

# NORTH RIDGE CITIZENS' ASSOCIATION



**THURSDAY, March 17, 2022**  
**ZOOM ONLINE MEETING (See Details Below)**  
**7:30 PM START TIME**

## **NRCA BOARD MEETING AGENDA**

- Call to Order and Presentation of Annual Report – John Fehrenbach, NRCA President
- Crime Report – Sgt. Thomas Ground, Alexandria Police
- Special Presentation – James Parajon, City Manager
- Recognition of Service of Bill & Teddye Clayton
- Minutes of February Meeting – Moira Buzby
- Updates
  - Planning & Zoning – Sunny Yoder
  - Schools – Crystall Merlino
- Vote on Board & Officer Nominees for 2022-2023 (see attached) (*Note: Only members in good standing will be able to vote. To join or renew your membership, go to [www.northridgecitizens.org](http://www.northridgecitizens.org)*)
- New Business
- Adjourn

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### **To join Zoom Meeting:**

<https://us06web.zoom.us/j/84408677395?pwd=d1lSajc0SIBOSTFM0EIRaFFTS2h3Zz09>

Meeting ID: 844 0867 7395

Passcode: 595858

One tap mobile

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Dial by your location

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Meeting ID: 844 0867 7395

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Find your local number: <https://us06web.zoom.us/j/84408677395?pwd=d1lSajc0SIBOSTFM0EIRaFFTS2h3Zz09>

**2022-2023 NOMINEES NRCA OFFICERS AND BOARD MEMBERS (new in bold)**

	#	Name	Street
<b><u>Officers</u></b>			
President	1	Fehrenbach, John	Valley Drive
1 <sup>st</sup> Vice President	2	Berrang, Ashley	Malcolm Place
2 <sup>nd</sup> Vice President	3	Friedman, Jay (w/ Buzby, M.)	Fontaine Street
Scribe	4	Stimson, Kay	Mansion Drive
Treasurer	5	Richardson, Tack	Mansion Drive
Parliamentarian	6	Bailey, Russ	No. Overlook Drive
<b><u>Addit. Member of Exec. Comm. :</u></b>			
Immediate Past-President	7	Chuck Kent	No. Overlook Drive
<b><u>Committee Chairs :</u></b>			
Land Use / Zoning	8	Yoder, Sunny (w/ Gay, C.)	Farm Road
Schools / Co-location	9	Colangelo, Rachel (w/ help from <b>Crystall Merlino</b> )	No. Overlook Drive
Transportation & Safety	10	Snapp, Bruce (w/ Stimson. K.)	No. Overlook Drive
Communications / Facebook	11	Dols, Julia	Orlando Place
Green Space / Beautif. / Canopy	12	Seward, Jane	Beverley Drive
<b><u>Other Board Members :</u></b>			
	<b>13</b>	<b>Bobby, Don</b>	<b>Old Dominion</b>
	14	Buzby, Moira	Mansion Drive
	<b>15</b>	<b>Byrnes, Julie Obermiller</b>	<b>Scroggins Rd.</b>
	16	Clayton, Bill F.	Oakcrest Drive
	17	Coleburn, Jackie	Enderby Drive
	18	Costigan, Joe	Dogwood Drive
	19	Crawley, Kate	Mayer Place
	20	Day, Diana	Woodland Terrace
	21	Gallagher, Sean	Virginia Avenue
	22	Gay, Chris	Old Dominion
	23	Gubser, Lyn	Beverley Drive
	24	Guerry, Lee	Old Dominion Blvd.
	<b>25</b>	<b>Hand, John</b>	<b>Alabama Ave.</b>
	<b>26</b>	<b>Markowski, Katherine</b>	<b>Jackson Place</b>
	27	Miller, Bob	Chalfonte Drive
	28	Newhouse, Rachel	So. Overlook Drive
	29	Porter, Julia	Old Dominion Blvd
	30	Rainey, Meghan	Circle Hill Road
	31	Saunders, Mimi	Clay Street
	32	Snapp, Jeanne	No. Overlook Drive
	33	Winstead, John	Minor Street
<b><u>Youth Advisor</u></b>		<b>Buzby, Carter</b>	<b>Mansion Drive</b>

## North Ridge Citizens' Association (NRCA) Annual Report for 2021

### Overview

Two years ago, we gathered in person for our Annual NRCA Meeting. While we were aware of the newly-emerging Covid-19 virus, little did we know the challenges to come. We have been unable to meet in person since then. Hopefully, we will be able to have in-person or hybrid meetings in the near future, and get to know each other better.

While COVID has challenged all of us, we have benefited from living in a relatively safe and very supportive neighborhood with a mature tree canopy, walkable streets, and a well-organized community to deal with shared challenges. Indeed, strong citizen participation and teamwork is a hallmark of North Ridge.

Often, NRCA has taken the lead on important City-wide issues. The talent pool within NRCA has helped us work together to affect City policies and proposals on planning and zoning (P&Z) issues, illegal co-location of housing on school sites, increased density and congestion, and the threatened destruction of hundreds of trees along Taylor Run.

NRCA is also known across the neighborhood for the various fun and traditional events that we sponsor—Wheel Day, National Night Out, the Christmas Tree Sale, and the Annual Tree Lighting / Santa visit at the Pit.

We have continued to focus our energies on major issues that arise, often with little prior notice and little time to act, such as City/ACPS proposals to co-locate housing at George Mason Elementary School and other school sites; major redevelopment mega-projects such as in Arlandria; applications for Special Use Permits (SUPs) for tear-down/rebuilds and other projects; proposals to weaken noise ordinances and accessory dwelling unit (ADU) restrictions; the “stream restoration project” proposed at Taylor Run; and the process for selection of a new City Manager. Russ Bailey met with scientists and City and Commonwealth officials to identify better options for Taylor Run. In support of those efforts, NRCA members became accredited water quality monitors and conducted stream sampling and analysis in 2021-2022. And last, but not least, a heavy burden fell on Sunny Yoder as she dealt with a near-constant stream of P&Z issues. Throughout the year, NRCA has provided constructive input on these and other important issues.

Partly due to the inability to meet in person, our membership recruiting suffered during COVID. We recently distributed 250 membership packets (including our *North Ridge Lore* book) to members, who have been dropping them off at homes in our neighborhood. If you do not have a copy of *North Ridge Lore*, please make sure your membership is current and send us an email at [info@northridgecitizens.org](mailto:info@northridgecitizens.org). Membership is only \$20 per household and is easily done online at [northridgecitizens.org](http://northridgecitizens.org). Please help to spread the word to neighbors to enjoy the benefits of NRCA membership—the website, bulletins, monthly meetings, events, and keeping up with key issues that affect us all. With your help, we look forward to an even better 2022.

