

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** All Councilmembers

**FROM:** Chairman Phil Mendelson  
Committee of the Whole

**DATE:** November 16, 2021

**SUBJECT:** Report on Bill 24-167, “Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021”

The Committee of the Whole, to which Bill 24-167, the “Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021” was referred, reports favorably thereon with minor amendments, and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

On March 29, 2021, Bill 24-167, the “Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021” was introduced by Chairman Mendelson at the request of the Mayor. Bill 24-167 would dedicate lots 1107 and 1113 in Square 2873 to accommodate the extension of W Street, N.W., and establish a 25-foot-wide building restriction line on lots 1106 and 1112, bounded by 9<sup>th</sup> Street N.W., and 8<sup>th</sup> Street N.W., in Ward 1. The extension of W. Street, N.W., is consistent with the Shaw/U Street Cultural Destination District Plan, approved by the Council on June 21, 2005 via Resolution 16-209, which called for an extension of east-west street system to connect the area to the center of the Howard University campus.

### ***Legal Background***

The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201 *et seq.*) (“Act”) establishes procedures for closing streets and alleys, opening new streets and alleys, naming public spaces, and other procedures related to streets and alleys. The Act authorizes the Council to close all or part of a street or alley and establishes one standard for reviewing a street or alley closing application: whether the street or alley is determined by the Council to be needed for street or alley purposes. The Act also authorizes the Council to make approval of a street or alley closing contingent upon: (1) the dedication of land for street or alley purposes if the public interest would be served by such action; (2) the granting to the District of specific easements for public purposes; and (3) any other condition that the Council considers necessary.

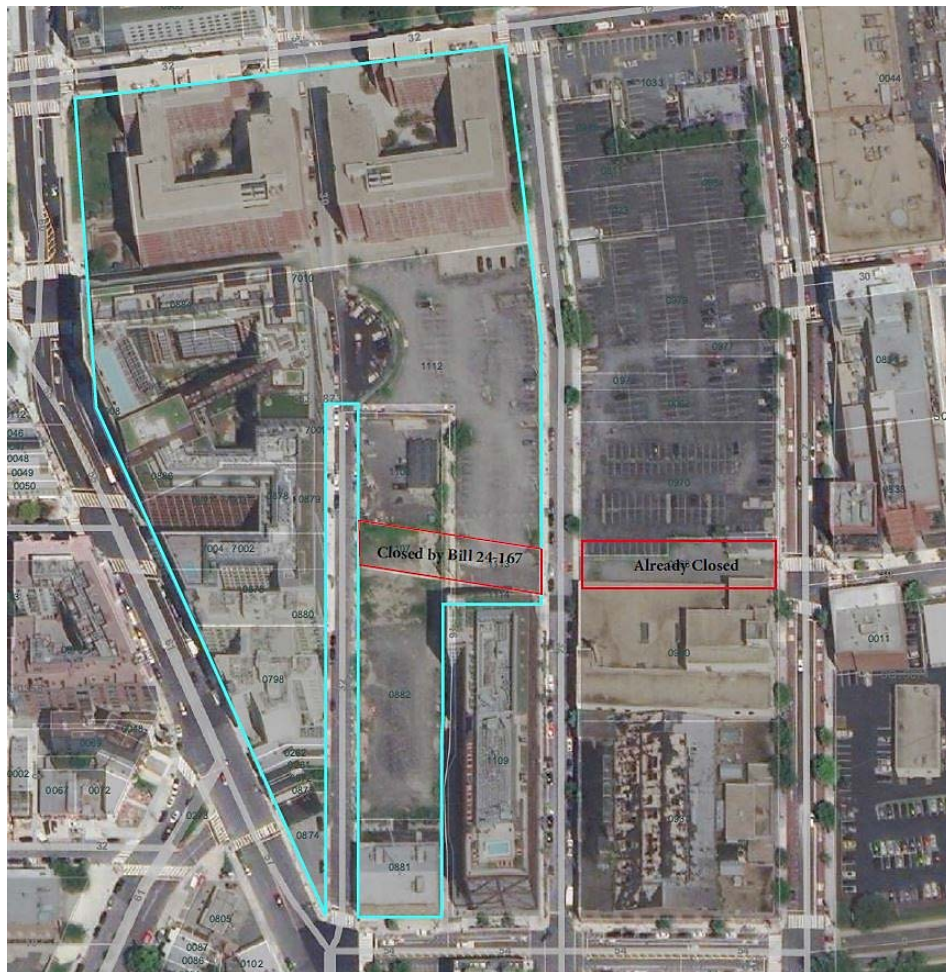
Pursuant to the Act, street and alley closing applications are submitted to the Surveyor of the District of Columbia, who assigns a Surveyor’s Order (S.O.) number and collects applicable fees. The Surveyor requests comments from executive branch agencies and public utilities. A plat is prepared, and the application is forwarded through the Mayor’s Office of Policy and Legislative Affairs, which also solicits comments from executive branch agencies. When these reviews are completed, the application is transmitted to the Council in the form of a bill from the Mayor. Councilmembers may also initiate an alley or street closing by introducing a bill. In such cases, the Act provides that the Council cannot consider such a bill until the required reviews have been completed. Regarding Bill 24-167, all of the reviews have been completed.

The Act establishes notice requirements for street and alley closing legislation. The Council is required to publish notice of a street or alley closing in the *District of Columbia Register*. Further, the applicant is required to give written notice to all property owners abutting a block or alley affected by the proposed street or alley closure. The applicant is also required to post signs at each end of a block or each entrance to an alley affected by the street or alley closing legislation. The applicant is required to give the Council certification of compliance with these requirements. Regarding Bill 24-167, these requirements have been met.

After the street or alley closing legislation becomes law and all conditions required by the Council and the Act have been satisfied, the Surveyor records a copy of the act and plat in the Office of the Surveyor. Thereafter, the street or alley is deemed closed, and title to the land reverts or vests in fee simple to the abutting record owners, as shown on the plat. The land becomes subject to tax and zoning laws in the same manner as the abutting land. The right of the public to use the street or alley typically ceases, and any proprietary interest of the United States or the District of Columbia in the street or alley ceases. If a closing plat shows an easement or dedication of land for public purposes, the land encompassed by the easement or dedication becomes available for the specified public purposes.

***Background Pertinent to Bill 24-167***

The dedication of land in Square 2873 and the establishment of a building restriction line will facilitate the extension of W Street, N.W., a longstanding goal of the District and Howard University. In 2004, the District completed work on the Duke: Development Framework for a Cultural Destination District within Washington, DC’s Greater Shaw/U Street Plan (“Duke Plan”).<sup>1</sup> The purpose of the Duke Plan is to provide guidance to District agencies and commissions on affordable housing needs, local business development, existing and new cultural facilities and programming, public realm investments, transportation and traffic, and zoning in the area bound by Barry Place N.W., to the north; 6<sup>th</sup> Street N.W., to the east; Rhode Island Avenue to the south; and 13<sup>th</sup> Street to the west. Among its many recommendations is the extension of east-streets in the Howard Town Center Area, including W Street, N.W., to better connect the campus to the surrounding area.<sup>2</sup> The Council approved the plan via Resolution 16-209 on June 21, 2005.<sup>3</sup>



<sup>1</sup> Office of Planning, Draft Development Framework for a Cultural Destination District Within Washington D.C.’s Greater Shaw/U Street, September 2004 ([Link](#)).

<sup>2</sup> *Id.*, pg. 30.

<sup>3</sup> Resolution 16-209, The Shaw/U Street Cultural Destination District Plan Approval Resolution of 2005.

Consistent with the Duke Plan, Howard University adopted a Central Campus Master Plan in 2011 that called for an extension of W. Street, N.W. from Georgia Avenue, N.W. to Florida Avenue, N.W. for better vehicle and pedestrian connectivity.<sup>4</sup> At the time, Howard did not own the property in question and so was unable to begin work on the proposed extension.<sup>5</sup> Howard's latest Central Campus Master Plan reaffirms the University's commitment to extend W. Street.<sup>6</sup> Bill 24-167 would enable the extension of W. Street, N.W. from Georgia Avenue to 9<sup>th</sup> Street, N.W., as shown in the picture on the previous page.

As introduced, Bill 24-167 contained language under Section 2 which states that the Surveyor shall not record the plat in file S.O. 20-04746 until the District Department of Transportation (DDOT) has determined that the public space improvements meet DDOT's standards. This condition is specified in DDOT's official report dated November 17, 2020, and so would be duplicative of existing language conditioning the dedication of lots and establishment of a 25-foot-wide building restriction line on satisfying the conditions in S.O. 20-04746. As such, the Committee Print takes this language out.

### ***Conclusion***

The Committee finds that the dedication of lots 1107 and 1113 in Square 2873 is necessary to extend W Street, N.W., consistent with the Duke Plan approved by the Council via Resolution 16-209 and the Howard University Central Campus Master Plan. Further, the dedication and establishment of a building restriction is supported by the affected ANC. Accordingly, the Committee recommends Council approval of the Committee Print for Bill 24-167.

## **II. LEGISLATIVE CHRONOLOGY**

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|--------------------|--|
| March 29, 2021     | Bill 24-167, the "Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021" is introduced by Chairman Mendelson at the request of the Mayor. |
| April 6, 2021      | Bill 24-167 is "read" at a legislative meeting; on this date the referral of the bill to the Committee of the Whole is official.   |
| April 9, 2021      | Notice of Intent to Act on Bill 24-167 is published in the <i>District of Columbia Register</i> .  |
| September 17, 2021 | Notice of a Public Hearing on Bill 24-167 is published in the <i>District of Columbia Register</i> .   |
| October 14, 2021   | The Committee of the Whole holds a public hearing on Bill 24-167.  |

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<sup>4</sup> Howard University Central Campus Master Plan, June 29, 2011, pg. 240.

<sup>5</sup> *Ibid.*

<sup>6</sup> Howard University, Central Campus Master Plan, v.3, March 2021.

November 16, 2021 The Committee of the Whole marks-up Bill 24-167.

### **III. POSITION OF THE EXECUTIVE**

Dan Emerine, Manager of Policy and Legislative Affairs at the District Department of Transportation, testified at the Committee's public hearing on October 14, 2021 on behalf of Anna Chamberlin. Ms. Chamberlin's testimony notes that DDOT objects to the proposed action until the following conditions are met:

- The applicant constructs public space improvements pursuant to the terms and conditions of the Horizontal Public Use Agreement signed by DDOT and the applicant;
- The public space improvements are inspected by DDOT and meet or exceed DDOT standards and specifications consistent with the Horizontal Public Use Agreement; and
- The dedication for W. Street, N.W., shall not be recorded until DDOT has agreed to accept the public space improvements, all statutory warranties have been provided.

Joseph Snider, D.C. Surveyor, testified at the Committee's public hearing on October 14, 2021. He stated that the purpose of the bill is to dedicate lots 1107 and 1113 in Square 2873 to accommodate the extension of W. Street, N.W., and to establish a 25-foot-wide building restriction line on the southern portion of Lots 1106 and 1112 in Square 2873. Mr. Snider said that the most probable estimate of value for the land dedication and building restriction line in Square 2873 as of January 1, 2021 is estimated at \$3,746,710 (11,576 S.F. X \$323.83). Mr. Snider noted that DDOT objected to the application until certain conditions are met via a letter dated November 17, 2020. He said Howard University agreed to all conditions stated by DDOT in the letter.

### **IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS**

In a letter to the Surveyor dated September 3, 2020, Advisory Neighborhood Commission 1B notes that it voted to unanimously support the proposed street dedication and establishment of a building restriction line at a regular Commission meeting on August 6, 2020. The ANC letter is attached to this report.

### **V. NATIONAL CAPITAL PLANNING COMMISSION REVIEW**

Diane Sullivan, Director of Urban Design and Plan Review at the National Capital Planning Commission (NCPC), provided comments to the Council finding that the proposed street closing falls under an exception in Chapter 8 (Exceptions and Project Changes) of NCPC's submission guidelines and is exempt from Commission Review. NCPC's letter is attached.

### **VI. SUMMARY OF TESTIMONY**

The Committee of the Whole held a public hearing on several bills, including Bill 24-167, on Thursday, October 14, 2021. The testimony summarized below pertains to Bill 24-167. Copies of all written testimony are attached to this report.

*Derrek Niec-Williams, Executive Director of Campus Planning, Architecture, and Development at Howard University*, testified in support of Bill 24-167. Mr. Niec-Williams noted that the extension of W. Street, N.W., is consistent with the Duke Plan and the Howard University Central Campus Master Plan.

*Joseph Snider, Surveyor of the District of Columbia*, testified on behalf of the Executive. His testimony is summarized in Section III.

*Dan Emerine, Manager of Policy and Legislative Affairs at the District Department of Transportation*, testified on behalf of the Executive. Her testimony is summarized in Section III.

The Committee has received no testimony or comments in opposition to the alley closing or Bill 24-167.

## VII. IMPACT ON EXISTING LAW

Bill 24-167 has no impact on existing law. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201 *et seq.*) (“Act”) establishes procedures for closing streets and alleys, opening new streets and alleys, naming public spaces, and other procedures related to streets and alleys. Additionally, it authorizes the Council to close all or part of a street or alley. In approving Bill 24-167, the Committee finds that the requirements of the Act have been satisfied.

## VIII. FISCAL IMPACT

The attached March 2, 2021 fiscal impact statement from the District's Chief Financial Officer states that funds are sufficient in the FY 2021 through FY 2024 budget and financial plan to implement the bill.

## IX. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	Short title.
<u>Section 2</u>	(a) Accepts the dedication of land for street purposes in lots 1106 and 1113 in Square 2873 and establishes a 25-foot-wide building restriction line on lots 1106 and 1112 in Square 2873.  (b) Approval of the dedication of land is contingent upon satisfying all conditions in the official file for S.O. 20-04746.
<u>Section 4</u>	Fiscal impact statement.
<u>Section 5</u>	Effective date.

## **X. COMMITTEE ACTION**

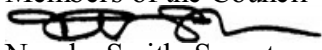
## **XI. ATTACHMENTS**

1. Bill 24-167 as introduced.
2. Written Testimony.
3. NCPC Comments.
4. ANC Letter.
5. Surveyor's Plat.
6. Fiscal Impact Statement for Bill 24-167.
7. Legal Sufficiency Determination for Bill 24-167.
8. Committee Print for Bill 24-167.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council  
From :  Nyasha Smith, Secretary to the Council  
Date : Monday, April 5, 2021  
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Monday, March 29, 2021. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021", B24-0167

INTRODUCED BY: Chairman Mendelson, at the request of Mayor

The Chairman is referring this legislation to Committee of the Whole.

