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Testimony to DC Zoning Commission

**Commercialization of Neighborhoods:
A Threat to Both Residential and Nascent Commercial Areas
Sections D, E, F
November 16, 2013**

(NOTE: As I was just returning from China at the beginning of these hearings, I was unable to testify at the sessions on Nov. 6 & 7. My testimony, while most relevant to sections D, E and F also relates to G, mixed-use zones and the need to concentrate and strengthen new commercial activities in these zones.)

My name is Meg Maguire. I have lived in Ward 6 on Capitol Hill since 1977. The Hill is a wonderful mixed-use neighborhood with corner stores, alley dwellings, row houses, apartment buildings, excellent public transportation and vibrant commercial areas. My husband and I hope to stay here for the rest of our lives.

The Hill would seem to be the mixed-use prototype exalted by the Office of Planning (OP) in its zoning proposals. But the Hill has suffered creeping commercialization into residential areas; parking congestion; and conversion of once-affordable row houses on Massachusetts Ave., NE and C St., SE, among others, to offices, restaurants and beauty salons. Granting further matter-of-right commercialization in our city's diverse residential neighborhoods without any consideration by neighbors or the ANC's is a profound change in DC governance and a disservice both to stable neighborhoods and to those that need concentrated new commercial development to serve old and new residents.

What will be the cumulative effect of...

- Adding so-called corner stores (which may also be in the middle of the block),
- Permitting external accessory dwelling units (ADUs) and new construction over garages,
- Broadly expanding proposed home based businesses,
- Redefining apartment zones as commercial rather than residential,
- Expanding the downtown three-fold to encroach on existing neighborhoods, and
- Refusing to propose measures to deal with character-altering pop ups and McMansions because, in OP's words, "...they sell"?

OP has not addressed the cumulative impact of their proposed changes. But surely we can learn from the urban mistakes of the mid-20th century still sadly evident in many older

American cities: permitting everything everywhere without community discussion can lead to shabby neighborhoods, disgraced boulevards, abandoned downtowns and loss of property values.

Further, OP's libertarian approach to individual property rights greatly alters the foundation of neighborhood governance -- *the cherished process of consultation and neighborhood discussion about change*. Residents will now confront an unwelcome reality: the obligation to remain silent in the face of surprising new developments that may appear next door and influence the local quality of life for years to come. Why should I have to consult with my neighbor about replacement of a fence, but not about the noise, fumes or visitor parking that may be generated by a new in-home beauty parlor, metal working shop or corner store with its out-of-residence workers? Was this imposed silence envisioned when we enacted home rule and set up ANC's? Is this muzzling what the Comprehensive Plan of 2006, the legal foundation for zoning changes, called for? Clearly not. What OP proposes as a matter-of-right is in eminent danger of becoming a matter-of-wrong.

Perhaps it is not surprising that OP, lodged within and reporting to the Deputy Mayor for Economic Development, would propose these measures to further commercialize neighborhoods. But OP has a professional obligation to accompany its many new proposals with a projection of potential unanticipated consequences on residential and mixed-use business development; and to undertake objective and transparent analysis that examines their housing affordability prescriptions. How about requiring a warning label of side effects that may also occur, with a directive to immediately contact the Zoning Commission if our neighborhood character begins to suffer? We need neighborhood stability, not citywide medication.

Over the past 300 years, DC neighborhoods have developed with distinctive styles and living patterns that make life in the nation's capital attractive to people of all ages, stages, tastes, and circumstances. The District's vibrant and diverse communities offer many ways to live in harmony within this dense, livable city. We are not a dumb growth, sprawling city in need of radical transformation. We are a city in need of well-targeted and concentrated economic development, particularly in Wards 5, 7, and 8. We need genuinely affordable mixed income housing throughout the city modeled on the Town Homes on Capitol Hill and other successful projects. We need meaningful inclusionary zoning, especially in an expanded downtown where developers should be required to "give back." We need corrective zoning changes to achieve widely agreed upon Comp Plan goals, not an ideological transformation.

Many people who have been following OP's proposals, plus tens of thousands of DC residents who haven't a clue what may be coming their way, are counting on the Zoning Commission to act cautiously to introduce change into our beloved communities. Many thoughtful residents who have studied these proposals have spelled out their serious concerns here, at City Council hearings and at OP's task force and ward meetings. I join in urging you to take a cautious approach to introducing substantial new commercial uses into our residential neighborhoods.

Respectfully submitted,

Meg Maguire