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ZONING COMMISSION
District of Columbia
CASE NO. 04-07
EXHIBIT NO. 18

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director

DATE: May 10, 2004

SUBJECT: Zoning Commission Case #04-07, Special Exception Review of Proposed Additions and Renovations to the Water and Sewer Authority Main and O Street Pumping Stations, pursuant to the Capital Gateway Overlay District

I. OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The Office of Planning supports the upgrading of equipment and functioning of the Main and O Street Pump Stations, but cannot support the application as submitted, as it would be contrary to the review criteria of the Capital Gateway Overlay District, as well as with the goals and objectives of the Anacostia Waterfront Initiative and the Urban Design Framework for the Near Southeast Target Area. OP feels that there is opportunity for the applicant to provide the mandated and supported functional upgrades, while also addressing broader area objectives and recognizing future area redevelopment patterns. OP recommends that the Zoning Commission postpone the Public Hearing to allow these issues to be resolved.

II. APPLICATION-IN-BRIEF

Location	1331 2nd Street SE and 125 O Street SE Square774S, Lots 800 and 805 and Reservation 248, Ward 6, ANC 6D
Applicant:	Linower & Blocher LLP on behalf of the DC Water and Sewer Authority
Zoning:	CG/W-2
Proposal:	Addition to the Main Pumping Station at 1331 2nd Street SE, Alternations to the O Street Pumping Station at 125 O Street SE
Relief Sought:	In accordance with DCMR 11 Section 1603 1, Zoning Commission review of all proposed exterior additions or alterations is required for properties within the CG/W-2 Zone District, against the goals and objectives of the Capital Gateway Overlay District.

III. EXECUTIVE SUMMARY

The DC Water and Sewer Authority (WASA) has submitted a Zoning Commission application for review of a proposal to upgrade two adjacent sewage pumping station facilities in the Near Southeast area, in accordance with requirements of the Capital Gateway (CG) Overlay District. These actions are intended to improve the capacity and functionality of these facilities, as required by Consent Decree, and to aesthetically improve the structures Site and landscape improvements are also proposed to accommodate on-site traffic and parking needs

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This important waterfront site is located at a key juncture for development of the entire Near Southeast area – directly adjacent to the large Southeast Federal Center (SEFC) and Florida Rock Property (FRP) redevelopment sites. The site is at the terminus of New Jersey Avenue SE, important as the future principal means of access to development south of M Street SE, and as a view shed connecting the Capitol Building to the waterfront The WASA site also enjoys a long and important stretch of the waterfront, where planning efforts, including the AWI Framework Plan and the Near Southeast Plan, envision new public access to and along the river for the use and enjoyment of all DC residents. As signatories to the Anacostia Waterfront Initiative, WASA has recognized the revitalization of the Anacostia Riverfront as a vibrant, public amenity. Plans for all new development proposals along the waterfront will be assessed in light of how well they foster physical and visual access to the waterfront, as well as continuous access along the river's edge

OP fully supports the upgrading of these important infrastructure facilities, and the positive benefits this will bring to the District at large, and recognizes that system operations cannot be sacrificed solely for urban design objectives. OP has had numerous discussions with WASA representatives to discuss creative solutions that fully address functional requirements while also meeting broader neighborhood objectives. OP continues to feel that such options exist.

However, OP feels that the site plan as proposed can not be supported, as it is contrary to the design review criteria stated within the Capitol Gateway Overlay District, as well as to AWI and Near Southeast Plan goals and objectives These concerns can be grouped into two general categories:

- <u>The proposed location of the main pump station load out facility</u>: Placing the load out facility on the exterior of the east elevation of the building will maximize impact on future residential development to be located on the SEFC site to the east and north of the WASA site, increase truck traffic around the WASA site and along New Jersey Avenue, and place the addition on what will be the most visually accessible elevation on the historic structure.

- <u>Impacts of the site design on public space and accessibility to and along the waterfront</u>: The site plan does not incorporate the Anacostia Riverwalk and other associated open space, which the SEFC site to the east and the Florida Rock property to the west have agreed to provide. Rather, the site plan shows a retention and increase in paved parking spaces along the river's edge, and no public access to the water's edge – a break in the planned riverwalk. In their application, WASA notes that this lack of public access is due to the industrial nature of the site and to security requirements, although OP notes that the Washington Navy Yard, located slightly upstream, has been able to overcome these concerns to provide public access along the waterfront.

IV. AREA AND SITE DESCRIPTION –Context Photos Attachment I

The waterfront site is located within and to the south of Square 774S It includes lots 800 and 805, as well as Reservation 248 along the waterfront, and is about 12 acres in size. The site currently is developed with the 100 year old Main Pumping Station, the newer O Street Pumping Station, a number of other WASA buildings, and extensive employee and WASA fleet surface parking. The site has about 1,000 linear feet of waterfront on the Anacostia River, but there is currently no public access.

The site is within the recently adopted Capital Gateway Overlay District. Directly to the east is residentially zoned Southeast Federal Center land; to the north is the USDOT site (under

construction) and additional SEFC land zoned mixed use. To the east is the Florida Rock Properties development and other privately and publicly owned lands zoned mixed use

V. PROJECT DESCRIPTION

As required by Consent Decree, WASA is obligated to undertake improvements to the Main and O Street Pumping Station facilities. Many of the "technical" improvements are internal, and will increase the pumping capacities of the stations and improve their mechanical screening and load out capabilities. Additional odor control will also be installed The proposal, as described by the applicant, also includes the following external changes to the buildings and the site that are subject to Zoning Commission review:

1. construction of a load-out facility (for loading onto trucks of the screened material) on the east elevation of the Main Pump Station;

2. reconstruction of the O Street Pump Station, generally on the existing footprint, as the structure is in serious disrepair;

3 site / landscape changes to increase the employee and fleet parking from 210 to 246, to accommodate on-site vehicular traffic, and to meet Department of Health watershed protection and storm water, erosion and sediment control.