Attachment  
cc: General Counsel  
Budget Director  
Legislative Services





**MURIEL BOWSER  
MAYOR**

March 30, 2021

The Honorable Phil Mendelson, Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for the consideration of the Council of the District of Columbia is legislation entitled "Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021".

The purpose of this application is for the dedication of Lots 1107 and 1113, in Square 2873 for street purposes to accommodate the extension of W Street, N.W. right-of-way, and establish a 25 foot wide building restriction line on Lots 1106 and 1112 in Square 2873, in Northwest Washington, D.C. in Ward 1.

Pursuant to D.C. Official Code §9-202-02(5) the application was referred to Advisory Neighborhood Commission (ANC) 1B on July 27, 2020. In a letter dated September 3, 2020, ANC 1B voted unanimously in support of this application. The application was referred to the National Capital Planning Commission (NCPC) on July 27, 2020. In a letter dated August 26, 2020, NCPC determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) of NCPC's Submission Guidelines. Accordingly, it has been determined that this project is exempt from Commission review. The applicant is the owner of the lots to be dedicated.


Enclosed is a copy of the plat for recording along with a copy of the application and draft legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser

Enclosures

  
Chairman Phil Mendelson  
at the request of the Mayor

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To order the dedication of Lots 1107 and 1113 in Square 2873 for street purposes to accommodate the extension of W Street, N.W. right-of-way, and establish a 25 foot wide building restriction line on the southern portion of Lots 1106 and 1112 in Square 2873 fronting on the extension of W Street, N.W., in Northwest Washington, D.C., in Ward 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act be cited as the “Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021”.

Sec. 2. Pursuant to Sections 302 through 304 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-203.02, § 9-203.03(b) & (c), and § 9-203.04), the Council accepts the dedication of Lots 1107 and 1113 in Square 2873 for street purposes and establishes a 25 foot wide building restriction line on Lots 1106 and 1112 as shown on the Surveyor’s plat in the S.O. 20-04746 file, contingent upon the satisfaction of all of the conditions set forth in the S.O. 20-04746 file, including that:

- (a) The Surveyor shall not record the Surveyor’s plat in the S.O. 20-04746 file until the District Department of Transportation (“DDOT”) has determined that the Applicant has constructed the specified public space improvements to DDOT’s standards

1 in accordance with the Horizontal Public Use Agreement signed by the Applicant and  
2 DDOT.

3 Sec. 3. The Secretary of the Council shall transmit a copy of this act, upon its effective  
4 date, to the Surveyor of the District of Columbia, the District of Columbia Recorder of Deeds,  
5 the Executive Director of the National Capital Planning Commission, the Speaker of the United  
6 States House of Representatives, and the President Pro Tempore of the United States Senate.

7 Sec. 4. The Council adopts the fiscal impact statement prepared by the Chief Financial  
8 Officer as the fiscal impact statement required by Section 4a of the General Legislative  
9 Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-  
10 301.47a).

11 Sec. 5. This act shall take effect upon its approval by the Mayor (or in the event of veto  
12 by the Mayor, action by the Council to override the veto), and a 30-day period of congressional  
13 review as provided in Section 602(c)(1) of the District of Columbia Home Rule Act, approved  
14 December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206-02(c)(1) and publication in the  
15 District of Columbia Register.

**Before the  
District of Columbia Council  
Committee of the Whole  
Regarding Bill No. 24-167 Dedication of Land  
for Street Purposes and Establishment of a Building Restriction  
Line in Square 2873 (S.O. 20-04746) Act of 2021**

**Statement of Derrek Niec-Williams  
Executive Director  
Campus Planning, Architecture and Development  
Howard University**

Thank you all for your time today, Mr. Chairman and members of the Council my name is Derrek Niec-Williams, I currently serve as the Executive Director for Campus Planning Architecture and Development at my beloved Alma mater, Howard University. I'm here to speak about Bill No. 24-167 with respect to the dedication of W Street NW, between 8th and 9th Streets, NW. As background, in 2004 this was initially contemplated as part of the Duke Plan –a Small Area Plan component of the Comprehensive Plan – to foster east-west connections across Georgia Avenue to Florida Avenue in this particular section of the Mid-City Area. More specifically, the plan sought to foster better connections to the campus across W and Bryant Streets and to make smaller public spaces that were scaled to the City and distinct from larger campus quadrangles. Corollary to that, it was also obviously intended to spur economic development, animation and redevelopment in this area of the City.

Fast forwarding to the 2011 Central Campus Master Plan for the University, this theme of east-west connections and pedestrian connectivity also came up, to foster better connectivity to the Campus at large. Then, in 2017 the subject properties were actually extracted from the boundaries

of our Central Campus Master Plan in order to facilitate commercial development; however, we remain stalwart in our commitment to connect the grid in these areas. Since that time we've worked in earnest with DDOT, DOEE, the Office of the Surveyor and many other City entities to arrive at a compliant and appropriate solution for the connection of W Street between 9th and 8th Streets, NW. As designed, it includes a 55 foot cartway that will be publicly dedicated. In addition, there will be a 25 foot building restriction line to the north, which will create a smaller public space as referenced in the Duke Plan.

Overall, this will connect the street grid, break up what is considered a super block in this area of the District, yield a better pedestrian environment with more connectivity, increase opportunities for street-frontage, animation, activation, density, height and economic development.

With that I'll conclude my statement and see if there are any questions. Thank you.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
*Department of Consumer and Regulatory Affairs*



**Public Hearing on**

**Bill 24-104, “Closing of Public Streets and Alleys and the Removal of Building Restriction Lines Adjacent to Squares 5862, 5865, 5866 and 5867, S.O. 17-26688, Act of 2021”;**

**Bill 24-105, “Dedication of Land for Public Street and Alley Purpose Adjacent to Squares 5862, 5865, 5866, and 5867, S.O. 17-26689, Act of 2021”;**

**Bill 24-167, “Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873, S.O. 20-04746, Act of 2021”;**

**Bill 24-211, “Closing of a Portion of Maryland Avenue, S.W. between Independence Avenue and 6th Street, S.W., and the Transfer of Jurisdiction of the Closed Portion of Maryland Avenue and portions of Independence Avenue and 4th and 6th Streets, S.W., S.O. 17-26507, Act of 2021”;**

**Bill 24-234, “Abandonment of the Highway Plan for Jackson Street, N.E., S.O. 21-00463, Act of 2021”; and**

**Bill 24-291, “Omnibus Progressive National Baptist Convention Redevelopment Act of 2021”**

**Background Information Provided by**  
**Joseph Snider**  
**Surveyor of the District of Columbia**  
**Department of Consumer and Regulatory Affairs**

**Before the**  
**Committee of the Whole**  
**Chairman Phil Mendelson**  
**Council of the District of Columbia**

**Thursday, October 14, 2021**  
**10:00 a.m.**

Good Morning, Chairman Mendelson, members, and staff of the Committee of the Whole. I am Joseph Snider, the Surveyor of the District of Columbia at the Department of Consumer and Regulatory Affairs (DCRA). I appear before you today to provide background information on B24-104, “Closing of Public Streets and Alleys and the Removal of Building Restriction Lines Adjacent to Squares 5862, 5865, 5866, and 5867, S.O. 17-26688, Act of 2021”; B24-105, “Dedication of Land for Street and Alley Purposes Adjacent to Squares 5862, 5865, 5866 and 5867, S.O. 17-26689, Act of 2021”; B24-167, “Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873, S.O. 20-04746, Act of 2021”; B24-211, “Closing of a Portion of Maryland Avenue, S.W. between Independence Avenue and 6th Street, S.W., and the Transfer of Jurisdiction of the Closed Portion of Maryland Avenue and portions of Independence Avenue and 4th and 6th Streets S.W., S.O. 17-26507, Act of 2021”; Bill 24-234, “Abandonment of the Highway Plan for Jackson Street, N.E., S.O. 21-00463, Act of 2021”; and B24-291, “Omnibus Progressive National Baptist Convention Redevelopment Act of 2021.”

