

AN ACT

*Codification
District of
Columbia
Code
2001 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To order the closing of 13th Street, S.E., and N Street, S.E., abutting Squares 1025, 1025-E, 1025-S, and U.S. Reservation 298, bounded by M Street, S.E., Virginia Avenue, S.E., Water Street, S.E., and 12th 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 13th and N Streets, S.E., S.O. 98-271, Act of 2000".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982 ("Act"), the Council of the District of Columbia finds that 13th Street, S.E., and N Street, S.E., abutting Squares 1025, 1025-E, 1025-S, and U.S. Reservation 298, as shown on the Surveyor's plat filed under S.O. 98-271, are unnecessary for street purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. Prior to the issuance of any building permit encompassing the area vested pursuant to this act, the applicant shall demonstrate to the satisfaction of the Office of Planning that:

(1) Conditions regarding views and public pedestrian access, approximating those set forth by the National Capital Planning Commission in its report to the Council dated June 1, 2000, will be satisfied; and

(2) Five percent of the housing linkage requirement set forth in section 305.3(b) of the Comprehensive Plan (10 DCMR) has been satisfied. Pursuant to section 305.11(g) of the Comprehensive Plan, the Council has provided a lesser housing linkage requirement than would otherwise apply to these street closings because the commercial development that will be facilitated by these street closings is located within an area designated on the Comprehensive Plan land use map as a production and technical employment area, and a lesser linkage requirement is necessary to implement Comprehensive Plan objectives and policies for this area which otherwise would likely not be achieved.

Sec. 4. Notwithstanding section 212 of the Act, if an abutting property owner files an

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objection to either of these street closings pursuant to sections 210 and 211 of the Act, the Surveyor shall record the street closing plat prior to the payment of any damages assessed through an *in rem* proceeding. The objecting property owner shall retain the right to seek damages under section 211 of the Act, and the street closing applicant shall be fully responsible for any damages that may be assessed by the court in an *in rem* proceeding.

Sec. 5. 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 (84 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 6. 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. 7. 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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia