

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** All Councilmembers

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

**DATE:** March 7, 2023

**SUBJECT:** Report on Proposed Resolution 25-107, “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2023”

The Committee of the Whole, to which Proposed Resolution 25-107, the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2023” was referred, reports favorably thereon and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

On February 6, 2023, Proposed Resolution 25-107, the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2023” was introduced by Chairman Phil Mendelson at the request of the Mayor. PR 25-107 would close a portion of a public alley in Lots 16 and 17 of Square 4053, bounded by Raum Street, N.E., Montello Avenue, N.E., Mt. Olivet Road, N.E., and West Virginia Avenue, N.E., in Ward 5. The alley closure will facilitate the installation of a secure garage door for a private parking space behind 1728 Montello Avenue, N.E.

***Legal Background***

The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201 *et seq.*) (“Act”) establishes procedures for closing streets and alleys, opening new streets and alleys, naming public spaces, and other

procedures related to streets and alleys. The Act authorizes the Council to close all or part of a street or alley and establishes one standard for reviewing a street or alley closing application: whether the street or alley is determined by the Council to be needed for street or alley purposes. The Act also authorizes the Council to make approval of a street or alley closing contingent upon: (1) the dedication of land for street or alley purposes if the public interest would be served by such action; (2) the granting to the District of specific easements for public purposes; and (3) any other condition that the Council considers necessary.

Pursuant to the Act, street and alley closing applications are submitted to the Surveyor of the District of Columbia, who assigns a Surveyor's Order (S.O.) number and collects applicable fees. The Surveyor requests comments from executive branch agencies and public utilities. A plat is prepared, and the application is forwarded through the Mayor's Office of Policy and Legislative Affairs, which also solicits comments from executive branch agencies. When these reviews are completed, the application is transmitted to the Council in the form of a bill from the Mayor. Councilmembers may also initiate an alley or street closing by introducing a bill. In such cases, the Act provides that the Council cannot consider such a bill until the required reviews have been completed. Regarding PR 25-107, all of the reviews have been completed.

The Act establishes notice requirements for street and alley closing legislation. The Council is required to publish notice of a street or alley closing in the *District of Columbia Register*. Further, the applicant is required to give written notice to all property owners abutting the 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 PR 25-107, 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 right of the public to use the street or alley as a right-of-way typically ceases, and any proprietary interest of the District of Columbia in the street or alley ceases. If a closing plat shows an easement or dedication of land for public purposes, the land encompassed by the easement or dedication becomes available for the specified public purposes.

### ***Background Pertinent to PR 25-107***

PR 25-107 would close a portion of a public alley in Lots 16 and 17 of Square 4053. The closed portion would revert to the property owners at 1726 Montello Avenue, N.E., and 1728 Montello Avenue, N.E. The alley closure will facilitate the installation of a secure garage door for a private parking space behind 1728 Montello Avenue, N.E.

The portion of the public alley that will be closed is not used for transportation or other purposes. In fact, the property owners have been caring for their alley since they purchased their

homes.<sup>1</sup> According to testimony from the Surveyor, no Executive agencies or utilities have objections to the closure.

### ***Conclusion***

The Committee finds that the portion of the public alley in Lots 16 and 17 of Square 4053, as depicted on the attached Surveyor’s plat, is unnecessary for alley purposes. The closure will facilitate the installation of a secure garage door for a private parking space behind 1728 Montello Avenue, N.E. Accordingly, the Committee recommends approval of the Committee Print for PR 25-107.

## **II. LEGISLATIVE CHRONOLOGY**

- |                   |  |
|-------------------|--|
| October 17, 2022  | Proposed Resolution 24-995, the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022” is introduced by Chairman Mendelson at the request of the Mayor. |
| October 18, 2022  | PR 24-995 is “read” at a legislative meeting; on this date the referral of the bill to the Committee of the Whole is official.   |
| October 21, 2022  | Notice of Intent to Act on PR 24-995 is published in the <i>District of Columbia Register</i> .  |
| November 11, 2022 | Notice of a Public Hearing on PR 24-995 is published in the <i>District of Columbia Register</i> .   |
| November 18, 2022 | A revised Notice of a Public Hearing on PR 24-995 is published in the <i>District of Columbia Register</i> .   |
| December 2, 2022  | Another revised Notice of a Public Hearing on PR 24-995 is published in the <i>District of Columbia Register</i> .   |
| December 12, 2022 | The Committee of the Whole holds a public hearing on PR 24-995.  |
| February 6, 2023  | PR 25-107, the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2023” is introduced by Chairman Mendelson at the request of the Mayor.                  |
| February 7, 2023  | PR 25-107 is “read” at a legislative meeting; on this date the referral of the bill to the Committee of the Whole is official.   |
| February 10, 2023 | Notice of Intent to Act on PR 25-107 is published in the <i>District of Columbia Register</i> .  |
| March 7, 2023     | The Committee of the Whole marks-up PR 25-107.   |

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<sup>1</sup> Written Testimony of Catherine Willis, December 4, 2022.

### III. POSITION OF THE EXECUTIVE

PR 25-107 was introduced at the request of the Mayor. Dan Emerine, Manager of Policy and Legislative Affairs at the District Department of Transportation, testified at the Committee's public hearing on December 12, 2022 on behalf of Anna Chamberlin and the Executive. Ms. Chamberlin's testimony notes that the Department has no objections to the proposed alley closure, as it will not impact the overall transportation network or the remaining alley network.

Joseph Snider, D.C. Surveyor, testified at the Committee's public hearing on December 12, 2022. He stated that the purpose of PR 24-995 is to close a portion of a public alley in Square 4053 in Ward 5. Mr. Snider said that the most probable estimate of value for the public street being closed as of January 1, 2021 is estimated at \$72,510 (322 S.F. X \$255.18).

### IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

In a letter to the Surveyor dated January 13, 2022, ANC 5D noted that the Commission voted 7-0 to support the alley closing. The letter is attached.

### V. NATIONAL CAPITAL PLANNING COMMISSION REVIEW

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

### VI. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on several bills, including PR 24-995, which is identical to PR 25-107, on Monday, December 12, 2022. The testimony summarized below pertains to PR 24-995. Copies of all written testimony are attached to this report.

***Leila Batties, Holland & Knight***, testified as counsel to the owner/developer of the Sursum Corda site. Ms. Batties noted that Lot 901 was created and reverted to the National Park Service in 2016 with the closing of First Terrace. She said that the owner/developer has reached an agreement with NPS and DMPED to improve and maintain the site as a park.

***Joseph Snider, Surveyor of the District of Columbia***, testified to provide background on PR 24-995. His testimony is summarized in Section III.

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

The Committee received no testimony or comments in opposition to PR 24-995.

## VII. IMPACT ON EXISTING LAW

PR 25-107 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. The Committee finds that the requirements of the Act have been satisfied.

## VIII. FISCAL IMPACT

The attached (date) fiscal impact statement from the District’s Chief Financial Officer states that funds are sufficient in the FY 2023 through FY 2026 budget and financial plan to implement the bill.

## IX. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	Short title.
<u>Section 2</u>	(a) The Mayor proposes the closure of a portion of a public alley in Square 4053.  (b) The Council finds that the portion of the public alley to be closed is unnecessary for alley purposes and orders it closed.
<u>Section 3</u>	Standard fiscal impact statement provision.
<u>Section 4</u>	The resolution takes effect immediately.

## X. COMMITTEE ACTION

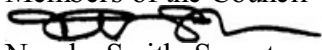
## **XI. ATTACHMENTS**

1. PR 25-107 as introduced.
2. Written Testimony.
3. NCPC Comments.
4. ANC 5D Letter.
5. Surveyor's Plat.
6. Fiscal Impact Statement for PR 25-107.
7. Legal Sufficiency Determination for PR 25-107.
8. Committee Print for PR 25-107.

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

Memorandum

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To : Members of the Council  
From :  Nyasha Smith, Secretary to the Council  
Date : Monday, February 6, 2023  
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Monday, February 06, 2023. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2023", PR25-0107

INTRODUCED BY: Chairman Mendelson, at the request of Mayor

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

Attachment  
cc: General Counsel  
Budget Director  
Legislative Services



**MURIEL BOWSER**  
**MAYOR**

February 6, 2023

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

Dear Chairman Mendelson:

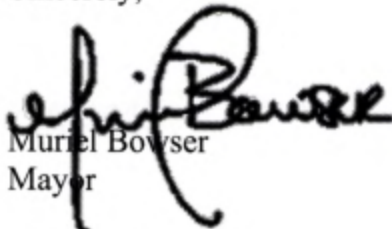
Enclosed for the consideration and approval by the Council of the District of Columbia is legislation entitled "Closing of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2023".

The purpose of the legislation is to approve the closure of a 10-foot wide portion of a public alley adjacent to lots 15, 16, 17 and 23 in Square 4053 to align the rear lot lines of Lots 16 and 17 with other lots in the square that front on Montello Avenue, NE. .

Pursuant to D.C. Official Code § 9-202.02(5) the application for closure of the portion of the alley was referred to Advisory Neighborhood Commission (ANC) 5D on December 1, 2021. In a letter dated January 13, 2022, ANC 5D stated that it had voted 7-0 to provide no comment on this application. Pursuant to D.C. Official Code § 9-202.02(3) the application was referred to the National Capital Planning Commission (NCPC) on December 1, 2021. In a letter dated December 29, 2021, NCPC stated that the proposed closure is exempt from Commission review.

I urge the Council's prompt and favorable consideration of this legislation.

Sincerely,

  
Muriel Bowser  
Mayor

Enclosures





Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the closure of a portion of a public alley in Square 4053 in Northeast Washington, D.C., in Ward 5, as shown on the Surveyor's plat filed under S.O. 22-00410.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2023".

Sec. 2. Pursuant to sections 201 and 202 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 and 202.02), the Mayor has proposed the closure of a portion of a public alley in Square 4053 as shown on the Surveyor's plat filed under S.O. 22-00410.

Sec. 3. The Council finds that the portion of the alley proposed to be closed is unnecessary for alley purposes.

Sec. 4. The Council approves the alley closure proposed in S.O. 22-00410, with title to the land to vest as shown on the Surveyor's plat, contingent upon the satisfaction of all the conditions set forth in the official S.O. 22-00410 file.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its approval, to the Surveyor of the District of Columbia and the District of Columbia Recorder of Deeds.

29           Sec. 6. Fiscal impact statement.

30           The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
31 impact statement required by Section 4a of the General Legislative Procedures Act of 1975,  
32 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code §1-301-47a).

33           Sec. 7. Effective date.

34           This resolution shall take effect immediately.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Attorney General**

**ATTORNEY GENERAL**  
**BRIAN L. SCHWALB**



**Commercial Division**

**MEMORANDUM**

**TO: Kelly Watson**  
**Office of Policy & Legislative Affairs**

**FROM: Maximilian L.S. Tondro, Chief**  
**Equitable Land Use Section**

**SUBJECT: Legal sufficiency review of a draft resolution to close a portion of a public alley in Square 4053, as shown in the Surveyor's plat in S.O. 22-00410, with reversions**

**DATE: January 30, 2023**

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This Office has reviewed the attached proposed resolution entitled "Proposed Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Resolution of 2023" and found it to be legally sufficient.

The owner of Lot 16 in Square 4053 submitted an application to the Office of the Surveyor of the District of Columbia (the "Surveyor") on October 18, 2021, together with a letter of support from the owners of two of the three other lots abutting the proposed alley closing (Lots 15 and 17 in Square 4053), to:

- Close a 10-foot portion of a public alley in Square 4053 bordering Lots 15, 16, 17 and 23.

The Surveyor drew a plat depicting the proposed alley closing and created a file (S.O. 22-00410) for the relevant documents.

Pursuant to Section 202 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Official Code § 9-202.02), the Surveyor sent notice of the proposed alley closure to:

- The National Capital Planning Commission ("NCPC") on December 1, 2021;
- The Historic Preservation Review Board ("HPRB") on December 1, 2021;
- Advisory Neighborhood Commission ("ANC") 5D, in which district the proposed alley closure is located on December 1, 2021; and
- The owners of properties abutting the proposed alley closure on January 27, 2022 (Lots 15, 17, and 23 are the only abutting lots not owned by the applicant).

ANC 5D submitted a January 13, 2022, report to the Surveyor stating that at a January 11, 2022, duly-notice public meeting the ANC voted to issue no comment on the proposed alley closing in Square 4053.

The District Department of Transportation ("DDOT") submitted a January 7, 2022, report stating that DDOT had no objections to the proposed closing of the portion of the alley in Square 4053 because the alley remaining after the closure would still be ten-feet-wide.

The Fire and Emergency Services Department (“FEMS”) submitted a December 17, 2021, letter to the Surveyor stating that FEMS has no objections to the proposed closing of the portion of the alley in Square 4053.

The District’s State Historic Preservation Office submitted a December 16, 2021, report to the Surveyor stating that the proposed alley closure is exempt from HPRB review because it is not a street located in the L’Enfant Street Plan.

The Office of Planning (“OP”) submitted a January 6, 2022, report to the Surveyor stating that OP has no objections to the proposed closing of the portion of the alley in Square 4053.

The Department of Public Works’ Solid Waste Management Administration (“SWMA”) submitted a January 12, 2022, letter to the Surveyor stating that SWMA has no objections to the proposed closing of the portion of the alley in Square 4053.

NCPC submitted a December 29, 2021, report stating that NCPC determined that the proposed closing of a portion of the alley in Square 4053 is exempt from NCPC review.

The District of Columbia Water and Sewer Authority (DC Water) submitted a January 4, 2022, letter stating that DC Water has no facilities in the portion of the alley in Square 4053 proposed to be closed and therefore has no objections to this proposal provided that surface from the closed portion of the alley is accommodated.

Verizon submitted a December 2, 2021, report to the Surveyor stating that Verizon had removed its telephone plant in the portion of the alley in Square 4053 proposed to be closed and therefore has no objections to this proposal.

Pepco submitted a December 1, 2021, report to the Surveyor stating that Pepco has no facilities in the portion of the alley in Square 4053 proposed to be closed and therefore has no objections to this proposal.

Washington Gas submitted a January 5, 2022, report to the Surveyor stating that Washington Gas has no facilities in the portion of the alley in Square 4053 proposed to be closed and therefore approves this proposal.

The Office of the Chief Financial Officer (“OFCO”) submitted a February 9, 2022, Fiscal Impact Statement for S.O. 22-00410 determining that funds were sufficient in the District’s Fiscal Year 2022 through Fiscal Year 2025 budget to implement the proposed alley closing.

Pursuant to the request of the Surveyor, I am forwarding the legislative package to you for review by the Mayor and submission to the Council. If you have any questions concerning the legal sufficiency of the legislation, please contact me at 724-6657. Questions concerning the S.O. 22-00410 file should be directed to the Surveyor, Joseph Snider, at 442-4699.

/s/ Maximilian L.S. Tondro  
Assistant Attorney General

January 30, 2023

Attachments:

- Draft Resolution - Proposed Closing of a portion of a Public Alley in Square 4053, bounded by Montello Avenue, N.E., S.O. 22-00410, Resolution of 2023
- October 12, 2021, letter in support from three of four abutting neighbors (Lots 15, 16, and 17)
- Surveyor's January 27, 2022, notice to owner of remaining abutter (Lot 23)
- Surveyor's Plat depicting proposed alley closing for S.O. 22-00410, with proposed reversions
- ANC 5D – January 13, 2022, letter stating no comment
- HPRB – December 16, 2021, letter stating no comment as the proposed transfer of jurisdiction does not involve the closure of a L'Enfant Street plan
- FEMS – December 17, 2021, letter stating no objection
- OP – January 6, 2022, letter stating no objection
- DDOT – January 7, 2022, letter of no objection
- DPW – January 12, 2022, letter stating no objections
- NCPC – December 29, 2021, letter stating the proposed alley closure was exempt from NCPC review
- Pepco – December 1, 2021, letter stating no objection
- Washington Gas – January 5, 2022, letter stating approval
- Verizon – December 2, 2021, letter stating no objection
- DC Water – January 4, 2022, letter stating no objection provided that surface runoff from the closed portion of the alley is accommodated
- OCFO – February 9, 2022, Fiscal Impact Statement for S.O. 22-00410
  - February 1, 2022, Assessed Land Value for S.O. 22-00410

cc: Megan Browder, Deputy Attorney General  
Legal Counsel Division  
Office of the Attorney General

Joseph Snider, Surveyor for the District of Columbia  
Department of Consumer and Regulatory Affairs

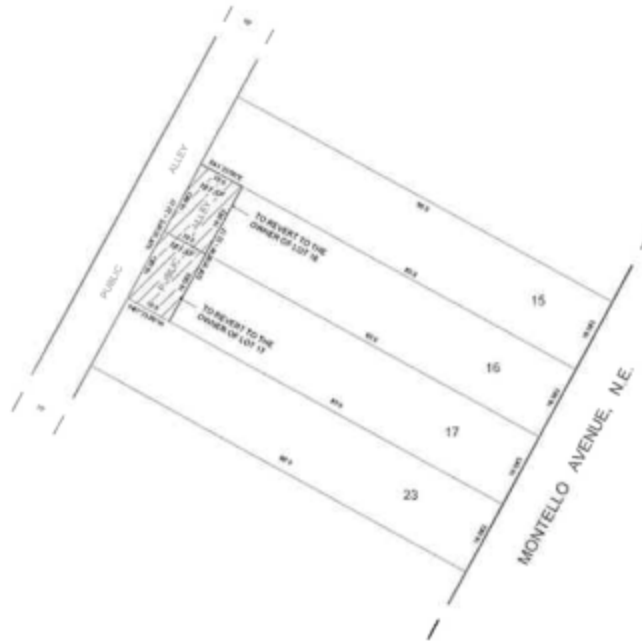
**PUBLIC ALLEY CLOSED  
SQUARE 4053**

PURSUANT TO D.C. LAW \_\_\_\_\_ EFFECTIVE \_\_\_\_\_  
THE ALLEY SHOWN THEREIN IS CLOSED AND TITLE HEREBY  
AS SHOWN UPON RECORDATION OF THIS PLAT.

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

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED

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



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

Name for: CATERINA GIOVANNI BILLO

Drawn by: J.R.S. Entered by: J.M. [Signature]

Recorded by: 3, 2023

Received by: \_\_\_\_\_ Page: 28/30/2023

Scale: 1 inch = 10 feet

2023-PLAT-10-000000-0000-0000-0000



Government of the District of Columbia  
Department of Consumer and Regulatory Affairs

**Permit Operations Division  
Office of the Surveyor**

**NOTICE OF AN OPPORTUNITY TO SUBMIT COMMENTS ON  
THE PROPOSED MODIFICATION OF THE PLAT OF THE  
PERMANENT SYSTEM OF HIGHWAYS**

TO: Adam C. Powell  
1724 Montello Avenue, NE  
Washington, D.C. 20002-7821

January 27, 2022  
File No. S.O. 22-00410

An application has been filed in the Office of the Surveyor to close a 10' wide public alley in Square 4053. Attached is a copy of the Surveyor's Office Plat showing the proposed modification filed under S.O. 22-00410.

This notice is required pursuant to Section 9-101.06 of the D.C. Official Code because you are an owner of land within the square in which, or adjacent to which, the proposed alley will be closed. Comments may be submitted to the Office of the Surveyor at the address given below. All comments will be forwarded to the Council of the District of Columbia. If comments are not received within 30-days of this referral, an assumption will be made that you have none.

For further information, you may contact Diana Dorsey Hill, Program Specialist via email at [diana.dorsey@dc.gov](mailto:diana.dorsey@dc.gov) or via phone at (202) 442-4984 (office) or (202) 718-8166 (cell) between the hours of 8:30 a.m., and 4:45 p.m.

Sincerely,

Joseph E. Snider  
Surveyor, DC

**Square(s): 4053**

**Lot(s): 23**



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

Surveyor's Office File No. 22-00410

10/18/2021

Date

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

Location

Street(s)

Name: N/A

Abutting Squares: N/A

Portion to be closed/dedicated: N/A

**AS PER SKETCH ATTACHED**

Alley(s)

Name: Montello Ave NE

Abutting Squares: 4053

Portion to be closed/dedicated.: 10 ft onto Lot 16 & 17 to match to other lot lines

**AS PER SKETCH ATTACHED**

This application is made by:

Catherine Stewart Willis

919-519-2425

Applicant's Name (print)

Telephone Number

1728 Montello Ave NE, Washington, DC 20002

Address

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

Approved via eSignature  
*Catherine Stewart Willis*  
Key: 00455011070044230007102200017

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**







Government of the District of Columbia  
Advisory Neighborhood Commission 5D Resolution

Advisory Neighborhood Commission 5D  
371 Morse St. NE  
Washington, DC 20002

January 13, 2022

Office of the Surveyor  
1100 4th Street S.W.  
Washington, DC 20024

Deputy D.C. Surveyor Snider:

Advisory Neighborhood Commission 5D has no comment on the proposed closing of a Public Alley in Square 4053 – S.O. 22-00410 of Montello Ave. NE.

This letter from the Advisory Neighborhood Commission serves as notice of our review pursuant to § 9-202.02(5) of the District of Columbia Official Code. P

This letter presented by Commissioner Saucedo-Guzman came before ANC 5D at a duly noticed public meeting on January 11, 2022. ANC 5D is composed of 7 Commissioners such that 4 Commissioners constitute a quorum. With 7 Commissioners present, ANC5D voted 7 (Yea) 0 (Nay) 0 (Abstain).

