

via EMAIL

FROM: Leslie Zupan
TO: Faroll Hamer, Director Planning and Zoning
CC: City Council
Jeffrey Farnier, Deputy Director, Development
Kathleen Beeton, Division Chief
Heidi Ford
Collin Lee
Charlotte Landis
DATE: 2/28/2009, 9:25 PM
SUBJECT: Braddock Implementation/Funding Formula

Dear Faroll:

I appreciate you and Kathleen Beeton taking the time to meet with Charlotte Landis and me yesterday to discuss civic process -- specifically how and why P&Z determined the developer funding formula for the Braddock Metro Neighborhood Plan (BMNP) amenities and open space funds did not need to be submitted to Council for a public hearing, especially after Planning Commission approval in early March.

The precedents for doing so are clear. However, what we heard yesterday only serves to reinforce the concerns of the Inner City Civic Association Board.

In our meeting, you informed Charlotte and me that you had had lengthy discussions with P&Z staff about whether to take the funding formula to Council, and even took opinion from the acting City Attorney. Yet you then told us that P&Z didn't realize that the Eisenhower funding formula, cited repeatedly as the model for the Braddock plan, had gone to a public hearing just three years ago.

Would it surprise you to know that this information is on the public Web site, and that current P&Z staff worked on the then-docketed issue? In fact, you and staff have repeatedly stated that you are using the Eisenhower formula as a basic template for Braddock. And given that the Braddock Road Small Area Plan represents a social contract of a type, we are surprised that, in an election year, you would withhold an important measure involving future City matching funds from Council.

Our community (as well as others in Alexandria) is troubled that the City now appears to be deliberately and routinely breaching its compact with citizens.

First, the City is renegeing on recommendations made in Council-approved planning documents. An example is the Jaguar project contributions, which were spelled out unambiguously in the BMNP, but under the new formula will be substantially lower.

Secondly, the City is not living up to the explicit recommendations made in its Council-approved planning documents. The BMNP specifically called for improvements to a number of neighborhood streets, but the formula is now limited to funding the enhancement of "walking streets."

Third, previously agreed-upon BMNP recommendations are repeatedly changing, in some cases behind closed doors only. Ordinary citizens now question the validity of your process, who the real players are and why you argue that civic participation has any long-term value. For example, the ICCA board was surprised to discover that the developer formula presented given to Planning Commission members on March 5 was different from the formula presented at the February 9 community meeting.

Is staff seeking to ease the burden on developers at the expense of promises previously made to our community? We hope current economic conditions are not your excuse for violating our good faith effort.

In conclusion, we believe that the BMNP funding issues are yet another example of the City's failure to honor its commitment to citizens and residential taxpayers, and we ask that the funding formula be remanded to Council for a hearing so that we may have the protection of an on-the-record public discussion.

P.S. As a member of the Braddock Implementation Advisory Group, I was surprised to learn through an E-news announcement this morning that a date has now been set for the first meeting. Will a membership list be forthcoming soon?

Leslie Zupan
President, Inner City Civic Association

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FROM: Faroll Hamer, Director Planning and Zoning
TO: Leslie Zupan
CC: City Council
Jeffrey Farnar, Deputy Director, Development
Kathleen Beeton, Division Chief
Heidi Ford
Collin Lee
Charlotte Landis
DATE: 4/16/2009,
SUBJECT: RE: Braddock Implementation/Funding Formula
Dear Leslie,

Thank you for your email. As we discussed on Wednesday, we have no objection to docketing the item for consideration by the City Council, and are looking to schedule the public hearing on May 16, which is the next available date.

When staff represented that Eisenhower East as a model for the Braddock formulas, we were referring specifically to how the formulas are structured, costs allocated, and so forth. We did not intend to convey that the approval process would be exactly parallel and the intent has always been that the Planning Commission would have final approval of the formulas. During the community meetings, we represented that the funds would be approved by the Planning Commission. Nevertheless, we would like to be responsive to your request and will schedule the Council public hearing.

With regard the Jaguar contribution, as we explained in our response to the ICCA on February 23, 2009, the adopted plan states that the amounts would be considerable and could be as much as \$1,000,000 for each fund. In addition, while the plan discusses a possible monetary amount, the conditions of the DSUP approval for Jaguar state that the final amount will be determined as part of the approval of each of the funds. While the project could receive a discount if they qualify for the catalyst rate, if the project does not proceed in the required timeframe to qualify as a catalyst project, the proposal will be subject to higher contribution rates than discussed in the plan. In addition to the contribution to the two funds, the conditions of approval require the applicant to provide off-site improvements such as improve the intersection-open space at Route 1 and Fayette, improvements to Powhatan Park and underground utilities on Route 1.

Our March 5, 2009 response to the ICCA explained that the Plan expected the improvements to the non-walking streets to be funded through the City's capital improvement program. The Plan allows flexibility in prioritization and specifically creates a role for the Implementation Advisory Group to assist the City in prioritizing which public amenities are recommended to receive funding once final costs are determined. It is expected that the IAG will assist the city in prioritizing the funding of public improvements and the funding of improvements outlined on

page 42 could be funded through excess CAF dollars, if any, or the City's City's Capital Improvement Project (CIP) or other mechanisms.

I do want to be clear that the developer formula presented to Planning Commission members on March 5 is not different from the formula presented at the February 9 community meeting. The staff report included a table which reflected the application of credits for publicly accessible open space. However, the total developer contribution is \$5.95 million, which was presented at both the community meeting and Planning Commission.

Staff has made every effort to remain transparent and responsive throughout the implementation process. As a result of the community meetings, Staff incorporated specific changes requested by the community into the staff report, such as clarifying which properties are subject to the fair share contribution and how the credits for open space are applied.

Far from breaching its contract, the City is progressing toward the plan's implementation goals in exactly the way set forth in the approved small area plan. The City has established the Implementation Advisory Group, which is to meet for the first time on Wednesday, May 20, and is in the process of establishing the funding formulas. We are also in the process of creating an implementation matrix that will track a prioritized list of improvements, along with developer contributions and the incremental tax increases from new development. The progress on implementing improvements will, of course, depend on there being new development. We are hopeful that the current economic downturn will be short-lived and look forward to working with you and the community to implement the Plan.

Faroll Hamer