



Zoning Commission Hearing, Case No. 08-06A

Subtitle I

Testimony of Nancy J. MacWood Chair, The Committee of 100 on the Federal City

November 14, 2013

Subtitle I involves mapping a huge area into new downtown zones. That action would include giving large density bonuses to this area with nothing in exchange – just more market-rate housing. Under current zoning, developers in the non-downtown zones must provide public benefits in exchange for density bonuses, but by rezoning these areas into downtown developers get the bonus and earn development credits, and we get more market rate housing. This is in stark contradiction of our goal of providing more affordable, mixed income housing in all parts of the city. We urge the Zoning Commission to closely examine the appropriateness of the expansion.

Proposed Density Bonuses

The majority of the land added to downtown is zoned C3C. OP is proposing to increase the by right height from 90 to 130 feet or the maximum allowed under the Height Act. The FAR limit, currently 6.5, would disappear and be replaced with an unlimited FAR. This maximum density bonus would be in exchange for an all-residential building or one that combines office and residential. With TDRs the maximum bonus density could also be used for an all-office building. While housing is clearly encouraged, there is no Inclusionary Zoning requirement. So market rate housing it will be and developers will earn credits for producing it.

We urge the Zoning Commission to closely analyze what is being proposed here and to factor into your deliberations the Comprehensive Plan guidance that mixed income housing be produced in central Washington. Of the 11 downtown zones, only two would have Inclusionary Zoning requirements and those are in the relatively small SP2 zones and areas north and south of the Mall near 395. Three of the four zones that would have some minimum residential requirement would actually limit the amount

of required residential FAR that could be used for affordable units. This seems a strange policy when some of these zones would get a by right height increase of 40 feet and unlimited FAR for an all-residential building or one that exceeds the very limited minimum residential FAR requirement. This may be a carryover from the current downtown regulations, but it seems to us to be another missed opportunity to leverage maximum density for more affordable or mixed income housing.

In addition to missed opportunities for affordable housing, we have concerns about the addition to downtown of land that borders Lafayette Square and the 16th Street SP2 zones. These are areas with important view sheds. Under current zoning these C-4 zoned areas have a by right height of 110 feet. If included in the downtown zone, these areas become eligible for by right height of 130 feet, or the maximum allowed under the Height Act. The modeling studies produced by OP during the Height Act Master Plan Study showed how the White House became obscured by 130 foot buildings as seen from the Jefferson Memorial. We urge the Zoning Commission to examine the modeling studies to evaluate potential damage to historic views from by right increased heights before you approve the expansion of downtown. OP should also be presenting you with exhibits showing how the proposed heights would transition in scale to residential areas on the edges of the proposed expansion area.

Once you expand downtown by the proposed 3-fold increase you automatically increase height maximums in some cases to whatever the Height Act maximum is. Currently, OP is recommending 200 foot buildings in the L'Enfant City. It would be prudent to wait on approving additions to the downtown until the controversy over the Height Act is resolved. If you do it now, you may be establishing a very large area with inappropriate heights of 130 feet, and you may open the door to 200 foot heights without the need for any further action from the Zoning Commission.

Finally, we want to raise the absence of any planned parks or open space in the expanded downtown. Great cities are known for their great gathering spaces. Acknowledging that our downtown open spaces are primarily controlled and restricted by the federal government, the Comp Plan states that downtown should include the District's Common – a gathering place to celebrate and to protest, a place that welcomes all the District's neighborhood residents. But there is no provision for parks, open space, or recreational activities in the expanded downtown. The only provision for open space would be through the credit system, but this scheme was dismissed by building industry representatives at the task force. They explained that there is more profit in built square footage than in potential credits. Are there areas included in the expanded downtown that could provide a large park or District Common? Are there opportunities for pocket parks perhaps in exchange for appropriate bonus densities? Have these options and how to facilitate them been considered?

We believe that Subtitle I represents major development opportunities, but we are not convinced that other opportunities for this land that could benefit the District for generations have been fully explored. The Council will consider Comp Plan amendments next year and the future of downtown could be a major topic for their and residents' consideration. Downtown needs to be more than tall office buildings and it shouldn't be the neighborhood for the rich.

