

STAFF RECOMMENDATION

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NCPC File No. 6681



JUDICIARY SQUARE PERIMETER SECURITY AND OPEN SPACE IMPROVEMENTS Washington, DC

Submitted by the District of Columbia Courts

March 26, 2009

Abstract

The District of Columbia Courts has submitted preliminary and final site development plans for perimeter security and related site improvements in Judiciary Square, encompassing the settings for Court Buildings A, B, and C, and the Court of Appeals for the Armed Forces. The proposed work includes the installation of security fence walls inside the sidewalks on 4th, 5th, and F Streets, NW, the installation of tree fences and bollards along both sides of E Street, the widening of the E Street sidewalk to improve security stand-off and pedestrian ease, and the installation of street trees and plantings to improve the appearance and physical integrity of the public realm. The perimeter security and related opens space improvements are consistent with the Master Plan for Judiciary Square, approved by the Commission in 2005, including the location of the physical security barriers. The Master Plan is the basis for coordinating the reorganization of the facilities and functions of the District of Columbia Courts and revitalizing the historic Square. The Judiciary Square Master Plan includes rehabilitation and construction projects for the District of Columbia Courts, as well as concepts for open space landscapes, perimeter security, traffic, parking, and street edge treatments aimed at reestablishing the character of Judiciary Square as a green precinct and responding to modern day program requirements. The Commission favorably reviewed a concept plan for perimeter security at its July 2006 meeting.

Commission Action Requested by Applicant

Approval of preliminary and final site development plans pursuant to 40 U.S.C. § 8722(b)(1) and (e).

Executive Director's Recommendation

The Commission:

Approves the preliminary and final site development plans for perimeter security and open space improvements in Judiciary Square as shown on NCPC Map File No. 21.10 (38.40)42732.

Commends the District of Columbia Courts for supporting the extension of the Downtown Heritage Trail through Judiciary Square.

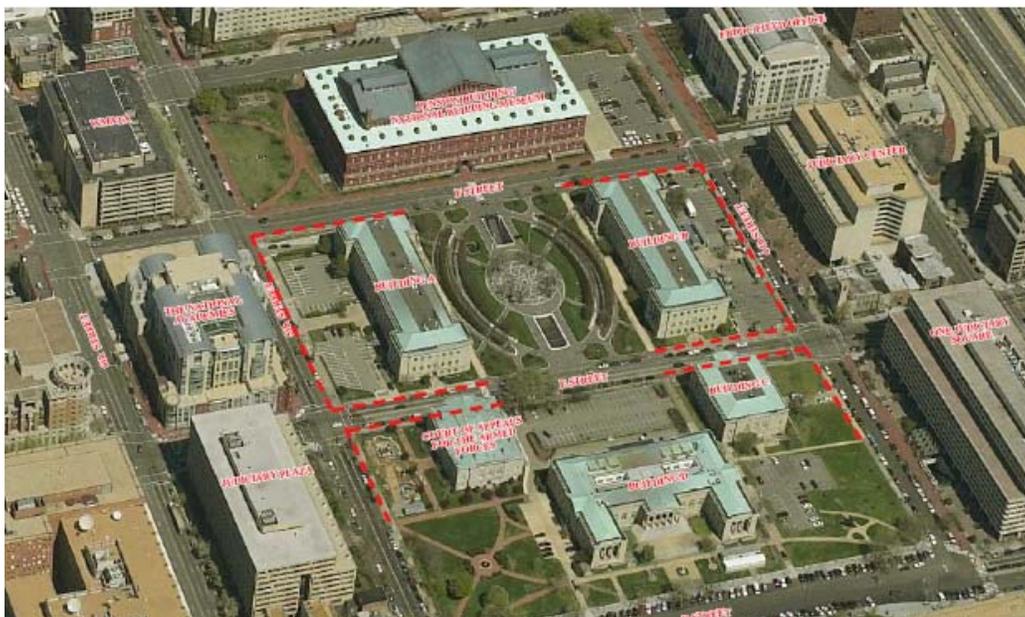
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PROJECT DESCRIPTION

Site

The current submission concerns the installation of perimeter security and related public space improvements in the middle and northern squares of Judiciary Square. The security installation is proposed for 4th and 5th Streets, for both sides of the 400 block of E Street, and for portions of the 400 block of F Street, NW, as indicated below.

Portions of the National Law Enforcement Officers Memorial will require security elements in order to secure Court Buildings A and B. It is anticipated that the four corners of the memorial will be altered but that no barriers will be installed along the central E and F Street frontages of the memorial. Possible solutions are being studied by the National Park Service, the District of Columbia Courts, and the memorial’s designer. A proposal will be submitted to the Commission at a future date.



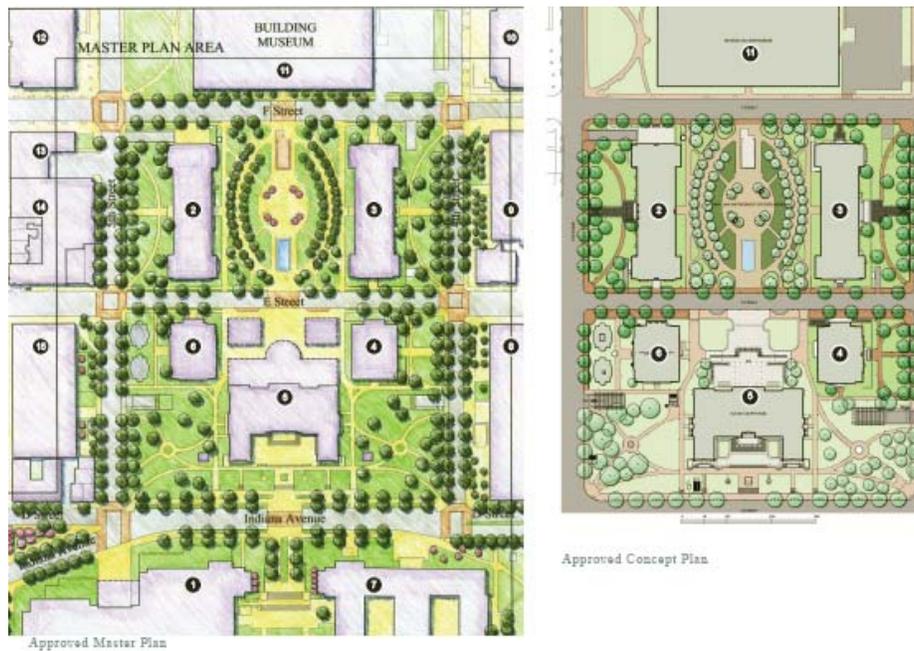
Background

The Commission approved the Judiciary Master Plan at its May and August 2005 meetings. The Master Plan included the barrier locations (but not barrier designs) for the perimeter security, and landscape plans for the Square. Prior to approval of the Master Plan, agreement among all the property owners had been reached for more specific treatment of the right-of-way of the 400 block of E Street, NW, including the widening of the south sidewalk in that block.

The final site and building plan for the D.C. Courthouse was approved by the Commission at its August 2004 meeting. The Courts' "interim" plaza scheme will be constructed by the District of Columbia Courts in front of the north entrance to the Courthouse. The plaza subsequently will be rebuilt by the National Law Enforcement Museum according to final plans approved by the Commission in September 2008.

In December 2004 the Commission approved a temporary installation of bollards on the E Street sidewalk in front of the Court of Appeals for the Armed Forces. The Court agreed to remove the bollards when the Judiciary Square Master Plan perimeter security was approved and installed. As described in the Master Plan, the 400 block of E Street will be reconfigured and rebuilt to improve the configuration of the traffic and bicycle lanes and widen the south E Street sidewalk. The current bollards in front of the Military Court will be removed and replaced as part of the current proposal.

The current proposal before the Commission is similar to the concept design favorably reviewed by the Commission in 2006, with the design of the bollards and fence walls fully developed following consultation. The perimeter security is for Court Buildings A, B, C, the District of Columbia Courthouse, and the U. S. Court of Appeals for the Armed Forces.

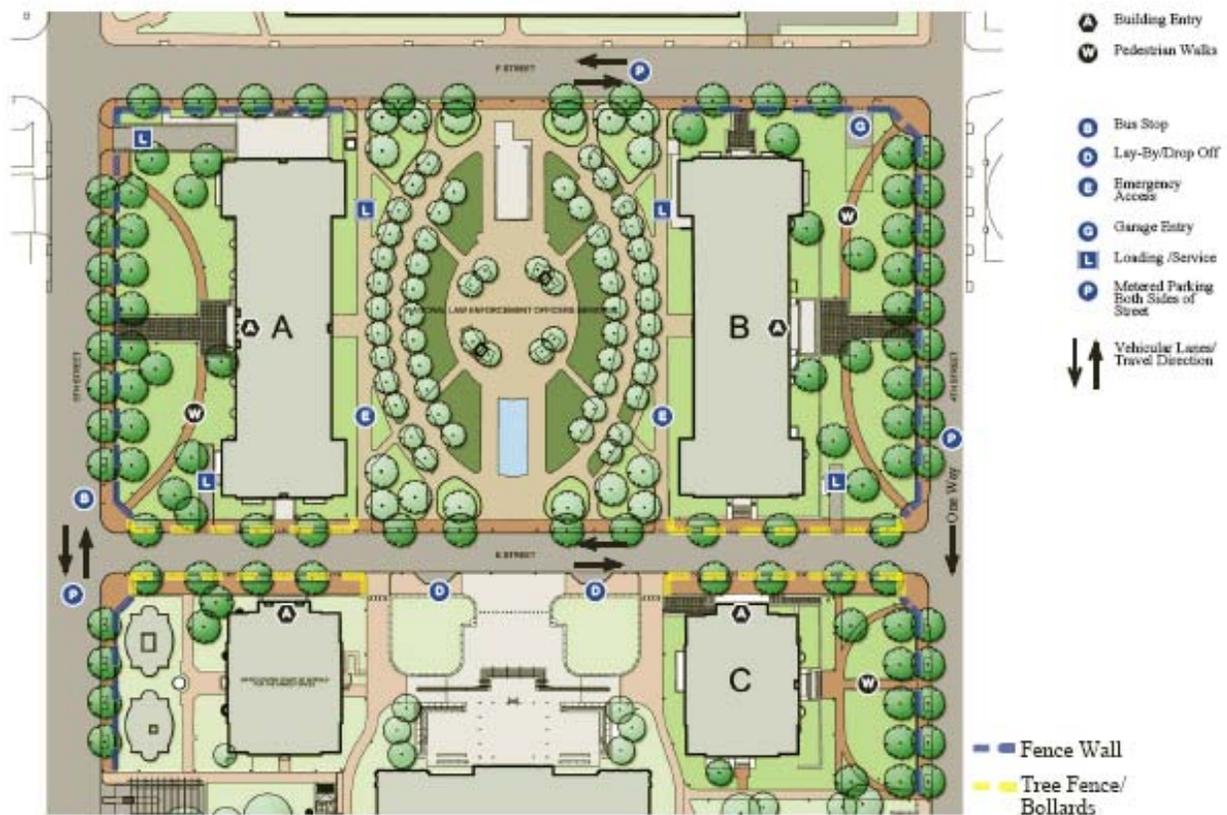


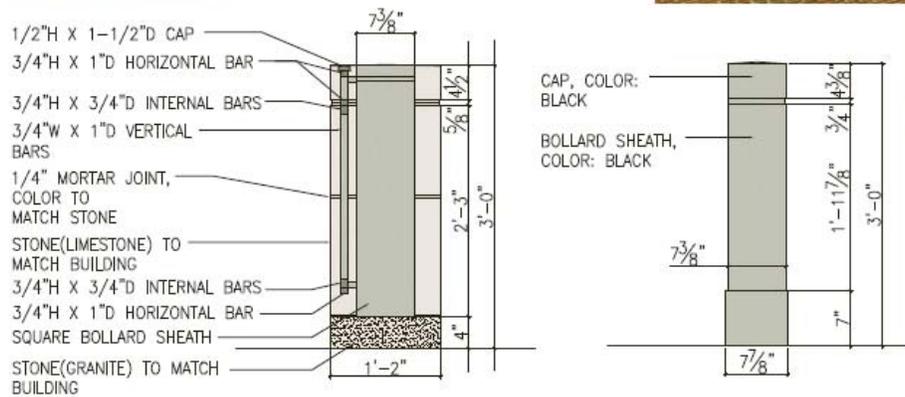
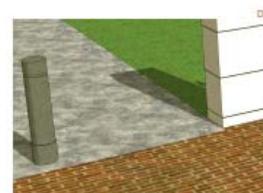
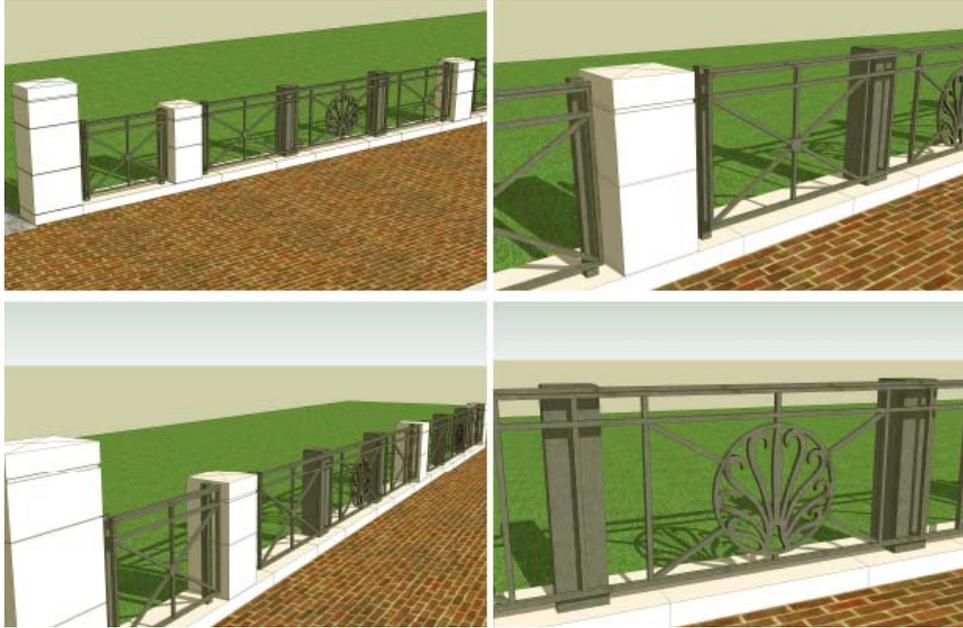
LEFT, APPROVED MASTER PLAN LOCATION OF PERIMETER SECURITY, 2005. RIGHT, CONCEPT PLAN, 2006.

Proposal

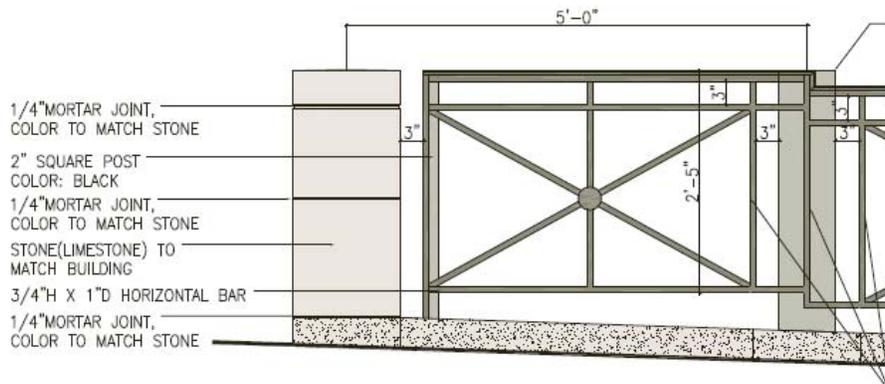
The security design consists of three types of barriers: 1) a fence wall to be installed on the lawn inside the sidewalk on 4th and 5th Streets and on F Street; 2) a tree fence to be installed along the north and south sides of E Street, where the barrier line will be installed near the curb rather than in the lawn because of the limited stand-off distance for the court buildings on E Street; and 3) individual bollards in some sidewalk locations so that pedestrians can freely pass.

