



OFFICE OF THE CITY MANAGER
301 King St., Suite 3500
Alexandria, VA 22314

JAMES F. PARAJON
City Manager

703.746.4300
Fax: 703.838.6343

September 13, 2022

Carter Flemming, President
Seminary Hill Association, Inc.
carterflemming@gmail.com

Ms. Flemming,

The following is the City response to your letter on behalf of the Seminary Hill Association, Inc., dated August 8, 2022, regarding the proposal to add athletic field lighting at Francis C. Hammond Middle School (Hammond).

With regard to your first two questions, neither the development site plan (DSP#2000-0044), nor the Board of Zoning Appeal's (BZA's) decision, nor the court order, nor any other written agreements prohibit the current special use permit (SUP) application.

Under the Zoning Ordinance both ACPS and the City are qualified to apply for a SUP for the Hammond property. Per Zoning Ordinance Section 11-503(A)(1), a SUP applicant needs to be "the owner, contract purchaser, lessee or other party having a legal interest in the subject property." The City is the property owner of record pursuant to deed and ACPS has a legal interest in the property pursuant to Virginia statutory law. With respect to land use matters, the City and ACPS work collaboratively related to school properties and have done so in this situation. In support of the City's application, the Alexandria City School Board adopted the attached resolution.

The current land use application for Hammond is for the approval of a SUP. Pursuant to Zoning Ordinance Section 6-403(F), a SUP for field lighting can be approved that exceeds the zoning height limits for congregate recreational facilities. This differs from the earlier proposal under SUP#2010-0079, where ACPS was seeking SUP approval for field lighting under Zoning Ordinance Section 7-2100 (Increased density and height for public elementary and secondary schools.). Additionally, the court appeal related to the BZA's decision was dismissed through an agreed order between the parties on the basis of the withdrawal of the SUP application by ACPS (see attached order). Further, there are no agreements that limit the City's ability to file the current SUP application.

Regarding your question 3, the lighting project is funded by the City. ACPS is not responsible for potential additional costs to implement the installation if approved. The City, in coordination

with ACPS, do not have information to support the potential barriers as presented in your letter. The current athletic field has a standard underdrain system and that will not impede the installation of athletic field lighting. The analysis related to the compliance with the Zoning Ordinance related to the SUP, and as per regular practice, will be part of the staff report written by Planning and Zoning staff.

As to your question 4, the City is responsible for the management (permitting & monitoring) and maintenance (e.g. trash collection) for the athletic field after school hours. All synthetic turf fields are open for community use after school hours, either through a permit issued by the Department of Recreation, Parks & Cultural Activities (RPCA) or for open drop-in use by the community during posted operating hours. If lighting is approved, athletic field lighting will only be available for use by permitted activities through RPCA.

During school hours, ACPS school administrators and security are responsible for enforcing athletic field usage at Hammond. Should unauthorized use occur during school hours, ACPS may coordinate with Alexandria Police for assistance as needed. Should use of the athletic field or any other amenity be used after posted operating hours, security is primarily monitored by ACPS security.

Regarding your question 5, all athletic fields and recreation amenities managed and operated by the City are available to any and all members of the community. Although this field and many others are on school property, permitted and drop-in use is not limited by age group.

With respect to your question 6, all athletic field lighting, including the lighting at this location, will be monitored and operated by RPCA. This is consistent with all fields, with the exception of the ACHS Parker-Gray Stadium, which is operated by ACPS through an agreement with the community. The management of athletic fields are addressed in the Shared Facility Use & Outdoor Maintenance Agreement between the City and ACPS.

The system that is proposed to be installed at Hammond, and at all locations that are new or upgraded, are programmable and only available when a permit is approved. Lights are programmed to only be activated (turned on) during the approved permit time, and will automatically be deactivated at the end of the permit time or by 10 p.m.

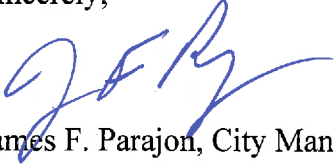
The installation of lighting will not require the field being offline. All lighting installation activity will occur outside the athletic field and under the field through boring. When the field is scheduled for turf replacement, the lighting will not be impacted, and the field will be offline for approximately one month.

RPCA is planning to hold one additional community meeting in late September to address concerns raised from the meetings held in the spring and to answer further questions. If you have

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additional questions on the athletic field lighting proposals, please contact Jack Browand, Deputy Director, RPCA at jack.browand@alexandriava.gov or 703.746.5504.

