

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

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**TO:** All Councilmembers

**FROM:** Chairman Phil Mendelson  
Committee of the Whole

**DATE:** June 30, 2015

**SUBJECT:** Report on Bill 21-200, “Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015”

The Committee of the Whole, to which Bill 21-200, the “Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015” was referred, reports favorably thereon with amendments, and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

On May 6, 2015, Bill 21-200, “Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015” was introduced by Chairman Phil Mendelson at the request of the Mayor. Bill 21-200 would order the closing of Potomac Avenue, S.W., between 2nd Street, S.W. and R Street, S.W.; R Street, S.W., between Potomac Avenue, S.W., and Half Street, S.W.; 1st Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; S Street, S.W., between 2nd Street, S.W. and approximately 230 feet west of Half Street, S.W. in Ward 6.

The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201 *et seq.*) (“Act”) establishes procedures for closing streets and alleys, opening new streets and alleys, naming public spaces, and other

procedures related to streets and alleys. The Act authorizes the Council to close all or part of a street or alley, and establishes one standard for reviewing a street or alley closing application: whether the street or alley is determined by the Council to be needed for street or alley purposes. The Act also authorizes the Council to make approval of a street or alley closing contingent upon: (1) the dedication of land for street or alley purposes if the public interest would be served by such action; (2) the granting to the District of specific easements for public purposes; and (3) any other condition that the Council considers necessary.

Pursuant to the Act, street and alley closing applications are submitted to the Surveyor of the District of Columbia who assigns a Surveyor's Order (S.O.) number and collects applicable fees. The Surveyor requests comments from executive branch agencies and public utilities. When these reviews are completed, the application is transmitted to the Council in the form of a bill from the Mayor. Although Council members may instead initiate action on an alley or street closing by introducing a bill, the Act provides that the Council cannot consider such a bill until the required reviews have been completed. Regarding Bill 21-200, all of the reviews have been completed. In cases where objections were raised, they have been lifted provided that the District meets certain conditions. In addition, the Historic Preservation Review Board (HPRB) and the National Capital Planning Commission (NCPC) both provided comments to the Council after their reviews of the proposed street closures.

The Act establishes notice requirements for street and alley closing legislation. The Council is required to publish notice of a street or alley closing in the *District of Columbia Register*. Further, the applicant is required to give written notice to all property owners abutting a block or alley affected by the proposed street or alley closure. The applicant is also required to post signs at each end of a block or each entrance to an alley affected by the street or alley closing legislation. The applicant is required to give the Council certification of compliance with these requirements. Regarding Bill 21-200, these requirements have been met.

After street or alley closing legislation becomes law and all conditions required by the Council and the Act have been satisfied, the Surveyor records a copy of the act and plat in the Office of the Surveyor. Thereafter, the street or alley is deemed closed and title to the land reverts or vests in fee simple to the record owners as shown on the plat. The land becomes subject to tax and zoning laws in the same manner as the abutting land. The right of the public to use the street or alley typically ceases, and any proprietary interest of the United States or the District of Columbia in the street or alley ceases. If a closing plat shows an easement or dedication of land for public purposes, the land encompassed by the easement or dedication becomes available for the specified public purposes.

The applicant to close these streets to adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244 is the District of Columbia, the owner Reservations 243 and 244. Under the Committee print, all title in the land under the streets to be closed will vest to the District. In addition, the District has sent to the Council for its approval purchase agreements for all other squares in the subject area, except for Square 607. However, the District intends to also acquire Square 607 before September 30, 2015, at which time the streets requested to be closed will be completely adjacent to District owned parcels. The combined parcels and adjacent streets to be closed form the site of the D.C. United Soccer

Stadium pursuant to the Soccer Stadium Development Act of 2014<sup>1</sup> under development by the District of Columbia and D.C. Stadium, LLC.

### **Comments from HPRB and NCPC**

Pursuant to the street and alley closures Act, the Historic Preservation Review Board (HPRB) and the National Capital Planning Commission (NCPC) are given an opportunity to review and comment on proposed street and alley closures in the District.<sup>2</sup> Both HPRB and NCPC forwarded comments to the Council in response to the proposed closures that are the subject of Bill 21-200. NCPC recommended that the District adopt any proposed mitigation to address any adverse effects identified by the Historic Preservation Review Board related to the street closings. The Committee reviewed the comments and recommendations carefully and solicited responses from the executive at the hearing on Bill 21-200.

HPRB and NCPC both commented that the proposed street closures should be contingent upon development of the site for the DC United Soccer Stadium and should take effect only if the District obtains site control of the adjacent land and a soccer stadium is constructed on the site. The Committee is satisfied that this comment has been addressed. On June 9, 2015, the Mayor transmitted three land purchase agreements, a development agreement, and a ground lease that would assemble all but one parcel of the stadium site, and lay out terms for development and future lease of the stadium site. The Committee fully expects that these agreements, which are already signed by all parties except for the District, will be finalized upon the approval of the contracts by the Council before Bill 21-200 takes effect.

HPRB commented that the adverse effect of the street and park reservation closures should be mitigated through building and public space design that follows the fundamental organizing principles of the L'Enfant Plan. NCPC also commented that the stadium design should respect and enhance view corridors along the L'Enfant Plan streets to be closed and provide appropriately designed terminations that reflect the principles of the L'Enfant Plan. Section 7.2 of the development agreement speaks to design of the stadium itself, which will require approvals from the District<sup>3</sup> and section 7.9 of the development agreement contains provisions that protect the viewshed along Potomac Avenue in the portion of the stadium site which will contain ancillary development.<sup>4</sup> In addition, the stadium would be subject to the review of NCPC.<sup>5</sup>

HPRB also recommended that further design of the project should be undertaken in consultation with the State Historic Preservation Office as provided in the DC historic preservation law, as well as other interested agencies and groups. Under the Historic

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<sup>1</sup> D.C. Law 20-233, District of Columbia Soccer Stadium Development Act of 2014, (eff. Mar 11, 2015).

<sup>2</sup> D.C. OFFICIAL CODE § 9-202.02.

<sup>3</sup> CA21-78, Amended and Restated Development Agreement between the District and D.C. Stadium LLC § 7.3.

<sup>4</sup> *Id.*

<sup>5</sup> Letter from Marcel C. Acosta, Executive Director, National Capital Planning Commission to Chairman Phil Mendelson, Council of the District of Columbia (Nov. 13, 2014) (attached to this report).

Preservation Act,<sup>6</sup> the State Historic Preservation Office will have further review of the proposed stadium design. In addition, a provision in the land development agreement requires that D.C. United solicit input from the adjacent Ft. Leslie McNair.<sup>7</sup>

NCPC commented that the formal closure of any streets should be delayed until sufficient detail is available regarding the soccer stadium design in order to ensure that the street closures are limited to only what is necessary for the stadium itself, and furthermore, street closures should not occur in order to accommodate private development. After the thorough review of the entire stadium development project, which consisted of five hearings and a comprehensive independent consultant's report, culminating in the Soccer Development Act of 2014, the Committee is satisfied that the streets proposed for closure are consistent with the conceptual designs for the soccer stadium itself and ancillary development on the soccer stadium site. The streets proposed to be closed are wholly within the soccer stadium site as further defined in the Soccer Stadium Development Technical Clarification Act of 2015<sup>8</sup> and as described in three of the land purchase agreements sent to the Council for approval.<sup>9</sup>

NCPC also recommended that prior to the formal closure of any streets, a transportation analysis should be conducted to understand the potential impacts on vehicular and pedestrian circulation. According to testimony at the hearing on Bill 21-200, the executive was in the process of issuing the updated transportation study which will be issued before the stadium site is fully assembled.

Finally, both HPRB recommended that agreements should provide for the restoration of streets to their historic pattern if the stadium is removed. NCPC took this recommendation even further recommending that the District should agree to a covenant to run with the land requiring that at such time as the proposed site is no longer used as a stadium, all portions of 1st Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW, be re-established in their original locations with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant. At the hearing on Bill 21-200, the executive committed to entering into such a covenant with NCPC. The Committee is satisfied that the District will take the legal steps necessary to ensure that when the site is no longer used for stadium purposes, that the original streets will revert as recommended by NCPC and HPRB.

### **Comments from Government Agencies and Utilities**

Under the Street and Alley Closing and Acquisition Procedures Act, the Mayor must provide the Council with any comments on the proposed closing by affected District agencies

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<sup>6</sup> Historic Landmark and Historic District Protection Act of 1978, D.C. Law 2-144, codified at D.C. OFFICIAL CODE § 6-1101 *et seq.*

<sup>7</sup> CA21-78, Amended and Restated Development Agreement between the District and D.C. Stadium LLC § 7.3 (2015).

<sup>8</sup> D.C. Act 21-59, Soccer Stadium Development Technical Clarification Emergency Act of 2015 (eff. May 8, 2015).  
D.C. Act 21-70, Soccer Stadium Development Technical Clarification Temporary Act of 2015 (eff. July 11, 2015).  
D.C. Bill 21-158, Fiscal Year 2016 Budget Support Act of 2015, § 2181 *et seq.*

<sup>9</sup> CA21-74, Proposed Purchase and Sale Agreement between the District and Super Salvage, Inc.  
CA21-76, Proposed Purchase and Sale Agreement between the District and Rollingwood Real Estate, LLC.  
CA21-77, Proposed Purchase and Sale Agreement between the District and Potomac Electric Power Company.

and public utilities. Agencies commenting on the street closure proposed in Bill 21-200 had no outstanding concerns or objections.

However, several utility companies noted some concerns that should be addressed before they lift any objection to the closing. DC Water indicates that it will release its objection provided that utility relocation work is done in accordance with plans approved by DC Water. Pepco indicated that it would lift its objections to the closures provided that the District executes easements in a form and under conditions approved by Pepco. Verizon will lift its objections if the District grants necessary easements and pay for associated utility relocation. Washington Gas lifts its objection provided that the District commits to pay for eliminating “all gas conflicts” that could come as a result of the street closures and the eventual stadium project. In response to questions at the hearing on Bill 21-200, the executive indicated that the conditions laid out by the utilities would be met, including the granting of easements and relocation of utilities. The Committee intends that all objections in the Surveyor’s file regarding relocations, easements, and associated payments, be mitigated by the District before proceeding with the street closures.

### **Conclusion**

Bill 20-200 is necessary for the District to obtain site control for the soccer stadium development, which must occur by September 15, 2015 pursuant to agreements between the District and DC Stadium, LLC. Because the Committee finds that the streets interior to the soccer stadium site proposed for closure are unnecessary for public purposes, the Committee recommends approval of Bill 21-200 as reflected in the Committee Print.

## **II. LEGISLATIVE CHRONOLOGY**

May 6, 2015	Bill 21-200, “Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015” is introduced by Chairman Mendelson, at the Request of the Mayor.
May 15, 2015	Notice of Intent to Act on Bill 21-200 is published in the <i>District of Columbia Register</i> .
May 22, 2015	Notice of a Public Hearing on Bill 21-200 is published in the <i>District of Columbia Register</i> .
June 9, 2015	The Committee of the Whole holds a public hearing on Bill 21-200.
June 30, 2015	The Committee of the Whole marks-up Bill 21-200.

### **III. POSITION OF THE EXECUTIVE**

Brian Kenner, Deputy Mayor for Planning and Economic Development, testified on behalf of the applicant,<sup>10</sup> at the Committee's public hearing on June 9, 2015. He testified that the approval of Bill 21-200 is a critical component of fulfilling the District's obligations under the Soccer Stadium Development Act of 2014 and under the accompanying agreements to which the District is a party. He further testified that the streets propose for closing were identified early in the stadium planning process in conjunction with a rigorous environmental mitigation study commissioned by the Department of General Services in collaboration with area stakeholders.

Roland Dreist, D.C. Surveyor, testified at the Committee's public hearing on June 9, 2015. He stated that the area of the public alley to be closed is 160,462 square feet. He testified that the Executive branch agencies have no objection to the closings, that public utilities all agree to withdraw any objections based on the District's execution of easements, which the District has agreed to do, and that no retail tenants will be displaced as a result of the closing. He further noted that pursuant to D.C. Official Code § 9-202.02(5), Advisory Neighborhood Commission (ANC) 6D was notified of this application on April 14, 2014 and again on January 28, 2015. Mr. Dreist also stated that pursuant to D.C. Official Code § 9-202.05, the application was referred to both NCPC and HPRB on April 22, 2014 and again on January 26, 2015. Finally, he noted that abutting property owners were notified of the application on April 22, 2014 and again on May 19, 2015, and that the site was posted on May 19, 2015 with information on the public hearing.

### **IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS**

During a properly-noticed public meeting on September 11, 2013, Advisory Neighborhood Commission (ANC) 3D considered the application for the proposed street closings. The ANC voted 5-0-0 to send a letter to the Surveyor dated April 19, 2015 noting that it believed any road closure in the area would be premature because there has been no environmental assessment or remediation of the area, accompanied by an April 13, 2015 resolution further explaining the concerns on the closure. The letter and the resolution are included in the attachments to this report.

### **V. NATIONAL CAPITAL PLANNING COMMISSION REVIEW**

In a letter dated November 13, 2014 the National Capital Planning Commission found that the proposed street closures would result in adverse effects on the L'Enfant Plan and would be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital. Additional comments from NCPC are discussed previously in this report.

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<sup>10</sup> The applicant for the proposed street closures is the Department of General Services, which is a subordinate executive agency under the Deputy Mayor for Planning and Economic Development.

## VI. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 21-200 on Tuesday, June 9, 2015. The testimony summarized below is from that hearing. Copies of written testimony are attached to this report.

**Tom Hunt, Chief Operating Officer, D.C. United,** testified to his support for the street closing bill and the entire soccer stadium development project. He noted that the completed stadium, which requires the street closures, will be a link between the revitalized and thriving Navy Yard and the redeveloped Southwest Waterfront.

**Bob Bullock, Super Salvage,** testified about the need to coordinate the timing of the permanent closing of the roads within the stadium development site because Super Salvage, which currently occupies one of the parcels within the site, will continue operation of the business through the end of September, and has until the end of the year to vacate all equipment from the property. Use of the roads will be important while the business is still open and until all equipment is transported off of the property.

**Bill Shickler, Public Witness,** testified to concerns over the process for closing streets, specifically over the notice of the hearing on Bill 21-200, and urged that the Council take seriously concerns and recommendations developed by the ANC.

**Brian Kenner, Deputy Mayor for Planning on Economic Development,** testified on behalf of the Executive as the applicant. His testimony is summarized in section III above.

**Roland Dreist, Surveyor of the District of Columbia,** testified on behalf of the Executive. His testimony is summarized in section III above.

The Committee received no other testimony or comments in opposition to Bill 21-200.

## VII. IMPACT ON EXISTING LAW

Bill 21-200 has no impact on existing law. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201 *et seq.*) (“Act”) establishes procedures for closing streets and alleys, opening new streets and alleys, naming public spaces, and other procedures related to streets and alleys. Additionally, it authorizes the Council to close all or part of a street or alley. In approving Bill 21-200, the Committee finds that the requirements of the Act have been satisfied.<sup>11</sup>

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<sup>11</sup> D.C. OFFICIAL CODE § 9-202.01 *et. seq.* (2015).

## VIII. FISCAL IMPACT

The attached June X, 2015 fiscal impact statement from the District's Chief Financial Officer (CFO) states that funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement Bill 21-200.

## IX. SECTION-BY-SECTION ANALYSIS

- Section 1 States the short title of Bill 20-200.
- Section 2 States the that the Council finds that the portion of the Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244 for street purposes and orders them closed, with title to the land to vest to the District of Columbia.
- Section 3 Directs the Chairman of the Council to transmit a copy of this act to the Office of the Surveyor of the District of Columbia and the Office of the Recorder of Deeds.
- Section 4 Adopts the Fiscal Impact Statement.
- Section 5 Establishes the effective date by stating the standard 30-day Congressional review language.

## X. COMMITTEE ACTION

## XI. ATTACHMENTS

1. Bill 21-200 as introduced.
2. Written Testimony.
3. Fiscal Impact Statement for Bill 21-200.
4. Legal Sufficiency Determination for Bill 21-200.
5. Committee Print for Bill 21-200.

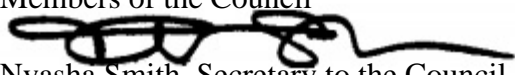


**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council

From :   
Nyasha Smith, Secretary to the Council

Date : May 11, 2015

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Wednesday, May 6, 2015. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015", B21-0200

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel  
Budget Director  
Legislative Services



OFFICE OF THE  
SECRETARY  
2015 MAY -6 PM 12: 19

MURIEL BOWSER  
MAYOR  
MAY 6 2015

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for the consideration and approval of the Council of the District of Columbia is legislation entitled the "Closing of Public Streets adjacent to Squares S-603, N-661, 605, 607, 665 and Reservation 243 and 244 S.O. 13-14605, Act of 2015". This bill proposed the closing of Potomac Avenue, S.W., between 2<sup>nd</sup> Street, S.W. and R Street, S.W.; R Street, S.W., between Potomac Avenue, S.W., and Half Street, S.W.; 1<sup>st</sup> Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and S Street, S.W., between 2<sup>nd</sup> Street, S.W. and approximately 230 feet west of Half Street, S.W.; all adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244.

The purpose of this application is to allow for the development of a Major League Soccer Stadium.

Pursuant to D.C. Official Code § 9-202.02 (3) the application was referred to the National Capital Planning Commission ("NCPC") on April 14, 2014. By letter dated November 13, 2014, NCPC's Executive Director indicated that at its November 6, 2014 meeting NCPC approved comments for the Council's consideration. The approved NCPC comments were attached.

Pursuant to D.C. Official Code § 9-202.02 (4) the application was referred to the Historic Preservation Review Board ("HPRB") on April 22, 2014 and again on January 26, 2015. At its public meeting held on April 23, 2015, HPRB voted to accept the staff report, thereby indicating that it did not object to the street closings.

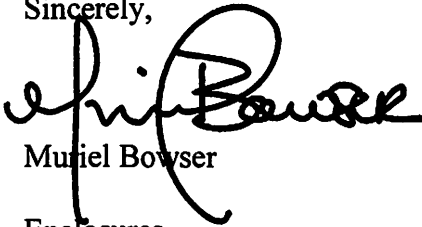
Pursuant to D.C. Official Code § 9-202.02 (5) the application was referred to Advisory Neighborhood Commission ("ANC") 6D on April 14, 2014 and again on January 28, 2015. By letter dated April 19, 2015, the Chairman of ANC 6D indicated that at a regularly scheduled public meeting and with a quorum present, the ANC voted 5-0-0 to send an attached resolution which expressed its issues and concerns with the proposed street closings.

The streets to be closed are shown on the King Plats of 1803 on Page 10. Potomac Avenue was originally Georgia Avenue as reflected on that plat. It was changed by Public Act 139, approved May 26, 1908. The streets are also shown in Record Book II and Record Book III, dated 1799.

These closings will have no negative impact on the operating budget for the current or next five fiscal years.


Enclosed is a copy of the plat for recording these closings along with a copy of the application file and draft legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is written in a cursive style with a large, looping initial "M".

Muriel Bowser

Enclosures

  
Chairman Phil Mendelson  
at the request of the Mayor

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Chairman Phil Mendelson, at the request of the Mayor, introduced the following bill, which was referred to the Committee on \_\_\_\_\_.

To order the closing of Potomac Avenue, S.W., between 2<sup>nd</sup> Street, S.W. and R Street, S.W.; R Street, S.W., between Potomac Avenue, S.W., and Half Street, S.W.; 1<sup>st</sup> Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and S Street, S.W., between 2<sup>nd</sup> Street, S.W. and approximately 230 feet west of Half Street, S.W.; all adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244 in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015”.

Sec 2. Pursuant to Section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council of the District of Columbia finds that the public streets adjacent to Squares S-603, N-661, 605, 681, 607 and 665, and in U.S. Reservations 243 and 244, as shown by the hatch-marks on the Surveyor’s plat in the official file for S.O. 13-14605, are unnecessary for street purposes and orders them closed, with title to the land to vest as shown on the Surveyor’s plat. The closure of these public streets is contingent upon the satisfaction of all conditions by

38 District agencies and affected public utilities as set forth in the official file for S.O. 13-14605.  
39 For the purposes of this section, the references to “the official file for S.O. 13-14605” shall mean  
40 official Surveyor’s Office file for S.O. 13-14605 as it existed on \_\_\_\_\_, the date of  
41 the Council’s 2<sup>nd</sup> reading of this act.

42           Sec 3. The Secretary to the Council shall transmit a copy of this act, upon its effective  
43 date, to the Office of the Mayor, the Office of the Surveyor of the District of Columbia and the  
44 District of Columbia Recorder of Deeds.

45           Sec. 4. The Council adopts the fiscal impact statement in the committee report as the  
46 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule  
47 Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code §1-206.02(c)(1)).

48           Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto  
49 by the Mayor, action by the Council to override the veto), a 30-day period of Congressional  
50 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved  
51 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)) , and publication in the  
52 District of Columbia Register.

**Testimony of  
Tom Hunt, Chief Operating Officer, D.C. United**

Before the  
Committee of the Whole

Public Hearing on  
B21-200,  
“Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and  
665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015”

June 9, 2015  
1:30 p.m.

John A. Wilson Building, Room 500  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

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Testimony of Tom Hunt, Chief Operating Officer, D.C. United,  
Bill 21-200, “Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665,  
and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015”

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Good afternoon, Chairman Mendelson and members of the Committee of the Whole. For the record, my name is Tom Hunt, and I am the Chief Operating Officer of D.C. United. I am here to testify on behalf of the team in support of Bill 21-200[the “Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015”](the “Bill”). First, I’d like to thank you Chairman Mendelson and the entire Council, Mayor Bowser and her team, including Deputy Mayor Kenner, as well as countless others who have worked tirelessly on the District of Columbia Soccer Stadium Act. I am here not just to express my support for the street closing bill, but also to express our ongoing commitment to the District of Columbia, with yesterday’s signing of our transactional documents with the Mayor’s Office.

In December 2014, The D.C. Council unanimously passed the District of Columbia Soccer Stadium Development Act of 2014, approving the development of a new stadium for D.C. United in the Buzzard Point neighborhood of Southwest Washington. The culmination of more than two-and-a-half years of work by District leaders and D.C. United, it was a victory for the city and its soccer team, the region, and the sport in this country. It also was a commitment to real and enduring benefits for the people of the District.

The day after the Council took its unanimous action, D.C. United announced the completion of a Community Benefits Agreement with the Ward 6 neighborhood that will be the home to the team’s new stadium. In addition to continuing its afterschool soccer programming at Amidon-Bowen Elementary and providing scholarships for its summer camp program, United is engaging

in activities that will strengthen the immediate community. On Earth Day in April, the team cleaned up and beautified the Southwest Community Garden and hosted a healthy eating workshop. As the stadium project moves forward, United will make the facility available for community use, participate in a summer jobs program, take part in local outreach for employment, and strive to build small business and not-for-profit opportunities.

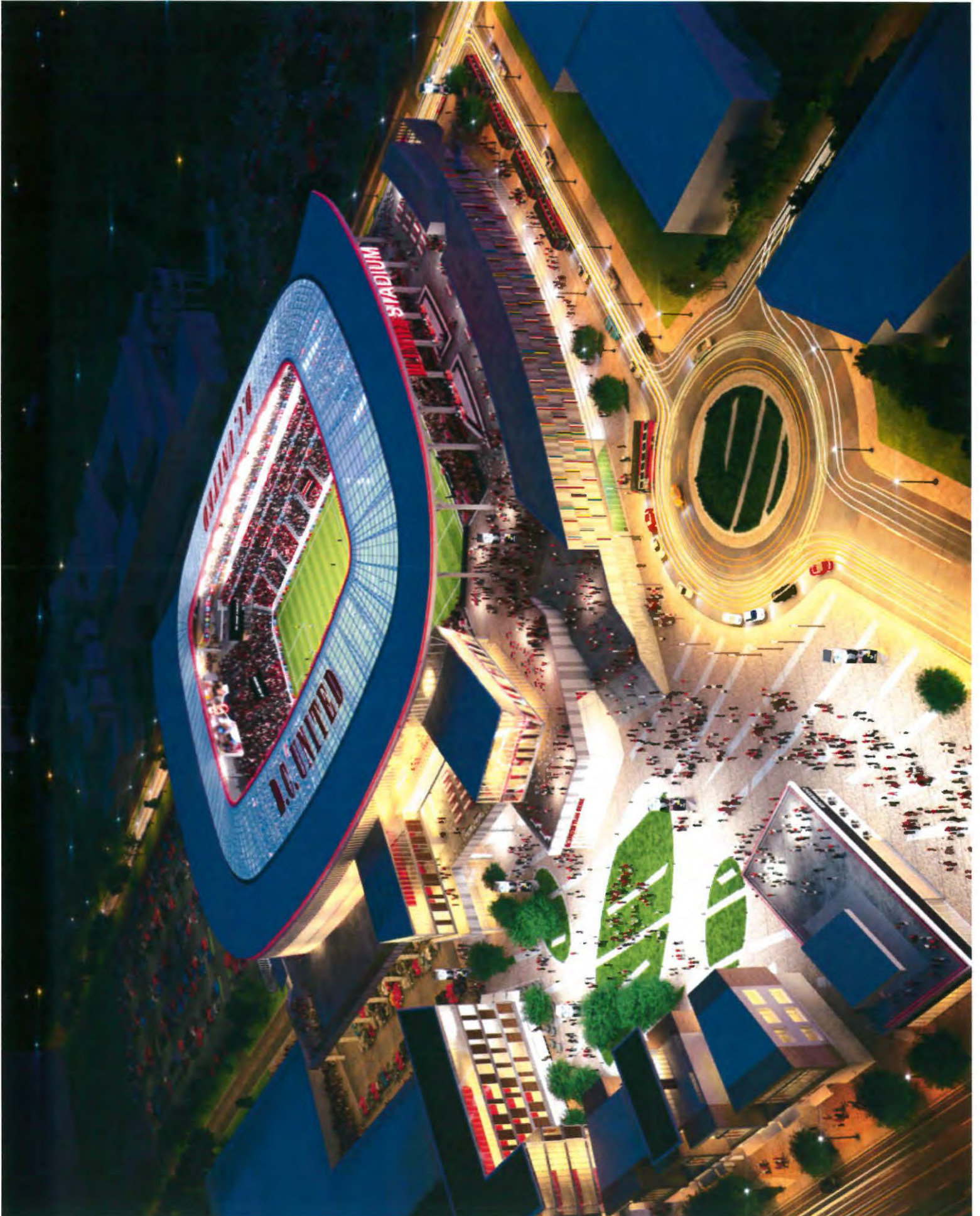
The closing of the streets referenced in the Bill represent one small piece of the long-awaited transformation of Buzzard Point into an important, vibrant component of a redeveloped Anacostia Waterfront. The soccer stadium as well as our proposed ancillary development will act as the anchor of this redevelopment. The stadium will host more than just D.C. United matches; we anticipate approximately 50 events per year in the new stadium, including concerts, cultural events, school-age sports and community events. In addition to being necessary for the planned development of the stadium, the closings will also allow for a robust mixed-use retail and office development with an open plaza that will be a location for gathering fans before and after events at the new stadium as well as a focal point of activity for residents and visitors to the area on non-event and game days.

The Bill would allow for the closing of streets in a neighborhood that already has excellent regional connectivity, particularly provided by nearby Metrorail stations. The new stadium will take advantage of the robust transportation network which already accommodates commuters and nearby Nationals Park. The same transit modes, routes and parking resources will be available to reach the new stadium at Buzzard Point.

The closings of First, R and S Streets, SW in the Bill have always been contemplated as part of the Buzzard Point stadium project, and are necessary to assemble the land for the stadium

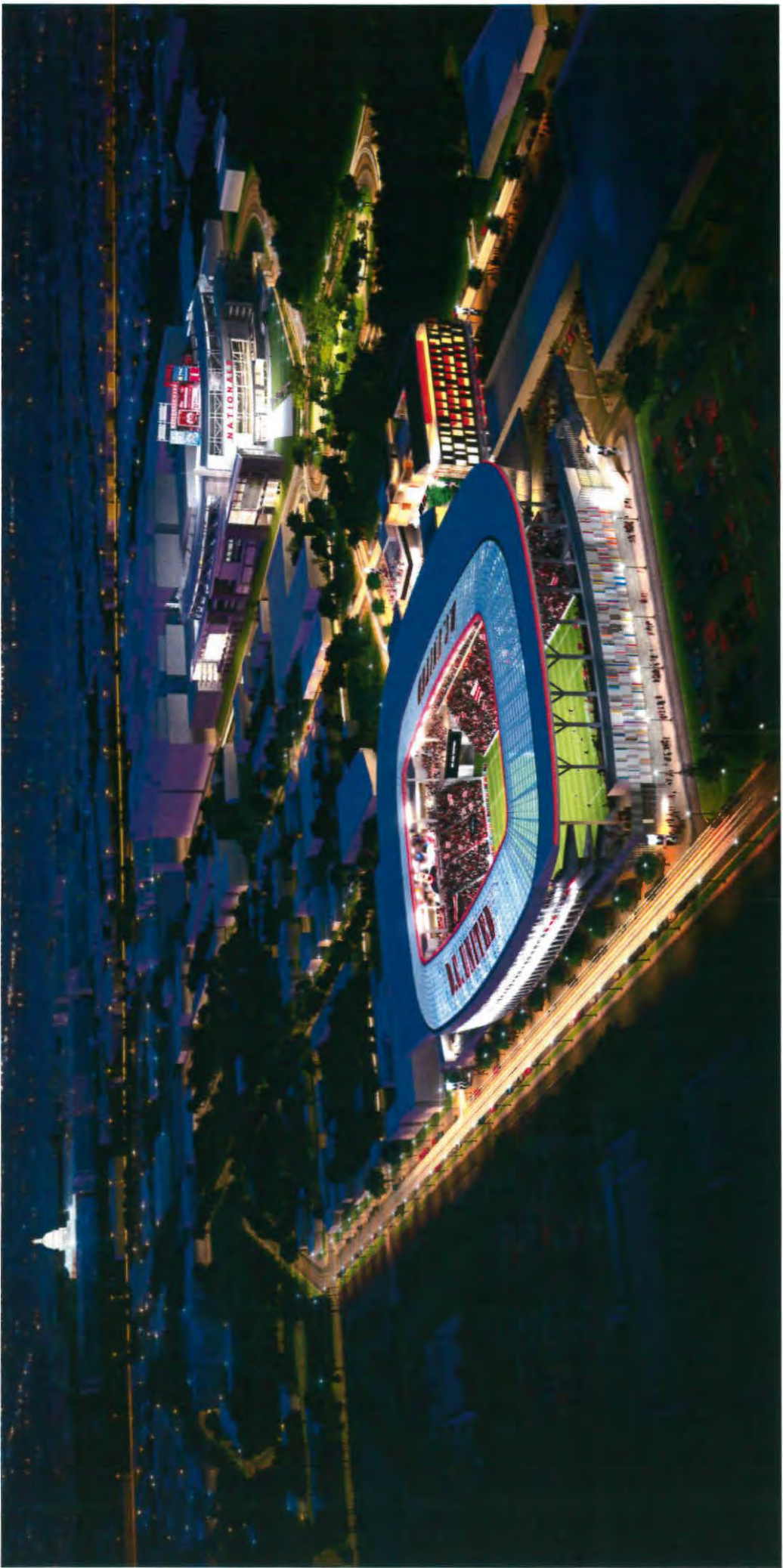


footprint. The completed soccer stadium and surrounding development will be a crucial link between the revitalized and thriving Navy Yard and the redeveloped Southwest Waterfront. By taking favorable action on this Bill, the Council will ensure that the District can assemble the land for the stadium by the September 30, 2015 deadline, and ensure that the progress made toward transforming and revitalizing Buzzard Point is sustained. I want to acknowledge and thank the Council for the legislation that approved this important economic development project which holds the promise of creating jobs for District residents and businesses and new sources of tax revenue for the city. I urge the Council to take prompt and favorable action on this measure. Thank you for allowing me to testify.









**Southwest Soccer Stadium  
Community Benefits Agreement**

This Southwest Soccer Stadium Community Benefits Agreement (“Soccer Stadium CBA”) is made and executed on this 1st day of December 2014, by and between the Near SE/SW Community Benefits Coordinating Council (CBCC) and DC Stadium LLC (“DC United”), for the benefit of the residents of Neighborhood Advisory Commission 6D (“ANC6D”), and shall be incorporated by reference into Bill 20-805, (“Stadium Act”) which authorizes a new soccer stadium and improvements to the Buzzard Point waterfront area in Southwest, Washington, DC.

Recitals

WHEREAS, the Buzzard Point Community and other organizations and residents of ANC6D have identified a number of significant needs associated with Buzzard Point;

WHEREAS, there is a pending Stadium Agreement between the District of Columbia (the “District”) under which DC United may build a new soccer stadium and mixed use development in Buzzard Point and along the Buzzard Point waterfront area;

WHEREAS, this pending Stadium Agreement between the District and DC United does not prioritize or direct benefits to the residents of ANC6D to remedy the needs they have identified;

WHEREAS, the community desires to enter into a community benefits agreement (“CBA”) with DC United to address as many of those needs as can reasonably be undertaken during the 30-year life of the Stadium Agreement;

WHEREAS, CBCC is a nonprofit organized to create and negotiate community benefits agreements for large developments in ANC6D, which includes Buzzard Point;

WHEREAS, CBCC is comprised of local resident associations and councils, business and community leaders, and various groups that sufficiently represent the interests of ANC6D;

WHEREAS, CBCC has the full support of the ANC6D Commission for the creation of a CBA as it relates to the Stadium Agreement;

NOW THEREFORE, in consideration of receipt of full support from CBCC as outlined in the provisions in Section IV below, for a new DC United Soccer Stadium to be located in Buzzard Point and additional improvements to the Buzzard Point waterfront area in Southwest Washington, D.C., the parties hereto agree to execute this Soccer Stadium CBA as follows:

**I. Definitions**

A. Stadium Agreement - shall refer to the agreements between the District of Columbia and the DC United Major League Soccer Team to build a new soccer stadium, along with other planned mixed development, in the Buzzard Point community, and along the Buzzard Point waterfront.

B. DC United – shall refer to the DC United Stadium LLC, the proposed developer of the stadium.

C. District of Columbia – shall include all District agencies, government offices, entities, and agents contracted to work for the benefit of and under the oversight of City Council and/or the Mayor.

D. Parties – shall refer to each signatory to this Agreement, including ANC6D Commissioners.

## **II. Responsibilities of DC United**

- A. If the soccer stadium is built and for so long as it is occupied by the DC United soccer team, DC United shall implement for the next 30 years the following education and recreation provisions, and/or such other new and equivalent successor programs to benefit the children and families residing in ANC6D, including, but not limited to:
1. Continuing its United Soccer Club program at Amidon-Bowen Elementary, which was launched at that location in the fall of 2013, and has had an average enrollment of 30-40 students per session. Although a DC Scores soccer program currently exists at Jefferson Academy Middle School (“Jefferson”), DC United shall commit to offer that program to Jefferson students should DC Scores discontinue its programming at Jefferson.
  2. Once the team has finalized its programming under the DC United Foundation to support the promotion of childhood literacy and healthy lifestyles, it shall commit to partner with Amidon-Bowen Elementary School and UNITY Health Clinic in Southwest to implement the program on an annual basis.
  3. Implement the “DC Kicks for Kids” program at Jefferson Academy Middle School for Jefferson Academy Middle School students to receive free game tickets;
  4. Bi-annually identify qualified and skilled ANC6D residents ages 8-18 for invitation to sports clinics to qualify for scholarships to the DC United Training Program.
  5. Provide scholarships to sponsor up to 25 low-income children ages 5-17 to attend a weeklong DC United summer day camp.
  6. Annually, purchase one full-page advertisement in each edition of the local “Southwester” newspaper, or its successor community newspaper should the “Southwester” be discontinued, at a minimum cost of \$625.00. Such costs shall be capped at a maximum annual fee of \$10,000.00 (Ten Thousand dollars).
  7. Provide a minimum of three (3) community days for use of the new DC United stadium facility(ies) for registered not-for-profits as coordinated by the CBA Enforcement Committee in the ANC6D community during reasonable hours Monday through Sunday when not in use by the DC United Major League Soccer Team, its MLS affiliates, or other contracted entities. This use shall be subject to the stadium’s availability and to an undertaking by that NPO to reimburse DC United for all applicable costs of operation, including, but not limited to: lighting, heating, security, staffing, catering, and similar operational costs.

8. DC United shall collaborate with the DOES to provide young adults age 16-25 who are domiciled in ANC6D:
  - a. A maximum of 12 summer youth jobs through the Summer Youth Workforce Program (SYEP); and
  - b. A maximum of 12 seasonal jobs to learn about the sports and entertainment industry.
9. Partner with CBCC and other locally- involved organizations, including the area Business Improvement Districts (BIDs) to engage ANC6D residents for outreach for employment and training (eg. career fairs, pre-apprenticeship training, hospitality and retail training).
10. Although overlapping events are unlikely to occur, DC United agrees to use commercially reasonable best efforts to coordinate all at-home games, sports expeditions, and other contracted events to avoid overlapping with at-home games and events scheduled at the Washington Nationals baseball team stadium.
11. Upon request and subject to availability, DC United will provide free meeting room space for use by non-profit organizations within ANC6D.
12. Once D.C. United has a vendor agreement in place for concessions at the new soccer stadium, the team shall commit to discussing opportunities for licensed food vendor space for residents in the Buzzard Point area that is consistent with the concessions partners' operations.
13. DC United shall use reasonable best efforts to ensure that the selected Food & Beverage Concessionaire provide at a minimum, eight (8) stadium events for CBCC or a NPO identified at a later date to operate a concession stand to support fundraising efforts in support of specific Southwest community projects including the establishment of the new Southwest Community Foundation. The financial terms will be negotiated at a future date between CBCC and the selected Food & Beverage Concessionaire.
14. Contingent upon DC United identifying a sponsor to support a partnership arrangement with a healthcare provider, the team shall commit to facilitating introductions between the CBCC, the District of Columbia, and other stakeholders regarding a possible healthcare facility and delivery of health care services to the residents in the soccer stadium area (eg: Urgent Care Facility).
15. Limit the use of fireworks and other explosive displays after 11 pm, Monday- Friday, and midnight Saturday- Sunday. In the case that an event arises to have a fireworks display later than the above mentioned times, DC United will inform the neighborhood of such instances.
16. Implement in good faith management and construction practices to reduce and mitigate airborne dust and other contaminants during and after construction.

### **III. Monitoring, Timelines, and Enforcement**



- A. There shall be assigned a CBA Enforcement Committee comprised of representatives from the District, DC United, and CBCC which shall hold regular (monthly, quarterly, etc.) meetings to ensure the provisions of this CBA are executed in a timely manner and to oversee the coordination of NPO events at the stadium. Such CBA Enforcement Committee shall make recommendations as necessary to ensure the end of fulfilling each directive. In addition, such CBA Enforcement Committee shall meet to receive advisement and recommendations from CBCC and ANC6D Commissioners during the construction phase.
- B. DC United agrees to appoint \_\_\_\_\_ as its initial representative to serve as the community liaison to ensure the regular, timely monitoring and enforcement of this Agreement.
- C. CBCC agrees to appoint Felicia Coutts as its initial representative to serve as the CBA community liaison to ensure the regular, timely monitoring and enforcement of this Agreement.
- D. DC United shall execute and perform each provision outlined in Section II within a reasonable period of time from the date of the stadium opening, but not less than five (5) years from the date of this signed Agreement.

#### **IV. CBCC Support Obligations**

In light of DC United's commitments set forth in this Agreement, CBCC will strongly support the concept plan for the new soccer stadium by DC United. Therefore, CBCC shall execute the following support efforts on behalf of the Buzzard Point Agreement between the City and DC United:

- A. At DC United's request, send a letter in unqualified support of the new soccer stadium the appropriate Agency, including but not limited to ANC6D and the District of Columbia Zoning Commission, prior to the consideration of all approvals for the soccer stadium.
- B. If requested by DC United during the term of this Agreement, send a letter in support of other development approvals to the City Council and any other governmental entity specified by DC United.
- C. CBCC shall work with DC United to prepare a collaborative media strategy regarding shared support for the new soccer stadium. CBCC will, upon request, present testimony in support of the new soccer stadium and shall help DC United to gain the full support of the ANC6D community.
- D. Notwithstanding the above requirements, CBCC retains the right to make public comments regarding project approvals that suggest changes in aspects of the documents and approval terms being considered, so long as such comments are consistent with the letter and spirit of the provisions of this Soccer Stadium CBA. CBCC agrees that before making such public

comments, they shall use its best efforts to address the issues in question with DC United during CBA Enforcement Committee meetings.

#### **V. Indemnification, Right to Revoke, Termination**

The parties agree that DC United will perform or cause to have performed the functions set forth herein at its expense and agrees to hold CBCC and its officers and agents harmless from any expenses incurred by DC United with respect to the above-referenced provisions.

- A. This Agreement shall be binding on each of the parties hereto and their respective personal representatives, executives, agents, attorneys, principals, agents, and assigns.
- B. The parties agree that full and adequate consideration has been given by each party hereto and each party acknowledges the sufficiency and adequacy of said consideration.
- C. The parties acknowledge that no promise, agreement, statement or representation, whether oral or written, not herein expressed has been made to or relied upon by any one of them and that this Agreement contains the entire agreement between the parties.
- D. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall continue in full force and effect.
- E. This Agreement will remain in full force and effect for a period of thirty (30) years except that it can be terminated in writing under the following circumstances:
  - 1. CBCC and DC United may mutually agree in writing to modify or revoke any and/or all provisions of this Agreement, or to terminate it;
  - 2. The bankruptcy and/or insolvency of Major League Soccer or the DC United Major League Soccer Team or of DC United; or
  - 3. The relocation of the DC United Major League Soccer Team outside of the District of Columbia.
- F. At the end of the thirty year term, with agreement from the parties and/or their designated representatives, this Agreement may be renewed under the same and/or any subsequent modified terms and conditions for an additional thirty-year term.
- G. If any term, provision, or clause within this Agreement shall be determined by a court of competent jurisdiction to be invalid, void, or unenforceable, only that particular term, provision, or clause shall be nullified. The remainder of the Agreement shall continue to be in full force and effect.
- H. This Agreement shall be governed by and construed in accordance with the laws of the District of Columbia.

WITNESSETH our hands and seals, given this \_\_\_\_\_ day of \_\_\_\_\_  
2014.

**DC Stadium LLC**

By:  \_\_\_\_\_  
Name, Title

**Near SE/SW Community Benefits Coordinating Council (CBCC)**

By: \_\_\_\_\_  
Name, Title

**In conjunction with Neighborhood Advisory Commissioner 6D**

By: \_\_\_\_\_  
Name, Title – On behalf of ANC6D

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
*Office of the Deputy Mayor for Planning and Economic Development*



Bill 21-200 – “Proposed Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S Reservations 243 and 244, S.O. 13-14605, Act of 2015”

Testimony of  
Brian Kenner, Deputy Mayor

Before the  
Committee of the Whole  
Council of the District of Columbia

June 9, 2015  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004

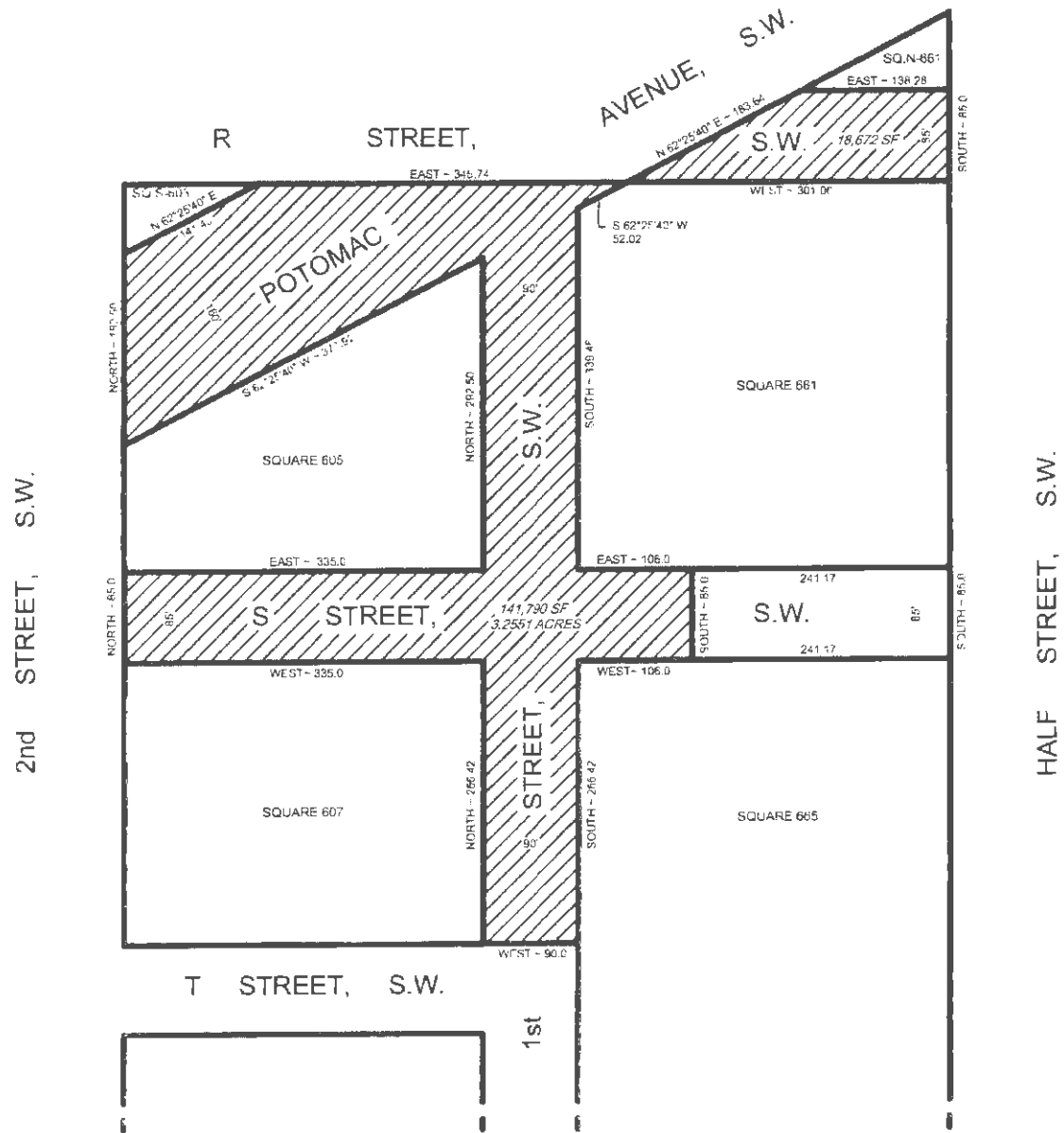
Good afternoon Chairman Mendelson, Council members, and staff of the Committee. For the record my name is Brian Kenner, Deputy Mayor for Planning and Economic Development (DMPED). I am pleased to testify before you today on behalf of the Department of General Services (DGS), the applicant, and DMPED in support of Bill 21-200, the "Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S Reservations 243 and 244, S.O. 13-14605, Act of 2015." Pursuant to the Street & Alley Closing Acquisition Procedures Act, D.C. Official Code § 9-202.01, DGS and DMPED are requesting the closing of certain streets necessary for development of a new Major League Soccer Stadium in Buzzard Point. The streets proposed for closing include: Potomac Avenue, S.W., between 2nd Street, S.W. and R Street, S.W.; R Street, S.W.. between Potomac Avenue, S.W. and Half Street, S.W.; 1st Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and S Street, S.W., between 2nd Street, S.W. and approximately 106 feet east of First Street, S.W. in Ward 6.

As you know, in December of last year, the Council approved the District of Columbia "Soccer Stadium Development Act of 2014" under which the Mayor is authorized to assemble the site, and required to amend both the ground lease and the development agreement for the construction of a new soccer stadium. DGS and DMPED are currently finalizing purchase and sale agreements with property owners and assembling Squares S-603, N-661, 605, 661, 607, 661, and the northwest portion of Lot 24 in Square 665; and all public alleys and streets to be closed within these squares, which are within the footprint of the soccer stadium site. We are in the process of finalizing amendments to the development agreement and ground lease agreement with DC United and expect to submit these agreements to Council in the coming weeks. We expect to have proof of Site Control by September 30, 2015.

The streets and alleys proposed for closing were identified early in the stadium planning process and were developed in conjunction with an Environmental Mitigation Study commissioned by DGS. The Study analyzed potential impacts of the soccer stadium development and identified mitigation measures. Recommendations made in the Environmental Mitigation Study are currently being incorporated into an inter-agency planning document for the soccer stadium site and surrounding area. This document, titled the Buzzard Point Vision Framework and Implementation Plan, has been developed in collaboration with stakeholder groups including the Capital Riverfront BID, property owners within Buzzard Point, Ft. McNair representatives, and local community leaders. In addition, we continue to closely coordinate stadium planning with the District Department of Transportation (DDOT) to mitigate any potential traffic issues associated with the South Capitol Street Bridge project.

In conclusion, approval of this legislation and the closing of the streets and alleys therein is a critical component of fulfilling the District's obligations set forth in the Soccer Stadium Act and meeting its obligations under the transaction agreements, including site control of the land by September 30, 2015. Thank you for the opportunity to testify today, and I am happy to answer any questions you may have regarding the project and proposed legislation.

**PUBLIC STREETS CLOSED**  
**SQUARES S-603, N-661, 605, 661, 607, 665**  
**RESERVATIONS 243 AND 244**





ROAD CLOSURE  
APPLICATION  
SITE AREA

**URBAN DESIGN VISION LEGEND**

- MIXED-USE DEVELOPMENT WITH A COMMERCIAL FOCUS
- MIXED-USE DEVELOPMENT WITH A MULTI-FAMILY RESIDENTIAL FOCUS
- PUBLIC/INSTITUTIONAL
- UTILITIES/INFRASTRUCTURE

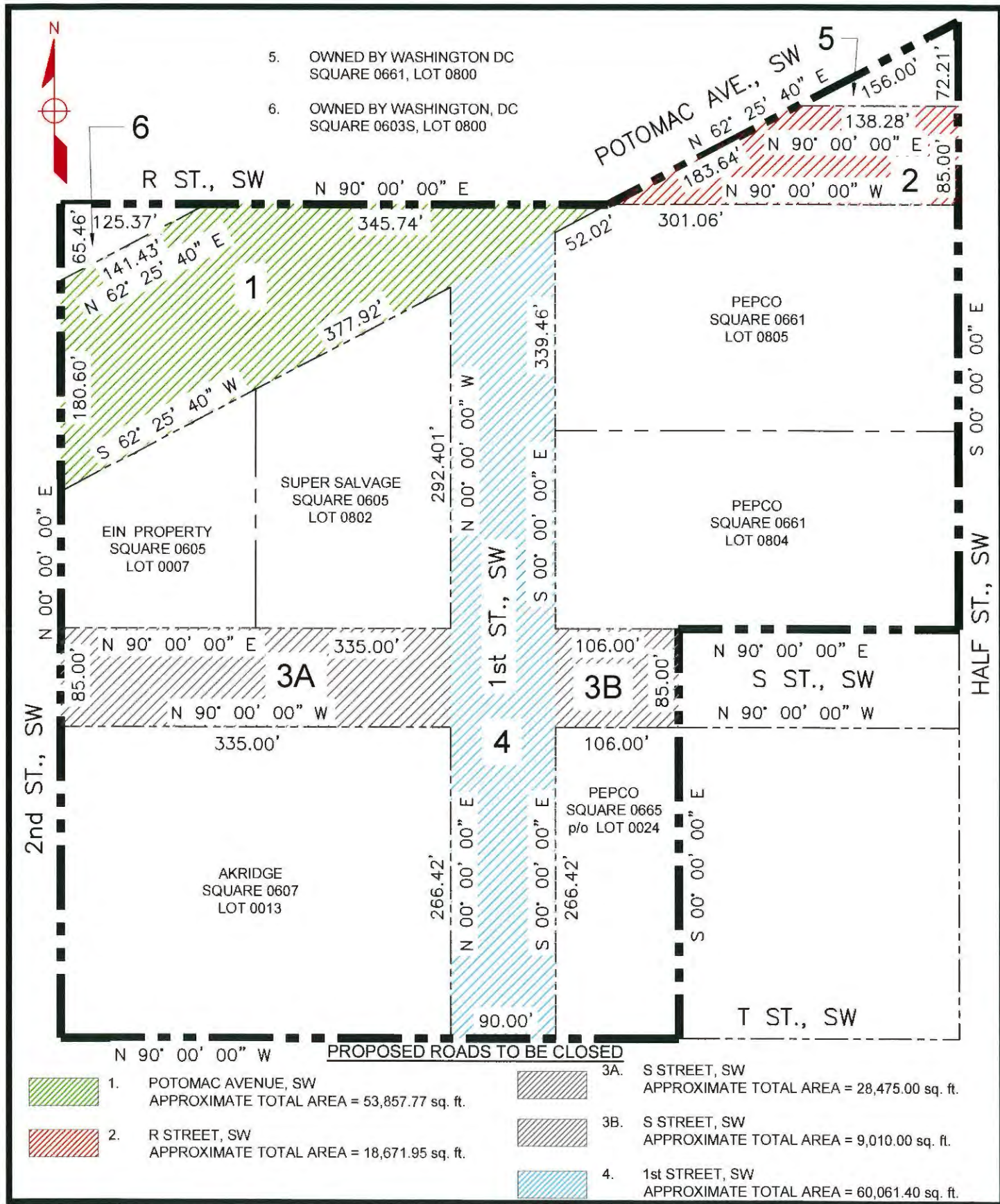
**McKissack  
&  
McKissack**

901 K Street, NW  
Suite 600  
Washington, DC 20001  
Phone: 202.347.1446  
Fax: 202.347.1489  
www.mckissackdc.com



PROJECT:	BUZZARD POINT DC UNITED SOCCER STADIUM
DESCRIPTION:	HYPOTHETICAL GRAPHIC REPRESENTATION OF BUZZARD POINT URBAN DESIGN PLAN
SCALE:	NOT TO SCALE
DATE:	JANUARY 2015





**McKissack & McKissack**  
 901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
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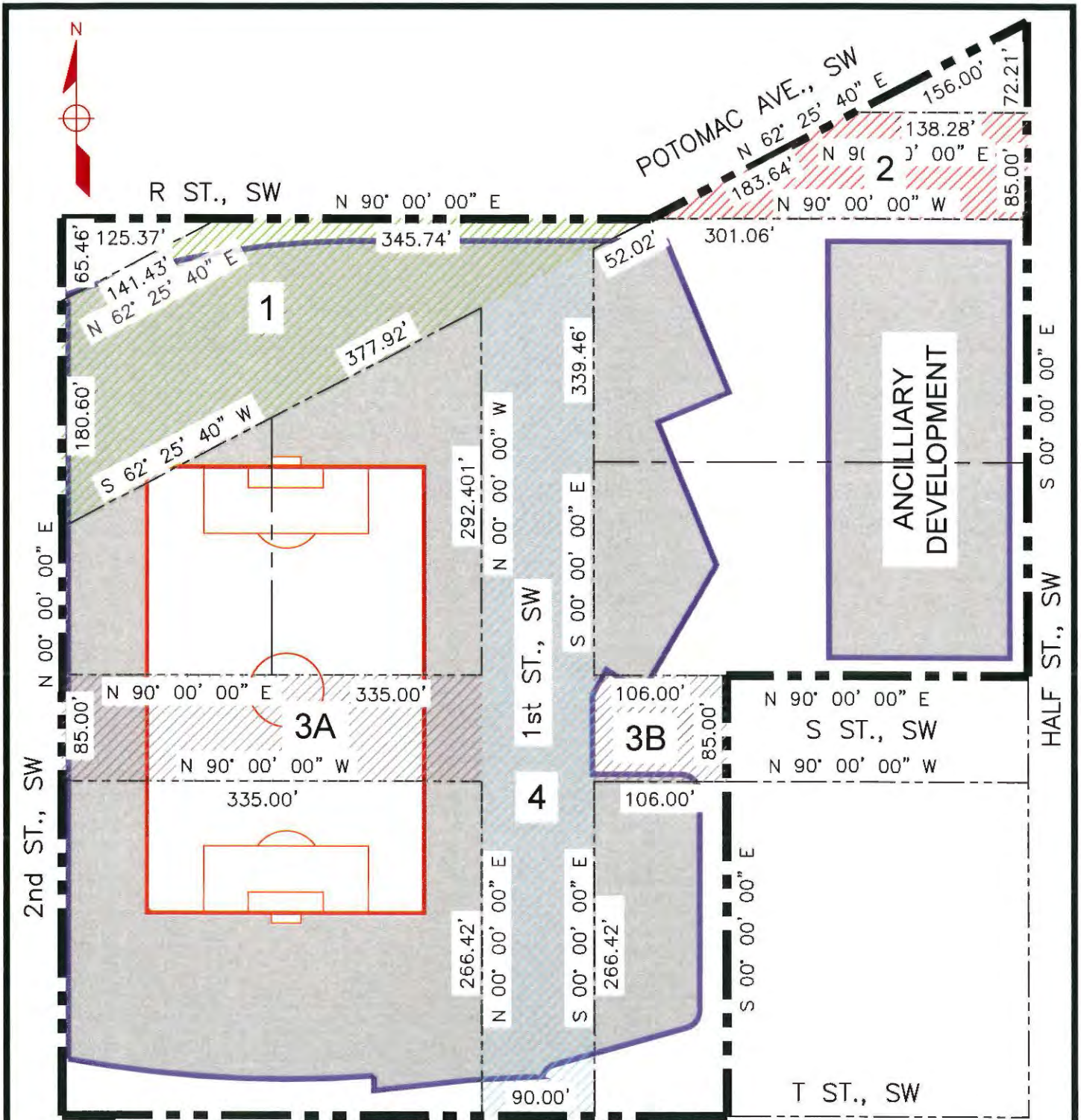


PROJECT: BUZZARD POINT DC UNITED SOCCER STADIUM

DESCRIPTION: PROPOSED AREA TO BE CLOSED

SCALE: NOT TO SCALE

DATE: JANUARY 2015



- |   |  |
|---|--|
| <p>1. POTOMAC AVENUE, SW<br/>APPROXIMATE TOTAL AREA = 53,857.77 sq. ft.</p> <p>2. R STREET, SW<br/>APPROXIMATE TOTAL AREA = 18,671.95 sq. ft.</p> | <p>3A. S STREET, SW<br/>APPROXIMATE TOTAL AREA = 28,475.00 sq. ft.</p> <p>3B. S STREET, SW<br/>APPROXIMATE TOTAL AREA = 9,010.00 sq. ft.</p> <p>4. 1st STREET, SW<br/>APPROXIMATE TOTAL AREA = 60,061.40 sq. ft.</p> |
|---|--|

**McKissack & McKissack**  
 901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT: BUZZARD POINT  
DC UNITED SOCCER STADIUM

DESCRIPTION: HYPOTHETICAL STADIUM  
FOOTPRINT LAYOUT

SCALE: NOT TO SCALE

DATE: JANUARY 2015

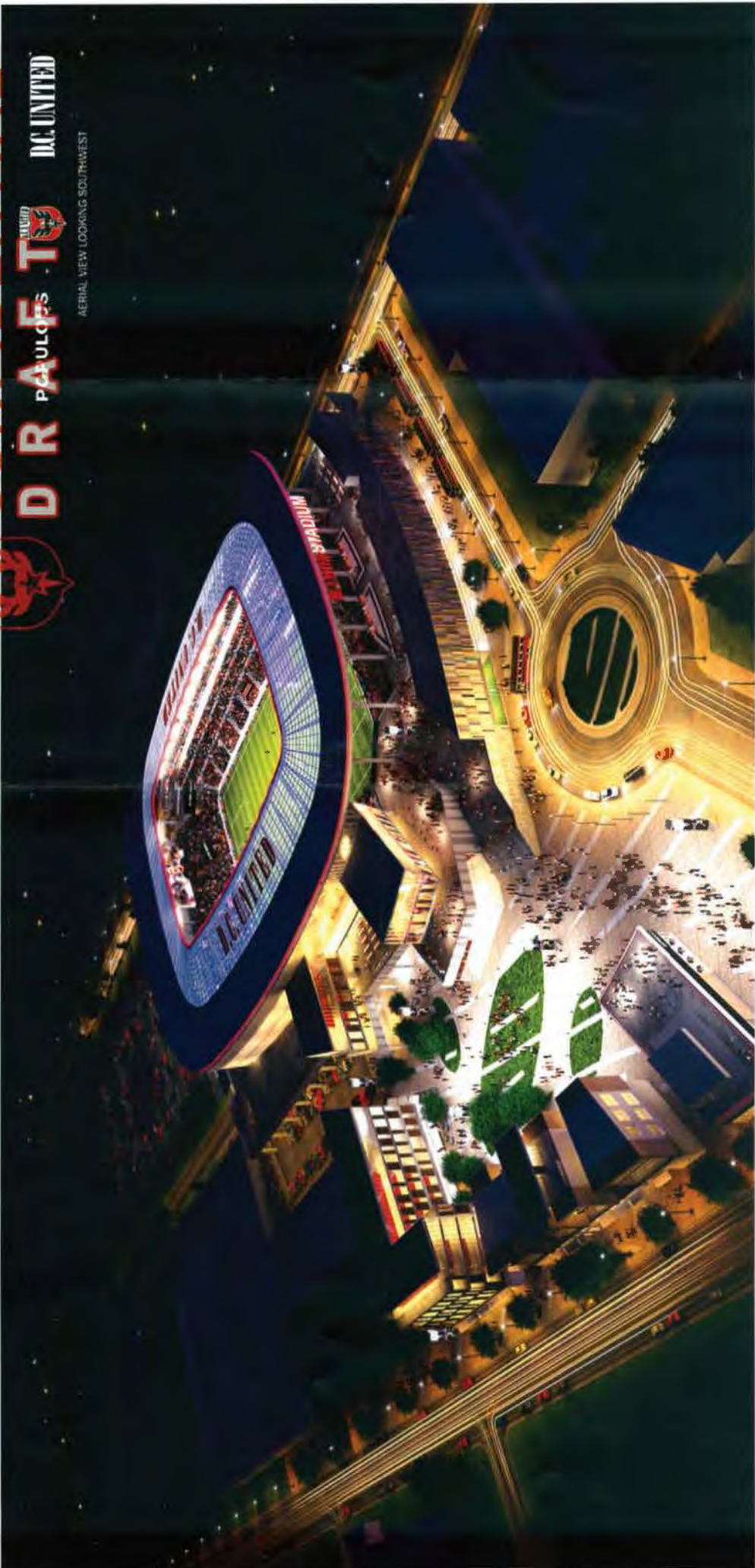
**CONFIDENTIAL**



**D R PAULFUS**  **TR**

**DC UNITED**

AERIAL VIEW, LOOKING SOUTHWEST



# CONFIDENTIAL DRAFT



POPULOUS



D.C. UNITED

POTOMAC AVE. SW VIEW



CONFIDENTIAL



DRAPULFS



DC UNITED

AERIAL VIEW LOOKING NORTHEAST



This is Bill Shickler. I reside at 1301 Delaware Ave., SW, Apt. N-305, WASH DC 20024. I recently was informed by a newservice, Libertyblitzkrieg.com, of some dire statistics, which bear directly upon our struggle here, to maintain a life that does NOT require \$100,000 a year or more), in which to EXIST.

According to this article, " 82% of all housing construction done in the US in the past year, was LUXURY UNITS. We have witnessed the flaunting of Environmental law here, in the Wharf Project, which violates both DC law, and Federal law. The City Council, Mayor, and all relevant DC Agencies, have been complicit in this. Unfortunately, the DC Judicial system, that is DC Attorney General, DC Board of Ethics, and OIG, ALL have turned their backs on enforcing the law. This brazen dereliction of duty and outright corruption, explains why they willy-nilly ignore even token construction of units of housing at the \$20,000 income level—THE INCOME LEVEL OF 90% OF THE PEOPLE ON THE 28-YEAR LONG WAITING LIST FOR AFFORDABLE HOUSING (WHICH, BY THE WAY, IS NOW CLOSED!).

I request, I beseech, I ask, I demand—, that this ANC6D, at least go on the record as opposing ANYMORE development in this super-saturated little quarter of DC we call Southwest. At least we won't go down without a fight. Right now, your response hasn't even amounted to as much as a wimper. I am obviously tilting at windmills, but I will CONTINUE to press this ANC6D, and the City Council, and all Federal agencies appointed the responsibility of enforcing the laws that EXIST TO PROTECT THE HEALTH, SAFETY, AND DUE PROCESS OF LAW. Please consider what you are NOT DOING!

Thank you for your time and consideration

Bill Shickler- 202-484-4148

**EXECUTIVE BRANCH TESTIMONY  
BY THE  
OFFICE OF THE SURVEYOR  
ON BILL NO. 21-200, CLOSING OF PUBLIC STREETS ADJACENT TO  
SQUARES S-603, N-661, 605, 661, 607 AND 665 AND U.S. RESERVATIONS  
243 AND 244, S.O. 13-14605 ACT OF 2015**

**JUNE 9, 2015**

**INTRODUCTION:**

Good afternoon Chairman Mendelson and Committee Members. I am Roland Dreist, Surveyor of the District of Columbia. I appear before you today to present testimony on Bill No. 21-200. This bill would close portions of R Street S.W., S Street S.W., 1<sup>st</sup> Street S.W., and Potomac Avenue S.W. These streets and avenue are adjacent to Squares S-603, N-661, 605, 661, 607,665, and Reservations 243 and 244.

**APPLICANT:**

The applicant is District of Columbia Department of General Services (DGS).

**PURPOSE:**

The purpose of this application is to allow for the redevelopment of the site for a Major League Soccer stadium.

**DESCRIPTION:**

The streets to be closed are shown on the King Plats of 1803 on Page 10. Potomac Avenue was originally Georgia Avenue as reflected on that plat. It was changed by Public Act 139 approved May 26, 1908. The streets are also shown in Record Book II and Record Book III dated 1799 .

**TITLE:**

Title to land where these streets are located is part of the Original City and the underlying ownership of the streets appears to be with the United States of America.

**AREA & ASSESSED VALUE:**

The area of the portion of the streets to be closed is 160,462 square feet. The Office of Tax and Revenue is currently reviewing the evaluation standards for determining the final assessed value. The assessed value will be forwarded when received.

**AGENCIES:**

The Executive Branch agencies have no objections to this application.

**UTILITIES:**

The utility companies agree to withdraw any objections based on the District's execution of easements. The District has agreed unconditionally to do so.

**RETAIL TENANTS:**

No retail tenants will be displaced as a result of this application.

**NCPC, HPRP, ANC & ABUTTING PROPERTY OWNERS:**

Pursuant to D.C. Official Code §9-202-02(3), the National Capital Planning Commission, (NCPC) was notified of this closing on April 22, 2014 and again on January 26, 2015. By letter dated November 13, 2014, NCPC's Executive Director indicated that at its November 6, 2014 meeting NCPC approved comments for the Council's consideration. The approved NCPC comments are attached. (*Attachment No. 1*)

Pursuant to D.C. Official Code §9-202.02(4) the application was referred to the Historic Preservation Review Board ("HPRB") on April 22, 2014 and again on January 26, 2015. At its public meeting held on April 23, 2015, HPRB voted to accept the staff report, thereby indicating that it did not object to the street closings.

Pursuant to D.C. Official Code §9-202.02(5) the application was referred to Advisory Neighborhood Commission ("ANC") 6D on April 14, 2014 and again on January 28, 2015. By letter dated April 19, 2015, the Chairman of ANC 6D indicated that at a regularly scheduled public meeting and with a quorum present, the ANC voted 5-0-0 to send an attached resolution which expressed its issues and concerns with the proposed street closings. The ANC response letter and resolution are attached (*Attachment No. 2*)



The abutting property owners were notified of this application on April 22, 2014 and again on May 19, 2015. The site was also posted providing information on the scheduled public hearing on May 19, 2015.

This concludes my testimony. I appreciate to opportunity to appear before you today and welcome any comments or discussion regarding this matter. Thank you.

THE STREET SHOWN THIS:  IS CLOSED, AND TITLE VESTS AS SHOWN UPON THIS PLAT.

## PUBLIC STREETS CLOSED

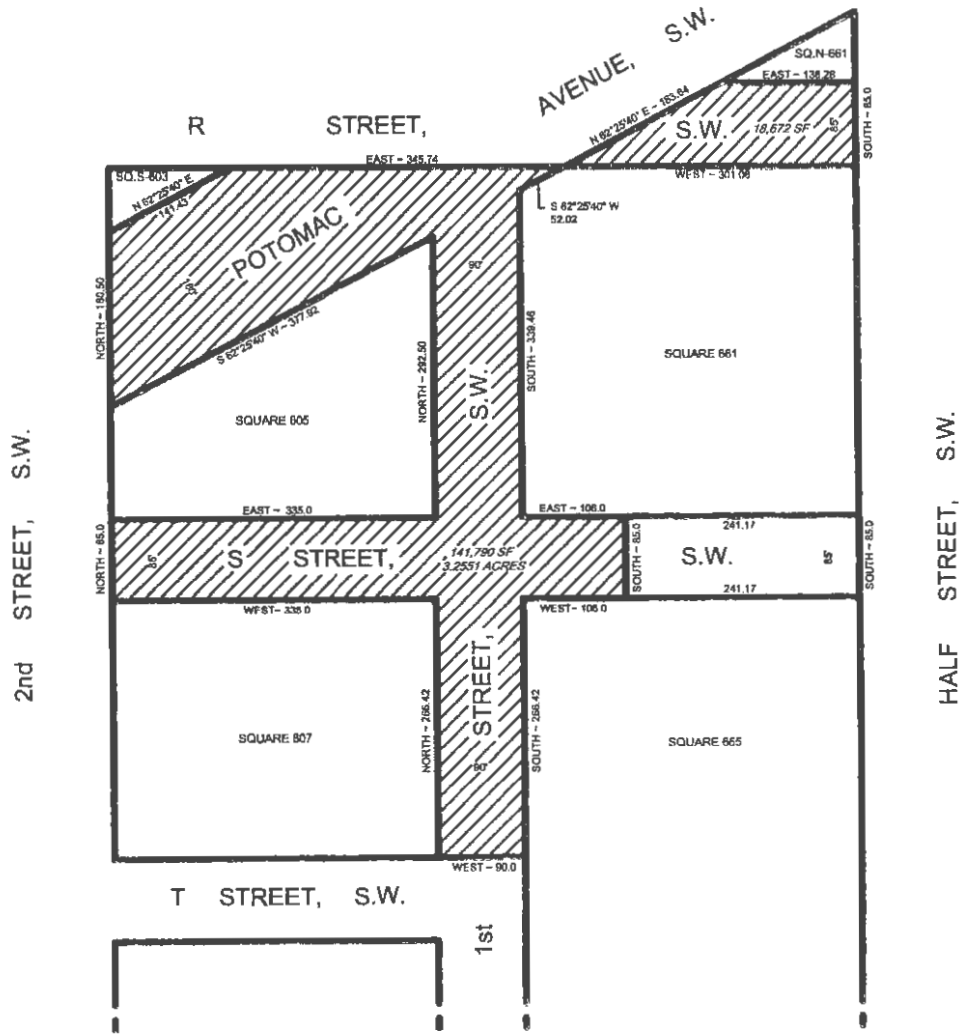
SQUARES S-603, N-661, 605, 661, 607, 665  
RESERVATIONS 243 AND 244

OFFICE OF THE SURVEYOR, D.C.

\_\_\_\_\_, 2015

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

\_\_\_\_\_  
SURVEYOR, D.C.



SURVEYOR'S OFFICE, D.C.

Made for: McKISSACK & McKISSACK  
 Drawn by: L.E.S. Checked by: \_\_\_\_\_  
 Record and computations by: \_\_\_\_\_  
 Recorded at: \_\_\_\_\_  
 Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ SR-14-01833  
 Scale: 1 inch = 80 feet File No. 13-14605

PUBLIC STREETS CLOSED - SQUARES S-603, N-661, 605, 661, 607, 665  
AND RESERVATIONS 243 AND 244



	1 inch = 176 feet	<b>Prepared by: Office of the Surveyor</b>	Coordinate System: NAD 1983 StatePlane Maryland FIPS 1900
	SCALE		Information on this map is for illustration only. The user acknowledges and agrees that the use of this information is at the sole risk of the user. No endorsement, liability, or responsibility for information or opinions expressed are assumed or accepted by any agency of the DC Government.
		Date: June 8, 2015	



**Commission Members**

**Presidential Appointees**

L. Preston Bryant, Jr., Chairman  
John M. Hart  
Elizabeth A. White

**Mayoral Appointees**

Arrington Dixon  
Robert E. Miller

**Ex Officio Members**

Secretary of Defense  
The Honorable Charles "Chuck" Hagel

Secretary of the Interior  
The Honorable Sarah "Sally" Jewell

Administrator  
General Services Administration  
The Honorable Daniel Tangherlini

Chairman  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
The Honorable Thomas R. Carper

Chairman  
Committee on Oversight  
and Government Reform  
U.S. House of Representatives  
The Honorable Darrell Issa

Mayor  
District of Columbia  
The Honorable Vincent C. Gray

Chairman  
Council of the District of Columbia  
The Honorable Phil Mendelson

**Executive Director**  
Marcel C. Acosta

IN REPLY REFER TO:  
NCPC File No. 7571

**NOV 13 2014**

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Chairman Mendelson:

The National Capital Planning Commission, at its November 6, 2014, meeting, approved the enclosed action on the closing of public streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244. A copy of the Executive Director's Recommendation for the project is also enclosed.

Sincerely,

Marcel C. Acosta  
Executive Director

Enclosures

cc: Mary Cheh, Chairman, Committee on Transportation  
and the Environment  
Vincent Orange, Chairman, Committee on Business, Consumer  
and Regulatory Affairs  
Ellen McCarthy, Acting Director, DC Office of Planning  
Frederick Lindstrom, Commission of Fine Arts  
Roland F. Dreist, Jr., Surveyor, DC



## Commission Action

November 6, 2014

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**PROJECT**

**Closing of public streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244**  
Washington, DC

**NCPC FILE NUMBER**

7571

**NCPC MAP FILE NUMBER**

24.40(44.40)43945

**SUBMITTED BY**

District of Columbia Department of Consumer and Regulatory Affairs  
District of Columbia Office of the Surveyor

**APPLICANT'S REQUEST**

Approval of comments to the Council of the District of Columbia

**ACTION TAKEN**

Approve comments as requested

**REVIEW AUTHORITY**

--Approval of Comments to the Council of District of Columbia on Street and Alley Closings

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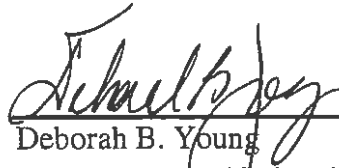
The Commission comments to the Council of the District of Columbia that:

- The proposal to close several portions of L'Enfant Streets would result in adverse effects on the L'Enfant Plan and is inconsistent with policies in the Federal Elements of the *Comprehensive Plan for the National Capital*.
- The proposal to close portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW in the vicinity of Squares S-603, N-661, 605, 661, 607, 665, and U.S. Reservation 243 and 244 should take effect only if the District of Columbia obtains control of the adjacent land and a Major League Soccer stadium is constructed on the site.
- The formal closure of any streets should be delayed until sufficient detail is available regarding the soccer stadium design in order to ensure that the street closures are limited to only what is necessary for the stadium itself, and furthermore, street closures should not occur in order to accommodate private development.
- Prior to the formal closure of any streets, a transportation analysis should be conducted to understand the potential impacts on vehicular and pedestrian circulation.
- The proposal to close portions of the L'Enfant Streets is required to be referred to the Historic Preservation Review Board, and the District of Columbia should adopt any proposed mitigation recommended by the Historic Preservation Review Board to address the adverse effects related to the street closings.
- The District of Columbia should agree to a covenant to run with the land requiring that at such time as the proposed site is no longer used as a stadium, all portions of 1<sup>st</sup> Street, SW;

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R Street, SW; S Street, SW; and Potomac Avenue, SW, be re-established in their original locations with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant.

- The stadium design should respect and enhance view corridors along the L'Enfant Plan streets to be closed and provide appropriately designed terminations that reflect the principles of the L'Enfant Plan.

  
Deborah B. Young  
Secretary to the National Capital Planning Commission

  
[Date]



## Executive Director's Recommendation

Commission Meeting: November 6, 2014

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<b>PROJECT</b> Closing of public streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244 Washington, DC	<b>NCPC FILE NUMBER</b> 7571
	<b>NCPC MAP FILE NUMBER</b> 24.40(44.40)43945
<b>SUBMITTED BY</b> District of Columbia Office of the Surveyor	<b>APPLICANT'S REQUEST</b> Approval of comments to the Council of the District of Columbia
<b>REVIEW AUTHORITY</b> Approval of Comments to the Council of District of Columbia on Street and Alley Closings	<b>PROPOSED ACTION</b> Approve comments as requested
	<b>ACTION ITEM TYPE</b> Consent Calendar

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### PROJECT SUMMARY

The District of Columbia Office of the Surveyor has submitted a proposal to close portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW. The street closures were initiated by the District of Columbia Department of General Services. The purpose of the street closures is to create a consolidated site location for a new Major League Soccer stadium for the DC United in southwest Washington. The Department of General Services is in negotiations to purchase all parcels adjacent to the proposed street closures. Once the property has been acquired and the streets are closed, the Department of General Services and DC United will develop the soccer stadium but the District of Columbia will retain ownership of the land.

### KEY INFORMATION

- Street closures within the L'Enfant City are proposed for construction of a Major League Soccer stadium on Buzzard Point
- District of Columbia is in the process of assembling the land required to construct the soccer stadium,
- District of Columbia Office Of Planning and District of Columbia Department of Transportation noted concerns with street closures prior to acquisition of required land

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### RECOMMENDATION

The Commission comments to the Council of the District of Columbia that:

- The proposal to close several portions of L'Enfant Streets would result in adverse effects on the L'Enfant Plan and is inconsistent with policies in the Federal Elements of the *Comprehensive Plan for the National Capital*.
- The proposal to close portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW in the vicinity of Squares S-603, N-661, 605, 661, 607, 665, and U.S. Reservation 243 and 244 should take effect only if the District of Columbia obtains control of the adjacent land and a Major League Soccer stadium is constructed on the site.
- The formal closure of any streets should be delayed until sufficient detail is available regarding the soccer stadium design in order to ensure that the street closures are limited to only what is necessary for the stadium itself, and furthermore, street closures should not occur in order to accommodate private development.
- Prior to the formal closure of any streets, a transportation analysis should be conducted to understand the potential impacts on vehicular and pedestrian circulation.
- The proposal to close portions of the L'Enfant Streets is required to be referred to the Historic Preservation Review Board, and the District of Columbia should adopt any proposed mitigation recommended by the Historic Preservation Review Board to address the adverse effects related to the street closings.
- The District of Columbia should agree to a covenant to run with the land requiring that at such time as the proposed site is no longer used as a stadium, all portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW, be re-established in their original locations with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant.
- The stadium design should respect and enhance view corridors along the L'Enfant Plan streets to be closed and provide appropriately designed terminations that reflect the principles of the L'Enfant Plan.

## PROJECT REVIEW TIMELINE

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<b>Previous actions</b>	None
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<b>Remaining actions</b> (anticipated)	Review of the proposed Major League Soccer stadium
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## I. PROJECT DESCRIPTION

### Site

The public streets to be closed are located in southwest Washington, DC and include the following:

- 1<sup>st</sup> Street, SW, from R Street to T Street
- R Street, SW, from Half Street to 1<sup>st</sup> Street
- S Street, SW, from approximately 230 feet west of Half Street to 2<sup>nd</sup> Street
- Potomac Avenue, SW, from 2<sup>nd</sup> Street to 1<sup>st</sup> Street and R Street



Figure 1: Project Location

Located on Buzzard Point, federal property in the immediate vicinity includes Fort McNair directly to the west of the project area. Other federal property to the south of the project area includes Buzzard Point Marina, a National Park Service property. The Washington Nationals baseball stadium is northeast of the project area.

### Background

The District of Columbia Office of the Surveyor, pursuant to D.C. Code § 9-202.02, has referred the proposed closing of portions of several L'Enfant streets in southwest Washington, DC to the Commission for comment. The purpose of the street closings is to permit the construction of a new soccer stadium for the DC United, the Major League Soccer team located in Washington, DC. Currently, DC United plays at RFK Stadium. Regulations of the D.C. Code specify that the Mayor of the District of Columbia refer any application 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 Mayor of the District of Columbia is currently in negotiations to obtain control of all property adjacent to the proposed street closures in order to create one consolidated parcel for a stadium site. This includes the parcels within Squares S-603, N-661, 605, 661, 607, 665, and Reservations

243 and 244. The details of the land negotiations have not been finalized. Essentially, the District of Columbia will provide up to \$150 million for the estimated \$300 million project through land infrastructure improvements. DC United would be responsible for construction of the soccer stadium. DC United would lease the land for 30 years at no cost with an option to extend the lease.

The District of Columbia proposes to close streets that lie within the original squares of the city of Washington created by the L'Enfant Plan. The detailed public street rights-of-way were created in 1803 by the King Plats of the City of Washington in the District of Columbia, page X. Ownership of the street rights-of-way resides with the United States and administrative jurisdiction resides with the District of Columbia.

Reservations 243 and 244 were conveyed from the National Park Service to the District of Columbia under the Federal and District of Columbia Government Real Property Act of 2006.

### Proposal

The Mayor of the District of Columbia and the District of Columbia Department of General Services (DGS) propose to close and utilize all land area of the streets and adjacent parcels to construct a major league soccer stadium that will serve as home field for the DC United. A conceptual plan of the soccer stadium was provided to NCPC with the application for the proposed street closures. Staff has not attended any meetings with the DGS to discuss the design and plan of the stadium. The stadium would be subject to the review of the Commission under the National Capital Planning Act as a District of Columbia project outside the Central Area.

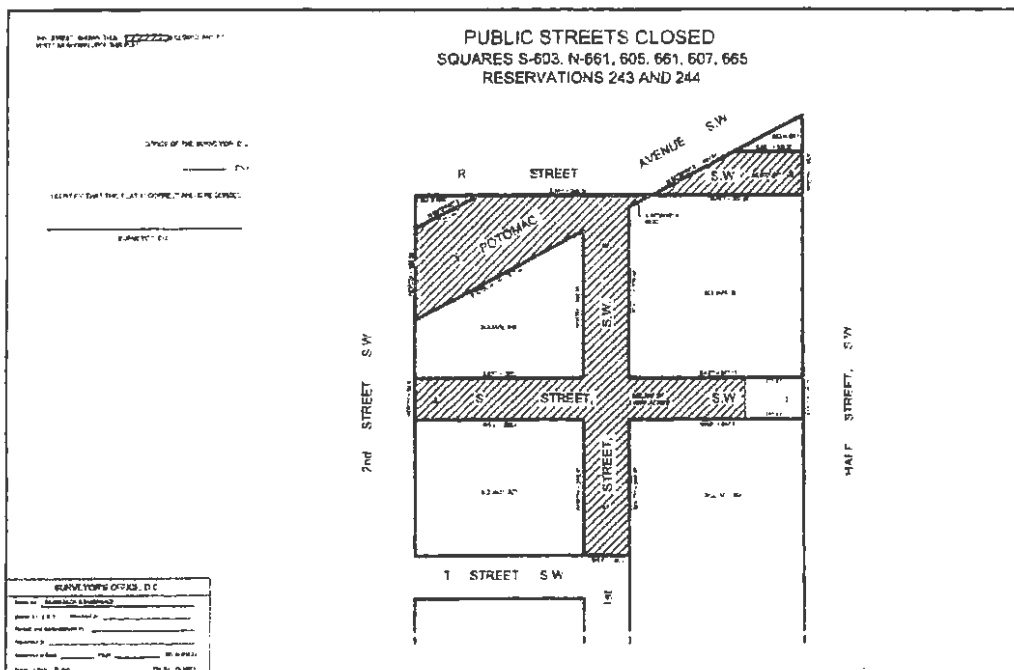


Figure 2: Proposed street closures

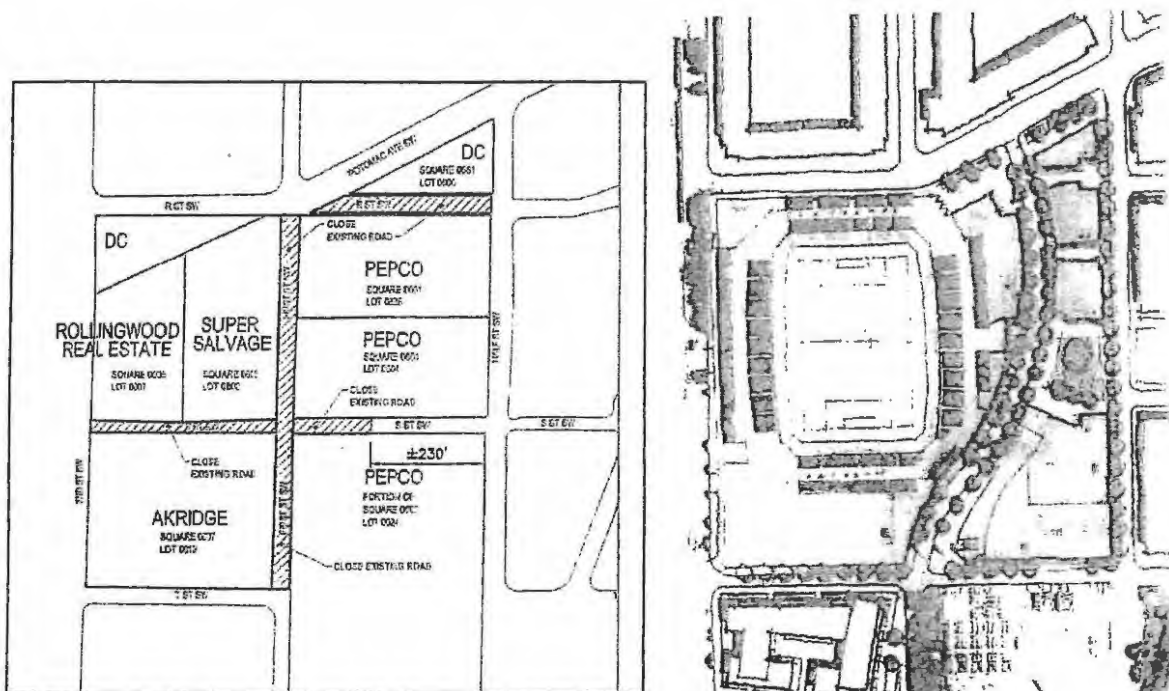


Figure 3: Proposed street closures and conceptual design of soccer stadium

## II. PROJECT ANALYSIS/CONFORMANCE

### Executive Summary

Staff's analysis of the proposed street closings focused on historic preservation issues and impacts to the L'Enfant Plan, a structure listed in the National Register of Historic Places. The *Preservation and Historic Features Element* of the Comprehensive Plan for the National Capital contains a section of policies aimed at protecting the historic plan of Washington and though the stadium will provide public benefits and encourage revitalization in the area, there will be adverse effects on the L'Enfant Plan.

### Analysis

The 1791 L'Enfant Plan and the 1901 McMillan Plan established an urban design framework for the capital city that remains one of the world's great examples of urban planning. Collectively, these plans are known as the Plan of the City of Washington and the planning principles remain intact and continue to influence the design of public spaces in Washington today. One of the Commission's chief responsibilities is to protect and enhance the historic street plan of Washington as exemplified by policies in the *Federal Elements of the Comprehensive Plan for the National Capital*.

The L'Enfant Plan established the basic framework for the city by creating a regular orthogonal grid divided into four quadrants, with the U.S. Capitol occupying the center point. A series of diagonal avenues were superimposed on the orthogonal grid, thereby creating a system of open

space and parks where the two intersected. Large open areas were created at the intersection of avenues and smaller open spaces were created when streets and avenues intersected. The open space and vistas that were established by this framework are as integral to the design of the City as the street network and configuration. In addition, the width and openness of the streets constitute public space that defines the character of the city. The system of streets provided an ordered framework for the development of the city, the character of the open space in the city, and visual as well as physical connections through the creation of vistas along street rights-of-way. Therefore, **the closure or alteration of L'Enfant Plan streets and rights-of-way would alter these significant characteristics and constitute an adverse effect on the historic plan.** In addition, as detailed below, **the closure of the streets is inconsistent with policies in the Federal Elements of the *Comprehensive Plan for the National Capital*.**

Given that the Mayor of the District of Columbia is actively engaged in negotiations to obtain control of the adjacent parcels, staff recommends that **the Commission comment that the street closures should take effect only if the District of Columbia control of the adjacent land and a Major League Soccer stadium is constructed on the site.** If the District of Columbia is not able to gain control of all the parcels which would enable construction of the stadium, or if the stadium is not built on the site, the streets should not be closed. In other words, the streets should not be closed for purposes of private development. In addition, as the design of the stadium is at a conceptual level and may change, staff recommends that **the Commission comment that the formal closure of any streets should be delayed until sufficient detail is available regarding the soccer stadium design in order to ensure that the street closures are limited to only what is necessary for the stadium itself, and furthermore, street closures should not occur in order to accommodate private development.**

As the District is working to assemble the land needed to construct the stadium, there has not been a transportation analysis to understand the impacts on the surrounding circulation network. Policies in the *Federal Elements of the Comprehensive Plan for the National Capital* support maintaining the functional qualities of L'Enfant Plan streets. Therefore, staff is recommending that **the Commission comment that prior to the formal closure of any streets, a transportation analysis should be conducted to understand the potential impacts on vehicular and pedestrian circulation.**

In addition, staff recommends that if the proposed site is no longer being used as a soccer stadium, the L'Enfant Plan streets and rights-of-way should be re-established in their current configurations. Staff recommends that **the Commission comment that the District of Columbia should agree to a covenant to run with the land that requires at such time that the proposed site is no longer used as a stadium, all portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW, be re-established in their original locations with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant.**

As noted above, at this time, only conceptual plans have been developed for the stadium and staff has not actively been engaged in consultation with the District of Columbia on the stadium design. It is important that to the degree it is feasible, the stadium should be sited in such a way to respect and maintain the view-sheds established by the streets of the L'Enfant Plan. Principles of the

L'Enfant Plan such as reciprocity of site from prominent vantage points should be carried forward in the design of the stadium and the principles of the L'Enfant Plan should be reflected to the degree possible in the facades of the stadium. Therefore, staff recommends that **the Commission comment that the stadium design should respect and enhance view corridors along the L'Enfant Plan streets to be closed and provide appropriately designed terminations that reflect the principles of the L'Enfant Plan.**

Finally, staff notes the Commission in its recent action on the Draft Real Property Master Plan for Join Base Myer-Henderson Hall, encouraged the Department of the Army to coordinate with the District of Columbia Government directly on new public/private developments exterior to the installation, including the potential soccer stadium, to ensure minimal impacts to installation operations including in the areas of impacts to historic resources and transportation as well as installation security.

*Previous Commission Actions on L'Enfant Plan Street Closures*

Previous Commission actions related to street closures include actions for the construction of the Washington Nationals Baseball stadium, the Washington Convention Center, and the Verizon Center. Staff's recommendation regarding the street closures for the soccer stadium is consistent with past Commission actions on street closures.

In January 2006, the Commission provided comments to the District of Columbia Council on the street closures that were required for the construction of the Washington Nationals Baseball stadium. At that time, the District of Columbia Government and the District of Columbia Sports and Entertainment Commission were working to obtain title to the land that would be required to construct the baseball stadium. The case was similar in that the land needed to construct the stadium had not yet been acquired when the Commission provided comments on the street closures. In its comments, Commission noted that the street closure would be an adverse effect on the L'Enfant Plan; that the street closure should only take effect if the baseball park was to be located in the adjacent property; that review of the street closure was required by the Historic Preservation Review Board and the District of Columbia should adopt any proposed mitigation; that the stadium design should maintain and enhance ground-level pedestrian views along Potomac Avenue to the Anacostia and provide functional and appropriately designed terminations to the surrounding L'Enfant streets; and that the District of Columbia agree to a covenant that runs with the land that should the site no longer be used as a ballpark all portions of the streets be re-established in their original locations according to the L'Enfant Plan and the Commission would record that covenant.

In October 1995, the Commission approved the preliminary and final site and building plans for the Verizon Center (known as the Washington, D.C. Sports and Entertainment Arena or MCI Center). With its approval, the Commission noted that the Memorandum of Agreement (MOA) that was executed at the conclusion of the Section 106 consultation (for which NCPC was the lead agency), indicated that there were impacts from the closure of the 600 block of G Street that could not be fully mitigated. The Section 106 MOA specified that as mitigation for the adverse effects on the L'Enfant Plan, the District of Columbia would agree to reopen the 600 block of G Street once the useful life of the Arena was over and also that the District of Columbia committed to reopening

portions of 10th and Eye Streets, NW, when a new convention center was constructed, and the debt on the existing Convention Center was retired. The reopening of 10<sup>th</sup> and Eye Streets was required by a covenant that ran with the land.

In September 1997, the Commission approved the preliminary plans for the new Washington Convention Center to be located at 7th, 9th and N Streets, and Mount Vernon Place, NW. With its approval, the Commission noted and incorporated into its action the Memorandum of Agreement that was executed at the conclusion of the Section 106 consultation (for which NCPC was the lead agency). The Commission action noted that there would be adverse effects on the L'Enfant Plan due to the closure of several streets and that these impacts could not be fully mitigated. The Section 106 MOA specified that the streets would be reopened once the new Convention Center had outlived its useful life as a Convention Center; the reversion of title to the rights-of-way to the United States; and that any further use of the rights-of-way be subject to the approval of the NCPC.

The past actions that the Commission has taken on similar projects that require the closure of L'Enfant Plan streets are similar to the current proposal. In all previous cases, NCPC identified an adverse effect on the L'Enfant Plan and that as mitigation should the proposed function no longer be relevant or actively used, the streets should be restored to their original configurations.

#### **Comprehensive Plan for the National Capital**

The proposed street closures are inconsistent with policies in the *Federal Elements of the Comprehensive Plan for the National Capital*, in particular those policies contained in the Preservation and Historic Features Element. These policies encourage the federal government to preserve and protect historic properties while also accommodating new development that is respectful of the guiding principles of the L'Enfant and McMillan Plans.

Specific policies that the proposed street closures are in conflict with include the following:

- Promote continuity in the historic design framework of the nation's capital by protecting and enhancing the elements, views, and principles of the L'Enfant Plan. Both the federal and the District of Columbia governments should adhere to these principles in any improvements or alterations to the historic framework.
- Preserve the historic street rights-of-way and reservations that contribute to the significant system of open space forming the urban design framework of the nation's capital.
- Protect and control the visual and functional qualities of L'Enfant rights-of-way.
- Protect the open space of the L'Enfant streets. The exceptional width and openness of the street rights-of-way constitutes public space that helps to define the character of the city.
- Protect the reciprocal views along the rights-of-way, as well as to and from squares, circles, and reservations.
- Protect the integrity, form, and design of the L'Enfant Plan's system of streets and reservations from inappropriate new buildings and physical incursions.
- Protect the historic importance and function of the streets as vehicular thoroughfares and avoid inappropriate traffic channelization that obscures the character of the right-of-way.

- Construct building facades to the street right-of-way lines (building lines) to reinforce the spatial definition of the historic street plan.

Policies in the Preservation and Historic Features Element discourage the closure of L'Enfant streets as it disrupts the urban design framework of the city plan and also negatively impacts the transportation network. Recognizing the detrimental impact that street closures can create, policies in the *Federal Elements of the Comprehensive Plan for the National Capital* advocate re-establishing streets and reservations that have been "...inappropriately disrupted or closed to their original right-of-way or configuration". As a result of the street closure, the soccer stadium would be constructed and cause an intrusion into the public space created by the width and openness of the streets. In addition, the design of the stadium is in an early stage of the development process, and while it may be possible to mitigate the some of the impacts through the design development process, the proposed street closures would cause an adverse effect on the historic plan of Washington by disrupting the street network and its associated open space and vistas. Therefore, the proposed street closures are in are inconsistent with policies in the *Federal Elements of the Comprehensive Plan for the National Capital*.

#### **Extending the Legacy**

NCPC's *Extending the Legacy* plan emphasized the preservation and restoration of the L'Enfant Plan as the defining urban framework of the original city of Washington. The main idea behind the plan was to re-center Washington on the Capitol and extend development to the four quadrants of the city. A strong connection to the Anacostia waterfront was envisioned as part of the plan and while South Capitol Street was the primary corridor to realize that connection, a secondary spine was to be developed along 1<sup>st</sup> Street SW. The idea was that 1<sup>st</sup> Street would terminate in a public space that would be directly connected to the waterfront. The closure of 1<sup>st</sup> Street in order to allow construction of the soccer stadium would disrupt this vision and divide the area into two separate corridors. While the proposed street closures and construction of the soccer stadium would stimulate new business activities and other redevelopment opportunities, the full vision of *Extending the Legacy* would not be realized.

#### **National Environmental Policy Act (NEPA)**

NCPC does not have a NEPA responsibility when providing comments on street closures.

#### **National Historic Preservation Act (NHPA)**

NCPC does not have a responsibility to comply with Section 106 of the National Historic Preservation Act when providing comments on street closures.

Pursuant to D.C. Code § 9-202.02, the Historic Preservation Review Board (HPRB) is required to review proposed street closings within the L'Enfant City. Therefore, staff recommends that **the Commission comment that the proposal to close portions of the L'Enfant Streets is required to be referred to the HPRB, and the District of Columbia should adopt any proposed mitigation recommended by HPRB to address the adverse effects related to the street closings.**



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### III. CONSULTATION

#### Coordinating Committee

The Coordinating Committee reviewed the proposal at its October 15, 2014 meeting. The Committee forwarded the proposed street closings to the Commission with the statement that the proposal has been coordinated with all participating agencies except the District of Columbia Office of Planning (DCOP) and the District of Columbia State Historic Preservation Office (DC SHPO). DCOP raised concerns related to traffic and noted it was premature to take action on the street closures given that the land had not yet been assembled in order to allow construction of the soccer stadium. DC SHPO noted the proposed street closings were required to be referred to the District of Columbia Historic Preservation Review Board and that an application had not yet been submitted. The participating agencies were: NCPC; the District of Columbia Office of Planning; the District of Columbia State Historic Preservation Office; the District Department of Transportation; the District of Columbia Fire and Emergency Medical Services, the General Services Administration; the National Park Service and the Washington Metropolitan Area Transit Authority.

#### Future Coordination with federal and local agencies

Additional coordination with federal and local agencies should be undertaken as the plan and design for the soccer stadium is developed. Issues related to security, access, and transportation could be topics of concern to federal installations in close proximity to the stadium site and consultation with appropriate federal and local agencies will help to address these issues. As noted above, Fort Leslie J. McNair is located to the west of the stadium site and in a recent action, the Commission encouraged the Department of the Army to coordinate with the District of Columbia Government on matters related to the soccer stadium.



*Near Southeast/Southwest*

Advisory Neighborhood Commission 6D

April 19, 2015

1101 Fourth Street, SW  
Suite W 130  
Washington, DC 20024  
202.554.1795  
Email: office@anc6d.org  
Website: www.anc6d.org

Roland F Dreist, Jr.  
Surveyor, D.C.  
1100 4<sup>th</sup> Street SW, E320  
Washington, DC 20024

**OFFICERS**

Chairperson  
*Roger Moffatt*

Vice Chairperson  
*Andy Litsky*

Secretary  
*Stacy Cloyd*

Treasurer  
*Meredith Fascett*

Dear Mr. Dreist:

RE: SO 13-14605 -- Buzzard Point L'Enfant Plan Street Closings

At a regularly scheduled and properly noticed public meeting on April 13, 2015 with a quorum being present, Advisory Neighborhood Commission (ANC) 6D voted 5-0-0 to send this resolution in reference the street closings proposed under the L'Enfant Plan.

**COMMISSIONERS**

SMD 1 *Marjorie Lightman*  
SMD 2 *Stacy Cloyd*  
SMD 3 *Rachel Reilly Carroll*  
SMD 4 *Andy Litsky*  
SMD 5 *Roger Moffatt*  
SMD 6 *Rhonda Hamilton*  
SMD 7 *Meredith Fascett*

ANC 6D believes that any road closure in this area would be premature. There has been no environmental assessment or remediation of the area. More detail to this point is in the resolution in the accompanying attachment.

Should you have any questions, please let me know.

Sincerely,

Roger Moffatt  
Chairman, ANC 6D  
Near Southeast/Southwest



*Near Southeast/Southwest*  
Advisory Neighborhood Commission 6D

April 13, 2015

1101 Fourth Street, SW  
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District Department of the Environment  
51 N St NE #5 Washington, DC 20002  
Tommy Wells  
VIA E-MAIL: [tommy.wells@dc.gov](mailto:tommy.wells@dc.gov)  
[ddoe@dc.gov](mailto:ddoe@dc.gov)

**OFFICERS**

Chairperson  
*Roger Moffatt*

Vice Chairperson  
*Andy Litsky*

Secretary  
*Stacy Cloyd*

Treasurer  
*Meredith Fascett*

RE: Resolution in Response to DDOE Notice of Filing an Application to Perform a Voluntary Clean-Up of Land Upon Which DC United Stadium is Proposed to be Constructed

At its regularly scheduled and properly noticed public meeting on April 13<sup>th</sup>, 2015, with a quorum present Advisory Neighborhood Commission 6D voted 5-0-0 to send the following resolution in response to DDOE Notice of Filing an Application to Perform a Voluntary Clean-Up of Land.

**WHEREAS**, ANC 6D is the resident Advisory Neighborhood Commission in which the District of Columbia has proposed that DC United Stadium is to be built, and

**COMMISSIONERS**

SMD 1 *Marjorie Lightman*  
SMD 2 *Stacy Cloyd*  
SMD 3 *Rachel Reilly Carroll*  
SMD 4 *Andy Litsky*  
SMD 5 *Roger Moffatt*  
SMD 6 *Rhonda Hamilton*  
SMD 7 *Meredith Fascett*

**WHEREAS**, ANC 6D received a Notice of Filing of an Application from DC Department of Environment to Perform a Voluntary Cleanup at 100 Potomac Avenue, SW -- formally, Case No. VCP 2015-031, and

**WHEREAS**, the notice purports to relate to the land upon which the DC United Stadium is proposed to be built, ANC 6D has found that

- The Notice of the Voluntary Cleanup Program (VCP) application published in the D.C. Register is deceiving, misleading, and contains inaccurate information.
  - The Notice states that it is, "...for real property currently designated as 100 Potomac Avenue SW," an address that does not currently exist.
  - The "designated" address fails to clearly indicate that this application pertains to five (5) sites on Buzzards Point, including known contaminated property on the current Super Salvage and Pepco sites. The Notice should have listed the current address for the five (5) sites in question so that District residents can fairly understand what property is included in the VCP application.
  - The Notice only, "identifies the presence of metals, petroleum compounds (TPH-DRO and TPH-GRO) and Volatile Organic Compounds in soil and groundwater." However, the application fails to mention the exact known pollutants, such as PAHs, and fails to mention the severity of some of these pollutants in both the level of toxicity and contamination to the soil and groundwater in the area, and that


- There is significant contamination at the sites (consisting of Squares/Lots: 661N/0800; 0603S/0800; 0605/0007; 0605/0802, 0607/0013; 0661/0804, 0805; and 0665/0024); - some of which is not yet known. The ANC cannot properly comment on a VCP application that does not contain full and accurate information about the extent of contamination, and that
- Most of the sites in this VCP application exceeded the screening criteria for metals, polycyclic aromatic hydrocarbons (PAHs), and total petroleum hydrocarbons (TPH) concentrations.

Some of the known contamination includes:

- The Akridge site is contaminated with petroleum and chlorinated solvents.
  - The Pepco site is contaminated with petroleum and hazardous materials, such as PCBs, and a "potential free product plume beneath the Site, down-gradient of two aboveground storage tanks.
  - The Super Salvage site is contaminated with cadmium, lead, benzene, MEK, tetrachloroethylene, trichloroethylene.
  - *Most importantly, the Phase II Environmental Assessment is "pending", so the extent of the contamination is not known at this time.* Consequently, neither ANC 6D nor anyone else can properly comment on a VCP application where the contamination has not yet even been determined, and that
- The VCP application is missing several critical documents necessary for ANC review:
    - "Appendix X" of the VCP application notes that the Site Community Involvement Plan is not yet available. ANC 6D objects to the approval of the VCP application until a Site Community Involvement Plan is developed and approved by the affected ANCs.
    - "Appendix XI" of the VCP application states that a "Summary of Proposed CAP" is attached. This is described as a "descriptive summary of a proposed cleanup action plan that conforms to DDOE cleanup standards, which will include an outline of the response action plan for the site." However, the Proposed CAP was also not included in the VCP application and it is impossible for ANC 6D to evaluate and comment on a BCP application that does not contain the proposed cleanup plan.

**THEREFORE, at a properly noticed monthly business meeting of ANC 6D held on April 13, 2015 at which quorum of Commissioners were present, the Commission voted 5-0-0 register the above concerns and objections and urge that our recommendations be given great weight in this matter by The Office of the Mayor, Office of the Deputy Mayor for Planning and Economic Development, Department of General Services, Department of the Environment and the Council of the District of Columbia.**

Sincerely,



Roger Moffatt  
Chairman, ANC 6D  
Near Southeast/Southwest



ARCHITECTURE & INTERIORS

PROGRAM & CONSTRUCTION  
MANAGEMENT

PLANNING & FACILITIES  
MANAGEMENT

ENVIRONMENTAL ENGINEERING

TRANSPORTATION

Mr. Roland F. Dreist, Jr., L.S.  
D.C. Surveyor  
1100 4<sup>th</sup> Street, S.W., 3<sup>rd</sup> floor  
Washington, D.C. 20024

January 16, 2015

Reference: Buzzard Point MLS Stadium  
Street closing application  
McKissack & McKissack Project Number W12-2600

Dear Mr. Dreist,

We are submitting the attached application on behalf of the District of Columbia's Department of General Services (DGS), to close the following streets:

- 1<sup>st</sup> Street, SW, from R Street to T Street
- R Street, SW, from Half Street to 1<sup>st</sup> Street
- S Street, 5W, from approximately 230 feet west of Half Street to 2<sup>nd</sup> Street.

The DGS is presently in negotiations to procure all parcels adjacent to these proposed street closings. Once the property is acquired and the streets are closed, DGS and "DC United" will develop a Major League Soccer Stadium on the property.

Attached are the following:

- Completed Surveyor's Office application form.
- Sketch of the proposed street closing.
- Filing fee of \$2,750. (Previously Paid see copy of documentation attached).
- Retail tenant displacement form (although no retail tenants will be displaced).
- Eight copies of a conceptual plan of the proposed site development.

*Note: That this is a preliminary plan. Buildings, roadway locations and layouts are subject to change as development planning proceeds. Please contact me at 202-220-0167, if you have any questions.*

Sincerely,

Mark L. Brooks  
Senior Project Manager

901 K STREET, NW  
6TH FLOOR  
WASHINGTON, DC 20001  
T 202.347.1446  
F 202.347.1489  
www.mckissackdc.com



January 28, 2014

Mr. Roland F. Dreist, Jr., L.S.  
D.C. Surveyor  
1100 4<sup>th</sup> Street, S.W., 3<sup>rd</sup> floor  
Washington, D.C. 20024

ARCHITECTURE & INTERIORS

PROGRAM & CONSTRUCTION  
MANAGEMENT

PLANNING & FACILITIES  
MANAGEMENT

ENVIRONMENTAL ENGINEERING

TRANSPORTATION

Reference: Buzzard Point MLS Stadium  
Street closing application  
McKissack & McKissack Project Number W12-2600

Dear Mr. Dreist,

On behalf of the District of Columbia's Department of General Services (DGS), we are submitting the attached street closing application which is revised from the previous December 29, 2013 application submission. Listed are the following streets to close:

- 1<sup>st</sup> Street, SW, from R Street to T Street
- R Street, SW, from Half Street to 1<sup>st</sup> Street
- S Street, SW, from approximately 230 feet west of Half Street to 2<sup>nd</sup> Street.
- Potomac Avenue, SW, from 2<sup>nd</sup> Street to 1<sup>st</sup> Street and R Street

DGS is in negotiations to purchase all parcels adjacent to these proposed street closings. Once the property is acquired and the streets are closed, DGS and DC United will develop a Major League Soccer stadium on the property. The stadium site will further include the two northern parcels which are owned under DC jurisdiction.

Attached are the following:

- Completed Surveyor's Office application form
- Sketch of the proposed street closing
- Retail tenant displacement form (no retail tenants will be displaced)
- Eight copies of a conceptual plan of the proposed site development. Note that this is a very preliminary plan. Buildings, roadway locations and layouts are subject to change as development planning proceeds.

We appreciate your support of this application. Please call me if you should have any questions.

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6TH FLOOR  
WASHINGTON, DC 20001  
T 202.347.1446  
F 202.347.1489  
www.mckissackdc.com

Sincerely,

A handwritten signature in cursive script that reads "Christina Gonzalez".

Christina Gonzalez  
Landscape Architecture Designer

Revised: 1/28/2014

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
PERMIT OPERATIONS DIVISION  
OFFICE OF THE SURVEYOR  
1104 4<sup>TH</sup> STREET, S.W., 3<sup>RD</sup> FLOOR  
WASHINGTON, DC 20024

Surveyor's Office File No.

13-14605

\_\_\_\_\_  
Date

**APPLICATION TO CLOSE/DEDICATE A STREET OR ALLEY OR ELIMINATION OF  
BUILDING RESTRICTION LINE**

Location

Street(s) 1st Street, SW, from R Street to T Street; R Street, SW, from Half Street to 1st Street;  
S Street, SW, from approximately 230 feet west of Half Street to 2nd Street;  
Potomac Avenue, from 2nd Street to 1st Street and R Street.

Name: \_\_\_\_\_

Abutting Squares: 605, 607, 661, 665

Portion to be closed/dedicated: \_\_\_\_\_

**AS PER SKETCH ATTACHED**

Alley(s)

Name: \_\_\_\_\_

Abutting Squares: \_\_\_\_\_

Portion to be closed/dedicated.: \_\_\_\_\_

**AS PER SKETCH ATTACHED**

This application is made by:

Scott Burrell, Chief Operating Officer, DGS

(202) 345-7016

Applicant's Name (print)

Telephone Number

2000 14th Street, NW (8th Floor), Washington, DC 20009

Address

I certify that the above information is true to the best of my knowledge.



Signature of Applicant or Agent

**TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICE OR OFFICIAL,  
CALL THE INSPECTOR GENERAL AT 1-800-521-1639**

Revised: 6/28/13

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
PERMIT OPERATION DIVISION  
OFFICE OF THE SURVEYOR  
1100 4<sup>TH</sup> STREET, S.W., 3<sup>RD</sup> FLOOR  
WASHINGTON, DC 20024

Retail Tenant Displacement Form

Note: The following information is required relative to provisions of DC Law 6-133 (DC Act 6-171).

Surveyor's Office File No.

13-14605

Regarding an application for the proposed closing/dedication of the following street(s) or alley(s), the undersigned, being the applicant or the agent for the applicant, hereby makes the following representations as complete and true:

1. All properties associated with the proposed closing/dedication are listed as follows:

Square

Lot Number

Square 605 lots 0007, 0802; Square 607 lot 0013; Square 661 lots 0800, 0804, 0805; Square 665 lot 0024

2. The proposed closing/dedication will  or will not  result in displacement of existing retail tenants because of the demolition, substantial rehabilitation, or discontinuance of an existing building.

Name

Address

Square/Lot

1-30-14

Date

Scott Burrell

Print or Type Name



Signature

Note: This form must be completed, signed and submitted with the application.

TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICE OR OFFICIAL,  
CALL THE INSPECTOR GENERAL AT 1-800-521-1639



THE STREET SHOWN THUS:  IS CLOSED, AND TITLE  
VESTS AS SHOWN UPON THIS PLAT.

# PUBLIC STREETS CLOSED

## SQUARES S-603, N-661, 605, 661, 607, 665

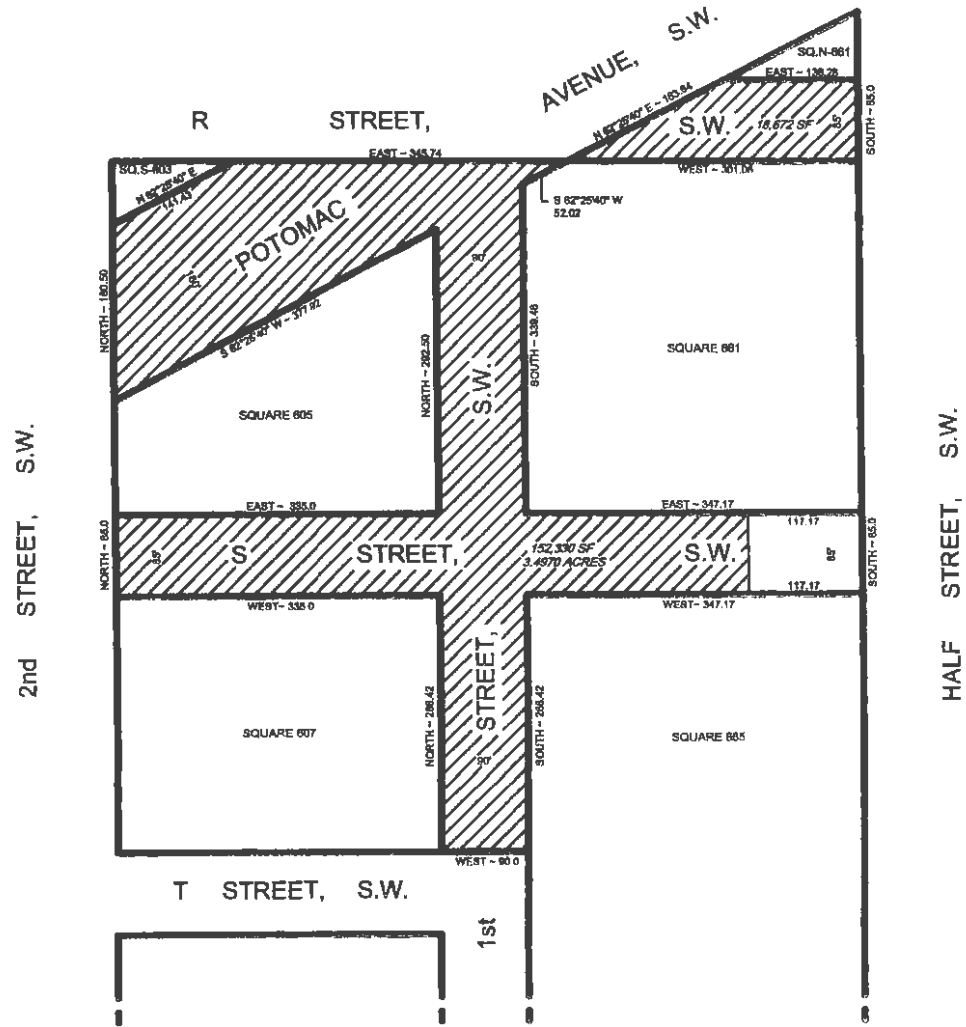
### RESERVATIONS 243 AND 244

OFFICE OF THE SURVEYOR, D.C.

\_\_\_\_\_, 2014

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

\_\_\_\_\_  
SURVEYOR, D.C.



SURVEYOR'S OFFICE, D.C.

Made for: McKISSACK & McKESSACK

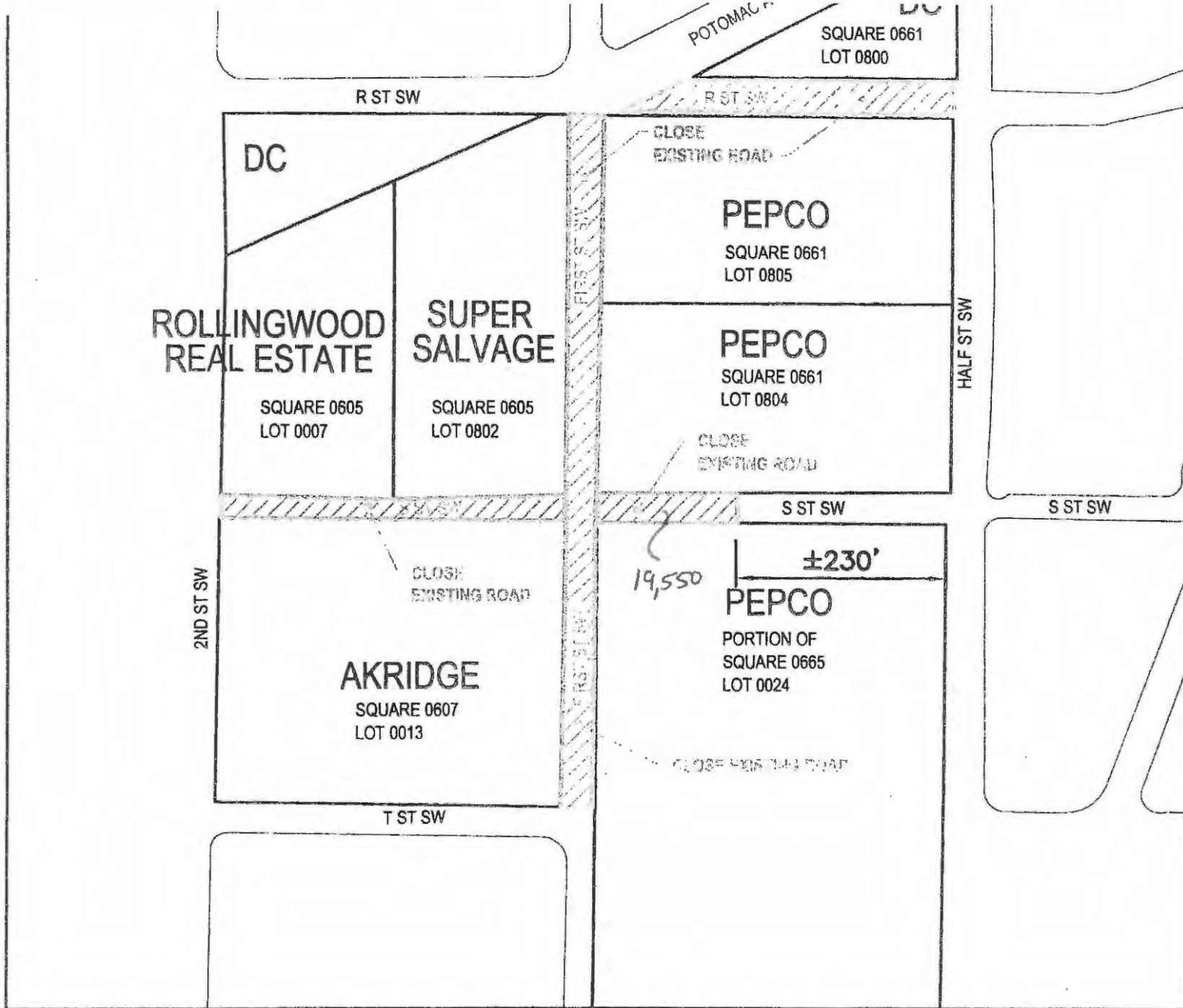
Drawn by: L.E.S. Checked by: \_\_\_\_\_

Record and computations by: \_\_\_\_\_

Recorded at: \_\_\_\_\_

Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ SR-14-01633

Scale: 1 inch = 80 feet File No. 13-14805



**ROAD CLOSURE EXHIBIT**

Amuseur  
this set no. - sent to Renewing  
Agencies ~~etc.~~

December 29, 2013



ARCHITECTURE & INTERIORS

PROGRAM & CONSTRUCTION  
MANAGEMENT

PLANNING & FACILITIES  
MANAGEMENT

ENVIRONMENTAL ENGINEERING

TRANSPORTATION

Mr. Roland F. Dreist, Jr., L.S.  
D.C. Surveyor  
1100 4<sup>th</sup> Street, S.W., 3<sup>rd</sup> floor  
Washington, D.C. 20024

Reference: Buzzard Point MLS Stadium  
Street closing application  
McKissack & McKissack Project Number W12-2600

Dear Mr. Dreist,

On behalf of the District of Columbia's Department of General Services (DGS), we are submitting the attached application to close the following streets:

- 1<sup>st</sup> Street, SW, from R Street to T Street
- R Street, SW, from Half Street to 1<sup>st</sup> Street
- S Street, SW, from approximately 230 feet west of Half Street to 2<sup>nd</sup> Street.

DGS is in negotiations to purchase all parcels adjacent to these proposed street closings. Once the property is acquired and the streets are closed, DGS and DC United will develop a Major League Soccer stadium on the property.

Attached are the following:

- Completed Surveyor's Office application form
- Sketch of the proposed street closing
- Filing fee of \$2,750
- Retail tenant displacement form (no retail tenants will be displaced)
- Eight copies of a conceptual plan of the proposed site development. Note that this is a very preliminary plan. Buildings, roadway locations and layouts are subject to change as development planning proceeds.

We appreciate your support of this application. Please call me if you should have any questions.

Sincerely,

James R. Beall, P.E.  
Senior Project Manager

901 K STREET, NW  
6TH FLOOR  
WASHINGTON, DC 20001  
T 202.347.1446  
F 202.347.1489  
www.mckissackdc.com

Revised: 6/28/13

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
PERMIT OPERATIONS DIVISION  
OFFICE OF THE SURVEYOR  
1104 4<sup>TH</sup> STREET, S.W., 3<sup>RD</sup> FLOOR  
WASHINGTON, DC 20024

Surveyor's Office File No. \_\_\_\_\_

\_\_\_\_\_ Date

**APPLICATION TO CLOSE/DEDICATE A STREET OR ALLEY OR ELIMINATION OF  
BUILDING RESTRICTION LINE**

Location

Street(s) 1<sup>st</sup> Street, SW, from R Street to T Street; R Street, SW, from Half Street to 1<sup>st</sup> Street;  
S Street, SW, from approximately 230 feet west of Half Street to 2<sup>nd</sup> Street.

Name: \_\_\_\_\_

Abutting Squares: 605, 607, 661, 665

Portion to be closed/dedicated: \_\_\_\_\_

**AS PER SKETCH ATTACHED**

Alley(s)

Name: \_\_\_\_\_

Abutting Squares: \_\_\_\_\_

Portion to be closed/dedicated.: \_\_\_\_\_

**AS PER SKETCH ATTACHED**

This application is made by:

Scott Burrell, Chief Operating Officer, DGS

(202) 345-7016

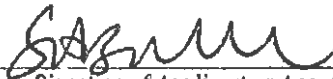
Applicant's Name (print)

Telephone Number

2000 14th Street, NW (8th Floor), Washington, DC 20009

Address

I certify that the above information is true to the best of my knowledge.



Signature of Applicant or Agent

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CALL THE INSPECTOR GENERAL AT 1-800-521-1639

Revised: 6/28/13

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
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OFFICE OF THE SURVEYOR  
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Surveyor's Office File No. \_\_\_\_\_

Regarding an application for the proposed closing/dedication of the following street(s) or alley(s), the undersigned, being the applicant or the agent for the applicant, hereby makes the following representations as complete and true:

1. All properties associated with the proposed closing/dedication are listed as follows:

Square	Lot Number
Square 605 lots 0007, 0802; Square 607 lot 0013; Square 661 lots 0800, 0804, 0805; Square 665 lot 0024	

2. The proposed closing/dedication will  or will not  result in displacement of existing retail tenants because of the demolition, substantial rehabilitation, or discontinuance of an existing building.

Name	Address	Square/Lot
------	---------	------------

12-27-13

Date

Scott Burrell

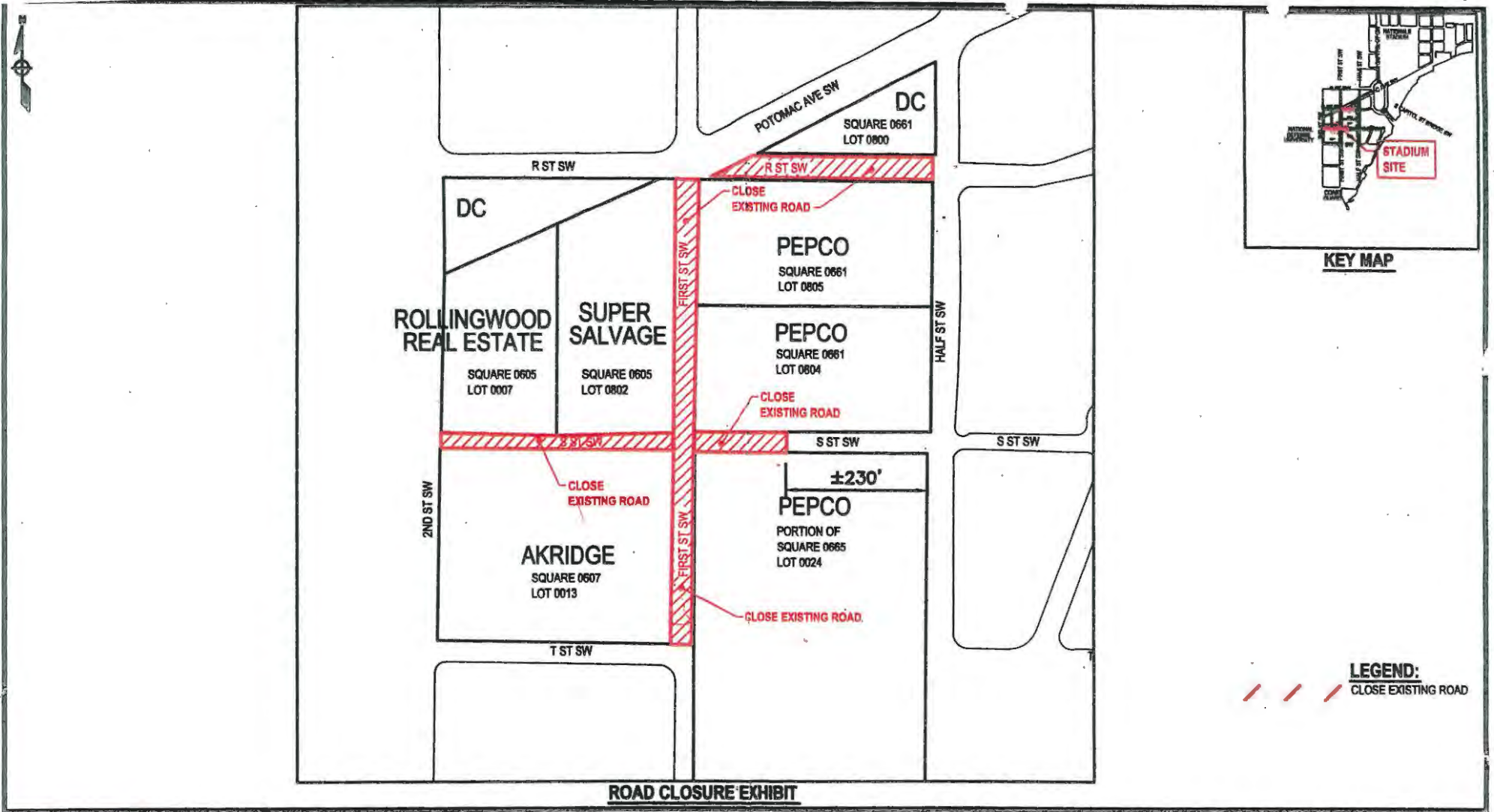
Print or Type Name



Signature

Note: This form must be completed, signed and submitted with the application.

TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICE OR OFFICIAL,  
CALL THE INSPECTOR GENERAL AT 1-800-521-1639



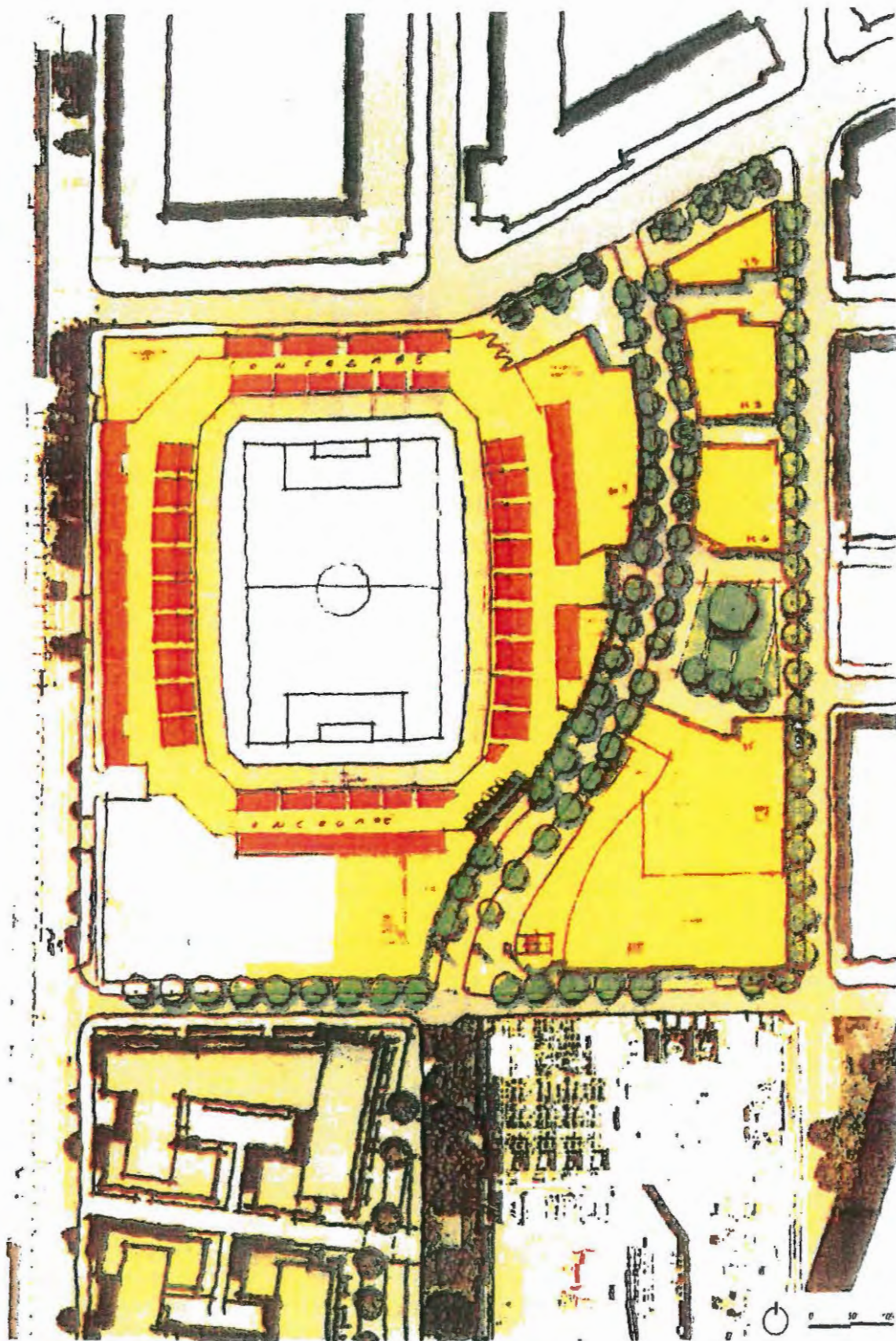
**ROAD CLOSURE EXHIBIT**



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 Fax: 202.347.3814  
 www.mckissackdc.com

ARCHITECTURE  
 ENGINEERING  
 PLANNING & FACILITIES  
 MANAGEMENT  
 PROGRAM & CONSTRUCTION  
 MANAGEMENT

<b>BUZZARD POINT - DC STADIUM STUDY</b>	
Project Name	Project Number
<b>ROAD CLOSURE EXHIBIT</b>	<b>1" = 150'</b>
Orientation	Scale
<b>DEC 2013</b>	<b>1 OF 1</b>
Date	Sheet Number



Sports & Entertainment District @ Buzzard Point  
Washington, DC

Illustrative Plan

HKS

Preliminary plans. Building and roadway locations and layouts are not final and are subject to change.

July 26, 2010

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES



MEMORANDUM

**TO:** Property Owners in the Squares Abutting the Portions of Public Streets Proposed to be Closed

**FROM:** [DGS/Ketan at DMPED]

**DATE:** May 20, 2015

**RE:** Bill No. 21-0200 - Proposed Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015

---

Pursuant to the Street and Alley Closing Acquisition Procedures Act, D.C. Official Code § 9-202.01, an application to close the following portions of streets that are adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244:

- Potomac Avenue, S.W., between 2nd Street, S.W. and R Street, S.W.;
- R Street, S.W., between Potomac Avenue, S.W. and Half Street, S.W.;
- 1st Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and
- S Street, S.W., between 2nd Street, S.W. and approximately 230 feet west of Half Street, S.W.

The Applicant, the District of Columbia Department of General Services, requests the closing of these portions of these streets to facilitate the development of a Major League Soccer Stadium. A plat showing the proposed portion of the street to be closed is attached.

This notice is sent to you pursuant to D.C. Official Code § 9-202.06. The Committee of the Whole of the District of Columbia City Council will hold a public hearing on June 9, 2015 at 2:00 pm in Council Chambers, of the John A. Wilson Building at 1350 Pennsylvania Avenue, NW, to consider Bill No. 21-0200, which would order the closing of the above-referenced portions of public streets.

If you have any questions concerning this matter, please do not hesitate to call [xx] at [??] or [yy] at [??], or the Committee of the Whole of the Council of the District of Columbia at (202) 724-8196.



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF TRANSPORTATION



d. Policy, Planning and Sustainability Administration

**MEMORANDUM**

**To:** Ravindra Ganvir  
DDOT-IPMA

**From:** Lewis Booker  
Transportation Planner

**Date:** March 17, 2015

**Subject:** **S.O. Application No. 13-14605 – DC Soccer Stadium  
Proposed Street and Alley Closing**

---

This is to notify you that DDOT has received an application from the DC Department of General Services (DGS) to close portions of 1<sup>st</sup> Street, R Street and S Street, S.W. to facilitate development of the proposed new DC Soccer Stadium.

Enclosed are the application, plat and site plan. Please review the materials and return this letter to PPSA advising whether or not IPMA has any objections to the application. Please provide IPMA's response in the space below and return this memorandum and any other correspondence to this application to:

[lewis.booker@dc.gov](mailto:lewis.booker@dc.gov) or by fax to (202) 671-0617

The application is under expedited review.  
Please Complete and Return by: **March 25, 2015**

IPMA has no objections to the application  
 IPMA has the following objections to the application

---

(Please use additional sheets if necessary)

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---


GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF TRANSPORTATION



**d.** Policy, Planning and Sustainability Administration

**MEMORANDUM**

**TO:** Roland F. Dreist Jr.  
DC Surveyor  
Office of the Surveyor, DCRA

**FROM:** Sam Zimbabwe   
Associate Director

**DATE:** March 27, 2014

**SUBJECT:** **S.O. No. 13-14605 (Resubmitted) – Proposed Closing of Public Streets Adjacent to Squares S-603, 605, 607, N-661, 661, 665 and Reservations 243 and 244**

---

**OVERVIEW**

McKissack and McKissack (“the Applicant”) on behalf of the District of Columbia Department of General Services (DGS) seeks approval for the closure of portions 1<sup>st</sup> Street, R Street, S Street, S.W. (Site) to allow for development of a new Major League Soccer (MLS) Stadium (Stadium) in the Buzzards Point neighborhood. The closed streets will be incorporated into the stadium design. The proposed stadium will contain 20,000 – 25,000 seats and is scheduled to commence operations during the 2017 MLS season.

**PROJECT COORDINATION**

DDOT is in the process of advancing major transportation infrastructure in the immediate vicinity of the Site and is considering additional changes in the area as defined in various planning efforts. These efforts include;

- *The South Capitol Street Corridor Project – Frederick Douglass Memorial Bridge (Anticipated Construction start late 2016)*

DDOT seeks to replace the existing Frederick Douglass Bridge over the Anacostia River and convert South Capitol Street into a scenic boulevard with a potential traffic circle at the intersection with Potomac Avenue near the Stadium site.

- *North South Corridor Transit Study (Unreleased)* – The draft (unreleased) study considered the potential for extending a streetcar line from Silver Spring – Takoma through Downtown to the Buzzard Point area and contemplated alignments immediately adjacent to the proposed stadium.
- *M Street/SE-SW Transportation Planning Study and Special Events Study (2014)* – The study analyzed the potential combined impacts of special event generators in the area including National Ballpark, Arena Stage, Wharf Hall and proposed future development for a 20 year horizon.

As part of its effort to define potential impacts that may result from construction of the Stadium, the Applicant completed a Transportation Management Plan (TMP). The TMP is a planning level review of the proposed game day operations of the new stadium and serves as a guiding document for future transportation efforts and actions.

The Applicant has also evaluated potential environmental impacts, including transportation, as part of an Environmental Mitigation Study (EMS). The transportation element of the EMS provided a detailed technical review of intersection capacity, as well as impacts to other modes of travel on game-days. It identifies the amount of additional transportation activity expected during game-days and recommends mitigation measures to alleviate concerns. The Applicant is working with DDOT staff to finalize the current draft version of the analysis dated November 2014.

## **ROAD NETWORK**

The transportation analysis prepared during the Environmental Mitigation Study reviewed circulation impacts caused by the proposed road closures. DDOT's analysis for the South Capitol Street Corridor project identified R Street as a critical east-west connection in the Buzzard Point area, and the circulation plan anticipated operations on Q, R, and Potomac that allow for circulation to and from South Capitol Street. The proposed street closures would modify that circulation plan if treated as full closures at all times, and could require further evaluation of neighborhood circulation as part of the ongoing planning for the stadium. DDOT sees a need for continued coordination with the Applicant to retain public access to the street for pedestrian, bicycle and vehicular use on non-event days or modify the neighborhood circulation plan to account for the roadway closure. DDOT has closely coordinated with the applicant thus far, and anticipates regular ongoing coordination throughout the design, construction, and operation of the project.

**DDOT INFRASTRUCTURE**

DDOT has infrastructure assets in and along the facilities proposed for closure. The Applicant must coordinate with the appropriate DDOT administration to define and then remove all DDOT assets including, but not limited to the existing parking meters, regulatory signage located in the existing Right-of-Way, streetlights and related infrastructure.

**PUBLIC UTILITIES**

The road closures have the potential to impact a number of existing utilities located underground and above grade. Close coordination between DDOT and the Applicant is necessary to determine potential project impacts and conflicts with existing utilities. The affected utilities are also parties to this proposed action and may have their own comments and concerns. DDOT has conducted extensive utility investigations in the area as part of the South Capitol Street project, and will include the project team in the ongoing utility coordination efforts.

**RECOMMENDATION**

DDOT has no objections to the action. However, the Applicant is expected to continue coordination with DDOT to resolve the transportation network concerns outlined above.

SZ:lb



**MEMORANDUM**

**TO:** Roland F. Dreist, Jr., L.S., D.C. Surveyor  
Office of the Surveyor

**FROM:** *JL for* Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

**DATE:** April 9, 2015

**SUBJECT:** **S.O. 13-14605**  
Proposed Closing of Public Streets Adjacent to Square S-603, N-661, 605, 661, 607, 665,  
and Reservations 243 and 244

**I. RECOMMENDATION**

The Office of Planning (OP) has completed its review of the application for the requested street closings, and **has no objection** to this request.

**II. SITE DESCRIPTION**

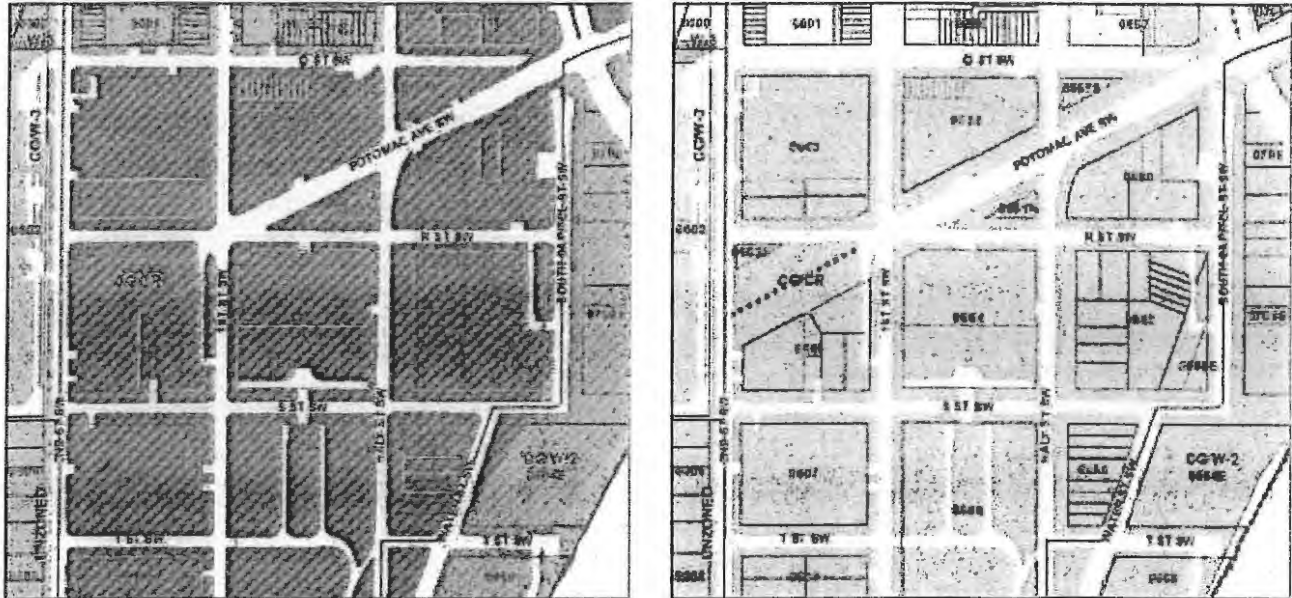
Applicant:	McKissack & McKissack on behalf of the District of Columbia Department of General Services (DGS)
Address:	Squares 605, 607 and 661 and the northern portion of Square 665
Legal Description:	Square 605, lots 0007, 0802; Square 607, lot 0013; Square 661, lots 0800, 0804, and 0805; and Square 665, lot 0024
Ward:	6
Existing Development:	Square 605 is currently developed with an industrial warehouse and a salvage facility. Square 607 is developed with an industrial warehouse. Squares 661 and 665 are developed with public service utilities operated by the Potomac Electric Power Company (PEPCO).
Zoning:	CG/CR – medium to high density mixed use development, within the Capitol Gateway Overlay District
ZC Review and Approval:	The District of Columbia and DC United are proposing the development of an approximately 20,000 seat Major League Soccer stadium. It is envisioned that a text amendment for the proposed development would be submitted for Zoning Commission review in 2015.



## II. COMPREHENSIVE PLAN

**Comprehensive Plan Future Land Use Map – High Density Commercial, High Density Residential.**

**Generalized Policy Map – Land Use Change Area and Central Employment Area.**



The proposal is not inconsistent with these designations.

The proposal would further the policies of the Land Use; Transportation; Environment; Economic Development; Urban Design; and Park, Recreation and Open Space Elements of the Comprehensive Plan.

**Policy LU-1.1.6: Central Employment Area Historic Resources** Preserve the scale and character of the Central Employment Area’s historic resources, including the streets, vistas, and public spaces of the L’Enfant and McMillan Plans as well as individual historic structures and sites. Future development must be sensitive to the area’s historic character and should enhance important reminders of the city’s past. 304.12

**Policy LU-1.4.1: Infill Development** Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. 307.5

**Policy LU-2.3.2: Mitigation of Commercial Development Impacts** Manage new commercial development so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas. Before commercial development is approved, establish requirements for traffic and noise control, parking and loading management, building design, hours of operation, and other measures as needed to avoid such adverse effects. 311.4

**Action T-2.4.B: Sidewalks** Install sidewalks on all major streets throughout the District where there are missing links to improve pedestrian safety, access, and connectivity. Continue to monitor the sidewalk network for needed improvements. Consult with ANCs and community organizations as plans for sidewalk construction are developed. All sidewalks shall be constructed in conformance with the American with Disabilities Act Accessibility Guidelines. 410.10

**Policy E-3.2.1: Support for Green Building** Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities. 614.2

**Policy E-3.4.3: Environmental Assessments** Ensure full and meaningful compliance with the DC District of Columbia Environmental Policy Act of 1989, effective October 18, 1989 ( D.C. Law 8-36; D.C. Official Code § 8-109.01 et seq.), including the use of procedures to assess the environmental impacts of major development projects comparable to the regulations developed by the Council on Environmental Quality for the National Environmental Policy Act of 1969, approved January 1, 1970 (83 Stat. 852; 42 U.S.C. 4321 et seq.). The environmental review should include all pertinent information about the effects of the project on the human environment, including information about existing conditions, projected impacts, and mitigation measures. Carbon dioxide and other greenhouse gas (GHG) emissions impacts should be included in the environmental impact assessments. The process should ensure that such information is available when a development is proposed and is available to the public and decision-makers before any decision is made. 616.5

**Policy E-4.4.5: Clean-Up of Contaminated Sites** Ensure that the necessary steps are taken to remediate soil and groundwater contamination in the city, both in areas where future development is likely and in areas that are already fully developed. In addition, require soil and groundwater evaluations for any development that is proposed on a site where contamination may be possible due to past activities. Depending on the site, it may also be necessary to investigate the effects of contamination on air quality, surface water, or river sediments, or to conduct an ecological risk assessment. If contamination is found to be above acceptable levels, require remediation and, where necessary, long term monitoring and institutional controls. 621.9

**Policy ED-2.3.2: Visitor Attractions** Provide new and enhanced visitor attractions and entertainment venues in the District, particularly attractions that complement the traditional museums and monuments and draw more international visitors and young adults to the city. New attractions should create a clear identity for the District as the region's major entertainment center. 709.6

**Policy ED-4.2.1: Linking Residents to Jobs** Promote measures which increase the number of District jobs held by District residents. According to the 2000 Census, 71 percent of the jobs in the city were held by non-residents, up from 67 percent in 1990. While recognizing that some imbalance is inevitable due to the relatively large number of jobs and small number of residents in the city, the District should work to increase the percentage of resident workers through its job training and placement programs. 717.9

**Policy PROS-3.2.3: Linkages Between the Waterfront and Nearby Neighborhoods** Establish stronger linkages between the waterfront and adjacent upland neighborhoods including ...Southwest. Maximize public access to the waterfront from these areas through the development of a riverwalk and shoreline trail, improved public transportation, redesigned bridges and freeways, and the extension of neighborhood streets and avenues to the water's edge. 709.6

**Policy UD-1.1.2: Reinforcing the L'Enfant and McMillan Plans** Respect and reinforce the L'Enfant and McMillan Plans to maintain the District's unique, historic and grand character. This policy should be achieved through a variety of urban design measures, including appropriate building placement, view protection, enhancement of L'Enfant Plan reservations (green spaces), limits on street and alley closings, and the siting of new monuments and memorials in locations of visual prominence. Restore as appropriate and where possible, previously closed streets and alleys, and obstructed vistas or viewsheds. 903.7

**Policy UD-1.4.1: Avenues/Boulevards and Urban Form** Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city. 906.6

**Policy UD-2.2.3: Neighborhood Centers** Undertake strategic and coordinated efforts to create neighborhood centers, civic buildings, and shopping places that reinforce community identity. 910.9

The proposal would also further policies of the Lower Anacostia Waterfront / Near Southwest Area Element of the Comprehensive Plan:

**Policy AW-1.1.6: Pedestrian Orientation of Waterfront Uses** Provide a high level of pedestrian amenities along the shoreline, including informational and interpretive signs, benches and street furniture, and public art. 1908.7

**Policy AW-1.1.7: Multi-modal Waterfront Streets** Design streets along the waterfront to be truly multi-modal, meeting the needs of pedestrians, bicyclists, and transit users as well as motor vehicles. Safe pedestrian crossings, including overpasses and underpasses, should be provided to improve waterfront access. 1908.8

**Policy AW-1.1.4: Waterfront Development Amenities** Leverage new development in the Waterfront Planning area to create amenities and benefits that serve existing and new residents. These amenities should include parks, job training and educational opportunities, new community services, and transportation and infrastructure improvements. 1908.5

**Policy AW-1.2.3: Waterfront Sports and Recreation Destinations** Develop new destinations for sports, recreation, and celebration on or near the Anacostia waterfront. Ensure that these destinations are served by adequate and efficient transportation systems and infrastructure. 1909.3

**Policy AW-2.2.7: Buzzard Point** Support the long-term redevelopment of Buzzard Point with mixed medium- to high-density commercial and residential uses. Recognize the opportunity for innovative design and architecture in this area, and for the creation of a unique urban waterfront. 1912.13

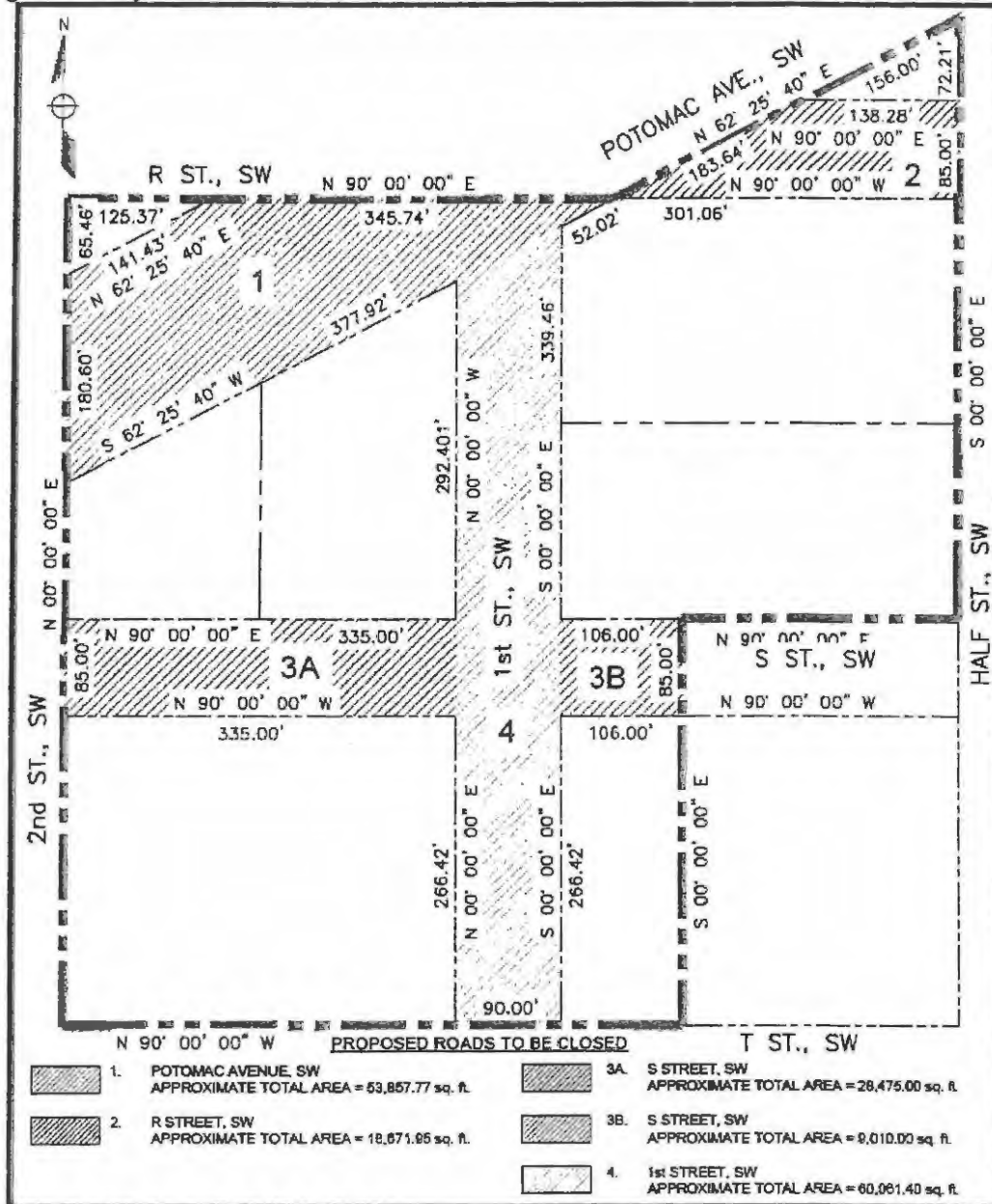
#### IV. PROPOSAL

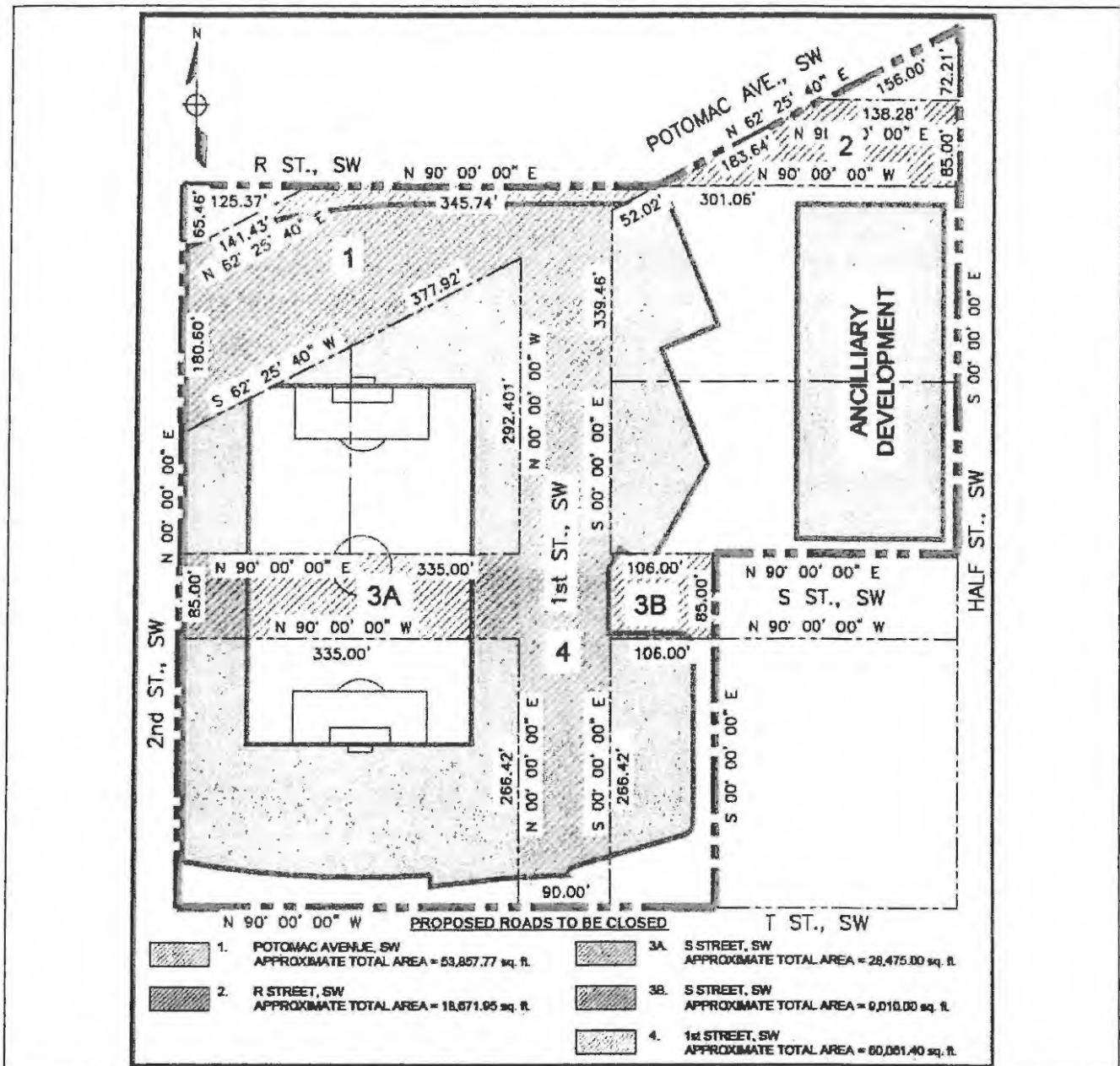
Request:	To facilitate the construction of a new sports and entertainment stadium, mainly for the DC United Soccer Team, to close the following rights-of-way: <ul style="list-style-type: none"> <li>• Potomac Avenue, SW from 2<sup>nd</sup> Street, SW to 1<sup>st</sup> Street and R Street, SW;</li> <li>• R Street, SW from 1<sup>st</sup> Street and Potomac Avenue, SW to Half Street, SW;</li> <li>• 1<sup>st</sup> Street, SW from R Street to T Street, SW; and</li> <li>• S ST SW from 2<sup>nd</sup> Street, SW to approximately 106 feet east of 1<sup>st</sup> Street, SW.</li> </ul> The rights-of-way proposed for closure are in Squares S-603, N-661, 605, 661, 607, and 665 as shown in the map below.
Description:	The streets, with the exception of Potomac AVE SW, are currently roughly improved and used for transportation or circulation purposes.
Adjacent Ownership:	Land adjacent to the rights-of-way to be closed is currently owned by the District of Columbia, Rollingwood Real Estate, Super Salvage, Inc., Akridge, and the Potomac Electric Power Company (PEPCO). To the west across 2 <sup>nd</sup> ST SW is Fort McNair, which is owned and operated by the Federal Government; to the north across Potomac AVE SW and R ST SW, to the east across 1 <sup>st</sup> ST SW, and to the south across T ST SW are utility facilities, which are owned and operated by PEPCO; and to the east across Half ST SW are commercial properties in private ownership.
Proposed Development:	The proposed mixed use development would include an approximately 20,000 seat soccer stadium, as well as ancillary mixed-use development.



Size:	Potomac Avenue, SW ROW	= 53,857.77 sq. ft.
	R Street, SW ROW	= 18,671.95 sq. ft.
	S Street, SW ROW	= 28,475.00 sq. ft.
		= 9,010.00 sq. ft.
	1 <sup>st</sup> Street, SW ROW	= 60,061.40 sq. ft.
	<b>Total</b>	<b>= 170,076.12 sq. ft.</b>

Rights-of-way to be closed:





Uses:	The property is proposed to be used mainly as a Major League Soccer stadium for DC United with supportive ancillary development.
Height and Density:	The stadium design proposal is still in its preliminary stage, but would be designed to conform to standards of the zoning and the 1910 Height Act.
Parking and Loading	Details of the loading routes and access points would be provided during the design review process for review and analysis by the District Department of Transportation (DDOT) and the Zoning Commission.

## V. ANALYSIS

### A. Planning and Urban Design

The Director of the Office of Planning is required to “determine whether the proposed closing is in compliance with the District’s planning and urban design objectives”, as per 24 DCMR 1401.2(c). These objectives, as contained within the Comprehensive Plan (10 DCMR, Chapter 9), include:

§300 Land Use Element

§310.8 Policy LU-2.2.7: Alley Closings

*Discourage the conversion of alleys to private yards or developable land when the alleys are part of the historic fabric of the neighborhood and would otherwise continue to perform their intended functions, such as access to rear garages and service areas for trash collection.*

Although the streets proposed for closure are currently part of the circulation system, many lack common features of roads in the District, such as sidewalks, street trees, curb and gutters, bicycle lanes, or striping. The proposed development would provide a new sports destination in the Buzzard Point neighborhood, which would connect to the existing street “grid” and facilitate improvements to both the use mix and the circulation patterns for pedestrians, bicyclists, and vehicles. Issues of accessibility to the new stadium would be addressed by DDOT, OP and the community as part of the future review of the stadium site planning and design.

§900 Urban Design Element

*The critical urban design issues facing the District of Columbia... include:*

- *Strengthening civic identity through a renewed focus on assets such as public spaces, boulevards, and waterfront areas...*
- *Improving the public realm, particularly street and sidewalk space...*

Sidewalks and new public open spaces for both active and passive recreational uses would be provided as part of the proposed development. The applicant continues to work with Office of Planning and Public Space staff to address design of the public realm.

§903.7 Policy UD 1.1.2: Reinforcing the L’Enfant and McMillan Plans.

*...Restore as appropriate and where possible, previously closed streets and alleys, and obstructed vistas or viewsheds. (See Figure 9.3: Discouraging Alley and Street Closings within the L’Enfant Plan Area 903.10)*

The property is within the area of the L’Enfant Plan.

§906.6 Policy UD1.4.1: Avenues/Boulevards and Urban Form

*Use Washington’s major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character...*

The proposed development of the property would reinforce the view corridor along Potomac AVE SW from the Washington Nationals baseball stadium to the proposed DC United soccer stadium.

§913.6 Policy UD-3.1.9: Street Closures

*Strongly discourage the closure of streets for private ownership or use. Any request for street closure should be reviewed in terms of the resulting impacts on vehicular and pedestrian circulation, access to private property, emergency access and fire protection, view obstruction, loss of open space, building scale, and other factors.*

The right-of-way closings would:

- facilitate the redevelopment of this vacant and underutilized site into a destination development, including retail uses, that will serve the surrounding community and the District as a whole; and
- allow the placement of new properly designed streets at more appropriate locations to accommodate the new buildings and provide access to the service corridors and open space areas.

§ 1700 Area Element

The property is within the Lower Anacostia Waterfront/Near Southwest Planning Area Element and the proposed development would particularly address the following relevant Policies articulated in the Comprehensive Plan:

**Policy AW-1.2.3: Waterfront Sports and Recreation Destinations** Develop new destinations for sports, recreation, and celebration on or near the Anacostia waterfront. Ensure that these destinations are served by adequate and efficient transportation systems and infrastructure. 1909.3

**Policy AW-2.2.7: Buzzard Point** Support the long-term redevelopment of Buzzard Point with mixed medium- to high-density commercial and residential uses. Recognize the opportunity for innovative design and architecture in this area, and for the creation of a unique urban waterfront. 1912.13

**B. Housing Linkage**

In accordance with the Comprehensive Plan, § 505.18, developments that provide housing onsite or do not obtain bonus density from non-residential uses are not subject to a housing linkage requirement. No Housing Linkage would result from the proposed development, as the proposed development would not utilize or require the potential density gained from the street rights-of-way.

**C. 24 DCMR Chapter 14 Requirements**

The street and alley closing regulations require submission of a plan so that reviewing agencies can determine the potential impact of the requested closing. In this case, the closing of the rights-of way would facilitate a new mixed use development that provides public access to and public amenities on the site. The proposed development will be subject to review by HPRB, and by the Zoning Commission through a design review process.

- (f) *The approximate gross floor areas intended for various uses such as retail, office, residential, industrial, and commercial;*

The applicant has not yet provided the final gross floor area for the intended uses. The development program would be further refined and regulated through the design review process before the Zoning Commission.

*(g) The points of ingress and egress that vehicles will use for parking or loading purposes;*

The location of the parking and loading entrances to the buildings would be further reviewed and refined through the design and public space review processes.

*(h) The location of off-street parking spaces and their number and size;*

The applicant has not provided plans showing the location, number and size of the parking spaces at this time. However, they would be identified and assessed through the design review, public space review, and permitting processes.

*(i) The location and size of loading and unloading facilities such as berths, docks, and platforms;*

The applicant has not provided plans showing the location, number and size of the loading and unloading facilities at this time. However, they would be identified and assessed through the design review, public space review, and permitting processes.

*(j) A Tracking diagram for the maximum size trucks intended to use the loading and unloading facilities;*

The size of trucks that would serve the site would be identified and assessed by DDOT through the design review and permitting processes.

*(k) Elevation views for each side of any building proposed for the site.*

The building elevations will be reviewed as part of the design review process.

JS/emv

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
HISTORIC PRESERVATION OFFICE



**MEMORANDUM**

**DATE:** April 23, 2015

**TO:** Roland F. Dreist, Jr  
Surveyor, District of Columbia

**FROM:** Andrew Lewis  
Senior Historic Preservation Specialist, DC Historic Preservation Office

**SUBJECT:** Historic Preservation Review Board Comments Regarding – S.O. 13-14605

In response to your memoranda dated April 22, 2014 and January 26, 2015, the Historic Preservation Office hereby transmits the Historic Preservation Review Board (HPRB) comments on the application to close portions of public streets bounded adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244. The specific streets proposed for closure include portions of First, R and S Streets, SW and Potomac Avenue, SW.

These comments are provided in accordance with Section 9-202.02 of the D.C. Code, which provides for a referral to the HPRB of any application to close a street located on the L'Enfant Street Plan.

On April 23, 2015, the HPRB unanimously adopted the staff report with the proviso that the reservations should also be restored if the stadium is ever removed. The staff report has been revised accordingly and is attached for your information. These recommendations are hereby submitted to your office for transmittal to the Council.

Thank you for the opportunity to comment on this L'Enfant Plan street closing application.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
HISTORIC PRESERVATION REVIEW BOARD



**HPRB AGENDA**  
**April 23 and 30, 2015**

The Historic Preservation Review Board will meet to consider the following item on April 23 and 30, 2015. The meetings will begin at 9:00 am at 441 4<sup>th</sup> Street NW in Room 220 South. Applicants and those interested in testifying should arrive at least fifteen minutes prior to the assigned time for the case.

**APRIL 23 MEETING**

**CONSENT CALENDAR**

**HISTORIC LANDMARKS**

- A. Plan of the City of Washington (L'Enfant Plan; L'Enfant-McMillan Plan)  
Proposed closing of 1<sup>st</sup> Street SW from R to T streets; R Street SW from Half to First Street; and S Street west of Half to Second Street; and portions of Potomac Avenue, S.O. 13-14605
- B. First Church of Christ, Scientist, 1780 Columbia Road NW, HPA 15-290 (formerly 1770 Euclid), subdivision

**CAPITOL HILL HISTORIC DISTRICT**

- C. 527 6<sup>th</sup> Street SE, HPA 15-282, concept/rear addition and deck  
D. 631 South Carolina Ave SE, HPA 15-305, concept/rear addition  
E. 432 New Jersey Ave SE, HPA 13-263, concept renewal/addition

**CLEVELAND PARK HISTORIC DISTRICT**

- F. 3610 Macomb Street NW, HPA 15-302, addition and front porch alterations

**DUPONT CIRCLE HISTORIC DISTRICT**

- G. 1758 Church Street NW, HPA 15-247, third-story addition

**DENIAL CALENDAR**

**MOUNT VERNON SQUARE HISTORIC DISTRICT**

- H. 1223 4<sup>th</sup> Street NW, HPA 15-296, permit/replace two front windows with triple-ganged windows

**AGENDA**

**DESIGNATION HEARINGS**

1. 9:00 – 9:45 Corcoran Gallery of Art, 1700 New York Avenue/500 17<sup>th</sup> Street/1701 E Street NW, Case 13-01, amendment to designate portions of the interior  
[Board deliberation and decision only; no additional testimony will be taken]
2. 9:45 – 11:30 West Heating Plant, 1051-1055 29<sup>th</sup> Street NW, Case 14-04
3. 11:30 – 12:00 7 Grant Circle NW, Case 15-08

3:15 – 3:30 *BREAK*

**U STREET HISTORIC DISTRICT**

12. 3:30 – 4:15 1504 Swann Street NW, HPA 15-128, rear addition and roof deck

**SHAW HISTORIC DISTRICT**

13. 4:15 – 5:00 810 O Street, NW, HPA 15-248, concept/new construction of 9 story apartment building



**HISTORIC PRESERVATION REVIEW BOARD  
STAFF REPORT AND RECOMMENDATION**

Landmark/District:	<b>L'Enfant Plan</b>	<input type="checkbox"/> Agenda
Addresses:	<b>Proposed Closing of L'Enfant Streets for the DC United Soccer Stadium</b>	<input checked="" type="checkbox"/> Consent Calendar
Meeting Date:	<b>April 23, 2015</b>	
S.O. Number:	<b>S.O. 13-14605</b>	
Staff Reviewer:	<b>Andrew Lewis David Maloney</b>	<input checked="" type="checkbox"/> Street Closing

The Office of the Surveyor has forwarded an application by the District of Columbia Department of General Services (DGS) to close portions of three L'Enfant streets and two reservations. The streets to be closed include portions of First, R and S Streets, SW and Potomac Avenue, SW. Reservations 243 and 244 along Potomac Avenue are also proposed for jurisdictional transfer.

DGS has requested the street closings and jurisdictional transfer for the purposes of constructing a new soccer stadium for DC United near Buzzard Point. Legislation adopted by the D.C. Council in December 2014 establishes the financing and terms for the construction of the stadium. The Deputy Mayor for Planning and Economic Development is responsible for concluding an agreement that provides for the District to convey the site under a long-term lease. DGS has been charged with implementing the street and alley closing process.

Under the District's street and alley closing procedures (Section 9-202.02 (4) of the D.C. Official Code), the Historic Preservation Review Board is given an opportunity to comment on L'Enfant Plan street closings before action by the D.C. Council. Advisory Neighborhood Commissions, abutting property owners, and other review agencies, including the Office of Planning, District Department of Transportation, and National Capital Planning Commission, are also given the opportunity to submit comments to the Council.

The Review Board provides its comments within the context of preservation policies adopted by the Council. The Historic Preservation element of the District's Comprehensive Plan establishes specific policies for the protection of the city's historic plan (see attached).

As was the case for the Washington Nationals Ballpark, which involved similar street closures, the context for the Board's review also includes the Council's action enabling the construction of the sports stadium on the selected site. The Council has in effect directed a balancing of preservation concerns with other public policies.

**Evaluation**

The attached graphics illustrate the specific areas to be closed and transferred under the lease. A conceptual site plan and overlay of the potential stadium footprint are also included for reference.

All of the above-referenced streets were established by the Plan of the City of Washington (L'Enfant Plan), a property that is listed in the DC Inventory of Historic Sites and the National Register of Historic Places. The designation describes the L'Enfant plan as defining "...the physical character of the national capital, through a symbolic and commemorative arrangement of buildings, structures and views." The streets, parks, reservations and other public open spaces of the plan are the elements that largely create these characteristic arrangements and views.

The closure and construction across public streets, and the elimination of triangular park reservations, are considered adverse effects on the L'Enfant Plan. In 2006, for example, the Board cited these effects when reviewing the Nationals Ballpark. As was the case with the ballpark, however, the DC United stadium also supports the revitalization of a part of the L'Enfant city that has been underutilized and largely devoid of urban design character. Through sensitive siting and design, these new civic structures present an opportunity to reinforce the urban design principles and patterns of the historic city plan.

### **Historic Urban Design Considerations**

Despite adverse effects caused by the street closings, the selected site is otherwise generally suitable for building a large stadium within the L'Enfant Plan. It is removed a respectful distance from the central, symbolic composition of major government buildings around the Mall. It is located close to the Anacostia riverfront, where L'Enfant himself interrupted the street grid to accommodate large facilities like docks, markets, and military installations, and where the McMillan Commission envisioned recreational uses. It is also a use that is compatible with the gritty industrial and maritime heritage of the waterfront. If sensitively designed, the new stadium, together with the Nationals Ballpark and a redesigned Frederick Douglass Bridge, can help to create a dignified urban gateway to the original city at the symbolic location where the Capitol axis meets the river.

As the plan for the stadium and its supporting facilities progresses, careful attention to the site layout, building massing, and architectural treatment can help mitigate the street closures and promote a harmonious relationship with the L'Enfant Plan context. The following key urban design principles that underlie the plan should be considered:

#### **1: Designed Vistas**

The designed reciprocal vista is the most fundamental organizing device of the L'Enfant Plan. Vistas throughout the city provide orientation, establish commanding views to and from civic structures, and symbolize the structure of civic and community life. The most important vistas lead frontally to the major public buildings, but equally important are the oblique vistas along the diagonal avenues. These oblique views provide visual interaction between major public buildings, which typically command key sites that are a half-mile or mile apart. Thus, long-distance views of these buildings are critical.

Potomac Avenue (originally Georgia Avenue) is one of L'Enfant's major diagonal avenues. With the public sanitation improvements following the McMillan Commission Plan at the turn of the 20<sup>th</sup> century, the elaborate Main Sewerage Pumping Station (now a historic landmark) built at

the junction of Potomac and New Jersey Avenues created a visual terminus where the avenue is interrupted by the Navy Yard. In the 1960s this view was obstructed by an adjacent new pumping station, but DC Water now plans to construct an iconic headquarters over that pumping station—a new civic landmark—that will reinstitute a visual terminus to the avenue at this location. The Nationals Ballpark marks the intersection of Potomac Avenue with South Capitol Street, and similarly, the DC United stadium will mark the western end of the avenue. A conscious design effort should ensure that the stadium creates an appropriate visual terminus to enhance the urban design of Potomac Avenue.

## **2: Public Buildings Related to Parks**

Another fundamental characteristic of L'Enfant's plan is that major civic buildings are typically offset by public squares or parks. This interaction between civic buildings and public grounds elevates the setting of both. Along the diagonal avenues, triangular park reservations establish a similar relationship between the public space and surrounding buildings.

The triangular reservations along Potomac Avenue, now devoted to service uses, were given specific attention during the planning for the new Frederick Douglass Bridge, with the intent to recapture them as park space. A new landscaped traffic oval at the end of the rebuilt Frederick Douglass Bridge will add another usable public space in the urban design of the area. The proposal to transfer jurisdiction over one of the triangular reservations to DC United should be seen as an opportunity to create a managed public space that serves as a public front yard to the Stadium, and not as a building location. The design of this space should be coordinated with the other new public parks created with the transportation improvements in the area.

## **3: Boulevards**

A third defining characteristic of the L'Enfant Plan is the character of the avenues that connect major buildings, monuments, and public places. Civic buildings gain stature from the sweep of the avenues and their more generous streetscape, just as the view of them lends grandeur to the entire length of the avenue. The building design, street furniture, landscaping, and public art installed in conjunction with the stadium should be designed to help reinforce the stature of Potomac Avenue as a boulevard.

## **4: Integration with the Grid**

As a final consideration, the continuous L'Enfant street grid is the characteristic that helps maintain the scale of city streetscapes, promotes pedestrian circulation, and preserves an open visual character. As the design progresses, this should be another important consideration for the project architects.

The effect of blocking grid streets should be minimized to the extent possible, though it is clear that construction across both First and S Streets is unavoidable. On the other hand, the Office of Planning's Buzzard Point urban design framework plan study shows how R Street could potentially serve as a pedestrianized street between Half and First Streets, providing necessary open space at the stadium entrance. The framework plan also shows how the disposition of ancillary buildings in the stadium complex can reinforce the street walls of the urban grid. Similarly, major entrances and attractive, suitably scaled building elements should mark the locations where the stadium crosses the grid streets.

Attention to long-distance views along grid streets is also important. Preliminary concepts show that at First Street, one side of the stadium seating bowl will be prominent along the street corridor from the north and south, where it will be visible from the Anacostia River. This is an opportunity for a memorable shape to announce the presence of the stadium from afar, in the same way that the vault of Union Station can be seen from far away along F Street to the east and west. Similarly, S Street provides an opportunity to establish a prominent frontal entrance that draws pedestrians from the heart of new development to come at the foot of South Capitol Street.

### **Recommendations**

The staff recommends that the Board refer the following comments to the Council of the District of Columbia for its consideration:

- The proposed street closures should be contingent upon development of the site for the DC United stadium;
- The adverse effect of the street and park reservation closures should be mitigated through building and public space design that follows the fundamental organizing principles of the L'Enfant Plan;
- Further design of the project should be undertaken in consultation with the SHPO, as provided in the DC historic preservation law, as well as other interested agencies and groups; and
- Agreements should provide for the restoration of streets to their historic pattern if the stadium is removed.

## Comprehensive Plan Sections Addressing the L'Enfant Plan

### **HP-2.3 The Historic Plan of Washington**

The Plan of the City of Washington drawn by Pierre L'Enfant in 1791 has served as an enduring symbol and armature for growth of the national capital. More than two centuries of public and private building construction have given shape to the plan. Great civic works and public art have embellished it. After its first hundred years, the plan was reinvigorated according to City Beautiful principles in the McMillan Plan of 1901. Regulated building heights and mandated design review by agencies like the Commission of Fine Arts further supported its enhancement and embellishment.

The design principles of the Plan informed the platting of streets and parks in new neighborhoods as the city expanded beyond its initial boundaries. Despite alterations and intrusions, it still serves as the basis for the Legacy Plan adopted in 1997 by the National Capital Planning Commission for the 21st Century.

#### ***Policy HP-2.3.1: The Plan of the City of Washington***

Preserve the defining features of the L'Enfant and McMillan plans for Washington. Work jointly with federal agencies to maintain the public squares, circles, and major reservations as landscaped open spaces that provide a means to experience the legacy of the city plan. Preserve the historic pattern of streets and associated minor reservations, and protect these historic rights-of-way from incompatible incursions and intrusions.

#### ***Policy HP-2.3.2: Historic Image of the City***

Protect and enhance the views and vistas, both natural and designed, which are an integral part of Washington's historic image. Preserve the historic skyline formed by the region's natural features and topography and its historically significant buildings and monuments from intrusions such as communication antennas and water towers. Preserve the horizontal character of the national capital through enforcement of the 1910 Height of Buildings Act. 1010.4

#### ***Policy HP-2.3.3: Spatial Character of L'Enfant Plan Streets***

Protect the generous open space and reciprocal views of the L'Enfant Plan streets, avenues, and reservations. Protect the integrity and form of the L'Enfant system of streets and reservations from inappropriate new buildings and physical incursions. Support public and private efforts to provide and maintain street trees to help frame axial views and reinforce the city's historic landscape character.

#### ***Policy HP-2.3.4: Public Space Design in the L'Enfant Plan***

Reinforce the historic importance and continuity of the streets as public thoroughfares through sensitive design of sidewalks and roadways. Avoid inappropriate traffic channelization, obtrusive signage and security features, and other physical intrusions that obscure the character of the

historic street network. Work jointly with federal agencies to preserve the historic statuary and other civic embellishments of the L'Enfant Plan parks, and where appropriate extend this tradition with new civic art and landscape enhancements of the public reservations.

*Policy HP-2.3.5: Enhancing Washington's Urban Design Legacy*

Adhere to the design principles of the L'Enfant and McMillan Plans in any improvements or alterations to the city street plan. Where the character of the historic plan has been damaged by intrusions and disruptions, promote restoration of the plan through coordinated redevelopment and improvement of the transportation network and public space.

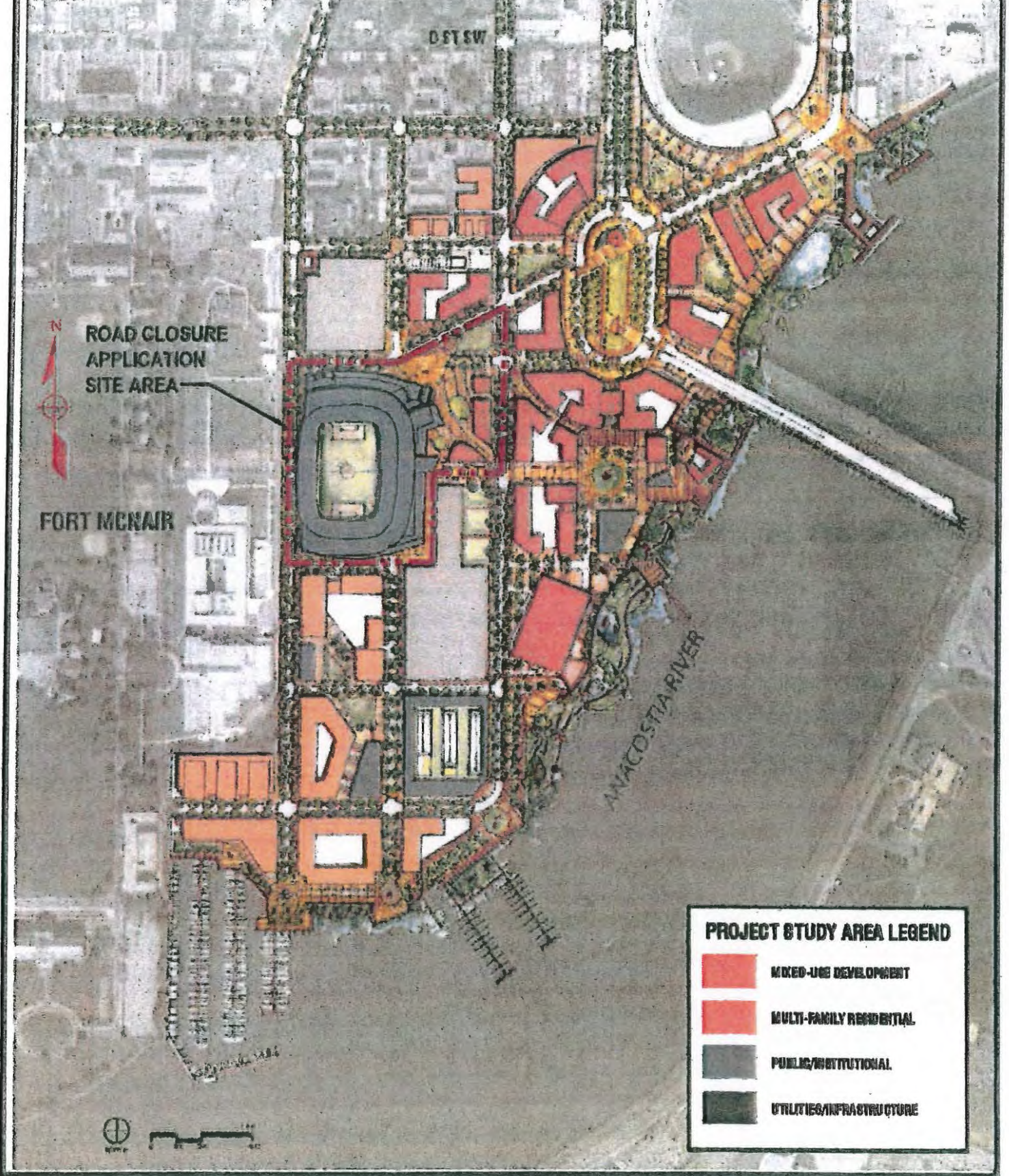
*Action HP-2.3.A: Review of Alterations to the Historic City Plan*

Ensure early consultation with the Historic Preservation Review Board and other preservation officials whenever master plans or proposed redevelopment projects envision alterations to the features of the historic city plan.

*Action HP-2.3.B: Review of Public Improvements*

Ensure an appropriate level of consultation with the State Historic Preservation Officer before undertaking the design and construction of public space improvements in the L'Enfant Plan area and the public parks of the McMillan Plan.

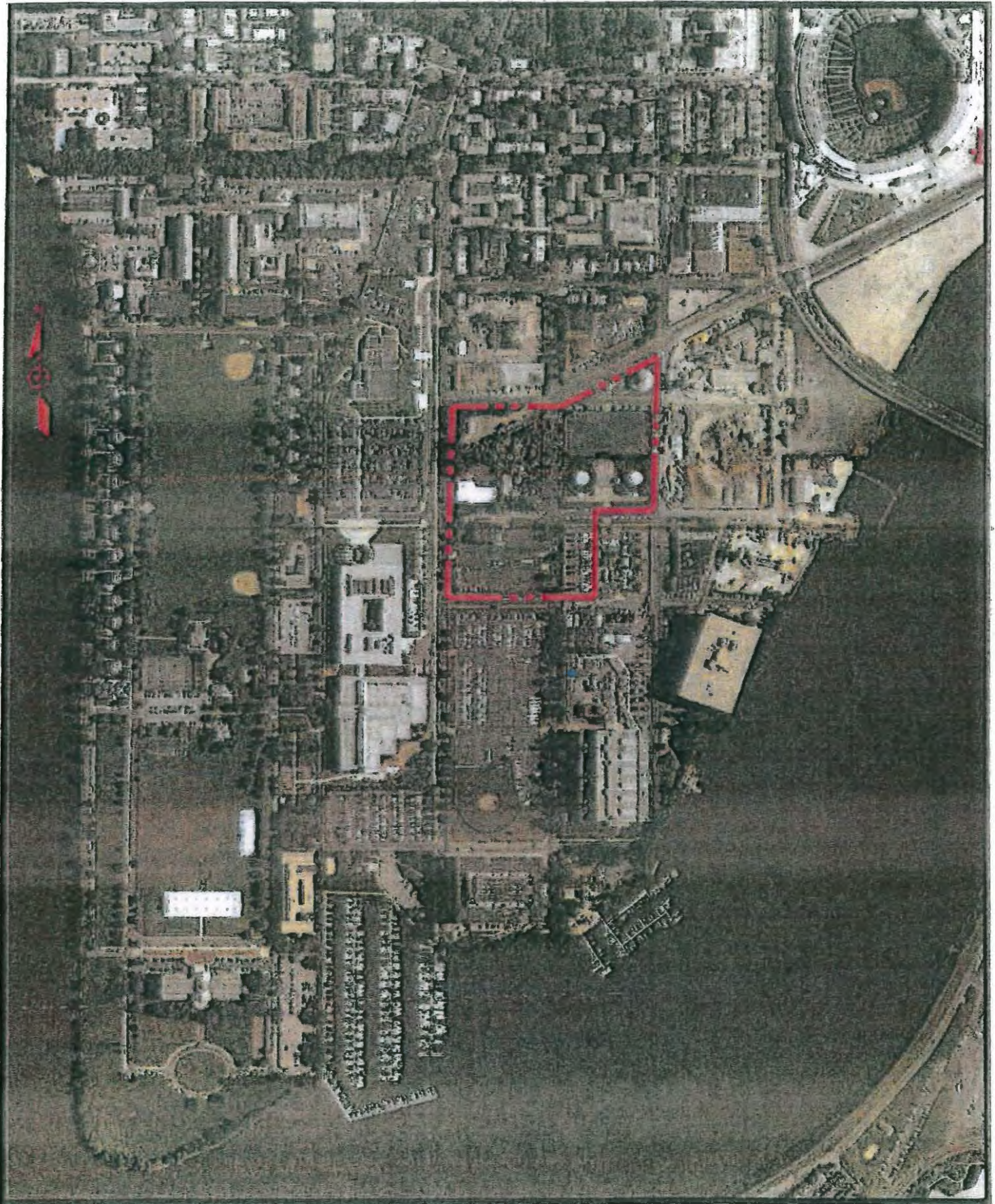
HYPOTHETICAL GRAPHIC REPRESENTATION OF BUZZARD POINT URBAN DESIGN PLAN



901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT NAME: BUZZARDS POINT  
 SCALE: N.T.S.  
 DATE: MARCH 2015



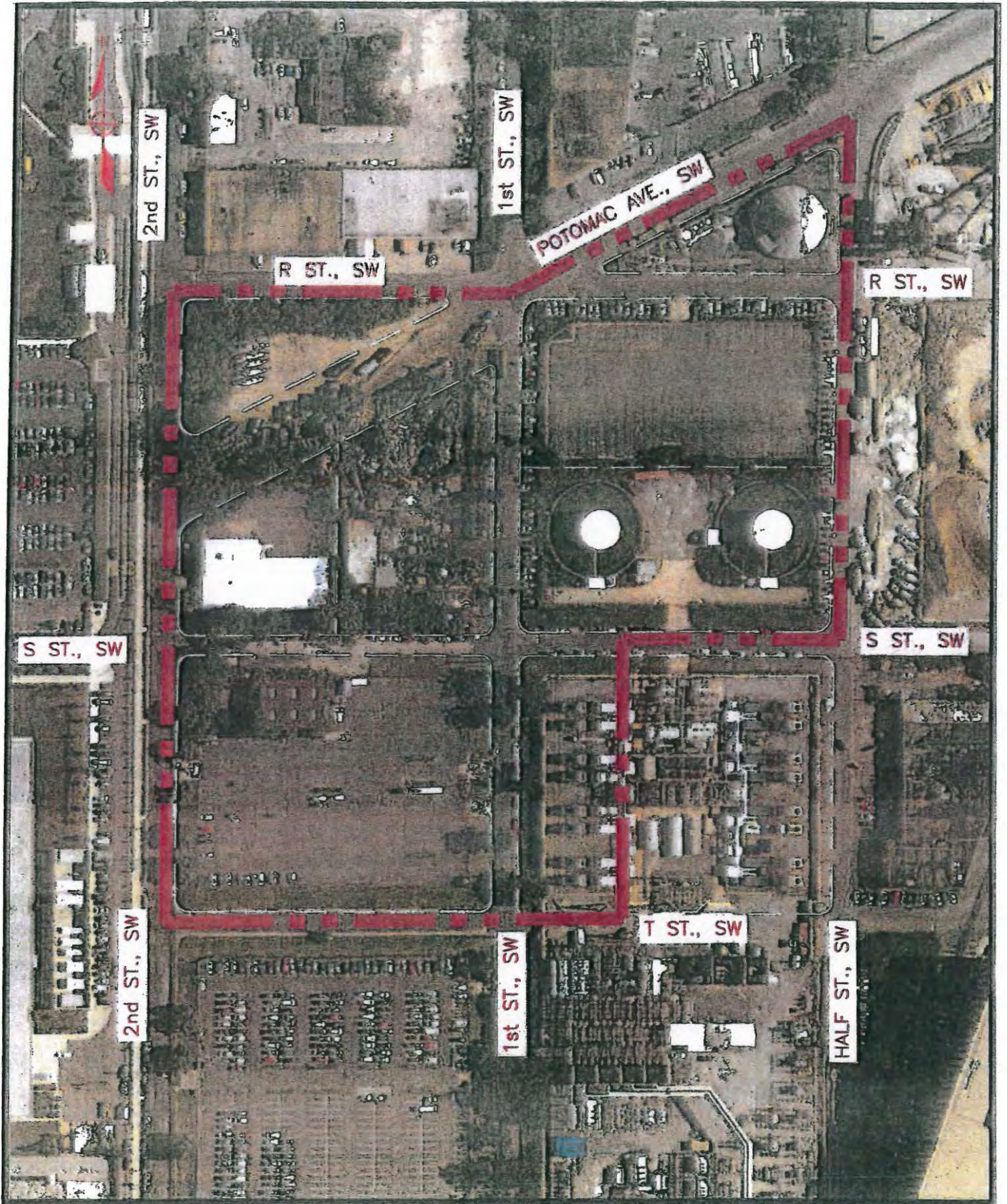
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<b>PROJECT NAME:</b>	<b>BUZZARDS POINT</b>
<b>DESCRIPTION:</b>	<b>PROJECT SITE AERIAL</b>
<b>SCALE:</b>	<b>1" = 500'</b>
<b>DATE:</b>	<b>MARCH 2015</b>

**SK-1**





**Mckissack & Mckissack**  
 901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT NAME:	Buzzards Point
DESCRIPTION:	Project Aerial w/ Site ID
SCALE:	N.T.S.
DATE:	March 2015

SK-2



**LOCATION MAP**

**PROPERTY OWNERS**

- SITE 1. OWNED BY WASHINGTON DC SQUARE 0661, LOT 0800
- SITE 2. OWNED BY WASHINGTON DC SQUARE 0603S, LOT 0800
- SITE 3. OWNED BY ROLLINGWOOD REAL ESTATE 1714 2nd STREET, SW SQUARE 0605, LOT 0007
- SITE 4. OWNED BY SUPER SALVAGE, INC. 1711 1st STREET, SW SQUARE 0605, LOT 0802
- SITE 5. OWNED BY AKRIDGE SQUARE 0607, LOT 0013
- SITE 6. OWNED BY POTOMAC ELECTRIC POWER COMPANY SQUARE 0661, LOT 0805
- SITE 7. OWNED BY POTOMAC ELECTRIC POWER COMPANY SQUARE 0661, LOT 0804
- SITE 8. OWNED BY POTOMAC ELECTRIC POWER COMPANY p/o SQUARE 0665, LOT 0024
- SITE 9. OWNED BY POTOMAC ELECTRIC POWER COMPANY 1930 1st STREET, SW p/o SQUARE 0665, LOT 0024

**NOTE:** LOT 9 WILL REMAIN IN THE POSSESSION OF PEPCO.



**LEGEND**

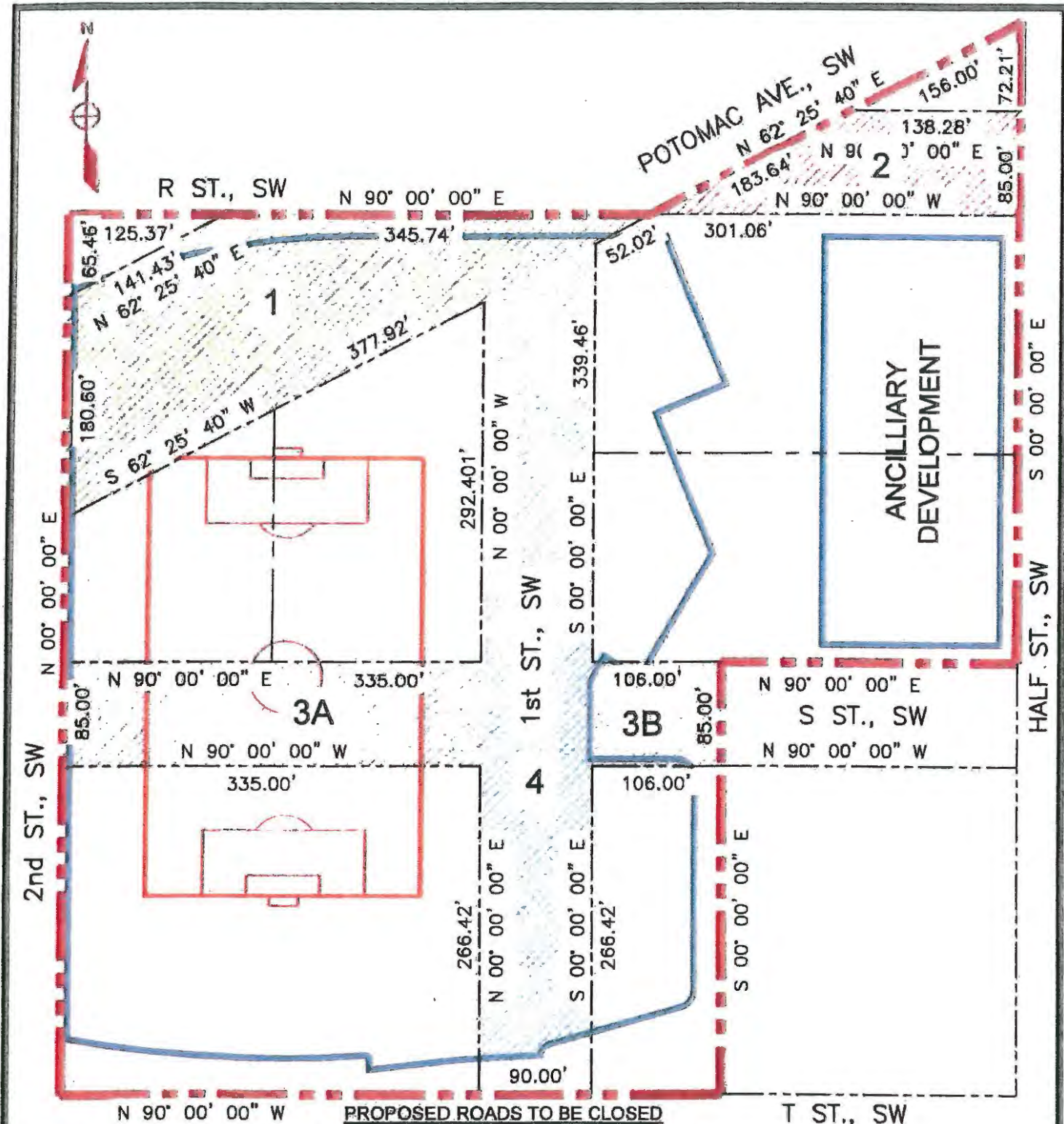
- APPROXIMATE PROPERTY BOUNDARY
- APPROXIMATE PARCEL BOUNDARY



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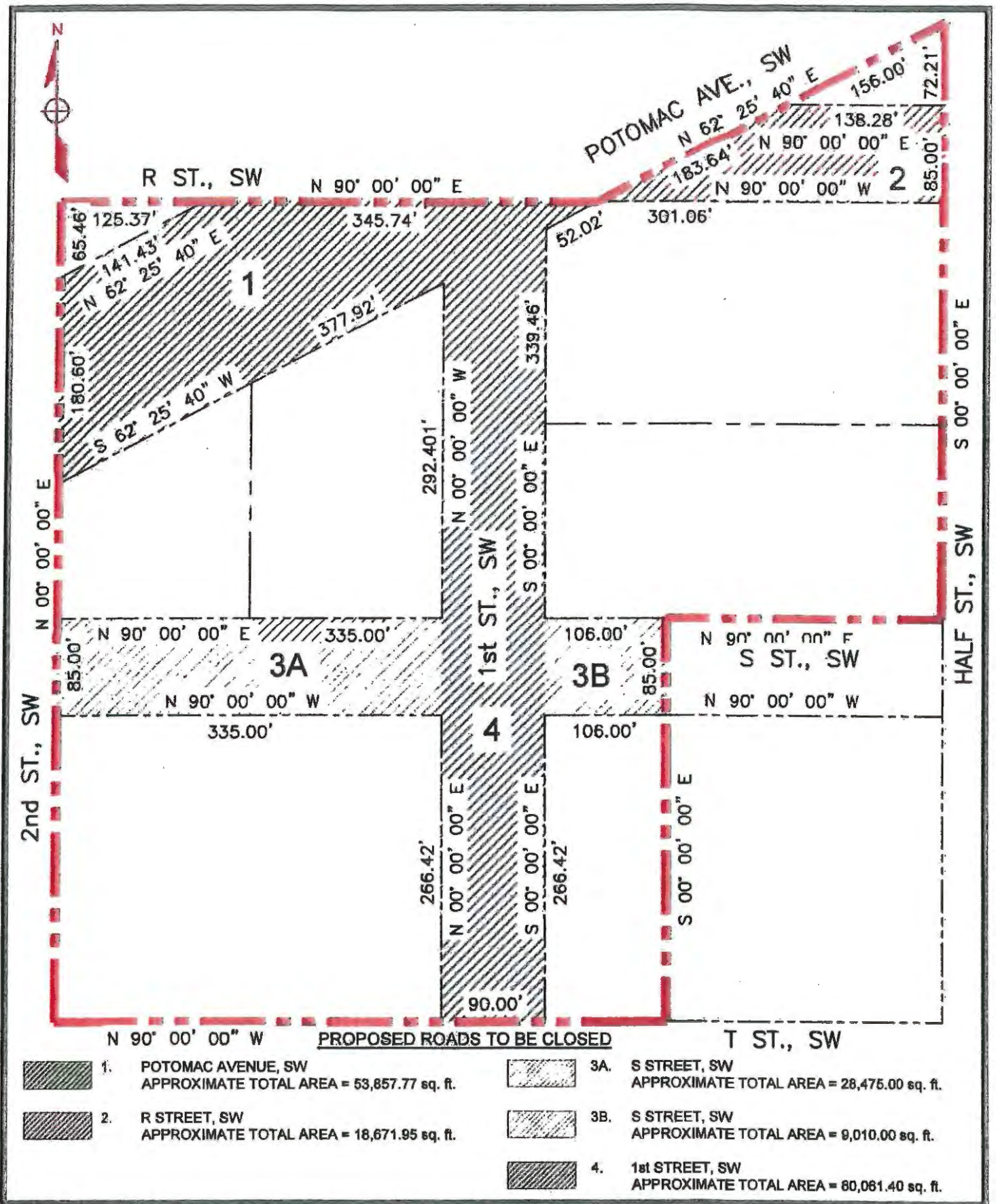


PROJECT NAME:	Buzzards Point
DESCRIPTION:	Property Owner's ID Plan
SCALE:	N.T.S.
DATE:	March 2015



- |   |  |
|---|--|
| <p>1. POTOMAC AVENUE, SW<br/>APPROXIMATE TOTAL AREA = 53,857.77 sq. ft.</p> <p>2. R STREET, SW<br/>APPROXIMATE TOTAL AREA = 18,671.95 sq. ft.</p> | <p>3A. S STREET, SW<br/>APPROXIMATE TOTAL AREA = 28,475.00 sq. ft.</p> <p>3B. S STREET, SW<br/>APPROXIMATE TOTAL AREA = 9,010.00 sq. ft.</p> <p>4. 1st STREET, SW<br/>APPROXIMATE TOTAL AREA = 60,061.40 sq. ft.</p> |
|---|--|





901 K Street, NW  
Suite 600  
Washington, DC 20001  
Phone: 202.347.1446  
Fax: 202.347.1489  
www.mckissackdc.com



PROJECT NAME: BUZZARDS POINT  
DESCRIPTION: ROAD AREA TO BE CLOSED  
SCALE: 1" = 150'  
DATE: MARCH 2015

SK-5



April 20, 2015

Mr. Roland Dreist, D.C. Surveyor  
Department of Consumer and Regulatory Affairs  
Office of the Surveyor  
1100 4th St, S.W., 3rd Floor  
Washington, DC 20024

Subject: **S.O. 13-14605**– Street and/or Alley Closing Application – Square 603

Dear Mr. Dreist:

The District of Columbia Water and Sewer Authority objected to the proposed street/alley closures under requested **S.O. 13-14605**, dated **April 22, 2014**. The applicant has been in contact with the District of Columbia Water and Sewer Authority and has agreed to the following remedies per the attached letter:

1. The existing 15" sewer main in R Street, SW will be relocated to public right of way of Potomac Avenue, SW;
2. The two existing 15" sewer mains in 1st Street, SW shall be replaced with new sewer mains to be installed in the public right of way of Half Street, SW;
3. The existing 12" sewer main in 1st Street, SW shall be replaced with new sewer main to be installed in the public right of way of Half Street, SW;
4. The existing 18" sewer main in S Street, SW shall be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW;
5. The existing 12" sewer main in S Street, SW shall be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW;
6. The existing 27" sewer main in S Street, SW shall be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW;
7. The existing 18" sewer main in S Street, SW shall be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW;
8. The two existing 8" water mains in S Street, Sw shall be replaced with new water main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW;
9. The existing 12" water main in S Street, SW shall be replaced with new water main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW;
10. DC Water defers all fire hydrant relocation to the DC Fire Department.

Therefore, the District of Columbia Water and Sewer Authority conditionally removes its objection to **S.O. 13-14605** with the stipulation that all of the above remedies are expressly contained in the legislation for the closing and that the Office of the Surveyor does NOT record the final plat without express written consent from the District of Columbia Water and Sewer Authority that all of the conditions listed above have been completed to their satisfaction.



Permit Operations

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 1100 4th STREET, SW | SUITE 310 | WASHINGTON, DC 20024

If you have any questions, I can be reached at the contact information listed below.

Regards,

A handwritten signature in blue ink that reads "Kevin Harney". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kevin Harney, Easement and Covenant Coordinator  
Permit Operations Department  
District of Columbia Water and Sewer Authority  
1100-4th Street, SW Suite #310  
Washington, DC 20024  
202-646-8627 Office  
202-646-8628 Fax  
kevin.harney@dcwater.com  
DC Water - Water is Life



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Executive Office of the Mayor  
Office of the Deputy Mayor for Planning and Economic Development



April 20, 2015

Brian T. MCDERMOTT P.E., Director, Permit Operations  
Permit Operations Department  
District of Columbia Water and Sewer Authority  
11004th Street, SW Suite #310  
Washington, DC 20024

Subject: S.O. 13-14605 - Street Closing Application - Squares 603, 605, 607, 661, 665 & Reservations 243 & 244

Dear Mr. MCDERMOTT:

The Government of District of Columbia ("District") intends to address all the concerns outlined in the District of Columbia Water and Sewer Authority ("DC Water") letter dated May 7, 2014. Furthermore, the District shall either (i) abandon the facilities, (ii) relocate the facilities, or (iii) provide and execute an easement for DC Water to maintain and operate the facilities prior to the recordation of the street closure. District intends to address all the facilities as listed below:

1. Will relocate 15" sewer main in R St, SW to public right of way of Potomac Avenue, SW.
2. Two existing 15" sewer mains in 1<sup>st</sup> St, SW to be replaced with new sewer mains to be installed in the public right of way of Half Street, SW.
3. Existing 12" sewer main in 1<sup>st</sup> St, SW to be replaced with new sewer main to be installed in the public right of way of Half Street, SW.
4. Existing 18" sewer main in S St, SW to be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW.
5. Existing 12" sewer main in S St, SW to be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW.
6. Existing 27" sewer main in S St, SW to be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW.
7. Existing 18" sewer main in S St, SW to be replaced with new sewer main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW.
8. Existing 8" water main in S St, SW to be replaced with new water main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW.
9. Existing 8" water main in S St, SW to be replaced with new water main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW.
10. Existing 12" water main in S St, SW to be replaced with new water main to be installed in the public right of way of Potomac Avenue, SW and Half Street, SW.
11. Existing fire hydrant 08262 - Not applicable to District of Columbia Water and Sewer Authority.
12. Existing fire hydrant 03468 - Not applicable to District of Columbia Water and Sewer Authority.
13. Existing fire hydrant 03467 - Not applicable to District of Columbia Water and Sewer Authority.
14. Existing fire hydrant 00557 - Not applicable to District of Columbia Water and Sewer Authority.
15. Existing fire hydrant 08230 - Not applicable to District of Columbia Water and Sewer Authority.

BRIAN T. KENNER  
DEPUTY MAYOR

Additionally, District will continue to coordinate with DC Water and District Department of Transportation throughout the street and alley closure and the utility relocation efforts. If you have any questions, please feel free to call 202-538-1259.

Sincerely,

A handwritten signature in black ink, appearing to read "Ketan Gada". The signature is stylized and somewhat cursive.

Ketan Gada  
Director, Hill East District Redevelopment



## Dorsey, Diana (DCRA)

---

**From:** Kevin Harney [Kevin.Harney@dcwater.com]  
**Sent:** Wednesday, February 04, 2015 10:20 AM  
**To:** Dorsey, Diana (DCRA)  
**Cc:** Dreist, Roland (DCRA)  
**Subject:** SO 13-14605  
**Attachments:** SO 13-14605.pdf

Our objections to this closing have not been lifted or addressed. Therefore the original letter of objection still applies. A copy is attached for your records if necessary.

Sincerely,

*Kevin Harney*



**KEVIN HARNEY** | Easement and Covenant Coordinator, Permit Operations  
District of Columbia Water and Sewer Authority  
1100 4th Street SW Suite 310 | Washington, DC 20024  
(202) 646-8627 office | (202) 646-8628 fax | [kevin.harney@dcwater.com](mailto:kevin.harney@dcwater.com)

[Water is Life!](#) | [Web](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Flickr](#) | [LinkedIn](#)

**IMPORTANT NOTICE:** The security of electronic mail sent through the Internet is not guaranteed. DC WATER therefore recommends that you do not send confidential information to us via electronic mail, including social security numbers, account numbers, and personal identification numbers unless instructed to do so through a secured site. Delivery, and timely delivery, of electronic mail is also not guaranteed. DC WATER also recommends that you do not send time-sensitive or action-oriented messages to us via electronic mail unless instructed to do so.



May 7, 2014

Mr. Roland Dreist  
D.C. Surveyor  
Department of Consumer and Regulatory Affairs  
Office of the Surveyor  
1100 4<sup>th</sup> St, S.W., 3<sup>rd</sup> Floor  
Washington, DC 20024

Subject: S.O. 13-14605 – Street Closing Application – Squares 603, 605, 607, 661, 665 & Reservations 243 & 244

Dear Mr. Dreist:

The District of Columbia Water and Sewer Authority objects to the proposed street closures under requested S.O. 13-14605, dated April 22, 2014. District of Columbia Water and Sewer Authority currently operates and maintains the following facilities within portions of the street in the proposed S.O. 13-14605:


1. Existing 15" sewer main in R Street, SW;
2. Two existing 15" sewer mains in 1st Street, SW;
3. Existing 12" sewer main in 1st Street, SW;
4. Existing 18" sewer main in S Street, SW;
5. Existing 12" sewer main in S Street, SW;
6. Existing 27" sewer main in S Street, SW;
7. Existing 18" sewer main in S Street, SW;
8. Existing 8" water main in S Street, SW;
9. Existing 8" water main in S Street, SW;
10. Existing 12" water main in S Street, SW;
11. Existing fire hydrant 08262;
12. Existing fire hydrant 03468;
13. Existing fire hydrant 03467;
14. Existing fire hydrant 00557;
15. Existing fire hydrant 08230;

The applicant must (i) abandon the facilities, (ii) relocate the facilities, or (iii) provide an easement for District of Columbia Water and Sewer Authority to maintain and operate the facilities.

The applicant is asked to respond with a course of action describing how the utility will be addressed.

If you have any questions, I can be reached at the contact information listed below.

Regards,

  
Kevin Harney, Easement and Covenant Coordinator  
Permit Operations Department  
District of Columbia Water and Sewer Authority  
1100 4th Street, SW Suite #310  
Washington, DC 20024  
202-646-8627 Office  
202-646-8628 Fax  
kevin.harney@dcwater.com  
DC Water - Water is Life!



801 K STREET, NW  
 SUITE 600  
 WASHINGTON, DC 20001  
 202 347 1446  
 202 347 1489  
 www.mckissackdc.com

**To:** Kevin Harney, Easement and Covenant Coordinator  
 Permit Operations Department  
 District of Columbia Water and Sewer Authority  
 1100 4<sup>th</sup> Street, SW Suite #310  
 Washington, DC 20024  
 202-646-8627

**From:** Mark Babbitt, PE  
 Vice President,  
 McKissack and McKissack  
 202-347-1446

**Subject:** S.O. 13-14605 – Street Closing Application – Squares S-603,  
 N-661, 605, 66, 607, 665 and Reservations 243 and 244 – S.O.  
 13-14605. See attached graphics.

Dear Mr. Kevin Harney,

BRAILSFORD & DUNLAVEY

The following is a response to the comments produced in your letter dated May 7, 2014 concerning the request from the Office of the Surveyor to close streets under S.O. 13-14605, dated April 22, 2014.



McKissack and McKissack understands that DC Water operates and maintains the existing facilities listed in your response letter to the proposed street closer S.O. 13-14605. We will coordinate with DC Water to abandon and relocate these facilities and provide an easement. Additionally, we will coordinate with the fire department and DC Water to relocate the fire-hydrants within the proposed street closer.



Please find attached preliminary demolition and relocation plans for your review and approval. After all concepts are approved, McKissack and McKissack will produce a master utility plan for the entire site.

If you are in agreement with this proposal please send a signed copy of this letter to the attention of Mark Babbitt at McKissack and McKissack, 901 K Street, NW, Suite 600, Washington, DC 20001.



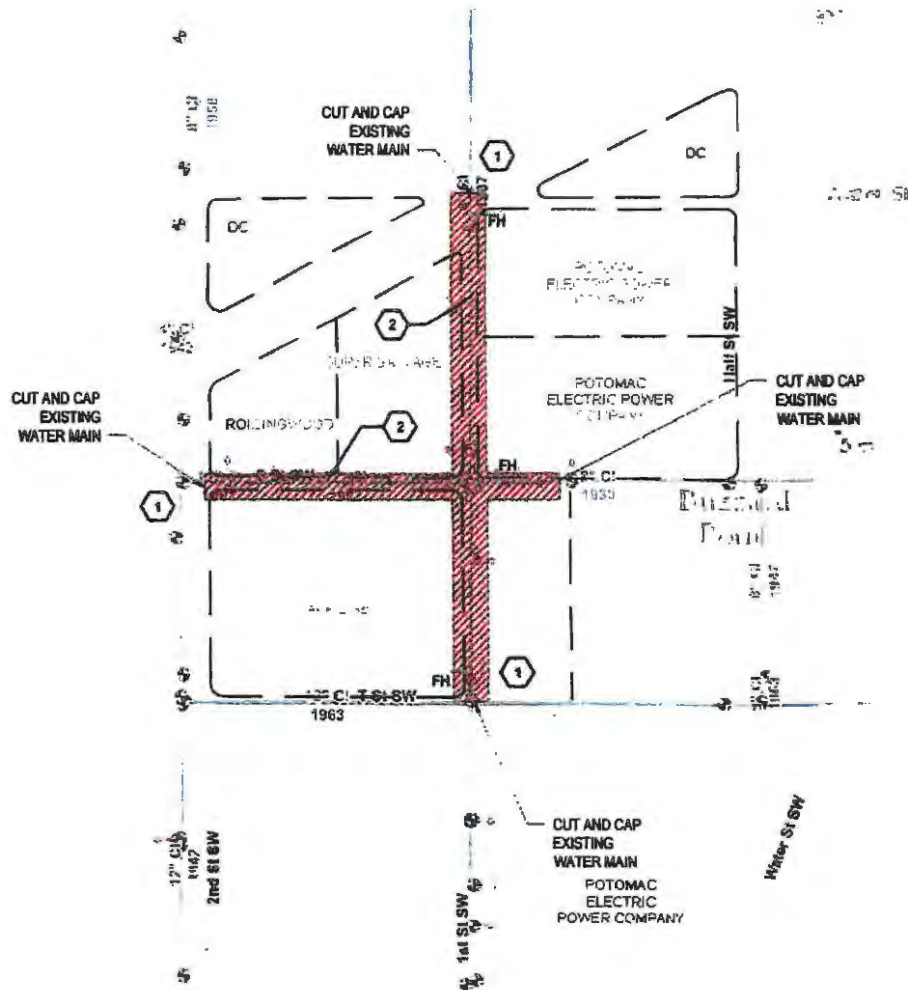
Sincerely,

Mark Babbitt

Signing this document indicates that you have no objection to the proposed closing and understand that the city will provide an easement for access to your existing facilities.

\_\_\_\_\_  
 Kevin Harney

\_\_\_\_\_  
 Date



**GENERAL NOTES**

1. ALL FIRE HYDRANTS WITHIN THE DEMOLITION AREA WILL BE REMOVED, PROTECTED AND RELOCATED AT THE DIRECTION OF DC WATER AND THE LOCAL FIRE MARSHAL.

**CODED NOTES**

- ① REMOVE PIPE TO LIMIT OF RIGHT-OF-WAY.
- ② REMAINING PIPE TO BE ABANDONED IN PLACE

**LEGEND**

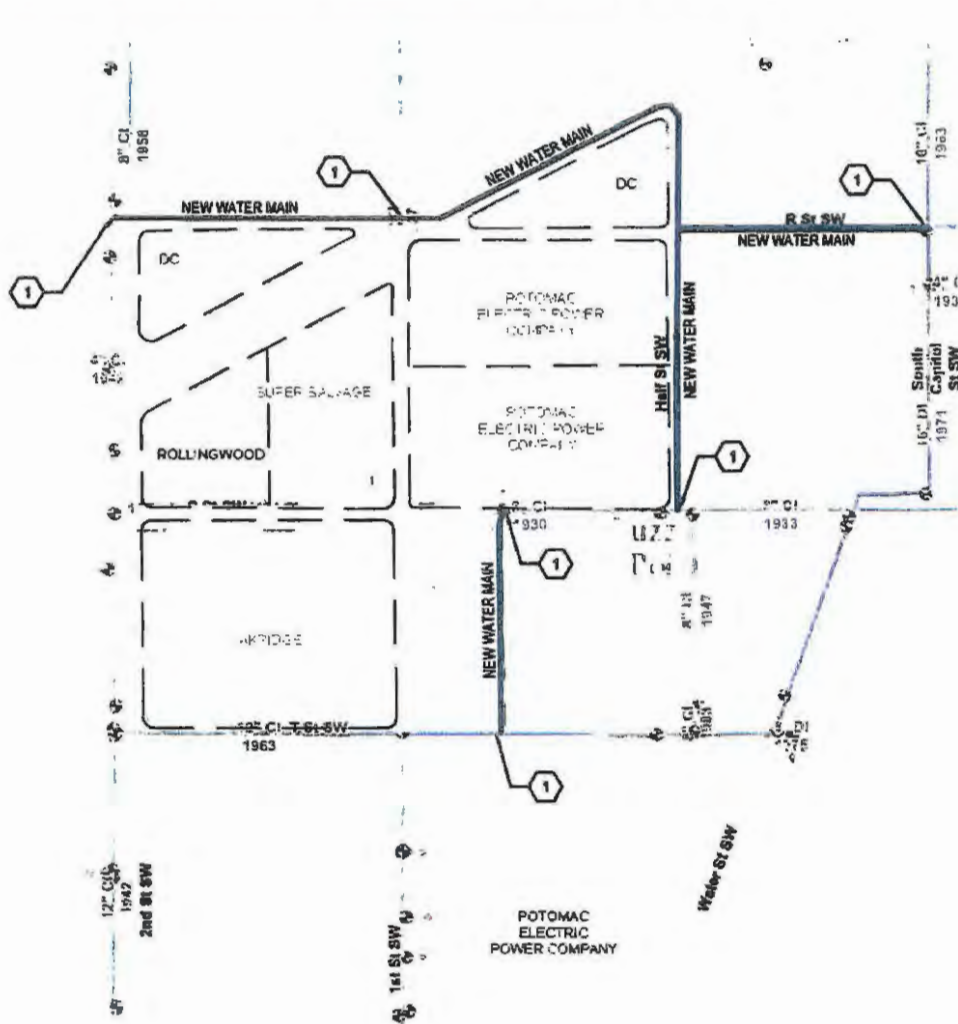
WATERLINE TO BE ABANDONED



901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT NAME:	Buzzards Point
DESCRIPTION:	Water Demolition
SCALE:	N.T.S.
DATE:	March 2015



**GENERAL NOTES**

1. ALL FIRE HYDRANTS REMOVED DURING DEMOLITION ARE TO BE RELOCATED AT THE DIRECTION OF DC WATER AND THE LOCAL FIRE MARSHAL.

**CODED NOTES**

1. CONNECT TO EXISTING WATER.

**LEGEND**

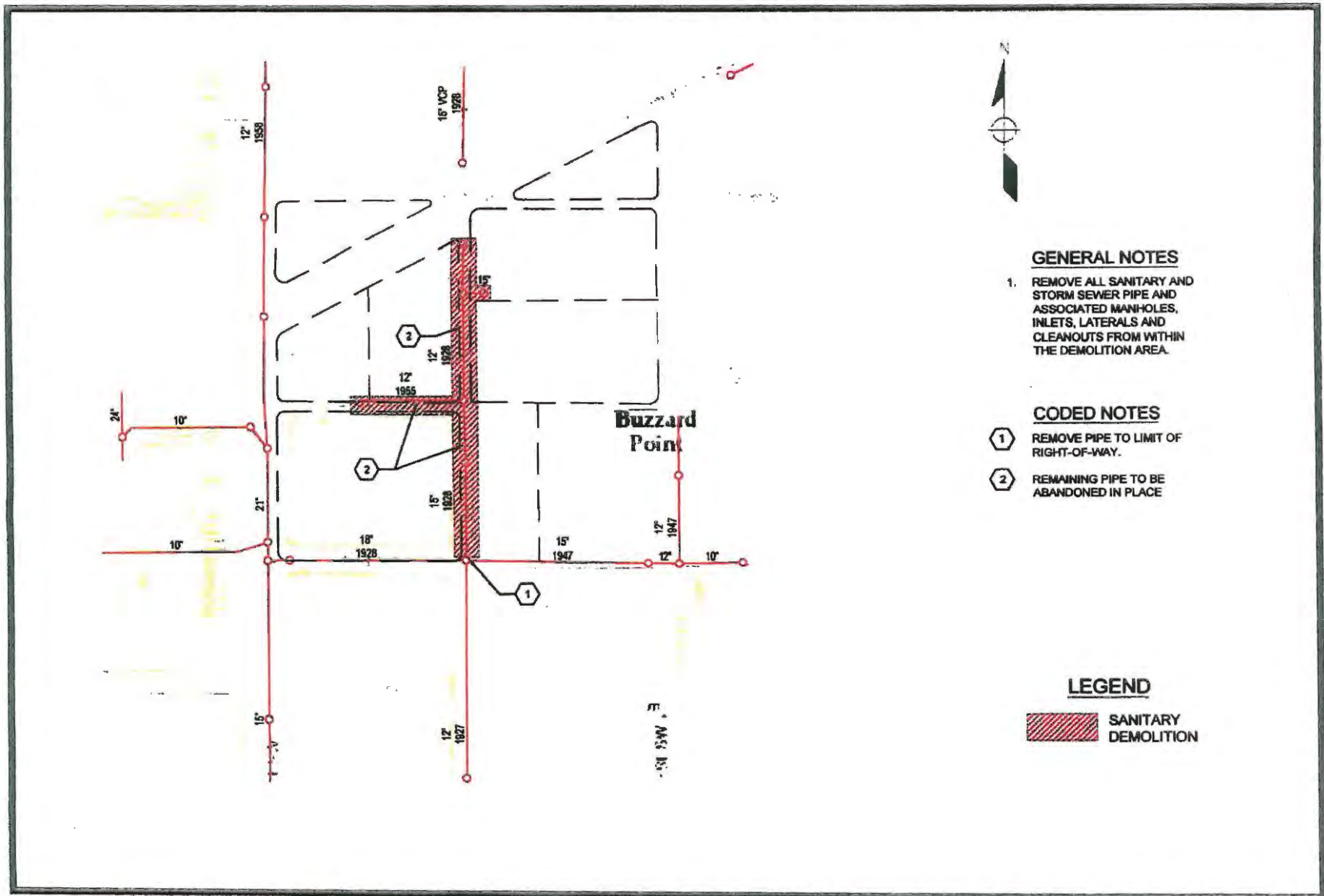
— PROPOSED WATER RELOCATION



901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissockdc.com



PROJECT NAME:	Buzzards Point
DESCRIPTION:	Proposed Water Relocation
SCALE:	N.T.S.
DATE:	March 2015



**GENERAL NOTES**

1. REMOVE ALL SANITARY AND STORM SEWER PIPE AND ASSOCIATED MANHOLES, INLETS, LATERALS AND CLEANOUTS FROM WITHIN THE DEMOLITION AREA.

**CODED NOTES**

- ① REMOVE PIPE TO LIMIT OF RIGHT-OF-WAY.
- ② REMAINING PIPE TO BE ABANDONED IN PLACE

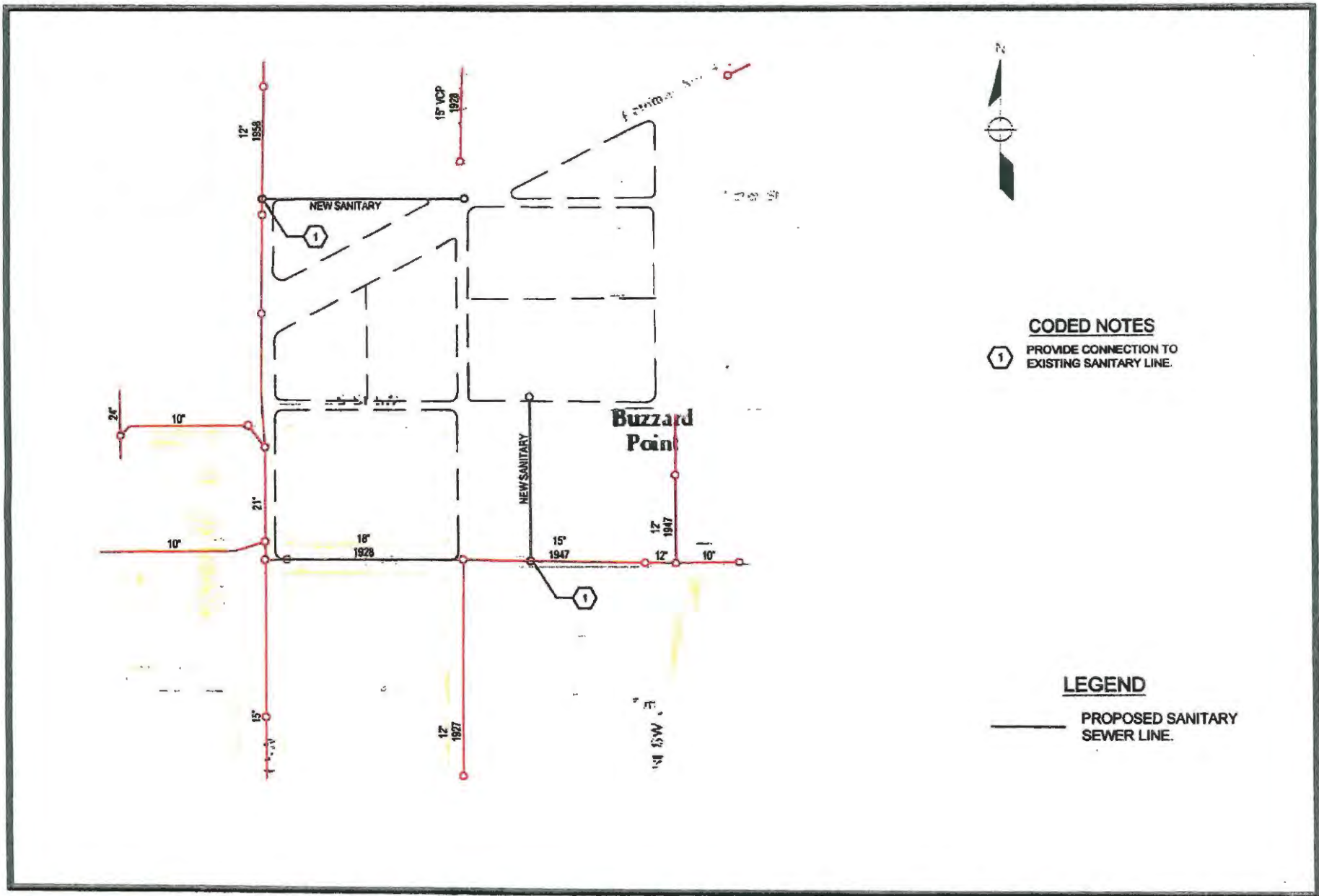
**LEGEND**



901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT NAME:	Buzzards Point
DESCRIPTION:	Sanitary Demolition
SCALE:	N.T.S.
DATE:	March 2015



**CODED NOTES**  
 ① PROVIDE CONNECTION TO EXISTING SANITARY LINE.

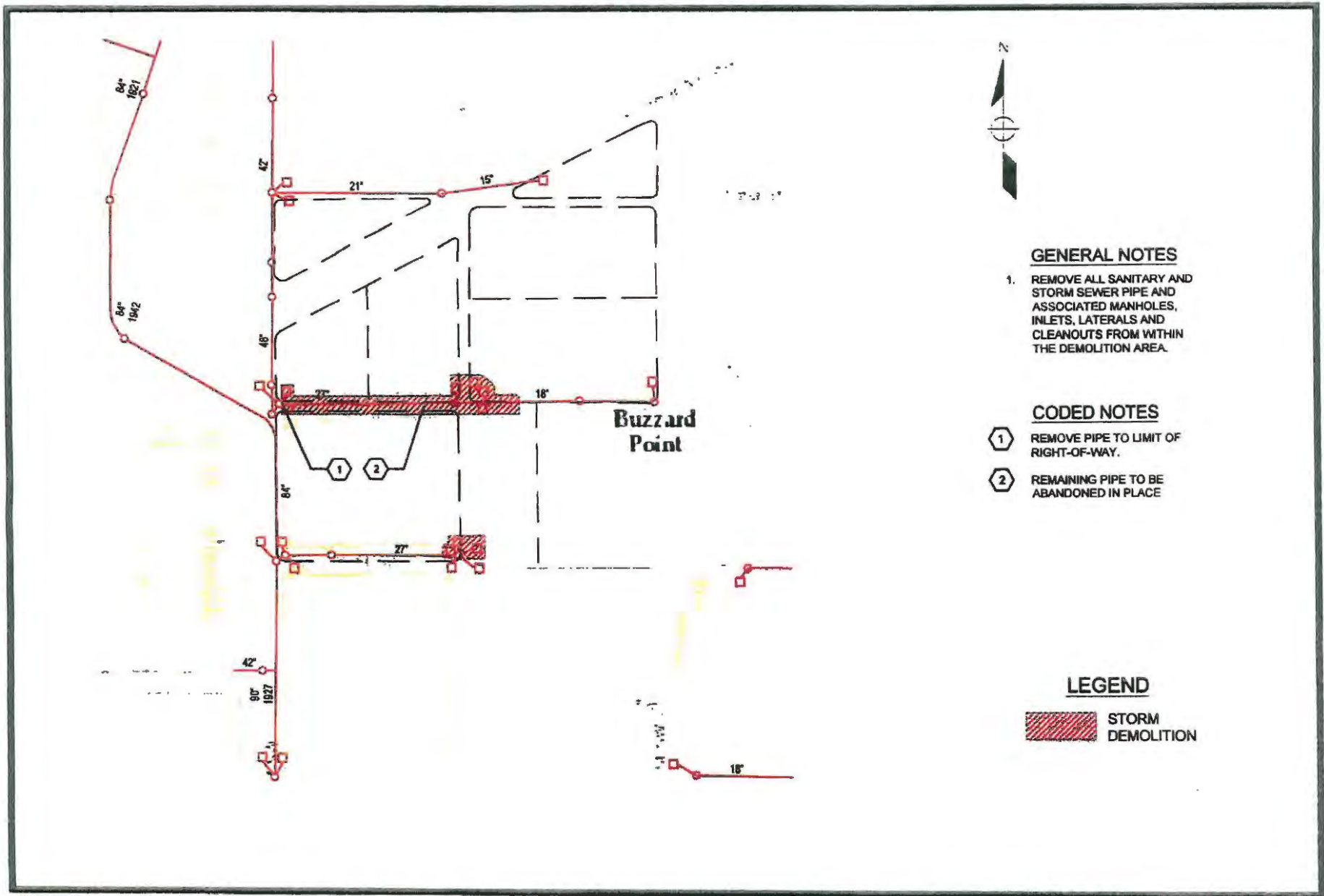
**LEGEND**  
 — PROPOSED SANITARY SEWER LINE.



901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT NAME:	Buzzards Point
DESCRIPTION:	Proposed Sanitary Sewer Line
SCALE:	N.T.S.
DATE:	March 2015



**GENERAL NOTES**

1. REMOVE ALL SANITARY AND STORM SEWER PIPE AND ASSOCIATED MANHOLES, INLETS, LATERALS AND CLEANOUTS FROM WITHIN THE DEMOLITION AREA.

**CODED NOTES**

- ① REMOVE PIPE TO LIMIT OF RIGHT-OF-WAY.
- ② REMAINING PIPE TO BE ABANDONED IN PLACE

**LEGEND**

 STORM DEMOLITION

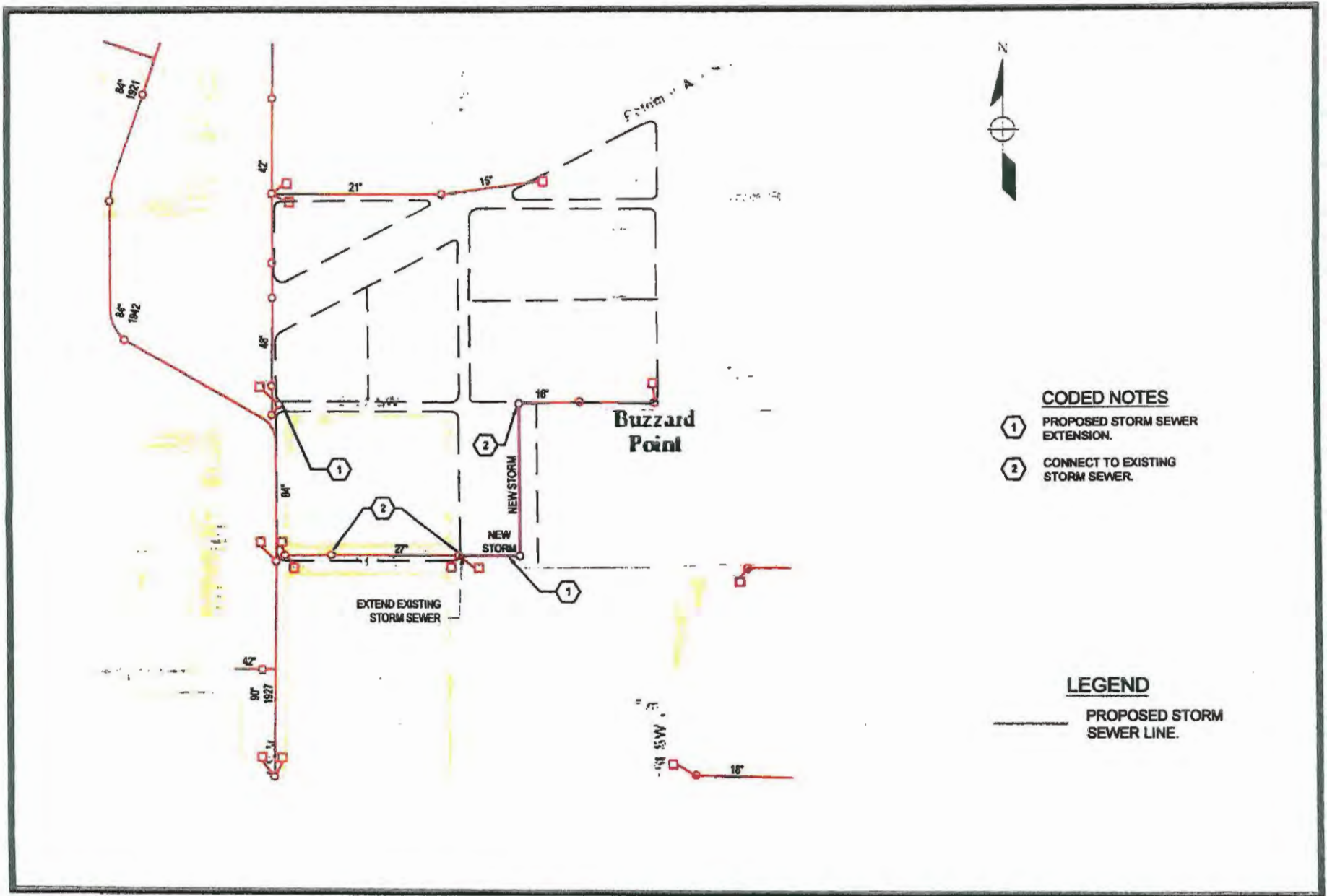


901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT NAME:	Buzzards Point
DESCRIPTION:	Storm Demolition
SCALE:	N.T.S.
DATE:	March 2015





901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



PROJECT NAME:	Buzzards Point
DESCRIPTION:	Storm Proposed
SCALE:	N.T.S.
DATE:	March 2015



**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**



**MEMORANDUM**

**TO:** Roland F. Dreist, Jr.  
DC Surveyor

**FROM:** Mary R. (Polly) Donaldson  
Director

**DATE:** March 27, 2015

**SUBJECT: S.O. No. 13-14605 - Proposed Closing of Public Streets in Squares 605, 607, 661, and 665.**

---

The Department of Housing and Community Development (DHCD) has received and reviewed Surveyor's Office File Number S.O. 13-14605, an application to close public streets in Squares 605, 607, 661, and 665.

After an internal review of projects, properties, programs, and initiatives managed by the Department, we have no objection to or comments related to the closing of the streets.

If you have any questions please call me at (202) 442-7210.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Department of Housing and Community Development

SP-  
13-14605



TO: Roland F. Dreist, Jr.  
Surveyor of the District of Columbia

FROM: Paul Walker   
Architect (Construction Inspector)

DATE: April 29<sup>th</sup>, 2014

SUBJECT: Department of Housing and Community Development Review comments on  
The proposed closing of public streets adjacent to Squares S-603, N-  
991,605,661,607,665 and reservations 243 and 244

The Department of Housing and Community Development (DHCD) has reviewed the above referenced street closing. DHCD support, as described below, the requested action specified in the notification of the above mentioned Street closing. DHCD support is bases upon the following understanding of the information contained in this notification:

The proposed street closings will have no effects on our DHCD operation. DHCD support is bases upon the following understanding of the information contained in the letter: We have no comment or suggestions at this time.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT  
WASHINGTON, D. C. 20001



**MEMORANDUM**

**TO:** Roland F. Dreist Jr.  
District of Columbia Surveyor

**FROM:** Tony L. Falwell *TF*  
Asst. Chief Fire Marshal  
DCFEMS Office of the Fire Marshal

**DATE:** February 20, 2015

**SUBJECT:** Surveyor's Office File No. S.O. 13-14605

---

This written correspondence is being forwarded to your office to address **SO File No. 13-14605** that was submitted to the FEMS Office of the Fire Marshal (Fire Prevention Division) for review. The request involves a proposed closing of public streets adjacent to **Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244.** This includes Portions of 1<sup>st</sup> Street SW, S Street SW, and R Street SW.

Based on FEMS review, the following findings are being brought forth: The FEMS Office of the Fire Marshal has no objection to this request being approved if the following requirements are adhered to: 1.) No Existing FD connections and fire hydrants can be obstructed/ blocked in a way that will prevent emergency access. 2.) Fire access to the adjacent properties, lots, and squares is not compromised and is maintained in accordance with Chapter 5, Fire Service Features, and Section 503 "Fire Apparatus Access Roads" in the 2012 International Fire Code.



A PHI Company

Real Estate Department  
701 Ninth Street, NW  
Washington, DC 20068

202 872-2554  
202 872-3579 Fax  
vdgibson@pepco.com

April 15, 2015

Roland F. Dreist, Jr.  
DCRA Office of the Surveyor  
1100 4<sup>th</sup> St, SW 3<sup>rd</sup> Floor  
Washington, D.C. 20024

Re: Proposed closings of public streets – S.O. 13-14605 - Square- S-605, N-661,  
605, 661, 607, 665 and Reservations 243 and 244


Dear Mr. Dreist:

This correspondence is in response to the Application to Close/Dedicate a Street or Alley or Elimination of a Building Restriction Line, dated December 27, 2013, Surveyor's Office File No. S.O. 13-14605, a copy is enclosed herein. Potomac Electric Power Company ("Pepco") filed its objection to such road closure application on June 24, 2014 to protect its facilities within the roads proposed to be closed.

The District of Columbia ("District") has requested Pepco to release its objection and Pepco is willing to release the objection provided the District executes easements in favor of Pepco for the existing and planned facilities within the roads proposed to be closed in Surveyor's Office File No. S.O. 13-14605, in a form and under conditions approved by Pepco, and such easements are recorded in the public records of the District of Columbia.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Vernon D. Gibson  
Manager, Real property

Enclosure:

Application to Close/Dedicate a Street or Alley or Elimination of a Building Restriction Line, dated December 27, 2013, Surveyor's Office File No. S.O. 13-14605



Vernon Gibson  
Manager, Real Property

Real Estate Department  
701 Ninth Street, NW  
Washington, DC 20068

202 872-2554  
202 872-3579 Fax  
vdgibson@pepco.com

June 24, 2014

Mr. Ronald F. Dreist Jr.  
DCRA Office of the Surveyor  
1100 4<sup>th</sup> St, SW 3<sup>rd</sup> Floor  
Washington, DC 20024

Re: Proposed closing of public streets adjacent to Squares S-603,  
N-661,605,607,665 and Reservation 243 and 244, File No. S.O. 13-14605.

Dear Mr. Dreist:

In response to your letter dated April 22, 2014 concerning the request to close a street or alley that is adjacent to Potomac Electric Power Company (Pepco) property, we offer the following comments.

We have reviewed the documents and have determined that we have an existing substation and associated equipment supporting several underground circuits. These facilities provide electric service to major commercial and government facilities in the District of Columbia. Therefore, we object to the proposal.

However, we can withdraw our objection provided that we are granted an easement for our existing facilities to remain at their present location for as long as needed or that the petitioner (s) make arrangements to pay for the relocation.

Should you have any questions please regarding this matter, please contact Gustav E. Hamilton Jr. at 202-872-3589 or me at 202-872-2554.

Sincerely,

  
Vernon D. Gibson



901 K STREET, NW  
 SUITE 600  
 WASHINGTON, DC 20001  
 202.347.1446  
 202.347.1489  
 www.mckissackdc.com

To: Mr. Vernon Gibson  
 Manager, Real Property  
 PEPCO Holdings, Inc  
 Real Estate Department  
 701 Ninth Street, NW  
 Washington, DC 20068

From: Mark Babbitt, PE  
 Vice President,  
 McKissack and McKissack  
 202-347-1446

Subject: Proposed closing of Public Streets adjacent to Squares S-603, N-661, 605, 66, 607, 665 and Reservations 243 and 244 – S.O. 13-14605. See attached graphic.

 BRAILSFORD & DUNLAVEY



Dear Mr. Vernon D. Gibson,

The following is a response to the comments in your letter dated June 24, 2014 concerning the request from the Office of the Surveyor to close streets adjacent to Potomac Electric Power Company (PEPCO) property.

We understand you have existing assets in the area that provide electric service to major commercial and government facilities in the District of Columbia, and are prepared to grant an easement for these assets to remain in their current locations.

If you are in agreement with this proposal please send a signed copy of this letter to the attention of Mark Babbitt to McKissack and McKissack, 901 K Street NW, Suite 600, Washington, DC 2000.

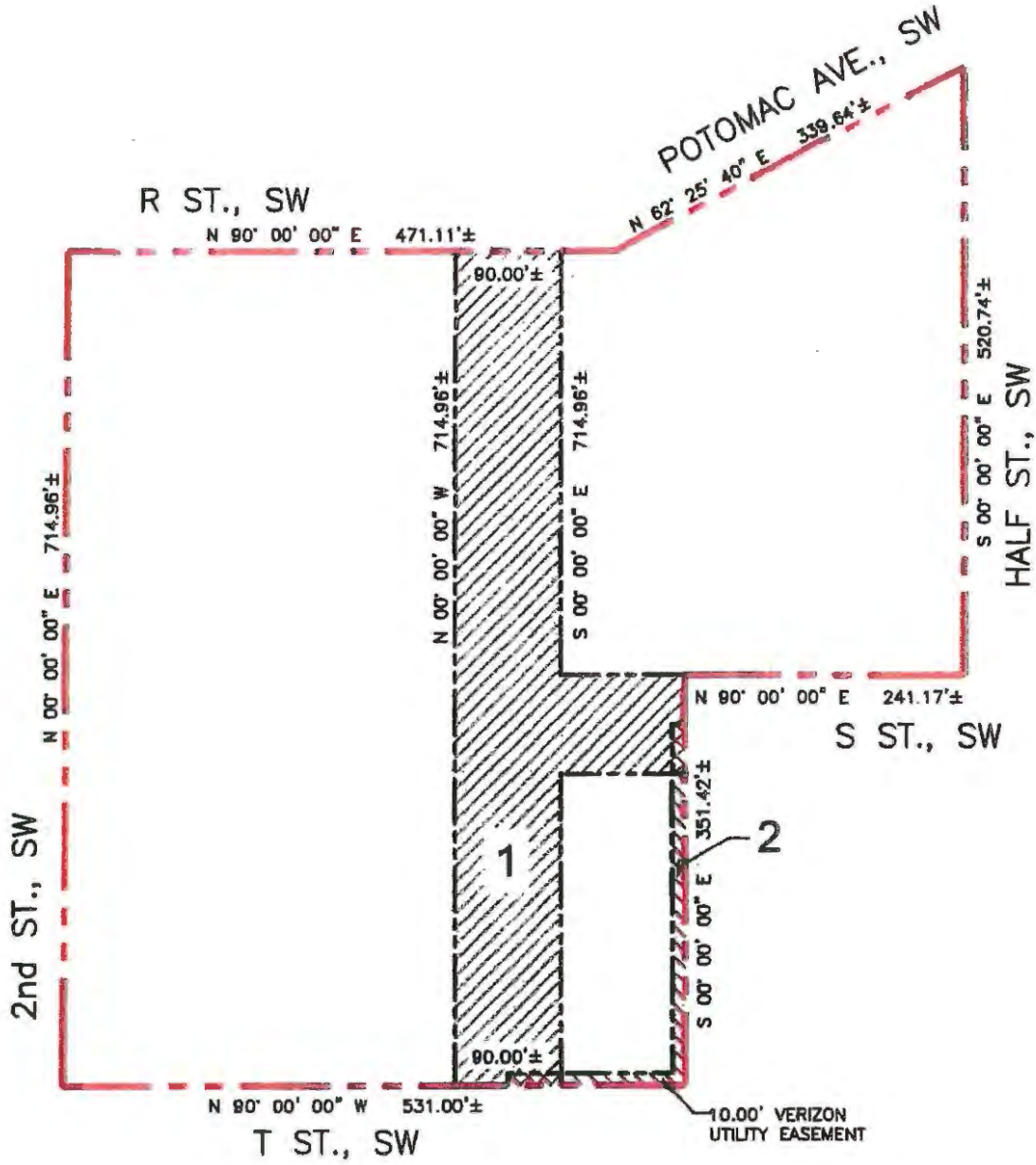
Sincerely,

Mark Babbitt

Signing this document indicates that you have no objection to the proposed closing and understand that the city will provide an easement for access to your existing facilities.

\_\_\_\_\_  
 Vernon D Gibson



\_\_\_\_\_  
 Date



**PROJECT AREA**

TOTAL PROJECT AREA = 11.2714 Ac.±

**PROPOSED EASEMENTS**

- 
 1. PEPCO EASEMENT  
 APPROXIMATE TOTAL AREA = 73,356.38 sq. ft.± 1.6840 Ac.±
- 
 2. VERIZON UTILITY EASEMENT  
 APPROXIMATE TOTAL AREA = 4,499.20 sq. ft.± 0.1033 Ac.±

PROJECT NAME:	BUZZARDS POINT
DESCRIPTION:	PROPOSED SITE EASEMENTS
SCALE:	1" = 150'
DATE:	MARCH 2015

**Mckissack & Mckissack**  
 901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com



SK-A



Network Engineering  
OPPE MD/DC



13101 Columbia Pike, FDC 1  
Floor 1  
Silver Spring, MD 20904

April 15th, 2015  
Mr. Roland F. Dreist, Jr.  
Office of the Surveyor  
1100 4<sup>th</sup> Street SW  
Washington, D.C. 20024

RE: Proposed Closing of Public Streets S.O 13-14605

Dear Mr. Dreist:

In reference to your letter dated January 26th, 2015 about Proposed Closing of a Public Street S.O 13-14605

Location: Squares S-603, N-661, 605, 661, 607, 665 and Res 243 and 244

Verizon Washington D.C. Inc. has no objections to the closing of the streets subject to the following:

District of Columbia executing an easement agreement that will be provided, and paid for by the owners with meets and bounds description with a plat and all documentation necessary to record the easement to permit existing telephone plant to remain in its present location or relocate to a mutually agreed location and subject to Verizon approval.

- District of Columbia agrees to fully reimburse Verizon for relocating its plant and feeders.

Should you have any questions regarding this matter please contact me at 301-282-7035

Very truly yours,

Kenneth D. Young  
Engineer, Outside Plant Engineering, WSAM

KDY 

c.c. D.C.D.O.T. Underground Location Section  
Area Engineer  
File



Washington  
Gas

APR 10 2015

6801 Industrial Road  
Springfield, Virginia 22151

April 6, 2015

RECEIVED

APR 10 2015

Office of the Surveyor

Mr. Roland Driest  
Atten. Diana Dorsey Hill  
Department Of Consumer and Regulatory Affairs  
Building and Land Regulations Administration  
Office of The Surveyor  
Washington , D.C. 20002

Dear Mr. Roland Driest

RE: Proposed Closing of Public Streets adjacent to Squares S-603,N- 661,605,661  
,607, 665 and Reservations 243 and 244 – S.O. 13-14605.

We have no objection to the closing of Squares S-603,N- 661,605,661 , 607,665  
and Reservations 243 and 244 – S.O. 13-14605. We release all objections to street  
closing based on your commitment to pay for eliminating all gas conflicts that  
could come as a result of this Stadium project.

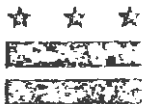
See attached letter dated April 2, 2015 , from Scott Burrell ,DC Dept Of G.S..

Sincerely ,

Robert Banks  
Digitizer / Draftsman

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF GENERAL SERVICES



April 2, 2015

Mr. Robert Banks  
Washington Gas  
6801 Industrial Road  
Springfield, VA 22151

RE: Proposed Closing of Streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244 – S.O 13-14605

Dear Mr. Banks:

Based on our March 25, 2015 meeting with Vijay Parmesn related to the development of the site for the new D.C. United soccer stadium, the District of Columbia requests that Washington Gas cut and cap its facilities along S Street as shown on Exhibit 1. In connection with this cut and cap work, the District commits to pay for this work up to an amount not to exceed \$250,000. In exchange for this commitment, the District requests that Washington Gas release any objections to the Proposed Closing of Streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244 – S.O 13-14605 and inform the D.C. Surveyor of such release of objections.

The District also requests that Washington Gas prepare for the District a work order to specify the scope and costs of such cut and cap work and to provide for the parties to begin the design and execution of the required work.

Should you have any questions, please contact me at (202)345-7016.

Sincerely,

Scott Burrell  
D.C. Department of General Services

Cc: Mark Babbit  
Vijay Parmesn



6801 Industrial Road  
Springfield, Virginia 22151

July 28, 2014

Mr. Roland Driest  
Atten. Diana Dorsey Hill  
Department Of Consumer and Regulatory Affairs  
Building and Land Regulations Administration  
Office of The Surveyor  
Washington , D.C. 20002

Dear Mr. Roland Driest

RE: Proposed Closing of Public Streets adjacent to Squares S-603,N- 661,605,661  
,607, 665 and Reservations 243 and 244 – S.O. 13-14605

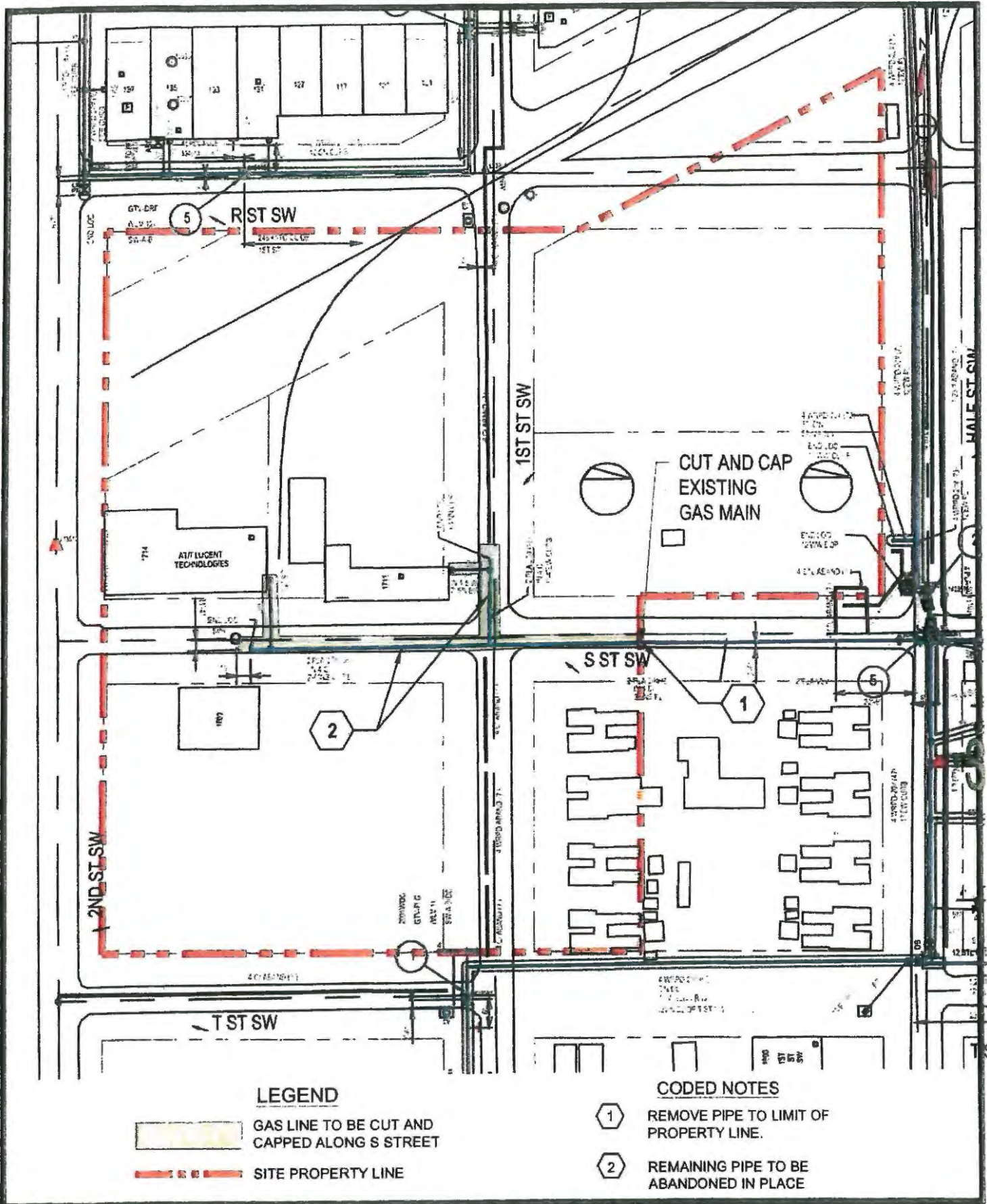
We do have facilities in conflict with the area as shown. Please contact ;  
Mr. Vjay Parmesn  
Engineer, System Replacement  
Third Floor # 347E  
703-750-4391  
VjayParmesn@washgas.com  
Washington Gas  
6801 Industrail Road  
Springfield , VA 22151

Sincerely ,



A handwritten signature in black ink, appearing to read "Robert Banks".

Robert Banks



Digitizer / Draftsman



**LEGEND**

-  GAS LINE TO BE CUT AND CAPPED ALONG S STREET
-  SITE PROPERTY LINE

**CODED NOTES**

-  REMOVE PIPE TO LIMIT OF PROPERTY LINE.
-  REMAINING PIPE TO BE ABANDONED IN PLACE

PROJECT NAME: BUZZARDS POINT

DESCRIPTION: Gas Line Demolition

SCALE: N.T.S.

DATE: APRIL 2015

**McKissack & McKissack**  
 901 K Street, NW  
 Suite 600  
 Washington, DC 20001  
 Phone: 202.347.1446  
 Fax: 202.347.1489  
 www.mckissackdc.com





**Commission Members**

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L. Preston Bryant, Jr., Chairman  
John M. Hart  
Elizabeth A. White

*Mayoral Appointees*

Arrington Dixon  
Robert E. Miller

*Ex Officio Members*

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The Honorable Charles "Chuck" Hagel

Secretary of the Interior  
The Honorable Sarah "Sally" Jewell

Administrator  
General Services Administration  
The Honorable Daniel Tangherlini

Chairman  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
The Honorable Thomas R. Carper

Chairman  
Committee on Oversight  
and Government Reform  
U.S. House of Representatives  
The Honorable Darrell Issa

Mayor  
District of Columbia  
The Honorable Vincent C. Gray

Chairman  
Council of the District of Columbia  
The Honorable Phil Mendelson

*Executive Director*  
Marcel C. Acosta

IN RELY REFER TO:  
NCPC File No. 7571

**NOV 13 2014**

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Chairman Mendelson:

The National Capital Planning Commission, at its November 6, 2014, meeting, approved the enclosed action on the closing of public streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244. A copy of the Executive Director's Recommendation for the project is also enclosed.

Sincerely,

  
Marcel C. Acosta  
Executive Director

Enclosures

cc: Mary Cheh, Chairman, Committee on Transportation  
and the Environment  
Vincent Orange, Chairman, Committee on Business, Consumer  
and Regulatory Affairs  
Ellen McCarthy, Acting Director, DC Office of Planning  
Frederick Lindstrom, Commission of Fine Arts  
Roland F. Dreist, Jr., Surveyor, DC



## Commission Action

November 6, 2014

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**PROJECT**

**Closing of public streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244**  
Washington, DC

**NCPC FILE NUMBER**

7571

**NCPC MAP FILE NUMBER**

24.40(44.40)43945

**SUBMITTED BY**

District of Columbia Department of Consumer and Regulatory Affairs  
District of Columbia Office of the Surveyor

**APPLICANT'S REQUEST**

Approval of comments to the Council of the District of Columbia

**ACTION TAKEN**

Approve comments as requested

**REVIEW AUTHORITY**

--Approval of Comments to the Council of District of Columbia on Street and Alley Closings

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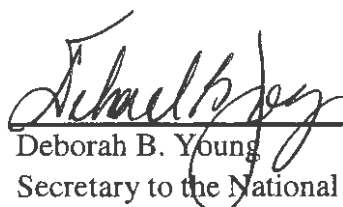
The Commission comments to the Council of the District of Columbia that:

- The proposal to close several portions of L'Enfant Streets would result in adverse effects on the L'Enfant Plan and is inconsistent with policies in the Federal Elements of the *Comprehensive Plan for the National Capital*.
- The proposal to close portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW in the vicinity of Squares S-603, N-661, 605, 661, 607, 665, and U.S. Reservation 243 and 244 should take effect only if the District of Columbia obtains control of the adjacent land and a Major League Soccer stadium is constructed on the site.
- The formal closure of any streets should be delayed until sufficient detail is available regarding the soccer stadium design in order to ensure that the street closures are limited to only what is necessary for the stadium itself, and furthermore, street closures should not occur in order to accommodate private development.
- Prior to the formal closure of any streets, a transportation analysis should be conducted to understand the potential impacts on vehicular and pedestrian circulation.
- The proposal to close portions of the L'Enfant Streets is required to be referred to the Historic Preservation Review Board, and the District of Columbia should adopt any proposed mitigation recommended by the Historic Preservation Review Board to address the adverse effects related to the street closings.
- The District of Columbia should agree to a covenant to run with the land requiring that at such time as the proposed site is no longer used as a stadium, all portions of 1<sup>st</sup> Street, SW;

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R Street, SW; S Street, SW; and Potomac Avenue, SW, be re-established in their original locations with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant.

- The stadium design should respect and enhance view corridors along the L'Enfant Plan streets to be closed and provide appropriately designed terminations that reflect the principles of the L'Enfant Plan.

 \_\_\_\_\_ 11/13/14  
Deborah B. Young [Date]  
Secretary to the National Capital Planning Commission





## Executive Director's Recommendation

Commission Meeting: November 6, 2014

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<b>PROJECT</b> Closing of public streets adjacent to Squares S-603, N-661, 605, 661, 607, 665, and Reservations 243 and 244 Washington, DC	<b>NCPC FILE NUMBER</b> 7571
<b>SUBMITTED BY</b> District of Columbia Office of the Surveyor	<b>NCPC MAP FILE NUMBER</b> 24.40(44.40)43945
<b>REVIEW AUTHORITY</b> Approval of Comments to the Council of District of Columbia on Street and Alley Closings	<b>APPLICANT'S REQUEST</b> Approval of comments to the Council of the District of Columbia
	<b>PROPOSED ACTION</b> Approve comments as requested
	<b>ACTION ITEM TYPE</b> Consent Calendar

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### PROJECT SUMMARY

The District of Columbia Office of the Surveyor has submitted a proposal to close portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW. The street closures were initiated by the District of Columbia Department of General Services. The purpose of the street closures is to create a consolidated site location for a new Major League Soccer stadium for the DC United in southwest Washington. The Department of General Services is in negotiations to purchase all parcels adjacent to the proposed street closures. Once the property has been acquired and the streets are closed, the Department of General Services and DC United will develop the soccer stadium but the District of Columbia will retain ownership of the land.

### KEY INFORMATION

- Street closures within the L'Enfant City are proposed for construction of a Major League Soccer stadium on Buzzard Point
- District of Columbia is in the process of assembling the land required to construct the soccer stadium,
- District of Columbia Office Of Planning and District of Columbia Department of Transportation noted concerns with street closures prior to acquisition of required land

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### RECOMMENDATION

The Commission comments to the Council of the District of Columbia that:

- The proposal to close several portions of L'Enfant Streets would result in adverse effects on the L'Enfant Plan and is inconsistent with policies in the Federal Elements of the *Comprehensive Plan for the National Capital*.
- The proposal to close portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW in the vicinity of Squares S-603, N-661, 605, 661, 607, 665, and U.S. Reservation 243 and 244 should take effect only if the District of Columbia obtains control of the adjacent land and a Major League Soccer stadium is constructed on the site.
- The formal closure of any streets should be delayed until sufficient detail is available regarding the soccer stadium design in order to ensure that the street closures are limited to only what is necessary for the stadium itself, and furthermore, street closures should not occur in order to accommodate private development.
- Prior to the formal closure of any streets, a transportation analysis should be conducted to understand the potential impacts on vehicular and pedestrian circulation.
- The proposal to close portions of the L'Enfant Streets is required to be referred to the Historic Preservation Review Board, and the District of Columbia should adopt any proposed mitigation recommended by the Historic Preservation Review Board to address the adverse effects related to the street closings.
- The District of Columbia should agree to a covenant to run with the land requiring that at such time as the proposed site is no longer used as a stadium, all portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW, be re-established in their original locations with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant.
- The stadium design should respect and enhance view corridors along the L'Enfant Plan streets to be closed and provide appropriately designed terminations that reflect the principles of the L'Enfant Plan.

## PROJECT REVIEW TIMELINE

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<b>Previous actions</b>	None
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<b>Remaining actions</b> (anticipated)	Review of the proposed Major League Soccer stadium
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## I. PROJECT DESCRIPTION

### Site

The public streets to be closed are located in southwest Washington, DC and include the following:

- 1<sup>st</sup> Street, SW, from R Street to T Street
- R Street, SW, from Half Street to 1<sup>st</sup> Street
- S Street, SW, from approximately 230 feet west of Half Street to 2<sup>nd</sup> Street
- Potomac Avenue, SW, from 2<sup>nd</sup> Street to 1<sup>st</sup> Street and R Street

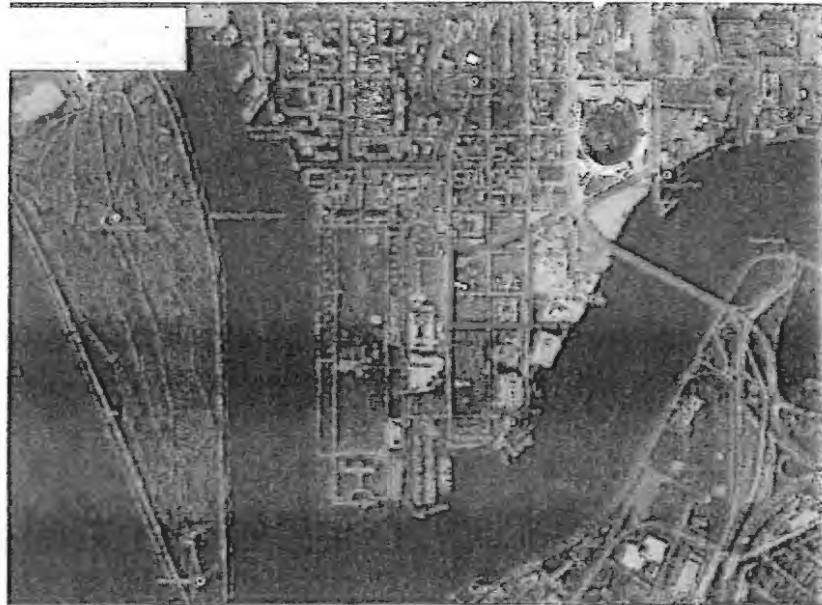


Figure 1: Project Location

Located on Buzzard Point, federal property in the immediate vicinity includes Fort McNair directly to the west of the project area. Other federal property to the south of the project area includes Buzzard Point Marina, a National Park Service property. The Washington Nationals baseball stadium is northeast of the project area.

### Background

The District of Columbia Office of the Surveyor, pursuant to D.C. Code § 9-202.02, has referred the proposed closing of portions of several L'Enfant streets in southwest Washington, DC to the Commission for comment. The purpose of the street closings is to permit the construction of a new soccer stadium for the DC United, the Major League Soccer team located in Washington, DC. Currently, DC United plays at RFK Stadium. Regulations of the D.C. Code specify that the Mayor of the District of Columbia refer any application 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 Mayor of the District of Columbia is currently in negotiations to obtain control of all property adjacent to the proposed street closures in order to create one consolidated parcel for a stadium site. This includes the parcels within Squares S-603, N-661, 605, 661, 607, 665, and Reservations

243 and 244. The details of the land negotiations have not been finalized. Essentially, the District of Columbia will provide up to \$150 million for the estimated \$300 million project through land infrastructure improvements. DC United would be responsible for construction of the soccer stadium. DC United would lease the land for 30 years at no cost with an option to extend the lease.

The District of Columbia proposes to close streets that lie within the original squares of the city of Washington created by the L'Enfant Plan. The detailed public street rights-of-way were created in 1803 by the King Plats of the City of Washington in the District of Columbia, page X. Ownership of the street rights-of-way resides with the United States and administrative jurisdiction resides with the District of Columbia.

Reservations 243 and 244 were conveyed from the National Park Service to the District of Columbia under the Federal and District of Columbia Government Real Property Act of 2006.

### Proposal

The Mayor of the District of Columbia and the District of Columbia Department of General Services (DGS) propose to close and utilize all land area of the streets and adjacent parcels to construct a major league soccer stadium that will serve as home field for the DC United. A conceptual plan of the soccer stadium was provided to NCPC with the application for the proposed street closures. Staff has not attended any meetings with the DGS to discuss the design and plan of the stadium. The stadium would be subject to the review of the Commission under the National Capital Planning Act as a District of Columbia project outside the Central Area.

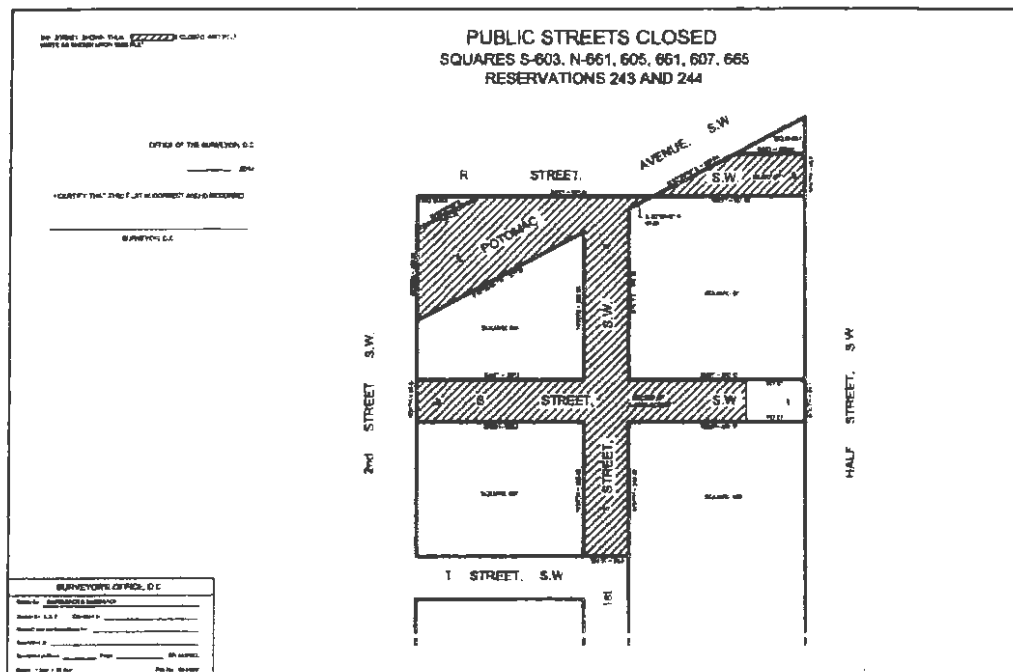


Figure 2: Proposed street closures

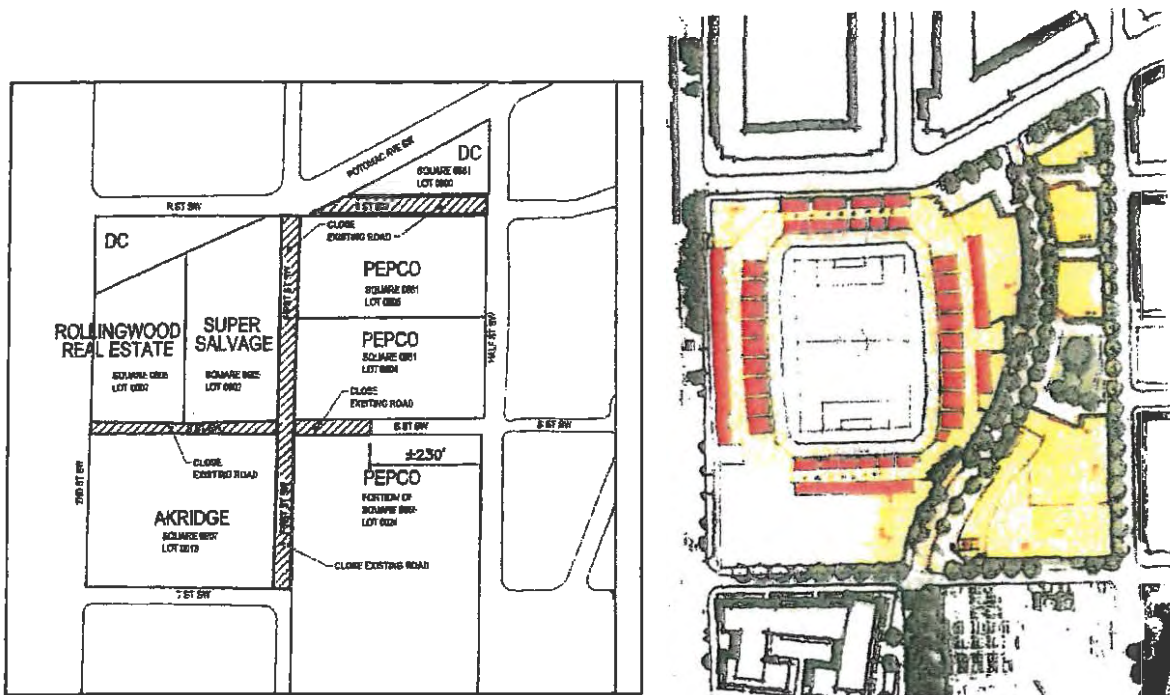


Figure 3: Proposed street closures and conceptual design of soccer stadium

## II. PROJECT ANALYSIS/CONFORMANCE

### Executive Summary

Staff's analysis of the proposed street closings focused on historic preservation issues and impacts to the L'Enfant Plan, a structure listed in the National Register of Historic Places. The *Preservation and Historic Features Element* of the Comprehensive Plan for the National Capital contains a section of policies aimed at protecting the historic plan of Washington and though the stadium will provide public benefits and encourage revitalization in the area, there will be adverse effects on the L'Enfant Plan.

### Analysis

The 1791 L'Enfant Plan and the 1901 McMillan Plan established an urban design framework for the capital city that remains one of the world's great examples of urban planning. Collectively, these plans are known as the Plan of the City of Washington and the planning principles remain intact and continue to influence the design of public spaces in Washington today. One of the Commission's chief responsibilities is to protect and enhance the historic street plan of Washington as exemplified by policies in the *Federal Elements of the Comprehensive Plan for the National Capital*.

