



2014 NOV 14 PM 5:25
OFFICE OF THE
SECRETARY

VINCENT C. GRAY
MAYOR

NOV 14 2014

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration by the Council is a resolution entitled the "Fifth Street, N.W. and I Street, N.W. Declaration Approval Resolution of 2014."

This resolution will declare District owned real property located at 901 5th Street, N.W. ("Property") as no longer required for public purposes, pursuant to D.C. Official Code §10-801. The Property is approximately a 20,641 square foot lot. No other government uses have been deemed viable for the Property.


Pursuant to D.C. Official Code §10-801 (a-1)(2)(C) , a public meeting was held in the community on November 13, 2012 at Mount Vernon Triangle Community Improvement Districts Office to receive public comment on the proposed surplus of the Property. Multiple meetings with the community have been held since then to discuss redevelopment of the site.

Approval of this resolution will declare the Property surplus and allow for the disposition to a private developer to redevelop the space in a manner consistent with the surrounding space.

As always, I am available to discuss any questions you may have regarding this resolution. I look forward to prompt and favorable consideration of this resolution.

Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray".
Vincent C. Gray


Chairman Phil Mendelson
at the request of the Mayor

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7 A PROPOSED RESOLUTION
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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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15 To declare and approve as surplus the District-owned real property, located at 901 Fifth
16 Street N.W., and known for tax and assessment purposes as Parcel 0059 in Square
17 0516.
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19 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That
20 this resolution may be cited as the “Fifth Street, N.W. and I Street, N.W. Surplus
21 Declaration Resolution of 2014”.

22 Sec. 2. Findings.

23 (a) The Property is located at 901 Fifth Street N.W., known for tax and
24 assessment purposes as Parcel 0059 in Square 0516 (the “Property” or “Fifth and I”) and
25 consists of approximately 20,641 square feet of land.

26 (b) The Property is no longer required for public purposes because the
27 Property’s condition cannot viably accommodate a District agency use or other public use
28 without cost prohibitive new construction. The most pragmatic solution for reactivating
29 this space is to declare the Property surplus and dispose of the Property for
30 redevelopment.

31 (c) Pursuant to An Act Authorizing the sale of certain real estate in the
32 District of Columbia no longer required for public purposes (“Act”), approved August 5,

1 1939 (53 Stat. 1211; D.C. Official Code § 10-801 a-1)(4)), a public hearing was held on
2 November 13, 2012, at the Mount Vernon Triangle Community Improvement District
3 located at 901 4th Street, N.W., regarding the finding that the Property is no longer
4 required for public purposes.

5 Sec. 3. Pursuant to D.C. Official Code §10-801 (a-1), the Council determines that
6 the Property is no longer required for public purposes.

7 Sec. 4. Fiscal impact statement.

8 The Council adopts the attached fiscal impact statement as the fiscal impact
9 statement required by section 602 (c)(3) of the District of Columbia Home Rule Act,
10 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

11 Sec. 5. Transmittal of resolution.

12 The Secretary to the Council shall transmit a copy of this resolution, upon its
13 adoption, to the Mayor.

14 Sec. 6. Effective date.

15 This resolution shall take effect immediately.

SURPLUS ANALYSIS

Project Name: 5th and I
Property Description: Lot 0059; Square 516
901 Fifth Street, N.W.
(the “Property”)
Size of Property: 20,641 square foot lot
Appraised Value: \$17,390,000
Zoning of Property: DD/MVT/C-2-C
Ward: Ward 6

- 1. History of the Property: description of the Property (including approximate square footage, description of any structure/improvements on the Property and whether such structure/improvements are historically landmarked, and any available parking on and off the Property), how and when the District acquired the Property; the terms of the acquisition; a description of the Property’s former and current use; and, if the Property includes improvements and is currently being used, whether the improvements are occupied.**

The Property is located on the corner of 5th Street, N.W. and I Street, N.W., in Ward 6, and identified for taxation and assessment purposes as Lot 0059 in Square 516. The square footage of the Property is approximately 20,641 square feet. The Property is currently leased to a parking services company who manages a surface parking lot, and whose lease is currently on a month to month term. It is bordered by surrounding buildings to the east and north as well as an alley behind the property.

