



MURIEL BOWSER
MAYOR

MAY - 8 2017

2017 MAY -8 PM 3:08
OFFICE OF THE
SECRETARY

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

Dear Chairman Mendelson:

Enclosed for the consideration of the Council of the District of Columbia is legislation entitled "Closing of Public Alley in Square 772, S.O. 16-25615, Act of 2017". This bill proposes the closing of a Public Alley in Square 772, bounded by M Street, 3rd Street, N Street, Florida Avenue and 4th Street, Northeast D.C., in Ward 6. The applicants are Foulger-Pratt Development, LLC, 301 N Street Titleholder, LLC and 331 N Just, LLC, who are represented by Goulston & Storrs.

The purpose of this application is to allow construction of a mixed residential and commercial project containing apartments, office, ground floor retail and a hotel.

Pursuant to D.C. Official Code §9-202.02(5) the application was referred to Advisory Neighborhood Commission (ANC) 6B on March 14, 2016. As of the date of this letter no response to the referral was received. The application was also referred to the National Capital Planning Commission (NCPC) on March 14, 2016. In a letter dated May 12, 2016, the Executive Director of NCPC indicated that through a delegated action dated April 28, 2017, found that the proposed alley closing in Square 772 would not be inconsistent with the Comprehensive Plan for the National Capital. The applicants are the owners of the property abutting the alley to be closed.

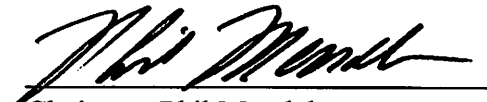
Enclosed is a copy of the plat for recording this closing along with a copy of the application file and draft legislation.

Sincerely,

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

Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

To order the closing of a public alley in Square 772 bounded by N Street, and Florida Avenue to the north, a public alley to the south, 4th Street to the east and 3rd Street to the west in Northeast Washington, D.C. in Ward 6.

BE IN ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act be cited as the "Closing of a Public Alley in Square 772, S.O. 16-25615, Act of 2017",

Sec. 2. Pursuant to Section 201 of the Street and Alley Closing Acquisition Procedures Act of 1982, effective March 10, 1983; (D.C. Law 4-201; D.C. Official Code §9-202-01), the Council of the District of Columbia finds the public alley in Square 772 as shown by the hatch-marks on the Surveyor's plat in S.O. 16-25615, unnecessary for alley purposes and orders is closed with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. The Secretary of the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor of the District of Columbia.

Sec. 4. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 603(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code §1-206-02(c)(3)).

Sec. 5. This act shall take effect upon its approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and a 30-day period of congressional review as provided in Section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206022(c)(1) and publication in the District of Columbia Register.

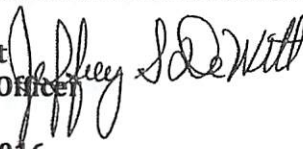
Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

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

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: December 13, 2016

SUBJECT: Fiscal Impact Statement – Closing of a Public Alley in Square 772, S.O. 16-25615, Act of 2016

REFERENCE: Draft bill provided to the Office of Revenue Analysis on December 1, 2016

Conclusion

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill. The bill will reduce District assets by approximately \$900,000, but assets are not part of the District's budget and there is no fiscal impact associated with the alley closure.

Background

The bill authorizes the closure a dead end public alley located between Lots 22 and 23 in what is known for tax and assessment purposes as Square 772. The lots are within the block bordered by N Street, N.E. to the North, 3rd Street, N.E. to the west, 4th Street, N.E. to the east, and a public alley to the south. The developer will close the 3,000 square foot alley to facilitate construction of a mixed-use development on the site consisting of 366 residential units, retail and office space, a 175-room hotel, and 250 parking spaces.

Financial Plan Impact

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill. Based on the assessed value of the abutting properties, the portions of the alley that the District will close is valued at approximately \$900,000, but assets are not a part of the District's budget and there is no cost associated with the alley closure. The property will become taxable to the District, but the amount of tax revenues will depend on the assessed value of the mixed-use development that the developer is planning for the abutting properties and is unknown at this time. No District agencies or utilities objected to the alley closure.


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

Commercial Division
Land Use and Public Work Section



MEMORANDUM

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

FROM: Alan Bergstein 
Section Chief

SUBJECT: Closing of a Public Alley in Square 772, S.O. 16-25615, Act of 2017

DATE: February 22, 2017

The above referenced legislation, as attached, is legally sufficient. Also attached are revisions to the proposed Mayor's letter transmitting the legislation.

AHB
468753.001

Attachment

cc: Janet M. Robbins
Deputy Attorney General

THE ALLEY SHOWN THERE **ZZZZZ** IS CLOSED AND TITLE VERTS
AS SHOWN UPON RECORDATION OF THIS PLAT.