Sincerely,



James F. Parajon, City Manager

Enclosures:

1. Board of Zoning Appeals Order of Dismissal
2. ACPS School Board Resolution – September 8, 2022

cc: Debra Collins, Deputy City Manager
Joanna Anderson, City Attorney
Christina Brown, Deputy City Attorney
James Spengler, Director, RPCA
Jack Browand, Deputy Director, RPCA



**ALEXANDRIA CITY SCHOOL BOARD
RESOLUTION REGARDING SPECIAL USE PERMIT APPLICATIONS
FOR ATHLETIC FIELD LIGHTING**

WHEREAS the City of Alexandria, through its Department of Recreation, Parks and Cultural Activities (RPCA), in order to meet current and increasing scholastic and community needs for lighted athletic field space, and to better provide equitable access to recreational facilities to all City residents, has filed applications for a special use permit (SUP), set forth below, to allow for the installation of athletic field lighting at several school sites operated by the Alexandria City School Board (School Board); and

WHEREAS those SUP applications, and school sites, include the following:

2022-00042, for Francis C. Hammond Middle School

2022-00043, for George Washington Middle School

2022-00044, for Jefferson Houston PreK-8 School

2022-00045, for Patrick Henry K-8 School; and

WHEREAS the foregoing school properties are titled in the City of Alexandria, but under Section 22.1-125 of the Code of Virginia, are operated by, and subject to the official care and authority of, the School Board; and

WHEREAS the School Board concurs that the aforementioned projects will benefit both the students and school communities at these respective schools, as well as the community generally; and

WHEREAS the aforementioned projects will be constructed entirely with funding provided by the City;

NOW THEREFORE, BE IT RESOLVED that the School Board hereby consents to the SUP applications set forth above.

Adopted by the ALEXANDRIA CITY SCHOOL BOARD
this 8th day of September, 2022

By: 
Jacinta E. Greene, Vice Chair

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

DONNELL R. FULLERTON, NANCY)
JENNINGS, AND SEMINARY HILL)
ASSOCIATION, INC.)

Petitioners,)

v.)

CITY OF ALEXANDRIA CITY COUNCIL)

At Law No. CL11005121

BOARD OF ZONING APPEALS FOR THE)
CITY OF ALEXANDRIA)

ALEXANDRIA CITY PUBLIC SCHOOLS,)

Respondents.)

AGREED FINAL ORDER OF DISMISSAL

THIS MATTER came before the Court on an appeal of a decision of the Alexandria Board of Zoning Appeals;

IT APPEARING TO THE COURT, that

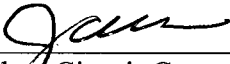
1. The matter being appealed involved the Director of Planning and Zoning's determination regarding the application for Special Use Permit #2010-0079 submitted to the City of Alexandria ("City") by the Alexandria City Public Schools ("ACPS");
2. On January 17, 2012, the ACPS informed the City that they are withdrawing their application for Special Use Permit #2010-0079; and
3. The parties agree that the case should be dismissed, as evidenced by the signatures of their respective counsel below.

Now, therefore, it is hereby

ADJUDGED, ORDERED AND DECREED, that this case is dismissed with prejudice.


AND THIS CAUSE IS ENDED.

ENTERED this 17th day of February, 2012.



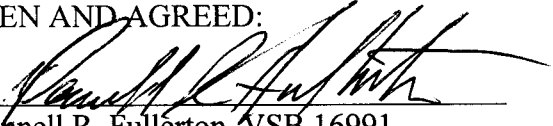
Judge, Circuit Court for the City of Alexandria

SEEN AND AGREED:



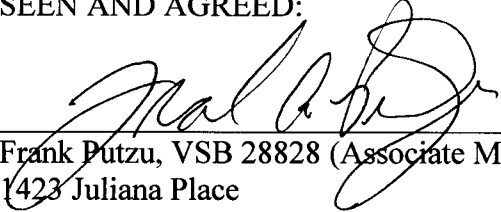
James L. Banks, Jr., VSB #28052
Christopher P. Spera, VSB #27904
Joanna C. Anderson, VSB #65463
Office of the City Attorney
301 King Street, Suite 1300
Alexandria, Virginia 22314
(703) 746-3750
Counsel for respondents

SEEN AND AGREED:



Donnell R. Fullerton, VSB 16991
Erika L. Dogan, VSB 70954
Carter, Fullerton, & Hayes, LLC
4115 Annandale Road, Suite 205
Fairfax, Virginia 22003
Counsel for Petitioner Donnell R. Fullerton

SEEN AND AGREED:



Frank Putzu, VSB 28828 (Associate Member)

1423 Juliana Place

Alexandria, Virginia 22304

Counsel for petitioners Nancy Jennings and Seminary Hill Association, Inc.

SEEN AND AGREED:

Julia Judkins by JCA with permission

Bancroft, McGavin, Horvath & Judkins, PC

3920 University Drive

Fairfax, VA 22030

Counsel for Respondent Alexandria City Public Schools