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October 29, 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,

We would like to thank the Zoning Commission for the opportunity to participate in this process as we believe that the Height Act amendment represents a major opportunity for the city. However, it is our concern that the proposed alternatives offered by the Commission will serve to negate the potential benefits of the increased density through penthouse occupancy that was provided by Congress for the benefit of the District of Columbia.

The District of Columbia is currently experiencing dramatic economic growth and as this continues to occur, the cost of living and housing affordability become increasingly important to ensure such growth is sustainable. It is critical that the city prepare itself to be financially able to support the need for affordable housing now and in the future. The Height Act amendment provides the funding vehicle to support this need through increased tax revenues from higher density and the application of this increase in density to current inclusionary zoning and housing linkage laws.

As such, we are responding to the invitation to comment on whether penthouse square footage should be included within the overall building FAR limit. Any change, in this instance, to the laws that currently govern affordable housing and building FAR would make use of new rooftop space financially unfeasible. The Mayor's and the Office of Planning's recommendation protects this crucial benefit to the District without placing an entry fee on the use of the federal penthouse occupancy amendment.

The Zoning Commission's proposed alternatives to the Mayor's recommendation would result in the underutilization of penthouse occupancy and represent a loss of affordable housing investment. The District, and its representatives on this Commission, would be irresponsible to create new and unnecessary regulatory restrictions solely for penthouse occupancy. 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 and the much-needed increase in affordable housing investment.

Sincerely,

Monty Hoffman
CEO

ZONING COMMISSION
District of Columbia
CASE NO. 14-13
EXHIBIT NO. 8
District of Columbia
EXHIBIT NO. 8
Fine Urban Living