

**D.C. Zoning Commission  
Carol J. Mitten, Chairperson  
One Judiciary Square  
441 4<sup>th</sup> Street, N. W. #210 South  
Washington, D. C. 20001  
January 25, 2007**

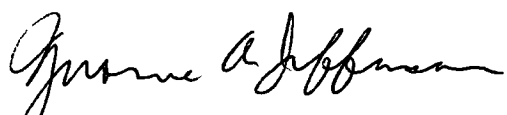
RECEIVED  
D.C. OFFICE OF ZONING  
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**Dear Commissioner Mitten and Members of the Zoning Commission:**

**RE: Motion for Reconsideration of Case No. 05-30**

**Attached is a Motion for Reconsideration of the West Group development project, Zoning Commission Case No. 05-30. Said Motion is submitted by Party Block Association having Party status.**

**Sincerely,**



**Yvonne A. Jefferson  
President  
Party**

**Attachments:**

- (1) Excerpt ANC 4B Minutes of Sept. 05, 2006**
- (2) Memorandum of Understanding**
- (3) 5 ANC Affidavits that refute Memo. Of Understanding Represents vote of 4B ANC Commission**

**ZONING COMMISSION  
District of Columbia**  
CASE NO. 05-30  
EXHIBIT NO. 97

## **MOTION FOR RECONSIDERATION**

### **As Regards the Case 05-30 of 6000 New Hampshire Avenue, NE West Group Development Company, LLC and The Jarvis Company**

Party Block Organization hereto referred to as the "Party" in Case 05-30 hereby submits, on January 25, 2007, to the District of Columbia Zoning Commission a Motion of Reconsideration to the proposed Final Order and Findings of Facts and Conclusions of Law according to the District of Columbia Zoning Record of Case 05-30.

**I. Position:** The Party in Case 05-30 maintains the position, *opposing* the zone change for the Subject Property and thereby retaining the R-1-B zone. The developer could then develop the property as a matter of right.

Based on the Finding of Facts, the Party hereby seeks relief from the District of Columbia Zoning Commission to rule in favor of a **NO ZONE CHANGE** for the subject property identified in Case 05-30.

The Party bases this petition to rule in favor of a **NO ZONE CHANGE** for the subject property identified in Case 05-30 based on the fact that the Zoning Commission did not give great weight to community consensus as regards the following:

1. The 272 of 272 (100% rate of return on petitions highly significant) petitions of the affected residents inclusive of those residents living within the 200 foot radius of the subject property who received letters of "Notice Intent to File a Zoning Application" were issued and returned. The Record shows that two-hundred seventy two (272) original signed petitions from affected residents (4B07 and 4B08) of the District of Columbia *opposing* the zone change and indicating that the *signers wanted the zone to remain R-1-B* was submitted to the District of Columbia Office of Zoning on September 22, 2005 as an immediate response to the "Notice of Intent to File a Zoning Application".
2. There were 20 additional signed petitions in opposition submitted by Ms. Gloria Mobley in the July 20, 2006 Public Hearing.
3. Testimonies of "Opposition" within the Public Hearing on July 20, 2006 by the Party, individuals, and an organization supported no zoning change.

The Party also bases this petition to rule in favor of a **NO ZONE CHANGE** for the subject property identified in Case 05-30 based on its reported *Finding of Facts and Conclusions of Law* as regards the Zoning Commission non-compliance to rules and regulations. As regards Advisory Neighborhood Commission (ANC) resolution included in ANC 4B Minutes of 9/05/06 (See Attachment #1), the Zoning Commission did not respond to said resolution. D.C. Code (Subchapter 5, Advisory Neighborhood Commissions) requires that D.C. agencies, boards and commissions respond in writing to ANC recommendations. Party would like to have said Resolution responded to by the Zoning Commission. Additionally, be it known that Party received only one notification from the Zoning Commission and that notification announced the "Party" status of Party. Party was not listed to receive and did not receive required advance copy of Final Notice. Party would like the Zoning Commission to respond explaining why no official actions, responses or notifications were forwarded to Party.

The Party further bases this petition to rule in favor of a **NO ZONE CHANGE** for the subject property identified in Case 05-30 based on its reported *Finding of Facts and Conclusions of Law* as regards an *unauthorized executed* Memorandum of Understanding (MOU) (Attachment #2 or Exhibit #81 of the Zoning Record). Said MOU was submitted to Zoning Commission under wrongful use of official ANC title. Party would like to have the Record of Case 05-30 reopened to allow five ANC Affidavits (See Attachment #3), a majority of ANC 4B, into the Record that confirm that the MOU which is prominently considered and discussed in the Final Order was not seen, not voted on nor recommended by a majority of 4B ANC but was rather submitted under an official ANC signature without authority from 4B ANC Commission.

## **II. Other Points of Detail and Clarification**

1. The community had been in negotiation with West Group for about a year before we were informed (Notice of Intent ...) that there was a zone change to accompany the PUD.
2. West Group proposed dog park is not identified by community as an amenity. From real life testimony and experiences from residents living in this area, these green spaces provide cover for drug addicts, pushers, and sexual acts during the night hours as evidenced by the number of condoms and illegal drug needles found in the neighborhoods in the mornings. It is quite odd that West Group would develop a dog park but yet not plan swing or play area for potential residents who may have children. Party would like to see the Developer plan for families and children rather than pets. The Developer does offer a great lawn area. It has no definition so with the cover of the new structures and lush foliage, that area is left to be a place where anything and everything may occur. Party would like to see the Developer more formally

plan the great lawn as an amenity rather than simply offer said green spaces.

3. The area bounded by Rittenhouse St., New Hampshire Ave and Eastern Aves. in the NE corridor is already a notorious drug area (less than 1 block away from proposed development) where drug traffickers have dodged police for years as they cross over from DC to MD, whichever is convenient to avoid arrest from the police jurisdiction currently responding to the area. These dark green areas at night will provide cover for illegal activity and bring that drug element further into the city, into the proposed development and other residential neighborhoods in this area where many of the citizens are seniors. In fact green areas of existing development had a history of such activity. Party voiced its opposition to the project and additionally secured police statistics to show that increased residents bring increased crime. Zoning Commission does not mention this stated opposition in their report and obviously underestimated this concern of the community and the Party. Party would like the Zoning Commission respond to crime and the criminal element and the potential effects on the project.
4. #18 of Final Order states "The proposed project is consistent with the surrounding zoning and land uses. The Subject Property is located in the Northeast quadrant of the District near the Maryland border. The Subject Property is zoned R-1-B and is surrounded primarily by property that is also zoned R-1-B." This is all Party has asked for, keep the zoning as it is. Subject property is zoned R-1-B and is surrounded primarily by property that is also zoned R-1-B. It is a leap on the part of the Zoning Commission as it intends to suggest that R-1-B is the same or near same as R-5-A. #19 of the Final Order states "The Subject Property is currently zoned R-1-B. The R-1 Districts are intended to protect quiet residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes. (11 DCMR subsection 200.1)" No other D.C. government regulation states it more clearly why Party wants to maintain the current R-1-B zoning designation. Party's rights to maintain current zoning under this ordinance was not given any weight by the Zoning Commission in this regard. Party would like the Zoning Commission to reconsider their request no zoning change of the property under protection of zoning classifications as provided for by this ordinance.
5. We have attached proof that a certain ANC representative signed the MOU with her ANC title attached to her name. The ANC 4B Commission did not approve or even know of this agreement until after the document was submitted to Zoning Commission. While this is not the fault of the Zoning Commission, this misrepresentation of Office makes the MOU not valid and it

- warrants attention now that the fact has been exposed. Party requests Zoning Commission reopen records to invalidate MOU.
6. #20 and #21 of Final Order allows too many variances from required zoning regulations. "Allowed multiple buildings on a single, subdivided record lot," "Applicants proposed that the Commission treat each groupings of townhomes as a single building for the purpose of the Zoning Regulations so that each individual dwelling need not satisfy all the area and bulk provisions" A number of the yards provided will be less than the required width." The Developer has flexibility to have these yards of varying dimensions. You have to wonder why these yard requirements have been relaxed with so much land dedicated to green areas, it is not like Developer does not have the land to comply with the law. Party would request that Developer be required to follow all ordinances governing yard dimensions, and all area, bulk and other variances mentioned in Final Order as regulated.
  7. Office of Zoning looked at this project narrowly. There are at least two large mixed use housing complexes being developed within a four block area of this property (South Dakota Ave NE and Ft. Totten Metro area) that offer affordable housing. Offering townhouses and condos as affordable housing is not the whole solution anyway. There are families with children that need affordable single family dwellings as well. In addition, upon examining the City as a whole, single family home developments must be allowed to be developed especially in light of the fact that there is a glut or over inventory of condominiums and townhouses in D.C. and other jurisdictions around D.C. that are not being sold or being provided to those eligible for affordable housing as they sit empty, vacant and unsold. Party requests matter of right development and volunteers to work with the City and Developer to develop an option to provide affordable housing for families with children who have been displaced and/or are in need of a home.
  8. The traffic assessment DDOT conducted was done with a narrow view also, only looked at traffic in a one block area. Residents of the area knowing and living with the traffic for 20 years and more, testified that the plan to have a traffic light at New Hampshire and Quakenbos is a recipe for disaster for morning and evening rush hour where residents and many Marylanders use this avenue to enter and exist D. C. for work purposes. This traffic light idea will stop traffic flow to allow traffic to exist from property but will only back traffic up on the main thoroughfare of New Hampshire Ave. Party would like Zoning Commission to require DDOT do a more extensive traffic analysis.
  9. #30 of Final Order. "D.C. Fire and Emergency (FEMS) proposed development will be adequate for fire and emergency medical

services response as long as personal vehicles in the development are properly parked.” People DO park improperly, people DO have parties where guests may park anywhere. Heaven forbid a resident needs FEMS help during one of these or other likely incidences. Party request that Zoning Commission require adequate FEMS access and egress to be the simple standard always.

10. #31 of Final Order states that D.C. WASA will not own, operate, or maintain the private storm water management system. Final Order does not explicitly state who will maintain storm water management system. Party request Zoning Commission to state in the Final Order who explicitly will own, operate and maintain storm water management system. Said identification will not name D.C. WASA as owner.

## **(1) Excerpt ANC 4B Minutes of Sept. 05, 2006**

### **Minutes**

#### **Advisory Neighborhood Commission 4B**

#### **Special Meeting - West Group Proposal For 6000 New Hampshire Ave., NE September 5, 2006, Adopted September 28, 2006**

The meeting started at 7:13 p.m. at Coolidge High School Auditorium, 5<sup>th</sup> & Tuckerman Streets, N.W. Chairman Cherita Whiting (4B08) presiding.

Also present at the opening roll call were Commissioners Sara Green (4B01), Faith Wheeler (4B02), Wesley Hickman (4B04), Michael Burke (4B06) and Judi Jones (4B07). Two other Commissioners, Frederick Grant (4B03) and Muriel Bowser (4B09), arrived a few minutes after the opening roll call and before any votes were taken. Commissioner Blondine Hughes (4B05) was not present.

A quorum was present at the meeting's opening and for all votes.

There were two roll call votes, one show-of-hands vote, and two voice votes.

### **DEVELOPER and OFFICE of PLANNING PRESENTATIONS and COMMUNITY DISCUSSION**

#### **Proposed Changes**

Developer Bill Jarvis, of the Jarvis Company and the West Group Development Company, and an associate, detailed changes in the companies' proposal for the 11.5-acre site at 6000 New Hampshire Ave., NW. These changes were agreed to after several community meetings, he added.

The developers said:

- \* the total number of units has been reduced to 169 from 187, and would include 58 condos, 73 town houses, and 38 single family homes. The homes would be all brick except for windows and gutters, etc.

- \* both sides of Peabody Street would have single family homes. And single family homes would ring the entire project in a design that has the fronts of homes facing the fronts of neighbors' homes, and back entrances would face the back entrances of neighboring houses.

- \* there would be 12 affordable housing units instead of 17 (3 townhouses and 9 condominiums).

- \* the companies would contribute \$150,000 to community groups and projects but the companies are "still taking guidance from the communities" on the issue. They want the community to decide.

- \* there would be a minor increase in the amount of green space, and there would only be passive recreation, with no tot lots or other active facilities.

**RESOLUTION INTRODUCED**

Commissioner Jones introduced a written resolution:

"WHEREAS a quorum of ANC 4B commissioners were present on this date.

WHEREAS there is a lack of consensus and consent in the affected 4B07 area on many major issues such as density, design, affordability, traffic, and amenities,

WHEREAS, the West Group lacks organization for the negotiation process,

WHEREAS the flawed Office of Planning's report misrepresents the existing community's need and the report lacks consistency with the comprehensive plan,

WHEREAS D.C. Water and Sewer Authority and D.C. Fire Department's reports are inconclusive

WHEREAS D.C. Dept of Transportation's conditional report demands legal conditions and provisions and

WHEREAS, ANC 4B07 Commissioner Judi Jones shall represent the ANC 4B in all matters of PUD Case # 05-30, including the September 7 hearing.

Be it RESOLVED, ANC 4B, ANC 4B07 and residents in the immediate affected area reject the West Group plan. The ANC 4B and ANC 4B07 request the Zoning Commission reject the West Group proposal until all government agencies and immediately affected residents agree. Further, the West Group should negotiate through the 4B07 SMD meetings to resolve all issues regarding this PUD. ANC 4B07 will provide periodic updates to the Zoning Commission as well."

**AMENDMENTS ACCEPTED**

Commissioner Jones accepted three friendly amendments to her resolution. She agreed to cut two points:

"WHEREAS, the West Group lacks organization for the negotiation process,"

"WHEREAS the flawed Office of Planning's report misrepresents..."

She also agreed to add new language to be inserted after the point that begins:

"WHEREAS there is a lack of consensus..." The additional language is:

"WHEREAS the density should be closer to the density of the existing zoning on the site."



**VOTE ON DISPUTED AMENDMENT**

Commissioner Burke noted Commissioner Jones had already submitted a report to the Zoning Commission, and that is a problem. Chairman Whiting agreed, adding that the report said nothing about the Commission's earlier resolutions on the West Group's proposals. Commissioner Whiting also said none of those listed as copied on the report received copies.

ANC rules require speaking to the adopted resolution, Commissioner Bowser said. Commissioner Jones responded that she did ask for other Commissioners' comments to her report before submitting it.

Commissioner Bowser asked Commissioner Jones to accept another friendly amendment limiting Jones' ANC 4B representation on the West Group PUD to the September 7 Zoning Commission hearing only. Commissioner Jones declined and asked for a vote on her original language.

2. In a 1-7 roll call vote, the Commission rejected Commissioner Jones' original language. Commissioner Jones was the only "yes" vote. Commissioners Green, Wheeler, Grant, Hickman, Burke, Whiting and Bowser voted "no."

3. By consensus, the Commission agreed to add a last sentence to the resolution that was drafted by Commissioner Bowser. "Furthermore, ANC 4B07 Commissioner Judi Jones shall be a representative of ANC 4B in presenting this resolution on September 7 to the Zoning Commission."

**VOTE ON THE ENTIRE RESOLUTION**

Commissioner Jones called for a vote on her entire resolution on the West Group's proposal for 6000 New Hampshire Ave., NE, as amended. It was read twice by the secretary.

4. In a 5-3 roll-call vote, the Commission accepted Commissioner Jones' amended resolution. Commissioners Green, Wheeler, Grant, Jones and Bowser voted "yes." Commissioners Hickman, Burke and Whiting voted "no."

**FINAL ADOPTED RESOLUTION**

"WHEREAS a quorum of ANC 4B Commissioners were present on this date,

WHEREAS there is a lack of consensus and consent in the affected 4B07 area on many major issues such as density, design, affordability, traffic and amenities,

**Adopted Minutes, ANC 4B  
Special Meeting, September 5, 2006  
Page 6/6**

WHEREAS the density should be closer to the density of the existing zoning on the site,

WHEREAS the D.C. Water and Sewer Authority's and the D.C. Fire Department's reports are inconclusive,

WHEREAS the D.C. Department of Transportation's conditional report demands legal conditions and provisions and

Be it RESOLVED, ANC 4B rejects the West Group plan. Furthermore, ANC 4B07 Commissioner Judi Jones shall be a representative of ANC 4B in presenting this resolution on September 7th to the Zoning Commission."

