

MEMORANDUM OF ACTIONS
TAKEN AT COMMISSION MEETING ON
December 3, 2020

Open Session

Present:

Thomas M. Gallas (Vice-Chairman)
Beth White
Arrington Dixon
Linda Argo
Paul McMahon Jr. (Department of Defense)
Peter May (Department of the Interior)
Mina Wright (General Services Administration)
Daniel Spino (Senate Committee on Homeland Security and Governmental Affairs)
Wendy Ginsberg (House Committee on Oversight and Government Reform)
Andrew Trueblood (District of Columbia Office of the Mayor)
Evan Cash (Council of the District of Columbia)

* * *

Vice-Chairman Gallas called the meeting to order.

1. Commission Roll Call

Secretary Koster conducted a voice roll call with Commissioners Trueblood, McMahon, May, Argo, White, Gallas, Wright, Cash, Spino, and Ginsberg present. Marcel Acosta, Executive Director, Anne Schuyler, General Counsel, and Diane Sullivan, Director of Urban Design and Plan Review were also in the meeting.

The agenda was adopted as the order of business.

2. Report of the Chairman

Vice Chairman Gallas thanked staff and wished everyone a happy holiday.

3. Report of the Executive Director

During the past month, the Executive Director took the following action under the Commission’s delegation authority. Unless otherwise noted, all projects are in Washington, DC.

1. Preliminary and final site development plans for a flagpole installation and site improvements at the Internal Revenue Service Federal Building, 1111 Constitution Avenue, NW. (8229)
2. Preliminary and final site and building plans for redevelopment of Parcel F at the Southeast Federal Center per the Memorandum of Understanding, dated June 6, 2005, between the General Services Administration and the National Capital Planning Commission regarding the transfer by sale and/or long-term ground lease to Brookfield Properties and the mixed-use development of the Southeast Federal Center– The Yards, First Street, SE and N Street, SE. (8231)
3. Preliminary and final site and building plans for restoration of the Capital Crescent Trailhead and Staircase, 3600 Water Street, NW. (8232)
4. Preliminary and final site development plans for rehabilitation of the Carnegie Library, including window glazing replacement and a new fence, 801 K Street, NW. (8234)
5. Final site and building plans for military working dog kennels at Joint Base Andrews, Camp Springs, Maryland. (8087)
6. Report to the Zoning Commission of the District of Columbia for a Text Amendment to Subtitle Z to Suspend Certain Types of Conditions for Approved Campus Plans during the 2020-2021 Academic Year Due to the COVID-19 Pandemic, City-Wide. (ZC 20-17)
7. Report to the Zoning Commission of the District of Columbia for a Text Amendment to Reorganize Subtitles D, E, and F, City-Wide. (ZC 19-27)
8. Report to the Zoning Commission of the District of Columbia for a Text Amendment to Reorganize Subtitles G and H, City-Wide. (ZC 19-27A)
9. Report to the Zoning Commission of the District of Columbia for a Text Amendment to Subtitle K, Section 238.3 to Allow Office Uses in the SEFC-3 Zone. (ZC 20-13)
10. Report to the Zoning Commission of the District of Columbia for Text Amendments to Subtitles B, C, F, G, I, K, U, X, and Z for Inclusionary Zoning, City-Wide. (ZC 20-02)
11. Report to the Zoning Commission of the District of Columbia for a Text Amendment to Subtitles Y and Z for Administrative Approvals of Validity Period of Approvals During COVID-19 Pandemic City-wide. (ZC 20-06)

During the past month, NCPC staff determined that the following project is exempt from Commission review, based on certain criteria. Unless otherwise noted, all projects are in Washington, DC.

1. Report to the Zoning Commission of the District of Columbia for a Text Amendment to Subtitle C for Certified Landscape Expert Requirements, City-Wide. (ZC 20-15)

Planning Updates

Monumental Core Streetscape Guide and Manual

On October 28, NCPC staff met with the Interagency Working Group to discuss an updated draft of stormwater management guidelines and to address questions regarding specific maintenances practices for green infrastructure. Guideline development will continue this fall. Staff will provide the Commission with an information presentation on vertical element guidelines for streetlights and street trees at the December 3 meeting.

Comprehensive Plan: Transportation and Federal Workplace Elements

Staff is working with the Metropolitan Washington Council of Governments (MWCOG) and General Services Administration (GSA) staff to update the comprehensive Transportation Management Plan Handbook. Staff continues to work with the District of Columbia Office of Planning and GSA to update the joint federal and District designated Central Employment Area and address changes to the 60:40 policy in the Federal Workplace Element. Staff plans to submit the element for Commission adoption early in 2021.

Staff Updated on District's Food Risk Portal

On November 10, NCPC welcomed **Ricardo Saavedra**, lead principal at Visonomy and **Josh Schnitzlein**, environment protection specialist at the District Department of Energy & the Environment, for a demonstration of the District's new Flood Risk Portal. The online tool includes layers for FEMA Flood Insurance Rate Maps, maximum extents of hurricane storm surges, and sea level rise projections to help design professionals, developers, and consultants identify the potential flood impacts on a particular site.

Outreach

NCPC Staff Presents at APA Federal Planning Division Fall Workshop

Physical Planning Division Urban Planner **Johanna McCrehan**, along with **Tim Canan** (MWCOG), presented “Data Drives Transportation: Changing Travel Patterns and How We're Now Commuting to, and Parking on, Our Couch” at the American Planning Association’s Federal Planning Division Fall Workshop. They discussed short- and long-term impacts of the pandemic on the region’s travel patterns, the need to reevaluate existing transportation policies and data, and how federal agencies are embracing increased telework. They also reviewed NCPC’s new transportation monitoring program for federal facilities, transportation management planning, and other key element policies, and addressed how they may re-evaluate these considering the pandemic.

Personnel

NCPC Says Farewell to Urban Planner

Urban Planner **Surina Singh** accepted a position with the United States Forest Service as the Recreation Sites Project Lead. She will help implement the Great American Outdoors Act, enabling federal land managers to take aggressive steps to address deferred maintenance and

other infrastructure projects across ten major regions of national forests and grasslands. We wish her well in her future endeavors.

In response to an earlier inquiry from Commissioner Dixon, Matt Flis provided a summary of actions staff will take to encourage solar power specifically, and sustainability and energy efficiency practices generally, in the review process.

4. Legislative Update

General Counsel Schuyler noted the memorial for the Texas Ligation has passed the House and Senate and is going to the Executive for signature. She also noted that HR 3465, the Fallen Journalists Memorial Act, has also been reviewed and passed by the Senate and will be sent to the Executive for signature.

5. CONSENT CALENDAR ITEMS

UPON MOTION by Commissioner May, seconded by Commissioner Wright, and carried, Commissioner Dixon not present and Commissioner Spino abstaining, the Commission approved the Consent Calendar.

5A. United States Department of the Interior, National Park Service, 11th Street, SE at Anacostia Drive, SE, Washington, DC - 11th Street Bridge Park Transfer of Jurisdiction (NCPC File No. 8230)

The Commission, pursuant to 40 U.S.C. § 8124(a), advised the United States Department of the Interior, National Park Service that it:

Approves the transfer of jurisdiction of approximately three acres from the National Park Service to the District Department of Transportation (DDOT) for the new 11th Street Bridge Park, generally located near the intersection of 11th Street, SE and Anacostia, Drive, SE.

Notes the final transfer may include minor modifications to the plat and legal description as necessary.

5B. United States Department of Defense, Department of the Army, Fort Belvoir, Virginia, - Data Storage Center Phase 3 (NCPC File No. 8233)

The Commission, pursuant to 40 U.S.C. § 8722(b)(1), advised the United States Department of Defense, Department of the Army that it:

Notes the project site is located within Fort Belvoir and will not be visible from outside the base.

Notes the proposed use is not inconsistent with the Fort Belvoir Master Plan framework plan which identifies the area for professional or institutional uses, to include research and development.

Notes the proposed data center must be located near existing facilities for connectivity and network latency purposes.

Notes the size of the data center and associated site work requires significant tree removal of 4.6 acres.

Notes the applicant has been working with Amazon Web Services (AWS) to identify mitigation measures for tree removal associated with the project, including the potential restoration and replanting of an old road corridor.

Finds the restoration of the old road corridor is a preferable approach as it restores tree planting in the vicinity of the site, removes impervious area, and expands forested habitat.

Requires a mitigation plan consistent with NCPC’s tree replacement policies to be included as part of the next submission.

* * *

Commissioner Dixon joins the meeting.
Commissioner Ginsberg leaves the meeting.

* * *

6. ACTION ITEMS – With Presentation

6A. Smithsonian Institution, Independence Avenue, SW & 7th Street, SW, Washington, DC - Hirshhorn Museum Sculpture Garden Revitalization (NCPC File No. 7889)

UPON MOTION by Commissioner Argo, seconded by Commissioner May, and carried, Commissioner Spino abstaining, the Commission, pursuant to 40 U.S.C. § 8722(b)(1) and (d), advised the Smithsonian Institution that it:

Approves the preliminary site development plans for the Hirshhorn Museum Sculpture Garden Revitalization, with the exception of the proposed changes to the inner partition wall and the reflecting pool.

Supports the Smithsonian’s intention to revitalize the Hirshhorn Sculpture Garden to improve the visitor experience and public engagement, as well as accommodate the museum’s mission and contemporary programming needs.

Finds that components of the revitalization can reinforce and improve the visual and physical connections between the National Mall, Sculpture Garden, and Museum.

Finds the revitalization must balance visitor experience, changing programming needs, and historic preservation considerations.

Notes the preliminary design for the Hirshhorn Sculpture Garden incorporates a design and artistic vision based on Zen garden principles.

Finds the sculpture garden design has changed substantially over time in response to improving visitor access, environmental comfort, and programmatic needs; however certain components of Bunshaft's original design including the reflecting pool, perimeter walls, and inner partition wall have remained unchanged.

Visitor Access and Experience

Supports improvements that enhance accessibility to and through the sculpture garden for visitors of all abilities.

Notes the museum site and sculpture garden were originally connected by a tunnel beneath Jefferson Drive. The tunnel was closed in 1993.

Supports re-opening the tunnel connection between the museum and the garden to improve connectivity between the two areas.

Supports the applicant's preferred approach to expand the stair opening to the top of the monumental Plaza entrance stairs, without bisecting the stairs, which allows for the desired daylight into the stair entrance and tunnel.

Requests the applicant work with the National Park Service regarding design options for Jefferson Drive that improve the pedestrian crossing.

Finds the inclusion of trees and plantings throughout the garden enhance shade which is important to visitor comfort.

Programming

Notes the museum and garden have a need to accommodate interactive art, larger sculpture, and other contemporary installations, in addition to the bronze sculpture collection displayed today.

Supports the museum's goal to revitalize the sculpture garden to accommodate new, flexible, and varied opportunities for museum programming.

Historic Preservation

Notes that staff analyzed the preliminary design for the Hirshhorn Sculpture Garden revitalization project using the Comprehensive Plan policies and the Secretary of the Interior

Standards, namely to preserve, rehabilitate, and protect historic landscapes and open spaces, both natural and designed, which are integral components of federal properties.

Notes that in following the guidance of the Comprehensive Plan and the Standards, as well as discussions during the Section 106 consultation process, staff has emphasized the preservation of contributing and character-defining elements of the current garden, while acknowledging that the Museum's programming needs may justify certain alterations if there are no other alternatives.

Notes the Hirshhorn Museum Building and Sculpture Garden have been determined eligible for listing on the National Register of Historic Places and the complex was designed by noted architect Gordon Bunshaft.

Notes the original Bunshaft elements have been determined to contribute to the eligibility of the garden. These elements include the sunken plan, concrete perimeter walls and inner partition wall, reflecting pool, south and north stairs, and the setting for display of rotating sculpture.

Notes that the Lester Collin design elements, introduced to the garden in 1981, have been re-evaluated as part of the Section 106 consultation process and have been determined to contribute to the significance of the sculpture garden. Those elements include the hardscape paving, garden "rooms", lateral north ramps for accessibility, and the east ramp at the intermediate level.

Finds the sunken garden space is a fundamental feature of the original Bunshaft design and the proposed revitalization will not alter the relationship of the garden's elevation to the National Mall.

Reflecting Pool

Supports the applicant's desire to improve the area around the reflecting pool, including the addition of another pool, to accommodate new performance programs.

Finds the reflecting pool is a fundamental feature of the original Bunshaft design. The pool proportions were intended to relate to the north window and balcony of the Hirshhorn Museum. The reflecting pool was retained by Collins in his 1981 alterations.

Finds that in response to the Commission's comments at the concept review, the applicant is proposing a design for the pool element that adds to the reflecting pool's original dimensions, with an expanded apron of water on three sides.

Finds the design for the proposed treatment of the Bunshaft reflecting pool, with the expanded apron of water on three sides, does not visually retain the distinct dimensions of the original reflecting pool and that the program need for the expansion is unclear.

Recommends the applicant provide a comprehensive rationale for the programming needs that require the expanded aprons around the Bunshaft reflecting pool and study other design alternatives prior to any Commission consideration.

Walls

Notes that all the existing concrete walls within the Sculpture Garden suffer from alkali silica reactions (concrete disease) and require replacement.

Notes that staff has evaluated the Sculpture Garden's walls in three groups: the perimeter wall, inner partition wall, and the auxiliary walls. Each wall group has a different purpose and relationship to the garden.

Perimeter Walls

Notes the existing perimeter walls are contributing elements to Bunshaft's garden design and the concrete aggregate material directly relates the sculpture garden to the museum building.

Supports the effort to replace the failing original perimeter aggregate walls of Bunshaft's design with in-kind materials, consisting of Swenson Pink aggregate, to maintain these character-defining elements.

Supports the reconfiguration of the north and south overlooks and the introduction of new overlooks to the east and west, to improve the connectivity of the garden with the National Mall.

Inner Partition Wall

Notes the inner partition wall is a contributing element to Bunshaft's garden design and was retained by Collins in his 1981 alteration.

Notes that the current location of the inner partition wall appears to meet the applicant's programming needs as it will be replaced in the same location.

Notes the applicant proposes to change the inner partition wall's material composition from the original concrete aggregate to stacked stone, with some Swenson Pink granite stones incorporated, noting the change is part of an artistic vision for the overall garden.

Finds the inner partition wall is a central focus of the overall garden and backdrop to the reflecting pool and the concrete aggregate material directly relates the sculpture garden to the museum building.

Finds that the applicant has not demonstrated a strong programmatic rationale for altering this character-defining feature.

Recommends the applicant provide a comprehensive rationale of the programming need for the change in material prior to any Commission consideration.

Auxiliary Walls

Notes that the existing non-contributing auxiliary walls within the garden will be removed to allow for the construction of universal accessibility ramps on the north and south end of the garden and for other programming needs.

Supports the introduction of walls in new locations to assist in providing universal accessibility into the garden and to enhance the Museum's programming needs while serving as backdrops for the sculpture collection.

Notes the design proposes the introduction of new stacked stone walls within the garden that will act as new backdrops for displayed art, while defining space.

Notes that the Secretary of the Interior's Standards for Rehabilitation require that new additions to historic resources be contemporary in design expression but compatible with the historic contributing, character-defining elements.

Notes that in keeping with the Standards, new auxiliary walls in the garden should be easily differentiated from the Bunshaft aggregate perimeter walls so as not to create a false sense of history or confusion. The new walls should always be lower in height than the historic concrete perimeter walls to provide a sense of hierarchy.

Recommends the applicant continue to explore ways in which the new stacked stone walls can be made more compatible with the historic aggregate perimeter walls and inner partition wall, through material, texture, color tone, or stacking pattern.

Security

Notes a guard booth will be located from the north side of the garden, adjacent to the National Mall, to the south side, near the western apron, adjacent to the new accessibility ramps.

Notes the applicant is continuing to explore options for the design of the guard booth, with input from the consulting parties.

Notes that security gates will be located at all pedestrian access to the garden, to allow for securing the garden when not open to the public.

Stormwater Management

Finds that the garden currently suffers from a lack of updated stormwater management practices, and the garden experiences flooding during significant rain events.

Notes the applicant intends to meet local stormwater management requirements and flooding issues, and therefore has been coordinating with the District Department of Energy and Environment.

Coordination

Requests the applicant continue to coordinate with the National Park Service to address any issues related to potential impacts to the National Mall or Jefferson Drive.

Requests the applicant continue to consult as necessary with the federal agencies and the Section 106 consulting parties, to continue to explore ways to minimize impacts to historic resources, and to determine appropriate mitigation to resolve adverse effects, to be included in a Memorandum of Agreement.

6B. United States Department of Defense, Washington Headquarters Services, 1 Pentagon Access Road, Arlington, VA - Pentagon Reservation Stormwater Management Design and Security Upgrades (NCPC File No. 8215)

UPON MOTION by Commissioner Dixon, seconded by Commissioner Argo, and carried, Commissioner Spino abstaining, the Commission, pursuant to 40 U.S.C. § 8722(b)(1), advised the United States Department of Defense, Washington Headquarters Services that it:

Approves the preliminary and final site development plans for the five low impact development projects on the Pentagon Reservation to provide stormwater best management practices that will further reduce total nitrogen, phosphorus, and sediment discharges into the Potomac River.

Finds the proposed stormwater management and perimeter security projects comply with the 2005 and 2016 Pentagon Master Plans.

Notes at concept review, the Commission requested the applicant revise the design for project #6 along North Rotary Road.

Notes the applicant explored several alternatives to simplify the stormwater management and security improvements for project #6 and is proposing a revised plan that incorporates additional landscaping and design elements.

