

EXHIBIT NO. 1

8
1-20-07

Docket Item #5
SPECIAL USE PERMIT #2006-0101

Planning Commission Meeting
January 4, 2007

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

APPLICANT: Virginia Concrete Company

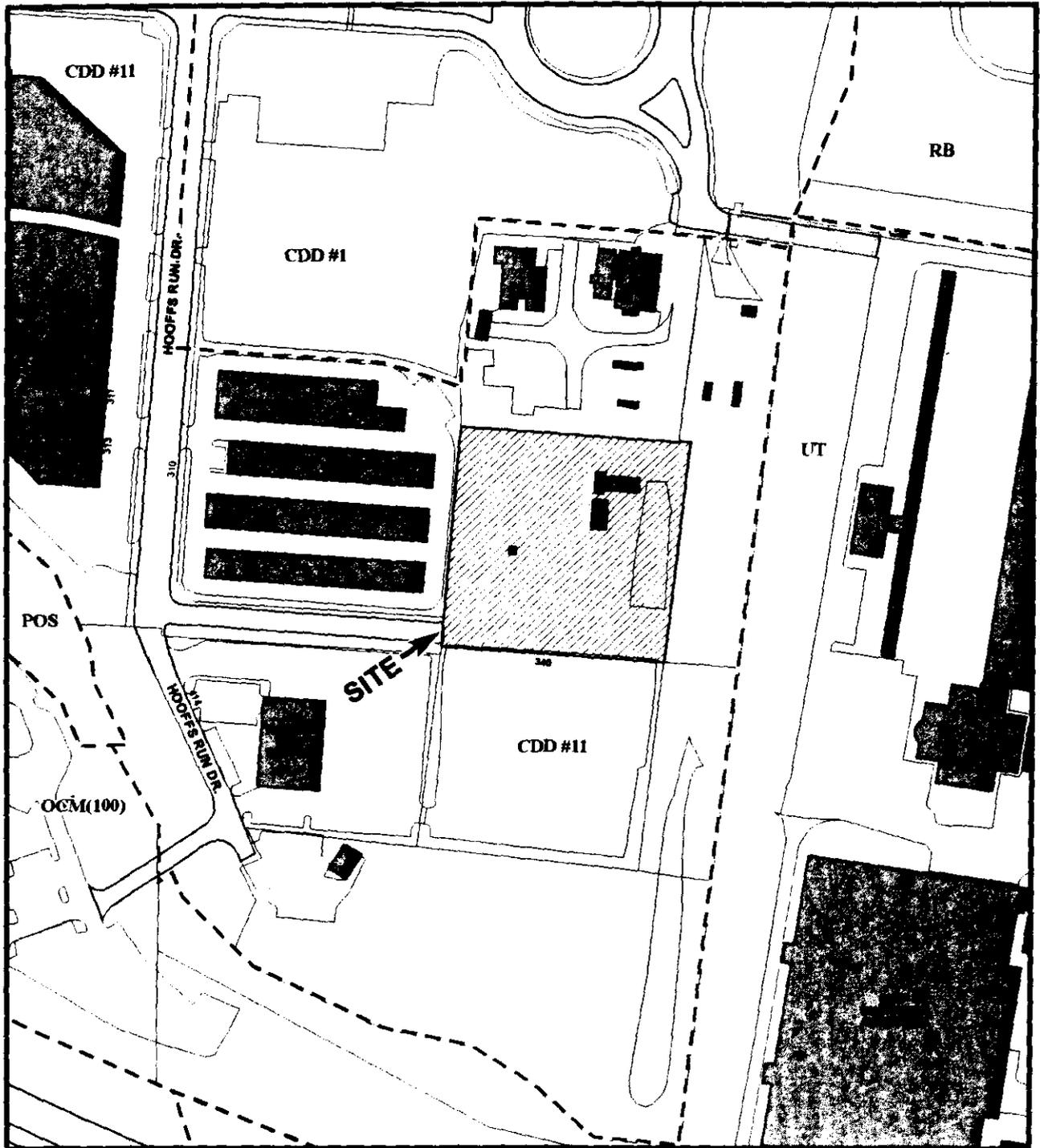
LOCATION: 340 Hooffs Run

ZONE: CDD #11/Coordinated Development District #11

PLANNING COMMISSION ACTION, JANUARY 4, 2007: On a motion by Mr. Komoroske, seconded by Mr. Robinson, the Planning Commission recommended 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.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2006-0101

01/04/07



I. DISCUSSION

This review case concerns the future of an industrial use in the Eisenhower East area.

