



DONOHUE & STEARNS, PLC

February 12, 2018

VIA IZIS

Chairman Anthony Hood
D.C. Zoning Commission
441 4th Street, N.W., Suite 200S
Washington, D.C. 20001

Cc: Christopher Collins (via email), ANC 3E (via email) and ANC 3D (via email)

Re: ZC Case 16-23/Valor Development, LLC/Square 1499
Decision Date February 26, 2018

Chairman Hood:

At the January 25th hearing and in their Statement in Opposition, my client, Citizens for Responsible Development (“CRD”) presented graphics depicting the proposed Ladybird (Zoning Commission Exhibit Nos. 137 and 191). At that hearing, the Commission reiterated its request for additional views of the Ladybird. On slides 5, 8 and 9 of the attached Visual Impact Study, we have provided views from:

1. Yuma Street (from the alley next to 4843 Yuma Street);
2. The alley behind the Yuma Street homes; and
3. Above – An aerial view of what a person standing on the Yuma Street terrace of the Ladybird would see as they look down on the neighboring homes and yards¹.

These views show the juxtaposition of the massive Ladybird with the surrounding homes in the neighborhood. Digital Design and Imaging Services (“DDIS”) flew a balloon at the various heights of the Ladybird’s roofline and terrace to develop these photosimulations. As DDIS President and expert witness², Curt Westergard, stated at the hearing, the photosims were created using industry best practices; specifically, a 50 mm lens and accurate, unmanipulated photographs of the locations with context included (i.e. Spring Valley Shopping Center structures, clock tower, trees, signage, etc.).

In contrast, the Applicant failed to utilize the above-described best practices and has submitted inaccurate and manipulated visual representations of their proposal. By using a wide-angle lens (included in the iPhone which Valor’s architect testified was used to capture the view from Massachusetts Avenue) and cropping/ stitching photographs together (see slide 11 of the Visual Impact Study), Valor is attempting to make the Ladybird appear significantly smaller than it actually would be. The Applicant has described the Ladybird as a “stepped-back” approach to design (in reference to the

¹ The camera is set at 57 feet (the 51-foot high terrace plus 6 feet to the viewer’s eye level).

² The request for expert witness designation was filed on February 8, 2018.

view from Yuma Street) when, in fact, the photosimulation on slide 5 of the attached Study more accurately illustrates the contrast between the Ladybird and the much smaller surrounding residences.

The Applicant has provided testimony regarding its attempt to be transparent and work in conjunction with the neighbors to alleviate concerns and create a design that fits well within the context of the community. The submission of the manipulated and misleading photosimulations demonstrates a complete lack of transparency and an overall intent to misrepresent the final product. Slides 10 through 24 explain in detail the inaccuracies and post-production manipulation of the visuals submitted by Valor. These images not only drastically reduce the mass of the Ladybird, but also misrepresent the extent of its footprint. Slides 16 through 20 of the attached Study explain how the Valor photosims show the northwest corner of the Ladybird in the wrong location. By pulling the footprint in and artificially raising the roofline of the Spring Valley Shopping Center, Valor has effectively reduced the size of the Ladybird by 19% (see slide 16).

We ask that the Commission consider carefully the attached submission and DDIS' adherence to industry standards and best practices. Accuracy in the portrayal of the proposed Ladybird is critical as it is the only way to evaluate the impact to light, air and quality of life for the residents in this community.

Thank you for your consideration.

Sincerely,



Edward L. Donohue

Enclosure