It has been a privilege to serve this unique community.

Best regards,  
John Fehrenbach  
NRCA President 2021-22

### **Celebrating our Successes**

- Hosted all candidates for School Board (District B) for an informative walking tour of the George Mason Elementary School site and a follow-up Zoom Q&A session – Moira Buzby
- Influenced City Council on final ADU policy – John Fehrenbach and Sunny Yoder
- Led a City-wide effort to rethink the Taylor Run Project – Russ Bailey
- Influenced the City's decision to not permit co-living/co-housing in single family neighborhoods – Sunny Yoder
- Influenced conditions placed on SUPs for projects in North Ridge – Sunny Yoder
- Adapted to COVID – All of North Ridge

### **Recognition of Service to NRCA**

- Bill E. and Teddye Clayton – Bill and Teddye have lived in North Ridge for 48 years. Both of them have contributed their talents and time throughout those years in the interest of our neighborhood and our City. Their accomplishments are too numerous to mention here. Bill is retiring as a Board member, having served on the Board since the late 1970's. He also served as President in 1997 and as Parliamentarian until last year. We wish to recognize Bill and Teddye's efforts and accomplishments, which have benefited all of us. To that end, we present the attached proclamation. We wish them well.

### **Traditional Events Held this Year**

- Wheel Day, May 31, 2021 – Campbell Vogel
- Fall Tree Sale and Planting, Autumn 2021, which planted 54 trees – Jane Seward and Lynn Gas, and generous donors
- Christmas Tree Sale, December 3-5, 2021 – Jay Friedman, who has taken on responsibility for this annual community and major fundraising event, with many NRCA volunteers
- Tree Lighting, December 12, 2021 – Russ and Anne Bailey
- Santa at the Pit, December 12, 2021 – Rachel Colangelo

### **Special Projects**

- Meet with new City Manager, Jim Parajon, and staff – John Fehrenbach
- Financial and organizational analysis leading to annual budget – Tack Richardson
- Host, support, and design for Website – Kay Stimson
- Support/maintain Facebook page – Julia Dols
- VaDEQ Grant to Monitor Taylor Run Water Quality – Russ Bailey
- Water Quality Monitoring at Taylor Run by North Ridge residents during 2021-2022 – Russ Bailey, Chuck Kent, etc.
- New flyer on canopy tree campaign – Jackie Coleburn
- Donation of \$1,000 to Alexandria Scholarship Fund – Tack Richardson
- Subdivision of "Civil War House" – Jeanne Snapp, Russ Bailey, and Chuck Kent
- Coordination with other citizens' associations in City through Alexandria Federation of Citizens Associations (AFCA) – Kay Stimson and John Fehrenbach
- Coordinate with other citizens' associations re mega-project in Arlandria – John Fehrenbach

## **Guest Speakers**

- Sgt. Thomas Ground, Alex. Police Dept. – Monthly
- Garrett Fesler (City Archeologist), 506 North Overlook Drive – March 15, 2021
- Meagan Alderton, ACPS School Board Chair – April 12, 2021
- Jennifer Slesinger (T&ES), Mobility Plan Update – April 12, 2021
- Seven candidates for District B of the School Board – September 13, 2021
- Sean Casey, Sheriff – November 8, 2021
- Mike Dameron (Windmill Hill), 401 High Street SUP – November 8, 2021
- Brian Rahal (T&ES), Stormwater Management – December 13, 2021
- Bill Gillespie and Russ Bailey, Taylor Run – January 10, 2022
- David Peabody, Meeting Alexandria's 2030 Climate Goals – February 14, 2022
- Kelly Koury, Girl Scout Gold Award Presentation on Free Pantry – February 14, 2022

## **Major Issues This Year**

- Colocation on School Properties
  - George Mason Elementary
  - Minnie Howard
- Schools
  - George Mason Elementary
  - High School Project
- Taylor Run – Proposed Stream Restoration
- Planning & Zoning
  - ADUs
  - SUPs
- T&ES
  - Noise
- Transportation/mobility planning and road use/street safety issues
- Crime reporting and community safety monitoring with support from APD

## **Letters from NRCA**

- Letter to P&Z on Revised ADU Policy – January 4, 2021
- Letter to City Council on Taylor Run – January 11, 2021
- Letter to Council on ADU Policy – January 22, 2021
- Letter to P&Z seeking reconsideration re proposed subdivision of Historic House site – February 24, 2021
- Letter to P&Z re Co-Housing Initiative – April 16, 2021
- Letter to Council re Taylor Run – April 19, 2021
- Letter to P&Z re SUP for Braddock Rd. Day Care Center – June 30, 2021
- Letter to Council re selection process and criteria for new City Manager – August 26, 2021
- Letter to Planning Commission re proposed weakening of ADU restrictions and other zoning changes – September 8, 2021
- Letter to Planning Commission re draft Alex. Mobility Plan – October 5, 2021
- Letter to Department of T&ES re proposed weakening of noise ordinance – November 6, 2021

- Letter to Planning Commission re SUP for 401 High Street – December 5, 2021
- Letter to Council re Arlandria mega-development – December 7, 2021
- Letter to Council re proposed weakening of noise ordinance – December 13, 2021
- Letter to Council re Arlandria mega-development – December 17, 2021
- Letter to Planning Commission re Arlandria mega-development – January 4, 2022
- Letter to Planning Commission re SUP for 3316 Circle Hill Road – January 28, 2022
- List of Issues for Discussion with City Manager – March 12, 2022

### **Testimony**

- Before City Council re Arlandria mega-development – December 18, 2021

### **Looking Ahead**

- Engaging further with the City on development issues, *e.g.*:
  - Single family-zoning (SFZ)
  - Residential Multifamily Zoning (RMF)
  - Compliance with Small Area Plans (SAPs)
  - Expanding Alexandria’s Tree Canopy
  - Implementation and re-evaluation of ADU policy
  - Addressing climate change through energy use in buildings
- Engaging further with the City on transportation issues (*e.g.*, Upper King Street, road diets)
- Engaging further with the City and ACPS on future modernization effort at George Mason Elementary School
- Engaging further with the City on Taylor Run
- Canopy tree campaign
- Green space
- Addressing climate change through energy use in new buildings
- Working with AFCA on multiple projects throughout Alexandria

**NRCA Planning and Zoning  
ANNUAL REPORT  
March 2022  
Sunny Yoder**

My name may be on the letterhead, but John Fehrenbach and other Board members are very much involved in NRCA's work to influence the City's land use policies and practices in the interests of North Ridge residents.

No one person can do it at the pace of development and redevelopment and the adoption of new policies on land use. This past year has been incredible.

