

Seminary Hill Association, Inc.  
2115 Marlboro Drive  
Alexandria, VA 22304

April 30, 2012

Dear Chairwoman, School Board Members, and Dr. Sherman:

The Board of Directors of the Seminary Hill Association, Inc. (SHA) and the City of Alexandria, Alexandria City Public Schools (ACPS) and the School Board resolved SHA's lawsuit regarding the installation of stadium lighting at Francis Hammond Middle School (Hammond) earlier this year. SHA was pleased that ACPS chose to engage in a meaningful discussion of alternatives, putting us on a path to restore our positive relationship with ACPS. While some legal issues remain unresolved, we believed it was more important to focus upon the interests of the students of ACPS.

For the reasons described below, the SHA requests that ACPS and the School Board, as the owners of the property at issue, commit and confirm to not seeking stadium lighting at Hammond as long as it remains an Alexandria City Public School, similar to the commitment made when the new T.C. Williams High School was constructed. In addition, we respectfully request a response to this letter before the scheduled May 2 public meeting on the proposed construction at Hammond.

SHA is very disturbed by the information contained in the minutes of the Parks and Recreation Commission (PRC) meeting of February 16, 2012 (relevant passage below). The two most disturbing were: (1) the Chairwoman stated that the intent is to put "lights into next year's CIP," revisiting the issue once the School Board members are safely re-elected and (2) some items in this year's ACPS Capital Improvement Program (CIP) budget are "hidden below the line" and that "[l]ights for Francis Hammond are listed as below the line due to the budget." SHA has reviewed the accompanying proposals for next year's ACPS budget and there is no entry for stadium lighting at Hammond. Thus, it appears that "below the line" means that the budget item is undisclosed.

Among other things, the PRC minutes state that it consulted with "a couple of members" of the School Board, and will simply wait until those members are safely re-elected before reviving the issue. That is inconsistent with our dealings with ACPS and its representatives. Stadium lighting at Hammond was a complicated and contentious issue. In the aftermath of the Board of Zoning Appeals (BZA) hearing, ACPS staff engaged in a meaningful analysis of alternatives to the upper athletic field at Hammond, including lighting, in December 2011. While we may not agree with each alternative, SHA was pleased that ACPS made a good faith effort to listen to and evaluate our concerns to allow the School Board to make a sound decision. SHA believes the School Board did make a valid decision.

As a plaintiff, SHA agreed the lawsuit was moot because ACPS satisfactorily answered questions on January 19, 2012. Had we known that the City and “a couple of members” of the School Board were planning to lay in wait and revive the issue after the elections, it could have greatly complicated the withdrawal of the lawsuit. In addition, it is completely inappropriate for the City and unidentified School Board members to undermine SHA’s relationship with ACPS in this manner.

SHA agreed to moot the lawsuit upon confirmation from ACPS that the grading plan we received via the Freedom of Information Act is the same grading plan in effect in January 2012, including a concession that no preparation for future stadium lighting would be conducted. Recently SHA learned that the School Board approved the Hammond contract to construct the field and track in March 2012, only with a different type of track and “larger athletic field” (at least according to news reports) than was presented to the public and voted upon in January 2012. It became clear to SHA that the size and scale of the modifications proposed at Hammond are inconsistent with the existing approved site plan for this facility and that more than a mere “grading plan” is legally required for this work to proceed. Nevertheless, in the interest of moving forward, and based upon representations from City and ACPS officials, SHA has compromised and chose not to demand a site plan, as would be required by law. It remains unclear to us exactly why the plan keeps changing and we are looking forward to clarifying the matter at the May 2 public meeting.

SHA will now be forced to reconsider the restraint we exercised, which was predicated on a complete and accurate disclosure of all planned activities at Hammond. We hope and believe there is a path ahead for us to restore our positive relationship and also ensure that the students at Hammond have the upgraded facilities they desire for their sports activities. Raising the issue once again of lighting the field for adult athletic events will only serve to delay this project even further since legal action is the only option left to SHA. To avoid this, SHA requests that both the ACPS and the School Board, as the owners of the property at issue, confirm to us in writing that neither will seek stadium lighting at Hammond as long as it remains an Alexandria City Public School. This statement is consistent with the agreement reached at T.C. Williams.

We regret being forced to take this step; however, we have received strong indications that the withdrawal of the SUP may have been just another tactic (at least on the part of the City), and SHA believes it is in everyone’s interest to resolve this issue with finality.

We look forward to hearing from you.

Sincerely,



Nancy R. Jennings, President  
Seminary Hill Association, Inc.

Cc: Mayor, Vice Mayor, and Members of Council

***Excerpt from Minutes of PRC of February 16, 2012:***

2. (Other) Francis Hammond field Update- Mr. Kagawa provided update. ACPS is moving forward with the field, but has withdrawn the SUP for lights. The contract for the field has been awarded, and is being managed by ACPS. Expected start date is February 1, with expected completion by the end of May. RPCA Park Planning staff has provided guidance to ACPS on different construction elements. Additionally they have advised ACPS to hold a preconstruction public meeting with the community –within next two weeks. In response to Beggs, Kagawa said the scope of work is a field and a track and along Seminary Road a storm water management area- that area will be repaired.

- Chair- said regarding lights she has discussions with a couple of the Alexandria School Board members, the intent is to put in lights into next year's CIP. School Board members are up for re-election, may lose some supporters. The Chair encouraged members to bring up issues at candidate forums. Forbes- asked if any preliminary work be included in preparation for possible future lighting. Kagawa- guidance given by P&Z was not to do preliminary work for installation of lights. Staff has since determined it would be easier to bore directly down into ground when the time comes for lights.

3. ACPS-CIP- The Chair said this year's budget some items are hidden below the line –ACPS turf for Jefferson Houston was included –ACPS desires money to come from the City. Chair was advised that Lights for Francis Hammond are listed as below the line due to the budget. We should give credit to ACPS for including these items.