

**GENERAL PROPERTIES CORPORATION
GRANITE LEASING CORPORATION
MARY GREENE
P. O. BOX 547
MERRIFIELD, VIRGINIA 22116-0547
703-323-5200**

February 17, 2010

Zoning Commission for the District of Columbia
441 Fourth Street, N. W., Suite 220 South
Washington, D.C. 20001

Re: Case No. 09-03 Skyland Holdings, LLC
Consolidated PUD & Related Map Amendment @ Squares 5632, 5633, 5641,
5641N, & Various Parcels.

Subject: Parcel 213, Lots 46, 47, and 63, Square 5641, zoned R-1-B
Fort Baker Drive, S. E.

Gentlemen and Mesdames:

Lots 46, 47, and 63 contain 70,666 Sq. Ft. These three lots have extensive frontage on Fort Baker Drive and 28th Street, S. E. Lot 46 has frontage on both 28th Street and Fort Baker Drive. These lots owned by the corporate entities listed in the letterhead about Parcel 213, Lots 52 and 60, which lots form a part of the PUD development plan before you on February 17, 2010. Parcel 213, Lot 52 contains 4.71 acres and Lot 60 contains 16,250 Sq. Ft. A topographic survey of Parcel 213, Lots 46, 47 and 63 is attached for reference purposes.

The above-referenced properties including the 4.71 acres (205,220 Sq. Ft.) known as Parcel 213, Lot 52 and Lot 60 (16,250 Sq. Ft.), were part of assemblage under unified ownership containing 31 properties totaling 8.7 acres. The District of Columbia (District) seized 28 of the 31 properties. Untaken were Parcel 213, Lots 46, 47, and 63. The 31 properties containing 8.7 acres are in current litigation and are 100% owned by Mary Rose Greene under her name or under corporate names. Out of 8.7 acres of land owned or controlled by Mary Rose Greene, the District has seized 7.27 acres. Current ownership status is in litigation with the District. Litigation is now in its 5th year regarding ownership, valuation, and other issues.

ZONING COMMISSION
District of Columbia

CASE NO. 09-03
EXHIBIT NO. 95

An inventory of the 28 properties taken and the 3 lots untaken is attached for information purposes only.

In litigation in the Superior Court of the District of Columbia, I have maintained that the seizure is illegal, and that the ownership of the seized entire 28 properties still vests in the names of Mary Rose Greene, et al. The parties in litigation namely NCRC (the District) v. 7.06 acres have been in litigation since July 3, 2005 almost five years since the supposed 'quick take' by the District through NCRC. In its complaint, the plaintiff (District) maintained that even though it had no funds in July, 2005, a "quick take" was necessary so it could commence development immediately. It later deposited funds on November 18, 2005.

The elevations of Lots 46, 47, and 63 show that the lots along Fort Baker Drive fall from 200 feet at the street level to 170 feet at the rear or bottom abutting Parcel 213, Lot 52. This drop in elevation makes the slopes of the lots into the sides of a ravine. A swale dissects the property at the bottom. The swale is usually dry as Mr. Duke, Skyland Holdings LLC, civil engineer, testified on December 10, 2009.

Parcel 213, Lots 46, 47, and 63 share a watershed ravine along Fort Baker Drive. Rainwater collects along these lots from the entirety of Parcel 213 and properties elsewhere owned by others on Fort Baker Drive and 30th Street, S.E.

After extended rains, the rainwater from abutting properties including Parcel 213, Lot 52, Square 5641, Lots 1-31 and Lot 33, (also seized by the District), falls into the swale. As water seeks the lowest level, it is propelled into the swale and falls downhill following Lot 63 to Lot 47 and thence to Lot 46.

The swale levels out on Lot 46 and the water stays there on Lot 46 until it can move downhill to the District's storm drains on 28th Street. Lot 46 and Lot 52 have a common storm water sediment pond and an outfall insert constructed upon it which catches the sediment as the rainwater flows downhill along Fort Baker Drive.

The owner's purpose on acquiring Parcel 213, Lots 46, 47, and 63, was to give its 31-property assemblage another road frontage for the future development of Parcel 213, Lot 52, the 4.71-acre site. The slope of Lot 52 also would be used to stabilize Lots 46, 47, and 63 for future residential construction.

Now, development of Lots 46, 47, and 63 is problematic since the sides of the ravine need to be buttressed or bridged and the use of the abutting lot, Parcel 213, Lot 52 is denied as a support for the development of Lots 46, 47, and 63.

The District by seizing Parcel 213, Lot 52 has removed the structural ground support which was intended by the unified ownership for the development of these properties, and more specifically the development of Lots 46, 47, and 63.

Moreover, under the current conditions, the lots are the dumping reservoir for the rainwater for the development of the Skyland Holdings LLC, now the subject of this rezoning application.

As a representative of the two corporations, General Properties Corporation and Granite Leasing Corporation, I am here to voice my objections to the plan since in reading the text material, I do not see that any concern has been made by the developer about the use of these properties (not taken by the District or by the Skyland Holdings LLC) as its rainwater dumping ground.

