



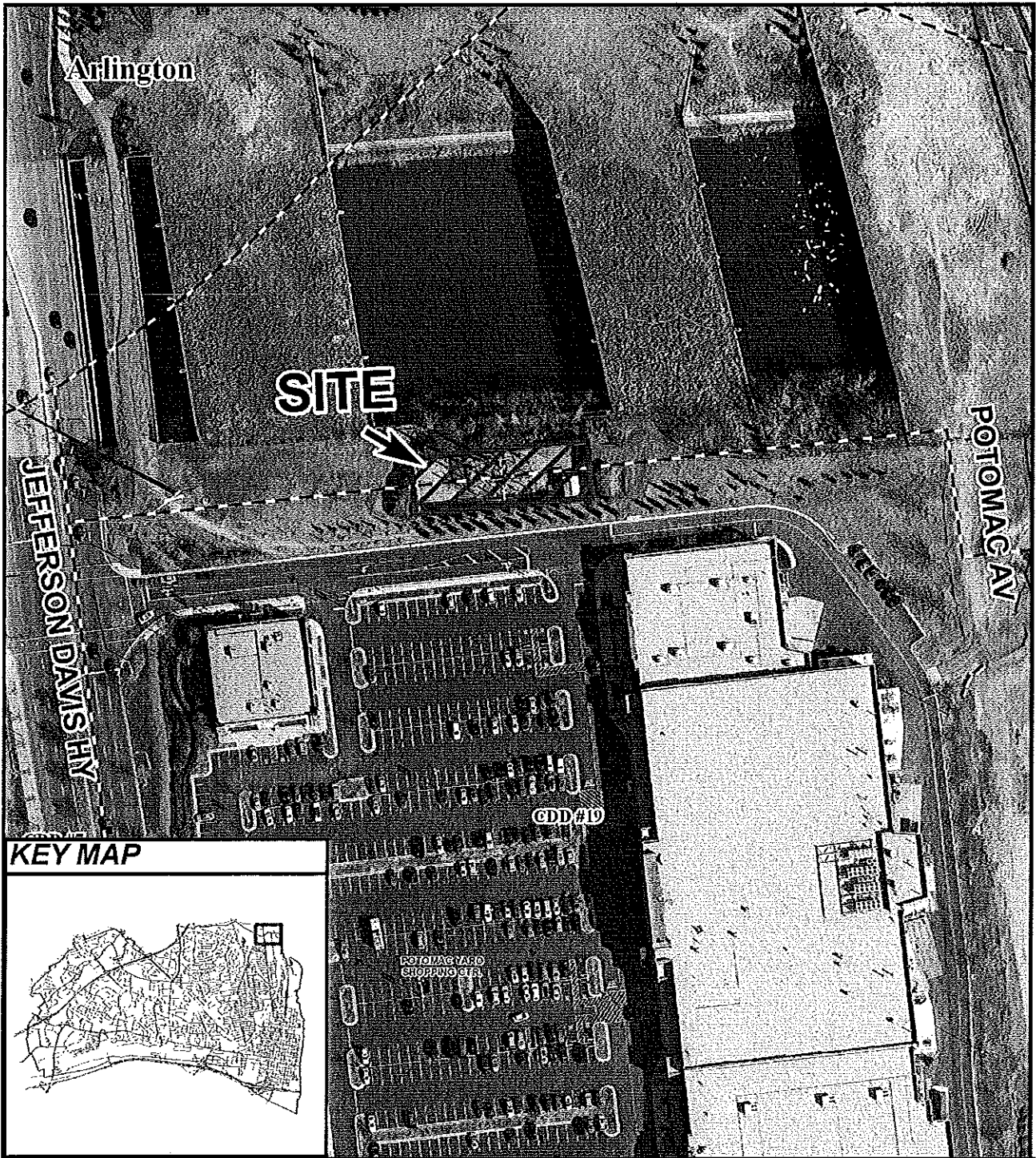
DOCKET ITEM #7
Special Use Permit #2011-0014
3601 and 3951 Jefferson Davis Highway-
Dominion Virginia Power

Application	General Data	
Consideration of a Special Use Permit amendment request to allow the permanent operation of an electric terminal station.	Planning Commission Hearing:	June 7, 2011
	City Council Hearing:	June 25, 2011
Address: 3601 and 3951 Jefferson Davis Highway	Zone:	CDD#10 and CDD#19 / Coordinated Development Districts
Applicant: Virginia Electric and Power Company (d/b/a Dominion Virginia Power Company), represented by Elizabeth Harper	Small Area Plan:	Potomac West

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov

PLANNING COMMISSION ACTION, MAY 4, 2011: The Planning Commission noted the deferral of the request.



SUP#2011-0014 6/7/2011

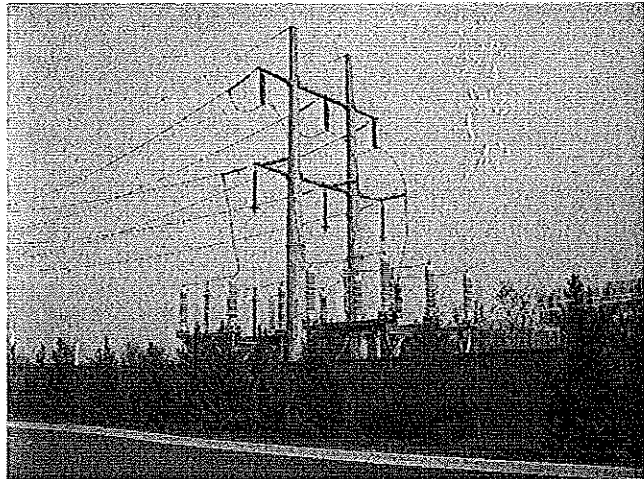


I. DISCUSSION

The applicant, Dominion Virginia Power, requests a Special Use Permit amendment to allow the permanent operation of an electric terminal station at 3601 and 3951 Jefferson Davis Highway.

SITE DESCRIPTION

The subject facility is located at the northernmost end of the Potomac Yard Shopping Center adjacent to Four Mile Run, and straddles two lots of record. The southern parcel is the 69 acre site known as Potomac Yard Landbay F on which the existing shopping center is located. The northern parcel is Potomac Yard Landbay E and includes a narrow strip of land along Four Mile Run, the Run itself and its bridges.



The surrounding area is comprised of primarily commercial uses, including retail to the south at Potomac Yards Shopping Center and Jack Taylor's Toyota dealership to the west. A multi-story mixed-use building is located across Four Mile Run in Arlington County. Metrorail tracks and the George Washington Parkway are located to the east.

