

County of Albemarle
City of Charlottesville

**Feasibility Study for a
Combined General District Court Building**

AUGUST 12, 2015

MOSELEYARCHITECTS

County of **Albemarle**
City of **Charlottesville**

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FINAL REPORT
August 12, 2015

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PURPOSE AND SCOPE OF FEASIBILITY STUDY

The Levy Building, also known as the Levy Opera House, is located at 350 Park Street in Charlottesville, Virginia. The building is jointly owned by the County of Albemarle and the City of Charlottesville, which have authorized this study to examine the feasibility of using the Levy Building property for construction of a new building to house both of their general district courts. The study also examines use of the historic portion of Levy Building to house the Albemarle County Commonwealths Attorney. (Separately from this study, the city has determined that it will relocate the Charlottesville Commonwealths Attorney to the Jessup house, which is directly east of and contiguous with the Levy Building property.)

More specifically, the scope of this study is as follows:

- Update projected future general district court caseloads and, if indicated by updated projected caseloads to be necessary, update previously estimated space needs for both courts and their clerks' offices.
- Develop and evaluate multiple conceptual approaches for a new, combined general district court building on the Levy property, possibly also utilizing the adjacent Jessup House property, which is jointly owned by the county and city.
- Identify the recommended conceptual option.
- Prepare a preliminary budget estimate and project schedule for the recommended option.

The study is focused on a conceptual analysis of the feasibility of using the site for the stated purpose. The study scope does not include a physical evaluation of the condition of the Levy Building, e.g., its structural integrity or the adequacy of its mechanical and electrical systems. A study completed by Moseley Architects in 2010 concluded that the Levy Building itself was unsuitable for housing general district court facilities. It does, however, appear to be suitable for housing related office space such as the county commonwealth's attorney.

OVERVIEW OF THE GENERAL DISTRICT COURTS

There is a general district court in each city and county in Virginia. General district courts handle traffic violations, hear minor criminal cases known as misdemeanors, and conduct preliminary hearings for more serious criminal cases called felonies. As a result, appropriate security measures are just as important for general district court facilities as for circuit and J&DR courts.

General district courts have exclusive authority to hear civil cases with claims of \$4,500 or less and share authority with the circuit courts to hear cases with claims between \$4,500 and \$25,000. Examples of civil cases are landlord and tenant disputes, contract disputes, and personal injury actions. General district courts in more populous areas like Charlottesville and Albemarle are high volume courts and require courtrooms with more seating capacity than circuit or J&DR courts. There are no jury trials in general district court. The city and county currently each have their own general district court clerk's office. The clerks are appointed by the judges.

The Albemarle and Charlottesville General District Courts are both part of the Sixteenth Judicial District of Virginia, which also includes the district courts of several other central Virginia counties. A general district court judge may hear cases in any locality in his or her district. Both the city and county judges have expressed support for the idea of housing both courts in one facility. Locating the two courts together would allow the judges to work more efficiently in terms of hearing cases for either jurisdiction at any time. It would also alleviate confusion among the public about where to go for a general district court appearance.

SPACE REQUIREMENTS

The current and future space needs of the Albemarle County and Charlottesville General District Courts were analyzed in detail in a study completed by Moseley Architects in 2010. The needs of the Albemarle County General District Court were updated in a study completed by consultant Dewberry in 2012. Both of those studies projected space needs through 2030. Both studies used the same methodology to estimate the volume of future case filings. Case filing volume correlates with necessary court staffing levels and the number of courtrooms required, which in turn have a direct impact on the space needs for a potential combined city/county general district court facility.

For purposes of this study, Albemarle county staff directed Moseley Architects to utilize the county court's space needs criteria developed in 2012 by Dewberry, subject to any necessary adjustment of the number of courtrooms based on updated projections of case filings. Accordingly, case filing projections were updated for this study based on actual data through 2013 (the last complete year for which data was available). The Dewberry projections were based on data through 2010. The updated projections were also calculated through 2035 instead of 2030 as in previous studies.

Update of Court Case Filing Projections

Historical case filing statistics were obtained from the Virginia Supreme Court for the years 1990 through 2013. Historical city and county population figures and future population projections were obtained from the Weldon-Cooper Center for Public Service. Three different models were then utilized to develop forecasts of case filing trends through 2035, as follows:

- *Linear* - This approach uses a formula called linear regression to project a linear trend of future case filings based on the actual trend in the past. It is based on the assumption that the historical trend in case filings will continue into the future. Population is not factored into this model.
- *Fixed Ratio of Case Filings to Population* - This model projects future case filings on the assumption that they will change in proportion to changes in population, i.e., that the number of filings per 1,000 population will remain constant over time. The ratio used for this analysis is the average number of filings per 1,000 population for the years 1990 through 2013.
- *Changing Ratio of Case Filings to Population* - The changing ratio model is a combination of the first two models. It is based on how the number of case filings per 1,000 population has changed over time. A trend in the ratio of filings to population is first projected by linear regression. The projected ratio for a given future year is then applied to the projected population for that year in order to forecast case filings.

The accuracy of any future projection model for case filings should be considered progressively less reliable for projections farther into the future. Court case loads can be affected not only by population, but also by changes in law enforcement staffing or priorities, new legislation, the rate of commercial development, and demographic trends, all of which can have a significant impact. Such factors are not entirely predictable and their analysis is beyond the scope of this study. Furthermore, each projection model used is based on certain assumptions that may or may not prove to be accurate; however, the analysis as a whole is useful as a tool for developing logically derived assumptions about future case filings and related space needs.

The updated case filing projections for all three models for both the county and city general district courts are summarized and graphically illustrated below. Due to space limitations figures

are shown only for five year intervals, but data for every year between 1990 and 2013 were actually used as the basis for the projections.

The updated projections for the Albemarle County General District Court are consistent through year 2030 with the projections prepared by Dewberry in 2012, and indicate a continuing increase in case filings through 2035. Overall, they show an increase of between 36% and 60% over 2015 levels, depending on which formula is utilized. The average increase projected by the three formulas is 45%. County population is projected to increase 36% over that same time period.

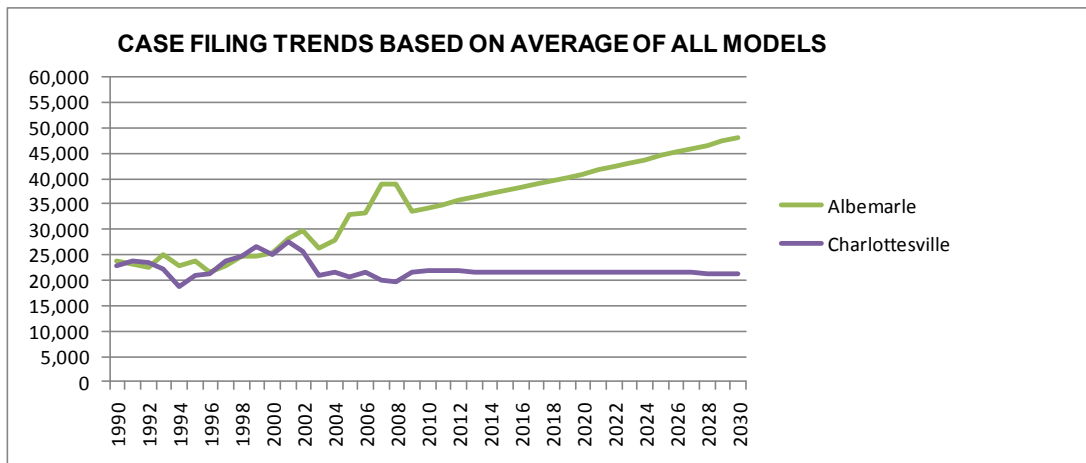
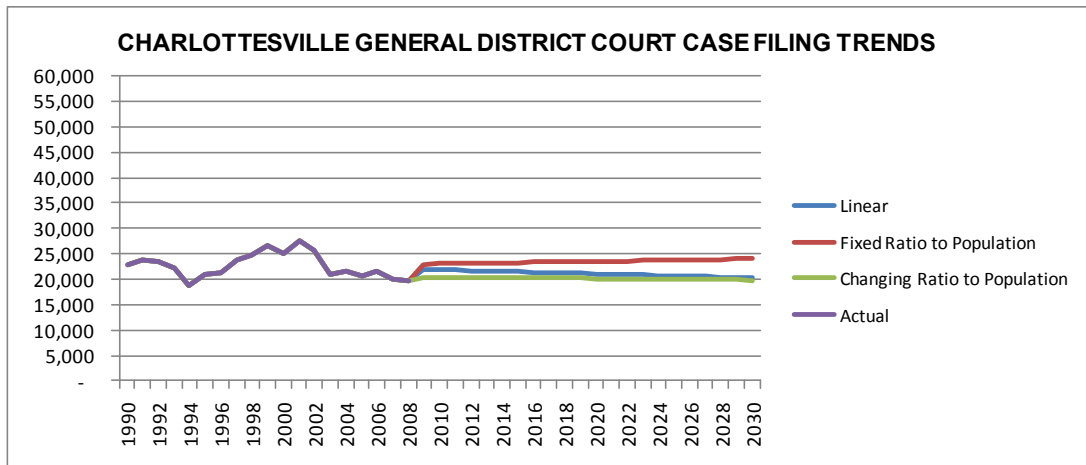
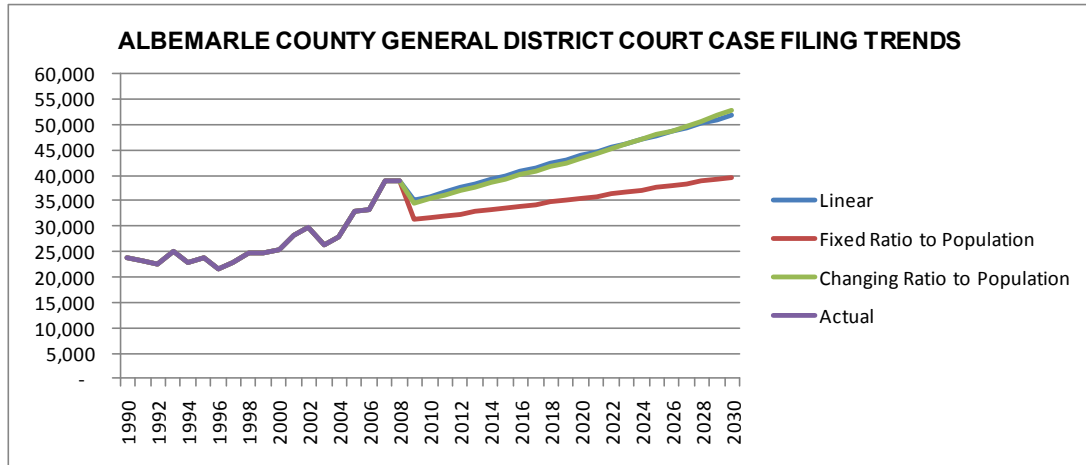
Charlottesville General District Court case filings have trended somewhat downward overall since 1990, although not consistently so on a year to year basis. Depending on the formula used, the updated projections through 2035 range from an increase of 6% to a decrease of 42%, the average being a decrease of 22%. City population is projected to increase by 6% over the same time period.

The updated case filing projections are summarized below.

ALBEMARLE COUNTY GENERAL DISTRICT COURT CASE FILINGS											
	Actual					Projected					Change 2015-35
	1990	1995	2000	2005	2010	2015	2020	2025	2030	2035	
County Population	68,172	76,600	84,688	91,350	98,970	106,420	115,642	124,919	134,196	144,505	36%
Case Filings											
Linear Trend	23,659	23,629	25,429	32,936	38,424	40,502	44,610	48,717	52,825	56,934	41%
Fixed Ratio to County Population	23,659	23,629	25,429	32,936	38,424	35,959	39,075	42,209	45,344	48,827	36%
Changing Ratio to County Population	23,659	23,629	25,429	32,936	38,424	40,839	46,343	52,184	58,341	65,283	60%
Average of All Models						39,100	43,343	47,704	52,170	57,015	45%

CHARLOTTESVILLE GENERAL DISTRICT COURT CASE FILINGS											
	Actual					Projected					Change 2015-35
	1990	1995	2000	2005	2010	2015	2020	2025	2030	2035	
City Population	40,600	39,300	40,199	41,234	43,475	45,234	45,636	46,444	47,252	47,899	6%
Case Filings											
Linear Trend	22,754	20,820	25,164	20,766	18,034	18,072	16,753	15,434	14,116	12,805	-29%
Fixed Ratio to City Population	22,754	20,820	25,164	20,766	18,034	23,827	24,039	24,465	24,891	25,231	6%
Changing Ratio to City Population	22,754	20,820	25,164	20,766	18,034	16,671	14,898	13,207	11,447	9,681	-42%
Average of All Models						19,523	18,563	17,702	16,818	15,906	-22%

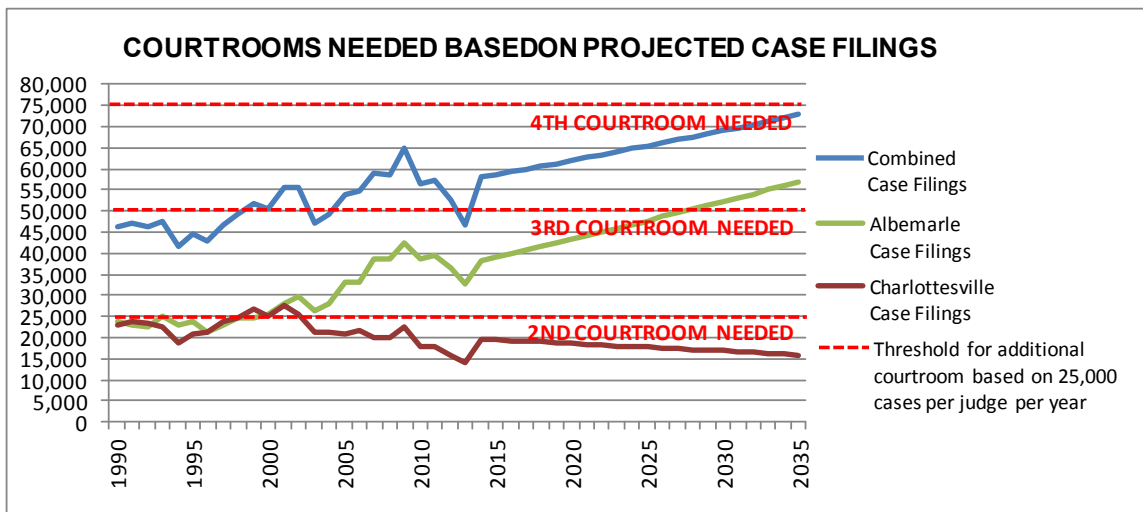
COMBINED GENERAL DISTRICT COURT CASE FILINGS											
	Actual					Projected					Change 2015-35
	1990	1995	2000	2005	2010	2015	2020	2025	2030	2035	
Combined Population	108,772	115,900	124,887	132,584	142,445	51	53	55	57	60	16%
Case Filings											
Linear Trend	46,413	44,449	50,593	53,702	56,458	58,574	61,362	64,152	66,942	69,739	19%
Fixed Ratio to City Population	46,413	44,449	50,593	53,702	56,458	59,786	63,114	66,674	70,235	74,059	24%
Changing Ratio to City Population	46,413	44,449	50,593	53,702	56,458	57,510	61,241	65,391	69,788	74,964	30%
Average of All Models						58,623	61,906	65,406	68,988	72,920	24%



Impact of Caseload on Staffing and Space Requirements

Caseload affects court staffing and space needs in several ways. If a jurisdiction's caseload is large enough, more than one judge and courtroom are needed to ensure timely scheduling and resolution of cases in that jurisdiction. Over time, changes in the size of the clerk's and commonwealth's attorney's staff generally correlate with changes in caseload as well. Additional space for staff and records storage space is needed as caseloads increase.

In 2013, the last year for which complete data is available from the Virginia Supreme Court, the average number of case filings per judge in the 16th Judicial District, which includes both Albemarle County and Charlottesville, was 25,569. The average number per judge statewide for that year was 24,092. For purposes of this study it is assumed that, as caseloads increase, the state will appoint new judges in the 16th Judicial District sufficient to keep the average number of case filings per judge per year at about 25,000. That number can then be used to project the number of courtrooms needed for Charlottesville and Albemarle County based on their projected future case filings, i.e., 25,000 case filings = one full time courtroom. The graph below shows the number of courtrooms anticipated to be needed over time for a combined city/county general district court facility.



The projected case filings shown in the graph are the average of the three projection models described earlier in this report. One courtroom is currently sufficient for the city, and the graph indicates that one will continue to be adequate through 2035. From time to time, the county currently requires the use of two courtrooms simultaneously. As indicated by the graph, the need for this second courtroom will continue to increase over time. Combined case filings of both the county and the city (the blue line) are projected to approach the level requiring a fourth courtroom by 2035. Should case filings exceed projections based on the average of the three projection formulas by that time, a fourth courtroom could be needed before 2035.

The 2012 Dewberry study recommended that a potential general district court facility for Albemarle County should contain three courtrooms – two full sized and one somewhat smaller. The updated case filing projections prepared for this study support that conclusion, as well as the conclusion of the 2010 Moseley Architects study that one courtroom will be sufficient for Charlottesville for the foreseeable future. It is therefore recommended that a combined city/county facility include four courtrooms.

The question of using night court to make more efficient use of courtroom space and reduce the number of courtrooms needed is often raised when discussing court facility space needs. Night court is not currently authorized by the Virginia Supreme Court and its implementation should not be anticipated. It should be noted, however, that daytime court dockets can and do run into the evening hours on occasion.

Summary of Space Requirements

The space needs for the county and city general district courts, based respectively on the 2012 Dewberry study and the 2010 Moseley Architects study, are summarized below. Also indicated is the amount of space needed by the Albemarle County Commonwealths' Attorney according to the 2012 Dewberry study. The city judge and court clerk reviewed the 2010 figures as part of this current study and asked that an additional 200 square feet be included for the clerk's office, but otherwise verified the adequacy of the proposed amount of space. The 2012 county figures were not reviewed by county court or commonwealth's attorney staff for this current study because they were more recently developed.

FUNCTION	NET DEPARTMENTAL AREA IN SQ FT
Albemarle County General District Court	12,437
Albemarle County General District Court Clerk	4,401
Albemarle County Commonwealths Attorney	4,797
Charlottesville General District Court	6,096
Charlottesville General District Court Clerk	2,936
	Total Net Departmental Area 30,667
	Support Space and Building Grossing Factor - Approximately 30,000
Total Gross Building Area Required - Approximately 61,000	

The 30,000 square feet of support space and building grossing factor includes enclosed, secure basement level parking for judges and some others, a central detainee holding area, vehicle sallyport for transfer of detainees to and from vehicles, public lobby and security checkpoint, public and staff circulation space, stairs and elevators, mechanical equipment space, and building walls and structure. The amount of space to be allocated for these components was determined through development of actual conceptual floor plan options.

In all conceptual design options considered, it is proposed that the 20th-century addition to the historic Levy Building be demolished because its adaptation for effective use as a court facility is not feasible, and its removal provides for a larger site area for construction of a new building. The remaining historic portion of the Levy Building is approximately 9,000 gross square feet in area. Thus a new building of approximately 51,000 to 52,000 gross square feet is required. The historic Levy Building is more than adequate in size to accommodate the projected space needs of the county commonwealth's attorney, albeit on multiple floors and at somewhat reduced space utilization efficiency compared to a modern office building. It is proposed that an elevator be installed in the building as part of its renovation.

LEVY BUILDING PROPERTY OVERVIEW

According to the documentation submitted for the nomination of the Albemarle County Courthouse Historic District to the National Register of Historic Places, the original Levy Opera House was built in about 1851 as an entertainment venue. It was originally known as the Town Hall. The Greek Revival building, which is a contributing structure to the historic district, was expanded in the early 1980's. Since that time it has been home to a legal publishing firm and, most

recently, to the combined Albemarle/Charlottesville J&DR Court, when it served as an interim court facility during renovation and expansion of that court's permanent building.

The two buildings adjacent to the Levy Building property, the Red Land Club to the south and Jessup House to the east, are historically significant structures. The Red Land Club was built before 1850 and is a contributing structure to the Albemarle County Courthouse Historic District. The historic Albemarle County Courthouse and surrounding Court Square are located immediately across Park Street from the Levy property.

There is vehicular access to the site from Park Street, High Street, and Jefferson Street. There are approximately 38 marked parking spaces on the property, including handicapped-accessible spaces.



RECOMMENDED CONCEPTUAL DESIGN APPROACH (OPTION A)

Four different conceptual design options were developed for this study and were designated as A, B, C, and D. They were evaluated by Moseley Architects, county and city management and capital projects staff, and a joint county-city committee including members of the Albemarle County Board of Supervisors and Charlottesville City Council. All of the options that were developed meet the following criteria:

- The twentieth century addition to the Levy Building would be demolished.
- The historic Levy Building would be renovated for occupancy by the Albemarle County Commonwealth's Attorney
- A new building would be constructed for the two general district courts, with an internal connection to the Levy Building.
- The projected year 2035 space needs of the facility occupants would be accommodated.
- Basement level enclosed, secure parking would be provided for the judges and others.

