COMMISSION ACTION

NCPC File No. 6479

PATENT OFFICE BUILDING
SOUTH STAIR RECONSTRUCTION
G, F, 7th and 9th Streets, NW
Washington, DC

Submitted by the Smithsonian Institution

January 6, 2005

Commission Action Requested by Applicant

Approval of the concept design pursuant to 40 U.S.C. § 8722(d) and Section 5 of the National Capital Planning Act of (40 U.S.C. § 8722(b)(1))).

Commission Action

The Commission:

Approves the concept plans for the reconstruction of the south stair on the Patent Office Building, as shown in NCPC Map File No. 21.00(08.21) 41514.

Commends the Smithsonian Institution and its design team for a proposal that is architecturally appropriate for the Patent Office and its Greek Revival-style portico, and that will contribute to the public life of the building and its setting in the L'Enfant Plan and the heart of Downtown while accommodating current requirements for accessibility and the museum's interior program.

Requires the Smithsonian, in the next budget cycle, and succeeding ones if necessary, to make a good faith request for funds for design development of the south stair and for its reconstruction.

Requires the Smithsonian to submit the stair reconstruction project to the Commission for inclusion in the current Federal Capital Improvements Program (FCIP) 2006-2011.

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Deborah B. Young
Secretary to the National Capital Planning Commission

STAFF RECOMMENDATION

NCPC File No. 6479

PATENT OFFICE BUILDING
SOUTH STAIR RECONSTRUCTION
G, F, 7th and 9th Streets, NW
Washington, DC

Submitted by the Smithsonian Institution

December 22, 2004

Abstract

The Smithsonian Institution has submitted a concept design for the reconstruction of the stair on the south façade of the Patent Office Building, facing F Street, NW. The Smithsonian Institution's submission is a response to the Commission's November 2004 action approving the preliminary site and building plans for the enclosure with a canopy of the patent office's courtyard. The Commission required the Smithsonian to submit a concept design for the south stair reconstruction prior to submitting final site and building plans for the proposed courtyard enclosure to the Commission. The Executive Director's Finding of No Significant Impact (FONSI) is based on the actual reconstruction of the stairs to mitigate the visual impact of the canopy on the building and on the L'Enfant Plan, and to strengthen the presence of the Patent Office, particularly as seen in the 8th Street viewshed.

Commission Action Requested by Applicant

Approval of the concept design pursuant to 40 U.S.C. § 8722(d) and Section 5 of the National Capital Planning Act of (40 U.S.C. § 8722(b)(1))) .

Executive Director's Recommendation

The Commission:

Approves the concept plans for the reconstruction of the south stair on the Patent Office Building, as shown in NCPC Map File No. 21.00(08.21) 41514.

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Requires the Smithsonian, in the next budget cycle, and succeeding ones if necessary, to make a good faith request for funds for design development of the south stair and for its reconstruction.

Requires the Smithsonian to submit the stair reconstruction project to the Commission for inclusion in the current Federal Capital Improvements Program (FCIP) 2006-2011.

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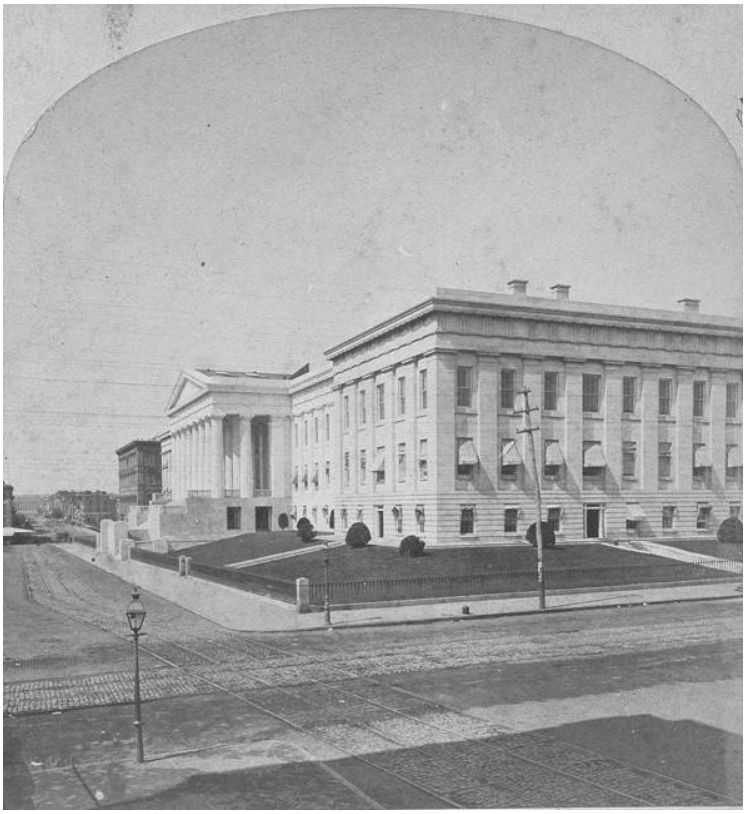
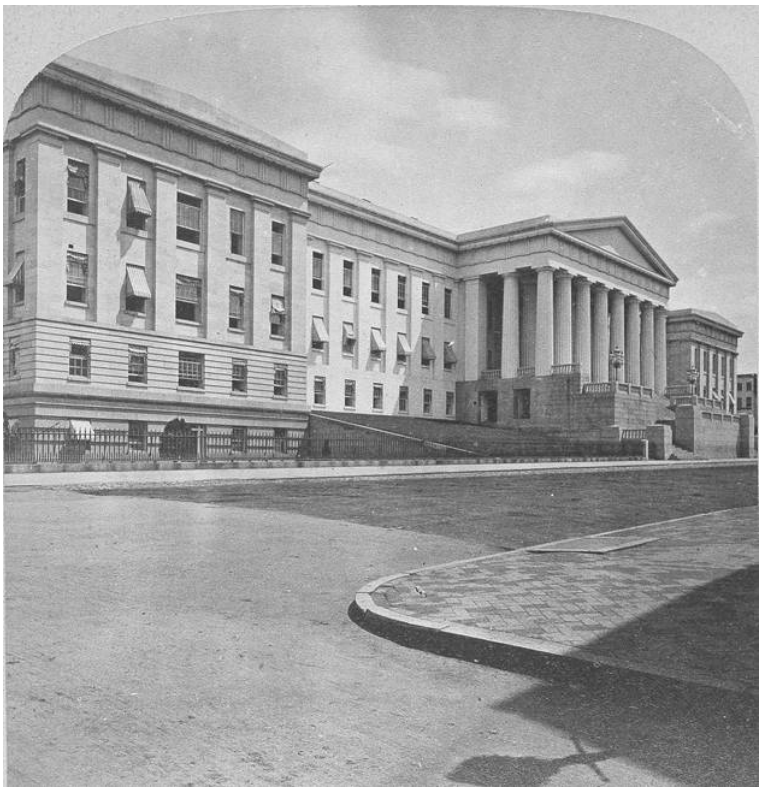
PROJECT DESCRIPTION

Site

The Smithsonian Institution (SI) has submitted a concept design for the reconstruction of the south stair of the Patent Office Building (POB). The proposed staircase is based on historical photos of the staircase that was constructed after the significant regrading of F Street in 1872. At that time, Robert Mills' 1836-40 cascade of stairs was reconfigured in its lower portion to accommodate the 12-foot drop in the street grade. A landing and flanking side flights of stairs were constructed. Mills' delicate iron railings were removed and replaced with a more robust stone balustrade reflecting the later period. New lamp standards, stylistically characteristic of that era, were added to the staircase. The modification of the original Mills stairs in the 1870s now reflects the 1881 post-fire "period of significance" of the Patent Office and the era to which some of the interior features are being restored.



An early 20th –century photograph showing the post-1874 stair on which the proposed reconstruction will be modeled. The photo is taken from 7th Street, looking west along F Street, NW.



Early 20th-century photograph of the post-1874 south stair, which serves as the model for the reconstruction. This photograph of the south façade was taken from F and 9th Streets, NW.

The reconfigured staircase existed until 1935, when it was removed when F Street was again regarded, that time being lowered an additional two feet and realigned to eliminate the off-set at 9th and 7th Streets. New entrance doors were cut at street level and a short flight of stairs was constructed on the exterior. This is the entrance known to us today.

Photograph c. 1964 showing the current condition of the F Street entrance façade. This photo was taken prior to realignment of F Street in 1999, which widened F Street's north sidewalk

Following the Commission's 1995 Memorandum of Agreement for the MCI Center, FHWA and DDOT reconstructed F Street yet again in the late 1990s, removing the pedestrian plaza that had been installed by the Pennsylvania Avenue Development Corporation and reconstructing the cartway to its pre-1935 location and dimension. That restoration of the cartway also restored the alignment of the street that had existed from the time of the 1792 Ellicott Plan until 1935. Today, the off-set of F Street (moving it south) is restored, and the sidewalk in front of the POB is again the wider dimension it was before 1935. This allows the opportunity to reconstruct the stair in a manner similar to the modified Mills stair that existed for sixty years, from the 1870s to the 1930s.

While the proposed stair is similar in appearance to the stair shorn from the building in 1935, it reflects contemporary functional requirements, including the interior program of the museum, the provision of a fully accessible entrance, and the present grade of F Street.

Background

SI makes this concept design submission at the Commission's request and pursuant to the Commission's Finding of No Significant Impact (FONSI) for mitigation of the visual impact of the proposed canopy on the National Historic Landmark building and the L'Enfant Plan. The D.C. State Historic Preservation Office and the D.C. Historic Preservation Review Board have also strongly stated their desire for the reconstruction of the stair as mitigation through the Section 106 consultation under the National Historic Preservation Act. SI is engaged in a comprehensive renovation of the POB that includes the enclosure of the courtyard with a glass canopy that SI has determined will have an adverse effect on the POB and on the L'Enfant Plan.

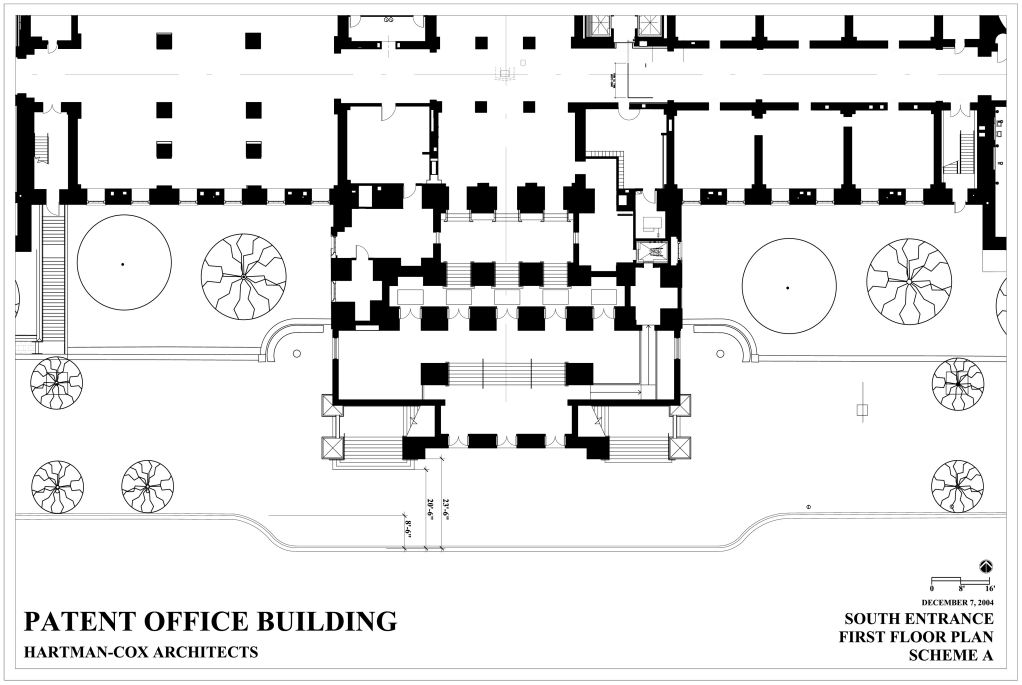
At its November 2004 meeting, the Commission approved the preliminary site and building plans for the canopy enclosure, requiring the SI to return to the Commission with a concept design for the south stair reconstruction prior to submitting final site and building plans for the courtyard enclosure to the Commission. The Commission approved the concept design for the enclosure at its July 2004 meeting.

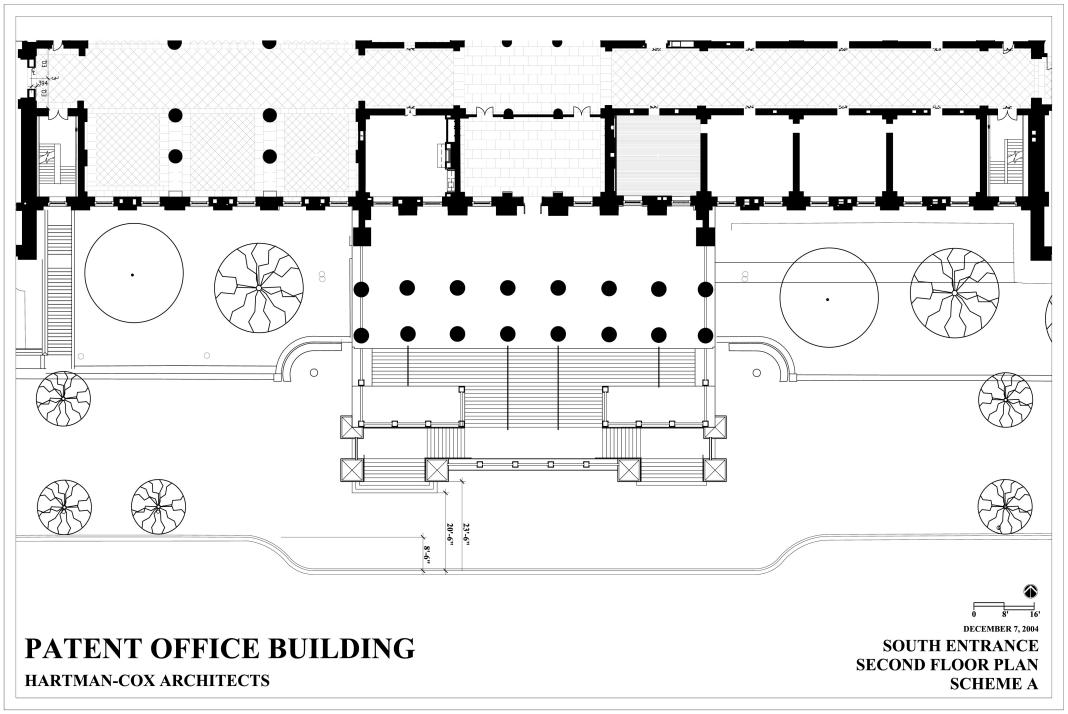
Proposal

The south stair concept design reconstructs the basic form of the earlier staircase, which consisted of flights of stairs flanking the central block and meeting at a landing before rising to the base of the columned portico. In addition, however, the proposal retains the street-level entrance through three doors right at the sidewalk. The design thus updates the historic staircase to make it functionally suitable for today and to reflect the current F Street grade (just as the 1870s stair was a modification of the original 1830s stair to reflect the modified F Street grade). The concept design allows for continued sidewalk access to the first floor of the building, where the SI has programmed its museum entrance; it accommodates the most recent alteration of the F Street grade; it allows for a handicapped ramp on the interior of the building rather than on the exterior; and it allows all visitors to have a common entrance experience and to stay together in groups, if desired.

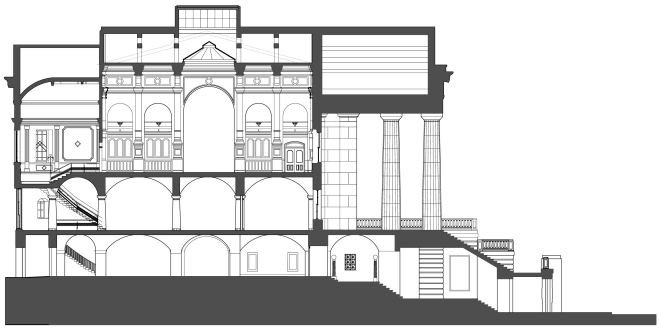
Once through the sidewalk-level doors, museum visitors will continue forward (in a more spacious interior space than they now experience) inside the stair block, using either the interior stairs (the same number that exist today) or the accessible interior ramp and lift in order to rise to the museum's entrance lobby. The accessible ramp will be adjacent to the interior stairs so that all visitors can enter the interior museum doors together. A security officer can check visitors and packages in the museum lobby level, a continuation of the current practice.

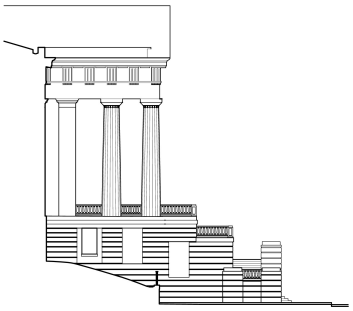
In plan, the dimensions of the new stair are approximately 44 feet wide (the width of the portico) by 19 feet deep (the projection of the new stair from the current face of the building).

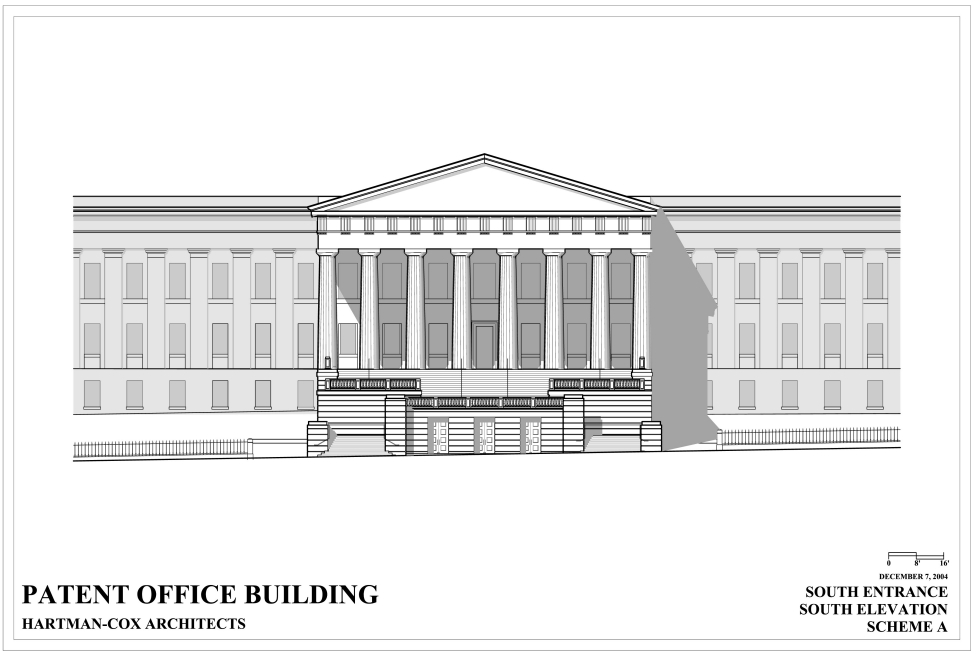




SI has confirmed that the public can use the exterior flight of stairs for seating and viewing. The exterior staircase will rise, appropriately, to the level of the columned portico and the original entrance on the current second level of the museum. The door itself (which enters a museum gallery) will be used only for special events and will not serve as a museum entrance. The new staircase will become a feature of the building and of the public space of F Street and Downtown.







Development Program

Applicant:	Smithsonian Institution
Estimated Cost:	Undetermined at this time
Architect:	Hartman-Cox Architects
Construction Date:	Unknown

PROJECT ANALYSIS

The staff commends SI and its design team for proposing an elegant staircase that reflects the appearance and function of the historic stair while responding to modern requirements for access and museum program. The staff recommends **approval of the concept design** for the south stair reconstruction.

The retention of entrance doors at the sidewalk level while reconstructing a staircase that rises full height to the portico level is a significant design achievement. Thus, while preserving the Smithsonian's interior museum program, the desire for access from the sidewalk, and the importance of interior and adjacent handicapped accessibility, the proposed stair design also admirably fulfills the requirement for a stair reconstruction that returns the south façade of the Patent Office to an approximation of its historical appearance. Only through a reconstructed stair rising to the portico level can SI fulfill its requirement to mitigate the adverse effect and visual impact of the courtyard enclosure and canopy. The current proposal will achieve the architectural and functional requirements of a monumental staircase on the Greek Revival-style Patent Office and underscore and enhance its presence in the L'Enfant Plan reservation and right-of-way vistas.

Before submitting the current proposal, SI studied several other design options, including ones that did not rise to the portico level. In staff's opinion, these lesser options do not constitute an acceptable mitigation measure because they are not historically or architecturally appropriate for the Greek Revival-style building and do not present a suitable reconstruction. They are not worth the time and money to pursue. Only a staircase rising to its proper height can be fully seen and appreciated from Pennsylvania Avenue and the National Archives (given the changing grade of 8th Street) and can balance the appearance of the canopy from that vantage point in the 8th Street viewshed. The enhancement of the view of the projecting staircase from either direction along F Street should also be emphasized. The F Street vista extends from Union Station to the Treasury Building, with the Patent Office staircase projecting into the right-of-way at the midpoint. The proposed reconstruction will fulfill one goal of the realignment of F Street in the 1990s following the construction of the MCI Center.

Staff anticipates that the new staircase, which can serve as a public viewing and seating platform, will make a very significant contribution to the public life of F Street and Downtown. It will become a unique civic feature unavailable and unattainable elsewhere in Downtown, as a public meeting place, and as a raised belvedere providing some of the best views in Washington.

Although the Smithsonian, directed by the Commission in its November 2004 action, has focused on the staircase itself in this design concept, staff recommends that the Smithsonian study and improve the immediate setting of the staircase on F Street during the next phase of design development. The building renovation currently underway does not include any funds for the removal of the former Streets-for-People plaza pavement. SI should proceed with y with appropriate sidewalk materials and design in front of its building, installing pavement and planting properly aligned street trees.

During 106 consultation, the DC SHPO has suggested that the original dimensions of the lawn around the building be restored and the fence relocated to its original position in order to more closely restore the appearance of the federal reservation. (When the stair was removed in 1935, the fence was pulled back to the new face of the stair.) The discussion has also included some preliminary thoughts on the potential for programming the space. SI has stated that it believes it is premature to consider exterior programming at this time, but staff suggests that this be made the subject of continuing consultation as the stair design is developed further.

At this time, public appropriated funds for the reconstruction of the south stair are not available. The staff reminds commissioners that the Executive Director, in her Finding of No Significant Impact (FONSI), conditioned her Finding on the actual, physical reconstruction of the stair as mitigation for the moderate to major visual impact on the building and L'Enfant Plan. The staff recommends that the Commission require the SI to seek public (or private) funds in good faith so that this very significant contribution to the historic architecture and public life of the city can be realized.

COORDINATION

Coordinating Committee

The Coordinating Committee reviewed the proposal on December 8, 2004. The Committee forwarded the proposal to the Commission with the statement that the project has been coordinated with all agencies represented. The participating agencies were: NCPC, the District of Columbia Office of Planning, the General Services Administration and the Washington Metropolitan Area Transit Authority.

CONFORMANCE

Comprehensive Plan for the National Capital

The reconstruction of the south stair would lessen, or mitigate, the adverse effect of the courtyard enclosure. Although the enclosure does not meet the *Secretary of the Interior's Standards for Rehabiltiation*, the stair reconstruction itself is a significant, positive proposal that would improve the appearance and historic character of the Patent Office Building and would enhance its prominence in a central reservation of the L'Enfant Plan and as seen from very important viewsheds in the Plan. Further, the SI would be making a significant contribution to the public use and enjoyment of F Street, NW.

Relevant policies in the Preservation and Historic Features element include:

5. Protect and enhance the vistas and views, both natural and designed, that are an integral part of the national capital's image.

9. Sustain exemplary standards of historic property stewardship.

14. Protect the settings of historic properties, including views to and from the sites where significant, as integral parts of the historic character of the property.

19. Ensure that new construction is distinguishable from historic structures but also compatible with the qualities and character of the setting, in accordance with the *Secretary of the Interiors' Standards for Rehabilitation* and *Guidelines.*

25. 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 government should adhere to these principles in any improvements or alterations to the historic framework.

26. 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.