Projections ¹⁶⁰⁶

Based on projects that are under construction, approved, or proposed; regional growth trends; and the planning policies articulated by the Comprehensive Plan, significant growth is expected in Central Washington during the next 20 years. The Planning Area is expected to grow from 8,000 households in 2005 to 16,400 households in 2025. Population will nearly double from about 15,700 residents today to about 30,000 residents by 2025. Most of the growth in Central Washington is expected to consist of new high-density housing, particularly in the Mount Vernon Triangle and NoMA areas. Medium and moderate density housing is also anticipated, as communities like Sursum Corda/Northwest One are redeveloped. ^{1606.1}

The number of jobs is expected to increase from about 423,000 today to 490,000 in 2025. This represents just over half of the total increase in employment projected for the District of Columbia between 2005 and 2025. Most of the increase will take place in NoMA and on the eastern side of the traditional Downtown. Major development sites such as the Old Convention Center also will generate a significant number of new jobs. Replacement of some of the aging building stock in the traditional Downtown, Near Southwest, and Golden Triangle areas also can be expected. ^{1606.2}



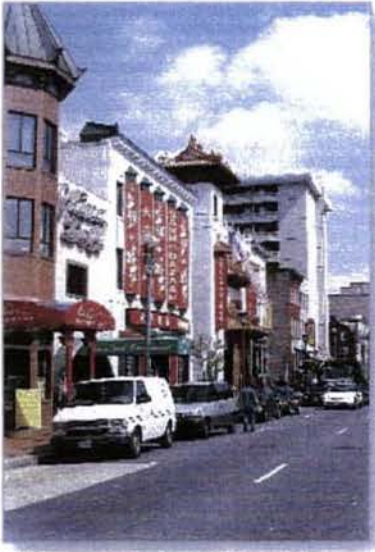
New development on the east side of Downtown.

Planning and Development Priorities ¹⁶⁰⁷

Priorities for Central Washington were discussed at Comprehensive Plan community workshops throughout 2005 and 2006. Several meetings with the Advisory Neighborhood Commissions that include Central Washington were conducted. Briefings to business and trade organizations with a stake in Downtown's future also took place. The revision process also included a Small Group Discussion on Downtown in October 2005. About 25 participants representing an array of Central Washington neighborhoods and interests were present. ^{1607.1}

The following priorities for Central Washington were expressed through this process: ^{1607.2}

- a. The vision of a mixed use "living downtown" remains even more applicable today than it was 30 years ago when it was conceived. A priority should continue to be placed on diversifying the mix of Downtown land uses to strengthen its role as the heart of the city. **The area is already the center of one of the largest urban office markets in the world.** Strengthening Central Washington as a creative, vibrant urban center will require more housing, retail, and arts and entertainment venues. It will also **require facilitating the expansion of the traditional Downtown to the east and southeast.** Capital projects, financial and development incentives, and



H Street NW, Chinatown

continued strong leadership will be needed to create the desired mix of uses.

- b. The Central Area should be a diverse place and its diversity should be reflected on many levels. Not only should it feature a mix of uses, but it should serve a variety of users, including Downtown and city residents, workers and visitors from across the region, as well as those from the rest of the country and the world. Downtown retailers should serve customers with a variety of income levels, and retailers themselves should include small, locally grown businesses as well as national chains. Non-profits and those who cannot afford Class A office rents also provide desirable diversity. Participants in Comp Plan discussions stated that further efforts should be made to nurture Downtown's developing mix of fine restaurants, theaters, galleries, clubs, and retail shops—and to complement these uses with attractive public spaces to achieve the eclectic, organic, high-energy character that defines cities like London and New York.
- c. In addition to being diverse, Downtown should be authentic. This should be expressed through its appreciation and celebration of its history, culture and heritage. Thus, a priority should be placed on the preservation of buildings, places and uses which express these qualities. Recent efforts to restore the former Carnegie Library Building, create farmers markets, and improve the Central Library to provide space for cultural celebrations are examples of actions which contribute to the feeling of authenticity. Chinatown presents an interesting case. While on the one hand, preserving Chinatown's authenticity has to be about more than just preserving facades or using Chinese characters on street signs, on the other hand, there has been a marked reduction in the number of Chinese businesses. It remains to be seen if Chinatown can maintain an authentic role as the center of a dispersed Asian community. Historic preservation should be strongly promoted Downtown where the historic fabric is still largely intact, but contemporary architecture also should flourish in places where new construction is appropriate.
- d. One issue raised during the Comprehensive Plan revision was the question of who Downtown Washington "belongs" to. The Mall may be a national gathering place, but many District residents do not perceive it as "theirs." **Downtown should function as the city's "Commons", a place where residents can come, feel welcome, celebrate good times and, when necessary, even protest about District issues.** The former Convention Center site should provide a great physical site for the expression of the Commons. There is a **need for other public gathering places, events, and activities that reinforce Central Washington's role as the great melting pot that serves all of the city's neighborhoods.**

Policy H-1.1.5: Housing Quality

Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. 503.6

Policy H-1.1.6: Housing in the Central City

Absorb a substantial component of the demand for new high-density housing in Central Washington and along the Anacostia River. Absorbing the demand for higher density units within these areas is an effective way to meet housing demands, create mixed-use areas, and conserve single-family residential neighborhoods throughout the city. Mixed income, higher density downtown housing also provides the opportunity to create vibrant street life, and to support the restaurants, retail, entertainment, and other amenities that are desired and needed in the heart of the city. 503.7

See the Land Use, Urban Design, and Area Elements for related policies.

Policy H-1.1.7: New Neighborhoods

Accommodate a significant share of the District's projected housing demand in "new neighborhoods" developed on large sites formerly used for government functions. In addition to housing, these neighborhoods must include well-planned retail, public schools, attractive parks, open space and recreation, as well as needed supportive services. The new neighborhoods should include a variety of housing types, serving a variety of income levels. 503.8

See also the Land Use Element policies on transit oriented development and mixed use.

Action H-1.1.A: Rezoning of Marginal Commercial Land

Perform an evaluation of commercially zoned land in the District, focusing on the "Great Streets" corridors, other arterial streets, and scattered small commercially-zoned pockets of land which no longer contain active commercial land uses. The evaluation should consider the feasibility of rezoning some of these areas from commercial to residential districts, in order to ensure their future development with housing. 503.9

Action H-1.1.B: Annual Housing Reports and Monitoring Efforts

Consider development of an Annual "State of DC Housing Report" which improves the quality of information on which to make housing policy decisions and/or a Housing Oversight Board comprised of residents, for-profit, and non-profit developers that reports each year on the effectiveness and outcomes of the District's housing programs. 503.10



Market Square, Penn Quarter

Policy CW-1.1.3: Incentives for Non-Office Uses

Because market forces tend to favor office development over other land uses in Central Washington, take action to attract the other desired land uses within the area. For example, the District's zoning regulations should include incentives for mixed use development, including housing, ground floor retail, educational uses, and arts facilities, in locations consistent with the Comprehensive Plan. 1608.4

Policy CW-1.1.4: New Housing Development in Central Washington

Encourage the development of new high-density housing in Central Washington, particularly in the area north of Massachusetts Avenue and east of Mount Vernon Square. This area includes Mount Vernon Triangle, Northwest One, and NoMA. Ground floor retail space and similar uses should be strongly encouraged within these areas to create street-life and provide neighborhood services for residents. A strong Downtown residential community can create pedestrian traffic, meet local housing needs, support local businesses in the evenings and on weekends, and increase neighborhood safety and security. 1608.5

See also the Housing Element for additional policies relating to Downtown housing production.