VI. RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The property is designated mixed-use high density residential / high density commercial / production and technical employment on the Comprehensive Plan Generalized Land Use Map The existing use of the site is not contrary to this designation, and the proposal would not negatively affect the use of the site.

The following major themes of the Comprehensive Plan, listed in §101.1, are impacted by this proposal:

d) Preserving and promoting cultural and natural amenities;

e) Respecting and improving the physical character of the District,

The upgrading will improve the operation of the facilities, which will be of benefit to the District as a whole. However, the site plan for the proposal does not promote natural amenities, nor improve the physical character of the District, as the plan includes retaining and possibly increasing the amount of paved parking area along the waterfront, where AWI and Near Southeast Planning initiatives envision public access along a comprehensive riverwalk and bike trail.

g) Preserving the historic character of the District,

The proposal involves the retention of the architecturally significant 100 year old Main Pumping Station. However, the proposal also includes additions to its front façade, the construction of a new bridge structure over a portion of the last open remnant of the former canal, and the retention of Canal and 2nd Streets as closed to the public. OP considers these contrary to the historic character of the Near Southeast waterfront

The Comprehensive Plan includes numerous references of relevance to this case In particular, the plan advocates upgrading the sewage and storm water treatment plants, improving the natural environment, particularly along the rivers; and providing more and better access to the riverfront.

While upgrading the technical operations of the facility support Comprehensive Plan objectives, OP is concerned that the abundance of surface parking adjacent to the water's edge, the location of the sludge load-out on the east side of the site adjacent to SEFC residential lots, the lack of continuation of the Riverwalk, and the insensitive treatment of the river's edge result in the project being non-conforming with many section of the Plan

Policies and objectives related to the environment, transportation, public facilities, urban design, historic features, land use, and Ward 2 and Ward 6 that are of relevance to the review of this application include.

Comprehensive Plan Section of Relevance:	**OP Comment**
Chapter 4 Environmental Element	
402 Improving Water Quality	
402 2 (a) Provide for adequate treatment of sewage through continuing efforts and substantial capital investments needed to ensure an adequate level of sewage treatment and to provide sufficient treatment capacity to serve future development needs and consumption patterns,	Conforming
(b) Minimize overflows of untreated sewage from the combined sewerage system,	Conforming
Chapter 5 Transportation Element	
507 2 (b) Promote the construction of a continuous pathway along both the Potomac and Anacostia Rivers to provide walking, bicycling, and scenic vistas, and use many areas of parkland which are currently underused for recreational purposes,	Non-conforming
Chapter 6 Comprehensive Plan: Public Facilities Element	
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	Conforming
605 Stimulating Development	
605 2 (b) Provide for timely improvements in order to stimulate the greatest economic impact,	Conforming for site, potentially non-conforming for neighboring property
606 Location Of Public Facilities	
606.2 (c) Provide appropriate landscaping, buffering, and access for all public facilities so that undesirable community impacts are minimal	Non-conforming

Comprehensive Plan Section of Relevance:	**OP Comment**
Chapter 7 Urban Design Element	
706 Waterfront Design Areas	
706 1 (c) Create and enhance relationships between the rivers and District residents, develop urban waterfronts and water-related recreation in appropriate locations, and establish attractive pedestrian connections from neighborhoods to activities along the waterfronts,	Non-conforming
706 2 (a) Promote water-oriented public space uses at the water's edge such as promenades, view points, steps into the water, swimming and boating facilities, public art, or other water-related amenities;	Non-conforming
(b) Require that waterfront design areas complement and enhance urban development,	Non-conforming
(c) Require that waterfront design areas respond to the unique waterfront qualities of the respective site conditions,	Non-conforming
(d) Require that site planning in these areas establish, and be sensitive to, the close interrelationship between buildings, parks and open spaces, and the rivers,	Non-conforming
Chapter 8 Preservation And Historic Features Element	
805 Specific Policies For Protection And Enhancement Of Historic Properties	
805 16 New construction on historic landmarks or in historic districts should be compatible with the historical architectural character and cultural heritage of the landmark or district In design, height, proportion, mass, configuration, building materials, texture, color, and location, new construction should complement these valuable features of the landmark or district, particularly features in the immediate vicinity to which the new construction will be visually related.	Building addition - conforming Site changes - Non-conforming
Chapter 11 Land Use Element	
1104 Policies In Support Of The Residential Neighborhood Objectives	
1104 1 (i) Protect residential neighborhoods from incompatible uses and activities that generate excessive traffic, noise, litter, and other damaging environmental impacts, by consulting with neighborhood organizations to promote buffering and techniques that provide for appropriate separation of uses and mitigation of cut-through problems, which may require modification of the Zoning Regulations limitations on access to certain streets, or strict enforcement of traffic, anti-littering, noise, and pollution regulations,	Non-conforming
1111 Policies In Support Of The Production And Technical Employment Objectives	
1111 1 (a) Recognize that current viable industrial land uses which provide services, jobs, and fiscal benefits are essential and ensure that these uses are maintained and that sufficient land is reserved for production and technical employment uses through appropriate zoning and related means,	Conforming

Comprehensive Plan Section of Relevance:	**OP Comment**
(g) Develop appropriate measures to mitigate or eliminate the adverse impacts caused by industrial uses	Proposal includes initiative to reduce some impacts
1112 Objectives For Public And Institutional Land Uses	
1112 1 (f) To encourage sensitive conservation and development of the District's waterfronts and shorelines,	Non-conforming
1115 Policies In Support Of The Public And Institutional Land Use Objectives	
1115.1 (c) Develop a waterfront and shoreline plan, in cooperation with NCPC, which capitalizes on unrealized opportunities for creating exciting and imaginative water-focused recreation, housing, commercial, and cultural development along the Anacostia and Potomac Rivers and which ensures that new development enhances the physical and environmental quality of the rivers and adjoining areas,	Plans completed – AWI and Near Southeast Plans are of relevance; proposal is non-conforming to these plans
Chapter 13 Ward 2 Element	
The site is in Ward 6 Prior to realignment of the Wards in 2002, however, it was adjacent to the border with Ward 2. As such, some Ward 2 policies and objectives have relevance to this case, particularly ones related to development along the waterfront	
1307 Ward 2 Objectives For Environmental Protection	
1307 1 (a) Improve the quality of water in the rivers and streams of the District to meet public health and water quality standards, and maintain physical, chemical, and biological integrity of these watercourses for multiple uses, including recreation,	Technical improvements conforming, site plan is questionable
1308 Ward 2 Actions In Support Of Environmental Protection Objectives	
1308 1 (a) Combat pollution of the Potomac and Anacostia rivers by:	
(4) Cleaning up industrial areas of the Anacostia West Bank, as well as cleaning up the Maine Avenue Fish Market, requiring frequent trash removal, regrading, and repaving right-of-way parking and loading areas;	Somewhat conforming
(7) Requiring that public space in new waterfront development be maintained along shorelines, and	Non-conforming
1315 Ward 2 Urban Design	
1315 4 Some areas, such as part of the Buzzard Point/Near Southeast area, lack a strong design character, although development in the future will provide an opportunity to change this situation The design of urban development is typically influenced by both formal and informal urban design processes. .	Non-conforming
1317 Ward 2 Actions In Support Of The Urban Design Objective	
1317 1 (d) Emphasize superior design of new development and open space along Ward 2 waterfront areas as follows	
(1) The city, working with the National Park Service, shall ensure that Ward 2 waterfront areas, including Georgetown, Maine Avenue, Buzzard Point and along the Anacostia River, provide public access and use,	Non-conforming

Comprehensive Plan Section of Relevance:	**OP Comment**
(2) Economic development incentives shall be used by the city to promote quality developments along waterfronts, with open space, parks for recreation and cultural programs, and street-level retail activity during the day and night,	Non-conforming, although such uses on this site may be inappropriate
1348 Ward 2 Actions In Support Of The Waterfront Development Objective	
1348 1 (e) Develop a major mixed-use community along the Buzzard Point waterfront, providing waterfront access and connections from adjacent areas, to the extent security concerns will permit,	Non-conforming in that waterfront access is prohibited
(f) Prepare a coordinated plan for the entire waterfront area from the Southwest Fish Market through Fort McNair and Buzzard Point, connecting the waterfront areas to the east in Ward 6, and	Refer to the AWI and Near Southeast Plans
Chapter 17 Ward 6 Element	
1710 Ward 6 Policies In Support Of Environmental Protection Objectives	
1710 1 (a) Minimize overflows of untreated sewage from the combined sewerage system, and develop and implement a reliable program of solid waste and sludge disposal that is cost-effective, environmentally sound, and fully coordinated with all responsive jurisdictions and regulatory bodies,	Conforming as the proposal improves capacity of the facilities
1718 Ward 6 Policies In Support Of Public Facilities Objectives	
1718 1 (b) Work with the public and private service-providing organizations to ensure that their locations and operations are managed in a manner that reduces negative impacts throughout the Ward 6 area	Non-conforming
1721 Ward 6 Objectives For Urban Design	
1721 1 (b) To ensure that new development that occurs in Ward 6 complements and translates land uses into compatible, physical settings and preserves and enhances the outstanding qualities of the natural park areas, and	Non-conforming
1725 Ward 6 Objectives For Preservation And Historic Features	
1725 1 (a) To develop programs and activities that recognize and promote the valuable historic resources in Ward 6 and to increase awareness of and access to those facilities, activities and places,	Non-conforming

VII. PLANNING CONTEXT – refer also to Context Plan, Attachment II

The WASA site is part of the rapidly changing Near Southeast area, and is an integral component of the Anacostia River waterfront. Planning initiatives for the general area include.

Near Southeast Neighborhood and Waterfront Workshop, May 18 – 21, 2000

The "Near Southeast Workshop" was co-sponsored by the GSA and the Office of Planning. The 250 acre study area included the WASA site, as well as the SEFC site, the Navy Yard, , and Arthur Capper / Carrollsburg neighborhood, and the remainder of the Capital Gateway / Buzzard Point area Over 200 participants were brought together to discuss the future of the under-developed Near Southeast waterfront, and agreed on a vision for the area as an "Urban Village" that integrates commercial uses with new housing, and which recovers the waterfront as an amenity for all to enjoy The vision included

- Providing Continuous Open Space along the Southeast Waterfront
- Connecting Existing and Future Neighborhoods and the District to Waterfront
- Providing Mixed-Use Development
- Balancing Uses along the M Street Corridor and New Jersey Avenue
- Providing a Network of Open Spaces, and
- Integrating Development Plans.

Anacostia Waterfront Initiative (AWI)

The WASA site is within the AWI area, for which a Memorandum of Understanding was signed by twenty Federal and District agencies that own land or have jurisdiction along the Anacostia River - including the Office of Planning and WASA - as a commitment to create an active, cohesive, and well-planned Anacostia River waterfront. Mayor Williams officially released the Framework Plan for the AWI on December 3, 2003, with additional information available on the Office of Planning website at http://planning.dc.gov.

The vision of the AWI is of a clean and vibrant waterfront with parks, recreation uses, and places for people to meet, relax, encounter nature and experience the heritage of the waterfront The AWI also seeks to revitalize surrounding neighborhoods, enhance and protect park areas, improve water quality and environment, and, where appropriate, increase access to the water and maritime activities along the waterfront. Planning principles cited in the AWI are:

(a) **Restore:** A Clean and Active River - The proposal, as submitted, would improve the capacity and functioning of the pump station facilities, thereby contributing towards environmental improvements. However, the large paved parking areas could contribute polluted runoff directly to the river.

