

# STAFF RECOMMENDATION

NCPC File No. 5302



---

**MEMORIAL TO THE VICTIMS OF COMMUNISM**  
SITE SELECTION  
( U.S. RESERVATION 77B)  
Massachusetts Avenue and New Jersey Avenue, NW  
Washington, D.C.

Submission by the National Park Service

March 31, 2005

---

## **Abstract**

The National Park Service (NPS), on behalf of the Victims of Communism Memorial Foundation (VCMF), has submitted a proposed site for a memorial to the victims of Communism. The VCMF is authorized under Section 905 of Public Law 103-199 to design, build, and maintain an international memorial in Washington, D.C., honoring the more than 100 million victims of communism.

## **Commission Action Requested by Applicant**

Approval of site selection pursuant to the Commemorative Works Act (40 U.S.C. 8905)

---

## **Executive Director's Recommendation**

The Commission:

**Approves** the site selection of U.S. Reservation 77B for the Victims of Communism Memorial, Massachusetts Avenue and New Jersey Avenue NW, as shown on NCPC Map File No. 21.00(73.10)41565.

\* \* \*

## BACKGROUND AND STAFF EVALUATION

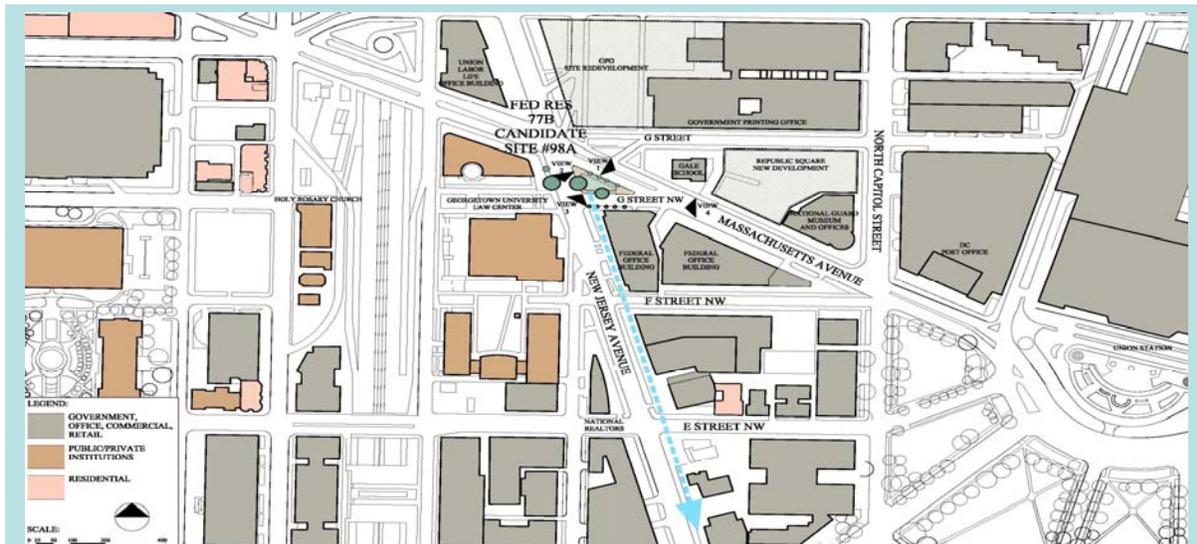
### DESCRIPTION OF PROPOSAL

#### Site

The VCMF, in conjunction with the NPS, identified 18 potential sites within the environs of the Nation's Capital. All of these sites are located within Area II as defined in the Commemorative Works Act of 1986 and several are also included in the Commission's Memorials and Museums Master Plan (2M Master Plan).

The preferred site is U.S. Reservation 77B (Site 98A in the 2M Master Plan). This triangular site is located at the intersection of New Jersey and Massachusetts Avenues. It is bounded on the north by Massachusetts Avenue, on the south by G Street, on the east by the intersection of Massachusetts Avenue and G Street, and on the west by New Jersey Avenue. The Georgetown University Law Center is located immediately to the west, the Government Printing Office immediately to the northeast, and federal office buildings are to the south. Union Station is approximately two blocks southeast of the site and there is a direct view of the U.S. Capitol along New Jersey Avenue to the south. The site contains approximately 3,490 square feet, which does not include the surrounding adjacent sidewalks. It is covered with turf grass and is bounded by a raised concrete curb. There are no specimen plants existing within the reservation.

Although not part of the submission, the VCMF advises that it envisions that the site would be modified to accommodate a memorial comprised of a 12-foot tall bronze sculpture on a pedestal within a small plaza.

