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District of Columbia
01-28 TE
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Chairperson Carol Mitten and Members
D.C. Zoning Commission
441 4th Street N.W., Suite 210-South
Washington, D.C. 20001

RE: ZC Case No. 01-28TE (PUD Modification and Time Extension-200 K Street NE)

Dear Chairperson Mitten and Members:

I write to encourage the Zoning Commission to grant the hearing postponement requested by Ronald J. Cohen, the Applicant in the above-listed case, by letter of May 26, 2005. By separate letter of June 6, 2005, a copy of which is enclosed, Mr. Cohen provided notice to the Commission that he has retained Manatt Phelps & Phillips as legal counsel in this matter.

Although I realize there have been several delays in this case, I genuinely believe that this one additional postponement would be beneficial to the Commission, as well as the Applicant, because it will enable us to present a detailed plan for the affordable housing component of the project. Moreover, it will provide the opportunity to gain the views of Advisory Neighborhood Commission 6C on the affordable housing component and other aspects of the revised plans.

If the Commission agrees to postpone the hearing, now scheduled for July 14, until October, I assure you that we will be fully prepared to go forward on the rescheduled date with a thorough presentation addressing all matters that Commission members and the Office of Planning ("OP") have raised in previous proceedings. We will also have completed all of the other work required for the Modification.

Upon first discussing this case with Mr. Cohen on May 19, 2005, I advised him that it would be necessary to prepare a detailed plan for the affordable housing component and to make a formal presentation of the project to the ANC. His letter of May 26 reflects his agreement to take these actions and his progress in accomplishing them. He has retained a marketing consultant to assist in developing the affordable housing component. We will work with OP and the DC Department of Housing and Community Development to get their comments and guidance to make sure the affordable housing plan is done right. Moreover, I have begun a review of recent Commission orders and hearing transcripts in cases involving comparable affordable housing commitments to assure that our plan is consistent with Commission precedents and addresses questions the Members have raised in other cases.

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EXHIBIT NO.54

Regarding contacts with ANC 6C and others in the community, we anticipate presenting the proposal to the ANC's Zoning and Planning Committee at its next meeting on Wednesday, July 6, and to the full ANC at its next meeting on Wednesday, July 13. We hope to meet with the other community groups that previously filed comments in this case – the Public Citizen Civic Association, Near NE Citizens Against Crime and Drugs, and the Stanton Park Neighborhood Association – as soon as possible. Because many community groups do not meet in July and August, we would like to have the hearing rescheduled in October in order to make presentations at September community meetings if necessary.

By its location, size and scope, and the significant affordable housing commitment, this project is destined to have a major and beneficial impact on the redevelopment of the area surrounding the New York Avenue Metro station. For this reason, it is essential to have a thorough and detailed presentation for the Commission and the public to consider during the public hearing.

I regret to say that I think we will not be able to provide the degree of thoroughness and detail the Commission would wish if the hearing goes forward on July 14, with our final supplemental submission due 20 days in advance, on June 24. If the Commission approves our request for postponement, I believe you will see the benefits in the thoroughness and detail we will provide at a rescheduled date in October. Again, I assure you that if this postponement is granted, we will not come back to you seeking another delay.

I am most grateful for your consideration of this request.

Respectfully submitted,

John Ray
Counsel to the Applicant

Enclosure