BACKGROUND

In 1996 City Council approved the construction of the existing electric terminal station at the Four Mile Run North Terminal Site in conjunction with the undergrounding of the overhead high voltage lines that had historically run along Route 1. (SUP#96-0091) The terminal station, constructed in 1997 (Site Plan #96-0021), contains the collection of equipment needed to connect the underground electric lines along Route 1 to the above ground high-voltage electric power lines that run west down the middle of Four Mile Run. The station is a 162-foot by 60-foot enclosure surrounding two backbone poles each measuring 80 feet and other equipment measuring up to 47 feet tall.

At the time of the SUP consideration, concern was expressed about the location and size of the terminal station. On balance, the benefits of undergrounding the above ground poles and lines on Route 1 were deemed greater than the impact of the large terminal station structure that was needed to make that change, and the terminal station was approved. However, the SUP included a 15-year expiration date, with the anticipation that as Potomac Yard development planning progressed, an alternative site for the station could be found and its location along Four Mile Run within Potomac Yard could be changed.

Dominion Virginia Power operates the station under a 2004 perpetual easement agreement with the property owners.

Plans for the redevelopment of Potomac Yard have changed considerably since approval of the terminal station SUP in 1996. The North Potomac Yard Small Area Plan for Landbay F, which includes the terminal facility, was recently approved in May 2010. REZ#2009-0001/CDD#2009-0001, approved in June 2010, rezoned Landbay F to CDD#19 and approved the North Potomac Yard Urban Design Standards. The Four Mile Run Master Plan generally envisions open space in this area.

At the time of the Landbay F planning, the issue of the terminal station was discussed, and alternative locations considered. With no reasonable or feasible new sites available, the North Potomac Yard plan and CDD represent an acknowledgement of the terminal facility's existence, and North Potomac Yard Small Area Plan chapter of the Master Plan reflects an arrangement for the use of this site, recognizing that the terminal station will need to remain in this location for the foreseeable future.

PROPOSAL

The applicant, Dominion Virginia Power, requests an SUP amendment to allow for the terminal station to remain at the site permanently. Specifically, the applicant requests that Condition #5 of SUP#96-0091, which stipulates that the SUP shall expire 15 years after approval (June 2011), be removed. No other changes to the terminal station operation are proposed.

Dominion Virginia Power explains in its application that no reasonable alternative sites for the terminal station are available in the area and that the existing station must continue operating in order to provide electric power to tens of thousands of homes and businesses in Alexandria and Arlington.

ZONING/MASTER PLAN DESIGNATION

The northern parcel at the site is zoned CDD#10, while the southern parcel is zoned CDD#19. The terminal station is located approximately 260 feet east of Route 1, and both CDDs designate an underlying zoning of I/Industrial after the first 250 feet east of Route 1. Sections 4-1402(Z) and 7-1202(B) of the Zoning Ordinance require a Special Use Permit for the construction of transmission wires and facilities that exceed 65 feet in height. Both properties are also located in a Resource Protection Area (RPA).

II. STAFF ANALYSIS

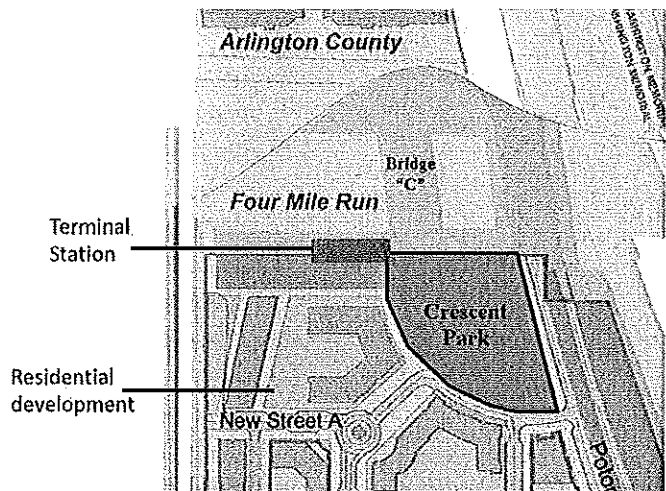
Staff recommends an extension of time for the special use permit for the electric power terminal station at Potomac Yard North.

Staff recognizes that the most desirable outcome for the City would be the relocation of the terminal facility, because that would allow the highest quality development of adjacent properties, especially the open space and water amenities envisioned for the land adjacent to Four Mile Run at the north end of Potomac Yard. On the other hand, Dominion Virginia has stated that moving the terminal station now is not feasible. The issue was discussed and

considered during the North Potomac Yard Small Area Plan process with the hope that an alternative location could be selected and that land use planning for Potomac Yard North could include alternatives for the terminal station site. However, the technical and cost implications of relocating the facility were deemed impractical and cost prohibitive. Of the alternative sites considered, the most logical would be adjacent to the existing electric substation along Four Mile Run in Arlington. However, the land adjacent to that facility is owned by WMATA who is not interested in selling its property. Even if it were amenable to selling, moving the station would require, in addition to the cost of purchasing property and building the facility, the cost of relocating and/or undergrounding the large aerial 230 KV lines and associated poles between the existing facility and the new one, including under Four Mile Run. Dominion has stated that this entire project would cost somewhere in the range of \$30–50 million dollars and its representatives will be prepared to address questions about the cost at the SUP hearing.

The North Potomac Yard Plan thus represents an acknowledgement of the terminal station's presence and an effort to plan for its existence. The area around the terminal station at the north end of Potomac Yard is now planned for residential development and Crescent Park, in addition to the park planned for Four Mile Run. Streets and buildings have been located to minimize any impacts of the terminal facility within Landbay F and the Four Mile Run Park. In addition, as part of the North Potomac Yard Plan and CDDs #10 and #19, conditions require the improvement of Four Mile Run and the area surrounding the facility, including landscaping, screening and other improvements. In a similar way, the Four Mile Run design acknowledges that already existing uses adjacent to the Run should be incorporated as part of the overall design. While not ideal, the financial and technical aspects of relocating the facility and 230 KV lines has been deemed impractical as part of two recent planning efforts.

