

STAFF RECOMMENDATION

NCPC File No. 6632

PROPOSED STREET AND ALLEY CLOSINGS
INCLUDING PORTIONS OF HALF STREET, SE, O STREET, SE,
P STREET, SE, POTOMAC AVENUE, SE, AND
ALL OF THE PUBLIC ALLEYS IN SQUARES 702, 703, 704, 705, 706,
AND IN U.S. RESERVATION 247
Washington, D.C.
(S.O. 05-6318)

Submitted by the Office of the Surveyor

December 29, 2005

Abstract

The Office of the Surveyor of the District of Columbia has submitted a proposal to close portions of Half Street, SE; O Street, SE; P Street, SE; and Potomac Avenue, SE and all Public Alleys in Squares 702, 703, 704, 705, 706 and in U.S. Reservation 247, in Washington, D.C. The street-closing request was initiated by the District of Columbia Sports and Entertainment Commission. The stated purpose of the proposed street closings is to create a consolidated site location for the proposed new Washington Nationals ballpark in the southeast quadrant of the City of Washington. The proposed closings provide a public benefit to establish the stadium at a location adjacent to the Anacostia River, but do impart an adverse effect to the historic streets of the L'Enfant Plan.

Commission Action Requested by Applicant

Approval of comments to the Council of the District of Columbia pursuant to D.C. Code § 9-202.02).

Executive Director's Recommendation

The Commission comments to the Council of the District of Columbia that:

- The proposal to close several portions of L'Enfant Streets would result in an adverse effect on the L'Enfant Plan and in negative impacts to federal interests as they relate to the public benefits of protecting and maintaining the L'Enfant Plan;
- The proposal to close portions of Half Street, SE; O Street, SE; P Street, SE; and Potomac Avenue, SE and public alleys in the vicinity of Square 702, 703, 704, 705, 706 and U.S. Reservation 247, as shown on Surveyor's Map File No. S.O. 22949 (NCPC Map File No.

24.40(44.40)-41946) should take effect only if the Washington Nationals ballpark is located within the property identified as approximately 19.75 acres, situated adjacent to South Capitol Street and Potomac Avenue, SE and bounded on the east and north by 1st Street and N Street, SE.

- The District of Columbia Sports and Entertainment Commission should, through the D.C. Surveyor's submission to the Historic Preservation Review Board (HPRB), consult with the Board and adopt any mitigation recommended by the HPRB for the adverse effects relating to the proposed street closings.
- The stadium design should maintain and enhance ground-level pedestrian views along Potomac Avenue to the Anacostia River and provide functional and appropriately designed terminations to surrounding L'Enfant streets. **Major pedestrian entrances to the stadium should be located at the terminal points of O and P Streets along South Capitol Street and retail space should be used along the South Capitol Street side of the stadium to minimize unbroken expanses of the stadium building wall.**
- The District of Columbia agree, on or before the time the Mayor transfers the land for the purpose of establishing a ballpark, to a covenant to run with the land that requires at such time as the proposed ballpark is demolished that all portions of Half Street, SE; O Street, SE; P Street, SE; and Potomac Avenue, SE, be re-established in their original locations and with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant.

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PROJECT DESCRIPTION

The District of Columbia, pursuant to D.C. Code § 9-202.02, has referred to the Commission the proposed closing of portions of several L'Enfant streets in southeast Washington, D.C., for comment. The purpose of the street closings is to permit the construction of a new ballpark facility for the Washington Nationals baseball team currently owned by Major League Baseball but soon to be sold to a new private owner. Regulations of the D.C. Code specify that the Mayor of the District of Columbia refer any application to close all or part of a street or alley to the Commission for its recommendation to the Council of the District of Columbia, which has the authority to act on the proposal. The Council of the District of Columbia is expected to consider the street closings in early 2006.

