

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

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**TO:** All Councilmembers

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

**DATE:** November 7, 2017

**SUBJECT:** Report on Bill 22-336, the “Lincoln Court Designation Act of 2017”

The Committee of the Whole, to which Bill 22-336, the “Lincoln Court Designation Act of 2017” was referred, reports favorably thereon, with amendments, and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

On June 20, 2017, Bill 22-336, the “Lincoln Court Designation Act of 2017” was introduced by Councilmember Allen to officially designate the alley in Square 762, bounded by the 200 blocks of 2<sup>nd</sup> and 3<sup>rd</sup> Streets, S.E., and the 200 blocks of C Street and Pennsylvania Avenue, S.E., in Ward 6, as Lincoln Court. An official naming typically involves the designation of postal addresses and enables the placement of the primary entrance to residences or offices on the alley.

***Background and Need***

Square 762 contains 25 lots that abut the alley system within Square 762. 24 of these lots front a street (2<sup>nd</sup> Street, S.E., 3<sup>rd</sup> Street, S.E., C Street, S.E., or Pennsylvania Avenue, S.E.). The only lot within the alley that does not front a street is Lot 828. Lot 828 is 1,120 square feet and is currently used as a paved parking lot. Lot 828’s primary and only access is from the unnamed alley system within square 762. The initiator of Bill 22-336, Brian Wise owns Lot 828. On May 18, 2017, Mr. Wise filed a special exception application with the Board of Zoning Adjustment

requesting relief from the setback and surface requirements for his proposed development of a two unit flat with a height of 20 feet and 100% lot occupancy.<sup>1</sup> Shortly after the September 13, 2017 BZA hearing, Mr. Wise withdrew his special exception application; the Office of Zoning recorded the case status as “closed.”<sup>2</sup>

However, in anticipation of developing Lot 828 in the future, Mr. Wise would like the alley system in Square 762 to be officially designated. Pursuant to DCMR § 12-A118.6.6, the Department of Consumer and Regulatory Affairs cannot issue building permits for properties without an address, and an address cannot be designated on an unnamed alley.<sup>3</sup> Accordingly, Mr. Wise will be unable to proceed with construction of his lot unless the Council acts to designate the alley with an official name. Additionally, abutting neighbors have expressed support of the naming, in the hopes that the assignment of addresses would facilitate improvements to the alley and increase District services that would enhance the alley’s safety and cleanliness.<sup>4</sup>

After coordinating with Councilmember Allen’s office, Mr. Wise reached out to ANC 6B about naming the alley. Following discussions with the Historic Preservation Office, ANC 6B decided on the name “Lincoln Court” to honor the Lincoln School that was located on Square 762 at the corner of 2<sup>nd</sup> and C Streets, S.E. from 1865 until 1947.<sup>5</sup> Lincoln School, a successor to the Little Ebenezer church school, was one of the earliest public schools for African Americans in the District.<sup>6</sup> At its regularly scheduled and noticed meeting on June 13, 2017, ANC 6B voted unanimously to support the naming.

Although the impetus for Bill 22-336 and the naming of Lincoln Court arises from the desire of one property owner to develop his lot – the only interior lot currently in Square 762 – the Committee is clear that adoption of Bill 22-336 is not to be construed as a statement in support of the development. Indeed, the lot appears to be undersized and it is not obvious that interior development of any portion of this Square for residential purposes is good public policy or consistent with the intent and integrity of the zone plan. Rather, the Committee is compelled by the Ward councilmember's support, buttressed by the position of ANC 6B and the majority of property owners on the Square, coupled with the hope that an official naming will facilitate improvements to the alley.

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<sup>1</sup> *Application of Brian and Carolyn Wise*, BZA Case No. 19536 available at: [https://app.dcoz.dc.gov/Content/Search/ViewCaseReport.aspx?case\\_id=19536](https://app.dcoz.dc.gov/Content/Search/ViewCaseReport.aspx?case_id=19536).

<sup>2</sup> *Id.* At the September 13, 2017 BZA hearing on Case No. 19536, owners of three abutting properties to the alley expressed opposition to the proposed development. Their concerns included traffic congestion, light and air impacts, and storm water runoff. See *Transcript, Board of Zoning Adjustment Public Meeting & Hearing: Case No. 19536* (Jul. 26, 2017), available at [https://app.dcoz.dc.gov/Content/Search/ViewCaseReport.aspx?case\\_id=19536](https://app.dcoz.dc.gov/Content/Search/ViewCaseReport.aspx?case_id=19536).

<sup>3</sup> “No *street number* shall be assigned to a *premises* that has as its only access an unnamed street or alley. If an address is required for a *premises*, the street or alley shall first be named . . .” DCMR §12-A118.6.6.

<sup>4</sup> Cite to the letters in support.

<sup>5</sup> See Letter from Chandler Jayaraman, ANC 6B Chairman, to Councilmember Charles Allen (June 17, 2016) (attached to this report); Robert Pohl, History: Lost Capitol Hill: The Lincoln School, THE HILL IS HOME (Feb. 16, 2016) <https://thehillishome.com/2015/02/lost-capitol-hill-the-lincoln-school/>.

<sup>6</sup> *Id.*

### ***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 § 9-204.01 *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. Specifically, the Act authorizes the Council to symbolically or officially designate or change the name of any public space in the District of Columbia, including streets and alleys.<sup>7</sup> In October 2016, the Act was amended to create a clear distinction between official and symbolic street and alley namings and to establish distinct processes and requirements for each type of naming.<sup>8</sup>

An “official name” refers to the legal designation of an alley or a street for mailing address and other purposes,<sup>9</sup> whereas a symbolic name for a street or alley shall be in addition to and subordinate to any name that is an official name.<sup>10</sup> An alley may only be designated with an official name when the alley provides the only access or the primary access to a residential or commercial property.<sup>11</sup> Further, an official name of an alley shall contain the suffix “Alley” or “Court.”<sup>12</sup> A symbolic name of a street or alley shall contain only the suffix “Way” or “Plaza.”<sup>13</sup>

“Lincoln Court” will be an official alley designation. As established at the September 20, 2017 hearing, the public alley system in Square 762 provides the only access to Lot 828, the vacant lot within the Square.

The Act also establishes notice requirements for official designations. First, at least 15 days, but no more than 60 days prior to the scheduled public hearing, the initiator of the proposed designation shall: 1) give written notice of the date, time, and location of the hearing to each owner of property and household occupying property that abuts the alley or street, or portion thereof, proposed to be designated with an official name; and 2) Post signs that indicate the date, time, and location of the Council hearing at each intersection with any other alley or street of the portion of the alley or street proposed to be designated.<sup>14</sup> The initiator shall certify to the Council that the notice required has been given.<sup>15</sup> Second, at least 30 days prior to the scheduled public hearing, the initiator shall submit a copy of the proposed legislation for review and comment to each Advisory Neighborhood Commission (“ANC”) in which the portion of the alley or street to be designated is located.<sup>16</sup> Third, at least five days prior to the hearing, the initiator shall submit to Council letters or a petition in support of the proposal that have been signed by a majority of the

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<sup>7</sup> See D.C. Official Code § 9-204.01 *et seq.*

<sup>8</sup> See L21-0161, effective from Oct. 8, 2016, Published in DC Register Vol 63 and Page 12933.