REQUEST

Virginia Concrete is before the Commission and Council because it operates under a special use permit which requires it be reviewed in 2006 and “allowed to continue only upon a finding that its presence is not incompatible with 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.” Virginia Concrete would like to continue operating at the plant as long as possible.

SITE DESCRIPTION

The subject property is a two acre site located immediately south of Holland Lane and just west of Hooff’s Run. Bordering the property to the west is a two acre site now used as a storage facility. To its southwest is the Hooff-Fagelson property which is currently vacant but has operated as a Go-Kart track in the past. The concrete facility site is bordered by no public streets but has access to Hooff’s Run Drive by way of an east-west private street, also used by the Alexandria Sanitation Authority which is located just east of the concrete plant, beyond Hooff’s Run.

BACKGROUND

Originally located at Prince and Strand Streets, the concrete plant moved to the Eisenhower Valley in 1976, at a time when the land in the vicinity was either vacant or used for railroad purposes. The company built a concrete batching facility on a site that was previously the City’s land fill, and has operated without incident since its original approval.

Plant Operations

Virginia Concrete provides concrete for a number of uses in the Alexandria area, including roads and bridges, commercial and residential construction, sidewalks and other infrastructure uses. Because concrete is a perishable product it cannot be left on the truck for an indefinite time. It must be agitated constantly and unloaded within an hour or two of being loaded. Some commercial and roadway specifications call for the concrete to be unloaded within 60 minutes of being loaded. According to the applicant, because of the product’s constraints and local traffic conditions, it generally serves clients within a limited geographic area, typically a radius of 10-15 miles.

According to the applicant, it generally operates 12 hours per day, 5 days a week, typically between 6:00 a.m. and 6:00 p.m., although occasionally it is required to operate on Saturday. Given the uncertainty of specific jobs, local road closures and security issues, Virginia Concrete will operate as needed to meet its clients' demands. One of its current large local jobs is supplying concrete for the Woodrow Wilson Bridge. It has also supplied concrete for the construction in Carlyle, including the Patent and Trademark Office.

The work of the concrete plant includes making and delivering ready mix concrete, which is composed of sand, gravel, cement and water. Sand and stone are delivered to the plant by tractor trailer. Powdered cement is delivered by truck, and loaded into storage silos, through a closed system, using air from the tanker. This delivery process is a closed system and is regulated by a state air permit. The raw materials are mixed together in a drum attached to the plant, and poured into the back of the trucks, mixed and ready to be delivered. Liquid admixtures may be added to the concrete to help it set properly. Concrete trucks deliver the concrete to the particular job where it is unloaded; trucks then return to the plant and repeat the process.

According to Virginia Concrete, it has averaged about 600 yards of concrete production per day over recent years which, considering incoming supplies and outgoing concrete ready mix, equates to about 90 truck trips per day. The trucks are loaded one at a time, taking 3-5 minutes for each truck. The trucks return throughout the day at various times, depending on the location and circumstances of individual jobs.

Approval History

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. The limited permit duration was based on staff's view of the industrial plant as an appropriate *interim* use while awaiting the large, commercial development that was allowed on surrounding land

In 1996, with the agreement that the plant would not expand or add employees, the City granted an extension of the permit for another 20 years, until 2016, with consecutive five year reviews required during that time. (SUP#1037A, 1/20/96). The Carlyle development had been approved at that point and construction of the Federal courthouse, Carlyle Towers apartments and the Time Life building were anticipated in the near future. Officials from Carlyle, concerned about the proximity of the concrete plant, requested that reviews take place every three, instead of five, years to monitor compatibility issues. However, the approval kept the five year review periods, stating expressly that the use would be allowed to

continue only as long as it remained compatible with the nearby commercially zoned area.

Five years ago, in 2001, when a review of the plant was considered, the Eisenhower East Plan had yet to be prepared and adopted. However, additional residential and commercial buildings had been approved or constructed in Carlyle and on Mill Road, including the Patent and Trademark Office. Expressly noting the unlikelihood of the plant's being able to remain in Eisenhower East until 2016, the Council approved the SUP, but noted that additional reviews would be subject to the following standard:

When the permit is reviewed in 2006, it shall be allowed to continue only upon a finding that its presence is not incompatible with 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.