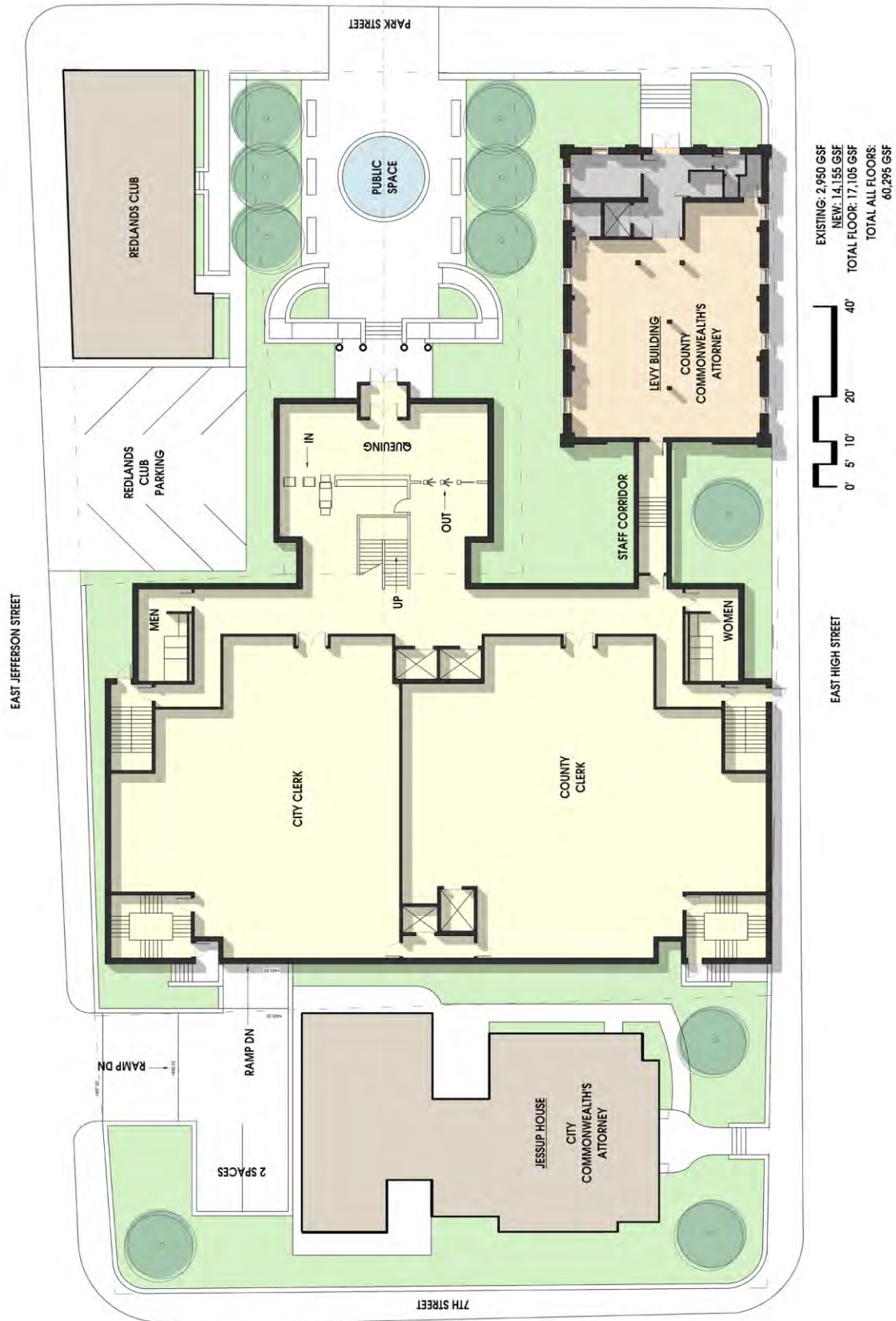
Option A was developed to meet two additional criteria, as follows:

- Do not demolish the Jessup House *and* avoid the need for acquisition of part or all of the Red Land Club property.
- Provide for a direct visual link and pedestrian connectivity between the public entrance of the new building and the existing historic county courthouse and Court Square.

These two additional criteria were considered extremely important to those involved in the evaluation process. Option A is the *only* option that meets these additional criteria. Its only significant disadvantage is the loss of the existing on-site surface parking. (The county and city are addressing parking issues separately from this study.) As a result, ***the consensus recommendation of the evaluation group is that Option A is the most advantageous concept and should serve as the basis for more detailed planning and design should the project go forward.*** Key characteristics of this option are as follows:

- New building = 3 stories plus basement @ approximately 51,500 square feet of gross building area.
- New building provides for all identified county and city general district court space needs.
- Original historic Levy Building to be renovated for Albemarle County Commonwealth's Attorney's offices with internal connection to new building.
- Public entry to Commonwealth's Attorney's office could be either through the original historic Levy Building main entrance, or through the new court building, depending on security concerns.
- Non-historic Levy Building addition to be demolished.
- Public entry facing Court Square opens to a new landscaped pedestrian space, extending and enhancing the downtown courts campus.
- Provides approximately 10 secure basement parking spaces in new building.
- Eliminates existing Levy Building surface parking (approximately 38 spaces)
- All Red Land Club parking east of their building remains (6 spaces). Property acquisition or swap not necessary.
- Jessup House remains, to be occupied by the city's commonwealth's attorney.
- Eliminates most or all Jessup House parking spaces.

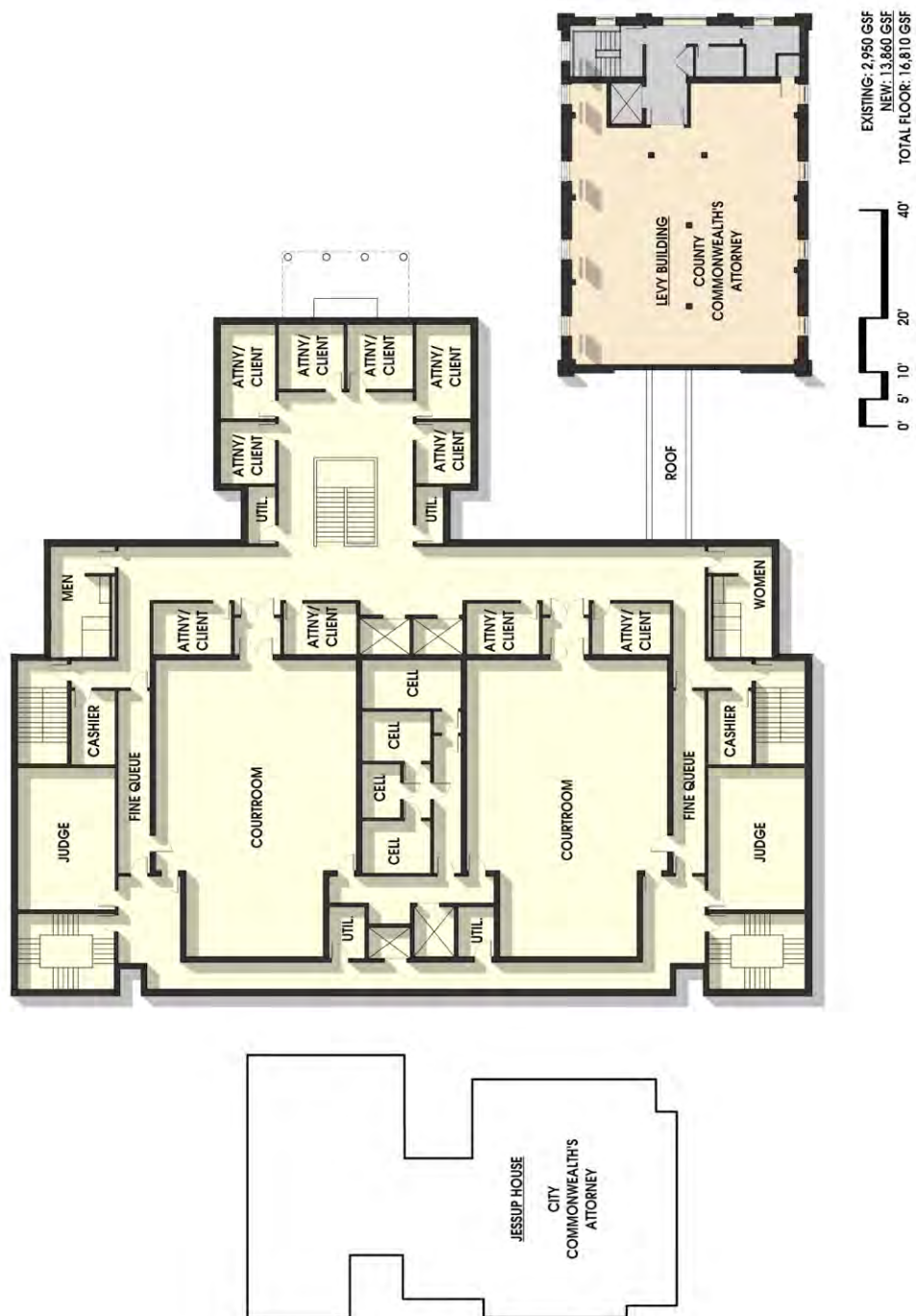
Conceptual design drawings of the recommended option are included on the following pages, followed by a preliminary budget estimate and preliminary project schedule.



