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NCPC to Review Patent Office Building and Federal Capital Improvements for the National Capital Region

Washington, DC – Members of the National Capital Planning Commission (NCPC) today will review final site and building plans to enclose the courtyard of the historic Patent Office Building. The plans include a concept design proposal for the courtyard landscape.

Staff at the Smithsonian Institution has worked with NCPC planners since June to rework its proposal for the installation of a glass canopy over the courtyard. The structure—built in the 1800s and designated a National Historic Landmark in 1965—houses the National Museum of American Art and the National Portrait Gallery. Both are scheduled to reopen to the public in July 2006, following extensive renovations.

The Commission last reviewed the Smithsonian’s proposal in June, when it disapproved the canopy after concluding that the Smithsonian had not taken the necessary steps to mitigate adverse harm to the historic building and setting. The Smithsonian had already demolished the historic courtyard and poured the footings and part of the columns that would support the canopy. It had also terminated the Section 106 historic preservation review, preempting efforts to mitigate the negative impacts on the historic structure.

The Patent Office, due to its age, style, and design is considered to be one of the most historically significant buildings in Washington. It occupies a key site in the L’Enfant Plan and is considered to be one of the best examples of Greek Revival architecture in the country. The revised proposal, while it does not reverse the loss of integrity to the Patent Office, does mitigate the impact of the canopy and provide for extensive modifications that will restore numerous elements to the building that have been changed over time.

“We are pleased that Smithsonian officials have agreed to mitigation measures that enable us to move forward with this project,” said Executive Director Patricia Gallagher. “NCPC had a responsibility to ensure that the Smithsonian took steps to minimize harm to this historic structure. We believe the measures we’ve worked to put in place preserve the historic values of the Patent Office to the extent possible.”

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The Smithsonian's revised submission uses low-iron glazing to reduce the greenish tint to the canopy glass, thus reducing its visual impact on the historic view shed. Further, the Smithsonian has committed to a number of significant measures to mitigate the adverse effects of losing the historic courtyard and its landscape as well as the vista. These measures include:

- Reconstruction of the F Street staircase to restore the architectural integrity of the portico on the building's south façade.
- Implementation of a landscape and streetscape plan for the Patent Office reservation that will restore its stature and character in the L'Enfant Plan.
- Restoration and installation of two original courtyard fountains.
- Reconstruction of the courtyard through the design and installation of new courtyard landscaping commensurate with the building's historic design character.
- Design and implementation of exterior lighting for the historic facades.

NCPC staff is recommending that the Commission approve the Smithsonian's plans and require the applicant to complete all mitigation measures in an expedited manner, concurrent with the construction of the courtyard enclosure project. Staff also recommends that the Smithsonian submit regular progress reports to the Commission for the duration of the project.

In addition to the revised canopy, staff is conceptually in favor of a contemporary courtyard landscape design that will allow it to serve as an active place for all visitors during and after museum hours. The revised or planned design will return to the historic setting some of the courtyard's original elements: water, plants, trees, and open circulation. Staff is not, however, supporting other proposed design elements and recommends they be removed from the plan: a large glass and metal balcony; alteration of a historic window opening; and vines that would cover the ground floor of the south courtyard façade, which is the last remaining example of unaltered Aquia sandstone in Washington. NCPC looks forward to working with the Smithsonian in the coming months as it refines its plans for a courtyard landscape design.

Also at today's meeting, the Commission will be asked to adopt the final draft of the Federal Capital Improvements Program (FCIP) for the National Capital Region for fiscal years 2006-2011. The document was previously approved for circulation and public comment at the Commission's July 7 meeting.

The FCIP contains 210 projects totaling \$7.3 billion. There are 170 projects recommended for funding, with 40 recommended for future programming. Under the National Capital Planning Act and Office of Management and Budget (OMB) regulations, federal agencies are required to submit their planned capital improvements to NCPC. The Commission evaluates the projects for conformity with its Comprehensive Plan for the National Capital: Federal Elements, federal agency master plans, and other important federal policies. NCPC's recommendations guide OMB as it makes budgetary decisions on these projects.

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Projects are categorized as Recommended and Strongly Endorsed; Recommended; Recommended for Program Purposes Only; Recommended for Deferral; and Not Recommended. The Commission's recommendations and comments do not represent approval or denial of proposed projects. Those projects that are Recommended and Strongly Endorsed encompass capital improvements that are critical to advancing and implementing key Commission planning policies and initiatives, or that serve important federal interests within the region. The FCIP normally includes detailed projects from the Department of Defense (DoD); however, due to the department's Base Realignment and Closure recommendations, some DoD submissions are limited and/or subject to change in this year's publication.

The Commission will officially welcome attorney and native Washingtonian Lois Schiffer as the new general counsel during today's public meeting. Ms. Schiffer most recently worked as a partner with the Washington law firm of Baach Robinson & Lewis. She also served as Assistant Attorney General for the Environment and Natural Resources Division of the U.S. Department of Justice for eight years during which time she received the Edmund J. Randolph Award for outstanding service.

"Lois is an expert in the field of environmental and land use law and we are fortunate to have someone with her wealth of experience join us in our work to protect and enhance Washington's treasured resources," said Executive Director Patti Gallagher. "Her government, private, and non-profit background will be a great asset to NCPC, and we warmly welcome her to our staff."

"As an attorney, professor, and an assistant attorney general at the Department of Justice, Ms. Schiffer has shown the ability to advance rational and balanced positions on difficult and important social issues," said Daniel Slone, partner and head of the environmental department at the law firm of McGuireWoods.

Ms. Schiffer has argued before the U.S. Supreme Court and has taught at Georgetown University as an adjunct professor of environmental law for the past 20 years. She is the recipient of the Charles Fahy Distinguished Adjunct Professor Award. She is a graduate of Radcliffe College and Harvard University Law School.

The National Capital Planning Commission is the federal government's central planning agency in the District of Columbia and surrounding counties in Maryland and Virginia. The Commission provides overall planning guidance for federal land and buildings in the region. It also reviews the design of federal projects and memorials, oversees long-range planning for future development, and monitors capital investment by federal agencies.

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