GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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2003 APR 15 PM 5:17

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman

DATE: April 22, 2003

SUBJECT: BZA Case 16958 Special Exception Request

APPLICATION

The DC Department of Public Works, (DPW) pursuant to 11 DCMR 3104.1 seeks a special exceptions pursuant to Section 822.3 of the Zoning Regulations, to build an addition and make general improvements at the Benning Road Solid Waste Transfer Facility.

OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The Office of Planning recommends **approval** of the subject application.

SITE AND AREA DESCRIPTION

The subject premise is an M-General Industrial parcel in the Mayfair Neighborhood of Ward 7. The northern portion of Anacostia Park bounds the site to the north, east and west and the Potomac Electric Power Company (PEPCO) Benning Road Service Center bounds the site to the south. The property consists of Parcel 0169, Lot 0111. According to the applicant, the subject property was transferred to the City in 1969 from US Reservation 343 and used as an incinerator. The facility was built and operated, as a solid waste incinerator by the DC Department of Public Works (DPW) from 1972 to 1994. Refuse vehicles would bring solid waste to the facility, discharge it into one of two refuse pits before incineration. Both public and private refuse vehicles used the facility. After 1994, the District ceased incinerator operations at the facility.

After 1994, the facility was converted it into a solid waste transfer facility solid waste transfer facility; through the installation of a conveyor and refuse chute, which provided the opportunity to load large solid waste transfer trailers for trips to disposal landfills outside of the District. The facility continues to operate in this manner to present date, although it is difficult for the facility to accommodate today's larger refuse vehicles.

BZA
Case No. 16958
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO.16958
EXHIBIT NO.29

Currently, use of the Benning Road Waste Transfer Facility is primarily by DPW vehicles. Through a negotiated agreement between DPW and two private companies, there is some limited use at the facility by private haulers. This use will increase substantially when the upgrading is completed. The facility currently receives approximately 300 tons of solid waste, on average per day. After the completion of the upgrade project, and increased use by private haulers, the average receiving rate is anticipated to increase to approximately 600 tons per day. The facility, at maximum capacity, could handle up to 1,000 tons per day.


Benning Road
Waste Transder
Facility
GOV
RIVER
GOV
GOV
GOV
R-5-A
R-5-A
Grant St
SQR5041
M
C-M-1
Foote Pl NE
C-2-A
R-3
Feature Key
Zoning Boundaries
Square Index
Board of Zoning Adjustment
Application No. 16958
Scale 1:4800
100 0 100 200 300 Feet
DC Office of Planning
April 1, 2003
Attachment 1

APPLICANT'S PROPOSAL

The applicant proposes to make the following alterations and repairs to the Benning Road Solid Waste Transfer Facility. The objectives are to:

- Improve the efficiency and reliability of the waste transfer operations
- Return full use of the facility to both public and private sector refuse vehicles
- Operate the facility closer to the original design capacity, which is approximately 1,000 tons per day.
- Improve environmental controls associated with the facility
- Allow for periodic citizen drop-off of household hazardous waste, recyclables, and bulk solid waste items.

In order to accommodate the improvement program at the facility, DPW proposes to build a 14,000 square feet addition on the north end of the existing building. The height of the existing building is approximately 80 feet. The height of the proposed addition will be approximately 60 feet, while the maximum height permitted in the proposed M District is 90 feet. The addition will be supported by pilings and will be elevated. The roof over the tipping floor will be replaced with a new roof (reflective type, industrial system) over the full addition. The new roof will be 6 feet higher than the existing roof. The added floor space and new roof will provide an increase in the size of the existing tipping floor, which will permit, a) refuse to be discharged on the tipping floor by today's larger refuse vehicles and b) refuse materials to be easily inspections prior to loading into transfer trailers. Further, a loading tunnel for solid waste transfer trailers will be constructed below the proposed tipping floor expansion, to allow efficient top loading into the trailers. This new addition, (which will be on the north end of the facility) will be within 25 feet of the existing property line.

Alterations and repairs at the facility will include improvements to certain environmental controls, including:

- Upgrades to the existing storm water system;
- New odor and dust control mitigation system;
- New ventilation system; and
- New signage and lighting.

A citizen's drop-off area is planed for the south end of the property to allow incoming passenger vehicles (District residents only) to dispose of recyclables, household hazardous waste, and bulk solid waste items.

ZONING ANALYSIS

In 1958 the City Council determined that City and federal land should not be subject to zoning. City facilities have historically been a government use on City or federal lands and therefore were not subject to zoning. However, in 1990 the City Council

reconsidered the matter and passed legislation requiring that city property be subject to zoning. Therefore, the subject property is subject to zoning. The Zoning Commission approved the M-General Industrial zone category for the site in March 2003 by Order Number 02-46.

The subject land mass is an un-zoned federal parcel transferred to the District in 1969, (from US Reservation 343, which is a section of Anacostia Park, near the Anacostia River at Benning Road and Anacostia Roan, N.E) for solid waste incinerator purposes. DPW reports that the use of the subject property for waste disposal began in 1972. As a result, it has never been assigned a zone district. Solid waste incineration was performed at the site from July 1972 until March 1994. After 1994, the city stopped incineration activities and transitioned to, to transferring solid waste to landfills outside of the city.

The subject property is surrounded on three sides by portions of Anacostia Park, which is un-zoned federal land. It is approximately 230 feet east of the Anacostia River. Access to the subject property is via Anacostia Avenue, which is accessible from Benning Road. Anacostia Avenue adjoins the western property line of the PEPCO plant from Benning Road, and then curves around and runs eastward along the northern property line of the PEPCO property. The PEPCO site is split zoned. The west portion of the property is in the M district and the eastern portion is in the C-M-1 districts. The property to the north, east and west of the PEPCO property, (including the subject property) is un-zoned and in Anacostia Park. The request by the applicant to have the subject property zoned M is consistent with the zoning character of the PEPCO, which is adjacent to the south.

Section 820 of 11 DCMR sets forth the intent if the M district:

820 GENERAL INDUSTRY DISTRICTS (M)

820.1 The General Industry (M) Districts are designed to provide areas suitable for development as heavy industrial sites, but at the same time protect those industrial developments from the intrusion of non-industrial uses that impede the full utilization of properly located industrial sites.

820.2 Except as provided in §821.2 of this title, no new residential building shall be permitted in M districts.

820.3 Since the regulations relative to operation of permitted uses are only those minimally required to protect nearby industrial and commercial uses, M districts, whenever possible, shall not be mapped adjacent to Residence districts.

820.4 Other than certain specifically prohibited uses, any use conforming to specified standards of external effects shall be permitted in the M districts.

820.5 Except as provided in chapters 20 through 25, in an M district, no building or premises shall be used and no building shall be erected or altered that is

arranged, intended, or designed to be used except for one (1) or more of the uses set forth in §§821 through 824.

RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map depicts the subject site in the ***Parks, Recreation and Open Space*** land use category, as opposed to the ***Production and Technical Employment*** category; the site should have been assigned. The existing use on the subject land is more compatible with the industrial use on the adjacent PEPCO tract, than with the Parks, Recreation and Open Space designation assigned to Anacostia Park. (See attachment 4, Comprehensive Plan Land Use Map).

The map amendment is not inconsistent with the Comprehensive Plan objectives and policies, including:

404 SOLID WASTE MANAGEMENT

404.1 The objective for solid waste management is to develop safe and effective methods for reducing, collecting, recycling, and disposing of solid waste and sewage sludge.

404.2 The policies established in support of the solid waste management objective are as follows:

(a) Develop and implement a reliable program of solid waste and sludge management that is cost-effective, environmentally sound, and fully coordinated with all responsible jurisdictions and regulatory bodies;

404.3 The Department of Public Works shall enforce adopted noise regulations pertaining to the operation of solid waste hauling equipment in or near residential neighborhoods by limiting vehicular operating permits to the restricted hours and locations set forth in the regulations.

404.4.1 Prohibit the sitting of Solid Waste/Trash Transfer Stations in, adjacent to, or near (within 500 feet) of any other use. All such facilities should possess valid (permanent) Certificates of Occupancy and any other necessary operating permits.