<sup>9</sup> D.C. Official Code § 9-201.01(5A).

<sup>10</sup> D.C. Official Code § 9-204.03a(a).

<sup>11</sup> D.C. Official Code § 9-204.03(a).

<sup>12</sup> D.C. Official Code § 9-204.03(c).

<sup>13</sup> D.C. Official Code § 9-204.03a(c).

<sup>14</sup> See D.C. Official Code § 9-204.21(b).

<sup>15</sup> D.C. Official Code § 9-204.21(e).

<sup>16</sup> D.C. Official Code § 9-204.21 (d).

owners of property and households occupying property that abuts the portion of the alley or street proposed to be designated with an official name.<sup>17</sup>

Lastly, prior to consideration of a designation by the Council, the Mayor shall provide to the Council a surveyor's plat of the alley or street and adjacent properties.<sup>18</sup> The District Department of Transportation ("DDOT") provided the Council with a surveyor's plat of Square 762 at the September 20, 2017 hearing on Bill 22-336.

Regarding Bill 22-336, these notice requirements have been met by Mr. Wise.<sup>19</sup> Specifically, in regards to the petition requirement, Mr. Wise sent petition letters to 27 property owners whose properties abut the alley in Square 762. Of those petitions, 18, or 67% were returned in support of the official designation, enough to constitute a majority.<sup>20</sup> However, three abutting property owners have expressed opposition to the alley naming. Their concerns include traffic congestion, light and air impacts, and storm water runoff. Mainly, the opposition is against the development of the alley, and not the designation itself. Their testimony is summarized below and statements are attached to the report.

After the official street or alley designation legislation becomes law and all conditions required by the Council and the Act have been satisfied, DDOT will install signage indicating the official name of the alley or street, or portion thereof and remove signs with a previous name.<sup>21</sup> "At least one sign bearing the previous name of the alley or street, or portion thereof, shall be transferred to the Archives of the District of Columbia."<sup>22</sup> The Mayor shall update relevant records of the District of Columbia to reflect the official name of an alley or street, or portion thereof, including: Fire and Emergency Medical Service records, Homeland Security and Emergency Management records, District of Columbia maps, and any other record that the District of Columbia uses for way-finding or address purposes.<sup>23</sup> The Mayor shall also notify the United States Postal Service, other relevant government agencies as determined by the Mayor, and relevant private sector entities.<sup>24</sup> Additionally, the Surveyor of the District of Columbia shall record a copy of such act and the Surveyor's plat in the Office of the Surveyor.<sup>25</sup>

Officially designating the alley in Square 762 as "Lincoln Court" will facilitate the assignment of addresses to the unnamed alley and, in turn, allow abutting property owners to obtain building permits for future improvements to and development within the alley. Additionally, the naming will honor the alley's history. For these reasons, the Committee of the Whole recommends the approval of Bill 22-336, the "Lincoln Court Designation Act of 2017."

### ***District of Columbia Corrections Information Council Governing Board Amendment***

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<sup>17</sup> D.C. Official Code § 9-204.21(f). However, if the Mayor or a Councilmember introduces the designation without an initiator, then the petition requirement does not apply. D.C. Official Code § 9-204.21(i).

<sup>18</sup> See D.C. Official Code § 9-204.21(g).

<sup>19</sup> Copies of the initiator's submitted proof of notice requirements can be found in the hearing record for Bill 22-53.

<sup>20</sup> Reference that these are on file with the Committee.

<sup>21</sup> See D.C. Official Code § 9-204.24(a)(3). There is no previous name that the Committee is aware of.

<sup>22</sup> *Id.* However, there are no signs of a previous name for this alley.

<sup>23</sup> See D.C. Official Code § 9-204.24(a)(1).

<sup>24</sup> See D.C. Official Code § 9-204.24(a)(2).

<sup>25</sup> D.C. Official Code § 9-204.24(c).



Bill 22-336 includes a non-germane amendment to allow the Council to appoint one non-District resident to the District of Columbia Corrections Information Council Governing Board (“the Board”).<sup>26</sup> The Council has the authority to make two appointments to the Board and the appointments serve a term of two years.<sup>27</sup>

This amendment is necessary because the Committee, working with the Committee on Judiciary and Public Safety, has found an appointment to fill a vacancy on the Board, but the nominee has recently moved to Maryland. Believing this potential nominee would bring a vast amount of expertise to the Board, the Committee has agreed to waive the residency requirements. Soon after this provision becomes law, Chairman Mendelson will submit a resolution officially appointing this individual to the Board. This will not affect the second Council appointment to this Board. Chairman Mendelson has already introduced a resolution to reappoint Ms. Katharine Aiken Huffman, who is a District resident, to serve another two year term on the Board.<sup>28</sup>

## II. LEGISLATIVE CHRONOLOGY

June 20, 2017	Bill 22-336, the “Lincoln Court Designation Act of 2017” is introduced by Councilmember Allen.
June 23, 2017	Notice of Intent to Act on Bill 22-336 is published in the <i>DC Register</i> .
June 27, 2017	Bill 22-336 is referred to the Committee of the Whole.
August 11, 2017	Notice of Public Hearing on Bill 22-336 is published in the <i>DC Register</i> .
September 20, 2017	A Public Hearing is held on Bill 22-336 by the Committee of the Whole.
November 7, 2017	The Committee of the Whole marks up Bill 22-336.

## III. POSITION OF THE EXECUTIVE

Todd McIntyre, Chief of Staff, District Department of Transportation, testified on behalf of the Executive in support of Bill 22-336. His testimony is summarized below.

## IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

In a letter dated June 17, 2017, ANC 6B, in which the proposed official designation is located, voted 8-0, in support of renaming the alley in Square 762 as “Lincoln Court.”

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<sup>26</sup> D.C. Official Code § 24-101.01(b)(2)(B)(D) requires all members of the Board to be District residents.

<sup>27</sup> D.C. Official Code § 24-101.01(b)(2).

<sup>28</sup> *The District of Columbia Corrections Information Council Governing Board Katharine Aiken Huffman Reappointment Resolution of 2017*, as introduced on October 17, 2017 (PR 22-563).

## V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 22-336 on Wednesday, September 20, 2017. The testimony summarized below is from that hearing. Copies of written testimony are attached to this report.

