



MURIEL BOWSER
MAYOR

November 7, 2023

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

Dear Chairman Mendelson:

Enclosed for consideration and enactment by the Council of the District of Columbia is a bill entitled "Dedication of Lot 841 in Square 5755 for Alley Purposes, S.O. 22-01599 Act of 2023."

This legislation will dedicate Lot 841 in Square 5755, a four-foot strip along a 160-foot length of existing public alley leading to W Street, S.E., for alley purposes. The dedication would expand the existing 20-foot width required by the Zoning Regulations to develop Lots 839 and 840 with new residences.

Pursuant to D.C. Official Code § 9-202.02(5) the application for closure of the portion of the alley was referred to Advisory Neighborhood Council (ANC) 8A. In a report dated December 13, 2022 to the Surveyor, ANC 8A stated that had voted to support the application without conditions. Pursuant to D.C. Official Code § 9-202.02(3) the application was referred to the National Capital Planning Commission (NCPC). In a letter dated May 17, 2022, NCPC determined that the proposed alley dedication was exempt from NCPC review.

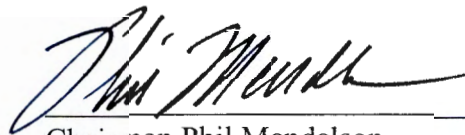
I urge the Council to take prompt and favorable action on the enclosed legislation. If you have any questions, please contact Ernest Chrappah, Acting Director, Department of Buildings, at ernest.chrappah@dc.gov or (202) 442-8935.

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

To dedicate Lot 841 in Square 5755 for alley purposes in Southeast Washington, D.C., in Ward 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That, this act be cited as the “Dedication of Lot 841 in Square 5755 for Alley Purposes, S.O. 22-01599 Act of 2023”.

Sec. 2. Pursuant to Section 301 and 302 of the Street and Alley Closing and Acquisition Procedures Act of 1982 (D.C Official Code §§ 9-203.01 and 203.02), the Council accepts the dedication for public alley purposes of Lot 841 in Square 5755 as shown on the Surveyor’s plat filed under S.O. 22-01599.

Sec 3. The acceptance of the land dedication in section 2 is contingent upon the satisfaction of the conditions set forth in the official file for S.O. 22-01599, including the conditions of the District Department of Transportation (DDOT) that the owner of Lot 841 in Square 5755 (the Applicant):

(a) Obtains a public space permit for the widened alley to construct as one project the following public space improvements:

(1) Demolishing the existing 12-foot-wide paved alley;

28 (2) Reconstructing the alley with a minimum 16-foot-wide pavement for
29 vehicles;

30 (3) Constructing a 4-6-foot-wide sidewalk using DDOT's standard concrete on
31 the lots abutting Lot 841 that are also owned by the Applicant; and

32 (4) Installing a two-to-four-foot-wide green space on the opposite side of the
33 alley from Lot 841 as a buffer from the adjacent building and its window wells;

34 (b) Enters into a project specific mitigation agreement with DDOT for the payment of
35 the design review and inspection costs for the public space improvements;

36 (c) Post a bond for the cost of construction of the public space improvements prior to
37 obtaining building permits for the lots abutting Lot 841 that are also owned by the Applicant; and

38 (d) Obtains confirmation from DDOT that the Applicant constructed the public space
39 improvements on the widened alley to DDOT standards and specifications and in accordance with
40 the public space permit, that the Applicant has provided all statutory warranties, and that DDOT has
41 agreed to accept the improvements into the DDOT portfolio.

42 Sec 4. Transmittal.

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

45 Sec. 5. Fiscal Impact Statement.

46 The Council adopts the fiscal impact statement prepared by the Chief Financial Officer as
47 the fiscal impact statement required by section 4a of the General Legislative Procedures Act of
48 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

49 Sec. 6. Effective Date.

50 This act shall take effect following approval by the Mayor, (or in the event of veto by the
51 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
52 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
53 1973 (87 Stat. D.C. Official Code §1-206-02(c)(1), and publication in the District of Columbia
54 Register.

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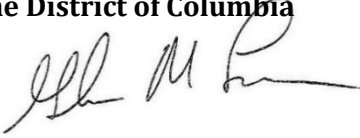
Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

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

FROM: Glen Lee
Chief Financial Officer 

DATE: December 15, 2022

SUBJECT: Fiscal Impact Statement – Dedication of Land for Alley purposes, in Square 5755, Lot 841, S.O. 22-01599 Act of 2022

REFERENCE: Draft bill provided to the Office of Revenue Analysis on November 18, 2022

Conclusion

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

The bill dedicates a portion of private property (160 feet long and 4 feet wide) to widen the alley from 20 feet to 24 feet, so that the owner can develop the adjoining lots with new single-family houses. The dedication is contingent upon the owner satisfying all conditions in the official file for S.O. 22-01599, including the following conditions of the District Department of Transportation (DDOT):

- 1) Entering into a Mitigation Agreement with DDOT to pay for review and inspection of the public space improvements;
- 2) Obtaining a public space permit for the construction of the public space improvements;
- 3) Posting a bond for the cost of the construction of public space improvements; and
- 4) DDOT approval of the public space improvements.

