



**PROPOSED CLOSING OF PUBLIC ALLEY IN SQUARE 701 BOUNDED BY
1ST, M, N AND HALF STREETS, SE (SO 06-9889)**

Washington, D.C.

Delegated Action of the Executive Director

August 31, 2006

Pursuant to the Commission's delegations of authority adopted on October 3, 1996, I find that the proposed closing of public alley (SO 06-9889) bounded by Square 701, SE as shown on NCPC Map File No. 24.40(44.40)-42089 would not have a direct adverse effect on the identified federal interests nor be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital.

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The District of Columbia Office of the Surveyor has filed, on behalf of the adjacent property owners, an application for the closing of a public alley in Square 701, SE. The alley to be closed varies in width from 10 feet to 26 feet, and connects to Cushing Place (not correctly identified on the Surveyor's Plat) on the west and 1st Street, SE on the east. The alley portions are currently improved, but do not provide access to any developed properties that they abut.

Closing of the alley portions totaling approximately 7,500 square feet will allow for unified development on the east side of Square 701 and will not disrupt the remaining public alleys in the Square. The planned development is expected to accommodate mixed use of the site, including 515,000 square feet of gross floor area for office, residential, and retail uses, and 499 parking spaces. Vehicle and loading access to the property will occur from Cushing Place, which connects to the existing alleys in the Square.

South Capitol Street, M Street and nearby federal property including the Southeast Federal Center are all federal interests. Although the proposed alley closing does not have a direct adverse effect on the federal interests, the cumulative impact of development proposed in the area along the South Capitol Street Corridor has the potential to have significant adverse environmental impacts on these interests. DC Public Law 8-36, the Environmental Policy Act of 1989, requires that all District of Columbia agencies consider the environmental impact of proposed major actions likely to have substantial negative impacts on the environment prior to

issuing any approvals for such actions; the District should consider the proposed alley closing as one of many actions that will be part of this cumulative impact. Additionally, based on the development plans submitted, NCPC has identified potential violations of the Height of Buildings Act that the Zoning Commission may want to consider when reviewing the office building portion of the project.

The Coordinating Committee forwarded the proposed alley closing to the Commission with the statement that the project has been coordinated with all agencies represented. The Architect of the Capitol has identified a need for additional investigation of traffic management by the development team, and raised concerns with regard to traffic flow and safety at the intersection of Cushing Place and M Streets, SE since that appears to be the primary point of vehicular ingress/exit for the proposed parking and loading areas. NCPC legal counsel stated that the District's environmental review process includes study of traffic impacts, among other environmental effects, as a result of proposed development.

I find that the proposed alley closing would have no direct adverse affect on the identified federal interests nor be inconsistent with the Comprehensive Plan for the National Capital, but recommend that the District of Columbia City Council explore the potential environmental impacts of the proposed alley closure and subsequent development.

Patricia E. Gallagher, AICP
Executive Director