

Testimony of Gary Malasky before the Zoning Commission on February 11, 2014

My name is Gary Malasky. I am a lifelong resident of Washington. I recently left WMATA after 8 years in the Joint Development Program, which aimed to create walkable urban communities around Metro stations, as well as to provide additional revenue for WMATA. I would like to comment on several issues in the proposed revision.

For most of the city, I strongly support the Accessory Apartments proposal. It is the quickest way to provide additional housing choices, much of it likely to be affordable, throughout the city. It is also far less costly than constructing new buildings to meet the same demand. I suspect that many of the people occupying the Accessory Apartments will not have cars, but some will. To the extent the regulations would apply in areas such as Georgetown and Glover Park where parking is already very tight, that is an impact the Commission might want to consider.

A trend which is starting to show up in the region is building larger apartment units with more bedrooms. While the supply of small units is plentiful, there has been little to meet the expected demand from couples with children and empty nesters who want to stay in the city, but need space. The proposed minimum parking regulations are fine, especially for buildings with all smaller units. Ultimately, the market and lender requirements will determine how much parking is actually built. I am somewhat concerned about the provision to establish TDM guidelines when parking provided exceeds 150% of the zoning standard. That provision is fine for efficiency and 1 bedroom apartments, but I think 2 bedroom and larger units should be exempt. It is important to keep those people needing the larger units in the city, and to recognize that their needs may be different from those occupying the smaller units.

With respect to another provision, I live in Wesley Heights which like much of the city is hilly. Every house on my side of the street is higher in the front than the back, and each has a walk out basement which is below grade in the front. For some of the houses, that walk out level would constitute a 4th story. It seems to me that measuring points are very important for the proposed R14 and R15 zones. New houses should be able to be built with walk-outs not limited by the height and number of stories standard. That would be very much in keeping with the existing housing stock in the neighborhood. The new regulations should also not create any non-conforming uses.

Thank you

ZRR testimony February 11, 2014

Judi Jones, ANC 4B07

Thank you for allowing my testimony this evening about these important matters.

➤ Impervious surfaces

I had an SMD meeting last night (Monday, February 10, 2014) with reps from DC Water. There has been a charge on our water bills for the past 5 years that measures the impervious surface of your property and fees are tacked on to the bill because of it. In DC's efforts to clean up the Anacostia and Potomac rivers, water run-off from storms and drains are polluting the rivers. This is a serious problem that needs to be addressed. But without any warning or, more importantly, community vetting, DC Water charges customers TWICE for the lack of impervious surface on our properties in order to fix the storm water run-off problem. The fee will be on our bills for 15 more years and is expected to go up every October 1 until the fee sunsets OR the \$1 billion bill is paid back to the federal government for the storm water run-off tunnels mandated by the federal gov't to help fix the problem. You may ask what this has to do with the new zoning regs? Well the new zoning regs cement those fees on our bills possibly forever. The new zoning regulations require NEW or renovated homes and businesses to include impervious surfaces to be measured for the green area ratio (GAR), as a matter of right and quality standards for new housing monitored by DCRA. However, when people buy existing homes or those of us who have owned our homes for more than five years are being penalized for impervious surfaces that are not defined by existing zoning regulations or the new regs. The new zoning regulations don't address reasonable remedies for the existing homeowner to reduce the burden for the lack of impervious or fees on their water bill. Existing homebuyers should not bear the burden new zoning regulations that were NOT in effect when the homes were built unless they intend to renovate. Compounding the issue is the lack of any agency, committee or commission regulating and monitoring DC Water like there is for every other utility. DC Water is not regulated by OPC, PSC, WSSC or (formally) Corporation Counsel. I am asking that ZC to consider wording in the new regs that would not penalize homeowners of existing structures' lack of impervious surfaces until major renovations or permits are requested, or some other reasonable method of incorporating impervious surfaces for residents in the green area ratio.

✓ Community voices vs matter of right

My other matter is the new zoning regulations have lowered the standard of residential/voter input for many of the new regs. Many more issues are a matter of right but still intrude on ^{community character} residents' sensibilities and should be special exceptions not a matter of right. I am asking the ZC to consider all the issues that are germane to maintaining residential ^{character} cultural continuity such as parking, ADUs, corner stores and affordable housing ought to be special exceptions rather than matter of right.

Thank you for letting speak and hope you will take concerns seriously