Respectfully,

**Comm. A. Sydelle Moore**  
Chairperson, ANC 5D

**Comm. Sabrena Rhodes**  
Secretary, ANC 5D



**MEMORANDUM**


**TO:** Joseph E. Snider, Office of the Surveyor

**SUBJECT:** Proposed Closure of an Alley in Square 4053; (S.O. 22-00410)

**DATE:** December 16, 2021

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

**BY:**

  
C. Andrew Lewis  
Senior Historic Preservation Specialist  
DC State Historic Preservation Office

22-0135

# Government of the District of Columbia

## Department of Transportation



### d. Planning and Sustainability Division

#### MEMORANDUM

**TO:** Joseph Snider  
DC Surveyor  
Office of the Surveyor

**FROM:** Anna Chamberlin, AICP  
Associate Director

A handwritten signature in blue ink, appearing to be 'A', is placed to the right of the 'FROM:' line.

**DATE:** January 7, 2022

**SUBJECT:** S.O. No. 22-00410 – Partial Alley Closure in Square 4053

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The District Department of Transportation (DDOT) has reviewed the submitted materials for the proposed action. This memorandum provides DDOT's assessment of the proposal.

#### OVERVIEW

Catherine Stewart Willis (the "Applicant") seeks to close a 10-foot strip of alleyway behind two (2) single family homes in Square 4053 (Lots 16 and 17) on Montello Avenue NE. The closure will allow Lots 16 and 17 to install a secure garage door for a private parking space. The site is bounded by West Virginia Avenue to the north, Raum Street to the east, Mount Olivet Road to the west, and Montello Avenue to the south.

#### OPERATIONS

There is currently a 10-foot public alley that runs from Raum Street to Mount Olivet Road NE behind the subject properties. However, directly behind Lots 16 and 17 the alley widens to 20-feet at the two properties. Closure of the 10-foot section as proposed would not impact alley operations as the remaining 10-foot alley would continue to function as it does throughout the rest of the alley network. DDOT has determined that there is not a transportation need for the 10-foot strip of surplus alley right-of-way behind Lots 16 and 17.

The proposed closure is shown in Figure 1 and the current conditions in figure 2 below.

Figure 1 | Draft Alley Closure Plat from the Office of the Surveyor

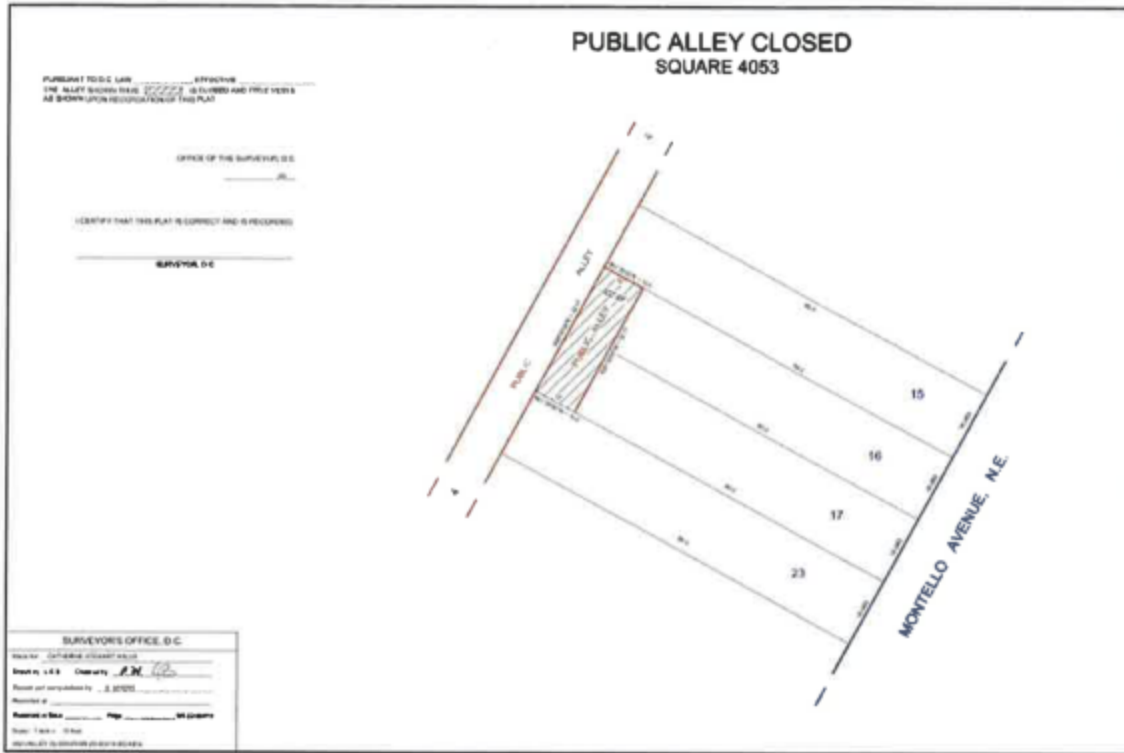


Figure 2 | Current Conditions from Google Streetview



**DDOT ASSETS**

DDOT requires Applicants compensate the District for the removal of existing DDOT assets in the subject closure area. Through this review, it was confirmed that DDOT does not have any assets located in the proposed right-of-way closure.

**RECOMMENDATION**

DDOT has no objection to the proposed closure of the 10-foot strip of alleyway behind Lots 16 and 17 in Square 4053, as proposed. The proposed closure will have no impact on the overall transportation network or remaining alley network.

AC:sm



**MEMORANDUM**

**TO:** Joseph E. Snider, RLS, D.C. Surveyor  
Office of the Surveyor

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

**DATE:** January 6, 2022

**SUBJECT:** SO 22-00410  
Proposed Partial Closing of a Public Alley in Square 4053

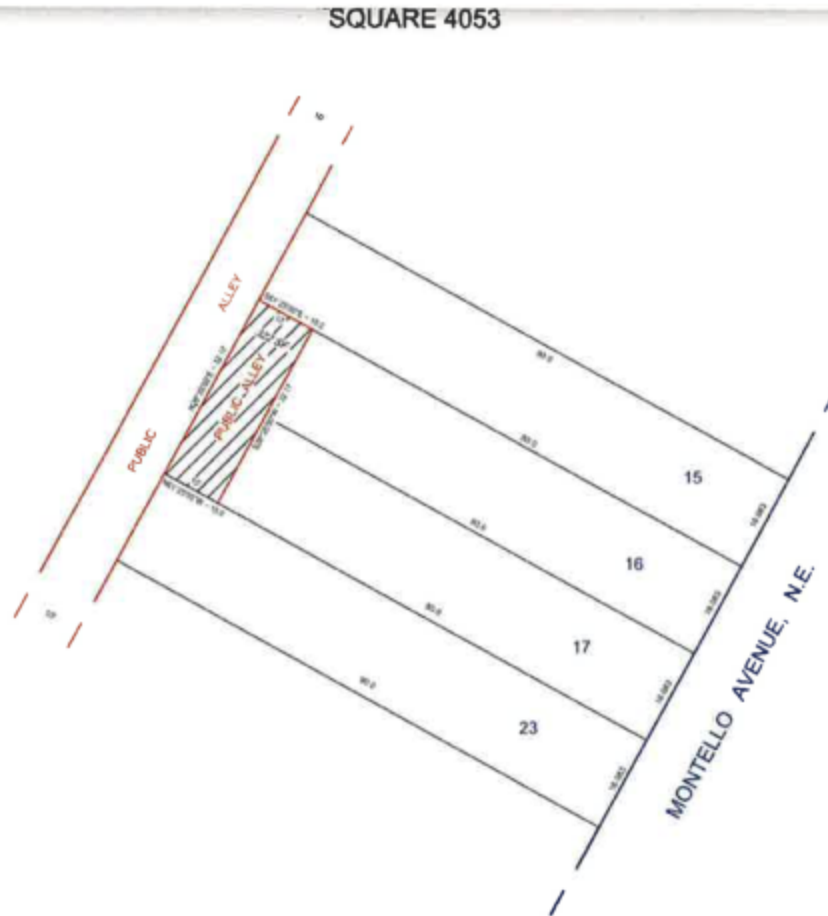
**I. RECOMMENDATION**

The Office of Planning (OP) has completed its review of the application for the requested partial alley closing and **has no objection** to this request.

**II. SITE DESCRIPTION**

Address	1726 and 1728 Montello Avenue NE
Applicant	Catherine Stewart Willis
Legal Description	Square 4053, Lots 16 and 17
Ward / ANC	5 / 5D
Zone	The RF-1 zone (Lot 17) provides for areas predominantly developed with row houses on small lots within which no more than two (2) dwelling units are permitted by right.  The MU-4 zone (Lot 16) permits moderate-density mixed-use development.
Historic District	N/A
Comprehensive Plan Generalized Future Land Use and Policy Map Designation	Future Land Use Map – Moderate Density Residential Policy Map – Neighborhood Conservation Area The proposal is not inconsistent with this designation.
Comprehensive Plan	The proposal to close this small portion of an existing alley system would be not inconsistent with various objectives of the Comprehensive Plan, including ones in the Land Use and Transportation Citywide Elements and the Upper Northeast Area Element of the Comprehensive Plan.

**III. PROPOSAL**



Request:	To close a portion of an alley at the rear of Lots 16 and 17 in Square 4053, as shown in the map above, where the alley widens for the width of these two lots.
Description:	The request is to close 10 feet width of the alley located in Square 4053 and revert the area to the adjoining property owners at 1726 and 1728 Montello Avenue NE as shown above. The area would become part of Lots 16 and 17.
Size:	The portion of the alley to be closed is 321.66 square feet in area with a width of 16.083 feet for each lot.
Adjacent Ownership:	Lot 15 – Daisy Wroten Lot 23 – Adam Powell
Proposed Development:	The portion of the alley to be closed would be reverted to adjoining property owners, and would become part of their rear yards. Both of these properties are currently in residential use and no development proposal for either lot has been provided.



## IV. 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). Relevant objectives, as contained within the Comprehensive Plan, include:

#### Land Use Element

§310.8 Policy LU-2.2.7: Alley Use

*Discourage the conversion of alleys into 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....*

The proposal to close a portion of the alley and revert the property to the adjoining residences at 1726 and 1728 Montello Avenue NE would not appear to result in the loss of intended function for garage access or as a service area for trash collection. A full alley system through the block and connecting to the streets is maintained.