Staff explained at that time:

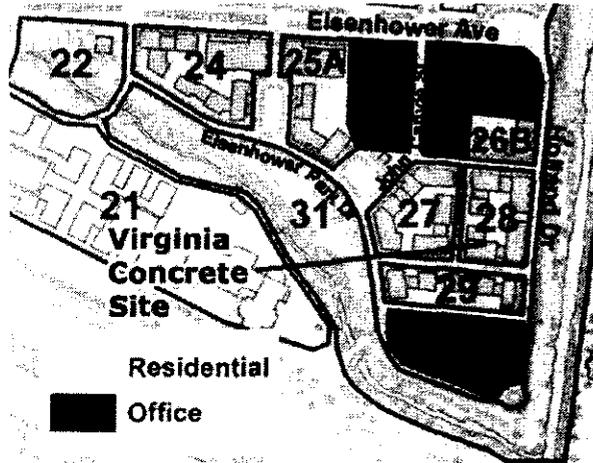
Staff anticipates that at some point in the next ten years the use will become incompatible with new development and with the redevelopment potential in the area and will hinder efforts to redevelop the property on which the concrete facility is located. While staff is not certain when that point will 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.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.

Eisenhower East Small Area Plan/Zoning

After its industrial zoning was changed in the early 1990s to OCM-100/Office Commercial Medium (100), the concrete plant became a noncomplying use under the zoning ordinance. Later, in 2004, the City carefully refined its land use planning for the Eisenhower East area, providing a specific framework for the extensive redevelopment that is now occurring.

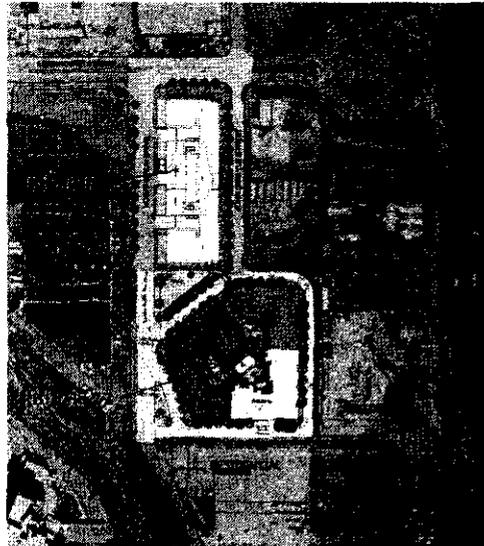
The Eisenhower East Small Area Plan designates the Virginia Concrete property as Block 28 within the South Carlyle planning neighborhood, located south of Carlyle and Eisenhower Avenue. As part of the South Carlyle Coordinated

District (CDD 11), the property and those around it are planned to include new streets, open spaces, and a balanced mixed use urban neighborhood. Specifically, the Plan proposes that the Virginia Concrete site be developed with 282,000 square feet of residential use in several buildings that are 4-8 stories tall, with a tower height permitted to extend to 100 feet tall. Neighboring properties are also proposed for large development, including residential use on Block 27, residential and office uses on Blocks 29 and 30 (Hooff-Fagelson site), and office and retail uses on Block P immediately northwest of the site.



To be developed pursuant to a calibrated system of design guidelines, and requirements for infrastructure and other public improvements including money for affordable housing and open space, the South Carlyle neighborhood is designed to become an urban, pedestrian oriented neighborhood, with a large population of residents, office workers and shoppers.

Council has recently acted to implement the vision of the Eisenhower East Plan, with approvals of Block P as well as the immediately adjacent Block 27 development. Those large office and residential developments include new streets, sidewalks, on street parking, landscaping, and parks, soon to be developed.



State Environmental Regulations

Although recent City planning and development approvals raise questions about the plant's compatibility with surrounding uses, the concrete plant is not a heavily regulated industrial use. It operates under two State permits, for water and air discharges, that have long been successfully reviewed by the Virginia Department of Environmental Quality.

Both process water and storm discharge runoff are covered by a single VPDES discharge permit, and all the runoff flows to the center of the plant's yard into a series of settling pits. The discharge from these pits is the permitted outfall. The VPDES permit requires that the plant sample and report the result of the discharge every month, in accord with established plans and procedures, to ensure its compliance in order to keep its discharge as clean as possible. The state conducts routine inspections of the facilities to monitor for compliance.

The plant itself is covered under an air permit, and its primary focus is the powdered cement which flows through enclosed systems. Dust collectors are installed on each silo to prevent dust emissions at transfer points, such as during unloading, at the weighing point and at the drum loading point. The air permit also focuses on fugitive dust, which is controlled by the plant through sweeping and washing the yard, keeping open stockpiles wet, and washing trucks in designated areas to prevent dust from being created.