### **INSIDE NORTH RIDGE**

Homes in North Ridge that have been here since the 1930s, 1940s, and 1950s are being expanded or replaced with larger houses that push the size limits of the zoning code. In a small number of these cases—the house is to be replaced, and the lot is smaller than the 8,000 square feet for which North Ridge is zoned—a special use permit (SUP) is required. In these cases, the City seeks to notify NRCA. NRCA reviews the application, checks with neighbors, considers precedents, and brings the concerns/objections of the neighborhood to the Planning Commission and City Council.

Most often, no SUP is required, and no public input is sought. The projects are reviewed by City staff as they go through the permitting process, and while permits are required to be displayed on the property, information about the projects is not available to the public or NRCA. In fact, to learn anything about the project requires filing a Freedom of Information Act request.

Beyond the redevelopment of individual properties, in North Ridge we are also seeing the introduction of Accessory Dwelling Units (ADUs), which the City allowed as a new housing mode during the past year, with the claim that it would increase affordable housing. An ADU can be a separate structure, an apartment above a garage, or a distinct unit within a house. It has its own kitchen. As advocated by NRCA, a City permit is required. A few ADUs have been created in North Ridge. The City is in the process of evaluating this program, so if you have questions or issues that NRCA should raise, please let us know.

Since last March, the City has also adopted Co-Living—a form of housing with separate leases for separate bedrooms and bathrooms, and a shared living room and kitchen. NRCA opposed Co-Living in North Ridge and single-family neighborhoods generally, and this is the policy the City adopted.<sup>1</sup>

### **THE BIGGER PICTURE**

Beyond the North Ridge neighborhood, of course, all heck has broken loose. At the same time, major redevelopments are under way or getting started in Potomac Yard, Landmark, and Oakville Triangle, among other places. These locations have the advantage of being on major transportation routes or near Metro. They also are unequivocal improvements: Potomac Yard

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<sup>1</sup> From the NRCA letter: "Coming on the heels of the ordinance allowing Accessory Dwelling Units city-wide, the proposal for co-housing increases our concern that the ultimate goal is to eliminate single family housing altogether. By so doing, the city's leaders appear to place the interests of people who might locate in Alexandria in the future, and, if they do, would be unlikely to stay for long, above those of current residents who have bought into single family neighborhoods and who have made long term commitments to their communities."

was a rail yard, Landmark an asphalt and concrete fortress, and Oakville Triangle an industrial enclave.

On the other hand, the City is approving redevelopments in the name of affordable housing that will dwarf the existing structures and are not on transportation routes—two in Arlandria-Chirilagua and one on Holmes Run Parkway. To accomplish these, the City is rewriting existing Small Area Plans (SAPs) and using a special zoning category—RMF. It also is employing to the maximum extent its authority to allow developers extra density in exchange for affordable units, even though the Planning Commission strongly encouraged finding other ways to achieve affordable housing.<sup>2</sup>

NRCA has opposed these rezonings and redevelopments because of concerns about their impacts on schools, traffic congestion and parking, open space and the tree canopy. Arlandria residents and business owners also opposed them—to no avail. The city is focused on creating affordable housing. It also seems to believe in village living, where residents walk or bike to work, school, the grocery and church.

## THOUGHTS AND RECOMMENDATIONS

For NRCA in the coming year:

- Continue to do what we do to influence land use policies inside North Ridge and that affect North Ridge
- Keep asking about second order effects of land use decisions: schools, transportation, tree canopy, environmental quality, and open space
- Coordinate with other citizens' associations and AFCA to amplify NRCA impact
- Press the City to change its processes to be more public-friendly<sup>3</sup>
- Continue to comment on process as well as substance
- Press the City to enforce the rules on, *e.g.*, ADUs
- Press the City to conduct unbiased evaluations of its rezoning/redevelopment actions at appropriate intervals.

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<sup>2</sup> From my Sept 2021 report: "During the 9/9/21 meeting, members of the Planning Commission raised the point that large new residential buildings with other than affordable units could bring an influx of people who rent at market rates. Given the proximity to Virginia Tech and North Potomac Yard, they expressed concern that, sooner or later, the Chirilagua (f/k/a Arlandria) community would likely be displaced. For the community to be preserved—a stated goal of the City—commissioners urged staff to look for more creative solutions than developer-provided affordable units traded off against larger buildings."

<sup>3</sup> Example: Ask the City to require SUP applicants to provide key information distilled from the voluminous application forms, as suggested below:

- Why does this redevelopment require a Special Use Permit?
- What is the footprint size of the proposed house compared with the current house?
- What is the gross square footage of the proposed house compared with the current house?
- What is the net floor area of the proposed house and what are the primary exclusions from gross floor area?
- How does the proposed house comply with the required setbacks? How far will it sit from the property lines?
- How tall is the proposed house in comparison to the existing house? Other houses nearby?
- What is the architectural style of the proposed house and how is it compatible with the neighborhood?
- Is any part of the proposed redevelopment eligible to be an ADU?
- What is the plan for preserving existing canopy trees and replacing those that cannot be preserved?
- Are there drainage issues on the property? If so, do they affect neighboring properties? How will they be addressed?



# North Ridge Citizens' Association (NRCA) Financial Report

March 14, 2022

NRCA Board,

The North Ridge Citizens' Association Financial Report for March 2022 is as follows:

## Balance:

- Wells Fargo = \$0 (as of 12/30/2021)
- Burke and Herbert = \$21,722.58 (as of 03/09/22)
- PayPal = \$1,112.10 (as of 03/09/22)

## Transactions:

- Revenues
  - o \$40.00 – Membership Checks
  - o \$40.00 – Extra Donations from Membership Checks
  - o \$75.24 – PayPal (Electronic Membership Dues and Donations, Minus Fees)
- Expenses
  - o 117.05 – Zoom Annual Fee (Reimbursement to John Fehrenbach)

## Other:

- None

Submitted for the Record, 09 March 2022,

*V.B. "Tack" Richardson III*

NRCA Treasurer - 2021



## *Proclamation*

*Now, whereas Bill and Teddye Clayton have lived in North Ridge for 48 years, both contributing their talents and time throughout those years in the interest of our neighborhood, and Bill organized volunteers for 45 years in the caretaking of the gardens at Beverley Park (aka "the Pit"), and...*

*Whereas, Teddye labored for many years to beautify the gardens at Beverley Park while maintaining her own gardens as a model for the community, and served faithfully as a trained elections officer in our precinct for many years, and...*

*Whereas, Bill co-wrote "North Ridge Lore" covering the history, development, and culture of our North Ridge community, and...*

*Whereas, Bill took on multiple leadership roles in our community's North Ridge Citizens' Association, dedicated to making North Ridge a great place to live; he spent time as President, Vice President, and Parliamentarian, and has always contributed time, effort, and goodwill at North Ridge events (Christmas tree sale, Wheel Day, National Night Out), and...*

*Whereas, Bill has been honored as an Alexandria Living Legend and has approached issues with good grace, good humor, and great wisdom, and Bill's and Teddye's contributions to the neighborhood will be felt for many years,*

*THEREFORE,*

*The North Ridge Citizens' Association hereby conveys its gratitude to and admiration of Bill and Teddye Clayton, and wishes them all the best for the future. NRCA hereby proclaims that Bill and Teddye shall be considered honorary members of this great neighborhood, with the hope that many others will follow their magnificent example as citizens of Alexandria.*

*THE NRCA BOARD*

*March 17, 2022*



# North Ridge Citizens' Association

North Ridge Citizens' Association (NRCA) represents the interests of 2,600 households in the North Ridge area of Alexandria. Our organization has worked collaboratively with the community and City for many years, and we are committed to a good working relationship with the new City Manager, Jim Parajon, for the benefit of all Alexandrians.

## **Our Neighborhood**

Most of North Ridge was developed in the 1930s and 1940s. The neighborhood is primarily single-family homes, blessed with a mature tree canopy that we have worked hard to maintain and enhance over many years. NRCA actively contributes to the entire community through our Christmas Tree Sale, National Night Out activities, Annual Wheel Day Parade, contributions to the scholarship fund and schools, maintenance and cleanup in Beverly Park, public service outreach, etc. We also have excellent working relationships with our police and sheriff liaisons.

In the interest of making our City government work better and smarter, and in tune with its residents, we offer the following observations and, most importantly, suggestions.

## **Meaningful Input**

NRCA has long advocated for improvements in how the City interacts with citizens in making major decisions. Over the past few years, even before COVID-19, we have noticed changes in how the City deals with its citizens that have negatively impacted our ability to work with the City in a timely manner. Major decisions have been made with little or no meaningful public input. They have been announced with very little time to comment, often during holidays.

### **Examples:**

- Information is made available to the public too late for meaningful review and comment
- Public hearings are held in the same meeting when final votes are taken, allowing insufficient time for serious consideration of public input
- Time limits for public speakers curtail their input, while applicants speak without limits
- Developers present information that cannot be understood by the general public
- Policy-making has relied on results from poorly-designed surveys of small numbers of self-selected respondents, including non-residents
- In North Ridge, special use permits are granted for home remodels/replacements that are incompatible with the neighborhood

### **Major Recommendations:**

- Provide the public more time to review and comment, and more time for Commissions and the Council to review and consider those comments. Vote on ordinances, resolutions, etc. at least one meeting after they are presented and public testimony is heard.
- Don't schedule major decisions around holidays
- Provide a justification/rationale when the City does not agree with public comments. When projects are approved despite public opposition, state clearly and for the record the reasons for doing so.
- Improve the design and focus of public surveys used in decision-making. Improve public survey methodology with better framing of questions and sampling.
- Require SUP applicants to supply key information such as reasons for the SUP, proposed height, bulk, and setbacks (actual and relative to neighbors), building style, and tree plan in a

way that the public can understand; a summary addendum to the standard, technical application would be a way to do this

- When judging if a new or modified building is compatible with the neighborhood, give greater weight to the views of residents of the neighborhood and respect for the historic/aesthetic character of a neighborhood

### **Land Use Decisions That Promote Growth and Density Above Other Considerations**

There is general agreement on the need for affordable housing in the DC metro area. However, Alexandria is already the most densely populated jurisdiction in the Commonwealth, and the City's affordable housing goals are being used to justify changes to zoning ordinances that are transforming our City into a developer's and speculator's dream, to the detriment of current residents and taxpayers and the quality of life City-wide. The City, through its Planning Commission and the City Council, appears to use the creation of affordable housing for potential future residents as an excuse for imposing dramatically increased density on existing neighborhoods and residents.

#### **Examples:**

- Over the strong objections of NRCA and other citizens, the City now allows accessory dwelling units ("ADUs") in single family-zoned ("SFZ") neighborhoods, and their use as Airbnb-type rentals, as close as 3 feet from neighbors
- Ignoring the concerns of NRCA and other citizens, the City has revised its noise ordinance to increase noise levels in residential areas
- The City is illegally overriding Small Area Plans ("SAPs") to increase density and transform neighborhoods into zones that are more congested and with a lower quality of life. The City dismisses concerns about density, traffic, school capacity, parking, infrastructure, finances, and the quality of life for existing residents as long as a project contains affordable housing. But the SAPs are not merely "guides," but rather binding legal requirements for any redevelopment within the area of the respective SAP. The Residential Multifamily Zone (RMF), created to allow approval of the Heritage and Olde Towne West III projects, is now apparently understood to be a floating zone across the City that can replace current zoning guidelines in SAPs. Neighborhoods vary, and the vision for each neighborhood (and the City's twenty SAPs) reflect these important distinctions. SAPs are the result of extensive community input to shape the vision for various neighborhoods.
- In recent years, many residents have asked the question, "*How much density is too much for our City?*" There has not been an answer to that question from staff or our elected officials.

#### **Recommendations:**

- The City needs to comply with neighborhood SAPs
- Before RMF zoning is expanded, the City should have a series of community meetings and discussions to address the question of density in all areas for subsequent input in revising our City Master Plan. Crucial to this discussion is the role that affordable housing, with its two tiers of bonus density, should play in allowing increased density.
- The City should consider density and congestion and their effects on entire neighborhoods and not just on a piecemeal basis
- Any increase in density should be carefully managed to align it with high-capacity and frequent transportation and to preserve more space for green space

- The City should conduct well-designed evaluations of the real-world impacts of major developments, including those with bonus density for affordable housing
- The City should make clear in communicating with the public that “open space” is not the same as “green space,” and it should prioritize “green space”

### **Co-located housing on school sites**

School property is needed for student education and recreation and need to be preserved for those uses. Schools are already overcrowded and will need to expand.

As summarized in our letters to the Council on December 16, 2021, the Planning Commission on December 7, 2021, and the School Board on December 7, 2020 (*copies enclosed*), the City appears to contemplate potential co-location of businesses, housing, and other uses unrelated to core educational needs on one or more school sites. The City is on notice that such uses would violate Commonwealth law and create unnecessary risks to students, staff, residents, and public safety personnel, and that expenditure of any public funds in furtherance of such would be illegal.

#### **Recommendation:**

- The City, ACPS, and the School Board need to publicly confirm that they are not going down that illegal path.