#### Urban Design Element

*Policy UD-1.1.2: Reinforcing L’Enfant’s 1791 Plan for the City of Washington and Olmsted Highway Plans*

*Preserve and reinforce the Plan of the City of Washington, and Olmsted Highway plans to maintain the District’s unique and historic character, such as the grand avenues and connections to nature. This policy should be achieved through a variety of urban design measures, including restoration of previously closed streets, appropriate building placement, view preservation, enhancement of L’Enfant Plan reservations (green spaces), limits on street and alley closings and the siting of new monuments and memorials in locations of visual prominence. Restore obstructed view corridors and vistas, where contributing to a historic resource where possible. 903.10*

The proposed closure of the alley would not have any impact on the historic L’Enfant street grid or the historic character of the neighborhood.

*Policy UD-1.1.8: Community Life in Alleys*

*Promote the use of the historic alleyway systems as multipurpose spaces that meet utilitarian needs and can provide additional housing, support community life, and use approaches such as green alley treatments, and controlled vehicular access. Strongly discourage the closure of alleyways for whole block development. 903.18*

The proposed closure of this small portion of the alley should not impact the utilitarian need that the current alley serves, and would have not significant impact on development or development potential on the block.

### B. Housing Linkage

#### *IM-3.4 Commercial Linkage 2514*

*The housing linkage objective requires applicants who obtain an increase of nonresidential square footage -- as a result of ... obtaining a discretionary street or alley closing --to produce housing or*

*contribute funds to the HPTF. The amount based on a formula tied to the amount or value of the additional square footage obtained. 2514.1*

No Housing Linkage would be required for alley closing request that would result in land area being reverted to the adjoining residential property owner on Lot 17 for open space or yard since that property is zoned for residential use only.

However, the adjacent property at Lot 16 is zoned MU-4, which is a moderate density mixed use zone that allows a maximum of 2.5 FAR, of which no more than 1.5 FAR can be non-residential. The alley closing would slightly increase the size of the existing private lot and therefore would correspondingly increase the potential amount of commercial building square footage, should the property be redeveloped in the future. In this case, the site on that lot is used as residential and is part of an established series of residential rowhouses, each under separate ownership. Redevelopment of that property to a commercial or even a mixed use building that would utilize this relatively small amount of additional commercial density is not anticipated. Rather, the application states that the space would remain open space added to the existing rear yards, so would not result in commercial development that would trigger a HPTF contribution.

### **C. 24 DCMR Chapter 14 Requirements**

The street or alley closing regulations require submission of a plan so that reviewing agencies can determine the potential impact of the requested closing. 24 DCMR §1400.8 requires the plan to cover items including:

- (f) *The approximate gross floor areas intended for various uses such as retail, office, residential, industrial, and commercial;*
- (g) *The points of ingress and egress that vehicles will use for parking or loading purposes;*
- (h) *The location of off-street parking spaces and their number and size;*
- (i) *The location and size of loading and unloading facilities such as berths, docks, and platforms;*
- (j) *Tracking diagram for the maximum size trucks intended to use the loading and unloading facilities;*
- (k) *Elevation views for each side of any building proposed for the site.*

The alley closing request would result in land area being reverted to adjoining property owners for open space as part of existing rear yards.



Government of the District of Columbia  
Fire and Emergency Medical Services Department



John A. Donnelly, Sr.  
Fire and EMS Chief

FIRE PREVENTION DIVISION

MEMORANDUM

TO: Joseph E. Snider  
Office of Surveyor

FROM: Spencer A. Hamm  
DCFEMS / Fire Marshal's Office

DATE: December 17, 2021

RE: Surveyor's Office File No. 22-00410

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This written correspondence is being forwarded to your office to address the proposed closing of a public alley in Square 4053 that was submitted to DCFEMS Office of the Fire Marshal for review.

Based on our review DCFEMS Office of the Fire Marshal has no objection to this closing of a public alley in Square 4053. However, the applicant is to ensure that all other fire department access and service feature requirements are in accordance with DCMR 12-H Fire Code Supplement, 2017 edition, and the International Fire Code, 2015 edition.

If you have any questions or concerns, please do not hesitate to contact my office at (202) 727-1614.

Sincerely,

Spencer A. Hamm  
BFC/ Assistant Fire Marshal  
DCFEMS – Fire Marshal's Office

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Frank D. Reeves Municipal Center  
2000 14th Street, NW, Suite 500  
Washington, DC 20009



phone: (202) 673-3320  
facsimile: (202) 462-0807  
website: [fems.dc.gov](http://fems.dc.gov)

IN REPLY REFER TO:  
NCPC File No. 8335

December 29, 2021

Joseph Snider  
District of Columbia Department of Consumer and Regulatory Affairs, Office of the Surveyor  
1100 4th Street, SW  
Washington, DC 20024

Re: 8335 (Proposed Closing of a Public Alley in Square 4053 - S.O. 22-00410)

Dear Mr. Snider:

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

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

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

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

Sincerely,

*Diane Sullivan*

Diane Sullivan  
Director, Urban Design and Plan Review

Network Engineering  
OPPE MD/DC



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

Dec. 2nd, 2021  
Mr. Joseph E. Snider  
Office of the Surveyor  
1100 4<sup>th</sup> Street SW.  
Washington, D.C. 20024

RE: Proposed Closing of a Public Alley in Square 4053 S.O 22-00410

Dear Mr. Dreist:

In reference to your letter dated Dec. 1st, 2021 which relates to S.O. File No. 22-00410

The telephone plant has been removed in this area.

Verizon Washington D.C. Inc. does not object to this Proposed Closing of a Public Street.  
Very truly yours,

Kenneth Young  
Engineer, Outside Plant Engineering, WSAM

GIV/Kdy

A handwritten signature in cursive script that reads "Kenny Young".

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



January 4, 2022

Mr. Joseph Snider  
D.C. Surveyor  
Department of Consumer and Regulatory Affairs  
Office of the Surveyor  
1100 4<sup>th</sup> St, S.W., 3<sup>rd</sup> Floor  
Washington, DC 20024

Subject: Street/Alley Opening/Closing Application **S.O. 22-00410**

Dear Mr. Snider:

The District of Columbia Water and Sewer Authority (DC Water) is in receipt of the application and plat(s) you forwarded to us for comments on **December 1, 2021** regarding **S.O. 22-00410**. DC Water does not currently operate or maintain any facilities located within the subject area. Therefore, as long as surface drainage of the street(s) and alley(s) is accommodated, DC Water has no objections to the proposed street/alley openings/closings requested in **S.O. 22-00410**.

If you have any questions, I can be reached at the contact information listed below.

Regards,

A handwritten signature in black ink, appearing to read "K Harney", is written over a light blue horizontal line.

Kevin Harney  
Easement and Covenant Coordinator  
District of Columbia Water and Sewer Authority  
1100 4th Street, SW Suite #310  
Washington, DC 20024  
202-646-8627 Office  
202-646-8628 Fax  
kevin.harney@dcwater.com  
DC Water - Water is Life!

District of Columbia Office  
3400 Benning Road, NE  
Washington, DC 20019  
202-331-6237

pepco.com

December 1st, 2021

Mr. Joseph E. Snider  
Department of Consumer & Regulatory Affairs  
Office of the Surveyor for the District of Columbia  
1100 4th Street, SW, Third Floor  
Washington, DC 20024

Re: SO 22-00410  
Alley Closing Square 4053

Dear Mr. Snider:

In response to your Memorandum concerning the subject proposed closing of public alley for square 4053 S.O. 22-00410 we comment as follows:

We have reviewed the documents showing the proposed closing of public alley square 4053 and have determined Pepco has no facilities in this area. Pepco has no objections to the proposed closing

Sincerely,



Derek Moody  
Supervisor Designers  
Phone: 202-428-1379  
Email: demood@pepco.com



6801 Industrial Road  
Springfield, Virginia 22151

January 5, 2022

Mr. Joseph E. Snider  
Office of the Surveyor  
1100 4<sup>th</sup> Street, S.W., Room E320  
Washington, D.C. 20024

Re: Proposed Closing of a Public Alley in Square 4053, S.O. – 22-00410

Dear Mr. Snider,

Our consultant, EN Engineering, has reviewed the proposed public alley closure in the subject location detailed in the attachments to the subject application filed by Catherine Stewart Willis. After reviewing the area, it has been determined that Washington Gas does not have active natural gas facilities within the limits of the proposed alley closure which will be impacted by this proposal. Washington Gas approves the public alley closure at this location.

Should you have any questions or concerns regarding these facilities, you may contact, **Brian Switalski** at:

**EN Engineering (ENE)**  
811 Pinnacle Drive, Suite Q  
Linthicum Heights, Maryland 21090  
[bswitalski@enengineering.com](mailto:bswitalski@enengineering.com)  
Office (410) 525-4165  
Fax (630) 353-7777

Sincerely,

*Jonathan Honey*

Jonathan Honey  
Washington Gas  
System Replacement Engineer  
JHoney@washgas.com  
Office: 703-750-4732





Government of the District of Columbia  
Department of Consumer and Regulatory Affairs

*February 1, 2022*

**MEMORANDUM**

TO: Eugene Clindinin, Supervisory Appraiser,  
OTR/RPTA/RPAD

FROM: Joseph E. Snider  
Surveyor, DC

A handwritten signature in black ink, appearing to read "J.E. Snider", is written over the printed name of the sender.

SUBJECT: Request for Assessed Land Values - S.O. 22-00410

Please provide the assessed value for the following closings:

**S.O. 22-00410 - 322 s.f.**

This information will be included in the testimony at the public hearings before the City Council. It would be greatly appreciated if we can receive this information as soon as possible. Attached for your information is a copy of the plat(s) for the affected closings.

If you have any concerns or questions, please feel free to contact Diana Dorsey Hill at [diana.dorsey@dc.gov](mailto:diana.dorsey@dc.gov). As always, thank you for your assistance.

Attachment(s)



Government of the District of Columbia  
Department of Consumer and Regulatory Affairs  
Office of the Surveyor

February 14, 2022

**MEMORANDUM**

**TO:** Maximilian Tondro, Chief  
Land Use Section, Commercial Division  
Office of the Attorney General for the District of Columbia

**FROM:** Joseph E. Snider  
Surveyor, DC

A handwritten signature in black ink, appearing to read "J.E. Snider", is written over the printed name of the sender.

**SUBJECT:** Proposed Closing of a Public Alley in Square 4053 – S.O. 22-00410

Please review the attached draft legislation for legal sufficiency. Also attached for your information is the file for this application.

Upon completion of the review, please forward to the Council of the District of Columbia. If the file needs to be amended by the applicant, please return the file and any comments to the Office of the Surveyor.