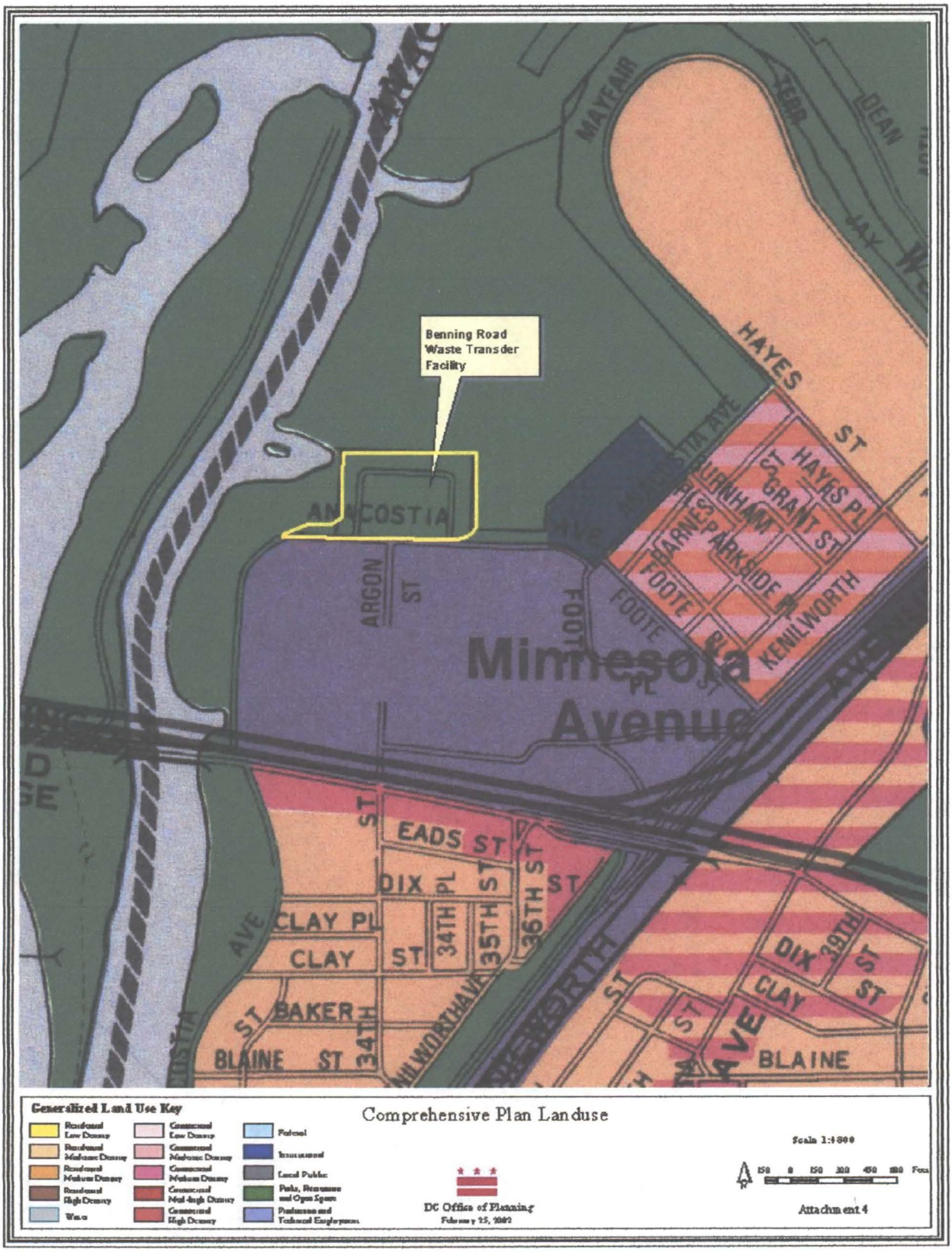
406 ENVIRONMENTAL HEALTH AND SANITATION

406.2 The policies established in support of the environmental health and sanitation objective are as follows:

(c) Develop, implement, and maintain programs to manage the use, handling, transportation, storage and disposal of harmful chemical, biological, and radioactive materials (hospital wastes, radioactive materials used in research and medical treatment, hazardous organic and inorganic chemicals are of

special concern) including expanded enforcement of local regulations and the establishment of a training program on the handling of hazardous materials and on emergency planning;

(e) Develop a program to safely collect and dispose of household hazardous wastes, including batteries, paints, household cleaners, and other harmful wastes generated by residential properties; and


Benning Road
Waste Transfer
Facility
HAYES ST
ANACOSTIA
ARGON ST
FOOTE
Minnesota
Avenue
EADS ST
DIX PL
CLAY PL
CLAY ST
BAKER ST
BLAINE ST
34TH ST
35TH ST
36TH ST
KENILWORTH
Generalized Land Use Key
Comprehensive Plan Landuse
DC Office of Planning
Attachment 4

The map amendment is not inconsistent with the Comprehensive Plan objectives and policies, including:

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(e) Develop a program to safely collect and dispose of household hazardous wastes, including batteries, paints, household cleaners, and other harmful wastes generated by residential properties.

1812 WARD 7 ACTIONS IN SUPPORT OF ENVIRONMENTAL PROTECTION

1812.1 The policies in support of environmental protection are as follows:

(e) Study and evaluate the potential environmental impact and health implications from the storage and disposal of harmful biological, chemical and radioactive materials at... the District's waste facility on Benning Road N.E:

(1) Ward residents have been concerned about the environmental and possible health implications that may be caused by... the District's waste facility at 3300 Benning Road, N.E. They have further expressed concerns about the storage and disposal of hazardous waste and toxic substances for fear that these substances may cause contamination to drinking water, vegetation, soil and air; and

(2) Recommended actions:

(B) Enforce rules and regulations governing the operation of the District's waste facility at 3300 Benning Road, N.E. to ensure that the plant operates as efficiently as possible;

(D) Inform the PSC, DCRA, CPH, D.C. Fire Department and the Office of Emergency Preparedness of any hazardous environmental spill-over affects to the air or ground water as a result of accidents or malfunctions of plant operations.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST

821 Uses Subject to BZA Approval (M)

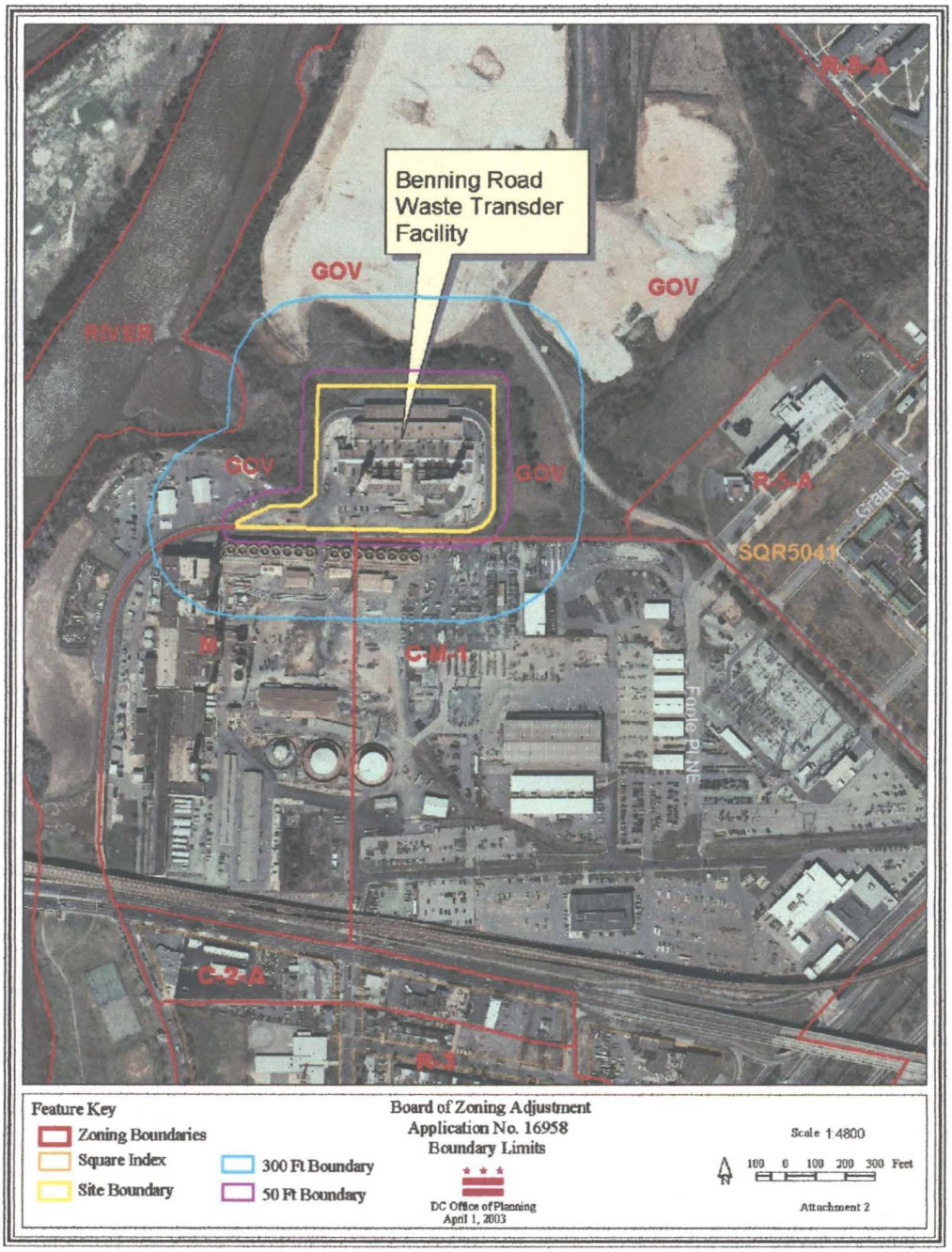
822.3 Any establishment to be used as a solid waste handling facility shall be permitted only if the following requirements are met:

(a) No portion of the facility, including any structure, loading dock, truck bay, storage container, transfer equipment, or any other processing equipment or operation shall be located within three hundred feet (300 ft.) of a property in a Residence District used for residential purposes or located within fifty feet (50ft.) of any adjacent property used as a public park or retail, office, or institutional purposes;

No portion of the Benning Road Solid Waste Transfer Facility is located within three hundred feet of property in a Residential District used for residential purposes. The subject property was transferred to the City in 1969 from US Reservation 343 and used as an incinerator from July 1972 until March 1994.

The subject property is adjacent to National Park Service land, but the area of the park in proximity to the subject site is not used for activity recreational purposes.

There are no properties used for retail, office or institutional purposes located within fifty feet of the Benning Road facility (See Boundary Limits Map).



(b) No truck access to or egress from the site shall be located within fifty feet (50 ft.) of any adjacent property used as a public park or for residential, retail, office, or institutional purposes;

No Truck access to and egress from the subject facility is located within fifty feet of any adjacent property used as a public park or for residential, retail, office, or institutional purposes (See Boundary Limits Map).

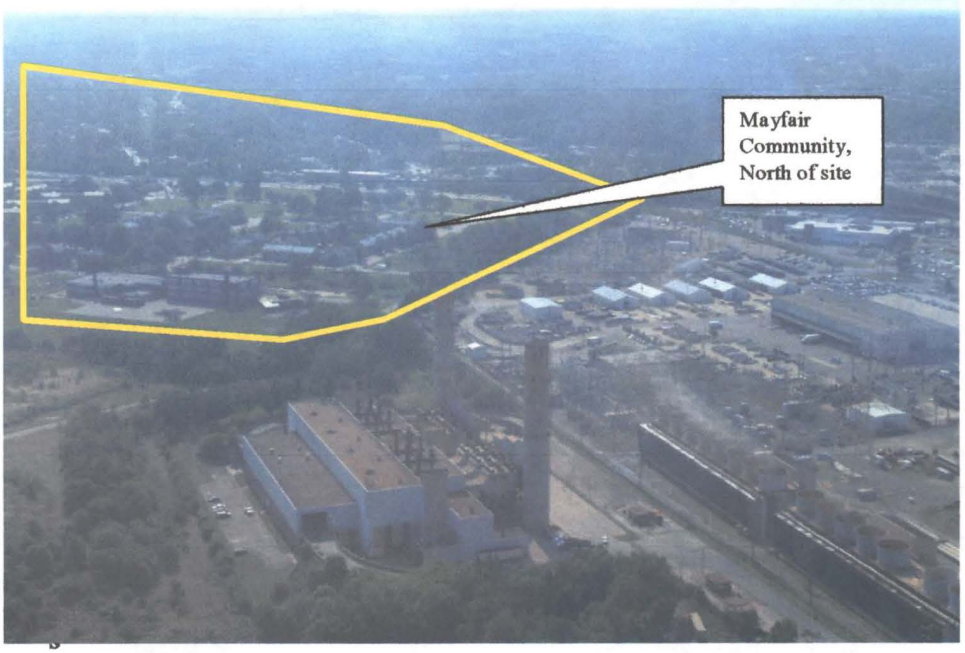
(c) The facility shall be designed to have access to a railway siding or spur to enable the transportation by rail of solid waste out of the District Columbia. Solid waste shall be shipped from a facility by rail, except that shipping of solid waste by truck may be permitted by the Board, if the Board finds that the applicant has demonstrated by substantial evidence that the use of rail is not practically, economically, or physically feasible;

It is the applicant's desire that the Board permit the use of trucks to continue, as the desired transportation means to serve the subject facility. The Benning Road facility was planned and designed for trucks, as opposed to rail. There is a rail line (B & O Railroad line) to the east of the facility, on the east side of the Kenilworth Avenue Expressway. However, the referenced rail line is approximately 2,000 feet from the facility and Kenilworth Avenue Expressway is a major north south arterial through the District. It would be extremely challenging, from a transportation circulation prospective, and cost prohibitive to build a spur from the B & O line to service the solid waste facility. It is, therefore the applicant's position that the prospective use of rail as the preferred means of servicing the subject facility, would not be practical, economically, or physically feasible.

