



Virginia Paving SUP Review

5601 & 5603 Courtney Avenue;
720, 730, and 750 South Van Dorn Street

Special Use Permit #2017-0097

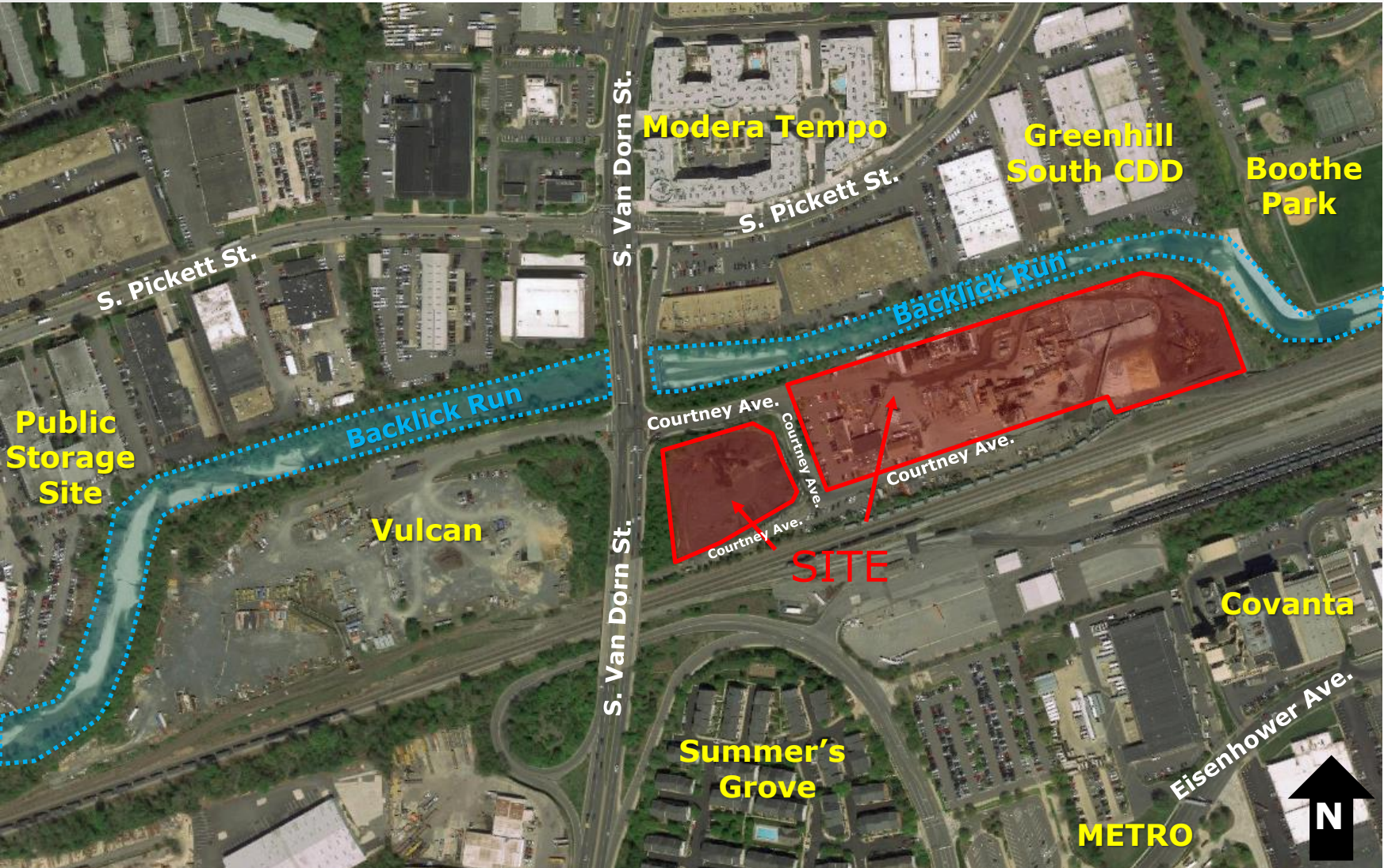
City Council – October 19, 2019



Introduction

- City-led review of previously-approved SUP for asphalt plant
- Review required according to Condition #75 of the SUP
- Two-part land-use question is focus of this case:
 - Consistency of asphalt plant with SAP recommendations
 - Consistency of asphalt plant with ensuing and foreseeable development
- Options presented in the condition regarding continued operation or eventual closure of the plant
- Recommendation
 - Staff and Planning Commission find that the use is inconsistent with both parts of the land-use question
 - Staff recommends closure of plant in November 2022
 - Planning Commission recommends closure of plant in January 2027

Location





Background

- Asphalt plant has operated at site since 1960 SUP approval
- SUP amendment for new overnight hours in 2006
- 2006 approval included dozens of new conditions to mitigate impacts including noise, odors, air pollutants, landscaping, stormwater runoff, and community outreach/complaints
- Administrative SUP approved in 2010 to allow cleaner-burning natural gas as a fuel option
- Eisenhower West Small Area Plan approved November 2015
- Virginia Paving operates under state air quality operating permit that includes 47 conditions and stipulates air pollutant limits
- State stormwater permit also required
- City operates an air pollutant monitoring station near Tucker Elementary School
- No violations of SUP conditions that resulted in tickets to the applicant (except for one that was rescinded in 2012)

