

EISENHOWER WEST/
LANDMARK VAN DORN

IMPLEMENTATION
Advisory Group

11 September 2019



Agenda

1. Welcome
2. Virginia Paving SUP Update
3. Development Updates
 - Vulcan Site
 - Landmark CDD
4. Questions

An aerial photograph of a large industrial or commercial development. The image shows a dense arrangement of buildings, parking lots, and roads. A prominent road or highway runs diagonally across the center of the image. The overall scene is a complex of infrastructure and buildings, typical of a large-scale development project.

Virginia Paving SUP Update



www.virginiapaving.com

Eisenhower West/Landmark VanDorn Implementation
Advisory Group

September 11, 2019



**Virginia Paving took over the site from Newton Asphalt,
which continuously operated here since the 1960's.**

The team remains largely the same:

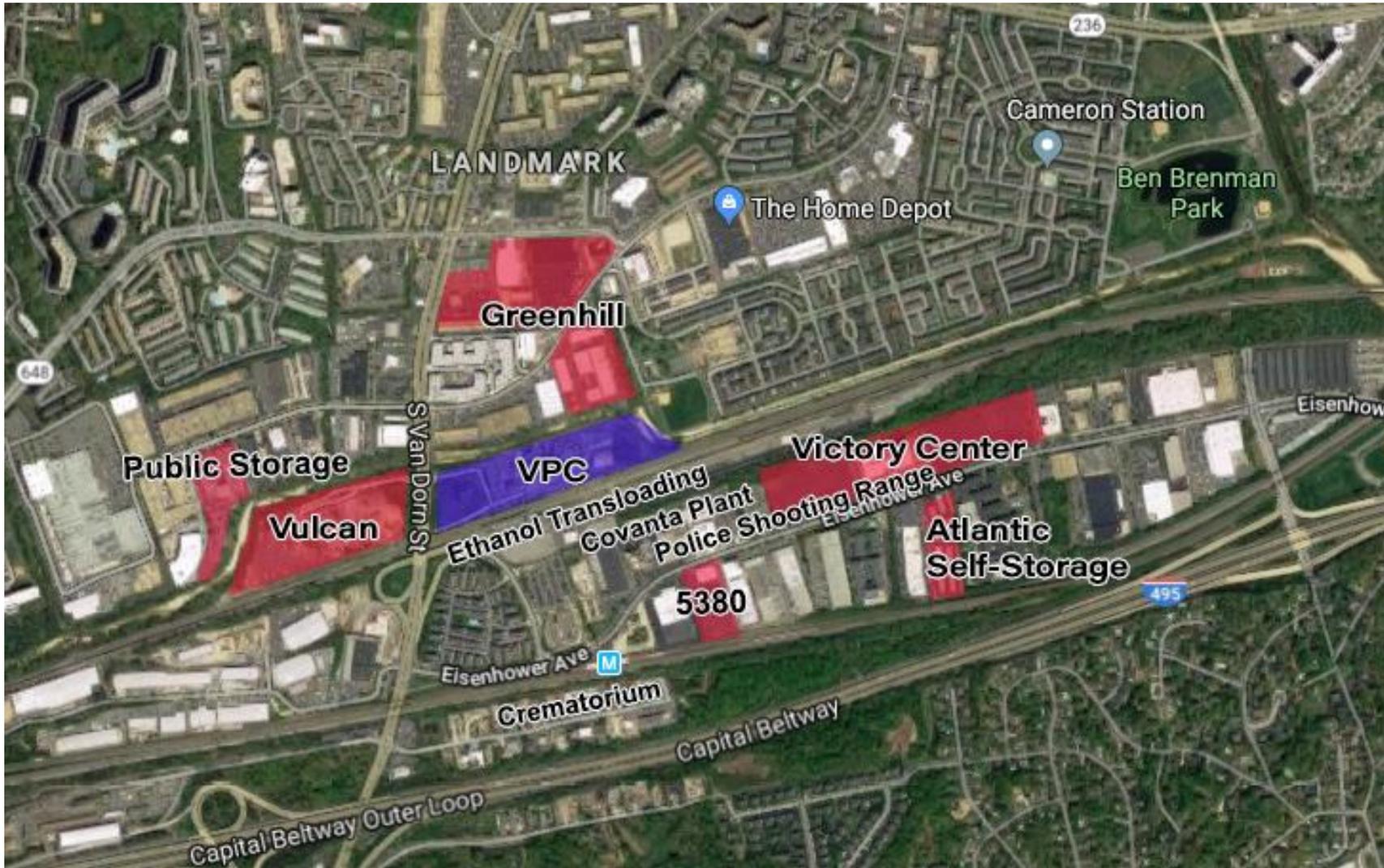
Mike Cuilik – Vice President

Dave Horton – Regional/District Manager

Cody Sullivan – Area Manager

Josh Doorly – Environmental Coordinator

Virginia Paving Site and its Vicinity



CITY OF ALEXANDRIA IS REVIEWING VIRGINIA PAVING'S SPECIAL USE PERMIT

- ▶ SUP granted in November 2006 to permit nighttime paving operations in exchange for significant environmental improvements at the Plant and amended 2010 to permit Virginia Paving to use natural gas as its source of energy (SUP #2010-0014).
- ▶ The SUP includes 78 conditions related to key operation areas: air quality, odor, water quality, noise, and esthetics.
- ▶ Virginia Paving spent over \$4 million dollars in plant improvements that have made this plant the leader in asphalt plants for best management practices.
- ▶ See “An Asphalt Plant in Upwardly Mobile Virginia: Best Practices for Becoming a Better Neighbor” at <https://www.nxtbook.com/naylor/NAPS/NAPS0117/index.php?startid=40#/40>