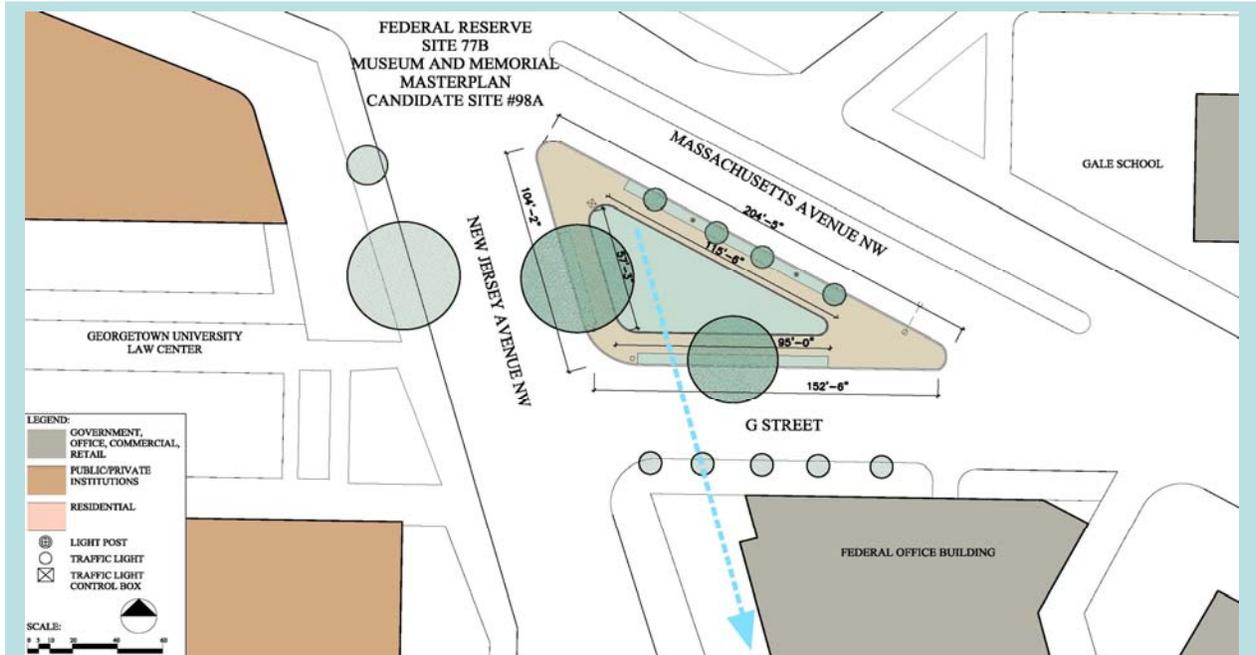


#### VICTIMS OF COMMUNISM MEMORIAL – MEMORIAL SITE VICINITY PLAN:

MEETS DIRECTIVES DEFINED BY THE MEMORIALS AND MUSEUM MASTER PLAN

- LOCATED IN AREA II
- LOCATED ON A "SPECIAL STREET/MONUMENTAL CORRIDOR"
- LISTED AS A CANDIDATE SITE 98A

SMALL FEDERAL TRIANGLE DESIGNATED AS "APPROPRIATE FOR SMALL MEMORIALS OR MEMORIAL LANDSCAPES LOCATED IN A NEIGHBORHOOD CONSISTING PRIMARILY OF GOVERNMENT AND OTHER OFFICE USE BUILDINGS"



**VICTIMS OF COMMUNISM MEMORIAL – CANDIDATE SITE 98A EXISTING CONDITIONS:**

SQUARE FOOTAGE FOR FEDERAL RESERVE 77B/CANDIDATE SITE 98A:

- 9,500 TOTAL SQUARE FEET FOR EXISTING TRIANGULAR SITE (INCLUDING SIDEWALKS AND PLANTING STRIPS)
- 3,518 TOTAL SQUARE FEET DESIGNATED AS FEDERAL RESERVE 77B (GREEN AREA IN CENTER BOUNDED BY RAISED CURB)

EXISTING STREET TREES:

- SITE CONTAINS TWO MATURE TREES, ONE 7" CALIPER TREE AND THREE TREES UNDER 2" CALIPER, ALL OUTSIDE OF RESERVE AREA
- RESERVE AREA, DESIGNATED FOR MEMORIAL CONSTRUCTION, CONTAINS NO EXISTING TREES OR PLANTINGS

SITE SERVED BY ON-STREET METERED PARKING

SITE IS LOCATED TWO BLOCKS FROM UNION STATION AND UNION STATION METRO

## PROJECT ANALYSIS

Staff recommends approval of the preferred site for the Victims of Communism Memorial:

- The site is consistent with the Comprehensive Plan in that it will be maintained and enhanced by the future memorial. It protects the L'Enfant designed green space and the location is easily accessible by metro.
- The site is identified as appropriate for a small scale memorial in the Commission's Memorials and Museums Master Plan.
- The selected site has the full support of the Advisory Neighborhood Commission for the area.
- The overall area is an emerging office area and the enhancement of this space would add to the overall ambiance of this new office district.