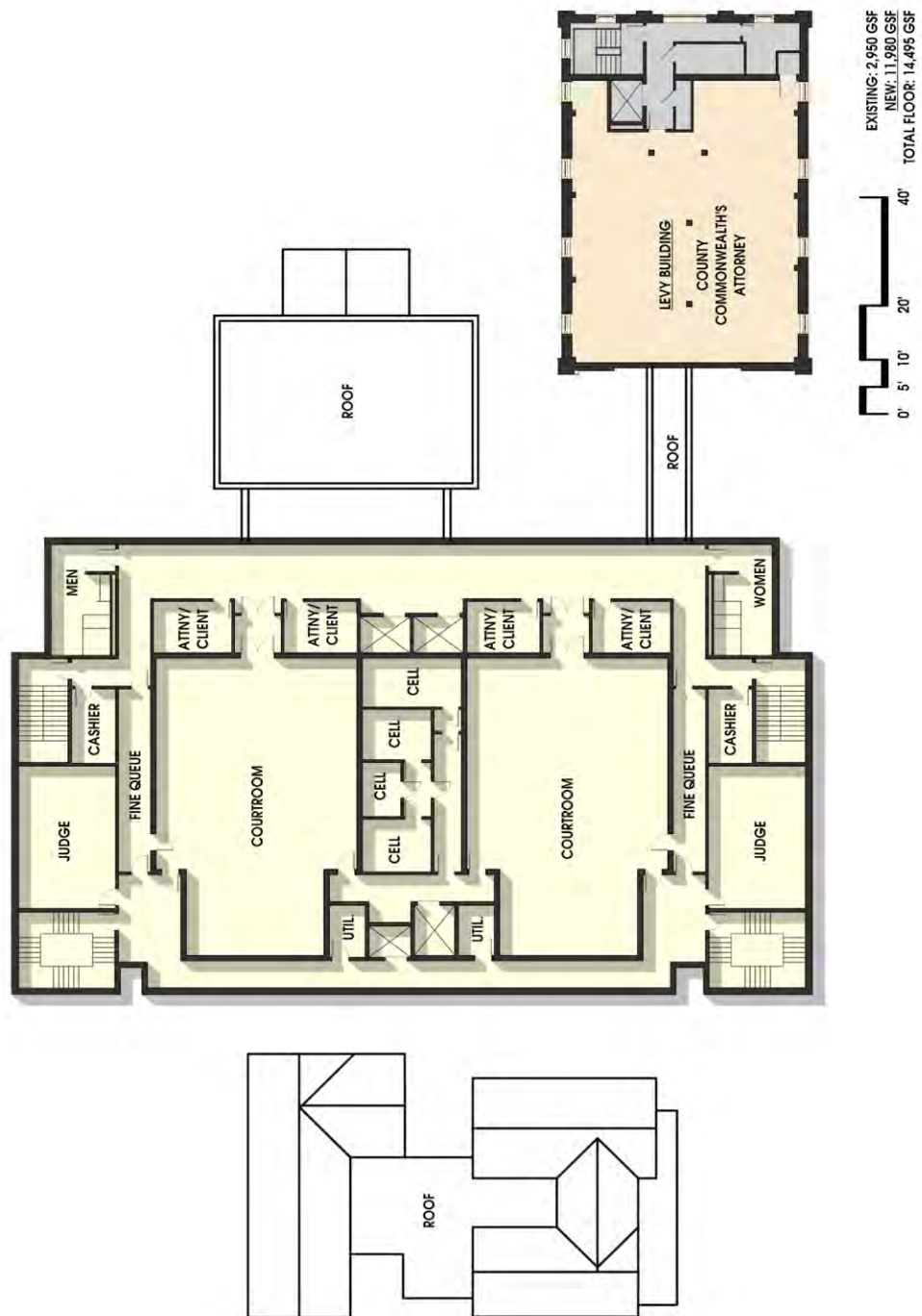
RECOMMENDED OPTION – 1ST FLOOR AND SITE PLAN



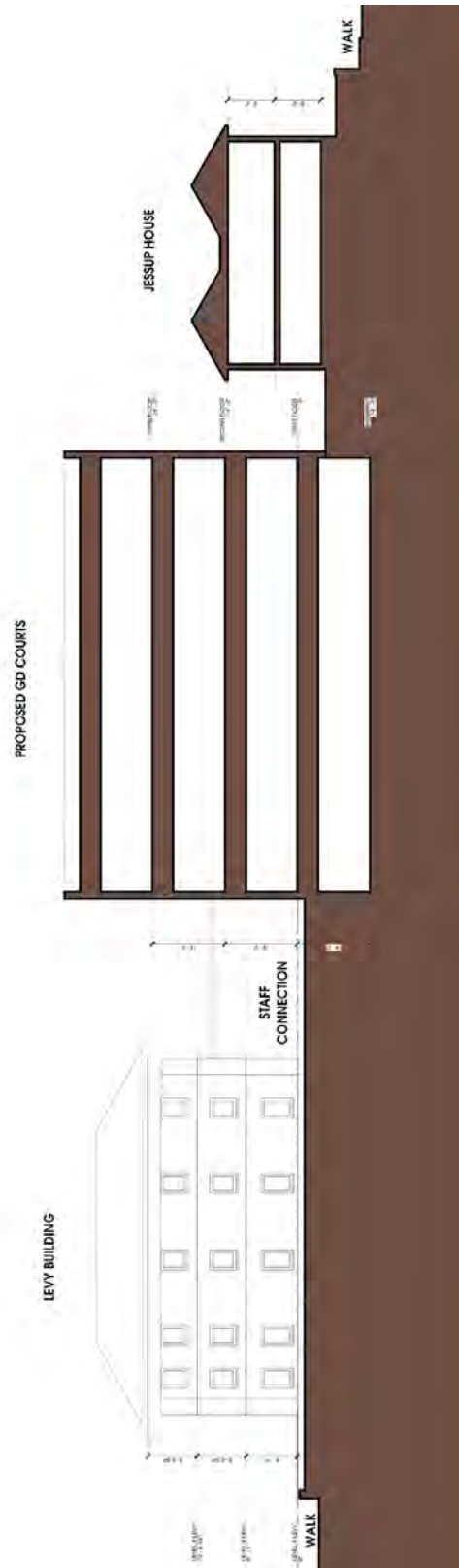
RECOMMENDED OPTION – BASEMENT PLAN



RECOMMENDED OPTION – 2ND FLOOR PLAN



RECOMMENDED OPTION – 3RD FLOOR PLAN



RECOMMENDED OPTION – CROSS SECTION LOOKING NORTH

Preliminary Budget Estimate

CONSTRUCTION COSTS IN AUGUST 2015 MARKET

Includes electronic security systems, detention equipment, and built-in courtroom furniture and seating

New Court Building	51,500 SF @ \$300	\$15,450,000
Levy Building Renovation	8,850 SF @ \$200	\$1,770,000
Site Construction/Demolition/Landscaping Allowance		\$2,000,000
Construction Costs	60,350 SF @ \$318	\$19,220,000

OTHER COSTS IN AUGUST 2015 MARKET **\$5,810,000**

BUDGET ESTIMATE SUBTOTAL **\$25,030,000**

RECOMMENDED PROJECT BUDGET CONTINGENCY ~ 10% **\$2,510,000**

BUDGET ESTIMATE TOTAL FOR AUGUST 2015 MARKET **\$456 per SF** **\$27,540,000**

ESCALATION ALLOWANCE FOR BID IN 3RD QTR 2017 ~ 5% **\$1,400,000**

BUDGET ESTIMATE TOTAL FOR 3RD QTR 2017 MARKET **\$480 per SF** **\$28,940,000**

Preliminary Project Schedule

The schedule shown below is based on experience with similar projects. The actual schedule may vary depending on numerous factors that can affect planning, design, bidding, and construction progress.

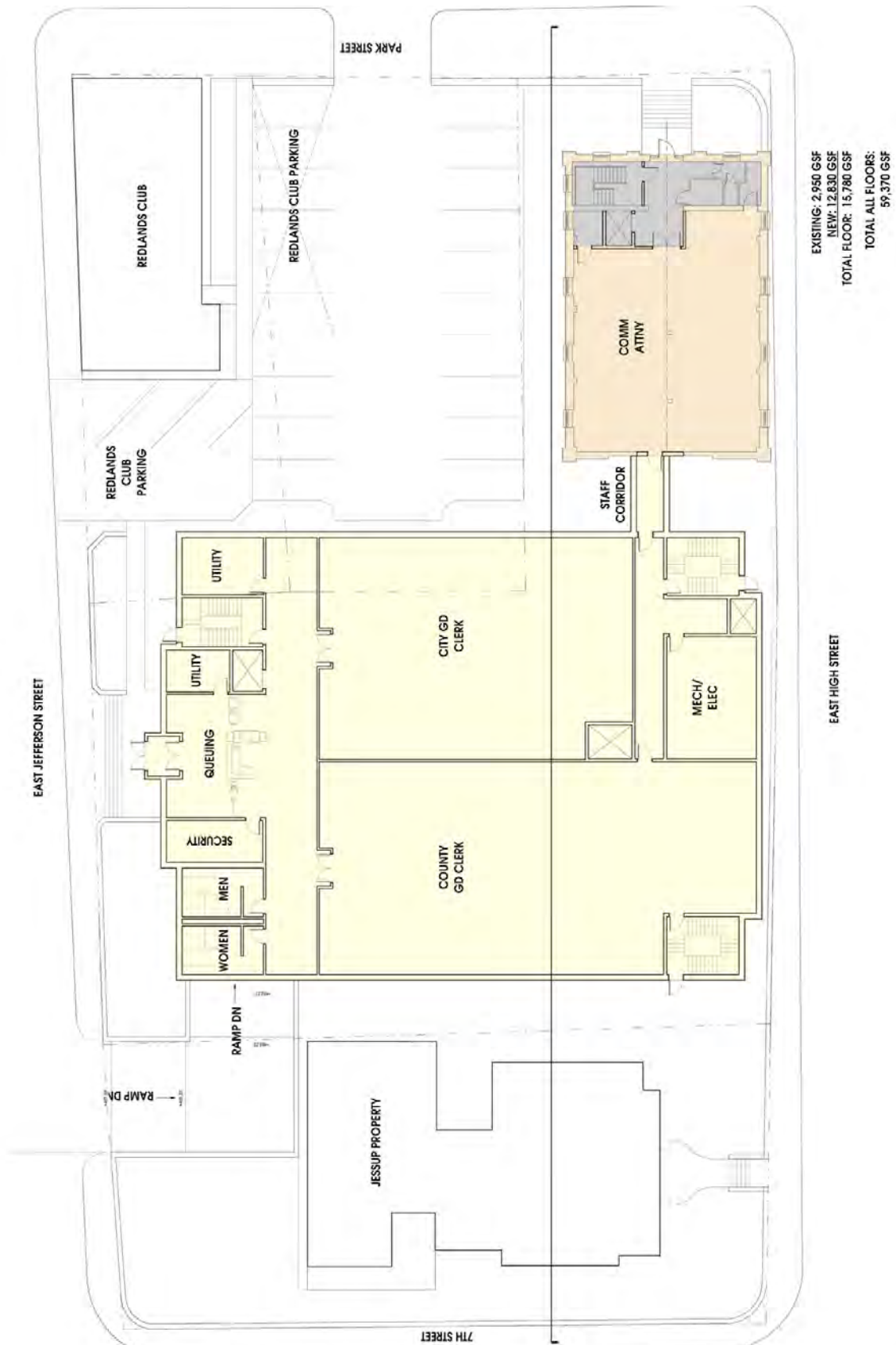
Schematic Design	4 months
BAR Review and Public Input	2 months
Final Schematic Design Review by County and City	1 month
Design Development	4 months
Design Development Review by County and City	1 month
Construction Documents	5 months
Construction Documents Review by County and City	1 month
Site Plan Regulatory Approval	3 months
Construction Contract Bidding and Award / Begin Construction	3 months
Construction to Substantial Completion	18 months
Construction to Final Completion, Furniture Installation, and Move In	2 months
TOTAL PROJECT DURATION	44 months

OTHER OPTIONS CONSIDERED

Option B

This option was developed with the goal of preserving as much space for surface parking as possible, while also avoiding demolition of the Jessup House and the need to acquire part or all of the Red Land Club property. Preserving surface parking prevented the inclusion of a landscaped pedestrian space connecting to Court Square as in recommended Option A. It also resulted in orientation of the public entrance of the new building toward East Jefferson Street so as to avoid facing the parking lot. The evaluating group was concerned that the new building would effectively turn its back on the existing historic courthouse and that its primary façade and public entry would not be sufficiently set back from Jefferson Street to convey the building's civic importance. Another disadvantage of this option is that it would require acquisition of some or all of the Red Land Club property in order to implement an efficient and functional floor plan for the new building. Key characteristics of Option B are as follows, and conceptual drawings are included on the subsequent pages.

