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GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORADUM

TO: Zoning Commission

FROM: Andrew Altman, Director
Office of Planning

DATE: October 12, 2004

SUBJECT: Waiver of Rules for Late Submittal of Final Report on Case No. ZC 03-28

The attached Final Report concerning the application for ZC 03-28, Fort Totten Solid Waste Transfer Facility, is being submitted less than 10 days prior to the Zoning Commission's consideration of the item to schedule a public hearing. The Office of Planning respectfully requests that the Commission waive its rule and accept the report into the record.

AA/sjm$_{AICP}$

ZONING COMMISSION
District of Columbia
CASE NO. 03-28
EXHIBIT NO. 18

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: D.C. Zoning Commission

FROM: AL s for
Andrew Altman
Director

DATE: October 12, 2004

SUBJECT: Case No. **Z.C. 03-28**: Final Report for a Consolidated Planned Unit Development and a related map amendment to assign the Fort Totten Overlay District and the M Zone District to a portion of the Fort Totten Solid Waste Transfer Station Center property for the operation of a solid waste handling facility, 4900 Bates Road, N.E. (PAR 123/56 and 123/57), filed by the DC Department of Public Works.

APPLICATION

The DC Department of Public Works, the applicant, seeks approval of a consolidated planned unit development and related map amendment to assign the Fort Totten Overlay District and the M Zone District to a portion of the site for the modernization of the Fort Totten Solid Waste Transfer Station. The subject property is split zoned between the R-5-A Zone District and the M Zone District.

The subject property also includes an un-built portion of Brookland Avenue, as shown on a plat prepared by the Office of the Surveyor dated November 18, 2002.

SUMMARY RECOMMENDATION

The Office of Planning recommends the Zoning Commission **APPROVE** the proposed PUD and related map amendment for a solid waste handling facility as submitted by the applicant, subject to the following conditions:

1. That the applicant submits a certified statement by an architect or engineer licensed in the District of Columbia, as required by 11DCMR § 822.3(e)(6)).
2. That the applicant submits a copy of the traffic study as required by 11DCMR § 822.3(e)(5)).
3. That a minimum 10-foot high opaque fence encloses the entire site, as per 11DCMR § 822.3(i).
4. That evergreen tree plantings are provided along the entire northern property line along the perimeter of the site, as per 11DCMR § 1563.3(a)(4).

BACKGROUND

The D.C. Department of Public Works (DPW) has requested rezoning of a portion of the site of the Fort Totten Solid Waste Transfer Facility, a D.C. government facility. The site is currently split zoned between the M (general industry) District and the R-5-A (low density general residence) District. It is the R-5-A zoned portion of the site that the applicant has requested be rezoned to the M District and the Fort Totten Overlay District, and the PUD is requested for the entire site. According to the application, the subject property had been an incinerator prior to the mid 1970's. At that time the incinerator was demolished and a stationary compactor transfer facility was constructed in its place. The compactor transfer operation is no longer used and the site operates today as a solid waste transfer facility. Solid waste transfer facilities are permitted by special exception within the M Zone District but are not permitted within the R-5-A Zone District, either by right or by special exception. The remainder of the site is located within the M Zone District and within the Fort Totten Overlay District.

A solid waste facility permit, which requires a minimum 500 foot setback from any property line (or alternatively from the nearest dwelling), is not required for this project. Government owned facilities are not required to obtain this permit.

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 issue and passed legislation requiring that City properties be subject to zoning. Therefore, in order to modernize the facility the use must conform to the zoning on the property.

PROPOSAL

DPW proposes to make repairs to and modernize the existing building, including an upgraded storm water system, new odor and dust control mitigation system, new ventilation system and new signage and lighting. Alterations and repairs to the building will improve environmental controls associated the facility, including the relocation of solid waste handling to the inside of the building to eliminate blowing litter. The upgraded storm water system will achieve proper storm water quality management. DPW also proposes to construct a 14,500 square foot building addition, 28.8 feet in height, to accommodate larger refuse trucks.

The site will be designed to accommodate periodic citizen drop-offs of household hazardous wastes, recyclables and bulk solid waste items.

The existing operation of this site is a solid waste transfer facility that is proposed to continue under the subject application. Because the use is municipal it was not originally subject to zoning. The building was originally in and continues to be in the portion of the

site zoned R-5-A. In order to modernize the operation a building addition is necessary. This addition will also be within the R-5-A Zone District.

Both the new addition and the existing building will be relatively rectangular and clad with green pre-finished metal siding. The east elevation will contain multiple 6 foot by 20 foot glass fiber translucent panels for light. The north and south elevations contain the truck entrances and exits with what appears to be roll up metal garage doors. Office space is located in the existing portion of the building at the south end of the project. Floor plans included in the application show how the building interior responds to the use.

ZONING

The subject property is split zoned between the R-5-A and the M Zone Districts. It is surrounded by a variety of uses. To the north is Super Concrete, Inc., a concrete batching operation located within the M District and the Fort Totten Overlay District. To the east are two sets of railroad tracks; one owned by CSX and used for freight and commuter trains (MARC Brunswick Line), and the other by Metro and operated as the eastern leg of the Red Line. To the southeast is a DPW truck wash and fueling facility within the R-5-A Zone District. To the south, across Bates Road, N.E., are athletic fields on the campus of Catholic University located within the R-5-A Zone District. To the east is unzoned National Park Service land that is wooded and comprising Fort Totten Park. Within the property is also an un-built portion of Brookland Avenue.

This portion of Brookland Avenue provides access only to the four parcels that are a part of this application. However, even that access is interrupted by the location of an existing DPW fueling station that the subject property surrounds but is not a part of this application. The subject property is to be developed as one site with direct access to Bates Road.

Expansion of the M Zone District and the Fort Totten Overlay District onto the entire site is appropriate as the M Zone will include the entire operation, and result in a zone district boundary line that is consistent with an existing street, Bates Road. Bates Road is a non-residential street and its utilization as a boundary between the R-5-A and M Districts is more easily recognizable. Although the area south of Bates Road is zoned R-5-A, its use is not residential, but rather the athletic fields for an institutional use, Catholic University. The expansion of the M District and the PUD will not result in industrial uses locating any closer to Catholic University as this application is for the continuance of an existing use, and only within the confines of the PUD application.

The proposed building addition will be 50 feet in depth, 291 feet in length and 28.8 feet in height, less than the maximum 90-foot building height permitted by the M Zone District. The proposed floor area ratio (FAR) is less than 1.0, significantly less than the maximum 6.0 permitted, and the rear yard setback is proposed to be 66 feet, in excess of the minimum 12 feet required by the M Zone District.

	PROPOSAL	REQUIRED/PERMITTED BY M DISTRICT
Maximum Building Height	28.8 feet	90 feet
Maximum FAR	less than 1.0	6.0
Minimum Rear Yard	66 feet	12 feet

Section 820 of 11 DCMR sets forth the intent of 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.*

The location of a solid waste transfer station within the M Zone District will not impede the full utilization of other properly located industrial sites. Its modernization, which will include screening of the site and movement of many of the operations within a building, will serve to better control odor emanating from the site and serve to better protect nearby sites from the effects of the use of the subject property.

Section 1561 of 11 DCMR sets forth the intent and purposes of the FT Overlay District:

1561 FORT TOTTEN OVERLAY DISTRICT (FT)

1561.1 *The Fort Totten (FT) Overlay District is established to allow existing industrial businesses to remain and expand and to propose land use control policies to further implement the Comprehensive Plan.*

1561.3 The purposes of the FT Overlay District are to:

(a) *Encourage a scale of development and a mixture of building and land uses as generally required by the Comprehensive Plan;*

The subject application is for the expansion of an existing industrial use, a solid waste transfer facility. As solid waste transfer facilities are not uses typically found elsewhere within commercial districts, this use is generally in conformance with the Production and Technical Employment aspect of the land use recommendation for the subject property by the Generalized Land Use Plan.

(c) Protect surrounding residential areas from the adverse impacts of existing industrial support uses by means of the buffering standards provided in this overlay district.

The subject application will be in conformance with the applicable buffering standards of the Fort Totten Overlay District. The applicant has agreed to provide a minimum 10-foot high opaque fence around the entire site, and the Landscape Plan proposes the addition of Leyland Cypress trees around the perimeter of the site where there are not existing trees or woodlands. Along the northern property line where no evergreen trees or are proposed, the applicant has agreed to provide additional evergreen trees.

The extension of the M Zone District and the Fort Totten Overlay District is appropriate, as it will eliminate the split zoning of the subject property and provide a more logical zone boundary.

