10 "W" Street, NE
Washington, DC 20001
July 28, 2004

Carol Mitten, Chairperson
District of Columbia Zoning Commission
441 4th Street, NW
Room 220
Washington, DC 20001

RE: Status of Zoning Commission Case No. 01-28TE (Consolidated PUD & Map Amendment- Time Extension and Modification @ 200 K Street, NE

Dear Chairperson Mitten:

I am writing to find out the Status of Zoning Commission Case No. 01-28TE (Consolidated PUD & Map Amendment – Time Extension and Modification @ 200 K Street, NE and to invite you and your members to a Walking Tour of the site along with the two (2) remaining homeowners on the square.

As you may know this case has been lingering in your system for over 15 years. This case has received Extension after Extension without any resolution. The last correspondence that I am aware of from the Office of Planning to the Developer was January 10, 2003, (copy enclosed) where OP requested a status report from the developer, to date the Community has not heard or receive any other movement on this Case.

I would like to know how could one case continue to receive Extension after Extension when the developer is not a good neighbor and seems unable to complete the project. I thought a PUD stood for planning how a development would look and benefit the Community. This Community continues to be held hostage by this project, while our property value steadily increases and we are subjected to living across the street from a major eye sore of blight and debris.

ZONING COMMISSION
District of Columbia
CASE NO. 01-28TE
EXHIBIT NO. 40

ZONING COMMISSION
District of Columbia
CASE NO.01-28
EXHIBIT NO.40

I appreciate hearing from you and your Commissioners by August 13, 2004 to schedule a date and time when your Commission is available to take this walking tour of Zoning Case No. 01-28TE. I can be reached at (202) 669-2582 to schedule the logistics.

Thanking you in advance to taking this walking tour.

Sincerely,

Mozella Boyd Johnson
Property owner

Cc: Coucilmember Sharon Ambrose
Councilmember-At-Large Harold Brazil
City Administrator Robert Bobb
Deputy Mayor, Eric Price
Deputy Director for Development Review, Ellen McCarthy
Mrs. Margaret Smallwood, property owner of 1026 3rd St. NE
Rev. Green, property owner of 1030 3rd St. NE
Commission Daniel Pernell, 6C04

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

January 10, 2003
Mr. Ronald Cohen
The Cohen Companies, L.L.C

Sent by E-Mail

Dear Ron:

I wanted to follow-up on our December meeting about the proposed modification of the 200 K Street, NE PUD. As we indicated at that meeting, we are pleased that the PUD modification is looking at an all-residential project, and we understand that you are currently re-designing the project. The purpose of this letter is to clarify several points that need to be addressed before we can provide a favorable report on the modified PUD for any public hearing:

- Providing a complete and detailed submission. Given the scope of the modifications you have discussed, the submission needs to be complete in its description of the revised PUD, including a reasonably detailed description of both stages of the project, (if you are still doing it in two phases), the amenities package, including which amenities will be provided in which phase, and traffic, if the demand previously calculated will be substantially altered.
- Re-evaluating the amenities package, in light of changes in the market since the PUD was first approved, the fact that the amenities for the original project were all tied to the commercial construction which you have acknowledged will be eliminated and replaced with residential construction, and the construction of the New York Avenue Metro station, which was not considered likely when the PUD was approved.
- Analyzing the feasibility of providing affordable housing equivalent to 5 – 10% of the bonus density achieved by the PUD;
- Reconsidering the central plaza concept: is such a large plaza preferable to providing additional housing; does the appropriate location for public open space continue to be in the center of the block; would a scaled-back space nearer to the northwest corner and the Metro be preferable?;
- Revising the massing of the residential portion in order to better-define the street wall and to provide a better transition to the scale of the nearby existing housing;
- Ensuring that the structural design of underground plaza/platform construction does not preclude later revisions to the massing of the Phase II component(s).

Individuals and community groups potentially affected by the PUD have continued to express concern about the planned development to OP. It essential that you meet soon with the ANC, nearby property owners and community groups to discuss your requested extension and modifications to the PUD. The input of these groups will be crucial to OP's, and the Zoning Commission's, evaluation of the application.

Please call me, or Stephen Cochran, if you have any questions before our meeting, currently scheduled for January 16.

Sincerely,

Ellen McCarthy
Deputy Director for Development Review

C: Mr. Fred Greene