

Docket Item #14

Development Special Use Permit with Site Plan #2007-0009
521 East Monroe Avenue
Dominion Virginia North Alexandria Electrical Substation

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 6-13-09

Application	General Data	
Project Name: North Alexandria Electrical Substation	PC Hearing:	June 2, 2009
	CC Hearing:	June 13, 2009
	If approved, DSUP Expiration:	June 13, 2012 (3 years)
	Acreage of Future Parcel:	.80 acres
Location: 521 East Monroe Avenue	Zone:	CSL, CDD #10
	Proposed Use:	Electrical substation and screen wall
Applicant: Virginia Electric & Power Company By Joanna Frizzell, attorney	Small Area Plans:	Potomac Yard/ Potomac Greens and Potomac West
	Historic District:	N/A
	Green Building:	N/A

Purpose of Application:
 Consideration of a request to construct an electrical substation and screen wall for property zoned CSL/Commercial Service Low Zone and CDD-10 Coordinated Development District.

Special Use Permits and Modifications Requested:
 Development special use permit request to construct an electrical substation and surrounding screen wall. Approval of a Preliminary Subdivision Plat

Staff Recommendation: APPROVAL WITH CONDITIONS

Staff Reviewers: Dirk H. Geratz, AICP, Principal Planner; Maya Contreras, Urban Planner

PLANNING COMMISSION ACTION, JUNE 2, 2009: On a motion by Mr. Jennings, seconded by Mr. Wagner, the Planning Commission recommended approval with amendments to conditions #2 and #11 to include a an escorted access and maintenance agreement for Leslie Properties. The motion carried on a motion of 6 - 0. Ms. Lyman was absent.

Reason: The Planning Commission agreed with the staff analysis and recommendations.

Speakers:
 Joanna Frizell, attorney representing the applicant, spoke about the project and provided clarification on several issues brought up during the hearing. She also presented revised language to several conditions.

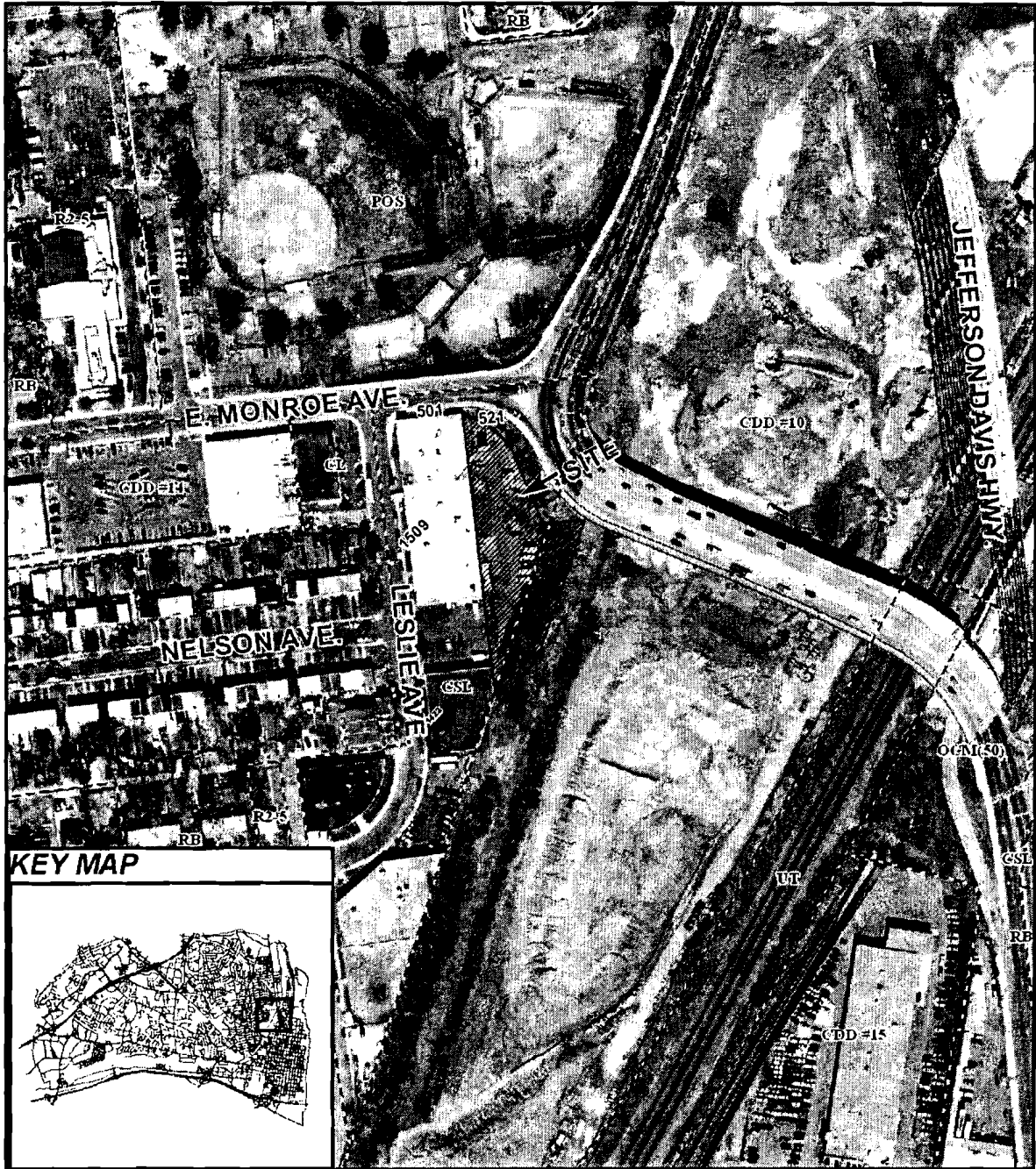
Lisa Lettieri, of Rust Orling Architects spoke in support of the project and provided information on the proposal to the Commission.

Ignacio Licht, of Dewberry & Davis, LLC, engineer for the project provided information regarding the proposal.

Dave Crowl, representing Dominion Virginia Power, provided information regarding the project in response to questions from the Commission.

William McClaine, representing the owners of 1509 Leslie Ave, expressed concerns with the footprint of the substation, which blocks windows and removes access from the east elevation of the building. The owner's request an access of 4' to 5' along the building to do maintenance and possibly install fire access at a later date.

Amy Slack, representing Del Ray Land Use Committee, indicated that the Committee has worked with the applicant and that they generally support the project.



KEY MAP



DSUP #2007-0009 06/02/09



I. SUMMARY

Virginia Electric & Power Company, trading as Dominion Virginia Power, is requesting approval of a Development Special Use Permit DSUP #2007-0009 and preliminary subdivision plat to permit the construction and operation of an electrical substation, consisting of freestanding pad-mounted transformers and electric switches. It will be enclosed by a wall, which will screen the electrical equipment from view and prevent unauthorized access. This substation is needed to provide electricity for future electrical load growth in the City, including the development of Potomac Yard. The applicant describes the North Alexandria Electrical Substation as essential to preserving operational flexibility and improving year round electrical reliability.

The subject site is located between the Gold Crust Bakery building, to the west, and Landbay-L of Potomac Yard, to the east. The Gold Crust Bakery building is one of four industrial buildings with Art Deco detailing. The substation wall is designed to correspond with the façade of the bakery and the other existing buildings.

Staff finds that the requests for the substation and preliminary plat meet all zoning and special use permit requirements and the proposal has been designed to mitigate potential impacts on the surrounding community. Thus staff recommends approval with conditions.