(b) **Connect**: Eliminating Barriers and Gaining Access - The proposal maintains and reinforces the WASA site as separate from surrounding development and the waterfront, and prevents access to and along the river

(c) **Play:** A Great Riverfront Park System - The proposal would be contrary to the vision of the Riverwalk and Trail, maintaining fence, paved parking for WASA employees and fleet vehicles instead.

(d) **Celebrate:** Cultural Destinations of Distinct Character - The WASA proposal includes keeping and upgrading the architecturally important 100 year old Main Pump Station, but places an addition on its east elevation that faces onto what will be a vibrant waterfront park.

(e) **Live:** Building Strong Waterfront Neighborhoods - The proposal maintains WASA facility employment in the Near SE area, but would be detrimental to surrounding residential uses and the waterfront park system

Near Southeast Target Area Plan

While the AWI established an overall vision for the Anacostia waterfront, it also included identification and more detailed study of a number of "target areas". The WASA site is at the center of the Near Southeast target area, which is undergoing particularly imminent and rapid transition As noted in the AWI Plan:

"The principal challenge for this area and its stakeholders is coordinating the burgeoning development activity to produce an integrated neighborhood that guarantees public access to the Anacostia waterfront and provides mixed-income housing opportunities for existing and future residents.

It is imperative that new development does not replicate existing barriers to the waterfront by creating isolated precincts that restrict and diminish the neighborhood's public realm " (p 119)

The Near Southeast Area Urban Design Framework Plan, which was recently awarded the American Planning Association "2004 Outstanding Planning Award" for a plan, is intended to tie together the many separate development initiatives within its boundaries. It envisions an urban neighborhood that re-establishes historic Carrollsburg; provides unprecedented public access to the waterfront, encourages active, transit-oriented neighborhoods, and permits a combination of mixed-income housing, office, retail use and cultural destinations. Core recommendations are:

- Providing continuous open space along the Southeast Waterfront, including a major park along the SEFC waterfront,
- Connecting existing and future neighborhoods and the District to waterfront;
- Providing mixed-use development;
- Balancing uses along the M Street corridor and New Jersey Avenue;
- Providing a network of open spaces to connect communities and the river; and
- Integrating development plans for specific proposals.

The WASA site is critical to this vision – it is central to the Near Southeast area; has over 1,000 linear feet of waterfront; and provides important opportunities to connect neighborhoods to the waterfront, and to connect waterfront communities to each other.

Adjacent developments Projects and Proposals

The WASA site is at the junction of a number of important development projects, all of which have received approval or are in the final stages of Zoning Commission review. They include:

a. **Southeast Federal Center** - New zoning and a SEFC Overlay District have been approved for this 44 acre site to the north and east of the WASA site. The zoning permits high density mixed use development along M Street SE and to the north of the WASA site; a high-density residential core to the east of WASA, and a 5 acre park along the waterfront. The SEFC Overlay establishes site-specific regulations pertaining to the use, density, and siting of buildings, to provide a balance of design flexibility and control. The SEFC site will ultimately be developed with 1 8 million square feet of office; over 3 million square feet of residential; retail on major streets to serve both residents and visitors; and important park space and cultural attractions

b. **US Department of Transportation (DOT) Headquarters** - The new US DOT Headquarters, under construction, will include approximately 1.5 million square feet of office space and will bring an additional 7,500 employees to the neighborhood. The project includes the construction – and reintegration into the overall street grid – of New Jersey Avenue, Tingey Street and 4th Street SE. At the corner of New Jersey and Tingey, the corner closest to the WASA site, a new public plaza with retail space will be constructed.

c. **Florida Rock Properties** - The Florida Rock PUD development site is located on the waterfront between South Capital Street and 1st Street SE, directly to the west and south of the WASA site. The proposal includes new residential, office and hotel development, as well as the creation of an urban waterfront esplanade that will link the large public parks at SEFC and South Capitol Street.

d. **Arthur Capper/Carrollsburg Hope VI Development** - The deteriorating Arthur Capper / Carrollsburg publicly-assisted housing neighborhood dwellings, on the north side of M Street SE, will be replaced with 1,500 new mixed-income housing units, including mixed income and seniors housing units in a variety of ground-oriented and apartment buildings. Along the M Street corridor, higher density residential development will complement existing and new commercial office buildings. Streets and public open spaces will connect the residential neighborhood and the waterfront

e. **Washington Navy Yard** - The Washington Navy Yard is both a major historic asset and a key economic anchor for the Near Southeast and the District Recent improvements include an expanded waterfront park with a continuous pedestrian promenade, in anticipation of connections to a promenade along adjacent waterfront lands

f. **Riverwalk Demonstration Trails** - In addition to the above development proposals, the District Department of Transportation (DDOT) has contracted with the Earth Conservation Corps, a non-profit youth service organization, to complete a design/build project of demonstration Anacostia Riverwalk Trails The state-of-the-art, low impact trail section have been completed at the Matthew Henson Center in Buzzard Point and the Capitol Pumphouse, and are being constructed beneath the 11th Street Bridges, all in the Near Southeast area

VIII. SNAP – Cluster 27

The SNAP planning process identified near-term goals for individual neighborhood clusters, and documented the tracking of issues to ensure that they are addressed through to completion. The SEFC is part of Cluster 27. Cluster workshop participants were asked to identify priorities for additional action planning for FY2002 and FY2003:

Cluster 27 Priorities:	**WASA Proposal:**
Affordable Housing	Generally neutral, although the proposed screening facility location and the "non-opening" of the streets could negatively impact future SEFC residential development
Community Building and Human Development	Generally negative, by securing itself from the neighborhood and prohibiting public access along former streets and the waterfront through the site
Open Space, Recreation, and Environment	Negative, as opportunities for providing the Riverwalk and trail and other public green space on the site are not provided as part of this application
Neighborhood Economic Development	Positive, as the facility would continue to provide many valued jobs within the Near SE area.
Public Safety and Security	Generally neutral, although not permitted public access may diminish perceptions of public safety

IX. SITE ZONING – CG/W-2 (refer also to Location Plan and Site Plan, Attachments III & IV)

The property is zoned CG/W-2 (medium density mixed residential-commercial) A Public Utility Pumping Station is permitted within the zone by Special Exception, but in this case, the two facilities are existing and are being upgraded and renovated. Analysis by the applicant of the WASA proposal against the regulations of W-2 indicates that it would not result in any non-conformities.

