

ENROLLED ORIGINAL

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To order, on an emergency basis, the closing of the public alley in Square 798, bounded by 3<sup>rd</sup>, 4<sup>th</sup>, I, and K Streets, S.E., a portion of the public alley in Square 799, bounded by 3<sup>rd</sup>, 4<sup>th</sup>, K, and L Streets, S.E., a portion of the public alley in Square 824, bounded by 4<sup>th</sup>, 5<sup>th</sup>, I, and K Streets, S.E., to accept the dedication and designation of land for public street and alley purposes, to authorize the improvement of the dedicated land for street purposes, to authorize modifications to the permanent system of highways in the District of Columbia, and to designate the dedicated streets as 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., and L Street, S.E., in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Public Alleys in Squares 798, 799, and 824 (S.O. 04-12081) and Dedication and Designation of 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., L Street, S.E., (S.O. 04-12080), Emergency Act of 2006".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01) ("Act"), the Council finds that the public alley in Square 798 and the portion of the public alleys in Square 799 and Square 824, as shown on the Surveyor's plat filed under S.O. File 04-12081, are unnecessary for alley purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all the conditions set forth in the official S.O. File 04-12081.

Sec. 3. Pursuant to sections 302 and 401 of the Act (D.C. Official Code §§ 9-203.02 and 9-204.01), and notwithstanding the requirements set forth in sections 303, 304 and 402 of the Act (D.C. Official Code §§ 9-203.03, 9-203.04, and 9-204.02), the Council accepts the dedication of the streets and alley portion as shown on the Surveyor's plats filed under S.O. File 04-12080 and designates the streets as 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., and L Street, S.E., as shown on the Surveyor's plats filed under S.O. File 04-12080. The approval of the Council of this dedication and designation is contingent upon the satisfaction of all the conditions set forth in the official S.O. File 04-12080.

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Sec. 4. Notwithstanding section 306 of the Act (D.C. Official Code § 9-203.06), the Mayor is authorized to:

- (1) Accept street improvements made or to be made by the applicant to the area dedicated for street purposes, subject to confirmation by the District Department of Transportation that the streets have been constructed in accordance with District Department of Transportation standards; and
- (2) Waive all deposits related to this section.

Sec. 5. Notwithstanding the Federal-Aid Highway Act of 1973, approved August 13, 1973 (87 Stat. 268; D.C. Official Code § 9-103.01 *et seq.*), regarding the Permanent Highway Plan and section 6 of An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, and for other purposes, approved June 28, 1898 (30 Stat. 520; D.C. Official Code § 9-101.06), regarding the procedural requirements for a modification to the Permanent Highway Plan, the Council amends the Permanent System of Highways in the District of Columbia by adding the area of land shown on the Surveyor's plat filed under S.O. File 04-12080. The National Capital Planning Commission approved the modification to the Permanent Highway Plan on July 28, 2005.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of Public Alleys in Squares 798, 799, and 824 (S.O. 04-12081) and Dedication and Designation of 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., L Street, S.E., (S.O. 04-12080), Emergency Act of 2006, passed on 2<sup>nd</sup> reading on December 19, 2006 (Enrolled version of Bill 16-779), as the fiscal impact statement required by section 602(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. 7. The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Surveyor of the District of Columbia and the District of Columbia Recorder of Deeds.

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
D.C. Official Code § 1-204.12(a)).

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia

A BILL

16-799

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To order the closing of the public alley in Square 798, bounded by 3<sup>rd</sup>, 4<sup>th</sup>, I, and K Streets, S.E., a portion of the public alley in Square 799, bounded by 3<sup>rd</sup>, 4<sup>th</sup>, K, and L Streets, S.E., a portion of the public alley in Square 824, bounded by 4<sup>th</sup>, 5<sup>th</sup>, I, and K Streets, S.E., to accept the dedication and designation of land for public street and alley purposes, to authorize the improvement of the dedicated land for street purposes, to authorize modifications to the permanent system of highways in the District of Columbia, and to designate the dedicated streets as 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., and L Street, S.E., in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alleys in Squares 798, 799, and 824 (S.O. 04-12081) and Dedication and Designation of 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., L Street, S.E., (S.O. 04-12080), Act of 2006".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01, *et seq.*) ("Act"), the Council finds that the public alley in Square 798 and the portion of the public alleys in Square 799 and Square 824, as shown on the Surveyor's plat filed under S.O. File 04-12081, are unnecessary for alley purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all the conditions set forth in the official S.O. File 04-12081.

Sec. 3. Pursuant to sections 302 and 401 of the Act (D.C. Official Code §§ 9-203.02 and 9-204.01), and notwithstanding the requirements set forth in sections 303, 304 and 402 of the Act (D.C. Official Code §§ 9-203.03, 9-203.04, and 9-204.02), the Council accepts the dedication of the streets and alley portion as shown on the Surveyor's plats filed under S.O. File 04-12080 and designates the streets as 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., and L Street, S.E., as shown on the Surveyor's plats filed under S.O. File 04-12080. The approval of the Council of this dedication and designation is contingent upon the satisfaction of all the conditions set forth in the official S.O. File 04-12080.

Sec. 4. Notwithstanding section 306 of the Act (D.C. Official Code § 9-203.06), the Mayor is authorized to:

(1) Accept street improvements made or to be made by the applicant to the area dedicated for street purposes, subject to confirmation by the District Department of Transportation that the streets have been constructed in accordance with District Department of Transportation standards; and

(2) Waive all deposits related to this section.

Sec. 5. Notwithstanding the Federal-Aid Highway Act of 1973, approved August 13, 1973 (87 Stat. 268; D.C. Official Code § 9-103.01 *et seq.*), regarding the Permanent Highway Plan and section 6 of An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, and for other purposes, approved June 28, 1898 (30 Stat. 520; D.C. Official Code § 9-101.06), regarding the procedural requirements for a modification to the Permanent Highway Plan, the Council amends the Permanent System of Highways in the District of Columbia by adding the area of land shown on the Surveyor's plat

filed under S.O. File 04-12080. The National Capital Planning Commission approved the  
modification to the Permanent Highway Plan on July 28, 2005.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal  
impact statement required by section 602(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. 7. The Secretary to the Council shall transmit a copy of this act, upon its effective  
date, to the Surveyor of the District of Columbia and the District of Columbia Recorder of  
Deeds.

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the  
Mayor, action by the Council to override the veto), a 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 § 1-206.02(c)(1)), and publication in the District of  
Columbia Register.

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A RESOLUTION

16-933

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 19, 2006

To declare the existence of an emergency with respect to the need to order the closing of the public alley in Square 798, bounded by 3<sup>rd</sup>, 4<sup>th</sup>, I, and K Streets, S.E., the closing of a portion of a public alley in Square 799, bounded by 3<sup>rd</sup>, 4<sup>th</sup>, K, and L Streets, S.E., the closing of a portion of the public alley in Square 824, bounded by 4<sup>th</sup>, 5<sup>th</sup>, I, and K Streets, S.E., to accept the dedication and designation of land for public street and alley purposes, to authorize the improvement of the dedicated land for street purposes, to authorize modifications to the permanent system of highways in the District of Columbia, and to designate the dedicated streets as 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., and L Street, S.E., in Ward 6.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of Public Alleys in Squares 798, 799, and 824 (S.O. 04-12081) and Dedication and Designation of 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., L Street, S.E. (S.O. 04-12080) Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Council considered the Closing of Public Alleys in Squares 798, 799, and 824 (S.O. 04-12081) and Dedication and Designation of 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., L Street, S.E. (S.O. 04-12080), Act of 2006, passed on 1<sup>st</sup> reading on December 5, 2006 (Engrossed version of Bill 16-799) ("permanent legislation"). Final Reading on the permanent legislation is scheduled for December 19, 2006.

(b) The alley closing and street dedication legislation will facilitate the replacement and redevelopment of the Arthur Capper/Carrollsborg complex, one of the most severely deteriorated public housing projects in the city. The new mixed-income, mixed-use development will be composed of approximately 1,650 residential units, including 707 public housing replacement units. Additionally, the development will include approximately 732,000 square feet of office building space, of which approximately 30,000 square feet will be devoted to first-floor retail uses. Approximately 21,000 square feet of additional neighborhood retail space will be located in high-rise residential buildings along 2<sup>nd</sup> Street. This phase of the development includes a total of 139 mixed-income residential units, including 65 market-rate units, 41 work-force units, 15 Section 8 home-ownership units, and 18 public housing/ACC units. The project includes one-for-one replacement of public housing units, which significantly exceeds the typical replacement rate for Hope VI projects.

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(c) Approval of emergency legislation will allow the construction of the proposed development to proceed in a timely basis. Council approval is imperative for development to proceed uninterrupted and seamlessly with the squares in the initial phase to be developed. The initial phase of public right-of-way infrastructure construction is to commence on the eastern perimeter of the site bordering Squares 825 and 825-S in January 2007. Should the city not approve the alley closings or street openings this year, the District of Columbia Housing Authority ("DCHA") will not be permitted to dispose of those squares and the builder will not be permitted to proceed with construction in sequence. As a consequence, DCHA will be faced with a decision to delay construction or start work and then demobilize, either of which would result in hardship and additional expense to the project, which is being funded by District funds.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of Public Alleys in Squares 798, 799, and 824 (S.O. 04-12081) and Dedication and Designation of 2<sup>nd</sup> Place, S.E., 3<sup>rd</sup> Place, S.E., L Street, S.E. (S.O. 04-12080) Emergency Act of 2006, be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.