



DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: June 23, 2010
CMPT 2009-0011 & SPEX 2009-0032, Arcola Substation
DECISION DEADLINE: July 31, 2010
PROJECT PLANNER: Sophia Fisher DEPARTMENT DIRECTOR: Julie Pastor
ELECTION DISTRICT: Dulles

EXECUTIVE SUMMARY

Northern Virginia Electric Cooperative of Gainesville, Virginia has submitted applications for a Special Exception and Commission approval to permit the expansion of an existing utility substation in the TR-3LF (Transitional Residential-3) and TR-3UBF (Transitional Residential-3) zoning districts. This application is subject to the Revised 1993 Zoning Ordinance and the proposed use is listed as a Special Exception use under Table 2-1502 of Section 2-1502, subject to the Additional Regulations set forth in Sections 5-616 and 5-621, and requires a Commission Permit in accordance with Section 6-1101. The subject property is an approximately 0.54 acre parcel that is located on the east side of Lightridge Farm Road (Route 705), approximately 1.5 miles south of Braddock Road (Route 620), at 26070 Lightridge Farm Road, Aldie, Virginia, in the Dulles Election District. The area is governed by the policies of the Revised General Plan, (Transition Policy Area (Dulles Community)), which designate this area for residential uses.

NOTE: SPMI 2009-0010, a request to modify the required buffer, has been coprocessed with the Special Exception and Commission Permit. As a minor Special Exception, it proceeds directly to the Board of Supervisors without Planning Commission review.

RECOMMENDATION

Staff recommends that the Planning Commission forward these applications to a worksession for further discussion of the outstanding issue of the Commission Permit, and that the worksession be scheduled after the Board of Supervisors has acted on SPMI 2009-0010, the buffer modification request.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward CMPT 2009-0011 and SPEX 2009-0032, Arcola Substation to a Planning Commission work session for further discussion.

OR

2. I move that the Planning Commission deny CMPT 2009-0011 and forward SPEX 2009-0032, Arcola Substation, to the Board of Supervisors with a recommendation of denial based on the following findings:
 - 1.
 - 2.

OR

- 3a. I move that the Planning Commission approve CMPT 2009-0011, Arcola Substation, and forward the application to the Board of Supervisors for ratification, based on the Findings contained in the June 23, 2010, Planning Commission staff report and subject to the Commission Permit Plat dated November 20, 2009, revised through May 25, 2010

AND

- 3b. I move that the Planning Commission forward SPEX 2009-0032, Arcola Substation, to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated June 2, 2010 and with the Findings contained in the June 23, 2010 Staff Report.

VICINITY MAP



Directions: From Leesburg, take Route 15 south. Turn left on Braddock Road (State Route 705). At the fork, stay right to stay on State Route 705, which becomes Lightridge Farm Road. Site will be on the left, approximately 2 miles after the fork in the road.

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APPLICANT: NOVEC
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PROPOSAL: A **Special Exception** and **Commission Permit** to allow a utility substation and expansion pursuant to Section 2-1502 in the TR3LF and TR3UBF Zoning Districts.

PROPERTY LOCATION: East side of Lightridge Farm Road, Aldie, VA 20105 near the Prince William County, VA boundary.

TAX MAP/PARCEL: Tax Map - 105/////////4/ PIN - 208-27-0686-000
Tax Map - 105/////////4A PIN - 251-47-5326-000

CURRENT ZONING:TR3LF and TR3UBF

SURROUNDING ZONING/LAND USE:

NORTH	TR3LF	Farm/Residential
SOUTH	TR3LF & TR3UBF	VEPCO/Vacant
EAST	TR3LF	Farm/Residential
WEST	TR3UBF	Farm/Vacant

ELECTION DISTRICT: Dulles

II. SUMMARY OF DISCUSSION

Topic/Issue Area	Issues Examined and Status
Community Planning	<ul style="list-style-type: none"> • Provide a buffer yard along the front of the existing substation. Status: Unresolved—the applicant could consider either moving the existing substation facility to the east to accommodate the required buffer yard, or construct a wall along the facility's frontage on Lightridge Farm Road. • Lighting should be downward directed and shielded. Status: Resolved—the facility will not be lit continuously, but any lighting will be downward directed and fully shielded.
Zoning	<ul style="list-style-type: none"> • Revise the plat according to referral comments. Status: Resolved—the plat has been revised accordingly. • Clarify the buffer yard modification request for the side and rear buffers, and either request to modify the required buffer between the two parcels or complete a boundary line adjustment prior to site plan approval. Status: Resolved—the applicant clarified the buffer yard modification request, and has agreed to a condition requiring that the boundary line adjustment be completed prior to site plan approval.
Environmental	<ul style="list-style-type: none"> • Clarify the method of stormwater management to be used on the site, and the potential for hazardous material spills. Status: Resolved—the applicant will provide a berm to block any potential hazardous materials, and will use a combination of filterras and an underground stormwater detention facility to treat runoff from the site.
Transportation	<ul style="list-style-type: none"> • No issues—estimated traffic impact of one trip per month for scheduled maintenance.
Fire and Rescue	<ul style="list-style-type: none"> • Provide information about emergency response procedures. Status: Resolved—information provided as requested.