Commissioner Green reported the 5-3 vote adopting the resolution

**REQUEST TO CHANGE VOTE & ADJOURNMENT**

Commissioner Jones moved to adjourn and Commissioner Bowser seconded. Commissioner Grant asked to change his vote. Commissioner Jones asked the reason. Commissioner Grant said he had been confused about what he was voting on. Commissioner Green said she did not know the rules for changing a vote.

5. Commissioner Wheeler called for a discussion on the motion to adjourn. In a 5-3 show-of-hands, the Commission voted to adjourn.

Commissioner Grant again asked to change his vote. Commissioner Green said no one had seconded Commissioner Grant's request. Chairman Whiting seconded Commissioner Grant's request.

The meeting adjourned at 9:25 p.m. The Chairman did not declare the meeting adjourned.

— Submitted by Sara Green, Secretary

## (2) Memorandum of Understanding

### MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (the "MOU") is made as of this 5th day of September, 2006, by and between 6000 New Hampshire Avenue, LLC, a development entity owned and operated by West\*Group Development Company, LLC and The Jarvis Company, LLC (collectively, "West\*Group Development") and Advisory Neighborhood Commission 4B, the Lamond-Riggs Citizens Association, the Lamond Community Action Group, South Manor Neighborhood Association, and Citizens Aware (collectively, the "Community"). This MOU concerns the residential development at 6000 New Hampshire Avenue, N.E., Washington, D.C. (the "Development").

#### I. Development Principles

West\*Group Development and the Community have been in meetings and discussions concerning the Development since November 2004, but in particular have had a series of focused meetings on the project since the Zoning Commission Hearing on July 20, 2006. During the course of these multiple sessions, the Community hereby agrees on the following development principles: (i) the planned unit development ("PUD") process is preferable to the matter-of-right process; (ii) a zoning change associated with the PUD process is acceptable; (iii) the number of units proposed in the PUD application should be reduced; (iv) the number of affordable housing units is linked to the number of overall units in the development; (v) the two existing buildings should remain; (vi) the large "village green" at the center of the development should be terraced so that it would not become a draw for undesirable activity; (vi) any financial community benefits provided by the developer should be provided upon the issuance of the building permits and not spread out over time.

With these design principles in mind, the West\*Group Development and the Community have collectively agreed upon the plan of the Development, which is attached hereto as Exhibit A. Specifically, this plan consists the following:

1. A residential-only development consisting of seventy-three (73) town homes and thirty-eight (38) single-family homes to be constructed on the vacant portion of the property, and fifty-eight (58) condominium units to be constructed in the two existing buildings on the property;
2. The smaller of the two existing building will no longer be designated and restricted as a seniors-only condominium building;

3. The common-area green space will be terraced so that it would be impractical to be used as a soccer field;
4. Fourteen (14) affordable housing units will be provided by the developer, to be distributed as three (3) affordable town homes and eleven (11) affordable condominium units.
5. All other components and characteristics of the Development shall remain as proposed in the PUD application.

**II. Community Contribution**

West\*Group Development shall make a cash contribution to the Community of one hundred fifty thousand dollars (\$150,000), contingent upon: (i) the approval of the PUD application in conformance with this MOU; and (ii) the issuance of the first building permit for the Development. This contribution shall be distributed as follows:

1. five thousand dollars (\$5,000) for a sign or signs that will be identifiers of the Lamond community; such sign or signs to be delivered to the Lamond Community Action Group for approval by DC Department of Transportation regarding placement;

2. \_\_\_\_\_ thousand dollars (\$\_\_\_\_,000) to \_\_\_\_\_  
for \_\_\_\_\_;

3. \_\_\_\_\_ thousand dollars (\$\_\_\_\_,000) to \_\_\_\_\_  
for \_\_\_\_\_;

4. \_\_\_\_\_ thousand dollars (\$\_\_\_\_,000) to \_\_\_\_\_  
for \_\_\_\_\_;

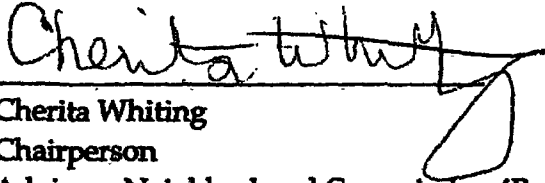
5. \_\_\_\_\_ thousand dollars (\$\_\_\_\_,000) to \_\_\_\_\_  
for \_\_\_\_\_.

