

## June report to constituents

Here is news of the **May 23 special ANC meeting, the June 7 regular ANC meeting, and the June 23 special ANC meeting.** It's been a very busy month, as we struggle to resolve the 1636 Irving Street zoning issues.

## ANC 1D03 NEWSLETTER #34

Jack McKay, June 27, 2005

The building at 1636 Irving presents two grave problems: first, the construction of seven dwelling units on a lot which, according to our R-4 zoning rules, is large enough for only three; and second, its huge expansion, as what was a "house" has truly become a "building", much to the dismay of the neighbors (see photo). On May 23 we held an emergency meeting to deal with this dreadful building, and we passed, unanimously, a resolution demanding that DCRA investigate and explain how they could have approved such a project, plainly contrary to the fundamental rule of our R-4 zoning: "*the R-4 District shall not be an apartment house district . . . since the conversion of existing structures shall be controlled by a minimum lot area per family requirement.*" That requirement is 900 square feet of lot per unit, and the 1636 Irving lot, 2997 square feet, can legally support only three units.

The DCRA replied to our resolution with a remarkable admission, that "gross mistakes were made at the highest levels of the zoning administration". The DCRA Zoning Administrator responsible for this decision, Toye Bello, has been removed from that post. However, the construction of this seven-condo building is complete, and the DCRA will not attempt to reverse that, nor will they deny the developers a Certificate of Occupancy.

At the June 7 regular business meeting, the ANC passed a resolution calling for a meeting with Councilmember Jim Graham, and for a special meeting of the ANC in June, to deal further with this problem. The question is, should we fight this development further, or should we direct our efforts towards making sure that it doesn't happen again?

If I may cut to the bottom line:

- (1) No repetition of that permission of seven dwelling units, in violation of the 900 square foot regulation, is likely. We're going to watch like hawks for any such attempt, and the DCRA is warned that we're not going to tolerate developments that will change our row-house neighborhood into an apartment-house neighborhood.
- (2) There is no possibility of forcing any significant reduction of that appalling structure. *There is no regulation prohibiting such a large expansion of a row house.* The rule is a maximum of 60% lot coverage, and this building meets that requirement. The developers could have built three large condos, instead of seven smaller ones, we would have no grounds for protest.

One June 10 we met with Mr Graham, who suggested that we should count the removal of the Zoning Administrator as an extraordinary accomplishment and move on. On June 23 we held a special meeting of the ANC to consider whether or not to appeal the Certificate of Occupancy permit to the BZA. At that meeting, we split two to two (Rich and Gregg favoring an appeal, Wayne and I opposed), so no decision was made, and we'll take the matter up again at the July regular meeting.

My position is that further fighting the 1636 Irving matter is a waste of time. The building is not going to be scaled back to more reasonable dimensions, no matter what we do. People have purchased the units and want

The **division of row houses into multiple condominiums** is going to become the norm in Mount Pleasant. Two row houses near me, namely 1855 Lamont, and 3144 19th, are certainly going to be converted into multiple condominiums. Both lots will permit triple condos. I understand that the condos to be built on Lamont will be put on the market for \$600K each. I cannot fathom anyone paying \$600K for a row house, much less for one-third of a row house. But that is what is coming to Mount Pleasant.

We will watch closely to make certain that the developers limit their projects to three condos, and do not attempt to stretch the rules to make four.



How would you like to have the row house next to you turn into a looming monster like this? This is the rear of 1636 Irving, now a seven-condominium apartment building. The row house has been extended by 30 feet into its back yard, three floors tall. The expansion of the row house to these dimensions violates no Mount Pleasant zoning regulations, and passed Historic Preservation review.

to move in (including one Adams Mill Road resident). The neighbors to the west are winning a significant financial settlement, which will be voided if the ANC files a BZA appeal. The developers are offering substantial benefits to the neighborhood, either renting their two unsold units at below-market rates for ten years, or subsidizing the attempt by the residents of the apartment house at 1630 Irving to buy their building and turn it into a low-rent co-op. I see no point in the ANC taking this to the BZA; little would be gained, and much could be lost.

