

Cleveland Park Citizens Association

George Idelson, President
3035 Newark Street NW
Washington DC 20008
202-362-4279
g.idelson@verizon.net

April 22, 2009

Anthony Hood
Chairman, DC Zoning Commission
441 4th Street NW
Washington, DC 20001

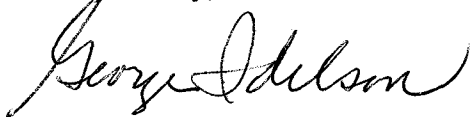
Re: Zoning Commission Case #08-15

Dear Chairman Hood:

As discussed in the attached letter, we believe that the Office of Planning has neglected its obligation to advise the Zoning Commission of the existence of a contractual agreement with the Cleveland Park Citizens Association and Giant governing the development of a new store. The contract commits OP to act as an "honest broker" in facilitating meaningful discussions to resolve differences between CPCA and Giant regarding the Giant development. OP, while initially performing its role as a facilitator (before the PUD concept was introduced), has since shifted to a posture of advocate for the developer.

We urge the Commission to remind OP and Giant of their contractual obligations. This means returning to substantive negotiations with the community. We ask the Commission to withhold a decision on the PUD application until the basic issues are resolved.

Respectfully,



George Idelson
President

Cc: Other Commissioners

2009 APR 22 PM 1:15

ZONING COMMISSION
District of Columbia
CASE NO. 08-15
EXHIBIT NO. 182
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Friendship-Macomb SC Inc.
c/o Phil T. Feola, Esq.
Pillsbury Winthrop Shaw Pittman LP
2300 N Street NW
Washington, DC 20037

Harriet Tregoning, Director
Jennifer Steingasser, Deputy Director
District of Columbia Office of Planning
2000 14th Street, NW
Washington, DC 20002

Re: Zoning Commission Case #08-15

Dear Mr. Feola, Ms. Tregoning, and Ms. Steingasser,

As you are aware, on May 3, 2002, Friendship Macomb SC, Inc. ("GFS"), the District of Columbia Office of Planning ("OP") and the Cleveland Park Citizens Association ("CPCA") entered into a contract (Letter Agreement) under which each party undertook certain commitments respecting the Friendship Shopping Center at Wisconsin Avenue and Newark Street, NW.

CPCA promptly fulfilled its commitments under the contract. GFS, however, failed to carry out its commitments as to the redevelopment of the Friendship Shopping Center and is now pursuing a Planned Unit Development application for the two-block site that departs radically from its commitments and constitutes a clear violation of the contract.

OP, while initially complying with its responsibilities under the contract, has since abandoned its obligations and is therefore in breach. Among other things, OP committed to facilitate the terms and objectives of the contract and to help resolve, through meaningful discussions, any differences that arise between GFS and CPCA respecting either block of the shopping center.

At the setdown meeting (July 28, 2008), zoning commissioners queried OP about unresolved problems. In the course of that dialogue, OP failed to mention its required role to facilitate resolution of remaining issues between Giant and CPCA, as specified in the contract. In fact, OP failed to advise the Zoning Commission of the very existence of the contract.

CPCA has attempted to negotiate with Giant, but has been rebuffed. We therefore urge OP to remind Giant of its obligations and immediately inform the Zoning Commission that it is prepared to foster meaningful discussions between CPCA and Giant, with a view toward resolving remaining differences regarding redevelopment at this location.

The contract calls for, and CPCA continues to support, enlargement and modernization of the Giant food store and an active streetscape that preserves the character of the neighborhood retail area consistent with the District elements of the Comprehensive Plan. CPCA also supports the contract's premise that these goals can be achieved under the existing C-1 zoning.

A copy of the contract is enclosed for your convenience.

We look forward to your prompt response.

Sincerely,

George Idelson, President
Cleveland Park Citizens Association

cc: Anthony Hood, Chair
District of Columbia Zoning Commission
and other Commissioners

Encl.: Contract (Letter Agreement dated May 3, 2002)
As entered into the record