

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: February 2, 2016

SUBJECT: Report on Bill 21-400, “Closing of a portion of a public alley in Square 5197, S.O. 11-4822, Act of 2016”

The Committee of the Whole, to which Bill 21-400, the “Closing of a portion of a public alley in Square 5197, S.O. 11-4822, Act of 2016” was referred, reports favorably thereon, and recommends approval by the Council.

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I. BACKGROUND AND NEED

On September 25, 2015, Bill 21-400, the “Closing of a portion of a public alley in Square 5197, S.O. 11-4822, Act of 2016” was introduced by Chairman Mendelson at the request of the Mayor.¹ Bill 21-400 would authorize the closure of a portion of the public alley in Square 5197, at 5000 Nannie Helen Burroughs Avenue, N.E., which is adjacent to the Deanwood Rehabilitation and Wellness Center. The Center intends to consolidate its property there for future expansion.

¹ The Committee modified the title of Bill 21-400 to reflect the current year. The original title of the bill was the “Closing of a portion of a public alley in Square 5197, S.O. 11-4822, Act of 2015.”

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. Council members may also initiate action on an alley or street closing on their own 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 21-400, all of the reviews have been completed without objection.

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 21-400, 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.

The Development Project

The alley portion to be closed is unpaved and unimproved. The alley portion bisects the applicant’s property on either side to the east and west, and dead-ends prior to the northern border

of the applicant's property. The alley is 12 feet wide and the portion to be closed is approximately 70 feet long.

The Deanwood Rehabilitation and Wellness Center is home to more than 296 residents. At the public hearing on Bill 21-400, Deanwood Administrator Amilia Aclema stated that the Center's outdoor recreational area is presently limited to a small porch. The Center plans to build a large deck on the rear of the building. Ms. Aclema stressed the value the deck would bring to the Center's residents by providing greater access to the outdoors.

There being no objections in the record and no comment or testimony given in opposition, the Committee therefore recommends approval of Bill 21-400.

II. LEGISLATIVE CHRONOLOGY

Sept. 25, 2015	Bill 21-400, the "Closing of a portion of a public alley in Square 5197, S.O. 11-4822, Act of 2016" is introduced by Chairman Mendelson at the request of the Mayor.
Oct. 2, 2015	Notice of Intent to Act on Bill 21-400 is published in the <i>District of Columbia Register</i> .
Oct. 6, 2015	Bill 21-400 is "read" at a legislative meeting; on this date the referral of the bill to the Committee of the Whole is official.
Nov. 27, 2015	Notice of a Public Hearing on Bill 21-400 is published in the <i>District of Columbia Register</i> .
Dec. 21, 2015	The Committee of the Whole holds a public hearing on Bill 21-400.
Feb. 2, 2016	The Committee of the Whole marks-up Bill 21-400.

III. POSITION OF THE EXECUTIVE

Roland Dreist, D.C. Surveyor, testified at the Committee's public hearing on December 21, 2015. He stated that the purpose of the alley closing is to allow the applicant to consolidate the property for the purpose of future development and expansion. The square footage of the alley portion is 853 feet; with a 2016 tax assessed value of \$7.60 per square foot, the total estimated value of the land is approximately \$6,230.

Mr. Dreist testified that there were no objections on the record, including none from the Executive branch agencies or utility companies. No existing retail tenant will be displaced as a result of this application. Additionally, the National Capital Planning Commission did not register any opposition to the closing after being notified of the closings application.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received a copy of a letter dated June 22, 2014 from Advisory Neighborhood Commission (ANC) 7C Chairperson Gregori Stewart advising that ANC 7C voted on May 8, 2013 to support Bill 21-400. The letter states that the area around Deanwood Rehabilitation Center is unsafe and a magnet for criminal activity, and that the ANC supports the alley closure as a means to provide a more secure environment for the community residents.

V. NATIONAL CAPITAL PLANNING COMMISSION REVIEW

Marcel C. Acosta, Executive Director of the National Capital Planning Commission (NCPC), in a Delegated Action of the Executive Director, provided comments to the Council finding that the proposed partial alley closure in Square 5197 would not be inconsistent with the Comprehensive Plan for the National Capital. The delegated action was taken on November 28, 2014.

VI. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 21-400 on Monday, December 21, 2016. The testimony summarized below is from that hearing. Copies of selected written testimony are attached to this report (all of the testimony is filed with the record for Bill 21-400).

Amilia Aclema, Administrator, Deanwood Nursing and Rehabilitation Center, testified on behalf of the applicant in support of Bill 21-400. Ms. Aclema described the plan of Deanwood Nursing and Rehabilitation Center to build a rear deck on the property in order to provide better outdoor recreation to the residents of the Center. She stated that the addition of the deck would greatly improve the quality of life and quality of care for the residents.

Anthony Udoka, Architect, Vega Architects, testified on behalf of the applicant in support of Bill 21-400. Mr. Udoka spoke briefly about the Surveyor's plat for the property.

Charles E. Frazier, Jr. Managing Principal, Gateway Investment Partners, testified regarding Bill 21-424.

Maybelle Bennett, Director, Howard University Community Association, testified regarding Bill 21-424.

Stephen Gresham, Principal Niles Bolton Associates, testified regarding Bill 21-424.

Leila Batties, Partner, Holland & Knight, testified regarding Bill 21-424.

Bruce Levin, Partner, Takoma Spring Place LP, testified regarding Bill 21-449.

Roland Driest, Surveyor of the District of Columbia, testified on behalf of the Executive. His testimony is summarized in Section III.

The Committee received no comments or testimony in opposition to the Bill 21-400.

VII. IMPACT ON EXISTING LAW

Bill 21-400 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 21-400, the Committee finds that the requirements of the Act have been satisfied.²

VIII. FISCAL IMPACT

The attached September 14, 2015 fiscal impact statement from the District’s Chief Financial Officer states that funds are sufficient in the FY 2016 through FY 2019 budget and financial plan to implement the bill.

IX. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	Short title.
<u>Section 2</u>	The Council finds the alley portion is unnecessary for alley purposes and orders it closed, contingent upon satisfaction of all conditions in the Surveyor’s file.
<u>Section 3</u>	Requires transmittal of the act, upon adoption, to the Office of the Surveyor of the District of Columbia.
<u>Section 4</u>	Fiscal impact statement.
<u>Section 5</u>	Effective date.

X. COMMITTEE ACTION

² D.C. OFFICIAL CODE § 9-202.01 *et seq.* (2015).

XI. ATTACHMENTS

1. Bill 21-400 as introduced (omitting some attachments).
2. Selected Written Testimony (all testimony filed with the record for Bill 21-400).
3. Surveyor's Plat.
4. NCPC Comments.
5. Fiscal Impact Statement for Bill 21-400.
6. Legal Sufficiency Determination for Bill 21-400.
7. Committee Print for Bill 21-400.

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

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : September 28, 2015

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Friday, September 25, 2015. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Closing of portion of a public alley in Square 5197, S.O. 11-4822, Act of 2015", B21-0400

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

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

Attachment

cc: General Counsel
Budget Director
Legislative Services



2015 SEP 23 11:17
OFFICE

MURIEL BOWSER
MAYOR

SEP 25 2015

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

Dear Chairman Mendelson:

Enclosed for the consideration of the Council of the District of Columbia is legislation entitled "Closing of a Portion of a Public Alley in Square 5197, S.O. 11-4822, Act of 2014". This bill proposed to close a portion of a public alley bounded by Hayes Street, 51st Street and Nannie Heien Burroughs Avenue in Northeast, Washington, D.C., in Ward 7. The applicant is 5000 Burroughs Avenue, LLC which is represented by Vega Architects, LLC.

The purpose of this closing is to allow the application to consolidate the property for the purpose of future development and expansion.

Pursuant to D.C. Official Code §9-202-02(5), the application was referred to Advisory Neighborhood Commission (ANC) 7C on June 17, 2011. In a letter to the D.C. Surveyor dated June 22, 2014, ANC 7C fully supports this application. Pursuant to D.C. Official Code §9-202.02, the application was referred to the National Capital Planning Commission (NCPC) on September 23, 2014. Any comments received from NCPC will be forwarded when received.

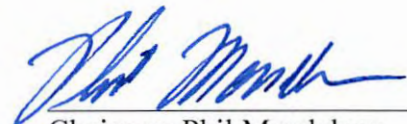
The portion of the unimproved alley to be closed in Square 5197 was created by subdivision recorded in County Book 21, Page 20 on May 24, 1906. Title to the alley cannot be determined to be with the District of Columbia or the United States. This closing will have no negative impact on the operating budget for the current or next five fiscal years.

Enclosed is a copy of the plat for recording this closing along with a copy of the application file 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

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following bill, which was referred to the Committee on _____.

To order the closing of a portion of a public alley in Square 5197, bounded by Hayes Street, N.E., 51st Street, N.E., and Nannie Helen Burroughs Avenue, in Northeast Washington, D.C. in Ward 7.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act be cited as the "Closing of a portion of a public alley in Square 5197, S.O. 11-4822, Act of 2015".

Sec. 2. Pursuant to Section 201; 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 §9-202-01), the Council of the District of Columbia finds the unimproved alley Square 5197, as shown by the hatch-marks on the Surveyor's plat in S.O. 11-4822, unnecessary for alley purposes and orders it closed with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. The closing of this alley in section 2 of this act is contingent upon the satisfaction of all the conditions as set forth in the official file on S.O. 11-4822.

Sec. 4. The Secretary of the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor of the District of Columbia.

Sec. 5. Fiscal Impact Statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code §1-206-02(c)(3)).

Sec. 6. Effective Date.

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

**EXECUTIVE BRANCH TESTIMONY
BY THE
OFFICE OF THE SURVEYOR
ON BILL NO. 21-400 "CLOSING OF A PUBLIC ALLEY
IN SQUARE 5197 – S.O. 11-4822" ACT OF 2015**

December 21, 2015

INTRODUCTION:

Good morning Chairman Mendelson and Committee Members. I am Roland Dreist, Surveyor of the District of Columbia. I appear before you today to present testimony on Bill No. 21-400. This bill would close a portion of a public alley in Square 5197, bounded by Hayes Street, 51st Street and Nannie Helen Burroughs Avenue, in Northeast Washington D.C., in Ward 7.

APPLICANT:

The applicant is 5000 Burroughs Avenue, LLC who is represented by Vega Architects, LLC.

PURPOSE:

The purpose of this closing is to allow the applicant to consolidate the property for the purpose of future development and expansion.

DESCRIPTION:

The portion of the alley to be closed was created by subdivision recorded in County Book 21, Page 20 on May 24, 1906.

AREA & ASSESSED VALUE:

The area of the portion of the alley to be closed is 853 square feet. The Office of Tax and Revenue has indicated that the land's market value as of January 1, 2015, which represents tax year 2016 is \$7.60 square foot average for a total estimated value of \$6,230.00.

AGENCIES:

The Executive Branch agencies have no objections.

UTILITIES:

The utility companies have no objections.

RETAIL TENANTS:

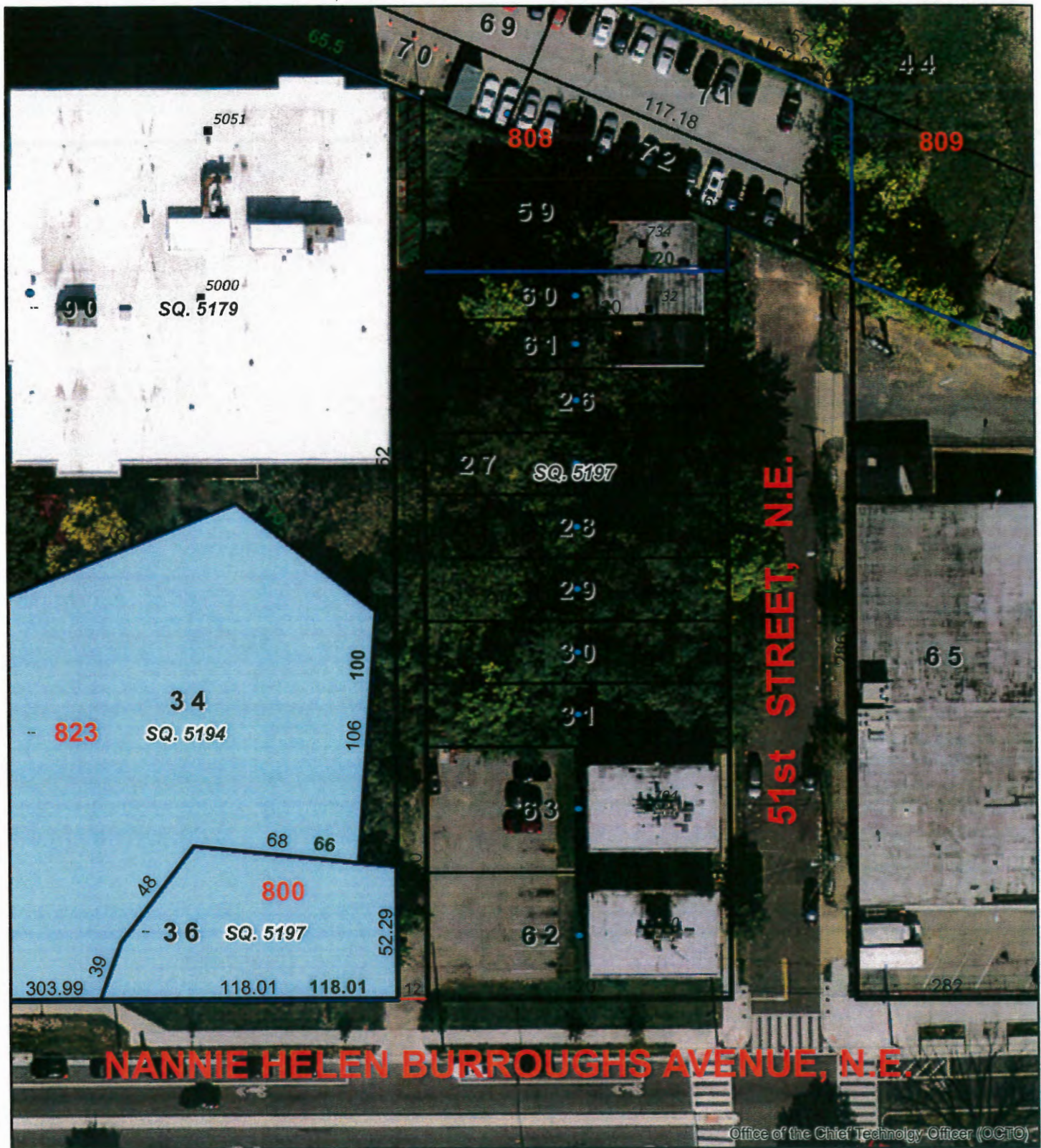
No retail tenants will be displaced as a result of this closing.

NCPC, ANC & ABUTTING PROPERTY OWNERS:

Pursuant to D.C. Official Code §9-202.02(5) the application was referred to the National Capital Planning Commission (NCPC) on September 23, 2014. In a letter to the Surveyor dated December 11, 2014, NCPC found that the proposed partial alley closure in Square 5197, would not be inconsistent with the Comprehensive Plan for the National Capital. Pursuant to D.C. Official Code §9-202.02(5), the application was referred to Advisory neighborhood Commission (ANC) 7C on June 17, 2011. In a letter dated June 22, 2014, ANC 7C voted in support of the applicant's request for a public alley closure in Square 5197. The abutting property owners were notified of this application on June 17, 2011. To-date, we have not received any comments from the abutting property owners. Any comments will be forwarded when received.

This concludes my testimony. I appreciate the opportunity to appear before you today and welcome any comments or discussions regarding this matter. Thank you.

PUBLIC ALLEY CLOSED - SQUARE 5197



Office of the Chief Technology Officer (OCTO)



1 inch = 55 feet

SCALE

0 15 30 60 90 Feet

Prepared by: Office of the Surveyor

Date: December 16, 2015

Coordinate System:

NAD 1983 StatePlane Maryland FIPS 1900

Information on this map is for illustration only. The user acknowledges and agrees that the use of this information is at the sole risk of the user. No endorsement, liability, or responsibility for information or opinions expressed are assumed or accepted by any agency of the DC Government.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer
Office of Tax and Revenue

MEMORANDUM

To: Roland F. Dreist, JR., Surveyor, DC

From: Darrell Alston, Supervisory Appraiser. OTRIRPTA/RPAD

Date: December 9, 2015

Subject: Request for Assessed Land

Pursuant to your request the most probable estimate of value as of January 1, 2015 which represents tax year 2016 for the alley/street closings are as followed.

S.O. 11-4822 Square 5197 853 Sq.ft x \$7.30=\$6,230

S.O. 13-11003 Squares 3185 and 3186 852Sq.ft. x \$45=\$38,340

S.O. 14-2179 Square 2882 5,397Sq.ft. x \$100=\$539,700

If you have any questions, please contact me at 202-442-6781.

