



Executive Director's Recommendation

Commission Meeting: March 7, 2019

PROJECT

**Removal of a portion of 39th Street, NW,
from the Permanent System of Highways,
Lot 801, Square 1823**

Between Upton and Rodman Streets, NW,
west of Wisconsin Avenue, NW
Washington, DC

SUBMITTED BY

District of Columbia Department of Consumer
and Regulatory Affairs

REVIEW AUTHORITY

Highway Plan Amendment
per DC Code § 9-103.02

NCPC FILE NUMBER

8036

NCPC MAP FILE NUMBER

72.00(44.40)44864

APPLICANT'S REQUEST

Approval of Highway Plan
amendment

PROPOSED ACTION

Approve Highway Plan amendment
as requested

ACTION ITEM TYPE

Consent Calendar

PROJECT SUMMARY

The District of Columbia Office of the Surveyor has forwarded an application by Nash - Roadside 3900 Wisconsin, LLC, the owner of Lot 801 in Square 1823 in Washington, DC, to abandon a portion of 39th Street, NW from the Plan of a Permanent System of Highways of the District of Columbia (Highway Plan). The Highway Plan indicates that 39th Street, NW was intended to traverse the lot and currently exists as a "paper street" only. The proposed segment of 39th Street, NW to be removed from the Highway Plan sits on private property, and an existing building and parking structure already sit within the paper street right of way. The site is anticipated to be redeveloped with a mix of uses.

The applicant seeks to remove the street segment from the plan because it is not necessary for highway purposes, nor is it utilized as a street, and its ultimate construction would not further any of the District's goals or policies. Moreover, the Applicant does not want the current or any potential future development on the property to be encumbered by the unimproved plan street.

KEY INFORMATION

- The proposed amendment to the Permanent System of Highways of the District of Columbia would abandon the segment of 39th Street, NW that currently exists as a "paper street" on Lot 801 in Square 1823.
- The modification would allow current or any potential future development on the property to proceed unencumbered by the unimproved plan street.
- The proposed amendment would not directly result in any physical or visual changes, is not inconsistent with the Federal Elements of the *Comprehensive Plan for the National Capital*, and would not impact any identified federal interests.

RECOMMENDATION

The Commission:

Approves the amendment to remove a portion of 39th Street, NW from the Permanent System of Highways, located within Lot 801, Square 1823, between Upton and Rodman Streets, NW, west of Wisconsin Avenue, NW in Washington DC.

Notes the portion of 39th Street, NW currently sits on private property, and the amendment to the Highway Plan will allow for private redevelopment of the site, which is subject to review by the government of the District of Columbia.

PROJECT REVIEW TIMELINE

| | |
|--|------|
| Previous actions | None |
| Remaining actions (anticipated) | None |

PROJECT ANALYSIS

Staff has reviewed the application and finds that the removal of the paper street would not have an adverse effect on the federal interest, nor would it be inconsistent with the Federal Elements of the *Comprehensive Plan for the National Capital*. Further, the proposed amendment to the Highway Plan would not directly result in any physical or visual changes. Any futures projects for the site, including the current plans to create a mixed-use development, would be reviewed by the government of the District of Columbia in accordance with all applicable laws and policies. Accordingly, staff recommends the Commission **approves the amendment to remove a portion of 39th Street, NW from the Permanent System of Highways, located within Lot 801, Square 1823, between Upton and Rodman Streets, NW, west of Wisconsin Avenue, NW in Washington DC.**

CONFORMANCE TO EXISTING PLANS, POLICIES AND RELATED GUIDANCE

Comprehensive Plan for the National Capital

As noted in the analysis above, NCPC staff has reviewed this amendment for compliance with relevant guidance and has determined that it is not inconsistent with the policies established in the Federal Elements of the *Comprehensive Plan for the National Capital*.

National Historic Preservation Act

Because of its approval authority on amendments to the Highway Plan, NCPC has a responsibility to comply with Section 106 of the National Historic Preservation Act. To meet its obligation, NCPC determined that approval of the amendment would not cause adverse effects on historic properties, and the DC State Historic Preservation Office concurred with this finding on February 28, 2019.

National Environmental Policy Act

To meet its obligations under the National Environmental Policy Act, NCPC will apply the categorical exclusion listed in 1 CFR § 601.12(a)(2), which allows for the exclusion of the installation or restoration of minor site elements, such as the portion of 39th Street, NW that currently exists as a paper street in the Highway Plan, from further analysis.