Policy CW-1.1.5: Central Washington Housing Diversity

Preserve Central Washington's existing low- to moderate-income housing, including public housing, Section 8 housing—both contracts and vouchers—and other subsidized units. While this will be expensive, **it is important to keep Central Washington a mixed income community** and avoid the displacement of lower income residents. 1608.6

Policy CW-1.1.6: Capturing Visitor and Employee Spending

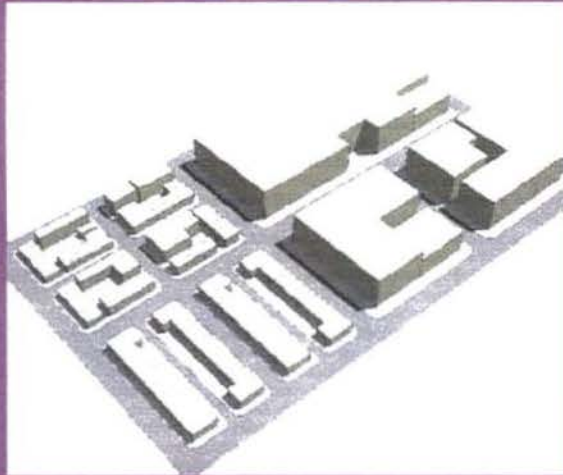
Capture a greater share of the demand for goods and services generated by the more than 400,000 persons working in Central Washington, and the millions of tourists who visit the area each year by supporting additional retail and restaurant development. This will generate substantial jobs, tax revenues, and social and economic benefits for the city. 1608.7

Policy CW-1.1.7: Central Washington Arts and Entertainment Uses

Retain, enhance, and expand Central Washington's arts and entertainment uses, including theaters, cinemas, galleries, studios, museums, and related services. Cultural uses should be actively encouraged in the area along 7th Street NW (between the National Mall and the Convention Center), and along the E Street corridor (between 5th and 15th Streets NW). The clustering of arts uses in these areas should complement the significant cultural institutions already present or planned, such as the Smithsonian museums (including the renovated National Portrait Gallery and Smithsonian

Figure 9.8:

Superblock versus Fine-Grained Street and Development Patterns 909.9



The diagram above contrasts the finer "grain" of a low-scale neighborhood with a downtown "superblock" (right, background) and a finer grained downtown block with multiple structures (left, foreground).

Policy UD-2.1.2: Downtown Street and Block Pattern

Maintain a fine-grained pattern of Downtown blocks, streets, and alleys, with intersections and frontages that encourage pedestrian movement and reduce the potential for immense variations in scale and "fortress-like" office buildings. (see Figure 9.8) 909.8

Policy UD-2.1.3: Downtown Edges

Establish and maintain scale and density transitions between Downtown and adjacent lower density neighborhoods. Use variations in height, massing, and architectural quality to ensure that the fine-grained pattern of adjacent neighborhoods is protected. (see Figure 9.9) 909.10

Policy UD-2.1.4: Architectural Excellence

Promote excellence in the design of Downtown buildings and landscapes. Particular attention should be focused on ground floor (street) levels, with greater architectural details used to improve visual image. 909.12

Policy UD-2.1.5: Federal Coordination

Coordinate with the federal government to achieve a consistent urban design vision for Central Washington. As applicable, the District should incorporate design concepts from the National Capital Planning Commission's Legacy Plan and similar design-oriented plans for the monumental core of the city into its own design plans and strategies. 909.13

Policy UD-2.1.6: Pedestrian Bridges and Tunnels

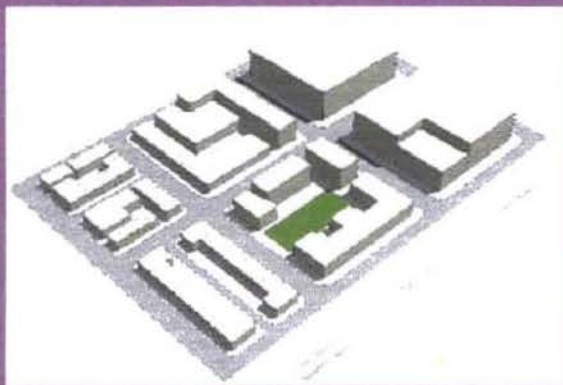
Discourage the construction of second-level Downtown pedestrian bridges that drain activity from the street level. Subterranean tunnels between buildings also should be discouraged, unless they improve access to Metro and are necessary for pedestrian safety. 909.14

Action UD-2.1.A: Retail Ceiling Heights

Convene a Task Force of retailers, developers, architects, and others to evaluate alternative approaches to achieving higher first-floor ceiling heights in new Downtown buildings. 909.15

Figure 9.9:

Desired Scale Transitions at Downtown Edges to Residential Areas 909.11



This diagram illustrates the desired transition for new development from a moderate density neighborhood to the high-density urban core, avoiding abrupt contrasts in scale and mass.