The WASA site is within the Buzzard Point / Capital Gateway area In 2002, lands within the area were rezoned, including W-2 zoning along the waterfront, C-3-C for properties on the north side of M Street, and CR over the remainder. In addition, the Capital Gateway (CG) Overlay District was adopted to establish waterfront setback requirements, bonus density and height regulations, M Street and waterfront design standards, and combined lot and PUD development requirements. The Capital Gateway Overlay District has received Zoning Commission final action, the final order has not yet been published. The CG Overlay, as reviewed by the Commission at final action, includes a requirement for Zoning Commission review within the CG/W-2 zone district.

1603 1 All proposed uses, buildings and structures in the CG/W-2 District, or any proposed exterior renovation to any existing buildings or structures in the CG\W-2 District that would result in an alteration of the exterior design, shall be subject to review and approval by the Zoning Commission

X. SURROUNDING AREA ZONING (refer also to Location Plan, Attachment III)

Directly to the east is land recently zoned SEFC/R-5-E, to permit high density residential development within the Southeast Federal Center site, with a density of up to 6.0 FAR, and a height of up to 110'. Also to the east is waterfront land within the SEFC site zoned SEFC/W-0, to provide for the large waterfront park. Directly to the north is land recently zoned SEFC/CR, to permit high density mixed residential / commercial development within the SEFC site, with a density of up to 6.0 FAR, and a height of up to 110'. Also to the north is land zoned PUD/C-3-C, to permit the new USDOT headquarters building. To the west is land zoned CG/CR, intended to permit future high density mixed residential/commercial development within the Capital Gateway Overlay District. Further west is the Florida Rock site, zoned CG/W-2, for which a first stage PUD has been approved, and a second stage PUD, for development of the site as a mixed-use development with a waterfront promenade, is in process.

XI. ZONING COMMISSION CG OVERLAY REVIEW CRITERIA

The applicant has requested Zoning Commission review pursuant to Capital Gateway Overlay District §1603 1. The following review criteria, outlined in the CG Overlay, are of relevance to this application:

1600 2 The purposes of the CG Overlay District are to.

(a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally required by the Comprehensive Plan and planning studies of the area,

Although neither residential nor commercial uses would be appropriate, at present, on the WASA site, OP is concerned that the proposal does not adequately recognize and accommodate future

residential developments to the east, north, and west. The proposed additions and alterations appear to be of a suitable height, bulk and design.

(b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses,

Such uses would not be anticipated on this site, due to the nature of the facility and security concerns noted by WASA. However, OP would support the provision of visitor-related uses on the site as part of any future development plans. Of immediate concern is that the site does not provide for the Riverwalk and trail, which is envisioned as a critical amenity to residents and visitors to the area.

(c) Allow for continuation of existing industrial uses, which are important economic assets to the city, during the extended period projected for redevelopment;

The proposal would retain the existing use of the site, while upgrading the facilities to better serve the District.

(d) Provide for a reduced height and bulk of buildings along the Anacostia riverfront in the interest of ensuring views over and around waterfront buildings, and provide for continuous public open space along the waterfront with frequent public access points, and

The height and bulk of buildings that are a part of this application would be of a scale and bulk that would, generally, provide for views to the river. However, the site plan does not provide for any public open space along the waterfront, or access to the waterfront through the WASA site.

1603 2 In addition to proving that the proposed use, building or structure meets the standards set forth in § 3104, the applicant shall further demonstrate that the use, building or structure.

(a) Will help achieve the desired mixture of uses in the CG Overlay District as set forth in §§ 1600 2(a) and (b), with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses, and

Although the proposal does not provide preferred uses, the existing use is permitted to continue in operation, and is of significant benefit to the District Upgrading of these facilities is also of benefit to both the neighborhood and the District. Future redevelopment of portions of the site for preferred uses may be possible, but may not be possible or appropriate given the current use. OP does not believe that each individual parcel must provide all or even any of the preferred uses. However, redevelopment should support the goal of accommodating a broader range of uses in the general area, and the design of the proposal may negatively impact livability of the future mixed-use development surrounding the WASA site.

(b) In the case of waterfront lots, provides suitably designed public open space along the waterfront, as specified in § 1603 3

The proposal is contrary to this criteria The WASA site has 1,000 linear feet of waterfront, but currently provides no public access through to the waterfront. Rather than addressing this shortcoming, the proposal reinforces this pattern of industrial land use, which excludes the public in favor of parking for employees and fleet vehicles

1603.3 With respect to a building or structure to be constructed on a lot that faces or abuts the Anacostia River

(a) The building or structure shall be set back by no less than seventy-five (75) feet, unless the Commission finds that such setback creates an undue economic hardship for the owner of the lot and in no case less than fifty (50) feet from the bulkhead

The proposed addition to the Main Pump Station is set considerably back from the bulkhead. The existing O Street Pump Station has a small portion within the 75' setback, but is further than 50' from the bulkhead, so it conforms to this requirement Requiring that the footprint of the existing building be reduced to provide 75' would be a hardship to the applicant, as it would require a more extensive reconstruction of the building.