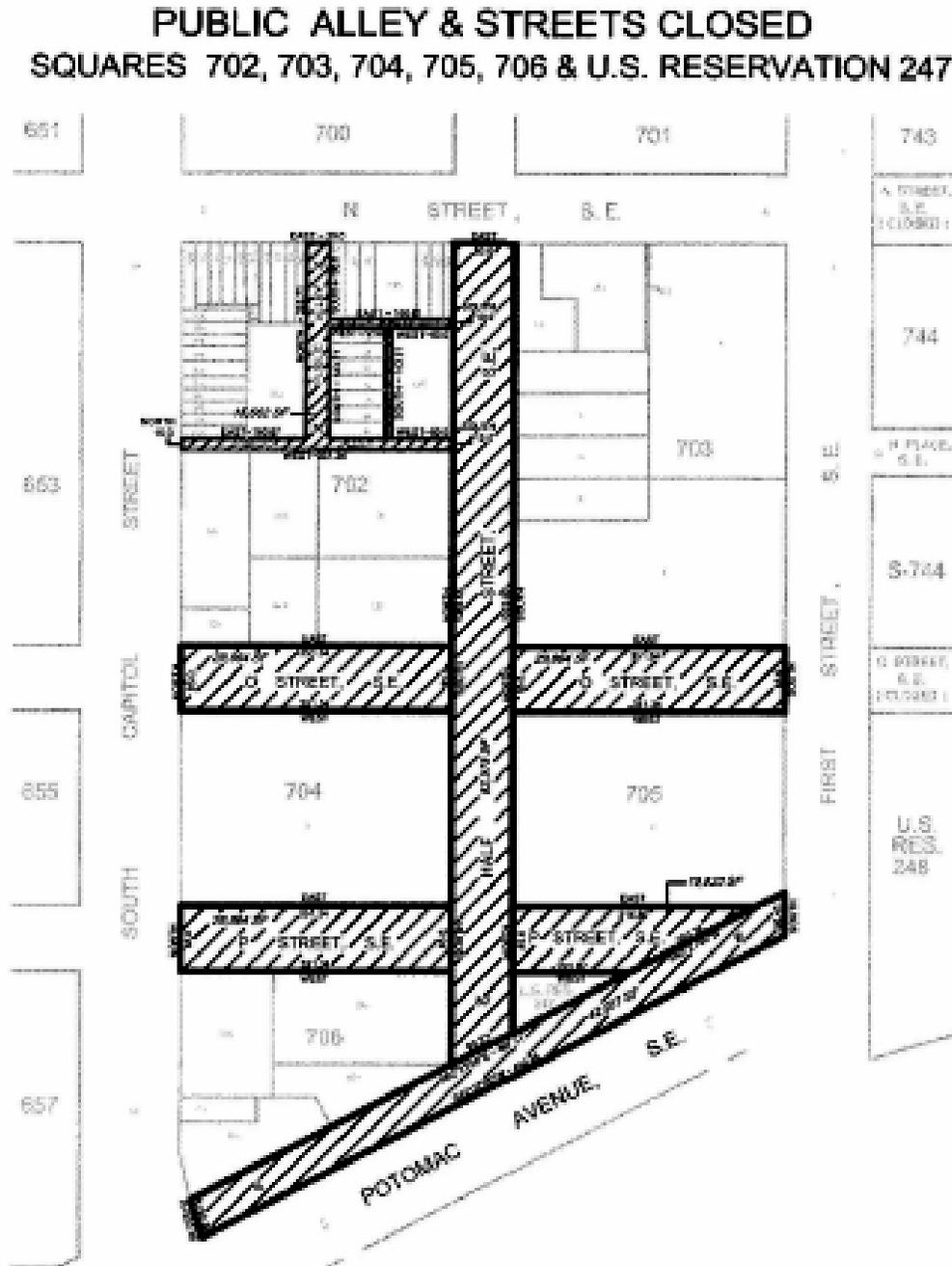
Site

The submission from the District of Columbia surveyor seeks to close the following streets and alleys:

- Half Street, SE between N Streets and Potomac Avenue;
- O Street, SE between South Capitol and First Street, SE;
- P Street, SE between South Capitol and First Street, SE;

- The northernmost 50 feet of the Potomac Avenue, SE, right-of-way between South Capitol Street and First Street, SE; and
- All of the alleys in Squares 702,703,704,705 and 706.

A plat that shows the specific streets and alleys that are the subject of the closing request appears below.