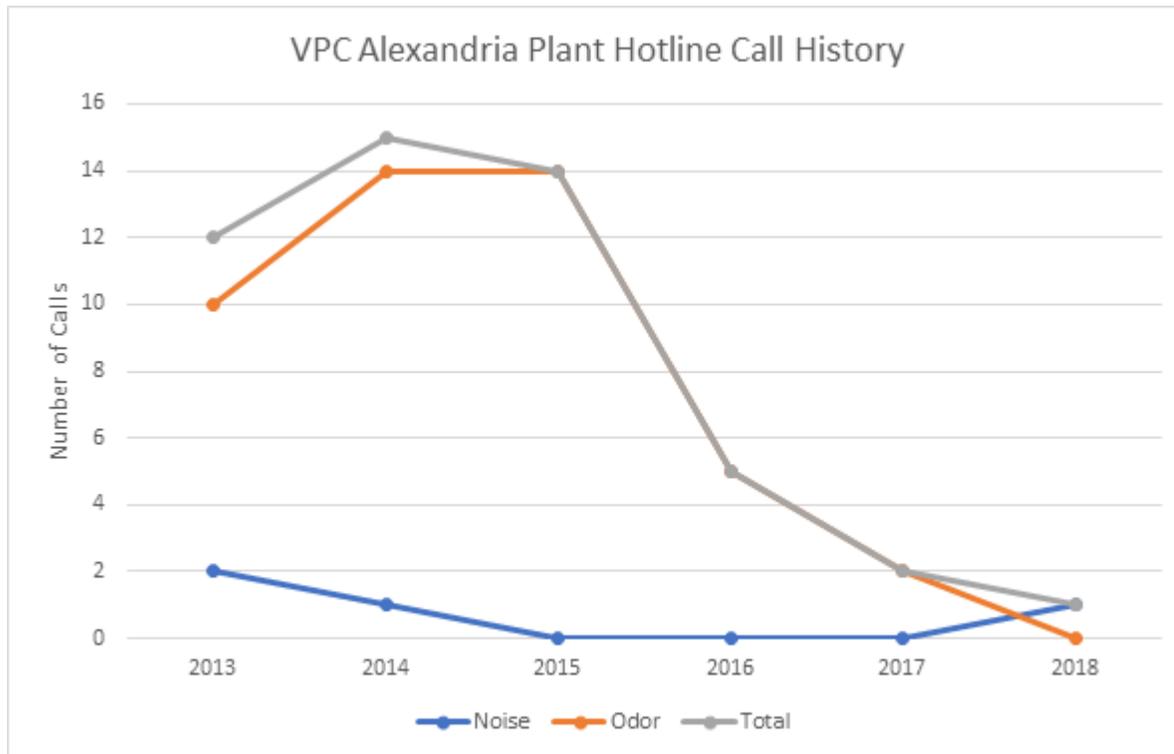


SUP Conditions include:

- ✓ Annual Report to the City of Alexandria
- ✓ Specific Enforcement Officer at the City for Va. Paving which Va. Paving pays the City to maintain.
- ✓ Annual City Inspection of the Plant's entire operation.
- ✓ Annual Open Houses for the Community to hear about the Plant's operations for that year, any complaints and how they were handled and the City's annual inspection results. Complaints have consistently dropped in every year since the adoption of the SUP.
- ✓ 24 hour Hotline for any Complaints to be directed to Va. Paving for faster response times.



**VIRGINIA
PAVING
COMPANY**



Condition 75 of the SUP VIRGINIA PAVING'S SUNSET CLAUSE (The Reason for the SUP Review)

- ▶ Review is linked to the approval of the Eisenhower West Small Area Plan (Nov. 2015).
- ▶ City Council is directed to hold a public hearing and make a determination on consistency with the Eisenhower West Small Area Plan (“SAP”) “on or about 3 years after adoption of the SAP.”
- ▶ Plan adopted 11/15. Three years after would have been 11/18.
- ▶ City Council failed to adhere to the language of the condition. Condition fails.

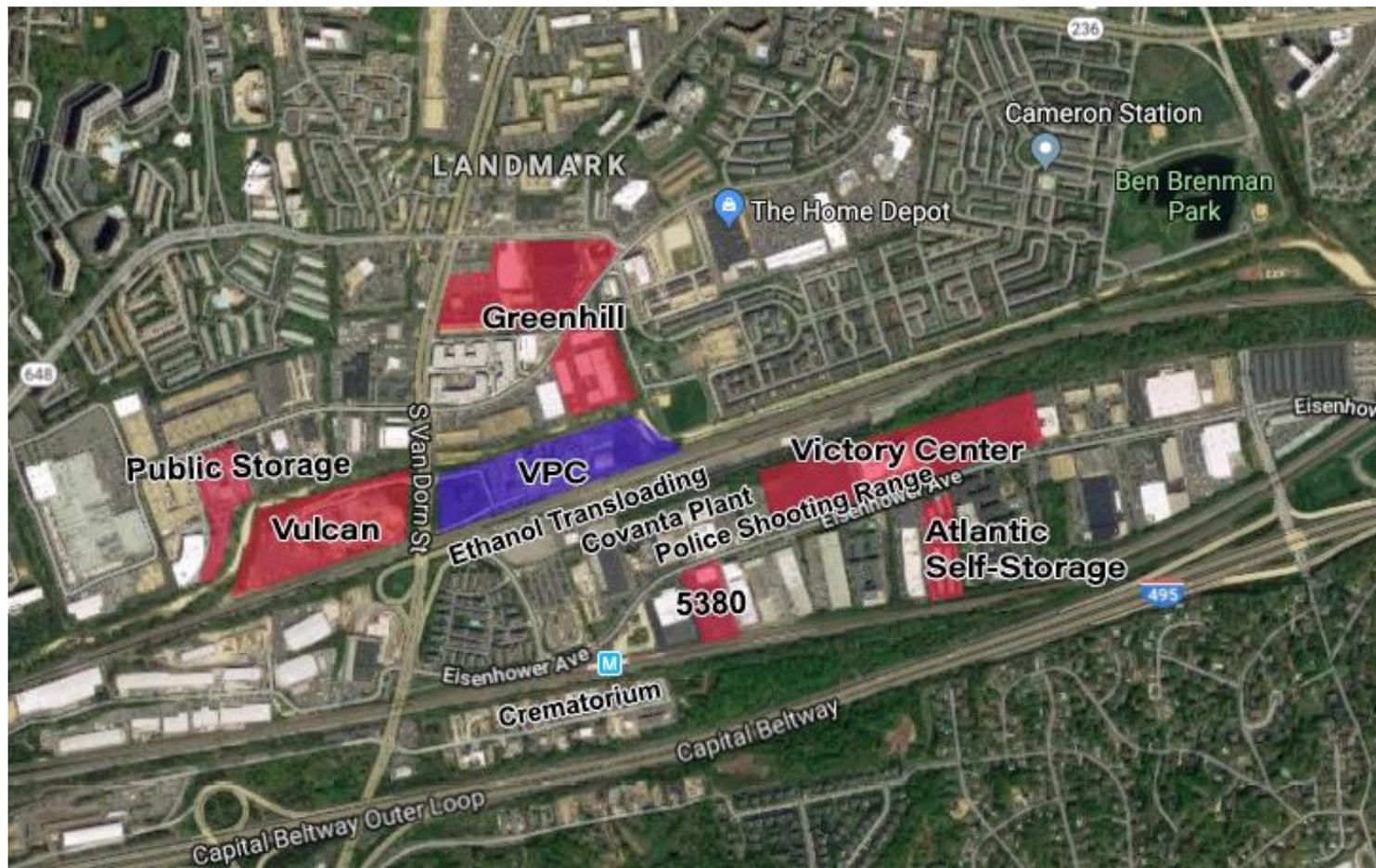
VIRGINIA PAVING'S SUNSET CLAUSE HAS EXPIRED

- ▶ Condition fails because of the very nature of the review itself:
 - ▶ City Council is directed to determine if the continued operation of Virginia Paving “is inconsistent with the Eisenhower West Small Area Plan . . . and with the ensuing and foreseeable development and redevelopment in the area.”
 - ▶ If inconsistent, City Council tells Va. Paving to close in 7 years.
 - ▶ Takes away all the property rights of this SUP.
 - ▶ As a result, the condition must be strictly adhered to in order to terminate a use.



NOT INCONSISTENT with EW SAP

- ▶ VAP is not inconsistent with the Eisenhower West Small Area Plan or with the ensuing and foreseeable development and redevelopment in the area.
- ▶ Most Uses in the EWSAP Area are slated for redevelopment. Most of the warehouses, all of the industrial uses, doesn't make them inconsistent now.
- ▶ It is arbitrary to single out one industrial use as inconsistent now when the plan calls for redevelopment over a 25 year period.
- ▶ In addition, other properties in the area are moving forward with redevelopment while VAP remains in operation. It's not impeding ensuing and foreseeable future redevelopment at this time.





NOT INCONSISTENT with EW SAP

- ▶ The Eisenhower West Small Area Plan is a “25-year framework” to accomplish a vision of a thriving mixed-use community. It’s full build out date is 2040. Reaching plan objectives requires a long transition period. There is no immediate need to remove existing businesses.
- ▶ The continued operation of the Virginia Paving Plant does not impede any specific recommendations of the plan from being implemented. It is compatible with all the Key Elements presented on the Plan. Specifically:
 - ▶ The Plan’s Goal #2 is that the new mix of uses are able to coexist with industrial uses remaining in the area long-term
 - ▶ A key open space element, the revitalization of Backlick Run, can certainly be carried out while the plant continues to operate, providing an attractive Backlick Run Greenway
 - ▶ Page 26 states that properties included in the plan maintain their rights under current zoning
 - ▶ The proposed Multi-Modal Bridge can be accommodated on the eastern edge of Virginia Paving’s site

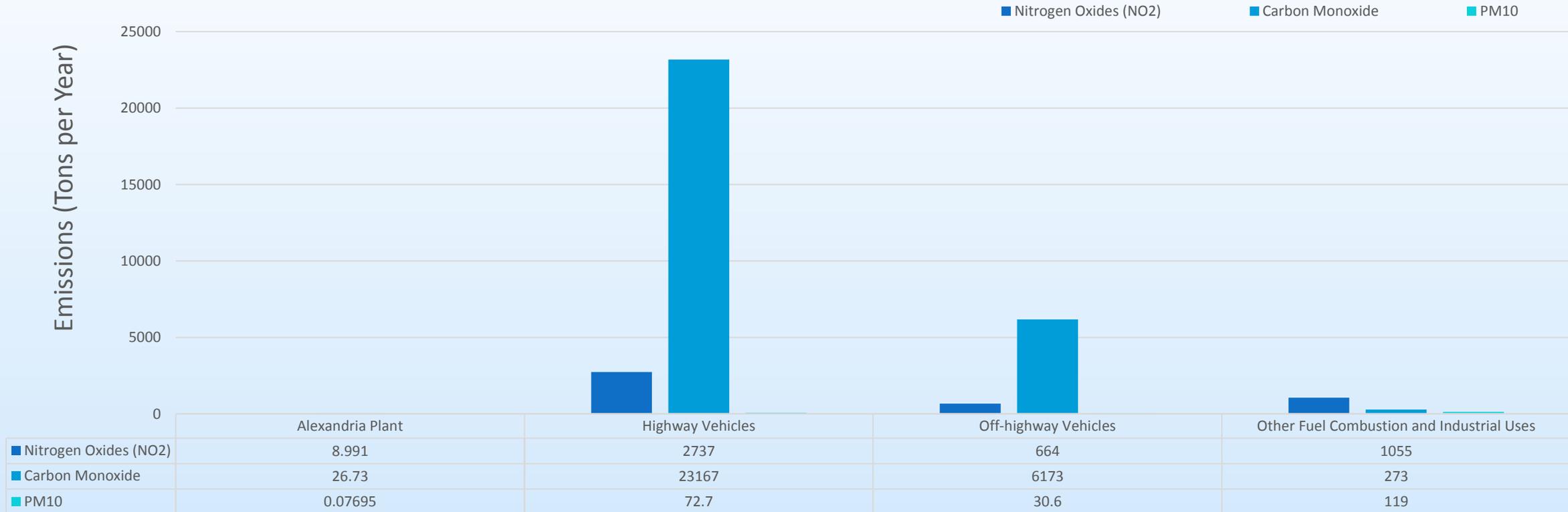


NOT INCONSISTENT with EW SAP

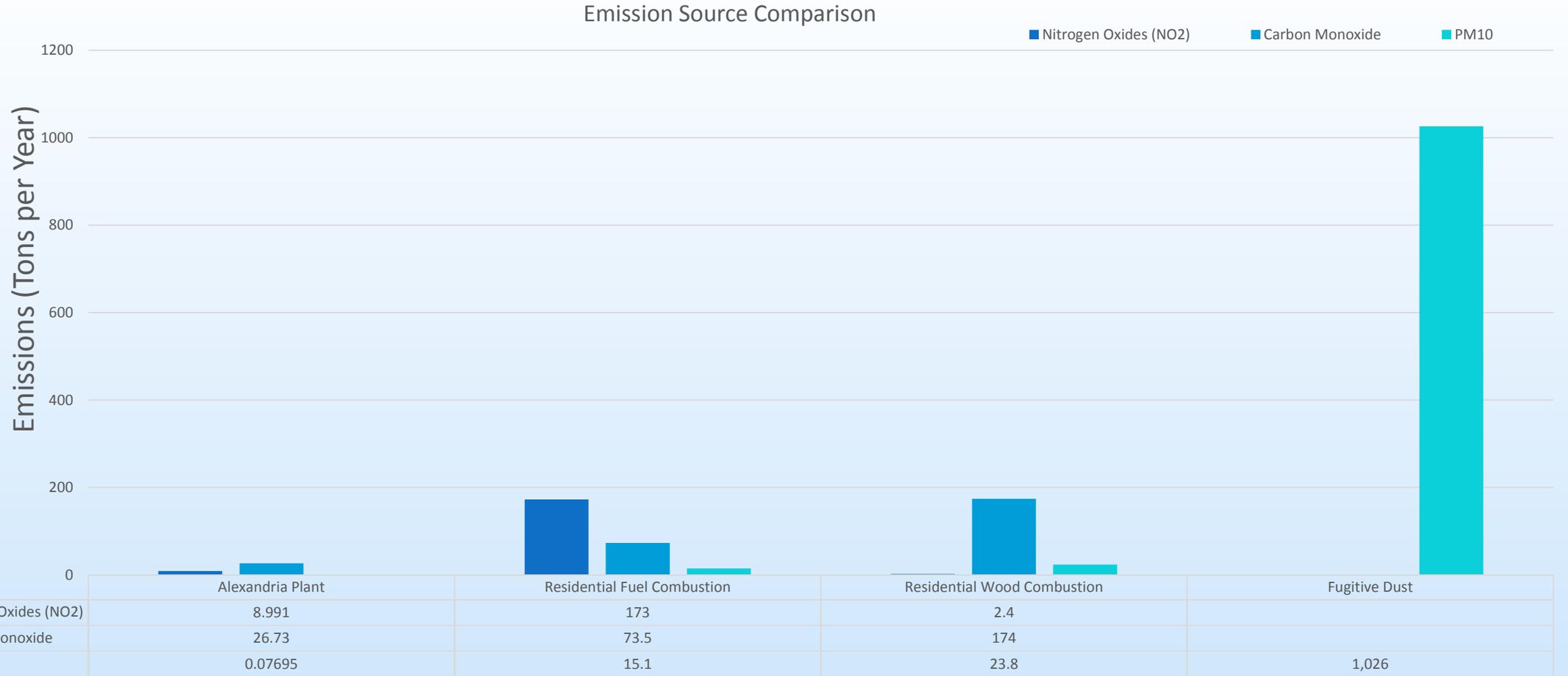
- ▶ The Implementation Section of the Plan has 7 strategies, none of which recommends closing down existing uses. New uses are to be phased in as market demand builds.
- ▶ The Air Quality modeling carried out by the City's consultants demonstrated that the emissions from Virginia Paving's current operations would not impact the feasibility of constructing tall buildings in the area.
- ▶ Market-driven interest in Eisenhower West is building and Virginia Paving's continued operation is not impeding this interest. As projects are built incrementally, and public improvements to infrastructure and parks are made, market forces will eventually make older industrial properties more attractive for new development than for continued industrial operations.
- ▶ VAP is a viable, corporate operation here in Alexandria and identifying an arbitrary date for it to shutter its doors is incompatible with the economic sustainability goals established by the City Council.

VIRGINIA PAVING COMPANY EMISSIONS COMPARED TO OTHER COMMON COMBUSTION SOURCES IN ALEXANDRIA

Emission Source Comparison



COMPARISON CONTINUED...



VIRGINIA PAVING COMPANY 2018 STACK TEST RESULTS COMPARED TO VDEQ PERMIT LIMIT

| Stack Test Parameter | 2018 Results (Natural Gas) lbs/ton | VDEQ Permit Limit (Natural Gas) lbs/ton |
|--|------------------------------------|---|
| Nitrogen Oxides (as NO ₂) | 0.022 | 0.0240 |
| Carbon Monoxide | 0.066 | 0.0820 |
| Sulfur Dioxide | 0.0023 | 0.0034 |
| PM ₁₀ (filterable and condensable) | 0.006 | 0.0360 |
| PM _{2.5} (filterable and condensable) | 0.006 | 0.0360 |
| PM (TSP - Total Suspended Particles) | 0.001 (gr/dscf) | 0.04 (gr/dscf) |



**VIRGINIA
PAVING
COMPANY**



Virginia Paving Is An Asset to Alexandria by Being Located Here:

1. Saves Alexandrians Money:

- * Sold 42,584 tons to City for their Maintenance Work in 2018
- * Saves the City @\$314,000 (based on having to haul from another location).

