

DCCA is a volunteer, nonprofit organization, founded in 1922 to promote and protect the Dupont Circle neighborhood.



9 Dupont Circle, NW
Washington, DC 20036
www.dupont-circle.org

**2019 – 2020
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Date: May 14, 2019

To: Historic Preservation Review Board

From: Dupont Circle Citizens Association

Re: Scottish Rite Temple, 1733 16th Street NW, HPA 18-668

Please find attached comments from the Dupont Circle Citizens Association regarding the above-referenced matter which is scheduled for consideration by the HPRB on May 23, 2019, which have been approved by the Board of Directors of DCCA.



May 14, 2019

BY HAND DELIVERY & ELECTRONIC MAIL

Marnique Heath, Chair
Historic Preservation Review Board
1100 4th Street, SW, Suite E650
Washington, DC 20024
E-mail: historic.preservation@dc.gov

Re: Scottish Rite Temple, 1733 16th Street, NW, HPA 18-668

Dupont Circle Citizens Association (“DCCA”) submits these comments regarding the above-referenced matter which is currently scheduled for consideration by the Historic Preservation Review Board (the “Board”) at its next public meeting on May 23, 2019. This matter concerns a proposed project involving the construction of a massive, five-story apartment building (four stories plus penthouse level) on a very large parcel of land that spans two historic districts and is adjacent to – and may even include part of – a historic landmark site.

DCCA opposes the proposed project because, as presently conceived, it would not comply with applicable legal standards for historic preservation. The proposed project would be incompatible with the surrounding historic neighborhood which is mainly comprised of historic, two-story and three-story townhouses having very small footprints. Additionally, the proposed project would be inconsistent with the established public policies of safeguarding the city’s historic and aesthetic heritage, and retaining and enhancing historic landmarks. The overall height of the proposed project should be reduced to three stories, inclusive of any penthouse level, to comply with applicable legal standards.

Not surprisingly, the proposed project has caused immense public controversy due to its design and location. And the manner in which historic preservation review has been handled thus far has raised serious concerns about the integrity, transparency, and adequacy of the review process. The Board should take appropriate steps to reassure the public and to safeguard the review process, including by appointing a committee of its members to examine critical issues, and by declining to delegate review of any permit application for the proposed project.

DCCA stands ready to work with the developer and other stakeholders to find a mutually agreeable path forward. DCCA believes that all stakeholders would benefit by reaching a fair and reasonable agreement regarding the proposed project so as to put an end to the controversy and to avert protracted legal battles.

Factual & Procedural Background

Perseus-TDS has proposed building a massive, five-story apartment building at the rear of the Scottish Rite Temple (a historic landmark) and abutting 15th Street and S Street, NW. The fifth story would be for penthouse apartments. The building would have a partially-raised basement level, and a fully below-grade sub-basement, and a continuous below-grade areaway adjacent to the basement levels. The building would be built on a parcel of land that spans both the 14th Street Historic District and the 16th Street Historic District, and that is directly adjacent (on the north side) to the U Street Historic District. As a result of the foregoing characteristics, the proposed project would be subject to historic preservation review prior to the issuance of a permit for new construction or recordation of a subdivision, pursuant to the requirements of the Historic Landmark and Historic District Protection Act of 1978, as amended (the “Act”).

This matter comes before the Board for conceptual design review for new construction and subdivision. The purpose of concept review is to allow an applicant to obtain guidance from the Board in advance of a permit application. *See* D.C. Code § 6-1108(b); 10 DCMR C301. An application for concept review does not constitute a permit application, but is nonetheless subject to stringent notice requirements. *See* D.C. Code §§ 6-1108.03, -1108(b). The Board may appoint advisory committees consisting of two or more of its members to assist in conducting a concept review. *See id.* § 6-1108(b). And once the concept review is completed, the Board may delegate final permit review to the staff when appropriate. *See* 10 DCMR C301.

The Board’s concept review is informed by advice provided by the Historic Preservation Office (“HPO”). *See* 10 DCMR C107. Regrettably, HPO’s role in the review process thus far has raised serious concerns about potential conflicts of interest and the integrity and transparency of the review process. Notably, HPO’s lead staffer on this matter resides in a dwelling that is located immediately adjacent to the site of the proposed project, and his ability to neutrally evaluate the project has been called into question. One concern expressed by many in the community is that he may be overly inclined to support the proposed project so as to avoid the perception that he is biased against the proposed project due to the location of his residence.

Another serious concern has arisen with respect to HPO’s determination of the boundary of the historic landmark site pertaining to the temple. In a related proceeding currently pending before the Board to increase the boundary of the historic landmark site, HPO issued a report delineating the existing boundary. *See* Historic Landmark Case No. 19-06. There is no question based on the boundary delineated in that report that the proposed project would be built in part on the historic landmark site. *See* Exhibit 1, Original HPO Report. Various members of the community subsequently pointed out to HPO that the developer and others had failed to provide any prior public notice that the proposed project would be built in part on the historic landmark site. They also indicated their expectation that the Mayor’s Agent for Historic Preservation would comply with applicable law by holding a formal public hearing prior to approving any permit application for the proposed project because the proposed project would necessarily involve a subdivision removing land from the historic landmark site. *See* D.C. Code § 6-1106(c). Astonishingly, HPO immediately thereafter issued an amended report requesting that the Board “clarify and confirm” a different boundary that would not include the location of the proposed project. *See* Exhibit 2, Amended HPO Report. HPO’s abrupt change of position is

Marnique Heath, Chair
Historic Preservation Review Board
May 14, 2019

arbitrary and capricious and a flagrant attempt to circumvent the need for additional public notice and a hearing by the Mayor's Agent. And HPO's request is deceptive in that the amended report conceals from the Board that the true purpose and legal implication of the request is to avoid the need for additional public notice and a hearing by the Mayor's Agent.

The Proposed Project Does Not Comply With Applicable Legal Standards

The proposed project cannot be approved unless it is compatible with the subject historic districts and the historic landmark site. *See* D.C. Code 6-1107. And, insofar as the proposed project would require a subdivision (and HPO assumes that it will), the proposed project must be necessary in the public interest, or, in other words, consistent with the purposes of the Act. *See id.* §§ 6-1102 & -1106. Those purposes include safeguarding the city's historic and aesthetic heritage, and retaining and enhancing historic landmarks. *See id.* § 6-1101(a)(2), (b)(2)(A).

Additionally, the proposed project must be compatible with the adjacent area of the U Street Historic District. Ignoring the historic townhouses on the other side of S Street, NW, simply because they are in a different historic district would be arbitrary and capricious and undermine the purposes of the Act.

Compatibility and aesthetics must be evaluated by reference to adjacent buildings, including by considering street views seen while traveling on the relevant corridors (15th Street and S Street, NW). It is arbitrary and capricious to say that because a historic district contains other tall buildings that another tall building would necessarily be compatible with the historic district or consistent with safeguarding the city's historic and aesthetic heritage. The determination of compatibility must not be made by "cherry picking" buildings for comparison because such "cherry picking" is inherently arbitrary and capricious and is against public policy in that it would allow, for example, the massive, high-rise character of relatively distant parts of the city to be transplanted to historic, residential neighborhoods, thereby turning the concept of compatibility into a nullity and harming the city's historic and aesthetic heritage. The only rational means for determining compatibility is to focus on the historic characteristics of the surrounding neighborhood.

The proposed project is an outlier with respect to both height and footprint. The proposed project would involve constructing a massive, five-story apartment building. The surrounding neighborhood, however, mainly is comprised of historic two-story and three-story townhouses having very small footprints. *See* Exhibit 3, Office of Planning Maps of Historic Districts. Both the developer and HPO have concealed that inconsistency by "cherry picking" other buildings in the historic districts for comparison. While juxtaposing photographs and renderings in a package of documents submitted to the Board might give a sense of compatibility, that is not the sort of compatibility called for by the Act. Instead, compatibility must be considered by evaluating how a person would perceive the juxtaposition of the proposed project with the existing two-story and three-story historic townhouses in the surrounding area, such as when walking several blocks in each direction from the site of the proposed project. The proposed project would unquestionably be incompatible when considered (correctly) in that context.

In evaluating the issues of compatibility and consistency, the Board must be cognizant of the cumulative effects of the differences between the proposed project and the surrounding neighborhood. The proposed project would introduce a massive, five-story apartment building into a historic, residential townhouse setting that differs from that setting with respect to height, footprint, age, materials, and design (including the proposed areaways which appear to be unprecedented). DCCA recognizes that compatibility may exist where a project differs from its surroundings with respect to some characteristics. However, the proposed project does not merely differ with respect to some characteristics, it substantially differs from its surroundings with respect to numerous, important characteristics, and the cumulative effect of those differences is too much to comply with the standards for historic preservation.

Essentially nothing can be done to change the overall footprint of the proposed project or to change that it is a completely new development or to change that it will be stylistically different from the surrounding neighborhood. Accordingly, in these respects (footprint, age, and style) the proposed project necessarily would differ from the historic, residential surrounding neighborhood. However, the overall height of the proposed project can be reduced, and it should be substantially reduced, so as to make it compatible and to safeguard the city's historic and aesthetic heritage. In keeping with the surrounding neighborhood, the height of the proposed project should be reduced to three stories, inclusive of any penthouse level.

Substantially reducing the overall height of the project would also retain and enhance the historic landmark site pertaining to the temple. The rear of that site is currently empty, thereby providing unobstructed views of the temple. And, at the time that the temple was built, two-story and three-story townhouses occupied the area behind the temple. Accordingly, the historic views of the rear of the temple (as they exist now, as they existed at the time the temple was built, and as they existed at any time in between) would be preserved by reducing the height of the proposed project to three stories, inclusive of any penthouse level.

The Board has previously recognized that the proposed project is too tall. The developer responded by reducing the overall height by just five feet. This change is insufficient and amounts to giving "lip service" to a serious problem. The proposed project continues to consist of a massive, five-story apartment building. The Board should decline to give concept approval unless and until the developer reduces the overall height of the proposed project to three stories, inclusive of any penthouse level.

Steps Must Be Taken to Ensure the Integrity of the Review Process

The Board should take steps to ensure the integrity of the historic preservation review process, so as to restore public confidence and to avert protracted legal battles. As discussed above, the proposed project is immensely controversial and has resulted in extensive public opposition. Left unaddressed, any perceived shortcomings in the review process will result in additional controversy and undermine the public's trust in the review process.

As discussed above, the review process has resulted in multiple, serious concerns. These include a perceived conflict of interest arising from the fact that HPO's lead staffer on this matter resides immediately adjacent to the site of the proposed project. And that perception has been

compounded by HPO's unjustified change of position regarding the boundary of the historic landmark site pertaining to the temple – a change of position that appears to be based on the highly improper motive of seeking to avoid the need for additional public notice or a hearing by the Mayor's Agent rather than a factual misunderstanding of the boundary of the historic landmark site. And, as explained by other commenters, questions have also arisen regarding the legitimacy of other areas of regulatory review, including with respect to zoning where it appears that the developer wrote its own pre-approval letter for signature by the Zoning Administrator.

The Board has the means to address the serious concerns regarding the integrity of the historic preservation review process. It has the power to appoint an advisory committee comprised of two or more of its members to address essential issues that should be considered for concept review. An advisory committee could conduct a site visit to evaluate the context of the proposed project, collect and review information including with respect to the purported boundary of the historic landmark site, and evaluate the issues of compatibility and consistency with the purposes of the Act. The Board can also address the serious concerns regarding the review process by declining to delegate final review of any permit application.

Conclusion

For all the foregoing reasons, DCCA urges the Board to uphold its important statutory mission of protecting historic districts and historic landmarks by doing the following:

- Determine that the maximum height of the proposed project should be reduced to three stories, inclusive of any penthouse level, so as to make it compatible with the surrounding historic, residential neighborhood on 15th Street and S Street, NW, and so as to maintain the historic views of the rear of the temple.
- Appoint an advisory committee consisting of two or more of the Board's members to conduct a site visit so as to view the historic context of the proposed project, to collect and review information including with respect to the boundary of the historic landmark site pertaining to the temple, and to evaluate and provide recommendations concerning the issues of compatibility and consistency with the purposes of the Act.
- Decline to delegate final review of any permit application to HPO's staff.

Marnique Heath, Chair
Historic Preservation Review Board
May 14, 2019

Respectfully submitted,



Glenn Engelmann, President
Dupont Circle Citizens Association

– and –

Lance Salonia, Regulatory Committee Chair
Dupont Circle Citizens Association



Attachments:

- Exhibit 1 – Original HPO Report
- Exhibit 2 – Amended HPO Report
- Exhibit 3 – Office of Planning Maps

Exhibit 1

HISTORIC PRESERVATION REVIEW BOARD
Historic Landmark Case No. 19-06
Scottish Rite Temple Amendment (boundary increase)
1733 16th Street NW
Square 192 Lot 808

Meeting Date: May 23, 2019
Applicant: Dupont East Civic Action Association
Affected ANC: 2B

