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Addendum 1

APPLICATION FOR CONSOLIDATED APPROVAL OF A PLANNED UNIT DEVELOPMENT

Fort Totten
Solid Waste Transfer Facility
4900 Bates Road, N.E.

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Prepared for:

Office of the Zoning Commission
441 4th Street, N.W.
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Washington, D.C. 20001

Case No. 03-28

October 2004

ZONING COMMISSION
District of Columbia
Case 03-28
Exhibit 19

ZONING COMMISSION
District of Columbia
CASE NO.03-28
EXHIBIT NO.19

STATEMENT FOR SPECIAL EXCEPTION

The purpose of this section is to provide responses for the applicable sections regarding this application for a special exception. In each case, the applicable section text is provided, followed by a response in italics.

Section 822.3 -

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 operations 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 three hundred feet of property in a Residential District used for residential purposes. The facility site is comprised of several parcels of land that are owned by the District and by the Washington Metropolitan Area Transportation Authority. Fort Totten Park is located west of the property and Catholic University is located south of the property; however, Catholic University property is more than fifty feet form the building facility. The back of the building facility is located 13 feet from the Fort Totten Park National Park Service property. The impact to the National Park Service is minimized because the back elevation of the building is completely enclosed and not used for truck ingress or egress. No properties used for retail or office purposes are located within fifty feet away of the facility.

(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;

Truck access to or egress is within fifty feet of the Fort Totten National Park; however the area that is used by the public is more that fifty feet form Truck access or egress. Truck access to or egress from the site is not located within fifty feet of any adjacent property used for residential, retail, office or institutional purposes.

(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 not designed to have access to a railway siding or spur to enable transportation by rail of solid waste out of the District. The applicant requests that

shipping of solid waste from the facility be continued to be permitted in the future because the use of rail is not practical, economical, or physically feasible given the site size, location and adjacent property owners. The nearest commercial rail lines are located east of the site, more than 400 feet away from the facility.

(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;

According to the plat survey, the site consists of approximately 5.5 acres of land. This size, coupled with the employment of various design and operational elements, allows 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, and other hazards or objectionable conditions. The site generally is shielded from residential neighborhoods by adjacent industrial properties or wooded areas. The nearest residential property is approximately 550 feet away from the facility.

(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.

The District of Columbia Generalized Land Use Map, May 1995, classifies the adjacent land as Parks, Recreation, and Open Space, and as Mixed Use Industrial land, and Medium Density Commercial land use. The site is bounded to the west by Fort Totten Park, to the north by a concrete batch plant operated by Silver Hill Concrete, Inc., to the northeast by a Metro-rail and CSX right-of-way, to the south by Bates Road and athletic fields of Catholic University.

Land uses within a ¼ mile of the site beyond the adjacent land uses are classified as Institutional; Parks, Recreation, and Open Space; Mixed Medium Density Residential, and Medium Density Commercial land use.

(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;

Site plans are provided in Exhibit 3 of the Planned Unit Development Application. Access to rail is not available and thus, is not indicated.

(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;

Only municipal solid waste will be accepted at the facility. This waste must arrive in refuse-type vehicles (i.e., rear and front loader packer trucks, roll-off containers, and compactor containers) and wastes will not be accepted if not in compliance with D.C. Department of Public Works – Solid Waste Administration procedures. For example, incoming vehicles must be weighed and logged in at the scale house prior to waste discharge within the facility. If unacceptable wastes are discharged at the facility, the waste hauler is responsible for the immediate removal of such wastes from the facility.

(Note: A citizen drop-off area is to be located on the east side of the facility for use by District residents delivering waste in passenger vehicles. This area will accommodate the drop off of recyclables, household hazardous wastes, and bulk household solid waste items on a periodic basis.)

The volume of solid waste to be received at the facility in the future is estimated to average approximately 2,500 tons per day, Monday through Friday.

- *Based on current operations and the design of the improved facility, approximately 600 trip ends for refuse trucks (based on an average of 300 arrivals and 300 departures per day for refuse trucks) daily (i.e., Monday through Friday).*

- *Based on current operations and the design of the improved facility, approximately 200 daily (i.e., Monday through Friday) trip ends from transfer trailers are expected on average. Transfer trailers may be stored temporarily on site within 12 dedicated parking spaces, however an average of 100 arrivals and 100 departures per day is still expected.*

- *Total site generated truck traffic is estimated at an average of 800 daily trip ends (based on an average of 400 arrivals and 400 departures per day for all trucks).*

- *Based on current operations and the design of the improved facility, the morning peak hour for refuse trucks arriving and departing the facility will be from 8:30 a.m. to 9:30 a.m. The average truck traffic generated by the facility during this peak hour will be approximately 25 vehicles arriving, dumping refuse, and departing, for an estimated total of 50 vehicle trip ends.*

- *Based on current operations and the design of the improved facility, the evening peak hour for refuse trucks arriving and departing the facility will be from 3:30 p.m. to 4:30 p.m. The average truck traffic generated by the*

facility during this peak hour will be approximately 12 vehicles arriving, dumping refuse, and departing, for an estimated total of 24 vehicle trip ends.