Solid Waste Handling Facility

The application requires Zoning Commission approval of the subject property as a solid waste handling facility, as per the requirements of §822.3. Because the use is proposed as a part of a PUD and not as a BZA application, the Commission may waive the requirements as it sees fit.

The following is an overview of how the proposed use conforms to the specific criteria for a solid waste handling facility.

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 (50 ft.) of any adjacent property used as a public park or retail, office, or institutional purposes;

No portion of the facility is located within 300 feet of a property in a residence district used for residential purposes. No adjacent property is used for retail or office purposes. Catholic University, an institutional use, is located across Bates Road and more than 50 feet from the subject property. However, the subject property abuts Fort Totten Park, a public park, and the existing Solid Waste Transfer Facility Building is located approximately 13 feet from the park. With the exception of a new fence, which will serve to protect the park and secure the facility, all new construction on the site will be in excess of 50 feet from Fort Totten Park. The applicant requests that the Commission waive this requirement for location of the existing building.

(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 or egress from the site is located within 50 feet of any adjacent property used as for residential, retail, office or institutional purposes. However, the

existing egress from the site for trucks exiting from the existing building is less than 50 feet from a public park, Fort Totten Park. This egress is not proposed to change and the applicant requests that the Commission waive this requirement to permit the existing situation to continue. No new access or egress from the site will be less than 50 feet from a public park.

> *(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 of 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;*

The facility is located adjacent to a CSX railroad. However, the application does not propose the removal of solid waste by rail, but rather by truck only, as is the current situation. The application indicates that it is not practical or economical to ship the solid waste out of the site by rail. Therefore, the applicant requests that the Commission waive this requirement.

> *(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 property is approximately 5.5 acres in area. The application indicates that the size of the property, in combination with the site layout, will result in the avoidance of impacts on the character of the neighborhood. The modernization of the facility will locate many of the site's operations within a building, including truck backing, refuse discharge, loader and crane operations and loud-speaker communications/alarms. The applicant has agreed to provide a minimum ten-foot high opaque fence will enclose the site and provide evergreen landscaping around the perimeter, where there are neither existing trees nor woodlands, as required by §822.3 of the Zoning Regulations and the Fort Totten Overlay District.

> *(e) 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 (1/4) of a mile of the site;*

Within a quarter mile of the subject property are primarily institutional, industrial and residential uses. To the north are parkland and industrial uses. To the east, across the railroad tracks, are industrial and institutional uses, followed by a mixture of single-

family dwellings. To the south is Catholic University and to the west are residential uses, including single and multi-family dwellings.

> *(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 application includes a site plan showing the necessary information, with the exception of rail access, which is not provided.

> *(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 application indicates that only municipal waste will be accepted at the facility. The "Special Exception Addendum" to the application contains the estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods.

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

Most of the noise generated by the site will take place within the building, including the processing of the solid waste. Therefore, the building will serve to prevent and control offensive odors and noises from leaving the site. The applicant contracts with a licensed vendor for the control of rodents and insects.

> *(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*

The application indicates that traffic to and from the site will use Brookland Avenue, Fort Totten Drive and North Capitol Street for access to and from the property, with North Capitol Street as the preferred route. The applicant has informed the Office of Planning that it will submit a copy of the traffic study that was included as a part of the EISF application prior to the hearing. Comments were solicited from the Department of Transportation; however, none were received as of the date of this report.

> *(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. Official Code §§ 8-1051 to 8-1063 (formerly codified at D.C. Code §§ 6-3451 to 3463 (1999 Supp.)));

The applicant has indicated that a copy of a certified statement will be submitted prior to the public hearing.

(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;

All vehicular access to the site is via Fort Totten Drive and Bates Road or Brookland Avenue. The application indicates that the paved roads providing access to the site are capable of sustaining the weight of the vehicles expected to utilize the facility. The site is laid out to accommodate full on-site queuing with a separation of citizen drop-off lanes from transfer vehicles. Not more than 50 percent of Fort Totten Drive, Bates Road or Brookland Avenue are used for residential purposes.

(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, as amended), and Standards, 20 DCMR chapters 27 - 29;

The application indicates that the facility is designed in conformance with this requirement.

(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;

The modernization of the site will provide for all solid waste handling activities to take place within a fully enclosed building. Only the citizen drop-off will not be located within a building, which will be limited to recycling, household hazardous waste and bulk solid waste items.

