

**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:** April 4, 2023

**SUBJECT:** Report on Bill 25-146, “Howard East Towers Alley Closing and Street Dedication Act of 2023”

The Committee of the Whole, to which Bill 25-146, the “Howard East Towers Alley Closing and Street Dedication Act of 2023” was referred, reports favorably thereon with minor technical amendments, and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

On February 22, 2023, Bill 25-146, the “Howard East Towers Alley Closing and Street Dedication Act of 2023” was introduced by Councilmember Brianne K. Nadeau. The bill would close a 16-foot-wide portion of the alley system in Square 2873, abutting Lots 1106 and 1112, between 9<sup>th</sup> Street, N.W., 8<sup>th</sup> Street, N.W., Barry Place, N.W., and V Street, N.W., in Ward 1. The bill would also dedicate land in Lot 1112 of Square 2873 to extend the right-of-way for 9<sup>th</sup> Street, N.W. The alley closure and land dedication will facilitate the development of a mixed-use building with approximately 500 multifamily units and 17,300 square feet of retail space. A minimum of 40 units will be set aside for households with incomes of 60% or less of median family income pursuant to the District’s Inclusionary Zoning requirements, although the developer has agreed to pursue Low-Income Housing Tax Credit (LIHTC) capitalization for the IZ component, which may increase the total number of affordable units to 60. The project is consistent with the DUKE Framework for a Cultural Destination for Greater Shaw-U Street (Duke Plan), approved by the Council on June 21, 2005, as well as the Howard University Central Campus Master Plan.

### ***Legal Background***

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

Pursuant to the Act, street and alley closing applications are submitted to the Surveyor of the District of Columbia, who assigns a Surveyor’s Order (S.O.) number and collects applicable fees. The Surveyor requests comments from executive branch agencies and public utilities. A plat is prepared, and the application is forwarded through the Mayor’s Office of Policy and Legislative Affairs, which also solicits comments from executive branch agencies. When these reviews are completed, the application is transmitted to the Council in the form of a bill from the Mayor. Councilmembers may also initiate an alley or street closing by introducing a bill. In such cases, the Act provides that the Council cannot consider such a bill until the required reviews have been completed. Regarding Bill 25-146, 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 Bill 25-146, these requirements have been met.

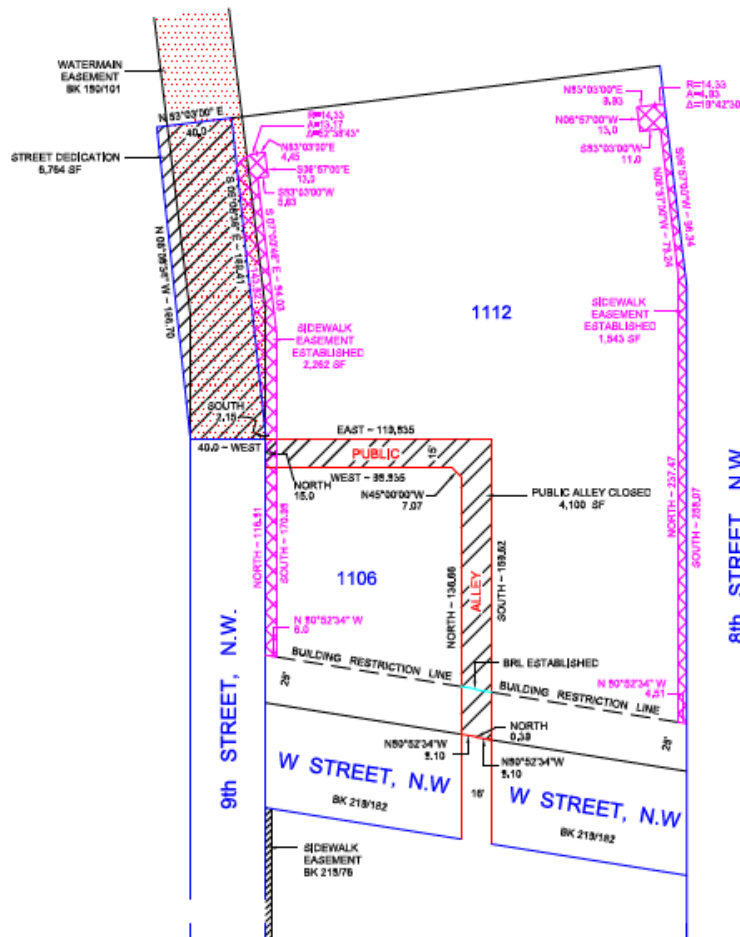
After the street or alley closing legislation becomes law and all conditions required by the Council and the Act have been satisfied, the Surveyor records a copy of the act and plat in the Office of the Surveyor. Thereafter, the street or alley is deemed closed, and title to the land reverts or vests 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 Bill 25-146***

Bill 25-146 would close a 16-foot-wide portion of the alley system in Square 2873, abutting Lots 1106 and 1112, between 9th Street, N.W., 8th Street, N.W., Barry Place, N.W., and

V Street, N.W., and dedicate land in Square 2873, Lot 1112 to extend the right-of-way for 9th Street, N.W. Figure 1 shows the alley closure and street dedication.

Figure 1. Alley Closure and Land Dedication



The alley closure and land dedication will facilitate the development of a mixed-use building with approximately 500 multifamily units and 17,300 square feet of retail space. The project is a by-right development that was removed from the Howard Campus Plan for private development in 2012. A minimum of 40 units will be set aside for households making 60% or less of the median family income pursuant to the District’s Inclusionary Zoning requirements, although the developer has agreed to pursue Low-Income Housing Tax Credit (LIHTC) capitalization for the IZ component, which may increase the total number of affordable units to 60.

The development project will also provide greater pedestrian and vehicular connectivity by extending the 9<sup>th</sup> Street, N.W., right-of-way, constructing a new block of Bryant Street, N.W., between 8<sup>th</sup> Street, N.W., and 9<sup>th</sup> Street, N.W., and widening sidewalks along of 8<sup>th</sup> Street, N.W., and 9<sup>th</sup> Street, N.W., between Bryant Street, N.W., and W Street, N.W.

In addition to the affordable housing units and greater connectivity that the project will bring, the developer has agreed to provide several public benefits, including a university internship program for at least 50 Howard students that will give them the ability to gain direct industry experience, the development of a public plaza along W. Street, N.W., and good-faith efforts to raise 20% of the total project equity—estimated to be \$22.5 million— from minority investors.

The project is consistent with the DUKE Framework for a Cultural Destination for Greater Shaw-U Street (Duke Plan), approved by the Council on June 21, 2005, as well as the Howard University Central Campus Master Plan.

At the Committee’s public hearing on Bill 24-1102, which is identical to Bill 25-146, a representative of the District’s Department of Transportation (DDOT) testified that the Department has no objections to the proposed alley closure or land dedication under the condition that:

- The developer coordinates with the Urban Forestry Division’s Ward Arborist and submits a Special Tree Permit for the removal of the Bradford pear tree;
- The applicant establishes a Building Restriction Line on the portion of the alley fronting W Street, N.W.;
- Prior to the closure of the alley, the developer 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 tree box, subject to public space permitting. The Applicant shall be responsible for maintenance of the sidewalk and tree boxes until DDOT has accepted them.

The applicant has agreed to these conditions, as shown in the table on page 6 of the applicant’s statement.<sup>1</sup>

The Committee Print for Bill 25-146 makes only minor, technical amendments to Section 3 of the bill.

### ***Conclusion***

The Committee finds that the portion of the public alley in Square 2873, abutting Lots 1106 and 1112, is unnecessary for alley purposes. The Committee also finds that the dedication of land in Lot 1112 of Square 2873 is necessary for public street purposes. The alley closure and land dedication will facilitate a mixed-use development project with 500 multifamily units, at least 40 of which will be affordable to households with incomes 60% or less of the median family income

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<sup>1</sup> Application of Howard University, Closing of a Public Alley in Square 2873, Dedication of Land for Street Purposes, & Establishment of Building Restriction Line, Statement of the Applicant, pg. 6.

and will result in greater connectivity for pedestrians and vehicles. Accordingly, the Committee recommends Council approval of the Committee Print for Bill 25-146.

## II. LEGISLATIVE CHRONOLOGY

- November 4, 2022 Bill 24-1102, the “Howard East Towers Alley Closing and Street Dedication Act of 2022” is introduced by Councilmember Brianne K. Nadeau.
- November 15, 2022 Bill 24-1102 is “read” at a legislative meeting; on this date the referral of the bill to the Committee of the Whole is official.
- November 18, 2022 Notice of Intent to Act on Bill 24-1102 is published in the *District of Columbia Register*.
- November 18, 2022 Notice of a Public Hearing on Bill 24-1102 is published in the *District of Columbia Register*.
- December 2, 2022 A revised Notice of a Public Hearing on Bill 24-1102 is published in the *District of Columbia Register*.
- December 12, 2022 The Committee of the Whole holds a public hearing on Bill 24-1102.
- February 22, 2023 Bill 25-146, the “Howard East Towers Alley Closing and Street Dedication Act of 2023” is introduced by Chairman Mendelson.
- March 3, 2023 Notice of Intent to Act on Bill 25-146 is published in the *District of Columbia Register*.
- March 7, 2023 Bill 25-146 is “read” at a legislative meeting; on this date the referral of the bill to the Committee of the Whole is official.
- April 4, 2023 The Committee of the Whole marks up Bill 25-146.

## III. POSITION OF THE EXECUTIVE

Dan Emerine, Manager of Policy and Legislative Affairs at the District Department of Transportation, testified at the Committee’s public hearing on December 12, 2022 on behalf of Anna Chamberlin and the Executive. Ms. Chamberlin’s testimony states that DDOT has no objections to the proposed alley closure or land dedication under the condition that:

- The developer coordinates with the Urban Forestry Division’s Ward Arborist and submits a Special Tree Permit for the removal of the Bradford pear tree;
- The applicant establishes a Building Restriction Line on the portion of the alley fronting W Street, N.W.;

- Prior to the closure of the alley, the developer 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 tree box, subject to public space permitting. The Applicant shall be responsible for maintenance of the sidewalk and tree boxes until DDOT has accepted them.

#### IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

In a letter to the Surveyor dated August 22, 2022, Advisory Neighborhood Commission 1B noted that it voted 10-0-1 to support the alley closure and land dedication. The ANC's 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 dedication falls under an exception in Chapter 8 (Exceptions and Project Changes) of NCPC's submission guidelines and is exempt from Commission review. NCPC's letter is attached.

#### VI. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on several bills, including Bill 24-1102, which is identical to Bill 25-146, on Monday, December 12, 2022. The testimony summarized below pertains to Bill 24-1102. Copies of all written testimony are attached to this report.

*David Avitabile, Land Use Counsel with Goulston & Storrs*, testified on behalf of the applicant in support of Bill 24-1102.

*Lex Lefebvre, Senior Vice President with Lowe*, described the benefits of the project, including new affordable multifamily units, public benefits, and greater connectivity.

*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 has received no testimony or comments in opposition to Bill 24-1102.

## VII. IMPACT ON EXISTING LAW

Bill 25-146 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) Closes a portion of a public alley in Square 2873, and establishes a 25-foot wide building restriction line around the alley area that extends to the building restriction line along W Street, N.W.  (b) Accepts the dedication of a portion of Lot 1112 in Square 2873 for public street purposes and designates the dedicated land as 9 <sup>th</sup> Street, N.W.
Section 3	Provides that the closing of the alley and dedication of land for public street purposes in section 2 are contingent upon conditions set forth in S.O. 22-03181.
<u>Section 4</u>	Standard fiscal impact statement provision.
<u>Section 5</u>	Standard effective date provision.

## X. COMMITTEE ACTION

## **XI. ATTACHMENTS**

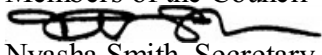
1. Bill 25-146 as introduced.
2. Written Testimony.
3. NCPC Comments.
4. ANC 1B Letters.
5. Surveyor's Plat.
6. Fiscal Impact Statement for Bill 25-146.
7. Legal Sufficiency Determination for Bill 25-146.
8. Committee Print for Bill 25-146.



**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 27, 2023  
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Wednesday, February 22, 2023. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Howard East Towers Alley Closing and Street Dedication Act of 2023", B25-0146

INTRODUCED BY: Councilmember Nadeau

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

Attachment  
cc: General Counsel  
Budget Director  
Legislative Services

*Brianne K. Nadeau*

Councilmember Brianne K. Nadeau

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To order the closing of a portion of an alley in Square 2873 abutting Lots 1106 and 1112 in  
2 Ward 1, to establish a 25-foot wide building restriction line on the closed alley area, and  
3 to dedicate a portion of Lot 1112 for public street purposes.  
4

5 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
6 act may be cited as the “Howard East Towers Alley Closing and Street Dedication Act of 2023”.

7 Sec. 2 (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved  
8 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street  
9 and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law  
10 4-201; D.C. Official Code § 9-201.01 *et seq.*) (“Act”), the Council finds that a portion of the  
11 public alley in Square 2873, as shown on the Surveyor’s plat in S.O. 22-03181, is unnecessary  
12 for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor’s  
13 plat, and establishes a 25-foot wide building restriction line around the closed alley area that  
14 extends to the building restriction line along W Street N.W.

15 (b) Pursuant to sections 302 and 401 of the Act (D.C. Official Code § 9-203.02 and 9-  
16 204.01), and notwithstanding the requirements set forth in sections 303, 304, and 421 of the Act  
17 (D.C. Official Code §§ 9-203.03, 9-203.04, and 9-204.21), the Council accepts the dedication of  
18 a portion of Lot 1112 in Square 2873 for public street purposes and designates the dedicated land  
19 as 9th Street N.W., as shown on the Surveyor’s plat filed under S.O. 22-03181.

20           Sec. 3. (a)The ordering of the alley closure and establishment of a 25-foot-wide building  
21 restriction line set forth in section 2(a) are contingent upon the satisfaction of the first through  
22 fourth conditions set forth by the District Department of Transportation in the official file for  
23 S.O. 22-03181 prior to the recordation of the plat by the Surveyor.

24           (b) The acceptance of the dedication and designation in section 2(b) are contingent upon  
25 the satisfaction of the fifth condition set forth by the District Department of Transportation in  
26 S.O. 22-03181 prior to the recordation of the plat by the Surveyor.

27           Sec. 4. Fiscal impact statement.

28           The Council adopts the fiscal impact statement in the committee report as the fiscal  
29 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
30 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

31           Sec. 5. Effective date.

32           This act shall take effect upon its approval by the Mayor (or in the event of veto by the  
33 Mayor, action by the Council to override the veto), and a 30-day period of congressional review  
34 as provided in section 603(c)(1) of the District of Columbia Home Rule Act, approved December  
35 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
36 Columbia Register.

**BEFORE THE DISTRICT OF COLUMBIA CITY COUNCIL**  
**B24-1102 — SQUARE 2873 ALLEY CLOSING, STREET DEDICATION AND**  
**BUILDING RESTRICTION LINE ESTABLISHMENT**

**TESTIMONY OF DAVID AVITABILE, GOULSTON & STORRS**  
**COUNSEL TO LOWE**

Good afternoon Mr. Chairman and members of the Committee. My name is David Avitabile with Goulston & Storrs, and I serve as land use counsel for Lowe on behalf of the developer of the proposed mixed-use development to which this application pertains. We have one witness here this morning to present testimony in support of Bill 24-1102: Lex Lefebvre, Senior Vice President at Lowe.

We submitted our written statement and materials in support of the proposed alley closing, street dedication and building restriction line establishment to the Committee of the Whole on December 8<sup>th</sup>. As we noted in the statement, this application satisfies all applicable requirements of the D.C. Code, will further the goals and policies of the Comprehensive Plan and the DUKE Development Framework for this area of the greater Shaw/U Street area, and will enable a new mixed-use, transit-oriented development with approximately 500 residential units and over 17,000 square feet of retail where now sits a surface parking lot and obsolete half cul-de-sac. This application and the proposed project are a partnership between Howard University, the owner of the property, and the developer team that consists of three partners.

With this application, the Applicant proposes three legislative actions for Square 2873. First, we propose to close a 16-foot wide public alley cutting a right angle through the square. Second, we request the establishment of a 25-wide building restriction line on the area of the

closed alley along newly established W Street on the south side of the square. And third, we propose to dedicate a portion of the square on the west for public street purposes to extend the 9<sup>th</sup> Street right-of-way. This package of requests will facilitate the construction of the project. Mr. Rivers will speak shortly and provide additional background on the project, community outreach and the benefits the project will bring to the surrounding area and the District as a whole.

Before doing so, we will note that each affected agency and utility has approved or has stated no objection to the alley closure. As part of our outreach with DDOT for the project and this application, we have also agreed to grant two easements related to the site. The first easement is a public access easement for the north side of the site in order to construct an extension of private Bryant Street between 8<sup>th</sup> and 9<sup>th</sup> Street. The second easement is to widen the sidewalks along both 8<sup>th</sup> and 9<sup>th</sup> Street to provide a minimum 13 feet between the curb and the building to allow for a pedestrian clear path and tree boxes.

In its report, DDOT formally reserved objection to the application subject to four conditions being met. As noted in our statement, we have agreed to these conditions and have communicated with DDOT staff accordingly. The four DDOT conditions are as follows:

- First, that the Applicant coordinate with Urban Forestry Division Ward arborist and submit a permit for the removal the Bradford Pear tree on the site, which the Applicant agrees to do;
- Second, that the Applicant request establishment of the proposed building restriction line on the portion of the ally fronting W Street NW, which has been included in this application; and
- Lastly, DDOT's third and fourth conditions are to record easements, respectively, for the Bryant Street extension and sidewalk widening for 8<sup>th</sup> and 9<sup>th</sup> Street prior to the

closure of the alley and to construct the improvements for the easements. The Applicant and DDOT have finalized the negotiation of both of these easements and the agreements are currently being executed by the parties and will be recorded before the recordation of the alley closing plat.

With those conditions resolved, we understand to have DDOT's support for this application and proposed legislation.

With that, I will turn it over to Lex Lefebvre to present his testimony.

**BEFORE THE DISTRICT OF COLUMBIA CITY COUNCIL**  
**B24-1102 — SQUARE 2873 ALLEY CLOSING, STREET DEDICATION AND**  
**BUILDING RESTRICTION LINE ESTABLISHMENT**

**TESTIMONY OF LEX LEFEBVRE, SENIOR VICE PRESIDENT WITH LOWE**

Good morning Mr. Chairman and members of the Committee of the Whole. Thank you for the opportunity to present testimony in support of Bill 24-1102.

My name is Lex Lefebvre and I am a Senior Vice President with Lowe, a member of the developer of the mixed-use development for which this alley closing and street dedication are requested, along with FLGA and Davenport, our development partners, and Howard University, the landowner with whom we have worked hand in hand on this project. The site is located in Shaw, two blocks north of U Street on the west edge of Howard's campus, and was formerly part of the University's Zoning Commission Campus Plan approval prior to being extracted from the plan in 2017 in order to help further implement the goals of the DUKE Development Framework for this portion of the Shaw neighborhood.

The project consists of a 10-story mixed-use building with approximately 500 multifamily residential units and a little over 17,000 square feet of retail space, and it will also include the creation of a publicly accessible plaza along the newly established extension of W Street NW on the south side of the property. The project also embodies a number of key mission-oriented objectives that have been developed in concert with the University and include important benefits to the public. These include:

- First, committing to hire at least 50 Howard student interns during the development period for the project as an important opportunity for these young people to gain

valuable professional experience while also participating in the improvement of their campus community;

- Second, committing to good faith efforts to raise 20% of the total project equity from minority investors, which is in addition to the developer partnership itself being 30% minority-owned;
- Third, committing to undertake a series of public infrastructure and open space improvements to reconnect the street grid, widening sidewalks, and creating the publicly-accessible plaza space on W Street;
- Fourth, committing to engage Certified Business Entities and Diverse Business Targets to meet 35% of the project budget; and
- Fifth, creating new affordable housing as part of the overall project, which will include approximately 40 IZ units, approximately 13 of which will have two or more bedrooms. In addition to the IZ units created by the project, Howard and the developer have also agreed to explore a Low-Income Housing Tax Credit capitalization that would, if successful, allow us to increase the affordable housing component of the project by up to 50% for a potential total of 60 affordable units.

We have engaged ANC 1B, the affected ANC, throughout the development process for the project, including regarding this application. As a result, ANC 1B has provided a letter in support of the application. We have also coordinated with numerous District agencies including the Office of Planning and DDOT throughout the development process. Each of the affected agencies and utility companies has approved or has no objection to the application, except for DDOT's reservation of objections subject to the four conditions David discussed, all of which we have agreed to, and we understand that, with acceptance of these conditions, DDOT is fully



supportive of proposed alley closing, street dedication, and building restriction line establishment.

With that I will conclude my remarks. I'm available to answer any questions the Council may have and appreciate the opportunity to testify today.

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. 8381

June 29, 2022

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

Re: 8381 (Proposed Street Dedication and Closing of a Public Alley in Square 2873 - S.O. 22-03181)

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; 2) the street or alley does not provide access to a federal property or affect other federal interests. The closure is outside the L'Enfant City boundary and the public alley does not serve any federal sites. 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 Matthew Flis at (202) 482-7236 or [matthew.flis@ncpc.gov](mailto:matthew.flis@ncpc.gov).

Sincerely,

*Diane Sullivan*

Diane Sullivan  
Director, Urban Design and Plan Review



2000 14<sup>th</sup> STREET, NW  
SUITE 100B  
WASHINGTON, DC 20009**COMMISSIONERS****Larry Handerhan**  
1b01@anc.dc.gov**DAN ORLASKEY**  
**VICE-CHAIR**  
1b02@anc.dc.gov**Boe Luther**  
1b03@anc.dc.gov**Deborah Thomas**  
1b04@anc.dc.gov**Alan Kensek**  
1b05@anc.dc.gov**Judy Kay Floy**  
1b06@anc.dc.gov**Max Ewart**  
1b07@anc.dc.gov**Eric Behna**  
1b08@anc.dc.gov**JAMES A TURNER**  
**CHAIR**  
1b09@anc.dc.gov**Vacant**  
1b10@anc.dc.gov**Amanda Farnan**  
**Treasurer**  
1b11@anc.dc.gov**Sabel Harris**  
**Secretary**  
1b12@anc.dc.gov**August 22, 2022**Mr. Joseph Snider  
D.C. Surveyor  
Department of Consumer and Regulatory Affairs  
Office of the Surveyor  
1100 4th St, SW, 3<sup>rd</sup> Floor  
Washington, DC 20024  
[Joseph.Snider2@dc.gov](mailto:Joseph.Snider2@dc.gov)

Mr. Snider,

ANC1B has reviewed the following request for alley closure:

- **S.O. 22-03181** – Application of Howard University’s request for proposed 16 ft Alley Closing on square 2873 abutting lots 1106, 1112 and dedication of land for the proposed 9<sup>th</sup> street extension.

ANC1B Commission is fully in support of the proposed 16 ft Alley Closing on Square 2873 abutting Lots 1106, 1112 and the dedication of land for the proposed 9<sup>th</sup> street extension.**CERTIFICATION:**


On May 5, 2022 at a properly noticed public meeting and with a quorum of 11 of 11 Commissioners present, Advisory Neighborhood Commission 1B voted, with 10 Yeas, 0 Nays, and 1 Abstentions, to adopt the above agreement.

The SMD Commissioner shall have primary responsibility to stand for the Commission on matters within their SMD. Further, the Chair or a delegate named by the Chair, shall communicate these actions to and testify before any agency of the Government of the District of Columbia or the members of the Council of the District of Columbia.

ON BEHALF OF THE COMMISSION.

James A. Turner  
Chair ANC 1B, Commissioner 1B09Sabel Harris  
Secretary ANC 1B, Commissioner 1B12

# LAND DEDICATION FOR PUBLIC STREET (9th STREET, N.W.) SQUARE 2873, LOT 1112 BRL ESTABLISHED, PUBLIC ALLEY CLOSED AND SIDEWALK EASEMENTS ESTABLISHED

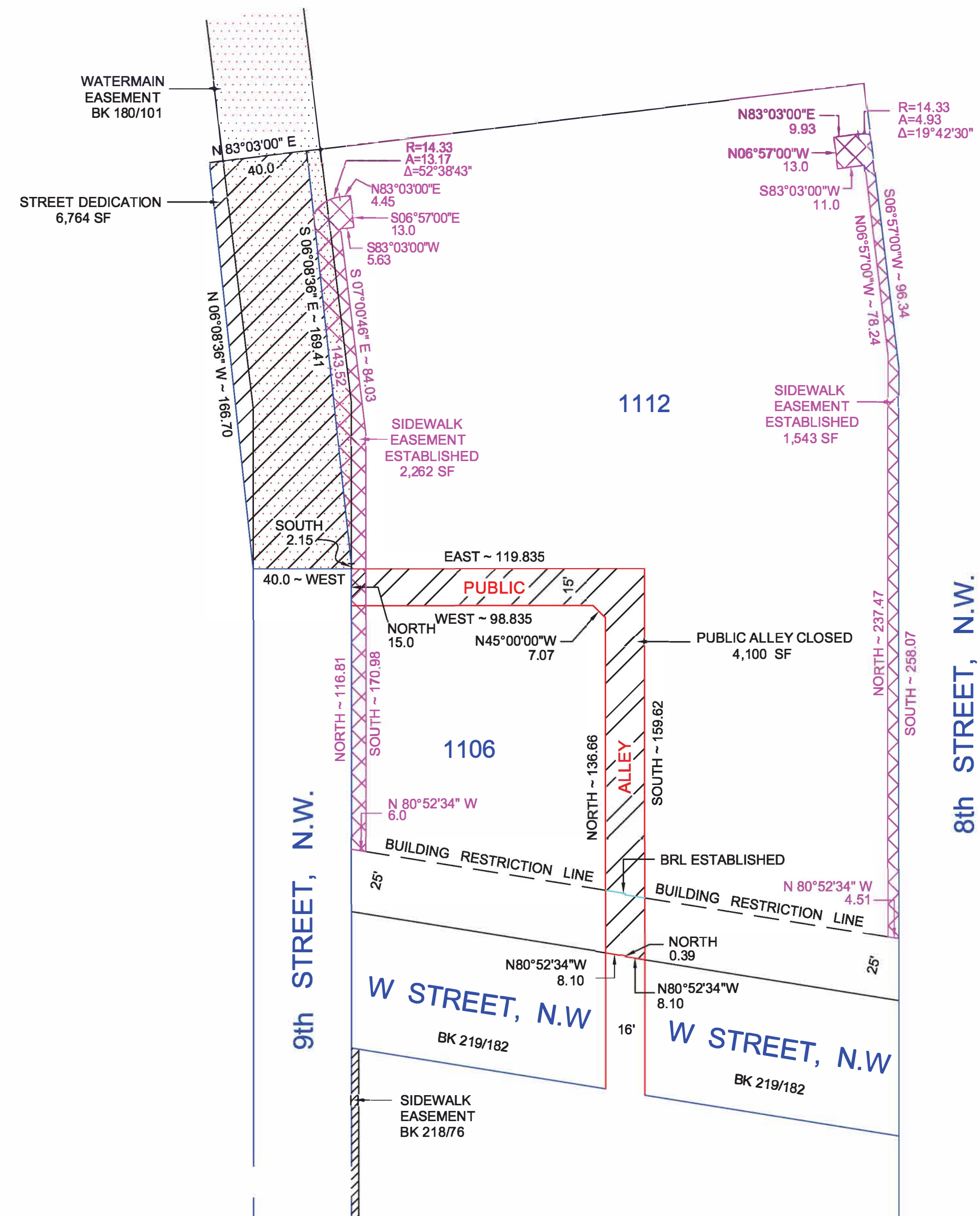
PURSUANT TO D.C. LAW \_\_\_\_\_, EFFECTIVE \_\_\_\_\_, 20\_\_\_\_,  
THE LAND SHOWN THUS:  IS DEDICATED FOR STREET PURPOSES.