Policy CW-2.8.1: NoMA Land Use Mix

Promote NoMA's development as an active **mixed use neighborhood** that includes residential, office, hotel, commercial, and ground floor retail uses. A **diverse mix of housing, serving a range of household types and incomes,** should be accommodated. ^{1618.9}

Policy CW-2.8.2: East of the Tracks and Eckington Place Transition Areas

Create a production/arts and live-work, mixed-use area east of the CSX railroad tracks between H Street NE and Florida Avenue NE, and in the area east of Eckington Place and north of New York Avenue. Some of this area is shown as "Mixed Use Production Distribution Repair/Residential" on the Future Land Use Map. The intent of this designation is not to blend industrial uses with housing, but rather to retain viable industrial activities until market conditions support their conversion to live-work space, housing, artists studios, and similar uses. These two areas should generally not be developed with large-scale commercial office buildings. Mixed use development, including housing, should be encouraged in both locations. ^{1618.10}

Policy CW-2.8.3: NoMA Transportation Improvements

Design NoMA to accommodate a wide array of transportation options, with a particular emphasis on walking, bicycling, and improved transit connections. Improve the accessibility, functionality, and safety of the area's street grid, introducing new streets as needed to improve circulation through the area. This should include the redesign of the New York/Florida Avenue intersection to improve pedestrian safety, enhance access to the New York Avenue metro station, and create a landscaped neighborhood gateway, possibly including a new national memorial. ^{1618.11}

Policy CW-2.8.4: Protecting Neighborhoods Abutting NoMA

Provide appropriate scale transitions between NoMA and existing adjacent residential neighborhoods in Eckington and Capitol Hill to conserve the fine-grained row house fabric of these communities. Service facilities, loading docks, and other potentially objectionable features should be located away from sensitive uses such as housing. ^{1618.12}

See also the Urban Design Element and the Capitol Hill Area Element for policies on scale transitions.

Policy CW-2.8.5: NoMA Architectural Design

Establish a unique architectural and design identity for NoMA, based in part on the area's heritage as an industrial area. This identity should preserve, renovate, and adaptively reuse NoMA's important historic buildings. ^{1618.13}

Plans are currently underway to rebuild the Sursum Corda Cooperative as a mixed income community, providing one-for-one replacement of subsidized housing while adding market rate housing and new community anchors that help residents become more self-sufficient.



View corridor from Mt. Vernon Square south to National Portrait Gallery

adjacent to the Convention Center to minimize impacts on the surrounding neighborhood. 1614.8

Policy CW-2.4.4: Mount Vernon Triangle Residential Development

Develop the Mount Vernon Triangle (east of Mount Vernon Square) as a high-density residential neighborhood. Zoning incentives for this area should encourage the production of housing, as well as local-serving ground floor retail, arts, and small office uses. Public and private sector improvements to parking, infrastructure, transit, and other community services and facilities should be provided as development takes place. 1614.9

Policy CW-2.4.5: Creating a Sense of Community in Mount Vernon Triangle

Foster a stronger sense of community in Mount Vernon Triangle by including affordable housing as well as market rate housing, providing family-oriented amenities such as larger housing units and parks, encouraging small-scale cultural uses and small businesses, and preserving historic landmarks within the area. The 5th and K Street area should be emphasized as the area's "neighborhood center" and the 3rd and K Street area should be emphasized as its "residential core." 1614.10

See also the Near Northwest Area Element, and the Urban Design Element for additional policies regarding development along the edges of Central Washington.

Policy CW-2.4.6: Mount Vernon District Parks

Improve the network of public open spaces in the Mount Vernon Square and Triangle area to meet the needs of residents, workers, and visitors. Special attention should be given to enhancing the "bow-tie" shaped park reservations on Massachusetts and New York Avenues, and providing more active, programmed uses in Mount Vernon Square itself. This will require coordination with the National Park Service and the National Capital Planning Commission. Eventual transfer of park management responsibilities to the District should be pursued for these spaces. 1614.11

Policy CW-2.4.7: Creating Pedestrian-Oriented Streets in the Mount Vernon District

Promote active, pedestrian-friendly streets throughout the Mount Vernon District. Place a particular emphasis on improving K Streets as a major east-west pedestrian route, with wide sidewalks and abundant street trees and landscaping. Pedestrian amenities should also be provided along 5th, 7th, 8th, and 9th Streets to improve the connections between the Mount Vernon District and the Gallery Place and Chinatown areas to the south. 1614.12



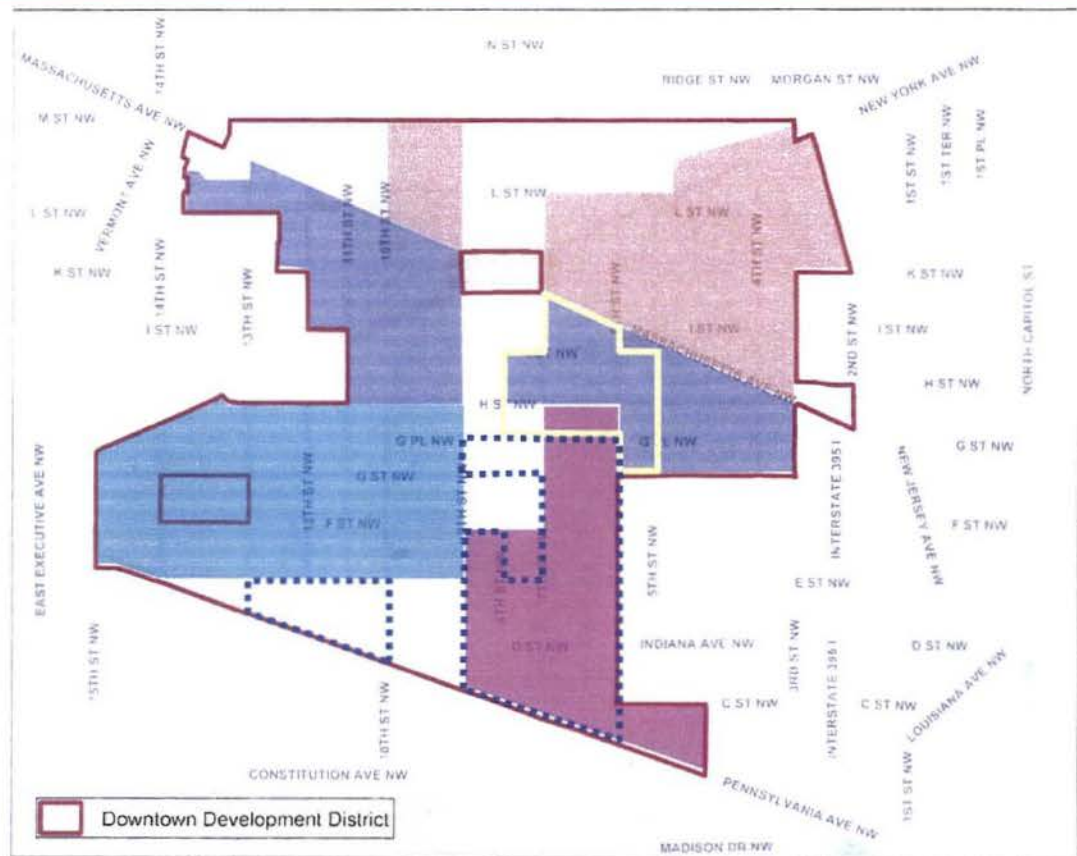
Downtown Development District

- Sub-Areas

- Housing Priority Areas
- Shop
- Arts
- Chinatown

- Tools

- Density Increases & Use Requirements
- Combined Lot
- Transferable Development Rights
- Design Standards