Financial Plan Impact

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. The dedication cannot occur until all the conditions of District agencies and utilities are met.

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



MEMORANDUM

To: Joseph E. Snyder, Surveyor, DC

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

Date: November 15, 2022

Subject: Assessed Land value for S.O. 22-01599 Land Dedicated for Public Alley Square 5755 Lot 841.

Reference: S.O. 22-01599 Land Dedicated for Public Alley Square 5755 Lot 841.

Pursuant to your request we have provided the assessed value for the above referenced Square and lot.

The assessed value as of January 1, 2022, which represents tax year 2023, for the Land Dedicated for Public Alley in Square 5755 Lot 841 is **\$4,470**.

If you have any questions, please contact me at 202.442.6743.

Sincerely,

A handwritten signature in black ink that reads "Eugene Clindinin".

Eugene Clindinin
Supervisory Appraiser
OTR/RPTA/RPAD

LAND DEDICATED FOR PUBLIC ALLEY
SQUARE 5755 LOT 841

THE LAND SHOWN (HAIR) IS SET ASIDE FOR PUBLIC ALLEY.

OFFICE OF THE SURVEYOR, D.C.
 _____, 2022

I CERTIFY THAT THIS PLAN IS CORRECT AND IS RECORDED.

SURVEYOR, D.C.



SURVEYOR'S OFFICE, D.C.

Map No. 2786-2 (2024)

Drawn by L.E.S. Created by *[Signature]*

Revised and Computed by B. WATERS

Recorded as _____ Page _____

Recorded on Date _____ Page _____

Scale: 1" = 40' Horizontal

2024ALTY_DEDICATONFOR-021186-40 5755



**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. 22-01599

12/20/21
Date

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

Location

Street(s)

Name: N/A

Abutting Squares: N/A

Portion to be closed/dedicated: N/A

AS PER SKETCH ATTACHED

Alley(s)

Name: N/A

Abutting Squares: 5755

Portion to be closed/dedicated.: Lot 841 in Attached Plat

AS PER SKETCH ATTACHED

This application is made by:

Residential Redevelopment, LLC

202-747-0769

Applicant's Name (print)

Telephone Number

1200 19th Street NW, Washington, DC 20036

Address

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

eSigned via SeamlessDocs.com
Eric J. DeBear
Key: ddfabbb156f289c4a258b7d228dcf17

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
PERMIT OPERATION DIVISION
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. 22-01599

Regarding an application for the proposed closing/dedication 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:

- All properties associated with the proposed closing/dedication are listed as follows:

Square N/A Lot Number N/A

- The proposed closing/dedication 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
N/A	N/A	N/A

12/2021
Date

Eric DeBear
Print or Type Name

eSigned via SeamlessDocs.com
Eric J. DeBear
Key: ddfabbb150f289c4a259bf7d228dcf17

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**

December 20, 2021

Eric J. DeBear

Direct Phone 202-747-0769
edebear@cozen.com

Joseph E. Snider
Office of the Surveyor
D.C. Department of Consumer and Regulatory Affairs
1100 4th Street SW
Washington, DC 20024

Re: Application to Dedicate Private Property to Public Alley in Square 5755

Dear Mr. Snider:

This cover letter is submitted on behalf of Residential Redevelopment LLC (the “Applicant”) in support of this application (the “Application”) to dedicate a portion of the Applicant’s private property to a public alley in Square 5755. This Application is filed in furtherance of the Applicant’s goal to redevelop its property with new single-family homes.

i. The Applicant’s Property

The Applicant is the owner of the property with a street address of 1673 W Street SE (the “Property”). The Property is located in the Anacostia neighborhood of Ward 8. The Property is comprised of five assessment and taxation lots: Lots 837, 838, 839, 840 and 841 in Square 5755.¹ Lots 837 and 838 (the “Street Facing Lots”) are street-facing lots fronting on W Street. Lots 839 and 840 (the “Rear Lots”) are located to the rear of the Street-Facing Lots, but do not have any street frontage.

Lot 841 (the “Dedication Lot”), which is the subject of this Application, is four feet in width and spans the entire length of the Property. The Dedication Lot directly abuts a 20-foot-wide public alley (the “Alley”) running along the Property’s western and southern lot lines.

ii. Purpose of Application

The Applicant seeks to dedicate the Dedication Lot to public space owned by the District of Columbia government. By converting the Dedication Lot to public space, the Alley would be widened from 20 feet to 24 feet, thereby allowing the Applicant to redevelop the Rear Lots with new single-family homes.

The Zoning Regulations restrict the Applicant’s ability to improve the Rear Lots due to the existing Alley width. In order to obtain a building permit, the Zoning Regulations require a property to be a “lot of record,” commonly referred to as a record lot. *See* 11A DCMR Subtitle A

¹ The current Assessment and Taxation Lots were created by Plat dated September 21, 2021, a copy of which is being filed with this Application. The Property also has underlying record lots numbered 156, 157 and 158.

§ 301.3. However, the Rear Lots are not record lots but assessment and taxation lots and, therefore, the Applicant cannot obtain a building permit and improve the Rear Lots.

Since the Rear Lots do not have any street frontage, they are classified as “alley lots” under the Zoning Regulations. In order to create a new “alley record lot,” the Zoning Regulations require the lot to abut an alley with a width of 24 feet. *See* 11A DCMR Subtitle C § 306.1(b).² By conveying the Dedication Lot to public space, the Alley width will be increased to 24 feet, the Rear Lots can be converted to record lots, and the Applicant can subsequently improve the Rear Lots with single-family homes.³

Accordingly, this Application will allow the Applicant to improve the Rear Lots with two, new single-family homes by widening the Alley to 24 feet.

iii. Legal Standard for Alley Dedication

Pursuant to D.C. Code § 9-203.01, “[t]he Mayor may open, extend, widen, or straighten...any minor street or alley...when the Mayor finds that the public interest would be served best by the action.” Any property used “for the purpose of opening, extending, widening, or straightening any...alley pursuant to § 9-203.01 may be acquired by...acceptance by the Council of a dedication of land.” *See* D.C. Code § 9-203.02

This Application serves the public interest by allowing the Applicant to increase the housing stock in Ward 8’s Anacostia neighborhood. The Applicant intends to redevelop the Property with four new single-family homes, with one home on each of the Street-Facing Lots and Rear Lots. As part of the improvements to the Property, the Applicant will also bring the Alley up to current Department of Transportation standards.

iv. Conclusion

The Applicant will remit the filing fee of \$2,750.00 upon receipt of an invoice from your office. If you have any further questions about this request, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely,

COZEN O’CONNOR



BY: ERIC J. DEBEAR

² A property owner may only obtain a building permit where the property is a record lot pursuant to 11A DCMR Subtitle A § 301.3 of the Zoning Regulations.

³ The Rear Lots otherwise meet the requirements for a single-family home use under the Zoning Regulations.



ADVISORY NEIGHBORHOOD COMMISSION 8A

Government of the District of Columbia
Anacostia/Fairlawn/Hillsdale/Sheridan



Exec Officers

December 13, 2022

Jamila White
Chair & Acting
Secretary

RE: Proposed dedication of private alley for public use

Robin McKinney
Vice-Chair

Diana Dorsey
Department of Licensing and Consumer Protection
1100 4th Street, SW
Washington, DC 20024

Brian Thompson
Treasurer

Via Email: diana.dorsey@dc.gov

Commissioners

Dear Diana Dorsey,

Holly Muhammad
SMD 8A01

At its regularly scheduled, properly noticed meeting on December 6, 2022, with a quorum of six Commissioners present, Advisory Neighborhood Commission (ANC) 8A voted **unanimously** to support the Residential Redevelopment LLC proposal to dedicate a 4-foot-wide portion of the property at 1673 W Street SE (Lot 841, Square 5755) to the abutting public alley in Square 5755. As a result, the alley will be widened from 20 feet to 24 feet.

Barbara J. Clark
SMD 8A02

Brian Thompson
SMD 8A03

ANC 8A supports this application because it will allow the applicant to build two new single-family homes along the alley.

Laneice Moore
SMD 8A04

Thank you for the opportunity to provide this letter.

Jamila White
SMD 8A05

Best,

DocuSigned by:
Jamila White
Janila White

Robin McKinney
SMD 8A06

Chair
Advisory Neighborhood Commission 8A

IN REPLY REFER TO:
NCPC File No. 8365

May 17, 2022

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

Re: 8365 (Proposed Dedication of Lot 841 for Public Alley use in Square 5755)

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 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 Carlton Hart at (202) 482-7252 or carlton.hart@ncpc.gov.

Sincerely,

Diane Sullivan

Diane Sullivan
Director, Urban Design and Plan Review

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Public Works



Solid Waste Management Administration

MEMORANDUM

TO: Joseph E. Snider
Surveyor, DC.

FROM: Anthony Duckett *A.D.*
Deputy Administrator, SWMA, DPW

SUBJECT: Proposed: Dedication of Lot 841 (private property) for Public Alley use in Square 5755 – SO 22-01599

Date: July 18th, 2022

The Department of Public Works has reviewed the proposed request for a street opening in Square 5755 – SO -22-01599, and at this time, we have no objection to the proposal.

If you have any questions, please call me at 202-359-5747.



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



MEMORANDUM

TO: Joseph E. Snider.
Surveyor of the District of Columbia

FROM: Paul Walker
Architect (Construction Inspector)

DATE: September 1, 2022

SUBJECT: Square : S.O. 5755

SUBJECT: Department of Housing and Community Development has reviewed the application (the “Application”) to dedicate a portion of the Applicant’s private property to a public alley in Square 5755.

The property is located at 1673 W Street SE (the “Property”). Located in the Anacostia neighborhood of Ward 8. The Property is comprised of five assessment and taxation lots: Lots 837, 838, 839, 840 and 841 in Square 5755. Lots 837 and 838 (the “Street Facing Lots”) are street-facing lots fronting on W Street. Lots 839 and 840 (the “Rear Lots”) are located to the rear of the Street-Facing Lots, but do not have any street frontage.

The Department of Housing and Community Development (DHCD) has completed its review to dedicate a portion of the Applicant’s private property to a public alley in Square 5755.

This dedication will have no effects on our DHCD operation with our current Project Pipeline and DHCD has no objection. DHCD support is based upon the following understanding of the information submitted and has no further comment.