Sincerely,
Darrell Alston
Supervisory Appraiser
OTR/RPTA/RPAD

PRIVILEGED AND CONFIDENTIAL — DELIBERATIVE PROCESS

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CITY ADMINISTRATOR



AGENCY APPROVAL REQUEST FORM

FOR RULEMAKINGS, LEGISLATION, MAYOR'S ORDERS, AND CORRESPONDENCE

1. Requesting agency	Office of the Surveyor, DCRA
2. Contact person for questions (name, phone, email address)	Diana Dorsey Hill , (202) 442-4984, diana.dorsey@dc.gov
3. Date of IQ request (date sent to OPLA for entry into IQ)	Sept. 16, 2015
4. Requested IQ turnaround time (specify an actual date)	Click here to enter a date. Enter explanation of date here, if applicable. Otherwise, delete this field.
5. Proposed date of publication in Register (regulations), transmittal to Council (legislation), or issuance (Mayor's Orders/ correspondence)	Click here to enter a date.
6. Deadline for agency action (if applicable; list date and basis of deadline)	NA
7. Type of request (check one) <input type="checkbox"/> Rulemaking <input type="checkbox"/> Mayor's Order <input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Correspondence	
8. Name/title of document	Closing of a portion of a public alley in Square 5197, S.O. 11-4822, Act of 2015
9. General purpose and effect (Describe the general purpose and effect of the proposed rulemaking, legislation, Mayor's Order, or correspondence.) This legislation will order the closing of a portion of a public alley in Square 5197 to allow for consolidation of the property for the purpose of future development and expansion	
10. Detailed summary of the main elements of the proposed rulemaking, legislation, Mayor's Order, or correspondence (Describe in detail each significant element of the proposed rulemaking, legislation, Mayor's Order, or correspondence.) Specifically, this legislation will: <ul style="list-style-type: none"> o order the closing of a portion of a public alley in Square 5197, bounded by Hayes Street and Nannie Helen Burroughs Avenue in Northeast Washington, D.C., in Ward 7, as shown by the hatch-marks on the Surveyor's Plat file in S.O. 11-4822. o The closing of this portion of the public alley system in Square 5197 will be contingent upon the satisfaction of all conditions as set forth in the official file for S.O. 11-4822. 	
11. Detailed rationale describing why the agency is proposing the legislation. (First describe the general	

PRIVILEGED AND CONFIDENTIAL — DELIBERATIVE PROCESS

reasons why the agency is proposing of the action. Then describe in detail the agency's reason(s) for proposing each major element of the proposed rulemaking, legislation, Mayor's Order, or correspondence. Cite with specificity any legal or budgetary reasons.)

DCRA is submitting this proposed legislation on behalf of the applicant, Vega Architects LLC acting as the agent of 5000 Burroughs Avenue, LLC, the owner of the Deanwood Rehabilitation and Wellness Center abutting the proposed alley closure, who propose the legislation for the following general reasons:

- To allow for connectivity between lots 0090 and 0808 in Square 5197

The rationale provided by the applicant for each major element of the proposed legislation is as follows:

- The aforementioned lots are currently separated by the undeveloped and currently inaccessible alley way, which in its present condition is unusable for its desired intention

12. What non-governmental stakeholders are impacted by the proposed legislation.

(List each stakeholder that is likely to be impacted by the rulemaking, legislation, Mayor's Order, or correspondence. For each stakeholder: provide the name of the stakeholder; describe the likely impact on the stakeholder, e.g. impact on stakeholder's operations and costs; identify the stakeholder's stated or anticipated concerns; describe the agency's response to each concern; and describe any outreach the agency has made to the stakeholder.)

This legislation will impact the following stakeholders:

- **Name: DC Water**
Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011
Impact: N/A
Concerns: DC Water stated in a letter of January 20, 2012 that it had no objections to the proposed alley closure provided that if the alley appears to provide overland storm water relief the applicant must provide surface drainage to portions of the alley not closed
Agency Response: N/A
- **Name: Pepco**
Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011
Impact: Pepco stated in an July 22, 2011 letter, and reiterated in a October 28, 2011 letter, that it had no facilities in the portion of the alley proposed to be closed.
Impact:
Concerns: Pepco's July 22, 2011 and October 28, 2011 letter stated that it had no objections to the proposed alley closure
Agency Response: N/A
- **Name: Verizon**
Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011
Impact: N/A
Concerns: Verizon stated in a July 12, 2011 letter that it had no objections to the proposed alley closure.
Agency Response: N/A
- **Name: Washington Gas**

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact: Washington Gas stated in a August 7, 2011 letter that it had no facilities in conflict with the proposed alley closure

Concerns: Washington Gas's August 7, 2011 letter stated that it had no objections to the proposed alley closure.

Impact: N/A

Agency Response: N/A

○ **Name: National Capital Planning Commission (NCPC)**

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact: N/A

Concerns: NCPC stated in a December 11, 2014 letter that it found that the proposed alley closure would not be inconsistent with the Comprehensive Plan for the District

Agency Response: N/A

13. Does the proposed rulemaking, legislation, Mayor's Order, or correspondence have an impact on any other District government agency?

(For each impacted agency: list the name of the impacted agency; provide the name and phone number of the impacted agency's point of contact; describe the impact of the proposed rulemaking, legislation, Mayor's Order, or correspondence on the impacted agency; describe your agency's outreach to the impacted agency; either indicate that the impacted agency supports the proposed rulemaking, legislation, Mayor's Order, or correspondence or describe the impacted agency's remaining concerns; and, if the impacted agency has any remaining concerns, describe your agency's response to those concerns)

NOTE: If the action has an impact on another District government agency, you must reach out to each affected agency to review the document and provide comments before submitting the document to OCA. If the impacted agency has any concerns or comments, these should be resolved prior to submission to OCA whenever possible.

This legislation will impact the following District government agencies:

○ **Name: District Department of Transportation (DDOT)**

Contact information: Sam Zimbabwe, Associate Director, (202) 673-6813

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact:

Concerns: DDOT stated in a December 8, 2011 letter that it revised its initial opposition to the original proposed closure of the entire unimproved alley in light of the revised application that proposed to only close a small segment of the dead-end alley. DDOT's December 8, 2011 letter stated that it had no objections to the proposed alley closure.

Impact: N/A

Agency Response: N/A

Name: Office of Planning (OP)

Contact information: Jennifer Steingasser, Deputy Director, (202) 442-8808

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact: N/A

Concerns: OP stated in a letter dated June 5, 2012 that it had no objections to the proposed alley closure

Agency Response: N/A

- **Name: Historic Preservation Office (HP)**

Contact information: Andrew Lewis, (202) 442-7600

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact: N/A

Concerns: HP stated in an October 19, 2011 letter that it has no comment on the proposed alley closure as HP only has authority to review the proposed closures of streets located in the L'Enfant Street Plan

Agency Response: N/A

- **Name: Department of Housing and Community Development (DHCD)**

Contact information: James Thackaberry, Supervisory Project Manager, (202) 442-7141

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact: DHCD stated in a letter dated July 28, 2011 that it had no objections to the proposed alley closure provided that the applicant obtain the written support for the proposed alley closure from all other abutting property owners.

Impact:

Concerns: DHCD stated in a letter dated October 21, 2011 that it had no objections to the revised proposed alley closure as the only abutting property owner is the applicant

Agency Response: N/A

- **Name: Department of Employment Services (DES)**

Contact information: Eric B. Scott, Associate Director, (202) 698-5099

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact: N/A

Concerns: DES stated in a letter dated July 7, 2011 that it had no objections to the revised proposed alley closure

Agency Response: N/A

- **Name: Fire and Emergency Management Services Department (FEMS)**

Contact information: Tony L. Falwell, Captain, (202) 727-3292

Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011

Impact: FEMS stated in a letter dated July 1, 2011 that it was concerned about the loss of emergency access to the Grant Park Care Center from the east side of the building. FEMS requested additional information on future plans and the impact they might have on this center, with the goal of maintaining compliance with the International Fire Code of 2006.

Concerns: FEMS has not responded to request with confirmation that it has objection to the revised application.

Agency Response: N/A

- **Name: Advisory Neighborhood Commission 7C (ANC 7C)**

Contact information: Gregory Stewart, ANC 7C Chair, (202) 505-1167

<p>Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011</p> <p>Impact:</p> <p>Concerns: ANC 7C stated in a letter dated June 22, 2014 that it welcomes and fully supports the proposed alley closure</p> <p>Agency Response:</p> <p>○ Name: Department of Public Works (DPW)</p> <p>Contact information: Anthony Duckett, Chief Street & Alley Cleaning Division, (202) 645-0744</p> <p>Outreach: The Surveyor's Office sent a letter dated October 12, 2011 providing the revised application and plat of the proposed alley closure that reduced the original application and plat sent out by the Surveyor with a letter dated April 11, 2011</p> <p>Impact:</p> <p>Concerns: DES stated in a letter dated February 23, 2012 that it had no objections to the revised proposed alley closure</p> <p>Agency Response:</p>
<p>14. Will the action have a significant fiscal impact, direct or indirect?</p> <p>Funds are sufficient in the fiscal year 2016 through fiscal year 2019 budget and financial plan to implement the bill.</p> <p>The required FIS is attached.</p>
<p>15. Is this action in any way controversial?</p> <p>No</p>

AGENCIES: Do not write below this line.

Clearances

	[reviewer]	[reviewer]	[reviewer]	[reviewer]	Deputy Mayor
Approval required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reviewer approval	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Initials					
Date					

Reviewer Comments

Reviewer initials	Comment

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer
Office of Tax and Revenue

MEMORANDUM

To: Roland F. Dreist, JR., Surveyor, DC

From: Darrell Alston, Supervisory Appraiser. OTRIRPTA/RPAD

Date: December 9, 2015

Subject: Request for Assessed Land

Pursuant to your request the most probable estimate of value as of January 1, 2015 which represents tax year 2016 for the alley/street closings are as followed.

