

RESOLUTION 10/16/05

**BY RESIDENTS IN OPPOSITION TO THE PROPOSED EYA 240 TOWNHOUSE
DEVELOPMENT AND THE OPENING OF 32ND, 33RD STREETS AND
SOUTHERN AVENUE BETWEEN BRANCH AVENUE AND NAYLOR ROAD,
S.E**

- Whereas, the current twelve parcels of land proposed for this 240 EYA Townhouse Development is zoned (R-1-B) for single family homes only; and,

Whereas, this proposed Townhouse Development is not consistent with the current and forthcoming 2006 DC Comprehensive Plan being structured for Ward 7; and,

Whereas, 240 Townhouse units will substantially create an intolerable density and traffic congestion to the community of 7B05; and,

- Whereas, this proposed 240 EYA Townhouse Development is located in a stable well established community bounded by Branch Avenue, S.E., Gainesville Street, S.E., Naylor Road, S.E. and Southern Avenue, S.E.; and,

Whereas, the homes that will be most affected are adjacent to and in close proximity to the proposed EYA Townhouse Development of 240 units; and,

- Whereas, the spokesperson for the EYA Townhouse Development did not notify the homeowners most affected by the proposed construction site, nor did he contact the ANC Commissioner for this Single Member District of the proposed site; and,

Whereas, the residents of this Hillcrest Community who reside in ANC7B-05 have publicly voiced their opposition to the development of Townhouses in three (3) consecutive community meetings; and,

- Whereas, at these three (3) consecutive public community meetings the majority in attendance voted (102 to 1), (76 to 4) and (94 to 6) in opposition to zoning changes for this development; and,

Whereas, the residents who voted in opposition to the 240 EYA Townhouse Development, reside on Gainesville Street, 32nd Street and 33rd Street, S.E.; and,

Whereas, Townhouse Developments traditionally do not increase the value nor resale value in a community zoned for single family homes; typically, these style

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homes are traditionally known to result in being transitional, rental housing and investment properties; and,

Whereas, there are no specified public benefits or project amenities outlined in the proposal, thus there is no merit for a consideration for a PUD as is specified in DCMR Title 11, Chapter 24, Sections 2403.6 and 2403.7; and,

Whereas, Temple Hills, MD; Hillcrest Heights, MD do not have a Transit Oriented Development (TOD) plan in place as of the writing of this resolution. There are no immediate economic benefits to the Hillcrest community, nor does this proposed project fit the TOD requirement; and,

Whereas, the DC Comprehensive Plan being proposed states, that when communities border along the city, they should not be considered for high density development; and,

Whereas, there are no quality of life or community benefits known for changing the current zoning from single family homes (R-1-B) to multi-dwelling (R-1-5); and,

Whereas, in the Hillcrest Community there already exist a variety of housing price ranges, which afford the opportunity for various income levels to be able to rent or purchase. Additionally, currently there are proposed projects underway or already under development in the immediate vicinity of ANC-SMD 7B05 and the Hillcrest community, which include the zoned (R-1-5) Skyland area along Alabama Avenue and Naylor Road, and the R-1-B zoned project currently under construction on Suitland Road, S.E.; and,

Whereas, EYA's proposal to open Southern Avenue, S.E. from Branch Avenue to Naylor Road and the potential of opening 32nd and 33rd Streets for egress and ingress to this Townhouse Development would drastically overwhelm these corridors to increased traffic and vehicular accidents, which would jeopardize the recent traffic calming measures that DDOT spent millions of dollars to put in place; and,

Whereas, the opening of Southern Avenue, S.E. between Branch Avenue to Naylor Road would invite increased criminal activity from the bordering corridor which is designated by Prince George's County as a RED ZONE; and,

Whereas, as a Red Zone is defined as an area with a high concentration of criminal activity, such as Drug Dealers, Drug Addicts, Prostitutes and Gangs, which on occasion have been known to result in high speed chases along the Southern Avenue Border into the City; and,

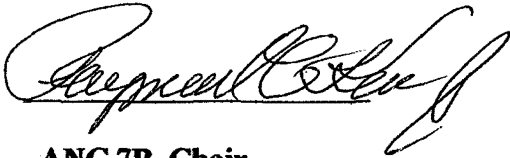
Whereas, this proposed Townhouse Development will environmentally damage the Eco-System, destroy the existing tree canopy and watershed which presently exist on the 12 parcels of land; and,

Whereas, the residents in the ANC 7B-05 are not opposed to economic development and affordable housing; however, we deem this townhouse proposal inappropriate for our community; And as quoted in the East of the River newspaper dated October 5, 2005, page 14, Aakash Thakkar stated, "Eakin and Youngentob will only proceed with the development of the Townhouses, if community support exists."