OFFICE OF THE SURVEYOR, D.C.
_____, 2016

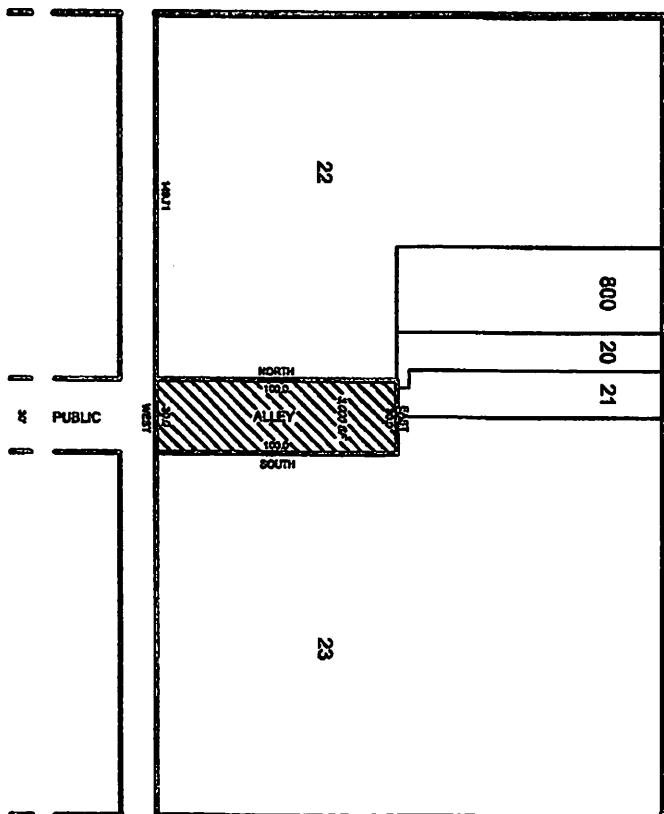
I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

SURVEYOR, D.C.

PUBLIC ALLEY CLOSED SQUARE 772

N STREET, N.E.

3rd STREET, N.E.



4th STREET, N.E.

SURVEYOR'S OFFICE, D.C.

Made for: QUALSTON & STORRS

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

Report and description by: S. J. STORRS

Recorded at: _____

Recorded in Book: _____ Page: _____

Scale: 1 inch = 20 feet

SP-14-0204
Folio 14-0203

ALLEY OWNERSHIP STATUS STATEMENT

Re: Proposed Closing of a Public Alley in Square 772 – S.O. 16-25615

1. The public alley to be closed lies within an original square of the City of Washington.
2. The portion of the alley to be closed was created by original subdivision of the square recorded July 25, 1796. It can be found in Record Book 3A, Page 772.

CONCLUSION:

Title to the alley could not be determined to be held by the District of Columbia or the United States.

November 15, 2016

A handwritten signature in blue ink, appearing to read "Roland F. Dreist, Jr.", is positioned above the printed name.

Roland F. Dreist, Jr.
Surveyor, DC

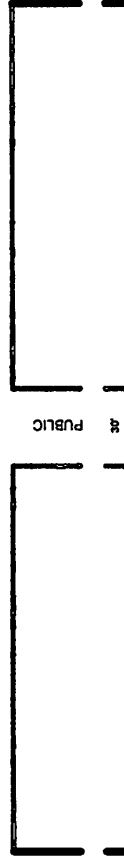
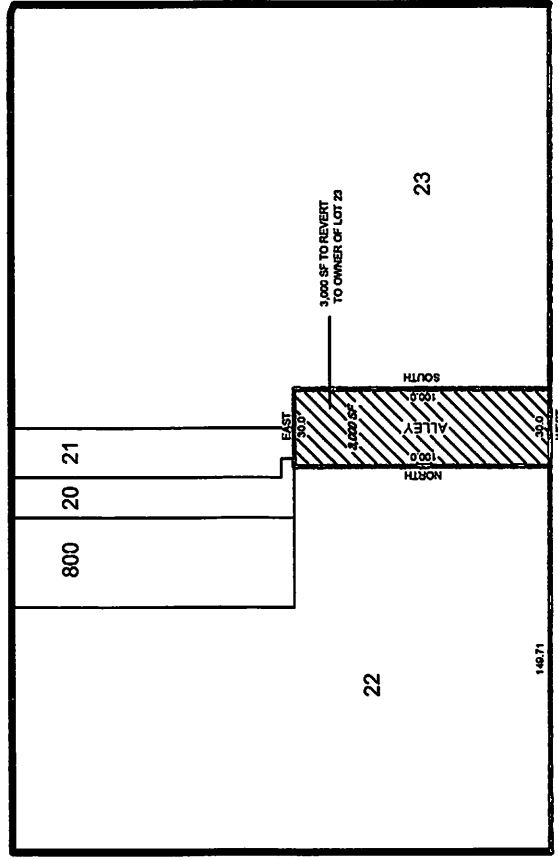
PUBLIC ALLEY CLOSED SQUARE 772

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

OFFICE OF THE SURVEYOR, D.C.
_____, 2016

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

SURVEYOR, D.C.



SURVEYOR'S OFFICE, D.C.	
Made for:	GOULSTON & STORRS
Drawn by:	L.E.S.
Record and computations by:	B. MYERS
Recorded at:	Page _____
Recorded in Book:	SS-10-02324
Scale:	1 inch = 30 feet
File No.:	10-25015

February 17, 2016

VIA HAND DELIVERY

Mr. Roland F. Dreist, Jr.
Office of the Surveyor
1100 4th Street, SW
3rd Floor
Washington, D.C. 20024

Re: Square 772 Alley Closing

Dear Mr. Dreist:

Enclosed please find an application for the closing the 30-foot wide dead-end portion of the alley in Square 772 adjacent to Lots 20-23. Foulger-Pratt Development, LLC is the Applicant in this matter and has the authority to file the application on behalf of 301 N Street Titleholder, LLC and 331 N Just, LLC, who together comprise all of the owners of the subject property.

The subject property is bounded by N Street NE and Florida Avenue NE to the north, a public alley to the south, 4th Street NE to the east, and 3rd Street NE to the west. The proposed alley closing will allow construction of a mixed-use residential and commercial project containing apartments, office, ground-floor retail, and a hotel. The project will also provide below-grade parking and will include a significant preservation of a historic building. The mixed use development will occupy the entirety of the square north of the east-west alley. The project is being reviewed as a Planned Unit Development ("PUD") by the District of Columbia Zoning Commission (Application No. 15-28).