North End of Landbay F, Potomac Yard



As a result of the North Potomac Yard and Four Mile Run planning, significant changes that are anticipated for the surrounding area, including multi-story residential/hotel uses (Landbay F Blocks 2 and 3), new parkland (Landbay F Block 1, also known as Crescent Park), repurposing of existing railroad bridges over Four Mile Run for recreational uses (Landbay E) and pedestrian/bicycle paths located along Four Mile Run. In conjunction with that development, architectural and landscaping improvements to the terminal station will be necessary in order to make the terminal facility as compatible as possible. The developer of Landbay F is already required by conditions of approval of CDD#19 to make improvements to the terminal station site itself. Under Condition #42:

42. **Terminal Station:** The Applicant [CPYR/RREEF] shall provide architectural and landscaping screening to the northern Dominion Virginia Power Terminal Station,

adjacent to Four Mile Run, to the satisfaction of the Director of P&Z. All improvements shall be completed no later than the first Certificate of Occupancy for the second building on Blocks 2, 3 or 5. (P&Z)

A series of discussions with the Potomac Yard developers, Dominion Virginia, and the City has recently occurred with regard to this application. McCaffery Interests, representing CPYR, Inc./RREEF, the property owner of Land Bay F, recommends that Dominion be required to either relocate the facility or place it underground. If neither proposition is achievable, then it suggests that Dominion reduce the size of the facility enclosure; reconfigure the access drive to the facility; and contribute to the improvement of Crescent Park. Dominion Virginia has responded in two ways. First, it states that it cannot reasonably move, underground or reduce the footprint of the facility. Finally, in a separate letter from Dominion's counsel to RREEF, Dominion takes exception to any request to move the facility or contribute money, citing the easement agreement negotiated in 2004 between Dominion and CPYR, Inc./RREEF as well as PYD, and the payment by Dominion of \$1.2 million to these entities for the right to use the land for the facility in perpetuity. (See attached correspondence.)

With the city, Dominion has discussed its willingness to participate as part of a team in any planning for the design and development of the parcels surrounding the terminal facility, and to contribute financially with regard to improvements necessary to integrate its facility into the future design of the adjacent uses, including parks and open space. According to Dominion, its easement arrangement with Potomac Yard Development, LLC, includes an obligation to buffer its facility from adjacent uses. Dominion is involved with efforts to enhance necessary electric infrastructure to best fit with an urban environment in other communities. The parties, however, have not begun the planning and design for the area so neither the best method of integrating the terminal facility into the adjoining development nor the cost of those improvements is known.

In order to craft a solution that is fair to the parties and in the City's interest, staff recommends, under Condition #1, that Dominion be required to participate in the planning, design and implementation of the improvements necessary to allow the terminal facility to coexist with the future surrounding development. As to a termination date, given the reality of the need for electricity, the likelihood of the terminal station's continued presence, but the significant benefit from its removal, staff is recommending that the City maintain an expiration date in the SUP. Instead of removing the condition entirely, staff's recommendation ties the expiration date to the success of future planning and negotiating among the City, Dominion, RREEF and PYD. Specifically, staff recommends, as part of Condition #1, that, if a successful plan for design and implementation can be negotiated among the parties, the terminal station should be allowed to continue at its current location for another 24 years until 2035. This date coincides with the expiration of CDD #19 (North Potomac Yard) which sets the parameters for development in Landbay F. On the other hand, should a successful solution not occur among the parties, then the expiration date would be moved up to coincide with the first approval for development on an adjacent block. This earlier date, and the likelihood of a request for an SUP extension, would give the Planning Commission and the City Council another opportunity to consider the SUP with additional information available about design and planning for the immediate surrounding areas.

Staff recommends approval of the SUP, with the above changes to Condition #1, allowing the continued operation in this location for as much as 24 years.

III. RECOMMENDED CONDITIONS

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

1. **CONDITION AMENDED BY STAFF:** ~~The applicant shall submit a plan to the satisfaction of the Director of P&Z which includes proposed landscaping, fencing and other measures to the terminal structure, around its base and along Jefferson Davis Highway, the combination of which screens the terminal facility to the maximum reasonable extent. The applicant shall participate with the City and the adjacent property owners to develop a plan to integrate the terminal facility structure into the design of the new development and parks on land adjacent to and in the vicinity of the terminal facility (including both Four Mile Run and Block 1 of CDD #19), and to implement that plan. Any such plan shall be consistent with the Four Mile Run Master Plan and Design Guidelines, with the North Potomac Yard Urban Design Standards, and with Condition #42 of REZ #2009-0001/CDD#2009-0001. Such participation and implementation work may include, without limitation, design work, engineering, access, agreements, easements, licenses, rights of way, screening, landscaping, regrading, reconfiguring, physical improvements, and other associated elements for the terminal facility's appropriate integration with the adjoining development and park areas, as well as financial contributions for such improvements by the applicant, but shall be at no cost to the City. The applicant shall be responsible for submitting all necessary plans and documents for improvements called for in this plan to the area covered by the Virginia Dominion easement, and all such improvements shall be completed concurrently with the park improvements on Block 1. Assuming a satisfactory design solution and cooperative agreement for its implementation is developed, the SUP for the terminal facility will expire on June 12, 2035. If there is no satisfactory design solution and cooperative agreement for its implementation, then the SUP for the terminal facility will expire on the first approval for a DSUP for the development of any block in CDD #19 adjacent to Four Mile Run and Landbay E or of Crescent Park (Block 1). (P&Z)~~
2. All landscaping shall be maintained in good condition. (P&Z) (SUP#96-0091)
3. **CONDITION SATISFIED (6/1997) AND DELETED BY STAFF:** ~~A final site plan in conformance with Section 11-410 of the Zoning Ordinance shall be approved by the Director of Transportation and Environmental Services before any permits will be issued for construction. (T&ES) (Code) (SUP#96-0091)~~
4. **CONDITION SATISFIED (5/1997) AND DELETED BY STAFF:** ~~No final site plan shall be released and no construction activity shall take place until the applicant submits a Health and Safety Plan to the satisfaction of the directors of Health and T&ES indicating~~

~~measures to be taken during any remediation and/or construction to minimize the potential risks to workers, the neighborhood and the environment. (T&ES) (Health) (SUP#96-0091)~~

5. **CONDITION AMENDED BY STAFF:** ~~A 15-year expiration, for removal of the terminal facility. This Special Use Permit shall expire in June 2035 unless renewed by City Council prior to that date. (P&Z) (RP&CA) (City Council) (SUP#96-0091)~~
6. **CONDITION SATISFIED (11/1996) AND DELETED BY STAFF:** ~~The applicant shall come back in the Fall (1996) for an amendment to the Sunset Drive special use permit [SUP 95-0209]. (City Council) (SUP#96-0091)~~

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

F-1 OEQ comments relating to the request to delete Condition #5 from SUP96-0091:

The Office of Environmental Quality is against removing this condition from the SUP. The Four Mile Run Master Plan has depended upon the conditions within this SUP to remove the structure thus removing an obstacle to continuity of redevelopment of the near stream area. This structure blocks free flow of pedestrian and bike trails and its presence in this location prevents generating any coherent treatment of the near-stream area in Landbay E. Its presence impinges upon the function of the Resource Protection Area which is required by the Environmental Management Ordinance, Article XIII, of the City of Alexandria. Its eventual removal will be beneficial to the redevelopment of this area. It is for these reasons that OEQ recommends extending this condition to give Dominion Virginia additional time to identify an alternate site for this facility. (OEQ)

F-2 OEQ does not object to the language of Condition 1 as amended.

