



Executive Director's Recommendation

Commission Meeting: April 4, 2013

PROJECT Revised Final Site and Building Plans National Law Enforcement Museum Judiciary Square Washington, DC	NCPC FILE NUMBER 6321
	NCPC MAP FILE NUMBER 1.20(73.10)43721
SUBMITTED BY National Law Enforcement Officers Memorial Fund	APPLICANT'S REQUEST Final approval of site and building plans
REVIEW AUTHORITY Approval Public Law 106-492	PROPOSED ACTION Approve as requested
	ACTION ITEM TYPE Staff Presentation

PROJECT SUMMARY

The National Law Enforcement Officers Memorial Fund has submitted revised final site and building plans for the National Law Enforcement Museum. The largely underground museum will be constructed on federal land within the District of Columbia Courts Complex in Judiciary Square, in accordance with Public Law 106-492, which authorized the project in 2000. The Commission approved final site and building plans for the entrance pavilions for the museum and surrounding plaza in 2008. Since receiving that approval the National Law Enforcement Officers Memorial Fund has made major modifications to the underground portion of the museum, but those modifications do not significantly affect the design of the above-ground elements that were approved by the Commission in 2008.

KEY INFORMATION

- The proposed design for the museum includes the demolition and subsequent rebuilding of an existing areaway that is part of DC Court Building C but which is within the area authorized by Public Law 106-492 for the construction of the museum.
- The demolition and reconstruction of the areaway is required for utility work.
- The demolition and reconstruction of the areaway was excepted from the Commission's 2008 approval "unless agreement is reached with the District of Columbia Courts for this to occur and NCPC has been so notified."
- The applicant has yet to reach full agreement with the District of Columbia Courts. However, the outstanding issues to be resolved involve construction methods and not the design of the areaway.
- Because review and approval of construction methods is not subject to Commission review under the Planning Act, staff recommends approval of the areaway.

RECOMMENDATION

The Commission:

Approves the revised final site and building plans for the National Law Enforcement Museum.

Notes that Public Law 106-942 requires consultation and coordination with the District of Columbia Courts throughout the duration of the project.

PROJECT REVIEW TIMELINE

Previous actions	December 2007 – Preliminary approval September 2008 – Final approval with the exception of the proposed demolition and rebuilding of the areaway and generator for Court Building C
Remaining actions (anticipated)	April 2013 – Final approval of revised site and building plans

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3/28/2013

I. PROJECT DESCRIPTION

Site

The project is located in Reservation 7 in Judiciary Square. The National Law Enforcement Museum (museum) will be located on the south side of the 400 block of E Street, NW just to the north of the Old District of Columbia City Hall/Courthouse (Building D). The museum will be primarily constructed below grade; however, two entrance pavilions will be constructed in the open space between Court Building C and the U.S. Court of Appeals for the Armed Forces, Building E.



Figure 1: Project location

Background

Congress authorized the construction of the National Law Enforcement Museum with Public Law 106-492. This law stipulated that the museum would be constructed largely underground on federal land within the District of Columbia Courts complex in Judiciary Square and also that the National Law Enforcement Officers Memorial Fund would consult with and coordinate with the Joint Committee on Administration of the District of Columbia courts in the planning, design, and construction of the museum. The Commission approved the final site and building plans for the museum at the September 2008 meeting. Since that time, the National Law Enforcement Officers Memorial Fund has modified the design in an effort to reduce the overall cost of the project. The design modifications are primarily underground and thus not subject to Commission approval.

Proposal

The revised final site and building plans reflect minor modifications since the Commission last reviewed and approved the project in September 2008. The museum will be constructed above and below grade north of the Old D.C. City Hall/Courthouse, between Building C and the U.S. Court of Appeals for the Armed Forces, Building E. The museum will consist of approximately 55,000 gross square feet of which approximately 47,000 square feet will be built below ground.

Two entry pavilions totaling approximately 7,695 gross square feet will be built around a central public plaza. The design of this public plaza is based on the design of the plaza constructed by

the DC Court of Appeals during a renovation of the courthouse that was completed in 2009, and maintains the pattern of light colored granite accent pavers in a field of darker granite pavers.

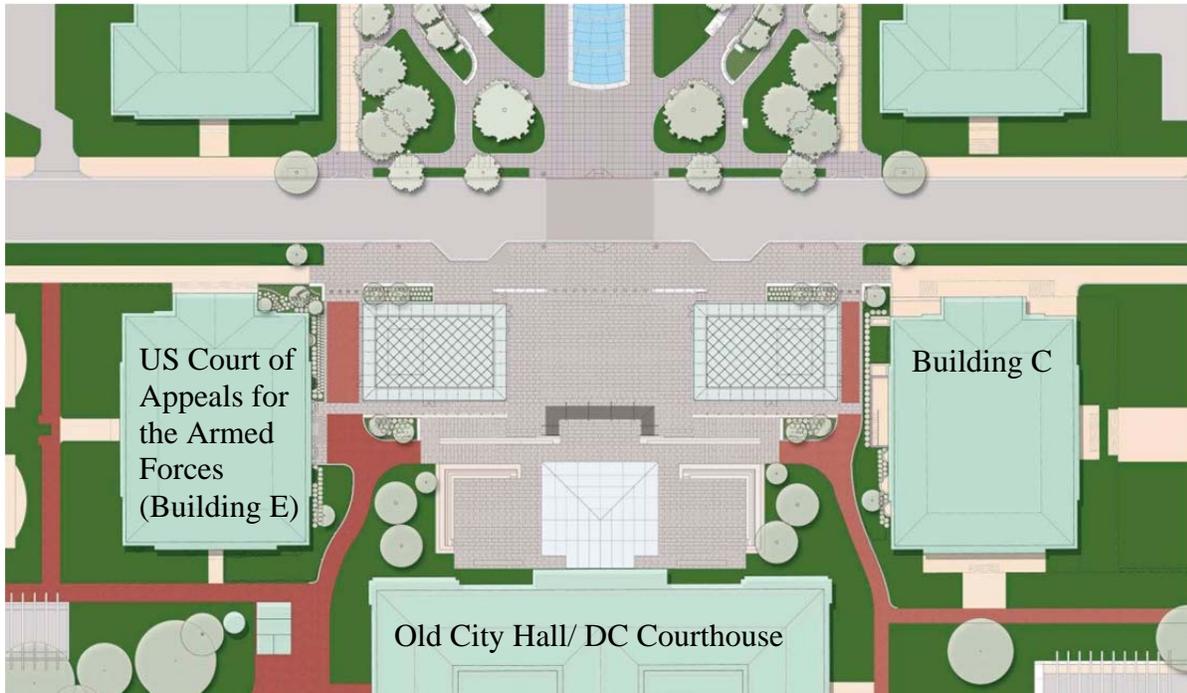


Figure 2: Site plan

The entry pavilions will be clad in transparent low iron glass and the exterior walls will rise to a height of 16'2" above the E Street curb. A glass arching Lamella structure will spring from the perimeter peristyle and rise to a height of twenty-five feet.

Modifications made since the Commission approved the project include the elimination of the skylights from the central public plaza and the addition of two accessible (ADA) curb cuts along E Street as requested by the District of Columbia Department of Transportation. A door was also eliminated from the east façade of the east pavilion. All other modifications impact the interior of the museum and do not impact the site plan. Interior modifications include the elimination of internal stairs and escalators, a reduction in the building footprint so that the building will not extend below E Street, elimination of the administration level, expansion of the exhibit space into the former concourse area, reconfiguration of the gift shop and café, and the addition of the central plant on the lowest level of the building.



Figure 5: Rendering of entry pavilions

II. PROJECT ANALYSIS/CONFORMANCE

Analysis

Staff recommends the Commission approve the revised final site and building plans for the National Law Enforcement Museum. Only minor modifications have been made since the Commission approved the museum in 2008. The elimination of the skylights in the central public plaza, the addition of two curb cuts along E Street NW, and the elimination of the door from the east pavilion do not substantially alter the project.

In its final approval in September 2008, the Commission did not approve the proposed demolition and subsequent rebuilding of the areaway and disassembly of the generator for Court Building C. The DC Courts have removed the generator and placed their emergency generators inside of Building C. Therefore, the portion of the commission action regarding the disassembly of the generator is no longer relevant.

The disassembly and reconstruction of the areaway is required in order to install a combined sewer line under the areaway. In addition, a portion of the ADA ramp constructed on the north

side of Building C will need to be disassembled in order to install the sewer line. The DC Courts and the National Law Enforcement Officers Memorial Fund have been working to coordinate a variety of design and operational issues related to the disassembly and reconstruction of the areaway and ADA ramp. At this time, while the DC Courts have not approved the disassembly and reconstruction of the areaway, they have acknowledged in meetings that progress towards an acceptable design has been made. Per the authorizing legislation, approval from the DC Courts is not required for the Commission to approve the museum. The National Law Enforcement Officers Memorial Fund will be rebuilding the areaway to the exact dimensions so that the DC Courts will be able to access their emergency generator. In addition, to address water infiltration issues that the DC Courts have experienced since remodeling Building C, the National Law Enforcement Officers Memorial Fund plans to construct waterproofing improvements when rebuilding the areaway. Therefore, based on the progress made between the National Law Enforcement Officers Memorial Fund and the DC Courts, staff recommends that the Commission approve the revised final site and building plans.

