
**CLOSING OF A PORTION OF 2nd STREET BETWEEN FLORIDA AVENUE AND N STREET, NE, AND A PORTION OF N STREET BETWEEN 1st STREET AND 2nd STREET, NE, AND A PUBLIC ALLEY IN SQUARE 710
(S.O. 00-97)**

Report to the Council of the District of Columbia

June 7, 2001

Abstract

The Office of the Surveyor of the District of Columbia has submitted a proposal to close one block of 2nd Street between Florida Avenue and N Street, NE, and one block of N Street between 1st Street and 2nd Street, NE. The closing is intended to facilitate the location and establishment of a new headquarters building for the Bureau of Alcohol, Tobacco, and Firearms (ATF) on Square 710, which is bounded on the east by 2nd Street and on the south by N Street. The purpose of the proposed street closing would be to incorporate one-half of the street rights-of-way into the Square 710 parcel to ensure that the Bureau has sufficient land on which to build its headquarters building and also provide a 100-foot standoff area on all sides. The other half of each street would be transferred to the other adjacent owners. On 2nd Street, the adjacent owner is the District of Columbia government. On N Street, the adjacent owner is a private entity. The request to the Office of the Surveyor was made by the District of Columbia Department of Housing and Community Development at the request of the General Services Administration, which is acting on behalf of ATF. The proposed street closing would have a negative impact on federal interests related to the protection of the L'Enfant Plan. Absent the development of a site plan for the new headquarters building, the Commission would be premature in its recommendation to the Council of the District of Columbia that two blocks of public rights-of-way—designated as streets in the L'Enfant Plan—be closed. The General Services Administration is not able to demonstrate at this time that the public rights-of-way are necessary for the proposed headquarters or that there is a compelling need to close the streets prior to the development and presentation to the Commission of more detailed plans for the project.

Authority

D.C. Code, sec. 7-422(3)

Commission Action

The Commission:

- **Notes** that the proposed closing of two L'Enfant Streets would result in an adverse effect on the L'Enfant Plan and in adverse impacts on federal interests as they relate to the protection, and public benefits, of the streets in the L'Enfant Plan; and

- **Finds** that, absent a compelling justification, at this time, of the need to close the rights-of-way for the project proposed for Square 710, the Commission does not endorse the proposed street closings; therefore,
- **Reports unfavorably** to the Council of the District of Columbia on the proposal to close a block of 2nd Street between Florida Avenue and N Street, NE, and a block of N Street between 1st Street and 2nd Street, NE, as shown on Surveyor's Map File No. S.O. 00-97 (NCPC Map File No. 42.00 (44.40)-40903).
- **Reports favorably** on the proposed closing of the public alley contained within Square 710 to allow construction of the proposed project, as also shown on Surveyor's Map File No. S.O. 00-97 (NCPC Map File No. 42.00(44.40)-40903).

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BACKGROUND AND STAFF EVALUATION

DESCRIPTION OF PROPOSAL

The District of Columbia, pursuant to D.C. Code, sec. 7-422(3), has referred to the Commission for comment on the proposed closing of the portion of N Street and 2nd Street adjacent to Square 710, and the public alley in that square. Regulations in the D.C. Code stipulate that the Mayor of the District of Columbia refer applications to close all or part of a street or alley to the Commission for its recommendation to the Council of the District of Columbia, which has the authority to act on the proposal. The Council's hearing on the proposed street closing application has been scheduled for June 18, 2001.

The purpose of the street and alley closing is to permit the assembly of land in and around Square 710 for construction of the proposed headquarters for the Bureau of Alcohol, Tobacco, and Firearms (ATF). The ATF headquarters would incorporate the northern half of N Street and the western half of 2nd Street (the portions adjacent to Square 710) into their parcel. The southern half of N Street would be transferred to the adjacent property owner to the south, a private entity. The eastern half of 2nd Street would be transferred to the adjacent property owner to the east, the District of Columbia government.

The General Services Administration (GSA) is acting on behalf of ATF. The Office of the Surveyor is acting on behalf of the D.C. Department of Housing and Community Development, which is handling the disposition of Square 710 from District ownership to federal ownership. The square is now used by the D.C. Department of Public Works as a maintenance yard.

The street closing proposal, transmitted by the Office of the Surveyor, is as follows:

- Close the N Street right-of-way (80 feet wide) between 1st Street, NE and 2nd Street, NE.

- Close the 2nd Street right-of-way (90 feet wide) between N Street and Florida Avenue, NE.

The property to the south of Square 710 and N Street (Square 711) is privately owned. The square to the east of Square 710 and 2nd Street (Square 710E) is owned by the District of Columbia. Owners of both properties, now currently unimproved, are in the early planning stages of development of the sites.

The proposed new Metro station on the Red Line is to the east of the intersection of N and 2nd Streets, NE. The Metro tracks run alongside the railroad tracks, which are elevated at that point. The retaining wall of the tracks blocks views across N Street immediately east of 2nd Street.

At present, the rights-of-way of the pertinent blocks of N and 2nd Streets are not paved. Their location and widths, however, are long established. They were first platted in 1796, following the 1791 plan of Pierre L'Enfant (published in 1792 by Andrew Ellicott) for the City of Washington.

GSA does not have a development plan for the new headquarters building, although a preliminary study by consultants indicated that Square 710 itself was not large enough to accommodate the anticipated building program and still provide for a 100-foot standoff area around the perimeter of the site. Internationally known architect Moshe Safdie has recently been selected to design the headquarters. GSA will eventually present his plans to the Commission when it reviews the federal project itself.