(b) The application shall include a plan for suitable open space treatment of the setback area for such uses as walkway and bikeway, passive or active recreational use, and including provisions assuring private maintenance of the space, convenient and permanent public access to the space, and suitable connections to adjacent public space along the waterfront

The application does not provide a plan for suitable open space treatment of the setback area. Rather, the site plan shows a retention and expansion of existing paved parking areas for WASA and fleet vehicles. As such, the plan represents a "break" in waterfront park and trail spaces approved for the SEFC site, provided on the Navy Yard and SEFC sites to the east, and planned for the Florida Rock Properties site to the west. The plan also indicates a new vehicular "bridge" over the surviving remnant of the former canal system that connected the Anacostia to the Capital area.

The applicant further notes that the site changes are intended to meet Department of Health watershed protection and storm water, erosion and sediment control, although additional detail has not been provided and DOH has not submitted comments with regards to this proposal.

1603.4 With respect to all applications, the proposed building or structure shall be designed with a height, bulk and siting so as to provide for openness of views and vistas to and from the waterfront and, where practical, maintain views of federal monumental buildings

The height and bulk of buildings that are a part of this application would be of a scale and bulk that would, generally, provide views to the river. OP has some concerns that the proposed addition to the Main Pump Station would a) be located on the most visible elevation of the architecturally important building, thus diminishing views of the building itself; and b) be within the important New Jersey Avenue view corridor, which will visually and physically connect the Capitol Building and the waterfront.

1603 5 The Zoning Commission, at its discretion, may also provide for additional on-site or off-site bonus density to be earned for setbacks required under this section, based on the land area of the setback and the proposed features for public open space uses; Provided, that 2 0 FAR based on the land area of the open space setback shall be used as a general guideline

The WASA site is developed with a low density of "public facility" use – density is not a concern at present WASA may be able to take better advantage of this regulation to provide the desired public waterfront space

1603 6 In the CG/W-2 District, the Zoning Commission, at its discretion, may grant bonus density for residential development in a building or a combined lot development, using a guideline of 1 0 FAR in excess of the normally allowed maximum of 4 0 FAR and an additional ten (10) feet in excess of the normally allowed maximum height of sixty (60) feet, Provided that

(a) The building or combined lot development shall include at least 2 0 FAR of residential development;

(b) The Zoning Commission, at its discretion, may allow construction of such bonus density on the property zoned CG/W-2 or may allow only for the bonus density to be transferred off-site to a lot or lots zoned CG/CR by means of a combined lot development, and

(c) The provisions of § 1709 shall govern the prerequisites and procedures for transferring bonus density off site if permitted by the Commission

The WASA site currently includes no residential, and height is not an issue for the proposed additions and alterations. OP feels that exciting opportunities may exist for WASA to work with other area landowners to provide both the desired on-site waterfront access, as well as off-site residential development through the use of combined lot development.

Will the proposal be in harmony with the general purpose and intent of the Zoning regulations and Maps?

Yes OP believes that the proposal impairs the intent, purpose, and integrity of the Zoning Regulations, particularly the Capital Gateway Overlay District. The CG Overlay is a direct response to the AWI and planning efforts to, among other objectives, provide greater access to the Anacostia waterfront As detailed above, the CG Overlay provides both regulations and incentives to encourage the provision of waterfront open space and the Riverwalk and trail. The WASA proposal is contrary to these objectives

Will the proposal adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps?

The use is vital to the District, and the upgrading, as mandated, will be of benefit to all residents As such, OP strongly supports the intent of the proposed application. OP also recognizes that the security concerns of WASA are legitimate and must be accounted for in the building and site design. However, as noted above, OP does not believe that these concerns negate the possibility of a solution that responds to the goals and objectives of the CG Overlay or the AWI and Near Southeast Plans. OP believes that the proposal would adversely affect the future use of neighboring property. It would:

a. concentrate the most offensive aspects of the use directly adjacent to the future SEFC high density residential/retail core;

b. prevent access to the waterfront along either the Canal Street or 2nd Street SE road rights-of way, and may negatively impact the ability to provide the most direct and convenient access from New Jersey Avenue; and

c preclude public access along the waterfront, resulting in a break in the Riverwalk which will be provided as part of the SEFC and Florida Rock developments, and has been provided along

the Washington Navy Yard waterfront, located less than ¼ mile away, has been able to overcome security needs to provide

Additional coordination with the developers of the SEFC and DOT sites is considered by OP and DDOT to be of benefit, as these projects will also represent considerable infrastructure investments which must be compatible with any changes to the WASA site.

XII. ADVISORY NEIGHBORHOOD COMMISSION (ANC) COMMENTS

ANC 6D reviewed this request at its meeting of April 12, 2004 and adopted a motion of support.

XIII. DISTRICT AGENCY COMMENTS (refer to Attachment VI for complete comments)

OP referred this proposal to district agencies and departments As of the date of this report, OP has received the following responses.

- District Department of Transportation (DDOT) – notes the changing character of the general area, and the need to acknowledge this transformation in use and traffic needs. The streets need to be open to help accommodate SEFC traffic, and parking needs to be off the river to accommodate more public access to the river. The need for additional parking, especially along the river where it will impact the viability of the Riverwalk, needs to be justified WASA, USDOT, and the SEFC should develop a shared plan for the New Jersey Avenue / Tingey Street intersection that works for all users, as well as for Canal Street, Second Avenue, and N Place.
- Department of Housing and Community Development (DHCD) – notes support for the application, as it will rehabilitate the onsite roads, increase on-site parking; and increase capacity of the pump stations
- Department of Parks and Recreation (DPR) (via email) - DPR has no comments to make on this project.
- Water and Sewer Authority (WASA) (via email) – The design of the project will meet all code and federal and city permitting requirements.