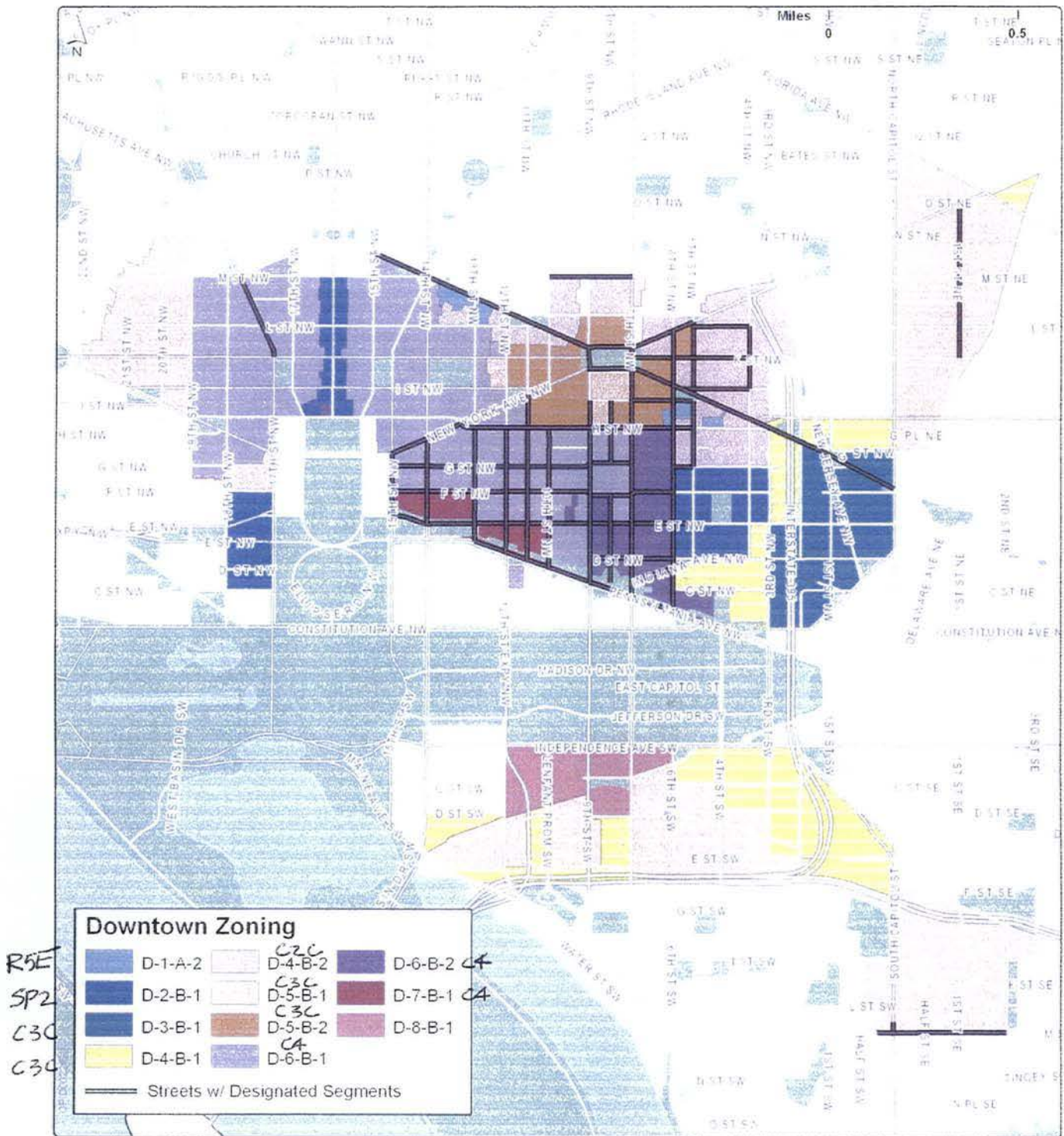


Figure 4. All Streets in Downtown Zones with Designated Street Segments