PURSUANT TO D.C. LAW \_\_\_\_\_, EFFECTIVE \_\_\_\_\_, 20\_\_\_\_,  
THE ALLEY SHOWN THUS:  IS CLOSED AND TITLE VESTS AS  
SHOWN UPON RECORDATION OF THIS PLAT.

PURSUANT TO D.C. LAW \_\_\_\_\_, EFFECTIVE \_\_\_\_\_, 20\_\_\_\_,  
THE LAND SHOWN THUS:  IS A PUBLIC EASEMENT FOR SIDEWALK  
PURPOSES, RECORDED AT THE RECORDER OF DEEDS PER INSTRUMENT NUMBER  
\_\_\_\_\_, RECORDED \_\_\_\_\_.

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

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



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

Made for: DAVE AVITABILE

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

Record and computations by: B. MYERS

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

Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ SR-22-03181

Scale: 1 inch = 40 feet

2022/STREET\_DEDICATION/SR-22-03181-SQ.2873

1 **COMMITTEE PRINT**  
2 **Bill 25-146**  
3 **Committee of the Whole**  
4 **April 4, 2023**  
5  
6

7 A BILL  
8  
9  
10 \_\_\_\_\_

11  
12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
13  
14 \_\_\_\_\_  
15

16  
17 To order the closing of a portion of an alley in Square 2873 abutting Lots 1106 and 1112 in  
18 Ward 1, to establish a 25-foot wide building restriction line on the closed alley area, and  
19 to dedicate a portion of Lot 1112 for public street purposes.  
20

21 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
22 act may be cited as the “Howard East Towers Alley Closing and Street Dedication Act of 2023”.

23 Sec. 2 (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved  
24 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street  
25 and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law  
26 4-201; D.C. Official Code § 9-201.01 *et seq.*) (“Act”), the Council finds that a portion of the  
27 public alley in Square 2873, as shown on the Surveyor’s plat in S.O. 22-03181, is unnecessary  
28 for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor’s  
29 plat, and establishes a 25-foot wide building restriction line around the closed alley area that  
30 extends to the building restriction line along W Street N.W.

31 (b) Pursuant to sections 302 and 401 of the Act (D.C. Official Code § 9-203.02 and 9-  
32 204.01), and notwithstanding the requirements set forth in sections 303, 304, and 421 of the Act  
33 (D.C. Official Code §§ 9-203.03, 9-203.04, and 9-204.21), the Council accepts the dedication of

34 a portion of Lot 1112 in Square 2873 for public street purposes and designates the dedicated land  
35 as 9th Street N.W., as shown on the Surveyor's plat filed under S.O. 22-03181.

36         Sec. 3. The ordering of the alley closure, establishment of a 25-foot-wide building  
37 restriction line, and acceptance of the dedication and designation in section 2 set forth are  
38 contingent upon the satisfaction conditions set forth in the official file for S.O. 22-03181 prior to  
39 the recordation of the plat by the Surveyor.

40         Sec. 4. Fiscal impact statement.

41         The Council adopts the fiscal impact statement in the committee report as the fiscal  
42 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
43 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

44         Sec. 5. Effective date.

45         This act shall take effect upon its approval by the Mayor (or in the event of veto by the  
46 Mayor, action by the Council to override the veto), and a 30-day period of congressional review  
47 as provided in section 603(c)(1) of the District of Columbia Home Rule Act, approved December  
48 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
49 Columbia Register.