II. BACKGROUND

Prior to the approval of the 1999 Potomac Yard Concept Plan, Dominion Power anticipated the need for a new substation and purchased an irregularly shaped parcel of approximately 1.45 acres next to the Gold Crust Bakery building. This site is adjacent to the existing 230 KV power transmission line, which was located underground in 1995.

Under the Potomac Yard Concept Plan, the substation was to be designed and integrated into the proposed design for Landbay-L, Monroe Avenue and the surrounding community. Condition # 35 of the Coordinated Development District (CDD) Plan for Potomac Yard states “...CAP (the developer) shall work with the City in the relocation of the Virginia Power substation, presently located at the west end of the Monroe Avenue bridge, to a new location along the existing Virginia Power underground transmission corridor (230 KV line), in order that pedestrian oriented buildings may be constructed along the entire Monroe Avenue frontage facing Simpson Fields. The substation shall be architecturally integrated into the surrounding CDD development to the satisfaction of the Director of P&Z.”

As depicted in location map, the property currently owned by Dominion Power is an irregularly-shaped parcel, set back from Monroe Avenue. Utilizing this site as it is currently laid out would result in a lot shape and size that would result in an oddly configured substation that could be inconsistent with the intent of the CDD guideline noted above. However, as part of the relocation of the Monroe Avenue Bridge, there is “excess” right-of-way adjacent to Monroe Avenue, which has been owned by the Virginia Department of Transportation (VDOT). Over the past several months, VDOT has agreed to deed the excess right-of-way to the City of

Alexandria. This transfer has just been completed. Now the applicant and the City are proceeding with a land swap that will create a more regularly shaped lot for the substation that is appropriately oriented to a rebuilt Monroe Avenue. This land swap will also benefit the City in that it will allow for the eventual extension of East Nelson Avenue and for the construction of a City dog park directly adjacent to the future substation.

III. PROPOSAL

Project Details

The North Alexandria Electrical Substation proposed by Dominion Power will provide capacity to maintain electric service reliability across the electric load area along Route 1, extending from Crystal City in Arlington County on the north, to Eisenhower Avenue (I-495) in the City of Alexandria on the south. As early as 2010, redevelopment in this corridor will overload existing Dominion Power distribution equipment, during peak conditions in the event of failure contingencies. Under expected peak loads, the failure of a circuit or substation transformer would load remaining circuits and/or remaining substation transformers beyond their ratings. The applicant describes this substation as essential to preserving operational flexibility and improving year round electrical reliability.

The proposed substation is exclusively for electrical equipment, consisting of freestanding pad-mounted transformers and electric switches. Initially, there will be a single transformer installed, although the proposed design will ultimately accommodate two units. The addition of a third transformer may be possible but would require additional study by Dominion Power.

The proposed decorative wall will screen the electrical equipment from public view, prohibit unauthorized access, and provide sound abatement. The substation will not serve as a public facility, and service personnel will access the substation only as needed, with an estimate of one employee visit per month. Parking for a service vehicle will be provided inside the substation walls.

Once completed, the substation is expected to take much of the anticipated load of the Alexandria portion of the future Potomac Yard redevelopment. This will relieve the power load from the existing substation to the north, so it can supply electricity to new developments in neighboring Arlington and Crystal City.

Land Transfer

The site combines land already owned by Dominion Virginia Power with land conveyed to the City by the Virginia Department of Transportation (VDOT). The VDOT land was formerly used as part of the right of way for the old Monroe Avenue (Route 1) bridge. Monroe Avenue will be extended in front of the subject site and below the new Route 1 bridge east to Potomac Yard. Land presently owned by Dominion Virginia Power along the Monroe Avenue frontage will be conveyed to the City. In addition, land at the rear of Dominion site will be held in reservation for the City's future use and will ultimately allow East Nelson Avenue to be extended east from Leslie Avenue.

A small portion of Landbay-L will become part of the substation property as well. A portion of Landbay-L immediately to the east of the subject site is planned for a future dog park. Refer to attachment #1 for a graphic of the land transfers involved in this project.

IV. ZONING

Most of the site is zoned CSL/Commercial Service Low. A small portion of the site on the eastern side is zoned CDD-10 and is the zone that covers Potomac Yard.

The preamble of the CSL zone states: The CSL zone is intended to provide for light service and industrial uses compatible in operations and character with nearby residential neighborhoods and properties. Proximity to residences requires that commercial operations be conducted at a scale and intensity commensurate with nearby residential development, be developed so as to be in character with such development and be of such characteristics and effect so as not to be detrimental or a nuisance to nearby residential properties.

The proposed substation is a permitted use in CSL and CDD-10 zones under section 7-1200. Section 7-1201 requires that *freestanding pad mounted transformers and electric switches* require a special use permit as follows:

7-1201: Permitted utilities. The following utilities are permitted in any zone in the city: the erection, construction, alteration or maintenance by public utilities, public service corporations, municipal departments, public commissions or public authorities of underground gas, steam, water or sewage supply, collection or disposal systems and underground or overhead electric, communication, telephone or cable transmission or distribution systems, including poles, wires, lines, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, freestanding pad mounted transformers and electric switches, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate services by such utilities, corporations, departments, commissions or authorities, or for the public health, safety or general welfare; provided, that such freestanding pad mounted transformers and electric switches have been approved after public hearing by site plan, special use permit or certificate of appropriateness or as part of the city's capital improvement program, or have been approved either by both the director of transportation and environmental services and the director of planning and zoning, in accordance with guidelines established by the director and approved by city council, after affording informal notice and opportunity to comment to affected parties or by city council, after public hearing, on an appeal from disapproval by one or both directors.

V. STAFF ANALYSIS

The development of Potomac Yard, as approved, will result in approximately 6.4 million square feet of additional office, retail and residential development in the northeast region of the City. It is clear that in order to provide electricity for future electrical load growth, Dominion Virginia Power will need additional electrical substation facilities. Dominion has found a site adjacent to

its 230 KV transmission line that is appropriately zoned for such a facility and is adjacent to low intensity industrial use.

Architecture

Staff worked with Dominion Power and the neighborhood to develop a design for the electrical substation that allows a harmonious blending of the utility into the existing neighborhood. The use is potentially unsightly, given its industrial nature; however, it creates relatively few impacts on nearby properties because it is generally unmanned, beyond a regular monthly visit. The substation will be separated from the adjacent neighborhood by the existing Gold Crust and Leslie buildings, and a screening wall is proposed for the remaining three sides to shield views from Monroe Avenue and the future dog park.

Gold Crust Bakery, located next door, occupies an industrial-style building of particular architectural merit. Constructed in 1952 in the Art Deco style along with three other structures, the building recalls the nearby George Washington School. These buildings are characterized by brick masonry construction, corner tower elements and decorative concrete accents.

The screening wall of the proposed electrical substation is designed to extend and relate to the façade of the Gold Crust Bakery building. It incorporates the red brick walls, towers, and decorative concrete accents of the existing buildings (refer to attachment #2). By visually appearing as an addition to the existing bakery building, the wall provides screening of the electrical equipment while complementing the existing structure. Precast panels will be used to imitate the window pattern of the bakery building and illuminated glass block will be used in the two tower features to echo the Art Deco style and to create a pleasant glow of light after dark.

Site Location

A series of land transfers and access easements have been negotiated between the City, Dominion Power, VDOT, and the developer of Potomac Yard in order to create a reasonable lot size and shape for the new substation. The land transfer of the VDOT land to the City has been completed. The land and easements between the remaining parties will be executed during the final site plan review through the City subdivision review process. Access to the substation will be from Nelson Avenue through the Leslie property to the rear of the substation via an access easement. A gate at the rear of the substation will allow Dominion Power personnel to park a vehicle within the walled perimeter.