(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; and

The applicant has indicated that an opaque fence will enclose the entire site at least 10 feet in height. The site will be secured when the facility is not in operation and a security attendant will be on-site 24 hours 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;

The application indicates that 12 spaces are specifically provided for the transfer trailers and 24 spaces designated for employee parking. The applicant indicates that this is adequate on-site parking and that refuse vehicles are not parked at the site.

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

Twenty-four employee parking spaces are provided on-site, and the application indicates that this is sufficient to accommodate commercial vehicles that will be 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; and

The facility serves the public and the provided queuing space is anticipated to be sufficient on Saturdays, when peak demand by the public is anticipated. The only parking provided for the public is for the unloading of their vehicles. Otherwise, parking by the public will not be permitted. There are two drop-off lanes and a by-pass lane to allow the public traffic to keep moving.

(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.

The design of the site allows for automobile and truck parking, and queuing space for vehicles entering the site. Approximately 200 feet of queuing space is provided for trucks entering the site. No vehicles will be required to back into or out of the site onto any public right-of-way as a result of the site design.

The subject application is in conformance with most of the special exception criteria for a solid waste handling facility specified in §822.3. Rail access is not required for the use as

proposed, and therefore a rail spur should not be required, and the existing building should be permitted to continue less than 50 feet from a public park. OP recommends that the applicant provide the other items not provided by the application, such as the traffic study, a ten-foot opaque fence around the entire site, evergreen trees around the entire perimeter of the site and a certificated statement by a licensed architect or engineer.

Although the proposed facility is one that will serve the entire District and not just the community in which it is located, the impacts of the facility at this location will be primarily felt within the surrounding community. Therefore it is important that the application conform to the requirements of § 822.3 to the extent possible. These provisions will ensure that the use of the subject property will not become a nuisance to the surrounding community.

Public Benefits and Project Amenities

Due to the public nature of the facility the application proposes no project amenities. However, the modernization of this existing facility will provide many public benefits to the District as a whole, in the form of a modern, environmentally improved solid waste transfer facility, as described below. It will also benefit the surrounding community through improved litter, odor and dust control, and reduced environmental impacts through upgraded storm water management.

"Public benefits and project amenities of the proposed PUD may be exhibited and documented in an of the following or additional categories" (§ 2403.9)

> *"(a) Urban design, architecture, landscaping, or creation or preservation of open spaces;*
>
> The plan for the subject property proposes the addition of landscaping, which will serve to buffer the use from surrounding properties. Although this additional landscaping is a requirement of the Fort Totten Overlay District, the surrounding community will benefit directly from this landscaping.
>
> *"(c) Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*
>
> The site is designed to accommodate the trucks that will use it. Sufficient queuing space is provided to mitigate adverse traffic impacts and no trucks will be required to back up to either enter or exit the site. By ensuring that vehicles using the site will not block traffic on surrounding streets in their attempt to enter, use or leave the site, the subject application will *"[e]nhance the efficiency of the transportation system..."* (502.2(g)), benefiting the surrounding community.

"(h) Environmental benefits, such as stormwater runoff controls and preservation of open space or trees;

The proposed plan indicates that improved stormwater management will be provided. This is especially important for a facility such as that proposed by this application, to prevent runoff solid waste runoff from leaving the site. This is a benefit to the surrounding community and the District as a whole.

"(i) Uses of special value to the neighborhood or the District of Columbia as a whole; and

The use itself is of special value to the District of Columbia. It is a necessary public facility, and it is a major policy of the Public Facilities Element of the Comprehensive Plan, under Section 600.3, that *"high priority be given to the District's solid waste... needs"* and that *"major capital investments are anticipated."* The District as a whole will benefit from this upgraded facility.

The subject application will provide many public benefits, as described above. Although the subject application proposes no specific amenities, the use itself is a significant amenity to the District as a whole, providing a necessary municipal service. As a result of the modernization of the site, the District will *"safely collect and dispose of household wastes, including batteries, paints, household cleaners, and other harmful wastes generated by residential properties..."* (406.2(e)), a policy of the Comprehensive Plan. It is not possible to operate a municipality without this service, and the Comprehensive Plan states *"[h]igh priority must be given to a solution to the District's solid waste... needs."* (600.3). This application is a part of that solution.

Although many of the site improvement benefits that will be derived by the application will be most evident to the community in which the use is located, the use will have a District-wide positive impact. Therefore, it is important that those benefits are provided.