CONSULTATION

Commission staff has consulted with the staffs of GSA, ATF, and the staffs of the following agencies of the District of Columbia government: Office of Planning, including the Historic Preservation Review Board; Department of Housing and Community Development; and the Office of the Surveyor.

EVALUATION

Absent a development plan for the ATF headquarters building, the staff finds the request for street closing premature. At present, therefore, the Commission should not endorse the proposed street closings.

The closing of any L'Enfant Plan street is to be avoided if at all possible. The L'Enfant Plan is internationally identified with Washington and the physical character of our planned national capital. One of the Commission's chief responsibilities is to protect and enhance the historic street plan of Washington—the L'Enfant Plan—as exemplified by policies in the Comprehensive Plan.

The L'Enfant Plan's system of streets provides more than just a means of vehicular access. The streets provide the ordered framework for development in the original city, the character of the open space within the city, and visual as well as physical connections through the creation of

views and vistas along street rights-of-way. The streets provide the scale for all elements of the built environment, and establish the means by which the “walls” of the street frontages are designed. While other cities may encourage building setbacks at grade to create public plazas, Washington is designed from a different perspective. While it may not be possible in all cases, most buildings are constructed on the edges of the rights-of-way to define the open space of the city and reinforce the historic street plan.

The Commission will review the ATF Headquarters project itself, including its site planning, as the new building is designed. Staff strongly encourages GSA and ATF to design the headquarters building and the standoff area to fit within the boundary of Square 710. GSA could justify a program requirement to close portions of the street rights-of-way only after a site plan is developed. Whether even one-half of the rights-of-way of the two streets is needed depends on further detailed site and massing studies by the project architect, who has just initiated work on the design. Given the June 18th schedule of the Council’s hearing and the absence of justification for the closure, the staff must, at this time, oppose this application for the full-width street closures. If GSA can later demonstrate a need to close a portion of the rights-of-way, the Commission will require a completed survey from the Office of the Surveyor indicating the establishment of all appropriate easements.

The Commission acknowledges the public benefits anticipated by all parties from the planned location of the new ATF headquarters at New York and Florida Avenues, NE. The public use of the public ways should be retained as intended in the L’Enfant Plan so that an appropriate public space framework is created, and so that vehicular traffic can flow normally around the site and within the vicinity, especially given the proximity of the new Red Line Metro station immediately to the east of the ATF site.

CONFORMANCE

Comprehensive Plan

As the proposal would close portions of two original L’Enfant Streets adjacent to Square 710, two policies in the Preservation and Historic Features Element of the Comprehensive Plan apply:

Within Historic Districts, and particularly within the L’Enfant City, maintaining public rights-of-way should preserve original street patterns. Where alleys continue to provide adequate off-street service and transportation functions, they should be retained.

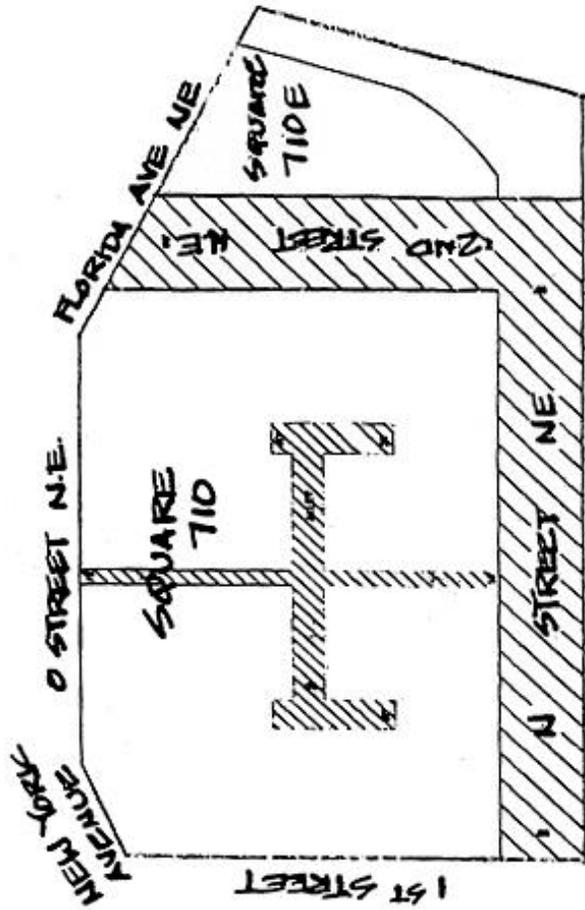
The exceptional width and openness of the street space along Special Streets should be retained where this quality exists. Street views or vistas should not be obscured and movement should not be impaired by structures or signs within the public rights-of-way.

Coordinating Committee

The Coordinating Committee reviewed this item at its meeting on March 14, 2001, and forwarded the proposal to the Commission with the statement that the project has been

coordinated with all agencies participating, provided that all easements and conditions are placed on the plat. The participating agencies were NCPC; the District of Columbia Office of Planning; the Fire Department; the Department of Housing and Community Development; the Department of Public Works; the General Services Administration; and the Washington Metropolitan Area Transit Authority.

**STREETS AND PUBLIC ALLEYS CLOSED
SQUARE 710 AND 711**



THE STREETS AND ALLEYS SHOWN THIS DEED ARE CLOSED AND TITLE VESTS AS SHOWN UPON RECORDATION OF THIS PLAN.

OFFICE OF THE SURVEYOR D.C. _____ 2000

I CERTIFY THAT THIS PLAN IS CORRECT AND IS RECORDED.

SURVEYOR D.C.

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