**Brian Wise, Public Witness**, testified in support of Bill 22-336. He explained that the designation would allow him to obtain an address for his vacant lot within the alley, which is necessary for him to proceed with plans to build a handicap-accessible dwelling unit. Mr. Wise also highlighted the historical significance of the proposed alley name.

**Laura Friedman, Public Witness**, testified in opposition of Bill 22-336. She expressed her concerns with the potential for “unchecked development” within the alley system that her home abuts. Ms. Friedman also expressed concerns with the potential for increased traffic and congestion within the alley if the naming proceeded.

**Todd McInyre, Chief of Staff, District Department of Transportation**, testified that the Executive supports Bill 22-336. He noted that DDOT would work with the appropriate District agencies to update the relevant records used for wayfinding or address purposes to reflect the official name of the alley.

The Committee received letters in support of Bill 22-336 from Joseph A. Englert and James D. Silk, owners of the Capitol Lounge. The Committee also received letters in opposition of Bill 22-336 from Quynh Vu Bain; and Marianne L. Campano and Clayton D. Chilcoat. Copies of the letters are attached to this report.

## VI. IMPACT ON EXISTING LAW

Bill 22-336, as it pertains to the Lincoln Court Designation, has no impact on existing law. D.C. Official Code § 9-204.01<sup>29</sup> authorizes the Council to designate any public space. D.C. Official Code § 9-204.03 authorizes the Council to designate an official name for an alley “where an alley provides the only access to a residential or commercial property.”<sup>30</sup> Lincoln Court provides the only access to a vacant lot proposed for development within Square 762. Additionally, “an official name of an alley shall contain the suffix Alley or Court,” such as the name proposed by Bill 22-336.<sup>31</sup>

The Act provides that, with limited exception, no public space shall be named in honor of any living person or in honor of any person who has been deceased less than two years.<sup>32</sup> The Lincoln Court designation is in honor of the Lincoln School that was located on Square 762 from 1865 until 1947.

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<sup>29</sup> Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201).

<sup>30</sup> D.C. Code § 9-204.03(a).

<sup>31</sup> D.C. Code § 9-204.03(c).

<sup>32</sup> See D.C. Code § 9-204.05.

Additionally, Bill 22-336 amends D.C. Official Code § 24-101.01(b)(2)(D) to exempt one of Council appointments from the residency requirements.

## **VII. FISCAL IMPACT**

Funds are sufficient in the fiscal year 2017 through fiscal year 2019 budget and financial plan to implement the provisions of the proposed legislation. Because the cost to the District Department of Transportation (DDOT) is an estimated \$60 per official sign for fabrication and \$110 for installation, the cost of Bill 22-336 can be absorbed, as noted in the Fiscal Impact Statement (attached).

## **VIII. SECTION-BY-SECTION ANALYSIS**

<u>Section 1</u>	States the short title of Bill 22-336.
<u>Section 2</u>	Officially designates the public alley system within Square 762, which is bounded by 2 <sup>nd</sup> Street, S.E., 3 <sup>rd</sup> Street, S.E., C Street, S.E., and Pennsylvania Avenue, S.E., in Ward 6, as “Lincoln Court.”
<u>Section 3</u>	Amends the National Capital Revitalization and Self-Government Improvement Act of 1997 to allow the Council to appoint a non-District resident to the District of Columbia Corrections Information Council Governing Board.
<u>Section 4</u>	Directs the Council to transmit a copy of this act to the Mayor, the District Department of Transportation, and the Office of the Surveyor.
<u>Section 5</u>	Adopts the Fiscal Impact Statement.
<u>Section 6</u>	Establishes the effective date by stating the standard 60-day congressional review language.

## **IX. COMMITTEE ACTION**

## **X. ATTACHMENTS**

1. Bill 22-336 as introduced
2. Written Testimony and Letters
3. Letter from ANC 6B
4. Fiscal Impact Statement for Bill 22-336

5. Legal Sufficiency Determination for Bill 22-336
6. Committee Print for Bill 22-336

**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 : June 21, 2017

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Tuesday, June 20, 2017. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Lincoln Court Designation Act of 2017", B22-0336

INTRODUCED BY: Councilmember Allen

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

Attachment

cc: General Counsel  
Budget Director  
Legislative Services

  
Councilmember Charles Allen

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To officially designate the alley in Square 762, bounded by the 200 blocks of 2<sup>nd</sup> and 3<sup>rd</sup> Streets, S.E., and the 200 blocks of C Street and Pennsylvania Avenue, S.E., in Ward 6, as Lincoln Court.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lincoln Court Designation Act of 2017".

Sec. 2. Pursuant to the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01 *et seq.*), the Council officially designates the alley in Square 762, bounded by the 200 blocks of 2<sup>nd</sup> and 3<sup>rd</sup> Streets, S.E., and the 200 blocks of C Street and Pennsylvania, S.E., in Ward 6, as "Lincoln Court" in recognition of the contributions to equal rights of all Americans by President Abraham Lincoln, as well as the historic Lincoln School, which served as the first African-American public school in the District of Columbia, and once sat at the northeast corner of 2nd Street S.E. and C Street S.E..

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Mayor, the District Department of Transportation, and the Office of the Surveyor.

32           Sec. 4. Fiscal impact statement.

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

36           Sec. 5. Effective date.

37           This act shall take effect following approval by the Mayor (or in the event of veto by the  
38 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
39 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
40 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
41 Columbia Register.

# Testimony for Lincoln Court Designation Act of 2017

Initiator: Brian and Carolyn Wise

Dear Council Members;

Thank you for the opportunity to be before you today in regards to the Lincoln Court Designation Act of 2017. For the past 8 months we have worked diligently to name the alley that runs through Square 0762 in Ward 6. We would like to give a special thank you to Councilmember Allen and Chairman Mendelson for their leadership on this legislation.

As you may be aware, current regulations in the District of Columbia restrict property owners from obtaining building permits for properties which have not been given an "official address" or are on an unnamed street or alley. We encountered this issue after we purchased a vacant lot on this alley in 2015. This legislation is intended to accomplish three things. They are 1) recognize the contributions of a man who is widely acknowledged as one of the most influential equal rights leaders in the history of our country, 2) recognize the history of the alley as being the location of the first public school for African American children in Washington DC, and 3) enable property owners to obtain addresses for their buildings, many of which are literally falling down, so that they may improve their properties and the neighborhood.

Square 762 is the original home of the Lincoln school, DC's first public African American school, which operated from 1871-1947 at that location. Named in honor of President Lincoln after the issuance of the Emancipation Proclamation, it was located at the northeast corner of 2<sup>nd</sup> Street SE and C Street SE, on the land currently occupied by the Capitol Hill Hotel. After discussions with the DC Historic Preservation Office (HPO) and the Capitol Hill Restoration Society (CHRS) it was determined that the alley in Square 0762 was once unofficially called Lincoln Alley and that the name Lincoln Court would be appropriate. We were able to obtain support for the name Lincoln Court SE from the neighbors in the square and we encountered no opposition from residents or owners of property in the square. The naming of this alley as Lincoln Court SE is supported by all relevant stakeholders.

The alley is located in Square 0762, bounded by 2<sup>nd</sup> Street SE to the West and 3<sup>rd</sup> Street SE to the East, and between Pennsylvania Ave SE to the North and C Street SE to the South. The alley has entrances on 3<sup>rd</sup> Street SE between Pennsylvania Ave SE and C Street SE as well as on C Street SE between 2<sup>nd</sup> Street SE and 3<sup>rd</sup> Street SE.

We strongly believe that this name reflects the history of the Square while paying respect to a man who did a great deal for equal rights in America. We respectfully ask for you to consider this legislation and ask for your affirmative vote to officially name this alley, Lincoln Court SE.

Thank you, again, for the opportunity to speak before you today.

Brian J. and Carolyn M. Wise



Testimony for DC Council Committee of the Whole, 9/20/17

Good morning, Chairman and Council Members. I am speaking to you today as an abutting neighbor to the alley in question in Bill 22-336, also known as the "Lincoln Court Designation Act of 2017." The entire length of my home sits on the alley in question. I am opposed to the name of the alley as well as the consequences of naming the alley: namely the potential for the unchecked development therein.

As for the name itself, I come from the land of Lincoln – Illinois – and did my doctoral research speaking to people throughout the state. During my field research I saw many statues, murals, and plaques, as well as street and town names all honoring our 16<sup>th</sup> president. There, as in DC, the name "Lincoln" is everywhere. In fact, a simple online search for "Lincoln DC" yielded at least 16 entities within the District with the name "Lincoln," including a park in Capitol Hill, a neighborhood, 3 restaurants, 2 churches, and others. In addition, at least 6 streets in the District include the name "Lincoln." A search for "Lincoln Court" itself showed that this name already refers to a location in the District – volleyball courts near the Lincoln Memorial. I understand that this name comes from a school that previously stood on the corner of 3<sup>rd</sup> and C – Lincoln School – which I would also like to point out was not the only school in the District to have been named "Lincoln." On top of that, my own online research showed that it might not have actually been the first school in DC for African American children, as was attested (see Exhibit 1). I have nothing but admiration for our 16<sup>th</sup> president, and was excited to hear about the history of our block. However, the name "Lincoln" is already so common in DC that I fear having the name "Lincoln Court" would draw more lost pedestrians and motorists, and therefore greatly increased traffic and congestion in a very narrow alley, only large enough for a single car at a time.

I started with my objection to the name proposed for the alley, as this is what the Council is directly ruling on today. However, I cannot speak about the naming of the alley without addressing the Pandora's box that this naming and others throughout the city would open. This alley naming is part and parcel with a recently proposed development on a lot that abuts the back of my property. I appeared at a BZA hearing last week opposing the special exceptions the owner of that lot was at that point seeking for a two-story structure abutting my home as well as the homes of 2 other neighbors who also appeared. Those neighbors, like me, were caught completely unaware of the process that was happening in our own backyards until it was almost too late to voice our concerns. This does not appear to be a fluke – other recent hearings for alley namings before the council showcased similar last-minute constituent outcry. These laws on alley naming are relatively new and as Chairman Mendelson said in another Committee of the Whole meeting on March 23, 2017:

It was not our intent that the procedure for officially naming an alley or a street would be a way at trying to get at land use issues... It's using [the Council] as a substitute for the Board of Zoning Adjustment...

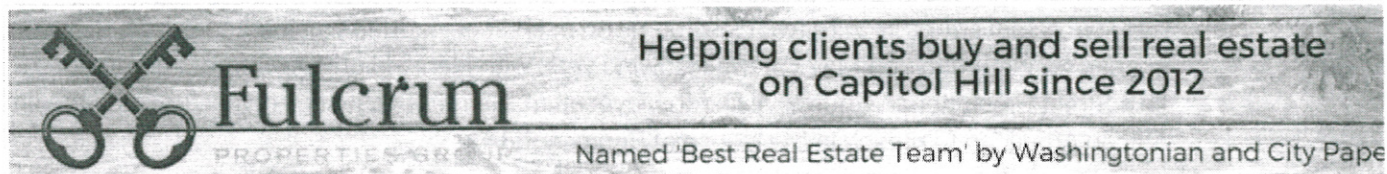


Exhibit 1

Guides  
 Living on the Hill  
 Dining  
 Arts & Entertainment  
 Fitness  
 Home  
 Kids  
 Pets  
 Real Estate  
 Shopping  
 Things We Take For Granted  
 Volunteering & Giving

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16  
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 2015

## HISTORY:

## LOST CAPITOL HILL: THE LINCOLN SCHOOL

Note that this states the first school was at Ebenezer Church.



Last week, we looked at the first public school for African Americans, opened in the Little Ebenezer church. Its explosive growth, fueled not only by the D.C. Emancipation Act but also by the law securing schooling for all children, meant that they soon outgrew their modest beginnings.

And so, a new school – and this time, one that was up to the task – was to be built.

The seed for the school was sown by a Mrs. Parker, of New Haven Connecticut. She had worked at the Ebenezer church school, and understood what was needed. She also had a lot of money, and gave \$1,000 of it to the school trustees. Scraping together what they could, they found a lot just a few blocks away from Ebenezer, on C Street SE between 2nd and 3rd Streets.



**Introduction**

Good morning Board of Zoning Adjustment members. Thank you for giving me the opportunity to present testimony today. My name is Thomas Coleman, and I am presenting this testimony on behalf of myself and my wife Lauren Friedman as joint owners of adjacent 215 3rd Street SE, D.C.

**High-Level Summary**

In short, the applicants seek approximately seven special exceptions to the zoning requirements listed in Title 11 of the DC Municipal Regulations (or "DCMR") in order to convert a parking area behind my house into a two story apartment building. Recently, alleys have become the new development frontier for pop-ups. However, what does this case mean for our specific neighborhood and neighborhoods around the city?

**Summary of Arguments**

One of my biggest concerns is exacerbating the traffic congestion. In short, the special exceptions at issue will convert a parking facility to a two-level residence. Crowding will result. There will be more Uber-drop-offs, Amazon deliveries, and generally, more traffic congestion. Moreover, traffic congestion has been an issue plaguing this neighborhood for decades, having been considered by the BZA more than fifty years ago. Specifically, fifty-two (52) years ago, this Board considered whether to permit continued operation of the parking lot in Lot 828 (the exact lot at issue today). The following is a quote from the 1965 case:

"We further find that this lot [828] is reasonably necessary and convenient to other uses in the vicinity as it will provide off-street parking accommodations for persons utilizing the commercial frontage of Pennsylvania Avenue thereby relieving to some extent on-street parking on these residential streets nearby." *BZA Order No. 8286 (1965) (Appendix 3)*.