28. Protect the reservations that contain historic landscapes and features from incompatible changes or incursions.

33. Protect the reciprocal views along the rights-of-way, as well as to and from the squares, circles and reservations.

National Environmental Policy Act

NCPC staff has analyzed, in conformance with the requirements of the National Environmental Policy Act (NEPA), the prepared Supplemental Environmental Assessment (EA) completed by the Smithsonian Institution (SI) for planning and construction of improvements, including the building's interior open-air courtyard, located in the Patent Office Building (POB) at 7th and F Streets, NW. Staff prepared a Finding of No Significant Impact (FONSI) on October 8, 2004 based on adoption of the Supplemental EA, with mitigation. Staff had concluded that the loss of the integrity of the POB in the canopy initiative could only be mitigated by additional efforts involving the viewshed focus of the building.

The NCPC staff's conclusion of a Finding of No Significant Impact was based on the EA and Supplemental EA, dated February 2004, August 2004, and the SI supplemental data of October 1, 2004, along with the Commission staff's assessment of visual and historic impacts. Staff has reviewed the action for extraordinary circumstances as sanctioned by NEPA and recommended adoption of the Supplemental EA to the Executive Director with the mitigation of reconstruction of the south portico stairs.

The DC SHPO and the DC Historic Preservation Board strongly recommend that the project include the reconstruction of stairs at the south portico as a mitigation measure to address the adverse effects of the courtyard enclosure on the POB and the L'Enfant Plan. The Commission concurred with the DC SHPO and Historic Preservation Review Board at its November 2004 meeting, requiring the reconstruction of the south stairs as mitigation for adverse effects of the project on this NHL.

National Historic Preservation Act

The Patent Office is well known as one of the most significant Greek Revival-style buildings in the country. It is also nationally significant for the purpose for which it was built. Further, it is located on one of the most significant reservations in the L'Enfant Plan. It is one of the three monumental federal office buildings initiated with Robert Mills as architect in the 1830s, in the second generation of construction in the nation's capital following the earlier construction of the White House and executive branch complex and the U.S. Capitol. The Washington Monument is Mills' fourth significant project in the nation's capital. President Andrew Jackson selected Mills as architect of the Patent Office on July 4, 1836. Mills was replaced in 1852 by architect Thomas U. Walter, who completed the building soon after the Civil War. The building's architects took full advantage of the building's setting created by the L'Enfant Plan and the vistas that resulted by intention from the Plan. The Patent Office was designated a National Historic Landmark in 1965, is sited on a significant reservation of the L'Enfant Plan, and is within the Downtown Historic District and the Pennsylvania Avenue National Historic Site.

Given the building's status as a National Historic Landmark, the Smithsonian is required "to the maximum extent possible [to] undertake such planning and actions as may be necessary to minimize harm to any National Historic Landmark that may be directly and adversely affected by an undertaking."

At the Commission's November 2004 meeting, the Commission reflected its own conditioned FONSI decision and the advice of the DC SHPO and Historic Preservation Review Board by requiring SI to reconstruct the stair as mitigation for the enclosure of the courtyard. The Commission also required SI to submit a design concept for the stair reconstruction prior to submission of final site and building plans for the courtyard enclosure.

SI's proposed design for the south stair reconstruction has been the subject of consultation among the consulting parties and is supported by the DC SHPO and by the DC HPRB at its December 16, 2004 meeting. The SHPO/HPRB staff report is attached.

As described throughout this report, the SHPO has proposed the reconstruction of the monumental cascade of stairs on the south façade as mitigation for the enclosure of the courtyard and considers it the foundation of a Memorandum of Agreement (MOA) among the Smithsonian, the DC SHPO, and ACHP, which is still to be negotiated at this writing.

The Executive Director, in her Finding of No Significant Impact (FONSI), has stated that her Finding is based on the actual reconstruction of the stairs as mitigation for the moderate to major visual impact on the building and L'EnfantPlan.

The DC SHPO and HPRB are on record as stating that the reconstruction of the stairs, not just the study of it, is the only commensurate mitigation for the adverse effects caused by the courtyard enclosure

Staff commends SI and its design team on the appearance and function of the proposed stair reconstruction and looks forward to consultation on, and further development of, the proposal.

The staff also looks forward to continuing Section 106 consultation on all aspects of the proposed project.