Code Enforcement:

F-1 No Comment

Health:

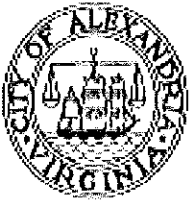
F-1 No Comment

Parks and Recreation:

R-1 Condition #1 of SUP96-0091 should be amended. Parks and Recreation has no objection to Condition #1 as amended.

Police Department:

F-1 The Police Department has no comments and no objections to the removal of condition #5 allowing SUP #96-0091 to become perpetual.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2011-0014

PROPERTY LOCATION: 3601 Jefferson Davis Highway

008.03-02-01

TAX MAP REFERENCE: portions of 016-01-05-01 **ZONE:** CDD #10

APPLICANT:

Name: Virginia Electric and Power Company (dba Dominion Virginia Power)
Attn: Liz Harper, OJRP-12

Address: 701 E. Cary Street, Richmond, VA 23219

PROPOSED USE: existing transmission line underground to overhead
terminal station (Four Mile Run North Terminal Site)

THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, holding a perpetual easement agreement from the property owners, ~~having obtained permission from the property owner,~~ hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

THE UNDERSIGNED, holding a perpetual easement agreement from the property owners, ~~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 IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Elizabeth Harper
Print Name of Applicant or Agent

Elizabeth Harper 3/10/2011
Signature Date

701 E. Cary Street, OJRP 12
Mailing/Street Address

(804) 771-6145 (804) 771-6303
Telephone # Fax #

Richmond, VA 23219
City and State Zip Code

liz.harper@dom.com
Email address

ACTION-PLANNING COMMISSION: _____	DATE: _____
ACTION-CITY COUNCIL: _____	DATE: _____

PROPERTY OWNER'S AUTHORIZATION

please see enclosed easement agreements dated 12/23/2004 and recorded 01/03/2005 Instrument No's. 050000048 and 050000050.

As the property owner of _____, I hereby
(Property Address)

grant the applicant authorization to apply for the _____ use as
(use)
described in this application.

Name: _____ Phone: _____
Please Print

Address: _____ Email: _____

Signature: _____ Date: _____

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

- Required floor plan and plot/site plan attached. Enclosed is the original plan used for SUP 96-0091
- Requesting a waiver. See attached written request.

2. The applicant is the (check one):

- Owner
- Contract Purchaser
- Lessee or
- Other: permanent easement holder of the subject property.

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

Virginia Electric and Power Company is a subsidiary of Dominion Resources, Inc.

No person or entity owns an interest in Dominion Resources, Inc. of more than 10%.

REVISED

REVISED

2011-0014
SUP # ~~11-0011~~

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. No person or entity owns more than 10% interest or stock.		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application. *Not required as applicant is permanent easement holder of*

Name	Address	Percent of Ownership
1.		
2.		
3.		

subject site.

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. no persons or entity listed above		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

4/10/2011
Date

Elizabeth Harper for
Printed Name Dominion Va. Power

Elizabeth P. H. Harper
Signature

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? **NA**

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.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Please see attached narrative

SUP 2011-0014

Dominion Virginia Power
Four Mile Run North Terminal Site
Request for Amendment to SUP #96-00091

3. NARRATIVE DESCRIPTION

Background

By the terms of an easement right-of-way agreement dated 6/1/1969 with the Richmond, Fredericksburg and Potomac Railroad Company (RF&P), Dominion Virginia Power (Dominion) was compelled in the mid- to late 1990's to underground the existing double circuit 230 kV overhead transmission lines in Potomac Yard property, at that time owned by the RF&P. Typically, Dominion's transmission lines continue from one substation to another as either completely overhead or completely underground. In this situation, the Glebe substation, which is the northern end of the two 230 kV circuits, did not have the space within the substation for the equipment required to support the lines as they transition from underground to overhead so they could be brought into the station. Communication was made with WMATA concerning the possibility of Dominion obtaining property from the adjacent bus parking lot to expand the Glebe Substation for this purpose. WMATA responded that the bus garage and maintenance area would continue to be a presence at this site and the parking area was needed for their operations.

Dominion proposed a site at the northern edge of Potomac Yard along Four Mile Run to locate a small terminal station for this equipment to transition these electric transmission lines from underground to overhead, and continue into Glebe Substation. The overhead portion of these lines already in place could then be used from the terminal site to the Glebe Substation with some slight adjustment to connect to the terminal site.

Dominion obtained Special Use Permit 96-0091 on June 25, 1996 from the City of Alexandria for the Four Mile Run North Terminal Site. That approval contained Condition #5, which provided that the SUP would expire in 15 years.

Present Conditions

In the 15 years since SUP approval, the property situation has remained unchanged. Inquiry has continued concerning the availability of that area adjacent to Glebe Substation for the expansion needed to bring the currently overhead portion of the two 230 kV overhead lines into the substation as underground. That area remains unavailable. There are no reasonable options available that would allow the underground lines to extend into Glebe Substation and allow the North Terminal Site to be removed.

Need for the facilities

The North Potomac Yards Terminal Station is part of Dominion's critical energy infrastructure needed to provide continued reliable electric service to over 80,000 customers located in the City of Alexandria and Arlington County. The loss of this facility would potential disrupt continued reliable service to many facilities that the City of Alexandria and Arlington County depend on to provide critical services to their population. Many facilities like 911 Call Centers, water treatment, pumping stations and hospitals could face extended periods of time without electrical service thus impacting the City of Alexandria and Arlington County's ability to provide vital services.

Request

Dominion is requesting the City of Alexandria to remove Condition #5 of Special Use Permit 96-0091 and allow the Special Use Permit to become perpetual.

USE CHARACTERISTICS

4. The proposed special use permit request is for (check one):

- a new use requiring a special use permit,
- an expansion or change to an existing use without a special use permit,
- an expansion or change to an existing use with a special use permit,
- other. Please describe: Amend SUP# 96-00091 to remove Condition #5.

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect?

Specify time period (i.e., day, hour, or shift).

NA

B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

unmanned site

6. Please describe the proposed hours and days of operation of the proposed use: continuous electrical operation

Day:

Hours:

_____	_____
_____	_____
_____	_____
_____	_____

7. Please describe any potential noise emanating from the proposed use.

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

none

B. How will the noise be controlled?

NA

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

none

9. Please provide information regarding trash and litter generated by the use. **NA**

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

C. How often will trash be collected?

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

10. 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:

11. 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:

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

The terminal is surrounded by a 12' tall brick enclosure with a secured gate.

ALCOHOL SALES

13.

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

Yes No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use: **NA**

- _____ Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A _____

Does the application meet the requirement?
 Yes No

B. Where is required parking located? (check one) **NA**

on-site

off-site

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

PLEASE NOTE: 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.

C. 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. **NA**

Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use: **NA**

A. How many loading spaces are available for the use? _____

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?
 Yes No

9 X 10

B. Where are off-street loading facilities located? _____

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

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

16. 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?

existing entrance and driveway are adequate

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing ^{area} building? Yes No
Do you propose to construct an addition to the building? Yes No
How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be? 50' X 100' walled site
8000 sq. ft. (existing) + _____ sq. ft. (addition if any) = 8000 sq. ft. (total)

19. The proposed use is located in: (check one)
 a stand alone building
 a house located in a residential zone
 a warehouse
 a shopping center. Please provide name of the center: _____
 an office building. Please provide name of the building: _____
 other. Please describe: existing 50' X 100' walled site

End of Application

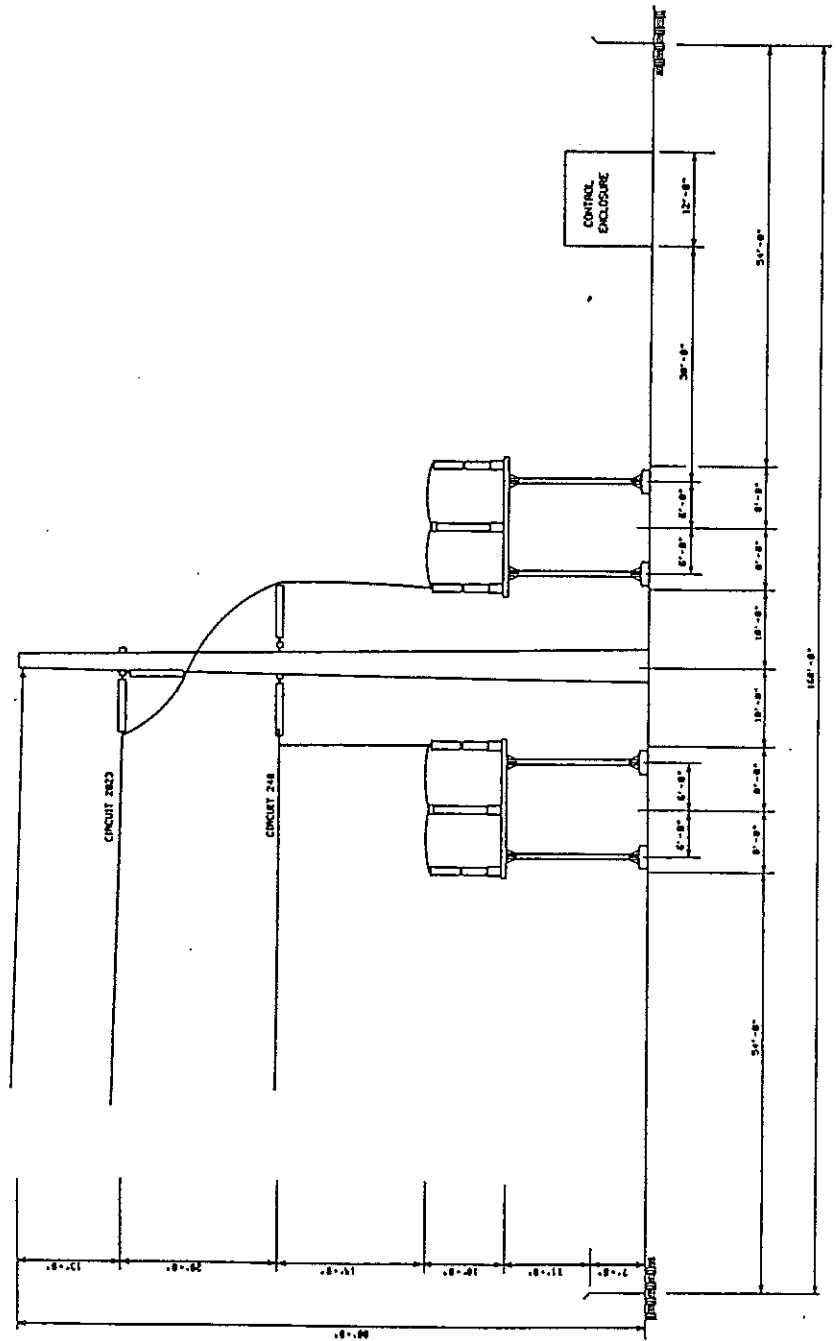
10-20-19

2011-0014

VIRGINIA POWER
NORTH CAROLINA POWER

ELECTRICAL ELEVATION-VIEW 'A'-'A'
POTOMAC YARDS NORTH
TERMINAL STATION

OWNER	DATE	PROJECT NO.	SHEET NO.
DESIGNER	DATE	PROJECT NO.	SHEET NO.
CHECKED	DATE	PROJECT NO.	SHEET NO.
APPROVED	DATE	PROJECT NO.	SHEET NO.
DATE	PROJECT NO.	SHEET NO.	SHEET NO.



ELEVATION 'A'-'A'

22 21

NO. OVER	DATE	PROJECT NO.	SHEET NO.
DESIGNER	DATE	PROJECT NO.	SHEET NO.
CHECKED	DATE	PROJECT NO.	SHEET NO.
APPROVED	DATE	PROJECT NO.	SHEET NO.
DATE	PROJECT NO.	SHEET NO.	SHEET NO.



FOUR MILE RUN
NORTH TERMINAL STATION

JEFFERSON DAVIS HWY.

Google

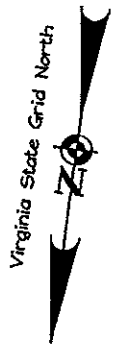
Imagery Date: Mar 4, 07 38°50'24.62" N 77°03'04.33" W elev. 0 ft Eye alt. 836 ft