S.O. 11-4822 Square 5197 853 Sq.ft x \$7.30=\$6,230

S.O. 13-11003 Squares 3185 and 3186 852Sq.ft. x \$45=\$38,340

S.O. 14-2179 Square 2882 5,397Sq.ft. x \$100=\$539,700

If you have any questions, please contact me at 202-442-6781.

Sincerely,
Darrell Alston
Supervisory Appraiser
OTR/RPTA/RPAD

Anthony P. Udoka, RA
Vega Architects, LLC
1612 Bradley Avenue Rockville, MD
audoka@vega-architects.com

August 9, 2011

Office of the DC Surveyor
1100 4th Street SW
Washington, DC 20024

Re: Alley Closing Application Modification S.O. 11-4822- Square 5197

I hereby wish to modify my application for the above referenced alley closure request. The application will now only be for the portion of the alley of which both sides are currently owned by the Deanwood Nursing Home, please see attached sketch. Should you have any questions regarding this request, please direct you concerns to me at the above address, or by phone at 240-753-5415. Thank you.

Anthony P. Udoka
Principal, Vega Architects, Llc



Vega Architects, LLC
1612 Bradley Avenue
Rockville, MD 20851

Monday April 11th 2011

Government of the District of Columbia
Department of Consumer and Regulatory affairs
Permit Operations Division
Office of the Surveyor
1104 4th Street, S.W., 3rd Floor
Washington, DC 20024

Dear Sir/Madam,

**Re: Closing of public alley way and subsequent acquisition by owner of adjoining lot
numbers 0029,0030,0031 and 0090 of square 5179**

On behalf of my client, 5000 Burroughs Avenue, LLC, and owner of the Deanwood Rehabilitation and Wellness Center, located at 5000 Nannie Helen Burroughs Avenue NE Washington, DC 20049, I hereby wish to request that the public alley way (currently shown on paper only) adjacent to lots number 0090 and 0029 through 0031 in the square 5179, all presently owned by my client, and which are located on either side of the aforementioned alley way, be closed and made available for legal acquisition by my client.

The purpose of this request is to allow for connectivity between the aforementioned lots owned by my client, which have heretofore been separated by this undeveloped and currently inaccessible alley way, which in it's present condition is unusable for its desired intention.

By so approving this request, my client will be able to consolidate his properties for the purpose of future development and expansion of his facility pursuant to the provisions of Title 24 of the District of Columbia Municipal Regulations. Thank you in advance for your prompt assistance, and I would like to request that any concerns regarding this matter be forwarded to my attention.

Yours
Anthony Udoka, RA
Principal,
Vega Architects, LLC

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
PERMIT OPERATIONS DIVISION
OFFICE OF THE SURVEYOR
1104 4TH STREET, S.W., 3RD FLOOR
WASHINGTON, DC 20024

Surveyor's Office File No. _____

_____ Date

APPLICATION TO CLOSE/DEDICATE A STREET OR ALLEY OR ELIMINATION OF
BUILDING RESTRICTION LINE

Location

Street(s)

Name: _____

Abutting Squares: 5179

Portion to be closed: ALLEY ADJACENT TO EAST PROPERTY LINE

AS PER SKETCH ATTACHED

Alley(s)

Name: _____

Abutting Squares: 5179

Portion to be closed: ENTIRE ALLEY

AS PER SKETCH ATTACHED

This application is made by:

ANTHONY UDOKA

Applicant's Name (print)

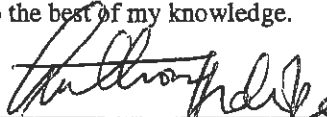
240-753-5415

Telephone Number

1612 BRADLEY AVE, ROCKVILLE, MD 20851

Address

I certify that the above information is true to the best of my knowledge.



Signature of Applicant or Agent

TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICE OR OFFICIAL,
CALL THE INSPECTOR GENERAL AT 1-800-521-1639

HAYES STREET
(RIGHT-OF-WAY WIDTH VARIES)
(PUBLIC)

R-2 ZONING DISTRICT
C-M-1 ZONING DISTRICT

R-5-4 ZONING DISTRICT

R-5-B ZONING DISTRICT

R-5-D ZONING DISTRICT
R-5-B ZONING DISTRICT
12' ALLEY

SQUARE 5179

BUILDING
N00°00'00"E 50.00'
N/F LOT 10
BUILDING

19
N00°00'00"E 120.00'
LIMIT OF TRACT II
PARCEL "A"
GRANT PARK NURSING HOME
83,166.96 SQ. FT.
(1.908 ACRES)
13
32

GRANT PARK CARE CENTER
(21,708.67 SQ. FT.)
5500 NANNIE HELEN
BURROUGHS AVENUE NE
WASHINGTON D.C.

CANOPY
BUILDING HEIGHT=54.17'
PATIO
BUILDING OVERHANG

FLOOD ZONE X
LIMIT OF TRACT IV
PARCEL "C"
LEASE AREA
GRANT PARK NURSING HOME
61,660.92 SQ. FT.
(1.416 ACRES)
⑤

15' BUILDING SETBACK LINE

N90°00'00"W 120.00'

N/F LOT 60

BUILDING ENCRUSCHES 0.21'
ONTO 12' PUBLIC ALLEY
⑥

N/F LOT 28

N90°00'00"E 120.00'

29

30 WOODED AREA

31

N90°00'00"W 120.00'

N/F LOT 32

LIMIT OF TRACT V
PARCEL "B"
GRANT PARK
NURSING HOME
9,000.00 SQ. FT.
(0.207 ACRES)

51st STREET NE
(PUBLIC)

ZONING DISTRICT
GOV ZONING DISTRICT

E 30.87'

E 72.27'

1/4" ON LOTS 22 & 23
OF LOT 823, SQUARE 5194

1/4" SIDE

1/4" OF LOT 823
1/4" OF LOT 824
1/4" OF LOT 825

N90°00'00"E 15.00'

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION**



d. Policy, Planning and Sustainability Administration

MEMORANDUM

TO: Roland F. Dreist Jr.
DC Surveyor
Office of the Surveyor, DCRA

FROM: Sam Zimbabwe *SZ*
Associate Director, PPSA
District Department of Transportation

DATE: December 8, 2011

SUBJECT: SO No. 11-4822A – Alley Closing Application Modification Square 5197

Overview

The applicant, *Vega Architects LL*, on behalf of the *Deanwood Rehabilitation and Wellness Center* located at 5000 Nannie Helen Burroughs Avenue, NE, seeks approval to close a portion of an unimproved 12 ft. wide alley located within the subject *Square*. The applicant previously sought approval to close the entire segment of the unimproved public alley but has modified the proposal to close only a small segment of the dead-end alley.

The District Department of Transportation (DDOT) did not support the original proposal as the plan limited access to existing properties located at 700 and 704 51st Street, NE; *Lot 62* and *Lot 63*, however the revised proposal does not impact the properties. The *DDOT-TOA Safety, Standards and Oversight Division (DDOT-TOA)* reviewed the materials and conducted a site visit and determined that no DDOT assets are involved in the closing.

Action

DDOT has no objection to the action.

SZ:lb



DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 5000 OVERLOOK AVENUE, SW | WASHINGTON, DC 20032

January 20, 2012

Mr. Roland Dreist
D.C. Surveyor
Department of Consumer and Regulatory Affairs
Office of the Surveyor
1100 4th St. SW 3rd Floor
Washington, D.C. 20024

Subject: S.O. 11-4822 - Revised
Closing of public alley adjacent to lots 90, (29, 30, 31) in square 5179

Dear Mr. Dreist:

The District of Columbia Water and Sewer Authority (DC Water) has no objection to the proposed alley closure under requested S.O. 11-4822-Revise dated (~~April 11, 2011~~) October 12, 2001. DC Water has no utilities located within the subject area. However, if the alley appears to provide overland storm water relief the applicant must provide surface drainage to portions of the alley not closed.

If you have any questions, please call me at (202) 646-8610 or email me at Brian_McDermott@dcwater.com.

Regards,

A handwritten signature in blue ink, appearing to read "Br. McDermott", with a long horizontal flourish extending to the right.

Brian T. McDermott, PE
Supervisor

**MEMORANDUM**

TO: Roland F. Dreist, Jr., L.S., D.C. Surveyor
Office of the Surveyor

FROM: *JS* Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: June 5, 2012

SUBJECT: S.O.11-4482
Proposed Closing of a Public Alley in Square 5197

I. RECOMMENDATION

The Office of Planning (OP) has completed its review of the application for the requested alley closing, and **has no objection** to this request. The applicant should ensure that adequate turning movement space is provided for service vehicles and other vehicles accessing the applicant's property and the other properties at this end of the non-through alley.