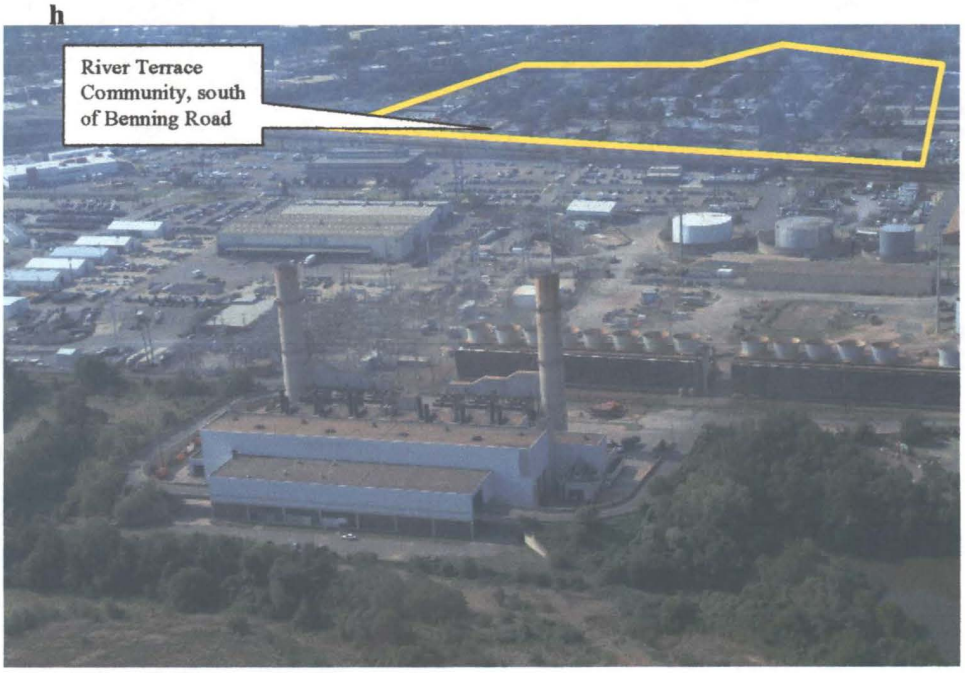
(d) The site shall be of sufficient size so as to permit the avoidance or reduction of adverse impacts on the character of the neighborhood due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazards, decomposition gases, vehicle and other pollution, or other hazards or objectionable conditions;

The subject facility is on approximately 9 acres of land, buffered on the south from the River Terrace neighborhood by the PEPCO electric power facility and Benning Road, which is a major east west arterial in the area. The Mayfair neighborhood to the north is much more than 1000 feet across Anacostia Park from the facility and is buffered by rising topography and trees. (See figures 1 & 2) Further, upgrades to the facility will include improvements to the existing storm water system and improvements to environmental controls associated with the facility. Alterations will also include new odor and dust control mitigation system, new ventilation system, and new signage and lighting. A citizen's drop-off area is planned for the

south end of the property to allow incoming passenger vehicles (District residents only) to dispose of recyclables, household hazardous waste, and bulk solid waste items. These referenced design and operational elements, should allow for the avoidance or reduction of adverse impacts on the character of the neighborhood due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazards, decomposition gases, vehicle and other pollution, or other hazards or objectionable conditions.



h



The applicant shall provide credible evidence to the Board to demonstrate the ability of the facility and its ancillary elements to comply with all applicable regulations. The evidence shall include, but not be limited to, the following:

(1) An indication of the site and description of land uses within one-fourth (¼) of a mile of the site;

The Generalized Land Use Map, zoning map, and aerial photograph depict the land uses within one-forth (1/4) of a mile of the subject site as follows: The areas to the immediate north, east and west are in Anacostia Park and is designated as Parks, Recreation and Open Space and un-zoned as they are federal lands. The Anacostia River is also west of the facility. The land to the south is the PEPCO property, which are designated Production and Technical Employment and zoned CM and M industrial zones. There is a mix use area further to the east of the site, (between Foote and Hayes Streets in the low-density commercial/moderate residential land use category, which is zoned R-5-A.

(2) A site plan showing the layout of the proposed facility, including main buildings, fences and screens, access to rail if available, street access, parking and queuing areas, and a functional diagram indicating the Proposed use of the site;

The applicant will provide the Board with site plans, showing the layout of the proposed facility, including main buildings, fences and screens, access to rail if available, street access, parking and queuing areas, and a functional diagram indicating the Proposed use of the site.

(3) An operating plan indicating types of waste to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;

The subject facility will only accept solid waste municipally generated and in compliance with DPW-SWA procedures. Waste must be in appropriate refuse-type vehicles, i.e., front and rear loader packer trucks, roll-off containers, or compactor containers. All refuse vehicles, upon entering the facility must be weighed and logged in at the scale house prior to discharging waste.

