of the 118 acres will become a city open space reserve, and CBF will be able to establish its educational center in one of the most densely populated regions of the Chesapeake Bay watershed. And while it could not have happened but for the depressed real estate market, "that only provided the window," says CBF's Everett. "Without TPL's expertise and strong relationship with Wells Fargo, without the unbelievable partnerships and community support and creative financing that made the city willing to go for it, there is no way it would have happened."

Back on the Lynnhaven, oyster farmer Chris Ludford serves us samples of his product, which fetch up to \$21 a dozen at local restaurants. It's the salty—but not too salty—taste from the mix of Lynnhaven water and water

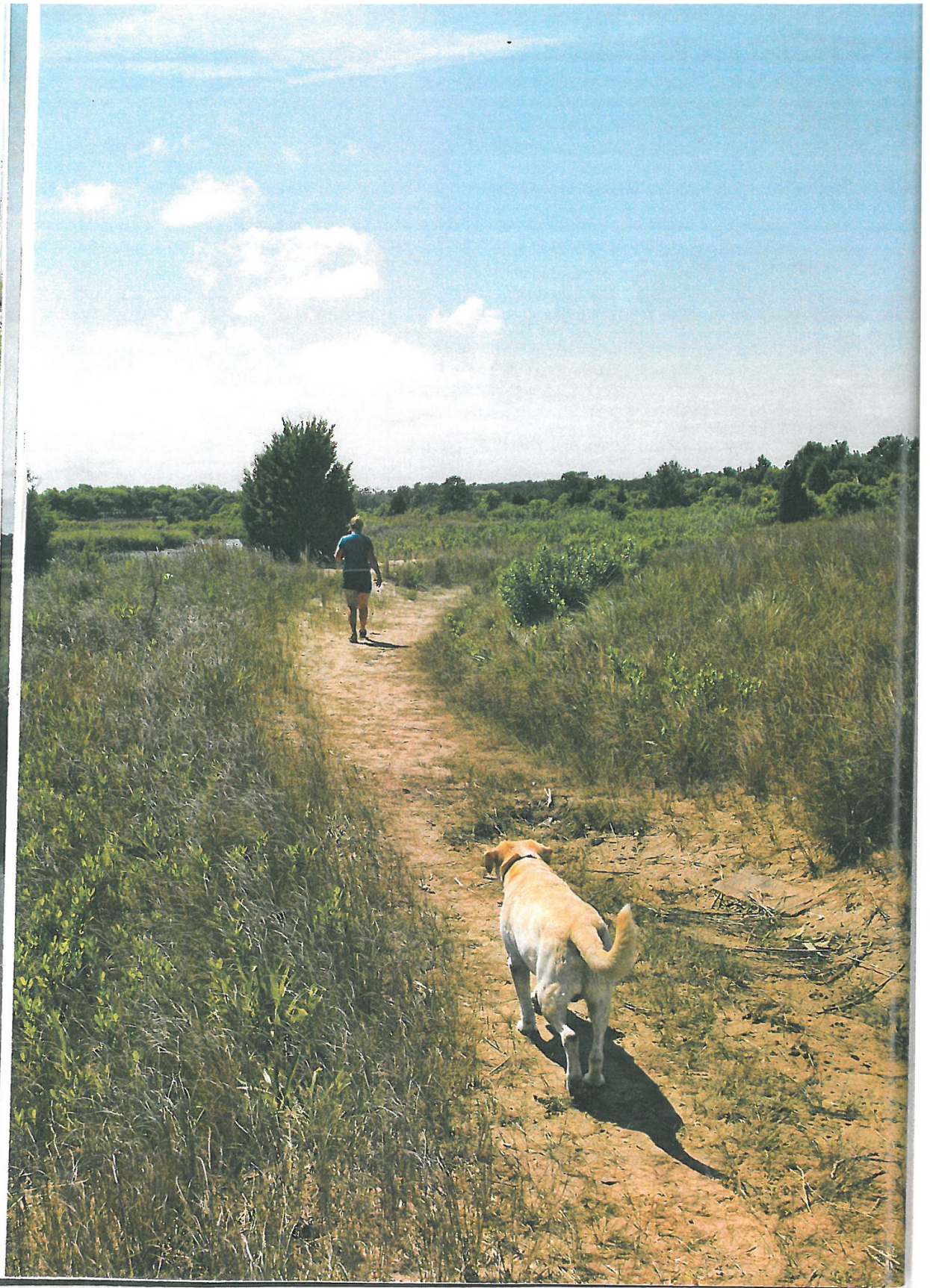
### FUNDING PLEASURE HOUSE POINT

Ambitious conservation projects often require a combination of public and private funding. Support for Pleasure House Point came from:

- City of Virginia Beach
- Virginia Department of Game and Inland Fisheries
- Virginia Department of Environmental Quality
- Virginia Land Conservation Foundation
- U.S. Fish and Wildlife Service
- Chesapeake Bay Foundation
- Dominion Foundation of Dominion Virginia Power
- Individual donors to The Trust for Public Land

Thanks to this generous support, The Trust for Public Land was able to negotiate the transaction, help build support and assemble funding for the project, and complete the legal, financial, and real estate work to accomplish the acquisition.







from the bay that elevates these oysters above all others, he opines, adding, "If that development had gone in, my business would not exist."

Soon Ludford will be farming oysters within sight of the new environmental education center. As proposed by CBF, it will be one of the country's greenest buildings, with a goal of making its own energy, capturing its own water, emitting no waste, and using only sustainable local materials. Virginia Beach's school system plans to build on CBF's work to make the city a national leader in environmental education; already the first school groups are visiting Pleasure House Point with CBF educators. As for the rest of the land, details of its use are being worked out by a 30-member steering committee appointed by the city, says Brian Solis, planning director for its department of parks and recreation. But basically the point

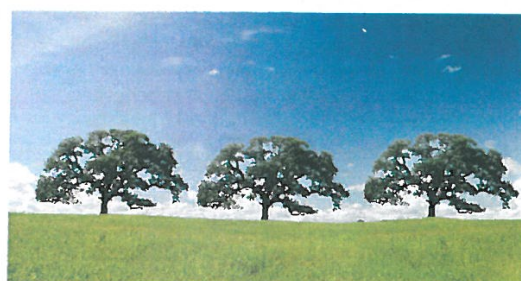
will be set aside for nature and low-impact recreation. Its protection caps a goal set in 2001 to double the city's community open space.

The conservation of Pleasure House Point comes a decade after Tim Solanic first wandered onto the land and assumed its protection as a personal quest. To him, the success of the effort suggests that even in this most urban corner of the Chesapeake Bay region, people will go out of the way to preserve its signal natural resource. "It reflects how people here want to live," he says, "their love of water, seafood, and fishing—of watching ospreys raise their young and sunsets over the marshes."

*Tom Horton teaches writing and environmental studies at Salisbury University, Maryland, and contributes regularly to Chesapeake Bay magazine and the Bay Journal News Service. Formerly an environmental reporter for the Baltimore Sun and an educator for the Chesapeake Bay Foundation, he is the author of several books about the bay. His writing also has appeared in National Geographic, Rolling Stone, the New York Times, and the Boston Globe.*

Now open to the public, Pleasure House Point will be set aside for nature, environmental education, and recreation—capping a 2001 goal to double Virginia Beach's community open space.

## DOUBLE OR TRIPLE YOUR GIFT!



Make your donation go further—ask your company's human resources department about matching your contribution. If your employer participates, simply request a matching gift form and mail it to The Trust for Public Land. Your gift will be matched to help us conserve and protect even more open space, parks, gardens, and other natural places.

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