The Property was among the inventory of NCRC parcels transferred to the Office of the Deputy Mayor for Planning and Economic Development (“DMPED”) when the National Capital Revitalization Corporation (“NCRC”) and Anacostia Waterfront Corporation (“AWC”) were dissolved and the Mayor succeeded to NCRC’s and AWC’s powers, duties and responsibilities pursuant to the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 enacted on February 5, 2008 (DC Law 17-178, 55 DCR 1689).

The Property is not designated as historic.

- 2. Describe the surrounding neighborhood, including the following information: What does the neighborhood offer in terms of housing, shopping, recreation, and commercial space?**

Development Opportunity

The Property is located within the Mount Vernon Triangle (“MVT”) neighborhood, a 30-acre, 15-block section of Ward 6 bounded by Massachusetts Avenue NW to the south, New York Avenue NW to the north, and New Jersey Avenue NW to the east. Historically utilized for commercial and industrial purposes, the MVT neighborhood is undergoing a radical transformation into a thriving community through the current and planned development of more than 1500 residential units, 1.8 million square feet of office space and 157,000 square feet of retail. These developments include residential options, Class A office space, community serving retail, and unique neighborhood-serving restaurants and lounges. A number of new projects, including the District’s CityVista development, are driving MVT’s transformation. Additionally, many of the District’s most popular points of interest are located within the broader East End sub-market area, including Gallery Place, the Verizon Center, the Washington Convention Center, and Union Station. These points of interest attract a strong base of patrons who consume goods and services and bring steady flows of visitors who demand lodging, hospitality and entertainment options.

There are several public schools within walking distance of the Property including: (1) Thompson Elementary at 1200 L Street NW; (2) Center City Public Charter School Shaw Campus at 711 N Street NW; (3) KIPP DC Will Academy at 421 P Street NW; (4) Dunbar High School at 1301 New Jersey Avenue NW; (5) Community Academy Public Charter School (CAPCS) Ernst and Virginia Amos Campus 3 at 1400 1st Street NW; and (6) Walker Jones Education Campus at 1125 New Jersey Avenue NW.

Police and Fire & EMS Stations close to the property include: (1) MPD Major Crash and Safety Unit at 501 New York Ave NW; (2) Transit Police at 600 5th Street NW; (3) MPD Asian Liaison Unit at 616 H Street NW; and (4) Engine 2 Station at 500 F Street NW.

Additionally, several parks and recreation centers are located in the vicinity of the Property: (1) Milian Park; (2) Cobbs Park; (3) Rigo walled Park; (4) R.H. Terrell Recreation Center at 155 L Street NW; (5) Kennedy Recreation Center at 1401 7th Street NW; and (6) Gorla DC Community Farm.

3. No Necessary District Use. D.C. Code § 10-801(a-1)(2)(A).

a. Please describe allowable future uses for the subject property.

The Property is zoned C-2-C and subject to the Downtown Development (DD) and Mount Vernon Triangle (MVT) Overlays. C-2-C zoning permits matter of right higher density development, including office, retail, residential and mixed use. The DD Overlay encourages a balanced mix of uses through design standards, requirements, and incentives. The MVT Overlay promotes the development of high density mixed use active and pedestrian friendly ground floor street frontages with neighborhood amenities and retail components.

The Mount Vernon Triangle Action Agenda created and reaffirmed a number of goals for the community to include; recognizing the importance of residential development and supporting retail to the downtown; promoting affordable housing, neighborhood amenities, and protecting existing residential neighborhoods and community institutions; respond to the current market demands of empty-nesters, young professionals and non-traditional families seeking down town housing, while still providing choices that are affordable and accommodate parents and children; and creating synergies with adjoining neighborhoods including Shaw and the growing downtown.

- b. How were other District facility needs considered? Please explain if the Property has any viable District use or why the Property has no viable use by the District, including the process for making the determination not to implement the viable District use or that the Property has no viable use by the District.***

Before the Response For Proposals was released in April 2013, The Department of Real Estate Services (“DRES”), now the Department of General Services (“DGS”), Office of the City Administrator (“OCA”), District Department of Transportation (“DDOT”) and DMPED reviewed the Property’s potential uses established under the District’s Comprehensive Plan and applicable zoning restrictions to determine how best to implement the District’s Facilities Plan. After considering the factors set out in the District’s needs under the District’s Facilities Plan and potential uses under the Comprehensive Plan, the DC Agencies determined they had no use for the property. Additionally, DRES, OCA, and DMPED considered other potential public uses including a park or a school, however these options were not viable due to a number of existing parks, schools, and public safety offices that are located in proximity of the Property.

