



DEPARTMENT OF PLANNING AND ZONING

DATE: June 17, 2022

TO: City Council

FROM: Karl Moritz, P&Z Director, Yon Lambert, TES Director, Jack Browand, Deputy Director, Park Services, RPCA

SUBJECT: Council Questions & Follow-up: ENC #2022-00004 – 4901, 4915 Polk Avenue, and unimproved right-of-way – Alexandria Free Methodist Church

INTRODUCTION

Alexandria Free Methodist Church proposes a 728 square foot building addition, driveway and parking improvements. The Planning Commission approved Development Site Plan #2021-00015, and Section 9.06 case SEC#2022-00003 at its May 3, 2022 meeting, and recommended approval of the associated encroachment case ENC#2022-00004. City Council opted to defer the encroachment case on May 14, 2022, as Councilmembers had several questions, summarized below, and the applicant was not present to address questions.

QUESTIONS/DISCUSSION

Questions and discussion by Council concerned the following:

1. Configuration of the Potential Trail with the Encroachment

Staff finds the encroachment does not preclude trail improvements by the city, and possible concepts for a future trail connection follow in this memo. The staff report includes conditions that facilitate removal or modification of improvements by the church within the encroachment if the City determines that future changes are necessary. The significant terrain challenges associated with a potential future trail are not addressed in our analysis.

2. Future Review of Encroachment

Staff supports a future trail as a recreational and transportation amenity. However, a timeline for implementation is unknown, there is no designated funding currently, and FY2025 would be the earliest likely opportunity to seek funding. If Council desires to revisit this issue, Staff believes that design proposals could be explored and ready within five (5) years.

The Recreation, Parks & Cultural Activities Strategic Master Plan notes that “walking and biking trails” are the number one priority for recreation facility needs as identified by citizen surveys,

June 17, 2022

focus groups, and public forums. There is also anticipated neighborhood change in the vicinity, such as redevelopment of the Inova Hospital site and a workforce affordable housing project on Seminary Road. Several schools and public facilities are in proximity, and safe walking routes between these could be facilitated by an improved walking trail network.

3. Fees, Leases, or Sale

Staff continues to recommend approval of the encroachment, finding that the realignment of the driveway provides a safety benefit to the public that accords with City transportation policy. Under City Code Section 3-2-85, an annual encroachment fee is charged for commercial properties; but neither residential nor institutional properties are currently charged. For your information, if City Code Section 3-2-85 were applied here, an annual fee of \$659 would be charged.

If it is the direction of Council, a lease agreement could be entered into, whereby the City would retain ownership of the land area used by the church for the driveway. At a future date the City could review the terms of the lease and retain or dispose of the portion of land via a vacation. Based on information from Real Estate Assessment, the annual rental payment for a lease would be \$3,861.

For reference, the value of the encroachment area (2,970 sf) is \$11,880 for use as access without additional development rights, and a sale with development rights would be \$59,400. In its entirety the unimproved right of way has an area of approximately 37,850 square feet, and an estimated value ranging from \$378,500 to \$750,000.

4. Public Notice

All public notice was performed in accordance with Article XI, §11-300 of the Zoning Ordinance and the established timelines, prior to the original meeting, and again in advance of the meeting date of deferral. Notice letters of public hearings to ten (10) abutting property owners were sent via certified mail with return receipt. In March the applicant posted two signs noting an application was filed for a Development Site Plan. Legal notices were published in the *Alexandria Times*, and the City installed public notice signs on the property with the docketed hearing dates.

5. Tree Preservation

Councilmembers had concerns about trees near the limits of construction and whether damage may occur.

The applicant designed the route of the driveway to avoid conflicts with two (2) mature existing trees. A yellow poplar (#109) located in the front yard of the church will be located 30 feet east of the new driveway. A northern red oak (#110) is located partly in the unimproved city right-of-way and partly on the church property and is 16 feet west of the planned driveway. The applicant has complied with city policies and requirements for tree protection and preservation per the Landscape Guidelines. These include tree protection fencing during construction, and root pruning details per city standards provided in the submitted plans.

The City Landscape Architect has reviewed the plans and affirms the applicant's assessment that both trees have a high likelihood of survival. Tree protection measures are a standard part of the development process, and numerous mature trees have been successfully preserved adjacent to new buildings and paved areas throughout the city.

RECOMMENDATION

Staff recommends approval of the encroachment, as the relocated driveway provides a benefit to the public and does not preclude the ability of the City to make future improvements to the existing unimproved right-of-way as a recreational trail. A neighbor has applied for a vacation request to purchase the property for use as private open space. Staff has preliminarily reviewed the application, which is anticipated to be docketed for September 2022 public hearings. Staff is unlikely to recommend support of a vacation and sale of the property since the land is slated for future public purposes and has been designated for future use per existing City plans.

ATTACHMENTS:

- Map indicating properties where owner notice was sent by letter
- Potential trail routes and precedent images

Attachment 1: Blue stars indicate properties where letters were sent to the owner's address.



Attachment 2: Potential trail configurations and sample images of neighborhood-adjacent trail entrances.

