

EXHIBIT NO. 1

6  
3-17-01

Docket Item # 9  
SPECIAL USE PERMIT #2000-0154

Planning Commission Meeting  
March 6, 2001

**ISSUE:** Consideration of a special use permit review for a concrete plant.

**APPLICANT:** Virginia Concrete Company

**LOCATION:** 340 Hooff's Run Drive

**ZONE:** OCM-100/Office Commercial Medium

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**PLANNING COMMISSION ACTION, MARCH 6, 2001** : On a motion by Ms. Fossum, seconded by Mr. Dunn, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

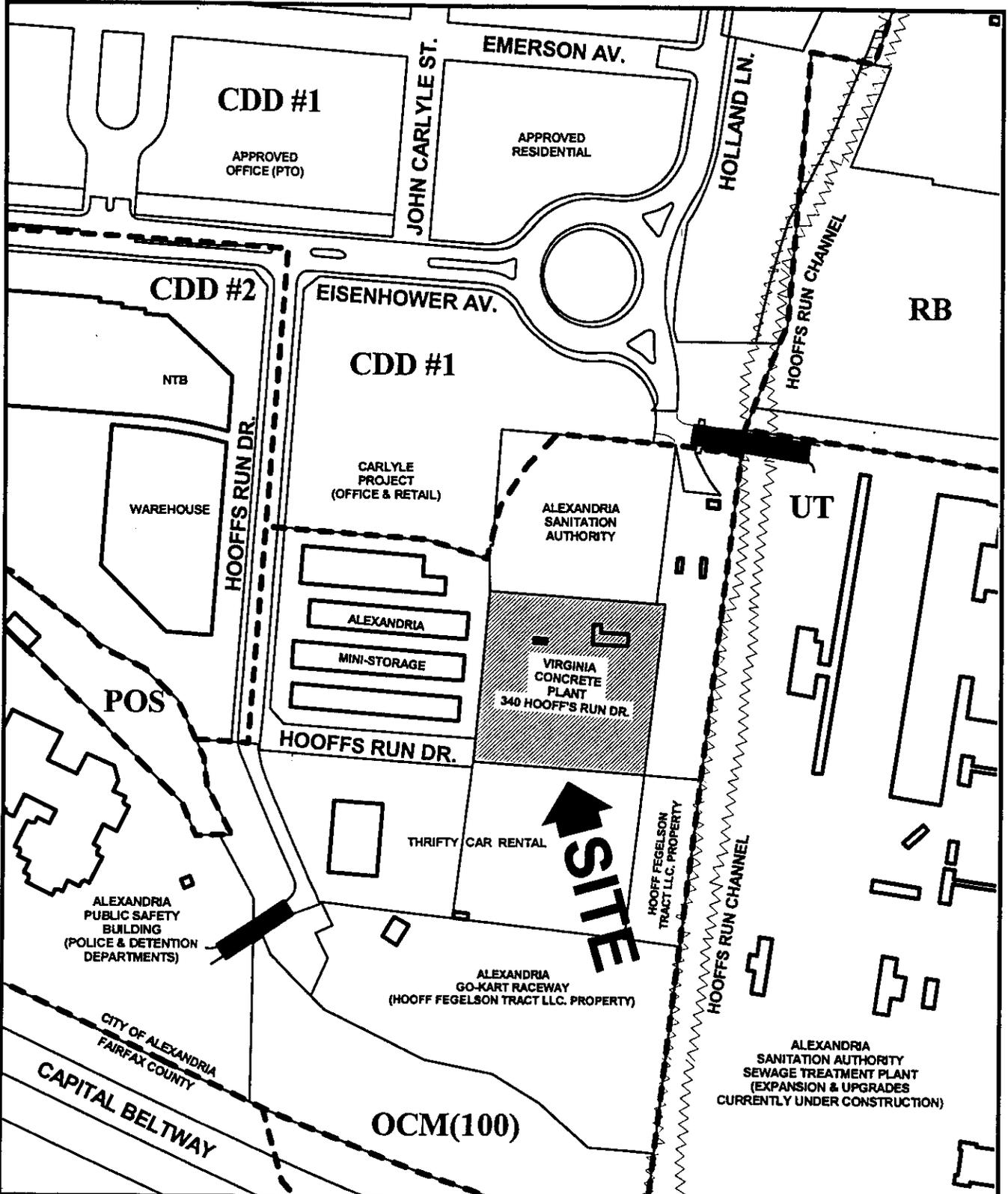
Speakers:

Sarah Hall, attorney representing the applicant, stated that the applicant accepted the conditions as proposed by staff.