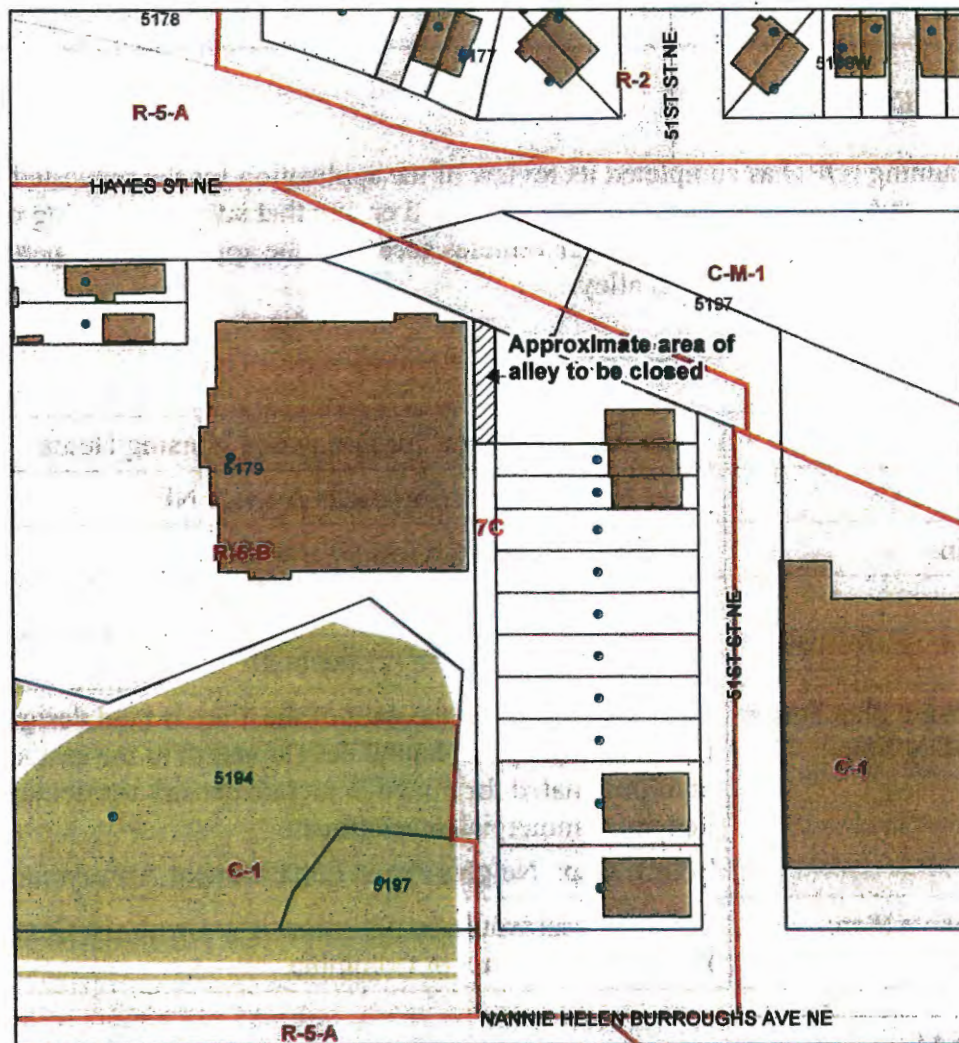
II. SITE DESCRIPTION

Applicant	Vega Architects LLC for Deanwood Nursing Home
Address:	5000 Nannie Helen Borroughs Avenue NE
Legal Description:	Square 5197, between lots 90 and 808
Ward:	7
Zoning:	R-5-B, moderate density residential
2010 Comprehensive Plan Future Land Use and Policy Map Designations:	Land Use Map: To the west of the alley is land designated for medium density residential development; to the east and north is land designated for mixed moderate density residential / low density commercial development. Policy Map: Neighborhood Enhancement Area, where
2010 Comprehensive Plan:	This proposal would be not inconsistent with the Comprehensive Plan for the District of Columbia.

III. PROPOSAL

Request:	To close a portion of the dead end alley within Square 5197, as shown in the map on page 2 of this report.
Description:	According to the applicant's filing, the portion of alley requested to be closed serves only the applicant's property, currently located on both sides of the alley. Closing the section of alley would presumably consolidate their land holdings.

Size:	The alley is 12 feet wide; the section of alley to be closed is about 70 feet long. Total alley area to be closed is approximately 853 sq.ft.
Adjacent Ownership:	Land on both sides of the end portion of the alley requested to be closed is owned by the applicant.
Proposed Development:	The application does not indicate any proposed new development on the site. Any new development would have to conform to the zoning, and would not appear to be impacted significantly by this request.



III. ANALYSIS

A. Planning and Urban Design

The Director of the Office of Planning is required to “*determine whether the proposed closing is in compliance with the District’s planning and urban design objectives*”, as per 24 DCMR 1401.2(c). These objectives, as contained within the Comprehensive Plan (10DCMR, Chapter 9), include:

§300 Land Use Element

§310.8 Policy LU-2.2.7: Alley Closings

Discourage the conversion of alleys to private yards or developable land when the alleys are part of the historic fabric of the neighborhood and would otherwise continue to perform their intended functions, such as access to rear garages and service areas for trash collection.

This dead end section of a narrow alley provides service access only to the applicant's properties, and this access would be maintained. Because it is not a through alley, it does not provide any connectivity function in the neighborhood.

Closing this section of alley should not have any significant impacts on land use or neighborhood physical character. The closing would allow the applicant's properties to be simplified without causing a significant impact on the neighborhood or other users of the alley, provided that the applicant accommodates turning radii needed for service vehicles accessing their lot and other lots at this end of the alley.

B. Housing Linkage

The land on both sides of the section of alley to be closed is zoned R-5-B, within which residential is the predominant land use. No new development is detailed in the submission from the applicant.

JS/jl

GOVERNMENT OF THE DISTRICT OF COLUMBIA
HISTORIC PRESERVATION OFFICE
OFFICE OF PLANNING



MEMORANDUM

TO: Roland Dreist, Office of the Surveyor
FROM: Andrew Lewis, Historic Preservation Office
DATE: October 19, 2011
SUBJECT: Proposed Alley Closure; Square 5197 (S.O. 11-4822 - REVISED)

Thank you for contacting the DC Historic Preservation Office regarding the above-referenced revised alley closure. We appreciate the opportunity to review this action. However, § 9-202.02(4) of the D.C. Code only requires the Mayor to refer applications "to close any street located on the L'Enfant Street Plan" to the Historic Preservation Review Board. We have no comment on this proposed action since this closure involves an alley rather than a street.

11-477 & 11-304

GOVERNMENT OF THE DISTRICT OF COLUMBIA
HISTORIC PRESERVATION OFFICE
OFFICE OF PLANNING



MEMORANDUM

TO: Roland Dreist, Office of the Surveyor
FROM: Andrew Lewis, Historic Preservation Office
DATE: June 29, 2011
SUBJECT: Proposed Alley Closure; Square 5197 (S.O. 11-4822)

Thank you for contacting the DC Historic Preservation Office regarding the above-referenced closure. We appreciate the opportunity to review this action. However, § 9-202.02(4) of the D.C. Code only requires the Mayor to refer applications "to close any street located on the L'Enfant Street Plan" to the Historic Preservation Review Board. We have no comment on this proposed action since this closure involves an alley rather than a street.


11-304 & 10-009

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Housing and Community Development



MEMORANDUM

TO: Roland F. Dreist, Jr.
Surveyor of the District of Columbia

FROM: James Thackaberry 
Supervisory Project Manager

DATE: October 21, 2011

SUBJECT: Department of Housing and Community Development Review
Comments on Alley Closing Application S.O. 11-4822 - Revised -
to Close a Portion of an Alley Located between Squares 5179 and
5197

The Department of Housing and Community Development (DHCD) has reviewed the above referenced revised alley closing application. DHCD supports, as described below, the requested action specified in the revised application. The original application proposed closing the entire alley located between Squares 5179 and 5197. DHCD's support is based upon the following understanding of the information contained in the revised Application:

1. The Applicant is the owner of the lots adjacent to the proposed portion of alley to be closed.
2. The Applicant does not own lots 26, 27, 28, 60, 61, 62, and 63 in square 5197 that are adjacent to the existing unimproved paper alley. The portion of the alley adjacent to these lots has now been removed from the alley closing application.
3. The proposed portion of alley to be closed is an unimproved paper alley that the Applicant is proposing to close in order to add the assemblage of property that is part of the Deanwood Rehabilitation and Wellness Center.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Housing and Community Development



MEMORANDUM

TO: Roland F. Dreist, Jr.
Surveyor of the District of Columbia

FROM: James Thackaberry
Supervisory Project Manager

DATE: July 28, 2011

SUBJECT: Department of Housing and Community Development Review
Comments on Alley Closing Application S.O. 11-4822 - to Close
an Alley Located between Squares 5179 and 5197

The Department of Housing and Community Development (DHCD) has reviewed the above referenced alley closing application. DHCD conditionally supports, as described below, the requested action specified in the application. DHCD's support is based upon the following understanding of the information contained in the Application:

1. The Applicant is the owner of many of the lots adjacent to the proposed alley to be closed.
2. The Applicant does not own lots 26, 27, 28, 60, 61, 62, and 63 in square 5197 that are adjacent to the proposed alley to be closed.
3. The proposed alley to be closed is an unimproved paper alley that the Applicant is proposing to close in order to add the assemblage of property that is part of the Deanwood Rehabilitation and Wellness Center.
4. **The Applicant must get the written support of the adjacent property owners of lots 26, 27, 28, 60, 61, 62, and 63 for the proposed closing of the alley.**



Vincent C. Gray
Mayor

Government of the District of Columbia
Fire and Emergency Medical Services Department
Washington, D.C. 20001



Kenneth B. Ellerbo
Fire & EMS Chief

MEMORANDUM

TO: Roland F. Dreist, Jr.
D.C. Surveyor
Department of Consumer and Regulatory Affairs

FROM: Bruce D. Faust *BZ*
Deputy Fire Chief/D.C. Fire Marshal
D.C. Fire and EMS Department

DATE: July 1st, 2011

SUBJECT: S.O. 11-4822 - Proposed Closing of Public Alley in Square 5197

The D.C. Fire and EMS Department has reviewed the above request.

