



October 7, 2014

Sara Bardin
Director, Office of Zoning
441 4th Street, N W., Suite 200S
Washington, DC 20001

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RE. Design Modification to Design Approved by Zoning Commission Order 10-06 for the Water Tower at Saint Elizabeths

Dear Director Bardin

DC Water (the "Applicant") hereby submits an application to the Zoning Commission for the review and approval of a modification to the design of the water tower to be constructed by DC Water pursuant to Zoning Commission Z.C Order No. 10-06 dated May 10, 2010 ("Z.C. Order No. 10-06"). Z.C Order No. 10-06 approved the design of a 2,000,000 gallon and approximately 175 foot water tower with certain aesthetic design elements, including an external screen for the water tower structure and landscaping. After Z.C Order No. 10-06 was issued, the United States Commission of Fine Arts ("CFA") requested that the exterior aesthetic screen design element of the water tower be removed and Historic Preservation Review Board ("HRPB") requested additional mitigation measures with respect to the exterior aesthetic design elements and landscaping be addressed at the staff level. The Applicant is working with staff at CFA, HRPB, National Capital Planning Commission ("NCPC") and the Office of Planning ("OP") on the mitigation measures for the exterior aesthetics of the water tower structure approved by Z.C. Order No. 10-06 and the landscaping to meet the Section 106 requirements. This application is being submitted to request the modification of the design to allow the removal of the exterior aesthetic design elements of the water tower as requested by CFA and defer to HBRP, CFA, NCPC and OP regarding the color aesthetics of the water tower and any mitigation measures surrounding the basic water tower.

Background

The text amendment approved by the Commission in Order No. 09-10 the Zoning Commission authorized the construction of a water tower owned and operated by the "District of Columbia Water and Sewer Authority" on unzoned property owned by the District of Columbia and located on the East Campus of Saint Elizabeths Hospital. See 11 DCMR § 2523.1. The text amendment also required that the "design" of any water tower that exceeds 90 feet in height be reviewed and approved by the Zoning Commission prior to the issuance of a building permit. See 11 DCMR § 2523.2. The Department of Consumer and Regulatory Affairs ("DCRA") approved a waiver from the Height Act of 1910 to accommodate the new water tower.

ZONING COMMISSION
District of Columbia

CASE NO. 10-06A

EXHIBIT NO. 1
ZONING COMMISSION
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The Zoning Commission concluded in Z.C. Order No. 10-06 that the Applicant satisfied the burden of proving the elements that are necessary to approve the project under 11 DCMR §§ 2523.2 and 3104.1. Z.C. Order No. 10-06 specifically ordered that

The water tower shall be consistent with the plans for either Option A or Option B as included in the Applicant's initial filing; provided, that the Applicant shall have the flexibility to modify the design to provide any illumination, lighting, or markings required by the Federal Aviation Administration or for other safety or security purposes

Option A and Option B each included specifications for a basic 2,000,000 gallon and 175 foot water tower, but provided for variations of the aesthetic screening for the exterior of the basic water tower. Specifically, Option A provided for a "Space Frame" and Option B provided for a "Bowstring" concept with "Tensile Fabric Infill" or "Curved Steel Tubes." The Applicants initial filings also included a landscaping plan for the area surrounding the water tower.

Updated Water Tower Design

The Applicant still plans to construct the basic water tower in the location and at height of no more than the 175 feet that was approved by Z.C. Order No. 10-06. However, CFA and HPRB have requested additional consideration of the exterior aesthetics of the water tower.

CFA has requested that the water tower design rely "primarily on color or simple form- rather than screening – to create meaningful icons of civic infrastructure" and that the "proposed spiral form of the screening may appear to be unfinished and may undermine the clear reading of the water tower as a landmark." See Exhibit 4 to the Application, CFA Letter dated February 27, 2014.

At its June 26, 2014 meeting, HPRB recommend that

The Board found the project to be sufficiently consistent with that approved by the order and decision of the Mayor's Agent in 2010. The Board approved the concept of the plain tower and recommended clearance of a permit for its construction, with further review delegated to staff. The Board did not receive any comments from the community, but asked that D.C. Water consult further with the surrounding community on the subject of mitigation with the National Historic Landmark district. The Board requested that there be some agreement, at least on the process for resolving the issue of mitigation, within six months. As for the character of the mitigation, the Board emphasized preservation work on the campus, but is also open to other design work on the tower itself or its environs that would ameliorate its impacts, or to other amenities. Regarding landscape around the tower, the Board recommended that it be designed so that is not distinct and isolated, but knits together with the adjacent portions of the campus. The Board also expressed an interest in the finishes on the tower that are low-maintenance and have low reflectivity. Vote: 6-0 (Casarella recused). See Exhibit 5 to the Application, HPRB Actions, June 26, 2014 Meeting.

The National Capitol Planning Commission (NCPC) also indicated that they do not support the inclusion of a screen structure surrounding the water tower. See Exhibit 6 to the Application, NCPC letter dated February 17, 2010. On October 6, 2014, the Applicant submitted an updated design without the screen structure to the National Capitol Planning Commission (NCPC) for their review and comment, and is currently awaiting further NCPC comments.

The Applicant has submitted the updated design to the affected ANCs, and ANC 8C has issued a letter in support of design and the construction of the basic water tower proceeding. See Exhibit 7 to the Application, ANC 8C Letter dated June 18, 2014.

Request for Minor Modification

Pursuant to 11 DCMR § 2523.8A requires that any request for to modify the designed approved by the Zoning Commission is subject to the same review criteria and approval process set forth in the initial application.

The Applicant is not requesting a change in size, maximum height or placement of the water tower on the Property as approved by Z.C. Order No. 10-06, but hereby requests the Zoning Commission approve the removal of the aesthetic exterior aesthetic design elements of the water tower as requested by CFA and defer to HPRB in conjunction with the discussion with the affected ANCs, CFA, NCPC and other interested parties regarding the aesthetics of the water tower and any mitigation measures in the landscape elements surrounding the basic water tower.

Your approval of the design modification is critical to the Applicants ability to meet the current and future water distribution and water demands in southeast quadrant of the District, a quadrant of the District that has increasing demand on its distribution and water demands.

Sincerely,



Roger L. Gans, PE
Manager, Design
Department of Engineering and Technical Services

Enclosures: