

STAFF RECOMMENDATION

D. Levy

NCPC File No. 6597



VIETNAM VETERANS MEMORIAL VISITOR CENTER Approval of Site Selection and Design Guidelines

On the Grounds of the Lincoln Memorial bounded by Constitution Avenue, Henry Bacon Drive,
Lincoln Memorial Circle, and 23rd Street, NW
Washington, D.C.

Submitted by the National Park Service

July 27, 2006

Abstract

The National Park Service, on behalf of the Vietnam Veterans Memorial Fund, has submitted a request for site approval and approval of design guidelines for the Vietnam Veterans Memorial Visitor Center. The site, known as Site A, is on the grounds of the Lincoln Memorial, north of the Memorial and west of the Vietnam Veterans Memorial. The site is currently in use as active recreation space and contains two softball fields. A National Park Service concession facility was approved by the Commission on January 6, 2005, and is currently under construction on the site. The Vietnam Veterans Memorial Visitor Center is authorized by Public Law 108-126, which exempts the Visitor Center from the restrictions of the Reserve.

Commission Action Requested by Applicant

Approval of site selection and design guidelines pursuant to Public Law 108-126 and the Commemorative Works Act (40 U.S.C. 8905).

Executive Director's Recommendation

The Commission:

Finds that the Environmental Assessment prepared by the applicant for the site selection phase of the project and the public comments on the Environmental Assessment provide additional useful information to guide the Commission in its decision-making and that based on the Environmental Assessment and the other submission materials the Executive Director has issued a finding of no significant impact for the site selection conditioned on a set of mitigation actions to be undertaken by the applicant.

Approves Site A for the Vietnam Veterans Memorial Visitor Center, on the parcel bounded by Constitution Avenue, Henry Bacon Drive, Lincoln Memorial Circle, and 23rd Street, NW as shown on NCPC Map File No. 1.43(73.10)42074, conditioned upon the implementation of the package of mitigation set forth in the design guidelines below that is necessary to reduce the otherwise significant impacts of the proposed action, as indicated in the Executive Director's finding of no significant impact for the site selection:

1. The Visitor Center will be constructed underground as required by the authorizing legislation for the project with no portion of the building or related building elements visible from any portion of the Lincoln Memorial steps and podium, from Constitution Avenue, and from within the axial viewsheds of 23rd Street, NW and Henry Bacon Drive, NW.
2. The Visitor Center's entrance will be only minimally visible from the Vietnam Veterans Memorial to satisfy the project's purpose and need, but in accordance with the authorizing legislation will not interfere with or encroach upon the Vietnam Veterans Memorial.
3. To maintain the character of the historic landscape, the Visitor Center's design concept will be based on maintaining the existing grade, and any new slopes will be gradual. The project will raise the existing site grade only to allow for an accessible entry ramp.
4. The Visitor Center will be designed such that light emanating from the Center's interior will not be visible from any portion of the Lincoln Memorial, from Constitution Avenue, and from the Vietnam Veterans Memorial so as not to interfere with or encroach upon the Lincoln Memorial or the Vietnam Veterans Memorial.
5. The Visitor Center will not intrude into the landscape. No protrusions, such as skylights, monitors, light wells, or sunken areaways, will be visible from the sidewalk surrounding the site.
6. The Visitor Center's site lighting for public safety will not interfere with or encroach upon views to and from the Lincoln Memorial and the Vietnam Veterans Memorial.
7. The Visitor Center's design will provide only the paved area necessary for visitors to enter and exit the building and which will also provide service access. The design will not include additional paved area for gathering space or queuing.
8. The project will not include new vehicle parking areas.
9. The Visitor Center will have a single entrance for both visitors and service.
10. The Visitor Center's associated pedestrian street crossing points will be designed to address traffic impacts effectively and to protect pedestrian safety.
11. The Visitor Center will be constructed only on the portion of the site that lies outside of the critical root zone of existing elm trees. The applicant will develop a tree protection plan to protect and preserve the trees both during and after construction in accordance with standard design and construction procedures.
12. The project will place new landscaping on the site in accordance with the National Park Service's Cultural Landscape Report for the Lincoln Memorial referenced in the Environmental Assessment and will maintain the open grass panel on the site surrounded at the site's perimeter by elm trees.
13. The Visitor Center design will not impede the use of the site for multi-purpose recreation on the site.
14. The Visitor Center will be designed without guardrails or perimeter security elements.

The above guidelines are mutually agreed upon by the National Capital Planning Commission and the Commission of Fine Arts pursuant to Public Law 108-126. These design guidelines supersede the design guidelines submitted by the applicant.

Requires the National Park Service to reconstruct softball fields lost as a result of this project on another site within one-half (1/2) mile of Site A, in accordance with the mitigation required in the Executive Director's finding of no significant impact for the project.

Notes the importance of the Commission's early consultation process and **recommends** that the applicant meet with staff for consultation during the development of concept and subsequent design phases to facilitate the Commission's review of the project under its statutory review and approval process.

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PROJECT DESCRIPTION

Site

The proposed 5.2 acre site, known as Site A, is located on the grounds of the Lincoln Memorial at the west end of the National Mall. Site A is situated north of the Lincoln Memorial across Lincoln Memorial Circle and west of the Vietnam Veterans Memorial across Henry Bacon Drive, and is bounded by Constitution Avenue, Henry Bacon Drive, Lincoln Memorial Circle, and 23rd Street, NW. The site is an open grass panel surrounded on its perimeter by mature elm trees that are part of the site's historic landscape. The current use of the site is active recreation, and it contains two softball fields. A third softball field at the south end of the site was removed recently to allow the National Park Service to construct a concession kiosk approved by the Commission on January 6, 2005. The north end of the site falls within the 500 year flood plain of the Potomac River. The site is relatively flat, but is approximately three feet lower in its center than at its edges along the surrounding streets. The applicant proposes to use a central 2.3 acre portion of the site to construct the Vietnam Veterans Memorial Visitor Center (Visitor Center), which will have a footprint of 25,000 square feet.



Proposed Site: Site A

The submission materials indicate that the disturbed area of the site will be limited to that portion of the parcel that is outside of the existing drip line of the site perimeter elm trees, and that the footprint of the building will occupy a smaller subset of the disturbed area, as shown below.