There will also be a citizen's drop-off area at the south end of the property to allow incoming passenger vehicles (District residents only) to dispose of recyclables, household hazardous waste, and bulk solid waste items.

The volume of solid waste anticipated to be received at the facility, after the upgrades is estimated to average approximately 900 tons per day, Monday through Friday.

Solid waste vehicles and small trucks that make inbound deliveries to the facility are estimated to make 400 to 500 trips per day, Monday through Friday. Fewer than 300 such deliveries are anticipated for Saturday and less than 30 for Sunday.

(4) A plan for preventing and controlling offensive noises, odors, and rodents and other disease vectors;

According to the applicant, most of the noise-related activities will take place within the facility, which will be closed during discharging operations. Based on the operations design of the facility, operating noise levels are not expected to exceed the allowable decibel level permitted in the Zoning Regulations, Sections 825, and Standards of External Effects (M).

There will be odors and dust generated during the day –to-day operations of the facility. The applicant will take the following operational activities on a regular basis in order to prevent and control odor and dust:

- *Incoming refuse will be inspected and immediately loaded into transfer trailers for shipment out the same day or the next morning;*
- *A street sweeper will be used on the tipping floor and on facility roads on a regular basis, as a means of controlling waste on the site; and*
- *Refuse handling will occur within the closed building where mechanical ventilation systems are, including a roof-top-odor-control system.*

To prevent and control rodents and other disease vectors, a licensed exterminator will be retained on an ongoing basis to apply rodenticides and insecticides.

(5) A traffic study that indicates truck routes to and from the facility on streets, to the extent possible, that are major arterials and highways that do not abut residential neighborhoods along the way, with the objective of minimizing potential adverse impacts on adjacent neighborhoods; and

According to DDOT, traffic considerations were addressed in the approved EISF review for the facility. Benning Road and its connections to I-295 Expressway, was found to have sufficient capacity to handle the inbound and outbound transfer trailer traffic that use the facility.

(6) A certified statement by an architect or engineer licensed in the District of Columbia that the facility as sited and designed to the best of his or her professional knowledge and belief is capable of complying with this subsection and all other applicable regulations of the District of Columbia government, including without limitation, regulations adopted pursuant to the Solid Waste Facility Permit Act of 1995, effective February 27, 1996 (D.C. Law 11-94, as amended; D.C. Code, 2001 Ed. §§ 8-1051 to 8-1063 (formerly codified at D.C. Code §§ 6-3451 to 3463 (1999 Supp.)));

The applicant has provided a Certified Statement from SCS Engineers, that the facility as sited and designed is capable of complying with Section 822.3.

(f) There shall be no truck access, parking, standing or queuing to the facility from any street or block-long portion of a street for which fifty percent (50%) or more of the abutting properties on either side are used for residential purposes. No truck dumping or picking up solid waste shall park, stand, or queue for the facility from any public right-of-way. Vehicular traffic resulting from operations at the facility shall not obstruct traffic. The location of the facility shall provide access from a paved street with a road base capable of withstanding anticipated load limits;

There will be no truck access, parking, standing or queuing on any street for which fifty percent or more of the abutting properties on either side are used for residential purposes or any public right of way. There will be no truck dumping or picking up solid waste parked, standing, or queuing for the facility from any public right-of-way. Vehicular traffic resulting from operations at the facility shall not obstruct traffic. The location of the facility provides access from a paved street and has a road base capable of withstanding anticipated load limits.

(g) The facility shall also be subject to the "Standards of External Effects (C-M) in § 804 and the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53, 24 DCR 5293 (December 30, 1977), as amended), and Standards, 20 DCMR chapters 27 – 29;

The applicant states that the facility is being designed to comply with the Standards of External Effects (C-M)" in § 804 and the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53, 24 DCR 5293 (December 30, 1977), as amended), and Standards, 20 DCMR chapters 27 – 29;

(h) All solid waste handling activities, including depositing, processing, Separation and loading shall be within a fully enclosed building to minimize The adverse impacts due to noise, traffic, parking, odors, rodents and other Disease vectors, dust, litter, fire hazards, decomposition gases, wastewater,

Vehicle and other pollution, and other hazards or objectionable conditions;

All solid waste handling activities (depositing/vehicle discharging, inspections and loading into transfer trailers) will occur atop the proposed expanded tipping floor and within the fully enclosed building. The trailers will be parked within the tunnel during loading. The east and west ends of the tunnel will be open as the primary points for incoming ventilation and fresh air.

