



# LOUDOUN COUNTY PUBLIC SCHOOLS

## DIVISION OF PLANNING & GIS SERVICES

960 Sycolin Road SE, Suite 110

Leesburg, Virginia 20175

Telephone: 571-252-1050

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Email: [lcpsplan@lcps.org](mailto:lcpsplan@lcps.org)

July 26, 2022

Ms. Grace Adams  
County of Loudoun  
Department of Planning and Zoning  
1 Harrison Street, SE  
Leesburg, Virginia 20175

RE: SPEX-2022-0020, Mickie Gordon Memorial Park

Dear Ms. Adams:

School Board staff has reviewed the referenced Mickie Gordon Memorial Park special exception application. The application requests a special exception approval to allow a community, neighborhood, or regional park active recreation use in the Agricultural Rural-2 (AR-2) zoning district.

As the property owner, the Loudoun County School Board reviewed the concept of the proposed project in expanding a lease agreement with the County for the full use of the 99.89-acre site by the Department of Parks, Recreation, and Community Services. A copy of the March 8, 2022, School Board action item is provided for reference.

Thank you for the opportunity to provide comment. Should you require further information, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly I. Tate".

Beverly I. Tate, Director

### Attachment

c: Scott A. Ziegler, Superintendent  
Kevin L. Lewis, Chief Operations Officer

Election District: Blue Ridge



### Agenda Item Details

Meeting	Mar 08, 2022 - 2nd Tuesday School Board Meeting 5:00 p.m.
Category	2. Approval of Consent Agenda
Subject	2.06 Finance & Operations Committee: Mickie Gordon Memorial Park Lease
Type	Action (Consent)
Recommended Action	That the Loudoun County School Board enter into a lease with the County of Loudoun for the County's full use of the LCPS-owned 99.89 acre site (MCPI 503-40-4063) known as Mickie Gordon Memorial Park, formerly Mercer Park, located immediately northwest of the John Mosby Highway and Carters Farm Lane intersection. And further, recommend that the School Board Chair be authorized to sign the lease upon presentation.

### SUMMARY:

In 1967, the Loudoun County School Board acquired a 99.89-acre site (MCPI 503-40-4063) located immediately northwest of the John Mosby Highway/Route 50 and Carters Farm Lane intersection and approximately two miles east of the Town of Middleburg.

A lease agreement between the County of Loudoun and Loudoun County Public Schools (LCPS), in 1978, allowed the County to use ±37 acres of the site for recreational purposes; the agreement was renewed in 1988. The County, with an approved lease amendment in 1995, secured use of an additional 10 acres for the development of ballfields.

Loudoun County Parks, Recreation and Community Services (PRCS) staff is requesting to enter into a new lease with LCPS for full use of the 99.89-acre site. In addition to providing a natural surface trail system on the property, proposed improvements will also include the development of multiple cricket fields. The County will improve the existing athletic fields (including two existing cricket fields), add supporting amenities such as bleachers, a press box, restrooms and parking; an additional cricket field will be constructed along with an entrance to the park off John Mosby Highway/Route 50. Further, it is recognized that LCPS may be leasing a portion of the property for a future cell tower.

Language is included within the new lease to relinquish the site, in whole or part, should the property be needed for a future school. Both Division Counsel and the County Attorney's Office have reviewed the final lease document.

This was a Finance and Operations Committee Information Item on December 7, 2021, but not addressed due to time constraints. The Committee did discuss the Mickie Gordon Memorial Park property lease at their January 18, 2022, meeting. On February 15, 2022, the Committee voted (3-0) to recommend the Loudoun County School Board enter into a lease with the County of Loudoun for the County's full use of the LCPS-owned 99.89 acre site (MCPI 503-40-4063) known as Mickie Gordon Memorial Park, formerly Mercer Park.

This was presented as an information at the February 22, 2022, School Board meeting. The School Board reached consensus to place this as a consent item on the March 8, 2022, agenda.

### FISCAL IMPACT:

There is no known fiscal impact, for Loudoun County Public Schools, with School Board approval.

**Staff Reference:** Kevin L. Lewis

**Staff Telephone:** 571-252-1385

**Staff Reference:** Beverly I. Tate

**Staff Telephone:** 571-252-1050

**Staff Reference:** Brian J. Stocks

**Staff Telephone:** 571-252-1385

[March 2021 PRCS Concept Plan-MIckie Gordon Park.pdf \(222 KB\)](#)

[DRAFT Mickie Gordon Park Lease - F & O Dec 7.2021.pdf \(32 KB\)](#)

[2-15-22 F&O Meeting Item 4.05 Mickie Gordon Memorial Park Lease.pdf \(118 KB\)](#)

### Motion & Voting

That the Loudoun County School Board adopt the March 8, 2022, Consent Agenda.