Paul Walker
Paul Walker
Architect, DFD
Department of Housing and Community Development

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



John A. Donnelly, Sr.
Fire and EMS Chief

MEMORANDUM

TO: Joseph Snider
DC Department of Buildings

FROM: Jonathan A. Davis
BFC-Assistant Fire Marshal

CO/PLT: FPD

DATE: November 3, 2022

SUBJECT: Square 5755 Lot 841 S.O-22-01599

This written correspondence is being forwarded to your office to address the proposed land dedication, that was submitted to DCFEMS Office of the Fire Marshal for review.

Based on our review, the following findings are being brought forth: DCFEMS Office of the Fire Marshal has no objection to this request being approved. However, the applicant shall ensure that all fire department access and service features are in accordance with the International Fire Code 2015 edition, and DCMR 12-H Fire Code Supplement 2017 edition.

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

Sincerely,

Jonathan A. Davis
BFC-Assistant Fire Marshal
DCFEMS-Fire Prevention Division

MEMORANDUM

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

FROM: *JL* Joel Lawson, Associate Director, Development Review

DATE: August 31, 2022

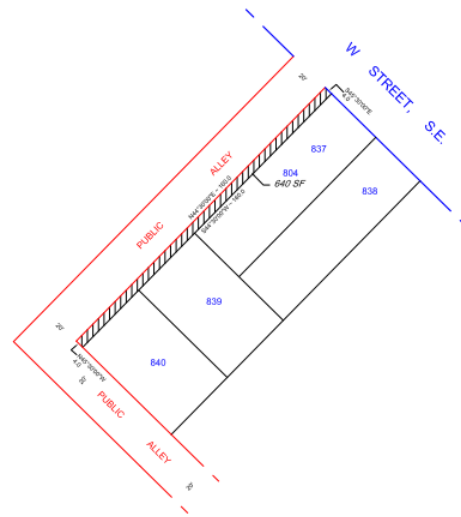
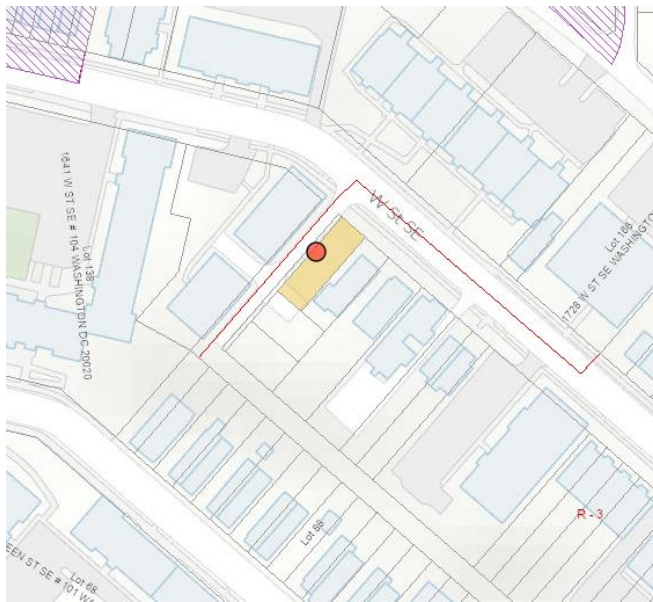
SUBJECT: S.O. 22-01599
Proposed Public Alley Dedication in Square 5755

I. RECOMMENDATION

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

II. REQUEST

To dedicate a portion of private land as public alley in Square 5755, as shown on the plans below.



III. SITE DESCRIPTION

Applicant:	Residential Redevelopment LLC
Address:	W Street SE
Legal Description:	Square 5755, Lot 841
Ward / ANC:	Ward 8/ ANC 8A
Zone:	R-3 – Low density residential

BZA Review	BZA Case 20299 requested relief from the alley lot width requirement for the development of two existing alley lots as single-family dwellings. The zoning regulations have a number of conditions related to the ability to develop an existing alley lot to be developed with a new single-family dwelling, including a current provision that it must be located on an alley of 24 feet in width minimum. This is intended to address issues raised regarding fire and safety access to alley lots by relevant agencies at the time the zoning was adopted. The applicant did not make a sufficient case for approval of the request, and the Board denied it in 2020.
Description:	The proposal is to dedicate a strip of land along an existing 20 foot wide alley, effectively widening it to 24 feet in width. Under current regulations, this would allow two alley lots to be developed with a single-family dwelling on each, as the lots meet all other zoning conditions related to building on an alley lot.
Size:	The area to be dedicated as alley is approximately 4 ft. wide by 160 ft. long, with an area of 640 sq.ft.
Adjacent Ownership:	All adjacent private properties are owned by the applicant.

IV. OP 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).

Comprehensive Plan Generalized Future Land Use and Policy Map Designation:	Land Use Map – Moderate Density Residential Policy Map – Neighborhood Conservation Area The proposal and the resulting development are not inconsistent with these designations.
Comprehensive Plan:	The proposal and resulting development would generally further objectives of the Land Use, Housing, and Urban Design Elements of the Comprehensive Plan. It would not impair the alley or vehicular movement in general, but rather would allow the productive use of two existing, legal alley lots.

