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U.C. OFFICE OF ZONING
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October 31, 2014

D.C. Zoning Commission
Suite 210
441 4th Street, N.W.
Washington DC 20001

Re Zoning Commission Case No 14-13
Text Amendments regarding Rooftop Penthouses

Dear Members of the Commission,

I am writing to provide comments to Zoning Case No 14-13. We greatly appreciate the opportunity to provide input on the text amendments regarding Rooftop Penthouses.

The recent amendment to the Height Act, known formally as the Act to regulate the height of buildings in the District of Columbia, is unique in that it allows for the residents of the District to gain substantial reward from a minor change to arcane federal law. In permitting previously uninhabitable rooftop space to be utilized for human occupancy, the District gains a significant amount of new taxable space while giving the skyline an aesthetic update—all without increasing current height limits in DC.

We support the amendment, as recommended by the Mayor in July, which would increase the tax revenues available for investment in affordable housing without creating an economic disincentive against the use of the change to the Height Act altogether. It is our hope that the Zoning Commission will protect the District's opportunity to benefit from this change.

We are also responding to the invitation to comment on whether penthouse square footage should be included within the overall building FAR limit. The Commission's proposed changes add an entry fee to take advantage of penthouse occupancy. Any new restrictions would be a deterrence to business owners, residents, and developers seeking to utilize this provision and subsequently reduce the benefit to the District taxpayer of increased taxable revenue. With FAR limitations, the Zoning Commission will stunt the tax base and reduce the funding necessary for the District policy makers to provide affordable housing for its residents.

We urge the Zoning Commission to approve the recommendation put forth by both the Mayor and Office of Planning which encourages development of penthouse spaces under current laws and will result in increased affordable housing and increased tax revenue for the District of Columbia.

Very truly yours,


Jodie W. McLean
President and Chief Investment Officer

ZONING COMMISSION
District of Columbia
CASE NO. 14-13
EXHIBIT NO. 10