Visitor Center footprint outside of drip line of elm trees

Background

The National Park Service completed an Environmental Assessment in May 2006 that considered three alternatives for siting the Vietnam Veterans Memorial Visitor Center; these were a no action alternative and consideration of Site A and Site G. Sites A and G were originally identified by the Park Service in a 2005 Site Selection Study for the Visitor Center, and were further studied in the Environmental Assessment. Both Sites A and G are located on the grounds of the Lincoln Memorial, near the Vietnam Veterans Memorial. Through the Environmental Assessment, the Park Service found that the no action alternative would not meet the project's purpose and need. The Park Service found through the Environmental Assessment that use of either Site A or Site G would require design guidelines to mitigate otherwise significant impacts, but found that Site A would better meet the project's purpose and need.

The Park Service therefore selected Site A as its preferred alternative, and has submitted Site A to NCPC for site approval. NCPC staff has found that the Park Service's proposed design guidelines for its preferred alternative are not adequate to mitigate the significant impacts of the site selection; in accordance with the Commemorative Works Clarification and Revision Act of 2003, NCPC has worked cooperatively and proactively with the staff of the Commission of Fine Arts (CFA) to develop a mutually agreed upon set of design guidelines for NCPC and CFA

adoption that would mitigate the otherwise significant impacts of the site selection. These design guidelines are included in the Executive Director's Recommendation above and are reflected in the Executive Director's finding of no significant impact for the site selection of the Vietnam Veterans Memorial Visitor Center.

The following timeline details key events in the review process for this project to date:

- September 2, 2005 After completion of a site selection study, the National Park Service (NPS) submits a request for October 2005 site approval of Site A on Lincoln Memorial grounds to NCPC and the Commission of Fine Arts (CFA) using submission materials developed for National Capital Memorial Advisory Commission consideration. At its September meeting, CFA gives conditional approval for Site A specifying great concern about the sensitive nature of Site A and requiring NPS to demonstrate that the Center can be designed without disrupting the Lincoln and Vietnam Veterans Memorials' settings. CFA states that it will retract site approval if NPS cannot make such a case during the design phases.
- October 6, 2005 At its October 2005 meeting, NCPC does not approve Site A, instructing NPS to provide a comparable level of analysis for the south lawn of the Interior South Building and for Site G as it had provided for Site A, and to provide sufficient proposed building program information to enable the Commission to better understand the impacts that the Center might have above ground on any site. The NCPC staff report issued September 29, 2005 notes that NPS has provided inadequate environmental information. The staff report also indicates that NPS's obligations for consultation with other agencies and parties, under Section 106 of the National Historic Preservation Act, is not yet sufficient for decision-making.
- October 28, 2005 NPS resubmits a request for approval of Site A for the December 2005 commission meeting. Submission materials include analysis of Site G, but the level of environmental information for both Site A and Site G remains the same as in the previous submission.
- November 18, 2005 NCPC staff sends draft report to NCPC Executive Committee.
- November 23, 2005 NCPC staff discusses draft report with NCPC Executive Committee, noting that NPS has still not submitted information on how the Center will impact the surrounding environment, and that NPS has not provided the required environmental document (that is an Environmental Assessment or Environmental Impact Statement), required at the site selection stage for all commemorative works.
- November 28, 2005 NPS, NCPC and Council on Environmental Quality (CEQ) meet to discuss NCPC's requirements for environmental documentation. CEQ confirms that NCPC's Environmental and Historic Preservation Policies

and Procedures adopted in April of 2004 require an environmental document (that is either an Environmental Assessment or Environmental Impact Statement) at the site selection stage for all commemorative works. CEQ subsequently reiterates this determination in writing.

November 29, 2005 NCPC Executive Committee removes the project from the December agenda, citing the lack of a required environmental document (that is either an Environmental Assessment or Environmental Impact Statement).

December 1, 2005 NCPC Chairman convenes meeting with NPS and CEQ to discuss NCPC Environmental and Historic Preservation Policies and Procedures applicable to the site selection stage of commemorative works, including the Vietnam Veterans Memorial Visitor Center. CEQ confirms again that NCPC's procedures require an environmental document (that is either an Environmental Assessment or an Environmental Impact Statement) at the site selection stage for all commemorative works, including the Visitor Center. All parties begin to discuss the content and process for the NPS to move forward with an Environmental Assessment for the site selection stage of the Visitor Center.

December 1, 2005-
Feb 15, 2006 NPS, NCPC and CEQ develop and agree upon the format and content of the Environmental Assessment.

Feb 15, 2006-
May 24, 2006 NPS develops an Environmental Assessment for the site selection stage of the Visitor Center in cooperation with NCPC and CEQ. NCPC is a cooperating agency in the Environmental Assessment.

May 24, 2006-
June 23, 2006 NPS circulates the Environmental Assessment for public comment and receives nine (9) set of comments, including comments from NCPC staff. The comments and the NPS response to the comments are part of the record. NPS identifies Site A as its preferred alternative.

June 30, 2006 NPS submits materials to NCPC for review at its August 2006 meeting, requesting site approval for Site A and approval of design guidelines. NCPC schedules the project for the August 2006 meeting.

Authorizing Legislation

Title I of Public Law 108-126 authorizes the Vietnam Veterans Memorial Fund to construct a Vietnam Veterans Memorial Visitor Center "at or near the Vietnam Veterans Memorial on federal land in the District of Columbia, or its environs." The legislation requires that the Visitor Center be limited in size to the minimum necessary to educate the public about the Vietnam Veterans Memorial and the Vietnam War, and that the Visitor Center be constructed

underground. Title II of Public Law 108-126 amends the Commemorative Works Act (CWA) to establish a reserve area within the great cross-axis of the Mall where the siting of new commemorative works is prohibited. Title I states that this restriction does not apply to the Visitor Center and that final approval by NCPC and CFA under the CWA shall not be withheld. Title II also amends U.S.C. 40 § 8905(b) to state that NCPC and CFA may develop site specific criteria or guidelines for commemorative works that are mutually agreed upon.