The subject property overall contains 69,240 square feet of land area. The total gross floor area included in the project is approximately 465,984 square feet, and it will provide parking for approximately 250 vehicles. All parking and loading for the project will be accessed from the alley to the south of the site, and loading will be located internally on the property.

Included with the application form are the following documents, as required by 24 DCMR §§ 1400 et seq.:


February 17, 2016

Page 2

-
1. A sketch of the proposed closings;
 2. Eight copies of a vehicular tracking diagram drawn to scale of one inch equals 20 feet pursuant to Section 1400.8(j);
 3. Eight sets of the site development plan for the project which includes:
 - (a) A key location sketch showing the development and its relationship to the square and surrounding streets (with the streets identified), pursuant to Section 1400.8(b) and (d);
 - (b) A footprint or outline of the proposed building, pursuant to Section 1400.8(c);
 - (c) The depiction of the streets and alley proposed to be closed, pursuant to Section 1400.8(e);
 - (d) The approximate gross floor area for the project, pursuant to Section 1400.8(f);
 - (e) Points of ingress and egress that vehicles will use for parking and loading purposes, pursuant to Section 1400.8(g);
 - (f) Location of off-street parking spaces, the amount and size of the parking spaces, and the location and size of the loading and unloading facilities, pursuant to Section 1400.8(h) and (i);
 - (g) Elevation views for each side of the building proposed for the site, pursuant to Section 1400.8(k).
 4. A completed retail tenant displacement form; and
 5. A filing fee of \$2,750.00.

Please begin the processing of the above-referenced application. If you have any questions, please do not hesitate to call me at (202) 721-1113 or Diana Herndon at (202) 721-1134. Thank you for your prompt attention to this matter.

Sincerely,


Cary R. Kadlecek

Attachments

Revised: 6/28/13

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

Surveyor's Office File No.

16-25615

Date

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

Location

Street(s)

Name: _____

Abutting Squares: _____

Portion to be closed/dedicated: _____

AS PER SKETCH ATTACHED

Alley(s)

Name: _____

Abutting Squares: 772

Portion to be closed/dedicated.: Close the 30 foot wide dead end portion of the alley abutting Lots 20 - 23

AS PER SKETCH ATTACHED

This application is made by:

Cary Kadlecsek, Goulston & Storrs

(202)721-1113


Applicant's Name (print)

Telephone Number

1999 K Street NW, Suite 500, Washington DC 20006-1101

Address

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


Signature of Applicant or Agent

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

Government Of The District Of Columbia
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



OFFICE OF THE SURVEYOR
1100 4TH STREET, S.W., 3RD FLOOR
WASHINGTON, DC 20024

Retail Tenant Displacement Form

Note: The following information is required relative to provisions of DC Law 6-133 (DC Act 6-171).

Surveyor's Office File No. 16-25615

Regarding an application for the proposed closing of the following street(s) or alley(s), the undersigned, being the applicant or the agent for the applicant, hereby makes the following representations as complete and true:

1. All properties associated with the proposed closing are listed as follows:

Square 772

Lot Number 20-23 + 800

2. The proposed closing will ☐ or will not ☒ result in displacement of existing retail tenants because of the demolition, substantial rehabilitation, or discontinuance of an existing building.

