Statement of Conformance with Zoning Regulations for Special Exception Approval
District of Columbia Water and Sewer Authority
Main and "O" Street Pumping Stations located at 1331 2nd Street SE and 125 "O" Street, SE

Section 1603 1 of the D.C. Zoning Regulations (Published as Proposed Rulemaking in the August 2, 2002 D.C. Register), proposes to subject all uses, including WASA's Main and "O" Street Pumping Stations to review under the proposed Capitol Gateway Overlay Zone (CG/W-2 District) This section specifically provides that "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."

Pursuant to proposed Section 1603.2 the Applicant must meet the requirements and specific conditions of Section 3104.1 which authorizes the Zoning Commission to "grant special exceptions where, in the judgment of the Commission, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Maps, subject in each case to the special conditions specified in Section 3104."

In addressing the standards of Section 3104, the Applicant submits the following responses:

☐ 1). How will the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map?

Response: One of the purposes of the Capitol Gateway Overlay District is to allow for the continuation of existing industrial uses, which are important economic assets to the City during the extended period projected for redevelopment. The approval of the requested special exception would permit WASA to upgrade and rehabilitate the Main and "O" Street sanitary sewer pumping stations. Both facilities are key sewer management infrastructures and are essential in maintaining the health and quality of life of District residents that rely on the continued and safe operation of these pumping stations.

☐ 2). Will the proposed use adversely affect the use of the neighboring property — i.e., traffic, noise, lighting, etc ?

Response: The subject Property has been the site of a publicly operated pumping station operation for over one hundred years. Government uses surround the WASA site and there are no immediate residential or

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commercial uses in the area. The proposed upgrades to the Main and "O" Street Pumping Stations are not designed to adversely affect neighboring properties In fact, the proposed modifications will improve the functioning of the Main Station and the external appearance of the "O" Street building. Except for the required temporary construction activity on the Property, no new traffic, noise or lighting will result from the upgrades to the stations.

Section 3104.1 of the Zoning Regulations require review of specific conditions for special exception approval for a pumping station in a Waterfront district. These specific conditions are listed below.

1. Section 207 (Public Utilities in a Residential District) NOT APPLICABLE
2. Section 509 (Public Utilities in Special Purpose District) NOT APPLICABLE
3. Section 608 (Public Utilities in Mixed Use District) NOT APPLICABLE
4. Section 707 (Public Utilities in Commercial District) NOT APPLICABLE
5. Section 728 (Public Utilities in Commercial District) NOT APPLICABLE
6. Section 743.2(b) (Public Utilities in Commercial District) NOT APPLICABLE
7. Section 753.1 (Public Utilities in Commercial District) NOT APPLICABLE
8. Section 761.2 (Public Utilities in Commercial District) NOT APPLICABLE
9. Section 907 (Public Utilities in Waterfront District, BZA only) NOT APPLICABLE

Pursuant to Section 1603.2 of the Proposed Regulations, WASA, in addition to providing that the proposed use, building or structures in the proposed CG\W-2 District meet the standards set forth in Section 3104, WASA must also demonstrate that the use, building or structure:

(a) Will help achieve the desired mixture of uses in the proposed CG Overlay District as set forth in Sections 1600.2(a) and (b) with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses.

Response: Section 1600.2 (a) of the proposed regulations lists as additional purposes, the "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." Section 1600.2(b) states another purpose as "encourag[ing] a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses." Approval of the special exception for the existing pumping stations with the proposed minor modifications, will advance both the goals stated above by providing an essential public utility infrastructure which will be necessary for any significant development within the proposed C-G\W-2 district. All of the desired uses above will be reliant on access to sanitary sewer services. Further, the existing buildings are suitable in height, bulk and design with the vision for the area.

(b) In the case of waterfront lots, provides suitably designed public open space along the waterfront, as specified in Section 1603.3.

Response: Because of the inherent industrial nature of public utility pumping stations, public access would not be encouraged. The subject property is the site of heavy industrial activity and the specific functions of the WASA pumping stations would not be conducive to the location of dedicated public open space. Further, based upon additional security concerns, the property must be fenced and have controlled access points.

Section 1603.3 (a) of the proposed regulations requires WASA buildings or structures to be set back by no less than seventy-five (75) feet, unless this causes undue economic hardship, and in no case no less the fifty (50) feet from the bulkhead The "O" Street Pumping station which will undergo the most reconstructive work is approximately fifty (50) feet from the bulkhead. The Main Pumping station has been in its current location for over one hundred years and more than 150 feet from a portion of the bulkheads with the exception of an old coal barge slip that is no longer in use. It is essential for the proper functioning and operation of a pumping station that the facility remain in its current location. Further, because these buildings are existing facilities, it would create an extreme and undue economic hardship if they had to be relocated.

The modifications to the Main and "O" Street pumping stations will not increase the density of the existing buildings and as a result will not have an impact on the existing openness of views and vistas of existing federal monumental buildings as set forth in Section 1603.4. Moreover, no additional bonus density is being requested from the Zoning Commission.

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