- New building = 3 stories plus basement @ approximately 51,000 square feet gross building area.
- New building provides for all identified county and city general district court space needs.
- Original historic Levy Building to be renovated for Albemarle County Commonwealth's Attorney's offices with internal connection to new building.
- Public entry to Commonwealth's Attorney's office could be either through the original historic Levy Building main entrance, or through the new court building, depending on security concerns.
- Non-historic Levy Building addition to be demolished.
- Public entry of new building faces Jefferson Street. Does not promote a "courts campus."
- Provides approximately 6 secure basement parking spaces in new building.
- Existing Levy Building surface parking is reduced from approximately 38 spaces to approximately 20 spaces.
- At least partial acquisition of the Red Land Club property will be necessary as currently designed. Design modifications to avoid this property issue and the impact on Red Land Club parking may be possible, but with loss of efficiency in the layout of the new court building.
- Red Land Club loses 3 parking spaces east of their building. Those spaces could be replaced by providing them with 3 spaces in the Levy property parking lot.
- Jessup Building remains.
- Eliminates most or all Jessup Building parking spaces.



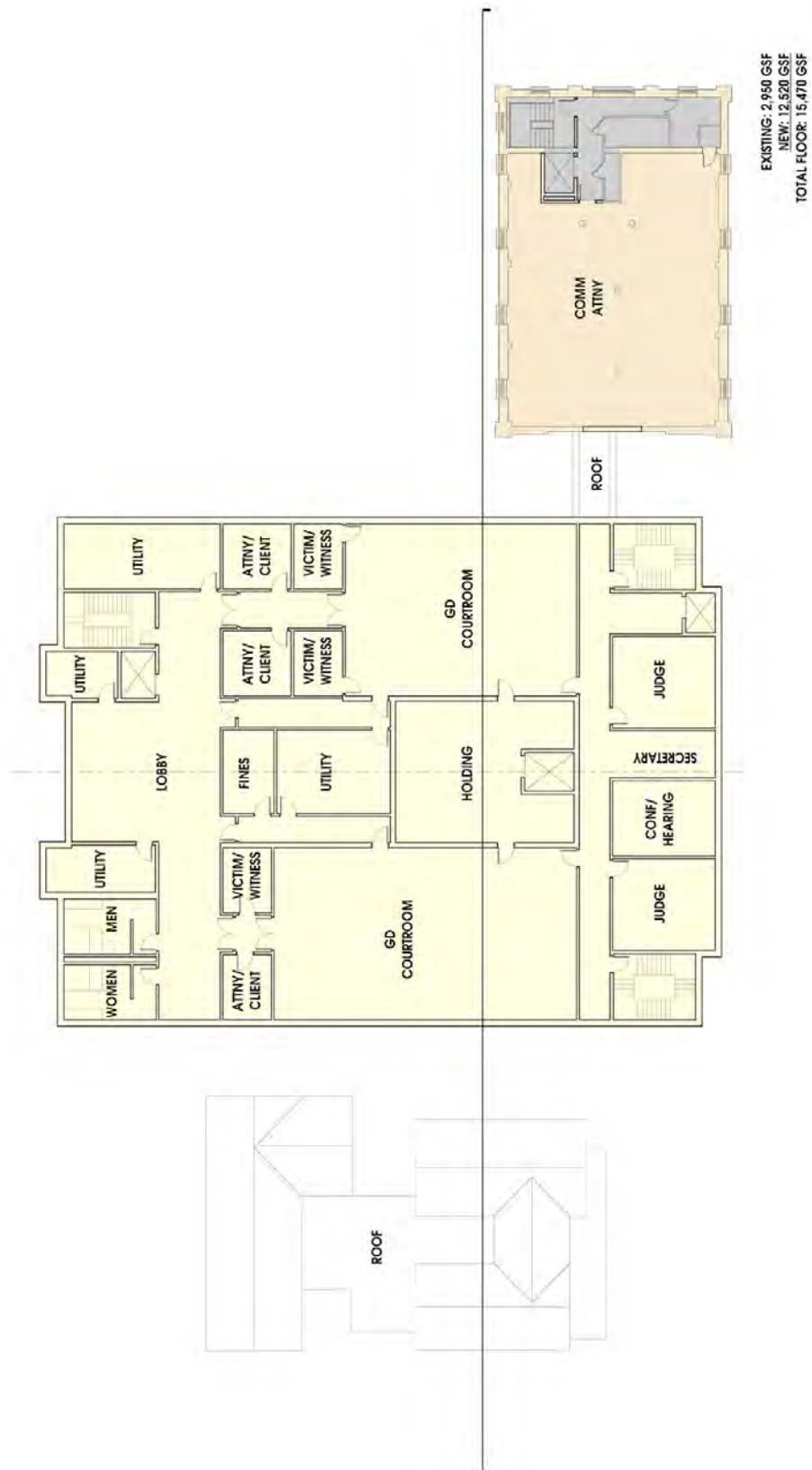
OPTION B – 1ST FLOOR AND SITE PLAN



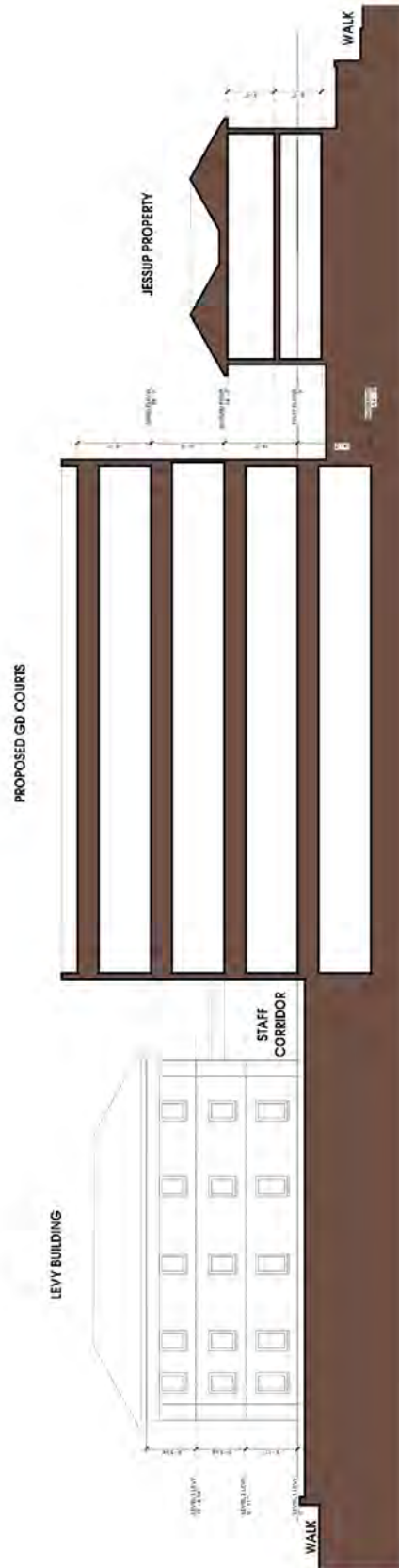
OPTION B – BASEMENT PLAN



OPTION B – 2ND FLOOR PLAN



OPTION B – 3RD FLOOR PLAN



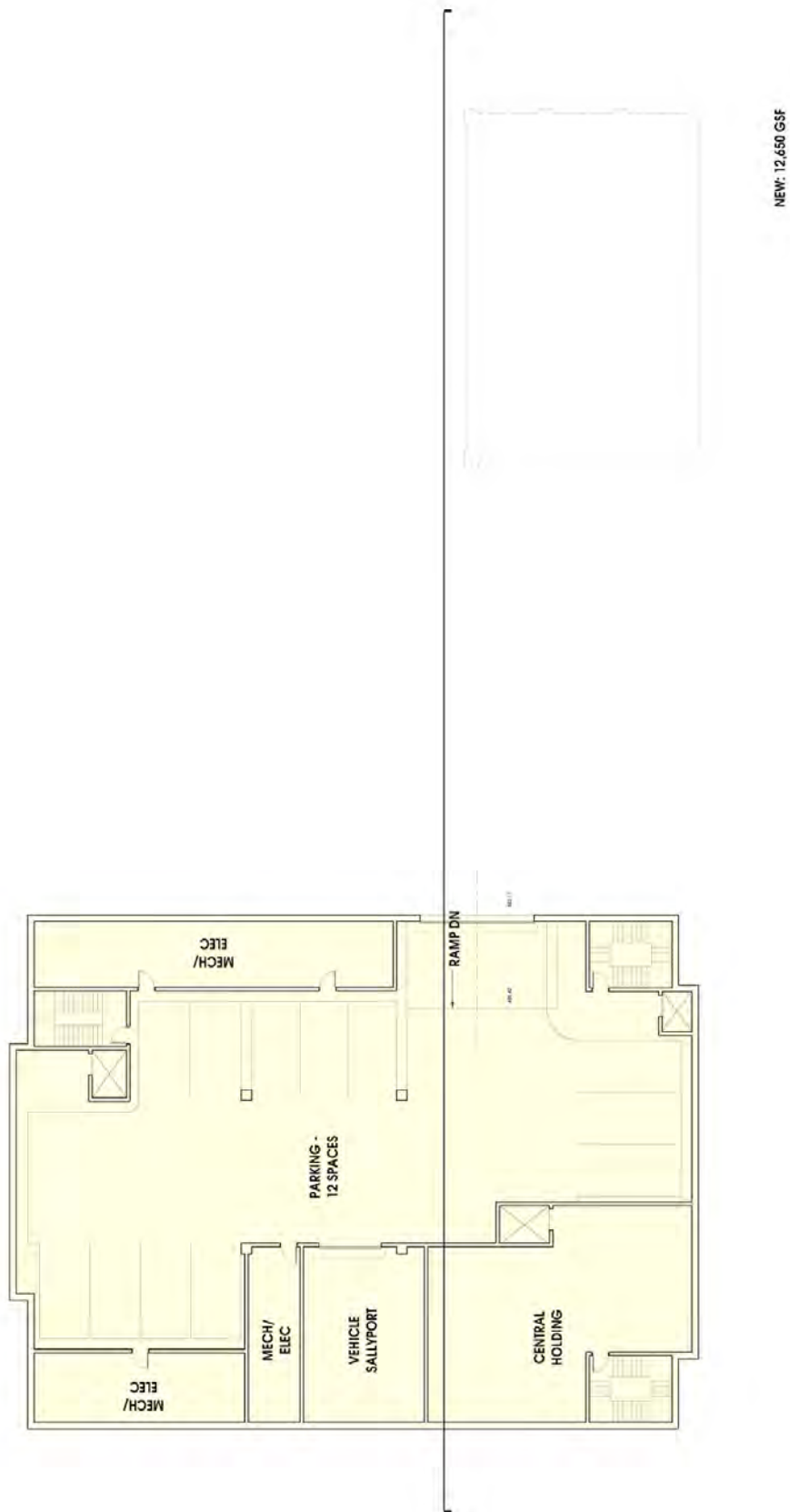
OPTION B - CROSS SECTION LOOKING NORTH

Option C

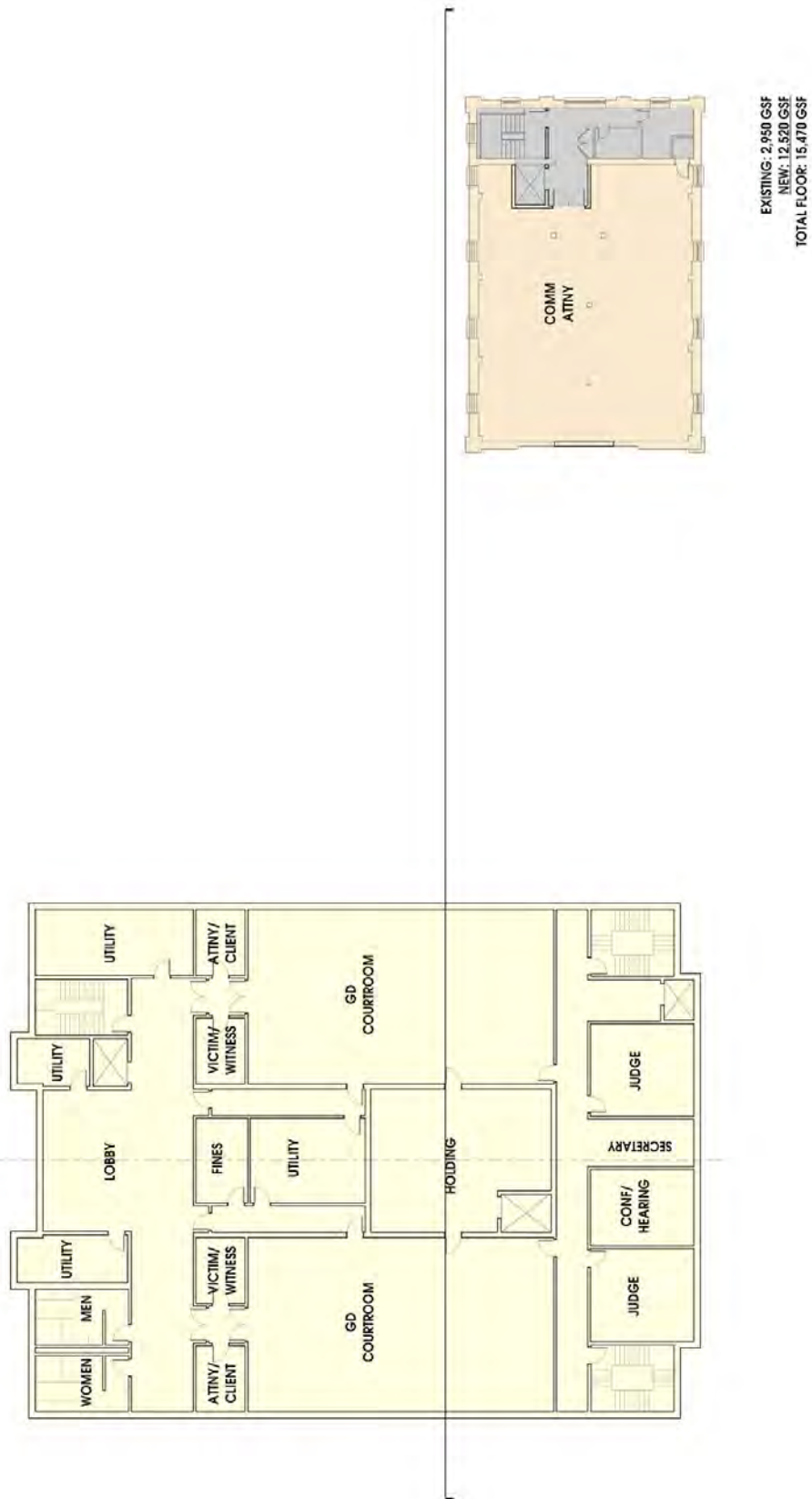