COMPREHENSIVE PLAN

Generalized Land Use Map

The area has been identified on the Generalized Land Use Map as mixed use, which is described as *"[a] combination of land use categories are depicted in areas where a variety of uses are to be encouraged. Mixed use areas include existing commercial areas and areas proposed for significant land use changes."* The two land use categories comprising the mixed use designation are "medium density commercial" and "production and technical employment."

Medium Density Commercial- "*Shopping and service areas that generally offer a large concentration and variety of goods and services outside the Central Employment Area are the predominant uses. Most customers arrive by car, bus or subway.*"

Production and Technical Employment- "*Restructured industrial land intended to encourage growth industries and industries with a high ratio of employees to land area occupied, such as office support systems, communications, printing and publishing, wholesaling, transportation services, food services, and tourism support services; warehousing; and other commercial activities that generally do not occur to substantial degree in other commercial areas are the predominant uses.*"

Comprehensive Plan
The application is consistent 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.

The subject application is for the modernization of the existing facility. Through the expansion of the existing building the applicant will be able to more effectively collect and dispose of the solid waste that comes into the site, and be able to do so within an enclosed building. No trucks will be required to back-up to either enter or leave the site. The redesigned site will also provide a better citizen drop-off area that separates the citizens from the truck traffic, improving vehicular safety on-site.

406 ENVIRONMENTAL HEALTH AND SANITATION

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

(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

The modernized facility will include a citizen drop-off area where District residents will be able to drop off their household hazardous wastes, recyclables and bulk solid waste for proper disposal.

600 DECLARATION OF MAJOR POLICIES

600.3 Expansion of sewage treatment capacity and construction of related stormwater management projects are essential components of the public

facilities program for the next two (2) decades. High priority must be given to a solution to the District's solid waste and sludge disposal needs. Regardless of which approach is selected, major capital investments are anticipated.

The subject application represents a solution to the District's solid waste disposal needs. The modernized site will have the added benefit of being able to accommodate solid waste private haulers, eliminating the need for private companies to operate their own solid waste transfer stations around the District.

1612 WARD 5 ACTIONS IN SUPPORT OF ENVIRONMENTAL PROTECTION

1612.1(d)(2) Recommended actions:

(I) Inform residents of the dangers of household hazardous wastes such as motor oil, paints, detergents, and cleansers, and establish collection areas and schedules, convenient to all residents, for disposal of these wastes; and

The modernized facility will include a citizen's drop-off area for the disposal of household hazardous wastes, recyclables and bulk solid waste items. The hours of operation of this drop-off area will be selected weekday afternoons and Saturdays, when commercial truck traffic to and from the site is reduced.

COMMUNITY COMMENTS

ANC 5A's Committee of the Whole will review the application at their meeting on October 7, 2004.

Catholic University informed the Office of Planning by telephone that it is not opposed to the application. However, they noted that garbage trucks drive through the campus on their way to and from the facility.

AGENCY COMMENTS

The Department of Public Works has requested the PUD and map amendment be approved.

Comments were solicited from the Department of Transportation, but none were received.

The **National Park Service** has informed the Office of Planning that it supports the application, although it does have concerns.

CONCLUSION

The Office of Planning believes the proposed PUD and related map amendment is consistent with the above objectives and policies of the Comprehensive Plan and would result in the expedited achievement of many. Specifically, the proposed PUD and related map amendment will result in the ability of DPW to modernize the operation of this solid waste transfer facility. The modernization of this public facility will be in concert with the provisions of the Fort Totten Overlay District and § 822.3 of the Zoning Regulations, subject to the conditions listed below. The applicant has already agreed to these conditions. The use in and of itself is a major necessary public amenity that will be provided by this PUD and is something that the District cannot do without. Despite this, efforts have been made to ensure that the surrounding community especially, the one that will have to deal with the effects of the use on a regular basis, is protected from any adverse impacts.