Policy or Ordinance Sections Subject to Application
<u>Revised General Plan</u>
Planned Land Use Map
Chapter 2, Energy and Communication Facilities text
Chapter 2, Energy and Communication Policy 1
Chapter 3, General Public Facilities Policies, Policy 2
Chapter 5, Lighting and Night Sky Policy 1
Chapter 8, Transition Policy Areas Subareas, Map
Chapter 8, Land Use Pattern, text
Chapter 8, Community Design Policies 3, 4, & 16
<u>Revised 1993 Zoning Ordinance</u>
§2-1500, TR-3 Zoning District
§5-616, additional regulations for utility substations
§5-621, additional regulations for public utilities

III. CONCLUSIONS

1. The general location, character, and extent of the proposed utility substation expansion are not in substantial accord with the Comprehensive Plan, and requires Board action on SPMI 2009-0010 for the requested buffer modification.
2. The existing utility substation and the proposed expansion are both compatible with the surrounding area and are supported by the land use and energy policies of the Revised General Plan.
3. The existing use and its proposed expansion generate minimal transportation impacts.
4. The proposed use, as conditioned, complies with the applicable requirements of the Revised 1993 Zoning Ordinance.

IV. CONDITIONS OF APPROVAL (June 2, 2010)

1. Substantial Conformance. The proposed Special Exception Use, electrical substation, shall be developed in substantial conformance with the Special Exception Plat ("Arcola Substation SPEX 2009-0032 & CMPT 2009-0011"), prepared by Dewberry & Davis LLC, dated November 20, 2009, as revised through May 25, 2010, (the "Plat"), and the Revised 1993 Loudoun County Zoning Ordinance. Approval of this application for Tax Map Number 105////////4A (PIN# 251-47-5326) and an approximately 3.34 acre portion of the adjacent Tax Map Number 105////////4/ (PIN# 208-27-0686) (the "Property") shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. Lighting. Lighting on the Property shall be designed and constructed to minimize light trespass and to limit the view of lighting from off-site, specifically that exterior light fixtures shall be "full cut-off outdoor lighting fixtures" as defined by the Illuminating Engineering Society of North America (IESNA). Light will be directed inward and downward toward the interior of the Property, away from the public streets and adjacent properties.
3. Boundary Line Adjustment. The boundary line adjustment for the existing .54 acre substation parcel (PIN# 251-47-5326) and an approximately 3.34 acre portion of the adjacent (PIN# 208-27-0686) shall be completed prior to site plan approval.

Note: landscaping conditions are part of the Minor Special Exception, and are not included with this application.

V. PROJECT REVIEW

A. Context

The applicant, Northern Virginia Electrical Cooperative (NOVEC), is requesting a Special Exception (SPEX) to expand an existing utility substation. A Commission Permit (CMPT) is also required for the proposed use on the subject site. The subject site is located east of Lightridge Farm Road, two miles south of Braddock Road and one-half mile north of the Prince William County boundary in Aldie. The approximately 3.88 acre subject site is occupied by an existing electrical substation (90' x 261') which abuts Lightridge Farm Road and features a variety of ground-mounted equipment and overhead wiring. The area of the proposed expansion is currently a flat, grassy field. Towards the eastern end of the property, there is an area of steep slopes, which will not be affected by the expansion.

The existing electrical substation compound is surrounded by a chain link fence, no landscape buffering or screening are present. The proposed substation expansion will include the enlargement of the existing compound towards the east to incorporate additional ground-mounted equipment. The expanded compound will be surrounded by a chain link fence with a landscape buffer around the perimeter of the property. An existing utility substation and high-voltage overhead transmission corridor owned and operated by the Virginia Electric and Power Company (VEPCO) abuts the southeastern boundary of the subject site and is connected to the existing NOVEC substation by wiring.

The subject site is zoned Transition Residential-3 (TR3LF and TR3UBF) and is governed under the provisions of the Revised 1993 Zoning Ordinance. A Special Exception is required for the proposed "utility substation" within the zoning district. A Commission Permit is also required when a public utility or public service facility is constructed. A Commission Permit is used to determine if the general location, character, and extent of a proposal is in substantial accord with the Comprehensive Plan. An approved Commission Permit was never issued for the existing substation; therefore a Commission Permit is required for the existing and proposed "utility substation" on the subject site.

The site is located in the Lower Foley and Upper Foley sub-areas of the Transition Policy Area and is governed under the policies of the Revised General Plan (the Plan). The County's vision for the Transition Policy Area is for land uses that provide a visual and spatial transition between the suburban development to the east and the rural development to the west.

The land use policies in Chapter 8 for the Transition Policy Area and the energy policies in Chapter 2 of the Revised General Plan were used to evaluate the application.

The Special Exception and Commission Permit applications were co-processed with a Minor Special Exception (SPMI 2009-0010) to modify the landscape buffer requirements. Minor Special Exceptions proceed directly to the Board of Supervisors for review and action; however, this Minor Special Exception will be discussed in this staff report in order to give the full context of the applications.

B. Summary of Outstanding Issues

- Staff is working with the applicant to determine a solution to the front buffer yard issue. An update will be provided at the hearing.
- The Conditions of Approval are under review by Zoning Administration and the County Attorney's office. An update will be provided at the hearing.

C. Overall Analysis

COMPREHENSIVE PLAN

Land Use

The Transition Policy Area of the Revised General Plan (Plan) is envisioned to be a distinct planning area that will provide a transition in land development intensity between suburban development in the east and rural development in the west. The subject site is located in Lower Folley and Upper Folley sub-areas of the Transition Policy Area, which the Plan envisions to develop at a density of 1 dwelling per 3 acres with a minimum of 50 percent of the site maintained as open space. The Plan does not specifically identify "utility substation" as a non-residential use within the Transition Policy Area, however, Plan policies generally support the timely delivery of electrical service to households and to businesses as development occurs. The proposed expansion of the existing substation on the subject site can be buffered to be compatible with the surrounding land uses which include the existing NOVEC utility substation that is subject to this application and the existing VEPCO utility substation (28.53 acres) and high-voltage overhead transmission corridor to the south and southeast. However, this is an industrial use, which is not envisioned for the Transition Policy Area. The surrounding uses to the north and east are agricultural, with the closest residence approximately 600 feet to the north. To the west is an existing forest bisected by the high-voltage power distribution lines. This application will allow the existing NOVEC utility substation to expand to the west. Plan policies support the grouping of electrical facilities to the extent permitted by the law to minimize adverse impacts on the surrounding area, such as multiple substations in different locations. The location of the proposed utility substation expansion in proximity to other electrical facilities is supported by the Plan.

The proposed utility substation is compatible with the existing electrical uses to the south, and will be screened to the north and east by the new landscape buffer and fencing. The expanded facility will provide needed infrastructure for the delivery of electrical services to households and businesses in the area. Staff finds the proposed expansion of the utility substation on the subject site is supported by the land use and energy policies of the Revised General Plan.

Screening and Buffering

The Revised General Plan calls for non-residential uses to be compatible with desired development patterns and the rural landscape within the Transition Policy Area. The proposed expansion of the existing NOVEC substation on the subject site will not significantly alter the visual impact or existing industrial character of the subject site which is adjoined by

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two existing utility substations and high-voltage overhead transmission corridors. The applicant has proposed a 25-foot wide vegetated Side and Rear Buffer Yards (Type 4) to the east, west, and south to screen the compound. The Ordinance requires the following in a Type 4 buffer per 100 linear feet (Side/Rear buffers are to be a minimum of 25 feet and a maximum of 30 feet wide)

- 2 canopy trees
- 5 understory trees
- 10 shrubs
- 8 evergreen trees
- A 6 foot high fence, wall, or berm providing a minimum opacity of 95%

The applicant has requested a modification to the required buffer on these three sides to replace the required canopy trees with evergreen trees, and to provide a 10' instead of 6' fence. Using evergreens and increasing the height of the proposed fence will provide additional screening and buffering for the facility.

The applicant also requests to eliminate the front yard buffer entirely (SPMI 2009-0010), due to the fact that the existing facility is directly adjacent to the right-of-way and there is no width from the existing road to install the required buffer. The criteria for approving a Minor Special Exception include whether an innovative design is being offered, and whether the proposed modification exceeds the public purpose. A more complete discussion of whether the proposed 10' fence meets these requirements will be included in the Board of Supervisors staff report.



