10 "W" Street, NW
Washington, DC 20001
September 16, 2005

Carol J. Mitten, Director
Zoning Commission for
The District of Columbia
441 4th Street, NW, Suite 210
Washington, DC 20001

Re: Requesting Party Status for Case No. 01-28TE (PUD Modification and Time Extension –200 K Street, NE)

Dear Ms. Mitten:

I am requesting Party Status for Case No. 01-28TE (PUD Modification and Time Extension – 200 K Street, NE). I OPPOSED this development and request the below information to participate as a Party to this Case:

1. **The Person's name, address, and daytime telephone number.**
   Mozella Boyd Johnson
   10 "W" Street, NW, Washington, DC 20001
   (202) 442-7274

2. **A Request to appear and participate as a party.**
   As of this date, September 15, 2005, I request that your office accept and allow me to appear as a Party to Case No. 01-28TE which has suffocated my community for the last 15 years.

3. **Whether the person will appear as a proponent or opponent of the application;**
   I, Mozella Boyd Johnson, will appear as an **opponent** to this application. I am opposed to these extremely lengthy delays, as always the height of the development and the true lack of affordable housing.

4. **Whether t he person will appear through legal counsel, and if so, the name and address of legal counsel;**
   No, I will not be appearing before this Board with Legal Counsel.

5 **A list of witnesses who will testify on the person's behalf**
   No, I will not have any witnesses

6. **A Summary of the testimony of each witness;**
   There will be no Summary of witness; other than myself

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7. **An indication of which witnesses will be offered as expert witnesses. The areas of the expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts**;
I will not have any witnesses.

8. **The total amount of time being requested to present their case;**
I am requesting the total time limits that you have for Parties in opposition, which is 60 minutes.

9. **A written statement setting forth why the person should be granted party status, including reference to the following:**
See Enclosures

Enclosures for Party Status for Case No. 01-28TE (PUD Modification and Time Extension – 200 K Street, NE)

A written statement setting forth why the person should be granted party status, including reference to the following:

I, Mozella Boyd Johnson, am the legal owner of property (229 "K" Street, NE) which sets 100 feet from 200 "K" Street, NE (Z.C. Case No. 01-28TE) proposed development. I have owned this property for over 20 years.

The impact that this property has brought to this community is neglect, hurt, harm and danger. Yes, we all agreed that something is needed for this site and that development is long over due, but to what cost. Should my property be over shadow by this development. The buildings facing "K" Street, NE are too high, they should be similar or mandated to conform to height as the homes in my square. Will the developer be taken his property down to grade and then proceed to build? If so, 90 feet is more than enough, but if he is going to build over top of the garage/parking spaces, then it will be too massive. How far down below grade will the developer be building, for parking and other things that he will need to construct such a massive development?

I asked these questions of you because the Community has yet to receive or review any of the revise changes to this development. The last time I saw any revision it was in 2003 and it was mostly Office complex and some houses.

The Cohn Development has been allowed, until just recently (June 2005) to run havoc on our community and there is countless articles regarding how he has allowed this site to exist with debris, mounds of trash and unsecured buildings. (See Enclosures)

Has the Commission thought about the two homes (Mrs. Smallwood and Rev. Green) still remaining on the site at 3rd and L Street, NE? How will their interest and rights be protected by this development? Who looks out for them? Is any one concerned about how their homes will deteriorate with all of the construction, digging and demolition?

Since this Community has been suffering with this development for over 15 years, don't forget The Cohn Development started out with a proposed Heliport for this site. Now 15 years late, 5 Extension later he wants this Commission to provide him with another 2-year extension. He states that he is providing the most affordable housing that any developer has every given to a project at 80% AMI. If Cohen really wanted to give something back to the community why didn't he start at 30%, 50% or 60% of the Area Median Income (AMI)? To ensure that someone from the Community could afford to purchase a unit at the site.

- Our tax dollars, my tax dollars, have paid for 15-years of clean up for this site.
- Cohn Development we be allowed to close four (4) alleys within this square; which translate into money and space for the Developer.

- ❖ The site was changed from M-C-3-C again, allowing increased benefits for Cohn Development
- ❖ Cohn Development has been allowed to increase height; damaging the aesthetic environment of the community.
- ❖ Cohn Development is again requesting another extension for an additional 2 years, furthering damaging the community.
- ❖ The community has lived in peril for 15 years due to Cohn Development's derelict properties, which has contributed to this community's vulnerability because of excessive vermin, trash, and human renegade population.
- ❖ Cohn Development was instructed by the Office of Planning to revise and move forward on this development three (3) years ago. (Enclosed January 10, 2003)
- ❖ Cohn Development was also instructed to meet with the residents; we are still waiting for this meeting to occur. (Same Enclosures)
- ❖ Once construction begins, what legal assurances will residents be given that homes adjacent to construction site will be reinforced or guarded from damages?

For the above reasons and many more, I am opposed to this project and hope that my issues and concerns are seriously taken into account; and

- ❖ That Cohen Development not be allowed another extension;
- ❖ That the Zoning commission enforce height restrictions and request that Cohen Development decrease the height at this site;
- ❖ Cohen Development continues to state that the height was approved in 1995 against the residents wishes, but all of this should be reconsidered since the Cohen group continues to make changes and strings this community along with extension after extension. When is enough, enough?
- ❖ That you request that the Area Median Income start at 30%, 50% or 60% which would allow true affordability.

I am grateful to your office for informing me about the new hearing date of October 3, 2005.

Respectfully submitted,

Mozella Boyd Johnson
Opponent

Cc: Chairperson Mark Dixon, ANC 6C
Councilmember Ambrose, Ward 6
Councilmember Fenty, Ward 4
Councilmember Orange, Ward 5
Chairman Cropp

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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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

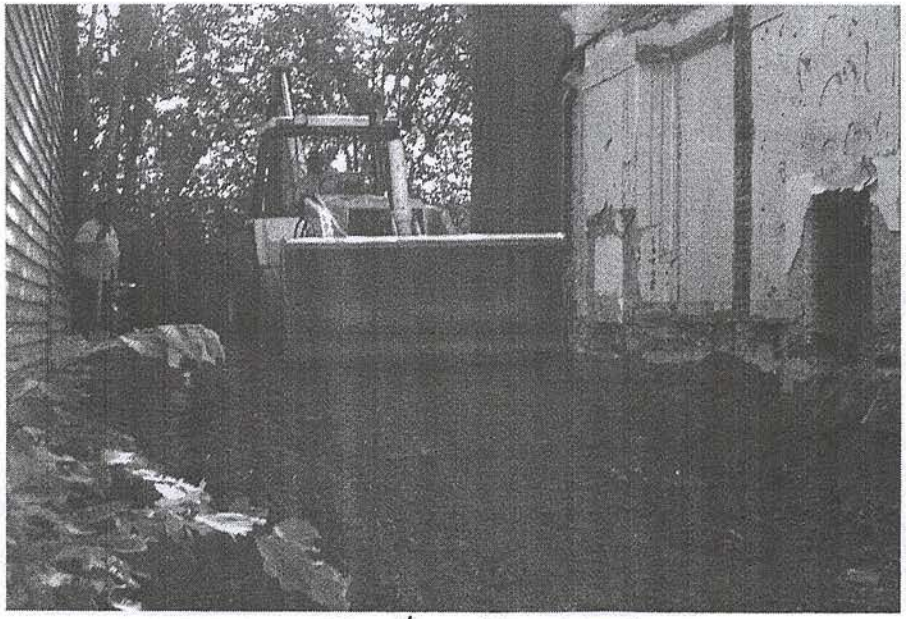
C: Mr. Fred Greene

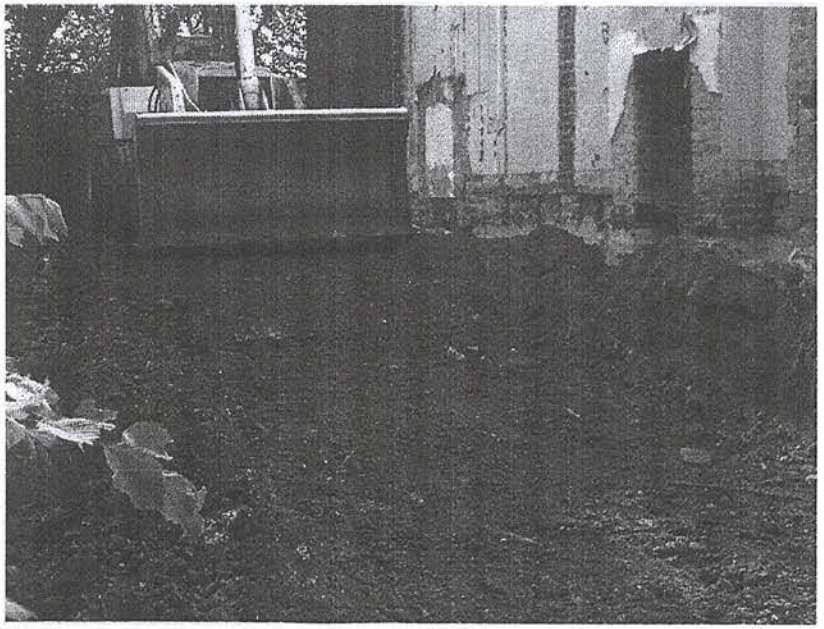
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