Based on the site plans submitted, the D.C. Fire and EMS Department has some concern regarding the loss of access to the Grant Park Care Center from the east side of the building. I would appreciate some clarification as to the future plans and the impact they may have on this center. It should be a goal to maintain compliance with the International Fire Code (2006 Edition) and all other applicable D.C. Laws.

If you have questions concerning this review, please contact Chief Bruce D. Faust at 727-3298.



A PHI Company

Pepco Engineering – DC
3400 Benning Rd. NE Bldg. #59
Washington, D.C. 20019-1503
Telephone: 202-331-6237 Fax: 202-388-2721

October 28, 2011

Mr. Roland F. Dreist, Jr.
Government of the District of Columbia
Department of Consumer and Regulatory Affairs
1100 4th Street, SW, Third Floor
Washington, DC 20024

RE: Proposed closing of Public Alley Square 5197, S.O. 11-4822

Dear Mr. Dreist:

In response to your memorandum dated October 12, 2011 concerning the proposed alley closing, we comment as follows:

We have reviewed the documents showing the proposed alley closing and we have determined that Pepco does not have any facilities within the proposed alley to be closed. Therefore, we do not object to the proposed closing of the portion of the alley that does not contain any Pepco facilities.

If you have any questions regarding this matter, please call me at (202)388-2528 or email me at Hduperly@pepco.com

Sincerely,

A handwritten signature in black ink, appearing to read "Umar Zia", written over a horizontal line.

UMAR ZIA
Supervising Engineer
Distribution Engineering – DC

____/____



A PHI Company

Pepco Engineering – DC
3400 Benning Rd. NE Bldg. #59
Washington, D.C. 20019-1503
Telephone: 202-331-6237 Fax: 202-388-2721

July 22, 2011

Mr. Roland F. Dreist, Jr.
Government of the District of Columbia
Department of Consumer and Regulatory Affairs
1100 4th Street, SW, Third Floor
Washington, DC 20024

RE: Proposed closing of Public Alley Square 5197, S.O. 11-4822

Dear Mr. Dreist:

In response to your memorandum dated June 17, 2011 concerning the proposed alley closing, we comment as follows:

We have reviewed the documents showing the proposed alley closing and we have determined that Pepco does not have any facilities within the proposed alley to be closed. Therefore, we do not object to the proposed closing of the portion of the alley that does not contain any Pepco facilities.

If you have any questions regarding this matter, please call me at (202)388-2528 or email me at Hduperly@pepco.com

Sincerely,

A handwritten signature in black ink, appearing to read 'Umar Zia'.

UMAIR ZIA
Supervising Engineer
Distribution Engineering – DC

HD / _____

Network Engineering
OPPE MD/DC



13101 Columbia Pike, FDC 1
Floor 1
Silver Spring, MD 20904

July 12th, 2011
Mr. Roland F. Dreist, Jr.
Office of the Surveyor
1100 4th Street SW
Washington, D.C. 20024

RE: Proposed Closing of a Public Alley in Square 5197- S.O. 11-4822

Dear Mr. Dreist:

In reference to your letter of June 17th, 2011 which relates to closing of public alley in Square 5197

Location: Square 901

Verizon Washington D.C. Inc. does not object to the proposal.

[] Service is no longer required in the Square.

[] An easement will be provided, and paid for by the owners with metes and bounds description with a plat and all documentation necessary to record the easement to permit existing telephone plant to remain in its present location subject to Verizon approval.

[] Verizon is fully reimbursed for relocating its plant and feeders. Alley/Street closing will not take place until these facilities are completely relocated and permanent services restored fully to all customers affected by the move.

[] Telephone cables and terminals are cut off and abandoned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gabor I. Varsa".

Gabor I. Varsa
Engineer, Outside Plant Engineering, WSAM

GIV/kdy

c.c. D.C.D.O.T. Underground Location Section
Area Engineer
File



**Washington
Gas**

6801 Industrial Road
Springfield, Virginia 22151

August 7, 2012

Mr. Roland Driest
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
Office of the Surveyor
Washington, D.C. 20002

Dear Mr. Roland Driest

RE: Proposed Closing of a Public Alley in Square 5197 – S.O.-11-4822

We have no facilities in conflict with the work as shown and have no objection to the proposed construction.

Sincerely,

Vann Jones
Underground Facilities Planner

**Advisory Neighborhood Commission 7C
District of Columbia Government
4651 Nannie Helen Burroughs Avenue, NE
Suite No. 2
Washington, DC 20019
(202) 398-5100 - Fax: (202) 398-5440
Office@anc7c.org**



June 22, 2014

Mr. Rabbiah Sabbakhan
Director Department of Consumer and Regulatory Affairs
DC Office of the Surveyor
1100 4th Street, SW Suite
Washington, DC 20024

Dear Mr. Sabbakhan:

At a regularly scheduled and properly noticed meeting on May 8, 2013, with a quorum present ANC 7C to support the applicant's request for an Public Alley Closure in Square 5197-S.O. 11-4822 pursuant to § 9-202.02(5) of the District of Columbia Official Code. The ANC supports this closure as a means to provide a more safe and secure environment for the residents of our community. At the present time, this is a very unsafe area which has been a magnet for criminal activity because it is secluded with very little lighting. The Deanwood Rehabilitation Center is requesting to construct a Residential Deck at the site for the use of their occupants and subsequent lighting and Security measures will also be installed.

ANC 7C welcomes and fully supports this improvement to the quality of life for both those on the Rehabilitation Center and for the adjacent streetscape as the addition of increased lighting and additional Security measures will act as a deterrent and make for a much safer area.

Therefore with the expected enhancement of the neighborhood in mind, ANC 7C fully supports this alley closure as a step in the right direction.

Please be advised that Gregori Stewart is authorized to act on the behalf of ANC 7C for the purposes of this case. Commissioner Stewart can be reached by phone at 202-505-1167 or by email at 7C02@ANC.DC.GOV.

Sincerely,

Gregori Stewart
Chairperson


GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS



Solid Waste Management Administration

MEMORANDUM

TO: Roland F. Dreist, Jr.
Surveyor, D.C.

FROM: Anthony Duckett 
Chief Street & Alley Cleaning Division

SUBJECT: Proposed closings of public Streets

Date: February 23rd 2012

The following alley closing was investigated for review:

Square – 5197- S.O. 11-4822

The Department has reviewed the proposed alley closing and at this time we have no objection to the closing of this alley.

If you have any questions please call me at 645-3906

**BEFORE THE COMMITTEE OF THE WHOLE
OF THE DISTRICT OF COLUMBIA CITY COUNCIL**

In re: S.O. 11-4822 (Closing of a Public Alley in Square 5197)

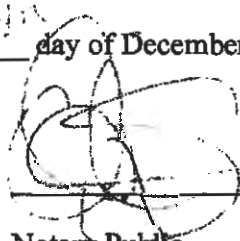
AFFIDAVIT OF POSTING FOR PROPOSED ALLEY CLOSING

I, Meredith McAlister and Mark Marek, on December 4, 2015 at 11:45am personally posted four (4) public notice signs. All public signs were furnished by the Office of the Surveyor and indicated the date, time and location of the public hearing. They were posted at each entrance from a street to public alley in Square 5197. Photographs of the signs have been taken for the record and are attached as Exhibit A.

 12/7/15
Meredith McAlister

 12/07/15
Mark Marek

Subscribed and sworn to before me this 7th day of December, 2015.



Notary Public

My commission expires:





[illegible][illegible]



Diana Dorsey Hill, Program Specialist
Department of Consumer & Regulatory Affairs
Office of the Surveyor
Permit Operations
Government of the District of Columbia
1100 4th Street, S.W., 3rd floor
Washington, D.C. 20024

Subject: Deanwood Deck Update RE: S.O. 11-4822, Square 5197

By now you have certainly heard of the plans to build a deck for our beloved Residents at Deanwood Rehabilitation and Wellness Center along the back side of our facility.