22



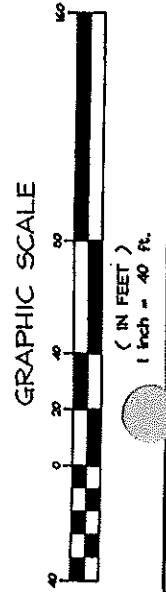
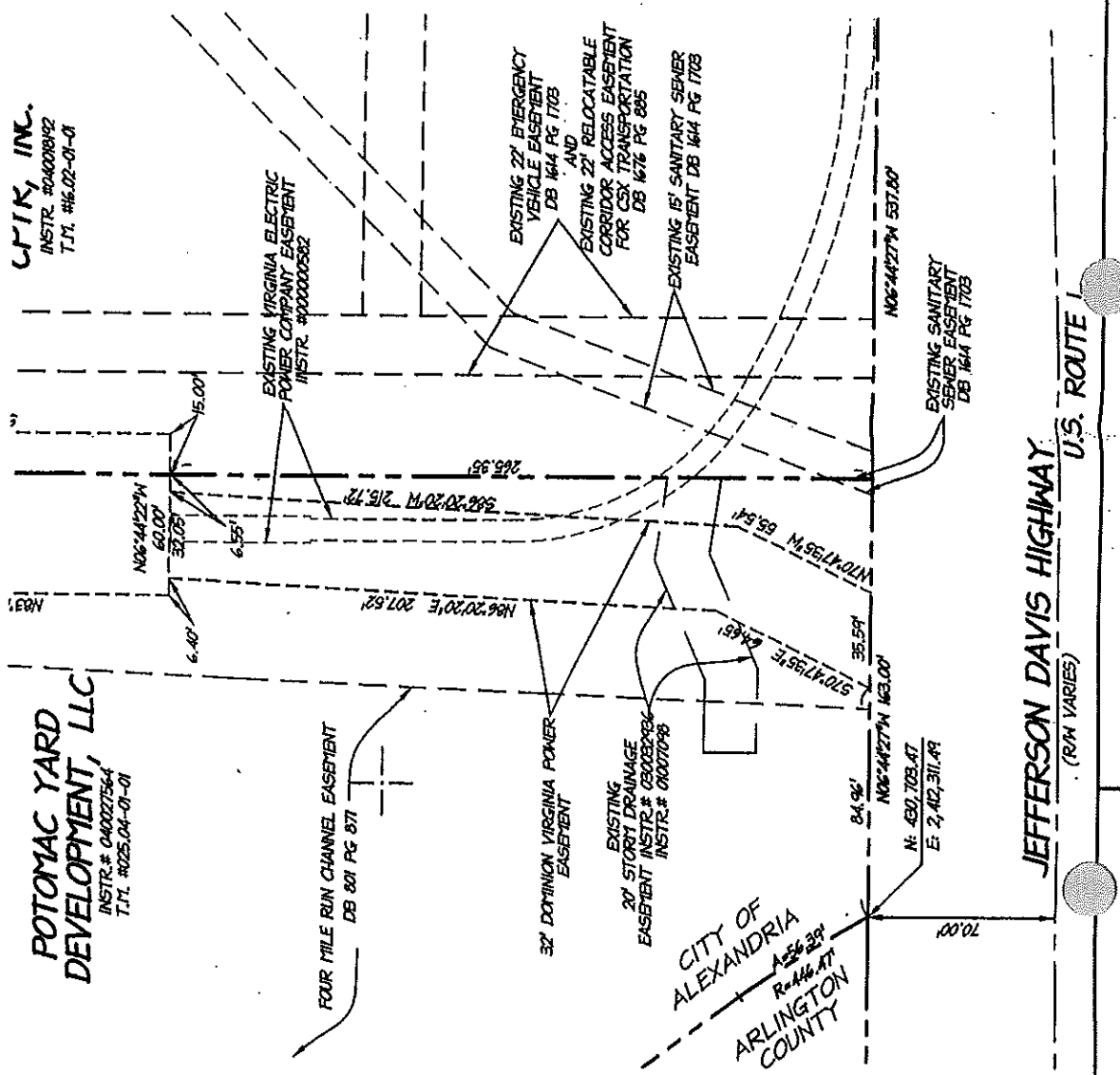
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OnPoint Map provided by GIS Mapping Center, Arlington County, Virginia.
 Map Printed On (2011-03-10 15:19)



POTOMAC YARD DEVELOPMENT, LLC
 INSTR. # 040027564
 T.M. #025.04-01-01

CFIK, INC.
 INSTR. #040028492
 T.M. #16.02-01-01



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- 1. CI 16.
- 2. VE TR ML
- 3. TR AS 50
- 4. NL DL
- 5. PE

May 11, 2011

Faroll Hamer, Director
City of Alexandria
Department of Planning and Zoning
301 King Street, Suite 2100
Alexandria, VA 22313

**Re: North Potomac Yards (Landbay F)
Dominion Power SUP**

Dear Faroll:

Thank you for hosting the meeting between Dominion Power, PYD, Alexandria planning staff and McCaffery Interests on May 5.

As you know McCaffery Interests has continuously represented CPYR, Inc. (the owner of Landbay F, North Potomac Yard) for the past several years. During this time we actively participated in the planning process for North Potomac Yard throughout the Potomac Yard Planning Advisory Group (PYPAG), the City's Small Area Plan (SAP) and the Coordinated Development District approvals (CDD #19).

Approximately two weeks ago we became aware of an application by Dominion Power to extend the Special Use Permit (SUP) that enables their terminal power facility to remain above ground, at the north end of Landbay F and within Four Mile Run Park. Although there was much discussion regarding the potential relocation, undergrounding and enhancement of the Dominion Power terminal facility during the above planning processes, the discussion often centered on requests that CPYR mitigate the impact of the facilities and its enclosure. At no time was the existence or expiration of Dominion Power's SUP discussed.

Further, Dominion Power's SUP also predates the master plan for the Four Mile Run Park improvements. Given the substantial planning investments made to date by both the City and CPYR and given the even more substantial physical investments that are to be made in both public and private improvements, any consideration of an extension of the current SUP should not be made on the basis that the station merely exists but should be made in the context of the current approved planning and future improvements.

With that as a context, CPYR requests that Dominion Power develop a scope of work and pricing alternatives to examine the feasibility of: 1) undergrounding the entire terminal station facility and 2) undergrounding the overhead power lines that extend from the Glebe Road substation or some alternate terminal point acceptable to the City. We believe this evaluation should be made available to the City prior to any final decision or recommendation to the Planning Commission or the City Council.

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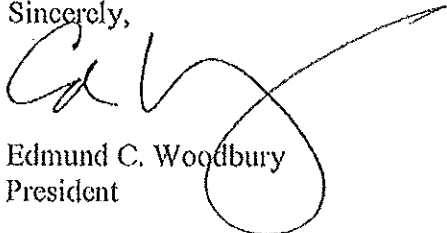
Letter to Faroll Hamer
Re: Landbay F/Dominion Power
May 11, 2011
Page Two

While the above two alternatives are preferable, as a practical matter we are cognizant that they may not be feasible. At a minimum, we strongly urge that the following three suggestions be implemented by Dominion as a condition of any approval by the City to extend the SUP:

- Reduce the Size of the Existing Enclosure – The current enclosure includes unused land and an outbuilding that can and should be given back to Four Mile Run and Crescent Park. By implementing this reduction, the park would be improved and the northerly Landbay F building could potentially be opened to the Park.
- Reconfigure the Access Drive – Currently there is an access road that services the terminal station. Dominion Power should be required to redesign and pay for any new access drive that will be needed to service their facility. Without this provision park dollars would be needed for this road which should not be the case.
- Define a Contribution for the Park – Since this enclosure (even at a reduced size) will remain within Four Mile Run and Crescent Park, the City should request that Dominion Power contribute to the improvement of the Park and the enclosure enhancements.