Preservation Background

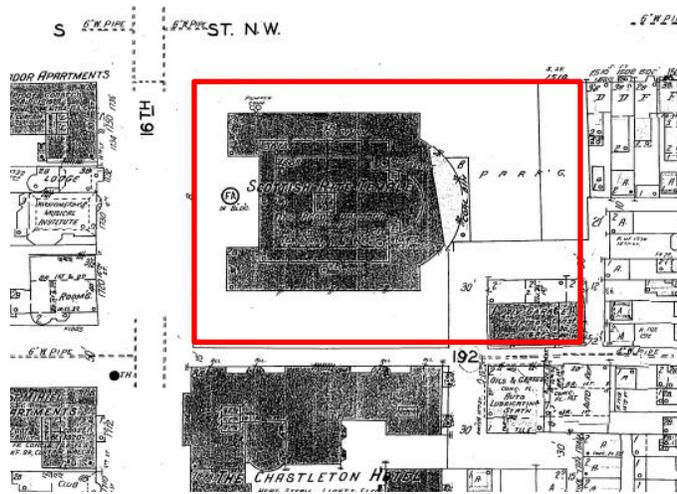
The Scottish Rite Temple is listed in the D.C. Inventory of Historic Sites as a Historic Landmark and is also a contributing resource in the 16th Street Historic District. The property was included in the city’s first list of landmarks, issued by the Joint Committee of Landmarks in 1964, and the predecessor to the current D.C. Inventory of Historic Sites created when the city enacted the D.C. Preservation Law in 1978. The Joint Committee’s list was organized into categories of significance, with the temple listed in Category III. In 1968, following the establishment of the National Preservation Act of 1966, the Joint Committee began preparing and forwarding nominations to the National Register of Historic Places for the properties in categories I and II only, and thus a nomination for the temple was not prepared.

The Sixteenth Street Historic District was identified on the Joint Committee’s 1964 list as a notable area in Category III. In 1977, acting on a proposed expansion of the Category III Dupont Circle area, the Joint Committee designated both Sixteenth Street and Dupont Circle as separate Category II historic districts, eligible for nomination to the National Register. Both were listed in the Register in 1978, and those nominations required clear boundaries for what had been sketchily defined “areas.” The Scottish Rite Temple is called out in that nomination as “one of the most unusual buildings in the Historic District” and is credited with having been voted “the fifth most beautiful building in the world by a group of members of the Association of American Architects.”

Boundaries

Under the D.C. Preservation Law adopted in 1978, the new legal protections for a historic landmark extend to the building and its site, commonly interpreted as the lot where the building is situated. At the time of its designation, the temple sat on the lot shown in red outline below. The landmark boundaries of the Scottish Rite Temple include approximately 2/3 of present-day Lot 108 in Square 192. Lot 108, which extends from 16th Street east to 15th Street on the northern half of the square, is the result of a 2013 subdivision by the Supreme Council combining a series of old lots in Square 192 into a single lot. Extending from 16th Street easterly to a point that is in

line with an alleyway that ran north-south through part of the northern half of the square, the landmark boundaries comprised the Scottish Rite Temple building itself; a carriage house/garage complex located at the southeast (rear) of the property (Old Lot 808); and open space to the east (in part historically occupied by rowhouses).



1959 Sanborn Map showing landmark boundary overlay

These boundaries included the original lots which the Scottish Rite purchased in 1910 to build its temple, as well as additional adjacent lots it purchased in the decades after completion of the temple (1915) until the time that boundaries were established for the 16th Street Historic District (1977).

The landmark boundary follows the eastern edge of the 16th Street Historic District.

The amended application proposes to extend the landmark boundary eastward to encompass the entirety of Lot 108 bringing the eastern edge to 15th Street. The eastern 1/3 of Lot 108 is presently included within the 14th Street Historic District. While the application proposes this boundary increase, it does not address or specifically cite which D.C. and National Register designation criteria it might meet.

Proposed Boundary Increase Rationale

The application proposes to amend the eastern edge of the landmark for the following reasons:

- 1) The Scottish Rite Temple was built on a site approximately one-mile north of the White House that was identified as open space on the L'Enfant Plan. The development of this open space, both historically and currently, conflicts with the L'Enfant Plan. Protecting this site as "open" would uphold the vision of the L'Enfant Plan and should be embraced. Further, the D.C. Parks and Recreation Master Plan suggests acquiring land for under-

parked neighborhoods. Retaining this open space would help to fulfill that Department of Recreation Master Plan recommendation.

- 2) John Russell Pope insisted on open sightlines for his projects. The amendment notes that Pope expressed this opinion in his design for the Lincoln Memorial, proposed for Meridian Hill Park, just north of the Scottish Rite Temple site, or the Old Soldiers' Home north of the city. Of these sites, Pope wrote that both "possess unhampered expression of purpose...by reason of their independence of surrounding important architectural dictates, consideration or comparisons."
- 3) In 1910, the Masons purchased a series of lots upon which they constructed the temple building, completed in 1915. Beginning in 1920, and continuing for many decades, they acquired numerous lots on S Street and 15th Street in the northern half of Square 192. After acquiring the properties, the Masons systematically demolished the rowhouses on those lots, many of which were home to African Americans. This act of demolition contributed to historic preservation efforts that ultimately resulted in the designation of the 14th Street Historic District.

Evaluation

Based upon a review of the application, HPO has the following comments on the three assertions made in the application:

From the outset, the Plan of the City, as designed by Peter L'Enfant in incomplete concept form in 1791, was modified and adjusted in the process of laying out the city. The refinement of the plan completed by Andrew Ellicott in 1792 after L'Enfant's dismissal, already included many changes to the original printed version of the L'Enfant Plan. One such change, of note here, includes the elimination of the open space centered on 16th Street from S to T Streets, the block just north of 16th and S Streets, NW—the site of the Scottish Rite Temple. The temple site would be adjacent to the southeast corner of this contemplated square.

Later nineteenth and twentieth-century alterations to the 1791 and 1792 Plans involved the elimination of streets, the introduction of others, and the re-organization of reservations, circles and other open spaces. Some of these developments, such as the introduction of minor streets, and implementation of the McMillan Commission Plan (1901) which re-envisioned the city's monumental core and imposed new order on the historic plan, have great significance in the city's urban planning history and are considered contributing features of the plan. Much academic research and scholarship has been devoted to the L'Enfant Plan and subsequent plans, and as the city continues to develop, urban planning efforts consider an appropriate re-shaping of the city, in accordance with its historic plans. City circles and Reservations have been re-configured and L'Enfant Plan streets that had been closed are being re-opened.

The 1997 designation of the Plan of the City in the D.C. Inventory emphasizes that the historic landmark is the plan as it has evolved, during the National Register period of significance from 1790 to 1942. The D.C. designation states:

“The designated plan is neither the archived historical map of the city (which exists in several versions including the original), nor an idealized diagram of the urban layout depicted on those maps. It is the layout of the city in its implemented form, including the streets, parks and other public spaces of the city as they evolved historically and exist in reality.” [italics original]

Features such as the never-realized plaza on upper 16th Street are not part of the L’Enfant Plan historic landmark. There is no historic argument for or planning rationale for a deliberate re-creation of such conjectural elements in isolation of existing or historic conditions. The proposed amendment to the Scottish Rite Temple calls for “protecting” an open space that never existed on paper beyond the original 1791 Plan and was never created as part of the city plan. During the mid-19th century, when the area was first developed, the site was divided into squares and lots in accordance with the 1792 Plan. It was developed during the late 19th century with rowhouses and then, in 1910-1915, with the Scottish Rite Temple.

