

October 13, 2011

ADDENDUM TO TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Zoning Supervisor, Development Review Division

FROM: Taslima Alam, Senior Planner, Zoning Section, Development Review Division

SUBJECT: **Special Exception Application No. SE-4684
Dower, LLC., Concrete Recycling Facility**

REQUEST: Concrete recycling facility with a rock crusher

RECOMMENDATION: **Approval with Conditions**

The Planning Board has scheduled this application to be reviewed on the agenda date of October 20, 2011. The Zoning staff would like to make the following correction and addition to the **Comment** as to **Finding M** of the technical staff report dated October 11, 2011 and also a revision to Condition 2.

Staff had determined that since the life of the fill operation (including Class I, II, and III) will end in 13 years, it is reasonable to end the operation of a rock crusher at the same time when all fill operations are complete. When the fill operation is complete, the subject property may be developed in accordance with the master plan recommendation.

Original paragraph 2 of the Comment section states (p. 13):

In order to determine the remaining life span of the ~~Class III Fill operation~~ **fill operation (including Class I, Class II and Class III)** for the subject site, at the request of the staff, a fill capacity review was done by Mr. Paul Woodburn, P.E. of Ben Dyer Associate, Inc., an engineer for the Dower LLC. In Mr. Woods burns opinion, the analysis is as follows:

Original paragraph 4 of the Comment section states (p. 15):

Technical staff supports the applicant's analysis as mentioned above. The facts pointed out by the applicant clearly presents that the proposed use would not substantially impair the integrity of the master plan or the 2002 General Plan. The subject property has been operating as concrete recycling facility with a rock crusher for over 30 years. It has been reclaimed via use as Class III Fill and such filled areas are ordinarily not suitable for building structures. In the future, when the ~~reclamation for the Class III Fill is complete or at the time when the property requires a new special exception for Class III Fill permit~~ **existing land fill (including Class I and Class II which is permitted by right) has reached its full capacity, approximately 13 years (2024)**, the property may be reassessed for more intense employment base development. At this time given the current status of the land, the sites location within a heavy industrial area and limitations to construction, its continued use in this location remains compatible with master plan policies and the use would not substantially impair the integrity of the master plan or the General Plan.

Additionally, staff is recommending following addition/deletion to recommended Condition 2 as follows:

Deleted recommended Condition No. 2 (p. 18)

~~The May 18, 2016, expiration date for Class III Fill shall also apply to the subject concrete recycling facility with a rock crusher. These uses may be renewed at that time in accordance with applicable requirements for those uses.~~

Added recommended Condition No. 2

Upon expiration of the Class III Fill permit, the applicant shall request a new special exception approval to operate Class III fill on the site. The rock crusher shall continue to operate for the life of the existing landfill until it reaches its capacity in approximately 13 years (2024).

RECOMMENDATION

Zoning staff suggests that the Planning Board adopt the recommended conditions as described in the technical staff report for the project, with the revisions described above.

cc: Mr. Robert Antonetti, Attorney for the Applicant