2. Operating in Alexandria, Pays Taxes to Alexandria:

- * \$308,337 in 2017
- * \$332,627 in 2018

3. Total Annual Value to Alexandria: @\$600,000-650,000



NEXT STEPS:

- ▶ City put the SUP Review on the October Planning Commission Agenda (October 3, 7:00 p.m.) along with Virginia Paving's request for an encroachment into Courtney Ave. for various equipment that sits in existing right of way that has never been used by the public.
- ▶ Virginia Paving objects to the SUP Review for lack of timeliness.
- ▶ Virginia Paving also asserts it is not inconsistent with the Eisenhower West SAP.





Virginia Paving Review

- City review of SUP approval as required in Condition #75
- Virginia Paving request for approval of encroachments into public right-of-way

Virginia Paving - Location





Background

- Asphalt plant has operated at site since 1960 SUP approval
- SUP amendment for new overnight hours in 2006
- Approval included dozens of new conditions, including requirements for mitigation of impacts including noise, odors, air pollutants, landscaping, stormwater runoff, and community outreach/complaints
- Between 2006 and 2009, applicant installed several required items at the site to control air pollutants, odors, and noise
- Odor / air quality control equipment included: "Blue Smoke" control system, low NOx burners, increasing stack heights, RAP crusher control system, water spraying
- Noise control items included: reminders not to bang tailgates, limited hours for RAP pile delivery, special back-up alarms, new trackmobile for handling rail cars

Background

- 2006 SUP approval also included Condition #75 requiring Council review of the consistency of the plant with Eisenhower West SAP and with ensuing and foreseeable development in the area about three years after SAP adoption
- SUP minor amendment approved in 2010 to allow cleaner-burning natural gas as a fuel option. With only a few changes relating to the fuel source, all previous conditions were carried forward
- Eisenhower West Small Area Plan approved November 2015





Recent Timeline

- November 2015 – Adoption of Small Area Plan
- October 2017 – First update to Advisory Group
- January 2018 – Meeting with applicant
- May 2018 – Preliminary air quality analysis results
- Spring & Fall 2018 – Updates to Advisory Group
- September 2018 – Updated air quality analysis results
- February 2019 – Update to Cameron Station Civic
- May 2019 – Preliminary ENC submission received
- May 2019 – Most recent update to Advisory Group
- July 2019 – Final ENC submission received
- August 2019 – Additional air quality analysis results
- August 2019 – Additional outreach to civic groups

Environmental Matters

- Virginia Paving is a minor source of air pollution according to Virginia Department of Environmental Quality (VDEQ)
- Applicant operates under state air quality operating permit that includes 47 conditions and stipulates pollutant limits
- Emission from production includes: CO, NO_x, SO-2, PM
- State does not require regular testing for air pollutants, but the City does through the SUP
- City operates a PM-10 monitoring station near Tucker Elementary School
- State stormwater permit also required



Compliance Since 2010

- One violation of state stormwater permit and one warning letter regarding air quality permit (both in 2011)
- 23 verified complaints in total over nine years, primarily through 24-Hour hotline
- Complaints primarily concern odors and noise
- Zero complaints in 2016, one each in 2017 and 2018
- City works directly with applicant to resolve complaints before patterns develop and before tickets would be issued
- No violations of SUP conditions that resulted in tickets to the applicant (except for one that was rescinded in 2012)



Condition #75

*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.** 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. 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....*



9/11/2019

Virginia Paving SUP Review & ENC

Condition #75

- Virginia Paving is contesting City Council's authority to review the SUP pursuant to Condition #75 based on timing
- Staff believes the "on or about" is being met
- Condition language does not require precision on the date
- Condition language does not provide for the SUP review to be "null and void" due to timing
- Staff has been reviewing the case, including various studies and outreach to the Advisory Group, since Fall 2017



Condition #75

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Condition #75

- If Council determines use is not inconsistent with both parts, the use could continue operation with or without a new sunset clause
- If Council determines use is inconsistent with both parts, it would still be allowed to continue operating for additional time
- Minimum additional operating time in this scenario is seven years from the SAP adoption, which is November 2022
- Maximum additional operating time is not a fixed date but rather potential date applicant might need to obtain adequate return on investment for equipment installed prior to 2006
- No such amortization-related arguments have been made to staff



Eisenhower West SAP

- EWSAP recommends the redevelopment of this site and other heavy industrial sites to a more compatible land-use (page 32)
- Mix of uses including residential, office, recreational / civic
- Medium-high buildings recommended (generally 10 to 15 stories)
- New street grid anticipated
- Preferred option for the multimodal bridge would bisect the site
- Backlick Run Greenway
- Reducing RPA encroachments

