

STAFF RECOMMENDATION

Michael Sherman

NCPC File No. 6597



VIETNAM VETERANS MEMORIAL VISITORS CENTER

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

November 29, 2007

Abstract

The National Park Service, on behalf of the Vietnam Veterans Memorial Fund, has submitted a concept design for the Vietnam Veterans Memorial Visitors Center. The Visitor Center's site is on the northern grounds of the Lincoln Memorial, a site approved conditionally by the Commission on August 3, 2006. The site is currently in use as active recreation space and contains two softball fields and a National Park Service concession facility. The Vietnam Veterans Memorial Visitor Center is authorized by Public Law 108-126.

Commission Action Requested by Applicant

Approval of comments on concept design pursuant to Public Law 108-126 and the Commemorative Works Act (40 U.S.C. 8905).

Executive Director's Recommendation

The Commission:

Previously approved on August 3, 2006 "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."

Comments favorably on the design elements of the proposed Visitor Center that meet the following mitigation actions established by the Commission at site approval:

- “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 not interfere with or encroach upon the Vietnam Veterans Memorial.” (#2)
- “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.” (#3)
- “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.” (#7)
- “The project will not include new vehicle parking areas.” (#8)
- “The Visitor Center will have a single entrance for both visitors and service.” (#9)
- “The project will place new landscaping on the site in accordance with the National Park Service’s Cultural Landscape Report (CLR) 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.” (#12)

Comments unfavorably on the design elements of the proposed Visitor Center that do not meet the following mitigation actions established by the Commission at site approval **and requires** the applicant to modify the project design to meet them:

- “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 view sheds of 23rd Street, NW and Henry Bacon Drive, NW.” (#1)

While the submission materials depict that the building is to be built underground, they also depict that some building elements are visible from the Lincoln Memorial steps and podium, from Constitution Avenue, and from within the axial view sheds of 23rd Street, NW and Henry Bacon Drive, NW. Project design revisions should reduce the scale of building openings and the protrusion of building elements that are visible from these areas.

- “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.” (#5)

The submission materials depict that the building’s exhibit walls with skylights and sunken courtyard areaway are visible from the sidewalk surrounding the site. Project design revisions should ensure that these elements are not visible from the surrounding sidewalks.

Finds that there is not enough information to evaluate whether the design elements of the proposed Visitor Center meet the following mitigation actions established by the Commission at site approval **and requires** that the applicant provide further information on and analysis of these design elements prior to or during the preliminary design phase:

- “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.” (#4)

and

- “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.” (#6)

The applicant has not yet designed the project lighting. Project lighting should be designed to meet these mitigation actions.

- “The Visitor Center’s associated pedestrian street crossing points will be designed to address traffic impacts effectively and to protect pedestrian safety.” (#10)

The applicant has not yet designed the project’s pedestrian crossing points. Project pedestrian crossing points should be designed to meet this mitigation action.

- “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.” (#11)

The applicant has not yet demonstrated the actual location of the critical root zone of existing elm trees. Project materials should include a survey of the critical root zone to demonstrate how the project will meet this mitigation action.

- “The Visitor Center design will not impede the use of the site for multi-purpose recreation on the site.” (#13)

While the submission states that an estimated 40% percent of the site will be available for multi-purpose recreation, the configuration of the space changes the nature of the landscape and limits the types of activities that can be accommodated on the site. Project materials should depict what types of recreation activities can be accommodated on the site to meet the mitigation action.

- “The Visitor Center will be designed without guardrails or perimeter security elements.” (#14)

The submission states that the Visitor Center will be designed without guardrails or perimeter security elements. Project materials should demonstrate in greater detail how the sloped areas will eliminate the need for guard rails while ensuring pedestrian safety.

- “**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.” (#15)

While NPS has indicated that it will seek to restore active recreation ball fields in the vicinity of the polo grounds located in West Potomac Park, NPS has not yet provided detailed information on this approach. Project materials should depict where these ball fields will be located in order to meet the mitigation action.

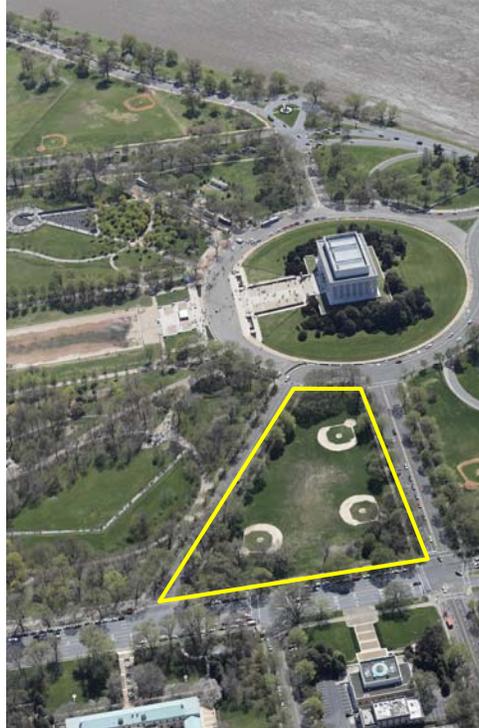
Notes the importance of the Commission’s consultation process **and recommends** that the applicant continue to meet with staff for consultation during the development of preliminary and final design phases to facilitate the Commission’s review of the project under its statutory review and approval process.

* * *

PROJECT DESCRIPTION

Site

The proposed 5.2 acre site is located on the grounds of the Lincoln Memorial at the west end of the National Mall. It 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. 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 the central portion of the site to construct the Vietnam Veterans Memorial Visitor Center (Center) of 34,100 gross square feet and a building footprint of 26,642 square feet.



Proposed site prior to removal of softball field

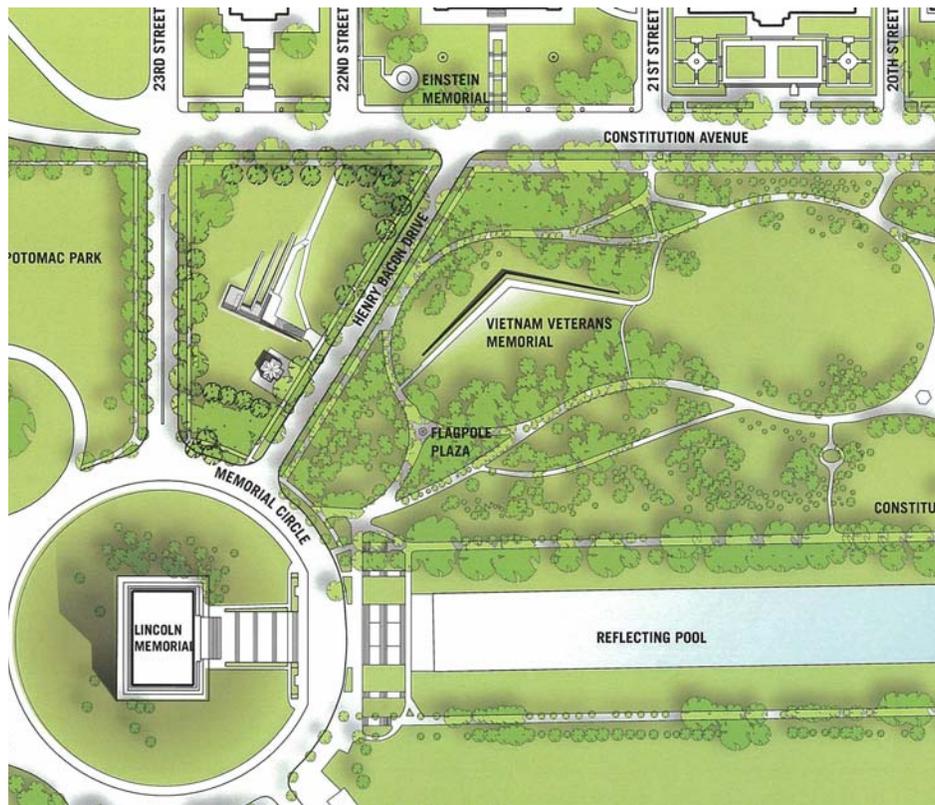


Proposed site

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.