Condition #75: Required Review

- Condition added in 2006 to require future SUP review to address concerns about land-use compatibility
- Two-part land-use question in SUP review:
 - Consistency with Eisenhower West SAP
 - Consistency with ensuing and foreseeable development
- Zoning strategy in SAP is for individual requests for new CDD zoning rather than widespread zoning amendments
- Timing of SUP review

"City Council shall review this SUP, conduct a public hearing, and determine if the continued operation of this use is inconsistent with the Eisenhower West Small Area Plan (SAP) and implementing zoning amendments, anticipated for adoption in 2009, and with the ensuing and foreseeable development and redevelopment in the area. Such public hearing shall be held, and determination made, on or about three years after adoption of the SAP."

Condition #75: Option 1

- If Council determines use is not inconsistent, the use could continue operation with or without a new sunset clause

"In the event Council does not determine that the continued operation of the use is inconsistent with such SAP, implementing zoning and development or redevelopment, the use may continue, subject to the terms and conditions of this SUP, including a new or revised sunset date."



Condition #75: Option 2

- If Council determines use is inconsistent, it would be allowed to continue operating for additional time prior to closure
- Minimum operating time prior to closure in this scenario is seven years from the SAP adoption (November 2022)
- Maximum additional operating time is not a fixed date but rather a potential date Virginia Paving might need to obtain adequate return on investment for equipment installed prior to 2006
- No such amortization-related matters have been presented

"In the event Council determines that the continued operation of the use is inconsistent with such SAP, implementing zoning and development or redevelopment, the use, and all related and tenant operations on or within the site after expiration of the current lease (which is in 2016), shall terminate at such time as the Council shall determine, which shall not be sooner than seven years after adoption of the SAP nor longer than the applicable amortization period under Zoning Ordinance Section 12-214 as demonstrated by the Applicant. Investments made subsequent to this SUP Amendment will not be included in such an amortization analysis."

Small Area Plan Goals

- Broad goals of the Eisenhower West SAP (Page 17) include:
 - Capitalizing on the Van Dorn Street Metro
 - New mix of uses that are able to co-exist with industrial uses remaining in the area long-term
- SAP addresses industrial uses as follows:
 - Heavy industrial vs. light industrial / “PWR” uses
 - New light industrial / “PWR” uses recommended on western side of South Van Dorn Street (Neighborhood #1)
 - Certain heavy industrial uses should be redeveloped whereas others may need to remain long-term





Site-Specific SAP Recommendations

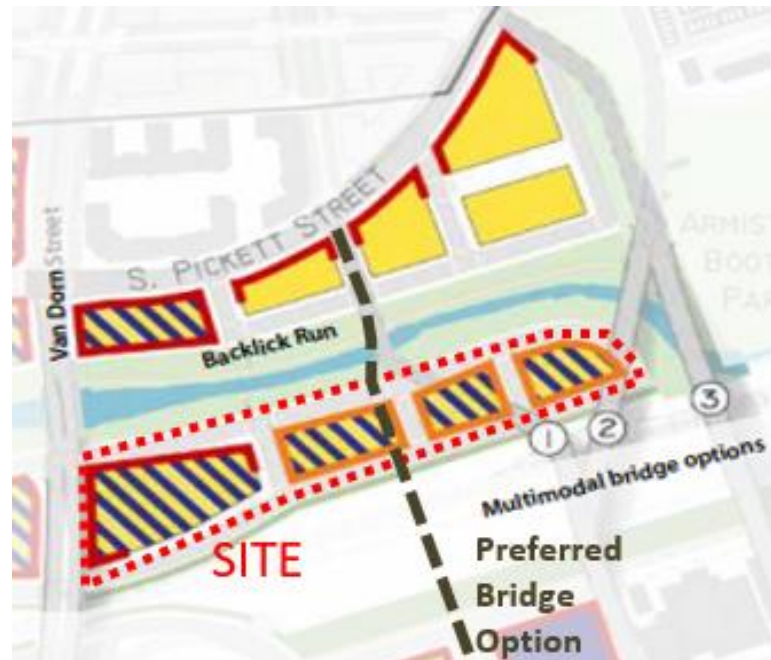
- EWSAP identifies Virginia Paving as a heavy industrial use and recommends the redevelopment of the site (emphasis added):

While currently an important source of asphalt for the City of Alexandria, a site [Virginia Paving] so close to a Metrorail station should be redeveloped in the future into a more compatible use.
(EWSAP Page 32)

