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November 5, 2014



Anthony Hood, Chairperson
D.C. Zoning Commission
Office of Zoning
441 4th Street NW, Suite 210
Washington, DC 20001

Re: Z.C. Case No. 14-13

Comments regarding Rooftop Penthouse Text Amendments

Dear Chairman Hood and Members of the Commission

Property Group Partners appreciates the opportunity to provide comments relating to the proposed amendments to the Zoning Regulations relating to the use, occupancy and design of penthouse structures. We generally support the proposed text amendments in that they will permit greater use of penthouses and rooftop space throughout the District. Property Group Partners has several specific comments that it would appreciate the Commission considering

First, we support the Office of Planning's recommendation and the Proposed Text for Section 414.13 relating to the amount of affordable housing required by virtue of the use of space within the penthouse. The proposed housing linkage contribution in an amount equal to 50% of the assessed value will serve to increase the funds within the Housing Production Trust Fund while at the same time still providing some financial incentive to a developer to convert or construct the additional space on the rooftop. Similarly, we support the Proposed Text for Sections 2603.1 and 2603.2, which applies the existing Inclusionary Zoning formula for additional residential rooftop FAR. The Alternative Text proposed for both Section 414.13 and Chapter 26 is too restrictive and will not result in either the construction of usable space on the roof or the production of additional affordable housing through construction of housing linkage.

In addition, we support the Proposed Text for Section 411.20 which provides for a consent calendar minor modification approval process to obtain a modification for approved PUDs for use of the penthouse. We appreciate the Office of Planning providing a more streamlined mechanism to allow use of this space, especially for those PUDs that have been recently approved. In addition, we recommend that the Commission consider an administrative approach for approval for those cases in which there is no change proposed to the exterior design or to the size of the penthouse. In those limited cases, the Zoning Administrator should be permitted to approve administratively the expanded use to the penthouse so long as the property owner evidences compliance with the requirements of Section 414 and the use of the penthouse is a permitted use under the approved PUD.

Property Group Partners appreciates your consideration of these comments.

Sincerely,

Sean C. Cahill
Senior Vice President Development

ENCLOSURE

ZONING COMMISSION
District of Columbia

CASE NO. 14-13

EXHIBIT NO. 17

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