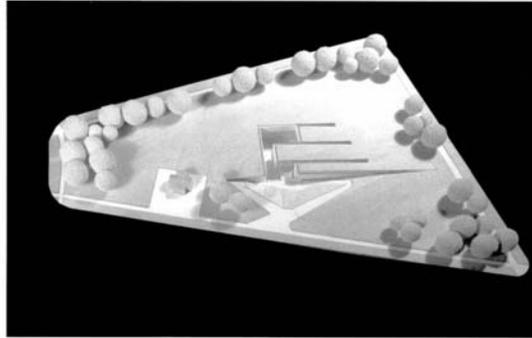
Site with below grade profile outline of Visitor Center



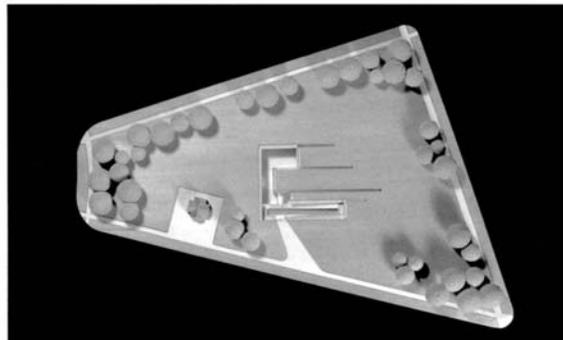
Visitor Center proposed site plan

Background

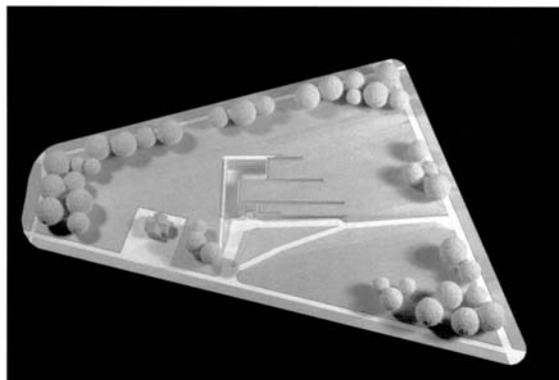
The Commission approved the site for the Vietnam Veterans Memorial Visitor Center, on August 3, 2006 conditioned upon the implementation of mitigation measures necessary to reduce the otherwise significant impacts of the proposed action indicated in the Executive Director's Finding of No Significant Impact (FONSI). The National Park Service (NPS) included information on three alternative designs (A, B, and C depicted below) in the submission materials. The Park Service submitted a variation of NPS Alternative C for Commission review and comment at the concept design phase.



NPS Alternative A



NPS Alternative B



NPS Alternative C

The following timeline details key events in the review process for this project since June, 2006:

August 3, 2006	NCPC conditionally approves the site contingent upon NPS meeting the design guidelines jointly developed with the U.S. Commission of Fine Arts (CFA) that also serve to mitigate the otherwise significant impacts of the project on the site.
June 7, 2007	NPS presents three alternative concept designs to NCPC during information presentation.
September 12, 2007	NPS hosted additional Section 106 meeting with consulting parties to review development proposals for the approved site.
October 18, 2007	CFA approves Concept Design with comments and conditions.
October 24, 2007	NPS hosted additional Section 106 meeting with consulting parties to review development proposals for the approved site.

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 requires 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) of the Commemorative Works Act to state that NCPC and CFA may develop site specific criteria or guidelines for commemorative works that are mutually agreed upon.



The Reserve

Both NPS and NCPC have obligations under National Environmental Protection Act (NEPA) and National Historic Preservation Act (NHPA) for environmental review of the project site selection and design. .

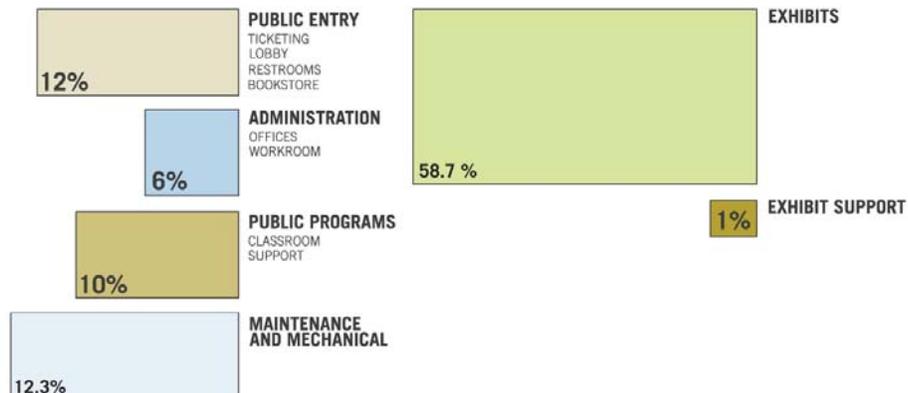
Concept Design Description

The National Park Service, on behalf of the Vietnam Veterans Memorial Fund, proposes to construct a 34,100 square foot Visitor Center for the Vietnam Veterans Memorial 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.

The NPS expects the Center will serve more than 1.5 million visitors annually. The architecture and exhibits are designed to be as integrated as possible so that visitors are enveloped within an all encompassing environment. The building and content are planned to be unified into a single and simple concept of layered transparent walls. Exhibit themes are organized into the following layers: “Making the Names Visible, The Wall Collection, and The History Timeline.”

