August 14, 2013

Commissioner L. Preston Bryant, Jr., Chairman
Ms. Harriet Tregoning, Director, Office of Planning
National Capital Planning Commission
401 9th St., NW
Washington, DC 20004

Dear Chairman Bryant and Ms. Tregoning:

I write in response to the July 24, 2013 presentation on the Height Act, and to the materials posted on-line.

Changing the allowable height of buildings in the District should be considered only if there is a solid reason to do so. Instead, you have presented an opportunistic solution in search of a compelling problem. The burden of proof for major changes in the nation’s capital lies with those who propose those changes. No solid case has been offered that would compel us to change the Height of Buildings Act (HBA) that has served the city so well for so many years.

The assertion that the city will be completely built out in 20 years is not credible. In fact, we have large sections of the city, particularly in Wards 5, 7, and 8 that are crying for wise planning and neighborhood-scale commercial and residential redevelopment well within the current height limit: Rhode Island Ave., Bladensburg Rd., Minnesota Ave., MLK Blvd., Benning Rd., etc. It has been quite difficult to attract developers and anchor businesses to these areas. While the city government’s intentions have been good, progress has been achingly slow. Wealthy areas like Wisconsin Ave., Tenley Town, and K St. do not need additional height in order to be economically sound and attractive.

Under such circumstances, and given the substantial current planning challenges the city faces even to build out under the current HBA, planning for the next 100 years seems like a diversion of time, talent and attention.

Your figures on the number of jobs to be created mean little to District residents unless the majority of these jobs go to District residents. Again, the city has had good intentions but has made far too little progress in training and employment for construction jobs within the District.

Raising the height of buildings will not necessarily produce affordable housing and this claim should not be made. Many cities where height is not restricted suffer from lack of
affordable housing. Any trickle-down affordability is incidental and again, not backed by data. In fact, the city has a dismal record of garnering affordable housing from inclusionary zoning. The Office of Planning’s recommendations to the Zoning Commission that exempt the proposed expanded downtown from providing inclusionary zoning represent a lost opportunity to provide housing that our city desperately needs.

Making rooftops more usable and attractive is a worthy goal but this is largely an issue of good design, not of additional height. Surely our fine architectural community can respond to this challenge with solutions that will please everyone. Adding more floors to a building just pushes the problem up to the next rooftop.

While the visual studies were particularly interesting, they fall short in several important respects:

- They fail to show the effects on light/shadow of canyons from the ground level perspective experienced by pedestrians. I would argue that understanding the pedestrian experience is most definitely “in the Federal interest” in that we are host to many millions of visitors – with vastly increased visitation anticipated – as well as local residents who will experience these streets everyday.

- The models do not show the massive 14-acre Akridge development behind Union Station where the base measuring point is at the top of the Hop Scotch Bridge. This is itself worth showing in the interesting modeling SOM presented.

Finally, you have not provided any analysis of the unanticipated consequences of changing the Height of Buildings Act. All is made to seem rosy and positive, but this is disingenuous. Of course there will be risks and potential downsides. What are they? Under what circumstances could this change have a negative impact on the city?

In short, where is the case for changing the Height of Buildings Act? Any proposal that NCPC or OP makes to do so will leave many wondering to whom our planning agencies are responding and why: Developers lobbying behind the scenes? Mr. Issa who has little invested in the city and will soon leave his congressional committee? Or is this a case of density for its own sake without regard to unanticipated consequences?

I urge you to recommend modest improvements to making rooftops more attractive and usable and to reject other changes to the Height of Buildings Act.

Sincerely yours,

Meg Maguire

cc. NCPC Commissioners
The Honorable Eleanor Holmes Norton