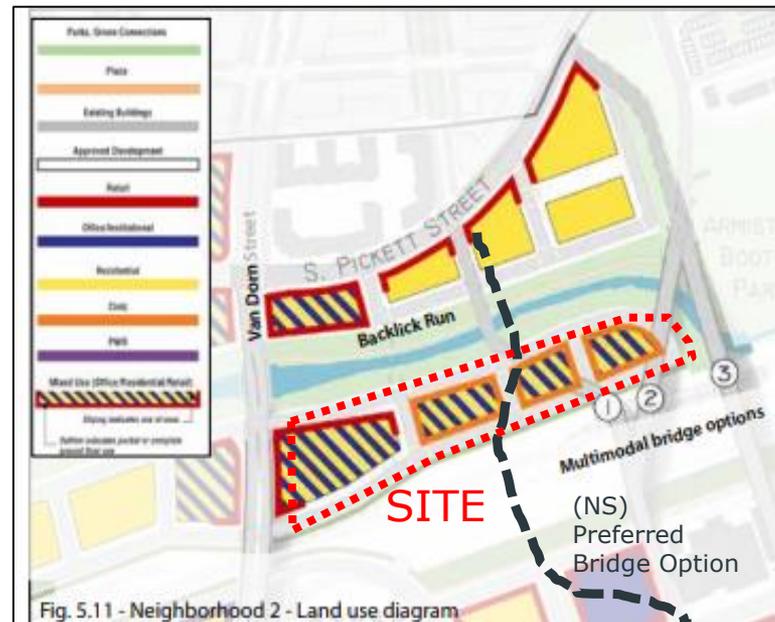
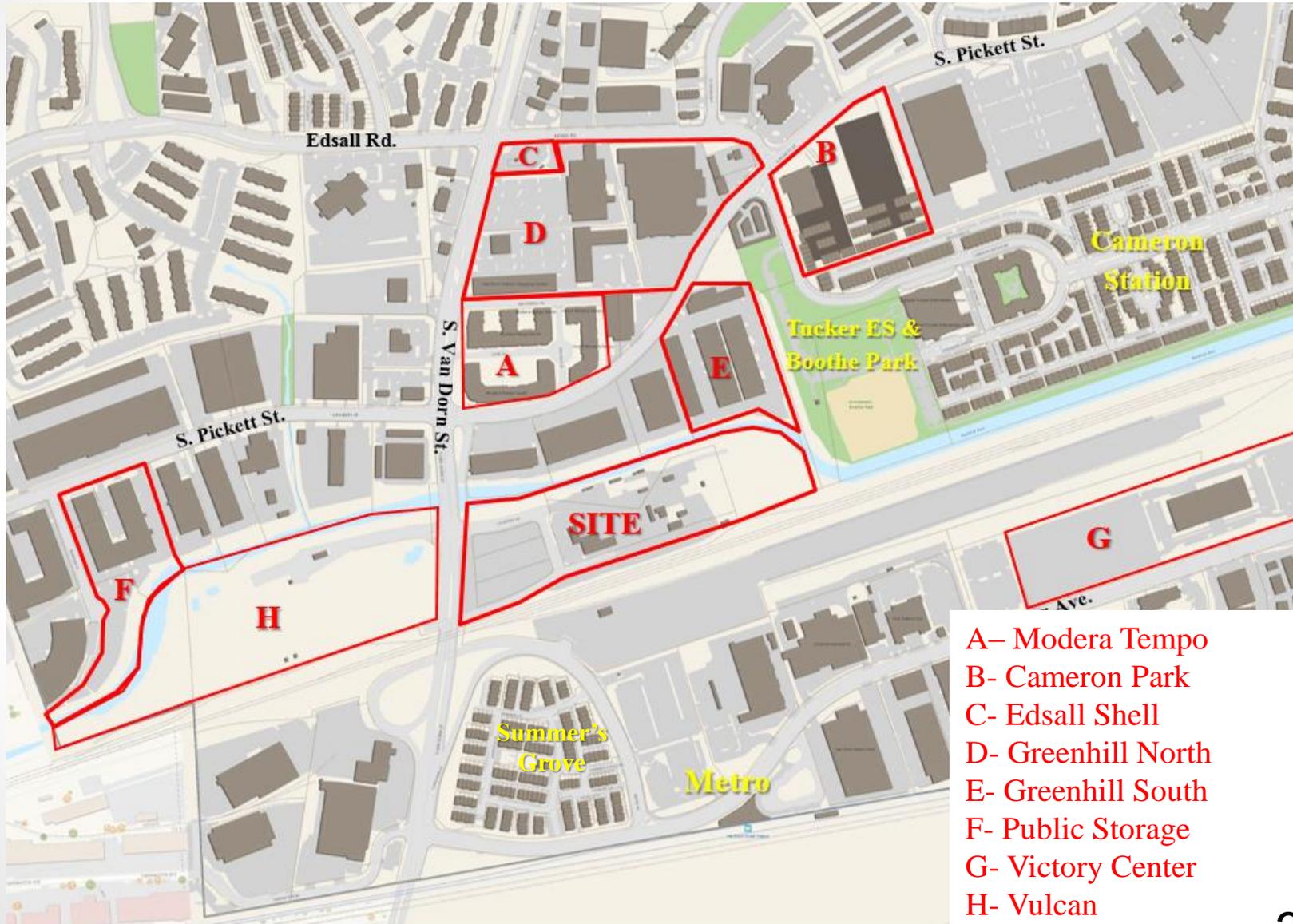


Fig. 5.11 - Neighborhood 2 - Land use diagram

Area Development



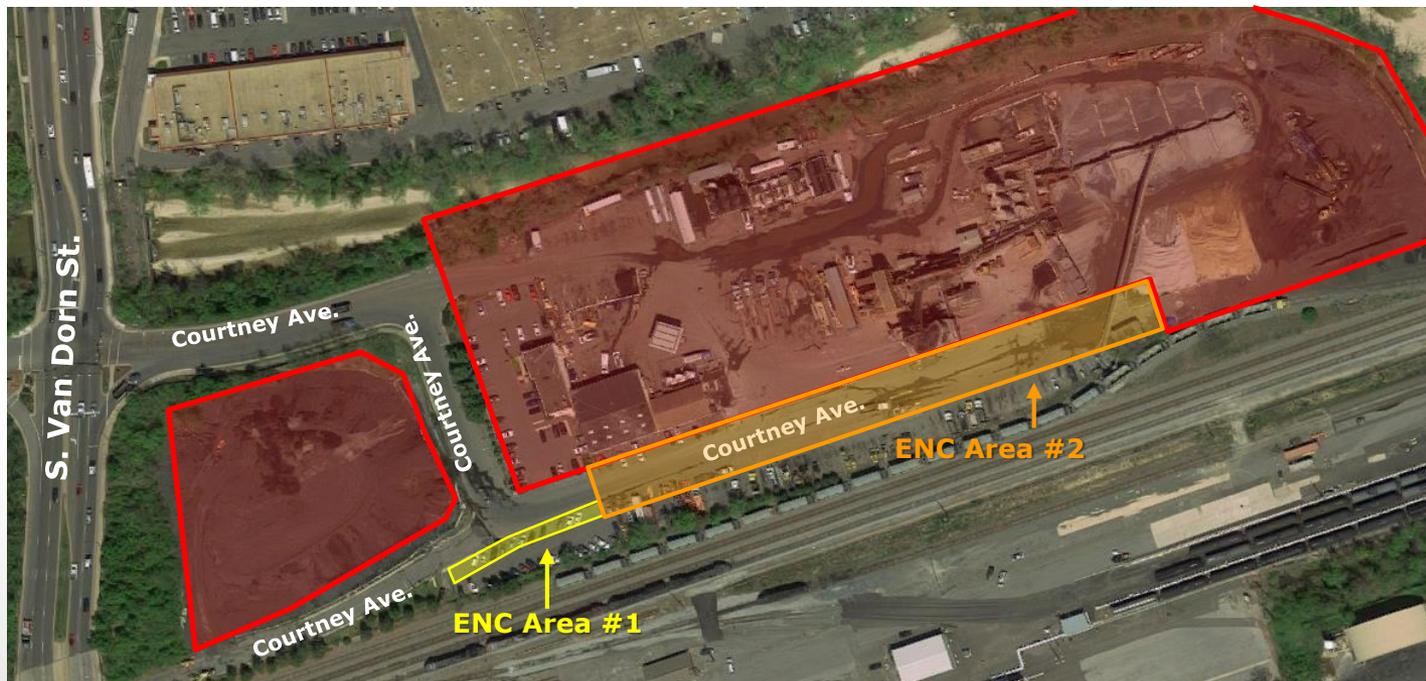
Additional Information

- Air quality analysis
- City obtains 100% of its asphalt from Virginia Paving, the majority of which comes from Alexandria plant. Asphalt is available from other sources, likely at higher cost.
- City analysis suggests that net fiscal impact of future redevelopment would be approximately \$1 million/year
- Expected environmental benefit may not be easily detectable
- Loss of up to 140 jobs (at peak employment); redevelopment would provide construction jobs and potentially permanent jobs, depending on the land use
- Sponsorship of community events



Encroachment

- Total encroachment into Courtney Ave is 36,181 SF (0.83 ac)
 - 2,526 SF of parking lot near "T" intersection
 - 33,655 SF of entire eastern portion of ROW behind gate
- Smaller parking lot encroachment would still allow public use
- Larger encroachment area includes various pieces of equipment and is main drive aisle for asphalt trucks
- Larger area is not used for access to another property



Staff Recommendation

- Staff concludes that asphalt plant is NOT CONSISTENT with
 - Eisenhower West SAP recommendations
 - Ensuing and foreseeable area development
- Closure of facility recommended consistent with minimum timeframe of seven years from SAP adoption (November 2022)
- Approval of encroachment with annual payment to the City and with February 2023 expiration date
- Staff intends to recommend several condition changes
- Case is scheduled for October 3rd Planning Commission and October 19th City Council public hearings



9/11/2019

Virginia Paving SUP Review & ENC



Development Updates

Vulcan Site

Landmark CDD

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BACKLICK RUN

COURTNEY AVE

S. VAN DORN ST

EX. RAILROAD

Small Area Plan - Illustrative Plan

Redevelopment is expected to take place over a timeframe of 25-30 years, depending on market conditions and funding for infrastructure improvements. The illustrative plan shows one potential way in which the plan area could redevelop. The Plan does not require building locations, footprints, parks and open spaces to be designed or developed as shown, so long as the vision for redevelopment expressed by the community, the principles contained in this document, and the City of Alexandria's standards for redevelopment are met.



Artist's rendering of the Backlick Run greenway



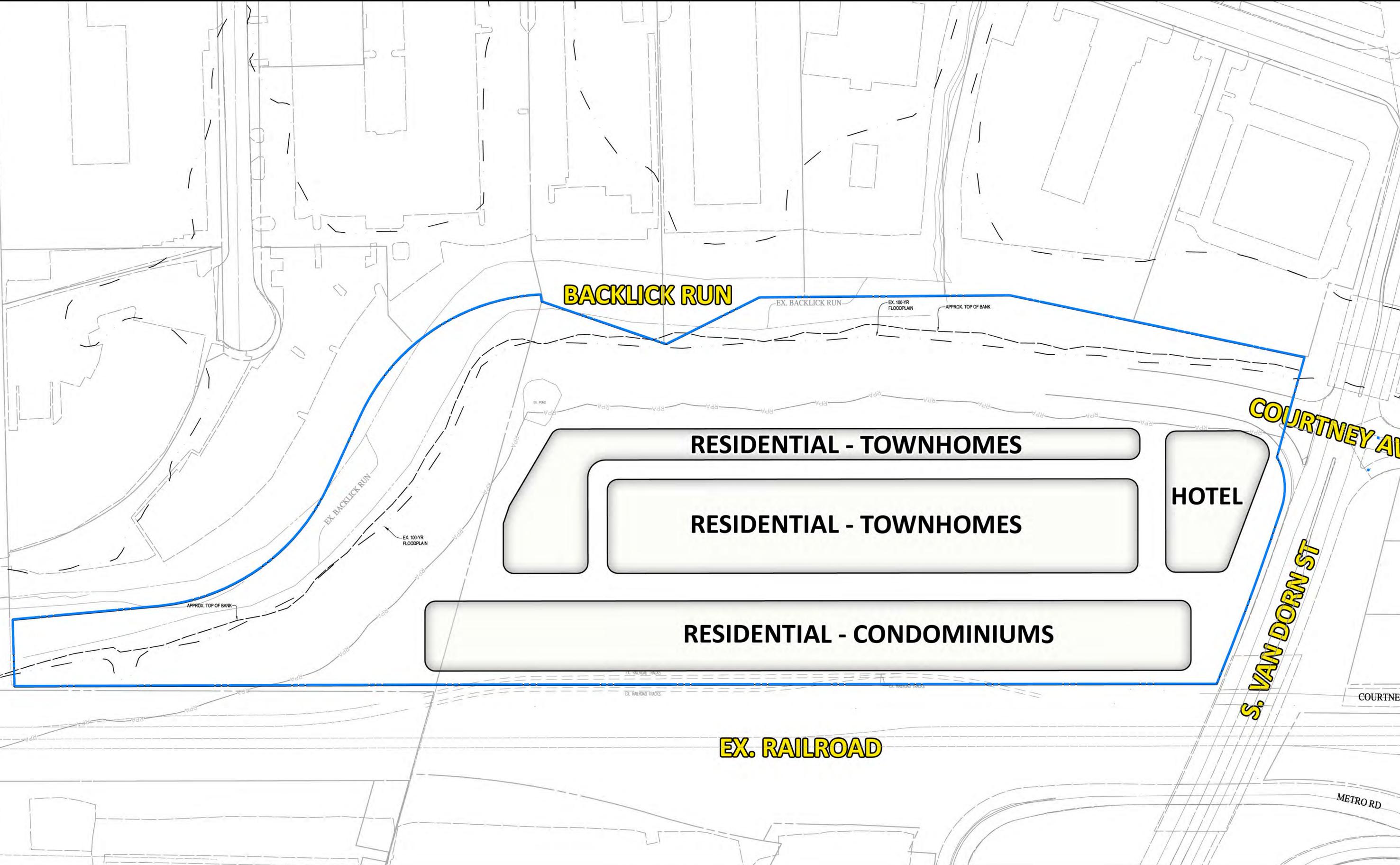
Artist's rendering looking west along Eisenhower Avenue