Attachments

## Committee of the Whole (Council)

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**From:** [REDACTED]  
**Sent:** Sunday, December 4, 2022 4:13 AM  
**To:** Committee of the Whole (Council)  
**Subject:** Written Testimony of Catherine Willis for PR 24-995, Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410

### Written Testimony of Catherine Willis

My name is Catherine Willis. My husband, Daniel, and I own our house located at [REDACTED], in Ward 5. We live there full time. I purchased the property in March 2015. On December 12, 2022, I testify before the Committee of the Whole on “PR 24-995, Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022.” This resolution would order the closing of a 10-foot-wide portion of a public alley adjacent to lots 15, 16, and 17 in Square 4053 to allow for installation of a secure garage door for a private parking space behind 1728 Montello Ave NE. Also in attendance today is our neighbor, Randa Rasheed, owner of [REDACTED]. Our homes at 1728 and 1726 are those directly impacted by this application. Daniel and I have submitted the application with the full support and partnership of our neighbor Randa.

Enclosing this portion of the alley to our lots would allow us to legally have security structures in the back (fencing, etc.) to protect the rear of our properties. We have been caring for this portion of the alley as our own property, including litter removal and lawn trimming since moving into our home.

In his review, the DC Surveyor found no historical reason as to why the property lines jut in for our two lots compared to all others on the block. We have received the full support of our ANC, the Surveyors Office, and received no concerns from any city stakeholders.

We have also been heartened by the backing of our neighbors and community. We have spoken to the surrounding neighbors about our application. And as the Committee may know, on January 11, 2022, we received the unanimous endorsement of ANC 5D (a vote of 7-0).

Finally, for purposes of the record, it is important to note that we feel enclosure of this portion of the alleyway will enable us to better secure our property and prevent crime. Because of its somewhat hidden nature, this portion of the alleyway has been frequently used for illicit drug and prostitution use as well as human defecation. I hope that our ability to enclose the rear of our property will better help keep my family safe and healthy.

My husband and I appreciate your consideration and strongly urge you to adopt “PR 24-995, Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410.” I appreciate the opportunity to testify on December 12, 2022 and to submit this written testimony in advance. Please feel free to contact us with any questions. Thank you.

Catherine Willis  
[REDACTED]  
Washington, DC 20002

## Committee of the Whole (Council)

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**From:** [REDACTED]  
**Sent:** Friday, December 23, 2022 12:12 AM  
**To:** Committee of the Whole (Council)  
**Cc:** Catherine Willis  
**Subject:** Written Testimony of Elizabeth Boylan for PR 24-995, Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410

### Written Testimony of Elizabeth Boylan

My name is ELIZABETH BOYLAN. My husband, PATRICK, and I own our house located at [REDACTED], in Ward 5. We live there full time. We purchased the property in December 2018. On December 12, 2022, our neighbor Catherine Willis testified before the Committee of the Whole on “PR 24-995, Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022.” This resolution would order the closing of a 10-foot-wide portion of a public alley adjacent to lots 15, 16, and 17 in Square 4053 to allow for installation of a secure garage door for a private parking space behind 1728 Montello Ave NE. Also in attendance today is our neighbor, Randa Rasheed, owner of [REDACTED]. Our neighbors at 1728 and 1726 are those directly impacted by this application. The Willis's submitted the application with the full support and partnership of our neighbor Randa.

Enclosing this portion of the alley of their lots would allow for all of us to feel safer and it would allow them to legally have security structures in the back (fencing, etc.) to protect the rear of our properties. They have been caring for this portion of the alley as our own property, including litter removal and lawn trimming since moving into our home. I have witnessed Daniel spend countless hours removing debris, spare screws/nails, and broken glass and waste of all kinds.

In the review, the DC Surveyor found no historical reason as to why the property lines jut in for our neighbors' lots compared to all others on the block. They have received the full support of our ANC, the Surveyors Office, and received no concerns from any city stakeholders.

Finally, for purposes of the record, it is important to note that the enclosure of this portion of the alleyway will enable our neighbors to better secure our property and prevent crime. Because of its somewhat hidden nature, this portion of the alleyway has **been frequently used for illicit drug and prostitution use as well as human defication**. The police have chased down a shooter from a crime scene who ran down our alley and sought to hide in the hidden area behind these properties, then they jumped the fence. On a regular basis, we see people **hide in this space to deal drugs and other illegal activities**. It would make all of us feel safer if the fence line can be properly extended and secure.

Please allow them the ability to enclose the rear of their property to better keep our families safe and healthy.

We appreciate your consideration and strongly urge you to adopt “PR 24-995, Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410.” Please feel free to contact us with any questions and solutions on other ways to secure our homes from the illicit activities going unprosecuted in our alleyways. Thank you.

ELIZABETH BOYLAN  
[REDACTED]  
Washington, DC 20002

## Committee of the Whole (Council)

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**From:** [REDACTED]  
**Sent:** Tuesday, December 13, 2022 10:32 AM  
**To:** Committee of the Whole (Council)  
**Cc:** Neighbor Catherine Willis  
**Subject:** Support of 10 feet Alley Closure

Honorable DC Council

This transmission is being sent in support of my neighbor Catherine Willis who resides 1728 Montello Avenue NE, Washington DC, 20002, Ward 5.

Ms. Willis is seeking approval  
PR 24-995, Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution 2022.

I whole heartedly support and ask of the council to support and approve as so stated above.

Should you require additional information, please contact me on 202-409-7524.

Rosetta Davis,  
Native Washingtonian,  
Former Ward 5 Commissioner  
Advocate for Building Back Better Ward 5, Trinidad Community.

This message is being generated from a small hand-held device, excuse the typos.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF BUILDINGS**



Public Hearing

**Bill 24-578, “Dedication of a Portion of W Street, S.E., S.O. 16-24322, Act of 2021”**

**PR 24-733, “Removal of a Portion of 26<sup>th</sup> Street, N.W., from the Plan of the Permanent System of Highways of the District of Columbia, S.O. 21-02601, Approval Resolution of 2022”**

**PR 24-994, “Closing of a Portion of Moreland Street, N.W., and Removal of the Associated Building Restriction Line, S.O. 21-05063, Approval Resolution of 2022”**

**PR 24-995, “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022”**

**Bill 24-1022, “Reed Street Realignment, S.O. 22-01115, Act of 2022”**

**Bill 24-1026, “Closing of a Portion of Half Street, S.W., Adjacent to Square 660, S.O. 19-4660, Act of 2022”**

Testimony of  
Joseph Snider

Surveyor of the District of Columbia  
Department of Buildings

Before the Committee of the Whole  
Council of the District of Columbia  
The Honorable Phil Mendelson, Chairman

December 12, 2022  
12:30 p.m.

**Via Virtual Platform**

## **Introduction**

Good afternoon, Chairman Mendelson, councilmembers, and staff. I am Joseph Snider, Surveyor of the District of Columbia Department of Buildings (DOB). I appear before you today to testify regarding Bill 24-578, “Dedication of a Portion of W Street, S.E., S.O. 16-24322, Act of 2021”; PR 24-733, “Removal of a Portion of 26<sup>th</sup> Street, N.E., from the Plan of the Permanent System of Highways of the District of Columbia, S.O. 21-02601, Approval Resolution of 2022”; PR 24-994, “Closing of a Portion of Moreland Street, N.W., and the Removal of the Associated Building Restriction Line, S.O. 21-05063, Approval Resolution of 2022”; PR 24-995, “Closing of a Portion of a Public Alley in Square in 4053, S.O. 22-00410, Approval Resolution of 2022”; Bill 24-1022, “Reed Street Realignment, S.O. 22-01115, Act of 2022”; and Bill 24-1026, “Closing of a Portion of Half Street, S.W., Adjacent to Square 660, S.O. 19-4660, Act of 2022”.

### **Bill 24-578, “Dedication of a Portion of W Street, S.E., S.O. 16-24322, Act of 2021”**

Bill 24-578, “Dedication of a Portion of W Street, S.E., S.O. 16-24322, Act of 2021”, was introduced by Councilmember Trayon White. The purpose of this bill is to widen a portion of W Street, S.E., between Railroad Avenue, S.E. and Shannon Place, S.E., by establishing a non-restrictive easement to the District of Columbia for the rights to that portion of the private property located adjacent to W Street, S.E. in Square 5784.

The applicant for this application is Four Points, LLC, who is represented by Holland and Knight. Pursuant to D.C. Official Code § 9-202.02(2), the Office of the Surveyor notified the relevant Executive Branch agencies of this application on September 25, 2018, and received no objections.

Pursuant to D.C. Official Code § 9-202.02(3), the Surveyor’s Office notified the National Capital Planning Commission, (NCPC) of this application on September 25, 2018. In a letter dated

October 22, 2018, NCPC staff determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) of NCPC's submission guidelines. In particular, the project meets the requirements of Exception 8, which includes street and alley closings located outside of the boundary of the L'Enfant City. NCPC determined the proposal met the following conditions: 1) the street or alley is not adjacent to federal property; 2) the street or alley does not provide access to a federal property or affect other federal interests. The project was made available for public review on the NCPC website, and no comments were received.

Lastly, and in accordance with D.C. Official Code § 9-202.02(5), Advisory Neighborhood Commission (ANC) 8A was notified of this application on September 25, 2018. The Office of the Surveyor did not receive any comments from ANC 8A.

**PR 24-733, "Removal of a Portion of 26<sup>th</sup> Street, N.E., from the Plan of the Permanent System of Highways of the District of Columbia, S.O. 21-02601, Approval Resolution of 2022"**

PR 24-733, "Removal of a Portion of 26<sup>th</sup> Street, N.E., from the Plan of the Permanent System of Highways of the District of Columbia, S.O. 21-02601, Approval Resolution of 2022," was introduced by Chairman Mendelson at the request of the Mayor. The purpose of this bill is to approve the removal of a 45-foot-wide portion of 26<sup>th</sup> Street, N.E., along the east line of Lot 805 in Square 4396 and Lot 812 in Square 4408 from the Plan of the Permanent System of Highways for the District of Columbia.

The applicant for this application is the D.C. Department of General Services who is represented by Cozen O'Connor. The Office of the Surveyor notified the relevant Executive Branch agencies on March 17, 2021. They did not object to the application. Notification of the utility companies is not required.



Pursuant to D.C. Official Code § 9-202.02(3), the Surveyor's Office notified NCPC of this application on March 17, 2021. In a letter dated May 10, 2021, NCPC approved the highway plan amendment for this application.

Finally, and pursuant to D.C. Official Code § 9-202.02(5), the Office of the Surveyor notified ANC 5C of the application on March 17, 2021. In a letter dated June 16, 2021, ANC 5C expressed support for this application.

**PR 24-994, "Closing of a Portion of Moreland Street, N.W., and the Removal of the Associated Building Restriction Line, S.O. 21-05063, Approval Resolution of 2022".**

PR 24-994, "Closing of a Portion of Moreland Street, N.W., and the Removal of the Associated Building Restriction Line, S.O. 21-05063, Approval Resolution of 2022" was introduced by Chairman Mendelson at the request of the Mayor. The purpose of this bill is to approve the closing of Moreland Street, N.W., and the removal of the associated building restriction line. The bill will also vest title in the closed portion of Moreland Street, N.W., in the adjacent landowners as shown on the Surveyor's Office's plat.

