

WILLIAMS MULLEN

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April 29, 2019

Tim Padalino
Department of Community Development
401 McIntire Road
Charlottesville, VA 22902

Re: Regents School – SP 2018-00011 Special Exception Request

Dear Tim:

In connection with our resubmittal of the above-referenced application today, please accept this as our written request for two special exceptions for the proposed private school:

1. Request to waive the outdoor lighting standards requiring the use of full cutoff luminaires for outdoor lighting at a proposed athletic facility, pursuant to County Code Section 18-4.17.5; and
2. Request to modify (increase) the maximum permissible height for existing poles supporting outdoor luminaires at an athletic facility from 35 feet to 70 feet pursuant to County Code Section 18-4.17.5(a).

As discussed in the SUP application materials, Regents School proposes to relocate its existing private school to the Reservoir Road property. Part of the proposal is for an athletic facility to serve the students and the school generally. Regents School desires to have lights on the field so that the school can conduct games and practices during nighttime hours, thereby expanding opportunities for its students to participate in organized active recreation. Because the proposed private school is still in the SUP stage, a site plan has not yet been prepared for the school, and the precise lighting fixtures have not yet been selected by the Applicant. However, based on preliminary discussions with its project architect, the School will most likely utilize the same Musco LED luminaires as have recently been installed at Crozet Park for Peachtree Baseball, and at Monticello High School.

Regarding request (1) above, although the proposed Musco LED luminaires do not technically meet the County's standards for the use of full cutoff luminaires as required by Section 18-4.17.4.a, they have previously been determined by County staff and the Board of Supervisors (in approving similar special requests for Peachtree Baseball and the UVA Foundation's Outdoor Tennis Facility at Boar's Head Resort) to be a reasonable alternative that would provide adequate lighting levels, reduce spillover, and limit light emitted above the horizontal plane. Regents School is willing for the approval of the Special Exception to be conditioned upon the school submitting a lighting plan at the site plan review stage that demonstrates that all footcandle levels around the site and along property boundaries would be in compliance with the spillover standards required by County Code 18-4.17.4.b.1, which allows for footcandle

April 29, 2019
Page 2

levels of up to 0.5 at a property boundary. This would also protect the adjacent Entrance Corridor of Interstate 64, which will be located over 100 feet away.

Regarding request (2) above, to effectively light the proposed athletic fields, the lighting plan will likely require the positioning of the light fixtures at a height of 70 feet to light the fields. The maximum allowable height for lighting fixtures in the County Code is 35 feet, but the ordinance permits an increase in height for athletic field lights upon the approval of a special exception. Mounting the luminaires at a height of just 35 feet will not provide sufficient, safe, and uniform illumination of the athletic fields. The proposed request for taller poles will enable the School to provide sufficient, safe and uniform nighttime illumination of the field area without creating unacceptable impacts to adjoining properties or the adjacent Entrance Corridor. As with request (1) above, the School is agreeable to a condition of approval of the Special Exception that requires the school to submit and obtain ultimate approval of a lighting plan prior to site plan approval for any site plan that includes the light fixtures, that shows the precise locations and pole heights of the luminaires, and that otherwise demonstrates compliance with all other applicable provisions of Code Section 18-4.17.

We contend that the alternative proposed by Regents School would satisfy the purposes of the outdoor lighting regulations to at least an equivalent degree as would strict enforcement of the regulations, by protecting dark skies, controlling the spillover of light onto adjacent properties and preventing glare from outdoor luminaires.

Please do not hesitate to contact me should you require any further information in connection with this request.

Sincerely,



Valerie Long

cc: Regents School
Shimp Engineering