The Reserve

Proposal

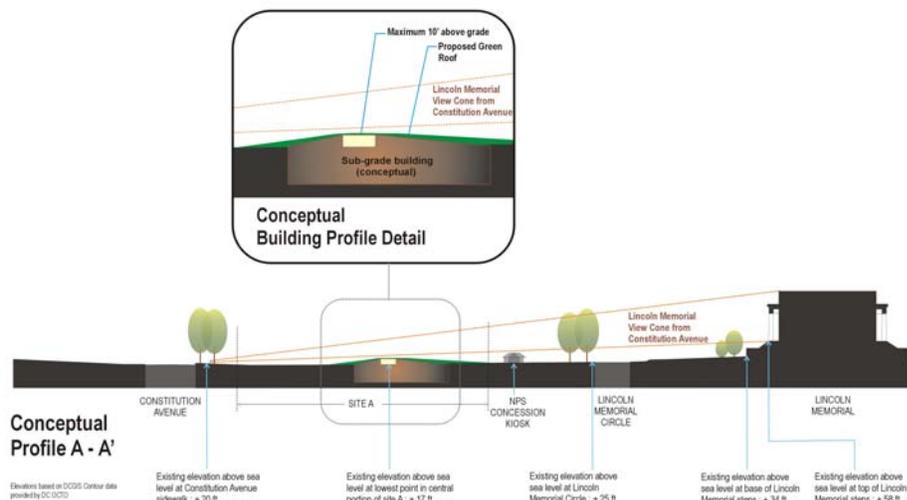
The National Park Service, on behalf of the Vietnam Veterans Memorial Fund, proposes to construct a 25,000 square foot Visitor Center for the Vietnam Veterans Memorial on Site A, located on the grounds of the Lincoln Memorial within the Reserve. The Park Service indicates that the Visitor Center will be constructed underground in accordance with the project's authorizing legislation, but proposes that the existing site grade be raised as much as 10 feet to accommodate building entry and exit, and emergency egress, and to provide for ventilation and natural lighting in the building.

The applicant's proposal has the entry facing Henry Bacon Drive; it would be reached by a sloping walkway. Service access would be coincident with building entry. A rooftop opening of unknown size would be recessed below the elevated site grade and accommodate skylights, emergency egress stairs, and fresh air intake and air exhaust systems. The existing softball fields on the site would be removed and the remaining undeveloped portions of the site would allow multi-purpose recreational activities.

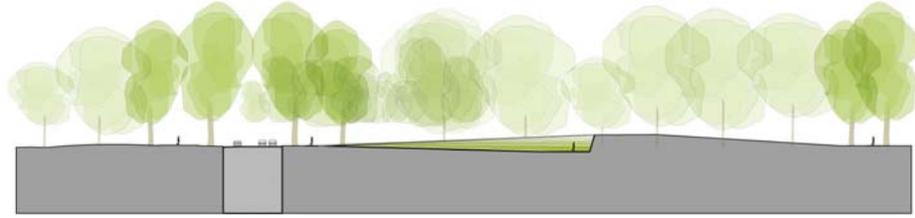


Building Entry from Henry Bacon Drive

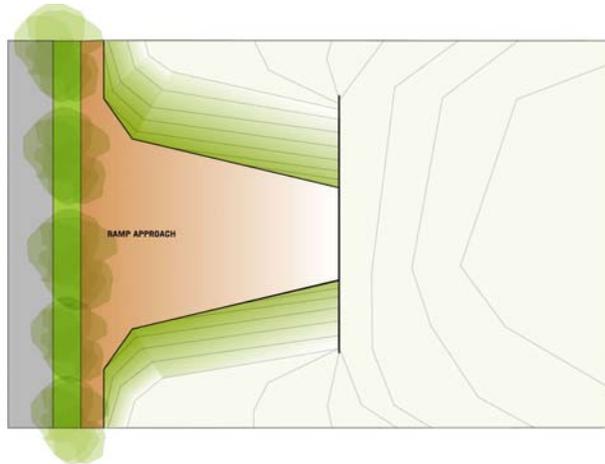
Bus parking would be accommodated in the bus parking lane recently constructed along the north curb of Henry Bacon Drive, and pedestrian crossing between the Visitor Center and the Vietnam Veterans Memorial would occur at the intersection of Henry Bacon Drive with Lincoln Memorial Circle.



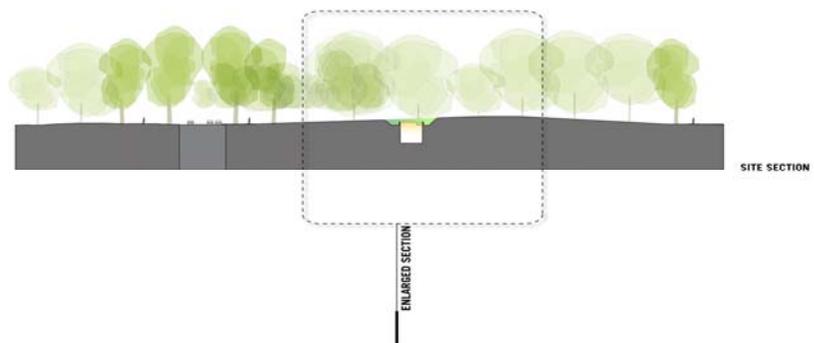
Proposal to raise grade of existing site for underground building



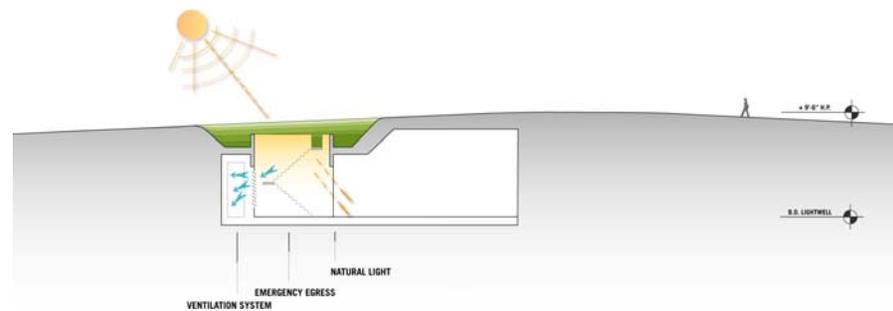
Proposed entry ramp concept with raised grade of existing site



Proposed entry ramp concept at Henry Bacon Drive



Site Section showing proposed roof opening



Detail of roof opening for natural light, ventilation and emergency egress

In addition to site approval, the National Park Service is proposing that the Commission approve design guidelines developed by the Park Service that are specific to constructing the Visitor Center on Site A. The National Park Service proposes that the following design guidelines should accompany the site selection in order to mitigate any otherwise significant effects that the site selection would have upon Site A. A detailed staff analysis of the following National Park Service proposed design guidelines follows in the staff analysis section of this report.