View northeast of existing NOVEC utility substation from Lightridge Farm Road.

Lighting

The Revised General Plan promotes lighting standards that will “reduce light pollution such as glare, energy waste, light trespass, and the deterioration of the natural nighttime environment”. According to the applicant’s response, the compound will have manually operated lighting mounted in the equipment that will be turned on only when there is personnel onsite at night to perform maintenance work or during an emergency (Note 24 on the plat).

Commission Permit

In accordance with the Revised 1993 Zoning Ordinance, a Commission Permit is required when a public utility or public service facility is constructed to determine if the general location, character, and extent of the proposed use is in substantial accord with the Comprehensive Plan. The area surrounding the proposed utility substation expansion already contains two existing utility substations and high-voltage overhead transmission corridor owned and operated by NOVEC and VEPCO. The proposed expansion of the existing substation will not significantly alter the character of the existing site, which is industrial in character and will provide additional infrastructure necessary to serve the existing and future electrical needs for the area.

Staff finds that the general location and extent of the proposed utility substation expansion are in substantial accord with the Comprehensive Plan. However, staff finds that the character of the facility’s frontage along Lightridge Farm Road is not in accord with the Comprehensive Plan because the existing utility substation lacks the buffering and screening that would be expected with such a use. Staff recommends that either the existing facility be moved back from the road in order to accommodate the required front yard buffer landscaping, or an innovative screening solution be found and implemented. Staff recognizes that the mechanism to resolve this issue is the Minor Special Exception that is being co-processed with these applications. Therefore, staff recommends that the Planning Commission not act on the Commission Permit until the Board of Supervisors has acted on the Minor Special Exception.

ZONING

The Properties are zoned Transitional Residential-3 (Upper Broad Run Upper Foley and Lower Foley) (TR-3UBF and TR-3LF), governed under the Revised 1993 Loudoun County Zoning Ordinance (“Ordinance”). The Properties are within the major and minor Floodplain Overlay District, and contain moderate and very steep slopes; however, no steep slopes or floodplain are within the area of the special exception. A utility substation, distribution, is a special exception in the zoning district and is subject to the additional regulations found in Sections 5-616 and 5-621 of the Ordinance. The applicant also seeks to modify Section 5-616(D) and 5-621(B) to alter the required planting and fence height required with a Type 4 buffer yard. The modifications to 5-616 and 5-621 are the subject of the Minor Special Exception, and will be addressed more fully in the Board of Supervisors staff report.

During the review of the application, staff identified several plat corrections. The applicant has revised the plat according to staff comments. One of the more significant comments had to do with showing the parcel line and providing the required buffer between the two parcels.

The applicant responded that they plan to perform a boundary line adjustment in order to combine the smaller parcel with the existing substation with a 3.34 acre portion of the adjoining parcel in order to allow room for the facility to expand as planned. Staff has recommended that the boundary line adjustment be completed prior to site plan approval, and written a condition to that effect. The applicant has agreed to the condition; this issue is resolved.

TRANSPORTATION

The existing substation use currently generates approximately one trip per month for maintenance purposes. The expansion of the facility is not anticipated to increase the number of trips generated by the use; therefore, there are minimal transportation impacts associated with this application.

According to the 2001 Revised Countywide Transportation Plan (CTP), future Northstar Boulevard (relocated 659) is planned to follow the same alignment as the existing Lightridge Farm Road. Future Northstar Boulevard is planned to be a six-lane divided controlled access minor arterial within a 120-foot right-of-way. Future Northstar Boulevard would connect to the planned Route 234 Bypass in Prince William County. At such time as the ultimate condition of future Northstar Boulevard is completed, the road would carry significantly more traffic than it does today, and at a far higher speed. Beyond the agency referral comments, staff identifies that the substation's proximity to the current or future road could be a safety concern such that greater setback, buffering, or a safety wall should be placed to separate and protect the public from this facility.

ENVIRONMENTAL

With the first submission, the applicant proposed an underground stormwater management facility. Subsequent revisions to the plat continue to show the underground stormwater management facility, plus an oil containment berm in the event of any spills onsite. Plat note 21 states that the stormwater will flow through a series of filterra inlets prior to its arrival in the underground stormwater management facility.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1310 of the Revised 1993 Zoning Ordinance states "In considering a Special Exception application, the following factors shall be given reasonable consideration. The applicant shall address all the following in its statement of justification or Special Exception plat unless not applicable, in addition to any other standards imposed by this Ordinance":

Standard *Whether the proposed Special Exception is consistent with the Comprehensive Plan.*

Analysis The Revised General Plan calls for residential growth in the Dulles South Area. The proposed substation expansion will help to ensure that there is adequate capacity in the power grid to provide for the planned growth. In addition, this application proposes to expand an existing facility, which is in line with the Plan policies that encourage collocation of public facilities when possible. The proposal to increase the height of the fence and to provide evergreen trees in place of

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canopy trees on three sides of the facility would provide screening on those three sides; however, staff questions whether the proposed 10' fence in place of the front buffer landscaping provides adequate screening. In order to comply with Plan policies that call for adequate buffering and screening, the Board of Supervisors needs to act on SPMI 2009-0010, which is the request to eliminate the front buffer landscaping.