The L'Enfant Plan established the basic framework for the city by creating a regular orthogonal grid divided into four quadrants, with the U.S. Capitol occupying the center point. A series of diagonal avenues were superimposed on the orthogonal grid, thereby creating a system of open

space and parks where the two intersected. Large open areas were created at the intersection of avenues and smaller open spaces were created when streets and avenues intersected. The open space and vistas that were established by this framework are as integral to the design of the City as the street network and configuration. In addition, the width and openness of the streets constitute public space that defines the character of the city. The system of streets provided an ordered framework for the development of the city, the character of the open space in the city, and visual as well as physical connections through the creation of vistas along street rights-of-way. Therefore, **the closure or alteration of L'Enfant Plan streets and rights-of-way would alter these significant characteristics and constitute an adverse effect on the historic plan.** In addition, as detailed below, **the closure of the streets is inconsistent with policies in the Federal Elements of the *Comprehensive Plan for the National Capital*.**

Given that the Mayor of the District of Columbia is actively engaged in negotiations to obtain control of the adjacent parcels, staff recommends that **the Commission comment that the street closures should take effect only if the District of Columbia control of the adjacent land and a Major League Soccer stadium is constructed on the site.** If the District of Columbia is not able to gain control of all the parcels which would enable construction of the stadium, or if the stadium is not built on the site, the streets should not be closed. In other words, the streets should not be closed for purposes of private development. In addition, as the design of the stadium is at a conceptual level and may change, staff recommends that **the Commission comment that the formal closure of any streets should be delayed until sufficient detail is available regarding the soccer stadium design in order to ensure that the street closures are limited to only what is necessary for the stadium itself, and furthermore, street closures should not occur in order to accommodate private development.**

As the District is working to assemble the land needed to construct the stadium, there has not been a transportation analysis to understand the impacts on the surrounding circulation network. Policies in the *Federal Elements of the Comprehensive Plan for the National Capital* support maintaining the functional qualities of L'Enfant Plan streets. Therefore, staff is recommending that **the Commission comment that prior to the formal closure of any streets, a transportation analysis should be conducted to understand the potential impacts on vehicular and pedestrian circulation.**

In addition, staff recommends that if the proposed site is no longer being used as a soccer stadium, the L'Enfant Plan streets and rights-of-way should be re-established in their current configurations. Staff recommends that **the Commission comment that the District of Columbia should agree to a covenant to run with the land that requires at such time that the proposed site is no longer used as a stadium, all portions of 1<sup>st</sup> Street, SW; R Street, SW; S Street, SW; and Potomac Avenue, SW, be re-established in their original locations with full rights-of-way according to the L'Enfant Plan, and the NCPC will record that covenant.**

As noted above, at this time, only conceptual plans have been developed for the stadium and staff has not actively been engaged in consultation with the District of Columbia on the stadium design. It is important that to the degree it is feasible, the stadium should be sited in such a way to respect and maintain the view-sheds established by the streets of the L'Enfant Plan. Principles of the

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L'Enfant Plan such as reciprocity of site from prominent vantage points should be carried forward in the design of the stadium and the principles of the L'Enfant Plan should be reflected to the degree possible in the facades of the stadium. Therefore, staff recommends that **the Commission comment that the stadium design should respect and enhance view corridors along the L'Enfant Plan streets to be closed and provide appropriately designed terminations that reflect the principles of the L'Enfant Plan.**

Finally, staff notes the Commission in its recent action on the Draft Real Property Master Plan for Joint Base Myer-Henderson Hall, encouraged the Department of the Army to coordinate with the District of Columbia Government directly on new public/private developments exterior to the installation, including the potential soccer stadium, to ensure minimal impacts to installation operations including in the areas of impacts to historic resources and transportation as well as installation security.

*Previous Commission Actions on L'Enfant Plan Street Closures*

Previous Commission actions related to street closures include actions for the construction of the Washington Nationals Baseball stadium, the Washington Convention Center, and the Verizon Center. Staff's recommendation regarding the street closures for the soccer stadium is consistent with past Commission actions on street closures.

In January 2006, the Commission provided comments to the District of Columbia Council on the street closures that were required for the construction of the Washington Nationals Baseball stadium. At that time, the District of Columbia Government and the District of Columbia Sports and Entertainment Commission were working to obtain title to the land that would be required to construct the baseball stadium. The case was similar in that the land needed to construct the stadium had not yet been acquired when the Commission provided comments on the street closures. In its comments, Commission noted that the street closure would be an adverse effect on the L'Enfant Plan; that the street closure should only take effect if the baseball park was to be located in the adjacent property; that review of the street closure was required by the Historic Preservation Review Board and the District of Columbia should adopt any proposed mitigation; that the stadium design should maintain and enhance ground-level pedestrian views along Potomac Avenue to the Anacostia and provide functional and appropriately designed terminations to the surrounding L'Enfant streets; and that the District of Columbia agree to a covenant that runs with the land that should the site no longer be used as a ballpark all portions of the streets be re-established in their original locations according to the L'Enfant Plan and the Commission would record that covenant.

In October 1995, the Commission approved the preliminary and final site and building plans for the Verizon Center (known as the Washington, D.C. Sports and Entertainment Arena or MCI Center). With its approval, the Commission noted that the Memorandum of Agreement (MOA) that was executed at the conclusion of the Section 106 consultation (for which NCPC was the lead agency), indicated that there were impacts from the closure of the 600 block of G Street that could not be fully mitigated. The Section 106 MOA specified that as mitigation for the adverse effects on the L'Enfant Plan, the District of Columbia would agree to reopen the 600 block of G Street once the useful life of the Arena was over and also that the District of Columbia committed to reopening



portions of 10th and Eye Streets, NW, when a new convention center was constructed, and the debt on the existing Convention Center was retired. The reopening of 10<sup>th</sup> and Eye Streets was required by a covenant that ran with the land.

In September 1997, the Commission approved the preliminary plans for the new Washington Convention Center to be located at 7th, 9th and N Streets, and Mount Vernon Place, NW. With its approval, the Commission noted and incorporated into its action the Memorandum of Agreement that was executed at the conclusion of the Section 106 consultation (for which NCPC was the lead agency). The Commission action noted that there would be adverse effects on the L'Enfant Plan due to the closure of several streets and that these impacts could not be fully mitigated. The Section 106 MOA specified that the streets would be reopened once the new Convention Center had outlived its useful life as a Convention Center; the reversion of title to the rights-of-way to the United States; and that any further use of the rights-of-way be subject to the approval of the NCPC.

The past actions that the Commission has taken on similar projects that require the closure of L'Enfant Plan streets are similar to the current proposal. In all previous cases, NCPC identified an adverse effect on the L'Enfant Plan and that as mitigation should the proposed function no longer be relevant or actively used, the streets should be restored to their original configurations.

#### **Comprehensive Plan for the National Capital**

The proposed street closures are inconsistent with policies in the *Federal Elements of the Comprehensive Plan for the National Capital*, in particular those policies contained in the Preservation and Historic Features Element. These policies encourage the federal government to preserve and protect historic properties while also accommodating new development that is respectful of the guiding principles of the L'Enfant and McMillan Plans.

Specific policies that the proposed street closures are in conflict with include the following:

- Promote continuity in the historic design framework of the nation's capital by protecting and enhancing the elements, views, and principles of the L'Enfant Plan. Both the federal and the District of Columbia governments should adhere to these principles in any improvements or alterations to the historic framework.
- Preserve the historic street rights-of-way and reservations that contribute to the significant system of open space forming the urban design framework of the nation's capital.
- Protect and control the visual and functional qualities of L'Enfant rights-of-way.
- Protect the open space of the L'Enfant streets. The exceptional width and openness of the street rights-of-way constitutes public space that helps to define the character of the city.
- Protect the reciprocal views along the rights-of-way, as well as to and from squares, circles, and reservations.
- Protect the integrity, form, and design of the L'Enfant Plan's system of streets and reservations from inappropriate new buildings and physical incursions.
- Protect the historic importance and function of the streets as vehicular thoroughfares and avoid inappropriate traffic channelization that obscures the character of the right-of-way.

- Construct building facades to the street right-of-way lines (building lines) to reinforce the spatial definition of the historic street plan.

Policies in the Preservation and Historic Features Element discourage the closure of L'Enfant streets as it disrupts the urban design framework of the city plan and also negatively impacts the transportation network. Recognizing the detrimental impact that street closures can create, policies in the *Federal Elements of the Comprehensive Plan for the National Capital* advocate re-establishing streets and reservations that have been "...inappropriately disrupted or closed to their original right-of-way or configuration". As a result of the street closure, the soccer stadium would be constructed and cause an intrusion into the public space created by the width and openness of the streets. In addition, the design of the stadium is in an early stage of the development process, and while it may be possible to mitigate the some of the impacts through the design development process, the proposed street closures would cause an adverse effect on the historic plan of Washington by disrupting the street network and its associated open space and vistas. Therefore, the proposed street closures are in are inconsistent with policies in the *Federal Elements of the Comprehensive Plan for the National Capital*.

#### **Extending the Legacy**

NCPC's *Extending the Legacy* plan emphasized the preservation and restoration of the L'Enfant Plan as the defining urban framework of the original city of Washington. The main idea behind the plan was to re-center Washington on the Capitol and extend development to the four quadrants of the city. A strong connection to the Anacostia waterfront was envisioned as part of the plan and while South Capitol Street was the primary corridor to realize that connection, a secondary spine was to be developed along 1<sup>st</sup> Street SW. The idea was that 1<sup>st</sup> Street would terminate in a public space that would be directly connected to the waterfront. The closure of 1<sup>st</sup> Street in order to allow construction of the soccer stadium would disrupt this vision and divide the area into two separate corridors. While the proposed street closures and construction of the soccer stadium would stimulate new business activities and other redevelopment opportunities, the full vision of *Extending the Legacy* would not be realized.

#### **National Environmental Policy Act (NEPA)**

NCPC does not have a NEPA responsibility when providing comments on street closures.

#### **National Historic Preservation Act (NHPA)**

NCPC does not have a responsibility to comply with Section 106 of the National Historic Preservation Act when providing comments on street closures.

Pursuant to D.C. Code § 9-202.02, the Historic Preservation Review Board (HPRB) is required to review proposed street closings within the L'Enfant City. Therefore, staff recommends that **the Commission comment that the proposal to close portions of the L'Enfant Streets is required to be referred to the HPRB, and the District of Columbia should adopt any proposed mitigation recommended by HPRB to address the adverse effects related to the street closings.**

---

### III. CONSULTATION

#### Coordinating Committee

The Coordinating Committee reviewed the proposal at its October 15, 2014 meeting. The Committee forwarded the proposed street closings to the Commission with the statement that the proposal has been coordinated with all participating agencies except the District of Columbia Office of Planning (DCOP) and the District of Columbia State Historic Preservation Office (DC SHPO). DCOP raised concerns related to traffic and noted it was premature to take action on the street closures given that the land had not yet been assembled in order to allow construction of the soccer stadium. DC SHPO noted the proposed street closings were required to be referred to the District of Columbia Historic Preservation Review Board and that an application had not yet been submitted. The participating agencies were: NCPC; the District of Columbia Office of Planning; the District of Columbia State Historic Preservation Office; the District Department of Transportation; the District of Columbia Fire and Emergency Medical Services, the General Services Administration; the National Park Service and the Washington Metropolitan Area Transit Authority.

#### Future Coordination with federal and local agencies

Additional coordination with federal and local agencies should be undertaken as the plan and design for the soccer stadium is developed. Issues related to security, access, and transportation could be topics of concern to federal installations in close proximity to the stadium site and consultation with appropriate federal and local agencies will help to address these issues. As noted above, Fort Leslie J. McNair is located to the west of the stadium site and in a recent action, the Commission encouraged the Department of the Army to coordinate with the District of Columbia Government on matters related to the soccer stadium.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Department of Public Works



Solid Waste Management Administration  
Street and Alley Cleaning Division

**MEMORANDUM**

**TO:** Roland F. Dreist, Jr.  
Surveyor, D.C.

**FROM:** Anthony Duckett   
Associate Administrator, SACD  
Solid Waste Management Administration

**SUBJECT:** Proposed closings of public Streets

**Date:** February 5, 2015

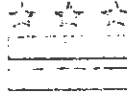
The following various Street closings was investigated for review: (Re submitted)

Square – S-605, N-661,605,661,607,665 and Reservations 243 and 244- S.O. 13-14605.

The Department has reviewed the proposed closings and at this time we still have no objection to the closing of the streets.

If you have any questions please call me at 727-2539

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF PUBLIC WORKS**



Solid Waste Management Administration

**MEMORANDUM**

**TO:** Roland F. Dreist, Jr.  
Surveyor, D.C.

**FROM:** Anthony Duckett   
Associate Administrator, SACD

**SUBJECT:** Proposed Closing of Public Street adjacent to Squares S-605, N-661,605,661,607,665, and Reservations 243 and 244 – S.O. 13-14605.

**Date:** September 5, 2014

Proposed Closing of Public Street adjacent to Squares S-605, N-661,605,661,607,665, and Reservations 243 and 244 – S.O. 13-14605.  
for review:

The Department has reviewed the proposed closing of public street, at this time we have no objections.

If you have any questions please call me at 727-2539



*Near Southeast/Southwest*  
Advisory Neighborhood Commission 6D

April 19, 2015

1101 Fourth Street, SW  
Suite W 130  
Washington, DC 20024  
202.554.1795  
Email: office@anc6d.org  
Website: www.anc6d.org

Roland F Dreist, Jr.  
Surveyor, D.C.  
1100 4<sup>th</sup> Street SW, E320  
Washington, DC 20024

**OFFICERS**

Chairperson  
*Roger Moffatt*

Vice Chairperson  
*Andy Litsky*

Secretary  
*Stacy Cloyd*

Treasurer  
*Meredith Fascett*

Dear Mr. Dreist:

RE: SO 13-14605 -- Buzzard Point L'Enfant Plan Street Closings

At a regularly scheduled and properly noticed public meeting on April 13, 2015 with a quorum being present, Advisory Neighborhood Commission (ANC) 6D voted 5-0-0 to send this resolution in reference the street closings proposed under the L'Enfant Plan.

**COMMISSIONERS**

SMD 1 *Marjorie Lightman*  
SMD 2 *Stacy Cloyd*  
SMD 3 *Rachel Reilly Carroll*  
SMD 4 *Andy Litsky*  
SMD 5 *Roger Moffatt*  
SMD 6 *Rhonda Hamilton*  
SMD 7 *Meredith Fascett*

ANC 6D believes that any road closure in this area would be premature. There has been no environmental assessment or remediation of the area. More detail to this point is in the resolution in the accompanying attachment.

Should you have any questions, please let me know.

Sincerely,

Roger Moffatt  
Chairman, ANC 6D  
Near Southeast/Southwest



*Near Southeast/Southwest*  
Advisory Neighborhood Commission 6D

April 13, 2015

1101 Fourth Street, SW  
Suite W 130  
Washington, DC 20024  
202.554.1795  
Email: [office@anc6d.org](mailto:office@anc6d.org)  
Website: [www.anc6d.org](http://www.anc6d.org)

District Department of the Environment  
51 N St NE #5 Washington, DC 20002  
Tommy Wells  
VIA E-MAIL: [tommy.wells@dc.gov](mailto:tommy.wells@dc.gov)  
[ddoe@dc.gov](mailto:ddoe@dc.gov)

**OFFICERS**

Chairperson  
*Roger Moffatt*  
Vice Chairperson  
*Andy Litsky*  
Secretary  
*Stacy Cloyd*  
Treasurer  
*Meredith Fascett*

RE: Resolution in Response to DDOE Notice of Filing an Application to Perform a Voluntary Clean-Up of Land Upon Which DC United Stadium is Proposed to be Constructed

At its regularly scheduled and properly noticed public meeting on April 13<sup>th</sup>, 2015, with a quorum present Advisory Neighborhood Commission 6D voted 5-0-0 to send the following resolution in response to DDOE Notice of Filing an Application to Perform a Voluntary Clean-Up of Land.

**WHEREAS**, ANC 6D is the resident Advisory Neighborhood Commission in which the District of Columbia has proposed that DC United Stadium is to be built, and

**COMMISSIONERS**

SMD 1 *Marjorie Lightman*  
SMD 2 *Stacy Cloyd*  
SMD 3 *Rachel Reilly Carroll*  
SMD 4 *Andy Litsky*  
SMD 5 *Roger Moffatt*  
SMD 6 *Rhonda Hamilton*  
SMD 7 *Meredith Fascett*

**WHEREAS**, ANC 6D received a Notice of Filing of an Application from DC Department of Environment to Perform a Voluntary Cleanup at 100 Potomac Avenue, SW -- formally, Case No. VCP 2015-031, and

**WHEREAS**, the notice purports to relate to the land upon which the DC United Stadium is proposed to be built, ANC 6D has found that

- **The Notice of the Voluntary Cleanup Program (VCP) application published in the D.C. Register is deceiving, misleading, and contains inaccurate information.**
  - The Notice states that it is, "...for real property currently designated as 100 Potomac Avenue SW," an address that does not currently exist.
  - The "designated" address fails to clearly indicate that this application pertains to five (5) sites on Buzzards Point, including known contaminated property on the current Super Salvage and Pepco sites. The Notice should have listed the current address for the five (5) sites in question so that District residents can fairly understand what property is included in the VCP application.
  - The Notice only, "identifies the presence of metals, petroleum compounds (TPH-DRO and TPH-GRO) and Volatile Organic Compounds in soil and groundwater." However, the application fails to mention the exact known pollutants, such as PAHs, and fails to mention the severity of some of these pollutants in both the level of toxicity and contamination to the soil and groundwater in the area, and that

- There is significant contamination at the sites (consisting of Squares/Lots: 661N/0800; 0603S/0800; 0605/0007; 0605/0802, 0607/0013; 0661/0804, 0805; and 0665/0024); - some of which is not yet known. The ANC cannot properly comment on a VCP application that does not contain full and accurate information about the extent of contamination, and that
- Most of the sites in this VCP application exceeded the screening criteria for metals, polycyclic aromatic hydrocarbons (PAHs), and total petroleum hydrocarbons (TPH) concentrations.

Some of the known contamination includes:

- The Akridge site is contaminated with petroleum and chlorinated solvents.
  - The Pepco site is contaminated with petroleum and hazardous materials, such as PCBs, and a “potential free product plume beneath the Site, down-gradient of two aboveground storage tanks.
  - The Super Salvage site is contaminated with cadmium, lead, benzene, MEK, tetrachloroethylene, trichloroethylene.
  - ***Most importantly, the Phase II Environmental Assessment is “pending”, so the extent of the contamination is not known at this time.*** Consequently, neither ANC 6D nor anyone else can properly comment on a VCP application where the contamination has not yet even been determined, and that
- **The VCP application is missing several critical documents necessary for ANC review:**
    - “Appendix X” of the VCP application notes that the Site Community Involvement Plan is not yet available. ANC 6D objects to the approval of the VCP application until a Site Community Involvement Plan is developed and approved by the affected ANCs.
    - “Appendix XI” of the VCP application states that a “Summary of Proposed CAP” is attached. This is described as a “descriptive summary of a proposed cleanup action plan that conforms to DDOE cleanup standards, which will include an outline of the response action plan for the site.” **However, the Proposed CAP was also not included in the VCP application** and it is impossible for ANC 6D to evaluate and comment on a BCP application that does not contain the proposed cleanup plan.

**THEREFORE, at a properly noticed monthly business meeting of ANC 6D held on April 13, 2015 at which quorum of Commissioners were present, the Commission voted 5- 0-0 register the above concerns and objections and urge that our recommendations be given great weight in this matter by The Office of the Mayor, Office of the Deputy Mayor for Planning and Economic Development, Department of General Services, Department of the Environment and the Council of the District of Columbia.**

Sincerely,



Roger Moffatt  
Chairman, ANC 6D  
Near Southeast/Southwest



**BEFORE THE COMMITTEE OF THE WHOLE  
OF THE COUNCIL OF THE DISTRICT OF COLUMBIA**

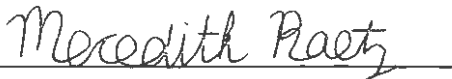
**Re:** Bill 21-200 - Proposed Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015) - S.O. 13-1460

**AFFIDAVIT OF NOTICE FOR PROPOSED STREET CLOSINGS**

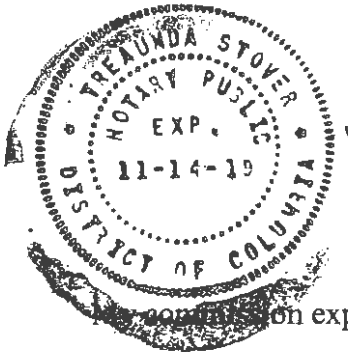
I, Meredith Raetz, on May 19, 2015, have caused notice of the Council's intent to consider the proposed legislation to close the following portions of public streets to be mailed on May 19, 2015 by U.S. Mail to all of the owners of the property abutting these portions of public streets proposed to be closed:

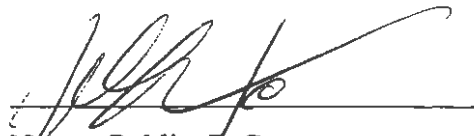
- Potomac Avenue, S.W., between 2nd Street, S.W. and R Street, S.W.;
- R Street, S.W., between Potomac Avenue, S.W. and Half Street, S.W.;
- 1st Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and
- S Street, S.W., between 2nd Street, S.W. and approximately 230 feet west of Half Street, S.W.

A proof of mailing to each owner is attached as Exhibit A. A copy of the written notice is attached as Exhibit B

  
Meredith Raetz

Subscribed and sworn to before me this \_\_\_ day of May, 2015



  
Notary Public, D.C.

**TREAUNDA STOVER  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires November 14, 2019**

Commission expires:

**Exhibit A**

**Proof of Mailing to Each Abutting Owner**

**Exhibit B**

**Copy of Written Notice Mailed**

**Letter Mailed to Property Owners with Only One Abutting Property**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES**



**MEMORANDUM**

**TO:** Property Owners in the Squares Abutting the Portions of Public Streets Proposed to be Closed

**FROM:** Jeff Bonvechio  
Deputy Director of Capital Projects and Facilities Management  
D.C. Department of General Services

**DATE:** May 19, 2015

**RE:** Bill 21-200 - Proposed Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015

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Pursuant to the Street and Alley Closing Acquisition Procedures Act, D.C. Official Code § 9-202.01, an application has been filed with the Surveyor of the District of Columbia to close the following portions of streets that are adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244:

- Potomac Avenue, S.W., between 2nd Street, S.W. and R Street, S.W.;
- R Street, S.W., between Potomac Avenue, S.W. and Half Street, S.W.;
- 1st Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and
- S Street, S.W., between 2nd Street, S.W. and approximately 106 feet east of First Street, S.W.

The Applicant, the District of Columbia Department of General Services, requests the closing of these portions of these streets to facilitate the development of a Major League Soccer Stadium. A plat showing the proposed portion of the street to be closed is attached.

This notice is sent to you pursuant to D.C. Official Code § 9-202.06. The Committee of the Whole of the District of Columbia City Council will hold a public hearing at 1:30 pm on Tuesday, June 9, 2015 in Hearing Room 412 of the John A. Wilson Building at 1350 Pennsylvania Avenue, NW, to consider Bill 21-200, which would order the closing of the above-referenced portions of public streets. (If the preceding hearing on PR21-112 runs late, the hearing will begin immediately after).

If you have any questions concerning this matter, please do not hesitate to call Jeff Bonvechio of the Department of General Services at (202) 671-2397 or Ketan Gada of Office of Deputy Mayor for Planning and Economic Development (DMPED) at (202) 727-6365. If you wish to testify, you are asked to telephone the Committee of the Whole of the Council of the District of Columbia at (202) 724-8196, or to email Cynthia LeFevre, Legislative Counsel, at [clefevre@dccouncil.us](mailto:clefevre@dccouncil.us), and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Friday, June 5, 2015. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on June 5, 2015, the testimony will be distributed to the Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 21-200 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://lms.dc.dccouncil.us>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, June 22, 2015.

**Letter Mailed to Property Owner Buzzard K with Multiple Properties**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES**



**MEMORANDUM**

**TO:** Buzzard K, LLC, the owner of the following properties:

<u>Property Address</u>	<u>Square/Lot</u>
1808 Half St SW	0664/0011
1812 Half St SW	0664/0800
1816 Half St SW	0664/0803
1820 Half St SW	0664/0003
Half St SW	0664/0002
1824 Half St SW	0664/0001

**FROM:** Jeff Bonvechio  
Deputy Director of Capital Projects and Facilities Management  
D.C. Department of General Services

**DATE:** May 19, 2015

**RE:** Bill 21-200 - Proposed Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015

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- Potomac Avenue, S.W., between 2nd Street, S.W. and R Street, S.W.;

- R Street, S.W., between Potomac Avenue, S.W. and Half Street, S.W.;
- 1st Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and
- S Street, S.W., between 2nd Street, S.W. and approximately 106 feet east of First Street, S.W.

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If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, June 22, 2015.

**Letter Mailed to Property Owner USA with Multiple Properties**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES**



**MEMORANDUM**

**TO:** The owner(s) of the following properties:

<u>Property Address</u>	<u>Square/Lot</u>
2 <sup>nd</sup> St SW	0608/0015
1825 2 <sup>nd</sup> St SW	0606/0001
2 <sup>nd</sup> St SW	0606/0010
2 <sup>nd</sup> St SW	0606/0009
2 <sup>nd</sup> St SW	0606/0008
300 P St SW	Par 03160014
2 <sup>nd</sup> St SW	0602/0011
2 <sup>nd</sup> St SW	0602/0810

**FROM:** Jeff Bonvechio  
Deputy Director of Capital Projects and Facilities Management  
D.C. Department of General Services

**DATE:** May 19, 2015

**RE:** Bill 21-200 - Proposed Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015

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the following portions of streets that are adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244:

- Potomac Avenue, S.W., between 2nd Street, S.W. and R Street, S.W.;
- R Street, S.W., between Potomac Avenue, S.W. and Half Street, S.W.;
- 1st Street, S.W., between T Street, S.W. and Potomac Avenue, S.W.; and
- S Street, S.W., between 2nd Street, S.W. and approximately 106 feet east of First Street, S.W.

The Applicant, the District of Columbia Department of General Services, requests the closing of these portions of these streets to facilitate the development of a Major League Soccer Stadium. A plat showing the proposed portion of the street to be closed is attached.

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If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, June 22, 2015.

**BEFORE THE COMMITTEE OF THE WHOLE  
OF THE COUNCIL OF THE DISTRICT OF COLUMBIA**

**Re:** Bill 21-200 - Proposed Closing of Public Streets adjacent to Squares S-603, N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015) - S.O. 13-1460

**AFFIDAVIT OF POSTING FOR PROPOSED STREET CLOSINGS**

I, Meredith Raetz on May 19, 2015, personally posted one public notice sign furnished by the Office of the Surveyor indicating the date, time, and location of the public hearing to consider the proposed legislation at the following locations which are at the entrances to the portions of public streets proposed to be closed:


- 1) 2<sup>nd</sup> Street, S.W., facing north from the intersection with T Street, S.W.
- 2) S Street, S.W., facing east from the intersection with 2<sup>nd</sup> Street, S.W.;
- 3) R Street, S.W., facing east from the intersection with 2<sup>nd</sup> Street, S.W.;
- 4) 1<sup>st</sup> Street, S.W., facing south from the intersection with R Street, S.W.;
- 5) Half Street, S.W., facing south from the intersection with Potomac Avenue, S.W.;
- 6) R Street, S.W., facing west from the intersection with Half Street, S.W.;
- 7) S Street, S.W., facing west from the intersection with Half Street, S.W.;
- 8) S Street, S.W., facing west from the proposed start of the street closure approximately 230 feet west of Half Street, S.W.; and
- 9) 1st Street, S.W., facing north from the intersection with T Street, S.W.
- 10) Potomac Avenue, S.W., facing south west from the intersection with Half Street, S.W. (similar to location 5)

A photograph of each posted sign has been taken for the record, attached as Exhibits 1-10.

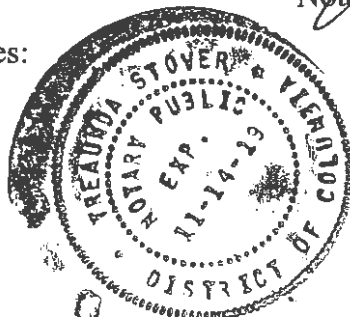


Meredith Raetz

Subscribed and sworn to before me this \_\_\_\_ day of May, 2015

  
\_\_\_\_\_  
Notary Public, D.C.

My commission expires:



TREAUNDA STOVER  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires November 14, 2016

**Exhibit 1 - Photograph of the Public Notice Sign Posted at  
2<sup>nd</sup> Street, S.W., facing north from the intersection with T Street, S.W.**



**Exhibit 2 - Photograph of the Public Notice Sign Posted at  
S Street, S.W., facing east from the intersection with 2<sup>nd</sup> Street, S.W.**



**Exhibit 3 - Photograph of the Public Notice Sign Posted at  
R Street, S.W., facing east from the intersection with 2<sup>nd</sup> Street, S.W.**



**Exhibit 4 - Photograph of the Public Notice Sign Posted at  
1<sup>st</sup> Street, S.W., facing south from the intersection with R Street, S.W.**



**Exhibit 5 - Photograph of the Public Notice Sign Posted at  
Half Street, S.W., facing south from the intersection with Potomac Avenue, S.W.**



**Exhibit 6 - Photograph of the Public Notice Sign Posted at  
R Street, S.W., facing west from the intersection with Half Street, S.W.**





**Exhibit 7 - Photograph of the Public Notice Sign Posted at  
S Street, S.W., facing west from the intersection with Half Street, S.W.**



**Exhibit 8 - Photograph of the Public Notice Sign Posted at  
S Street, S.W., facing west from the proposed start of the street closure approximately 230  
feet west of Half Street, S.W.**



**Exhibit 9 - Photograph of the Public Notice Sign Posted at  
1st Street, S.W., facing north from the intersection with T Street, S.W.**



**Exhibit 10 - Photograph of the Public Notice Sign Posted at  
Potomac Avenue, S.W., facing south west from the intersection with Half Street, S.W.  
(similar location to Exhibit 5)**



Name: CHRYS EDET

MECHANICAL/PLUMBING

		06/01/15	06/02/15	06/03/15	06/04/15	06/05/15	06/06/15	06/07/15	Weekly Total	
		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday		
File Jobs	1St Reviews		4	9	5	6	0	0	24	File job 1st Reviews
	Re-reviews		0	0	0	0	0	0	0	File job Re-reviews
ProjectDox	1st		1	0	0	0	0	0	1	ProjectDox job 1st Reviews
	2nd		0	0	0	0	0	0	0	ProjectDox job Re-reviews
File job past due	1St Reviews <b>Past due</b>		0	3	0	0	0	0	3	<b>Past due</b> File job 1st reviews
	Re-reviews <b>Past due</b>		0	0	0	0	0	0	0	<b>Past due</b> File job re-reviews
DAP	1St Reviews		0	0	0	0	0	0	0	DAP 1st Reviews
	Re-reviews		0	0	0	0	0	0	0	DAP Re-reviews
DAP Past due	1St Reviews <b>Past due</b>		0	0	0	0	0	0	0	<b>Past due</b> DAP 1st reviews
	Re-reviews <b>Past due</b>		0	0	0	0	0	0	0	<b>Past due</b> DAP re-reviews
TPR (Third Party Reviews)			0	0	0	0	0	0	0	TPR (Third Party Reviews)
1 and 2 Family 1st Review			5	9	5	6	0	0	25	1 and 2 Family 1st Review
Code Variance Reviews			0	0	0	0	0	0	0	Code Variance Reviews
Walk Through		0	0	0	0	0	0	0	0	Walk Through
<b>Total Jobs Reviewed</b>			<b>10</b>	<b>18</b>	<b>10</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>Total Jobs Reviewed</b>
# of Consultation Meetings		0	0	0	0	0	0	0	0	# of Consultation Meetings
# of PDRM		0	0	0	0	0	0	0	0	# of PDRM
Telephones and Conferences		0	0	0	0	0	0	0	0	Telephones and Conferences
Staff Meeting		0	0	0	0	0	0	0	0	Staff Meeting
<b>Total Work Hours</b>		<b>8.00</b>	<b>8.00</b>	<b>8.00</b>	<b>8.00</b>	<b>8.00</b>	<b>0.00</b>	<b>0.00</b>	<b>40.00</b>	<b>Total Weekly Hours</b>

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

WASHINGTON OFFICIAL USE

Postage	\$ 00.49	0230 13
Certified Fee	\$3.30	Postmark Here
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
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Certified 1 \$3.30  
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First-Class 1 \$0.49  
Mail  
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(®USPS Certified Mail #: 70142120  
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Mail  
Letter  
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Certified 1 \$3.30  
(®USPS Certified Mail #: 70143490  
000158812403)  
Total \$30.32  
Credit Card Remitd \$30.32  
(Card Name: VISA)  
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(Approval #: 04424B)  
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Certified 1 \$3.30  
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Mail  
Letter  
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Certified 1 \$3.30  
(@@USPS Certified Mail #:70142120  
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First-Class 1 \$0.49  
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Total \$30.32  
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Certified (@USPS Certified Mail #: 70142120 000415536308)	1	\$3.30
First-Class Mail Letter (Domestic)	1	\$0.49



Writer's direct phone  
(202) 828-3521

Writer's e-mail  
cdommers@seyfarth.com

CHAIRMAN MENDELSON

2015 JUN 25 11:00 AM

June 25, 2015

**VIA HAND DELIVERY**

Council of the District of Columbia  
Council of the Whole  
John A. Wilson Building, Suite 410  
1350 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Re: Bill 21-200, Closing of Public Streets adjacent to Squares S-603,  
N-661, 605, 661, 607 and 665, and in U.S. Reservations 243 and  
244, S.O. 13-14605, Act of 2015; Substitute Comments

Dear Councilmembers:

We represent Super Salvage in connection with the impending sale of its property located at Lot 0802 in Square 0605 (the "Property") to the District of Columbia in furtherance of the DC United Soccer Stadium. While Robert Bullock attended the hearing on June 9, 2015 in regards to the closure of the streets for the Soccer Stadium site and was afforded the opportunity to speak, we wanted to substitute the following comments based on conversations with Mr. Ketan Gada from the Office of the Deputy Mayor for Planning and Economic Development and the timing contained in its Purchase and Sale Agreement (the "Purchase and Sale Agreement") with the District of Columbia (the "District").

It is our understanding from the conversation with Mr. Gada that the District will not record the instrument for the street closure until at the earliest the date of the closing of the acquisition of the Property from Super Salvage, thus ensuring that the streets remain open until closing. Thereafter, we are told that the streets will not be blocked, so that Super Salvage and its contractors will be able to traverse the closed streets to vacate the Property in the 60 day period following closing and to effectuate the cleanup of its water retention pond through January 1, 2016 each as permitted under the Purchase and Sale Agreement.

Based on such assurances, Super Salvage has no further reservations about the passage of Bill 21-200 to close the streets in preparation for the DC United Soccer Stadium. Should the Council wish to formalize the timing of the recordation of the street closure instruments to

ATLANTA BOSTON CHICAGO HOUSTON LONDON LOS ANGELES MELBOURNE NEW YORK SACRAMENTO SAN FRANCISCO SHANGHAI SYDNEY WASHINGTON, D.C.

coincide with the closing of the acquisition of the Property, we would be appreciative of such inclusion,

Should you have any questions about the foregoing, please feel free to contact me.

Very truly yours,

SEYFARTH SHAW LLP

*Christa L. Dommers*

Christa L. Dommers

CLD:cld



**OFFICE OF THE GENERAL COUNSEL**

Council of the District of Columbia  
1350 Pennsylvania Avenue NW, Suite 4  
Washington, DC 20004  
(202) 724-8026

**MEMORANDUM**

**TO:** Chairman Phil Mendelson

**FROM:** Ellen Efros, General Counsel *EAE*

**DATE:** June 19, 2015

**RE:** Legal sufficiency determination for Bill 21-200, the Closing of Public Streets adjacent to Squares S-603, N-661,605, 661, 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015

---

The measure is legally and technically sufficient for Council consideration.

The proposed bill closes portions of Potomac Avenue, R Street, 1st Street, and S Street, S.W., as shown on the surveyor's plat in the official file for S.O. 13-14605, pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and notwithstanding section 209(b)(5)(B) of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.09(b)(5)(B))<sup>1</sup>. The proposed closures will allow for the development of the soccer stadium.

I am available if you have any questions.

---

<sup>1</sup> Section 209(b)(5)(B) of the Street and Alley Closing and Acquisition Procedures Act of 1982, waived here by the Council, provides that "[p]rior to consideration by a committee of the Council of an application to close all or part of a street or alley, the Mayor shall provide the Council with information regarding . . . [t]he assessed value of the street or alley to be closed and the assessed values of land and of buildings associated with the street or alley closing."

1 **DRAFT COMMITTEE PRINT**  
2 **Committee of the Whole**  
3 **June 30, 2015**  
4  
5  
6  
7

8 **A BILL**  
9

10 Bill 21-200  
11  
12

13 **IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**  
14  
15  
16  
17  
18

19 To order the closing of Potomac Avenue, S.W., between 2<sup>nd</sup> Street, S.W. and R Street, S.W.; R  
20 Street S.W. between Potomac Avenue S.W. and Half Street S.W.; 1<sup>st</sup> Street, S.W.  
21 between T Street, S.W. and Potomac Avenue, S.W.; and S Street, S.W. between 2<sup>nd</sup>  
22 Street, S.W. and approximately 230 feet west of Half Street, S.W.; all adjacent to Squares  
23 S-603, N-661, 605, 661, 607, and 665, and in Reservations 243 and 244 in Ward 6.  
24

25 **BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,** That this  
26 act may be cited as the “Closing of Public Streets adjacent to Squares S-603, N-661 , 605, 661,  
27 607 and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015”.

28 **Sec. 2.** Pursuant to section 404 of the District of Columbia Home Rule Act, approved  
29 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and notwithstanding section  
30 409(b)(5)(B) of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective  
31 March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.09(b)(5)(B)), the Council of the  
32 District of Columbia finds that the public streets adjacent to Squares S-603, N-661, 605, 661,  
33 607, and 665, and in Reservations 243 and 244, as shown by the hatch-marks on the Surveyor’s  
34 plat in the official file for S.O. 13-14605, are unnecessary for street purposes and orders them  
35 closed, with the title to the land to vest to the District of Columbia.

36 Sec. 3. Transmittal.

37 The Chairman of the Council of the District of Columbia shall transmit a copy of this act,  
38 upon its effective date, to the Office of the Surveyor of the District of Columbia and the Office  
39 of the Recorder of Deeds.

40 Sec. 4. Fiscal impact statement.

41 The Council adopts the fiscal impact statement in the committee report as the fiscal  
42 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
43 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-106.02(c)(3)).

44 Sec. 4. Effective date.

45 This act shall take effect following approval by the Mayor (or in the event of veto by the  
46 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
47 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December  
48 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of  
49 Columbia Register.