**Bill 24-104, “Closing of Public Streets and Alleys and the Removal of Building Restriction Lines Adjacent to Squares 5862, 5865, 5866 and 5867, S.O. 17-26688, Act of 2021”**

I will begin with B24-104, “Closing of Public Streets and Alleys and the Removal of Building Restriction Lines Adjacent to Squares 5862, 5865, 5866, and

5867, S.O. 17-2688, Act of 2021,” which was introduced by Councilmember White.

The purpose of this bill is to close portions of Firth Sterling Avenue, S.E., Eaton Road S.E. and Stevens Road, S.E., adjacent to Squares 5862, 5865, and 5886 and removal of Building Restriction Lines, and to close portions of the public alley system in Squares 5862, 5865, 5866, and 5887 and removal of building Restriction Lines in Ward 8 to facilitate the development at the Barry Farms site.

The portions of Firth Sterling Avenue, S.E., Eaton Road S.E., Stevens Road, S.E., and alleys to be closed in Squares 5862, 5865, 5866, and 5867 were created by subdivisions as shown in Book Levy Court (LC-2) on Page 1, Book 57 on Page 15, Book 67 on Pages 40 and 40-A, and Book 117 on Page 32 respectively, recorded from years 1867 to 1942.

Title to the closed portions of Firth Sterling Avenue, S.E., Eaton Road, S.E., Stevens Road, S.E., and alleys in Squares 5862, 5865, 5866, and 5867 could not be determined to be held by the District of Columbia or the United States.

The most probable estimate of value as of January 1, 2021, which represents tax year 2022 for the public streets, public alleys and building restriction lines removed in Square 5862, 5865, 5866 and 5867 is \$4,149,800 (152,396 s.f. x \$27.23 (\$27.2304) estimated square foot). The estimate is explained as follows:

- \$2,691,370 (98,837 s.f. x \$27.23 (\$27.2304) estimated square



foot) (for public alleys closed)

- \$1,458,430 (53,550 s.f. x \$27.23 (\$27.2349) estimated square

foot) (for public street closed)

The applicant for this closing is the Barry Farms Redevelopment Associates and the District of Columbia, who are represented by Holland and Knight, LLC. The Office of the Surveyor notified the relevant Executive Branch agencies and utility companies of the application on August 23, 2018. In a letter dated August 8, 2021, the District Department of Transportation (DDOT) objected to this application. However, DDOT would have no objection to this application if all the terms and conditions contained in the Agreement are satisfied as outlined in their letter dated August 8, 2019. In a letter dated August 24, 2018, DC Water objected to this application indicating that it currently operates or maintains facilities located within the proposed street/alley closing area. However, DC Water would not have any objection if the applicant executed and recorded an easement that allows for the continued operation and maintenance of their facilities. DC Water subsequently submitted a letter dated July 23, 2019, stating that it no longer objected to the proposed closure because their objections had been resolved. The remaining Executive Branch agencies have no objections.

The Surveyor's Office notified the utility companies of the application on August 24, 2018. In a letter dated September 18, 2018, Pepco objected to this

application. However, Pepco would not have any objection to the proposed closing of public street and alleys if Pepco's electrical facilities were maintained in place or relocated at no cost to Pepco. Pepco subsequently submitted a letter dated April 3, 2019, stating that it no longer objected to the proposed closure due to the applicant's proposal to enter into an easement agreement with Pepco. The remaining utility companies have no objection.

Pursuant to D.C. Official Code § 9-202.02(3), the Surveyor's Office notified the National Capital Planning Commission (NCPC) of this application on August 24, 2018. In a letter dated September 24, 2018, NCPC staff has determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) of NCPC's submission guidelines. Specifically, NCPC concluded the project meets the conditions of Exception 9, regarding amendment to the Highway Plan, which encompass public street/alley dedications or closures outside of the L'Enfant Plan of the Federal City.

Pursuant to D.C. Official Code § 9-202.02(5) Advisory Neighborhood Commission (ANC) 8C was notified of this application on August 24, 2018. In a letter dated April 26, 2019, ANC 8C indicated their support for the proposed street closing.

**Bill 24-105, "Dedication of Land for Public Street and Alley Purposes Adjacent to Squares 5862, 5865, 5866, and 5867, S.O. 17-26689, Act of 2021"**

Next I will turn to B24-105, the "Dedication of Land for Public Street and

Alley Purposes Adjacent to Squares 5862, 5865, and 5867, S.O. 17-26689, Act of 2021,” which was introduced by Councilmember White.

This bill would order the dedication and designation of Obama Way, S.E., Eureka Place, S.E., Solomon Road, S.E., Eaton Road, S.E., River Walk, S.E., Stevens Road, S.E., and Hermitage Way, S.E., adjacent to Squares 5865 and 5866 for public street purposes, to dedicate land to widen portions of Summer Road, S.E., Eaton Road, S.E., and Stevens Road, S.E., adjacent to Squares 5862, 5865 and 5866, and to dedicate land adjacent to Squares 5865, 5866 and 5867 for public alley purposes, and authorize the improvement of the dedicated land for street and alley purposes in Ward 8.

The applicant for this application is the Barry Farms Redevelopment Associates, LLC and the District of Columbia who are represented by Holland and Knight, LLC. The Office of the Surveyor notified the relevant Executive Branch agencies and the utility companies of the application on August 24, 2018. In a letter dated August 8, 2019, DDOT objected to this application. However, DDOT would have no objection to the application if all of terms and conditions contained in the Agreement are satisfied as outlined in their letter dated August 8, 2019. The remaining agencies have no objections.

The Surveyor’s Office notified the utility companies of the application on August 24, 2018. In a letter dated April 12, 2019, Washington Gas objected to the

dedication of land for public street and public alleys due to the existence of active natural gas facilities within the limits of the proposed alley closure. However, in a letter dated October 13, 2020, Washington Gas clarified that it does not have active natural gas facilities within the limits of the proposal and that it has no objections. The remaining utility companies have no objections.

Pursuant to D.C. Official Code § 9-202.02(3), the Surveyor's Office notified the National Capital Planning Commission (NCPC) of this application on August 24, 2018. In a letter dated September 24, 2018, NCPC staff determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) of NCPC's submission guidelines. Specifically, NCPC concluded that the project meets the conditions of Exception 9, regarding amendments to the Highway Plan, which encompass public street/alley dedications or closures outside of the L'Enfant Plan of the Federal City.

Pursuant to D.C. Official Code § 9-202.02(5), Advisory Neighborhood Commission (ANC) 8C was notified of this application on August 24, 2018. In a letter dated April 26, 2019, ANC 8C indicated their support for this application.

**B24-167, "Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021"**

Next I will turn to B24-167, "Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act

of 2021,” which was introduced by Chairman Mendelson at the request of the Mayor.

The purpose of this bill is to dedicate Lots 1107 and 1113 in Square 2873 to accommodate the extension of W Street N.W., and to establish a 25-foot-wide building restriction line on the southern portion of Lots 1106 and 1112 in Square 2873, in Ward 1.

