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Subject: F/U to ZC Case # 09-03F Skyland Development PUD

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Skyland Development Project PUB and Community Benefits (CB) ZC-#09-03F

Dear Chairman Anthony Hood and Zoning Commissioners,

The following is a follow up to the ZC hearing held 7/23/2020 per your directive.

I testified before you on Thursday July 23, 2020 in the matter of the Community Benefits (CB's) that were negotiated in the years 2007-2009 by then ANC7B Commissioners (Chairperson Yvonne Moore, Vice Chairperson Bob Richards, Commissioner Robin Hammond Marlin, Commissioner Ken Davis, (successor Commissioner Howard Ways), Commissioner Linda Eckles, and Commissioner Phillip Hammond, to the PUD awarded to the Rappaport Co., to redevelop the Skyland Shopping Center located in Ward 7. .

I testified in opposition to the remaining CB's (a sum of \$300,00.00) being reallocated to the Rappaport Co., controlled Skyland Development Work Force center thereby, testifying in opposition to Earl William's letter in which he expressed support of such acts of the reallocation of CB's to the work force center and I testified against Commissioner Tiffany Brown sanctioning such actions by calling for the vote of the ANC 7B Commissioners to support such a negative action against the Hillcrest community, and against those entities listed/named in the CB agreement. I testified to familiarize the ZC of those past ANC Commissioners who actually cared about the Skyland project and who spent many evenings and hours negotiating the CB's guided by zoning laws, on behalf of their community and the constituents we represented at that time. It appeared to me that after, 2018, and after the June 2020 ANC public community zoom meeting, the current ANC 7B Commission showed no interest in monitoring the Skyland project let alone the associated CB's.

After all, we, the Commissioners who negotiated the benefits for our community, in the community's best interest, were now no longer elected to the ANC 7B, so the focus of the end product and the promises of the Skyland Shopping Center changed drastically from the community benefiting, truly benefiting from this redevelopment of a needed **shopping center** development vs. now housing primarily--- was molded into individuals self-serving themselves. During those years and until Commissioner Brown replaced Zina Williams, the former ANC 7B was in constant contact with the Skyland Development team. The developer would contact us to ask to attend ANC 7B meetings regularly (not the other way around) and years ago when invited

to attended three SMD 7B05 constituent meetings (at the invitation of Commissioner Hammond Marlin) Emily Struck was more than accommodating, even though the project is not this SMD(7B05).

After testifying before the ZC on July 23, 2020, I waited a week before contacting the ZC on 8/4/2020 to inform the ZC that I had not heard back from the Skyland Development team, since the hearing during which Chairman Hood instructed the development team to dialog with me to try to resolve the matter of the CB's, such as to determine what is the status of the awarding the CB's. As a result, Mr. Brad Fennell called me the same day, August 4, 2020. He, asked me to assist with handling getting the CB's to the 2 libraries. He stated I would work with Don Montuori. Mr. Montuori contacted me (8/11/20) by phone and during our conversation he stated I was to work on the library CB's and Commissioner Brown had already begun to work on the schools CB's. Weeks later, Mr. Montuori sent an email (8/25/20) to me stating he wanted to work thru the ANC 7B, but stated he "welcomed my assistance". At that point me not being able to envision a positive outcome towards the CB's being awarded, I decided the process of trying to award the CB's to the 2 libraries was becoming too convoluted and was seemingly being misdirected back to the ANC. So as a direct result of him shifting the already in place process we had agreed upon, I informed Mr. Montuori, on 8/26/2020, via email I did not want to work with the current ANC 7B. I suggested again at that time, that instead of working with the current ANC 7B, that he work thru Councilmember's Gray. After all, Mr. Montuori, shared with me in his second email our councilmember had been made aware of the CB's were to be awarded to the 2 libraries.

