

City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 8, 2004
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*
SUBJECT: SECOND PRESBYTERIAN SCHEDULING

ISSUE: Scheduling of Planning Commission public hearing on Second Presbyterian site plan and subdivision applications.

RECOMMENDATION: That Council determine whether to direct the City Manager to instruct the Planning Director to reschedule the Planning Commission public hearing on the Second Presbyterian applications.

DISCUSSION: At its meeting on March 23, Council discussed the fact that the site plan and subdivision applications on the Second Presbyterian property are scheduled for hearing by the Planning Commission in early May. Some Council members were concerned that there be sufficient time for full Council discussion of the issue raised by these applications prior to the Commission's consideration of the applications, and questioned whether the Commission hearing in May should be rescheduled until June.

The following are pertinent factors for Council to consider.

First, an approval by the Planning Commission of the Second Presbyterian site plan and subdivision applications will not change the value of the property in any significant way from its current "pre-approval" value. As in any similar case, there is some risk that the site plan and subdivision applications for Second Presbyterian will be disapproved by the Commission. However, that risk is minimal since both applications comply with all applicable site plan and subdivision regulations. Clearly, this risk of disapproval is considerably less than it would be if discretionary land use approvals (e.g., a rezoning, a SUP, a master plan change) were being sought. Here, the relatively modest risk associated with the possible disapproval of the Second Presbyterian applications simply is not a significant factor causing the value of the property to be less than the value it will be following an approval of these applications.

Second, Council has a work session scheduled with the Planning Commission to review these Second Presbyterian applications on April 20. The work session may answer the questions and concerns that Council has, and enable it to reach some conclusions. It would appear, therefore, to be somewhat premature to direct the rescheduling of the Planning Commission May hearing on Second Presbyterian before the April 20 work session.

Finally, the Second Presbyterian applicant has spent the last nine months working in a very cooperative (and, we note, time-consuming) manner with Planning and Zoning staff, as well as the community, on a wide range of issues pertaining to its plans for and its design of the site. As a result, it filed its site plan and subdivision applications much later in time than when it could have filed them. The applicant did not have to do this; it could have chosen to file its applications much earlier, thereby starting much earlier the “clock ticking” on the processing of those applications. If the applicant had done this, it is quite likely that the City would now be unable, without the applicant’s consent, to delay the hearing on the applications past the May Planning Commission meeting date.¹

The applicant’s conduct, working with staff and the community to iron out issues before the filing of formal applications, is precisely the conduct we wish, and we ask, developers and builders to undertake. We are, therefore, somewhat concerned if that conduct is now used to delay or disadvantage the applicant and the processing of its applications. In our view, this would be contrary to the current City policy of encouraging land use applicants to work through difficult issues prior to filing formal land use applications.

ATTACHMENTS: None

STAFF:

Eileen Fogarty, Director, Planning and Zoning
Barbara Ross, Deputy Director, Planning and Zoning

¹ Under the Zoning Ordinance, the Commission must act on a site plan application within 90 days of a determination that an application is complete. Thus, for example, if the applicant had filed an application in early February, instead of in late March, the May Planning Commission hearing on the application could not be postponed without the applicant’s consent.