I ask that you maintain the Board's view of the needs in this neighborhood as the Board articulated more than 50 years ago. To relieve congestion and mitigate the traffic impacts on the adjacent properties to this lot, I ask that you deny the special exception because it would not be in harmony with the general purpose and intent of zoning regulations to reduce traffic congestion.

In addition, there would be significant light and air impacts on an easement between 211, 213, and 215 3rd St SE. Currently, 211 3rd St owns this land, and we (215 3rd St.) have easement to use this land for passage and to keep our trash on it. In addition to trash pickup and drop-off congestion, this construction would turn this land into a dark crevice wedged between our three properties and the development. Rats are already present in this area as is, with the Department of Public Works finding "2 rat burrows in the alley" as of August 2017 (see Appendix 1 Service

B22-0336 Testimony Addendum 10/3/17

I wanted to clarify a few things that came up at the hearing, and expand upon my safety concerns for an official naming of the alley.

First, after further research online, it does appear that the claim in the bill that the Lincoln School was the first public school for African American children in the District is a bit misleading. First, the first school for African American children in DC that used public funds was at Little Ebenezer Church, opened in 1864 (Lincoln School opened in 1865). The Normal School for Colored Girls was granted a charter by the Senate in 1863, though it is unclear whether it received public funds. The Sumner School, as Chairman Mendelson mentioned at the hearing, was one of the earliest in the city but was established later, in 1872. I also incorrectly stated that the school was located at 3rd and C Streets Southeast - it was at 2nd and C Streets Southeast.

Second, there was some misunderstanding over the length of the alley and differences with the official plat. It appears one de-facto entrance to the alley is not in fact on public land but is instead part of Square 762 Lot 841, 200 C Street SE, where a hotel stands. This means there is only one public entrance to the alley, on 3rd Street. (See the enclosure with a copy of the plat with the locations of these entrances noted.) Therefore, although currently there is another entrance to the alley on C Street, a pedestrian or motorist would need to walk on private land to reach that end of the alley. It is also unclear to me whether a street sign could officially designate the private C Street entrance, or if the owners of the entrance could legally use it as they would like, including building on that portion of the alley one day.

Since the 3rd Street entrance is the only public entrance to the alley, I am concerned with the future ability of emergency vehicles to enter the alley and serve future residents or businesses. The entrance on 3rd Street is only 16 feet wide, barely wide enough for an emergency vehicle. The turns are also quite narrow, in parts a 20 foot wide street onto another 20 foot wide street. Currently, turns are extremely challenging for small garbage trucks, so I can only imagine that it would be difficult if not impossible for fire trucks with larger turning radii to get around the alley corner. Many international fire codes require a dead-end streets to have a turn-around large enough for trucks, and as a practical matter, they need be able to reach homes. Unless land is acquired from private owners, either the private entrance on C Street or other land, I believe there may not be enough space for an emergency vehicle to reach all potential developments or to turn around. A wrong move while turning could also knock out power lines, as poles stand directly on those corners.

This alley has not been reviewed with respect to fitness for residential living in many decades, and because of its small, hard to navigate streets, could become a hazard for anyone whose front door and fire exit opens onto the alley. DC Code 6-101.01 also points the hazardous conditions

NAMING OF A PUBLIC ALLEY  
SQUARE 762

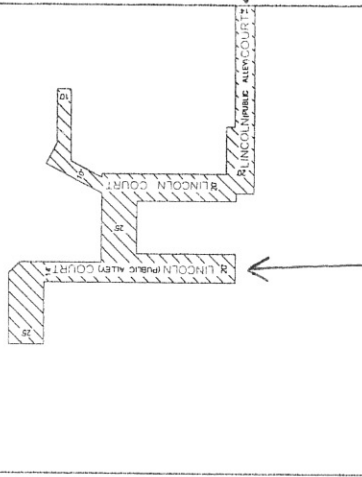
PENNSYLVANIA AVENUE, SE.

2nd STREET SE

3rd STREET SE

public  
entrance

private entrance  
C STREET, SE.



PURSUANT TO D.C. LAW, \_\_\_\_\_ EFFECTIVE \_\_\_\_\_  
THE ALLEY SHOWN THUS 777772 IS HEREBY DESIGNATED AS  
"LINCOLN COURT"

OFFICE OF THE SURVEYOR, D.C.  
\_\_\_\_\_, 2017

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED

SURVEYOR, D.C.

SURVEYOR'S OFFICE, D.C.	
Map No.	0007
Drawn by	A.S.
Checked by	B. MYERS
Recorded at	_____
Recorded in Book	_____
Page	_____
Scale	1 inch = 40 feet
File No.	SR 17 0203
File No.	17 1111

2017 ALLEY NAMING SR 17 0203 52 762 LINCOLN COURT



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



Public Hearing on  
Bill 22-219, Paul S. Devroux, Jr. Way Designation Act of 2017,  
Bill 22-272, Richard Rausch Way Designation Act of 2017, and  
Bill 22-336 Lincoln Court Designation Act of 2017

Testimony of  
Todd McIntyre

Chief of Staff  
Office of the Director  
District Department of Transportation

Before the

Committee of the Whole

Council of the District of Columbia

Wednesday, September 20, 2017  
9:00 a.m.

Hearing Room 412  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004



Good afternoon, Chairman Mendelson, councilmembers, staff, and District residents. My name is Todd McIntyre, Chief of Staff 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 DDOT Interim Director Jeff Marootian regarding the following three alley designation bills:

- Bill 22-219, Paul S. Devroux, Jr. Way Designation Act of 2017
- Bill 22-272, Richard Rausch Way Designation Act of 2017
- Bill 22-336, Lincoln Court Designation Act of 2017

The stated purpose of Bill 22-219 is to officially designate the 800 block of G Street N.W., in Ward 2, as Paul S. Devroux, Jr. Way. As per the requirements of DC Act 21-489, Section 421(g), I have attached to this testimony a copy of the surveyor's plat showing the 800 block of G Street N.W to be designated as Paul S. Devroux, Jr. Way.

The cost of each installed sign is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation). DDOT is able to absorb the costs of these signs within its current budget, and does not foresee any operational impact this designation would have on the District's transportation network.

Therefore, the Administration supports this official designation. Upon approval by the Council, and following the effective date of the act, DDOT will install signage indicating the official name of the alley. DDOT stands ready to assist the Council and all other stakeholders with any ceremonial unveiling activities that may materialize as a result of this bill's passage.