- 4. Why determination that the Property is no longer required for public purposes is in the best interest of the District. DC Code § 10-801(a-1)(2)(B).**

- a. Please describe most viable and reasonable future use(s) for the Property.***

Consistent with the District’s Comprehensive Plan and Mount Vernon Triangle Action Agenda, the Property’s most viable future uses are a high density mixed use redevelopment.

- b. Please describe what potential uses of the Property would be in the best interest of the District (economic, social, educational, provision of affordable housing potential).***

The District’s best interests are served by a mixed-use development that simultaneously creates a pedestrian friendly environment with ground floor retail, residential and mixed use development. The corner location of the Property further enables a use which can energize both 5th and I Streets. The aforementioned uses will add to the current economic

revitalization and create additional street activity of the Mount Vernon Triangle Area that will serve the community.

5. Public Outreach and Comment. DC Code § 10-801(a-1)(2)(C).

- a. What specific outreach was done to solicit community input on the proposed surplus and disposing of the Property, including any outreach conducted in addition to the public hearing required under DC Code § 10-801(a-1)(2)(C) ?*

A public meeting to solicit community input on the proposed surplus of the Property was held on November 13, 2012 at the Mount Vernon Triangle Community Improvement Districts Office. The affected ANC, ANC-6C, and Ward 6 Councilmember was provided advanced written notice on October 11, 2012 and notice of the public meeting was published in the District of Columbia Register on October 26, 2012, fulfilling both notice requirements set forth in § 10-801(a-1)(4).

Since late 2008, the potential surplus, disposition and development of the Property have been discussed at several ANC and community meetings.

b. Summary of Public Hearing on Surplus

1. Hearing Date and Location:

**Hearing Date and Location:
November 13, 2012, 6:30pm,
Mount Vernon Triangle Community Improvement Districts Office
901 4th Street NW
Washington, DC 20001**

2. Approximate Number of Attendees:

**Attendance:
6 Community members in attendance including 1 Commissioner
(Keith Silver)**

3. Summary of Public Comments:

Summary of Public Comments on Surplus:

The meeting began with a discussion of the 10-801 Surplus Legislation. Residents were informed of the requirement and encouraged to provide feedback regarding the surplus of the property.

Stan Burgess (Resident): Mr. Burgess expressed concern about the lack of park space available in the surrounding neighborhood. Mr. Burgess commented that the existing parks nearby are difficult and dangerous to get to and several community members are families with young children. These families will move to the suburbs if there are no accessible parks. In addition, he feels that the determination of other, nearby property as surplus is germane to the discussion of the surplus determination for the Fifth and I Street Property. Mr. Burgess also expressed a desire to see improvements to the park across the street from the Fifth and I Street property as part of the District's agreement with the development team. Mr. Burgess feels that the acquisition of the property directly behind the Fifth and I Street parcel would be a net gain for the project.

Keith Silver (ANC 6C01 Commissioner): Commissioner Silver expressed his desire to see the Fifth and I Street project move forward. Because this project has been in progress for the past five years, he would like to see it move towards a groundbreaking. Commissioner Silver also asked whether the District had been an obstacle to the project moving forward.

At the conclusion of the hearing to receive feedback regarding the District's proposed surplus determination, attendees were interested in the development plans for the project. The developer then proceeded with a short presentation about the proposed redevelopment and answered additional questions about the redevelopment.