Expanding the boundaries to include the open space behind the temple building will not contribute to the “restoration” of L’Enfant’s vision for open space on the site. The site was never officially set aside for public space and never developed as such. A “restoration” of open space as envisioned by L’Enfant would further engender the removal of the temple building and surrounding blocks and would be totally conjectural.

John Russell Pope is a nationally known architect for his many residential, civic, religious, and institutional building designs, including, notably, the National Gallery of Art, the Jefferson Memorial, and the National City Christian Church in D.C. Pope’s work has been the focus of several books and articles, and many buildings designed by him are listed in the National Register.

The amended application notes that Pope wanted “unhampered” views and open sightlines for his designed buildings. This assessment appears to be based upon a single source--Pope’s written comments on a design proposal for a Lincoln Memorial on either Meridian Hill or the Old Soldiers’ Home. No additional background on Pope and his work is provided. Lacking any historical background on Pope and his buildings, it is not possible to conjecture about what Pope wanted for the Scottish Rite site. What is known is that Pope designed the building on its site hemmed in by both the street and rowhouses on lots at the rear of the temple. He presumably

designed the building within those constraints and not with the expectation that those buildings would be removed in the future to enhance views to the temple building.

The argument to expand the boundaries to allow for an “unhampered expression” of the building according to Pope is purely conjectural. The open space was developed in the late 19th century with rowhouses, the last of which remained in the 1980s, and cannot be classified as a significant historic, cultural or designed landscape.

The application notes that the boundaries should be expanded to include the site of the rowhouses along both S and 15th Street which were demolished by the Supreme Council. The argument is that the demolition of these historic rowhouses galvanized the community and encouraged the rise of historic preservation in the neighborhood. That community effort culminated in the designation of the 14th Street Historic District.

The site of the demolished rowhouses was included in the 14th Street Historic District so that the boundary would align with that of the 16th Street Historic District, leaving no gap between them. The purchase and demolition of the rowhouses by the Supreme Council in the late 20th century is not relevant to the significance of the Scottish Rite site itself. The National Register notes that boundaries should “encompass an appropriate setting” but should exclude “peripheral areas that do not directly contribute to the property’s significance.” (National Register Bulletin, Defining Boundaries for National Register Properties, p.2).

Designation Criteria

This nomination was prepared as an amendment to a landmark that has no written nomination associated with it. Although the amended application does not address the designation criteria, it makes sense to look at them as they relate to the existing landmark, and in assessing the proposed amendment. Based on the site’s known history and documentation, it is reasonable to determine that the Scottish Rite Temple meets D.C. Designation Criteria B (History), D (Architecture and Urbanism), E (Artistry), and (F) Creative Masters and the equivalent National Register Criterion A and C, and that the Period of Significance should be established as 1915 when the temple was completed on its present site.

The Scottish Rite Temple meets Criterion B for its association with social movements, groups, institutions, patterns of growth and change in the District. The Scottish Rite Temple is associated with the establishment of the Scottish Rite and the formation of the headquarters of the Supreme Council in the District of Columbia. The land that makes up the expanded boundaries has not been shown to have played a significant role in the history or events tied to the temple. In addition, the land was acquired after 1915, and thus falls outside the likely Period of Significance for the temple.

The Scottish Rite Temple meets Criterion D, E, and F as it embodies the distinguishing characteristics of a building type and style; is an expression of architecture and urban planning; possess high artistic value; and is the work of a master architect. The proposed expanded boundaries do not contribute to the significance of the Scottish Rite Temple under these criteria. The open space is not notable as a designed or cultural landscape. In addition, acquisition of the land by the Supreme Council falls outside of the Period of Significance of 1915.

The property has not been evaluated under Criterion G (Archaeology), and it is possible that the site (existing and expanded) may yield information significant to an understanding of historic or prehistoric events of the District. In particular, the proposed expanded area—the site of demolished 19th-century rowhouses—may provide information on the lives of the African American, working-class residents who lived there. However, should the site provide such information, its significance would be related to the broader neighborhood history, and not associated with the Scottish Rite Temple and the significance for which it has been designated a historic landmark.

Recommendation

HPO recommends that the Board deny this amendment to the Scottish Rite Temple designation. While a new submission for a well-researched, fully documented National Register nomination for the Temple would be welcome, existing information provides a sufficient understanding of the landmark to allow the Board to determine that the boundaries should not be expanded as proposed.

Exhibit 2

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

Historic Landmark Case No. 19-06

Scottish Rite Temple amendment (boundary increase)
1733 16th Street NW
Square 192 Lot 108

Meeting Date: May 23, 2019
Applicant: Dupont East Civic Action Association
Affected ANC: 2B

The Scottish Rite Temple is listed in the D.C. Inventory of Historic Sites as a historic landmark and is also a resource contributing to the character of the Sixteenth Street Historic District. The property was included in the city's first list of landmarks, issued by the Joint Committee of Landmarks in 1964. The Sixteenth Street Historic District was also identified on the Joint Committee's 1964 list as a notable area, but it was not designated as a historic district until 1977 and listed in the National Register in 1978. The Scottish Rite Temple is called out in the Sixteenth Street nomination as "one of the most unusual buildings in the Historic District," and it is credited with having been voted "the fifth most beautiful building in the world by a group of members of the Association of American Architects." While there is no National Register nomination for the temple, the Commission of Fine Arts publication *Sixteenth Street Architecture Volume 1* includes a generously illustrated 33-page discussion of the temple, its construction history, and character-defining features.¹

Proposed Boundary Increase

The amendment application proposes to extend the historic landmark boundary eastward to include the entirety of Lot 108, reaching to 15th Street, within the Fourteenth Street Historic District and including all the property that the Supreme Council currently owns, portions of which were acquired in the decades after completion of the temple.

The present application does not cite designation criteria under which the additional area may be evaluated. It proposes to extend the area for the following reasons:

- 1) The Scottish Rite Temple was built on a site approximately one-mile north of the White House that was identified as open space on the published 1791 L'Enfant Plan. Therefore, it is argued, the development of this open space, both historically and currently, conflicts with the L'Enfant Plan. Protecting this end of the site as open would uphold the vision of the L'Enfant Plan and should be embraced. The D.C. Parks and Recreation master plan recommends acquiring land for under-parked neighborhoods. Retaining this open space would help to fulfill that Department of Recreation Master Plan recommendation.