Background

The Mayor of the District of Columbia is currently assembling all of the property within Square 702 (Lot Numbers 37, 38, 39, 79, 80, 81, 82, 83, 84, 85, 104, 105, 106, 126, 127, 804, 805, 806, 807, 808, 826, 836, 838, 841, 845, 846, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871); Square 703 (Lot Numbers 5, 6, 7, 8, 53, 54, 821, 822); Square 704 (Lot Number 11); Square 705 (Lot Number 15); Square 706 (Lot Numbers 802, 806, 807, 808, 809) and U.S. Reservation 247 to create one consolidated parcel for a ballpark site. Once the land is acquired, the Mayor will transfer that land to the Anacostia Waterfront Corporation, and the Anacostia Waterfront Corporation will ground lease that land to the District of Columbia Sports and Entertainment Commission for the purpose of building the baseball stadium. At present, neither the Sports Commission nor the District government holds title to the land; however, under the District's agreement with Major League Baseball, the new ballpark must be completed no later than March 1, 2008. In order to meet this timeline, it is necessary that ballpark construction begin in early 2006.

The District of Columbia proposes to close streets and alleys that lie within the original squares of the city of Washington created by the L'Enfant Plan. The detailed public street rights-of-way were created in 1803 by the King Plats of the City of Washington in the District of Columbia, page XIII. By map of public lands under federal jurisdiction in the District of Columbia compiled by the Office of Public Buildings and Grounds from information obtained by the Commission to Investigate Title of the United States Lands in the District of Columbia, dated 1915, ownership of the street rights-of-way resides with the United States. Staff notes that the District Surveyor states that title to the streets and alleys to be closed cannot reasonably be determined to be held by the District of Columbia or Government of the United States, but that view is incorrect. The streets are titled in the United States.

The public alleys to be closed were created on July 1, 1862 by Plat of Subdivision in Book W.F., Page 2 at the Office of the Surveyor. Based on the public lands map of 1915, cited above, title to all alleys within the subject squares is held by the District of Columbia.

Reservation 247 is also part of the L'Enfant Plan. Both title and jurisdiction are in the United States. A bill is currently pending in Congress to transfer title and jurisdiction to Reservation 247 to the District of Columbia.

Proposal

The District of Columbia Sports and Entertainment Commission proposes to close and utilize all the land area of the streets and alleys to create a major league baseball stadium that will serve as the home field for the Washington Nationals baseball team. Presently, no final design of the ball park has been provided to NCPC, but the Sports and Entertainment Commission has met with staff to identify the need for the general location and to specify a total land area of approximately nineteen and one-half acres, which would include the 5.78 acres of the L'Enfant streets. NCPC staff has made clear the interest of the NCPC to review and comment on the proposed design and construction of the ballpark and anticipates the Sports and Entertainment Commission will provide the baseball stadium site and building plans in February or March of 2006.

COORDINATION

Coordinating Committee

The Coordinating Committee reviewed this item at its meeting on December 15, 2005, and forwarded the proposal to the Commission with the statement that the street and alley closings have been coordinated with all agencies participating. The participating agencies were NCPC, the Department of Public Works, the General Services Administration, the Washington Metropolitan Area Transit Authority, The Department of Housing and Community Development, and the District of Columbia Office of Planning.

Historic Preservation Review Board (HPRB)

The District Surveyor must submit, but has not yet submitted, the application to the Historic Preservation Review Board. The HRPB has jurisdiction over the L'Enfant Plan, which is listed in the D.C. Inventory of Historic Site and protected under the D.C. Historic Landmark and Historic District Protection Act, as well as listed in the National Register of Historic Places. NCPC staff will forward the Commission's action on this matter to the HPRB for its consideration in its review.

STAFF ANALYSIS

L'Enfant Streets

The closing or alteration of any L'Enfant Plan right-of-way is to be avoided if at all possible. The L'Enfant Plan is internationally identified with Washington and the physical character of the planned national capital. The Plan reflects the capital's planning, aesthetic, and social history, as embodied in the design and organization of the city. One of the Commission's chief responsibilities is to protect and enhance the historic street plan of Washington—the L'Enfant Plan—as exemplified by policies in the Comprehensive Plan. The subject elements of the Plan—streets, alleys, and reservation--affected by the application are important as original elements of the Plan that contribute to our understanding of the Plan. The rights-of-way are listed in the District of Columbia Inventory of Historic Sites and the National Register of Historic Places.