The planning and urban design objectives, as contained within the Comprehensive Plan (10 DCMR), include:

Land Use Element

Policy LU-2.2.7: Alley Use

Discourage the conversion of alleys into private yards or developable land when the alleys are part of the historic fabric of the neighborhood and would otherwise continue to perform their intended functions, such as access to rear garages and service areas for trash collection.311.8

This proposal would widen, not close, a portion of an existing alley system.

Urban Design Element

The critical urban design issues facing Washington, DC are addressed in this element. These include:

- *Affirming civic identity through a focus on the historic intention of the District’s design;*
- *Strengthening neighborhood quality of life while accommodating growth and change;*
- *Providing compatible infill development and appropriate transitions between varying uses and densities;*
- *Supporting a vibrant urban life that enhances the accessibility, performance, and beauty of public streets and spaces; and*
- *Realizing design excellence and innovation in architecture, infrastructure, and public spaces to elevate the human experience of the built environment. 900.2*

The proposal would facilitate the compatible infill of two existing legal lots without impacting the character of the public street or neighborhood quality of life.

Policy UD-1.1.8: Community Life in Alleys

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

The proposal would facilitate infill development of two legal alley lots with new single-family residences, consistent with the character of the surrounding community.

Action UD-1.1.C: Alley Greening

Investigate the adoption of regulations that allow for resident greening and controlled vehicular access of alleyways to promote neighborhood community life. 903.23

The application does not state whether alley greening is proposed, but the proposal is to slightly widen the existing alley system in place. The area to be dedicated could remain green space or finished with a pervious surface to further the intent of this provision.

b. Far Southeast Southwest Area Element

The proposal would generally further the policies of this area element, through the provision of two new single family infill housing units (FSS-1.1.3).

c. Housing Linkage

IM-3.4 Commercial Linkage 2514

The site is zoned R-3, a residential zone and the proposal would be to place a new dwelling on each of the two existing alley lots. No commercial space is proposed, or would be possible on these lots in this zone. In addition, the private property is being made slightly smaller, not larger, than current. As such this proposal would not be subject to a housing requirement.

V. CONCLUSION

The information provided by the applicant is adequate to meet the requirements of 14 DCMR § 1400.8, for a project at this stage of its design development. Subject to DDOT concurrence, OP has no objection to this application.



MEMORANDUM

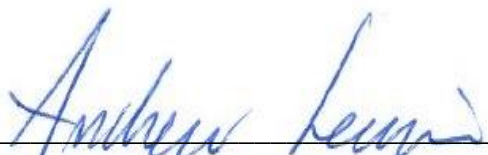
TO: Joseph E. Snider, Office of the Surveyor

SUBJECT: Proposed Land Dedication of Public Alley in Square 5755; **(S.O. 22-01599)**

DATE: April 29, 2022

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

BY:


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

22-0469

Government of the District of Columbia


Department of Transportation



d. Planning and Sustainability Division

MEMORANDUM

TO: Joseph Snider
DC Surveyor
Office of the Surveyor, DCRA

FROM: Anna Chamberlin 
Associate Director

DATE: October 11, 2022

SUBJECT: S.O. No. 22-01559 – Dedication at 1673 W Street SE (Square 5755)

The District Department of Transportation (DDOT) has reviewed the submitted materials on the proposed dedication. This purpose of this memorandum is to provide DDOT’s comments on the proposed dedication.

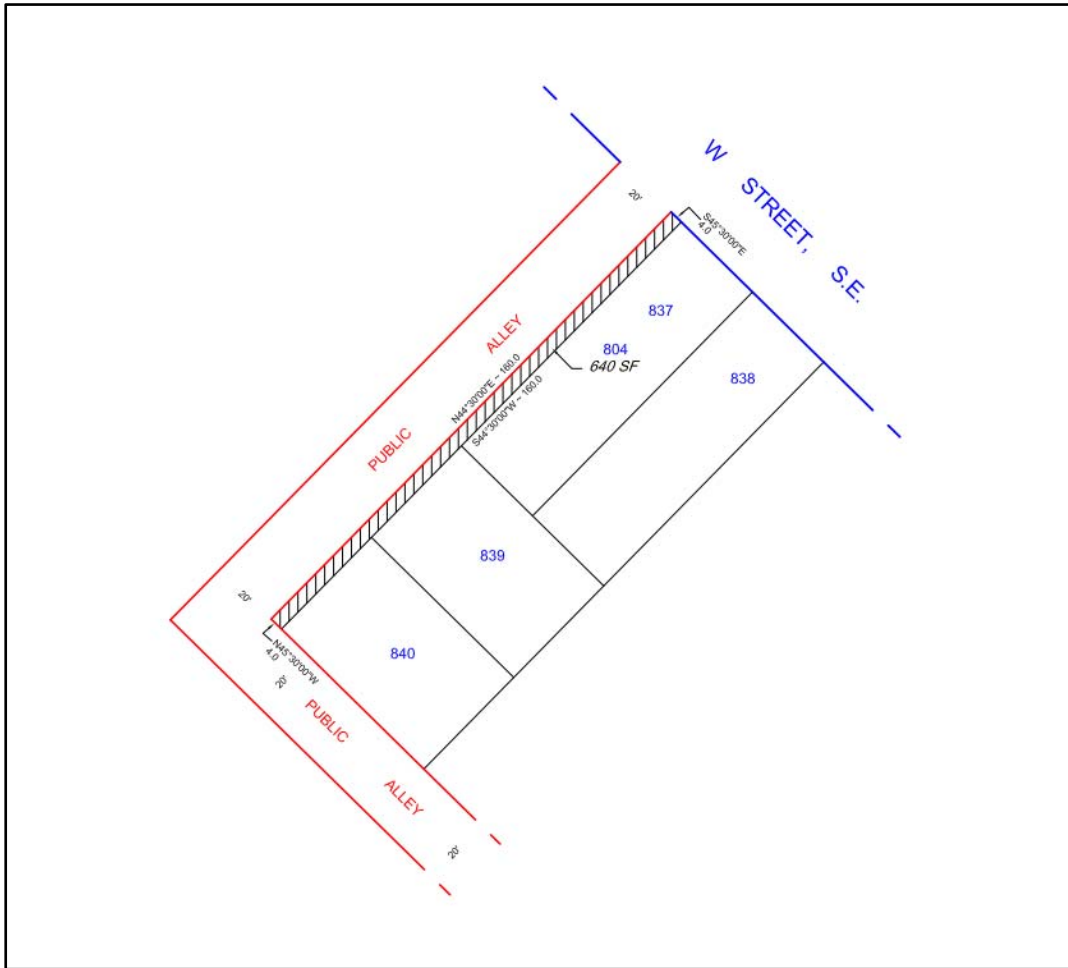
OVERVIEW

Residential Redevelopment LLC (the “Applicant”) seeks to dedicate a portion of the Applicant’s private property to the District in Square 5755 to facilitate the redevelopment of the Applicant’s adjacent property with new single-family houses. The Applicant’s property is comprised of five (5) assessment and taxation lots: Lots 837, 838, 839, 840, and 841 in Square 5755. The Applicant is proposing to dedicate Lot 841, which is four (4) feet in width and 160 feet long and spans the entire length of the Applicants remaining lots (the “Adjacent Lots”).

OPERATIONS

The site currently abuts a 20-foot public alley along the property’s western and southern lot lines. The proposed 4-foot dedication would widen the alley from 20 feet to 24 feet (“Expanded Alley”), thereby allowing the Applicant to redevelop the rear lots (Lots 839 and 840) with new single-family houses. The Applicant previously requested, and was denied, an area variance from minimum alley width requirements of Subtitle C 303.3(a) in Board of Zoning Adjustment (BZA) Case No. 20299. At the time, DDOT supported the Applicants request because the existing 20-foot alley exceeds DDOT’s minimum width of 16-foot requirement for a two-way alley. The proposed dedication and existing property lines are shown in Figure 1 below.

Figure 1 | Draft Plat



Source: Office of the Surveyor

STREETScape AND PUBLIC REALM

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, streetlights, sidewalks, and other appropriate features within the public rights of way bordering the site (the “Public Space Improvements”).

The Applicant must continue to work closely with DDOT and the Office of Planning (OP) to ensure that the design of the streetscape infrastructure within the new public space meets current DDOT standards and will substantially upgrade the appearance and functionality of the streetscape for public users needing to access the property or circulate around it.

Public space dedications can be conditioned upon the Applicant completing certain work, and specifically, in this case, the requirement that the dedication of 4-foot of alley being contingent upon the construction of the Public Space Improvements in accordance with DDOT standards and specifications and consistent with DDOT policy and operational and performance standards prior to acceptance by DDOT into its public space inventory. The Applicant is expected to bring the expanded 24-foot alley up to DDOT standards by undertaking the following:

- demolishing the existing 12-foot paved section; and
- reconstructing the alley to include a minimum of 16 feet pavement for vehicles; and
- constructing a sidewalk with a minimum width of 4 feet and a maximum width of 6 feet using DDOT’s standard concrete; and
- installing a 2-4 feet as green space on the opposite side of the alley to provide a buffer from the adjacent building and its window wells; and
- The sidewalk shall be constructed along Applicants adjacent lots and DDOT will work with the Applicant on the final cross-section during public space permitting.

Public Space Infrastructure Improvements for which public space permits and/or the District’s Public Space Committee approval are required shall be submitted through DDOT’s Transportation Online Permit System (“TOPS”) and subject to the applicable time requirements and permit fees required by TOPS. The Applicant must apply for a public space permit in the TOPS system for the entire 24-foot-wide alley section. Once public space permits have been issued, the Applicant must construct the alley, sidewalk and green space in accordance with the approved plans. Prior to recordation of the plat and acceptance of the new alley into the DDOT portfolio for the 4-foot strip to be dedicated, DDOT’s Infrastructure and Project Management Division (IPMD) or Public Space Regulatory Division (PSRD), to be determined, will inspect the new 24-foot alley ROW to ensure DDOT standards have been met. The District of Columbia Municipal Regulations, DDOT’s Design and Engineering Manual (DEM) and Public Realm Design Manual will serve as the main public space design and construction references for the Applicant.