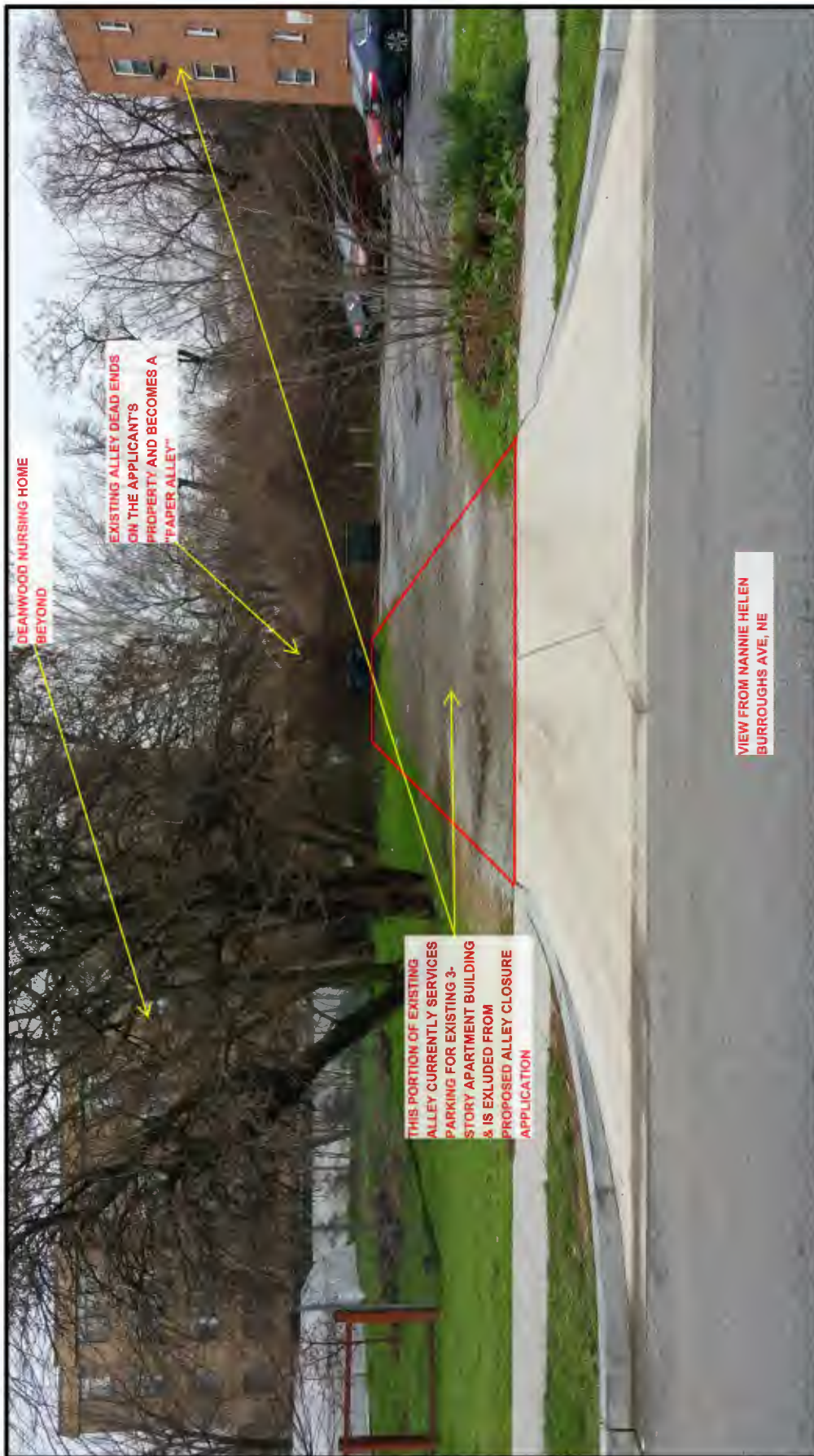
Currently our beloved residents are limited to a small area in front of our building to enjoy the outdoors. Deanwood Rehabilitation and Wellness Center is the home for more than 296 Residents. It is our obligation to provide them with amenities that enhance their well being. Our residents and their family members have asked us to provide them greater access to outdoors so they can spend time with their love ones enjoy the outdoors and have a sense of well being during their rehabilitation period at our center.

As the Administrator of Deanwood, I can tell you first hand that providing a sense of well being, showing them compassion and listening to their needs and desires are extremely high on my list. I'm their biggest advocate and therefore, I am requesting the approval of this long awaited deck. I urge you and your members to understand that our residents' recovery process is of high importance and we want to provide them with the best quality of life.

Thank you in advance for your approval in authorizing the building permit to build our residents deck. If you have any questions or need additional information please feel free to contact me at (202) 399-7504 ext. 535.

Sincerely,

Amilia Alcema Dual BS, MBA, LNHA
Administrator



DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
PROJECT #:	
DATE:	
SCALE:	

SHT #:
1

DEANWOOD NURSING HOME ALLEY CLOSURE APPLICATION

THIS DRAWING IS PROTECTED UNDER THE PROVISIONS OF US COPYRIGHT LAWS. ANY REPRODUCTION OF THIS DRAWING WITHOUT EXPRESS PERMISSION OF THE OWNER IS STRICTLY PROHIBITED.



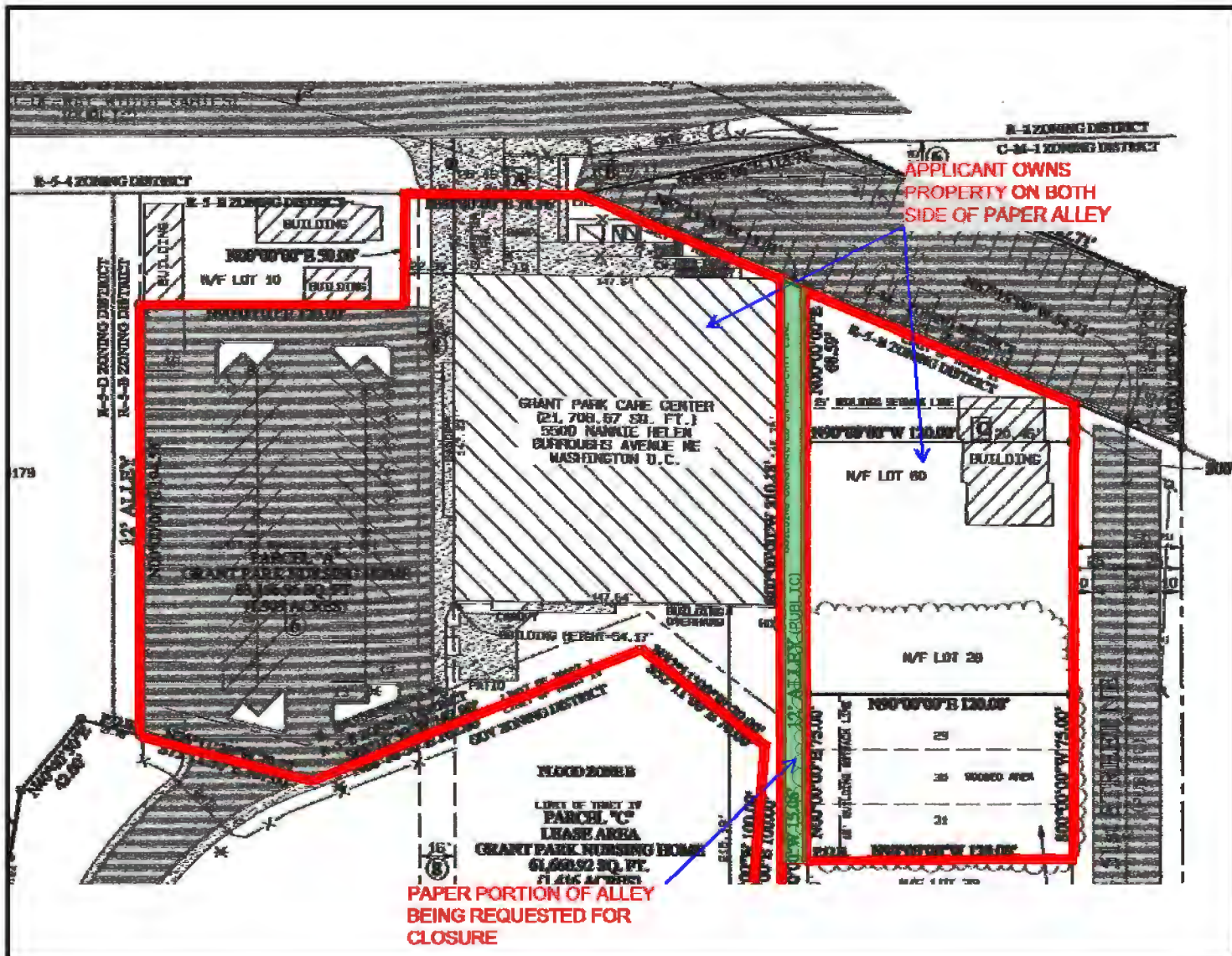


DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
PROJECT #:	SHT #:
DATE:	2
SCALE:	

ALLEY CLOSURE APPLICATION

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DESIGNED BY:	<div style="text-align: center;"> <div>SHT #:</div> <div style="font-size: 2em; font-weight: bold;">3</div> </div>
DRAWN BY:	
CHECKED BY:	
PROJECT #:	
DATE:	
SCALE:	

ALLEY CLOSURE APPLICATION

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THE ALLEY SHOWN THUS:  IS CLOSED AND TITLE VESTS AS SHOWN UPON RECORDATION OF THIS PLAT.