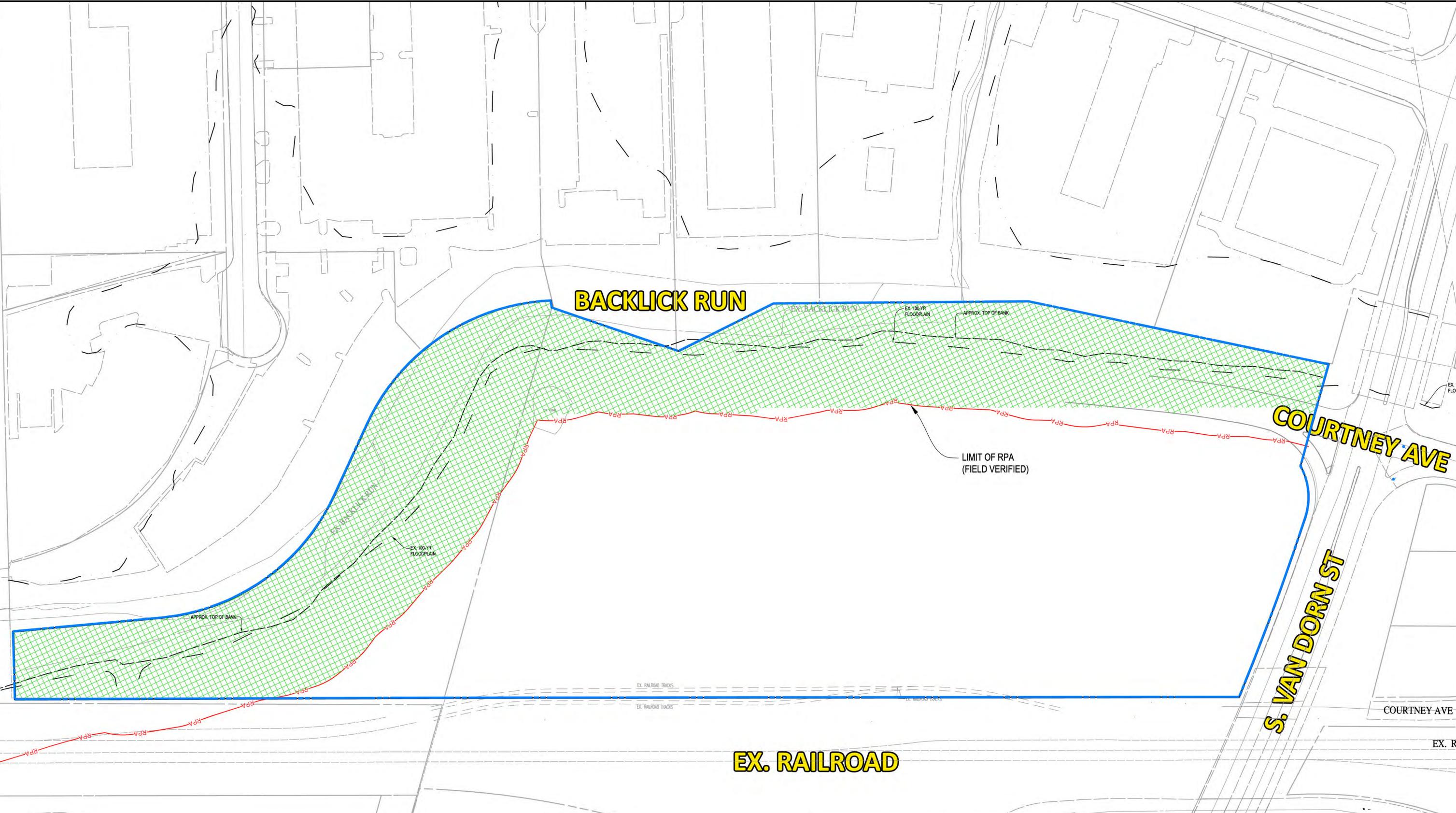
Artist's rendering of Eisenhower West future redevelopment

Fig. 3.2 - Illustrative Plan

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TOTAL SITE AREA: 17.76 AC. (773,808 SF)
 ONSITE RPA DEDICATION FOR OPEN SPACE: 6.59 AC. (287,426 SF) OR 37%



RPA/OPEN SPACE EXHIBIT
VULCAN MATERIALS
 CITY OF ALEXANDRIA, VIRGINIA



Next Meeting TBD

Questions?