### **Transportation/Infrastructure**

The City’s push to increase density is leading to increased congestion, traffic (as well as cut-through traffic in neighborhoods), school over-crowding, and reductions in precious green space. These effects are exacerbated by ill-informed and extremely unpopular measures such as “road diets” and the elimination of already inadequate parking for residents, shoppers, churchgoers, and restaurant- and venue-goers. The City ignores the majority of citizen input, while embracing the views of the few.

#### **Examples:**

- The City ignored overwhelming public opposition to road diets
- The City has exhibited a bias in favor of expensive projects that receive outside funding, even though they make little sense in their own right (*e.g.*, Taylor Run, Upper King Street realignment) and are opposed by the public (“making policy by grant”)
- In formulating policy, the City has relied on poorly-designed surveys (*e.g.*, small number of respondents, including non-residents)
- Last year, North Ridge experienced over 5 inches of rain in only 40 minutes, leading to severe flooding and property damage. With climate change, such events will become more frequent, yet the City has no plan to increase our local stormwater infrastructure.

#### **Major Recommendations:**

- Conduct realistic studies of traffic and parking before making decisions
- Conduct and make public evaluation studies of traffic and parking impacts.
- Prioritize projects based on inherent need and cost/benefit
- Improve stormwater infrastructure to meet existing needs before increasing density

### **Expanding Alexandria’s Tree Canopy**

The City should soon be releasing the results of the tree canopy study undertaken by the University of Vermont last year. It is going to show that the City has a significant way to go to meet its 40%

canopy goal by 2030. Even though Alexandria has planted 450 trees a year for the past several years, in addition to NRCA's tree planting program<sup>1</sup>, the most recent budget assesses the City canopy to be about 32.5%, a *decrease* from 2014 when it was 34%.

Despite the dire effects of climate change, the loss of tree canopy from development and natural causes, and citizens' support for tree canopy, urban forestry is very low priority in Alexandria. The City's three Urban Forest Office staffers can't do it alone. And there are other stakeholders among City government offices that need to function in concert but don't.

T&ES could use canopy trees for flood mitigation, for which there is strong evidence of effectiveness; however, T&ES does not consider it part of the solution, and its projects often remove trees, irreparably damaging the environment and increasing flooding. The recent, very destructive, and unnecessary Taylor Run and Strawberry Run projects required massive citizen lobbying, as well as a scientific study undertaken by NRCA, to get a City Council decision to get T&ES to change course.

Park Planning only includes 25% tree canopy coverage in Park project areas, yet parks are where the public seeks out the shade and respite of canopy trees. 25% coverage does not make up for the trees being removed by urbanization and natural decline.

Park Maintenance plays an important role in tree preservation. Yet tree trunks are often damaged with mowing, leading to disease; newly planted and self-seeded trees are often mowed over, and vine girdling not removed contributes to tree decline.

Tree canopy should be front and center of the work of the Planning and Zoning office and the Planning Commission. Alexandria's real estate codes and small area plans identify the need to preserve our parks and green spaces and to limit density to ensure livability of our neighborhoods. Yet these are ignored or countered by conflicting policies leaving citizens to hire legal counsel to try to force the City to do what is right.

The City's Natural Resources Management office is tasked with protecting the City's green space and yet when their findings don't line up with developers' interests and urbanization, they are shut out of the process. Citizens are left with the frustrating task of trying to influence the process.

### **Recommendations:**

- The City, including T&ES, the Urban Forestry department, Park Planning, P&Z, Planning Commission, and Natural Resources Management office, need to work in tandem to enable the City to reach its 40% goal.

We leave you with the following—the City's canopy trees make it a better place to live. They:

- Beautify the environment
- Cool the air in summer by as much as 10%
- Reduce utility bills and increase property values
- Reduce the heat island effect of development
- Clean the air absorbing CO<sub>2</sub> and producing O<sub>2</sub>
- Reduce flooding by absorbing rain and preventing run off
- Attract and provide food for birds and wildlife
- Soothe and calm our spirits, reducing stress, and health care costs.

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<sup>1</sup> As an indication of our concern for Alexandria's tree canopy, in the last 3 years North Ridge, through its Canopy Tree Restoration project, has planted almost 300 trees.

## **Taylor Run**

North Ridge borders Taylor Run the length of the proposed stream reconstruction. North Ridge residents have been active in the discussions with the City from the day the project reconstruction was announced. North Ridge residents have pointed out the adverse effect the project would have on the wetlands and trees along the stream and that the reconstruction would not reduce the amount of runoff into the stream from its watershed.

North Ridge residents developed a package of alternative ways for the City to meet its Chesapeake Bay pollution reduction obligations, and the City in large part has adopted those alternatives.

NRCA obtained a grant from VaDEQ to monitor the water quality of Taylor Run. More than 550 volunteer hours were dedicated to that effort. The data showed that the stream contributed very, very low levels of pollutants to the waterways that lead to the Bay. This is consistent with soil sample analysis that shows the banks of the stream have low levels of pollutants.

But for the public uproar and North Ridge's scientific analysis, the City was on course to waste taxpayer dollars on an unnecessary and ineffective project.

We thank the City for deciding that it can reach its Bay pollution reduction obligations without reconstructing Taylor Run, and for setting up the facilitation process to evaluate the best way of addressing the infrastructure concerns at Taylor Run. North Ridge residents are participating in that process and are looking forward to a satisfactory result.

### **Recommendations:**

- Follow the science
- Invite and listen to public input before seeking grant funds

## **Addressing Climate Change through Energy Use in Buildings**

In 2019, the City Council declared a climate emergency and called for a 50% reduction in Alexandria's greenhouse gas emissions by 2030. The City's Environmental Action Plan 2040 noted that "more than half of our community's emissions are associated with energy use in the built environment" and that "we must prioritize reductions in this area." NRCA supports the City's priorities.

### **Major Recommendations:**

- Alexandria currently requires net zero energy performance in new civic facilities. We should extend this requirement to all projects supported by public funds, e.g., public housing.
- Perhaps more importantly, we should consider requiring that all new commercial developments meet the same standard.

### **Questions:**

- Has the City Council given you any goals or directives to meet our 2030 GHG emissions targets?
- Have you assessed what policy changes and resource commitments will be needed to accomplish this? The draft 2023 budget appears to show little emphasis on this goal.



NRCA, P.O. Box 3242, Alexandria, VA 22302

December 16, 2021

Alexandria City Counsel  
301 King Street  
Alexandria, VA 22314

**Re: 12/18/21 Docket Item #15—Master Plan Amendment #2021-00012, Arlandria-Chirilagua Small Area Plan**

Dear Mayor and City Council Members:

North Ridge Citizens' Association (NRCA) wishes to comment directly to this body regarding our concerns about the proposed Small Area Plan (SAP) for Arlandria-Chirilagua, as we have done before the Planning Commission. (*See* enclosed Dec. 7, 2021 Letter.)

