

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To order the closing of a portion of an alley in Square 528, bounded by 4th Street, N.W., I Street, N.W., 3rd Street, N.W., and H Street, N.W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 528, S.O. 01-173, Act of 2002".

Sec. 2. (a) 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 of the District of Columbia finds that the portion of a public alley in Square 528, as shown on the Surveyor's plat filed under S.O. 01-173, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this closing is contingent upon:

(1) The establishment of easements and satisfaction of other conditions required by the Department of Public Works, the Water and Sewer Authority, and affected public utilities, as set forth in the official file on S.O. 01-173;

(2) Agreement by the applicant to develop a primarily residential development on lots 819 and 820 or as part of a combined lot development with not less than 4.5 floor area ratio of residential use, as required by the Downtown Development District provisions of the Zoning Regulations (11 DCMR § 1706); and

(3) Agreement by the applicant to satisfy the following conditions for the benefit of Second Baptist Church ("the Church"):

(A) Any building to be constructed on lot 820 shall be set back by a minimum of 25 feet from the rear property line of the Church property to the east;

(B) The applicant shall continue to provide the Church with permission to park vehicles in the applicant's existing surface parking lot on Sundays and evenings without charge until pre-construction activities commence on the applicant's property;

(C) The applicant shall, at its sole cost and expense, use good faith efforts to develop, in consultation with the Church, an effective and appropriate means to provide

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illumination to the rose-tinted window on the western wall of the Church sanctuary; and

(D The applicant shall relocate the access to the loading area and the parking garage from 3rd Street to another street.

Sec. 3. 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. 4. The Secretary to the Council shall transmit a copy of this act, upon its effectiveness, each to the District of Columbia Surveyor, the Office of Planning, the Building and Land Regulation Administration of the Department of Consumer and Regulatory Affairs, and the District of Columbia Recorder of Deeds.

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), 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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia