March 16, 2017

Leif Dormsjo, Director  
DC Department of Transportation  
55 M Street SE  
Washington DC 20003  

Keith A. Anderson, Director  
DC Department of Parks & Recreation  
1250 U Street NW, 2nd Floor  
Washington DC 20009

VIA email: Leif.Dormsjo@dc.gov  
Keith.Anderson@dc.gov

RE: ANC6B Support for Conceptual Design for Virginia Avenue Park

Dear Director Dormsjo and Director Anderson;

At a properly noticed meeting on March 14, 2017, with a quorum present, Advisory Neighborhood Commission 6B voted 10-0-0 to support, and requests that the Department of Transportation (DDOT) and the Department of Parks and Recreation (DPR) approve, the concept design (as attached) for the reconstruction of Virginia Avenue (VA) Park at 9th Street and Potomac Avenue SE. The design was created on behalf of the community by Oehme van Sweden, Capitol Hill’s award winning landscape design firm, and was approved by community stakeholders at a meeting on February 4, 2017.

Most of Virginia Avenue Park is currently within the Limits of Disturbance of the CSX Virginia Avenue Tunnel project. The “Reconstruction of Virginia Avenue Tunnel Memorandum of Agreement” Section F covers the Restoration of Virginia Avenue Park. In 2015, ANC 6B04 Commissioner Kirsten Oldenburg gathered together a group of VA Park stakeholders who engaged on various issues regarding restoration of the Park during public meetings held on October 15, 2015, October 20, 2016, and February 4, 2017. The summary report of the latter meeting, which includes background information, is attached.

In a letter of September 9, 2015, ANC 6B requested that the DDOT and DPR “extend VA Park on its eastern end by adding a small piece of land bounded by L and 11th Streets SE, on the south and east, respectively, and the I-695 eastbound exit ramp D-4 on the north.” Since then, DDOT and DPR, joined by the National Park Service, have been discussing how to accomplish the necessary land transfers. The concept design assumes that this extension will be approved.

It is the Commission’s understanding that DDOT, DPR and CSX plan to discuss the costs of and the process and timetable for restoration of the VA Park. Construction drawings will need to be produced based on the concept design and in consultation with Oehme van Sweden. ANC 6B asks DDOT and DPR to participate in construction costs that may not be covered by CSX.
The ANC is aware that costs or other aspects may necessitate changes to the concept design. Given the extensive input by the community to date, the Commission requests that DDOT and DPR advise the community if any changes to the plan are required. Of particular concern is the design’s shift eastward of the boundaries of the existing Community Garden to accommodate the placement of a sidewalk and tree strip along the 1100 block of 9th Street SE that abuts the Park.¹

Finally, the Commission appreciates the valuable assistance provided by DDOT, DPR, and CSX and Oehme van Sweden in creating a design for the Park that will meet the needs of a changing neighborhood and hopes to continue this collaboration as the plans move forward.

For further information, please contact Commissioner Oldenburg at 202-546-8542 or kirsten6b04@anc6b.org.

Sincerely,

Chander Jayaraman
Chairman

CC:  The Honorable Muriel Bowser, Mayor of the District of Columbia
     The Honorable Charles Allen, Ward 6 Councilmember
     Mr. Chuck Gullakson, Assistant Vice President and Chief Project Engineer, Virginia Avenue Tunnel Project, CSX

Attachments:
Oehme van Sweden Conceptual Design for Virginia Avenue Park
Summary of Virginia Avenue Park Meeting, February 4, 2017
Notes of Meeting with Virginia Avenue Park Community Garden, February 16, 2017

cc via e-mail:
Applicant: Eric Siegel, esiegel@csinvestors.com
P&Z Chair: Nick Burger, 6b06@anc.dc.gov

¹ See attached notes of meeting with the Board of the Community Garden on February 16, 2017.
Summary of Virginia Avenue Park Meeting  
February 4, 2017  
10 am to 12 noon  
Community Center at Capitol Quarters

Welcome and Introductions
Over 20 stakeholders participated in the meeting. See Appendix A

Presentation of a new Vision
Commissioner Kirsten Oldenburg, ANC 6B04, introduced Lisa DelPlace and Beth L’Estrange of the awarding winning landscape architecture firm, Oehme van Sweden. The firm offered to undertake, as a community service, a review of previous plans for the Park and its current status and create a new vision.

Oehme van Sweden’s design creates a central entrance to the Park at 10th Street SE and places an arbor seating area in front of an enlarged multi-purpose open space, adds lawn terraces along the north side for use by kids and adults and shows a planned sidewalk with added street trees along 9th Street SE. The Community Garden is reshaped into a rectangle and moved slightly eastward to accommodate the
new sidewalk and a curb cut for its use off 9th Street. The shared bike/pedestrian path (which extends from 9th to 11th Street SE) and dog park segment of the Park remain unchanged.¹

Participants asked a number of questions, mainly to clarify aspects of the design, such as position and species of trees to be planted, position of benches and a bottle filling water fountain, use of historical pavers, and lighting for safety. Representatives of the Community Garden (CG) expressed concerns about impacts to its space by shifting it eastward, including the fate of its fruit trees and the height of new fencing. Commissioner Oldenburg offered to hold a separate meeting with the CG Board to discuss all aspects of the design.²

Overall, participants judged the new design as inspired, one that would ensure the creation of a Park meeting the needs of a changing neighborhood.

**Background: How Did We Get Here?**

- Since the initiation of the CSX Virginia Avenue Tunnel project in 2015, about ¾ of Virginia Avenue Park (9th Street and Potomac Avenue SE) has been behind the tunnel construction fences. In the Section 106 MOA between CSX and DC agencies, CSX is responsible for restoring the Park to a condition good or better than pre-existing conditions (see Appendix B)
- September 2015: ANC 6B requested that DPR and DDOT add a triangle of land at 11th Street to the Park. As of February 2017, negotiations continue among DDOT, DPR, and NPS on adding the extension to the Park. NPS official has predicted a positive outcome.
- October 15, 2015: First meeting on planning for the Park was held, out of which a priority list evolved, along with a conceptual plan for the Park produced by DPR.³
- November 2015: the Park area was included in the Virginia Avenue Streetscape designs (2nd to 11th Streets). However, the Park area was excluded from the decisions made by the DDOT Public Space Committee on November 12, 2015.
- December 2015: CSX produced two renderings (Options A & B) showing a layout of the components in the park area, including the existing Community Garden. Both Options placed a dog park at the 11th Street side of the park.
- October 20, 2016: Stakeholders gathered for a second meeting on the Park design and chose Option B as preferred plan and identified a list of preferred amenities. The group also discussed all aspects of the dog park design. The following next steps were identified:
  - Brent Sisco of DPR to work with those interested in developing a DPR Park Partner group, which will be responsible for maintenance of the dog park. The Humane Rescue Alliance offered to take a leadership role as their new HQ will eventually be across the street.
  - A 3rd planning meeting to be held to develop an inclusive and thoughtful Park design with greater advance outreach to the neighborhood to assure its participation.
  - Casey Trees to produce a tree canopy goal for the Park.

**Who Pays?**

At all Park meetings, the question of who will cover all the costs of renovating and improving the Park has been raised. Funding is complicated by the fact that, while CSX has a mandate to restore to “good or better” conditions, parts of the Park have not been disturbed by tunnel construction work. That

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¹ The full presentation PDF is available at http://www.kirsten6b.org/?p=1213
² This meeting was held on February 16, 2017, and is covered by a separate report.
includes a pie-shaped area along Potomac Avenue and the entire Community Garden (the area below the red line on the above design). These decisions may be made through negotiations between DDOT (who oversees the tunnel construction) and CSX and, ultimately by DPR, which must sign off on the final plan. At meetings, Park stakeholders have identified alternative funding sources, such as a grant from the CSX Mitigation Fund managed by NCP-Partners, DPR’s Capitol budget, and DDOT (sidewalks).
Appendix A:

**List of Attendees at the VA Park Meeting**  
**February 4, 2017**

<table>
<thead>
<tr>
<th>NAME</th>
<th>AFFILIATION/Address</th>
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<tbody>
<tr>
<td>Scott Kratz</td>
<td>Exec Dir, 11th St Bridge Park</td>
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<tr>
<td>Michael Stevens</td>
<td>Exec Dir, Capitol Riverfront BID</td>
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<td>Martin Smith</td>
<td>Barracks Row Main Street</td>
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<td>John Manley</td>
<td>VA Park Community Garden</td>
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<td>Joanne Kendig</td>
<td>Capitol Hill Restoration Society</td>
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<tr>
<td>Beth Purcell</td>
<td>Capitol Hill Restoration Society</td>
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<td>Jenni K Groff</td>
<td>VA Park Community Garden</td>
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<td>Julio Murillo</td>
<td>Murillo/Malnati Group</td>
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<tr>
<td>Don Malnati</td>
<td>Murillo/Malnati Group</td>
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<tr>
<td>Chuck Gullakson</td>
<td>CSX</td>
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<tr>
<td>Bruce DarConte</td>
<td>NSC-Partners</td>
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<tr>
<td>Jack Chapman</td>
<td>DDOT, Urban Forestry</td>
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<tr>
<td>Kyle Ohlson</td>
<td>DDOT, IPMA</td>
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<tr>
<td>Eugene Imhoff</td>
<td>Resident, Bay Street</td>
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<tr>
<td>Steve Plano</td>
<td>DDOT</td>
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<tr>
<td>Deborah Hanlon</td>
<td>Resident, 9th Street</td>
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<tr>
<td>Kathy Robertson</td>
<td>Casey Trees Volunteer</td>
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<tr>
<td>Matt Maresca</td>
<td>Barracks Row Main Street</td>
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<tr>
<td>Kelly Jeong</td>
<td>Mayor’s Office of Communication</td>
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<tr>
<td>Thomas Picarsic</td>
<td>Resident, 10th Street</td>
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<td>Ross McWilliams</td>
<td>McWilliams Ballard</td>
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<tr>
<td>Kirsten Oldenburg</td>
<td>ANC 6B Commissioner</td>
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<tr>
<td>Lisa DelPlace</td>
<td>Oehme van Sweden</td>
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<tr>
<td>Beth L’Strange</td>
<td>Oehme van Sweden</td>
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Appendix B: Excerpt from Section 106 Memorandum of Agreement (page 6)