Name

Address

Square/Lot

2-3-16

Date

Adam Davis

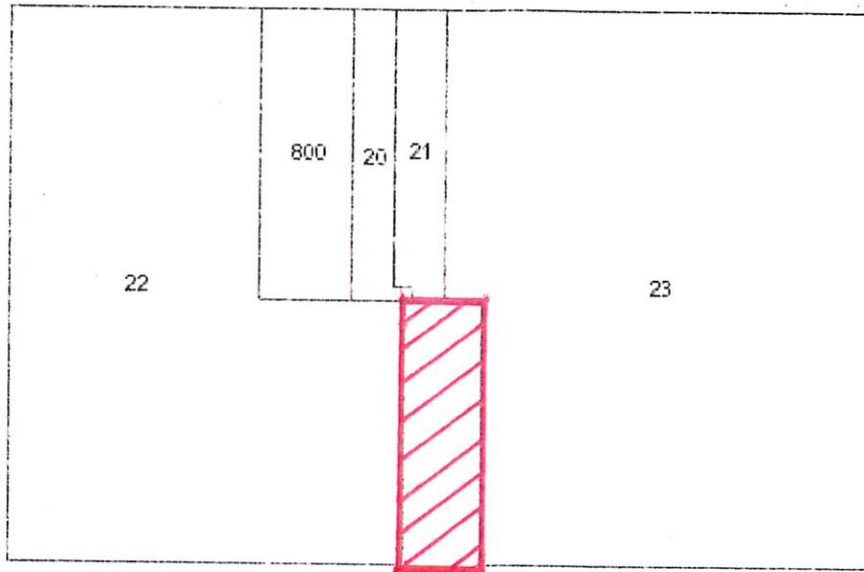
Print or Type Name

[Signature]
Signature

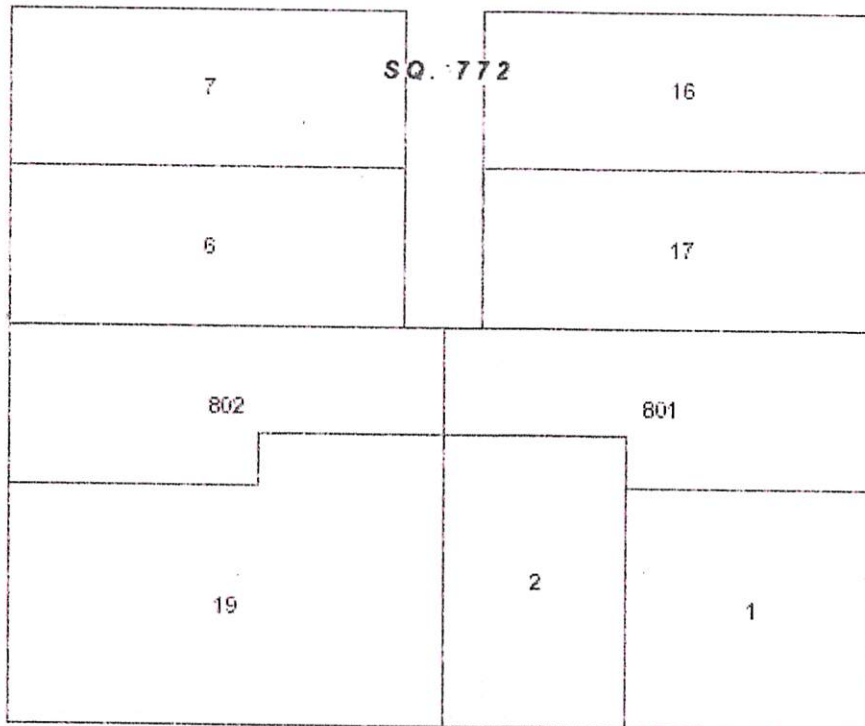
Note: This form must be completed, signed and submitted with the application.

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

N St NE



3rd St NE



4th St NE

M St NE



PORTION OF ALLEY TO BE CLOSED



Permit Operations

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 1100 4th STREET, SW | SUITE 310 | WASHINGTON, DC 20024

March 18, 2016

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

Subject: Street/Alley Closing Application S.O. 16-25615

Dear Mr. Dreist:

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 **March 14, 2016** regarding **S.O. 16-25615**. 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 closings requested in **S.O. 16-25615**.

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

Regards,

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!



A PHI Company

Distribution Engineering – D.C.
Building #59
3400 Benning Rd., NE
Washington, DC 20019
Tel (202) 331-6237
Fax (202) 388-2721

April, 8 2016

Mr. Roland F. Dreist, Jr., Surveyor, DC
Office of the Surveyor for the District of Columbia
D.C. Department of Consumer and Regulatory Affairs
1100 4th Street, SW, 3rd Floor
Washington, DC 20024

Dear Mr. Dreist:

Subject: Proposed Closing of Public Alley
In Square 772 - S. O. 16-25615

In response to your memorandum dated October 14, 2016 concerning the roadway closing and street dedication in Square 772, we comment as follows:

We have reviewed the documents showing the proposed alley closing and dedication and we have determined that Pepco does not have any conflicts with its underground facilities.

If you have any question about Pepco's facilities, please call me on (202) 388-2194 or send an e-mail to me at cgoumbala@pepco.com.

Very truly yours,

Cheikh Goumbala

Cheikh Goumbala
Sr. Supervising Engineer
Distribution Engineering DC
202-388-2194

Network Engineering
OPPE MD/DC

verizon

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

March 22nd, 2016
Mr. Roland F. Dreist, Jr.
Office of the Surveyor
1100 4th Street SW.
Washington, D.C. 20024

RE: Proposed Closing of a Public Alley in Square 772 S.O 16-25615

Dear Mr. Dreist:

In reference to your letter dated March 14th, 2016 which relates to S.O. File No. 16-25615

Location: Closing of a Public Alley in Square 772

There is no Telephone plant in this alley

Verizon Washington D.C. Inc. does not object to this Proposed Closing of a Public Alley.

Very truly yours,

Kenneth Young
Engineer, Outside Plant Engineering, WSAM

Kdy *Kenny Young*

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



6801 Industrial Road
Springfield, Virginia 22151

March 24th ,2016



Mr. Roland Driest
Atten. Diana Dorsey Hill
Department Of Consumer and Regulatory Affairs
Building and Land Regulations Administration
Office of The Surveyor
Washington , D.C. 20002

Dear Mr. Roland Driest

RE: Proposed Closing of a Public Alley in Square 772.

We have no facilities in conflict with the area as shown and have no objection to the closing of the Public Alley in Square 772 – S.O. 16-25615.

Sincerely,

A handwritten signature in black ink, appearing to read "R. W. Banks".

Robert W. Banks

Digitizer / Draftsman



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

Commission Members

Presidential Appointees

L. Preston Bryant, Jr., *Chairman*
Thomas M. Gallas
Elizabeth A. White

Mayoral Appointees

Arrington Dixon
Geoffrey Griffis

Ex Officio Members

Secretary of Defense
The Honorable Ashton Carter

Secretary of the Interior
The Honorable Sarah Jewell

Administrator
General Services Administration
The Honorable Denise Turner Roth

Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
The Honorable Ron Johnson

Chairman
Committee on Oversight
and Government Reform
U.S. House of Representatives
The Honorable Jason Chaffetz

Mayor
District of Columbia
The Honorable Muriel Bowser

Chairman
Council of the District of Columbia
The Honorable Phil Mendelson

Executive Director
Marcel Acosta

IN REPLY REFER TO:
NCPC FILE No. 7773

S.O. 16-25615

MAY 12 2016

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

Dear Chairman Mendelson:

Pursuant to delegations of authority adopted by the Commission on October 3, 1996, I found that the proposed alley closing in Square 772, abutting Lots 20, 21, 22, and 23, would not be inconsistent with the Comprehensive Plan for the National Capital. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Marcel C. Acosta
Executive Director

Enclosure

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



Delegated Action of the Executive Director

PROJECT**Public Alley Closing in Square 772**

Bound by N Street, NE and Florida Avenue, NE to the north, 4th Street to the east and 3rd Street, NE to the west