No one spoke in opposition to the applicant's request.

**PLANNING COMMISSION ACTION, JANUARY 2, 2001**: The Planning Commission noted the deferral of the request.

Reason: Legal notice was not properly given.



**SUP #2000-0154**

**03/06/01**



SUMMARY

The applicant is before the Planning Commission for a required review of its special use permit. The permit limits the duration of the approval to 2016 and requires review by the Planning Commission and City Council every three years. The applicant would like to remain in the City beyond 2016 and is willing to improve the property, including enclosing the building if feasible, in order to make it compatible with the redevelopment of the surrounding properties.

STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP #1037-A)
2. **CONDITION AMENDED BY STAFF:** Dust control shall be ~~exercised as necessary~~ required to prevent any ~~blowing visible~~ dust from leaving the property. A 5 % opacity standard as defined by the Virginia Air Pollution Regulations shall apply to the concrete operation at all times on-site during its operation as a concrete plant. (SUP #1037) (T&ES)
3. **CONDITION AMENDED BY STAFF:** The applicant shall install an automatic wash rack at the exit to the site so that all trucks leaving the site will have clean tires ~~and to prevent the accumulation of dirt and debris on city streets~~. If necessary, the streets shall be cleaned to the satisfaction of the Director of Transportation and Environmental Services. (SUP #1037) (T&ES)
4. **CONDITION AMENDED BY STAFF:** ~~The proposed site is located on a former landfill. Therefore, hard-standing areas (pavements) basements, and ground-level floors having no basements or ventilated crawl space must be designed to prevent potential accumulation of marsh gas (Methane and similar gases)~~ applicant shall design and install a vapor barrier and ventilation system for any buildings and parking areas to prevent the migration or accumulation of methane or other gases under parking areas or in building, or conduct a study and provide a report signed by a professional engineer recommending alternative mitigation measures or that such measures are not needed to the satisfaction of the Directors of Code Enforcement and Transportation and Environmental Services. (SUP #1037) (T&ES)

5. **CONDITION AMENDED BY STAFF:** The special use permit shall be extended ~~for 20 years from 1996~~ to 2016 with the provision that the permit be reviewed in ~~2001, 2004, 2007, 2010, and 2014~~ 2006, ~~and that the use~~ When the permit is reviewed in 2006, it shall be allowed to continue only upon a finding that its presence is not incompatible with the nearby commercially zoned area other uses in the area, does not discourage future desired uses for the area, and does not limit the development potential of its own site. (PC) ~~(SUP #1037-A)~~ (P&Z)
  
6. **CONDITION ADDED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the facility. (Police)

DISCUSSION:

1. The applicant, Virginia Concrete Company, is before the Planning Commission for a review of the special use permit for a concrete plant.
2. The subject property is located south of Eisenhower Avenue and east of Hooff's Run Drive; the City sewage treatment plant is adjacent to the property on the east. The lot has an area of approximately four acres.
3. On February 24, 1976, City Council granted Special Use Permit #1037 to Virginia Concrete Company, Inc. allowing the operation of a concrete mixing plant at the site of the City's former landfill. Special Use Permit #1037 limited the operation of the plant to a 20-year period until 1996; however, on January 12, 1991, City Council approved Special Use Permit #1037-A, extending the permit for 20 years until 2016, but requiring a review every five years to determine if the concrete mixing plant is compatible with the commercial development planned for the area.
4. Thrifty Car Rental, a Go Kart track, and an industrial warehouse building are located immediately adjacent to the plant, and the Carlyle development is located to the northwest of the plant. In the five years since City Council last reviewed the concrete plant, several projects in Carlyle have been constructed, including the United States Court House, the Carlyle Towers apartment buildings, and the Time Life Building. In March 2000, Council granted Development Special Use Permits #99-0055 and #99-0056 to the Carlyle Development Corporation for the construction of the United States Patent and Trademark Office. Construction is scheduled to begin this year and to be completed by 2004.
5. On November 16, 2000, staff inspected the subject property for compliance with the conditions of the special use permit. According to the applicant, dust collectors are placed on top of the drum and silos to control dust, and wash racks are used by employees to wash the wheels of the trucks before they exit the site to prevent trucks from tracking dust on the streets.
6. Staff has not received any complaints regarding the concrete plant and is unaware of any violations of the conditions of the special use permit.
7. Zoning: The subject property is zoned OCM-100/Office Commercial Medium. The concrete plant is a noncomplying use.
8. Master Plan: The use is noncomplying and is inconsistent with the King Street/Eisenhower Avenue small area plan chapter of the Master Plan which designates the property for office commercial uses.

STAFF ANALYSIS:

Staff has no objection to the continued operation of the concrete plant located at 340 Hooff's Run Drive as long as it remains compatible with nearby development.

The review of this case, at this time, presents a difficult issue for the City. Staff believes that the use continues to be compatible with its immediate neighbors (the Go Kart track and storage facility), but notes that several large development projects have been approved for the greater area, including new residences and office buildings at Carlyle, the Jefferson at Mill Road residential development, and the Patent and Trademark Office. Staff believes that as these projects are completed, the character of this part of the City will be rapidly transformed, encouraging the redevelopment of this site, as envisioned in the King Street/Eisenhower Avenue Metro Station small area plan chapter of the Master Plan. As a consequence, while staff is supportive of the continuation of the concrete plant use in the short term and believes that its close proximity to the new construction and the Woodrow Wilson Bridge is beneficial. Staff is not certain that the continuation of the use to 2016, as previously approved by Council, is appropriate.

The applicant met with staff to discuss its tenure on the property and the fact that it has not found another appropriate site that is both large enough and proximate to the interstate highways and that will not create significant impacts on the surrounding community. The applicant has also advised staff that it will, in the future, consider the possibility of adding landscaping or enclosing the plant, in order to increase its compatibility with its residential and commercial neighbors. As to landscaping, staff has inspected the site and determined that no amount of plantings would screen the plant or its operations from the development that is occurring at Carlyle.

Staff anticipates that at some point in the next ten years the use will become incompatible with new development and with the redevelopment potential in the area and will hinder efforts to redevelop the property on which the concrete facility is located. While staff is not certain when that point will be, it notes that the Patent and Trade Office is expected to be completed in 2004, and redevelopment activity has begun on the Hoffman and other nearby sites. If all development plans continue as expected and the real estate market remains strong, then it is very possible that within five years the existence of the Virginia Concrete facility will discourage additional redevelopment of land in the immediate area and on its own site, contrary to the master plan and the city's vision for the area. Staff has therefore recommended a five year review, and has included language in Condition #5 making clear that, as part of that review, the city will have the right and opportunity to reassess the compatibility issue and terminate the use at that time if conditions warrant. With a strong five year review, staff can support the existing tenure until 2016. That way, the City allows the business to remain if redevelopment does not continue apace, but is fair with the property and business owner, putting them on notice of the City's intent.

SUP #2000-0154  
340 Hooff's Run Dr

With the proposed condition language and that understanding, staff recommends approval of the special use permit.

T&ES staff have reviewed the permit and recommend amending the language of several conditions regarding dust and methane gas to reduce the potential impacts on uses in the area which Planning staff has included as conditions.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 T&ES has, on occasion, informed plant operators of problems with dust, and debris being deposited on the right-of-way, but Virginia Concrete Company personnel have been responsive and we have no objections to the continuing operation of this facility.
- F-2 Division of Environmental Quality would like to modify the following conditions to reduce the potential from the site causing a nuisance to neighboring properties:  
  
Condition #2 to include performance a standard that will require the applicant to prevent visible dust from leaving the site.
- F-3 Division of Environmental Quality would like to replace condition #4 to reflect our standard language for development sites near old landfills:
- F-4 The proposed site is on or within 1,000 feet of an old sanitary landfill, which was operated between 1952 and 1955. Therefore, the potential for methane generation exists.
- R-1 Condition #2 should read: Dust control shall be required to prevent any visible dust from leaving the property. In addition a 5% opacity standard as defined by the Virginia Air pollution Regulations shall apply to the concrete operation at all times.
- R-2 Condition #3 should read: The applicant shall install an automatic wash rack at the exit to the site so that all trucks leaving the site will have clean tires (SUP#1037) and to prevent the accumulation of dirt and debris on city streets. If necessary the streets shall be cleaned to the satisfaction of the Director of T&ES.
- R-3 That the following condition be included as a condition of the SUP: the applicant shall design and install a vapor barrier and ventilation system for any buildings and parking areas to prevent the migration or accumulation of methane or other gases under parking areas or into buildings, or conduct a study and provide a report signed by a professional engineer recommending alternative mitigation measures or that such measures are not needed to the satisfaction of Directors of T&ES and Code Enforcement.

Code Enforcement:

F-1 No comments.

Health Department:

F-1 No comments.

Police Department:

R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the business. In 1999 there were 2 burglaries at the business. In 2000 year to date there has been 1 burglary.

APPLICATION for SPECIAL USE PERMIT # 2000-0154

[must use black ink or type]

PROPERTY LOCATION: 1700 EISENHOWER AV.

TAX MAP REFERENCE: 79.00-01-13 ZONE: OCM-100

APPLICANT Name: VIRGINIA CONCRETE Co.

Address: \_\_\_\_\_

PROPERTY OWNER Name: \_\_\_\_\_

Address: \_\_\_\_\_

PROPOSED USE: Review of concrete plant

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Print Name of Applicant or Agent

6860 COMMERCE DR.

SPRINGFIELD, VA 22150

City and State Zip Code

Signature

Telephone # Fax #

Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

APPLICATION for SPECIAL USE PERMIT # 2000-0154

[must use black ink or type]

PROPERTY LOCATION: 340 HOOFF'S RUN DR.  
~~1700 EISENHOWER AV.~~

TAX MAP REFERENCE: 79.00-01-13 12 ZONE: OCM-100

APPLICANT Name: VIRGINIA CONCRETE Co.

Address: \_\_\_\_\_

PROPERTY OWNER Name: \_\_\_\_\_

Address: \_\_\_\_\_

PROPOSED USE: Review of concrete plant

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Mailing/Street Address

Telephone #

Fax #

SPRINGFIELD, VA 22150

City and State

Zip Code

Date

=====**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**=====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: 3-6-2001 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 3/17/01PH -- See attached. (Separate Motion)

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

ACTION CONSENT CALENDAR (continued)

Planning Commission (continued)

3. City Council approved the Planning Commission recommendation, with the following amendment to condition #2 as follows: "that additional seating could be provided as long as it meets the approval of the Planning staff and does not obstruct the sidewalk." (Separate motion)

4. City Council approved the Planning Commission recommendation, with the following amendment to condition #3 as follows: "that additional seating could be provided as long as it meets the approval of the Planning staff and does not obstruct the sidewalk." (Separate motion)

5. City Council approved the Planning Commission recommendation.

6. Councilwoman Pepper commented about the concern that people have had that this may not be an appropriate use in the near future, and we need to be thinking about how we might want to handle that. In addition, she spoke to the potholes on this site, as well as the concern raised in condition #2 regarding dust control.

City Council approved the Planning Commission recommendation. (Separate motion)

7. City Council approved the Planning Commission recommendation.

END OF ACTION CONSENT CALENDAR

Council Action: \_\_\_\_\_

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

8. Public Hearing on and Consideration of the Proposed Scope of Work for the Planned Study of Possible Locations for a New Visitors Center. (#16 2/28/01)

There was considerable discussion by the Members of City Council with respect to this item.

(A copy of a draft verbatim transcript of Council's discussion on this item is on file in the office of the City Clerk.)

Without objection, City Council closed the public hearing and will consider this item at its legislative meeting on Tuesday, March 27, 2001.

Council Action: \_\_\_\_\_