The Transportation Infrastructure and Public Space Impact Mitigation Amendment Act of 2014, effective July 23, 2014 (D.C. Law 20-128; D.C. Official Code 50-9231.02(f)) gives DDOT the authority to enter into an agreement with a developer, or property owner, utility company, for the payment of the costs of DDOT’s review and provides for payment of the costs associated with the implementation of transportation infrastructure or public improvements or mitigation measures to address a project’s impact on transportation infrastructure. The Applicant shall enter into a Mitigation Agreement for the payment of the design review and inspection costs.

RECOMMENDATION

DDOT objects to recordation of the new plat with the proposed 4-foot dedication until the Applicant satisfies the following conditions:

- The Applicant applies for and obtains a public space permit for the construction of the Public Space Improvements on the Expanded Alley as one project;
- The Applicant enters into a project specific Mitigation Agreement with DDOT for the payment of the design review and inspection costs for the Public Space Improvements;
- Prior to obtaining building permits for the Adjacent Lots, the Applicant must post a bond for the cost of construction of the Public Space Improvements; and
- DDOT has confirmed that the Public Space Improvements on the Expanded Alley have been constructed to DDOT standards and specifications and in accordance with the public space permit, all statutory warranties have been provided, and DDOT has agreed to accept the improvements into the DDOT portfolio.



pepcoSM

AN EXELON COMPANY

Date: 8/31/2022

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

Re: S.O. 22-01599
Square 5755

Dear Mr. Snider:

In response to your Memorandum concerning the subject proposed public alley for square 5755 S.O. 22-01599 we comment as follows:
We have reviewed the documents showing the proposed dedication of land for public alley. Pepeco has no objections to this closing.

Sincerely,

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

Engineering and Design – DC
3400 Benning Road, NE; Bldg. #59
Washington, DC 20019-1503
Tel: 202-331-6237/Fax: 202-388-2721

Engineering and Design – Mont. Co.
201 West Gude Drive
Rockville, Maryland 20850
Tel: 301-670-8700/Fax: 301-670-8718

Engineering and Design – PG Co.
8300 Old Marlboro Pike
Upper Marlboro, MD 20772
[Tel:301-967-5800](tel:301-967-5800)/[Fax:301-967-5830](tel:301-967-5830)

Network Engineering
OPPE MD/DC



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

April 18th, 2022
Mr. Joseph E, Snider
Office of the Surveyor
1100 4th Street SW.
Washington, D.C. 20024

RE: Proposed Dedication of Lot 841 (private property) for Public Alley use in Square 5755 – S.O. 22-01599

Dear Mr. Snider

In reference to your letter dated April 11th, 2022

Location: Lot 841 (private property) for Public Alley use in Square 5755 – S.O. 22-01599

There is no conflict with Telephone plant in this area.

Verizon Washington D.C. Inc. does not object to this Dedication of Lot 841 (private property) for Public Alley use in Square 5755 – S.O. 22-01599

Very truly yours,

Kenneth Young
Engineer, Outside Plant Engineering, WSAM

GIV/Kdy *Kenny Young*

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



6801 Industrial Road
Springfield, Virginia 22151

September 7, 2022

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

Re: Proposed Dedication of Lot 841 (private property) for Public Alley use in Square 5755 – S.O. 22-01599

Dr. Mr. Snider,

Our, consultant, EN Engineering, has reviewed the proposed public alley dedication in the subject location detailed in the attachments to the subject application filed by Residential Redevelopment, LLC. Washington Gas approves the public alley dedication at this location.

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

EN Engineering (ENE)
811 Pinnacle Drive, Suite Q
Linthicum Heights, Maryland 21090
[jallen@enengineering.com](mailto:allen@enengineering.com)
Office (770) 378-0630

Sincerely,

A handwritten signature in cursive script that reads "Jonathan Honey".

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



April 13, 2022

Mr. Joseph Snider
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 Opening/Closing Application **S.O. 22-01599**

Dear Mr. Snider:

The District of Columbia Water and Sewer Authority (DC Water) is in receipt of the application and plat(s) you forwarded to us for comments on **April 11, 2022** regarding **S.O. 22-01599**. DC Water does not currently operate or maintain any facilities located within the subject area. Therefore, as long as surface drainage of the street(s) and alley(s) is accommodated, DC Water has no objections to the proposed street/alley openings/closings requested in **S.O. 22-01599**.

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!](http://dcwater.com)



MEMORANDUM

TO: Lamont McGinnis
Legislative Affairs Specialist, Department of Building

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

SUBJECT: Legal sufficiency review of a draft bill to dedicate Lot 841 in Square 5755 for alley purposes, as shown on the Surveyor's plat in S.O. 22-01599

DATE: April 12, 2023

This Office has reviewed the attached proposed bill entitled "Dedication of Lot 841 in Square 5755 for Alley Purposes, S.O. 22-01599, Act of 2023" and found it to be legally sufficient.

The owner of Lots 837-841 in Square 5755 (the "**Applicant**") filed an application with the Office of the Surveyor of the District of Columbia (the "**Surveyor**") to dedicate Lot 841, a four-foot strip along the entire 160-foot length of the existing public alley leading to W Street, S.E., for alley purposes. The dedication would expand the existing 20-foot-wide alley to the 24-foot width required by the Zoning Regulations to develop Lots 839 and 840 with new residences. The Surveyor drew a plat depicting the proposed alley dedication and created a file (S.O. 2-01599) for the relevant documents.