Fifth and I Street – Public Hearing on Surplus

1. Hearing Date and Location:

Property: Square: 516 Lot: 0059 at 463 I St NW (Corner of 5th and I St NW)
Date: Tuesday, November 13, 2012
Time: 6:30 p.m.
Location: Mount Vernon Triangle Community Improvement District (trailer onsite)
901 4th St, NW
Washington, DC 20001

2. Approximate Number of Attendees:

6 Community members in attendance including ANC 6C01 Commissioner Keith Silver

3. Summary of Public Comments:

Stan Burgess (Resident): Mr. Burgess expressed concern about the lack of park space available in the surrounding neighborhood. Mr. Burgess commented that the existing parks nearby are difficult and dangerous to get to and several community members are families with young children. These families will move to the suburbs if there are no accessible parks. In addition, he feels that the determination of other, nearby property as surplus is germane to the discussion of the surplus determination for the Fifth and I Street Property. Mr. Burgess also expressed a desire to see improvements to the park across the street from the Fifth and I Street property as part of the District's agreement with the development team. Mr. Burgess feels that the acquisition of the property directly behind the Fifth and I Street parcel would be a net gain for the project.

Keith Silver (ANC 6C01 Commissioner): Commissioner Silver expressed his desire to see the Fifth and I Street project move forward. Because this project has been in progress for the past five years, he would like to see it move towards a groundbreaking. Commissioner Silver also asked whether the District had been an obstacle to the project moving forward.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Executive Office of the Mayor
Office of the Deputy Mayor for Planning and Economic Development



MEMORANDUM

TO: Keith Silver, ANC 6C01, 901 New Jersey Ave NW #410, 20001
Mark Dixon, ANC 6C02, 80 New York Ave NW #402, 20001
Tony Goodman, ANC 6C04, 1152 4th St NE, 20002
M. Tony Richardson, ANC 6C05, 921 2nd St NE, 20002
Scott Price, ANC 6C06, 517 E St NE, 20002
Bill Crews, ANC 6C07, 637 Constitution Ave NE, 20002
Karen Wirt, ANC 6C08, 234 E St NE, 20002
Kevin Wilsey, ANC 6C09, 425 8th St NW #845, 20004

CC: Honorable Tommy Wells, DC Councilmember, Ward 6
Charles Allen, Office of the Councilmember Tommy Wells

From: Ivan Matthews, Project Manager
Matthew Troy, Project Manager

Date: October 11, 2012

The District will conduct a public hearing to receive public comments on the proposed surplus of the parcel located at the corner of 5th and I St NW, property address of 463 I St NW, (SQUARE: 516, LOT: 0059). Below, please find the date, time and location of the hearing:

Date: Tuesday, November 13, 2012
Time: 6:30pm
Location: Mount Vernon Triangle Community Improvement District (trailer onsite)
901 4th St NW, Washington DC 20001

Please feel free to contact Ivan Matthews (202) 727-6365 should you have any questions or comments.

VINCENT C. GRAY, MAYOR • VICTOR HOSKINS, DEPUTY MAYOR

**OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT,**

**NOTICE OF PUBLIC MEETING REGARDING
SURPLUS RESOLUTION PURSUANT TO D.C. OFFICIAL CODE §10-801**

The District will conduct a public hearing to receive public comments on the proposed surplus of District property. The date, time and location shall be as follows:

Property: Square: 516 Lot: 0059 at 463 I St NW (Corner of 5th and I St NW)
Date: Tuesday, November 13, 2012
Time: 6:30 p.m.
Location: Mount Vernon Triangle Community Improvement District (trailer onsite)
901 4th St, NW
Washington, DC 20001
Contact: Ivan Matthews, Ivan.Matthews@dc.gov , 202-286-8814 OR
Matthew Troy, Matthew.Troy@dc.gov , 202-727-6365

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

MEMORANDUM

TO: Ayesha Abassi
Legal Affairs and Policy Specialist
Executive Office of the Mayor

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: November 10, 2014

SUBJECT: "Fifth Street, N.W. and I Street, N.W. Surplus Declaration Resolution of 2014" and "Fifth Street, N.W. and I Street, N.W. Disposition Approval Resolution of 2014"
(AE-14-699)

This is to Certify that this Office has reviewed the resolutions entitled the "Fifth Street, N.W. and I Street, N.W. Surplus Declaration Resolution of 2014" and "Fifth Street, N.W. and I Street, N.W. Disposition Approval Resolution of 2014", and found them to be legally unobjectionable. If you have any questions, please do not hesitate to call me at 724-5524.


Janet M. Robins
Janet M. Robins