We recognize the City government's desire for building even more affordable housing in Arlandria-Chirilagua, as well as the economic pressures and profit-motives to redevelop that area. We also recognize that the City has tools to preserve existing, and encourage additional, affordable housing—including the authority to trade off against greater density, but we believe that those tools are being misused to over-develop the area to the detriment of current and future residents. Our major concerns include:

1. Substantial increases in the number of housing units—and thus the population—in Arlandria.
2. Accompanying increases in the population of school age children, likely more than proportionate to the total population compared to other sections of the City.
3. Increased school enrollments that will add to the overcrowding of City schools (while the possibility diverting school property to housing or other illegal uses has not been explicitly ruled out).
4. Increased traffic and congestion, especially on Mt. Vernon Avenue and Glebe Road, but also cut-through traffic in the surrounding neighborhoods, especially North Ridge.
5. The lack of Metrorail stations within walking distance or easy access to major un-clogged traffic arteries, in stark contrast to parts of Northern Virginia where density has been, or will be, substantially increased. Moreover, the streets in the neighborhood are narrow and already quite congested. The scale of the proposed added density simply does not fit the context of the neighborhood.
6. Loss of parking that serves Arlandria-Chirilagua residents, shoppers, restaurant-goers, and churchgoers, among others, and a substantial increase of spill-over parking in surrounding neighborhoods, which will undoubtedly lead to related stresses and disputes.



7. Radical alteration of the streetscape, with the loss of the characteristic Art Deco style on Mt. Vernon Avenue.
8. Maximum permitted heights that would, in many locations, be double what is permitted under existing zoning and would dwarf existing structures.
9. Loss of tree canopy as developers take the option of planting required trees elsewhere in the City.

We believe the enormous near-term impacts of the proposed changes are being underestimated and downplayed. Not only that, we fear the City is not giving enough consideration to second- and third-order effects down the road. Therefore, we request that:

- A. City Council defer approval of the proposed SAP to allow more time to study both the short-term and long-term implications.
- B. The City scale back the Alexandria Housing Development Corporation (AHDC) mega-project that is contemplated for the Safeway site at Mt. Vernon Avenue and Glebe Road and the adjacent lot on Mt. Vernon. Two buildings of 10 and 7 floors, respectively, with 475 new housing units, appear to be much more than could possibly be handled by the infrastructure that exists or is contemplated.
- C. Alexandria City Public Schools (ACPS) and citizen associations have the opportunity to provide explicit and transparent input to the planning process, since schools and students bear much of the brunt of redevelopment, and ACPS have the authority over the use of school sites.

We appreciate the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "John Fehrenbach", written in a cursive style.

John Fehrenbach, President

Enclosure



NRCA, P.O. Box 3242, Alexandria, VA 22302

December 7, 2021

Planning Commission  
c/o Department of Planning & Zoning  
P.O. Box 178  
Alexandria, VA 22314

Delivered Via Email: [PlanComm@alexandriava.gov](mailto:PlanComm@alexandriava.gov)

**Re: December 8, 2021 Docket Item #2, Master Plan Amendment #2021-00012—  
Proposed Arlandria-Chirilagua Small Area Plan (“SAP”)**

Dear Chairman Macek and Planning Commission Members:

North Ridge Citizens’ Association (“NRCA”) shares the following concerns regarding the above-referenced proposal for the draft of the Arlandria-Chirilagua Small Area Plan.

**1) The purported rezoning of the Cora Kelly Elementary School site violates Commonwealth law.**

The Plan (see Figure 7) appears to propose the rezoning of Cora Kelly School and the Armstrong recreation site for mixed commercial-residential-institutional use. As outlined in NRCA’s December 7, 2020 letter to the City (copy enclosed), Virginia law prohibits the planning, construction, and use of housing and other non-education related facilities on school campuses.<sup>1</sup> Further, the law restricts school site use determinations to the School Board. Plus, in numerous public comments on the Joint City-ACPS Facilities Master Plan [and other City proposals], Alexandria citizens overwhelmingly opposed mixed uses with housing at school sites. To our knowledge, no representative of City government—including ACPS or the School Board—has officially provided a written legal opinion that would support such a plan. The City needs to correct this illegal defect in the Plan, and make clear to the public that no funds or City staff time will be spent on such efforts.

**2) The City has not adequately accounted for a substantial increase in the number of new students that will be added to the school system with this significant development.**

The draft Plan acknowledges that Arlandria’s population has double the average number of children overall (20%) compared to the same population citywide, yet it does not include any meaningful and realistic planning information beyond an assurance that the City is “working with” ACPS on the Cora Kelly renovation. As you know, Alexandria is already dealing with tremendous challenges with school overcrowding, and it is highly probable that other schools may be impacted by a large increase in new residents.

Additionally, given Virginia safety/fire code guidance for elementary schools and the City’s updates to Open Space definitions, it appears that any additional allowances for

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<sup>1</sup> The letter also was copied to the ACPS Superintendent of Schools, City Council, Mayor, and City Manager.

height of the school building based on zoning “bonuses” for residential development could potentially reduce the maximum amount of open space available to students.

**3) Dramatically increasing density and traffic problems will adversely affect livability and quality of life for all area residents, including North Ridge.**

The enormous impacts of the proposed changes are grossly discounted and underestimated. North Ridge objects to the aesthetics of building exceedingly tall and large buildings in the neighborhood, which is presently composed mainly of single-family homes, townhouses, duplexes, garden apartments, and single-story retail with an Art Deco aesthetic. The increased density and sheer numbers of people will materially increase demands on existing green space and require a substantial increase in tree canopies and green space, yet the Plan does not adequately address these problems. Tall buildings may belong in National Landing/Crystal City office parks, but not in this location. The isolated high-rises in this neighborhood stick out and should never have been approved.

Realistically, increased traffic and a demonstrable lack of adequate street parking will ultimately discourage those who rely on private transportation from visiting, or even going near, businesses in the area.

The draft Plan states (p. 67), “The City will evaluate multimodal safety, access, connectivity, and curbside management (such as but not limited to on-street parking) along Mount Vernon Avenue and East and West Glebe Road and implement intersection and roadway improvements as shown in Figure 19.” Removing on-street parking along W. Glebe as part of a future “road diet” will exacerbate existing parking shortages along this road and surrounding streets (*e.g.*, Old Dominion and Brighton Court). Similarly, commuters who use this roadway (including ACPS/Chas. Barrett families) would suffer from the City’s plan to reduce the roadway to one lane in either direction.

