National Capital Planning Commission

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Executive Director

Marcel C. Acosta

IN REPLY REFER TO:
NCPC File Nos. CP19/7151

OCT 19 2010

Ms. Alma H. Gates
Committee of 100 on the Federal City
1317 G Street, NW
Washington, DC 20005

Re: Letter to Chairman Vincent Gray dated October 4, 2010

Dear Ms. Gates:

We are in receipt of a courtesy copy of a letter from you dated October 4, 2010 to Vincent Gray, Chairman of the Council of the District of Columbia. The letter focused on the recent hearing regarding the proposed amendments to the District Elements of the Comprehensive Plan and in particular the amendments dealing with the forthcoming Union Station Air Rights Project proposed for the H Street, NE overpass. The letter sought to clarify our position on this project in light of our letter to Chairman Gray dated September 3, 2010 (copy attached) and in light of Harriet Tregoning's testimony at the September 20, 2010 Council hearing. Ms. Tregoning offered alternative language for the Capitol Hill Element of the Comprehensive Plan, stating that the language was agreed upon by NCPC and the District of Columbia Office of Planning (DCOP). I would like to clarify our position on this project as it stands at this time.

After submitting our letter of September 3, 2010 to Council stating NCPC's position on the proposed amendments, DCOP staff contacted NCPC staff and proposed alternative language regarding the project. It is our understanding that the details of what is certainly to be a complex project are still being developed. It is our intent that the alternative language agreed upon by DCOP and NCPC staff was meant to cover NCPC's concerns related to *design* of the project and not the technical details of the measuring point for the buildings. Without seeing the project's details, it is difficult to ascertain what the appropriate measuring point should be, although we reiterate that measuring from the crown of the H Street, NE overpass would be, in our view, contrary to the Height Act and past Zoning

Commission actions related to measuring from elevated roadways or man-made grades. Hence, the language that was verbally agreed to between DCOP staff and NCPC staff is related to the overall design of the project and NCPC will take a position on the measurement of the project once the design details are known.

I hope this clarifies our position on this issue. We look forward to reviewing these amendments to the District Elements of the Comprehensive Plan once the Council has taken a formal action. We also look forward to reviewing aspects of the Union Station Air Rights project as the Zoning Commission establishes zoning at the site. If you have any questions, please contact David Zaidain of my staff at 202-482-7230.

Sincerely,

Marcel Acosta
Executive Director

Attachment

cc: Chairman Vincent Gray
Council of the District of Columbia

Councilmember Tommy Wells
Council of the District of Columbia

Anthony Hood
District of Columbia Zoning Commission

Robert Miller
Council of the District of Columbia

Harriet Tregoning
DC Office of Planning