Thank you in advance for your consideration. We look forward to answering any questions you might have.

Sincerely,


Edmund C. Woodbury
President

cc: Pam Boneham
Mike Nigro
Dan McCaffery
Steve Collins
Cathy Puskar
Jeff Farner
Gwen Wright
Barbara Ross

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Dominion Virginia Power
701 East Cary Street, Richmond, VA 23219
Mailing Address: P.O. Box 26666
Richmond, VA 23261
Web Address: www.dom.com



May 12, 2011

Faroll Hamer, Director
City of Alexandria
Department of Planning and Zoning
301 King Street, Suite 2100
Alexandria, VA 22313

**Potomac Yard North Terminal Station
Request for Extension of SUP**

Dear Ms. Hamer:

Thank you and your Staff for inviting Dominion Virginia Power to the meeting last Thursday on May 5, 2011. As a result of that meeting, your Staff requested additional information concerning the terminal station we have along Four Mile Run.

We think it is important to begin with a summary of the reasons for our request to extend the Special Use Permit (SUP) for the underground to overhead transmission line terminal station.

- In the 15 years since the SUP was approved, the property conditions that limit our ability to expand Glebe Substation have not changed. The present size of the Glebe Substation does not allow the underground to overhead termination within its present foot print, and property remains unavailable for the substation expansion.
- The need for the two 230 kV circuits is a part of Dominion's critical energy infrastructure in this area. The loss of these circuits for any length of time has the potential to disrupt the reliability of electric service.

Following are responses to the questions from last Thursday's meeting:

1. More information is required on the future pumping plant in the western area of the site.

A new substation, North Alexandria Substation, is planned for completion near Monroe and Leslie Avenue where Nelson Avenue is to be extended. This new substation will be served off of the underground circuit (Line 2023) which runs between Carlyle South and Potomac Yard North Terminal Stations. This will require a new pumping plant be installed at Potomac Yard North to maintain fluid pressure on the existing underground transmission line cable. The pumping plant will be approximately 35 feet X 15 feet and will be installed on the western most side of the terminal station, within the existing walled area. This installation will be required in approximately one year.

2. Can the view of the facility be made smaller?

No. The existing size (50 feet x 160 feet) is needed to accommodate the future pumping plant described above and to provide access for cable trailers, should the need arise to replace the existing cable. Any cable pulling operation involving these cables must start at the termination end and since

three cables are pulled into the pipe at a time, a large truck is required to carry all three reels of cable. There are two underground circuits and a total of twelve cables requiring four separate cable pulls. As with the initial installation, this would require a cable trailer set up on end of the station.

3. Can the control house go outside in a more attractive building or underground?

This would not be practical. It would require rewiring and the terminal station would need to be taken out of service. In addition, no other substation on the Dominion system has the control house located outside the station fence. To place a control enclosure outside of the station would present security issues that could jeopardize the transmission grid reliability that is expected by NERC (North American Electric Reliability Council).

4. With no control enclosure or pumping station, can we "chop" off the end walls on each end?

A pumping plant and control enclosure are required. Even without them, a fence is required on all sides to provide for public safety and to prohibit unwanted access.

5. What is the minimum perimeter?

The existing Potomac Yards North Terminal Station represents the minimum required perimeter. This size is actually smaller than the other double circuit terminal stations that exist on the Dominion system. Carlyle South Terminal Station, located at the end of Holland Lane, is 65 feet x 160 feet. Two similar stations in eastern Virginia are 119 feet x 161 feet and 150 feet x 150 feet respectively.

6. Can the facility be placed below grade? What is that cost?

From a transmission line standpoint, the facility cannot be placed underground. The whole purpose of this terminal station is to transition from underground to overhead, since an overhead line must exist between Potomac Yards North and Glebe Substation.

It is also not practical to place the station below grade as it would need to remain in service during construction, thereby requiring a new site for a below grade station. A cost estimate would be in the tens of millions, and even more property would be required to achieve an allowable grade for the entrance.

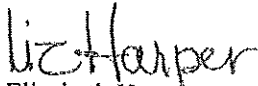
Dominion has received a copy of the letter from Ed Woodbury with the McCaffery Interest, representing CPYR, Inc. As you know Dominion holds a permanent easement for a portion of our Terminal Station from CPYR, Inc. We are withholding our comments to that letter under advice of legal counsel while we review our existing contract and expectations of rights from CPYR, Inc.

JB

Faroll Hamer, Director
Potomac Yard North Terminal Station
May 12, 2011
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If there are other questions, please do not hesitate to contact us. You may contact the Project Manager, Steve Quarberg at (804)771-3765 or steve.quarberg@dom.com, or myself at (804)771-6145 or liz.harper@dom.com. Thank you.

Sincerely



Elizabeth Harper
Sr. Siting and Permitting Specialist
Electric Transmission Lines

cc: Deborah Johnson
Steve Quarberg



Ryan W. Boggs
Senior Counsel
Dominion Law Department

Dominion Resources Services, Inc.
120 Tredegar Street, Richmond, VA 23219
Phone: 804-819-2268, Fax: 804-819-2202
E-mail: Ryan.W.Boggs@dom.com

Mailing Address: P.O. Box 26532
Richmond, VA 23261

May 18, 2011

Web Address: www.dom.com

VIA OVERNIGHT DELIVERY

Mr. Norton O'Meara
RREEF America, L.L.C.
875 North Michigan Avenue, Suite 4100
Chicago, Illinois 60611

Re: **Transmission and Distribution Easement Agreement between Virginia Electric and Power Company and CPYR, Inc.**

Dear Mr. O'Meara:

I am sending this letter as counsel for Virginia Electric and Power Company, d/b/a Dominion Virginia Power ("Dominion") in regards to the above referenced easement agreement (the "Perpetual Easement") which identifies you as the notice contact on behalf of CPYR, Inc. ("CPYR").

In 2004, CPYR granted Dominion the Perpetual Easement for an overhead electric substation and/or terminal station as more particularly described in the Perpetual Easement (a copy of which is enclosed herewith). Dominion paid \$1,200,000.00 for the land rights associated with Dominion's North Potomac Yards Terminal Station (the "Terminal Station") which was paid directly to Potomac Yard Development, LLC as agreed to by CPYR. The Perpetual Easement includes a covenant by CPYR that Dominion "*shall have use and enjoyment of the easement of Right of Way...*" In addition, CPYR is obligated to "*execute further assurances*" acknowledging Dominion's rights under the Perpetual Easement.

