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D.C. OFFICE OF ZONING

2006 APR 20 AM 11: 51

To Office of Planning /-Zoning
Fr Michel Regignano
1204, 1207 1209 Ice, LLC
Re Case No 06 -07

Dear Sirs,

I Michel Regignano (1204, 1207 1209 Ice, LLC) the owner of 1204, 1207 & 1209 Ingraham St. NW , Washington DC 20011 will establish in this letter the reasons why this petition for a map amendment should be rejected out of hand. The map amendment petition has an immediate negative economic impact. It will affect potential future development to the lots under consideration as well as threaten to future growth along the Georgia Ave business corridor. The action was the result of a rash reaction to my proposed project to demolish existing structures and create new affordable work force housing. The map set down was a deliberate and politically motivated action directed solely to stop my project. Councilman Fenty's office used all means inclusive of using zoning, DCRA and Dept. Of Hazardous Wastes to stop this project for the sake of campaign votes while at the same time allegedly trying to work with me to provide an acceptable plan for the community. His unethical behavior and unscrupulous actions served to damage me financially and the current landowners under consideration without any thought to the immediate destructive consequences this will do to the retail and residential environment.

THE ECONOMIC IMPACT

1. First and foremost, although the amendment has not passed, any property under consideration will take an immediate appraisal loss of value to the tune of millions of dollars. No one can sell their property without disclosure of this action. My immediate construction plans have become worthless, any money borrowed, interest points paid, to finish the project becomes moot. Due to time constraints of the real estate market, the threat of this action will force me to completely rethink the development project and settle for the least path of least resistance which will not necessarily be in the best interest of future development. The action will freeze all properties in place; owners will also be limited on their ability to borrow against what was C2A to an R3 downsizing. Future retail or residential development along Georgia Ave will be put into immediate jeopardy. As a retail site locator, one of the first items in searching for a site is to determine the physical factors in relation to the site. All along Georgia Avenue the retail corridor lacks physical depth and this measure would go further to scare away any national tenants that would even consider this corridor. National retailers will not entertain this corridor till they see some new residential developments that would contribute to the demographics of the area as in the case of 14th & U St corridor. It is wishful thinking on the part of residents to think that magically this will become a Connecticut Ave. without the investment in the residential sector. Anyone with a political motivation and the rule of mob thinking could threaten

ZONING COMMISSION
District of Columbia

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ZONING COMMISSION

EXHIBIT NO. 14
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EXHIBIT NO.14

Any C2A zoning or any other zoning for that matter The retail corridor along Georgia Ave is in desperate need to be revitalized and by restricting the depth of the potential retail environment you will freeze old buildings in place and restrict any kind of assembly of property to rebuild existing buildings The existing zoning of C2A along Georgia Ave. was well thought out however the single homes that exist within its boundaries do not contribute to retail development as it should Residential density is the only cure to a proper base of retail.

THE ZONING IMPLICATIONS

Zoning laws were established to protect citizens and their properties to assure that their bundle of rights are protected In the case of the Georgia Ave corridor, logic and proper analysis were used to create these C-2A lots. It's my contention that these zoning laws should be upheld and that this specific targeting is not rational. The depth required for retail is more than 30 ft. and more like 150ft minimum. If this amendment passes its immediate effect will be to freeze everything in place, not allow any redevelopment of buildings due to the fact that no one can assemble properties, nor demolish because the lot occupancy would be absolutely unworkable from a square footage basis due to lot occupancy ratio's requirements at 65% After talking to the representatives from your department it is clear that planning department overlay plan states a variety of densities that can be interpreted in any fashion to support any argument both for an a against this case. The average laymen cannot be expected to interpret this plan without clear definitions It is also clear that this procedure requires only limited notices to existing affected and unsuspecting parties. If anything this procedure should be severely restricted and not used except in extreme and potentially dire circumstances that will affect the community This is not the case in this scenario

In relation to my project, what I had intended to do was all as matter of right. Parking and height requirements were strictly adhered to in the proposed plan I ask that I be afforded the same opportunity as the newly built church one block away on the corner of Ingraham and Illinois St which exceeded zoning density, parking and height requirements and nothing was passed to stop this action.