**4) The Planning Commission should account for why the area from the W. Glebe Bridge to the Dominion Energy property at 907 W. Glebe Road is “to be evaluated as part of future planning process,” according to the Plan.**

If the City is contemplating different zoning classifications for this area, it should be addressed in an open, transparent fashion and not obscured. Additionally, if such deferrals in rezoning are allowed by law as part of the Small Area Plan process, the City should similarly defer any zoning/site uses for Cora Kelly Elementary to the School Board.

Thank you for this opportunity to comment.

Sincerely,



John Fehrenbach, President

cc: Alexandria City School Board  
Clerk of the School Board  
ACPS Superintendent Gregory C. Hutchings, Jr.

Enclosure



NRCA, P.O. Box 3242, Alexandria, VA 22302

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December 7, 2020

Alexandria City School Board  
Clerk of the School Board  
1340 Braddock Place  
Alexandria, VA 22314

**Re: Use of ACPS Campuses for Housing Projects**

Dear Chair Anderson and Board Members:

As you know, the North Ridge Citizens Association (NRCA) has been actively monitoring ACPS plans to modernize the George Mason Elementary School, located in our neighborhood. We are very appreciative of your efforts to involve our community in the planning process and have strongly conveyed our view that the limited space available on the George Mason site needs to be preserved for the core educational and recreational needs of our community. Public support is overwhelmingly galvanized in support of this approach, and City residents have vocalized opposition to colocation of housing on school grounds.<sup>1</sup>

Based on meetings held with you and Mayor Wilson in the spring, we were hopeful that there would be a prompt, public decision that no space could be spared for an affordable housing project on the George Mason site. Unfortunately, eight months have now passed and no such assurance has been provided.

We are instead aware that Alexandria City officials are continuing to press ACPS to use school campuses for affordable housing. The Director of the Office of Housing recently informed the community that it is a challenge to find enough land to meet the city's affordable housing needs and that they are accordingly looking for space on school campuses where developers can build and manage housing for those who are income eligible.<sup>2</sup>

In light of these developments, it is imperative to inform you of the evidence showing that Virginia law prohibits the planning and construction of affordable housing on the George Mason campus, and likely other existing ACPS school campuses. We hope that a prompt review of this legal issue by the School Board's independent counsel will prevent the further loss of time and money spent on the study of City-driven housing projects that cannot be built on school grounds. Otherwise, we are prepared to pursue additional actions that will ensure the Virginia laws protecting school property are enforced, including a review from the Virginia Department of Education. We believe that VDOE – as well as the courts – would prohibit the City's quest to colocate affordable housing on the George Mason site and others because (1) the School Board has exclusive authority to determine what structures should be built on the property; (2) the School Board has no authority to erect affordable

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<sup>1</sup> See results of Joint Facilities Master Plan Survey, October 2020.

<sup>2</sup> 11/19/20 High School Project Open House. The Director of Housing expressly confirmed that the City is not planning to limit occupancy to ACPS teachers. Emails from City staff obtained via FOIA also indicate the conclusion that the Fair Housing Act does not permit such limits.

housing on school grounds; and (3) the School Board has no authority to convey any portion of the site to the City for such a purpose.

As the City's October 2020 report on Affordable Housing and Colocation reveals, *the City failed to identify a single school board in the Commonwealth of Virginia that has ever authorized the construction of a housing project on a school campus*. This finding fully conforms to our understanding of the law, and was confirmed by ACPS staff during a presentation to the George Mason Task Force on December 1, 2020. Virginia School Boards have only been given authority to build and supervise schools, not housing. When City officials urged ACPS to allow housing developments on ACPS campuses at a meeting on January 27, 2020, you correctly told them: "[W]e're not the housing administration, we're the school system."<sup>3</sup> We hope that we can help you persuade the city to respect legal boundaries and to stop any campaign to gain control of school campuses to use for affordable housing.

**First, the School Board has exclusive authority to decide what structures should be built on the George Mason site.** Article VIII, Section 7 of the Virginia Constitution *mandates* that the local school board -- not the City government -- must be responsible for the supervision of the public schools. The Virginia Supreme Court has interpreted this provision to mean that school boards have the *constitutional obligation* "to determine whether a particular property is needed for school purposes and the manner in which it shall be used."<sup>4</sup> Based on the clarity of this constitutional mandate and the implementing statutes governing the power of Virginia school boards, the City Attorney has already acknowledged that ACPS has exclusive authority to determine what should be built on school sites.

In 2017, the City Attorney issued an opinion explaining that Virginia courts have held that the power to "determine the manner in which school property shall be used is vested exclusively with the local school board" and that City Council does not have "any general supervisory authority over the schools" (p. 1-2). The opinion also concludes (p. 3) that ACPS cannot "abrogate any of its independence with respect to its core responsibilities," which includes the design of the campus. City Attorney JoAnna Anderson also acknowledged at a meeting on January 27, 2020, that the City could not direct ACPS to build housing on school property.<sup>5</sup> There is simply no dispute that the School Board must decide for itself what to build on the school sites in the exercise of its constitutional mandate to supervise the public schools.<sup>6</sup>

**Second, state law prohibits the School Board from erecting affordable housing on the George Mason site.** State law and zoning code dictate whether multifamily housing can be erected on existing ACPS school sites. Specific to George Mason, Section 3-302 restricts residential units to single family homes in an R-8 zone. Even if the zoning laws were amended over strong community opposition, however, the School Board does not have the authority to construct affordable housing on this site.

In Virginia, the powers of local school boards are limited by a rule of strict construction called the Dillon Rule. Under this rule, a school board can only take actions that are expressly authorized by state statutes, fairly implied from the text of those statutes, or that are essential and indispensable to the performance of the school board's functions. Actions taken outside the scope of this limited authority are illegal, *no matter how much the City might seek the School Board's help* (see 2004 Op. Va. Att'y Gen. 04-074, which concludes that school board funds may only be used for the "establishment, support and maintenance of schools" and not other public purposes).

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<sup>3</sup> Alxnow.com/2020/01/28

<sup>4</sup> *Howard v. County School Board*, 203 VA 55, 58 (1961).

<sup>5</sup> Alxnow.com/2020/01/28.

<sup>6</sup> George Mason School is located on a single, undivided 9.4 acre parcel of land. Title is held in the name of the city but state law mandates that the School Board has the responsibility to "control the property of the school division," (VA Code 22.1-79.3), and the "official care and authority of a school board shall cover all territory" within the school boundaries even "when the title to such property is vested in the . . . city" (22.1-125(B)). The entire 9.4 acre parcel has the "legal description" of "George Mason School" in the city's property records and the ACPS 2015 Long Range Educational Facilities Plan describes the George Mason Elementary School "site" as 9.4 acres in size including the tennis courts and fields. (4.20-21).