The next bill I would like to testify on is Bill 22-272, Richard Rausch Way Designation Act of 2017. The stated purpose of this bill is to officially designate the 200 block of 2nd Street, S.W., in Ward 6, between the blocks of Independent Ave S.W. and C Street S.W., as Richard Rausch Way. As per the requirements of DC Act 21-489, Section 421(g), attached to this testimony please find a copy of the surveyor's plat showing the portions of the alley network to be officially designated as Richard Rausch Way.

The cost of each installed sign is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation). DDOT is able to absorb the costs of these signs within its current budget, and does not foresee any operational impact this designation would have on the District's transportation network.



Therefore, the Administration supports this official designation. Upon approval by the Council, and following the effective date of the act, DDOT will install signage indicating the official name of the alley. Again, DDOT will assist the Council and all other stakeholders with any ceremonial unveiling activities that may materialize as a result of this bill's passage.

And finally, the last bill I would like to testify on is Bill 22-336 Lincoln Court Designation Act of 2017. The stated purpose of this bill is to officially designate the alley in Square 762, bounded by the 200 blocks of 2nd and 3rd Streets, S.E., and the 200 blocks of C Street and Pennsylvania Avenue, S.E., in Ward 6, as Lincoln Court. An official naming typically involves the designation of postal addresses and the primary entrance for residences or offices. As per the requirements of DC Act 21-489, Section 421(g), attached to this testimony please find a copy of the surveyor's plat showing the portions of the alley network to be officially designated as Lincoln Court.

DDOT is able to absorb the costs of these signs within its current budget. The cost of each installed sign is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation). DDOT does not foresee any operational impact this designation would have on the District's transportation network.

Therefore, the Administration supports this official designation. Upon approval by the Council, and following the effective date of the act, DDOT will install signage indicating the official name of the alley and will assist the Council and all other stakeholders with any ceremonial unveiling activities that may materialize as a result of this bill's passage. DDOT will also work with the appropriate District agencies -- including Fire and Emergency Medical Service, Homeland Security and Emergency Management Agency, and the Office of the Chief Technology Officer -- to update the relevant records used for way-finding or address purposes to reflect the official name of the alley.

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

NAMING OF A PUBLIC ALLEY  
SQUARE 762

PURSUANT TO D.C. LAW \_\_\_\_\_ EFFECTIVE \_\_\_\_\_  
THE ALLEY SHOWN THIS: ZZZZZ IS HEREBY DESIGNATED AS  
"LINCOLN COURT".

OFFICE OF THE SURVEYOR, D.C.  
\_\_\_\_\_, 2017

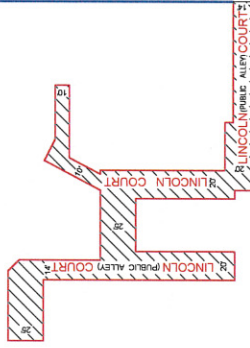
I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

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

PENNSYLVANIA AVENUE, S.E.

2nd STREET, S.E.

3rd STREET, S.E.



C STREET, S.E.

SURVEYOR'S OFFICE, D.C.	
Made for: DODT	Checked by: _____
Drawn by: A.S.	Record and computations by: B. MYERS
Recorded at: _____	Recorded in Book: _____
Scale: 1 inch = 40 feet	Page: _____
	File No. 17.1111

2017 ALLEY NAMING BR-17-0002 SQ 762 LINCOLN COURT

September 18, 2017

Dear Committee Members,

We are the owners of 211 3<sup>rd</sup> Street SE and are grateful for the opportunity to express our concerns and opposition to the plans for naming the alley next to 215 3<sup>rd</sup> Street.

1) The alley is currently not safe, as noted by the petitioners in their request to the city for resurfacing. The hazard does not come from the current state of the surface, but rather from the extremely narrow space and virtually impassable angles. Vehicles frequently run into the buildings lining the passageway – there is visible structural damage to the garage at 215<sup>th</sup> 3<sup>rd</sup> Street. Sanitation and maintenance vehicles cannot navigate the passage due to extremely tight turns. Vehicles cannot pass due to the narrow width, requiring oncoming cars to have to back out of the entire passageway or to trespass on private parking spaces. These spaces are typically occupied, and the petitioners themselves have threatened to engage the police to deal with trespassers. Naming the passage will increase the traffic, since drivers will assume that a named street is a useful route, and the increased traffic will subsequently increase the risk to property and pedestrians.

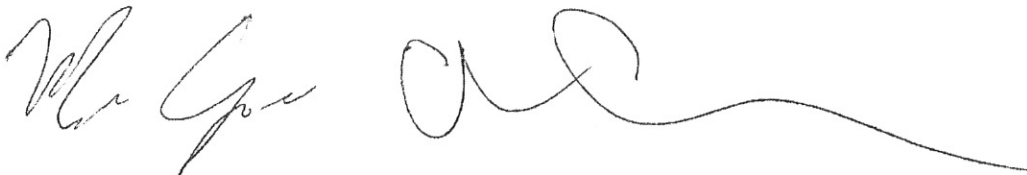
2) The city's antiquated sewer lines lie under the surface of the passage. These lines are potentially over 100 years old and likely ceramic and very fragile. Resurfacing operations and the increased traffic from naming may result in significant damage to these lines requiring expensive repairs for the city.

3) The storm drains in the alley are not functioning appropriately – there is significant standing water in the drains days after a rain event. The passageway itself does not adequately drain water during rain events and results in flooding properties and 3<sup>rd</sup> Street. We recommend the city examine and repair the existing storm drains and make any required upgrades before making any decisions on naming.

4) Naming the passageway may facilitate the construction of new residential units on the passageway. While this committee may not consider this part of its purview, the resultant new dwellings will further increase traffic on the passageway, which will result in decreased safety as stated above. This will also increase the need for street parking on 3<sup>rd</sup> and C Streets, both of which are currently over-burdened.

Thank you for allowing us to express our concerns in this matter.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature on the left is for Marianne L. Campano, and the second signature on the right is for Clayton D. Chilcoat. Both signatures are fluid and cursive.

Marianne L. Campano and Clayton D. Chilcoat



Quynh Vu Bain  
213 Third Street, SE  
Washington, DC 20003

---

September 18, 2017

Chairman Phil Mendelson  
Committee of the Whole  
Council of the District of Columbia  
1350 Pennsylvania Ave., NW  
Washington, DC 20004

**Re: Alley Naming Application, Bill 22-336**

Dear Chairman Mendelson and Members of the Committee of the Whole:

As a long-time DC resident, I am writing to oppose Bill 22-336, which proposes to name the alley in Square 762 as "Lincoln Court." The stated reason for naming the alley is to facilitate new residential or office building construction in Square 762. Because any new construction in Square 762 will likely encroach on public space and substantially impair the use and enjoyment of abutting properties, including mine, I oppose the alley naming.