The Record Lots were recorded in the Office of the Surveyor on August 14, 2019, in Subdivision Book 216, on Page 13 for Lots 1106 and 1107; and on November 27, 2019, in Subdivision Book 216, on Page 118 for Lots 1112 and 1113.

Title to Lots 1106 and 1107 in Square 2873 has been determined to be held with “The Howard University”, “Its Mine Now, LLC” and “50 Turkeys, LLC.” Title to Lots 1112 and 1113 in Square 2873 has been determined to be held with “The Howard University” and “Howard Dormitory Holdings, LLC.”

The most probable estimate of value as of January 1, 2021, which represents tax year 2021 for the land dedication for public street and building restriction line in Square 2873, is \$3,746,710.00 (11,576 s.f. x \$323.83 estimated square foot).

The estimate is explained as follows:

- \$1,873,680 (5,786 s.f. x \$323.83 estimated square foot)

- \$1,873,030 (5,784 s.f. x \$323.83 estimated square foot)

The applicant for this dedication and building restriction line establishment is Howard University, who is represented by Saul Ewing Arnstein and Lehr, LLP.

The Office of the Surveyor notified the relevant Executive Branch agencies and utility companies of this application on July 27, 2020. DDOT objected to this application until the conditions have been satisfied as outlined in their letter dated November 17, 2020. In a letter dated January 6, 2021, Howard University agreed to all of the conditions stated by DDOT in their letter dated November 17, 2020. The remaining Executive Branch agencies have no objection.

Pursuant to D.C. Official § 9-202-02(3), the Surveyor's Office notified the National Capital Planning Commission (NCPC) of this application on July 27, 2020. In a letter dated August 26, 2020, NCPC staff determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) for NCPC's submission guidelines. Specifically, NCPC concluded that the project meets the requirements of Exception 8, which includes street and alley closing located outside of the boundary of the L'Enfant Plan of the Federal City under the following conditions: 1) the street or alley is not adjacent to federal property and 2) the street or alley does not provide access to a federal property or affect other federal interests. The project was also made available for public review on the NCPC website, and no comments were received.

Pursuant to D.C. Official Code § 9-202.02(5), Advisory Neighborhood Commission (ANC) 1B was notified of this application on July 27, 2020. In a letter dated September 3, 2020, ANC 1B indicated that they support the proposed street dedication and establishment of a building restriction line in Square 2873. The applicant is the owner of the property of the street dedication and building restriction line to be established.

**Bill 24-211, “Closing of a Portion of Maryland Avenue, S.W. between Independence Avenue and 6th Street, S.W., and the Transfer of Jurisdiction of the Closed Portion of Maryland Avenue and portions of Independence Avenue and 4th and 6th Streets, S.W., S.O. 17-26507, Act of 2021”**

Next I will turn to B24-211, “Closing of a Portion of Maryland Avenue, S.W. between Independence Avenue and 6th Street, S.W., and the Transfer of Jurisdiction of the Closed Portion of Maryland Avenue and portions of Independence Avenue and 4th and 6th Streets, S.W., S.O. 17-26507, Act of 2021,” which was introduced the Chairman Mendelson, at the request of the Mayor.

The purpose of this bill is to close a portion of Maryland Avenue, S.W., and to transfer the jurisdiction of portions of Maryland Avenue, Independence Avenue, S.W., 4th Street S.W., and 6th Street, S.W. adjacent to Square 492 in Ward 6 to the National Park Service. This relates to the new Dwight D. Eisenhower Memorial.

The portion of Maryland Avenue, S.W. to be closed was created by the establishment of the Federal City of Washington. The street is shown on the King

Plats, Plate 9 in the year 1803.

Title to the portion of Maryland Avenue, S.W. to be closed is determined to be held by the United States.

The most probable estimate of value as of January 1, 2020, which represents tax year 2021 for the public street closed in Square 492 and N 492 is \$67,073,900 (74,407 s.f.). The estimate is explained as follows:

- The public street closed title to revert to USA GSA is \$2,352,330 (2,248 s.f. x \$1,046.41 estimated square foot). This estimate is rounded and based on Lot 110 of Square 492.
- The public street closed to revert to USA N.P.S. is \$64,721,570 (72,159 s.f. x \$896.93 estimated square foot). The estimate is rounded and based on lot 800 of Square N-492.

The applicant for this application is the U.S. Department of the Interior, National Park Service. The Office of the Surveyor notified the relevant Executive Branch agencies and utility companies on January 29, 2018. They have no objections.

Pursuant to D.C. Official Code § 9-202.02(3), the Surveyor's Office notified the National Capital Planning Commission (NCPC) of this application on January 29, 2018. In a letter dated April 11, 2018, NCPC stated pursuant to delegation of



authority adopted by the Commission on December 14, 1977, the Chairman approved the revised transfer of jurisdiction of a portion of Maryland Avenue between 4th and 6th Streets, S.W. and portions of sidewalk space along 4th and 6th and Independence Avenue, S.W. from the District Department of Transportation to the United States Government, under the jurisdiction of the National Park Service and the General Services Administration in order to create a unified site for the Dwight D. Eisenhower Memorial.

Pursuant to D.C. Official Code § 9-202.02(5), Advisory Neighborhood Commission (ANC) 6D was notified of this application on January 29, 2018. In a letter dated April 10, 2018, ANC 6D indicated their support for this application.

**B24-234, “Abandonment of the Highway Plan for Jackson Street, N.E., S.O. 21-00463, Act of 2021”**

Next I will turn to B24-234, “Abandonment of the Highway Plan for Jackson Street, N.E., S.O. 21-00463, Act of 2021,” which was introduced by Councilmember McDuffie.

The purpose of this bill is to remove from the Highway Plan the extension of Jackson Street, N.E. located within Lot 806 in Square 3835 in Ward 5.

The applicant for this application is PO 8th Street, LP who is represented by Holland and Knight, LLC. The Office of the Surveyor notified DDOT on December 9, 2020. In a letter dated February 3, 2021, DDOT indicated they had

no objections to the elimination of the segment of Jackson Street, N.E. from the D.C. Highway Plan.

Pursuant to D.C. Official Code § 9-202.02(3), the Surveyor's Office notified the National Capital Planning Commission (NCPC) of this application on December 9, 2020. In a letter dated December 29, 2020, NCPC indicated that staff determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) of NCPC's submission guidelines. Particularly, NCPC determined that the project meets the requirements of Exception 9, which includes the amendments to the Highway Plat that do not have a negative impact on federal property and cause no environmental impacts including adverse effects on historic properties. Staff review did not identify any federal interests that would be impacted by the proposed modification.

Pursuant to D.C. Official Code §9-202.02(5), Advisory Neighborhood Commission (ANC) 5E was notified of this application on December 9, 2020. In a letter dated December 15, 2020, ANC 5E indicated that they have no objection to the proposed modification.

**B24-291, "Omnibus Progressive National Baptist Convention Redevelopment Act of 2021"**

Finally, I will turn to Bill 24-291 "Omnibus Progressive National Baptist Convention Redevelopment Act of 2021," which was introduced by

Councilmember Gray.

The portion of 50th Street, N.E. to be closed was created by a subdivision of the Town of Lincoln as shown in Book G.S. on Page 25, recorded in the year 1874. Title to the closed portion of 50th Street, N.E. could not be determined to be held by the District of Columbia or the United States.