Compliance with SUP Conditions

The SUP conditions have, over the years, become more detailed, especially with regard to environmental concerns. With the repeated SUP cases and reviews over the last 40 years, there have been a number of inspections and the plant has consistently been found to be in compliance. One issue recently raised by T&ES is Condition #5 which requires an "automatic wash rack" at the entrance of the plant so that trucks can be cleaned before entering the City street system. The plant has, since 1976, complied with this rule by using a manual truck washing area near the plant's entrance, and that system has historically been accepted as an equivalent. In fact, in 1976, the Planning Commission changed the language of that rule to delete the necessity of making the washing system "automatic." In addition to SUP compliance, Code Enforcement staff also inspects the plant annually for compliance with its required fire prevention permit; according to Code Enforcement staff, it has never seen a problem at the plant during those inspections and there has been no problem with the plant's permit. Finally, the plant also makes annual submissions to the Virginia Department of Environmental Quality. Throughout its history, the plant has been found in compliance with all of its requirements.

II. STAFF ANALYSIS

As anticipated by both the prior SUP approvals and the Eisenhower East Plan, staff recommends that Virginia Concrete cease operations consistent with the recent development approvals in the adjacent South Carlyle neighborhood.

Incompatible Land Use

It is clear that the existence of the concrete plant is incompatible with the development proposed for the land in the vicinity of its property. Approved for

urban residential and office buildings, including public parks, public art, street trees, and retail shopping along John Carlyle Street, the proposed South Carlyle neighborhood cannot coexist at this proximity with a concrete operation. The Eisenhower East Plan anticipates that the industrial uses in the eastern part of Eisenhower Valley will leave the area when development occurs. That statement of City policy, repeated by the recent approvals of Block P and Block 27, requires action now to close the plant.

The plant creates impacts, including noise and dust that cannot coexist with the modern uses proposed to be built nearby. Although much of the plant is enclosed, helping to minimize noise generated by the running of the plant, the unloading of cement and stone rolling down the trailer is, by its nature, a noisy operation. There is also significant noise from tanker truck engines which must run at high RPMs to create the requisite air flow when cement is unloaded. And noise is created by trucks traveling constantly into and out of the plant.

The creation of dust is a necessary part of making concrete and there are two types. First, dust particles are created as part of the mixing of materials. The material must be pressurized and the dust filled air within the plant's silos. While the aerated process of mixing is internal to the plant facilities, there are exit points for the air pressure and filters to retain any dust particles from entering the air outside the silos. Virginia Concrete's VDEQ permit governs this potential emission. In addition, however, is the issue of the dry concrete on the ground of the site which travels beyond the site on exiting trucks. Although historically not an issue, recent inspections reveal that fugitive dust and debris can be found on and near the site on the access road as well as Hooff's Run Drive.

While the noise and dust impacts inherent in a concrete operation are not health hazards, they clearly interfere with the quiet enjoyment of the uses approved for adjacent properties, such as parks, pedestrian areas, residential living and office and shopping areas. Truck trips into and out of the plant can be disruptive to the surrounding environment. The existence of the plant, with its tall, industrial appearance is not conducive to marketing the City's prime real estate in Eisenhower East, or the floor space within the buildings being built on nearby sites. And the Virginia Concrete plant property itself will not develop consistent with the City's plans as long as the plant remains.

Applicant on Adequate Notice of City Policy

There is no question that the applicant has been advised it would have to cease operations at some point consistent with development around it. Since 1976, and again in 1991, 1996 and 2001, the applicant has been on notice that compatibility issues would be reviewed periodically, and that the City would determine its duration on a short term review schedule. At each of those junctures, development has moved further toward the southeast corner of the Eisenhower Valley, and now, it has been approved immediately adjacent to the plant. The

Council's SUP process and strong development policies for the area have combined to send a clear but fair message to this long term Alexandria business.

Proposed Conditions: Timing of Termination

While staff is recommending that the concrete plant terminate its operation in the near future, staff has no objection to the plant's continuing to operate during the very short term future, while construction continues on nearby sites. Given the uncertainty of the real estate market, it is also possible, although unlikely, that approved development in the immediate area may not occur in the short term future. Therefore, staff has amended Condition #5 to require the plant to cease operations when the first occupancy permit is issued for use on one of the adjacent properties, and no sooner than the end of 2009.

Virginia Concrete may thus remain and operate for at least the next three years, which is the time period staff expects before occupancy of Block P or Block 27 would occur. The condition also requires a review in 2010 should occupancy not occur on schedule, so that the City is able to reassess the future of the area. Should the development market make a radical change, with no development occurring on adjacent parcels, then the condition retains the 2016 termination date, although staff notes that the applicant may on its own seek an amendment to the condition and timing in the future.

The language of Condition #5 seeks to balance the need for the plant to close if expected development occurs with the potential for development not to occur. It also recognizes that the concrete plant use provides a service to the area and nearby both public and private users of concrete. But for the change in the character of the area, and the encroaching development, there would be no need for the plant to leave.

Proposed Conditions: Other Issues

To the extent the plant remains on site, even for only three more years, staff is proposing a series of additional new conditions to help alleviate certain inevitable conditions at the plant and its immediate surroundings. Specifically, T&ES is recommending conditions with regard to dust emissions, cleaning nearby streets, and correcting one aspect of the on site drainage system. In addition, T&ES recommends that the plant be required to keep detailed records of its efforts with regard to dust emissions and cleaning operations and make those records available for inspections.

With its Recommended Conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

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. Dust control shall be required to prevent any 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. (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 or within 30 days submit to the Director of T&ES an alternate proposal that will provide an equivalent level of control. If necessary, the streets shall be cleaned to the satisfaction of the Director of Transportation and Environmental Services. (T&ES)
4. **CONDITION DELETED BY STAFF:** ~~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 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. (T&ES)~~
5. **CONDITION AMENDED BY STAFF:** The special use permit shall be extended year to 2016, ~~with the provision that the permit be and reviewed in year 2006, January 2010, at which time~~ When the permit is reviewed in 2006-2010, it shall be allowed to continue only upon a finding that its presence is not incompatible with 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; provided however, that the concrete plant shall cease operations completely by a date 30 days following such time as the first certificate of occupancy is issued for a residential, office or retail space or use by the City for development on Blocks P (25 B, 26A and 26B), 27, 29, or 30 generally consistent with the Eisenhower East Small Area Plan uses, but no earlier than December 30, 2009. (P&Z)
6. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the facility. (Police)

7. **CONDITION ADDED BY STAFF:** Virginia Concrete shall control odors, smoke and any other air pollution from operations at the site, and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of T&ES. (T&ES)
8. **CONDITION ADDED BY STAFF:** Virginia Concrete shall only use low sulfur No. 2 virgin fuel oil or better in the Federal Boiler Model AST-100. (T&ES)
9. **CONDITION ADDED BY STAFF:** Within 60 days of the approval of this SUP, Virginia Concrete shall install a fabric filter baghouse equipped with a device to continuously measure the differential pressure drop across the fabric filter(s). Virginia Concrete shall maintain a daily log of the differential pressure drop and shall make the log available to the City for review upon request. (T&ES)
10. **CONDITION ADDED BY STAFF:** Within 60 days of the approval of this SUP, Virginia Concrete shall minimize the ponding area on the SE corner of the property and make appropriate changes to the site to ensure a positive drainage from the entire site to the water treatment system/settling areas. (T&ES)
11. **CONDITION ADDED BY STAFF:** Virginia Concrete shall take appropriate measures to prevent any aggregate, dirt, debris or dust from leaving its site. Within 60 days of the approval of this SUP, Virginia Concrete shall develop and implement a Control Plan manual that incorporates Best Management Practices (BMPs) to mitigate the fugitive dust from this site, and prevent aggregate, dirt and debris causing impact on the City streets. Within 60 days of the approval of this SUP, a copy of this Control Plan must be submitted to the City for its approval. The BMPs in the Control Plan shall include, but not be limited to, vacuum sweeping of paved access areas (e.g, roads, parking, etc.), paving of any unpaved access areas, wetting and/or chemical stabilization of aggregate handling and storage and possibly enclosures for all conveyor to conveyor transfer points. The Control Plan at a minimum shall include wet vacuum and sweeping of Hooffs Run Drive at least once a week. If and when construction begins on Block 27, Hooffs Run Drive related cleaning shall be coordinated with the Block 27 developer. The plan shall also include at a minimum once a week spraying of water or wet vacuuming of on site paved surfaces. In both cases, more frequent applications may be necessary if the Director of T&ES requires. To demonstrate compliance with the BMPs, Virginia Concrete shall maintain appropriate records including (1) frequency of wet vacuuming, (2) frequency of sweeping, (3) frequency, quantity and type of chemical suppressant applied if any, and (4) periodic inspection of conveyor to conveyor transfer points to ensure

integrity. These records shall be maintained and be made available to the City for review upon request. (T&ES)

12. **CONDITION ADDED BY STAFF:** Virginia Concrete shall install signs on its property to limit engine idling to a maximum of five minutes. Use of engine brakes shall be prohibited on Virginia Concrete property and appropriate signs shall be installed to make operators aware of this requirement. (T&ES)
13. **CONDITION ADDED BY STAFF:** Virginia Concrete trucks shall not clean its trucks or dump concrete within public rights-of-way, or on any other site without appropriate plans and permits and shall also be responsible for clean-up associated with such dumping and will be required to clean-up at the discretion and satisfaction of the Director of T&ES. (T&ES)
14. **CONDITION ADDED BY STAFF:** The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
15. **CONDITION ADDED BY STAFF:** No amplified sound, such as intercom speakers, shall be audible at the property line. (T&ES)
16. **CONDITION ADDED BY STAFF:** The applicant shall coordinate with the Alexandria Sanitation Authority as to their shared access via Holland Lane, maintaining clear passage for ASA vehicles and for water from hydrants at Holland Lane during times of increased truck traffic to the concrete plant; and by continuing the historic relationship whereby ASA is allowed to cross Virginia Concrete property for access to the ASA plant. (T&ES)