At this time, the parties seeking to name the alley are owners of Lot 828. They plan to construct a new two-story building on Lot 828, which is a parking lot that they purchased two years ago when they first moved to the neighborhood. The proposed construction is objectionable. There is not enough space in the alley to accommodate additional foot and car traffic. The alley is only 10 to 12 feet wide. There is also not enough space on the parking lot for construction of the proposed two-story building. The parking lot is only 31 feet by 31 feet. To build according to plans, the owners would need an area of 1,800 square feet, twice the size of their lot size. They have had to apply for 7 special exceptions and variances from the Board of Zoning Adjustment. During the most recent BZA hearing on September 13, 2017, they withdrew the application for special exceptions and variances but stated a desire to move forward with the construction of a new two-story building as a matter of right.

As an abutting property owner, I oppose the construction of a new two-story building on Lot 828, the parking lot that abuts the alley. See opposition letter filed with BZA, at Tab A. The reasons are summarized as follows:

- (1) **Encroachment on public and private space.** The proposed construction will occur on a parking lot that is too small for its intended use. With or without special exceptions and

variances, a new two-story building will substantially diminish abutting property owners' use and enjoyment of their private space. Additionally, the proposed construction will likely encroach on the alley, further restricting other property owners' access to and use of that public space. See Tab B.

- (2) **Increasing the probability of crime, traffic congestion, pollution, noise, and rat and mosquito infestations.** The proposed construction will endanger abutting properties, by increasing car and foot traffic, noise and pollution, and incidents of crime. Once the two-story building is constructed, there will be corresponding reductions in privacy, safety, light and air, and the availability of street parking. The quietness and serenity that I have enjoyed in my house over the past 17 years will be lost.
- (3) **Damaging sewer systems and utility lines,** The proposed construction will have severe environmental consequences, such as increasing the risk of flash flooding on adjacent streets during moderate to heavy rain (Tab C). Paving the alley, as the owners of Lot 828 propose to do, would reduce drainage and result in storm water flowing downhill toward Third and C Streets, where it remains. Additionally, below the pervious surface of the alley and the parking lot is an antiquated combined sewer system that – for over 50 years -- has served as a drainage point for storm and waste water coming from abutting properties (Tab D). Those sewer lines run below the alley and the parking lot. Paving the alley, as the owners of Lot 828 have requested of DDOT, would irreparably damage the sewer system that abutting homeowners like me rely on to reduce standing water and sewer backup.

Recently, I was shocked to learn that the parking lot owners paved their parking lot in 2016 without obtaining a DCRA or DDOT permit. The paving eliminated the pervious surface of the parking lot, resulting in storm and waste water collecting along the lot lines. At least one sewer pipe along the lot lines has been damaged or broken (Tab E). It no longer drains storm and waste water away from my property. Consequently, standing water has gradually collected in the sewer where the broken sewer pipe is located, turning the back part of the alley into a rich breeding ground for mosquitos and rats. Tab E.

Not surprisingly, the Washington Post recently reported that new constructions in the City have had the effect of disturbing underground rat nests, forcing rats to go above ground to hunt for food sources. Since the underground sewer system in Square 762 has provided a natural habitat for rodents, the paving of the parking lot and possibly the alley, combined with the planned construction of a new two-story building on the lot, will destroy that natural habitat. Already, I have noticed that rats have burrowed tunnels in and out of my backyard and the rear yards of my neighbors. This is a new



phenomenon that I have not seen in the 17 years that I have occupied my house. The health hazards that come with rat and mosquito infestations are concerning.

- (4) **Detracting from the historical character of the neighborhood.** The neighborhood has remained an RF-3 zone despite all the constructions that are out of character. On the west side of Square 762 is a 12-unit apartment complex. On the south side of Square 762 are the Capitol Suites Hotel and a 30-unit apartment building. On the east side are two smaller apartment buildings, one having about 15 units and the other having 5 units. On the north side of Square 762 are restaurants and shops that already generate a lot of traffic, noise, trash, while depleting residential parking space. Further out, the Nationals Baseball stadium is less than a mile away to the south, and four blocks east on Pennsylvania Avenue is the nearly completed 6-million square feet of commercial rental space at Eastern Market. Considering all the recent overdevelopment, one might be tempted to ask "What is the harm in adding one more building to this already crowded neighborhood?" Before you answer that question, please consider the following:

Recently, I discovered that the parking lot owners lied to the ANC-6 Commissioners and misrepresented that all the abutting property owners have consented to the street naming. I and at least one neighbor did not give consent.

I also discovered that the parking lot owners lied to the BZA and misrepresented that all abutting property owners have been notified of the requested exceptions and variances. I was not notified, and I did not give consent.

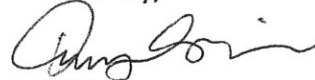
I also discovered that the parking lot owners made misrepresentations to DCRA's Office of Planning concerning the suitability of the parking lot for construction of a new two-story building. The parking lot was paved in 2016 without a permit.

Through emails the parking lot owners have attacked me for expressing my opposition to the proposed construction and for attending the BZA hearings. When I told them to stop sending me harassing emails, they continued to copy me on emails in which they continued to attack me personally.

For the above stated reasons, I renew my opposition to the alley naming and any attendant construction project abutting the alley.

Thank you for reading my letter and for your consideration.

Sincerely,



Quynh Vu Bain

Tab B – Parking lot abutting subject alley is Lot 828. The abutting alley is narrow, approximately 10' to 12' wide. The alley is too narrow to permit cars parked in garages abutting the alley to maneuver in and out of those garages. Cars of employees of the Capitol Hill Suites Hotel are parked along the alley, too.





TAB C – During a 20-minute rain shower in August 2017, storm water from Lot 828 and abutting alley flowed downhill toward Third Street, where it collected along the sidewalk.



TAB D – Photo of Lot 828 before it was paved in 2016. The unpaved lot surface of crushed stone, pebbles, and gravel served as a drainage point for storm water run-off from abutting properties.





TAB E – Photos of the storm sewer underneath a 3' walkway abutting Lot 828. A broken sewer pipe jutting out from the underside of the parking lot has resulted in standing water collecting in the sewer under the walkway.



## 203 3RD STREET REAR SE WASHINGTON DC 20003

September 21, 2017

Phil Mendelson  
Council Chairman, Committee of the Whole  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

CC: Councilmember Charles Allen  
Chief of Staff, Laura Marks  
Senior Counsel, Nichole Opkins  
Committee & Legislative Director, Evan Cash  
Deputy Committee Director, Christina Setlow  
Legislative Counsel, Sydney Hawthorne

Dear Councilmember Mendelson,

We are writing you to express our complete support for Bill 22-336, officially designating the alley in Square 762, bounded by the 200 blocks of 2nd and 3rd Streets SE, and the 200 blocks of C Street and Pennsylvania Ave SE in Ward 6, as Lincoln Court.