National Park Service's Proposed Design Guidelines

1. The underground building program of approximately 25,000 square feet will fall within an approximate 2.3 acre site boundary limit which, in order to ensure the well being of the historic American Elm trees, is the area defined within the edge of the existing tree canopy along Henry Bacon Drive, Constitution Avenue and 23rd Street.
2. The relationship of hardscape to softscape will be no more than 10% hardscape to 90% softscape of the total site area as defined by the perimeter street curb, including all new pathways, ramps, and entrance plaza, but not including existing sidewalks or hardscape associated with the concession kiosk.
3. The topography of the site will be manipulated in a manner that respects the contouring east of Henry Bacon Drive to a maximum height of 10 feet above existing grade at its highest point within Site A.
4. The entrance to the Center will be via a gradual downward slope.
5. The entry to the building will be oriented toward Henry Bacon Drive, will be able to be seen from the flagpole plaza and will not interfere or encroach upon the views from the Lincoln Memorial.
6. Requirements for building health and safety (emergency exits, ventilation requirements, and devices to allow natural light) will be achieved without using vertical structures penetrating above the grass panel of the finished grade.
7. The bus drop off area now under construction along the west side of Henry Bacon Drive will be utilized to provide access to the Center during non-peak hours. Peak hour bus drop-off will continue to be provided at Daniel French Drive and the south curb of Constitution Avenue between 23rd Street and Henry Bacon Drive. Timed tickets will be used to minimize bus traffic and increase same-day walk up visitation. No bus parking will be permitted at the site.

8. The signalized pedestrian crossing of Henry Bacon Drive at Lincoln Memorial Circle will be utilized as the designated primary route for visitors moving to and from the Center and the flagpole plaza.
9. New trees will be planted as necessary to fill in the missing historic American Elms in the row of trees between the sidewalk and the curb around the perimeter of the site.
10. Night lighting will be configured in a manner that preserves and respects the experience of the adjacent memorials.
11. Placement of the Center should accommodate informal multi-purpose recreational space on portions of the site.
12. No separate service entrance or loading dock will be provided.

PROJECT ANALYSIS

Executive Summary

Staff is recommending approval of Site A with conditions, but does not recommend approval of the applicant's proposed design guidelines. Instead, staff has worked cooperatively with Commission of Fine Arts (CFA) staff to develop design guidelines to be mutually agreed upon by both Commissions in accordance with Public Law 108-128, which authorized the project. Staff finds that the applicant's proposal to raise the existing site grade by as much as 10 feet to accommodate a building that is required by its authorizing legislation to be underground may: 1. Interfere with or encroach upon existing memorials by adversely affecting important views to and from both the Lincoln Memorial and the Vietnam Veterans Memorial; 2. Adversely affect the grounds of the Lincoln Memorial; and 3. Adversely affect the existing active recreation use on the site. The Visitor Center may also have an impact on traffic patterns and pedestrian safety. Further, given the information provided by the applicant about early design concepts for the Visitor Center, staff is concerned about the impacts of lighting emanating from the building and its site during nighttime hours, and the potential impact upon the site's existing trees. These concerns are consistent with staff comments on the site selection Environmental Assessment, and are reflected in the Executive Director's finding of no significant impact for the site selection that requires mitigation measures to be undertaken by the National Park Service in order to reduce significant effects on the environment.

The following discussion covers a number of factors related to the site selection for this project that NCPC staff considers to be of paramount importance both at the site approval stage and at subsequent design review and approval stages.

Views

The Commemorative Works Act requires NCPC to ensure that new commemorative works do not interfere with or encroach upon existing commemorative works. Site A is on the grounds of the Lincoln Memorial and is visible from both the steps and podium of the Lincoln Memorial, and constitutes the foreground of the Lincoln Memorial in views of the memorial from Constitution Avenue. The site is somewhat less visible from the Vietnam Veterans Memorial, but any above-ground construction on the site or raised portions of the site could be visible from that memorial as well. Additionally, the site is visible in peripheral views along both 23rd Street,

NW and Henry Bacon Drive, NW. The applicant proposes to build an underground facility that will rise as much as ten feet above the existing ground plane and be covered with earth and vegetation, and has additional related building elements that may be visible even above the proposed raised site grade. The design concept images included in the submission materials indicate that a long ramped walkway will lead from the sidewalk along Henry Bacon Drive into the site to reach the building entrance. An opening somewhere in the top of the structure will provide daylight, allow for emergency egress and accommodate mechanical ventilation of the underground structure. Any or all of these above-ground elements of the project may be visible from the site's surroundings, affecting views to and from the Lincoln Memorial, the Vietnam Veterans Memorial and along 23rd Street and Henry Bacon Drive. The applicant has indicated that it is too early in the design process to determine the size, location or design of any of these above-ground elements. Therefore it is timely to provide design guidelines that are tailored to keeping the elements outside of such views in order to prevent interference with or encroachment upon existing memorials.



View toward Site A from Lincoln Memorial podium



View toward Site A from Lincoln Memorial steps



View toward Site A from Vietnam Veteran Memorial area



View toward Site A from Constitution Avenue



View along Henry Bacon Drive (Site A at right)

Historic Setting

The Lincoln Memorial is individually listed in the National Register of Historic Places, and the Vietnam Veterans Memorial, Constitution Gardens, the Elms, and views to the Lincoln Memorial along the 23rd Street view shed (among other elements) are contributing elements in the West Potomac Park Historic District. The National Park Service also has completed a Cultural Landscape Report (CLR) for the Lincoln Memorial Grounds that describes the historic and significant features of the Grounds and recommends treatment for their preservation. The CLR, incorporated by reference in the EA, and the National Register nomination are the source for the National Park Service's analysis of the area surrounding the Lincoln Memorial and West Potomac Park. Contributing viewsheds include 23rd Street and Henry Bacon Drive, as well as the east-west axis of the Mall. The Elms and grass panels surrounding the Lincoln are also contributing features, and are described as having a characteristic openness below and inside the perimeter tree canopy.

The Lincoln Memorial and its setting, and views of it from Bacon Drive, Constitution Avenue, from 23rd Street, NW, and from Site A, are of singular importance. The presence of the Vietnam Veterans Memorial and its unique precinct is also a significant component of the historic park. While the uses of the grounds around the Lincoln Memorial changed to some degree during the 20th century, the original landscape design that incorporated a relatively level, grassy setting with a perimeter tree canopy at the street edges has been preserved by the National Park Service.

NPS's Cultural Landscape Report (CLR) for West Potomac Park and the Lincoln Memorial Grounds is a useful management document that describes the planning and evolution of the landscape and its contributing features. Used with the Park Service's National Register documentation for the designation of East and West Potomac Parks, the documents provide valuable analysis of the character of the area and its National Register significance. The current land use of Site A is "active recreation" and the character of the site is open and grassy, with softball fields. At the perimeter, mature elms mark the roadways and each of the parcels surrounding the Lincoln Memorial. One of the two approved food kiosks for the Lincoln Memorial is under construction on the Bacon Drive edge of Site A. The overall uniformity of the treatment of the parcels around the Lincoln Memorial creates a park setting for active and passive recreation at the west end of West Potomac Park and serves as a low, green backdrop for the monumental architectural approach to and presence of the Lincoln Memorial.

The possible introduction of paved areas and changed grades at Site A, even aside from the possibility of built features, will likely alter the visual qualities and character of the historic park, and should be addressed through the development of a design that will avoid or minimize adverse effects to the memorial and park setting.

Lighting

The submission materials indicate that lighting may occur along the entry ramp to the Visitor Center, at its entrance, and may emanate from within the structure through a proposed opening in the top of the building. Such lighting may have an adverse affect upon the environs of the Lincoln Memorial, the Vietnam Veterans Memorial and the National Mall by interfering with or

encroaching upon the views to and from existing memorials in this part of the National Mall. Design guidelines must be tailored to protect existing memorials and the Mall environs from inappropriate light sources.

Existing Recreational Uses of Site A

The site currently contains two active softball fields. A third softball field was removed recently by the Park Service to accommodate construction of a Park Service concession kiosk on the south portion of the site. As a result of the proposed project, the two remaining softball fields on the site will be removed. The applicant states that the site will convert from active to passive recreation, but the location of building elements penetrating the ground plane may adversely affect even multi-purpose recreation on the site. In order for the project not to adversely affect the availability of recreation on Park Service land in the vicinity of the National Mall, the two active softball fields on the site should be relocated to another site nearby and the Visitor Center should be designed to accommodate multi-purpose recreation above-ground on the site.

Traffic and pedestrian safety

The applicant proposes that visitors will approach the Visitor Center from Henry Bacon Drive, crossing Henry Bacon Drive by means of a signalized crosswalk at its intersection with Lincoln Memorial Circle. The District of Columbia Department of Transportation, in its comments on the site selection Environmental Assessment, indicated that it required additional information on potential traffic impacts and also suggested that the National Park Service study an alternative mid-block pedestrian crossing point.

Trees

Site A is surrounded on its perimeter by mature elm trees that are part of the historic grounds of the Lincoln Memorial. Construction of a building on this site will require that heavy construction equipment pass among the trees during the construction period. Additionally, the building will permanently occupy a position within the site. It is imperative that the applicant protect these mature trees during construction and retain them following the construction period, therefore design guidelines should require all construction activity to occur outside of the critical root zone of these historic trees, and the applicant should develop a tree protection plan in accordance with standard construction procedures.

Floodplains

According to the Environmental Assessment submitted by the applicant, a portion of Site A is located within the 500 year floodplain of the Potomac River. The applicant indicates that the building will be positioned outside of this floodplain, but sketches included with this site approval request appear to conflict with that indication.

The NCPC design guidelines address each of the above factors related to siting the Visitor Center on Site A; the design guidelines are also reflected as required mitigation in the Executive Director's finding of no significant impact for the site selection. The design guidelines would mitigate the potentially significant environmental impacts of the site selection described above.

NCPC Staff Analysis of National Park Service's Proposed Design Guidelines

In its submission, the Park Service has also requested approval of its proposed design guidelines. The following staff analysis of the Park Service's proposed design guidelines is based on the project submission, including the Environmental Assessment, comments received on the Environmental Assessment, and the National Park Service response to comments received. For each National Park Service proposed design guidelines below, the staff analysis is followed by the corresponding substitute NCPC design guideline.

Applicant's Proposal:

1. "The underground building program of approximately 25,000 square feet will fall within an approximate 2.3 acre site boundary limit which, in order to ensure the well being of the historic American Elm trees, is the area defined within the edge of the existing tree canopy along Henry Bacon Drive, Constitution Avenue and 23rd Street."

Staff Analysis:

The proposed 2.3 acre site boundary limit is described as "within the edge of the existing tree canopy." Staff agrees that protecting existing elm trees on the site is of paramount importance. Toward this end, staff has conferred with a certified arborist who stated that the edge of the tree canopy is not necessarily coincident with the boundary of the critical root zone of the elm trees on the site. The arborist recommended the development of a tree protection plan specific to the project site, and that the construction boundary limits should be dictated by the tree protection plan. This advice is reflected in staff's recommended design guidelines for the site selection. Instead, staff recommends NCPC design guideline #11.

Applicant's Proposal:

2. "The relationship of hardscape to softscape will be no more than 10% hardscape to 90% softscape of the total site area as defined by the perimeter street curb, including all new pathways, ramps, and entrance plaza, but not including existing sidewalks or hardscape associated with the concession kiosk."

Staff Analysis:

The applicant proposes to measure the amount of allowable hardscape on the site using an area "defined by the perimeter street curb." The applicant further indicates that the area "defined by the perimeter street curb" is 5.2 acres in size. Ten percent of this area would be .52 acres or 21,780 square feet. Staff finds this amount of hardscape to be far in excess of that required for visitors to enter and exit an underground building on this site, even with that same hardscape area sized to accommodate service vehicles. Based on the limited amount of design information that the applicant has provided, staff finds that the required amount of paved area required to accommodate visitor entry and exit and service vehicle access would be somewhere between one percent and one and one-half percent of the site area, or between 2178 square feet and 3267 square feet. Instead, staff recommends NCPC design guideline #7.