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning;
James Hunt, Urban Planner.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

FINDINGS:

1. T&ES recently inspected the plant and found that as the result of the truck traffic, there are visible impacts of accumulated aggregate, dirt, and dust on the access road and Hooffs Run Drive. Virginia Concrete currently addressed these impacts, with limited success, by its operational practice of manually hosing the trucks and its tires. The Staff recommendations include several new conditions and changes to the existing SUP conditions to address specific concern about preventing accumulation of aggregate, dust, dirt and debris on city streets.
2. A portion of the southeast corner of the site does not drain into the main water treatment system and can potentially result in discharge of untreated stormwater (impacted by the onsite activity). Staff recommendations contain conditions to address this situation.
3. On periodic inspection, T&ES has notified the plant operators of problems with their trucks washing concrete at or near work sites into the gutters and inlets. Occasionally concrete spillage problems have also been noticed.
4. Virginia Concrete holds a permit from Virginia Department of Environmental Quality (VDEQ) to discharge water under the Virginia Pollutant Discharge Elimination System (VPDES). The permit has limits on the pH and Total Suspended Solids, and is required to sample and analyze once every month.
5. Virginia concrete is registered with VDEQ as air emissions source and was issued a permit to construct and operate in 1976.
6. Virginia Concrete is a minor emissions source and in its submission to the VDEQ has estimated the maximum yearly emissions as less than 2 tons/year for all criteria pollutants combined.

RECOMMENDATIONS

Current Condition

1. Dust control shall be required to prevent any 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. (T&ES)

Condition Amended by Staff

1. 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 or within 30 days submit to the Director of T&ES an alternate proposal that will provide an equivalent level of control. If necessary, the streets shall be cleaned to the satisfaction of the Director of Transportation and Environmental Services.

New Conditions

1. Virginia Concrete shall control odors, smoke and any other air pollution from operations at the site, and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of T&ES. (T&ES)
2. Virginia Concrete shall only use low sulfur No. 2 virgin fuel oil or better in the Federal Boiler Model AST-100. (T&ES)
3. Within 60 days of the approval of this SUP, Virginia Concrete shall install a fabric filter baghouse equipped with a device to continuously measure the differential pressure drop across the fabric filter(s). Virginia Concrete shall maintain a daily log of the differential pressure drop and shall make the log available to the City for review upon request. (T&ES)
4. Within 60 days of the approval of this SUP, Virginia Concrete shall eliminate the ponding area on the SE corner of the property and make appropriate changes to the site to ensure a positive drainage from all of the site to the water treatment system/settling areas. (T&ES)
5. Virginia Concrete shall take appropriate measures to prevent any aggregate, dirt, debris or dust from leaving their site. Within 60 days of the approval of this SUP, Virginia Concrete shall develop and implement a Control Plan manual that incorporates Best Management Practices (BMPs) to mitigate the fugitive dust from this site, and prevent aggregate, dirt and debris causing impact on the City streets. Within 60 days of the approval of this SUP, a copy of this Control Plan must be submitted to the City for its approval. The BMPs in the Control Plan shall include, but not be limited to, vacuum sweeping and water flushing of paved access areas (e.g, roads, parking, etc.), paving of any unpaved access areas, wetting and/or chemical stabilization of aggregate handling and storage and possibly enclosures for all conveyor to conveyor transfer points. The Control Plan at a minimum shall include wet vacuum and sweeping of the access road and Hooffs Run Drive at least once a day for the days that

they are operating. The plan shall include at a minimum of twice daily (if needed more frequently) spraying of water on all on site paved surfaces. It shall include provision of wet vacuuming of all paved surfaces once a day. To demonstrate compliance with the BMPs, Virginia Concrete shall maintain appropriate records including (1) frequency of vacuum sweeping, (2) frequency and quantity of water application, (3) frequency, quantity and type of chemical suppressant applied, and (4) periodic inspection of conveyor to conveyor transfer points to ensure integrity. These records shall be maintained and be made available to the City for review upon request. (T&ES)