This option was developed to determine whether demolition of the Jessup House and use of its property for the courts project, along with the Levy property, would offer significant advantages in terms of project design and effectiveness. The conceptual floor plans for this option are essentially consistent with those of Option B. Only a few more surface parking spaces appear to be feasible with this approach compared to Option B, but Red Land Club property acquisition is avoided. Significant disadvantages include the entrance orientation and setback concerns that were noted in regard to Option B and the loss of the historic Jessup House, which would serve a useful purpose if preserved and which is historically significant. Key characteristics of Option C are as follows, and conceptual drawings are included on the subsequent pages.

- Jessup House must be demolished and would not be available for use by the city commonwealth's attorney.
- New building = 3 stories plus basement @ approximately 51,000 square feet of gross building area.
- New building provides for all identified county and city general district court space needs.
- Original historic Levy Building to be renovated for Albemarle County Commonwealth's Attorney's offices, but with no internal connection to new building due to the distance between the two.
- Public entry to Commonwealth's Attorney's office would be through the original historic Levy Building main entrance.
- Non-historic Levy Building addition to be demolished to maximize surface parking.
- Public entry of new building faces Jefferson Street. Does not promote a "courts campus."
- Provides approximately 12 secure basement parking spaces in new building as currently drawn, although the need for additional basement mechanical space may reduce that number.
- Existing Levy Building surface parking is reconfigured and reduced from approximately 38 spaces to approximately 23 spaces, 3 of which would continue to be allocated to the Red Land Club so as not to reduce their total number of spaces.
- All Red Land Club parking east of their building remains (6 spaces). Property acquisition or swap not necessary.