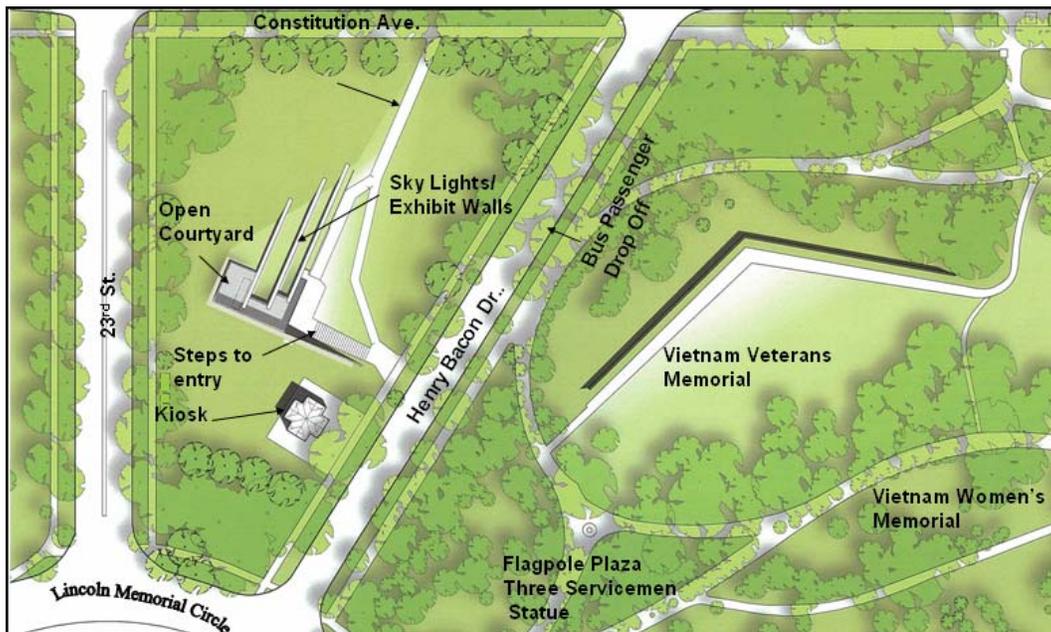
According to the NPS, the Center will have the following major building program elements:

Operating Schedule:	362 days annually (closed on New Years Day, Thanksgiving, Christmas)
Operating Hours:	9:00 a.m. – 4:45 p.m.
Controlled Facility/Ticketed:	Yes (no fee)
Type of Experience:	Linear – Enter one side and exit the other
Average Annual Attendance at Memorial:	4,400,000 persons
Expected Annual Attendance at Center:	1,500,000 persons
Design Day Attendance (accommodates 90% of demand):	8,634 persons
Peak Hour Arrivals and Departures	1,166 persons
Average Length of Stay	40 minutes
Instantaneous Capacity Requirement	777 persons
Gross Area of Exhibit Space Required (at 25.7 sf/person, includes circulation)	19,971 square feet (round to 20,000 square feet)
Support Space Required (1.35 net to gross)	9,900 square feet
Public Entry & Amenities	
Administrative Offices	
Public Programs (classrooms & support)	
Exhibit Support	
Maintenance	
Building Systems	4,200 square feet
Total Program Area	34,100 GSF



Expected Attendance and Program Areas

The applicant proposes that the entry facing Henry Bacon Drive would be reached by a 100 foot step/walkway and via a 280 foot sloping walkway from Constitution Avenue. Service access would be coincident with the building entry. A rooftop opening of an estimated 3,200 square feet would be recessed below the existing site grade and accommodate skylights, emergency egress stairs, and fresh air intake and air exhaust systems. The NPS proposes removing the remaining softball fields on the site and states that the remaining undeveloped portions of the site would be used for multi-purpose recreational activities. The building footprint is 26,642 square feet and the gross square feet is 34,100.

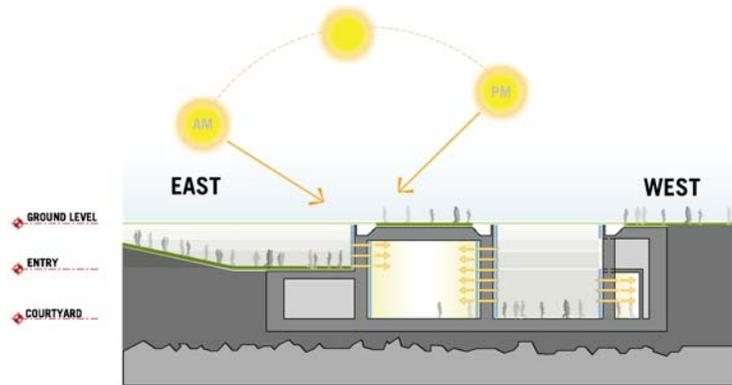


Site plan

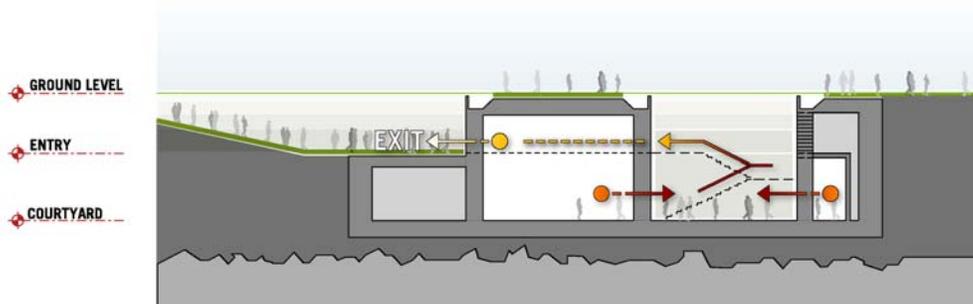


View of entry from Henry Bacon Drive

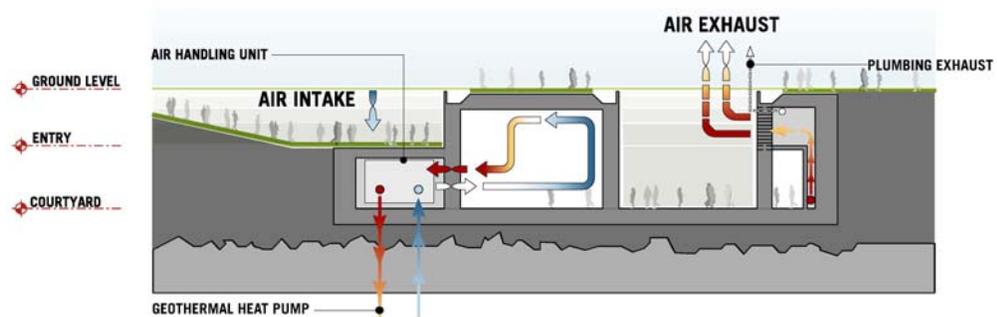
NPS proposes accommodating bus parking in the bus parking lane recently constructed along the north curb of Henry Bacon Drive. Pedestrian crossing between the Visitor Center and the Vietnam Veterans Memorial would occur at the intersection of Henry Bacon Drive and Lincoln Memorial Circle. No new vehicular parking is proposed as part of the concept design.



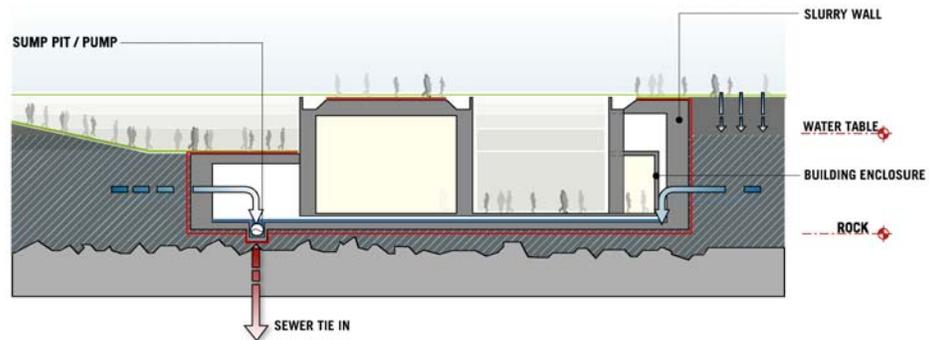
Detail of roof opening for natural light