Chairman Hood, I could not imagine a way or process to work with nor involve the current 7B ANC , the ANC **which is the exact same commission** who did not oversee the CB's; the same commission that voted to have the remaining CB's shifted **from their community** and in essence given back to the developer; and a commission that for 2 years has been the subject of unethical mishandlings of community matters as the community has voiced in meetings are votes taken by the ANC not in the best interest of our community; that I felt compelled to inform Don I did not want to work with or have my name associated with this current ANC 7B and its reputation. **MOST IMPORTANT and is a fact, the Rappaport Co., based on their own admission had given out the CB's and donations in the hundreds of dollars to many many, organizations and had not involved the ANC 7B. I checked with a few of the recipients listed and discovered ANC 7B had nothing to do with them receiving a contribution/donation/CB.** So now why was there is sudden pop-up of wanting to work thru the ANC on these 2 benefits earmarked for the Friends group of these 2 libraries.

Therefore, I felt Don Montuori working with me was intentionally convoluting the process of awarding the CB's and was a disingenuous - a mere - attempt to satisfy the ZC's Chairperson's directive to work with me to resolve this matter of the CB's **NOT** being reallocated from our community to the developer's work force center.

I suggested in writing via an email to Mr. Montuori that our Councilmember Vincent Gray represent the community's interest in all matters at it relates to the CB's, the CB's that should have been guarded and monitored by the current ANC 7B after the 2018 transition of the last 2 original seated commissioners who participated honestly in the negotiated CB's. Too, as the many revisions to the Skyland project have been made and still being made to the project, the community was not kept abreast of these changes regularly by the current 2019-2020 ANC 7B to the point that many are still asking "where is the retail promised" and to the level of no one on Ft Baker Drive having knowledge of the July 23rd ZC hearing (result of a mini poll taken).

Weeks before the Rappaport Co., deciding to now work thru the ANC 7B, I did reach out to those Commissioners who were active in the negotiation of the CB's many years ago. Those I was able to

speak with stand in solidarity with my efforts to ensure our community's best interest prevails through the current missteps made by the current ANC 7B. So, I am not a *** "lone-sole" as described during the ZC hearing , but I am seen as a preserver of the community benefits, trying to protect what neither the fake task force nor the current ANC SMD Commissioner was willing to do. So I assume they just did not care. Having no attachment to the significance of the CB's, I see no clear way of the current ANC being a good steward for the allocation of the CB;s to the rightful entities named in the negotiations still now outstanding.

To have the developer (Skyland Co.,) work with the very ANC who voted to "give away the CB's" I see as a serious conflict of interest and is not in the best interest of our community, Chairman Hood.

Chairman Hood my hope is that my testimony will ultimately cause to come to realization the awarding of the CB's of \$25,000.00 each to the Friends of Francis Gregory library and to the Friends of the Anacostia Library. As the *** "lone-sole " (as I was rudely and unprofessionally called during the ZC hearing) I -alone-researched and did much work to ease the process for the Rappaport team (Brad and Don) to be able to now award smoothly and quickly the CB's due to each of these libraries.

While I have been brought to being speechless by the current 2019, 2020 activity of the Rappaport group, having known and entrusted the company's owner for many years, it is unfortunate such a long and close relationship has failed. However, I do support the speedy completion of the town center (it is not a shopping center) so that my community can move forward from all of this, finally..

Chairman Hood I testified because the current ANC was not guarding our CB's, so the rationale to work thru this body in this matter escapes many of us. Had I not raised this issue, there would be no CB's just as this ANC was moving along under the direction of Earl Williams, with no real direction asked from the community. It became a solo act. . Someone needs to look at the bigger picture of what has happened over the years in this regard.

I am submitting this letter to the record for the ZC files in the matter of **ZC-#09-03F**. as a follow-up to the hearing and as the justification for me, with a heavy heart and me feeling it necessary to remove myself **very unexpectedly** from a process (which you recommended I be part of and I tried to be a part of); remove myself from a process that I began and undertook to make a way for CB's after many years of this project and all its revisions, for the CB's to finally be awarded (just the others listed received benefits) **to each Friends group of the 2 libraries named , The Friends of the Francis Gregory Library and the Friends of the Anacostia Library.** Chairman Hood , It is only fair and is the right thing to do.

Respectfully,
Robin Hammond Marlin
Former ANC Commissioner SMD 7B05 (2004-2018)
Past Chair ANC 7B
Past Vice Chair ANC 7B
Past Secretary ANC 7B
Homeowner Hillcrest Community; Past Member HCCA Legislation Committee and