Comprehensive Plan for the National Capital

The project is in conformance with the following policies in the Preservation and Historic Features Element of the *Comprehensive Plan for the National Capital*:

- Identify and protect both the significant historic design integrity and the use of historic landscapes and open space.
- Protect the settings of historic properties, including views to and from the sites where significant, as integral parts of the character of the property.
- 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*.

National Capital Urban Design and Security Plan Objectives and Policies

The revised final site and building plans do not modify the existing perimeter security improvements. The perimeter security improvements were approved by the Commission in April 2009 as part of a plan submitted by the District of Columbia Courts for security in Judiciary Square. The perimeter security includes a line of bollards between the two entry pavilions and at the east and west drive aisles near Court Building C and the U.S. Court of Appeals for the Armed Forces.

Relevant Federal Facility Master Plan

The central public plaza design complies with the requirements of the approved Judiciary Square Master Plan in providing perimeter security for the District of Columbia Courts while retaining the central plaza foreseen in the legislation.

National Environmental Policy Act (NEPA)

The Commission served as lead federal agency for the purposes of the National Environmental Policy Act. The Executive Director issued a Finding of No Significant Impact (FONSI) on September 28, 2007 with four mitigation measures. Mitigation included the following: 1) obtaining concurrence from the Washington Metropolitan Area Transit Authority (WMATA) on the final site and building plans; 2) minimizing adverse effects to the historic court buildings and Judiciary Square through finalization of the plans presented for preliminary site and building plan review, and the execution of a Memorandum of Agreement (MOA) pursuant to Section 106 of the National Historic Preservation Act; 3) minimizing potential adverse traffic impacts resulting from the construction of the museum by filing plans with DDOT to manage re-routing of traffic from E Street during construction, especially during peak traffic; 4) demonstrating the incorporation of low intensity development practices in the final landscape plans for the plaza. All of these mitigation measures have been fulfilled and additional NEPA analysis is not required for the revised final site and building plans.

National Historic Preservation Act (NHPA)

The Commission served as lead federal agency for Section 106 consultation under the National Historic Preservation Act. Through this consultation, the Executive Director determined, and the District of Columbia State Historic Preservation Officer (DC SHPO) concurred, that the placement of pavilions in Judiciary Square would have an adverse effect on Old City Hall, a National Historic Landmark, and the character of Judiciary Square's architectural and open space setting. The setting is also part of the Pennsylvania Avenue National Historic Site. A Memorandum of Agreement (MOA) was executed on June 25, 2008 by the DC SHPO, NPS, the National Law Enforcement Officers Memorial Fund, and NCPC to address adverse effects. In March 2013, all parties agreed to a five year extension of the MOA. Staff updated the MOA to include the revised final site and building plans as an attachment, but no other changes were proposed to the terms and conditions of the document.

Two mitigation measures were included in the MOA. The National Law Enforcement Officers Memorial Fund is required to prepare historic district nominations for a Judiciary Square Historic District for both the National Register of Historic Places and the D.C. Inventory of Landmarks and submit them to the DC SHPO. In addition, the National Law Enforcement Officers Memorial Fund will prepare and print copies of a public brochure in non-technical language to be distributed at the museum and by the signatory agencies on the history of the development of Judiciary Square.

III. CONSULTATION

Coordinating Committee

The Coordinating Committee reviewed the revised final site and building plans on January 16, 2013. The National Park Service, the District of Columbia Fire and Emergency Medical Services, and NCPC forwarded the project to the Commission with the statement that the project had been coordinated. The District of Columbia Office of Planning inquired about the location

of the PEPCO vaults, and agreed to coordinate the project after being informed the vaults would be located inside the building. The Washington Metropolitan Area Transit Authority requested additional information for their Office of Joint Development and Adjacent Construction and subsequently coordinated the project. The U.S. General Services Administration requested additional time to review the project with respect to means and methods of construction to determine if there would be any impacts on the U.S. Court of Appeals for Armed Forces.

U.S. Commission of Fine Arts

The U.S. Commission of Fine Arts reviewed and approved the revised final site and building plans at their January 17, 2013 meeting.