District of Columbia Government
Advisory Neighborhood Commission 6C
Chairman Mark Dixon
Post Office Box 77876
Washington, D.C 20013-7787

November 9, 2005

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2005 NOV 14 PM 1:45

Government of the District of Columbia
Chair Carol J. Mitten and Members
D.C. Zoning Commission
One Judiciary Square, Suite 210 South
441 4Th., Street N. W.
Washington, D.C. 20001

Re: Case Number 01-28TE sponsored by Single member district ANC Commissioner Daniel M. Pernell, III concerning a PUD Modification and Time Extension-200 K., Street, N.E.

Dear Ms. Mitten:

At a recent schedule community Committee meeting held on Tuesday, October 18, on the matter of giving the concerned community of near northeast another chances to input on this "Pud Modification and Time Extension" located at 200 K., Street, N.E. the applicant's made presentation and heard from the surrounding community. The meeting was held at Mount Airy Baptist Church.

On November 2, 2005, at the regularly scheduled, duly notified Advisory Neighborhood Commission 6C Zoning and Planning meeting, with a quorum of ANC 6C Commissioners and Community Members of the effected area present made recommendation of the matter, of an application presented by Ronald J. Cohen himself and representatives Mr. John Ray came before the ANC 6C Commission Zoning and Planning Committee.

On November 9, 2005, at the regularly scheduled, duly notified Advisory Neighborhood Commission 6C meeting, with a quorum of 7 of 8 Commissioners present and voting, the matter of an application presented by Mr. Ronald J. Cohen and Mr. John Ray and representatives came before the ANC 6C Commission of the whole. Single Member District Commissioner Daniel M. Pernell, III in response to question on October 18, 2005, November 2, 2005, and on November 9, 2005. Whereas he propose a resolution on behalf of his constituents and surrounding community.

Following discussion at the full-Commission meeting, ANC6C04 Commissioner Daniel M. Pernell, made a motion to support the resolution. The motion was seconded by Commissioner Michael Sherman. The 6C Commission 6 Commissioners voted (YES), 1 Commissioner voted to (Abstained) and 1 Commissioner was (Absent) to support Case Number 01-28TE PUD Modification and Time Extension for 200 K., Street, N. E.

Sincerely,

Mark A Dixon

Mark Dixon
Chairman of ANC 6C Commission

ZONING COMMISSION
District of Columbia
CASE NO. 01-28TE
EXHIBIT NO. 91

ZONING COMMISSION
District of Columbia
CASE NO.01-28
EXHIBIT NO.91

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ANC 6C COMMISSION

MEETING OF THE WHOLE
NOVEMBER 9, 2005

SPONSOR BY SINGLE MEMBER DISTRICT COMMISSIONER
DANIEL M. PERNELL, III

PUD MODIFICATION AND TIME EXTENSION-200 K STREET N.E.
Case Number 01-28TE

WHEREAS, the 200 K Street LP (the "Applicant"), a business entity whose managing principal is Ronald J. Cohen, has applied to the D.C. Zoning Commission for modification and time extension of the Planned Unit Development known as Union Place and located in Square 749, bounded to the north by L Street N.E., to the east by 3rd Street N.E., to the south by K Street N.E., and to the west by 2nd Street N.E. (the "Property");

WHEREAS, the Property is located within Single-Member-District 6C04;

WHEREAS, the Applicant and members of the development team made a presentation describing the Union Place project at the ANC 6C Planning & Zoning Committee meeting on September 7, 2005;

WHEREAS, the revised plans propose development in two phases, with Phase 1 (Building A) to include 202 residential units and 3,217 square feet of retail space and Phase 2 (Buildings B and C) to include approximately 500 residential units, 9,000 square feet of retail space, and a 3,000-square-foot Daycare Center;

WHEREAS, the Planning & Zoning Committee requested the Applicant to provide a sufficient number of interim surface parking spaces to assure a 1:1 ratio of parking spaces per dwelling unit for Phase 1 residents until completion of permanent underground parking spaces in the Phase 2 building;

WHEREAS, Mr. Cohen agreed to the Planning & Zoning Committee request;

WHEREAS, upon a motion by Commissioner Daniel M. Pernell, III, SMD 6C04, the Planning & Zoning Committee voted to recommend that ANC 6C support the Applicant's revised plans and PUD Modification and Time Extension Application, conditioned on:

- The Applicant's compliance with the commitment to provide the agreed-upon interim surface parking spaces and the other Public Benefits and Project Amenities as set forth in the revised plans, and
- That the Applicant will begin construction of Phase 2 within one (1) year after completion of Phase 1.

WHEREAS, the D.C. Zoning Commission, at the public hearing on the project on October 3, 2005, agreed to ANC 6C's request to continue the public hearing on November 17, 2005, to provide ANC 6C and neighborhood residents more time to review the project;

WHEREAS, the D.C. Zoning Commission directed that the hearing on November 17, 2005, will be conducted in two phases The first phase will be devoted to testimony regarding the Applicant's request for a PUD time extension, followed by the Zoning Commission vote on that aspect. If the time extension is approved, the Zoning Commission will proceed to take testimony on the Applicant's PUD modification request.

WHEREAS, the Applicant and development team members made their first presentation after the DC Zoning Commission postponement on October 3, 2005, to allowed the surrounding community view and have input on October 18, 2005, concerning revised planning of Union Place at 200 K., Street, NE. the meeting took place at Mount Airy Baptist Church 1100 North Capitol Street, NW hosted by the 6C Commissioners.

WHEREAS, the Applicant and development team members made a second presentation to the ANC 6C Planning & Zoning Committee on November 2, 2005.

WHEREAS, the ANC 6C Planning & Zoning Committee provided proper public notice that consideration of Zoning Commission Case No. 01-28TE would be on the agenda for the ANC 6C Planning & Zoning Committee's regular meeting on November 2, 2005;

WHEREAS, the Planning & Zoning Committee Chair, Commissioner Rivera, determined the presence of a quorum at the committee meeting on November 2, 2005.

THEREFORE, BE IT RESOLVED, That the ANC 6C Planning & Zoning Committee recommends that ANC 6C should support and present testimony to the Zoning Commission in favor of:

1. The Applicant's request for a PUD time extension for one (1) year beyond the effective date of a Zoning Commission Order of approval, during which time a Phase 1 building permit application must be filed with the Department of Consumer and Regulatory Affairs and a Stage 2 PUD application must be filed with the Zoning Commission and presented to ANC 6C for review and comment;

2. The Applicant's agreement to establish a Phase 1 construction start date, also within one (1) year beyond the effective date of a Zoning Commission Order of approval, subject to timely D.C. Government action on necessary alley-closing legislation and a Phase 1 building permit; and

3. The Applicant's revised PUD modification development plans, as submitted to the Zoning Commission on September 13, 2005, with the amendments submitted September 29, 2005, at the request of the D.C. Office of Planning, conditioned on the Applicant's compliance with the commitment to provide the agreed-upon interim surface parking spaces.

4. The Applicant will set aside approximately 78 units – more than 11% of the total – as affordable housing and will deliver all of the other Public Benefits and Project Amenities as set forth in the revised plans.

6C01 Commissioner Lawrence Thomas	Voted: Yes ( ) No ( ) Absent (✓) Abstaining ( ).
6C02 Commissioner Mark Dixon	Voted: Yes (✓) No ( ) Absent ( ) Abstaining ( ).
6C03 Commissioner Lena Brown	Voted: Yes (✓) No ( ) Absent ( ) Abstaining ( ).
6C04 Commissioner Daniel M. Pernell	Voted: Yes (✓) No ( ) Absent ( ) Abstaining ( ).
6C05 Commissioner Anthony Rivera	Voted: Yes (✓) No ( ) Absent ( ) Abstaining ( ).
6C06 Commissioner Michael Sherman	Voted: Yes (✓) No ( ) Absent ( ) Abstaining ( ).
6C08 Commissioner Karen Wirt	Voted: Yes ( ) No (✓) Absent ( ) Abstaining ( ).
6C09 Commissioner Charles Docter	Voted: Yes (✓) No ( ) Absent ( ) Abstaining ( ).

Mark Dixon

Signed by the Chair of the 6C Commission