The purpose of this bill is to remove from the Highway Plan extension of a portion of 50th Street, N.E. located within Lots 827, 828, 829, and 830 in Square 5194, to order the closing of a portion of 50th Street, N.E. adjacent to Square 5194, and to accept the dedication of Lots 828 and 830 in Square 5194 in Ward 7 for public street purposes.

The most probable estimate of value as of January 1, 2021, which represents tax year 2022 for the portion of public street to be closed in Square 5194 is \$17,910 (370 s.f. x \$48.40 estimated square foot). The estimate is explained as follows:

- \$17,910 (370 s.f. x \$48.40 estimated square foot) for portion of 50th Street to Owner of Lot 827.

The applicant for this application is the Progressive National Baptist Convention, LLC who is represented by Holland and Knight, LLC. The Office of the Surveyor notified the relevant Executive Branch agencies on June 1, 2021.

DDOT objected to this application until the conditions have been satisfied as outlined in their letter dated June 29, 2021. It now appears that their concerns have been resolved.

In a letter dated June 8, 2021, Verizon objects to this proposal unless conditions outlined in their letter are met. The remaining utility companies have no objections.

Pursuant to D.C. Official Code § 9-202.02(3), the Surveyor's Office notified the National Capital Planning Commission (NCPC) of this application on June 1, 2021. In a letter dated June 21, 2021, NCPC staff determined that the proposed project falls under two exceptions listed in Chapter 8 (Exceptions and Project Changes) of NCPC's submission guidelines. Particularly, NCPC concluded that the project meets the requirements of Exception 8, which pertains to District of Columbia Zoning Commission referrals related to street closures outside of the L'Enfant City boundary under the following conditions: 1) the street or alley is not adjacent to federal property and 2) the street or alley does not provide access to a federal property or affect other federal interest. Additionally, the project also meets the requirements of Exception 9, which relates to Highway Plan amendments that do not have a negative impact on federal property and causes no environmental impacts, including adverse effect on historic properties. Staff has determined that each of these conditions apply to the proposed District referral and

therefore, that this project is exempt from Commission review.

Pursuant to D.C. Official Code § 9-202.02(5), Advisory Neighborhood Commission 7C was notified of this application on June 1, 2021. To date, we have not received comments from ANC 7C.

This concludes my testimony. I appreciate the opportunity to appear before you today and welcome any questions you may have regarding these matters. Thank you.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
*District Department of Transportation*



Public Hearing on

- Bill 24-104, Closing of Public Streets and Alleys and the Removal of Building Restriction Lines Adjacent to Squares 5862, 5865, 5866, and 5867, S.O. 17-26688 Act of 2021
- Bill 24-105, Dedication of Land for Public Street and Alley Purposes Adjacent to Squares 5862, 5865, 5866, and 5867, S.O. 17-26689 Act of 2021
- Bill 24-167, Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021
- Bill 24-211, Closing of a portion of Maryland Avenue, S.W. between Independence Avenue and 6th Street, S.W., and the transfer of jurisdiction of the closed portion of Maryland Avenue and portions of Independence Avenue and 4th and 6th Streets, S.W., S.O. 17-26507, Act of 2021
- Bill 24-234, Abandonment of the Highway Plan for Jackson Street, N.E., S.O. 21-00463, Act of 2021
- Bill 24-291, Omnibus Progressive National Baptist Convention Redevelopment Act of 2021

Testimony of  
Anna Chamberlin  
Associate Director, Planning & Sustainability Division  
District Department of Transportation

Before the  
Committee of the Whole

Council of the District of Columbia

Thursday, October 14, 2021  
10:00 a.m.

John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004



Good morning Chairman Mendelson, members of the Council, staff, and District residents. My name is Anna Chamberlin, and I am the Associate Director of the Planning and Sustainability Division at the District Department of Transportation, commonly referred to as DDOT. I am here today to present testimony on behalf of Mayor Muriel Bowser and Acting DDOT Director Everett Lott regarding six bills, which are Bill 24-104, the “Closing of Public Streets and Alleys and the Removal of Building Restriction Lines Adjacent to Squares 5862, 5865, 5866, and 5867, S.O. 17-26688 Act of 2021,” Bill 24-105, the “Dedication of Land for Public Street and Alley Purposes Adjacent to Squares 5862, 5865, 5866, and 5867, S.O. 17-26689 Act of 2021,” Bill 24-167, the “Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021,” Bill 24-211, the “Closing of a portion of Maryland Avenue, S.W. between Independence Avenue and 6th Street, S.W., and the transfer of jurisdiction of the closed portion of Maryland Avenue and portions of Independence Avenue and 4th and 6th Streets, S.W., S.O. 17-26507, Act of 2021,” Bill 24-234, the “Abandonment of the Highway Plan for Jackson Street, N.E., S.O. 21-00463, Act of 2021,” and Bill 24-291, the “Omnibus Progressive National Baptist Convention Redevelopment Act of 2021.”

The stated purpose of Bill 24-104 is to close portions of the public street and alley system adjacent to Squares 5862, 5865, 5866, and 5867, as shown by the hatch marks on the Surveyor’s plat in S.O. 17-26688. DDOT filed a report with the Office of the Surveyor on August 8, 2019, related to S.O. 17-26688. DDOT’s report noted that the agency objected to the proposed closure and removal of building restriction lines until several conditions are met. Since the conditions are lengthy I will not read them in full, but I have attached our report for the record. Once these conditions have been met, DDOT would have no objection to the recordation of the plat.

The stated purpose of Bill 24-105 is to dedicate the streets and alleys adjacent to Squares 5862, 5865, 5866, and 5867 as Obama Way, S.E., Eureka Place, S.E., Soloman Road, S.E., Eaton Road, S.E., River Walk, S.E., Stevens Road, S.E., and Hermitage Way, S.E. as shown on the Surveyor's plats filed under S.O. 17-26689. DDOT filed a report with the Office of the Surveyor on August 8, 2019, related to S.O. 17-26689. DDOT's report noted that the agency objected to the proposed closure and removal of building restriction lines until several conditions are met. Since the conditions are lengthy I will not read them in full, but I have attached our report for the record. Once these conditions have been met, DDOT would have no objection to the recordation of the plat.

The stated purpose of Bill 24-167 is to dedicate Lots 1107 and 1113, in Square 2873 for street purposes to accommodate the extension of W Street, N.W. right-of-way, and establish a 25 foot wide building restriction line on Lots 1106 and 1112 in Square 2873, in Northwest Washington, D.C. in Ward 1. DDOT filed a report with the Office of the Surveyor on November 17, 2020, related to S.O. 20-04746. DDOT's report noted that the agency objected to the proposed dedication until several conditions are met. The first condition is that the applicant has constructed the public space improvements pursuant to the terms and conditions of the Horizontal Public Use Agreement signed by the parties. The applicant just recently began construction so no conditions have been satisfied at this time. The next condition will be that the public space improvements have been inspected by DDOT and meet or exceed DDOT standards and specifications consistent with the Horizontal Public Use Agreement, and that the dedication plat for W Street NW shall not be recorded until DDOT has agreed to accept the public space improvements, all statutory warranties have been provided and the applicant has complied with all of the terms and conditions of the Horizontal Public Use Agreement. The applicant has been



working with DDOT through the terms of the Horizontal Public Use Agreement. Once these conditions have been met, DDOT would have no objection to the recordation of the plat.

The stated purpose of Bill 24-211 is to order the closing of a portion of Maryland Avenue, S.W. and the transfer of jurisdiction of the closed portion of Maryland Avenue and portions of Independence Avenue and 4th and 6th Streets S.W., to the National Park Service. DDOT initially objected to this closure until an agreement could be provided evidencing that DC Water will continue to maintain the stormwater facilities on, under and through the sidewalks around the site along 4<sup>th</sup> Street, 6<sup>th</sup> Street and Independence Avenue SW. The National Park Service has since provided a letter committing to issue the necessary access permits once the transfer is complete. Accordingly, DDOT has no objections to the proposed closures in this bill.

The stated purpose of Bill 24-234 is to remove from the plan for the extension of a permanent system of highways a portion of Jackson Street, N.E., located within Lot 805, Square 3835. DDOT has no objections to the proposed closures in this bill.

The stated purpose of Bill 24-291 is to remove from the plan for extension of a permanent system of highways a portion of 50th Street, N.E., located within Lot 825 in Square 5194. It calls for the closing of 50th Street, N.E. and Nannie Helen Burroughs Avenue, N.E., adjacent to Square 5194 and accepts the dedication of Lots 828 and 830 in Square 5194 for public street purposes. DDOT filed a report with the Office of the Surveyor on June 29, 2021, related to S.O. 21-02992. The first condition is that the applicant records at the Recorder of Deeds a DDOT-approved public access easement for the portion of the Property to be improved by 6-ft sidewalk and retaining wall, which will be maintained by the property owner. The applicant has not returned the signed easement at this time, so no conditions have been satisfied. The applicant has been working with DDOT on the easement and we are waiting for final

signature. Once these conditions have been met, DDOT would have no objection to the recordation of the plat.

This concludes my testimony. Thank you for allowing me the opportunity to testify before you today. I am available to answer any questions that you may have.

IN REPLY REFER TO:  
NCPC File No. 8194

August 26, 2020

District of Columbia Office of Consumer and Regulatory Affairs  
Permits Office Division  
Office of the Surveyor  
1100 Fourth Street, SW, 3<sup>rd</sup> Floor  
Washington, DC 20024

Re: Proposed Street Dedication and Establishment of a Building Restriction Line in Square 2873

Dear Office of the Surveyor:

The purpose of this letter is to respond to the above-mentioned project submitted to the National Capital Planning Commission (NCPC) for review, in accordance with Approval of Comments on Street & Alley Closings (DC Code § 9-202.02).

Upon review of the project documents, NCPC staff has determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) of NCPC's Submission Guidelines. In particular, the project meets the requirements of Exception 8, which includes street or alley closings located outside the boundary of the L'Enfant City under the following conditions: 1) the street or alley is not adjacent to federal property; 2) the street or alley does not provide access to a federal property or affect other federal interests. The project was also made available for public review on the NCPC website and no comments were received. Accordingly, staff has determined that this project is exempt from Commission review.

This determination applies only to the project listed above. Determinations to whether a particular project falls within one of the Commission's exceptions are done on a case-by-case basis, either during early consultation or upon request for review. Please note that the applicant cannot make this determination independently and must submit projects to NCPC to confirm that an exception is warranted.

If you have any questions or need additional information, please contact Lee Webb at (202) 482-7240 or [lee.webb@ncpc.gov](mailto:lee.webb@ncpc.gov).

Sincerely,

for 

Diane Sullivan  
Director, Urban Design and Plan Review



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ADVISORY NEIGHBORHOOD COMMISSION 1B

2000 14 STREET, NW  
SUITE 100B  
WASHINGTON, DC 20009  
(202) 481-3462  
[1b@anc.dc.gov](mailto:1b@anc.dc.gov)  
@ANC1B  
facebook.com/ANC1B

September 3, 2020

Honorable Roland F. Dreist Jr.  
Surveyor of the District of Columbia  
1100 4 Street SW  
Washington, DC 20024

--- via email ---

COMMISSIONERS

ANITA NORMAN  
1b01@anc.dc.gov

DANIEL ORLASKEY  
1b02@anc.dc.gov

SEDRICK MUHAMMAD  
1b03@anc.dc.gov

DEBORAH R. THOMAS  
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VACANT  
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MARCIA SHIA  
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1b08@anc.dc.gov

JAMES A. TURNER  
CHAIR  
1b09@anc.dc.gov

DANNY DELANEY  
SECRETARY  
1b10@anc.dc.gov

ROBB HUDSON  
TREASURER  
1b11@anc.dc.gov

DAN WINSTON  
1b12@anc.dc

Mr. Dreist,

ANC 1B voted unanimously at a regular virtual public meeting in support of the Proposed Street Dedication and Establishment of a Building Restriction Line in Square 2873 - S.O. 20-04746. Purpose of the application of the proposal:

- Howard University dedicates Lots 1107 and 1113 in Square 2873 for public street purposes.
- Establish a building restriction line 25 feet in depth along the southern portion of Lots 1106 and 1112 in Square 2873.
- Reconnect W Street at 8th Street, NW to 9th Street NW consistent with DC Government planning and transportation objectives.

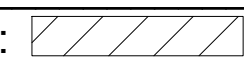
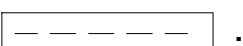
On behalf of the Commission.

James A. Turner, Chair  
Commissioner SMD 1B09

Danny Delaney, Secretary  
Commissioner SMD 1B10

Robb Hudson, Chair Econ Dev  
Commissioner SMD 1B11

c: Honorable Muriel Bowser, Mayor, District of Columbia  
Honorable Brianne Nadeau, Councilmember, Ward 1  
Sarosh Olpadwala, Director, DC Real Estate

PURSUANT TO D.C. LAW \_\_\_\_\_ EFFECTIVE \_\_\_\_\_, 20 \_\_\_\_  
 THE LAND SHOWN THUS:  IS DEDICATED IN FEE SIMPLE FOR A PUBLIC STREET. THERE IS ALSO THE ESTABLISHMENT OF A 25 FOOT BUILDING RESTRICTION LINE SHOWN THUS: .

THE DEDICATION OF THE STREETS WILL OCCUR UPON OFFICIAL CERTIFICATION OF ACCEPTANCE BY DDOT.

# LAND DEDICATION FOR PUBLIC STREET

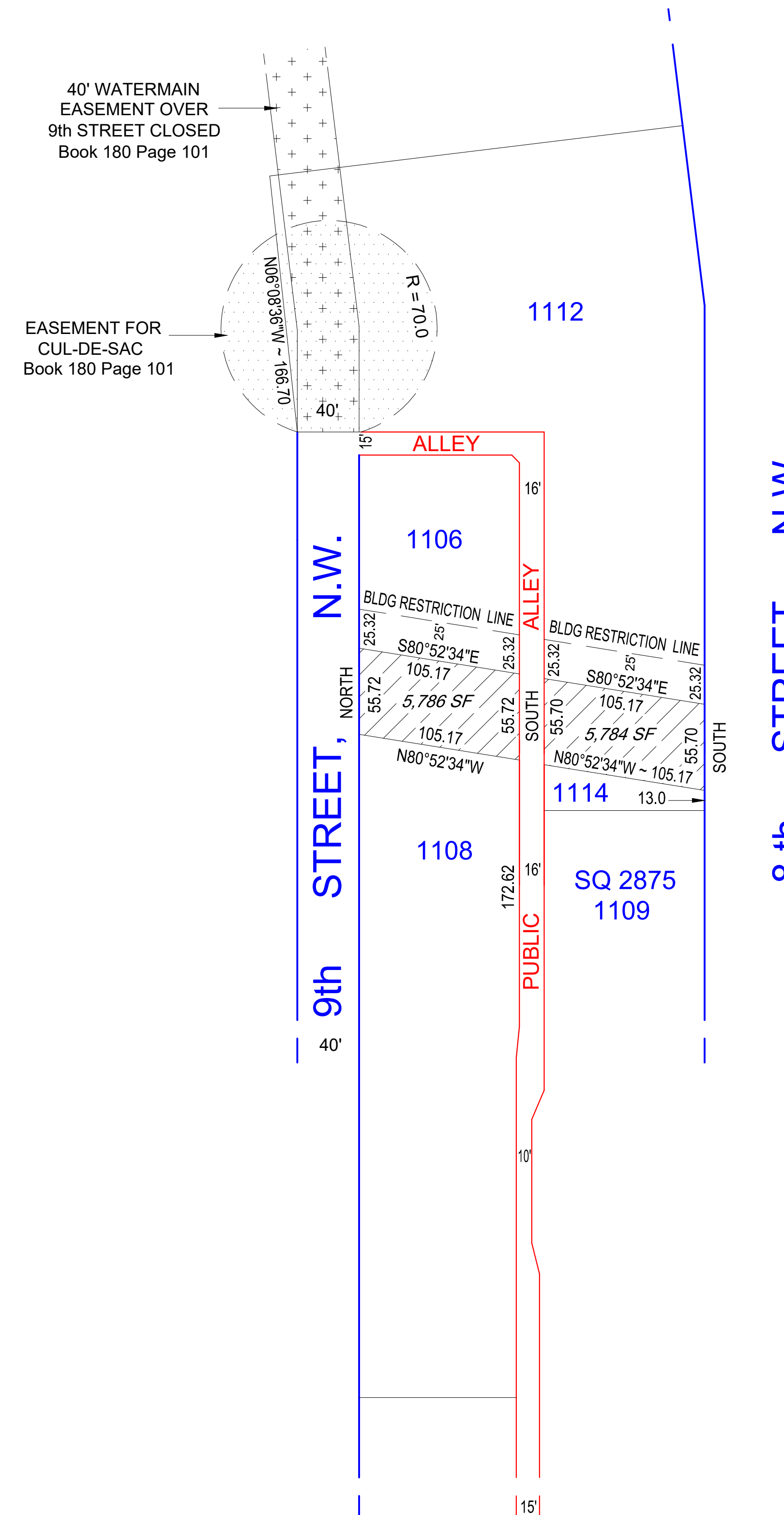
## SQUARE 2873, LOTS 1107 AND 1113 AND ESTABLISH A 25' BUILDING RESTRICTION LINE ON LOTS 1106 AND 1112

OFFICE OF THE SURVEYOR, D.C.

\_\_\_\_\_, 2020

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

\_\_\_\_\_  
 SURVEYOR, D.C.



### SURVEYOR'S OFFICE, D.C.

Made for: CYNTHIA GIORDANO

Drawn by: L.E.S. Checked by: \_\_\_\_\_

Record and computations by: B. MYERS

Recorded at: \_\_\_\_\_

Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ SR-20-04746

Scale: 1 inch = 80 feet File No. 20-80848

2020/STREET\_DEDICATIO/SR-20-04746-SQ.2873

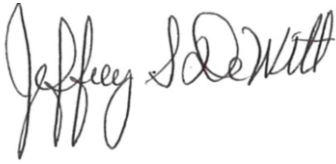
Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** March 2, 2021

**SUBJECT:** Fiscal Impact Statement – Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746), Act of 2021

**REFERENCE:** Draft bill as provided to the Office of Revenue Analysis on February 10, 2021

---

**Conclusion**

Funds are sufficient in the fiscal year 2021 through fiscal year 2024 budget and financial plan to implement the bill.

**Background**

The bill dedicates a portion of land<sup>1</sup> to reconnect W Street from 8th Street, NW to 9th Street, NW as part of a mixed-use development project led by Howard University<sup>2</sup>. The bill also sets a 25-foot-wide building restriction on the north side of the dedication.

**Financial Plan Impact**

Funds are sufficient in the fiscal year 2021 through fiscal year 2024 budget and financial plan to implement the bill. All the public space improvements will be made by Howard University and its partners pursuant to a public use agreement between Howard and the District Department of

---

<sup>1</sup> The dedication and building restrictions are located in Square 2873, lots 1107 and 1113, in Ward 1, near 9<sup>th</sup> Street, N.W., as shown on the Surveyor's Office plat filed under S.O. 20-04746.

<sup>2</sup> <https://newsroom.howard.edu/newsroom/static/11706/howard-announces-new-230000-square-foot-development-will-eliminate-vacant-lot>

The Honorable Phil Mendelson

FIS: "Dedication of Land for Street Purposes and Establishment of a Building Restriction Line in Square 2873 (S.O. 20-04746), Act of 2021," Draft bill as provided to the Office of Revenue Analysis on February 10, 2021.

Transportation (DDOT). DDOT will review the changes before accepting the extra block of road into its inventory. Once accepted, DDOT will be responsible for maintenance and upkeep, which it can do within its current resources.

1 **COMMITTEE PRINT**  
2 **Committee of the Whole**  
3 **November 16, 2021**

4  
5  
6 A BILL

7  
8 24-167  
9

10 \_\_\_\_\_  
11  
12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
13 \_\_\_\_\_  
14

15 To order the dedication of Lots 1107 and 1113 in Square 2873 for street purposes to  
16 accommodate the extension of W Street, N.W. right-of-way, and establish a 25-foot-wide  
17 building restriction line on the southern portion of Lots 1106 and 1112 in Square 2873  
18 fronting on the extension of W Street, N.W., in Northwest Washington, D.C., in Ward 1.  
19

20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
21 act be cited as the “Dedication of Land for Street Purposes and Establishment of a Building  
22 Restriction Line in Square 2873 (S.O. 20-04746) Act of 2021”.

23 Sec. 2. (a) Pursuant to Sections 302, 303, and 304 of the Street and Alley Closing and  
24 Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official  
25 Code §§ 9-203.02, 9-203.03(b), 9-203.03(c), and 9-203.04), the Council accepts the dedication  
26 of Lots 1107 and 1113 in Square 2873 for public street purposes and establishes a 25-foot-wide  
27 building restriction line on lots 1106 and 1112 as shown on the Surveyor’s plat in the official file  
28 for S.O. 20-04746.

29 (b) The approval of the Council of the dedication of land for public street purposes and  
30 establishment of a 25-foot-wide building restriction line in subsection (a) are contingent upon  
31 satisfying all the conditions set forth by the District Department of Transportation in the official  
32 file for S.O. 20-04746.



33           Sec. 3. Transmittal.

34           The Secretary of the Council shall transmit a copy of this act, upon its effective  
35 date, to the Surveyor of the District of Columbia, the District of Columbia Recorder of Deeds,  
36 the Executive Director of the National Capital Planning Commission, the Speaker of the United  
37 States House of Representatives, and the President Pro Tempore of the United States Senate.

38           Sec. 4. Fiscal impact.

39           The Council adopts the fiscal impact statement in the committee report as the fiscal  
40 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
41 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

42           Sec. 5. Effective date.

43           This act shall take effect following approval by the Mayor (or in the event of veto by the  
44 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
45 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
46 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
47 Columbia Register.