The substation will be built upon a parking lot, currently used by Gold Crust bakery for delivery access. In order to facilitate continued delivery access to the bakery, Dominion Power plans to deed a thin piece of property to the west of their site to Gold Crust. This will allow for the creation of a driveway with access to Monroe Avenue. The City will also need to grant a renewable license for this access as the property to be deeded by Dominion does not directly abut the Monroe Street right-of-way. Special Use Permit Case #2008-0047 is being processed concurrently with this case to modify existing conditions related to the bakery to allow for the creation of this access. Refer to attachment #3.

City staff has concerns about allowing vehicular access directly from Monroe Avenue to the bakery as delivery trucks may cause a traffic hazard backing into or out of the proposed loading area. The rebuilt Monroe Avenue is designed to enhance pedestrian safety and new curb cuts are intended to be restricted to prevent pedestrian and vehicular conflicts. However, staff has agreed to support the renewable access license for the bakery in this instance because the bakery has no other off-street loading opportunity. Staff is recommending a condition as part of the Gold Crust SUP that will limit the use of this access for only the bakery use.

VI. COMMUNITY

The substation project has been vetted by several groups during the city review process. The applicant has met with the Del Ray Land use Committee on several occasions and has received their support. City staff has presented the proposal to the Federation of Civic Associations as well as shared the plans with the Potomac Yard Design Advisory Committee. Neither of these groups voiced any major concerns about the design.

VII. CONCLUSION

The proposed North Alexandria Electrical Substation will help to address the future electrical load growth that will be triggered by the development of Potomac Yard. The design of this facility, as proposed, functionally provides screening for the electrical equipment with an aesthetically pleasing enclosure that complements the adjacent architecturally distinctive buildings. Staff recommends **approval** of the request with conditions.

STAFF: Faroll Hamer, Director, Planning and Zoning;
Gwen Wright, Chief, Development Division;
Dirk H. Geratz, AICP, Principal Planner
Maya Contreras, Urban Planner

VIII. STAFF RECOMMENDATION

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions.

1. Provide all improvements, including the height and width of the proposed screen walls as of the substation, as depicted on the preliminary plan dated November 21, 2008 and revised on April 24, 2009. These improvements shall be consistent with the design of the brick wall enclosure and towers, showing the illuminated glass block, as shown on the preliminary exterior elevations dated November 21, 2008 and revised on April 24, 2009. All improvements, screening and landscaping shall be completed, to the satisfaction of the Director of P&Z, prior to the facility becoming operational (P&Z)

OPEN SPACE/LANDSCAPING

2. **CONDITION AMENDED BY PLANNING COMMISSION:** Develop, provide, install and maintain an integrated Landscape Plan that complies with the City of Alexandria Landscape Guidelines, and is coordinated with other associated site conditions to the satisfaction of the Directors of Recreation, Parks & Cultural Activities, Planning & Zoning and Transportation & Environmental Services. At a minimum the Landscape Plan shall:
 - a. Provide an enhanced level of detail plantings throughout the site (in addition to street trees). Plantings shall include a simple mixture of seasonally variable, evergreen and deciduous shrubs, ornamental and shade trees, groundcovers and perennials that are horticulturally acclimatized to the Mid-Atlantic and Washington, DC National Capital Region.
 - b. Ensure positive drainage in all planted areas.
 - c. Provide detail, section and plan drawings of tree wells showing proposed plantings and associated materials, irrigation, adjacent curb/pavement construction, including edge restraint system, dimensions, drainage, and coordination with site utilities.
 - d. Provide planting details for all proposed conditions including street trees, multi-trunk trees, shrubs, perennials, and groundcovers.
 - e. The following modifications to the landscape plan and supporting drawings are required:
 - 1). Continue to work with staff to refine the plantings along the enclosure perimeter. Provide evergreen or hardy deciduous plants in addition to the proposed Viburnums.
 - 2). Replace the proposed Quercus rubrum with Acer species to coordinate with the Route 1 Bridge Plan
 - 3). Provide \$1,000 **500** to the Living Landscape Fund in lieu of the two proposed ~~Nyssa sylvatica~~ and two proposed Tilia cordata.
 - 4). All grass areas shall be sod. (P&Z) (T&ES) (RP&CA) (PC)

3. Provide a site irrigation/water management plan developed installed and maintained to the satisfaction of the Directors of Recreation, Parks & Cultural Activities, Planning & Zoning and Transportation & Environmental Services.
 - a. The applicant shall provide a 2-inch water meter and connection to the public water line in Monroe Avenue.
 - b. Locate water meter in coordination with City Staff to ensure accessible water coverage.
4. Coordinate location of site utilities with other site conditions to the satisfaction of the Directors of Recreation, Parks & Cultural Activities, Planning & Zoning and Transportation & Environmental Services. These items include:
 - a. Location of site utilities including above grade service openings and required clearances for items such as transformers, telephone, HVAC units and cable boxes.
 - b. Minimize conflicts with plantings, pedestrian areas and major view sheds.
 - c. Except for existing franchise agreements, above or below grade utilities shall not be permitted on land to be dedicated to the City. (P&Z) (T&ES) (RP&CA)
5. Provide a narrative that demonstrates compliance with the intentions of the City of Alexandria Open Space Master Plan. (RP&CA)
6. Maintain all proposed plantings in compliance with the City of Alexandria Landscape Guidelines. (RP&CA)
7. All proposed transmission manholes shall be minimized to the maximum extent possible. Provide detail and section drawings depicting manhole treatment and location. All manholes shall be flush to final grade. (RP&CA)

BUILDING

8. The materials and architecture of the screen walls for the substation shall be constructed as depicted in preliminary exterior elevations dated November 21, 2008 and revised on April 24, 2009 in order to replicate the existing materials and art deco style of architecture found on the adjacent properties addressed 501 East Monroe Avenue (Gold Crust Bakery) and 1509 Leslie Avenue (Leslie Properties LLC) and integrate into the existing fabric of the neighborhood on Leslie Avenue. (P&Z)

SIGNAGE

9. A temporary information sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete. The sign shall notify the public of the nature of the upcoming project and shall provide a phone number of public questions regarding the project. (P&Z)(T&ES)

10. All public notice signage erected by the applicant prior to the public hearing(s) shall be removed within 10 days of the completion of the public hearing process for the project. (P&Z)

SITE PLAN

11. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~The Applicant shall submit a subdivision plat and appropriate deeds and easements with the final site plan to be recorded prior to the release of the final site plans.~~ **If agreement is reached with the applicable land owners,** ~~the Applicant shall~~ **submit an application for a Preliminary Subdivision Plat** to accomplish the following land transfers as shown on the Exhibit dated April 24, 2009, titled "Exhibit Showing Exchange of Land on the Land of Virginia Electric and Power Company", prepared by Dewberry & Davis, LLC (see figure #1). **The final subdivision plat and applicable deeds and any necessary easements shall be recorded prior to release of the final site plan.** The following shall occur, to the satisfaction of the Director of P&Z, prior to the release of the final site plan. (P&Z):