Therefore be it resolved, that the Advisory Neighborhood Commission of 7B vote to adopt this resolution based on the aforementioned reasons.

Be it further resolved, that this resolution be filed with the DC Office of Planning.

Adopted on the 20 **Day of** October, 2005 **by ANC 7B.**

A handwritten signature in cursive script, appearing to read "Raymond C. Kelly", written over a horizontal line.

ANC 7B, Chair

NAYLOR DUPOIN

Advisory Neighborhood Commission 7B



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ANC Community Meeting Minutes for September 18, 2008

Meeting called to order at 7:10 pm.

Prayer by Pastor Senger

Roll call to determine a quorum.

Commissioner Attendance.

Commissioner Eckles –present

Commissioner Ways - absent

Commissioner Moore – present

Commissioner Hammond –present

Commissioner Marlin- present

Commissioner Keith - present

Commissioner Boyd – present

There is a Quorum .

Police Report

Officer Marable (PSA 605) and Sergeant Barnes Tutt (Assigned 607) presented the crime statistics in PSA 605, 606, and 607. He provided the following information: Lt Dennis was awarded an achievement award plus a car to take home. She was given this award due to a drop in crime. Shootings are up in 6D and the Commander will allocate more resources to our district. Sector I is PSA 601-604 and Sector II is PSA 605 to 607. We (PSA 606,605, and 607) are in sector II.

Midnight shift gets calls from group homes regarding missing persons.

SRO – (school resource officers) are in place at each school. Truancy Vans ride through the areas. There is one (1) van for each police district and Vincent Turner is in charge of the SRO.

Vice unit is working on Las Vegas (the side of Marberry Plaza). The watch commander is assigned for each tour; however at this time the number is currently out of order for this office/location.

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FEMS Report

No one was present to give a report or update from the DC Fire Department.

Speaker: Dan Murphy accompanied by Anthony Ross from the DC BOEE gave a presentation that spoke to the following:

- Voter registration deadline is October 6,, 2008 and there are registration forms on line
- Regarding Handicap Accessibility to poll places. He states there are surveys conducted to determine if this service is needed and if your pooling place is not Handicap assessable you can go to any voting poll location to vote and use a special ballot. There are total of 142 polling locations in DC.
- Poll Workers are paid \$100.00; 120.00 up to \$160.00 per day. These are paid volunteers.
- Voter registration- under Federal Law we can not just take a voter off the roles. The procedure is the BOEE sends out a card to everyone that did not vote in an election period; if the card comes back undeliverable or marked moved this voter is placed in an in-active status. However, then if the person shows-up the next to vote, they must vote by special ballot. Their ballot will count. Their registration then gets reactivated and re-entered back into the system.

The following are exerts of Questions from citizens:

What would be a Justification for the relocation of a polling place?

Response by Mr. Murphy/Ross: BOEE trying to put citizens in a logical place to vote due to possible address and census changes.

Explain the fees you quoted for pool workers?

Response by Mr. Murphy: "\$120.00 is paid to the ballot clerk; \$140.00 for precinct technician (trouble shooter; takes down the machines) and \$160.00 for a precinct captain. How do you remove a dead person from voter rolls?

Response from Murphy /Ross; "We obtain death registration from the Department of Commerce. Also out of state registration sends information to the BOEE to remove the name from out list. Family members can send a letter, no death certificate is required or needed to take a person on the list."

A special ballot is count if the voter is properly registered; then the office researches the ballot afterwards.

It was brought up that a candidate was escorted by a board of Election representative the election line and he escorted her into the building.

How long does it take for a new voter to get registered?

Response by Mr. Murphy: "A week but do not need a card to vote. Give number to call.

Why aren't there enough electronic voting machines in the precincts?

Response by Mr. Murphy: "Under federal law it is required to have one (1) electronic machine in each precinct, but really it is there for persons with a disability; but any voter can choose to use it.

People come in and ask which precinct they are to vote at. There is a 'ASK ED' device/computer in every precinct. Sheila Brown, citizen, stated Poll workers use to have to look up voters not on the master list and can tell them which precinct to vote at. Mr. Murphy stated ASK ED also has an inactive list of voters that can also be accessed.