The Virginia Code directly addresses the power of the School Board to construct buildings. Section 22.179(3) establishes that the School Board only has the power to “erect[] ... *necessary school buildings* and appurtenances.” An affordable housing development is obviously not a “school building” or a “necessary appurtenance.” This express limitation on the scope of the school board’s powers accordingly forecloses ACPS from erecting any affordable housing units.

This reading of the statutory language is further confirmed by Virginia Department of Education regulations. VDOE is required to establish minimum standards for all public school buildings and must approve every school board’s plans for construction (Section 22.1-138, 22.1-140). VDOE Guidelines for School Facilities in Virginia’s Public Schools provide “detailed guidance for the planning and design of local public school facilities” (p.vi) but nowhere make provision for housing in such facilities. The Guidelines emphasize that it is the school board’s responsibility to “develop a specific educational program” and then choose a school design necessary to “carry out the educational program.” The “educational program” for an elementary public school does not require affordable housing on the campus.

This conclusion is also borne out by the long history of public school projects in Virginia. It is telling that the City’s October 2020 report on Affordable Housing and Colocation does not cite a single example of a Virginia school board constructing housing on a public school site. School boards in Virginia do not build housing because their sole power and responsibility is to build and supervise schools. Cities and counties build and supervise affordable housing. The six examples cited as precedent for the City’s proposal to use ACPS property for housing have no bearing on the School Board’s authority to build affordable housing on school grounds under Virginia law. Not only were all of the projects built in other states, at least three of the projects were not built on public school property.<sup>7</sup> The remaining projects involved teacher housing in two states that adopted legislation expressly authorizing school districts to build housing for teachers on school property. The City is clearly not proposing to colocate teacher housing. Moreover, there is no similar Virginia statute that expressly permits building any type of housing on school property.

The Commonwealth’s own Constitution imposes exclusive responsibility on school boards to supervise schools, not housing, and the implementing legislation expressly limits the school board’s power to the construction of “necessary school buildings.” The fact that some other state with different laws allowed the use of school property for housing has no legal relevance to the scope of a Virginia school board’s authority.<sup>8</sup> As a Dillon rule jurisdiction, any co-location of affordable housing on school board property in Virginia is illegal under state law.

**Third, the School Board has no authority to convey any portion of the George Mason site to the City or developers for the construction of affordable housing.** ACPS has repeatedly recognized that it does not have enough land to meet the current needs of the school system, let alone the future needs created by an expanding population.<sup>9</sup> It is inappropriate and short-sighted for the City to continue engaging in unfounded efforts to press the School Board to transfer control of school property to the City for affordable housing projects. It is not simply bad policy to prioritize new housing units over the future of our schools and our students. It is also foreclosed by Virginia law.

Under Virginia law, the School Board is obligated to “*control* the property of the school division” (Section 22.1-79(3)). This power must be exercised by the School Board and cannot be abrogated by transferring control of the school’s real estate to city officials except under very limited circumstances. Under the explicit language of

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<sup>7</sup> The website for the teacher housing referenced in New Jersey indicates that the housing was built on land owned by a private developer and that the schools in the development are “charter” schools, not public schools. The website for the East Harlem project cited in the report also involves a charter school and housing built on land owned by the city’s housing authority. The teacher housing referenced in North Carolina was built by a private charity on land owned by the county according to published news accounts.

<sup>8</sup> Three of the six examples involve housing built on public school property in California and Florida. In both states, special legislation was enacted to authorize the construction of teacher housing, but does not extend to affordable housing generally. The third example concerns a yet-to-be-approved project in Florida, which also enacted legislation expressly authorizing teacher housing on school property. See FL Statutes Section 1001.43(12).

<sup>9</sup> The September 14, 2020 community presentation of the Joint Facilities Master Plan emphasized that “population is projected to continue growing” and predicted the addition of more than 30,000 people by 2040.



Section 22.1-129, the School Board can only convey its real property to the City (or a developer) when the school system has “no use” for the property. That legal requirement forecloses the City’s efforts to colocate housing at George Mason -- and most likely other campuses as well.

The School Board could not possibly determine in good faith that it has “no use” for *any* portion of the George Mason site, or any other campus. George Mason is not large enough for the current modernization project, let alone future expansions. In 2015, ACPS and the City issued its Long Range Educational Facilities Plan and adopted the goal of “meeting the [VDOE] guidelines” governing the size of a campus needed for educational and recreational purposes (p. 3.12). The LREFP emphasizes that the campus must be large enough because it is “important for students to recreate, have access to explore nature, and learn in an outdoor classroom.” This goal cannot be achieved if any portion of the site is devoted to housing. In order to comply with the VDOE Guidelines, *the entire parcel* must be dedicated to educational and recreational space. Under Section 3.2 the School Board should have at least a 10-acre site for an elementary school designed for 600 students (ACPS is projecting 670 students for the 9.4 acre site). In addition, VDOE guidelines emphasize the need to “provide for future expansion” in the planning process and to obtain “additional acreage where possible” in order to “allow for future growth and flexibility” (p. 2, 8). It is accordingly not possible for the School Board to conclude that it has “no use” for any portion of this site.<sup>10</sup> No portion of the property can be conveyed to the City, or to any developer(s) for construction of housing.<sup>11</sup>

While some City officials are pressing the School Board to help the City meet its affordable housing goals, Virginia law is clear. The “school board may not abrogate its duties or compromise its independence with respect to its core responsibilities” (2011 Op. Va. Att’y Gen. 10-122). The School Board can only use its real estate for “school buildings” and *not* for the provision of affordable housing. It would be incomprehensible for the Board to declare existing property to be “surplus” when there is such overwhelming need for expanded school capacity and ACPS re-opening during the COVID-19 pandemic. Thank you for your consideration and we look forward to working with you.

Best regards,



Chuck Kent  
President, North Ridge Citizens’ Association

cc: Mayor & City Council  
Mr. Mark Jinks, City Manager  
Mr. Gregory C. Hutchings, ACPS Superintendent of Schools

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<sup>10</sup> The LREFP was developed to “identify the types of facilities that can best meet education needs over the next 25 years” (Executive Summary at p. 1). There is *no reference* in the LREFP “master plan” to an educational need for public housing on school properties.

<sup>11</sup> ACPS acknowledged at a December 1, 2020 meeting with the George Mason Task Force that the Minnie Howard campus is too small to meet VDOE guidelines for the planned enrollment -- even without the allocation of any portion of the site to housing.