The L'Enfant Plan's system of streets provides the ordered framework for development in the original city, the character of the open space within the city, and visual as well as physical connections through the creation of views and vistas along street rights-of-way. The streets provide the scale for elements of the built environment, and establish the means by which street frontages are designed. The grain and scale of buildings and the organization of the public space around them is unique to Washington because of the uniqueness of the historic plan of the city. For example, although other cities may encourage building setbacks at grade to create public plazas, the planning of Washington is designed from a different perspective. Most buildings are constructed on the edges of the rights-of-way to define the open public space of the city and reinforce the street plan. The public rights-of-way, in turn, establish viewsheds and their

character through various widths which are hierarchically established. These rights-of-way, in turn, aid in defining building heights and the articulation of building mass.

Future Plans for the South Capitol Street Corridor and the Surrounding Neighborhood

The Commission's *Legacy Plan* emphasizes the preservation and restoration of the L'Enfant Plan as the defining urban framework of the original City of Washington. The proposed closings, however, do provide public benefit by supporting further additional goals of the *Legacy Plan* to create new spaces, business activities, and living environments that aspire to offer Washington residents a connection to the Potomac and Anacostia rivers as an accessible resource vital to the city's development. Portions of the *Legacy Plan* envision support of active spaces and other urban activities near these resource areas, and new activities at the shoreline areas.

One of the federal interests identified in the *Legacy Plan* is: "Key to unifying the city and core is redeveloping North and South Capitol Streets as civic gateways...South Capitol Street's new energy will eventually flow across the Anacostia River to Poplar Point... A major memorial or public building can be located on the important site where the street meets the river, and the new South Capitol Street can become a lively area of shops, restaurants, housing, offices, and open space."

Detailed Commission support of this objective has been established in its issuance of further study of the South Capitol Street right-of-way at N Street, O Street, and P Street, SE, as well as Potomac Avenue, SE, through the *NCPC 2004 South Capitol Street Task Force*. The task force defined the development of an oval traffic rotary, with a green common and space for a memorial and civic art, where the new bridge intersects with South Capitol Street and Potomac Avenue. The plan would connect the South Capitol area with the rest of the city while building on the momentum of the proposed baseball stadium for the Washington Nationals. A key element of the NCPC Task Force Plan is that South Capitol Street, south of M Street, would have a larger scale with longer blocks, fewer street crossings, and a green median to connect with the river. Potomac Avenue, SE, would be reestablished as a waterfront roadway with an oval rotary intersection providing a memorial opportunity.

Given the potential redevelopment of this part of the city, an area identified by many new planning initiatives on the part of both the District of Columbia government and the Commission, it is appropriate to close these L'Enfant Streets for the purpose of establishing a new ballpark near the Anacostia River in support of fulfillment to advance the area's revitalization. However, we continue to underscore the importance of the L'Enfant Plan.

Consequently, **staff recommends that the following conditions** be part of the comments to the District Council in supporting a favorable position on the closings, as long as they are accompanied by the following conditions:

- The closing of these streets and alleys be effective only if the final site for the Washington Nationals stadium is located within the property identified as approximately 19.75 acres, situated adjacent to South Capitol Street and Potomac Street, SE.

- The District of Columbia Sports and Entertainment Commission, through the D.C. Surveyor's submission to the HPRB, consult with the Board and adopt any mitigation recommended by the HPRB for the adverse effects relating to the proposed street closings.
- The District of Columbia establish and maintain in the proposed baseball park design pedestrian viewsheds and connection corridors or crossing points from the ballpark site across Potomac Avenue to the Anacostia River shoreline.
- The District of Columbia agree to a covenant, to occur with the land transfer by the Mayor, providing that if the proposed ballpark is removed from the above identified land area, that all portions of the closed streets at Half Street, SE; O Street, SE; P Street, SE; and Potomac Avenue, SE be re-established to their original location and rights-of-way with the development of any new uses of the property adjacent to those original streets.

CONFORMANCE

Comprehensive Plan

The Commission policies identified in the Federal Elements of the Comprehensive Plan that are affected by the federal interest in the L'Enfant Plan streets, include:

- Protecting and strengthening historic urban design features of the L'Enfant Plan. In the District of Columbia, any proposal to close a portion of a L'Enfant Plan street or to not conform to the right-of-way building line requires the closest scrutiny and consideration of alternatives.
- Protecting and enhancing the vistas and views, both natural and designed, that are an integral part of the national capital's image.
- Creating transportation infrastructure that is consistent with the pedestrian character of the L'Enfant City and other historic settings.
- Encouraging the practice of good design principles throughout the region to continually strengthen the image of the nation's capital.