The portion of Moreland Street, N.W., abutting Squares 2307, 2308 and 2314, was created by subdivisions shown in the records of the Office of the Surveyor in Subdivision Book 107 on page 187, recorded December 13, 1937; Book 114 on page 30, recorded April 3, 1940; and Book 141 on page 40, recorded May 18, 1961. Title to the closed street could not be determined to be held by the District of Columbia or the United States. The most probable estimate of value as January 1, 2021, which represents tax year 2022, for the portion of Moreland Street, N.W. to be closed, in Squares 2307, 2308 and 2314 is \$1,610,810.00 (28.821 S.F. x \$55.89 estimated square foot).

The applicant for this application is John Hurvitz of the Moreland Street Closure Project. The Office of the Surveyor notified the relevant Executive Branch agencies and utility companies of this application on July 27, 2021. Neither the Executive Branch agencies nor the utility companies objected to this application.

Pursuant to D.C. Official Code § 9-202-02(3), the Office of the Surveyor notified the NCPC of the application on July 27, 2021. In a letter dated August 12, 2021, NCPC staff determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) for NCPC's submission guidelines. Specifically, the project meets the requirements of Exception 8, which includes street and alley closings located outside of the boundary of the L'Enfant City under the following conditions: 1) the street or alley is not adjacent to federal property; 2) the street or alley does not provide access to a federal property or affect other federal interests. The project was made available for public review on the NCPC website, and no comments were received.

Finally, and in accordance with D.C. Official Code § 9-202-02(5), the Office of the Surveyor notified ANC 3/4G of the application on July 27, 2021. In a letter dated November 1, 2021, ANC 3/4G expressed support for this application.

**PR 24-995, "Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022"**

PR 24-995, "Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022" was introduced by Chairman Mendelson at the request of the Mayor. The purpose of this resolution is to approve the closure of a portion of a public alley in Square 4053 in Northeast Washington, D.C. in Ward 5.

The portion of the public alley was created by a subdivision shown in the records of the Office of the Surveyor in Subdivision Book County 11, on page 96, recorded August 13, 1897. Title to the closed alley could not be determined to be held by the District of Columbia or the United States. The most probable estimate of value as of January 1, 2021, which represents tax year 2022, for the public alley closed in Squares 4053 is \$72,510 (322 S.F. x \$255.18634 estimated square foot).

The applicant for this closing is Catherine Stewart Wills. The Office of the Surveyor notified the relevant Executive Branch agencies and utility companies of this application on December 1, 2021. They had no objections to the application.

Pursuant to D.C. Official Code § 9-202.02(3), the Office of the Surveyor notified NCPC of the application on December 1, 2021. In a letter dated December 12, 2021, NCPC staff determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) for NCPC's submission guidelines. In particular, the project meets the requirements of Exception 8, which includes street and alley closing located outside of the boundary of the L'Enfant City under the following conditions: 1) the street or alley is not adjacent to federal property; 2) the street or alley does not provide access to a federal property or affect other federal interests. The project was made available for public review on the NCPC website, and no comments were received.

Pursuant to D.C. Official Code § 9-202.02(5), the Office of Surveyor also notified ANC 5D of the application on December 1, 2021. In a letter dated January 13, 2022, ANC 5D expressed support for this application.

**Bill 24-1022, "Reed Street Realignment, S.O. 22-01115, Act of 2022"**

Bill 24-1022, “Reed Street Realignment, S.O. 22-01115, Act of 2022” was introduced by Councilmember McDuffie. The purpose of the bill is to close a portion of an existing public alley system in Squares 3841 and 3846, to order the closing of a 10-foot wide portion along the south side of Franklin Street, N.E., between Reed Street, N.E., and 10<sup>th</sup> Street, N.E., and to accept the dedication of property in Squares 3841 and 3846 along the west and east sides of Reed Street, N.E., between Channing Place, N.E., and Franklin Street, N.E., for public street purposes.

The portions of public alley in Square 3841 were created by subdivisions shown in the records of the Office of the Surveyor in Subdivision Book 76, on page 25, recorded November 14, 1924; Book 123, on page 62, recorded February 21, 1947; Book 126 on page 100 (abuts Square 3846), recorded June 15, 1948; and Book 130 on page 190, recorded June 5, 1950. Title to the closed street and alleys could not be determined to be held by the District of Columbia or the United States.

The most probable estimate of value as of January 1, 2022, which represents tax year 2023 for the land dedication of Squares 3846 and 3841 and the closings of portions of Franklin Street, N.E. and Reed Street, N.E. and Square 3841 Alley is \$1,990,870. The estimate is explained as follows.

- \$1,024,070 (17,632 S.F. X \$58.08 estimated square foot) for the portion to be closed.

Street closing \$669,140 (11,521 S.F. X \$58.08) Alley closings \$354,930 (6,111 S.F. X \$58.08)

- \$ 966,800 (16,646 S.F. X \$58.08 estimated square foot) for the portion to be dedicated.

The estimate is rounded and based on the prevailing adjusted rate of adjacent Lots 38, 825, 829, 832 and 833 of Squares 3841 and Lots 82, 846, 856 and 859 of Square 3846.

The applicant is Hanover R.S. Limited Partnership who is represented by Holland and Knight. The Office of the Surveyor notified the relevant Executive Branch agencies and the utility companies of this application on March 15, 2022. In a letter dated March 28, 2022, DC Water objected to this application indicating that they have facilities located within the proposed street/alley closing area. In a letter dated March 28, 2022, the District of Columbia Fire and Emergency Medical Services Department (FEMS) indicated that they have no objection to the realignment of Reed Street, however, the clearance of 20 feet must be maintained. FEMS does not, however, support the closing of the public alley as the closing of the alley would prohibit vital access of their emergency apparatuses. To date, we have not received comments from the District Department of Transportation (DDOT). Any comments will be forwarded upon receipt. The remaining Executive Branch agencies and utility companies have no objection.

Pursuant to D.C. Official Code § 9-202-02(3), the Office of the Surveyor notified the NCPC of the application on March 25, 2022. In a letter dated April 27, 2022, NCPC staff determined that the proposed project falls under an exception listed in Chapter 8 (Exceptions and Project Changes) for NCPC's submission guidelines. In particular, the project meets the requirements of Exception 8, which includes street and alley closings located outside of the boundary of the L'Enfant City under the following conditions: 1) the street or alley is not adjacent to federal property; 2) the street or alley does not provide access to a federal property or affect other federal interests. The project was made available for public review on the NCPC website, and no comments were received.

Lastly, pursuant to D.C. Official Code § 9-202-02(5), the Office of the Surveyor notified ANC 5B of the application on March 25, 2022. In a letter dated May 26, 2022, ANC 5B expressed support for this application.

**Bill 24-1026, “Closing of a Portion of Half Street, S.W., Adjacent to Square 660, S.O. 19-4660, Act of 2022”**

Bill 24-1026, “Closing of a Portion of Half Street, S.W., Adjacent to Square 660, S.O. 19-4660, Act of 2022” was introduced by Councilmember Allen. The purpose of this bill is to order the closing of a portion of Half Street, S.W., adjacent to Lot 12 in Square 660 in Ward 6.

The portion of Half Street, S.W. was dedicated by a subdivision shown in the records of the D.C. Surveyor in Subdivision Book 100 on page 78, recorded February 4, 1935. Title to the portion of Half Street, S.W. could not be determined to be held by the District of Columbia or the United States.

The most probable estimate of value as of January 1, 2021, which represents tax year 2022, for the public street closed in Square 660 is \$263,540 (889 S.F. x \$296.45 estimated square feet rate). The estimate is round and based on neighboring lot 12 in Square 660.

The applicant for this application is Stewart Investment Company who is represented by Goulston & Storrs. The Office of the Surveyor notified the relevant Executive Branch agencies and utility companies for this application were sent on April 3, 2019 and again on December 1, 2021, to request updated comments. In a letter dated February 8, 2022, DDOT had no objections to the right-of-way closure and elimination from the DC Highway Plan with the following conditions:

- The closure plat will not be recorded until the Office of the Surveyor has been notified in writing by the DDOT Director that construction vehicles have permanently vacated the staging area;

- The applicant will be responsible for all costs to remove or relocate the Pepco utility vault from the portion of right-of-way to be closed; and
- The elimination from the DC Highway Plan will apply to the 889 square foot segment to be closed and not the entirety of Half Street, S.W. or any other adjacent street.

The remaining Executive Branch agencies and utility companies did not object to the application.

Pursuant to D.C. Official Code § 9-202.02(3), the Office of the Surveyor notified NCPC of the application on December 1, 2021. In a letter dated December 13, 2021, NCPC found that the proposed closing of a portion of a right-of-way in Square 660, located in Southwest Washington, D.C., would not be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital nor would it adversely affect any other federal interests.

Lastly, and in accordance with D.C. Official Code § 9-202-02(5), the Office of the Surveyor notified ANC 6D of the application on December 1, 2021. In a letter dated July 18, 2022, ANC 6D expressed support for this application.

### **Conclusion**

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

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



Public Hearing on

Bill 24-578, the “Dedication of a Portion of W Street, SE, S.O. 16-24322 Act of 2021”

PR 24-733, the “Removal of a Portion of 26th Street, N.E., from the Plan of the Permanent System of Highways of the District of Columbia Approval Resolution of 2022”

PR 24-994, the “Closing of a Portion of Moreland Street, N.W., and the Removal of the Associated Building Restriction Line, S.O. 21-05063, Approval Resolution of 2022”

PR 24-995, the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022”

Bill 24-1022, the “Reed Street Realignment Act of 2022”

Bill 24-1026, the “Closing of a Portion of Half Street, S.W., Adjacent to Square 660 Act of 2022”

Bill 24-1102, the “Howard East Towers Alley Closing and Street Dedication Act of 2022”

Bill 24-1103, the “Union Court Alley Closing and Public Safety Improvement Act of 2022”

Bill 24-892, the “Bishop Groover Way Designation Act of 2022”

Bill 24-1025, the “Allen Y. Lew Place Designation Act of 2022”

Bill 24-1032, the “Benjamin Secundy, Sr. Way Designation Act of 2022”

Bill 24-1057, the “Woodson Way Designation Act of 2022”

Bill 24-1058, the “Davon T. McNeal, III Way Designation Act of 2022”

Bill 24-1061, the “Wooten Court Designation Act of 2022”

Bill 24-1062, the “Cassandra S. Pinkney Way Designation Act of 2022”

Bill 24-1087, the “Makiyah Wilson Way Designation Act of 2022”

Bill 24-1090, the “William Dorsey Swann Way Designation Act of 2022”





Bill 24-1093, the “Sam ‘The Man’ Burns Way Designation Act of 2022”  
B24-1101, the “Xi Omega Way Designation Act of 2022”

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

Before the  
Committee of the Whole  
Council of the District of Columbia

Monday, December 12, 2022  
11:00 a.m.

