

2014 NOV -4 PM 4:25

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,

We would like to thank the Zoning Commission (the "Commission") for the opportunity to participate in this process as we believe that amending the Height Act represents a major opportunity for the District of Columbia (the "District"). As with many others in the District's real estate community, we were hopeful that the result of recent conversations around this topic would have resulted in greater relief from the current height restrictions imposed by Congress, however we are pleased to see at least some positive movement toward easing the existing Height Act restrictions.

We are responding to the invitation to comment on proposed amendments to the District's zoning regulations in response to recent Height Act changes provided by Congress. The purpose of this letter is to express our concerns with the proposed alternatives offered by the Commission as they would negate any potential benefits of the increased density which would be allowed by the penthouse occupancy that was provided by Congress

These proposed changes, which would mandate additional affordable housing requirements for the new penthouse FAR at levels significantly higher than the District's current inclusionary zoning laws, would make use of new rooftop space financially unfeasible.

As an active participant in the District's multi-family development market, we have several projects currently in the planning and design phases that would be directly affected by this change to the Height Act. These buildings would benefit from the additional FAR that would now be allowed within the penthouse spaces and incorporating such changes into the designs of our existing pipeline of projects would result in more units being developed and, thanks to the District's existing Inclusionary Zoning program, would also increase the level of affordable housing our projects will create.

This increased level of development would also result in an increase in the overall job creation generated by these projects and improve the positive fiscal impact each will have on the neighborhoods in which they are located; from Friendship Heights to NoMa to Southwest to Shaw, as well as on the District as a whole. Should the Commission's proposed changes be adopted, it would cause us to forgo this opportunity to develop additional space in any of our

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pipeline projects, thereby denying these neighborhoods and the District the potential added benefits.

The Zoning Commission's proposed alternatives to the Mayor's recommendation would result in a significant loss of potential new economic development and affordable housing investment for the District. As such, we urge the Zoning Commission to approve an approach which encourages development of penthouse spaces and incorporates any additional affordable housing requirements for this new space at a level equal to current inclusionary zoning and housing linkage programs included in the Zoning Regulations.

Sincerely,



T. Christopher Roth
Trammell Crow Company



Adam C. Weers
Trammell Crow Company