**III. Community Authority and Approval of Zoning Commission**

By executing below, each of the representatives of the Community hereby acknowledges and affirms that he or she is a designated representative of his or her respective organization with the power and authority to execute this MOU on behalf of such organization. The terms of this MOU shall become effective only upon the complete and final approval of the PUD application submitted to the DC Zoning Commission as Case No. 05-30 on terms and conditions acceptable to West\*Group Development.

**FOR THE COMMUNITY:**

**ADVISORY NEIGHBORHOOD COMMISSIONERS**



**Cherita Whiting**  
Chairperson  
Advisory Neighborhood Commission 4B  
Commissioner, Single Member District 4B08

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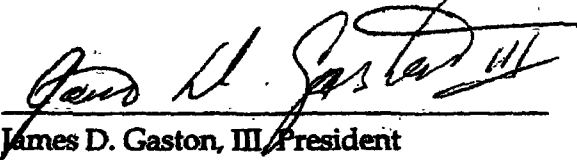
**Muriel Bowser**  
Advisory Neighborhood Commissioner  
Single Member District 4B09

**LAMOND RIGGS CITIZENS ASSOCIATION**

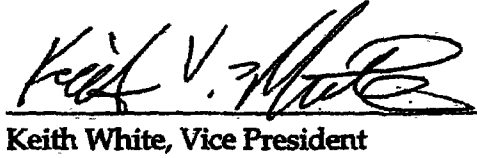


**Rodney Foxworth, President**

**LAMOND COMMUNITY ACTION GROUP**

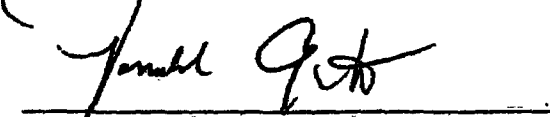


**James D. Gaston, III, President**



**Keith White, Vice President**

**SOUTH MANOR NEIGHBORHOOD ASSOCIATION**



**Ronald Austin, President**

**FOR WEST\*GROUP DEVELOPMENT:**



**Stan Voudrie**  
West Group Development Company, LLC



**N. William Jarvis**  
The Jarvis Company, LLC

SEPTEMBER 28 2006

(3) 5 ANC Affidavits that refute Memo. Of Understanding  
Represents vote of 4B ANC Commission

RE: 05-30 HEARING

I Judi Jones ~~DID~~ DID NOT AUTHORIZE THE  
ANC CHAIRPERSON, MS. CHERITA WHITING, TO SIGN THE MEMORANDUM  
OF UNDERSTANDING, DATED SEPTEMBER 5, 2006, BY AND BETWEEN  
6000 NEW HAMPSHIRE AVE, LLC, A DEVELOPMENT ENTITY OWNED AND  
OPERATED BY WEST GROUP DEVELOPMENT COMPANY, LLC AND THE JARVIS  
COMPANY, LLC (COLLECTIVELY WEST GROUP DEVELOPMENT) AND ADVISORY  
NEIGHBORHOOD COMMISSION 4B.

THIS STATEMENT IS MADE FREE AND CLEAR BY ME. THIS AFFIDAVIT  
IS DULY SWORN TO BE TRUE ON THE DAY 9/28/06, AND MY  
SIGNATURE IS AFFIXED ON THIS 9/29/06 DATE.

