

T. Planning Zoning
4/28/06 Speech to Zoning Commission
CASE 06-07

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 I diligently worked for 10 months prior to purchasing the property researching, going through Phase 1 & 2, remediating an underground tank, and developed engineering and architectural plans that went through DCRA zoning and other branches to insure that this property can be developed under the C-2A zoning with no issues regarding this plan. I went ahead and purchased the property understanding that my zoning rights are clear and protected.

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. This 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 as well as the current landowners under consideration without any thought to the immediate destructive consequences this will do to the retail and residential environment. In addition to the loss of jobs to minority owned business and loss of workforce housing in the district

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EXHIBIT NO. 22

THE ECONOMIC IMPACT

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 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. 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 .

I would hope as a citizen I will be afforded the same rights to regain my C-2A zoning 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,