- a. The transfer of approximately 620 square feet of land from the Applicant to the City on the North portion of the property labeled on the Exhibit as land area A, in exchange for the land acquired by Applicant in paragraph c; a deed and plat transferring land area A from the Applicant to the City shall be recorded in the Land Records for the City of Alexandria (Land Records) at the same time as the Subdivision Plat.
- b. If the Applicant and Gold Crust Bakery reach an agreement, the sale of approximately 1,048 square feet of land from the Applicant to the Gold Crust Bakery on the western side of the property labeled on the Exhibit as land area B; a deed and Plat transferring land area B from the Applicant to Gold Crust Bakery shall be recorded in the Land Records.
- c. The transfer of approximately 9,404 square feet of land from the City to the Applicant on the Northeast corner of the property labeled on the Exhibit as land area C in exchange for the land acquired by the City in paragraphs a, d and f; a deed and plat transferring parcel C from the City to the Applicant shall be recorded in the Land Records at the same time as the Subdivision Plat.
- d. The transfer of approximately 595 square feet of land from the Applicant to the City on the East portion of the property labeled on the Exhibit as land area D, in exchange for the land acquired by Applicant in paragraph c; a deed and plat transferring land area D from the Applicant to the City shall be recorded in the Land Records at the same time as the Subdivision Plat. The deed transferring parcel D to the city shall include a reservation for a right of use for the transmission lines as shown on the site plan.
- e. **If the Applicant and Potomac Yard Development, LLC reach an agreement,** ~~the~~ sale of approximately 557 square feet of land from Potomac Yard Development, LLC to the Applicant on the eastern side of the property labeled on the Exhibit as land area E; a deed and Plat transferring land area E from Potomac Yard Development LLC to the Applicant shall be recorded in the Land Records at the same time as the Subdivision Plat.

- f. The future dedication of approximately 12,659 square feet of land from the Applicant to the City on the south portion of the property labeled on the Exhibit as land area F in exchange for the land acquired by Applicant in paragraph c; a deed and plat of reservation reserving land area F for future dedication to the City at such time as the City requests the dedication shall be recorded in the Land Records as the same time as the Subdivision Plat. The future dedication shall include the reservation of the right for the Applicant to ingress and egress on the portion of land area F adjacent to the Applicant's remaining property.
- g. In addition to the land transactions and subdivisions of land shown in Figure #1, the Preliminary Subdivision Plat prepared by the Applicant shall also include the subdivision of the land owned by Potomac Yard Development, LLC and the City of Alexandria necessary to create the new dog park in Land Bat L pursuant to SUP #2008-0029 ("dog park"). The land subdivision for the future dog park shall contain a total of approximately .91 acres, including property owned by Potomac Yard Development, LLC to be dedicated to the City in the future as set forth in condition #19 of SUP #2008-0029 and property owned by the City, and shall reflect revised western and northern boundaries of the dog park as necessitated by the site plan for the substation. The applicant shall also be responsible for submitting and recording a final subdivision plat and appropriate deed for the dog park prior to the release of the Final Site Plan for the subdivision.**
- h. In addition to the transactions above, the sale of either the fee of land or an emergency access easement on a strip of property 5 feet by 30 feet along the property line between the Applicant's property and the property owned by Leslie Properties, LLC starting at the southwestern corner of the current building located on the Leslie Properties property and extending North for 30 feet to Leslie Properties, LLC . If applicable, this transaction shall be included in the Preliminary Subdivision Plat and all necessary deeds, agreements and plats shall be recorded in the Land Records at the same time as the Subdivision Plat. Additionally, the Applicant shall provide a maintenance easement for the Leslie Properties building along the common boundary line. Use of this easement by Leslie Properties may be done by an escorted access only. (PC)**
12. All proposed improvements to this site shall be designed to accommodate the future extension / expansion of Nelson Avenue and its connection to the downstream properties. (T&ES)
13. Provide a lighting plan with the final site plan to verify that lighting meets City standards. The plan shall be to the satisfaction of the Directors of T&ES, P&Z, RP&CA in consultation with the Chief of Police and shall include the following (T&ES, P&Z, Police, and RP&CA):
- Clearly show location of all existing and proposed street lights on East Monroe Avenue and site lights, shading back less relevant information;
 - A lighting schedule that identifies each type and number of fixtures, mounting height, and strength of fixture in Lumens or Watts;
 - Manufacturer's specifications and details for all proposed fixtures including site,

- landscape, pedestrian, sign(s), and security lighting.
- d. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing street lights located on the opposite side(s) of all adjacent streets. Photometric calculations must extend from proposed building face(s) to property line and from property line to the opposite side(s) of all the adjacent streets and/or 20 feet beyond the property line on all adjacent properties, and right-of-way. Show existing and proposed street lights and site lights.
 - e. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and street lights and minimize light spill into adjacent residential areas.
 - f. Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.
 - g. Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
 - h. The lighting for the areas not covered by the City of Alexandria standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
 - i. Provide numeric summary for various areas (i.e., roadway, walkway/ sidewalk, alley, and parking lot, etc.) in the proposed development.
 - j. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties. (RP&CA) (T&ES)(P&Z) (Police)

CONSTRUCTION

14. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners and civic associations to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z)(T&ES)(C&I)
15. Identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (T&ES)
16. Submit a construction management plan for review and approval by the Directors of P&Z, T&ES and Code Administration prior to final site plan release. The plan shall:
 - a. Designate a location for off-street parking for all construction employees during all stages of construction, provided at no cost for the employee and may include applicable provisions such as shuttles or other methods deemed necessary by the City;
 - b. Include a plan for temporary pedestrian and vehicular circulation;
 - c. Include the overall schedule for construction and the hauling route;

- d. Copies of the plan shall be posted in the construction trailer and given to each subcontractor before they commence work;
 - e. If the plan is found to be violated during the course of construction, citations will be issued for each infraction and a correction notice will be forwarded to the applicant. If the violation is not corrected within five (5) calendar days, a "stop work order" will be issued, with construction halted until the violation has been corrected. (P&Z)(T&ES)(C&I)
17. Provide off-street parking for all construction workers without charge. For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall subsidize a minimum of 50% of the fees for mass transit. Compliance with this condition shall be based on a plan, which shall be submitted to the Department of Planning & Zoning and Transportation & Environmental Services prior to the issuance of the Excavation/Sheeting, and Shoring Permit. This plan shall:
- a. Establish the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of mass transit.
 - b. Provide for the location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes.
 - c. If the plan is understood to be violated during the course of construction, a correction notice will be issued to the developer. If the violation is not corrected within ten (10) days, a "stop work order" will be issued, with construction halted until the violation has been corrected. (P&Z)(T&ES)
18. Temporary construction trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. The trailer(s) shall be removed prior to the issuance of a certificate of occupancy permit. (P&Z)
19. Submit a wall check to the Department of Planning and Zoning upon completion of the footings for the wall. The wall check shall be prepared and sealed by a registered engineer or surveyor, and shall be approved by the City prior to commencement of construction of the wall above footings. (P&Z)
20. Submit a height certification and a location survey for all site improvements to the Department of Planning & Zoning. The height certification and the location survey shall be prepared and sealed by a registered architect, engineer, or surveyor. The height certification shall state that the height was calculated based on all applicable provisions of the Zoning Ordinance. (P&Z)
21. No major construction staging will be allowed along East Monroe Avenue. The Applicant is to meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities. (T&ES)
22. A "Certified Land Disturber" (CLD) shall be named in a letter to the Division Chief of C&I prior to any land disturbing activities. If the CLD changes during the project, that change

must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the site plan. (T&ES)

23. The sidewalks along East Monroe Avenue and Leslie Street shall remain open during construction or pedestrian access shall be maintained to the satisfaction of the Director of Transportation and Environmental Services throughout the construction of the project. (T&ES)
24. During the construction phase of this development, the site developer, their contractor, certified land disturber, or owners other agent shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. (T&ES)