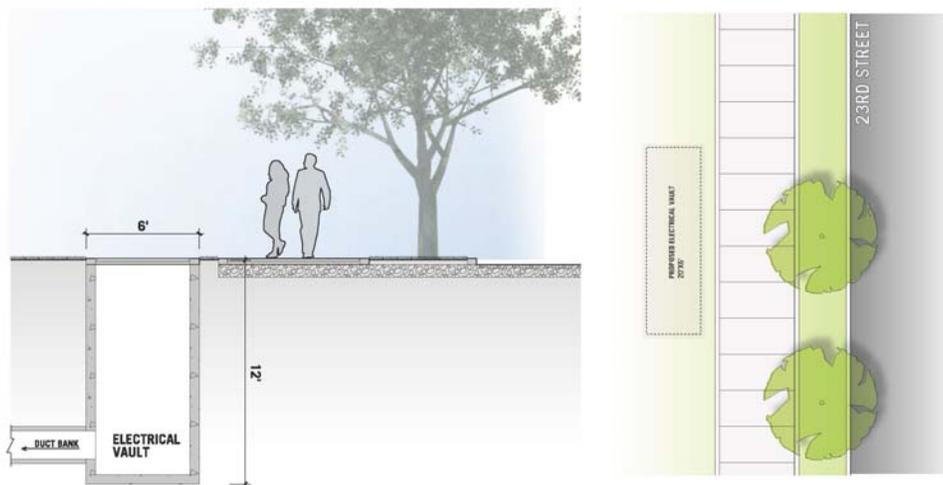
Site section showing proposed courtyard and egress



Site section showing proposed mechanical ventilation



Site section showing proposed slurry wall



Concept design proposal for electrical vault

The applicant proposes restoring trees based on the NPS Design Cultural Landscape Report (CLR) for the Lincoln Memorial Grounds. The applicant has studied four site circulation patterns to determine likely pedestrian patterns to the site and proposed entry.

PROJECT ANALYSIS

Executive Summary

NCPC conditionally approved the site in August 2006. In order for NCPC to issue a FONSI for site selection, NCPC, mutually with the Commission of Fine Arts (CFA), developed the

following design guidelines that also mitigate the otherwise significant impacts of the Visitor Center on the site.

NCPC Design Guideline/Required Mitigation:

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 view sheds of 23rd Street, NW and Henry Bacon Drive, NW.

NPS Concept Design Proposal Description:

The entire Visitor Center is designed to be underneath the level of existing grade. The roof of the structure is planted with grass so that the building exists underground. Since the design concept is based on maintaining existing grade, there are minimal if any disruptions to the historic axial view shed along Henry Bacon Drive and 23rd Street. Likewise, the views from the Lincoln Memorial steps and podium are minimally affected. Each of these view sheds have, to the best of the design team's ability, been simulated and depicted for review by the commissions.

Staff Analysis:

While the submission materials depict that the building is to be built underground, they also depict that some building elements are visible from the Lincoln Memorial steps and podium, from Constitution Avenue, and from within the axial view sheds of 23rd Street, NW and Henry Bacon Drive, NW. Project design revisions should reduce the scale of building openings and the protrusion of building elements that are visible from these areas.



View from Lincoln Memorial Steps



View from 22nd Street



View from corner of 23rd Street and Constitution Ave.



View from corner of Henry Bacon Drive looking south.

NCPC Design Guideline/Required Mitigation

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.

NPS Concept Design Proposal Description:

The view simulation studies included with this submission address the visibility of the Visitor Center from the pathways of the Vietnam Veterans Memorial. Due to the heavy foliage, the traffic on Henry Bacon Drive, the bus drop off, and the shear distance between the Memorial and the Visitor Center's entrance, there is little visibility of the Center at all. In addition, the downward sloping ramp at the Memorial has a resultant effect of lowering visitor sight lines, making any view to the Center across the street from the Memorial virtually impossible.

Staff Analysis:

Staff concurs that the exhibit walls are minimally visible from the Vietnam Veterans Memorial.



View from Vietnam Memorial flagpole looking west

NCPC Design Guideline/Required Mitigation:

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.

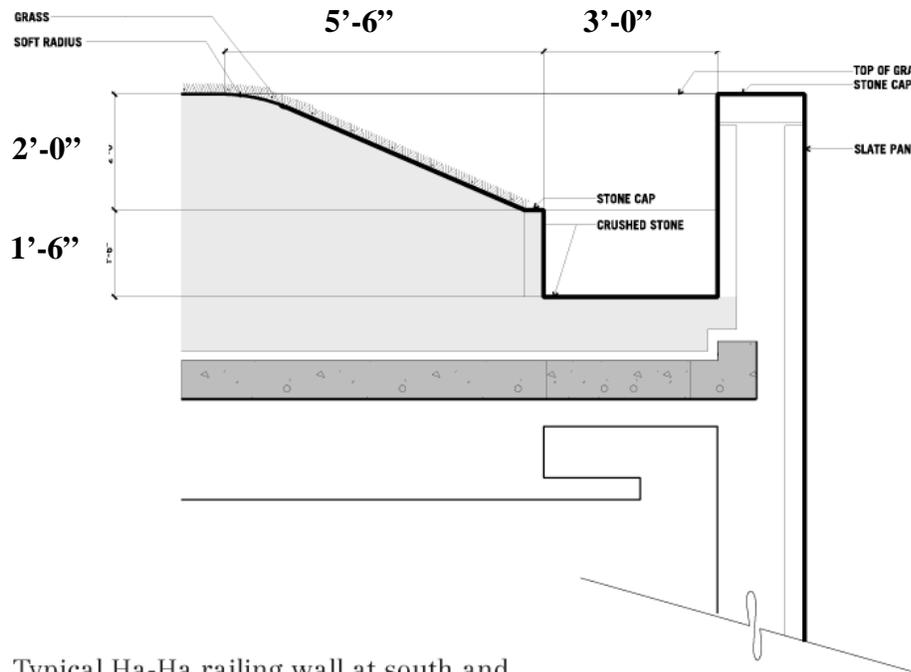
NPS Concept Design Proposal Description:

The design concept of the center is based on maintaining the existing grade, generally described as the plane formed by the series of level lines between the two opposite east-west elevations of existing sidewalk along 23rd Street, NW and Henry Bacon Drive. The project does not propose to raise existing grade, but instead incorporates only gradual slopes downward, which are related either to the approach to the center's entry, or as a result of the need for "ha-ha" earth berms to shield views of guard walls around the courtyard area. Gentle transitions between the flat planes of grass and sloped ones will be incorporated into the design concept. The slope into the existing grade is gradual, providing universal access without the need for extensive ramps. All sloped

grades are limited to a maximum incline of 2 units horizontal to 1 unit vertical to accommodate lawn area.

