

Potential Land Acquisitions

Chapter 9

9.1 Introduction

In general, at the eastern and western ends of the Corridor, the recommended improvements can be accommodated within the existing roadway right-of-way. During the course of this project, planners attempted to minimize the need to acquire active businesses or excessive amounts of land to accommodate the proposed improvements. Overall, the concepts proposed require approximately 6.6 acres of new right-of-way, but create an approximately 5.7 acre new development site on air-rights over I-395 south of its present intersection with New York Avenue.

The largest area of proposed land acquisition stretches from west of Montana Avenue to east of Florida Avenue. In this portion of the Corridor, the addition of a wider median and turn lanes would require the acquisition of approximately 4 acres of land. Since this would leave a remnant strip of land with little utility approximately 40 feet wide between the new right-of-way and the existing railroad right-of-way, it is recommended that this land be acquired as well for a total of approximately 9 acres. A linear park is proposed for this undevelopable remnant property.



The character and right-of-way for New York Avenue changes widely from its eastern edge at Fort Lincoln and the District Line (top), through its middle section at Florida Avenue (middle) to its intersection with Mt. Vernon Square at the Convention Center (bottom).



NEW YORK AVENUE
Corridor Study
Draft Plan

ZONING COMMISSION
District of Columbia
CASE NO.05-23
EXHIBIT NO.32G3

Potential Land Acquisitions

Chapter 9

9.2 Land Acquisitions

Figure 9.1: Land Acquisitions Table on the following page presents an overview of the property impacts associated with the recommended improvements proposed for each Improvement Zone. The following bullet points describe these calculations for each zone. Please note that acreage calculations throughout this memorandum are for planning purposes only and are based on take offs from sketch plan concepts. They are approximate only. No detailed engineering drawings or property surveys were available at this preliminary planning stage.

Zone 1:

- **Land Acquired** – One parcel of 0.5 acres.
- **Land Needed** – 0.2 of the 0.5 acres.
- **Commercially Developable Remnants** – No remnants created.
- **Commercially Undevelopable Remnants** – 0.3 acres.

Zone 2:

- **Land Acquired** – Parcels totaling 4 acres that are currently occupied by two restaurants and six other small businesses.
- **Land Needed** – Only the front 24 feet of these parcels are needed totaling 0.5 acres.
- **Commercially Developable Remnants** – 3.5 acres of highly developable commercial property will be available.
- **Commercially Undevelopable Remnants** – No remnants created.

Zone 3:

- **Land Acquired** – Parcels totaling 9 acres that are currently occupied by temporary parking, 2 businesses and one motel.
- **Land Needed** – Only the front 30 feet of these parcels are needed totaling 4 acres.
- **Commercially Developable Remnants** – The remaining property depth is too narrow (40 feet) for development.
- **Commercially Undevelopable Remnants** – 5 acres (40 feet by 5600 feet) remain and are proposed to be used for a linear park.

Zone 4:

- **Land Acquired** – Parcels or portions of parcels totaling 4.3 acres that are currently undeveloped (Jemal Block), have parking (FedEx Block), or a restaurant (Wendy's Block).
- **Land Needed** – 2.1 acres of these parcels are needed.
- **Commercially Developable Remnants** – The Jemal Block contains 1.8 acres of remaining developable land of the original 3 acre parcel.
- **Commercially Undevelopable Remnants** – The remaining 0.4 acres of the Wendy's Block is undevelopable.

Zone 5:

- No land acquisitions proposed.

Zone 6:

- **Commercially Developable Remnants** – A new 5.7 acre parcel is created in air-rights development over I-395.



Examples of property needed for roadway improvements from portions of a vacant lot in front of the People's Building (top), to an area used for truck parking by Hechts (middle), to the hub-cap shop (bottom).



Land Acquisitions Table

Figure 9.1

Land Acquisitions Table

Improvement Zone	Land Acquired (acres)	Land Needed (acres)	Commercially Developable Remnants (acres)	Commercially Undevelopable Remnants (acres)	Zoning	Existing Uses Impacted
Zone 1	0.5	0.2	0.0	0.3	C-M-2	Checkers Drive Thru Restaurant
Zone 2	4.0	0.5	3.5	0.0	C-M-2	2 Restaurants, 4 Commercial Businesses
Zone 3	9.0	4.0	0.0	5.0	M	Truck Parking, 2 Commercial Businesses, 1 Motel
Zone 4	4.3	2.1	1.8	0.4	C-3-C	1 Restaurant
Zone 5	0.0	0.0	0.0	0.0		None
Zone 6	0.0	0.0	5.7	0.0		An open trench where I-395 now comes to the surface would be buried
Total	17.8	6.8	11.3	5.4		

Study Team members attempted to limit impacts and disruptions to businesses and residences in the consideration of improvement alternatives. Where possible, if additional right-of-way was needed to accommodate recommended improvements, this right-of-way was taken from the side of the road with the least number of impacts.

Even though in many cases the actual building structure is not impacted, if some of the property, such as the frontage, was needed for roadway improvements, then this was counted as an impact. Many of these properties, however, could remain in active use (with alternative accommodations for parking) or could be re-used or assembled for redevelopment.

Notes:

Land Acquired: Includes acreage of total parcel if business taken or more than 30% of vacant parcel taken

Zone 1: Commercially Developable Remnants: Assumes consolidation of Checkers remnant with adjoining parcels

Zone 2: Land Acquired: Land acquisitions could be reduced some through alternative engineering design

Zone 3: Commercially Undevelopable Remnants: Due to narrow width (40 feet x 5600 feet), assumes conversion to linear park

Zone 4: Commercially Undevelopable Remnants: 1.8 is remnant of existing vacant 3.0 acre Jemal Block

Zone 4: At-Grade Option Land Needed: Land needed for the At-Grade Intersection Option would be 1.5 AC

Zone 6: Commercially Developable Remnants: Includes new air-rights development parcel over I-395



Environmental Analysis Chapter 10

10.1 Introduction

Environmental analyses of the recommendations of the Draft Plan were performed at a preliminary level. This level of detail is appropriate to identify potential environmental concerns, but does not provide the level of detail required for an environmental assessment or environmental impact statement as defined by the National Environmental Policy Act (NEPA) and implementing regulations.



10.2 Impacts to the Manmade Environment

The majority of the work proposed within the study area will remain within the New York Avenue right-of-way. However, there will be some impacts to the residential community along New York Avenue immediately west of North Capitol Street. Although no property takings are contemplated, there will be impacts related to construction activities (i.e. dust, noise, temporary road closures, etc.) associated with the proposal to extend I-395 in a tunnel beneath New York Avenue from 4th Street, NW to some point east of North Capitol Street. Once completed, there should be substantial beneficial effects to this community by removing the traffic destined to and from I-395 (and its associated noise and air pollution) from this segment of New York Avenue, making it safer for pedestrians and enhancing its quality as a residential area.

Although only indirect impacts are anticipated to the existing residential communities surrounding New York Avenue, direct impacts can be expected to the commercial and industrial community within the study area. Some mixed commercial and industrial areas will be displaced by this project. The intersection of New York Avenue and Bladensburg Road, where improvements may be created, will potentially require widening the four corners adjacent to the intersection. Three of these corners have gas stations.

Additionally, the businesses along New York Avenue near the Bladensburg Road intersection will likely experience disruptions to their access to New York Avenue during the period of construction, and may likely require the provision of new access routes once the roadway improvements are completed.

As a result of the roadway widening, there may be a need to acquire portions of the railroad property, however the majority of work should remain within the existing roadway right-of-way. Taking this area north of New York Avenue, as opposed to south of New York Avenue, minimizes additional impacts to historic property, churches, an animal shelter, and National Park Service property.

The majority of displacements will occur just west of Florida Avenue. Construction of the I-395 tunnel will cause impacts to approximately two blocks, located west of Florida Avenue, east of North Capitol Street and bounded by P Street to the north and N Street to the south. The area consists of mostly small scale commercial establishments including a fast food restaurant and a gas station. In addition, there is a large FedEx building located east of Florida Avenue and north of New York Avenue. Acquisition of some property may be required from this site, and detailed engineering studies will be required to avoid displacement of the building itself.



10.3 Environmental Justice

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority and Low-Income Populations," provides the administrative foundation for ensuring that the Federal government does not support programs, policies, and activities that have a disproportionate effect on minority and low-income populations. Year 2000 Census tract information was used to initiate the identification of minority and low-income populations, which the U.S. Department of Transportation defines as populations with significant concentrations of African-American, Hispanic, Asian, and Native American people, or populations with incomes at or below the federal poverty level (DOT, 1997).

The New York Avenue Corridor study area consists of a predominantly minority population, according to the census data. Additionally, the majority of the area also has over 20 percent of its population below the federally defined poverty level. Therefore, the impacts of the proposed New York Avenue Corridor projects will unavoidably affect minority and low-income populations. However, many of the impacts are beneficial – such as removing regional traffic from the residential neighborhood immediately adjacent to New York Avenue between North Capitol Street and 4th Street, NW. Most of the adverse impacts of the proposed projects will be temporary impacts associated with construction. Yet, with an already initiated combination of public involvement and proposed streetscape enhancements to the Corridor, many of these potential impacts can begin to be offset.

Disturbance limits for proposed activities have been minimized to avoid as many as possible commercial and industrial areas that provide economic support to the area, as well as to avoid any direct impacts to residential developments. Except for the temporary construction impacts previously mentioned, there are no anticipated environmental health impacts and no natural or physical impacts within the study area.

During the public outreach activities conducted to date, a number of concerns have been voiced by the public. These concerns include truck traffic during construction, impacts of the proposed tunnel on existing neighborhoods, and environmental impacts due to increased traffic on residential streets. These issues, and others that may arise, such as indirect impacts, changes in property values, changes in neighborhood parking, changes in employment opportunities, stormwater impacts on the Anacostia, etc, will need to be fully explored during the NEPA process and accompanying detailed planning and engineering efforts.



Environmental Analysis Chapter 10

10.4 Impacts to the Cultural Environment

There are no expected adverse effects to the existing historic resources of the New York Avenue Corridor study area. No historic standing structures would be demolished, nor are there any anticipated archeological impacts as a result of the improvements.

Much of the proposed work does fall within the L'Enfant Historic area, but there will be a minimal area of surface impacts to the roadway and its surroundings, except for the area between Florida Avenue and North Capitol Street. Between Florida Avenue and North Capitol Street, the portal for the I-395 tunnel and a possible I-395 bridge over Florida Avenue will have impacts on a variety of views and potentially alter the operations of First Street, NE. However, Team participants were of mixed opinion about whether these impacts were adverse or beneficial. Further coordination with the District's SHPO will be required throughout the NEPA process.

10.5 Impacts to the Natural Environment

Very minor impacts to the natural environment are anticipated during New York Avenue improvements. Few natural features exist within the projected areas of disturbance due to previous actions that have taken place along the Corridor over a period of more than 100 years. The roadway widening may require some trees to be cut and will create an increase in impervious surface where the existing tree line is adjacent to the railway and truck parking facility. However, the creation a pedestrian-cyclist park in this area (that is now a barren truck parking area) may mitigate some of these impacts. Additionally, this area is not within a floodplain and does not contain any waters of the US that would require a 404 permit.

At this time, no substantial improvements are proposed as far to the east as the National Arboretum, the Anacostia River, and adjacent wetlands. Therefore no impacts are anticipated to these important resources. However, as discussed in Figure 8.12, extension of the proposed bikeway could someday occur in this area.

Although it is not anticipated that the project will produce any increase in noise or air pollution outside of the temporary construction impacts, further noise and air analyses may be required during the NEPA process.



10.6 Hazardous Materials

Based on the scale and location of potential corridor improvements, there are some locations within the study area where the results of this hazardous waste inventory should be more closely examined during future Phase I and Phase II Environmental Site Assessments. These are shown in the Environmental Analysis Technical Memorandum. These sites should not be taken as the only locations in which hazardous materials are a potential environmental concern.

Although other identified sites are not immediately adjacent to New York Avenue and the proposed corridor improvements, other factors play a role in hazardous waste contamination issues such as the direction of groundwater flow, the type of hazardous material contained, and the history of use of these materials and the site. For example, the largest land acquisition proposed for this project is located in the area to the north of New York Avenue, east of Florida Avenue. It currently serves as a truck marshalling yard, and the history of use at the site should be investigated.