6. Virginia. Concrete shall install signs on its property to limit engine idling to a maximum of five minutes. Use of engine brakes shall be prohibited on Virginia Paving property and appropriate signs shall be installed to make operators aware of this requirement. (T&ES)
7. Virginia. Concrete trucks, if found to be cleaning their trucks or dumping concrete within right-of-way, or any other site without appropriate plans and permits, shall be considered to be a violation of this SUP. Virginia Concrete shall also be responsible for clean-up associated with such dumping and will be required to clean-up at the discretion and satisfaction of the Director of T&ES. (T&ES)
8. The applicant shall coordinate with the Alexandria Sanitation Authority as to their shared access via Holland Lane, maintaining clear passage for ASA vehicles and for water from hydrants at Holland Lane during times of increased truck traffic to the concrete plant; and by continuing the historic relationship whereby ASA is allowed to cross Virginia Concrete property for access to the ASA plant.

NOISE

9. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

No amplified sound, such as intercom speakers, shall be audible at the property line. (T&ES)

Transportation & Environmental Services/ Sanitation Authority:

Truck traffic for large jobs can impede ASA traffic. Desired Action: Coordinate with ASA during times of increased truck traffic to Virginia Concrete plant to minimize road blockage and allow ASA traffic to flow.

Utilization of Hydrants on East side of Holland Lane entrance to plant. Desired Action: Virginia Concrete should coordinate with ASA when water from

hydrants at Holland Lane entrance when required to support facilities operations.

Concrete plant serves vital business interest; expected to continue to support ASA with concrete for ASA's upcoming regulatory required construction. **Desired Action:** Virginia Concrete Eisenhower plant provides needed materials for ASA's upcoming regulatory required construction.

Code Enforcement:

F-1 No Comment

Health Department:

F-1 No Comment

Parks & Recreation:

F-1. Review of this Special Use Permit should occur within three years of its approval or prior to that date with the completion (final certificate of occupancy) of nearby residential and mixed use, such as the Carlyle Blocks O and P. New conditions related to landscaping and buffering of this industrial use may be added at that time.

Police Department:

R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0101

PROPERTY LOCATION: 340 Hooffs Run
TAX MAP REFERENCE: 79-00-01-12 **ZONE:** OCM-100

APPLICANT

Name: City of Alexandria - P&Z
Address: 301 King St.

PROPERTY OWNER

Name: Virginia Concrete Company
Address: 340 Hooffs Run

PROPOSED USE:

SUP Review of concrete plant

[] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

City of Alex - P&Z
Print Name of Applicant or Agent
N/A
Mailing/Street Address
N/A
City and State _____ Zip Code _____

Signature _____
Telephone # _____ Fax # _____
Email address _____
Date _____

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: \$ _____
ACTION - PLANNING COMMISSION: _____
ACTION - CITY COUNCIL: _____

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**Virginia Concrete – Alexandria Plant
Special Use Permit Review
General Information**

History

We have been at our current location on Hooffs Run Drive since 1976. Prior to that we were located in Alexandria on the Potomac River. At some point in the early 1970's Virginia Concrete agreed to move out to their present location. This freed up highly visible land along the waterfront. At the time we had a lease agreement on two parcels of land, both about two acres. Around 1980 we purchased the parcel that we are currently on. Sometime in the early 1990's we gave up the lease on the two acre parcel that made up the southern portion of our site. This is the parcel owned by Hooff-Fagelson.

Markets We Serve

We provide concrete for a number of uses in the Alexandria area, everything from roads and bridges, commercial construction, residential, sidewalks and other infrastructure uses. Because concrete is a perishable product it cannot be left on the truck for an indefinite time. Concrete must be agitated constantly and unloaded within an hour or two of being loaded. Some commercial and roadway specifications call for the concrete to be unloaded with 60 minutes of being loaded. Given these constraints and the traffic conditions around Alexandria, we generally deliver within a limited geographic area, typically a radius of 10-15 miles.

Typical Operations

We generally operate 12 hours per day, 5 days a week. We occasionally operate on Saturday, and almost never on Sunday. We are, however, at the mercy of the contractors who purchase and place the concrete. Some jobs are required to pour at off hours given road closure and security issues. We will operate as needed to meet these demands. Over the last several years we have averaged about 600 yards per day. This equates to about 90 truck trips per day, both ready mix and material supply. The trucks are loaded one at a time, taking 3-5 minutes for each truck. The trucks return throughout the day, depending on where and how they are unloading. The time for this cycle is dependant on distance, type of job, how it is unloaded, and if the contractor is ready or not. Because we spread the production throughout the day, the flow of trucks will also be spread out over the 12 hour period.

What We Do

Overview

We make and deliver ready mix concrete. Raw materials are mixed and loaded onto a truck. The truck delivers the concrete to the particular job. The concrete is unloaded at the jobsite. Once complete, the truck returns to the plant to start the process all over again.