PUBLIC ALLEY CLOSED SQUARE 5197

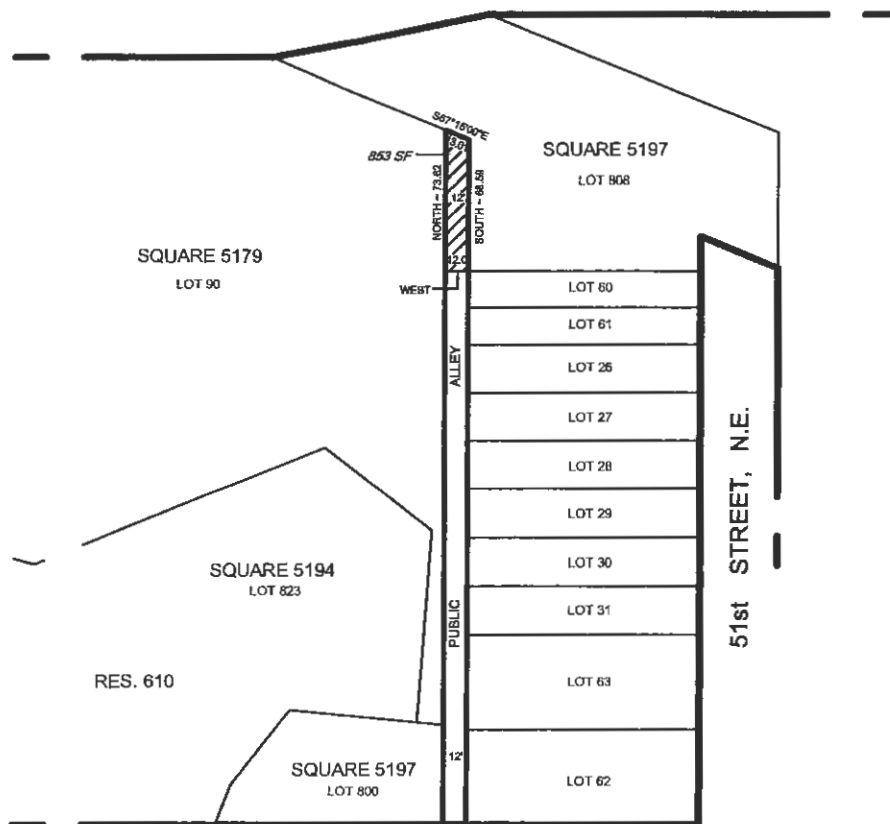
OFFICE OF THE SURVEYOR, D.C.

_____, 2011

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

SURVEYOR, D.C.

HAYES STREET, N.E.



NANNIE HELEN BURROUGHS AVENUE, N.E.

SURVEYOR'S OFFICE, D.C.

Made for: EAST COAST PRESERVATION COMPANY, LLC

Drawn by: L.E.S. Checked by: _____

Record and computations by: B. MYERS

Recorded at: _____

Recorded in Book: _____ Page: _____ SR-11-04861

Scale: 1 inch = 40 feet

File No. 11-04852



401 9th Street, NW North Lobby, Suite 500 Washington, DC 20004 Tel 202.482.7200 Fax 202.482.7272 www.ncpc.gov

S.O. 11-4822

Commission Members

Presidential Appointees

L. Preston Bryant, Jr., Chairman
Elizabeth A. White

Mayoral Appointees

Arrington Dixon
Robert E. Miller

Ex Officio Members

Secretary of Defense
The Honorable Charles Hagel

Secretary of the Interior
The Honorable Sarah Jewell

Administrator
General Services Administration
The Honorable Daniel Tengerlini

Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
The Honorable Thomas R. Carper

Chairman
Committee on Oversight
and Government Reform
U.S. House of Representatives
The Honorable Darrell Issa

Mayor
District of Columbia
The Honorable Vincent C. Gray

Chairman
Council of the District of Columbia
The Honorable Phil Mendelson

Executive Director
Marcel C. Acosta

IN REPLY REFER TO:
NCPC FILE No. 7616

DEC 11 2014

Office of the Surveyor

DEC 30 2014

RECEIVED

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
The John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Pursuant to delegations of authority adopted by the Commission on October 3, 1996, I found that the proposed partial alley closure in Square 5197, would not be inconsistent with the Comprehensive Plan for the National Capital. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Marcel C. Acosta
Executive Director

Enclosure

cc: Councilmember Vincent Orange, Chairman, Committee on Business,
Consumer, and Regulatory Affairs
Ellen McCarthy, Acting Director, DC Office of Planning
Frederick Lindstrom, Commission of Fine Arts
Roland Dreist, DC Surveyor



Delegated Action of the Executive Director

PROJECT Partial Alley Closure Square 5197 Nannie Helen Burroughs Avenue and 51st Street, NE Washington, DC	NCPC FILE NUMBER 7616 NCPC MAP FILE NUMBER 81.00(44.40)44024 ACTION TAKEN Approval of comments to the Council of the District of Columbia REVIEW AUTHORITY Advisory per D.C. Code § 9-202.02
SUBMITTED BY District of Columbia Office of the Surveyor	

The District of Columbia Department of Consumer and Regulatory Affairs, Office of the Surveyor, has requested comments on a partial alley closure located in Square 5197. The square is located along Nannie Helen Burroughs Avenue, NE near 51st Street, NE. The portion of the alley to be closed is located between lots 90 and 808. This alley has not been constructed, it only exists on paper. The portion of the alley to be closed covers 853 square feet and the closure was requested by the adjacent property owner. The closure will not impact any federal properties, nor any other identified federal interests.

The Coordinating Committee reviewed the proposal on November 12, 2014, and forwarded the proposal to the Commission with the statement that the project has been coordinated with all participating agencies. The participating agencies were: NCPC; the National Park Service; the District of Columbia Office of Planning; the District of Columbia State Historic Preservation Officer; District of Columbia Department of Transportation; the General Services Administration; and the Washington Metropolitan Area Transit Authority.

*

*

*

Pursuant to delegations of authority adopted by the Commission on October 3, 1996 and D.C. Code § 9-202.02, I find that the proposed partial alley closure in Square 5197 would not be inconsistent with the Comprehensive Plan for the National Capital.

Marcel Acosta
Executive Director

[Date]

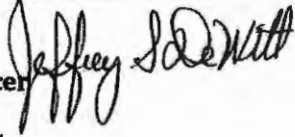
Government of the District of Columbia
Office of the Chief Financial Officer



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: September 14, 2015

SUBJECT: Fiscal Impact Statement – "Closing of a portion of Public Alley in Square 5197, S.O. 11-4822, Act of 2015"

REFERENCE: Draft bill as given to the Office of Revenue Analysis on August 26, 2015

Conclusion

Funds are sufficient in the fiscal year 2016 through fiscal year 2019 budget and financial plan to implement the bill.

Background

The bill authorizes the closing of a portion of the public alley system in Square 5197, at 5000 Nannie Helen Burroughs Avenue, N.E., which is adjacent to a single property: the Deanwood Rehabilitation and Wellness Center. The Center intends to consolidate its property there for future expansion.

Financial Plan Impact

Funds are sufficient in the fiscal year 2016 through fiscal year 2019 budget and financial plan to implement the bill. District executive agencies and utilities do not object to the closing of this alley space.

1 **DRAFT COMMITTEE PRINT**
2 **Committee of the Whole**
3 **February 2, 2016**
4
5
6

7 **A BILL**
8
9

10 Bill 21-400
11
12

13 **IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**
14
15
16
17

18 To order the closing of a portion of a public alley system in Square 5197, bounded by Hayes
19 Street, N.E., 51st Street, N.E., and Nannie Helen Burroughs Avenue, in Northeast
20 Washington, D.C. in Ward 7.
21

22 **BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this**
23 **act be cited as the “Closing of a Portion of the Public Alley in Square 5197, S.O. 11-4822, Act of**
24 **2016”.**

25 **Sec. 2. (a)** Pursuant to section 404 of the District of Columbia Home Rule Act, approved
26 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04) and consistent with the Street
27 and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law
28 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council of the District of Columbia finds the
29 unimproved alley in Square 5197, as shown by the hatch-marks on the Surveyor’s plat filed in
30 S.O. 11-4822, unnecessary for alley purposes and orders it closed, with title to the land to vest as
31 shown on the Surveyor’s plat.

32 **(b)** The approval by the Council of this alley closing is contingent upon the satisfaction of
33 all conditions set forth in the official file for S.O. 11-4822 prior to the recordation of the alley
34 closing plat.

35 Sec. 3. Transmittal.

36 The Council shall transmit a copy of this act, upon its adoption, to the Office of the
37 Surveyor.

38 Sec. 4. Fiscal Impact Statement.

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.