STORMWATER

25. Provide proposed elevations (contours and spot shots) in sufficient detail on grading plan to clearly show the drainage patterns. (T&ES)
26. All stormwater designs that require analysis of pressure hydraulic systems, including but not limited to the design of flow control structures and storm water flow conveyance systems shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. The design of storm sewer shall include the adequate outfall, inlet, and hydraulic grade line (HGL) analyses that shall be completed to the satisfaction of the Director of T&ES. Provide appropriate reference and/or source used to complete these analyses. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
27. The storm water collection system is located within the Timber Branch watershed. All on-site storm water curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES. (T&ES)

STREETS/TRAFFIC

28. A pre-construction walk/survey of the site shall occur with the Construction and Inspection Staff to document existing conditions prior to any land disturbing activity. If the curb, gutter, and sidewalk are in a state of disrepair adjacent to the proposed development or are damaged during construction then the applicant shall repair the same to the satisfaction of the Director, of Transportation and Environmental Services. (T&ES)
29. All improvements to the City's, infrastructure shall be designed and constructed as per the City of Alexandria standards and specifications. (T&ES)

30. Prior to the release of the final site plan, a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging shall be provided for information purpose; however, an amended Traffic Control Plan, if required by the Director of Transportation and Environmental Services shall be submitted to the Director of T&ES along with the Building Permit Application. (T&ES)
31. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
32. All proposed accessible ramps shall be VDOT's standard CG-12 per the requirements of the Memorandum to the Industry No. 03-07 on Accessible Curb Ramps dated August 2, 2007. The ramps, as shown on the Preliminary Plan, are not acceptable. (T&ES)

UTILITIES

33. Except for existing franchising agreements, all private utilities shall be located outside of the public right-of-way and public utility easements. (T&ES)
34. Show all existing and proposed public and private utilities and easements and provide a descriptive narration of various utilities. (T&ES)
35. All utilities other than storm sewers shall be called out as 'to be removed' or 'to be abandoned in place and filled up with flowable fill or grout' (T&ES)
36. Continue to work with staff to develop a design solution to relocate the storm sewer from the middle of the triangular-shaped south parcel of land to be transferred by Dominion Virginia Power to the City of Alexandria. The storm sewer should be relocated to the side of the parcel such that the sewer will not interfere with any future use of the subject property.(T&ES)

BMP FACILITIES

37. The City of Alexandria's storm water management regulations regarding water quality are two-fold: first, phosphorus removal requirement and second, water quality volume default. Compliance with the phosphorus requirement does not relieve the applicant from the water quality default requirement. The water quality volume determined by the site's proposed impervious area shall be treated in a Best Management Practice (BMP) facility. (T&ES)
38. Provide BMP narrative and complete pre and post development drainage maps that include areas outside that contribute surface runoff from beyond project boundaries to include adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMP's and a completed Worksheet A or B and Worksheet C, as applicable. (T&ES)

39. The storm water Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 - a. Constructed and installed as designed and in accordance with the approved Final Site Plan.
 - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES)
40. Should there be surface-installed storm water Best Management Practice (BMP) measures, i.e. Bio-Retention Filters, Vegetated Swales, etc. that are employed for this site, they require installation of descriptive signage to the satisfaction of the Director of T&ES. (T&ES)
41. Submit two copies of a storm water quality BMP and detention facilities Maintenance Agreement with the City to be reviewed as part of the Final #2 Plan. It must be executed and recorded with the Land Records Division of Alexandria Circuit Court prior to approval of the final site plan. (T&ES)
42. The Applicant/Owner shall be responsible for installing and maintaining storm water Best Management Practices (BMPs) and detention facilities. The Applicant/Owner shall execute an initial maintenance service contract with a qualified private contractor for a minimum of the first three years and develop an Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the maintenance contract shall be submitted to the City. (T&ES)
43. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the Division of Environmental Quality on digital media. (T&ES)
44. Prior to release of the performance bond, the Applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that any existing storm water management facilities adjacent to the project and associated conveyance systems were not adversely affected by construction operations and that they are functioning as designed and are unaffected by construction activities. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance measures performed. (T&ES)

AIR POLLUTION

45. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)

ARCHAEOLOGY

46. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Erosion and Sediment Control, Grading, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
- a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

CITY DEPARTMENT CODE COMMENTS

Legend: C – code requirement; R – recommendation; S – suggestion; F- finding

Transportation & Environmental Services:

- F-1 A letter of understanding from the downstream property owners to ensure that they are accepting the storm water flow from this development and are willing to transport the flow to a downstream outfall is acknowledged. (T&ES)
- F-2 The plan shall show storm sewers in plan and profile in the first final submission and cross reference the sheets on which the plan and profile is shown, if plan and profile is not shown on the same sheet. Clearly label all the storm sewers in plans and profiles. Provide existing and proposed grade elevations along with the rim and invert elevations of the existing and proposed storm sewer at manholes on the profile. Use distinctive stationing for various storm sewers (if applicable or required by the plan. (T&ES)
- F-3 The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F-4 Include all symbols, abbreviations, and line types in the legend. (T&ES)
- F-5 All storm sewers shall be constructed to the City of Alexandria standards and specifications. The minimum diameter for storm sewers shall be 18-inches in the public Right of Way (ROW) and the minimum size storm sewer catch basin lead shall be 15". The acceptable pipe material will be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 or Reinforced Concrete Pipe (RCP) ASTM C-76 Class IV. For roof drainage system, Polyvinyl Chloride (PVC) ASTM 3034-77 SDR 35 and ASTM 1785-76 Schedule 40 pipes will be acceptable. The acceptable minimum and maximum velocities will be 2.5 fps and 15 fps, respectively. The storm sewers immediately upstream of the first manhole in the public Right of Way shall be owned and maintained privately (i.e., all storm drains not shown within an easement or in a public Right of Way shall be owned and maintained privately). (T&ES)
- F-6 The outfall rip rap shall be designed as per the requirements of Virginia Erosion and Sediment Control Handbook, Latest Edition. (T&ES)
- C-1 Per the requirements of the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a drainage study and adequate outfall analysis for the total drainage area to the receiving sewer that serves the site. If the existing storm system is determined to be inadequate then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development storm water flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)

- C-2 Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, the applicant shall comply with the peak flow requirements and prepare a Stormwater Management Plan so that from the site, the post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, shall not exceed their respective predevelopment rates. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. (T&ES)
- C-3 All easements and/or dedications must be recorded prior to release of the site plan. (T&ES)
- C-4 Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C-5 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval. (T&ES)
- C-6 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-7 The applicant must comply with the Article XIII of the City of Alexandria Zoning Ordinance, which includes requirements for storm water pollutant load reduction, treatment of the water quality volume default, and storm water quantity management. (T&ES)
- C-8 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law. (T&ES)
- C-9 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the state requirement for a VSMP permit for land disturbing activities greater than 2500 SF. (T&ES)

Archeology:

