

STATEMENT BEFORE THE ZONING COMMISSION

OF THE DISTRICT OF COLUMBIA

IN OPPOSITION TO APPLICATION #09-03

Party Applicant – Cynthia Brock-Smith

2939 Fort Baker Drive SE

February 4, 2010

Good Evening, Chairman and members of the commission, my name is Cynthia Brock-Smith and I am the owner and occupant of a single family home in the 2900 Block of Fort Baker Drive.

My property abuts the Skyland property line and my house is about 50 feet behind the area designated as Block 1, Block 4 and Block 5 of the applicant's site plan.

Because of the close proximity of this development to my single family home, I am uniquely impacted

ZONING COMMISSION
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by the proposal to rezone the R-5-A zone behind Fort Baker Drive to the C-3-A zone and I am here to express my strong opposition to the PUD requested in this case, for the Skyland Development Project, in its current form.

I have been a Hillcrest resident for over 40 years and a resident of Fort Baker Drive since 1992. I moved to this home 17 years ago because it was a peaceful community in a bucolic setting of trees and greenery. I never in my wildest dreams imagined living with a big box store and other commercial buildings looming over my property. I fully expected this to be my retirement home and now that I am near retirement age, and have spent thousands of dollars in repairing and maintaining this property, my property is being put at risk by a colossal development which will tower over and dwarf my home. Protecting my investment is of

utmost concern to me as it would be to any property owner in this situation. My property value will be diminished by this gigantic commercial building and parking garage adjacent to the property.

While I recognize that this community has been advocating for years for the enhanced retail options envisioned by this plan, I am most concerned about the likely damage to my foundation due to the construction of the massive commercial buildings in what is now a transitional R-5-A zone within feet of my property. I am convinced by previous engineering assessments and the history of the property used as an illegal dump -- that the building of the huge structures on the edge of the hill behind Fort Baker Drive will cause considerable damage to our homes.

These overpowering structures in this low density environment will overwhelm the homes on Fort Baker Drive and create significant negative impacts including but not limited to increased traffic on a residential street, declining property values, security issues, increased noise and physical damage to the properties. Why should my home be in jeopardy of substantial damage so the remainder of community can enjoy the benefits of a new town center? I am asking the Commission to consider the potential damage and ask that the project be scaled back to fit the density of the surrounding neighborhood.

Frankly, I am appalled and insulted that the District Government who currently owns this site has chosen not to take action to inquire or understand the fate of the properties that are contiguous to this site.

Buffer Zone

By rezoning the transitional R-5-A area which is to a commercial C-3-A zone, the Commission would be allowing the applicant to eliminate the current natural green buffer to be replaced by bricks and mortar and scant new vegetation.

It is my understanding that the Applicant is required by the Comprehensive Plan to “work with property owners to develop and maintain a suitable visual, sound and security buffer” between the project and the adjacent Fort Baker residents. While the Applicant has displayed pictures of a tree lined ridge, the massive structures that rise above the vegetation will be overwhelming and will not be camouflaged at all. The application fails to adequately explain how buffering will be accomplished.

The Department of Environment has recommended limiting the removal of trees to ensure adequate buffer and prevent erosion. Additionally, by allowing the zone to remain residential, additional buffering can be added to mitigate the impact of the development on the Fort Baker residents.

Traffic

The Fort Baker Drive residents fought for years for traffic calming measures to slow the commuter traffic that has discovered the cut through between Pennsylvania Avenue and far southeast and points beyond. We were finally able to convince DDOT this year to install speed humps and rumble strips to slow the traffic. The magnitude of the Skyland Project promises to

bring thousands of new retail patrons and homeowners seeking a short cut to the town center or to bypass the traffic jams in front of the center. Why should the Fort Baker residents bear the burden and suffer the consequences of this growth?

I share the view the traffic study is flawed and should be re-evaluated because this traffic flow and the thousands of patrons commuting to the center each day will dramatically change the nature of our quiet street and will change my quality of life. The road we depend upon to access our homes is curving and hilly. Dodging cars and trucks while trying to get out of my driveway will become unsafe and stressful. I understand that the traffic study did not include Fort Baker Drive and surrounding cut through streets. I urge

reconsideration of the traffic impacts of this project.

Austin Street and dump for a fee site

An additional issue that has not been addressed in this filing is the impact of building on the property formerly owned by Andrew God known as “God’s dump” which was the site of a dump for a fee operation in the 1970s. This is part of the wooded, green buffer currently between the rear of the Fort Baker properties and the Skyland Property line. Apparently the city gave permission for the then owners to fill in the area including the Austin Street, a paper street, in anticipation of building single family residences and high rise apartments on the dump site. The illegal dumping and movement of earth in this area caused damage to some Fort Baker properties and an injunction was

filed, a consent decree issued and the project was abandoned.

The City stood on the sideline in the 1970s while an illegal dump operation decimated the forest behind Fort Baker Drive and turned it into a dump. Mature trees were removed resulting in constant erosion problems that persist today.

The George Washington University geology survey of this property indicated that trees were “being cut down along the sides of the ravine around Fort Baker Drive, but with no evidence that the tree stumps” would be removed. The report suggests that the stumps of these trees as well as the underbrush will decompose, leaving behind cavities in the earth which can become sinkholes and are conducive to beginning soil slump and land sliding. That is exactly what has

happened over the years and in some places a natural spring has been covered over by these landslides and forced underground.

The adverse impacts during this activity on the property behind Fort Baker Drive caused considerable damage to some homes, precipitated flooding around the stream, erosion on the hill and caused the water table to rise creating flooding in some homes. This area leads directly through the property lines of the Fort Baker residents, on the steep slope where the foundation for the Big Box store will be constructed. This area should never have been considered for development and should not be developed now.

Expert testimony was presented to Department of Environment Services in the 1970s on how the landfill area on God's dump, the current site of

the rear of the Skyland project would adversely affect adjacent properties. While I realize that the environmental impact statements are prepared later in this process, I am concerned that history will repeat itself if the transitional residential zone is rezoned commercial and the foundations of these immense buildings are built into on near this slope. I ask the commission to consider this issue as it makes its decision.

Closing

The impact of rezoning the adjacent R-5-A zone to a denser C-3 A zoned and high density uses on land that is contiguous to my single family home and the property of my three closest neighbors is unwarranted and not consistent with the original NCRC plan for this development. The size and scope of this project is much larger than originally

envisioned under the National Capital Revitalization Corporation. Implementation of this plan as currently proposed would tread on the rights of me and the adjacent property owners on Fort Baker Drive, diminish the value of our properties and jeopardize the viability of our homes. The government who owns the property and the developer will be treading on our rights as private property owners.

Are we not entitled to protect our investments and to continue living the American dream of a well maintained safe home in a quiet neighborhood with a natural setting? I say we are and ask the Commission to reject this application in its current form.