Staff Analysis:

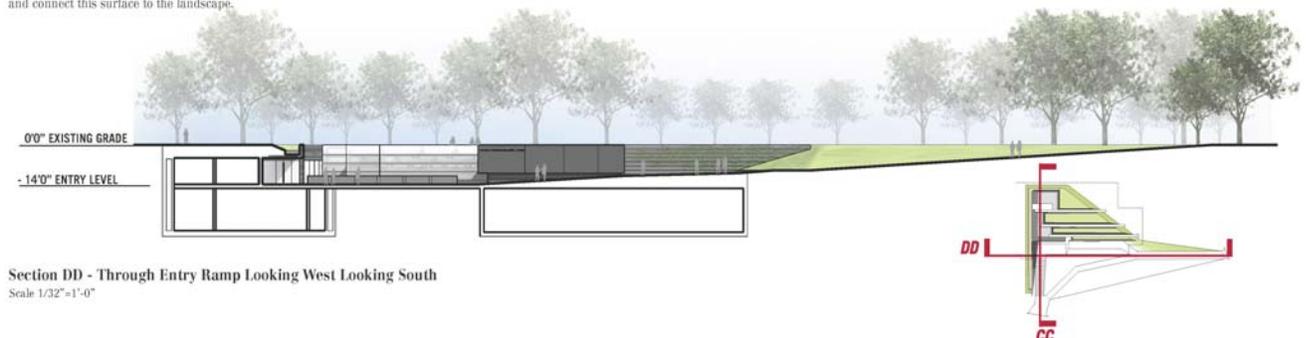
Staff concludes that the concept design maintains the existing grade. The entry is 14' below the existing grade with the courtyard floor at 31' below grade.



2

Typical Ha-Ha railing wall at south and west edges of courtyard

and connect this surface to the landscape.



Section DD - Through Entry Ramp Looking West Looking South
Scale 1/32"=1'-0"

Site section depicting existing grade



View of Entry from Henry Bacon Drive

NCPC Design Guideline/Required Mitigation:

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.

NPS Concept Design Proposal Description:

The design concept has been configured such that no substantial area of directly illuminated surfaces is within the critical sightlines as described within the mitigating guidelines. The majority of the surfaces of the Center which face the Lincoln Memorial are opaque, and therefore little, if any, light spill is anticipated. Views from the Vietnam Veterans Memorial to the site are extremely limited, particularly due to the tree cover, distance, and low viewing angles from the sloping ramps. Likewise, the majority of the sidewalk length along Constitution Avenue does not afford a view of any vertical glass surfaces of the project. In addition, the interior lighting level of the Center is intended to be quite low to accommodate the exhibits, and as a result, little light is expected to be transmitted through transparent or translucent glass surfaces.

Full compliance of this mitigation will be presented in more detail during design development when a lighting concept for the interior space has been developed, and evening lighting conditions at the site have been studied and can be simulated. It is not the intent to have the Center open after dark.

Staff Analysis:

The interior lighting has not been designed. Staff concludes that additional environmental analysis is required to adequately assess the impact of interior lighting that may emanate from the Center. Staff has concerns that potential lighting that will emanate internally from exhibit walls will impact the Lincoln and Vietnam memorials. Any lighting that may occur along the entry ramp to the Visitor Center, at its entrance, or may emanate from within the structure through the courtyard in the top of the building 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.

NCPC Design Guideline/Required Mitigation:

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.

NPS Concept Design Proposal Description:

No protrusions above the level of existing grade are proposed. All building elements are at or below this level.

Staff Analysis:

The submission materials depict that the building's exhibit walls with skylights and sunken courtyard areaway are visible from the sidewalk surrounding the site. Project design revisions should ensure that these elements are not visible from the surrounding sidewalks.



View from Lincoln Memorial



View from corner of 23rd Street and Constitution Ave.

NCPC Design Guideline/Required Mitigation:

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.

NPS Concept Design Proposal Description:

Though no site lighting has yet been designed, there is no anticipated need to provide site lighting beyond the minimal amount required for public safety. The Center is expected to be in operation during the day only, and shall have only low level site lighting to allow pedestrian circulation along entry paths. Full compliance with this mitigating guideline will be studied and presented in more detail during design development.

Staff Analysis:

The applicant has not yet designed the project lighting. Project lighting should be designed to meet these mitigation actions.

NCPC Design Guideline/Required Mitigation:

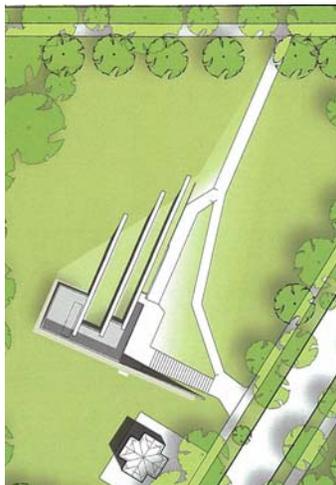
7. The Visitor Center's design will provide only the paved area necessary for visitors to enter and exit the building and which will also provide service access. The design will not include additional paved area for gathering space or queuing.

NPS Concept Design Proposal Description:

The design concept includes only the minimum necessary paved area for the number of expected visitors to the Center. The majority of the exterior paving accommodates the ramping approach walks from Henry Bacon Drive and Constitution Avenue and the entry stair from Henry Bacon Drive.

Staff Analysis:

Staff concludes that the concept design includes the minimum paved area necessary for the expected number of visitors to enter and exit the building.



Pedestrian walkway and ramp system

NCPC Design Guideline/Required Mitigation:

8. The project will not include new vehicle parking areas.

NPS Concept Design Proposal Description:

No new vehicle parking areas are included or proposed as part of the project.

Staff Analysis:

Staff concurs that the applicant's concept design has no new parking areas proposed.

NCPC Design Guideline/Required Mitigation:

9. The Visitor Center will have a single entrance for both visitors and service.

NPS Concept Design Proposal Description:

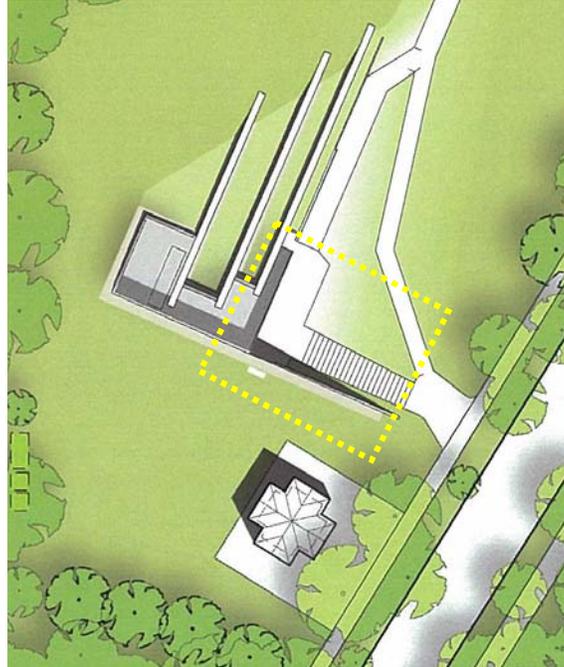
The entries for both service and visitors are combined at the same point, and are recessed via the same site approach. No loading dock is required as part of the facility. Holding spaces for daily trash removal and incoming exhibit related materials are incorporated within the building envelope such that no exterior service enclosures are required.

Staff Analysis:

Staff concurs that the applicant's concept design has a single entry for visitors and service.