(i) The facility shall be enclosed on all sides by an opaque fence or wall at least ten feet (10 ft.) high. The facility shall be secured from unauthorized deposit and removal of solid waste or other materials when attendants are not present.

The facility is enclosed on the north, east and west with a six-foot wire mesh fence and on the south by a 8-foot fence. The fence serves to secure the facility from unauthorized deposit and removal of solid waste. A security attendant is present at the site 24hours a day.

(j) The facility shall provide on-site parking and queuing as follows:

(1) Space shall be provided on-site to park each commercial vehicle operated by the facility.

Most of the commercial vehicles that deposit waste at the Benning Road facility do not require parking spaces. Usually, they arrive, discharge refuse loads and depart the site. However, there are a few parking spaces for commercial vehicles.

There are parking spaces on the south side parking lot for DPW vehicles (pick-up trucks) operated by the facility. DPW large refuse trailers are parked at other DPW storage lot, off-site. Most private haulers must park at private lots off-site. However, there are some temporary parking provisions on the south side parking lot for private refuse vehicles.

(2) One employee parking space shall be provided for each commercial vehicle lawfully parked on the site after operating hours.

There are 36 parking spaces in the parking lot at the facility. These spaces are adequate to accommodate the parking needs of facility staff and commercial vehicles that are lawfully parked on the site after operating hours.

(3) If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand.

There will be designated times when the facility will be opened to the public (District residents only) for purposes of dropping off household hazardous waste items, recyclables, and bulk household items. The drop-off area will be in the

drive through manner; cars will be directed to marked drop-off area by signage, where materials can be dropped into marked bins and immediate then cars will depart the site.

(4) Additional parking, truck maneuvering, or queuing space may be required by the Board after considering the applicant's analysis of such needs and the reports of the D.C. Department of Transportation and the Office of Planning. However, at a minimum, the facility shall be configured in such a manner that trucks entering or leaving the facility shall not back in from or back out onto any public right-of-way.

Section 3104.1 Pursuant to authority in the Zoning Act, the Board is authorized to grant special exceptions, as provided in this Title, where, in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not affect adversely the use of neighboring property in accordance with the Zoning Regulations and Maps, subject in each case to the special conditions specified in Title 11 DCMR.

Will the special exceptions be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map?

The Benning Road Solid Waste Transfer Facility will continue to be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, after the alterations and repairs are completed. The Plan Generalized Land Use Map depicted the site in the Parks, Recreation and Open Space land use category; as opposed to the Production and Technical Employment category the site should have been shown. The existing use of the site is compatible with the industrial use assigned the adjacent PEPCO tract. The property was zoned M-General Industrial in March 2003, by Zoning Commission Case Number 02-46. The proposed continued use is permitted as a special exception per Section 822 of the Zoning Regulations.

The proposed alterations and repairs to the Benning Road Solid Waste Facility, (which will include a new roof, expansions to the building and a larger tipping floor, upgrades to the storm water system, adding a new odor and dust mitigation system, and a new ventilation system) are critically needed improvements that will allow the facility to be more efficient in its operation as a modern solid waste facility.

Will the granting of the special exception tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map?

If the Board were to grant the requested special exception, it would not tent to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. The PEPCO Benning Road Service Center, (an industrial use) is the only actively used property, in close proximity to the subject property. The nearest residential properties, used for residential purposes are more than 1,000 feet from the subject

property. They are the Mayfair community to the north and the River Terrace community, which is across Benning, to the south.

The subject site recently went through the District of Colombia Environmental Impact Statement Form (EISF) process. The EISF addressed issues of traffic, noise, odor and other issues that could impact the environment. The reviewing D.C. agencies found no adverse environmental impact for the proposed improvements on the site

COMMUNITY COMMENTS

On December 10, 2002. The Department of Public Works Solid Waste Administration, made a presentation to Advisory Neighborhood Commission ANC-7D, regarding the Map Amendment application to zone the Benning Road Solid Waste Transfer Facility. ANC 7D supported the project, citing that the proposed improvements to the facility will prove to be beneficial to the residents of Ward 7, as well as to other District residents.

OP RECOMMENDATION

After having reviewed BZA application 16958 requesting a special exception to permit a solid waste transfer facility to operate on a District parcel, the Office of Planning recommends that the **Board approve** the application. The Office of Planning finds that the application has met the burden of proof under §3104 of the Zoning Regulations, and has satisfactorily addressed the requirements of 822.3. OP therefore concludes that approval of the application would be in harmony with the general purpose and intent of the Zoning Regulations and would not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map.