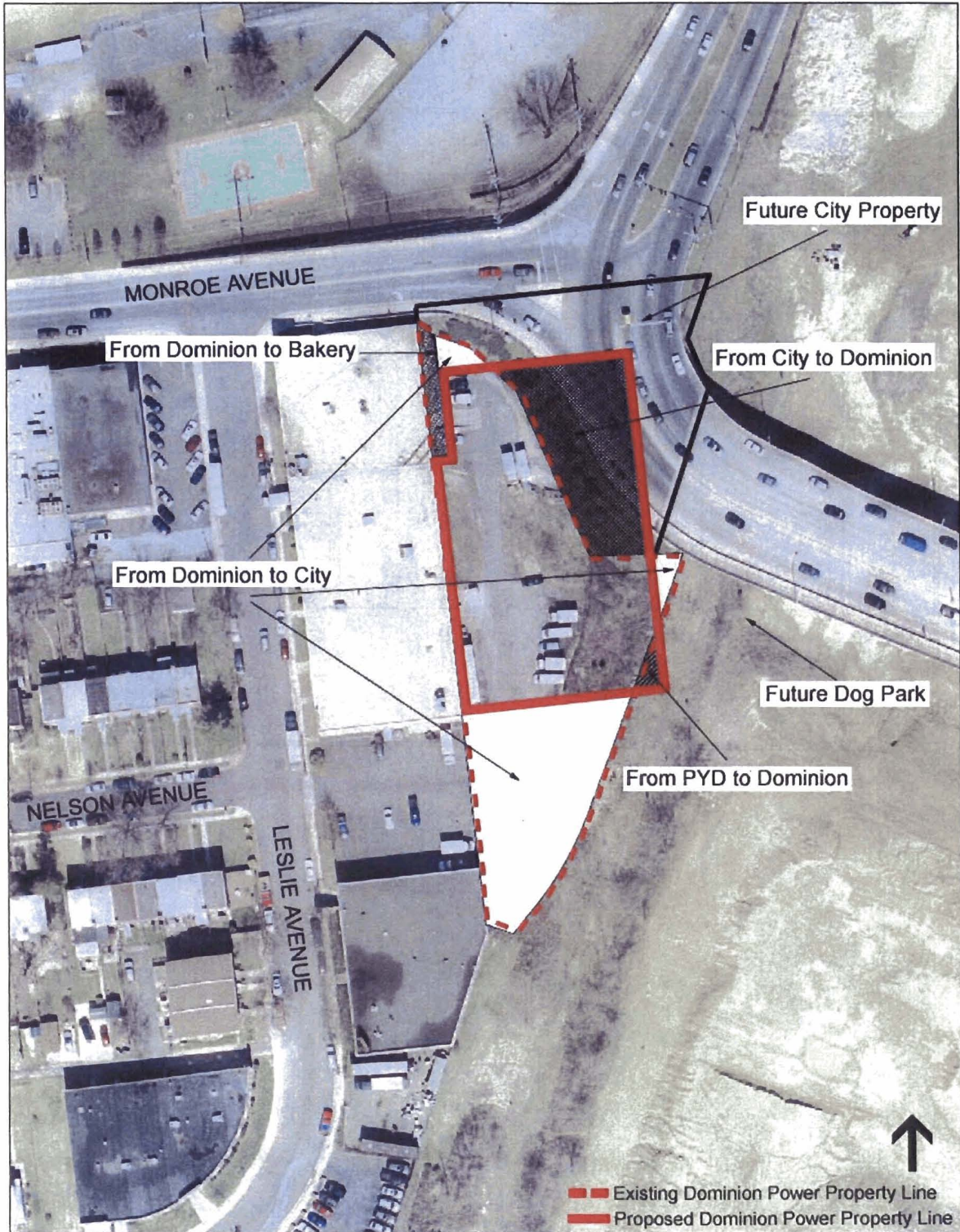
- F-1 Historical maps indicate the presence of 19th-century houses in the vicinity of this property. There is the potential for archaeological resources to be present that could provide insight into residential life on the outskirts of town in early Alexandria.
- F-2 If this project is a federal undertaking or involves the use of any federal funding, the applicant shall comply with federal preservation laws, in particular Section 106 of the

National Historic Preservation Act of 1966. The applicant will coordinate with the Virginia Department of Historic Resources and the federal agency involved in the project, as well as with Alexandria Archaeology.

- C-1 All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

Code Enforcement

- F-1 The applicant shall indicate how emergency vehicles will enter and exit the site.
- C-1 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. Requirement noted on Sheet #1, Note #18.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). Requirement noted on Sheet #1, Note #19.
- C-3 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems where applicable. Requirement noted on Sheet #1, Note #20.
- C-4 The proposed security gates to the substation shall be equipped with appropriate Fire Department access, which shall be established during the final site plan to the satisfaction of the Director of Code Administration.



Attachment 1: Land Transfers



Attachment 2: Perspective of Proposed Screening Wall



Attachment 3: Detail of Proposed Bakery Access

REVISED

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2007-0009

PROJECT NAME: North Alexandria Electrical Substation

PROPERTY LOCATION: 521 East Monroe Avenue, Alexandria, VA (Monroe & Leslie Avenues)

TAX MAP REFERENCE: 044.01-05-02 ZONE: CSL

APPLICANT Name: Virginia Electric and Power Company d/b/a Dominion Virginia Power

Address: 120 Tredegar Street, Richmond, VA 23219

PROPERTY OWNER Name: Virginia Electric and Power Company d/b/a Dominion Virginia Power

Address: 120 Tredegar Street, Richmond, VA 23219

SUMMARY OF PROPOSAL: Request for a new Electrical Substation

MODIFICATIONS REQUESTED: N/A

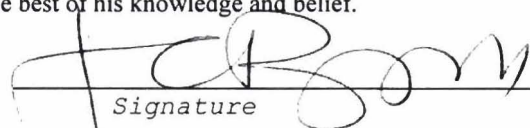
SUP's REQUESTED: N/A

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

Joanna C. Frizzell, Esq., Agent
Print Name of Applicant or Agent


Signature

McGuireWoods LLP
Mailing/Street Address
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102
City and State *Zip Code*

(703) 712-5349 (703) 712-5217
Telephone # *Fax #*

5/19/08
Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____
Fee Paid & Date: \$ _____

Received Plans for Completeness: _____
Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

Development Special Use Permit with Site Plan (DSUP) # 2022-001

All applicants must complete this form.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is the *(check one)*:

- Owner Contract Purchaser
 Lessee Other: _____

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes. Provide proof of current City business license
 No. The agent shall obtain a business license prior to filing application, if required by the City Code.

Development Special Use Permit with Site Plan (DSUP) # 20030009

3. How many patrons, clients, pupils and other such users do you expect?
Specify time period (i.e., day, hour, or shift).

this is not a public facility

4. How many employees, staff and other personnel do you expect?
Specify time period (i.e. day, hour, or shift).

anticipated employees to average 1/month, this is
an unmanned substation

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
<u>operation hours are</u>			
<u>expected to be 24/7</u>			

6. Describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

The substation will emit a continuous low frequency hum.

B. How will the noise from patrons be controlled?

na

7. Describe any potential odors emanating from the proposed use and plans to control them:

na

Development Special Use Permit with Site Plan (DSUP) # 20070001

8. Provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

No trash or garbage will be generated by this use.

B. How much trash and garbage will be generated by the use?

No trash or garbage will be generated by this use.

C. How often will trash be collected?

No trash or garbage will be generated by this use.

D. How will you prevent littering on the property, streets and nearby properties?

As no trash will be generated on-site, there should be no littering on the property or proximate streets & properties.

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

10. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. What methods are proposed to ensure the safety of residents, employees and patrons?

This is a secured site, only qualified individuals
are allowed unescorted access.

ALCOHOL SALES

12. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

13. Provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

one

- B. How many parking spaces of each type are provided for the proposed use:

one Standard spaces

NONE Compact spaces

Development Special Use Permit with Site Plan (DSUP) # 2007 60091

NONE Handicapped accessible spaces.

NONE Other.

C. Where is required parking located? (check one) on-site [] off-site.

If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

14. Provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? none

B. How many loading spaces are available for the use? none

C. Where are off-street loading facilities located? n/a

D. During what hours of the day do you expect loading/unloading operations to occur?

n/a

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

n/a

Development Special Use Permit with Site Plan (DSUP) # 2007 0009

15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is adequate.