The Surveyor provided notice of the proposed alley dedication to the relevant District agencies and public utilities, who responded as follows:

District Agencies

The District's State Historic Preservation Office ("**HPO**"), on behalf of the Historic Preservation Review Board ("**HPRB**") submitted an April 29, 2022, letter to the Surveyor stating that the proposed alley dedication is exempt from HPRB review as it is not a street located in the L'Enfant Street Plan.

NCPC submitted a May 17, 2022, letter to the Surveyor stating that NCPC had determined that the proposed alley dedication was exempt from NCPC review.

The District Department of Public Works ("**DPW**") submitted a July 18, 2022, letter to the Surveyor stating that DPW had no objections to the proposed alley dedication.

The Office of Planning ("**OP**") submitted an August 31, 2022, report to the Surveyor stating that OP has no objections to the proposed alley dedication.

The District Department of Housing and Community Development ("**DHCD**") submitted a September 1, 2022, letter to the Surveyor stating that DHCD had no objection to the proposed alley dedication.

The District Department of Transportation (“**DDOT**”) submitted an October 11, 2022, report to the Surveyor stating that DDOT had no objections to the proposed alley dedication contingent on the Applicant:

- Obtaining a public space permit for the widened alley to construct as one project the following public space improvements:
 - Demolishing the existing 12-foot-wide paved alley;
 - Reconstructing the alley with a minimum 16-foot-wide pavement for vehicles;
 - Constructing a 4-6-foot-wide sidewalk using DDOT's standard concrete on the lots abutting Lot 841 that are also owned by the Applicant; and
 - Installing a two-to-four-foot-wide green space on the opposite side of the alley from Lot 841 as a buffer from the adjacent building and its window wells in coordination with DDOT;
- Entering into a project specific mitigation agreement with DDOT for the payment of the design review and inspection costs for the public space improvements;
- Posting a bond for the cost of construction of the public space improvements prior to obtaining building permits for the lots abutting Lot 841 that are also owned by the Applicant; and
- Obtaining confirmation from DDOT that the Applicant constructed the public space improvements on the widened alley to DDOT standards and specifications and in accordance with the public space permit, that the Applicant has provided all statutory warranties, and that DDOT has agreed to accept the improvements into the DDOT portfolio.

The District Department of Fire and Emergency Medical Services (“**FEMS**”) submitted a November 3, 2022, letter to the Surveyor stating that FEMS had no objection to the proposed alley dedication.

The Office of the Chief Financial Officer (“**OFCO**”) submitted:

- A November 15, 2022, Assessed value for Lot 841; and
- A December 15, 2022, Fiscal Impact Statement for S.O. 22-01599 determining that funds were sufficient in the District’s Fiscal Year 2023 through Fiscal Year 2026 budget to implement the proposed alley dedication.

Advisory Neighborhood Commission (“**ANC**”) 8A submitted a December 13, 2022, report to the Surveyor stating that at its December 6, 2022, duly noticed public meeting, the ANC voted to support the Application without any conditions.

Utilities

Washington Gas submitted a September 7, 2022, letter to the Surveyor stating that Washington Gas approved the proposed alley dedication.

DC Water submitted an April 13, 2022, letter to the Surveyor stating that DC Water does not have any facilities in the area of the proposed alley dedication and had no objection provided that surface drainage of the street(s) and alley(s) is accommodated.

Verizon submitted an April 18, 2022, letter to the Surveyor stating that there is no conflict with telephone plant in the area of the proposed alley dedication and has no objection to the proposed alley dedication.

Pepco submitted an August 31, 2022, letter to the Surveyor stating that Pepco does not have any objection to the proposed alley dedication.

Pursuant to the request of the Surveyor, I am forwarding the legislative package to you for review by the Mayor and submission to the Council. If you have any questions concerning the legal sufficiency of the legislation, please contact me at 724-6657. Questions concerning the S.O. 22-01599 file should be directed to the Surveyor, Joseph Snider, at 442-4699.

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

April 12, 2023

Attachments:

- Draft Bill – Dedication of Lot 841 in Square 5755 for Alley Purposes, S.O. 22-01599 Act of 2023
- Surveyor’s Plat depicting proposed alley dedication for S.O. 22-01599
- Applicant’s December 20, 2021, Letter and Application
- HPO – April 29, 2022, Letter
- NCPC – May 17, 2022, Letter
- DPW – July 18, 2022, Letter
- OP – August 31, 2022, Report
- DHCD – September 1, 2022, Letter
- DDOT – October 11, 2022, Report
- FEMS – November 3, 2022, Letter
- OCFO – November 15, 2022, Assessed Land Value for S.O. 22-01599
– December 9, 2021, Fiscal Impact Statement for S.O. 21-01599
- ANC 8A – December 13, 2022, Report
- Washington Gas – September 7, 2022, Letter
- DC Water – April 13, 2022, Letter
- Verizon – April 18, 2022, Letter
- Pepco – August 31, 2022, Letter

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

Joseph Snider, Surveyor for the District of Columbia
Department of Building

Nathan Bell, Legislative Affairs Specialist
Department of Building