¹ The temple is also described in standard reference works on Washington Architecture, including *Buildings of the District of Columbia* (Pamela Scott and Antoinette Lee, 1993), and many others.

- 2) John Russell Pope desired open sightlines to his projects. The amendment notes that Pope stressed this in his design for a Lincoln Memorial proposed for Meridian Hill Park or the Old Soldiers' Home, which both "possess[ed] unhampered expression of purpose... by reason of their independence of surrounding important architectural dictates, consideration or comparisons."
- 3) In 1910, the Masons purchased a series of lots upon which they constructed the temple building, completed in 1915. Beginning in 1920, and continuing for many decades, they acquired numerous lots on S Street and 15th Street in the northern half of Square 192. The Masons systematically demolished the rowhouses, many of which had become home to African Americans. This act of demolition contributed to historic preservation efforts that ultimately resulted in the designation of the Fourteenth Street Historic District.

Evaluation

1) Pierre L'Enfant's concept plan of 1791 was modified and adjusted in the process of laying out the city. Andrew Ellicott's refinements of 1792 already included many changes to the original printed version of the L'Enfant Plan. One such change was the elimination of an open space centered on 16th Street from S to T Streets, the block north of the eventual temple (the temple would have been adjacent to the southeast corner of this contemplated square). Later alterations to the 1791 and 1792 Plans involved the elimination of streets, the introduction of others, and the re-organization of reservations, circles and other open spaces. Some of these developments, such as the introduction of minor streets and implementation of the McMillan Commission Plan have great significance in the city's urban planning history and are considered contributing realized features of the plan.

Much academic research and scholarship has been devoted to the L'Enfant Plan and subsequent planning, and as the city continues to develop, urban planning efforts consider an appropriate re-shaping of the city, in accordance with its historic plans. City circles and Reservations have been re-configured and L'Enfant Plan streets that had been closed are being re-opened. The 1997 designation of the Plan of the City in the D.C. Inventory emphasizes that the historic landmark is the plan as it was built and has evolved, during a period of significance from 1790 to 1942. The D.C. designation states:

The designated plan is neither the archived historical map of the city (which exists in several versions including the original), nor an idealized diagram of the urban layout depicted on those maps. It is the layout of the city in its implemented form, including the streets, parks and other public spaces of the city as they evolved historically and exist in reality.

Features such as the never-realized open space on upper 16th Street are not part of the L'Enfant Plan historic landmark. During the mid-nineteenth century, when the subject area was first developed, this site was divided into squares and lots in accordance with the 1792 Plan. It was partially developed during the late nineteenth century with rowhouses around the Scottish Rite site. There is no historical argument or planning rationale for re-creation of such conjectural elements in isolation of existing or historic conditions. The proposed landmark amendment calls

for “protecting” an open space that never existed except on the paper of the 1791 Plan, and for recreating it at a different location that is not on the 16th Street axis.

Expanding the boundaries to include the open space behind the temple building will not contribute to a restoration of L’Enfant’s vision. The anticipated nearby square was never officially set aside for public space and never developed as such. The present open space is not in the same location. A “restoration” of that version of the plan is entirely conjectural and would require the demolition of numerous historic buildings.

2) John Russell Pope is nationally known for his many residential, civic, religious, and institutional building designs, including Washington’s National Gallery of Art, the Jefferson Memorial, and the National City Christian Church. Pope’s work has been the focus of several books and articles, and many buildings designed by him are listed in the National Register.

The amended application notes that Pope wanted “unhampered” views and open sightlines for his designed buildings. This assessment appears to be based upon a single source—Pope’s comments on a design proposal for a Lincoln Memorial on either Meridian Hill or the Old Soldiers’ Home. The nomination offers no support for the idea’s application to the Scottish Rite Temple, and no background on Pope and his work is provided. Lacking direct evidence, it is impossible to conjecture about what Pope wished for the Scottish Rite site. What is known is that he designed the building on a site hemmed in by rowhouses and streets. Whatever his preferences, he presumably designed the building within those constraints and not with the expectation that those buildings would be removed in the future to enhance views.

The argument to expand the boundaries to allow for an “unhampered expression” of the building according to Pope is purely conjectural. The present open space was densely developed in the late nineteenth century, was occupied by rowhouses and alley buildings when the temple building was constructed between 1910-1915, and remained at least partially occupied by rowhouses through the 1980s.

3) The application notes that the boundaries should be expanded to include the site of the rowhouses along both S and 15th Street which were demolished by the Supreme Council. The argument is that the demolition of these historic rowhouses galvanized the community and encouraged the rise of historic preservation in the neighborhood and led to the community effort that culminated in the designation of the 14th Street Historic District. The nomination includes two articles about preservation protests following demolition in the 1980s, but this does not necessarily support a connection with the designation of the 14th Street Historic District in 1994. Half of the rowhouses along S Street were demolished by the Supreme Council by the mid-1950s, well before the rise of historic preservation in the neighborhood.

Also, the historic and visual qualities of the parking lot and green space on the east end of Lot 108 are not such that the area can be classified as a significant historic or cultural landscape. The lawn originated as a small patch at mid-century, expanding in the 1970s as more rowhouses were demolished, and completed in the early 1990s, after the last houses were razed. It is a flat, grassy area, with established hedges in the older, western section, a couple of ornamental trees, some shrubs, flower beds and foundation planting. Its notable, yet relatively recent feature is a bust of

George Washington. The southeastern section of the lot hosted a community garden from 1990 to 2011, before being graveled. A parking lot serving the temple had a similar history, begun immediately behind the apse in the 1950s and expanded some over the years, including replacing the community garden. Their recent vintage, changing extent, and lack of exemplary design or significant elements make the lawn and parking lot—although latterly associated with the temple—insufficiently important to reflect the values for which the 1915 temple is deemed significant. Instead, they are appropriately included within the existing historic districts.

The purchase and demolition of the rowhouses by the Supreme Council in the mid-20th century is not relevant to the significance of the Scottish Rite Temple itself. The National Register notes that boundaries should “encompass an appropriate setting” but should exclude “peripheral areas that do not directly contribute to the property’s significance.” (National Register Bulletin, Defining Boundaries for National Register Properties, page 2). The site of some demolished rowhouses was included within in the Sixteenth Street Historic District when it was created in 1977, following the boundary of what was then the Temple’s lot. When the Fourteenth Street Historic District was designated in 1994, its boundary was drawn to align with that of the Sixteenth Street Historic District, encompassing the remaining site of the rowhouses and leaving no gap between the districts.

Designation Criteria

This nomination was prepared as an amendment to a landmark that has no written nomination associated with it. Although the amended application does not address the designation criteria, it makes sense to look at them as they relate to the existing landmark, and in assessing the proposed amendment. Based on the site’s known history and documentation, including the information in the CFA 16th Street publication and other sources, it is reasonable to determine that the Scottish Rite Temple meets D.C. Designation Criteria B (History), D (Architecture and Urbanism), E (Artistry), and (F) Creative Masters and the equivalent National Register Criteria A and C, and that its period of significance should be established as 1915, the date construction was complete.

The Scottish Rite Temple meets Criterion B for its association with social movements, groups, institutions, patterns of growth and change in the District. The temple is associated with the establishment of the Scottish Rite and the formation of the headquarters of the Supreme Council in the District of Columbia. The land that makes up the expanded boundaries has not been shown to have played a significant role in the history or events tied to the temple. Acquisition of the land by the Supreme Council falls outside of the temple’s period of significance.

The Scottish Rite Temple meets Criteria D, E and F, as it embodies the distinguishing characteristics of a building type and style; is an expression of architecture and urban planning; possesses high artistic value; and is the work of a master architect. The landscape within the proposed extended boundary does not add to the significance or understanding of the Scottish Rite Temple under these criteria. The open space is not notable as a designed or cultural landscape.

The property has not been evaluated under Criterion G (Archaeology), and it is possible that its site (existing or expanded) may yield information significant to an understanding of historic or

prehistoric events of the District. The proposed expanded area—the site of demolished nineteenth-century rowhouses—may provide information on the lives of the African American, working-class residents who lived there. Should the site provide such information, its significance would be related to the Fourteenth Street or Sixteenth Street historic districts in which the properties are already located, and not associated with the Scottish Rite Temple and the significance for which it has been designated a historic landmark.

Boundary Confirmation

Having established that the rowhouse sites do not contribute to the significance of the Scottish Rite Temple, the Board should take the opportunity provided by this application to clarify and confirm the boundary of the historic landmark. The Board should apply the standard historic preservation methodology for such determinations, considering the extent of the temple property at the time of its construction in 1915 and the time of its identification as a historic landmark in 1964.

The Scottish Rite Temple was included in *Landmarks of the National Capital: Preliminary List*, the city's first provisional list of landmarks, issued by the Joint Committee on Landmarks in 1964. This list was the predecessor of the current D.C. Inventory of Historic Sites created when the city enacted the D.C. Preservation Law in 1978; the Inventory incorporated the already designated landmarks and districts. The Joint Committee's list was organized into categories of significance, with the temple listed in Category III. The Sixteenth Street Historic District was also identified on the Joint Committee's 1964 list as a notable area of Category III significance.

The Joint Committee did not designate properties as we do now; it merely put them on a list by name and address. Site boundaries were of little importance because designation then conferred no protections. In 1968, two years after the establishment of the National Preservation Act, a D.C. State Historic Preservation Review Board was established, and through it, the Joint Committee, acting as state review board, began forwarding nominations to the National Register of Historic Places. Stated landmark lots or boundaries became necessary for this purpose. But the Joint Committee prioritized nominations for the properties in categories I and II only, so a nomination for the temple was never prepared. When the designation listing was incorporated into the DC Inventory, it remained with no boundary specified.

Logically, boundaries should reflect the extent of the property at the time of the Temple's completion in 1915, which was Assessment and Taxation Lot 800. Lots 40-42 (purchased 1920), 105 (1921), 106 (1952), 28 (1954) and 29 (1963) were acquired by the Scottish Rite in later years, as noted. As the 1965 Baist real estate atlas indicates, these eastern lots had not been formally consolidated with the temple by subdivision, or even informally, by the creation of an A&T lot.

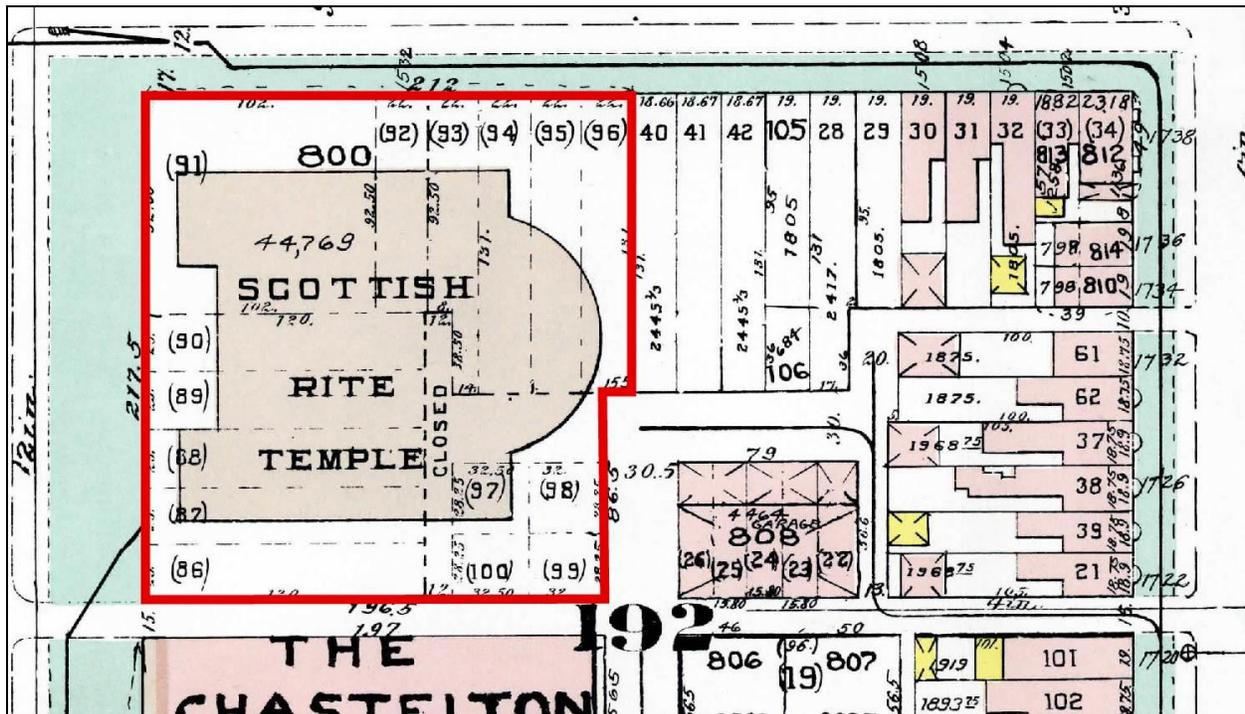
Sixteenth Street was designated in 1977 as a Category II historic district. The district was listed in the National Register in 1978, with clearly delineated boundaries for what had previously been a sketchily defined area. The Sixteenth Street boundary behind the temple was established along the line of an Assessment and Taxation (A&T) Lot 820 which, in 1976, was newly superimposed on the several lots the Masons had acquired by then, including the alley/stable garage complex on Lot 808, purchased in 1969.