11.1 Introduction

The purpose of preparing a financing plan is to ensure that the recommendations of the Study, as described in this Draft Plan, are financially realistic. With this approach, it is hoped that the Draft Plan will be implementable in a shorter timeframe than might otherwise occur.

The proposed financing plan describes both conventional and alternate means for funding the Draft Plan's improvements. The unit cost estimates for design, construction, and contingency costs were developed using the Maryland State Highway Administration's 2002 Highway Construction Cost Estimating Manual, which served as the best and most readily available approximation for the District of Columbia. In cases where state estimates contained regional variations, the emphasis was placed on data from regions adjacent to the District – comprising Montgomery and Prince George's Counties. Right-of-way costs were generated using information on commercial land values from the CoStar Group, Inc. In order to reflect the highly preliminary nature of the estimates, the guiding approach was to select the most conservative values where ranges were provided.



11.2 Development of Cost Estimates

As a first step in deriving the cost estimates, the entire Corridor was divided into the six functionally independent stand-alone segments, or zones described in Chapter 8. The engineering cost estimates and a “best case” (i.e., shortest timeframe) phasing timeline for the construction of the recommended improvements were developed for each zone, resulting in a schedule of aggregated *annual* construction costs for the various segments over the estimated life cycle of the project. Total costs in constant 2004 dollars were computed under three broad cost categories – preliminary engineering, construction, and right-of-way – for each of the project segments, as shown in Table 11.1: Project Cost Estimates by Zone. Using the above methodology and assuming the “best case” 13-year total duration project completion timeframe (based on a Fiscal Year (FY) 2006, Quarter 2 start date and a FY 2019, Quarter 2 end date), the total cost of all corridor improvements is estimated at about \$955 million.

It should be noted that several factors not considered in the cost estimates—namely, financing costs, inflation, and ultimate timeframe of completion—will increase the final price tag of the project by some indeterminate, albeit appreciable amount. It should also be noted that the information in Table 11.1 for Zone 4 is based upon the

bridge concept (Concept I-6 in Figure 8.2a). The at-grade intersection concept (Concept G-3 in Figure 8.2a) would have a lower cost; the Longer Tunnel concept would have a higher cost. (As discussed in Chapter 8, the additional cost of the longer tunnel is estimated to be approximately \$450 million, in 2004 dollars.)

Using a simple illustration of the effect of inflation alone, an average annual inflation rate of 2.5 percent would increase the project cost to about \$1.2 billion in year-of-expenditure (YOE) dollars by the time it is completed under the “best case” scenario of 13 years. A 3.0 percent annual inflation rate would yield a total price tag of about \$1.25 billion in YOE dollars, while the use of a 4.0 percent annual inflation rate would result in a total estimated project cost of about \$1.37 billion in YOE dollars.

These inflationary effects will increase if the project timeline is extended from the “best case” scenario. Additionally, the issue of finance costs also merits consideration. The tradeoff here would be between the cost of the potential financing charges versus the ability to construct the project earlier, and hence reduce inflationary effects and accrue user benefits earlier than would be the case if the construction period were to be extended.



11.3 Potential Funding Sources and Staging of Implementation

As a corollary step, the annual estimated funding needs for the Corridor were related to available “conventional” funding sources, and alternate phasing scenarios and “non-conventional” sources were explored as potential sources of additional funding. Aligning future resources with anticipated expenditures will likely require a variety of policy judgments and iterative “what-if” calculations regarding project schedule, general prioritization among the various segments of the Corridor, and overall project sequencing once funding becomes available. A sample envelope of possibilities regarding alternative phasing scenarios can potentially entail: (a) selective prioritization of only the most significant, complex and time-sensitive segments for earliest construction phasing as funding becomes available; (b) deferring less complicated, beautification treatments until the priority segments are constructed and additional funding comes to fruition; (c) extending the timeframe for the entire Corridor from an assumed best case scenario to a longer, yet still “acceptable” time period; and/or (d) positioning major, expensive construction activities at the cusp of opportunity points to take advantage of potential future increases in Federal-aid highway apportionments.