Applicant's Proposal:

3. "The topography of the site will be manipulated in a manner that respects the contouring east of Henry Bacon Drive to a maximum height of 10 feet above existing grade at its highest point within Site A."

Staff Analysis:

Upon receipt of the submission materials, staff asked the applicant to further clarify the meaning of this proposed design guideline. Staff asked the applicant to indicate at what point the site was likely to be raised as much as 10 feet above grade, and the applicant indicated that it is too early in the design phase to provide such information. Because it is unclear what effect this design guideline would have on the existing site, including the affect upon views to and from the Lincoln and Vietnam Veterans Memorials that could result in interference with or encroachment upon existing memorials, staff is unable to recommend this design guideline to the Commission. Staff is recommending instead that the applicant use the existing site grade as much as possible during design development of this underground building. Instead, staff recommends NCPC design guideline #3.

Applicant's Proposal:

4. "The entrance to the Center will be via a gradual downward slope."

Staff Analysis:

Staff is concerned that such a downward slope may result in adverse effects upon the historic nature of Site A and interfere with and encroach upon views to and from both the Lincoln and Vietnam Veterans Memorials. Staff is recommending that the Commission approve Site A with design guidelines that address the potential impacts that entering the Visitor Center "via a gradual downward slope" might otherwise have upon the site. Instead, staff recommends NCPC design guidelines #1, 2, 3, 6, 7, and 11.

Applicant's Proposal:

5. "The entry to the building will be oriented toward Henry Bacon Drive, will be able to be seen from the flagpole plaza and will not interfere or encroach upon the views from the Lincoln Memorial."

Staff Analysis:

While the applicant indicates that views between the Visitor Center and the flagpole plaza of the Vietnam Veterans Memorial are important to the purpose and need of the project, the legislation authorizing the project does state the requirement in this way, but does require NCPC to protect the Vietnam Veterans Memorial from interference and encroachment. Staff is recommending that the Center be only minimally visible from the environs of the Vietnam Veterans Memorial in order to protect the memorial from interference and encroachment. Instead, staff recommends NCPC design guidelines #1, 2, 7, 9, and 11.

Applicant's Proposal:

6. "Requirements for building health and safety (emergency exits, ventilation requirements, and devices to allow natural light) will be achieved without using vertical structures penetrating above the grass panel of the finished grade."

Staff Analysis:

Staff concurs with the applicant's determination to minimize penetrations for vertical structures above the finished grade of the site, but notes that the design for the building has not yet been sufficiently documented for staff to concur with the specific design approach proposed. Staff is therefore recommending that modifications to the existing site grade be kept to a minimum and that any building elements that penetrate or are visible through the ground plane be designed to avoid interference with or encroachment upon views to and from the Lincoln and Vietnam Veterans Memorials. Instead, staff recommends NCPC design guidelines #1, 2, 3, 4, 5, 6, and 14.

Applicant's Proposal:

7. "The bus drop off area now under construction along the west side of Henry Bacon Drive will be utilized to provide access to the Center during non-peak hours. Peak hour bus drop-off will continue to be provided at Daniel French Drive and the south curb of Constitution Avenue between 23rd Street and Henry Bacon Drive. Timed tickets will be used to minimize bus traffic and increase same-day walk up visitation. No bus parking will be permitted at the site."

Staff Analysis:

Staff concurs with the applicant's recommendation not to provide additional bus parking at the site. This design guideline is represented in NCPC design guideline #8.

Applicant's Proposal:

8. "The signalized pedestrian crossing of Henry Bacon Drive at Lincoln Memorial Circle will be utilized as the designated primary route for visitors moving to and from the Center and the flagpole plaza."

Staff Analysis:

Staff notes that the District Department of Transportation (DDOT) provided comments on the Environmental Assessment that included concerns about the project's impacts on traffic circulation, the adequacy of some of the information contained within the Environmental Assessment transportation section, and a suggestion that the applicant study an alternative pedestrian crossing point mid-block along Henry Bacon Drive. To address DDOT's concerns, staff is recommending that street crossings be positioned and designed to address effectively any potential impacts on traffic and to ensure pedestrian safety. Instead, staff recommends NCPC design guideline #10.

Applicant's Proposal:

9. "New trees will be planted as necessary to fill in the missing historic American Elms in the row of trees between the sidewalk and the curb around the perimeter of the site."

Staff Analysis:

Staff supports additional elm trees being planted between the sidewalk and the curb around the perimeter of the site provided that they are planted in accordance with the Park Service's Cultural Landscape Report for the Lincoln Memorial and its grounds. Instead, staff recommends NCPC design guidelines #11 and 12.

Applicant's Proposal:

10. "Night lighting will be configured in a manner that preserves and respects the experience of the adjacent memorials."

Staff Analysis:

Staff has significant concerns that the project's night lighting may interfere with or encroach upon views to and from the Lincoln Memorial and Vietnam Veterans Memorial. Submission materials indicate that two types of lighting may become part of the project during the design phases: site lighting, and interior lighting that may emanate from within the Visitor Center through openings in the roof and in the building's entrance. In order to protect views to and from the Lincoln Memorial and Vietnam Veterans Memorial from interference or encroachment by site lighting, it is imperative that light emanating from within the Center not be visible in views to and from the Memorials, and that site lighting for the project be unobtrusive within these viewsheds. Instead, staff recommends NCPC design guidelines #4, 5, and 6.

Applicant's Proposal:

11. "Placement of the Center should accommodate informal multi-purpose recreational space on portions of the site."

Staff Analysis:

Placement of the Center on Site A will require removing two softball fields currently in use on the site. A third softball field previously on the site was removed for the construction of a National Park Service concession kiosk. The submission materials indicate that the site will revert to multi-purpose recreational use after the Center is constructed. The submission materials also indicate that the Center's design may include above-ground elements located within recessed areas of the site that have the potential to impact the physical function of the site for multi-purpose recreation. Recreational uses of Site A have been and continue to be recognized as important uses on the National Mall and in West Potomac Park. Siting the Visitor Center on Site A has the potential to significantly impact recreational uses on the site. The location and design of the Center should be developed such that it does not result in above-ground elements that adversely affect use of the site for multi-purpose recreation. An above-ground or recessed building element that is positioned to divide the site into multiple smaller sites may have an adverse impact upon accommodating multi-purpose recreation at the site. Instead, staff recommends NCPC design guideline #13, and recommends that the Commission require the two softball fields lost as a result of the project's siting be replaced on a site within ½ mile of Site A in accordance with the mitigation required in the Executive Director's finding of no significant impact.

Applicant's Proposal:

12. "No separate service entrance or loading dock will be provided."

Staff Analysis:

Staff concurs with this design guideline and recommends that the Commission require any service entrance to be coincident with the visitor entrance to the Center. This design guideline is represented in NCPC design guidelines #8 and 9.

The NCPC design guidelines associated with each of the staff responses above would mitigate otherwise potentially significant environmental effects of the applicant's selection of Site A for the Visitor Center. Each of the design guidelines is reflected in mitigation required under the Executive Director's finding of no significant impact for the site selection phase of the Visitor Center project.

CONFORMANCEAuthorizing Legislation

The Vietnam Veterans Memorial Visitor Center is authorized by Public Law 108-126, which also amends the Commemorative Works Act by establishing a Reserve within which no new commemorative works may be located. The Act also excepts the Vietnam Center from this requirement, and permits it to be located on federal land at or near the Vietnam Veterans Memorial in the District of Columbia or its environs. The Act provides that the National Capital Planning Commission (NCPC) and the Commission of Fine Arts (CFA) may adopt such design guidelines for the project as are mutually agreed upon; and requires that the project be built underground, landscaped appropriate to its setting, and built to the minimum size necessary to support its mission. With the design guidelines that NCPC specifies here, the site for the project is in conformance with the statute.

Other Provisions of the Commemorative Works Act

The Commemorative Works Act provides that NCPC and CFA have approval authority over site selection and design of the Vietnam Veterans Memorial Visitor Center, and requires NCPC, in considering site proposals for commemorative works, to ensure that the proposed work "shall be so located as to prevent interference with, or encroachment upon, any existing commemorative work and to protect, to the maximum extent practicable, open space and existing public use." With the design guidelines that NCPC specifies here, the project is in conformance with the Act.

Comprehensive Plan for the National Capital

The following policies from the August 5, 2004 update of the Federal Elements of the Comprehensive Plan for the National Capital apply to the Visitor Center project. Some of these policies are in conflict with the project's authorizing legislation where the legislation allows, but does not require the project to be sited in the Reserve. Other policies are met only if the Park Service complies with the NCPC design guidelines included in the recommendation for

Commission action above, which are also required as mitigation in the Executive Director's finding of no significant impact for the site selection phase of the Visitor Center project.

Parks and Open Space Element

Preservation and Maintenance Policies, p. 104

The federal government should:

1. Enhance parks and preserve open green space for future generations.

Parks and Landscapes Policies, p. 109 (Monumental and Designated Landscape Parks)

The federal government should:

4. Enhance the great cross-axes of the National Mall, and protect them from inappropriate development.
5. Use monumental parks and landscapes to provide settings for public buildings, monuments, and memorials, and to create special environments for limited activities.
8. Maintain East and West Potomac Park as an extension of the Mall, as a valuable recreational open space, and as a space that can be used for outdoor cultural events, gatherings, and celebrations.

Parks and Landscapes Policies, p. 112 (Historic Parks)

The federal government should:

1. Establish and preserve historic parks as important legacies of national, historic, architectural, and landscape significance.

Preservation and Historic Features Element

National Capital Image Policies, p. 161

The federal government should:

2. Plan carefully for appropriate uses and compatible design in and near the monumental core to reinforce and enhance its special role in the image of the nation's capital.
4. Protect and enhance the vistas and views, both natural and designed, that are an integral part of the national capital's image.
8. Design exterior lighting to contribute to the capital's nighttime image and suggest an appropriate hierarchy among the symbols and features of the nation's capital.

Stewardship of Historic Properties, p. 164

The federal government should:

1. Sustain exemplary standards of historic property stewardship.
2. Identify and protect its historic properties and disseminate information about their significance to the public.
5. Identify and protect both the significant historic design integrity and the use of historic landscapes and open space.
6. Protect the settings of historic properties, including views to and from the sites where significant, as integral parts of the historic character of the property.
11. Ensure that new construction is compatible with the qualities and character of historic buildings and their settings, in accordance with the Secretary of the

Interior's Standards for the Treatment of Historic Properties and the Guidelines for Rehabilitating Historic Buildings.

13. Work cooperatively with local agencies to ensure that development adjacent to historic properties [does] not detract from their historic character.

The Historic Plan of Washington, D.C., p. 166

The federal government should:

1. Develop the monumental core in accordance with the principles of the *Legacy Plan* and the policies of the *Memorials and Museums Master Plan*. The National Mall's historic open space and monumental character should be respected and preserved for the benefit of future generations.

Visitors Element

Federal Visitor Attractions

The federal government should:

1. Support the location of information kiosks and visitor centers at federal facilities and at appropriate locations throughout the monumental core (in accordance with the Commemorative Works Act) and beyond.

National Capital Urban Design and Security Plan

The Commission's policies on Urban Design and Security discourage locating physical perimeter security elements in public space. Although the proposed site selection for the Vietnam Veterans Memorial Visitor Center does not yet indicate whether perimeter security will be required for this project, staff notes that to comply with the Commission's policies, the building should be designed to preclude the need for physical perimeter security elements. The imposition of such elements upon the historic landscape of Site A would adversely affect views and could adversely affect public use of the space. See NCPC design guideline #14.

Memorials and Museums Master Plan

NCPC's *Memorials and Museums Master Plan* identifies and describes sites that are appropriate for locating future commemorative works. Although Site A is not a candidate site in the *Memorials and Museums Master Plan*, the Visitor Center's authorizing legislation allows, but does not require the project to be located in the Reserve.

National Environmental Policy Act (NEPA)

The Commission's Environmental and Historic Preservation Policies and Procedures, adopted by the Commission in April 2004 after consultation with the President's Council on Environmental Quality (CEQ), require an environmental document (Environmental Assessment or Environmental Impact Statement) at the site selection stage and subsequent stages for all Commemorative Works. NPS has submitted an EA to meet this requirement.