Then or now, the rear yard and parking lot are not character-defining features of the landmark, nor are they reasons for which it was designated. The property's significance is in the design and construction of Pope's temple, completed in 1915 and situated then on Lot 800. Neither the ancillary uses nor the design qualities of the rear of the property define or augment the significance of the landmark. When the temple was first identified as a landmark in 1964, it was still situated on Lot 800. With the year 1915 considered the property's appropriate period of significance, it is consistent that Lot 800 be considered the extent of the site of the landmark.

Recommendation

HPO recommends that the Board deny this amendment to the Scottish Rite Temple designation as proposed. While a new submission for a well-researched, fully documented National Register nomination for the Temple is welcome, existing information provides a sufficient understanding of the landmark to allow the Board to determine that the boundaries should not be expanded as proposed.

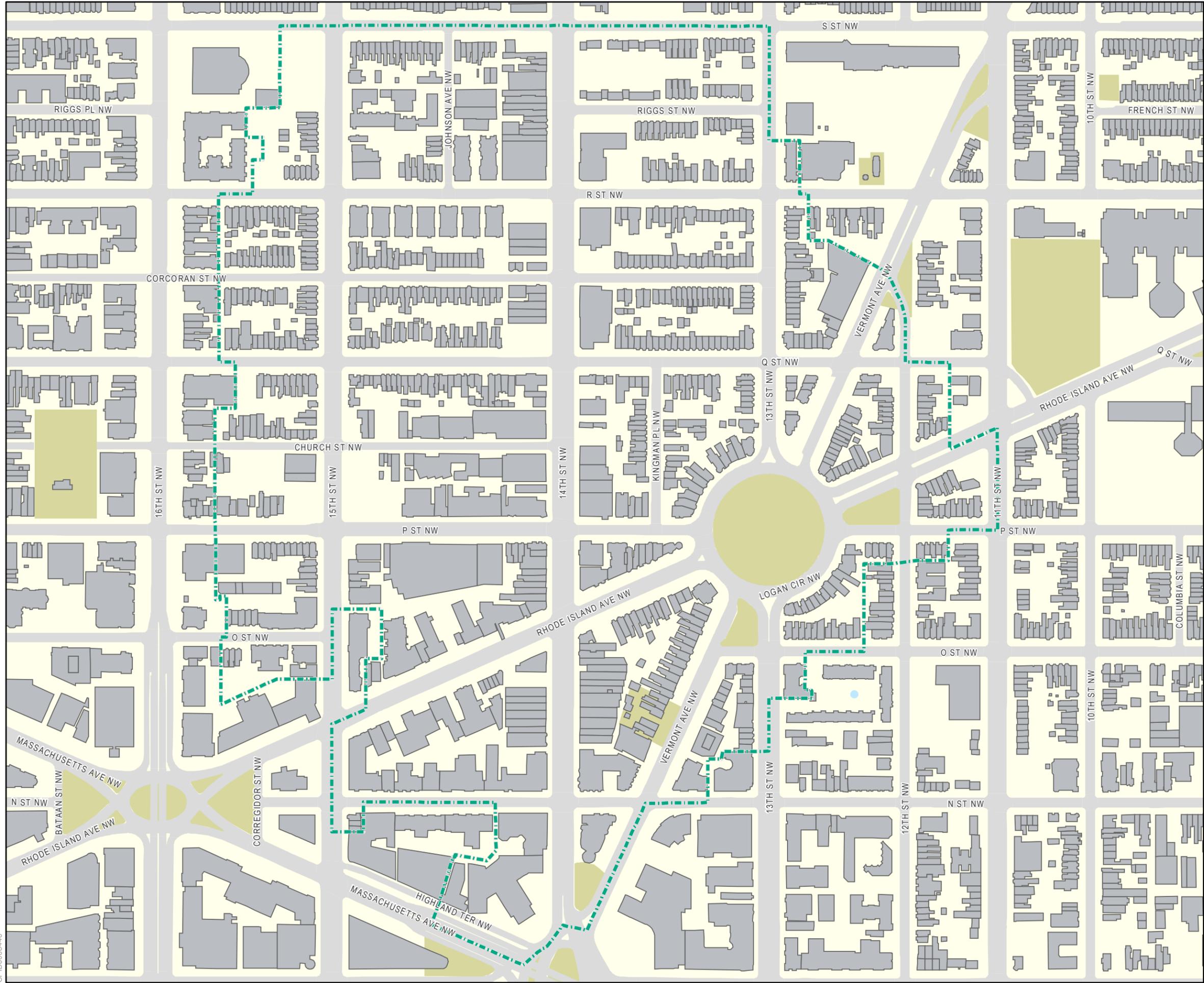
Based upon additional research, HPO requests that the Board resolve the ambiguity of the landmark's present boundary by confirming it as the extent of former Assessment & Taxation Lot 800 upon which the temple stood when completed in 1915. This lot is outlined in red on the 1965 map below.



Baist's Real Estate Atlas of Surveys of Washington, District of Columbia, Vol. 1, Plan 19, (1965), with lot 800 delineated in red.