Live via Zoom Video Conference Broadcast  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004

Good morning, Chairman Mendelson, members of the Council, staff, and District residents. My name is Anna Chamberlin, Associate Director of the Planning and Sustainability Division at the District Department of Transportation, commonly referred to as DDOT. I am here today to present testimony on behalf of Mayor Muriel Bowser and DDOT Director Everett Lott regarding the following sixteen bills and three proposed resolutions:

- Bill 24-578, the “Dedication of a Portion of W Street, SE, S.O. 16-24322 Act of 2021”;
- Proposed Resolution 24-733, the “Removal of a Portion of 26th Street, N.E., from the Plan of the Permanent System of Highways of the District of Columbia Approval Resolution of 2022”;
- Proposed Resolution 24-994, the “Closing of a Portion of Moreland Street, N.W., and the Removal of the Associated Building Restriction Line, S.O. 21-05063, Approval Resolution of 2022”;
- Proposed Resolution 24-995, the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022”;
- Bill 24-1022, the “Reed Street Realignment Act of 2022”;
- Bill 24-1026, the “Closing of a Portion of Half Street, S.W., Adjacent to Square 660 Act of 2022”;

- Bill 24-1102, the “Howard East Towers Alley Closing and Street Dedication Act of 2022”;
- Bill 24-1103, the “Union Court Alley Closing and Public Safety Improvement Act of 2022”;
- Bill 24-892, the “Bishop Groover Way Designation Act of 2022”;
- Bill 24-1025, the “Allen Y. Lew Place Designation Act of 2022”;
- Bill 24-1032, the “Benjamin Secundy, Sr. Way Designation Act of 2022”;
- Bill 24-1057, the “Woodson Way Designation Act of 2022”;
- Bill 24-1058, the “Davon T. McNeal, III Way Designation Act of 2022”;
- Bill 24-1061, the “Wooten Court Designation Act of 2022”;
- Bill 24-1062, the “Cassandra S. Pinkney Way Designation Act of 2022”;
- Bill 24-1087, the “Makiyah Wilson Way Designation Act of 2022”;
- Bill 24-1090, the “William Dorsey Swann Way Designation Act of 2022”;
- Bill 24-1093, the “Sam ‘The Man’ Burns Way Designation Act of 2022; and
- Bill 24-1101, the “Xi Omega Way Designation Act of 2022”.

The stated purpose of **Bill 24-578**, the “Dedication of a Portion of W Street, S.E., S.O. 16-24322 Act of 2021,” is to order the widening of a portion of W Street, S.E., between Railroad Avenue, S.E. to the northwest and Shannon Place, S.E. to the southeast, and to provide for the establishment of a non-exclusive easement to the District of Columbia for the surface rights to that portion of private

property located adjacent to W Street, S.E. in Square 5784. DDOT filed a report with the Office of the Surveyor on December 27, 2018, related to S.O. No. 16-24322. DDOT has no objection to the public access easement identified in the proposed easement area under the condition that the Office of Surveyor update the official plat to remove the term “surface” from both the title and block of text in the upper left corner. The easement should be non-restrictive rather than a surface easement.

The stated purpose of **Proposed Resolution 24-733**, the “Removal of a Portion of 26th Street, N.E., from the Plan of the Permanent System of Highways of the District of Columbia Approval Resolution of 2022,” is to approve the removal of a 45-foot wide portion of 26th Street, N.E., along the east lot line of Lot 812 in Square 4408 and Lot 805 in Square 4396 from the Plan of the Permanent System of Highways of the District of Columbia. DDOT filed a report with the Office of the Surveyor on April 19, 2021, related to S.O. No. 21-02601. DDOT has no objection to the elimination of the segment of Rand Place, N.E. from the DC Highway Plan as identified. This segment does not have a future transportation need.

The stated purpose of **Proposed Resolution 24-994**, the “Closing of a Portion of Moreland Street, N.W., and the Removal of the Associated Building Restriction Line, S.O. 21-05063, Approval Resolution of 2022,” is to approve the

closing of a portion of Moreland Street, N.W., and the removal of the associated building restriction line, as shown on the Surveyor’s plat in S.O, 21-05063, and to vest title in the closed portion of Moreland Street, N.W., in the adjacent landowners. DDOT filed a report with the Office of the Surveyor on October 7, 2021, related to S.O. No. 21-05063. DDOT has no objection to the proposed closure of unbuilt Moreland Street, N.W. and removal of the Building Restriction Line (BRL) on Square 2307, Lot 31. DDOT requests that the BRL removal only occurs in conjunction with right-of-way closure. If the closure is not approved by Council, the BRL should remain in effect to allow for future sidewalks.

The stated purpose of **Proposed Resolution 24-995**, the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-00410, Approval Resolution of 2022,” is to approve the closure of a portion of a public alley in Square 4053 in Northeast Washington, D.C., in Ward 5, as shown on the Surveyor’s plat filed under S.O. 22-00410. DDOT filed a report with the Office of the Surveyor on January 7, 2022, related to S.O. No. 22-00410. DDOT has no objection to the proposed closure of the 10-foot strip of alleyway behind Lots 16 and 17 in Square 4053, as proposed. The proposed closure will have no impact on the overall transportation network or remaining alley network.

The stated purpose of **Bill 24-1022**, the “Reed Street Realignment Act of 2022” is to order the closing of portions of an existing public alley system in

Squares 3841 and 3846; to order the closing of a 10-foot wide portion along the south side of Franklin Street, N.E., between Reed Street, N.E. and 10th Street, N.E., and to accept the dedication of property in Squares 3841 and 3846 along the west and east sides of Reed Street, N.E., between Channing Place, N.E. and Franklin Street, N.E., for public street purposes. DDOT filed a report with the Office of the Surveyor on December 1, 2022, related to S.O. No. 22-01115. The agency has no objection as long as the following conditions are satisfied:

- The Applicant must enter into a Horizontal Public Use Agreement (HPUA) with DDOT and record it with the Recorder of Deeds to provide:
  - the forgoing conditions have been satisfied; and
  - that the public space improvements in the public right-of-way and subject to a Transportation Online Permitting System (TOPS) permit have been constructed to DDOT standards and specifications; and
  - that all statutory warranties have been provided; and
  - DDOT has agreed to accept the public space improvements.
- The Applicant must reach an agreement with the Urban Forestry Division's (UFD) Ward Arborist regarding the disposition of the large tree at the western fence line of 900 Evarts Street, N.E. and, specifically, whether the tree should be removed;

- Prior to issuance of the building permit for the first building within the Planned Unit Development (PUD), the Applicant shall prepare and submit a traffic signal warrant analysis for the intersection of Franklin Street and Reed Street, N.E. to DDOT’s Transportation Engineering and Safety Division (TESD) for review and approval;
  - If approved by TESSD, the Applicant shall complete an Memorandum of Agreement with DDOT and then design, fund, and install the traffic signal prior to issuance of the first Certificate of Occupancy for the first building within the PUD; and
- The Applicant must compensate DDOT in the amount of \$3,387.20 for the streetlights in the existing alley network.

The stated purpose of **Bill 24-1026**, the “Closing of a Portion of Half Street, S.W., Adjacent to Square 660 Act of 2022,” is to order the closing of a portion of Half Street, S.W., adjacent to Lot 12 in Square 660, in 19 Ward 6. DDOT filed a report with the Office of the Surveyor on February 8, 2022, related to S.O. No. 19-46610. DDOT has determined that there will no longer be a transportation need for the 889 SF of Half Street, S.W. right-of-way once DDOT construction vehicles have vacated the staging area. As such, DDOT has no objection to the right-of-way closure and elimination from the DC Highway Plan with the following conditions:

- The closure plat will not be recorded until the Office of Surveyor has been notified in writing by the DDOT Director that construction vehicles have permanently vacated the staging area;
- The Applicant will be responsible for all costs to remove or relocate the Pepco utility vault from the portion of right-of-way to be closed; and
- The elimination from the DC Highway Plan will apply only to the 889 square foot segment to be closed, not the entirety of Half Street, S.W. or any other adjacent street.

The stated purpose of **Bill 24-1102**, the “Howard East Towers Alley Closing and Street Dedication Act of 2022,” is to order the closing of a portion of an alley in Square 2873 abutting Lots 1106 and 1112 in Ward 1, to establish a 25-foot wide building restriction line on the closed alley area, and to dedicate a portion of Lot 1112 for public street purposes. DDOT filed an initial report with the Office of the Surveyor on September 22, 2022, related to S.O. No. 22-03181. While DDOT objected to the dedication and alley closure as then-proposed, DDOT filed a supplemental report on December 1, 2022, indicating that it was supportive of the now-proposed closures and dedication under the condition that:

- The Applicant coordinates with the Urban Forestry Division’s (UFD) Ward Arborist and submit a Special Tree Permit (STP) for the removal of the Bradford Pear tree;



- The Applicant establishes a Building Restriction Line (BRL) on the portion of the alley fronting W Street, N.W.;
- Prior to the closure of the alley, the Applicant records in the Recorder of Deeds a public access easement approved by DDOT for the portion of the Property to be used as Bryant Street, N.W. and constructs the transportation improvements within the public access easement, including a 7-foot sidewalk, a 4-foot tree box, and two-way travel lanes consistent with DDOT standards and specifications; and
- Prior to the closure of the alley, the Applicant must record in the Recorder of Deeds an easement for the 8th and 9th Street, N.W. sidewalks in a form approved by DDOT. The easement shall encumber the portion of the Property to be improved by an 8-foot sidewalk and a 5-foot treebox subject to public space permitting. The Applicant shall be responsible for maintenance of the sidewalk and tree boxes until DDOT has accepted them.

The stated purpose of **Bill 24-1103**, the “Union Court Alley Closing and Public Safety Improvement Act of 2022,” is to order the closing of a portion of an alley in Square 358 abutting Lots 53, 54, 55, 56, 60, 61, and 803 in Ward 1.

DDOT has not yet been asked to evaluate the impacts and identify DDOT assets, as there is not an associated Surveyor's Order that has been referred to DDOT. As such, DDOT objects to the closure until this evaluation can take place and the

Surveyor's Order can be filed and referred to DDOT. The agency would also like to note that since no Surveyor's Order has been filed, utility companies have also not had the opportunity to review the proposed closure.

I will now discuss the bills related to official and symbolic street and alley namings. The stated purpose of **Bill 24-892** is to *symbolically* designate the 700 Block of Quebec Place, N.W., in Ward 1, as *Bishop Clarence Groover, Sr. Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 700 Block of Quebec Place, N.W. In fiscal terms, the cost of each installed sign for this designation is approximately \$190 (\$65 for sign fabrication and \$125 for sign installation). Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 24-1025** is to *officially* designate the 700 and 800 blocks of Mount Vernon Place, N.W., as *Allen Y. Lew Place*. For visualization purposes, I have attached to this testimony a copy of the plat of the designated blocks. Sufficient signage requires four total signs, totaling \$760.