The National Park Service completed an Environmental Assessment (EA) for the site selection phase of the project on May 24, 2006 and circulated the EA for 30 days for public comment. NCPC was a cooperating agency in the development of the EA. The Park Service received comments from nine parties, including comments submitted by NCPC staff. In the EA, the Park Service studied three alternatives: locating the Center on Site A; locating the Center on Site G bounded by Constitution Avenue, 23rd Street, Lincoln Memorial Circle, and the Rock Creek and Potomac Parkway; and a no action alternative. Based on the purpose and need for the project and the relative potential impacts of the three alternatives, the Park Service selected Site A as its preferred alternative.

The EA has provided additional useful information to guide the staff in its review and development of recommendations for this project. NCPC staff does not concur with the Park Service's determination that the NPS proposed design guidelines will mediate the significant impacts of locating the Visitor Center on Site A; instead, NCPC has developed design guidelines cooperatively with CFA staff to be mutually agreed upon by both Commissions. NCPC's Executive Director has determined that the Center could be sited upon Site A with no significant impacts provided that the applicant completes mitigation measures required in the Executive Director's finding of no significant impact. These mitigation measures are the same as the design guidelines developed by NCPC and CFA staff. Without these mitigation measures, significant impacts may result from the site selection. The mitigation measures are also consistent with NCPC staff comments on the EA that are attached to this report.

Site G

Site G is also located on the grounds of the Lincoln Memorial in a parcel located northwest of the Lincoln Memorial across Lincoln Memorial Circle and west of 23rd Street, NW. The Park Service found that Site G could accommodate the Visitor Center, but that its location would be relatively more remote from the Vietnam Veterans Memorial and the bus drop-off area currently under construction along Henry Bacon Drive, rendering it less able to meet the project's purpose and need. Additionally, the Park Service considered Site G more likely to result in vehicle/pedestrian conflicts, and in conflicts between Visitor Center patrons and recreational users of Site A, among other factors. NCPC staff has assessed the environmental analysis in the EA for Site G and the public comments on the EA, which have helped to inform our recommendations.

No Action Alternative

As required by the National Environmental Policy Act, the applicant's environmental assessment for the Vietnam Veterans Memorial Visitor Center included a no action alternative. The environmental assessment states that the no action alternative would not satisfy the purpose and need of the applicant's proposed project, and NCPC accepts this analysis.

National Park Service Preferred Alternative

The National Park Service has selected Site A as its preferred alternative, indicating that Site A best accommodates the purpose and need of the project with minimal impacts on the environment. NCPC staff has found that the selection of Site A for the project would result in

moderate to potentially significant impacts unless the applicant undertakes specific mitigation measures outlined in the executive director's finding of no significant impact and reflected in the required design guidelines outlined as part of the executive director's recommendations.



Sites A and G

National Historic Preservation Act (NHPA)

NPS initiated Section 106 consultation with the D.C. State Historic Preservation Officer (DC SHPO) on February 17, 2005, requesting comments on the Site Selection Study and Environmental Analysis for the proposed Center. The SHPO responded in writing on March 14, 2005, encouraging a “measured, balanced, and inclusive consultation process.”

On April 27, 2005, NPS invited interested parties and potential consulting parties to an informational meeting on May 3, 2005. NPS held a further scoping meeting on June 23, 2005. The National Capital Memorials Advisory Commission also heard from members of the public at its meetings in the spring of 2005.

On May 24, 2006, the Environmental Assessment was distributed to interested parties, some of whom commented in writing. The National Trust for Historic Preservation, the National Coalition to Save Our Mall, the Advisory Council on Historic Preservation, and interested individuals provided comments that NCPC staff used in its review of the site selection.

Under the Commission's Environmental Policies and Procedures, the applicant must take early regulatory steps in the Advisory Council's regulations for Section 106 compliance, specifically to identify consulting parties to the extent possible, to establish a plan for involving the public as

consultation continues and evolves, and to identify historic properties in the vicinity of the proposed site or sites. NPS's 2006 EA for the proposed memorial site, and its East and West Potomac Parks Historic District National Register nomination and its Cultural Landscape Report (CLR) for the Lincoln Memorial Grounds, identify the historic properties in the vicinity. NPS has identified consulting parties to date, and invited the parties to participate in introductory meetings in 2005 and to comment on the EA. NPS plans to consult with parties as the project continues.

The staff encourages NPS--in consultation with the DC SHPO, the Advisory Council on Historic Preservation, the Commission, and the other consulting parties—to proceed with Section 106 consultation as soon as possible to complement the development of a concept design.

CONSULTATION

Coordinating Committee

The Coordinating Committee reviewed an earlier version of the proposal on September 14, 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 District Department of Transportation; the Department of Housing and Community Development; the Fire Department; the General Services Administration; the National Park Service; and the Washington Metropolitan Area Transit Authority.

Commission of Fine Arts

On September 15, 2005, the Commission of Fine Arts (CFA) reviewed the request for approval of Site A and gave the site conditional approval, noting that CFA would with continued consideration of the proposed project on the site on the condition that further architectural development of the building and its program would “continue consideration of the proposed project on the site conditional on further architectural development of the building and its program to demonstrate how the complex difficulties of Site A can be addressed in a satisfactory way.” CFA also expressed “great concern about problems inherent to the site due to its proximity to the Lincoln Memorial.” CFA specifically outlined the following concerns:

- The concept of entering a subterranean interpretive center by long ramps inappropriately similar to and detracting from the experience of the Vietnam Veterans Memorial itself.
- An underground facility is not the same as one that has been merely bermed and covered with soil.
- A half-buried structure mounded with earth would have an impact on the Lincoln Memorial and its grounds.
- The technical requirements of underground buildings always required vertical penetrations and appurtenances above the ground plane.

- Given the need for excessively long ramps to serve an underground structure on the site, a better solution might be to create a small entry pavilion to provide access to the facility from the existing grade.

CFA stated that its conditional approval was “pending the presentation of a convincing solution that detracts from neither the setting for the Lincoln Memorial nor the experience of the Vietnam Veterans Memorial.”

Public Law 108-126 provides that NCPC and the Commission of Fine Arts may require design guidelines for this project, as mutually agreed upon by both commissions. The design guidelines specified in the recommendation for Commission action above were developed cooperatively by NCPC and CFA staffs for adoption by both commissions under mutual agreement.