F. Restoration of Virginia Avenue Park
1. Prior to any alteration of Virginia Avenue Park, CSX shall photographically record the existing conditions of the park, provide electronic copies of the recordation to the Signatories and retain a copy for its records. Since the photographs will be used for general reference only, these photos may be taken by using any commercially available digital camera and do not have to meet any particular standards.

2. At the completion of the Undertaking, CSX will restore the portions of Virginia Avenue Park that were affected by construction of the Undertaking to a condition as good as or better than the conditions documented in the pre-construction photographs, and include a dog park in accordance with DPR standards. The timeframe for completing the restoration may be affected by seasonal conditions that affect plantings and landscaping.

3. Upon completion of the restoration, CSX shall photographically record the restored conditions of the park and provide copies of the recordation to the Signatories in order to document fulfillment of this stipulation.

4 Appendix B to the Virginia Avenue Tunnel Reconstruction Project Record of Decision
NOTES
Meeting with Virginia Avenue Park Community Garden
February 16, 2017

Participating: John Manley, Jenni Lancaster, Kimberly Waller, and Jamie Cheshire of the Community Garden Board; Kyle Ohlson, DDOT; Jack Chapman, DDOT UFA; Marlon Smoker, CH2M/Consultant to DDOT; Brent Sisco, DPR; and Kirsten Oldenburg, ANC6B04

The purpose of the meeting was to discuss in detail issues about the Community Garden (CG) that arose at the Virginia Avenue Park Stakeholder Meeting on February 4, 2017. The conceptual plan presented at that meeting made the following changes to the CG area within the Park:

- Moved the western boundary along 9th Street eastward to accommodate the addition of a brick sidewalk and tree strip along 9th Street (where none exists currently). Also included in the sidewalk proposal is a curb cut for use by the CG.
- Compensated for the loss of space on the west side by extending the eastern boundary of the CG a comparable distance into the Park.
- Squared off two corners of the CG creating a rectangular shaped space rather than a trapezoid.

The CG Board, while supportive of the changes, raised a number of issues that the meeting participants discussed:

- What are the dimensions of the revised CG area? How far east would the 9th Street fence have to be moved?
  - The distance east to move the CG will depend on the width of the tree strip and sidewalk. Maximum measurement would be 12 feet from the curb edge, allowing for a 4-foot wide tree strip, a 6-foot wide sidewalk, with a 2-foot allowance for the fence. The minimum might be 8 feet, if the tree strip is eliminated. Unknown is whether the sidewalk width could be less than 6 feet wide; this appears to be a DDOT decision as narrower sidewalk widths can granted based on special circumstances.
- There are 4 healthy fruit trees on the 9th Street side of the CG. The CG wants to save 3 of them; the fig tree at the north end is the exception.
  - The decision on the width of the sidewalk/tree strip needs to take into account the location of the fruit trees and their root structure to minimize harm.
  - This may require onsite testing.
- Shade from newly planted trees.
  - Any trees added to the Park in the area surrounding the CG need to be carefully selected so that over their life time they do not shade the CG.
- Fencing
  - New fencing around the CG should be 6-feet high (although 5 feet is acceptable) and not have gaps that would allow incursion by small kids into the CG. The fencing could be that same as that for the dog park area since there the objective is to keep small dogs inside.
o Since the Park is in the CH Historic District, will HPO (and/or NCPC) determine the fencing style?
  o DPR may have a funding program for community garden fencing.
  
  - Curb cut on 9th Street SE. The cut’s width and placement needs to be set
  - The garden shed within CG near 9th Street SE will need to be moved eastward.

Meeting participants agreed that resolving most of these issues would be facilitated by the provision of a rendering of the newly designed CG space that includes complete dimension information and the position of current features such as fences, fruit trees, and the shed.

Unanswered, however, is the question of who will pay for the changes involving the CG?