Alex J. Grant
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November 2, 2005

Director, Office of Zoning
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
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Re: Case 01-28TE, 200 K Street N.E. PUD

Dear Sir/Madame:

As neighbors to the proposed development at 200 K Street, N.E., we are writing to oppose the zoning application submitted by 200 K Street LP and its Managing Principal, Richard J. Cohen. In short, we believe that approving the application will lead to more of what we have seen for the past 10+ years: no development, urban blight, and further land speculation by Mr. Cohen and his company.

Alex attended the abbreviated October 3, 2005 hearing, and we have had an opportunity to review the most recent filings by Mr. Cohen in support of the PUD modification. The document which seems most relevant to the Commission's decision is the original September 11, 2005 Order No. 783 for Case No. 93-3C.

This order shows that this case began in 1993, and it took two years for approval of the original application. Twelve years later, the development consists of a vacant lot occupying an entire city block ringed by unsightly chain-linked fences. This delay has no doubt inured to the benefit of Mr. Cohen and his company. In spite of his lack of action, the development around 200 K Street and the completion of the New York Avenue metro station has made this property much more valuable. It is hard to imagine how doing nothing has been more profitable.

In hindsight, it seems clear to us that Mr. Cohen's applications and time extensions have served only to create the impression of imminent progress while indefinitely delaying that progress. Our quarrel with Mr. Cohen and his application is not with the details of the project he proposes. Rather, our concern is that we have no confidence that this project will ever occur, thereby condemning our neighborhood to more urban blight.

The inordinate delay associated with Mr. Cohen's project, which would be deleterious to the neighborhood under the best of circumstances, has been even more injurious due to his neglect of the site, which allowed vagrants to occupy the land and the buildings. Mr. Cohen has not been a good neighbor. It was only after Case No. FE-I-04-500000 was instituted for health and safety code violations, and a hearing scheduled for August 5, 2005, that Mr. Cohen agreed to a settlement on August 4, 2005. He agreed to pay a $13,500 fine and agreed to maintain the site

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ZONING COMMISSION
District of Columbia
CASE NO.01-28
EXHIBIT NO.87

It is indicative of Mr. Cohen's complete lack of regard for the neighborhood that he allowed the health and safety violations to occur and that he waited until the day before the August 5, 2005 hearing to finally do what he should have been doing for the past several years. The lesson for the Commission should be evident: Mr. Cohen will do the bare minimum and will only do the bare minimum when left with no other legal recourse.

Mr. Cohen's application thus poses a straightforward question: how long can a community be held hostage to one man's selfish interests? He has engaged in land speculation for over a decade, a course of action that has benefitted him and has hurt many others. Shall we allow this speculation to go on a few more years, and extend this urban blight to two decades? An entire generation could be born and raised in this neighborhood knowing Mr. Cohen's vast site as a wasteland. If this can occur, what does that say about the community's power to shape the space in which it lives? The fact that this urban blight has occurred and can occur for years to come shows that simple homeowners truly are hostages to the whims of a powerful developer.

Another question this Commission should ask is the following: what makes it believe that, if given approval, Mr. Cohen will act any differently in the future than he has in the past? That question is the elephant in the living room which Mr. Cohen, his consultants, and his lawyers conspicuously ignore. In his written submissions, there is no reckoning with the fact that this project has languished for over 10 years. There is no explanation for this extraordinary delay. There is no explanation for why, this time, Mr. Cohen will go forward with the project. There is no commitment from Mr. Cohen about what he will do, or when he will do it. There is no specific information about how the project will be financed, or whether Mr. Cohen has arranged for financing. In other words, his project may amount to no more than the pieces of paper which he has submitted to the Commission.

In the end, Mr. Cohen's application is his test of just how gullible this community can be. We hope with all our heart to see his site transformed from the barren, weed-infested lot into a development of some benefit to the neighborhood. He dangles that prospect before us year after year, making us believe that he is the fastest, most likely, agent of change. Yet, like Lucy snatching the football away from Charlie Brown, Mr. Cohen betrays that hope time after time. Mr. Cohen thinks we will be that gullible one more time. It is time to prove him wrong.

Sincerely,



Alex J. Grant



Ashley E. Martin