As property owners (203 3rd Street REAR) who share this alley, it is clear that the vast majority of neighbors abutting this alley support the naming as Lincoln Court, as originally proposed by the DC Historic Preservation Office. The property in reference (203 3rd Street REAR) is residentially zoned, lives solely within the bounds of the alley, and does not have a postal address. A number of properties within the alley's bounds would benefit greatly from city services after the alley is formally named. With these municipal services comes a cleaner and safer environment for our neighbors and those who visit our location on a daily basis. We appreciate our neighbors' efforts in making the alley naming a reality and improving Ward 6.

Sincerely yours,



Joseph A. Englert  
203 3rd Street REAR  
Washington, DC 20003



James D. Silk  
203 3rd Street REAR  
Washington, DC 20003



## AM & EVE Corp T/A Capitol Lounge

202-547-2098 info@capitolloungedc.com 229-231 Pennsylvania Ave SE Washington DC 20003

September 21, 2017

Phil Mendelson  
Council Chairman, Committee of the Whole  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

CC: Councilmember Charles Allen  
Chief of Staff, Laura Marks  
Senior Counsel, Nichole Opkins  
Committee & Legislative Director, Evan Cash  
Deputy Committee Director, Christina Setlow  
Legislative Counsel, Sydney Hawthorne

Dear Councilmember Mendelson,

We are writing you to express our complete support for Bill 22-336, officially designating the alley in Square 762, bounded by the 200 blocks of 2nd and 3rd Streets SE, and the 200 blocks of C Street and Pennsylvania Ave SE in Ward 6, as Lincoln Court.

As business owners with 2 properties (229-231 Pennsylvania Ave SE) who share this alley, it is clear that the vast majority of neighbors abutting this alley support the naming as Lincoln Court, as originally proposed by the DC Historic Preservation Office. Capitol Lounge has been in business for 23 years, and in that time, we've experienced and navigated a public alley that has been completely neglected. A number of properties within the alley's bounds would benefit greatly from city services after the alley is formally named. With these municipal services comes a cleaner and safer environment for our neighbors and those who visit our location on a daily basis. We appreciate our neighbors' efforts in making the alley naming a reality and improving Ward 6.

Sincerely yours,

Joseph A. Englert  
Partner  
Capitol Lounge

James D. Silk  
Partner  
Capitol Lounge





921 Pennsylvania Avenue SE  
Washington, DC 20003-2141  
6B@anc.dc.gov

June 17, 2017

### **OFFICERS**

Chairperson  
*Chander Jayaraman*

Vice-Chair  
*Diane Hoskins*

Secretary  
*Daniel Ridge*

Treasurer  
*Nick Burger*

Parliamentarian  
*James Loots*

### **COMMISSIONERS**

SMD 01 Jennifer Samolyk  
SMD 02 Diane Hoskins  
SMD 03 James Loots  
SMD 04 Kirsten Oldenburg  
SMD 05 Steve Hagedorn  
SMD 06 Nick Burger  
SMD 07 Aimee Grace  
SMD 08 Chander Jayaraman  
SMD 09 Daniel Ridge  
SMD 10 Denise Krepp

The Honorable Charles Allen  
District of Columbia Ward 6 Councilmember  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Suite 110  
Washington DC 20004

VIA email to: Councilmember Charles Allen (callen@dccouncil.us)

RE: Request to Name the Court in Square 762

Dear Councilmember Allen:

At its regularly scheduled, properly noticed meeting on June 13, 2017, with a quorum of Commissioners present, Advisory Neighborhood Commission 6B (ANC 6B) voted 8-0-0 to support renaming the interior court of Square 762 as "Lincoln Court SE". Since ANC 6B's previous review of this case, a new and significant name option was presented by the Historic Preservation Office to the ANC which warranted reconsideration of the name options for this court. As such, we respectfully request that the letter dated May 10, 2017 be disregarded.

Square 762 is located between 2nd and 3rd Streets SE and between Pennsylvania Avenue and C Street SE on Capitol Hill. The proposed name is based on the fact that Lincoln School was located on Square 762 at the corner of 2nd and C Streets SE from 1871 until 1947. Lincoln School, a successor to the Little Ebenezer church school, was the first public school for African Americans in DC. While HPA presented "Ruppert Court" as a possible option, upon further discussion, ANC 6B ultimately voted to support the name "Lincoln Court" to more clearly memorialize the school.

The Commission requests that your office introduce this request to the DC Council as appropriate. For further information, please contact 6B01 Commissioner Jennifer Samolyk at jennifer6b01@anc6b.org or Commissioner Nick Burger, Chair of ANC 6B's Planning & Zoning Committee, at 6b06@anc.dc.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chander Jayaraman".

Chander Jayaraman  
Chairman, ANC 6B

cc:

*Director of DCRA, Melinda M. Bolling;  
Chief of Staff for CM Allen, Laura Marks;  
ANC Commissioners Jennifer Samolyk & Nick Burger  
Applicant*

7 A BILL  
8

9  
10 22-336  
11

12  
13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
14

15  
16  
17 To officially designate the public alley system within Square 762, which is bounded by 2<sup>nd</sup>  
18 Street, S.E., 3<sup>rd</sup> Street, S.E., C Street, S.E., and Pennsylvania Avenue, S.E., in Ward 6, as  
19 “Lincoln Court;” and to amend the National Capital Revitalization and Self-Government  
20 Improvement Act of 1997 to exempt one of the Council appointments from the residency  
21 requirements.  
22

23 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
24 act may be cited as the “Lincoln Court Designation Act of 2017”.

25 Sec. 2. Pursuant to sections 401, 403, and 421 of the Street and Alley Closing and  
26 Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official  
27 Code §§ 9-204.01, 9-204.03, and 9-204.21) (“Act”), the Council officially designates the public  
28 alley system within Square 762, which is bounded by 2<sup>nd</sup> Street, S.E., 3<sup>rd</sup> Street, S.E., C Street,  
29 S.E., and Pennsylvania Avenue, S.E., as shown on the Surveyor’s plat in the committee report  
30 for the Lincoln Court Designation Act of 2017, as approved by the Committee of the Whole on  
31 November 7, 2017 (Committee print of Bill 22-336), as “Lincoln Court”.

32 Sec. 3. Section 11201a(b)(2)(D) of the National Capital Revitalization and Self-  
33 Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C.  
34 Official Code § 24-101.01(b)(2)(D)), is amended by striking the phrase “District of Columbia”

and inserting the phrase “District of Columbia; provided, that one of the Council appointments may be a non-resident of the District.” in its place.

Sec. 4. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Mayor, the District Department of Transportation, and the Office of the Surveyor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(2)), and publication in the District of Columbia Register.