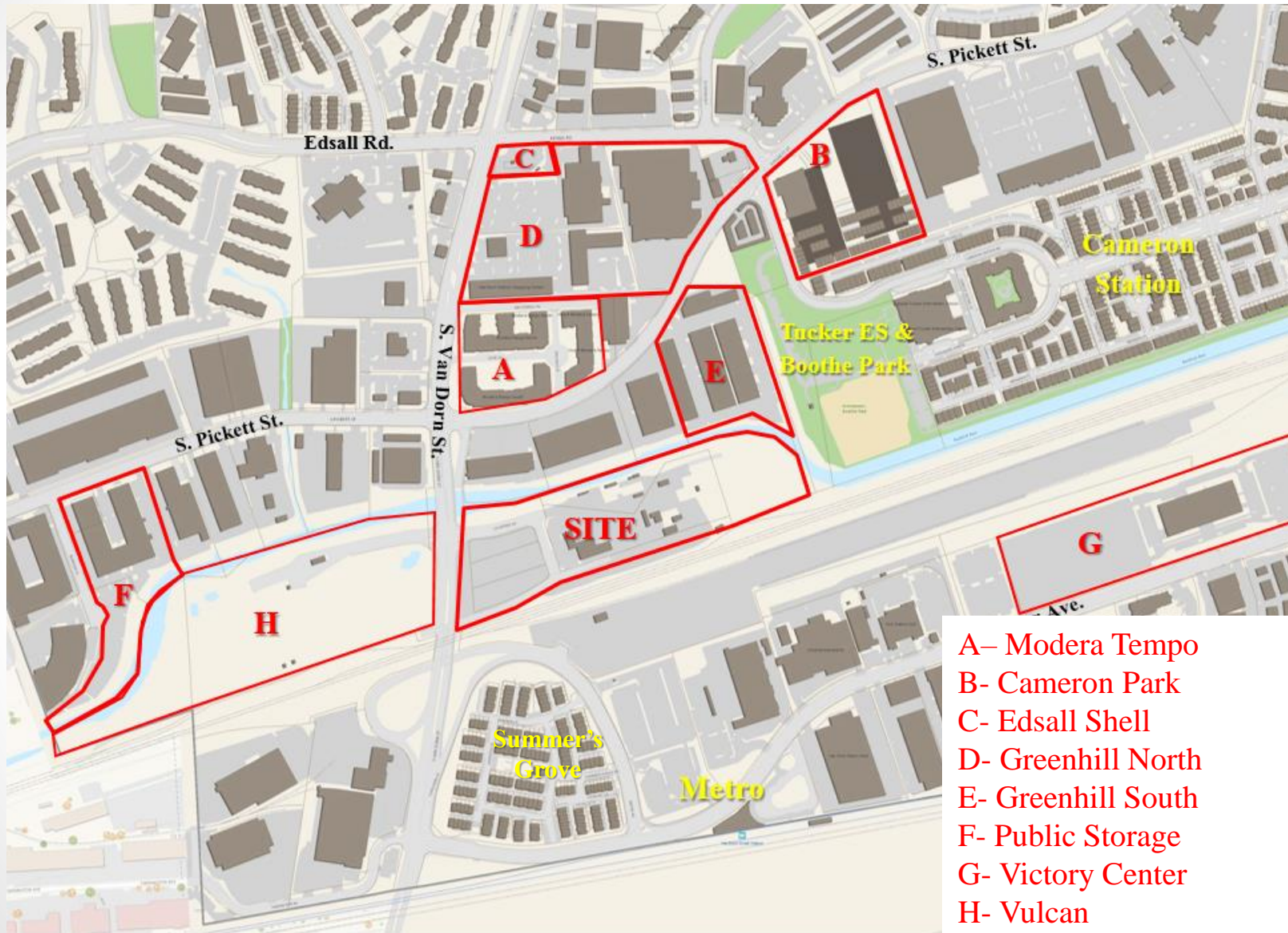
- Plant is not an industrial use of the type anticipated in SAP goal to remain long-term
- Plant is not a light industrial / “PWR” use recommended elsewhere in the Plan area
- Recommended site redevelopment
 - Mix of uses including residential, office, recreational / civic
 - Medium-high buildings recommended (generally 10 to 15 stories)
 - New street grid anticipated

Plan-Wide SAP Recommendations

- Impact on maximum heights at future buildings in the Plan area
 - City-commissioned air quality analysis
 - At SUP limits, PM2.5 emissions from plant would result in air quality issue for future buildings
- Preferred option for the multimodal bridge would bisect the site
- New linear park on both sides of Backlick Run known as the "Backlick Run Greenway"
- Reducing amount of buildings and pavement in the RPA



Area Development



Community



Date	Community Group
October 2017	EW/LVD Implementation Advisory Group
February 2018	EW/LVD Implementation Advisory Group
May 2018	EW/LVD Implementation Advisory Group
September 2018	EW/LVD Implementation Advisory Group
February 2019	Cameron Station Civic Association
May 2019	EW/LVD Implementation Advisory Group
August 2019	Notification to several civic associations including: Cameron Station Civic, Summer's Grove HOA, Brookville-Seminary Valley Civic, West End Coalition, WEBA
9/11/2019	EW/LVD Implementation Advisory Group
9/12/2019	Virginia Paving Community Meeting

Recommendation

- Staff and Planning Commission conclude that asphalt plant is INCONSISTENT with:
 - Eisenhower West SAP recommendations
 - Ensuing and foreseeable area development
- Staff recommends closure of facility in November 2022
- Planning Commission recommends closure on January 1, 2027





Condition #75

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