Motion by Ian Serotkin, second by Tom Marshall.

Final Resolution: Motion Approved

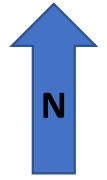
Approved: Jeff Morse, Brenda Sheridan, Atoosa Reaser, Harris Mahedavi, Ian Serotkin, John Beatty, Tom Marshall  
Not Present at Vote: Denise Corbo, Andrew Hoyler

Mickie Gordon Park



Division of Facilities  
Planning and Development

Concept Plan  
March 2021



**LEASE AGREEMENT**  
**Mickie Gordon Memorial Park**

THIS LEASE AGREEMENT (“Lease”) is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 202\_ by and between the LOUDOUN COUNTY SCHOOL BOARD (“School Board”), and the COUNTY OF LOUDOUN, VIRGINIA (“County”).

**WITNESSETH:**

WHEREAS, the School Board is the owner of a certain parcel containing approximately 99.89 acres known as Mickie Gordon Memorial Park (formerly Mercer Park) (PIN # 503-40-4063-000) (the “Park”); and

WHEREAS, the County desires to lease the Park for the purpose of constructing and operating athletic fields, parking, trails, and other associated uses for the benefit of the public as depicted on the Concept Plan dated March 2021 (attached as Exhibit A); and

WHEREAS, the School Board may lease a portion of the Park to Milestone Communications for a cell tower; and

WHEREAS, the School Board desires to reserve the right to terminate the lease in the event it decides to build a school on the Park property.

NOW, THEREFORE, for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and the mutual covenants and promises hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **PREMISES.** The Premises shall consist of the Park’s entire 99.89 acres located at 20177 and 23229 Carters Farm Lane, Middleburg, VA 20117, subject to the right of the School Board to negotiate the lease of a proposed monopole tower site consisting of approximately 2,516 sf as more particularly depicted on the site plan attached hereto as Exhibit B (“Tower Site”). If the School Board approves the lease of the Tower Site, the parties shall execute an amendment to this lease to remove the Tower Site from the Premises leased to the County.

2. **LEASE; TERM; AND RENEWALS.** The School Board leases the Premises to the County for a term commencing on the date this Lease is fully executed by both parties (“Commencement Date”) and continuing thereafter until 12 o’clock midnight, ten (10) years from the Commencement Date (“Initial Term”). Following the Initial Term, the Lease shall automatically renew for three (3) additional terms of five (5) years (each a “Renewal Term”) unless the School Board or the County exercises its option to not renew the Lease by providing the other party with written notice of such exercise prior to the expiration of the Initial Term or Renewal Term in effect.

If the School Board decides to construct a school on Premises or either party desires to terminate the Lease during the Initial Term or any Renewal Term, the party desiring to terminate the Lease, shall provide the other party with notice at least 365 days in advance of the date it desires

to terminate the Lease. At the termination of the Lease, all improvements constructed on the Premises shall become the property of the School Board.

3. RENT/IMPROVEMENTS. In lieu of paying rent, the County covenants and agrees to make the following improvements to the Premises subject to the School Board's review and approval of the plans for the improvements:

(a) The County will construct an additional Cricket Field, an additional entrance to the Park off Route 50, and a natural surface trail system.

(b) The County will improve the existing athletic fields and add supporting amenities such as bleachers, a press box, restrooms, and parking.

Any permits, governmental approvals, or inspections, including the cost for same, related to any improvements to the Premises shall be the responsibility of the County. If required, the School Board, as owner of the Premises, agrees to cooperate as a co-applicant for governmental or regulatory permit or approval applications related to the improvements.

4. MAINTENANCE, REPAIRS, AND INSURANCE.

(a) The Lease of the Premises is "AS IS." The School Board shall have no obligation to develop, construct, maintain, repair, or replace any improvements to the Premises during any Term of the Lease.

(b) The County shall maintain the Premises in good repair at its sole cost and expense. When used in this section, the term "repair" shall include all necessary replacements, alterations, betterments, and work required for the County to continue to operate the Park as a public amenity.

(c) The County shall provide insurance coverage on any improvements it constructs on the Premises. The County shall also maintain general liability insurance coverage in such amounts as it deems appropriate and consistent with its other park properties.