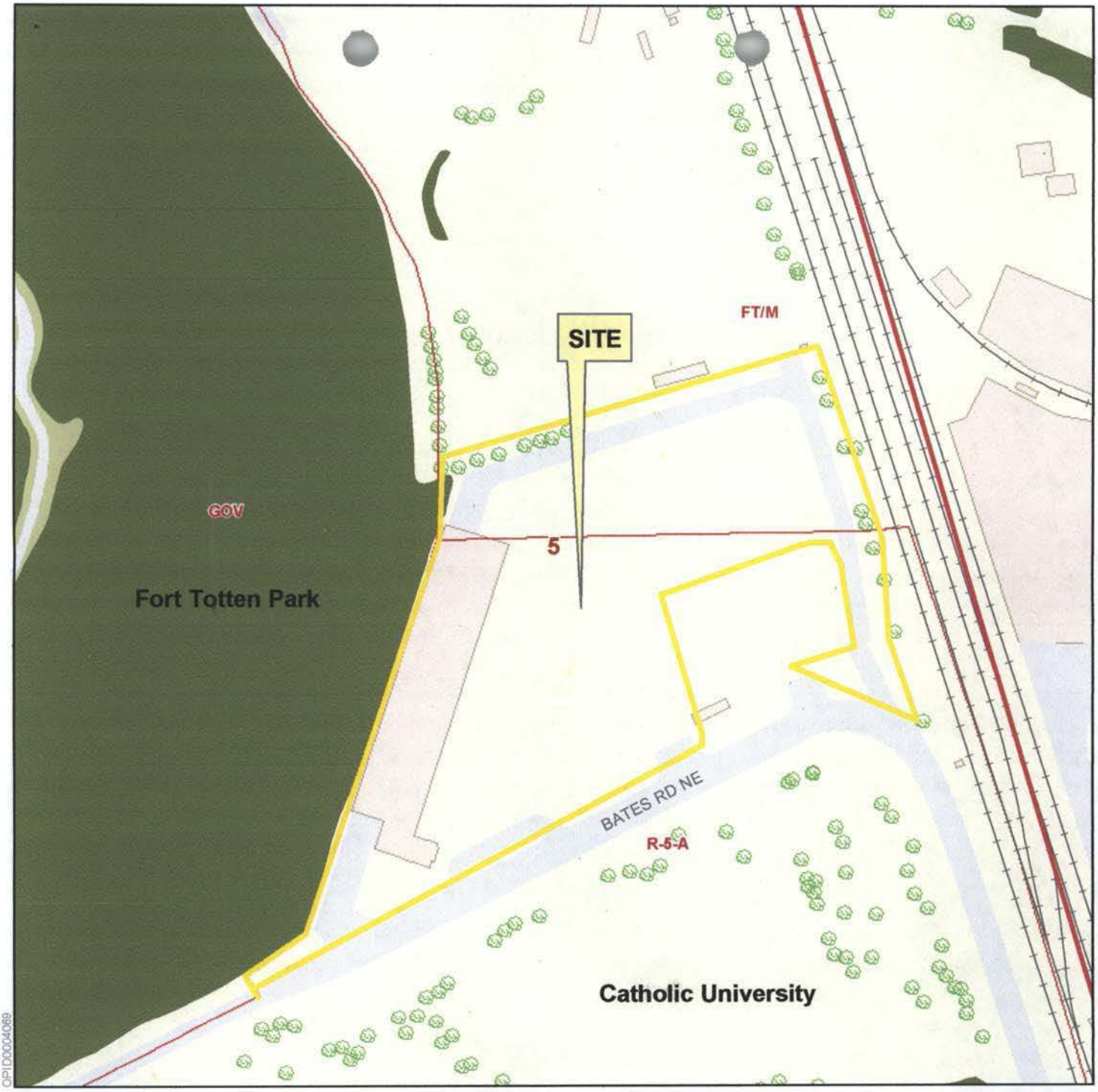
Conformance with the overlay district and the Zoning Regulations is has been proposed to the extent possible. OP concludes that the flexibility requested is balanced by the direct public benefit of the project.

RECOMMENDATION

The Office of Planning recommends the Zoning Commission **APPROVE** the proposed PUD and related map amendment for a solid waste handling facility as submitted by the applicant, subject to the following conditions:

1. That the applicant submits a certified statement by an architect or engineer licensed in the District of Columbia, as required by 11DCMR § 822.3(e)(6)).
2. That the applicant submits a copy of the traffic study as required by 11DCMR § 822.3(e)(5)).
3. That a minimum 10-foot high opaque fence encloses the entire site, as per 11DCMR § 822.3(i).
4. That evergreen tree plantings are provided along the entire northern property line along the perimeter of the site, as per 11DCMR § 1563.3(a)(4).

AA/sjm,$_{AICP}$



Z.C. CASE NO. 03-28

Fort Totten Solid Waste Transfer Facility

4900 Bates Road, N.E.

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Feet

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★ ★ ★ **Government of the District of Columbia**
Anthony A. Williams, Mayor

Office of Planning ~ September 28, 2004

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.