Raw Materials

The basic ingredients of concrete are sand, gravel, cement and water. The material is mixed together in a drum attached to the plant. The drum pours the concrete into the back of the trucks, mixed and ready to be delivered. We also add liquid admixtures to the concrete to help it set properly.

Sand and stone are delivered by tractor trailer. Powdered cement is delivered by truck, and loaded into our storage silos using air from the tanker. This delivery process is a closed system and is regulated by our air permit as described below.

State Environmental Regulations

The Virginia Department of Environmental Quality is the agency that governs our environmental permits. We have two main permits and several other regulations that we are covered by.

The discharge of water from our plant, both process water and storm water runoff, is covered by a VPDES discharge permit. At Alexandria, all of our runoff flows to the center of the yard into a series of settling pits. The discharge from these pits is our permitted outfall. We are required to sample and report the result of our discharge every month to ensure our compliance. We also have plans and procedures to follow to make sure we comply with the requirement of the permit. These plans and best practices outline the steps we take to keep our discharge as clean as possible. The state conducts routine inspections of our facilities to monitor for compliance.

Our plant itself is covered under an air permit. This permit is issued prior to construction and covers the operation of the equipment once complete. The primary focus is on the powdered cement. The flow of cement is in enclosed systems with a dust collector hooked up to the transfer points to prevent dust emissions. We have dust collectors on each silo to catch any dust during the unloading. We also have a dust collector at the weighing point and at the drum loading point. Once the cement is mixed with the other ingredients, it is wet and no longer a dust issue.

The other focus of the air permit is fugitive dust. We sweep and wash our yard, keep stockpiles wet and wash the truck in designated areas to prevent fugitive dust from being created.

Noise

We address the noise component of our facility in two ways, structural and operational. Much of the plant is enclosed. The batch belt and weigh hoppers are inside the building and that helps minimize the noise generated when the plant is running. Some of the other main noise sources occur during the unloading of cement and aggregates. When the stone is delivered, the tractor trailer bed is raised and the material slides down the trailer. This is the largest noise source for the operation. When cement is unloaded, the tanker

truck engine running at high RPM's creates the air flow to deliver the cement. This is also a noise source. These activities typically occur during normal daytime hours. The supply of these materials is from operations that typically operate during normal business hours so it is generally not an issue.

We operate a number of our facilities next to or very near residential neighborhoods. We do not have a problem with noise in these areas. We are able to operate our facilities within the noise ordinance restrictions.

City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 4, 2007

TO: CITY OF ALEXANDRIA PLANNING COMMISSION

FROM: RICHARD JOSEPHSON, ACTING DIRECTOR *RJ*
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: SUP#2006-0101 (340 HOOFF'S RUN DRIVE)

Staff has amended the following information within the staff report:

12. **CONDITION ADDED BY STAFF:** Virginia Concrete shall install signs on its property to limit engine idling to a maximum of five minutes. Use of engine brakes shall be prohibited on Virginia ~~Paving~~ Concrete property and appropriate signs shall be installed to make operators aware of this requirement. (T&ES)

cc: Rich Baier, Director, Department of Transportation and Environmental Services
Bill Skrabak, Department of Transportation and Environmental Services
Lalit Sharma, Department of Transportation and Environmental Services



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0101

PROPERTY LOCATION: 340 Hooffs Run
TAX MAP REFERENCE: 79-00-01-12 ZONE: OCM-100

APPLICANT
Name: City of Alexandria - P&Z
Address: 301 King St.

PROPERTY OWNER
Name: Virginia Concrete Company
Address: 340 Hooffs Run

PROPOSED USE: SUP Review of concrete plant

[] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

City of Alex - P&Z
Print Name of Applicant or Agent
N/A
Mailing/Street Address
N/A
City and State
N/A Zip Code

Signature
N/A
Telephone #
N/A Fax #
Email address
N/A
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY
Application Received: _____ Date & Fee Paid: \$ _____
ACTION - PLANNING COMMISSION: Recommended Approval 7-0 1-4-07
ACTION - CITY COUNCIL: 01/20/07 - City Council approved PC recommendation 7-0

1 18 17

SPEAKER'S FORM

DOCKET ITEM NO. 8

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: HOWARD MIDDLETON

2. ADDRESS: 3110 FAIRVIEW PARK DR., FALLS CHURCH VA.

TELEPHONE NO. (703) 641-4225 E-MAIL ADDRESS: jmiddle@robsmith.com

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? VA. CONCRETE

4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: AGAINST: OTHER:

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
ATTORNEY

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES NO

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

(a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.

(b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.