5. UTILITIES. The County shall be responsible for the cost of all utilities serving the Premises.

6. USE OF LEASED PROPERTY. The County agrees to use the Premises for the sole purpose of constructing and operating athletic fields, parking, trails, and other associated uses for the benefit of the public as depicted on the Concept Plan dated March 2021 attached as Exhibit A.

7. NOTICES. All notices provided for in this Lease shall be deemed to be properly served if sent by U.S. Mail, registered or certified mail return receipt requested, hand delivery, and/or Federal Express to the current address of each party's office, or to such other address or e-mail address as any party may designate in advance and in writing. The current addresses are as follows:

If to School Board:

Loudoun County School Board  
Office of the Superintendent  
Attention: Assistant Superintendent of Support  
Services  
21000 Education Court  
Ashburn, Virginia 20148  
(Office): 571-252-1020

With a copy to:

Loudoun County School Board  
Robert M. Falconi, Division Counsel  
Office of Division Counsel  
21000 Education Court  
Ashburn, Virginia 20148  
(Office): 571-252-1259

If to County:

Director  
Loudoun County  
Department of General Services  
P.O. Box 7100  
Leesburg, Virginia 20177-7100

With a copy to:

Director  
Loudoun County  
Department of Parks and Recreation  
P.O. Box 7800  
Leesburg, Virginia 20177-7100

8. ENTIRE AGREEMENT. No representations, understandings, or agreements have been made or relied upon in the making of this Lease other than those specifically set forth herein.

9. GOVERNING LAW. This Lease shall be governed by the laws of the Commonwealth of Virginia.

10. COUNTERPARTS. This Lease may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, School Board and County have caused this Lease to be executed by their duly authorized representatives as follows.

LOUDOUN COUNTY SCHOOL BOARD

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Division Counsel

(County signature page to follow.)



COUNTY OF LOUDOUN, VIRGINIA

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Senior Assistant County Attorney



## Agenda Item Details

Meeting	Feb 15, 2022 - Finance & Operations Committee 5:00 p.m.
Category	4. Action Items
Subject	4.05 Support Services: Mickie Gordon Memorial Park Lease
Access	Public
Type	Action
Recommended Action	That the Finance and Operations Committee recommend the Loudoun County School Board enter into a lease with the County of Loudoun for the County's full use of the LCPS-owned 99.89 acre site (MCPI 503-40-4063) known as Mickie Gordon Memorial Park, formerly Mercer Park, located immediately northwest of the John Mosby Highway and Carters Farm Lane intersection. And further, recommend that the School Board Chair be authorized to sign the lease upon presentation.

## Public Content

### SUMMARY:

In 1967, the Loudoun County School Board acquired a 99.89-acre site (MCPI 503-40-4063) located immediately northwest of the John Mosby Highway and Carters Farm Lane intersection and approximately two miles east of the Town of Middleburg.

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Loudoun County Parks, Recreation and Community Services (PRCS) staff is requesting to enter into a new lease with LCPS for full use of the 99.89-acre site. In addition to providing a natural surface trail system on the property, proposed improvements will also include the development of multiple cricket fields. Further, it is recognized that LCPS may be leasing a portion of the property for a future cell tower.

Language will be included within the new lease to relinquish the site, in whole or part, should the property be needed for a future school. Both Division Counsel and the County Attorney's Office have reviewed the final lease document; the same draft of the lease was provided on January 18, 2022, when the Information Item was reviewed by the Finance and Operations Committee.

**FISCAL IMPACT:** There is no known fiscal impact for Loudoun County Public Schools with School Board approval.

This was a Finance and Operations Committee Information Item on December 7, 2021, but not addressed due to time constraints. The Committee did discuss the Mickie Gordon Memorial Park property lease at their January 18, 2022, meeting.

Unless directed otherwise, this will be brought forward to the School Board as an information item on February 22, 2022.

**Staff Reference:** Kevin L. Lewis

**Staff Telephone:** 571-252-1385

**Staff Reference:** Beverly I. Tate

**Staff Telephone:** 571-252-1050

**Staff Reference:** Brian J. Stocks

**Staff Telephone:** 571-252-1385

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[DRAFT Mickie Gordon Park Lease - F & O Dec 7.2021.pdf \(32 KB\)](#)

[1-18-22 F&O Meeting Item 5.02 Mickie Gordon Memorial Park Lease.pdf \(125 KB\)](#)