The District of Columbia Courts has adopted the “medium-level” security system developed by the Smithsonian Institution for the spacing of the bollards. They will be installed five feet on center. This improvement in spacing (from 4 feet on center) has been developed since the Commission favorably reviewed the concept design in 2006. As a result of the wider spacing and the simplification of the design of each fence panel, the security fence is lighter and less visually prominent.

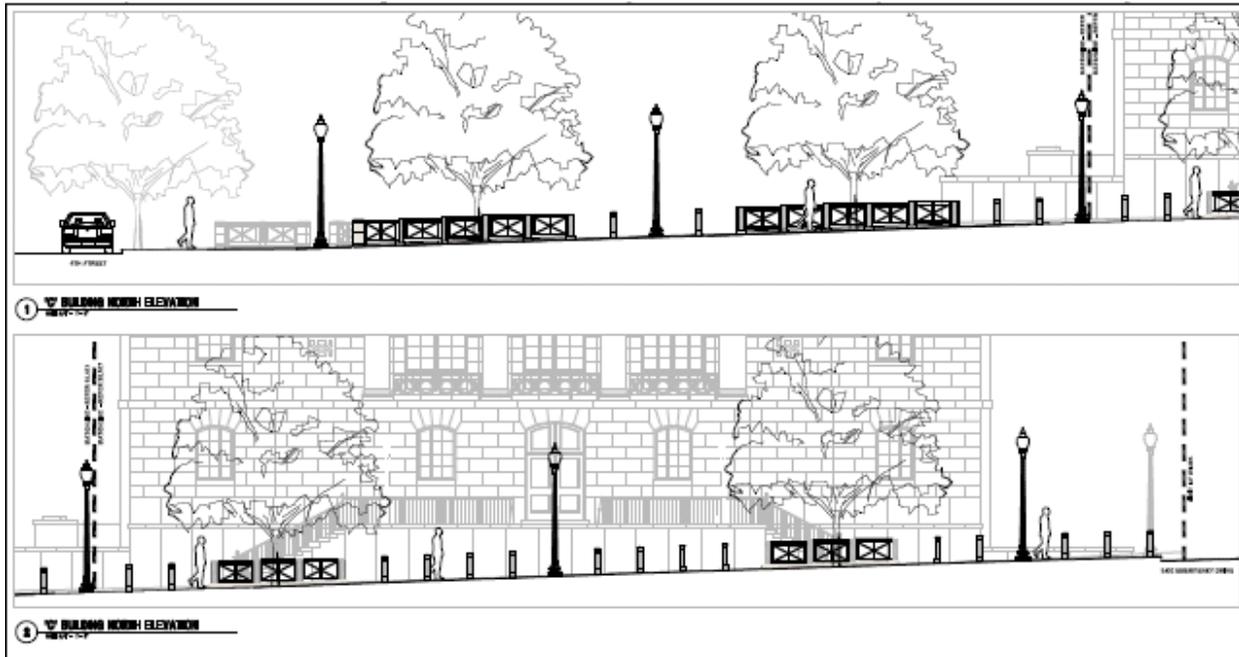




PROPOSED FENCE WALL (INSIDE SIDEWALK)



PROPOSED TREE FENCE AND BOLLARDS TO BE INSTALLED WITH STREET TREES NEAR THE CURB ON THE NORTH AND SOUTH SIDES OF THE E STREET SIDEWALK



PERIMETER SECURITY IN FRONT OF NORTH ELEVATION OF BUILDING C, ON SOUTH SIDE OF E STREET, NW

PROJECT ANALYSIS

Executive Summary

The District of Columbia Courts have submitted a well-designed perimeter security proposal that preserves the open public realm to the extent possible by locating the physical barrier inside the sidewalk everywhere except on the 400 block of E Street, NW. The preliminary and final site development plans are consistent with the concept plans reviewed favorably by the Commission in 2006. The U.S. Marshall Service has provided a security analysis demonstrating the need for perimeter security in addition to operational and temporary security measures that are employed. The analysis has been accepted by staff. Staff recommends that the Commission approve the preliminary and final site development plans and associated open space improvements for perimeter security in Judiciary Square. The security design is well-conceived in location and design and well-integrated with the planting plan for the precinct. It uses materials appropriate for the setting. The proposal is consistent with the recommendations of the Urban Design and Security Plan.