A storm water plan is mentioned in documents submitted after December 10, 2009, but the plan itself is not identified herein. It is not determined whether the water in the developer's storm management procedures will be piped downhill or left to free flow. A detailed water management plan needs to address the rainwater.

It seems that on the one hand the District is attempting to destroy the owner's plan for the 31 properties assemblage containing 8.7 acres, and now the developer uses the owner's untaken land as its surface water depository.

After the December 10, 2009 meeting of this body, Skyland Holdings did submit additional drawings which show that construction of condos/garages are pulled back 37 feet from the property line of Lot 52 nearest Fort Baker Drive. The pullback should have been 100 feet so that the condos/garages would better merge with the landscaping to be provided by the developer and not be as visible to the property owners on Fort Baker Drive, W Street, and 30th Street.

Accordingly, my objections to this plan are as follows:

- 1) I maintain that neither the District, nor its former entity NCRC, nor Skyland Holdings LLC has any legal ownership to any of my 28 properties seized and now titled in the District's name, which form a part of this PUD;
- 2) That the use of Parcel 213, Lots 46, 47, and 63 for the dumping of rainwater and surface runoff water by the developer is illegal. Skyland Holdings refers to a storm management plan but the plan referred to as a stand alone drawing does not appear to be included in the PUD submissions; and further

3) That the 3- and 2-story residential buildings on Parcel 213, Lot 52 make any future development of residential housing on Lots 46, 47, and 63 cost prohibitive and problematic. If the buildings being proposed for the rear of Parcel 213, Lot 52 are garages and other utilitarian uses, construction in the rear of this development will form an eyesore barrier to the sale of any future residential property on the Fort Baker Drive side abutting Lots 52 and 60, on W Street, N. W. and in the area, whether it be existing housing or new housing on Lots 46, 47, and 63;

4) That landscaping proposed does not reach the building height of 328 feet high nor does the landscaping cover the proposed rear walls of the buildings which I believe are also 328 feet heights on Parcel 213, Lot 52.

For all of the above objections noted above, I respectfully request that the application described herein be denied.

Respectfully submitted,

GENERAL PROPERTIES CORPORATION
GRANITE LEASING CORPORATION

A handwritten signature in cursive script that reads "Mary Greene". The signature is written in black ink and is positioned above the printed name of the agent.

Mary Greene, Agent

INVENTORY OF PROPERTIES OWNED BY MARY GREENE AND EALING						
Tax Map	Number				Taken	Not Taken
Square	Suffix/Lot	Zoning	Square Footage	Street Address Other Information	Assessed Value	Assessed Value
PAR	0213-0046	R1B	18,037	28th Street, SE		\$216,440
PAR	0213-0047	R1B	11,369	Ft. Baker Drive, SE		\$136,430
PAR	0213-0052	R5B	205,220	2800 Austin Street SE	\$2,462,640	
PAR	0213-0060	R5A	16,250	28th Street, SE	\$194,760	
PAR	0213-0063	R1B	41,260	Fort Baker Drive, SE		\$495,120
5641	0819	R1B	8,675	Alabama Avenue, SE	\$145,170	
5641	0010	R1B	4,102	Akron Place, SE	\$49,240	
5641	0011	R1B	2,679	Akron Place, SE	\$32,150	
5641	0012	R1B	2,640	Akron Place, SE	\$31,680	
5641	0013	R1B	2,601	Akron Place, SE	\$31,210	
5641 N	0012	R1B	2,977	Akron Place, SE	\$35,720	
5641 N	0013	R1B	3,057	Akron Place, SE	\$36,680	
5641 N	0014	R1B	3,121	Akron Place, SE	\$37,450	
5641 N	0015	R1B	5,664	Akron Place, SE	\$67,970	
5641 N	0016	R1B	2,265	Akron Place, SE	\$27,180	
5641 N	0017	R1B	3,342	Akron Place, SE	\$40,100	
5641 N	0018	R1B	4,128	Akron Place, SE	\$49,540	
5641 N	0019	R1B	4,042	Akron Place, SE	\$48,500	
5641 N	0020	R1B	3,889	Akron Place, SE	\$46,670	
5641 N	0021	R1B	3,769	Akron Place, SE	\$45,230	
5641 N	0022	R1B	3,259	Akron Place, SE	\$39,110	

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5641 N	0023	R1B	3,127	Akron Place, SE	\$37,520	
5641 N	0024	R1B	2,995	Akron Place, SE	\$35,940	
5641 N	0025	R1B	2,863	Akron Place, SE	\$34,360	
5641 N	0026	R1B	2,731	Akron Place, SE	\$32,770	
5641 N	0027	R1B	2,599	Akron Place, SE	\$31,190	
5641 N	0028	R1B	2,945	Akron Place, SE	\$35,340	
5641 N	0029	R1B	2,755	Akron Place, SE	\$33,060	
5641 N	0030	R1B	2,565	Akron Place, SE	\$30,780	
5641 N	0031	R1B	2,375	Akron Place, SE	\$28,500	
5641 N	0033	R1B	2,045	Akron Place, SE	\$24,590	
TOTAL					\$3,745,050	\$847,990
Total Assessment of Properties Taken					\$3,745,050	
Total Assessment of Properties Not Taken					\$847,990	
				TOTAL	\$4,593,040	