Citizens complained that they did not receive anything i/e/, stub, after voting. Mr. Murphy states BOEE will no longer give the stub from the ballot due to the perforation getting stuck in the machine when ballot is entered. Mr. Murphy states CM Cheh is holding a hearing the 1st week of October 2008. With regards to Absentee voting—you need a reason and you have to have an excuse to vote absentee. For example: if you are or will be out of the district; if you are disabled. You send a request in writing to BOEE along with your address and signature. This request must be received by Oct 20th. On the form it will ask why are you voting a "special ballot" and the reason will dictate if your ballot is/will be counted.

Community Concerns

Julius Fleishman, an impacted resident to the EYA development proposal, spoke on the EYA project. He asked that the ANC make a motion to reject the EYA proposal as it has been filed with the BZA. He also inquired to all in attendance, "if anyone knows of how to involve Legal aid in this process"...

Commissioner Eckles supported his request for a motion then asked Commissioner Marlin (since it was her SMD) to frame the motion. She further stated, *When the ANC has taken a position to a specific BZA action, there must be a legal finding to any issue we (the ANC) raise.*

Commissioner Marlin made the following motion: "I move that ANC 7B oppose the EYA project as it is currently being presented to the BZA, and that the 2005 Resolution presented 3 years ago to the Office of Planning (Ellen McCarthy, Director) inclusive of any documents opposing the extension of Southern Avenue, SE. be accepted as apart of this motion.

Seconded by Commissioner Keith.

Chair Hammond requested that the minutes record the vote to be unanimous.

Commissioner Marlin stated she will revisit the issue of the Southern Avenue extension. *The Commission hereby designates Robin Hammond Marlin to the spokesperson for the EYA Hillcrest project duration.*

Discussion of Penn Branch Shopping Center.- requested by Vivica Miller.

Points heard—citizens feel the leased space and the Dc government space may not be held on to by the owner due to changes made by Deputy Mayor for Economic Development. The agencies currently housed in the shopping center are the DC-DMV

and DC-MPD. The owner/developer of the shopping center wants to keep 20,000sq ft or 30,000sq ft vs. the new proposal of only 17,000 sq ft of government space now being proposed by the Deputy Mayor for Economic Development. This change will still include residential and commercial space. Citizens asked the Councilmember (CM) if the DOES was being put in the Penn Branch shopping center.

CM Y. Alexander stated that DC-DMV is the only confirmed agency to remain. She states, "I think that notion is over-- meaning the Employment Center" She states the "executive is not speaking to each other". She suggested that the citizens get in touch with Robin E. Jasper and direct questions regarding the lease issue to her and then copy the Mayor and Neil Albert.

Commissioner Roundtable.

Skyland Update

KFC imminent domain is not completed. It should be completed or final by the end of this year. Developer has stated that when the PUD is submitted, it will take at least a year (until) 2009. The design phase should be completed before 2010; takes at least 24 months. Completion year/date for the shopping center is projected at year 2011.

Announcements

Joint Utility discount day Sept 30th 8-7pm

Blessing of the trees Sat Sept 20 11-4pm

Anacostia Coordinating Council Boat Ride Sept 27th

Friends of Gregorary Lea Market Oct 18

Green Job Fair Sat Sept 27 9-7pm

Hillcrest Recreation Center Senior Program (looking at programs and scheduling classes)

Meeting adjourned at 9:50pm

Robin Hammond Marlin, Secretary

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Delivery sheet: November 10, 2008

BZA Application #17837 EYA Hillcrest Homes

The following documents are being submitted to the BZA by the ANC SMD Commissioner.

- A BZA Letter with copies of letter (122 letters) from 7B05 Constituents and neighboring Hillcrest residents.
- B ANC September 2008 meeting minutes – Vote in Opposition of application
- C ANC Zoning work sheet (items a-i)
- D Notices of meetings held: X2 Flyers
- E
 - Agenda of SMD meeting September 23, 2008
 - Letter mailed to Constituents notifying of November 12, 2008 meeting
 - Naylor Gardens Letter - notifying of November 12, 2008 meeting
- F J. Fleishman (impacted Resident) letter to Vincent Gray, October 23, 2005
- F October 20, 2005, -ANC 7B Resolution Opposing EYA Townhouses.

Additional documents:

Signature of Board of Zoning Official: *Philip W. Winter*

Date: 11/10/08

Time: 4:30 PM
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