

A BILL

22-937

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



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To declare that District-owned real property, known as Northwest One, located at 33 K Street, N.W., and 1010 North Capitol Street, N.W., known for taxation and assessment purposes as Lots 0246 and 0860 in Square 0621 is no longer required for public purposes, to authorize the disposition of the real property, and to require the transfer Lot 0246 by a date certain.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the “Northwest One Surplus and Disposition Approval Omnibus 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 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.

29 (4) “Corporation” means the Northwest One/Temple Courts Redevelopment
30 Corporation, established by section 2 of the District of Columbia Housing Authority Northwest
31 One / Temple Courts Subsidiary Establishment Approval Emergency Act of 2006, effective
32 December 28, 2006 (D.C. Act 16-0664; 54 DCR 1127).

33 (5) “Developer” means the NW One Development Partners, LLC, with a business
34 address of 3050 K St N.W., Suite 125, Washington, D.C. 20007, and its successors, assignees,
35 sublessees, or affiliates, comprised of MidAtlantic Realty Partners LLC, with a business address
36 of 3050 K St N.W., Suite 125, Washington, D.C. 20007, and its successors, assignees, or
37 affiliates, and CSG Urban Partners LLC, with a business address of 1105 5th St N.W.,
38 Washington, D.C. 20001 and its successors, assignees, or affiliates, as approved by the Mayor

39 (6) “First Source Agreement” means an agreement with the District governing
40 certain obligations of the Developer pursuant to section 4 of the First Source Employment
41 Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-
42 219.03), as amended, and Mayor’s Order 83-265, dated November 9, 1983, regarding job
43 creation and employment generated as a result of the construction on the Property.

44 (7) “Project” means a mixed-use development including affordable housing,
45 market rate housing, and neighborhood-serving retail, and any ancillary uses allowed under
46 applicable law, and as further described in the term sheet submitted with this legislation.

47 (8) “Property” means the real property and improvements located at 33 K Street,
48 N.W. and 1010 North Capitol Street, N.W., and known for taxation and assessment purposes as
49 Lots 0246 and 0860 in Square 0621.

50 Sec. 3. Findings.

51 (a) The District, upon transfer of Lot 0246 in Square 0621, shall be the owner of the
52 Property, which Property consists of a vacant lot of approximately 155,000 square feet.

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

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

55 (d) The intended use of the Property is a mixed-use development as further described in
56 section 2(7).

57 (e) The Developer shall comply with the requirements of the Act, including dedicating at
58 least 30% of all residential units in the Project as affordable housing units pursuant to section
59 1(b-3) of the Act.

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

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

66 (h) Pursuant to section 1(b)(8)(C) of the Act, the proposed method of disposition is a
67 ground lease of 20 years or greater, as further described in the documents submitted with this
68 legislation.

69 (i) The Land Disposition Agreement for the disposition of the real property shall not be
70 inconsistent with the substantive business terms of the transaction submitted by the Mayor with

71 this act in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive
72 business terms are approved by Council.

73 Sec. 4. Transfer of Property.

74 By December 31, 2019, the Corporation shall convey in fee simple to the District of
75 Columbia, Lot 0246 in Square 0621, free and clear of all liens and encumbrances, except for use
76 restrictions set forth in that certain Amended and Restated Regulatory Agreement for Insured
77 Multi-Family Housing Projects, dated June 21, 1971, by Temple Courts Associates in favor of
78 the Department of Housing and Urban Development.

79 Sec. 5. Declaration of surplus and approval of disposition.

80 (a) Notwithstanding the Act, and subject to the transfer of Lot 0246 in Square 0621 as
81 described in section 4, the Council determines that the Property is no longer required for public
82 purposes and approves the disposition of the Property and authorizes the Mayor to dispose of the
83 Property within 8 years from the effective date of this act.

84 Sec. 6. Fiscal impact statement.

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

88 Sec. 7. Effective date.

89 This act shall take effect following approval of the Mayor (or, in the event of veto by the
90 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
91 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENGROSSED ORIGINAL

92 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
93 Columbia Register.