I am calling your attention to these provisions of the Perpetual Easement due to the recent actions of McCaffrey Interests purportedly acting on behalf of CPYR. In a letter dated May 11, 2011, the President of McCaffrey Interests made several requests to the City of Alexandria Department of Planning and Zoning which is currently reviewing a request by Dominion to extend a permit for the Terminal Station. In the letter, McCaffrey Interests, on behalf of CPYR, "strongly" urges that the City of Alexandria, "at a minimum" impose the following conditions on Dominion:

1. **Request that Dominion underground the Terminal Station.** This request was made despite the fact that the Perpetual Easement expressly provides for Dominion to construct, operate and maintain in perpetuity "*an overhead electric substation and/or terminal station*" on the CPYR's property (emphasis added).
2. **Request for Dominion to reduce the size of land enclosed for the Terminal Station and a statement that Dominion "can and should" give back unused land to Four Mile Run and Crescent Park.** This request was made despite the fact that the area of land enclosed for the Terminal Station is the area of land subject to the Perpetual Easement for which CPYR received "*good and valuable consideration*" from Dominion.

3. **Request for Dominion to reconfigure the access drive.** This request was made despite the fact the Perpetual Easement provides Dominion with a right of reasonable access to its Terminal Station and imposes no obligation on Dominion to reconfigure, design or pay for future access roads. In fact, the Perpetual Easement expressly contemplates CPYR's altering or modifying private roads provided that Dominion has reasonable access to its Terminal Station
4. **Request for Dominion to contribute to the improvement of the park.** This request was made despite the fact that Dominion invested in excess of \$17 million in the late 1990s to underground overhead transmission lines to accommodate the redevelopment of Potomac Yard. Furthermore, Dominion stands by its commitment in the Perpetual Easement to provide an attractive buffer between the terminal facility and CPYR's property and Dominion will work with CPYR to honor the terms of the Perpetual Easement as CPYR's development plans progress.

CPYR's requests to the City seem to ignore the fact that CPYR has already granted Dominion perpetual rights for the Terminal Station and is not consistent with the covenant made by CPYR in the Perpetual Easement which assures Dominion of the "use and enjoyment" of its easement rights.

In light of the foregoing, I request that CPYR notify the City in writing that it withdraws the suggested conditions set forth in the May 11th letter which will serve as CPYR's acknowledgement of the covenant it made to Dominion and fulfill CPYR's obligation to provide Dominion with further assurances as required by the Perpetual Easement.

Sincerely,



Ryan W. Boggs
Senior Counsel
Dominion Law Department

Enclosures

cc: Seyfarth Shaw
55 East Monroe Street, Suite 4200
Chicago, Illinois 60603
Attn: Joel D. Rubin, Esq.

Edmund C. Woodbury, McCaffery Interests
Farroll Hamer, City of Alexandria, Department of Planning and Zoning
Barbara Ross, City of Alexandria, Department of Planning and Zoning
Steve Quarberg, Dominion Virginia Power
Liz Harper, Dominion Virginia Power
Deborah T. Johnson, Dominion Virginia Power
J. Howard Middleton, Esq., Reed Smith

X 31

From: J. Howard Middleton
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+1 703 641 4200
Fax +1 703 641 4340
reedsmith.com

Via E-mail

To: The Honorable Chairman and Members of the Planning Commission

CC: Faroll Hamer - City of Alexandria
Barbara Ross - City of Alexandria
Jeffrey Farmer - City of Alexandria
Gwen Wright - City of Alexandria
Kendra Jacobs - City of Alexandria
Ryan Boggs
Deborah Johnson

Date: June 1, 2011

Subject: **Planning Commission Public Hearing, June 7, 2011; Docket Item No. 7, Special Use Permit No. 2011-0014, Dominion Virginia Power; Proposed Substitute Condition**

Mr. Chairman and Members of the Planning Commission:

I represent Dominion Virginia Power with respect this application for an extension of the Special Use Permit for the transmission line terminal site just south of Four Mile Run. The application was deferred at the May meeting to the June 7th hearing. Since the deferral, Dominion Virginia Power officials and I have been discussing the application with members of the City staff, with primary focus on Condition No. 1 on page 7 of the staff report. As a result of these discussions, we are proposing a substitute new condition No. 1 which would read as follows:

New Condition #1:

The applicant shall participate with the City and the adjacent property owners to develop a plan to integrate the terminal facility structure into the design of the new development and parks on land adjacent to and in the vicinity of the terminal facility (including both Four Mile Run and Block 1 of CDD #19), and to implement that plan with appropriate financial contributions for such improvements by the applicant, provided that CPYR shall remain responsible for its obligation pursuant to Condition #42 of REZ #2009-0001/CDD#2009-0001, and provided further that the improvements shall be at no cost to the City. Any such plan shall be consistent with the Four Mile Run Master Plan and

The Honorable Chairman and Members of the Planning
Commission
June 1, 2011
Page 2

Design Guidelines, with the North Potomac Yard Urban Design Standards as well as with Condition #42 of REZ #2009-0001/CDD#2009-0001.

Although the ultimate plan has not been designed and will need to be negotiated among the parties, such plan may include, as examples, regrading of land near the facility, relocation and reconfiguration of the access road, landscaping, architectural screening of the facility itself and other associated physical improvements.

The applicant shall be responsible for submitting all necessary design and engineering plans and documents for improvements called for in this plan to the area covered by the Dominion Virginia Power easement, and all such improvements shall be completed concurrently with the park improvements on Block 1.

Assuming a satisfactory design solution and cooperative agreement for its implementation is developed, the SUP for the terminal facility will expire on June 12, 2035. If there is no satisfactory design solution and cooperative agreement for its implementation, then the SUP for the terminal facility will expire six months after the first approval for a DSUP for the development of any block in CDD #19 adjacent to Four Mile Run and Landbay E or of Crescent Park (Block 1).

No requirement in this condition shall cause the terminal facility to be in violation of National Electric Safety Code requirements nor preclude the applicant from operating its facilities in a safe and reliable manner.

Our discussions have centered on the need for cooperation and coordination among the parties involved to enable the coexistence of the facility and the proposed private development, and we believe the new condition will accomplish this purpose.

I have been authorized to report to the Commission that the City staff agrees with this new substitute condition. We are therefore requesting the Commission to recommend approval of the application with the new substitute Condition No. 1.

We appreciate your kind consideration of this matter.

JHM:vmi