

From: George R. Clark [GRClark@GeorgeRClark.com]  
Sent: Sunday, October 17, 2010 5:22 PM  
To: Gray, Vincent (COUNCIL)  
Subject: Comp Plan Amendments

Vince,

I write to urge you to vote to reject two of the proposed Comp Plan amendments that will come up before the Council on Tuesday.

The first is the Office of Planning amendment to change the clear and proscriptive language in the existing Comp Plan regarding measuring height of buildings constructed in air rights. The revised amendment that Director Tregoning offered at the hearing is vague and continues to provide a means for OP to go to the Zoning Commission and say let's change how we are measuring height. This is disingenuous double-speak. If OP were on board with implementing the Height Act correctly there would be no need to change the current language, which is consistent with the Height Act. The current Comp Plan policy allows for air right development that is consistent with the development pattern throughout the city. I urge you to reject any attempt to change the current provision. The existing Comprehensive Plan (Policy CH-2.1.7) is of critical concern and should be kept.

Let me give a little more background on this. I've been talking to OP about this for over a year. At the outset they said don't worry, we really won't do it. Then they said it will only be at this one site and nowhere else --so I said why we need to change the Comp Plan, just go to the Zoning Commission on this. (By the way, that is what the Zoning Commission said to OP at its September 20, 2010 hearing on the new proposed Height rules). At that same ZC hearing, OP now says this would apply in 3 or 4 other unspecified spots in the City -- and you can be assured they are looking for more.

This change would allow the developer to start measuring a 130 foot high building 56 feet above where NCPC says the Height Act says you should measure. So we are talking about a 186 foot high building immediately North of Union Station. What does that do to the view of the Capitol from the Capitol, from Cardozo High School, from New York Avenue -- from just about anywhere? You can be sure that the developers will tout this as views unsurpassed anywhere in DC -- and they will be right because the Height Act prohibits it. Why do we want to give that away? As NCPC said in its letter to you of September 3, 2010 (the last bullet), height should be measured there from the ground.

I also urge you to reject the Comp Plan amendment offered by OP that would allow the Zoning Commission to map transit-oriented development ("TOD") during the zoning rewrite process and prior to OP conducting a public planning process for determining where TOD should apply. The Comp Plan policies make it clear that not every transit corridor or even every metro station should be mapped for TOD. There are many elements that are to be evaluated before a metro station or transit corridor is designated for more intense development. The approach that OP is recommending through the amendment is to forego the public planning in lieu of designating all stations and corridors TOD. This is not the bottom-up zoning

approach that the Council has supported throughout the Comp Plan, and specifically for TOD. Residents have an expectation that they will be involved in determinations about TOD and this amendment would remove that planning process and replace it with OP's judgment that TOD should be applied at every metro station and on every transit corridor without public input. I urge you to reject it.

Thank you for considering my views.

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