- The site has excellent views of the U.S. Capitol, which should provide a thought-provoking experience on the virtues of freedom represented by the U.S. Capitol and the converse experience of communism. Similarly, it is in the immediate proximity of the Georgetown Law Center.



## CONFORMANCE

### Comprehensive Plan

The proposal is consistent with the Comprehensive Plan for the National Capital. The Parks and Open Space element states that the federal government should:

- Restore, protect, and enhance historic designed landscape parks (squares, circles, and triangles) associated with the L'Enfant City (Policy #1, page 109).
- Maintain small urban parks primarily as historic parks and designed landscapes with fountains, monuments, memorials, tree cover, and other features of civic art (Policy #2, page 109).
- Site memorials in monumental and designed landscape parks in compliance with the *Memorials and Museums Master Plan* (Policy # 6, page 109).

### Memorials and Museums Master Plan

The proposed site is consistent with the Memorials and Museums Master Plan. The preferred site is Site #98A ( page 164) in the Plan. The 2M Master Plan states that:

- “An opportunity exists to incorporate small scale memorials within these triangular parks. With good visibility from Massachusetts Avenue and New Jersey Avenue, this site could accommodate a new memorial within the context of an emerging office district. Good views of the U.S. Capitol from these locations could provide an excellent opportunity for commemoration. The size and setting of the parcels lend themselves to understated commemorative elements at these locations.”

### National Environmental Policy Act

The Commission’s environmental procedures for review of site selections in accordance with the Commemorative Works Act notes that the applicant requesting the approval of a site for a commemorative work authorized under the Act shall submit an environmental document that considers the potential environmental effects of a site selection decision upon the proposed site and a reasonable range of alternative sites. The level of detail in the environmental analysis should be proportional to the scope of the site decision, including consideration of design guidelines and other criteria required by 40 U.S.C. 8905(b).

The Commission staff has been provided a NEPA determination from the National Park Service reviewing the potential environmental impact of the proposal design and implementation. NPS has found the proposal and its potential environmental effects minor and in concert with criteria of the NPS adhering to a Categorical Exclusion conforming to Section 3.4 (C) (17) of the NPS Environmental Compliance Filed Guide (DO-12).

NCPC staff has reviewed the NPS determination and the submitted information. Staff concludes the site characteristics of pedestrian access, access to public transportation, topography, property boundaries, and land area adhere to the environmental considerations of the Commission’s Museums and Memorials Master Plan. Considering the limited scale of the proposed memorial and the open, unstructured, and small size of the requested site location (0.08 acres under current ownership of the National Park Service), the staff finds the proposal conforms to the Categorical Exclusion requirements of the Commission’s Environmental and Historic Preservation Procedures at Section 8, where all of the following conditions are met:

- The structure and proposed use are in compliance with local planning and zoning and applicable District of Columbia, state, or federal requirements;
- The proposed use will not substantially increase the number of motor vehicles at the facility;
- The site and the scale of construction are consistent with those of existing adjacent or nearby buildings; and
- There is no evidence of community controversy or other environmental issues.

## National Historic Preservation Act

NPS initiated consultation with the D.C. State Historic Preservation Office (SHPO) for the location of the memorial in a letter dated March 10, 2005. NPS asked for the SHPO's concurrence in its determination that the "selection and development of the site would have no adverse effect on the National Register qualities of the historic district nor does it adversely impact the arrangement of streets and public spaces set forth by the L'Enfant Plan." The SHPO concurs in the appropriateness of the site and NPS's determination of effect. The Section 106 review is one continuous process that will continue with the review of the design at that location.

Massachusetts Avenue is the most embellished avenue in the city, its circles, squares, and triangles containing statues and civic buildings. The proposed site was recommended in the Memorials and Museums Master Plan for its proximity and views to the U.S. Capitol as well as its prominence on Massachusetts Avenue. The site therefore has already been studied preliminarily and its suitability for a small memorial endorsed in the adopted Master Plan.

Under the Commission's new Environmental and Historic Preservation Policies and Procedures, NPS is required to provide sufficient information about the site, and its assessment of the effect of a memorial at a particular site that a decision can be made about a proposed memorial location. This process must include public participation, which is an early required component of Section 106 compliance. NPS has consulted with and gained the approval of the affected Advisory Neighborhood Association, and the adjacent Georgetown University Law School. The project at this proposed site also appeared before a meeting of the National Capital Memorial Advisory Commission, which the public attended.

## CONSULTATION

### Coordinating Committee

The Coordinating Committee reviewed the proposal on March 16, 2005. The Committee forwarded the proposal to the Commission with the statement that the project has been coordinated with all agencies represented, the participating agencies were: NCPC; the District of Columbia Office of Planning; the Department of Housing and Community Development; the District Department of Transportation; the General Services Administration; the National Park Service and the Washington Metropolitan Area Transit Authority.

### Commission of Fine Arts

The Commission of Fine Arts reviewed and approved the proposed site at its March 16, 2005 meeting.