The perimeter security has three basic components: the fence wall (inside the sidewalk), the tree fence (inside the sidewalk curb on E Street, integrated with the street tree boxes, and bollards (where pedestrian access and movement is anticipated).

The D.C. Courts and U.S. Marshall Service have used the medium-level security introduced by the Smithsonian Institution. The free-standing bollards as well as the bollards used in conjunction with fence panels are spaced five (5) feet on center rather than four (4) feet on center. The fence panels in between have been redesigned since concept review to be as open and light in appearance as possible, referencing compatible historic design elements in the Square and using fine materials.

The proposed “fence wall” is the perimeter security placed in the lawn inside the sidewalk. It is illustrated on page 5 of this report. A granite base and limestone piers are used with bollard sleeves and decorative panels. The fence wall is designed in modules with variation in the pattern so that it does not appear monotonous. The center panel includes an anthemion pattern taken from architectural ironwork in the Square.

On E Street, the “tree fence” is located behind (on the opposite side from the street curb) extensive tree boxes measuring 25 feet and longer in length that will augment the planting plan to be implemented for the public realm and court buildings in the Square. A notable amount of vegetation will be added to the sidewalks, consistent with the Master Plan’s goal of creating a unified and green precinct for Judiciary Square. A simpler panel pattern in the tree fence is used along E Street, and the tree boxes are not enclosed on their ends in order to lighten the appearance of the security fence as much as possible. Bollards are used parallel (and set back from) to the curb between the tree boxes so that pedestrians can cross the street as desired. The proposed E Street treatment is illustrated on page 6 of this report.

The E Street sidewalk on the south side will be widened by one traffic lane (to be removed from the cartway pursuant to the Master Plan traffic circulation plan) to provide greater stand-off distances but also a generous sidewalk for pedestrians and visitors to the Courthouse and future museum. At the corners, sidewalk dimensions have been adjusted to provide the best possible conditions for pedestrians.

As the plan on page 4 of this report indicates, a substantial landscape planting plan was developed for the Master Plan that includes planting a double row of trees on street frontages where the fence wall will be constructed. The integration of security elements with landscape is a significant feature of this security proposal to lessen the visual effect of the barriers.

The D.C. Courts will remove the line of bollards currently in the E Street sidewalk in front of the U.S. Court of Military Appeals and replace them with the “tree fence” design proposed in this submission. The E Street sidewalk will also be widened and paved with red brick here and throughout the Judiciary Square precinct.

The National Park Service and D.C. Courts will submit a proposed design for closing the perimeter barrier line for Buildings A and B in the corners of the National Law Enforcement Officers Memorial at a future date.

CONFORMANCE

Comprehensive Plan for the National Capital

The proposal is not inconsistent with the following policies of the Preservation and Historic Features element of the Comprehensive Plan for the National Capital.

1. Express the dignity befitting the image of the federal government in the national capital. Federal development should adhere to the high aesthetic standards already established by the planning and design legacy of the nation's capital. This legacy encompasses both the old and the new – the capital's rich architectural heritage, continually augmented by the design contributions of each generation.
5. Protect and enhance the vistas and views, both natural and designed, that are an integral part of the national capital's image.
9. Sustain exemplary standards of historic property stewardship.
14. 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.
28. Protect the reservations that contain historic landscapes and features from incompatible changes or incursions.

National Capital Urban Design and Security Plan

The location of the security barrier within and around Judiciary Square was established in the Judiciary Square Master Plan, approved by the Commission in 2005.

The proposal was designed according to the principles of the Urban Design and Security Plan, which recommends that barriers be constructed inside the sidewalk where possible and minimize interference with pedestrians across sidewalks to the extent possible. The Plan recommends using a balanced and well-designed palette of elements to avoid undue repetition. The Plan also recommends using hardened street elements, such as light standards, to minimize the number of bollards. Finally, the Plan recommends enhancing or augmenting the landscape where the barrier will be installed to counteract the effect of the security barrier in public space.

At Judiciary Square, the D.C. Courts have been able to locate the barrier in the lawn, inside the sidewalk, except on E Street, because of the short stand-off distances to the buildings. To improve the condition for the public, the south sidewalk on E Street will be widened by approximately one traffic lane (which will be removed from the cartway) to provide greater stand-off but also provide a generous sidewalk for pedestrians on E Street as well as visitors to the Courthouse and adjacent courts and the future National Law Enforcement Museum.

The E Street sidewalks will be enhanced with a notable amount of vegetation for city streets -- the tree boxes are as long as 25 and 35 feet to emphasize and enhance the character of Judiciary Square as a green precinct.

The D.C. Courts submitted a security analysis from the U.S. Marshall Service describing the operational security measures in use and the layered approach to the provision of security depending on the situation. The analysis indicated that the court buildings would require physical barriers, as well. Staff has accepted the analysis of the U.S. Marshall Service. Staff notes that the D.C. Courts and U.S. Marshall Service have accepted the staff's recommendation to space the bollards at 5 feet on center, a wider spacing than is used for Court and similar facilities elsewhere.

Judiciary Square Master Plan

The proposal is consistent with the Judiciary Square Master Plan. The location of the perimeter security was determined during the development of the Master Plan, which was adopted by the Commission in 2005. The design of the perimeter security

National Environmental Protection Act (NEPA)

The District of Columbia Courts, as a joint lead agency with the National Capital Planning Commission, prepared an Environmental Assessment (EA) for the Master Plan and its associated projects. The Executive Director completed a Finding of No Significant Impact on July 30, 2003, in accordance with the Commission's Procedures, determining no environmental resources were significantly impacted by the Plan. The submitted security barriers and related site improvements, particularly the widening of the E Street sidewalk and reconfiguration of the E Street cartway, are consistent with the analysis and findings of the environmental review.

National Historic Preservation Act (NHPA)

NCPC has served as the lead federal agency for Section 106 review of D.C. Courts projects in Judiciary Square, including the Master Plan and projects implemented pursuant to it. A memorandum of agreement (MOA) addressing the adverse effects of projects in the Master Plan was executed in 2005. In many respects, however, the Master Plan enhances the settings of the buildings, especially the landscape plan that will reinforce the sense of the square as a green precinct.

The installation of security barriers will constitute an adverse effect to Judiciary Square. As a consequence, NCPC has executed a memorandum of agreement specifically for the current proposal. The MOA signatories, in addition to the Executive Director, are the D.C. Courts, the U.S. Court of Appeals for the Armed Forces, the D.C. State Historic Preservation Office, and Cultural Tourism DC. The Committee of 100 on the Federal City and the D.C. Preservation League participated in consultation meetings, and the National Park Service was invited to participate. The National Law Enforcement Officers Memorial Fund is familiar with the barrier proposal. Representatives of the Fund and the D.C. Courts have confirmed to staff that they will work together when physical coordination between the two projects becomes necessary.

The adverse effect of the security to the public realm will be minimized through the improved design of the barrier—the wider spacing between bollards and the lighter design elements of the security fence, in addition to the fine materials and extensive plantings in long tree boxes.

The adverse effect of the security to the public realm will be mitigated by the addition of Judiciary Square and the D.C. Court buildings to the Downtown Heritage Trail, a program of Cultural Tourism DC. The D.C. Courts will fund the addition of three signs within Judiciary Square to the Downtown Heritage Trail and the associated costs of revising Cultural Tourism DC's maps and publications for the Downtown Trail. The historical research conducted by the D.C. Courts for the Master Plan will provide the content for the three additional signs. The signs will lead visitors to Judiciary Square to learn about its place in the development of the city and the role of the Courts in the civic life of the city. It is an appropriate complement to the goals of the Judiciary Square Master Plan itself, which include the redesign of the precinct to be more welcoming to visitors through increased plantings and a coherent and more formal landscape plan, better lighting, cleaned and rehabilitated buildings, less surface parking, improved circulation, and the installation of wayfinding and improved building identification.

CONSULTATION

Coordinating Committee

The project was coordinated in June 2006 prior to review of the concept design. The location of the barriers has not changed since then; the design of the fence panels has been modified.

Commission of Fine Arts

The Commission of Fine Arts approved the final plans for perimeter security and related site improvements at its February 2009 meeting.