XIV. OP SUMMARY RECOMMENDATION

OP supports the technical improvements to these pump stations facilities, and appreciates the industrial nature of the site and WASA's need to provide security for facility. However, OP continues to feel that creative solutions can address these requirements and better meet the long term goals and objectives of the CG Overlay District, the AWI and the Near Southeast Plan, particularly the provision of public access to and along the waterfront. DDOT has also indicated that greater coordination with surrounding land developments and recognition of the rapidly changing character of the Near Southeast area are needed.

As such, OP cannot support the application at this time OP has requested that WASA investigate alternative, neighborhood compatible solutions, such as:

- locating the screen storage facility within the existing structure, and moving the load out facility to the west elevation of the building to lessen impacts on surrounding lands, minimize truck traffic around the site, and provide a more convenient and logical load out system.

- providing alternatives to the large expanses of paved parking on the site, to permit public access along the waterfront and improve the character of the site This could involve some structured parking or relocating some of the fleet parking to another site. OP also notes that the Navy Yard Metro Station is a close walk away. Although the site is currently somewhat isolated from Metro due to surrounding land use patterns, convenient access to the Metro will be enabled as these patterns change This may reduce the need for the extensive parking provided

- More complete integration of the site into the Near Southeast urban fabric, by opening up Canal, 2nd and N Streets to public access – pedestrian if not vehicular – and accommodation of a creative solution to the difficult New Jersey Avenue / Tingey Street intersection.

OP has also requested additional information of the applicant, to permit a more comprehensive review of the proposal and the site, including:

- a more comprehensive analysis of the proposal and how it responds to all, rather than select, CG Overlay District objectives and review criteria;
- an indication of WASA site land ownership, including how much, if any, is Federal lands, and who owns and is in control of the Canal Street and Second Avenue rights of way;
- clarification of why the storage and pick-up facility cannot be internal, and on the west side of the Main station;
- clarification of security perimeter elements – fence / guard post design, locations and function;
- a more detailed parking study to justify the amount of parking proposed,
- a view analysis study, particularly along the waterfront and down New Jersey Avenue; and
- a more complete discussion of sustainable design measures such as storm water retention and the conformance to the LEED rating system.

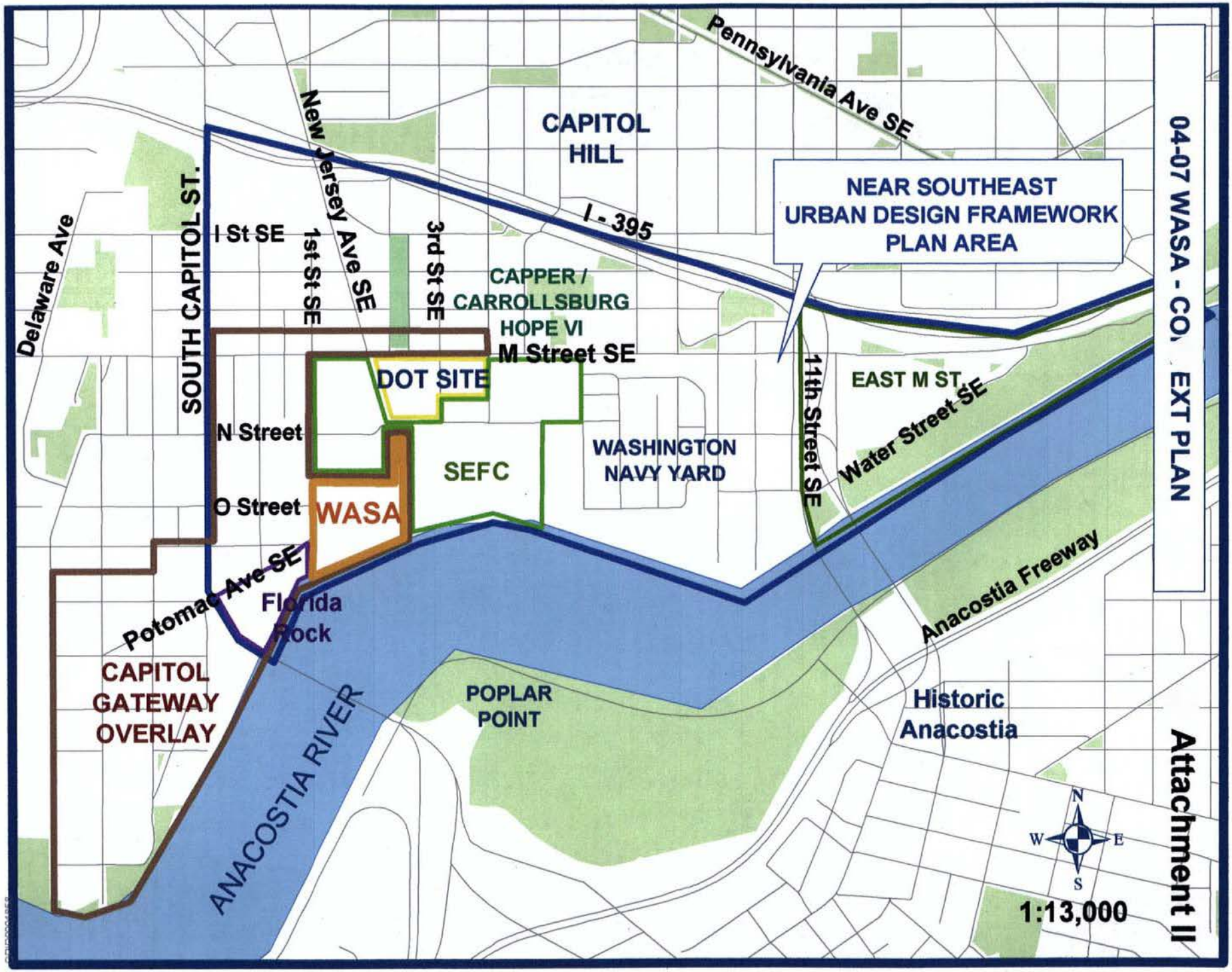
AA/jl

ATTACHMENTS:

I. Photos
II Context Plan
III Location Plan
IV Site Plan
V Agency comments


N Place SE
Tingey St. SE
O St. Station
Canal Street
Main
2nd St. SE
Facing West
SEFC


MAIN
O Street Station
Anacostia River
ECC
Facing North


04-07 WASA - CO EXT PLAN
Pennsylvania Ave SE
CAPITOL HILL
NEAR SOUTHEAST URBAN DESIGN FRAMEWORK PLAN AREA
I - 395
New Jersey Ave SE
3rd St SE
1st St SE
I St SE
Delaware Ave
SOUTH CAPITOL ST.
CAPPER / CARROLLSBURG HOPE VI
M Street SE
DOT SITE
EAST M ST
11th Street SE
Water Street SE
N Street
SEFC
WASHINGTON NAVY YARD
O Street
WASA
Potomac Ave SE
Florida Rock
Anacostia Freeway
CAPITOL GATEWAY OVERLAY
ANACOSTIA RIVER
POPLAR POINT
Historic Anacostia
N
W
E
S
1:13,000
Attachment II



ZONING COMMISSION CASE # 04-07
WASA MAIN & O ST. PUMP STATIONS - LOCATION PLAN

Legend

- Property Squares
- Zoning Districts
- Parks
- Site

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

Office of Planning ~ February, 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.

N

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ATTACHMENT III



ZONING COMMISSION CASE # 04-07
WASA MAIN & O ST. PUMP STATIONS - SITE PLAN

Legend

- Zoning Districts
- WASA Site

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

Office of Planning ~ February, 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.

N

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ATTACHMENT IV

DC Department of Transportation (via email)

Although WASA is one of the only land uses in the area right now, many changes are coming The USDOT site, the SEFC development, and other area developments are not just on paper anymore. Therefore, it's probably not accurate to say, as WASA does, that "there are no immediate residential or commercial uses in the area " In fact, there will be many such uses there in the near future. This is not to say that the application should not go forward, but it should go forward with more acknowledgement of the changing needs and uses of the land in the area, and WASA should work to accommodate these new needs (i.e., at NJ and Tingey, at Canal and 2nd, along the River, etc) The streets need to be open to help accommodate SEFC traffic, and parking needs to be off the river to accommodate more public access to the river

This application shows that WASA will park along the Anacostia River This will severely compromise both the view of the river and the continuity of the Anacostia Riverwalk Trail. WASA should pull the parking lot back to allow for a continuous trail along the river, and should generally provide for and accommodate the Riverwalk Trail Failure to do so will severely compromise the city's ability to connect the trail and make it the amenity it deserves to be.

WASA has not justified its need for additional parking The site is just three blocks from the Navy Yard Metro Why are additional parking spaces needed? What has changed?

The connection of N Street, New Jersey Avenue and Tingey Street deserves more thought and study. N Street and New Jersey Avenue will function as the main entry points to the SEFC site. It may or may not work in the configuration shown. WASA, USDOT, and the SEFC should develop a shared plan for the intersection that works for all users

It's unclear what the plan is for Canal Street Is the plan for the street to continue to function primarily as a parking lot? If so, this is another place where what WASA is requesting and the needs of the site more generally seem to be in conflict Again, a shared plan is necessary

Similarly, 2nd Street is a public street Although it currently functions as a driveway, WASA needs to be realistic Simply assuming that no changes are coming doesn't seem like a feasible strategy.

In the future, N Place will need to function less as a parking lot and more as an access point to the SEFC.

Department of Parks and Recreation (via email)

DPR has no comments to make on this project.

Water and Sewer Authority (via email)

This is a DCWASA project Its design is being coordinated and reviewed by all of the appropriate DCWASA engineering offices The design will meet all code and federal and city permitting requirements

ATTACHMENT V

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO Joel Lawson
Development Review Specialist
Office of Planning

FROM Lawrence C Cager, Jr
Deputy Director for Development Finance

DATE. April 20, 2004

SUBJECT Department of Housing and Community Development (DHCD) Review of Zoning Commission Case No 04-07 – WASA Main and O Street SE Pumping Stations

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DHCD has reviewed the above referenced Zoning Commission Case you sent by e-mail on March 30, 2004 This memorandum offers comments on the Zoning Commission Case After staff review of the application materials, DHCD is supportive of Zoning Commission Case No 04-07 for the following reasons

1 Section 1603.1 of the DC Zoning Regulations requires Zoning Commission review of any proposed exterior renovations to any uses located in CG/W-2 zone Capitol Gateway Overlay Zone) The WASA Main and O Street pumping stations are located in the CG/W-2 zone.

2 The special exception filed by WASA seeks Zoning Commission review and approval of exterior improvements to the Main and O Street pumping stations and reconfiguration of the site plan to increase the number of parking spaces to 246 from 210

3 The exterior improvements to the Main Pumping Station consist of a screening enclosure for truck loading that is architecturally compatible with the Beaux Arts design of the building

4. The O Street pumping station façade is in a serious state of disrepair and needs considerable structural reconstruction The new façade will be of a character that is consistent with the façade it replaces and will complement the Beaux Arts façade of the Main Pumping Station

5 The proposed site and landscape improvements will rehabilitate the onsite roads and parking to better accommodate traffic and slightly increase the amount of onsite parking. The site improvements will also construct low impact development retrofit features that will better manage storm water site runoff and better control erosion and sediment runoffs onsite

6 The improvements requested by the special exception to the Main and O Street pumping stations, and to the site plan will increase the operational capacity and efficiency of the pumping stations. Both pumping stations are key sewer management infrastructure facilities, and are essential to the maintenance of the health and quality of life for District of Columbia residents.

7 The pumping station site must be fenced and have controlled access points because of public infrastructure security needs and the heavy industrial specific functions of the two pumping stations