View of entry



Steps to entry

NCPC Design Guideline/Required Mitigation:

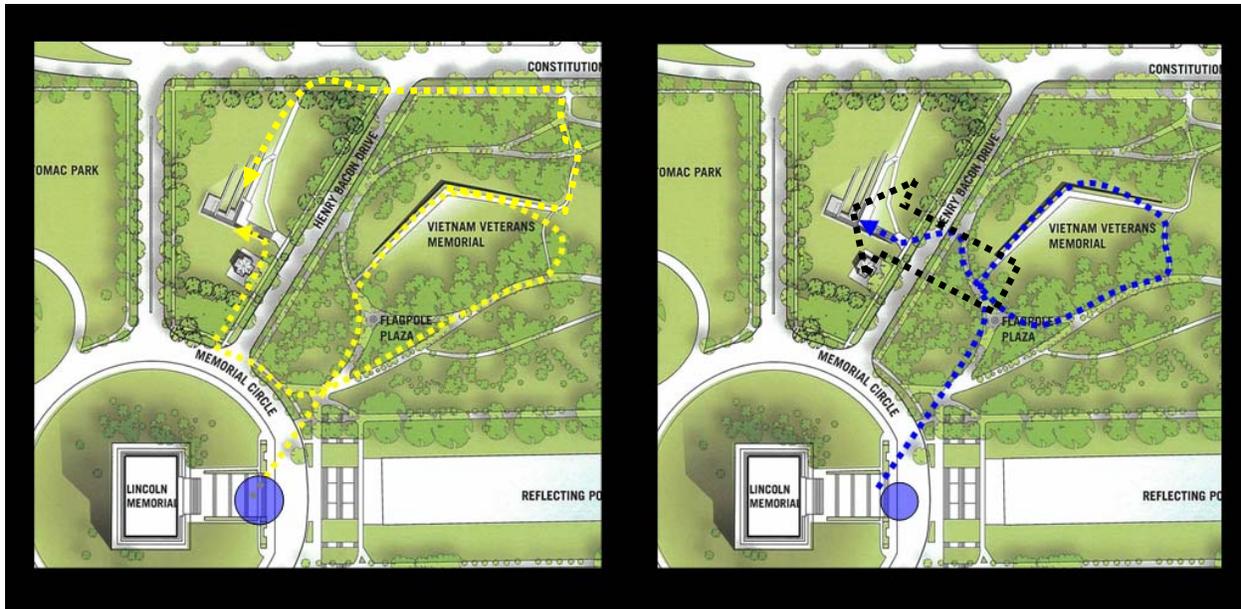
10. The Visitor Center's associated pedestrian street crossing points will be designed to address traffic impacts effectively and to protect pedestrian safety.

NPS Concept Design Proposal Description:

Pedestrian street crossing points will occur at existing signaled intersections, at the traffic light on Henry Bacon Drive at Lincoln Memorial Circle, and the other at the traffic light on Henry Bacon Drive at Constitution Avenue. Third and fourth crossing opportunities can utilize the signal and crosswalks at 22nd and 23rd Streets and Constitution Avenue. No additional street crossings are being proposed. Though no mid-block crossing on Henry Bacon Drive currently exists, the National Park Service is open to the recommendations of the Commissions and the DDoT.

Staff Analysis:

The applicant has not yet designed the project's pedestrian crossing points. Project pedestrian crossing points should be designed to meet this mitigation action. Pedestrians are likely to cross at the mid-block on Henry Bacon Drive. The District of Columbia Department of Transportation, in its comments on the site selection's 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.



Concept design depicting proposed pedestrian circulation crossing locations to the Center from the Lincoln and Vietnam Veterans Memorial

Staff analysis depicting desired line for pedestrian approach to the Center from the Lincoln Memorial

NCPC Design Guideline/Required Mitigation:

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.

NPS Concept Design Proposal Description:

The footprint of the center's construction zone lies outside the critical root zone of the existing perimeter trees.

Staff Analysis:

Additional environmental information is required to completely assess the impact of the Center to the critical root zone of the existing perimeter trees. Staff requests the NPS to provide actual survey data to confirm the location of the root zones during the preliminary design submission phase. The site 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. It is imperative that the applicant protect these mature trees during construction and retain them following the construction period. Therefore design guidelines 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.



Existing tree drip line perimeter

NCPC Design Guideline/Required Mitigation:

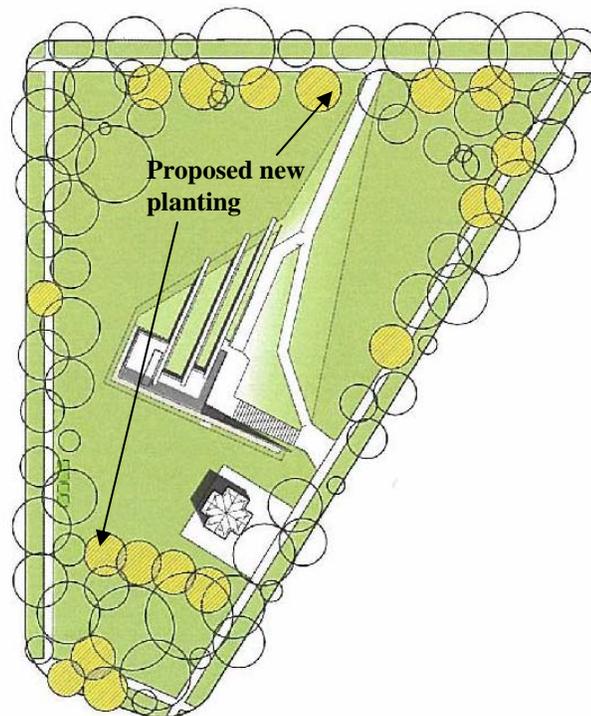
12. The project will place new landscaping on the site in accordance with the National Park Service's Cultural Landscape Report (CLR) for the Lincoln Memorial referenced in the Environmental Assessment. NPS will maintain the open grass panel on the site surrounded at the site's perimeter by elm trees.

NPS Concept Design Proposal Description:

The proposed design concept incorporates a landscape design that is in accordance with the Lincoln Memorial Grounds CLR. Grass panels are maintained, and the project proposes to plant new elm trees that are now missing from the site's perimeter.

Staff Analysis:

Staff concurs that the applicant's concept design proposal incorporates a landscape design consistent with the CLR.



Proposed new tree planting concept

NCPC Design Guideline/Required Mitigation:

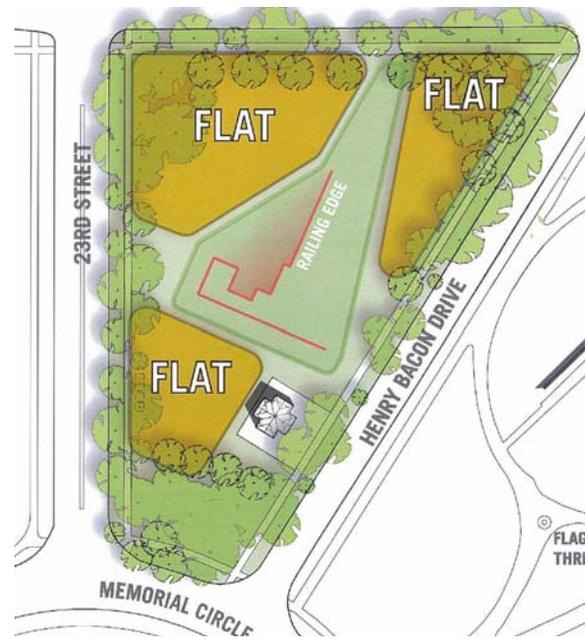
13. The Visitor Center design will not impede the use of the site for multi-purpose recreation on the site.

NPS Concept Design Proposal Description:

A significant area of the site remains open and available for multi-purpose recreation.

Staff Analysis:

While an estimated 40% percent of the site will be available for multi-purpose recreation, the configuration of the space changes the nature of the landscape and limits the types of activities that can be conducted on the site. Staff requests that NPS provide additional information prior to preliminary design submission that demonstrates what activities can be accommodated on the site.



Proposed multi-purpose recreation areas

NCPC Design Guideline/Required Mitigation:

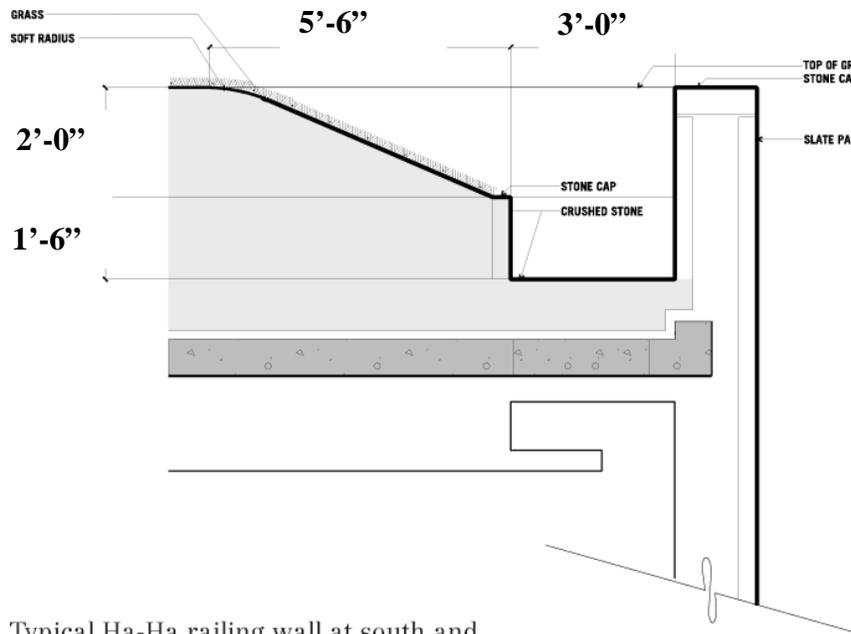
14. The Visitor Center will be designed without guardrails or perimeter security elements.

NPS Concept Design Proposal Description:

No perimeter security elements are proposed in the design concept. Guard walls are incorporated at the perimeter edge of the courtyard. Combined with perimeter grading, and a curb, these portions of the structure do not protrude above the level of existing finished grade. On August 24, 2007, the Advisory Council on Historic Preservation (ACHP) was advised of the NPS determination pursuant to 36 CFR 800.5(a)(1) that the Vietnam Veterans Memorial Center may result in an adverse effect on historic properties within the Area of Potential Effects for Historic Resources and invited the ACHP to participate in the consultation process and ACHP.

Staff Analysis:

The submission states that the Visitor Center will be designed without guardrails or perimeter security elements. Project materials should demonstrate in greater detail how the sloped areas will eliminate the need for guard rails while ensuring pedestrian safety. The grade slopes down 2 feet to a 1 foot 6 inch deep by 3 foot wide well that meets the 2 foot, 6 inch high ha-ha wall (see image below). NPS should conduct further review and provide additional information to demonstrate how the sloped ground and ha-ha walls ensure pedestrian safety.



2

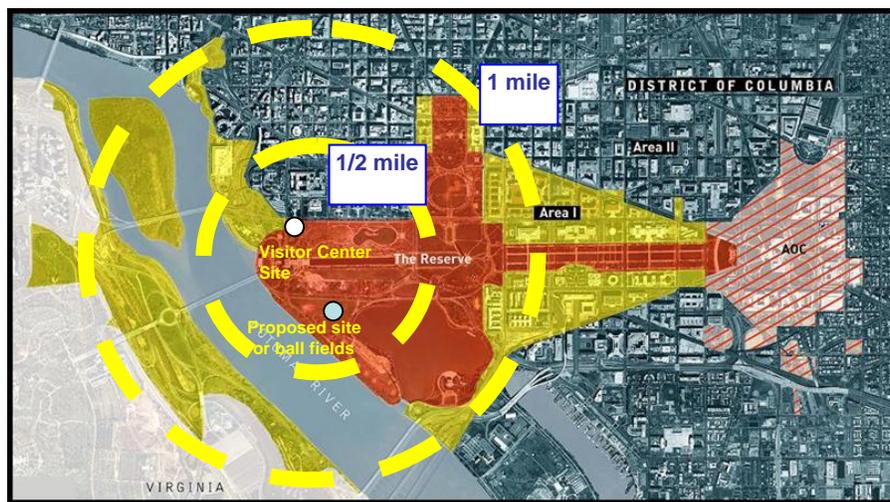
Typical Ha-Ha railing wall at south and west edges of courtyard

NCPC Required Mitigation:

“**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.” (#15)

NPS Concept Design Proposal Description and NCPC Staff analysis:

While NPS has indicated that it will seek to restore active recreation ball fields in the vicinity of the polo grounds located in West Potomac Park, NPS has not yet provided detailed information on this approach. Project materials should depict where these ball fields will be located in order to meet the mitigation action.

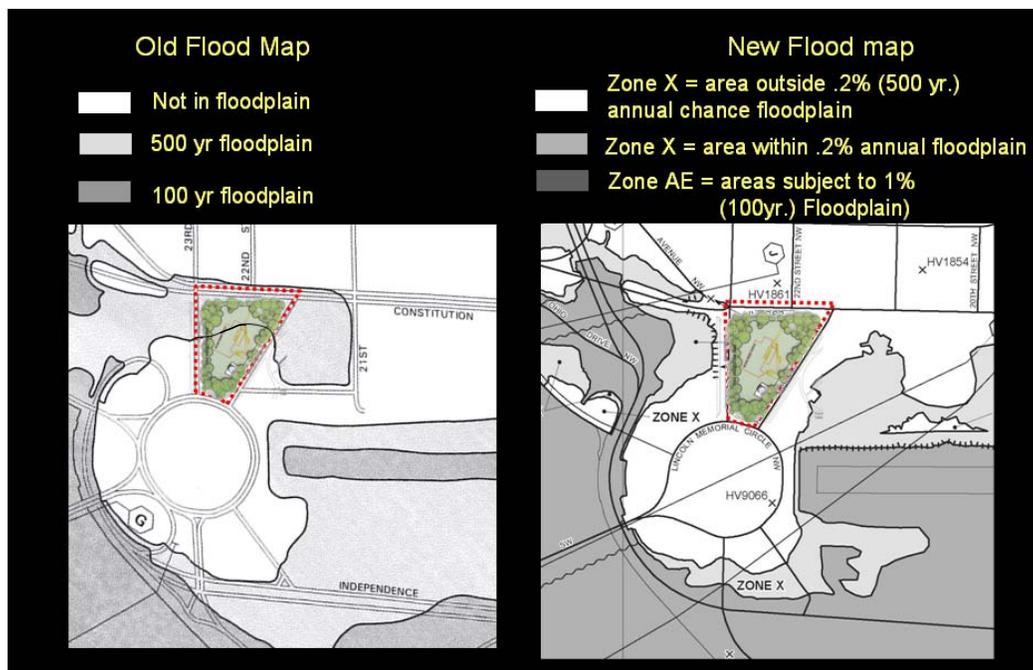


Map depicting location of proposed relocation of softball fields

Other Issues

Floodplains

The NPS Environmental Assessment for the site selection phase of the project noted that a portion of the site was located within the 500-year floodplain of the Potomac River. Draft flood insurance maps recently released by the Federal Emergency Management Agency (FEMA) now indicate that the site is fully outside of the 500-year floodplain, as shown at right below. As the draft FEMA maps have not yet been finalized, staff will use the existing flood map in the NPS Environmental Assessment to evaluate the project at this time and will continue to monitor the progress of FEMA's flood map update process. The existing flood map demonstrates that no portion of the project sits within the 100-year flood plain, as shown at left below.