CONSULTATION

Coordinating Committee

Without objection, the Committee forwarded the proposed amendment to the Permanent System of Highways to the Commission with the statement that the proposal has been coordinated with all participating agencies.

ONLINE REFERENCE

The following supporting documents for this project are available online at www.ncpc.gov:

- Project Synopsis
- Submission Materials

Prepared by John Gerbich
02/06/2019

POWERPOINT (ATTACHED)

Removal of a portion of 39th Street, NW, from the Permanent System of Highways, Lot 801, Square 1823

Between Upton and Rodman Streets, NW, west of Wisconsin Avenue, NW
Washington, DC

Approval of Amendment to the Highway Plan

District of Columbia Department of Consumer and Regulatory Affairs

Project Summary

Commission Meeting Date: March 7, 2019

NCPC Review Authority: D.C. Code 9-103.02

Applicant Request: Approval of Amendment to the Highway Plan

Session: Consent Calendar

NCPC Review Officer: John Gerbich

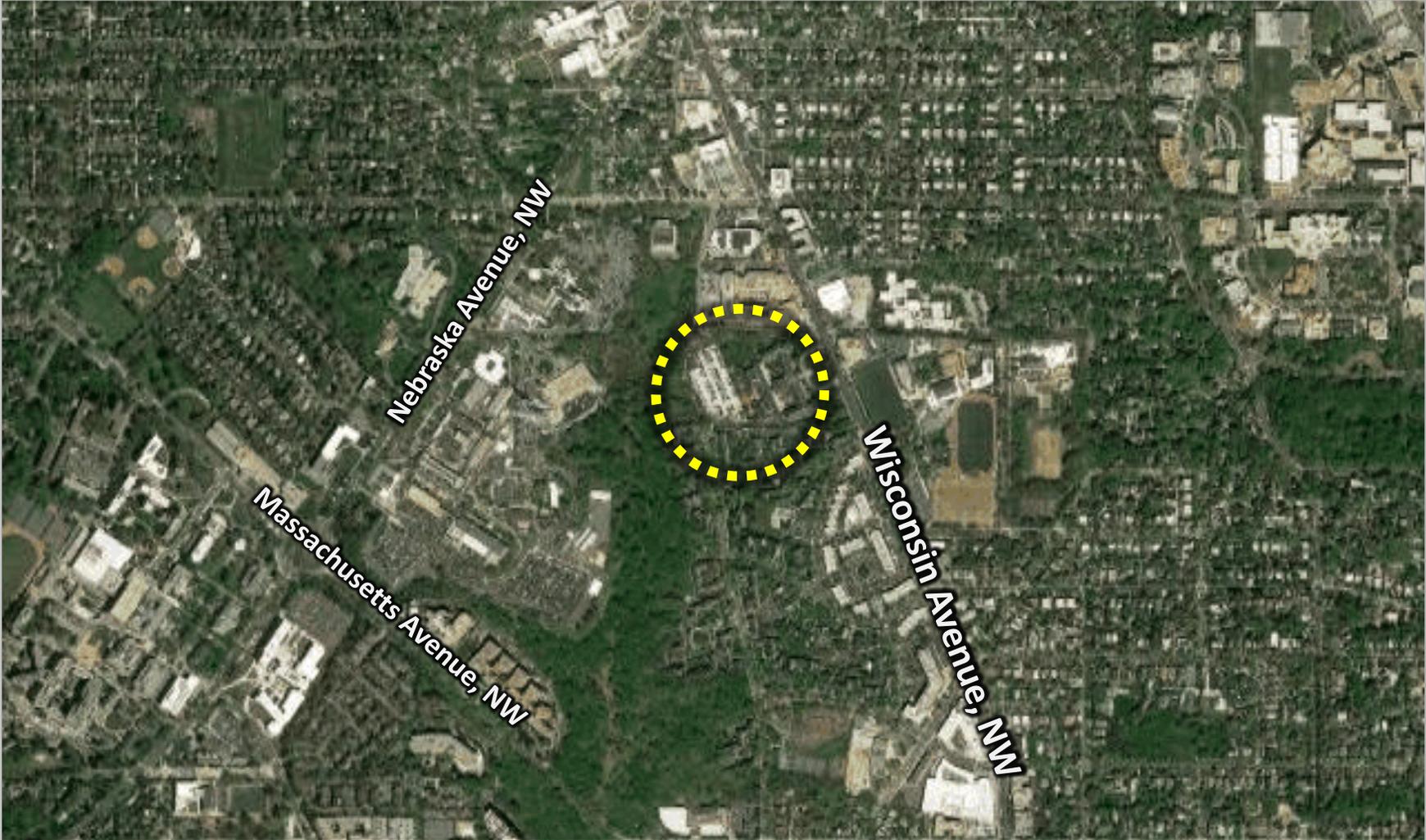
NCPC File Number: 8036

Project Summary:

The Office of the Surveyor has forwarded an application by Nash - Roadside 3900 Wisconsin LLC (the "Applicant"), the owner of Lot 801, in Square 1823 in Washington, DC, to remove said portion of 39th Street NW from the Plan of a Permanent System of Highways of the District of Columbia (the "Plan"). The Plan reflects that a portion of 39th Street traverses the lot. The proposed portion of 39th Street to be removed from the Plan is on private property, currently occupied by a building and parking structure, and is surrounded by property owned by the Applicant. The site is anticipated to be redeveloped with a mix of uses.

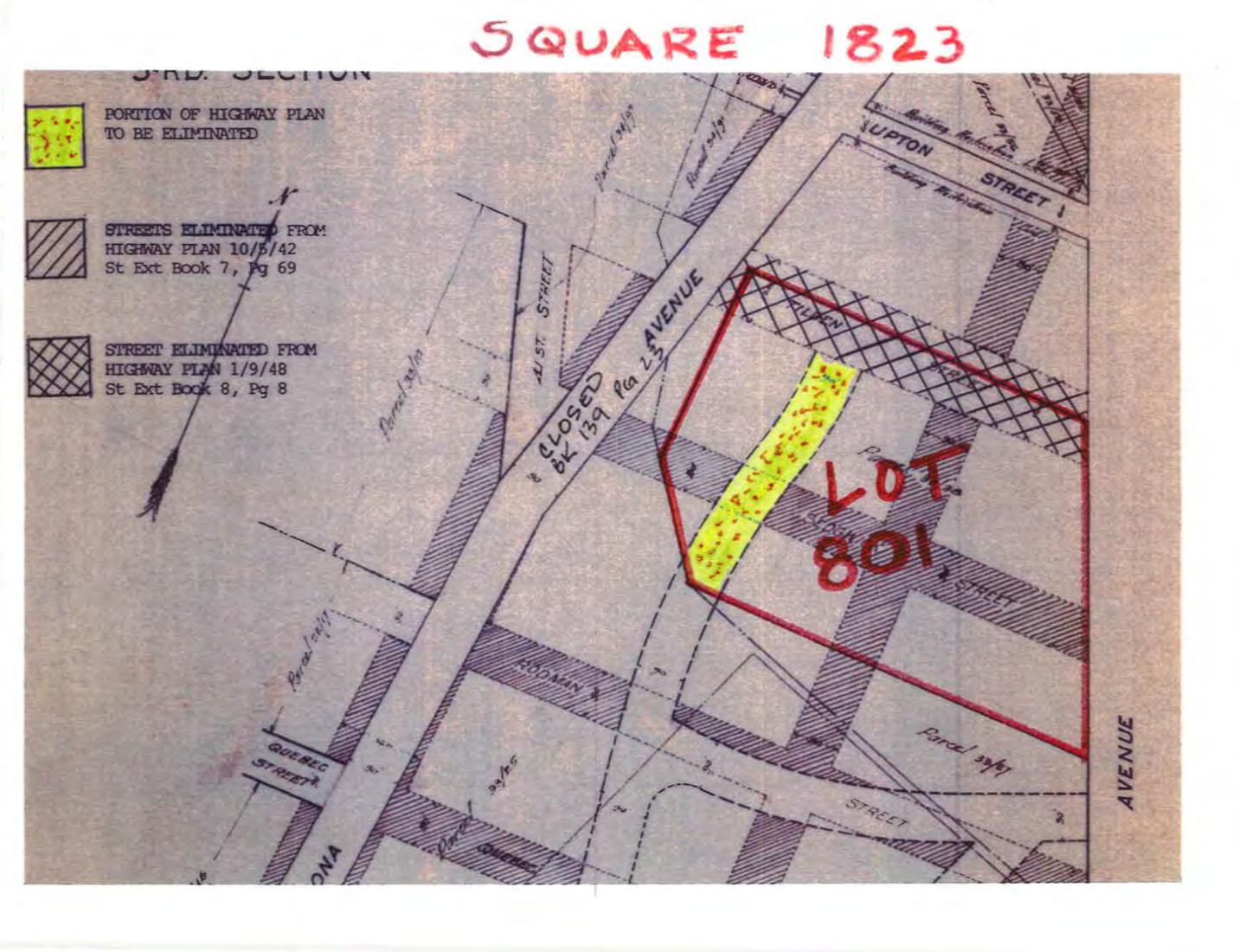
The Applicant seeks to removed the street segment from the Plan because it is not necessary for highway purposes, nor is it utilized as a street, and its ultimate construction will not further any of the District's goals or policies. Moreover, the Applicant does not want the current or any potential future development on the property to be encumbered by the unimproved Plan street.

Site Location

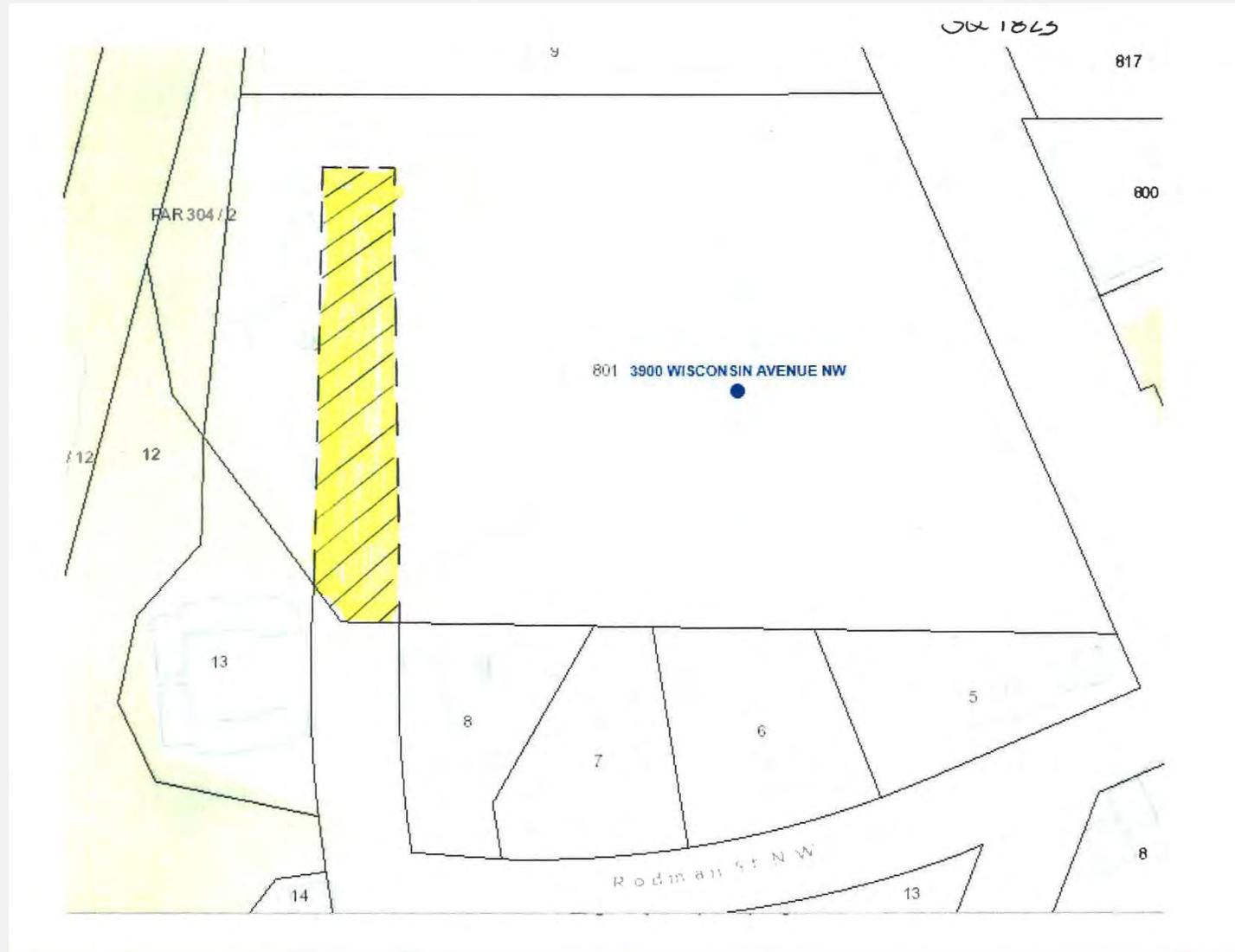


Location Map

Proposed Area for Removal