Approves the revised plan for project #6 based on the following findings:

- The additional planting strip on both sides of the fence and within the tree boxes softens the appearance of the perimeter security.
- The larger fence posts and set of pillars at the gate break up the monotony of the fencing.
- The smaller size and number of bollards simplify the entry and create a more pedestrian friendly experience.

6C. United States Department of Health and Human Services, National Institutes of Health, 9000 Rockville Pike, Bethesda, MD - Surgery, Radiology, and Lab Medicine Building Addition (NCPC File No. 8235)

UPON MOTION by Commissioner McMahon, seconded by Commissioner Argo, and carried, Commissioner Spino abstaining, the Commission, pursuant to 40 U.S.C. § 8722(b)(1), advised the United States Department of Health and Human Services, National Institutes of Health that it:

Approves the preliminary building and site development plans for the new Surgery Radiology and Lab Medicine addition at the National Institutes of Health campus in Bethesda, Maryland.

Notes that the new Surgery, Radiology, and Laboratory Medicine addition would enable continued use of the main Clinical Center Complex as a premier, world-class research facility through expansion of the facility's interior space.

Notes that NIH selected the new addition and its location based on the need to continue Clinical Center operations as efficiently as possible. The project was based on a multi-year study that considered eleven different development scenarios with various department relocations between one or more existing buildings on-campus.

Notes that the project is part of a recently approved amendment to the 2013 Master Plan (Project # MP02) that includes the new MLP-15 Garage and Utility Vault along the west side of Convent Drive.

Finds that while the Commission expressed support for the amendment's reduced development setbacks along Convent Drive and the proposed building heights, the preliminary plans for the project show a building massing that appears out of scale to the project site.

Recommends that NIH continue to refine the massing and design of the new addition to reduce its large visual presence on the site through strategies that may include depressing the addition further below-grade, implementing design strategies from adjacent existing Clinical Research Center that emphasize horizontality over height, or using additional trees and landscaping.

Requests final landscape plans that include an inventory of all existing trees to be removed (locations/species/condition) and specific locations/species information for all future tree plantings, both on and off-site.

Notes that the project needs to comply with NCPC's 2016 tree replacement policy (FE.G.2), which requires replacement to prevent a net tree loss to the project area.

Notes that NIH is not considering rooftop solar at this time because they have invested significantly in a campus-wide cogeneration system, which is enabling the campus to achieve multiple emission reductions and energy efficiency goals.

Requests a final lighting plan as part of the final project submission that complies with International Dark-Sky Association (IDSA) standards.

Requests updated project renderings as part of the final (60-70% design level) submission to NCPC.

6D. National Capital Planning Commission - Antenna Submissions Guidelines Update (NCPC File No. 6947)

UPON MOTION by Commissioner White, seconded by Commissioner Wright, and carried, Commissioner Spino abstaining, the Commission, pursuant to 40 U.S.C. § 8711(e)(2) , advised the National Capital Planning Commission that it:

Approves the final adoption of the updated Submission Guidelines per 40 U.S.C. § 8711 (e)(2) and 8722(a).

Notes the updated Submission Guidelines will be effective 60 days after the notice of final rulemaking is published in the Federal Register.

Notes following Commission adoption, staff will incorporate any changes as directed by the Commission and will complete minor editorial updates to the text and graphics to ensure document accuracy and consistency.

* * *

Commissioner Spino leaves the meeting.

* * *

7. INFORMATION PRESENTATIONS

7A. National Capital Planning Commission, Washington, - Monumental Core Streetscape Design Guidelines (NCPC File No. 7886)

Secretary Koster noted that the information presentation on the Monumental Core Streetscape Design Guidelines, File No. 7886, will be provided at the January 7, 2021 Commission meeting.

8. Election of Vice-Chair

UPON MOTION by Commissioner Dixon, seconded by Commissioner Argo, and carried unanimously, the Commission elected Commissioner White as Vice-Chair.

9. Delegate Authorities to Vice-Chair

UPON MOTION by Commissioner Dixon, seconded by Commissioner May, and carried, the Commission delegated to the Vice-Chair the authority to perform the functions of the Chair falling upon the Commission in the absence of a Chair.

Secretary Koster read a resolution recognizing Commissioner Gallas' accomplishments during his term. Without objection, the resolution was approved. Commissioners White, Dixon, and May provided remarks thanking Commissioner Gallas, and Commissioner Gallas provided remarks to the Commission.

* * *

At this point the meeting was adjourned.

* * *

Julia Koster 12/09/2020
Julia A. Koster
Secretary to the Commission