Last of all I would like to add that if these measures pass, neither developers nor any other potential buyer of real estate can be assured that this procedural process not well known to the public could be used against them as a weapon to change existing zoning and values of their properties. It is amazing that in order to get any kind of zoning change or variance in the city it requires months and months of preparation, is costly and may have no guarantees of success. Yet this measure took only 13 days from start to finish to get in front of the commission and succeed in stopping my project in place and if

successful will be record breaking in terms of speed I would hope as a citizen I will be afforded the same rights to increase zoning density and the commission will use the same speed to achieve my particular goals Why would anyone invest in the District of Columbia under such dire threats? Any neighbor with enough signatures and political backing can stop the potential development of any property that is protected by right The existing zoning laws are there for a purpose and should be upheld to protect citizens from political motivation and irrational neighbors. **I urge that you reject this measure outright.**

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Michel Regignano". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michel Regignano
1204, 1207 -1209 Ice LLC

TIME LINE OF THIS PROJECT 1204, 1027, 1209 Ingraham St NW

December, 2004 – Negotiations begin on 1204,
1207, 1209 Ingraham St

March, 2005 – Property put under Contract

March- September 2005- Underground tank is being remedied prior to purchase, preliminary plans underway.

Aug. 2, 2005 - Meet in Fenty's office to discuss potential development of project to provide affordable housing for the community. I also ask for density increases in zoning. Fenty's office agrees to schedule ANC meeting.

October 24, 2005 Settlement on property after tank remediation occurs. BB& T Bank commits to total development of the project (\$3.1 million development).

October to Dec 2005 Plans and design underway and interior demolition begins in anticipation of the raze.

Jan 2006 - An ANC member visits the site inquiring about the site and I get a call from Fenty's office to schedule a meeting with ANC on Jan 19, 2006 to present plans.

Jan. 19 2006 – Meeting occurs. Fenty has arranged for the zoning director to be present, DCRA inspectors are present to discuss whether or not the project was within its rights to precede. The forces were aligned against me without any prior knowledge before attending the meeting. During the meeting I was constantly interrupted and the meeting was allowed to degenerate into a one way shouting match against this project. Fenty requested and I agreed to have a follow-up meeting on Feb 1 and delay my submission of plans to work out a more acceptable plan to the community. The following two weeks I tried to arrange a meeting with a panel of neighbors but to no avail. I unilaterally decided to cut back on the number of units and redesign the front facades to meet the neighbor's complaints. I met with a variety of government officials and non-profit organizations to arrange affordable housing through this project.

Feb. 1 - Prior to the ANC meeting at 6:30 meeting I get a call from Dr. V. Sreenivas, Deputy Bureau Chief, Bureau of Hazardous Material desperately trying to answer a series of questions produced by Fenty's office and other parties. Inspectors are sent out to investigate what has occurred on site and a memo is sent to Fenty's office which was supposed to have been read at the meeting but never materialized. The report detailed that legal remediation of the property had taken place. I also received a call that afternoon from Fenty himself asking that I not go forward with this project and if I could see fit to

Downsize the project altogether I responded by saying no one from the community had sat down with me nor had anyone seen what changes I was proposing to the plans and at least give me a chance to present my case. I showed up at 6:30 PM and was asked to wait outside while the public meeting inside was discussing ways to stop the project I was called up and the meeting was immediately turned hostile and confrontational The intent of the whole meeting was to stop at all costs this project. My proposal was rejected out of hand and Fenty without regard to mediation or compromise clearly had set in motion this map amendment set aside and gave the neighborhood the ability to begin this process while at the same pretending to meet with me on Feb. 6 to talk about recommendations from the community On Feb 6 the meeting was cancelled by Fenny' office and rescheduled on Feb. 13th at which point all contact was broken off with Fenty's office

Feb1 Fenty Letter sent to Miss Mitten requesting an investigation on zoning

Feb6 Fenty recommends and supports letter of petition to Zoning Commission

Feb 10 – Zoning commission waives its 10 day notice requirement from the Office of Planning advance rules to vote on map amended set aside and agrees to review this on the Feb 13 zoning meeting

Feb 13 –Zoning Commission – rules and accepts planning commission recommendation for map set aside

Total time to put the map amendment set aside motion in place from start to finish in 13 DAYS