Judi Jones  
SIGNED 9/28/06  
DATE

4307  
ANC

SEPTEMBER 28 2006

RE: 05-30 HEARING

I Commissioner Blondie C. Hughes DID/DID NOT AUTHORIZE THE ANC CHAIRPERSON, MS. CHERITA WHITING, TO SIGN THE MEMORANDUM OF UNDERSTANDING, DATED SEPTEMBER 5, 2006, BY AND BETWEEN 6000 NEW HAMPSHIRE AVE, LLC, A DEVELOPMENT ENTITY OWNED AND OPERATED BY WEST GROUP DEVELOPMENT COMPANY, LLC AND THE JARVIS COMPANY, LLC (COLLECTIVELY WEST GROUP DEVELOPMENT) AND ADVISORY NEIGHBORHOOD COMMISSION 4B.

THIS STATEMENT IS MADE FREE AND CLEAR BY ME. THIS AFFIDAVIT IS DULY SWORN TO BE TRUE ON THE DAY Sept. 29, 06, AND MY SIGNATURE IS AFFIXED ON THIS Blondie C. Hughes DATE. 9-29-06

Blondie C. Hughes  
SIGNED

4B05  
ANC

Sept. 29 2006  
DATE

SEPTEMBER 28 2006

RE: 05-30 HEARING

I Michael Burke ~~DID~~/DID NOT AUTHORIZE THE ANC CHAIRPERSON, MS. CHERITA WHITING, TO SIGN THE MEMORANDUM OF UNDERSTANDING, DATED SEPTEMBER 5, 2006, BY AND BETWEEN 6000 NEW HAMPSHIRE AVE, LLC, A DEVELOPMENT ENTITY OWNED AND OPERATED BY WEST GROUP DEVELOPMENT COMPANY, LLC AND THE JARVIS COMPANY, LLC (COLLECTIVELY WEST GROUP DEVELOPMENT) AND ADVISORY NEIGHBORHOOD COMMISSION 4B.

THIS STATEMENT IS MADE FREE AND CLEAR BY ME. THIS AFFIDAVIT IS DULY SWORN TO BE TRUE ON THE DAY 9/28/06, AND MY SIGNATURE IS AFFIXED ON THIS 9/28/06 DATE.



SIGNED

9/28/06  
DATE

4B06  
ANC



SEPTEMBER 28 2006

RE: 05-30 HEARING

I Wesley G. Hickman DID/DID NOT AUTHORIZE THE ANC CHAIRPERSON, MS. CHERITA WHITING, TO SIGN THE MEMORANDUM OF UNDERSTANDING, DATED SEPTEMBER 5, 2006, BY AND BETWEEN 6000 NEW HAMPSHIRE AVE, LLC, A DEVELOPMENT ENTITY OWNED AND OPERATED BY VEST GROUP DEVELOPMENT COMPANY, LLC AND THE JARVIS COMPANY, LLC (COLLECTIVELY VEST GROUP DEVELOPMENT) AND ADVISORY NEIGHBORHOOD COMMISSION 4B.

THIS STATEMENT IS MADE FREE AND CLEAR BY ME. THIS AFFIDAVIT IS DULY SWORN TO BE TRUE ON THE DAY, Sept. 28, 2006, AND MY SIGNATURE IS AFFIXED ON THIS Sept. 28, 2006 DATE.

Wesley G. Hickman 4B04  
ANC

SIGNED: 09/28-06  
DATE

SEPTEMBER 28 2006

RE: 05-30 HEARING

I Muriel Bowser ~~DID~~/DID NOT AUTHORIZE THE ANC CHAIRPERSON, MS. CHERITA WHITING, TO SIGN THE MEMORANDUM OF UNDERSTANDING, DATED SEPTEMBER 5, 2006, BY AND BETWEEN 6000 NEW HAMPSHIRE AVE, LLC, A DEVELOPMENT ENTITY OWNED AND OPERATED BY WEST GROUP DEVELOPMENT COMPANY, LLC AND THE JARVIS COMPANY, LLC (COLLECTIVELY WEST GROUP DEVELOPMENT) AND ADVISORY NEIGHBORHOOD COMMISSION 4B.

THIS STATEMENT IS MADE FREE AND CLEAR BY ME. THIS AFFIDAVIT IS DULY SWORN TO BE TRUE ON THE DAY 9/27/06, AND MY SIGNATURE IS AFFIXED ON THIS 9/27/06 DATE.

Muriel Bowser  
SIGNED  
9/27/06  
DATE

4B09  
ANC