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Docket Item 14

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Phone: 703.712.5000
Fax: 703.712.5050
www.mcguirewoods.com

Joanna C. Frizzell
Direct: 703.712.5349

McGUIREWOODS

jfrizzell@mcguirewoods.com
Direct Fax: 703.712.5217

June 2, 2009

John Komoroske, Chairman, and Members of Commission
Alexandria Planning Commission
301 King Street, Room 2100
Alexandria, Virginia 22314

RE: Docket Item # 14, Dominion Virginia Power Substation

Dear Chairman Komoroske and Members of the Commission:

On behalf of my client, Dominion Virginia Power, we request the following changes to the development conditions for the above referenced docket item. We believe these changes are supported by the staff.

First, it is our understanding from staff that **condition #2(e)(3)** was intended to require a \$500 payment to replace the two trees rather than a \$1000 payment. We therefore request that this condition be changed to \$500.

Second, we have worked with staff and the adjacent property owners to accommodate matters involving the land transfers. The changes to **condition 11** noted below reflect what we believe to be the agreement between the staff, the Applicant, and the adjacent property owners.

11. ~~The Applicant shall submit a subdivision plat and appropriate deeds and easements with the final site plan to be recorded prior to the release of the final site plans.~~ **If agreement is reached with the applicable land owners, the Applicant shall submit an application for a Preliminary Subdivision Plat to accomplish the following land transfers as shown on the Exhibit dated April 24, 2009, titled "Exhibit Showing Exchange of Land on the Land of Virginia Electric and Power Company", prepared by Dewberry & Davis, LLC (see figure #1). The final subdivision plat and applicable deeds and any necessary easements shall be recorded prior to the release of the final site plan.** The following shall occur, to the satisfaction of the Director of P&Z, prior to the release of the final site plan. (P&Z):

- a. The transfer of approximately 620 square feet of land from the Applicant to the City on the North portion of the property labeled on the Exhibit as land area A, in exchange for the land acquired by Applicant in paragraph c; a deed and plat transferring land area A from the Applicant to the City shall be recorded in the Land

Records for the City of Alexandria (Land Records) at the same time as the Subdivision Plat.

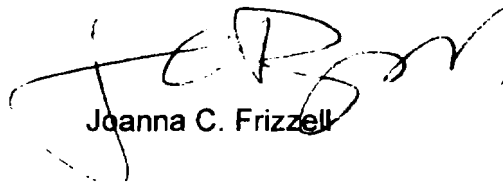
- b. If the Applicant and Gold Crust Bakery reach an agreement, the sale of approximately 1,048 square feet of land from the Applicant to the Gold Crust Bakery on the western side of the property labeled on the Exhibit as land area B; a deed and Plat transferring land area B from the Applicant to Gold Crust Bakery shall be recorded in the Land Records.
- c. The transfer of approximately 9,404 square feet of land from the City to the Applicant on the Northeast corner of the property labeled on the Exhibit as land area C in exchange for the land acquired by the City in paragraphs a, d and f; a deed and plat transferring parcel C from the City to the Applicant shall be recorded in the Land Records at the same time as the Subdivision Plat.
- d. The transfer of approximately 595 square feet of land from the Applicant to the City on the East portion of the property labeled on the Exhibit as land area D, in exchange for the land acquired by Applicant in paragraph c; a deed and plat transferring land area D from the Applicant to the City shall be recorded in the Land Records at the same time as the Subdivision Plat. The deed transferring parcel D to the city shall include a reservation for a right of use for the transmission lines as shown on the site plan.
- e. **If the Applicant and Potomac Yard Development LLC reach an agreement**, the sale of approximately 557 square feet of land from Potomac Yard Development, LLC to the Applicant on the eastern side of the property labeled on the Exhibit as land area E; a deed and Plat transferring land area E from Potomac Yard Development LLC to the Applicant shall be recorded in the Land Records at the same time as the Subdivision Plat.
- f. The future dedication of approximately 12,659 square feet of land from the Applicant to the City on the south portion of the property labeled on the Exhibit as land area F in exchange for the land acquired by Applicant in paragraph c; a deed and plat of reservation reserving land area F for future dedication to the City at such time as the City requests the dedication shall be recorded in the Land Records as the same time as the Subdivision Plat. The future dedication shall include the reservation of the right for the Applicant to ingress and egress on the portion of land area F adjacent to the Applicant's remaining property.
- g. **If the Applicant and Potomac Yard Development LLC reach the agreement referenced in paragraph e herein, then in addition to the land transactions and subdivisions of land shown in Figure #1, the Preliminary Subdivision Plat prepared by the Applicant shall also include the subdivision of the land owned**

June 2, 2009
Page 3

by Potomac Yard Development, LLC and the City of Alexandria necessary to create the New Dog Park in Land Bay L pursuant to SUP 2008-0029 ("Dog Park"). The land subdivided for the future Dog Park shall contain a total of approximately .91 acres, including property owned by Potomac Yard Development LLC to be dedicated to the City in the future as set forth in condition #19 of SUP 2008-0029 and property owned by the City, and shall reflect revised western and northern boundaries of the Dog Park as necessitated by the site plan for the substation. The applicant shall also be responsible for submitting and recording a final subdivision plat and appropriate deed for the Dog Park prior to the release of the Final Site Plan for the substation.

We look forward to the opportunity to discuss these changes with you further at the hearing this evening. Please feel free to call me if you have any questions you would like to discuss before that time.

Sincerely,



Joanna C. Frizzell

JCF/gec

19193790.1

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6-13-09

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 12, 2009

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: FAROLL HAMER, DIRECTOR *FH*
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: DOCKET ITEM #15-DSUP #2007-0009 VA DOMINION POWER SUBSTATION

At their June 2, 2009, Public Hearing the Planning Commission recommended a few changes to the conditions concerning the above referenced case. Two of the conditions were not transcribed correctly in the Planning Commission Action of the staff report. These two conditions should be amended as follows with the amended text shown in bold below:

Condition #2(e)(3):

Provide \$500.00 to the Living Landscape Fund in lieu of the two proposed *Tilia cordata*.

Condition #11 (g):

If the applicant and Potomac Yard Development, LLC reach the agreement referenced in paragraph e herein, then in addition to the land transactions and subdivisions of land shown in Figure #1, the Preliminary Subdivision Plat prepared by the Applicant shall also include the subdivision of the land owned by Potomac Yard Development, LLC and the City of Alexandria necessary to create the new dog park in Land Bat L pursuant to SUP #2008-0029 ("dog park"). The land subdivision for the future dog park shall contain a total of approximately .91 acres, including property owned by Potomac Yard Development, LLC to be dedicated to the City in the future as set forth in condition #19 of SUP #2008-0029 and property owned by the City, and shall reflect revised western and northern boundaries of the dog park as necessitated by the site plan for the substation. The applicant shall also be responsible for submitting and recording a final subdivision plat and appropriate deed for the dog park prior to the release of the Final Site Plan for the subdivision.

cc: James Hartmann, City Manager
Gwen Wright, Chief of Development, Department of Planning & Zoning

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Joanna C. Frizzell
Direct: 703.712.5349

McGUIREWOODS

15
6-23-09

jfrizzell@mcguirewoods.com
Direct Fax: 703.712.5217

June 12, 2009

The Honorable William D. Euille, Mayor
and Members of the City Council
Alexandria City Council
301 King Street
Alexandria, Virginia 22314

Re: Docket Item #15 Development Special Use Permit #2007-0009, Virginia Dominion
Power Substation

Dear Mayor Euille and Members of the City Council:

On behalf my client, Dominion Virginia Power ("Dominion"), I write to you today in regard to the above referenced matter that is on your docket for Saturday, June 13, 2009.

