

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare that the District-owned real property, known as Parcel 42, located at the intersection of 7th Street, N.W., R Street, N.W., and Rhode Island Avenue, N.W., and known for tax and assessment purposes as Lots 0106 and 0803 in Square 0442, is no longer required for public purposes and to approve the disposition of the property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Parcel 42 Surplus Property Declaration and Disposition Approval Act of 2018”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Act” means An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

(2) “CBE Act” means the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) “Developer” means Ditto Residential, LLC, with a business address of 1015 7th Street, N.W., Suite #300, Washington, D.C. 20001, or its successors, or one of its affiliates or assignees as approved by the Mayor, Group 360 Real Estate Advisors, LLC, with a business address of 475 H Street, N.W., Unit 2, Washington, D.C. 20001, or its successors, or one of its affiliates or assignees as approved by the Mayor, and Irving Development, LLC, with a business address of 1204 Fairmont Street, N.W., Washington, D.C. 20009, or its successors, or one of its affiliates or assignees, as approved by the Mayor.

(5) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(6) “Project” means a mixed-use development including affordable housing, market-rate housing, commercial space, public space, and any ancillary uses allowed under applicable law, and as further described in the term sheet submitted with this act, in accordance with section 1(b-1) of the Act.

(7) “Property” means the real property located at the intersection of 7th Street, N.W., R Street, N.W., and Rhode Island Avenue, N.W., and known for tax and assessment purposes as Lots 0106 and 0803 in Square 0442.

Sec. 3. Findings.

(a) The Property is a vacant lot consisting of approximately 17,008 square feet.

(b) The Council determines that the Property is no longer required for public purposes.

(c) The District has satisfied the public hearing requirements of section 1(b-5) of the Act.

(d) The intended use of the Property is a mixed-use development as further described in section 2(6).

(e) The Developer shall comply with the requirements of the Act, including dedicating at least 30% of all residential units in the Project as affordable housing units pursuant to section 1(b-3) of the Act.

(f) The Developer shall enter into an agreement that shall require Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises in the Project, in accordance with section 2349a of the CBE Act and section 1(b)(6) of the Act.

(g) The Developer shall enter into a First Source Agreement.

(h) The proposed method of disposition of the Property is a sale in fee simple to Developer for the amount of \$500,000, as further described in the documents submitted with this act.

(i) The Land Disposition Agreement for the disposition of the real property shall not be inconsistent with the substantive business terms of the transaction submitted by the Mayor with this act in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive business terms are approved by the Council.

Sec. 4. Approval of surplus and disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for a declaration of surplus and approval of the disposition of the Property to the Developer.

(b) The Council approves the declaration of surplus and the disposition of the Property pursuant to the terms of this act.

(c) Notwithstanding the Act, the time within which the Mayor may dispose of the Property shall expire 3 years from the effective date of this act.

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Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following 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