It is very likely that a large, costly capital project such as the New York Avenue Corridor will require the use of a combination of historically-available conventional and non-conventional, or innovative, revenue sources to finance its construction. The normal processes of allocation of

conventional Federal-aid resources may not yield large new revenues since the most recent 2003 Constrained Long Range Plan (CLRP) Update for the Washington metropolitan area has no funding programmed for New York Avenue Corridor improvements (with the exception of some funding set aside for the 9th Street Bridge in the FY 2004-2009 Transportation Improvement Program, or TIP), and the Corridor is presently on the District’s list of several competing unfunded projects. However, the potential for increased Federal-aid funding during future (2010 and 2016) reauthorization cycles may offer more promise for this revenue source.

Bond-generated revenue through the use of District issued general obligation bonds is expected to be one of the most common and reliable sources of new revenues to approach the breadth of commitments needed to fund the New York Avenue Corridor. It is likely that a mix of bond revenues to be repaid in future years, along with crucial Federal funding, present the most viable means for partial, if not full, financing of this project.

While not as reliable or predictable, earmarked transportation improvement funds also present some tangible, although unknown potential for additional funding, as evidenced by the recent example of the South Capitol Street Corridor earmark sponsored by Maryland’s Congressional delegation. Additionally, the use of tax



Proposed Financing Plan Chapter 11

increment financing (TIF) which captures the marginal benefits of public investments, has some limited potential to fund the less complicated beautification and urban boulevard enhancement activities that will improve the streetscape for nearby businesses. The creation of an air rights development in a portion of the Corridor could generate a significant increment of funding, as well as future continuing tax revenues that could be dedicated to the overall project.

In tandem with such conventional sources, some non-conventional means such as tolling/value pricing also provide some promise for funding corridor improvements. Although tolling facilities would be politically difficult to implement on an unlimited access, existing free facility such as New York Avenue, several mitigating factors can make this a more viable option. For instance, significant improvements to roadway safety and the elimination of bottlenecks could justify the use of tolls as equitable user fees. Moreover, the inclusion of nearby entry points to the District as part of the entire tolling regime can deter the negative spillover effects of drivers who elect to use alternate routes to avoid tolls. Significant interest in the application of value pricing is reflected by the work of the Metropolitan Washington Council of Government's Task Force on Value Pricing for Transportation in the Washington Region. In May 2004, the Task Force identified the New York Avenue Corridor as an element in the regional variable pricing system of variably priced highway travel lanes that could be in operation by 2030 for the Transportation Planning Board's (TPB) Regional Mobility and Accessibility Study.

Although the creation of a regional framework for funding the Corridor is still in rather nascent stages today, it is conceivable that a more directed stance can develop over the medium to long term that could provide more viability toward revenue sharing. While the Corridor serves regional mobility purposes as a gateway to the District, there are obvious administrative and political impediments toward enlisting the aid of other states. Although most of the external users of the Corridor are Maryland residents, license plate surveys could provide fair and objective data for determining an appropriate apportionment of financial responsibilities among Maryland, the District, and Virginia.

Of lesser viability to Corridor funding are homeland security grants which have largely been intended for emergency preparedness training, equipment, technical assistance and outreach. Also, smaller private-public partnerships, such as aid from insurance companies who stand to ultimately accrue benefits from reduced crash claims as a result of safety-related roadway improvements, may potentially yield some minimal revenue for initial planning and engineering studies, but not nearly enough to make a dent in the construction costs of a project of this scale. The possibility of a Benefit Assessment District as a significant source of funding is also highly speculative and uncertain. This mechanism was used by landowners near the intersection of New York and Florida Avenues to fund a substantial portion of the new Metrorail Station there. If landowners believe that new roadway infrastructure would substantially enhance their property values, it could be used again.