Standard *Whether the proposed Special Exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

Analysis The facility will be equipped with fire suppression technology. In the event of a fire, NOVEC will coordinate the response with Loudoun County Fire/Rescue to ensure that the proper procedures are followed.

Standard *Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.*

Analysis Neither the existing substation nor the proposed expansion will generate significant noise.

Standard *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

Analysis The site will only be lit if there are maintenance personnel present during the night. All site lighting will be downward directed, fully cut off and shielded. There are no residences or businesses in close proximity to the site that would be impacted by the site.

Standard *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

Analysis The application proposes to expand an existing electrical substation, and is adjacent to another electrical substation facility. The site is surrounded by agricultural fields on the north and east sides, and there will be a landscape buffer installed along those boundaries. There will not be a landscape buffer along the site's frontage on Lightridge Farm Road, which is not in compliance with Plan policies.

Standard *Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*

Analysis The existing substation does not have any buffering adjacent to the agricultural use. With this application, a new landscape buffer will be installed on three sides that will provide screening year round, since part of the landscape buffer modification request is to replace the required canopy trees with evergreens. However, the applicant has requested to eliminate the required plantings in the

front yard buffer along Lightridge Farm Road. This request is the subject of SPMI 2009-0010, which proceeds directly to the Board of Supervisors for review and action. Staff has recommended that the applicant consider finding an innovative method of mitigating the impacts of eliminating the landscape buffer.

Standard *Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archeological or historic feature of significant importance.*

Analysis There are no known features of significant importance on the site.

Standard *Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

Analysis The applicant will construct a stormwater management facility in order to deal with any potential runoff from the site. The site is relatively flat and has no significant vegetation or animal habitat.

Standard *Whether the proposed Special Exception at the specified location will contribute to or promote the welfare or convenience of the public.*

Analysis The proposed expansion will contribute to and promote the welfare of the public by providing additional electric distribution capacity in the area.

Standard *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

Analysis The existing use currently generates one trip per month for maintenance purposes. This is not a manned facility, and the expansion of the substation use will not generate any additional trips. The existing road network has the existing capacity to handle the trips generated by use and the proposed expansion of that use.

Standard *Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet the code requirements of Loudoun County.*

Analysis All structures on the site will be built to meet the applicable codes.

Standard *Whether the proposed Special Exception will be served adequately by essential public facilities and services.*

Analysis The facility does not require water or sewer service.

Standard *The effect of the proposed special exception on groundwater supply.*

- Analysis Neither the existing use nor the proposed expansion is anticipated to have a negative impact on the groundwater supply.
- Standard *Whether the proposed use will affect the structural capacity of the soils.*
- Analysis The existing electrical substation use has been in operation since the 1960's without having any known impact on the structural capacity of the soils. It is not anticipated that expanding the facility will affect the structural capacity of the soils.
- Standard *Whether the proposed use will negatively impact orderly and safe road development and transportation.*
- Analysis The traffic impacts of the existing use and its proposed expansion are minimal, therefore no impacts are anticipated to area roads.
- Standard *Whether the proposed Special Exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*
- Analysis The expansion will assist in providing desirable employment and enlarging the tax base by providing additional electric distribution capacity for economic development activities consistent with the Comprehensive Plan. The existing substation is not adequate to serve the anticipated needs of the area.
- Standard *Whether the proposed special exception considers the needs of agriculture, industry and businesses in future growth.*
- Analysis The additional electric distribution capacity that would be provided considers the needs of agriculture, industry and businesses in future growth by anticipating the increase in power before the need arises.
- Standard *Whether adequate on and off-site infrastructure is available.*
- Analysis The proposed expansion will not require any additional on or off-site infrastructure.
- Standard *Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.*
- Analysis The electrical substation use does not produce any odors.
- Standard *Whether the proposed Special Exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

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Analysis The construction of the substation expansion will not impact existing neighborhoods or school areas because the existing substation is located in a rural area away from such areas.

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