Proposed Area for Removal



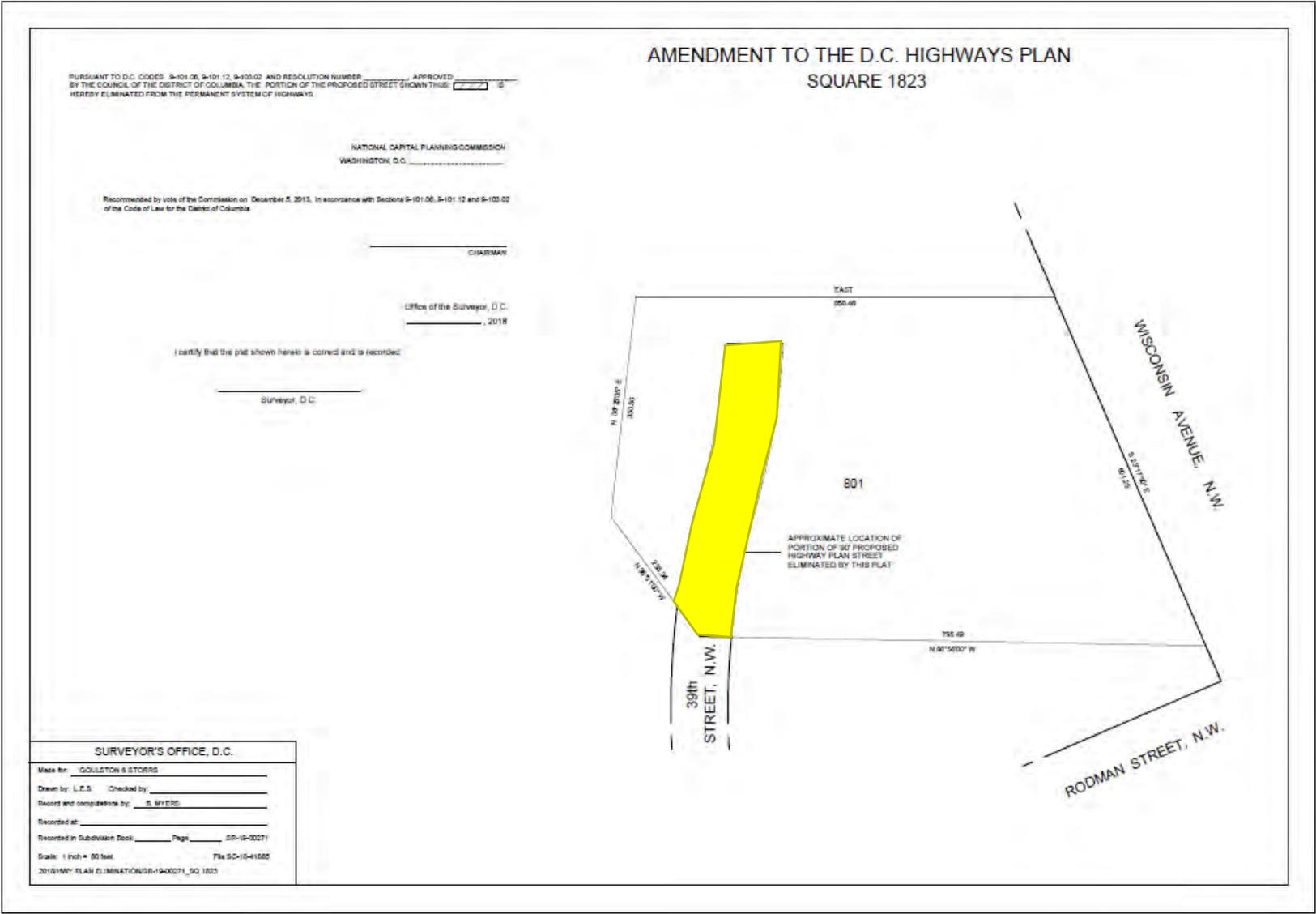
Aerial View



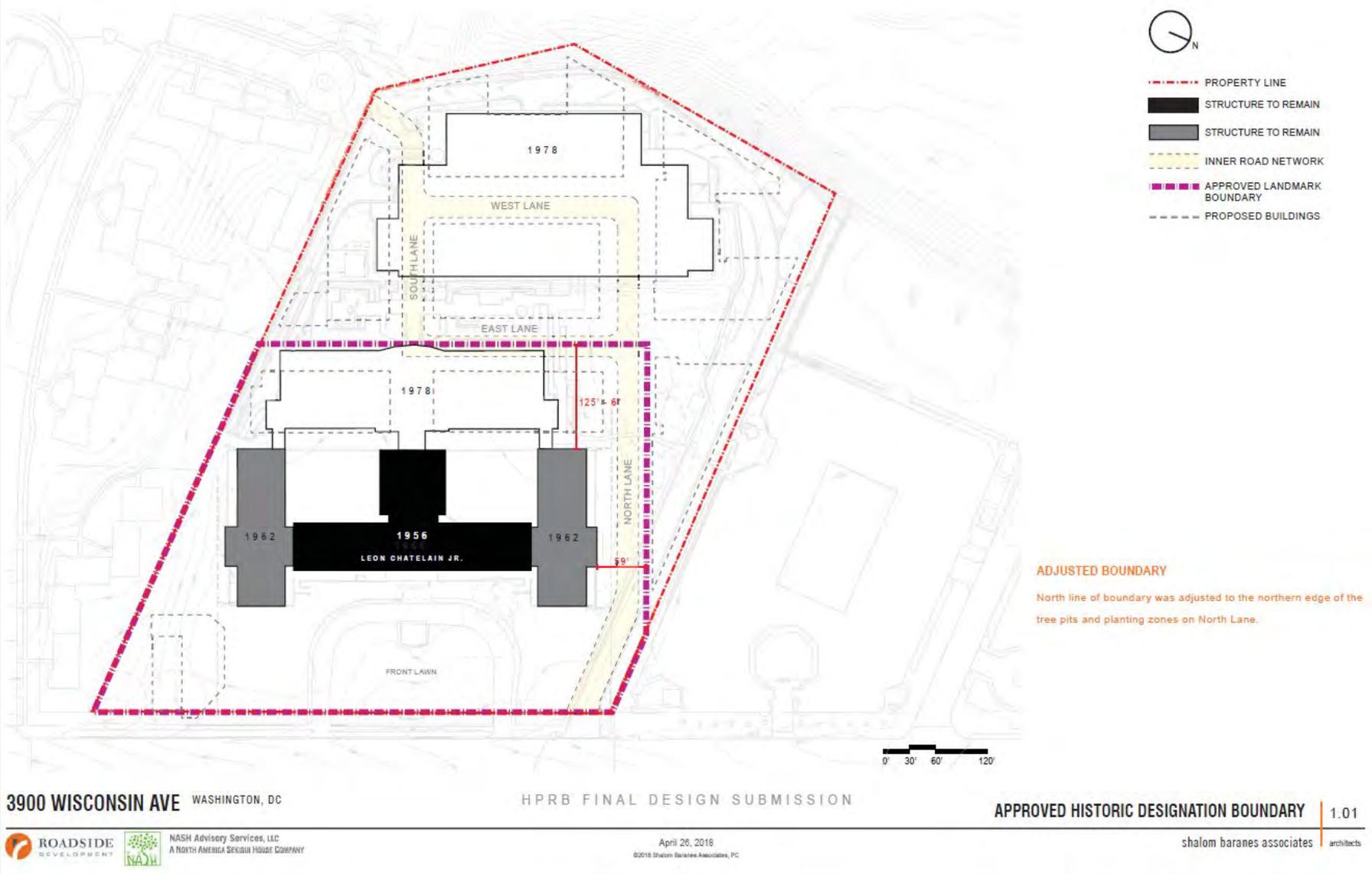
Property Map



Proposed Plat



Proposed Development – HPRB Review



Proposed Development