- *Transfer trailers will be loaded at some time during the operating hours of the facility and then exit the site. There is some flexibility for timing the departure of transfer trailers to off-peak times.*

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

Most of the noise-related operations of the facility will take place within the building itself. For example, truck backing, refuse discharge, loader and crane operations, and loud-speaker communications/alarms are designed to be located within the building. Based on the building and operations design, the operating noise level is not expected to exceed the allowable decibel level for this zone.

Due to the nature of solid waste, odors may be generated during the day-to-day operations of the facility. As a means to prevent and control odors and dust, the DPW-SWA undertakes several operational activities on a regular basis, including:

- *incoming refuse is inspected and immediately loaded into transfer trailers for shipment out the same day or the next morning*
- *a street sweeper is used on the tipping floor and facility roads on a regular basis*
- *refuse handling occurs within the closed building where mechanical ventilation systems are present and operational, including a roof-top odor-control system .*

To prevent and control rodents and other disease vectors, a licensed vendor is retained on an ongoing basis to apply rodenticides and insecticides at the facility.

(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;

Traffic considerations were addressed in the facility's approved EISF. Inbound and outbound transfer trailer traffic will use I-395 via Brookland Drive, Fort Drive, and North Capitol Street. Inbound and outbound refuse vehicles to the maximum extent practical will access the facility via North Capitol Street and then disperse to their normal residential and commercial collection stops.

(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. Sec.s 8-1051 to 8-1063 (formerly codified at D.C. Code Sec. 6-3451 to 3463 (1999 Supp.))).

Please refer to Exhibit A- of this document.

(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 not be truck access, parking, standing, or queuing on any street for which fifty percent or more of the properties are used for residential properties or on any public right of ways. Vehicular traffic will not obstruct traffic. Surrounding paved streets have 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 Sec. 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 facility is designed to comply with these requirements.

(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 the transfer trailers) will occur atop the newly expanded tipping floor and within the fully enclosed building. The transfer trailers will be parked within the 'tunnel' during loading. The north and south ends of the tunnel are open as the primary points for incoming ventilation and fresh air.

The Citizen drop-off area located on the east side of the facility is designed to be an open air location. Citizens will be able to drop off recyclables, household hazardous wastes, and bulk household solid waste items on a periodic basis.

(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 facility is bordered on the south by a chain link fence that is eight feet high at one end, but increases to a height of sixteen feet as it approaches the southeast corner of the facility. A sixteen-foot opaque chain link fence borders the east and a six-foot chain link fence borders the north. The west side is bordered by and eight-foot chain link fence on both sides of the facilities main building which also serves as a border. The fence has been sufficient to secure the facility from unauthorized deposit and removal of solid waste thus far, and is expected to continue to be sufficient for this purpose. A security attendant is present at the 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.

Most commercial vehicles arriving at the Fort Totten Transfer Facility do not use parking spaces; they arrive, discharge their refuse loads, and depart shortly thereafter.

Space is provided in the east side parking area to park each anticipated commercial vehicle operated by the facility, such as DPW pick-up trucks. DPW refuse vehicles are parked at other off-site DPW locations. Private refuse vehicles will not be permitted to park at the facility. Most of the private transfer trailers will be parked at off-site locations; however, 12 spaces for such vehicles have been provided for in the south parking area.

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

There are up to 24 employee parking spaces on site. This is adequate to provide parking for commercial vehicles that are lawfully parked on 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;

On a periodic basis, the facility may be open to the public for the purpose of dropping off household hazardous waste items, recyclables, and/or bulk household solid waste items. During these events, signage will direct the public to and from the Citizen Drop-Off area. The drop-off area is used in a drive through manner; that is, each car pulls over to a marked area, materials are placed into marked bins, and the car departs shortly thereafter. Extended public parking will not be permitted. Anticipated peak demand for public use will be on Saturdays and the design accommodates adequate queuing space for traffic expected during peak hours.

(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 Public Works 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 facility is configured in such a manner that trucks entering or leaving the facility will not have to back in from or back out onto any public right-of-ways. The proposed special exception allows for additional parking spaces, truck maneuvering, and queuing to meet the needs of the transfer operations.

EXHIBIT A
CERTIFIED STATEMENT

This statement certifies that the facility as sited and designed to the best of my professional knowledge and belief is capable of complying with subsection 822.3 of Title 11, Zoning, of the District of Columbia Municipal Regulations and all other applicable regulations of the District of Columbia government, including without limitation, regulations adopted pursuant to the Solid Waste Permit Act of 1995, effective February 27, 1996 (D.C. Law 11-94, as amended; D.C. Code, 2001 Ed. Sec 8-1051 to 8-1063 (formerly codified at D.C. Code Sec. 6-3451 to 3463 (1999 Supp.))); except where the District government determines that the Fort Totten Solid Waste Transfer Facility is exempt from such regulations or portions of thereof.

Paul A. Mandeville

10/5/04

Paul A. Mandeville, P.E.
Vice President
SCS Engineers

PE 900466

D.C. Registration Number

Date