We have to look ahead, to other row houses that are about to go condo, as will be the rule in Mount Pleasant. The nightmare scenario is that other row houses will be expanded, like this one at 1636 Irving, towering over their neighbors, and turning our row-house neighborhood into an apartment-house neighborhood. *Current zoning regulations offer little defense against row house expansion.* Any row house can be expanded to occupy 60% of its lot, with a structure up to 40 feet tall, no matter that this may be vastly out of scale with the remainder of the row, and no matter that the neighbors will find themselves living in the shadow of an apartment house. I think that's what we should be spending our time on: changing the zoning rules so that our row houses stay row houses, albeit divided into multiple condos.

At the June 7 regular meeting, we passed a resolution in support of enhancements to the Harvard Towers slope.

We requested a delay on a hearing by the Historic Preservation Review Board concerning a permit request by the Majestic apartment house, on 16th Street at Lamont. We initiated an investigation of projection equipment, primarily for the projection of resolutions under consideration so that the ANC audience can better see what's being discussed. We approved a request for a zoning variance to add a deck to Bill Mosley's house on Hobart Street. We passed a resolution supporting the temporary closure of one lane of Klinge Road, at the Adams Mill intersection, to permit restoration of the mural below the Rosemount Center by the Latin American Youth Center. And we endorsed a superb list of street trees that need work, compiled by Mara Cherkasky, for submission to DDOT. DDOT had recently sent us a list of trees scheduled for work, which was ludicrous – exactly one tree was listed. Mara provided a comprehensive list of 89 street trees in Mount Pleasant needing work (trimming, removal, or replacement). DDOT welcomed Mara's list.

The next **ANC monthly meeting** will be on **July 5**, 7 pm, La Casa Community Center, 3166 Mt Pleasant Street. On the agenda: zoning regulations and the Irving Street condo, residential parking policy, liquor license transfers, parking meters, the ANC budget, the ANC Commissioner for 1D02, simultaneous interpreting of ANC meetings.

Another R-4 zoning issue is **off-street parking requirements for condo conversions**. The current regulations require only one off-street parking spot for every three dwelling units. Homeowners, however, tend also to be automobile owners. Here in Mount Pleasant, homeowners average 1.3 cars per family. Hence, the number of cars owned by the residents of a row house gone triple-condo will be, typically, four. Yet only one off-street parking spot is required, and the width of the row house provides only one on-street spot. Where do the other two cars go?

Everyone knows that our parking situation is dreadful. There's just not enough curbside space to meet the need. With row houses being converted to multiple condos, this situation is going to get a lot worse. We need, I think, to consider a change to that outdated regulation that says that one off-street parking spot is sufficient for three families.

Concerning the **Harvard Towers slope** (between Adams Mill Road and Irving Street, south of the Kenyon intersection, adjacent to the Harvard Towers apartment building), we call for these practical measures:

- \* A sidewalk connecting the DC Housing Authority facility, Harvard Towers, to a bus stop moved closer to that building.
- \* A bus stop shelter for the location.
- \* Street lighting for the sidewalks, with extra illumination for seniors and the disabled.
- \* Plantings for better ground cover.
- \* Repairs of crumbling retaining walls on the downside of the slope edging on the sidewalk of Adams Mill Road.
- \* Development of a short cut path near the Harvard Towers property line fence.

The **Tivoli Giant** is now open, right behind the Tivoli Theater on 14th Street, and it is huge, and magnificent. "Utterly gorgeous," says my wife, who will no longer have to go to the suburbs to find the specialty items she likes. It's wonderful to have a top-notch supermarket just a few blocks away.

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My May newsletter featured a photo of Mount Pleasant's favorite MPD officer, **Scott Faucett**, on hot dog duty at the Bancroft Fair. Only a few days later, sadly, Scott's resignation from the MPD was announced. He's taking a job with much better pay, doing Homeland Security work for the Pentagon. But he loved working in Mount Pleasant, and is very sorry to leave.

Scott was upset also that the MPD seemed not to appreciate his style of policing. He was, I am told, marvelous at defusing difficult situations on the street. But that wins no points with the MPD, which counts only arrests.