The stated purpose of **Bill 24-1032** is to *symbolically* designate the 1500 block of Channing Street, N.E., in Ward 5, as *Benjamin Secundy, Sr. Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 1500 block of Channing Street, N.E. Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 24-1057** is to *symbolically* designate the 500 block of 55<sup>th</sup> Street, N.E., as *Woodson Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 500 block of 55<sup>th</sup> Street, N.E. Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 24-1058** is to *symbolically* designate the street known as 1400 Cedar Street, S.E., in Ward 8, as *Davon T. McNeal, III Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting 1400 Cedar Street, S.E. Sufficient signage requires one sign as there is only one entrance to the street, totaling \$190.

The stated purpose of **Bill 24-1061** is to *officially* designate the public alley system within Square 3562, bounded by 3<sup>rd</sup> Street, N.E., W Street, N.E., 4<sup>th</sup> Street N.E., and V Street, N.E., in Ward 5, as *Wooten Court*. For visualization purposes, I have attached to this testimony a copy of the plat of the designated alley system. Sufficient signage requires five total signs, totaling \$950.

The stated purpose of **Bill 24-1062** is to *symbolically* designate the portion of 10<sup>th</sup> Place, S.E. in Squares 5933, 5934, 5938, and 5939 between Mississippi Avenue, S.E. and Savannah Street, S.E., as *Cassandra S. Pinkney Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the portion of 10<sup>th</sup> Place, S.E. described in the bill. Sufficient signage requires four total signs, totaling \$760.

The stated purpose of **Bill 24-1087** is to *symbolically* designate the 300 block of 53<sup>rd</sup> Street, N.E., as *Makiyah Wilson Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 300 block of 53<sup>rd</sup> Street, N.E. Sufficient signage requires four total signs, totaling \$760.

The stated purpose of **Bill 24-1090** is to *symbolically* designate Swann Street, N.W., between 14th Street, N.W., and 19th Street, N.W., in Ward 2, as *William Dorsey Swann Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the street described in the bill. Sufficient signage requires eleven total signs, totaling \$2,090.

The stated purpose of **Bill 24-1093** is to *symbolically* designate 18th Street, N.W., between M Street, N.W., and N Street, N.W., in Ward 2, as *Sam “The Man” Burns Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the street described in the bill. Sufficient signage requires six total signs, totaling \$1,140.

The stated purpose of **Bill 24-1101** is to *symbolically* designate 14<sup>th</sup> Street, N.W., between Allison Street, N.W. and Arkansas Avenue, N.W., in Ward 4, as *Xi Omega Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the street described in the bill. Sufficient signage requires four total signs, totaling \$760.

DDOT can absorb the costs of these signs within its current budget and does not foresee any operational impact these official and symbolic namings would have on the District's transportation network. Therefore, the Administration has no objection to these street and alley namings, and DDOT stands ready to assist the Council and all other stakeholders with any ceremonial unveiling activities that may materialize as a result of these bills being passed.

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

IN REPLY REFER TO:  
NCPC File No. 8335

December 29, 2021

Joseph Snider  
District of Columbia Department of Consumer and Regulatory Affairs, Office of the Surveyor  
1100 4th Street, SW  
Washington, DC 20024

Re: 8335 (Proposed Closing of a Public Alley in Square 4053 - S.O. 22-00410)

Dear Mr. Snider:

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

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

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

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

Sincerely,

*Diane Sullivan*

Diane Sullivan  
Director, Urban Design and Plan Review



Government of the District of Columbia  
Advisory Neighborhood Commission 5D Resolution

Advisory Neighborhood Commission 5D

371 Morse St. NE  
Washington, DC 20002

January 13, 2022

Office of the Surveyor  
1100 4th Street S.W.  
Washington, DC 20024

Deputy D.C. Surveyor Snider:

Advisory Neighborhood Commission 5D has no comment on the proposed closing of a Public Alley in Square 4053 – S.O. 22-00410 of Montello Ave. NE.

This letter from the Advisory Neighborhood Commission serves as notice of our review pursuant to §9-202.02(5) of the District of Columbia Official Code. P

This letter presented by Commissioner Saucedo-Guzman came before ANC 5D at a duly noticed public meeting on January 11, 2022. ANC 5D is composed of 7 Commissioners such that 4 Commissioners constitute a quorum. With 7 Commissioners present, ANC5D voted 7 (Yea) 0 (Nay) 0 (Abstain).

Respectfully,

**Comm. A. Sydelle Moore**  
Chairperson, ANC 5D

**Comm. Sabrena Rhodes**  
Secretary, ANC 5D

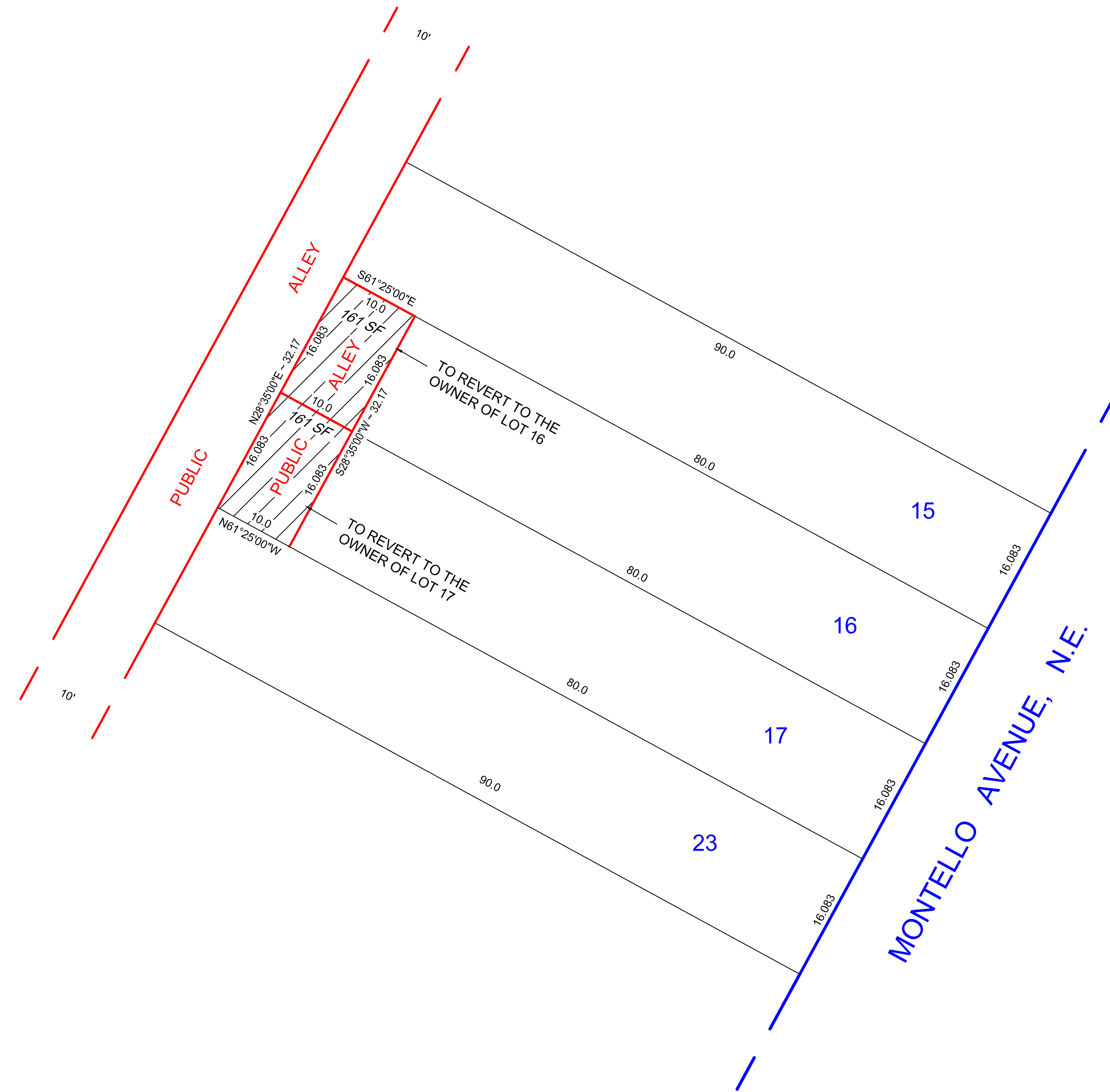
# PUBLIC ALLEY CLOSED SQUARE 4053

PURSUANT TO D.C. LAW \_\_\_\_\_, EFFECTIVE \_\_\_\_\_  
 THE ALLEY SHOWN THUS: IS CLOSED AND TITLE VESTS  
 AS SHOWN UPON RECORDATION OF THIS PLAT.

OFFICE OF THE SURVEYOR, D.C.  
 \_\_\_\_\_, 20\_\_

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

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



SURVEYOR'S OFFICE, D.C.	
Made for: CATHERINE STEWART WILLIS	
Drawn by: L.E.S.	Checked by: <i>BM AB</i>
Record and computations by: B. MYERS	
Recorded at: _____	
Recorded in Book _____	Page _____ SR-22-00410
Scale: 1 inch = 10 feet	
2021/ALLEY CLOSING/SR-22-00410-SQ.4053	



1 **DRAFT RESOLUTION**  
2 **Committee of the Whole**  
3 **PR 25-107**  
4 **March 7, 2023**

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7  
8 A PROPOSED RESOLUTION

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11  
12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
13  
14

15  
16 To approve the closure of a portion of a public alley in Square 4053 in Northeast Washington,  
17 D.C., in Ward 5, as shown on the Surveyor’s plat filed under S.O. 22-0410.

18  
19 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
20 resolution may be cited as the “Closing of a Portion of a Public Alley in Square 4053, S.O. 22-  
21 00410, Approval Resolution of 2023”.

22 Sec. 2. (a) Pursuant to sections 201 and 202 of the Street and Alley Closing and  
23 Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official  
24 Code §§ 9-202.01 and 202.02), the Mayor has proposed the closure of a portion of a public alley  
25 in Square 4053 as shown on the Surveyor’s plat filed under S.O. 22-00410.

26 (b) Pursuant to section 404 of the District of Columbia Home Rule Act, approved  
27 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street  
28 and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law  
29 4-201; D.C. Official Code § 9-202.01 et seq.), the Council finds that the portion of the alley  
30 proposed to be closed in subsection (a) of this section is unnecessary for alley purposes and  
31 orders it closed, with title to the land to vest as shown on the Surveyor’s plat.

32 Sec. 3. 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. 4. Effective date.

37           This resolution shall take effect immediately.