Proposed Financing Plan Chapter 11

In sum, the predictability and potentially high revenue yield of traditional Federal-aid highway appropriations and general obligation bonds make these the most likely main sources of revenue. Of course, additional revenue created from potential air rights development, tax increment financing, regional revenue share mechanisms, tolling and other options may provide the opportunity for additional revenue if these mechanisms come to fruition and are successfully implemented. At this point, the likelihood of dependence on these sources is conceptual and preliminary. As more detailed planning studies are performed as part of the NEPA process, efforts should be undertaken to refine the value of the construction costs associated with each element of the overall project. At that time, more detailed financing strategies of these potential sources will also need to be investigated.



Project Cost Estimates by Zone Table 11.1

Project	Activity	Cost	Duration (in Quarterly Periods)	Duration (in Number of Years)
Zone 1 (Urban Boulevard Enhancements)	Right-of-Way	* N/A	N/A	N/A
	Preliminary Engineering	\$4,000,000	11	2.75
	Construction	\$26,600,000	4	1.00
	TOTAL	\$30,600,000	15	3.75
Zone 2 (Montana Avenue Intersection - Beautifications)	Right-of-Way	* N/A	N/A	N/A
	Preliminary Engineering	\$1,000,000	9	2.25
	Construction	\$5,400,000	3	0.75
	TOTAL	\$6,400,000	12	3.00
Zone 2 (Bladensburg Road Intersection)	Right-of-Way	\$43,560,000	4	1.00
	Preliminary Engineering	\$9,000,000	22	5.50
	Construction	\$56,000,000	12	3.00
	TOTAL **	\$108,560,000	35	8.75
Zone 3 (Linear Park and Avenue Enhancements)	Right-of-Way	\$78,408,000	3	0.75
	Preliminary Engineering	\$11,000,000	23	5.75
	Construction	\$93,600,000	8	2.00
	TOTAL	\$183,008,000	34	8.50



Project Cost Estimates by Zone

**Table 11.1
Continued**

Project	Activity	Cost	Duration (in Quarterly Periods)	Duration (in Number of Years)
Zone 4 (Railroad Overpass Reconstruction and Florida Avenue Intersection)	Right-of-Way	* N/A	N/A	N/A
	Preliminary Engineering	\$17,000,000	19	4.75
	Construction	\$107,800,000	14	3.50
	TOTAL ***	\$124,800,000	31	7.75
Zones 4 and 5 (I-395 Tunnel Extension & Local Street Restoration)	Right-of-Way	\$84,288,600	2	0.50
	Preliminary Engineering	\$50,000,000	36	9.00
	Construction	\$326,400,000	24	6.00
	TOTAL ****	\$460,688,000	53	13.25
Zone 6 (Urban Avenue Enhancements)	Right-of-Way	* N/A	N/A	N/A
	Preliminary Engineering	\$6,000,000	11	2.75
	Construction	\$35,000,000	4	1.00
	TOTAL	\$41,000,000	15	3.75
All Zones	GRAND TOTAL	\$955,056,600		
* Zones 1 and 6 did not require any additional right-of-way acreage. In Zone 2, the Bladensburg Road Intersection portion required additional right-of-way, as well as the I-395 Tunnel Extension & Local Street Restoration portion of Zones 4 and 5. ** In Zone 2 (Bladensburg Road Intersection), the cumulative activity is only 35 quarters because preliminary engineering and construction activities overlap during three quarterly periods. *** In Zone 4 (Railroad Overpass Reconstruction and Florida Avenue Intersection), the cumulative duration of activity is only 31 quarterly periods because preliminary engineering and construction activities overlap during two quarterly periods. **** In Zones 4 and 5 (I-395 Tunnel Extension & Local Street Restoration), the cumulative duration of activity is only 53 quarterly periods because preliminary engineering, construction, and right-of-way acquisition activities overlap during nine quarterly periods.				



Next Steps Chapter 12

The Draft Plan is being made available for public review and comment in April 2005. DDOT will hold a public meeting during this review period to answer questions and accept comments. Shortly thereafter, public comments will be used to help prepare the Final Report.

Production of the Final Report will terminate the New York Avenue Corridor Study. The Report will be used as the starting point for decisions to allocate funds to some or all of the improvements it recommends and for the preliminary engineering and environmental analysis that will be necessary to advance such improvements. However, it will ultimately be up to residents, businesses, and other stakeholders to motivate politicians to allocate funding for the projects outlined in this report.