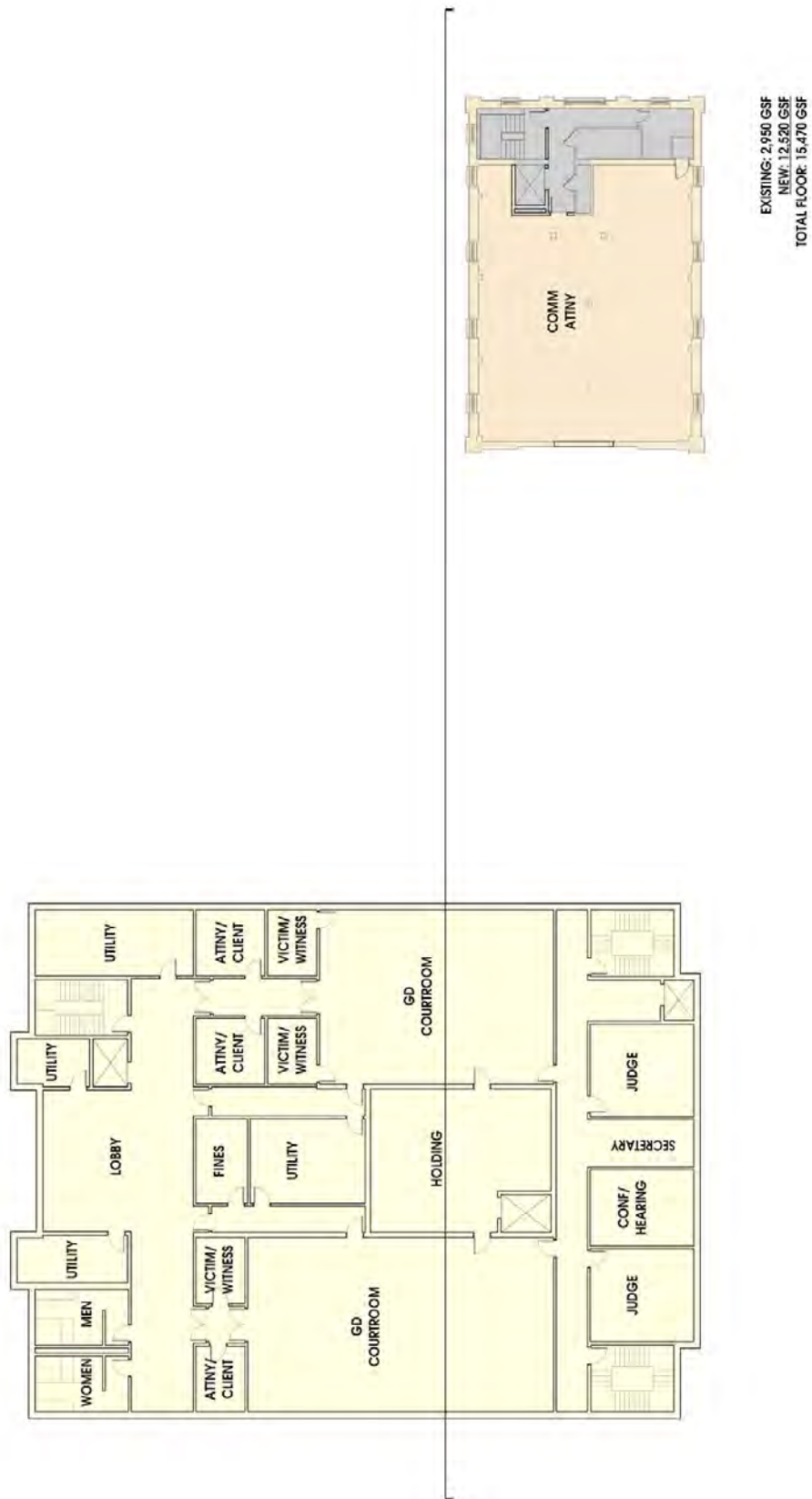




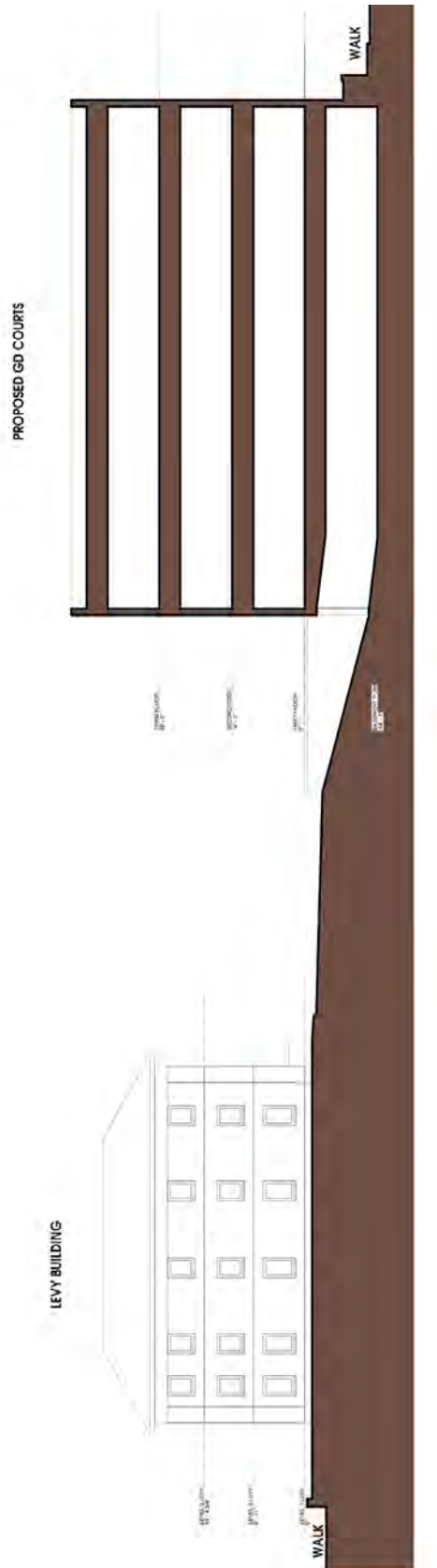
OPTION C – BASEMENT PLAN



OPTION C – 2ND FLOOR PLAN



OPTION C – 3RD FLOOR PLAN

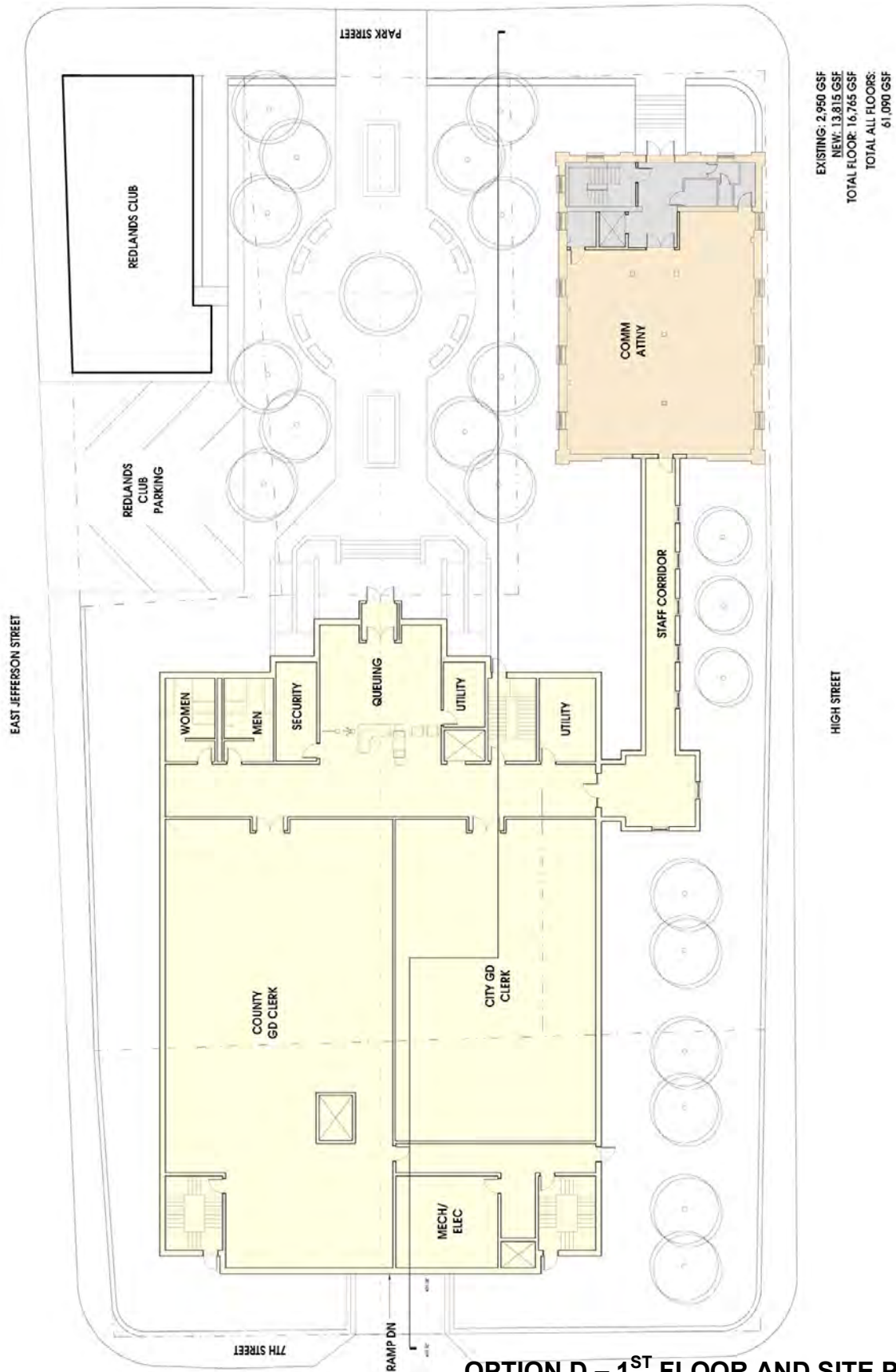


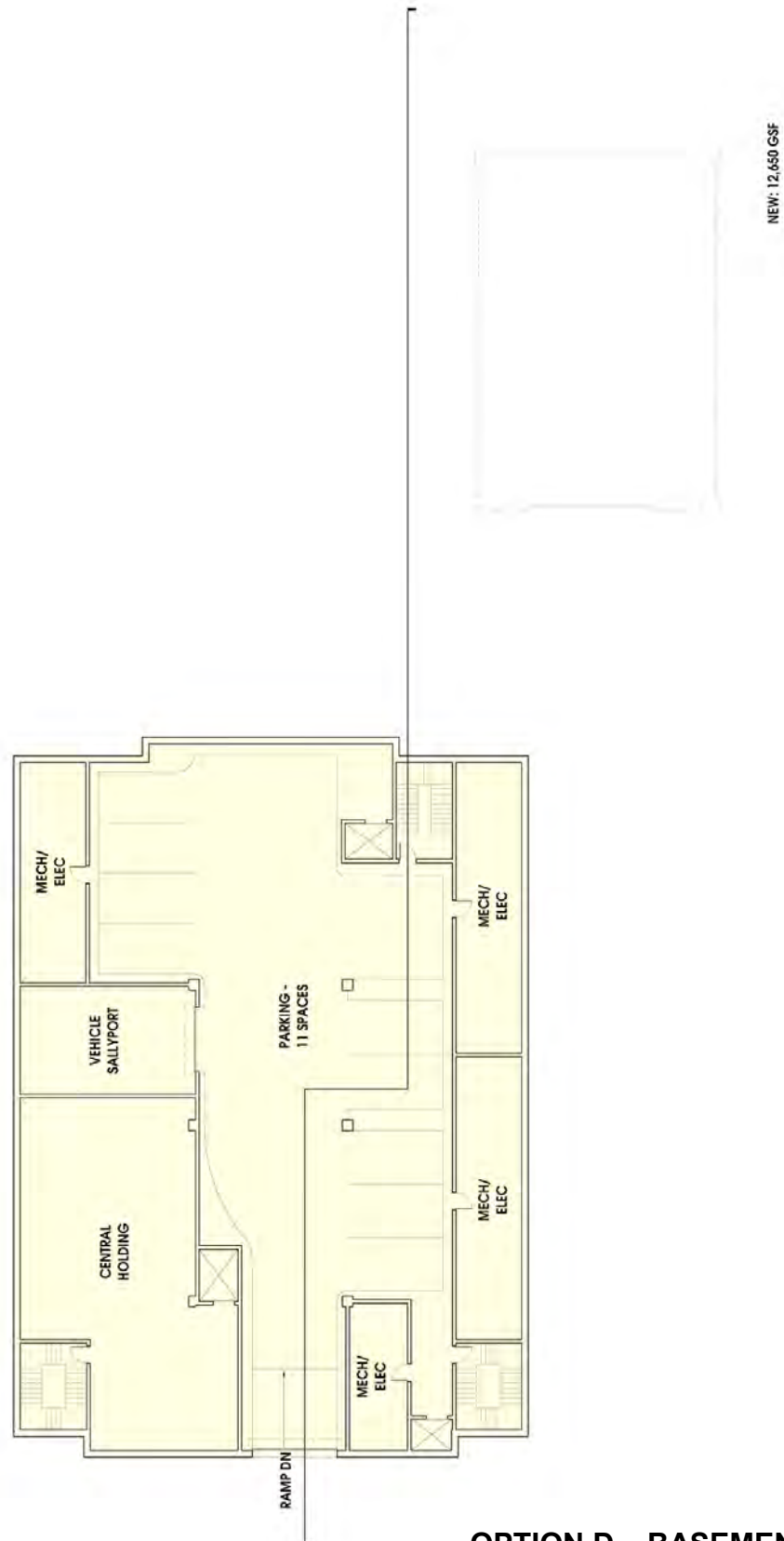
OPTION C – CROSS SECTION LOOKING NORTH

Option D

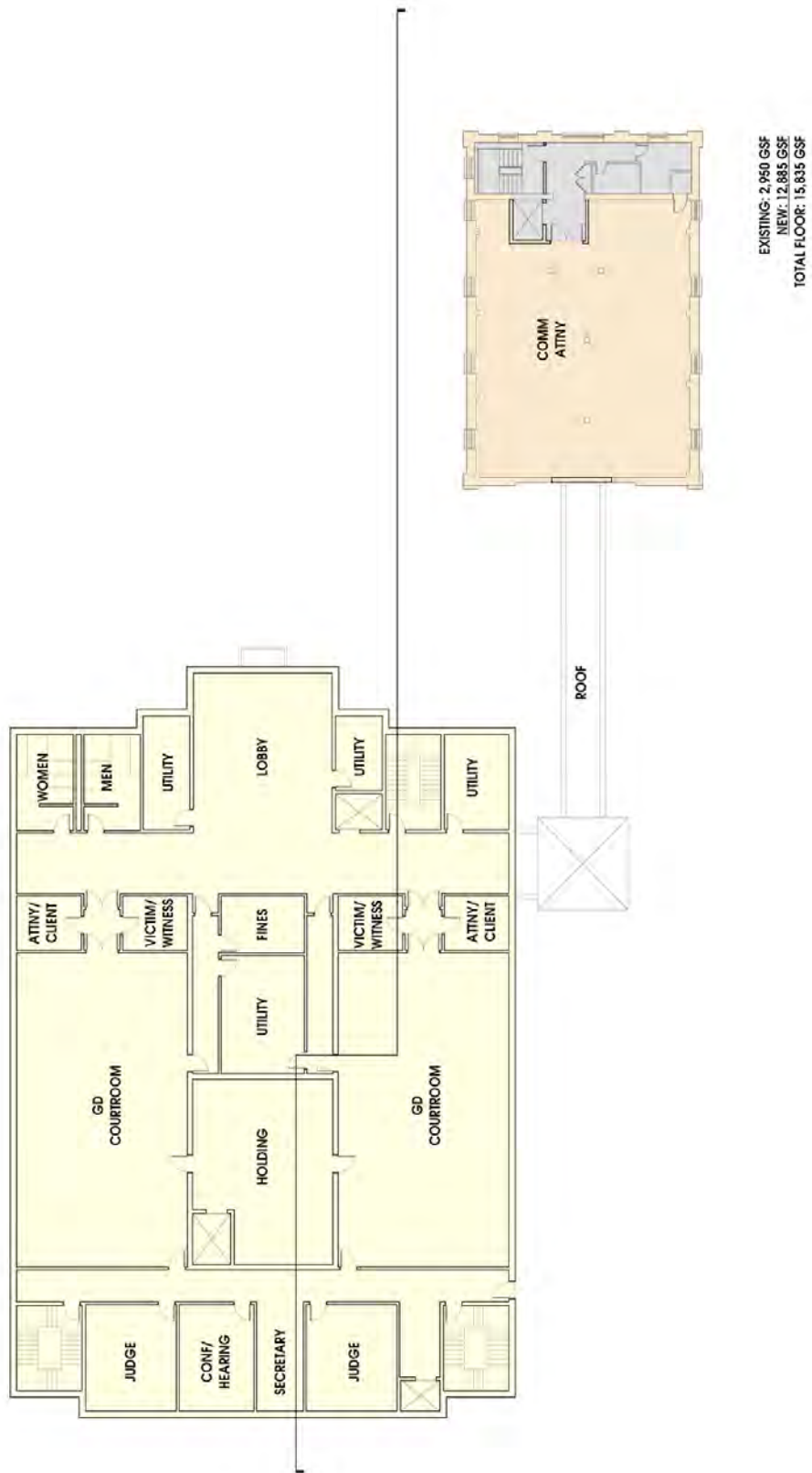
This option was developed to determine whether demolition of the Jessup House *and* elimination of all on-site surface parking would facilitate a design with a direct visual and pedestrian connection to Court Square, as in Option A, as well as significant green space around the new building by providing for a greater setback from the streets than other options. While this option successfully meets these goals, the loss of the Jessup House is considered to be so undesirable as to outweigh these advantages. This option would also be slightly more expensive than Option A because of the additional demolition and site construction required.

- Jessup House must be demolished and would not be available for use by the city commonwealth's attorney.
- New building = 3 stories plus basement @ approximately 52,000 square feet gross building area.
- New building provides for all identified county and city general district court space needs.