While Dominion has worked closely with the staff and the adjacent property owners to provide a substation that fits into the community, we have heard recently from the adjacent property owner, Leslie Properties, that they continue to have concerns about emergency pedestrian access from the east side of their building. As you may know, the Leslie Properties building is built on the property line between their property and the Dominion property. Therefore, Leslie Properties currently has no legal right to access the eastern side of their building. However, Dominion has been in discussions with them regarding access easements for maintenance of the wall on the eastern side of their building as part of this substation. Recently, we were made aware that the easements being discussed were not enough to satisfy their concerns. Therefore, the Planning Commission, with Dominion's agreement, added a condition that would require Dominion to provide Leslie Properties with an emergency pedestrian access area 30 feet long by 5 feet wide, in addition to a maintenance agreement that would allow escorted access to the remainder of the Leslie Properties eastern building wall. Since the Planning Commission hearing, Dominion has continued to discuss this matter with Leslie Properties and has been able to come to a solution that we believe addresses Leslie Properties' concerns.

Therefore, we request the following change to the development conditions for the above referenced case to incorporate what we believe to be a satisfactory compromise. In Condition #11, please replace the paragraph 11(h) that was added by the Planning Commission with the following language:

"The applicant shall work with Leslie Properties and the Staff on the mutually agreeable sale of an area of land or an easement right 5 feet wide by approximately 180 feet running along the full length of the common property line that would provide Leslie Properties with emergency pedestrian access along the eastern wall of their building and with an area to maintain the eastern wall of their building. Such area shall be separated from the substation with either a wall or a fence and shall be a secure area without access by the general public."

June 12, 2009
Page 2

Thank you for your consideration of this change. Please let us know if there is any further information we can provide you regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joanna C. Frizzell', written in a cursive style.

Joanna C. Frizzell

cc: Dave Crowl, Dominion Virginia Power
Leslie Properties, c/o Robert M. Diamond, Esq., ReedSmith
Gwen Wright, Division Chief, Department of Planning and Zoning

9365622.1

15
6-23-09

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 12, 2009

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: FAROLL HAMER, DIRECTOR *FH*
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: DOCKET ITEM #15-DSUP #2007-0009 VA DOMINION POWER SUBSTATION

At their June 2, 2009, Public Hearing the Planning Commission recommended a few changes to the conditions concerning the above referenced case. Two of the conditions were not transcribed correctly in the Planning Commission Action of the staff report. These two conditions should be amended as follows with the amended text shown in bold below:

Condition #2(e)(3):

Provide \$500.00 to the Living Landscape Fund in lieu of the two proposed *Tilia cordata*.

Condition #11 (g):

If the applicant and Potomac Yard Development, LLC reach the agreement referenced in paragraph e herein, then in addition to the land transactions and subdivisions of land shown in Figure #1, the Preliminary Subdivision Plat prepared by the Applicant shall also include the subdivision of the land owned by Potomac Yard Development, LLC and the City of Alexandria necessary to create the new dog park in Land Bat L pursuant to SUP #2008-0029 ("dog park"). The land subdivision for the future dog park shall contain a total of approximately .91 acres, including property owned by Potomac Yard Development, LLC to be dedicated to the City in the future as set forth in condition #19 of SUP #2008-0029 and property owned by the City, and shall reflect revised western and northern boundaries of the dog park as necessitated by the site plan for the substation. The applicant shall also be responsible for submitting and recording a final subdivision plat and appropriate deed for the dog park prior to the release of the Final Site Plan for the subdivision.

cc: James Hartmann, City Manager
Gwen Wright, Chief of Development, Department of Planning & Zoning

SPEAKER'S FORM

DOCKET ITEM NO. 15

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM**

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

- 1. NAME: M Catharine Puskas
- 2. ADDRESS: 2200 Clarendon Blvd Ste 1300 Arl, VA 22201
TELEPHONE NO. 703-528-4700 E-MAIL ADDRESS: _____
- 3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Potomac Yard Development LLC
- 4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: AGAINST: _____ OTHER: _____
- 5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
- 6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES NO _____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.
- (b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

SPEAKER'S FORM

DOCKET ITEM NO. 15

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Joanna Frizzell
2. ADDRESS: 1750 Tysons Blvd, suite 1800, McLean, VA 22102
TELEPHONE NO. 703 712 5349 E-MAIL ADDRESS: jfrizzell@mcgrewwoods.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? applicant

4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: AGAINST: _____ OTHER: _____

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
attorney

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REVISED

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN

DSUP # 2007-0009

PROJECT NAME: North Alexandria Electrical Substation

PROPERTY LOCATION: 521 East Monroe Avenue, Alexandria, VA (Monroe & Leslie Avenues)

TAX MAP REFERENCE: 044.01-05-02 ZONE: CSL

APPLICANT Name: Virginia Electric and Power Company d/b/a Dominion Virginia Power

Address: 120 Tredegar Street, Richmond, VA 23219

PROPERTY OWNER Name: Virginia Electric and Power Company d/b/a Dominion Virginia Power

Address: 120 Tredegar Street, Richmond, VA 23219

SUMMARY OF PROPOSAL: Request for a new Electrical Substation

MODIFICATIONS REQUESTED: N/A

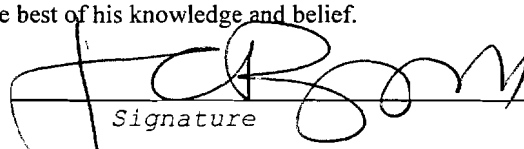
SUP's REQUESTED: N/A

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

Joanna C. Frizzell, Esq., Agent
Print Name of Applicant or Agent


Signature

McGuireWoods LLP
Mailing/Street Address
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102
City and State *Zip Code*

(703) 712-5349 (703) 712-5217
Telephone # *Fax #*

8/19/08
Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____
Fee Paid & Date: \$ _____

Received Plans for Completeness: _____
Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: Recommended Approval w/amendments 6-0 6-2-09

ACTION - CITY COUNCIL: CC approved PC recommendation w/amendments 7-0 6/13/09

as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, with the amendments as submitted by the applicant in a memo dated June 12, 2009 and agreed to by staff, as follows:

Condition #11, replace paragraph 11(h) with the following: "The applicant shall work with Leslie Properties and the staff on the mutually agreeable sale of an area of land or an easement right five feet wide by approximately 180 feet running along the full length of the common property line that would provide Leslie Properties with emergency pedestrian access along the eastern wall of their building and with an area to maintain the eastern wall of their building. Such area shall be separated from the substation with either a wall or a fence and shall be a secure area without access by the general public." Also, to include the amendments requested by the Planning Director in a memo dated June 12, 2009, as follows:

Condition 2(e)(3) to add the words: "Provide \$500.00 to the Living Landscape Fund in lieu of the two proposed *Tilia cordata*."

Condition 11(g): Add the words: "If the applicant and Potomac Yard Development, LLC reach the agreement referenced in paragraph e herein, then" to the beginning of the paragraph.

The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

- 16. SPECIAL USE PERMIT #2008-0047
501 EAST MONROE AVENUE AND 1509 LESLIE AVENUE
GOLD CRUST BAKERY

Public Hearing and Consideration of a request of an amendment to relocate loading spaces; zoned CSL/Commercial Service Low. Applicant: Gold Crust Bakery by Mary Catherine Gibbs, attorney

PLANNING COMMISSION ACTION: Recommend Approval w/amendments 6-0

(A copy of Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 6/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
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