Authorizing 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 on the National Mall within which no new commemorative works may be located. The Act also exempts the Vietnam Veterans Memorial 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. It also requires that the project be located underground, landscaped appropriate to its setting, and limited to the minimum size necessary to support its mission.

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. The Act 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.” The Executive Director’s Finding of No Significant Impact relies upon the applicant meeting to the Commission’s satisfaction the required mitigation measures. These mitigation measures were developed in part to address the Act’s requirement that NCPC ensure the proposed work is “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.”

Comprehensive Plan for the National Capital

The following policies from the August 5, 2004 update of the Comprehensive Plan for the National Capital: Federal Elements apply to 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 project proposal does not yet indicate whether perimeter security will be required for this project, staff notes that to comply with the Commission's policies, and with mitigation measure #14, the building must be designed to preclude the need for physical perimeter security elements or guardrails. The imposition of such

elements upon the historic landscape of the site would adversely affect views and could adversely affect public use of the space.

National Environmental Policy Act (NEPA)

The Commission's Environmental and Historic Preservation Policies and Procedures, adopted by the Commission in April 2004, require an environmental document (Environmental Assessment or Environmental Impact Statement) at the site selection stage and subsequent stages for all Commemorative Works. At its meeting of August 4, 2005, the Commission determined that it would comment on concept designs only, and approve designs at the preliminary and final design stages.

NPS developed an EA, completed on May 24, 2006, appropriate for the site selection stage that evaluated three alternatives for siting, and selected its preferred alternative. The Park Service received comments from nine parties on the EA, including comments submitted by NCPC staff. Based on the EA and the comments, NCPC's Executive Director determined that the Center could be sited at the preferred location with no significant impacts provided that the applicant complied with mitigation measures required in the Commission's conditional site approval of August 3, 2006. These mitigation measures reiterate the design guidelines developed jointly by NCPC and CFA staff, and add the requirement to relocate the ball fields being displaced by this project. Without these mitigation measures, significant impacts may result from the project development, as established by NCPC's review and adoption of the May 2006 EA, and the NCPC finding that resulted from that NEPA review.

NPS has undertaken no further environmental review of the project design under NEPA. On November 1, 2007, NPS provided, with its submission materials for review of the concept design, a FONSI for the entire project including design. The staff finds that the applicant has not yet demonstrated that some of the required mitigation measures for site selection will be met by the current design, both because the design is still being developed and because it needs further refinement. NPS must provide additional environmental information and review to supplement the site selection Environmental Assessment with appropriate public process before the preliminary design submission in order for staff to determine whether all of the required mitigation measures have been met.

National Historic Preservation Act (NHPA)

NPS wrote to 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."

NPS held an informational meeting for consulting parties in May 2005 and a further scoping meeting in June 2005. The National Capital Memorials Advisory Commission also heard testimony from members of the public and interested organizations at two meetings on the proposal and the selection of the site in the spring of 2005.

On May 24, 2006, the Environmental Assessment was distributed to interested parties, some of whom provided written comments on the EA. 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 were available to the Commission prior to its 2006 conditional approval of the site.

NPS's May 24, 2006 Environmental Assessment for the proposed memorial at the proposed site, its East and West Potomac Parks Historic District National Register nomination, and its Cultural Landscape Report (CLR) for the Lincoln Memorial Grounds, identify and describe the historic properties in the vicinity. These include the Lincoln and Vietnam Veterans Memorials, certain view sheds that had been previously identified as contributing elements, and qualities and features of the historic landscape such as open turf lawn and the elm trees. NPS established the Area of Potential Effect to encompass these contributing elements in consultation with the DC SHPO.

On September 12, 2007 and on October 24, 2007 NPS held Section 106 consultation meetings with the consulting parties which included individuals representing a range of interested organizations. The purpose of the meetings was to provide an update on the project, to present the three development proposals for the approved site, and to invite comments and concerns.

A considerable amount of correspondence has been generated between NPS and consulting parties over the past several months since NPS resumed consultation on the project. Concerns expressed by consulting parties include the scheduling of the meetings and the information provided; the location, design, and visibility of the proposed Visitors' Center and its relationship to and effect on the Vietnam Veterans Memorial, the Lincoln Memorial, and West Potomac Park; and its compliance with the requirement of the authorizing legislation that the Center be located underground.

Among the comments, the National Trust criticized NCPC's lack of direct consultation with interested parties in the drafting of the design guidelines with CFA staff in 2006 prior to the selection of the site. The Trust, however, also noted that "the guidelines do represent a reasonable and thoughtful attempt to limit the adverse visual impact of the Center on the National Mall." In drafting the design guidelines, Commission staff incorporated comments from the consulting parties, including testimony before the National Capital Memorial Advisory Commission (NCMAC), about the sensitivity and character of the site. The guidelines reflect information documented in the National Register and the Cultural Landscape Report documentation. In addition, staff consulted informally with staff at the DC SHPO during the drafting of the design guidelines. Staff released design guidelines as part of the Executive Director's Recommendation one week prior to the Commission approving the site. The Commission's site approval was conditioned upon the mitigation measures contained in the guidelines, also reflected in the Executive Director's FONSI for use of the site for the Visitors Center.

The staff encourages regular, well-noticed consultation meetings among all the agencies and parties during the development of this project so that a full and timely exchange of views can inform decisions.

CONSULTATION

Coordinating Committee

The Coordinating Committee reviewed the revised proposal on November 14, 2007, and 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 General Services Administration, the National Park Service, and the Washington Metropolitan Area Transit Authority.

Commission of Fine Arts

On October 18, 2007, CFA reviewed the concept design for the Vietnam Veterans Memorial Visitor Center. CFA Commissioners approved the concept, but “expressed concerns about the inherent contradiction of relating the Center design to that of the Vietnam Veterans Memorial and the subsequent risk of subverting the power and the meaning of the original memorial”. CFA Commission members reiterated that “care must be taken to minimize the project’s negative impacts on the visual setting of the Lincoln Memorial and surrounding views as well as on the overall appearance of West Potomac Park as the design is developed”. CFA also suggested “that the program be reduced in size to limit the project’s impact in contrast to the apparent expansion that has occurred since the last presentation – in order to limit the project’s impact. CFA also “recommended further study of the materials, finishes, and site issues such as orientation, setbacks, and the relation of the buildings and walkways to the surrounding streets and crosswalks”. CFA also “welcomed a rethinking of the overall plan particularly as it affects the setting of the Lincoln Memorial; consideration should be given to improving the relationship of the VVMC to the kiosk or removing the kiosks entirely.”