



**REMOVAL OF BUILDING RESTRICTION LINES
(PARTIAL STREET CLOSURE)
SQUARE 5869 (S.O. 09-8150)**

Sayles Place SE
Washington, D.C.

Submitted by the District of Columbia Office of the Surveyor

Delegated Action of the Executive Director

April 30, 2009

Pursuant to the Commission's delegations of authority adopted on October 3, 1996 and D.C. Code §9-202.02, I find that the proposed removal of building restriction lines (S.O. 09-8150) in Square 5869, as shown on NCPC Map File No. 82.10(44.40)42743, would not be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital nor adversely affect any other federal interests.

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The District of Columbia Office of the Surveyor has filed, on behalf of William C. Smith & Co., an application for the removal of building restriction lines (BRLs) on either side of Sayles place SE between Howard Road SE and Bowen Road SE in Square 5869 (Exhibit 1). Square 5869 is part of a larger site that is currently vacant but scheduled for redevelopment as a city-sponsored mixed-income housing development called Sheridan Terrace. Sheridan Terrace is a Planned Unit Development (PUD) that received final approval from the District of Columbia Zoning Commission in November 2008. NCPC reviewed and approved the PUD at its September 2008 Commission Meeting.

The section of Sayles Place SE that is the subject of this application has a 60-foot public right of way. The BRLs on the adjacent properties are each 10 feet wide for a total distance of 80 feet between the building lines. The identified federal interest for this proposal is the Height of Buildings Act of 1910, as amended (the Act). The Act states that on streets less than 90 feet where building lines have been established, the width of the street in reference to the height of the buildings shall be the distance between said building lines. Therefore the removal of the BRLs will limit the street width that determines the allowable building height. The Act also regulates building height based on whether a street is determined to be a "business" or "residence" street. However, it does not provide an exact means for making such determination.

The city has determined that the section of Sayles Place SE that is the subject of this application is a residence street since it is located within a residential zone per the approved PUD. In this instance NCPC will also use zoning to make this determination for purposes of measuring compliance with the Act. Removal of the BRLs along Sayles Place SE will reduce the width of the street from 80 feet, the distance between the BRLs, to 60 feet. For residence streets with a width of 60 – 65 feet, the Act permits a maximum building height of 60 feet. According to the PUD, the height of the buildings proposed along Sayles Place SE will range between 36 and 46 feet, and will therefore comply with the Act.

The Coordinating Committee reviewed the proposal on April 15, 2009, and forwarded it to the Commission with the statement that the action has been coordinated with all participating agencies. The participating agencies were NCPC; the National Park Service; the General Services Administration; the District of Columbia Office of Planning; the District Department of Transportation and the Washington Metropolitan Area Transit Authority.

Marcel C. Acosta
Executive Director

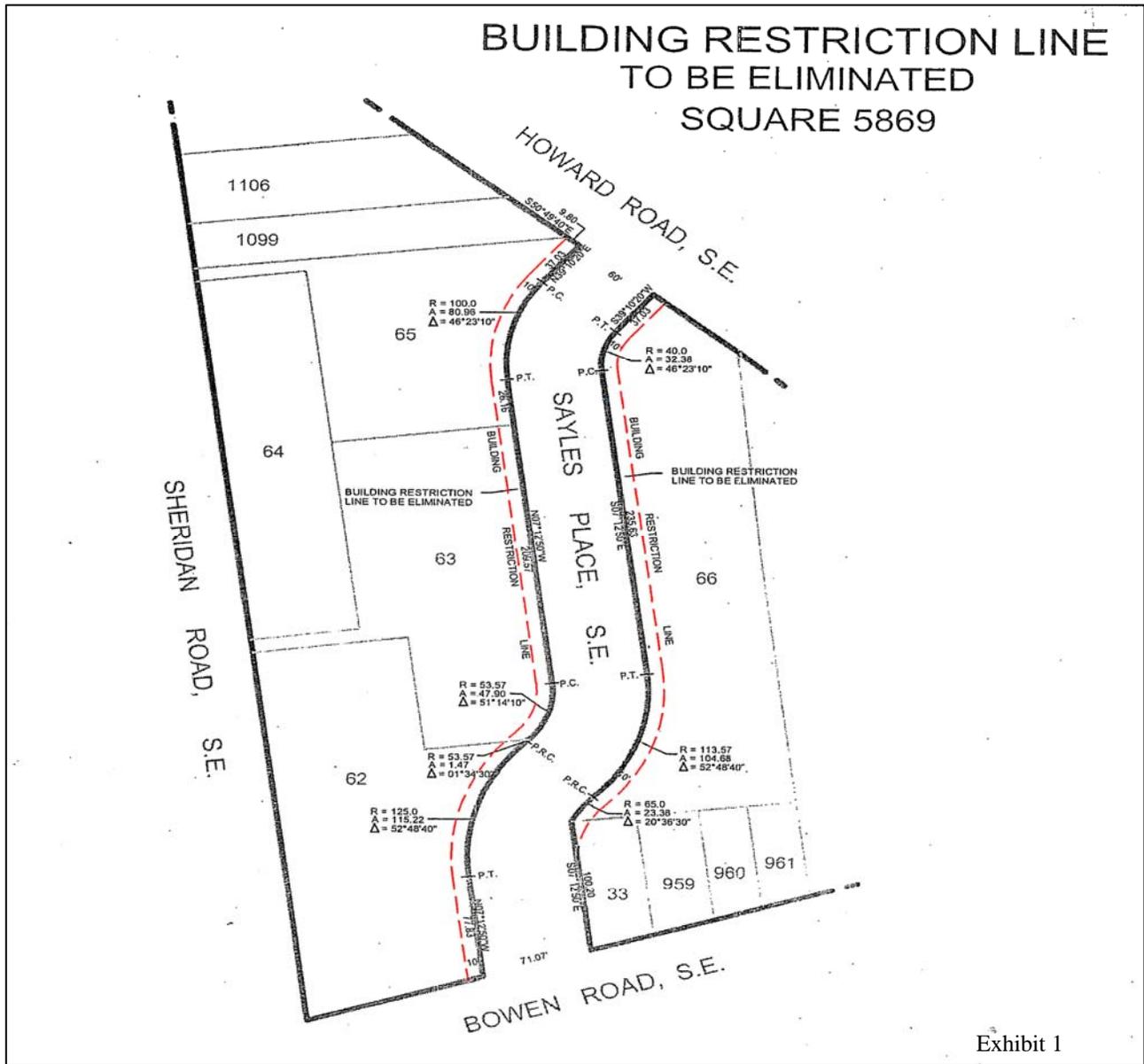


Exhibit 1