Washington, DC

NCPC FILE NUMBER

7773

NCPC MAP FILE NUMBER

42.00(44.40)44327

SUBMITTED BY

District of Columbia Department of Consumer and Regulatory Affairs

Office of the Surveyor

ACTION TAKEN

Approval of Comments to the Council of the District of Columbia

REVIEW AUTHORITY

Approval of Comments to the Council of District of Columbia on Street and Alley Closings
per DC Code § 9-202.02

The District of Columbia Department of Consumer and Regulatory Affairs, Office of the Surveyor, has requested comments from NCPC on the alley closure located in Square 772. The subject alley abuts Lots 20, 21, 22, and 23, measuring 30 feet wide and 1,000 feet in length, which equates to 3,000 square feet in area. The "dead-end" alley exists to provide service uses to the adjacent properties, and the proposed action is necessary to develop a Planned Unit Development (PUD) on the site. The development will have four buildings, constructed in two phases, with 340-390 residential units, 175 hotel rooms, 24,407 square feet of office space, and 26,585 feet of ground-floor retail space (Zoning Commission Case No. 15-28).

Reservation 279, which is under the jurisdiction of the National Park Service (NPS), is the only nearby federal property, and the proposed action would not adversely impact the property. The proposal is not inconsistent with the federal interests identified within the Comprehensive Plan for the National Capital.

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

*

*

*

Pursuant to delegations of authority adopted by the Commission on October 3, 1996 and DC Code § 9-202.02, I find that the proposed alley closing in Square 772, abutting Lots 20, 21, 22, and 23, would not be inconsistent with the Comprehensive Plan for the National Capital.



Marcel Acosta
Executive Director



Date

✓

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




d. Policy, Planning and Sustainability Administration

To: Ronald F. Dreist, Jr
DC Surveyor
Office of the Surveyor

From: Jamie Henson
Manager, Systems Planning

Date: October 31, 2016

Subject: S.O. No. 16-25615 – Closing of a Public Alley in Square 772 (301 N Street NE)



Overview

301 N Street Titleholder, LLC and 331 N Just, LLC (the Applicant) seeks approval to remove a 2,880 square foot segment of alley (30 feet x 96 feet) within an existing public alley system. The subject alley is located in Square 772 adjacent to Lots 20-23 (Property) owned by the Applicant.

Development Proposal

The alley closing will facilitate the redevelopment of Square 772, Lots 20-23 & 800. The Applicant proposes a mixed-use development consisting of 366 residential units, 26,000 square feet of retail, 25,000 square feet of office, a 175 key hotel, and 250 vehicle parking spaces. The Applicant received approval from the Zoning Commission for a Consolidated Planned Unit Development (PUD) and Related Map Amendment (ZC Case No. 15-28). DDOT participated in the PUD process and did not object to the zoning action.

Vehicular, loading, bicycle, and trash access are proposed via the rear alley in compliance with DDOT's approach to site access. The 15-foot east-west alley connects 3rd Street and 4th Street. The Applicant proposes to widen the alley via a 10-foot easement along the entire extent of the property. As part of the adjacent development to the south (ZC Case No. 14-19), the western half of the alley segment will also be widened onto private space by 9-feet. Together, the western half of the alley will be 34-feet wide, which is sufficiently wide to accommodate site traffic but may encourage vehicles using the alley to travel at high speeds. The Applicant should coordinate with DDOT through the public space permitting process to determine an appropriate width and treatment of the widened alley's intersections with 3rd Street and 4th Street.

Alley Operations

The public alley to be closed is a dead-end stub adjacent to Lots 20-23. The alley currently provides access to buildings on those lots, which are proposed to be demolished and replaced with the new development described above. The Applicant owns all of the property adjacent to the alley.

DDOT Assets

There are no DDOT assets currently in the alley segment.

Public Space

In line with District policy and practice, any substantial new building development or renovation is expected to rehabilitate streetscape infrastructure between the curb and the property lines. This includes curb and gutters, street trees and landscaping, street lights, sidewalks, and other appropriate features within the public rights of way bordering the site. The Applicant's preliminary site plan submitted as part of the PUD showed a large gap between street trees on New York Avenue. DDOT seeks to maximize the number of street trees in order to develop as full a tree canopy as possible.

As part of the PUD benefits and amenities packaged, the Applicant committed to contribute \$115,000 to construct "significant public space enhancements on N Street... to make it more pedestrian-friendly and oriented toward recreation and gathering" (ZC Exhibit 26). The Applicant proposes to coordinate with the adjacent development on the north side of N Street (ZC Case No. 15-22) to develop a coordinated design for N Street, and provided a letter to the record (15-22, Exhibit 35B) for ZC Case No. 15-22 confirming a coordinated approach to N Street's design.

DDOT's Florida Avenue Multimodal Study may alter the curbline for Florida Avenue adjacent to the site. The Applicant will need to coordinate with DDOT as the timeline for the DDOT project and development are better defined to determine how the Applicant should rebuild the public space. Depending on timing, the Applicant may need to rebuild public space based on the current or future curbline.

In addition, preliminary public space plans presented as part of the PUD case were mostly consistent with DDOT standards, but several considerations need to be incorporated during the public space permitting process.

- N Street & Florida Avenue intersection: DDOT will require the curbline of N Street to be adjusted such that it intersects with Florida Avenue orthogonally rather than at an acute angle.
- Curb ramps: ADA-compliant curb ramps will be required to be provided at each intersection. This includes providing a curb ramp for each crossing (typically two per corner) and ensuring that the receiving curb ramps meet standards. Curb ramps shown at alley intersections should be removed from the plans.
- Vaults: Preliminary site plans did not indicate utility vault locations. DDOT expects vaults to be located on private space in the widened alley.