Exhibit 3

Greater 14th Street Historic District



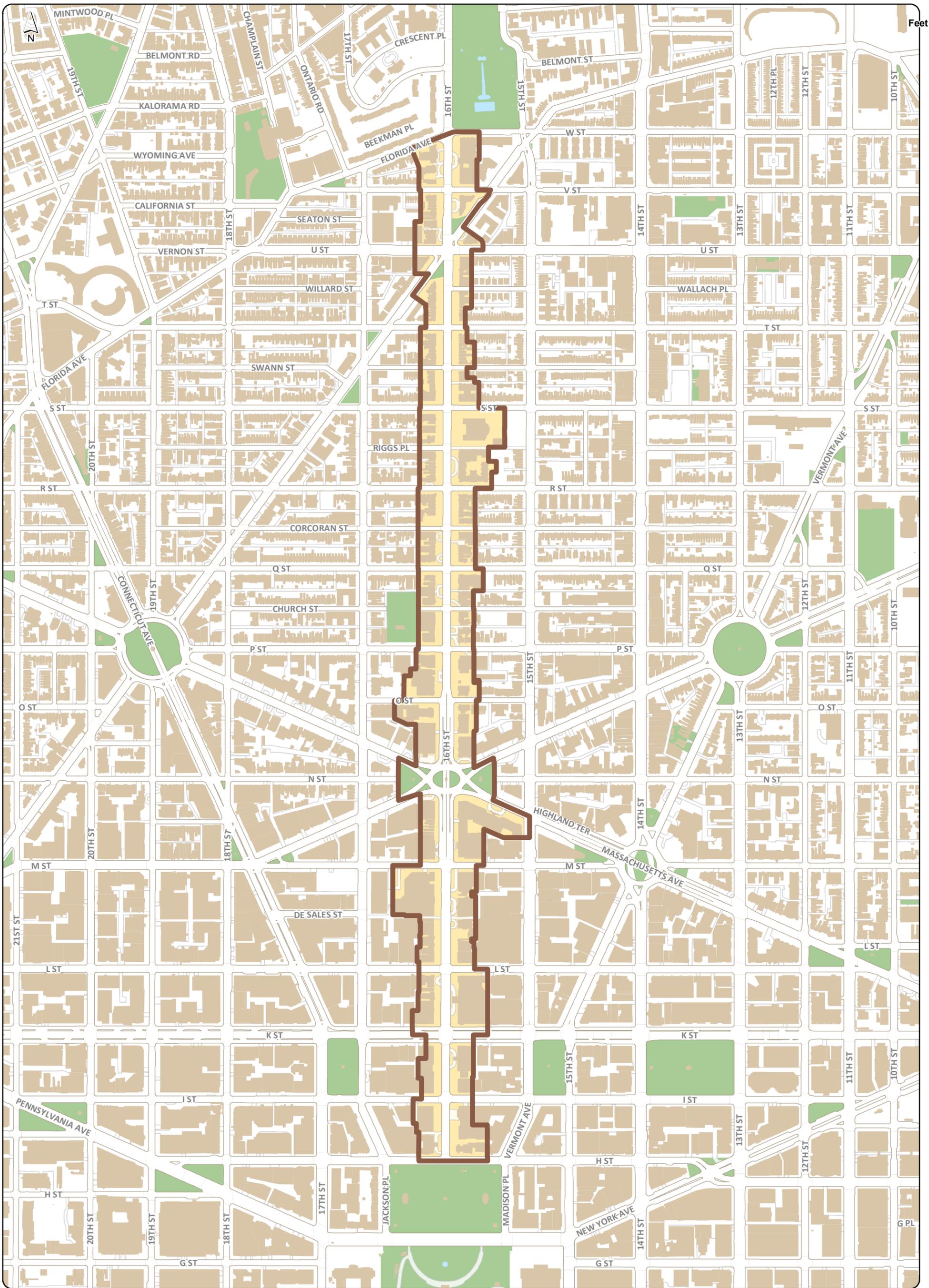
-  Historic District
-  Buildings



*** Government of the District of Columbia
 Adrian M. Fenty, Mayor

Office of Planning ~ February 13, 2008

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.



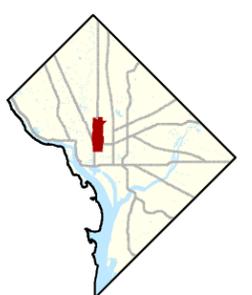
OPI0029044

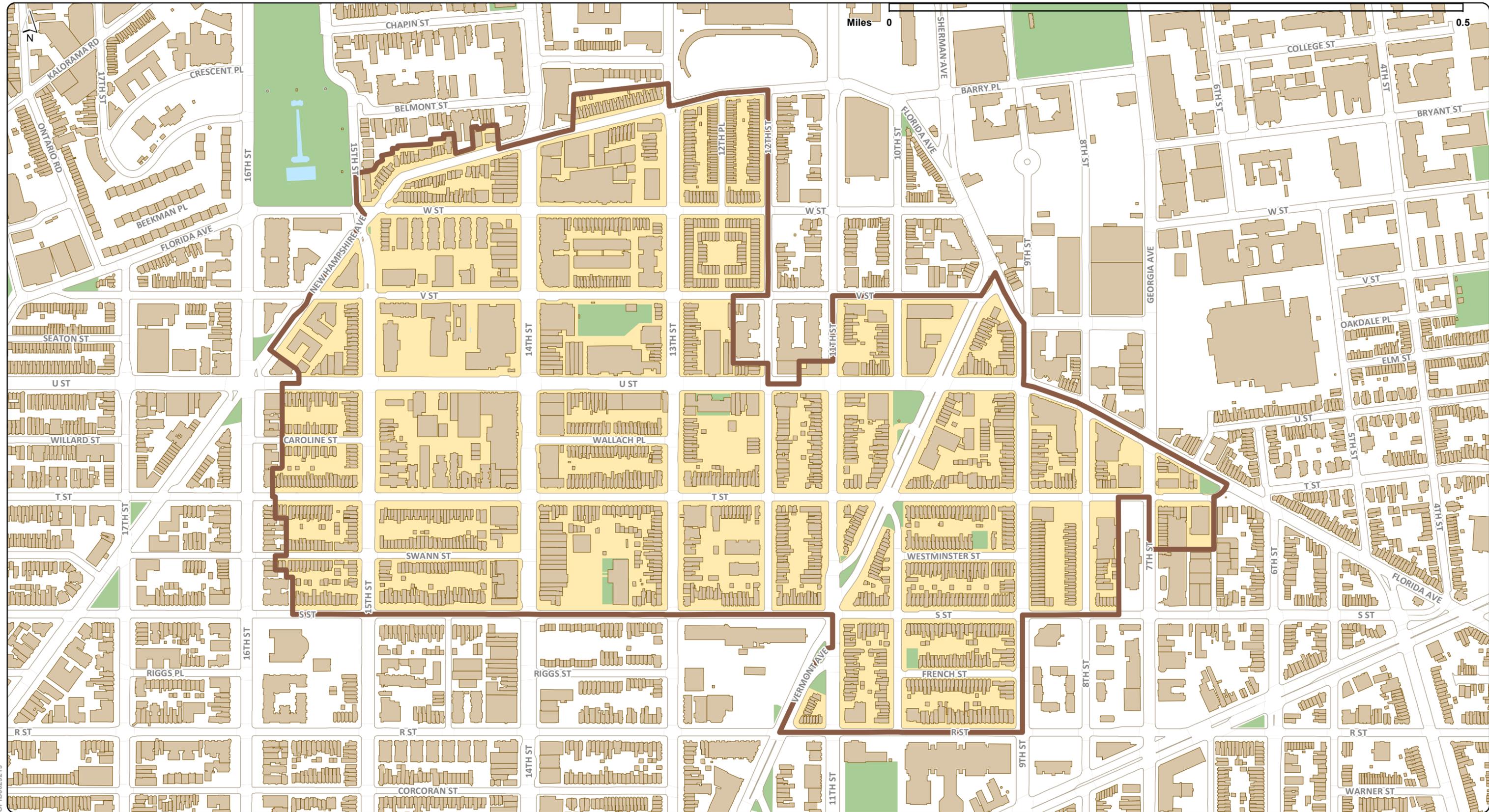


Office of Planning ~ June 8, 2018
Government of the District of Columbia

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Sixteenth Street Historic District





OPI0029219



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Greater U Street Historic District