- Original historic Levy Building to be renovated for Albemarle County Commonwealth's Attorney's offices, with optional internal connection to new building.
- Public entry to Commonwealth's Attorney's office could be through the original historic Levy Building main entrance or the courts building if an internal connection is built.
- Non-historic Levy Building addition to be demolished to maximize available site area for new building.
- Public entry facing Court Square opens to a new landscaped pedestrian space, extending and enhancing the downtown courts campus.
- The new building's setback from adjacent streets and buildings provides for landscaped green spaces and emphasizes the civic nature of the new building.
- Provides approximately 11 secure basement parking spaces in new building.
- Eliminates existing Levy Building surface parking (approximately 38 spaces).
- All Red Land Club parking east of their building remains (6 spaces). Property acquisition not necessary.

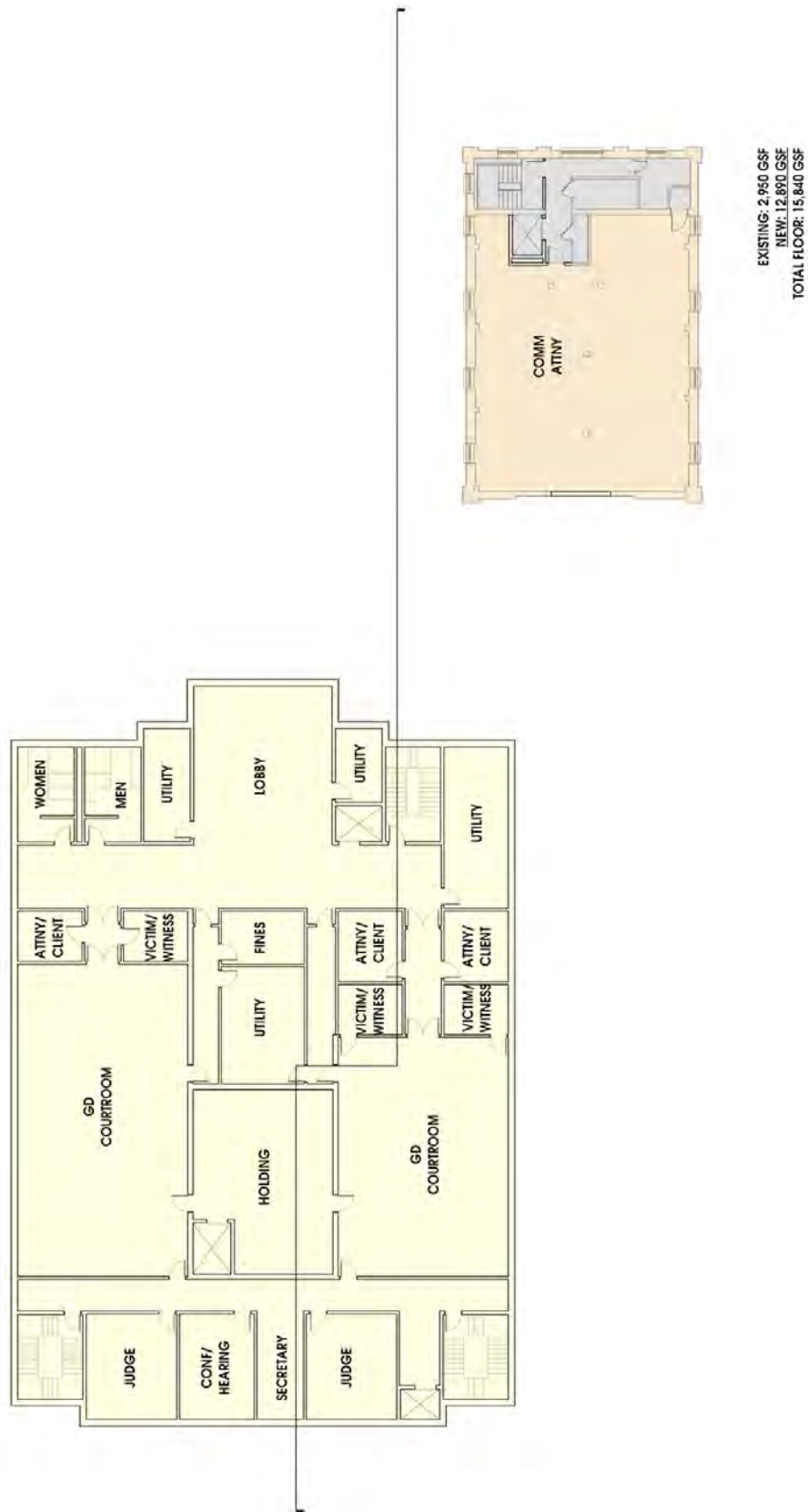




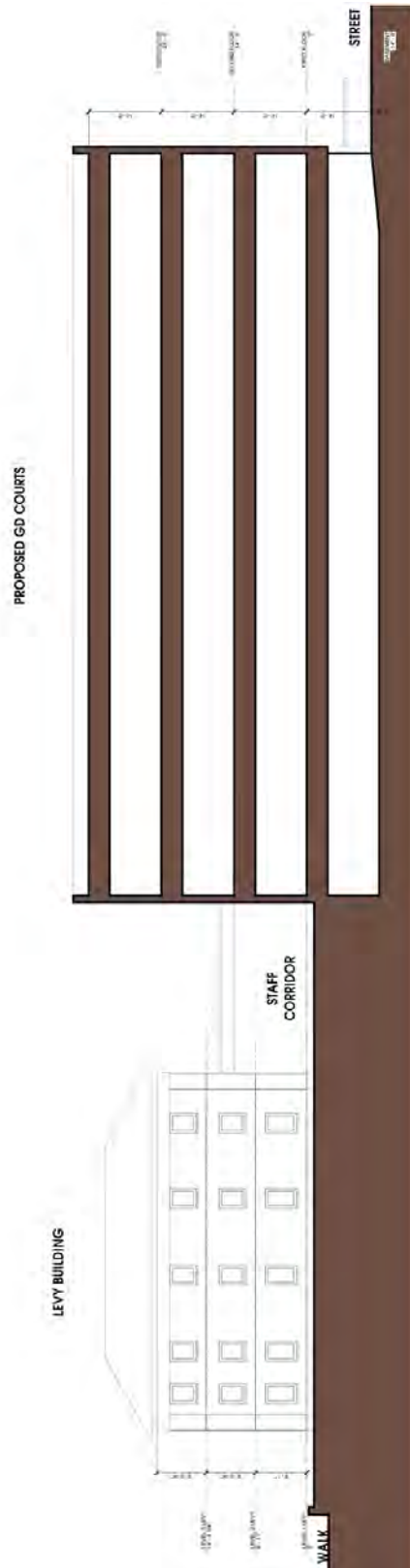
OPTION D – BASEMENT PLAN



OPTION D – 2ND FLOOR PLAN



OPTION D – 3RD FLOOR PLAN



OPTION D – CROSS SECTION LOOKING NORTH