Recommendation

DDOT has no objection to the action.

JH:jr



MEMORANDUM

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

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

DATE: May 11, 2016

SUBJECT: S.O. 16-25615
Proposed Closing of a Dead-End Portion of the Alley System in Square 772

I. RECOMMENDATION

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

II. SITE DESCRIPTION

Applicant:	Fougler-Pratt Development, LLC
Address:	301 and 331 N Street NE
Legal Description:	Square 772, Abutting Lots 20, 21, 22, 23 and 800
Ward:	6
Zoning:	The Applicant has requested a Consolidated Planned Unit Development and a related map amendment to rezone the property from the C-M-1 zoning district to the C-3-C zone (ZC Case #15-28). C-M-1 – primarily industrial uses C-3-C – medium-high density developments, including office, retail, housing, and mixed use development.
ZC Review and Approval:	The proposal is being reviewed by the Zoning Commission in Case #15-28. The proposal was setdown on February 8, 2016 and the public hearing is scheduled for June 20, 2016. The Applicant notes the 3,000 sf alley closing as part of the PUD.
Historic District	Not within a historic district or within the historic L'Enfant Plan.
Comprehensive Plan Generalized Future Land Use and Policy Map Designation:	Land Use Map – Striped Medium Density Residential, Medium Density Commercial, and Production, Distribution and Repair uses. Policy Map – Land Use Change Area and Central Employment Area Small Area Plan – NoMA Vision Plan and Development Strategy (2006) The proposal is not inconsistent with these designations.
Comprehensive Plan:	Comprehensive Plan: The proposal would particularly further City Wide objectives regarding Land Use, Housing, Transportation, Economic Development, Historic Preservation, as well as portions of the Central Washington Area Element of the Comprehensive Plan.

III PROPOSAL

See Attachment – Plat Showing Alley Closing and Alley Dedication
(Squares 772, Abutting Lots 20, 21, 22, 23 and 800)

Request:	To close a 30-foot wide, 100'-long, 3,000 sf dead-end portion of the alley system within the square, located between Lots 22 to the west and 23 to the east, and to the rear of primarily Lot 21. The Applicant would use this area as loading for the pending PUD #15-28.
Description:	The closing of 3,000 sf dead-end alley would likely have no effect on the functionality Square 772, nearby Squares or the adjacent 15' alley.
Size:	The area of the alley to be closed would be approximately 3,000 sf.
Adjacent Ownership:	There are recently-approved PUDs to the north and south of Square 772, which include #15-22 and #14-19. Two Rivers Charter School lies to the east and the Central Armature site lies to the west.
Proposed Development	
<u>Uses</u>	Residential: 340-390 units (320,261 sf) Hotel: 175 rooms (81,857 sf) Office/Creative Uses: 24,407 sf Retail: 26,585 sf Total SF: 462,511 sf
<u>Height and Density</u>	The height of the buildings would be a minimum of 11-stories or 110 and 120 feet. The proposed FAR is 6.68.
<u>Site Plan</u>	Includes the preservation and landmark of the Capitol Self-Storage Building (301 N Street NE); two connected residential buildings facing N Street NE and 4 th Street NE; a hotel fronting on 3 rd Street NE; vehicular access from the rear alley to the south of the Property; and ground floor retail throughout. The Applicant intends to phase the PUD in two (2) or three (3) phases.
<u>Parking and Loading</u>	Residential: 85-98 spaces required, 162 proposed Retail: 32 spaces required, 31 proposed Hotel: 44 spaces required, 44 spaces proposed Office/Creative Uses: 13 required, 13 proposed
<u>Easements</u>	There are no known easements across the property.

III. ANALYSIS

A. Planning and Urban Design

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

§300 Land Use Element

§310.8 Policy LU-2.2.7: Alley Closings

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

The existing dead-end alley provides access to only the lots that would be developed per ZC #15-28, and does not provide access to other properties.

§900 Urban Design Element

The critical urban design issues facing the District of Columbia...include:

- *Strengthening civic identity through a renewed focus on assets such as public spaces, boulevards, and waterfront areas...*
- *Improving the public realm, particularly street and sidewalk space...*

The closing of the 3,000 sf alley likely would not be detrimental to the public space and realm improvements because the alley is located internal to the PUD property and is only accessible via another adjacent alley, which is to be improved with the adjacent PUD to the south. A redevelopment of the abutting lots will greatly improve the public realm along 3rd, 4th and N Streets NE, which surround the dead-end alley that would be closed.

§903.7 Policy UD 1.1.2: Reinforcing the L'Enfant and McMillan Plans.

...Restore as appropriate and where possible, previously closed streets and alleys, and obstructed vistas or viewsheds. (See Figure 9.3: Discouraging Alley and Street Closings within the L'Enfant Plan Area 903.10)

There are no vistas or view sheds associated with the alley to be closed, and it is not within the L'Enfant Plan and McMillan Plan areas.

§906.6 Policy UD 1.4.1: Avenues/Boulevards and Urban Form

Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character...

The alley does not abut any major avenues or boulevards. The closure of the alley would give the Applicant the flexibility to design buildings that would improve the aesthetic and visual character of the immediate area, NoMA and the Florida Avenue NE corridor.

§913.6 Policy UD 3.1.9: Street Closures

Strongly discourage the closure of streets for private ownership or use. Any request for street closure should be reviewed in terms of the resulting impacts on vehicular and pedestrian circulation, access to private property, emergency access and fire protection, view obstruction, loss of open space, building scale, and other factors.

A street closure has not been requested.

The major impact from the closure of the dead-end alley is that it will allow for a more efficient development of the abutting lots with a cohesive development, which the Applicant has proposed with PUD #15-28. No other lots have access to the alley. As such, there will be minimal, if any, impact of the alley closure on the surrounding squares. Additionally, the Applicant will utilize the same location as the alley for loading for all of the proposed uses within the PUD.

The Central Washington Area Element from the Comprehensive Plan policy document provides guidance for the redevelopment of the Property:

- CW-1.1.: Promoting Mixed Use Development: “Expand the mix of land uses in Central Washington to attract a broader variety of activities and sustain the area as the hub of the metropolitan area. Central Washington should be strengthened as a dynamic employment center, a high-quality regional retail center, and internationally-renowned cultural center, a world-class visitor and convention destination, a vibrant urban neighborhood, and the focus of the regional transportation network. New office and retail space, hotels, arts and entertainment uses, housing and open space should be encouraged through strategic incentives so that the area remains attractive, exiting, and economically productive (§1608.2)
- CW-1.1.4 New Housing Development in Central Washington: “Encourage the development of new high-density housing in Central Washington, particularly in...NoMA. Ground floor retail space and similar uses should be strongly encouraged within these areas to create street-life and provide neighborhood services for residents. A strong Downtown residential community can create pedestrian traffic, meet local housing needs, support local businesses in the evenings and on weekends, and increase neighborhood safety and security. (§1608.5)
- CW-1.2.2 Preservation of Central Washington’s Historic Resources: “Protect and enhance Central Washington’s historic resources by continuing the current practices of: a. Preserving the area’s historic buildings and districts;...d. Encouraging the adaptive reuse of historic and architecturally significant buildings;...Historic resources should be recognized as essential to Downtown’s economic vitality and competitive edge, particularly for retail, tourist and entertainment activities. (§1609.2)
- CW-2.8.1 NoMA Land Use Mix: Promote NoMA’s development as an active mixed use neighborhood that includes residential, office, hotel, commercial, and ground floor retail uses. A diverse mix of housing, serving a range of household types and incomes should be accommodated. (§1618.9)

Except for the Capitol Self-Storage building, the existing buildings on the Property will be demolished and replaced with a new development that would provide a mix of uses including residential, hotel, office/creative uses, as well as ground floor retail. The Capitol Self-Storage building will be preserved and go through the historic landmark process. Both the proposed mixed use development and preservation of the Capitol Self-Storage building are consistent with the above-listed comprehensive plan policies, as well as the NoMA Vision Plan and Development Strategy. The development will provide housing in the Central Employment Area and will add to the vibrancy of retail developing along 3rd Street NE.

Housing Linkage

As described in the Comprehensive Plan 10 DCMR §504.18, projects that obtain a zoning density increase (e.g., an alley closing) for a development that is subject to a housing requirement are exempted from the housing linkage requirements that would otherwise apply under the Comprehensive Plan. The project enabled by the requested alley closing would be subject to such a housing requirement per §2602 Applicability of the Zoning Regulations. Per §2603 Set-Aside Requirements, a minimum of 8% of the proposed residential GFA is required to be Inclusionary Zoning units at a minimum of moderate income

levels (80% AMI). As such, a considerable amount of new housing would be provided on-site and no linkage is required as the majority of the new development on the site would be residential.

B. 24 DCMR Chapter 14 Requirements

The 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 require the plan to cover items including:

(f) *The approximate gross floor areas intended for various uses such as retail, office, residential, industrial, and commercial;*

- Residential—320,261 sf
- Hotel—81,857 sf
- Office/Creative Uses—24,407 sf
- Retail—26,585 sf

(g) *The points of ingress and egress that vehicles will use for parking or loading purposes;*

Provided. The sole point of egress and ingress for parking and loading will be off the east-west 15' alley located to the south.

(h) *The location of off-street parking spaces and their number and size;*

The parking to support the proposed development of PUD #15-28 is located in an underground garage. All proposed parking spaces meet the parking space size requirements. The following number of parking spaces are provided for each use:

- Residential—162 spaces
- Hotel—44 spaces
- Office/Creative—13 spaces
- Retail—31 spaces

(i) *The location and size of loading and unloading facilities such as berths, docks, and platforms;*

Loading will be provided in the location of the dead-end alley to be closed, off of the east-west 15' alley located to the south. Relief has been requested to provide shared loading facilities among uses, and for a smaller berth than required.

(j) *A Tracking diagram for the maximum size trucks intended to use the loading and unloading facilities;*

Provided. The Applicant provided turning movements that are under review by DDOT as part of the PUD process.

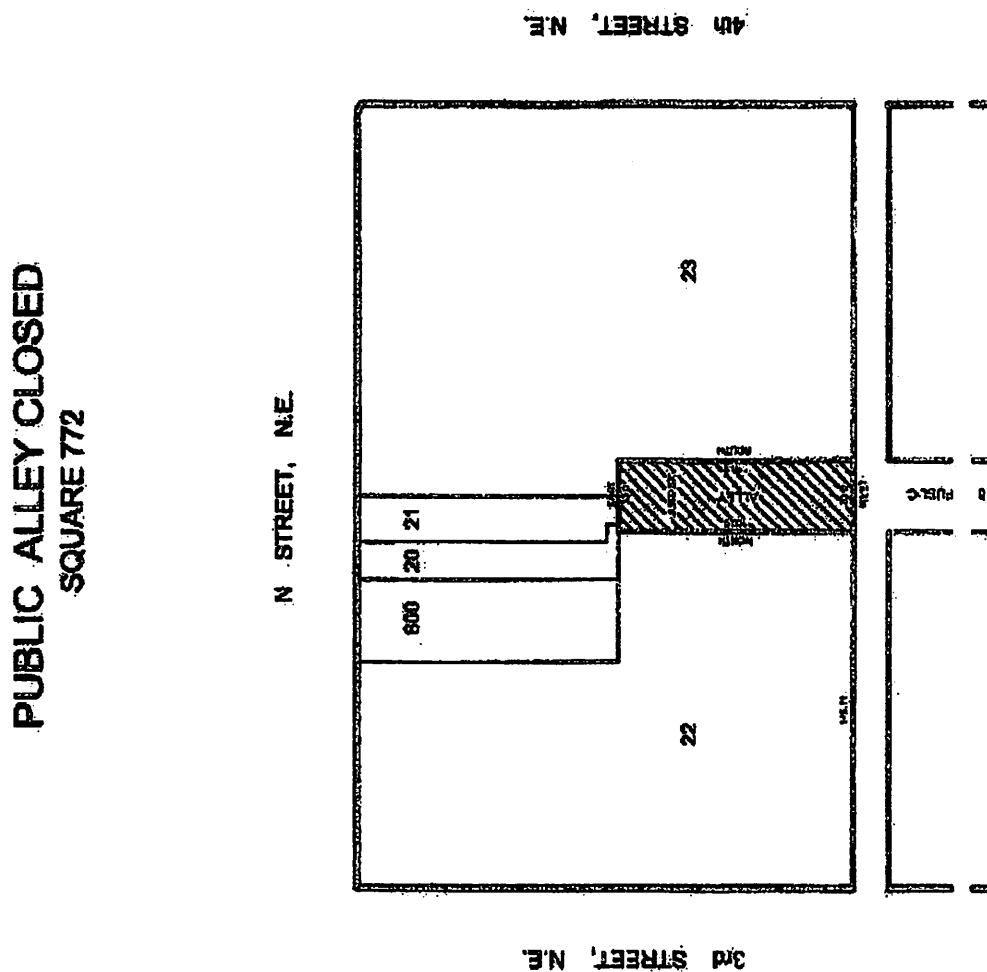
(k) *Elevation views for each side of any building proposed for the site.*

Provided.

IV. CONCLUSIONS

The alley closing would facilitate the redevelopment of the Property with a mix of uses including housing, hotel, office/creative uses and ground floor retail. The project will contribute to the revitalization of the NoMA small area plan area, preserve a significant building through the historic landmark designation process, and provide housing in Central Washington. The information provided by the Applicant is adequate to meet the requirements of Section 1400.8 for a project at this stage of its design development.

Attachment – Plat Showing Alley Closing



JS/mcr

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



MEMORANDUM

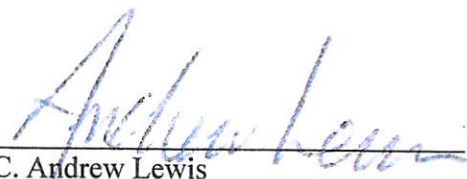
TO: Roland Dreist, Office of the Surveyor

SUBJECT: Proposed Closure of an Alley in Square 772; (S.O. 16-25615)

DATE: April 12, 2016

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

BY:


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

16-0290



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**



MEMORANDUM

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

FROM: Paul Walker
Architect (Construction Inspector)

DATE: March 24, 2016

SUBJECT: Department of Housing and Community Development Review comments on
Closing at Square 772

S.O 16-25615

The Department of Housing and Community Development (DHCD) has review the above referenced ally closing application. DHCD supports, as described below, the requested action specified in the application. This public alley closing at Square 772 will provide additional loading space and parking for the project. The total gross floor area included in the project is approximately 465,984 square feet, and will provide parking for approximately 250 vehicles.

This alley closing will have no effects on our DHCD operation. DHCD support is bases upon the understanding of the information contained in the application.



GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
OFFICE OF THE FIRE MARSHAL
1100 4th STREET SW, SUITE E700, WASHINGTON, DC 20024



MEMORANDUM

RECEIVED
APR 13 2016

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

BY: *[Signature]*

FROM: Tony L. Falwell *[Signature]*
Battalion Fire Chief / Asst. Fire Marshal
DCFEMS Office of the Fire Marshal

DATE: April 1, 2016

SUBJECT: Surveyor's Office File No. S.O. 16-25615

This written correspondence is being forwarded to your office to address **SO File No. 16-25615** that was submitted to the FEMS Office of the Fire Marshal (Fire Prevention Division) for review. The request involves the proposed closing of a 30' wide dead-end portion of the ally in Square 772 adjacent to Lots 20-23. The subject property is bounded by N Street NE and Florida Avenue NE to the north, a public alley to the south, 4th Street NE to the east, and 3rd Street NE to the west.

Based on FEMS review, the following findings are being brought forth: The FEMS Office of the Fire Marshal has no objection to this request being approved if the following requirements are adhered to: 1.) No existing FD connections and fire hydrants can be obstructed/ blocked in a way that will prevent emergency access. 2.) Fire access to the referenced and the adjacent properties, lots, and squares are not compromised and is maintained in accordance with Chapter 5, Fire Service Features, and Section 503 "Fire Apparatus Access Roads" in the 2012 International Fire Code.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Public Works



Solid Waste Management Administration

MEMORANDUM

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

FROM: Anthony Duckett *T.D.*
Chief Street & Alley Cleaning Division

SUBJECT: Proposed closings Public Alley in Square 772- SO, 16-25615

Date: March 31, 2016

The following Alley closing was investigated for review:

Square 772- SO, 16-25615

The Department has reviewed the proposed closing, at this time we have no objection to the closing of alley Square. 772- SO, 16-25615.

If you have any questions please call me at 202-727-2539.