

A RESOLUTION

21-376

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 2, 2016

To approve the disposition of District-owned real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for tax and assessment purposes as Lots 827 and 833 in Square 361.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Grimke School, N.W., Disposition Approval Resolution of 2016”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the Small, Local, and Disadvantaged 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.*) (“CBE Act”).

(2) “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.

(3) “Property” means the real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for tax and assessment purposes as Lots 827 and 833 in Square 361.

Sec. 3. Findings.

(a) The developer of the Property shall be Roadside Development, LLC, with a business address of 1730 Rhode Island Avenue, N.W., Suite 512, Washington, D.C. 20036, its successor, or one of its affiliates or assignees approved by the Mayor, and Sorg Architects, with a business address of 918 U Street, N.W., Washington, D.C. 20001, its successor, or one of its affiliates or assignees approved by the Mayor (collectively, the “Developer”).

(b) The Property consists of the following:

(1) An approximately 38,000 square-foot parcel that includes the historic Grimke School, which is approximately 52,000 gross square feet and the current location of the African-American Civil War Museum, and accessory parking; and

(2) An approximately 5,900 square-foot adjacent parcel that is currently used for parking.

(c) The intended use of the Property includes the following:

(1) Renovation of the historic Grimke Elementary School as follows:

(A) Approximately 14,000 square feet of space for the African-American Civil War Memorial Museum in accordance with the African-American Civil War Memorial Freedom Foundation Inc., Museum Development Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472);

(B) Approximately 12,500 square feet of space for nonprofit performing arts organizations; and

(C) Approximately 27,000 square feet of space for commercial office use;

(2) Replacement of the Grimke School addition and associated parking on 9 ½ Street, N.W., with 7 for-sale townhomes;

(3) Construction of a residential building on the surface parking lot at 912 U Street, N.W., with approximately 35 units, of which approximately 13 units shall be affordable-housing units, and approximately 3,000 square feet of ground-floor retail; and

(4) Any ancillary uses allowed under applicable law, and as further described in the term sheet submitted to the Council for consideration with this resolution.

(d) The Developer shall comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)), and the Disposition of District Land for Affordable Housing Amendment Act of 2013, effective March 10, 2015 (D.C. Law 20-193; 61 DCR 12407), dedicating approximately 30% of all multi-family units as affordable-housing units as described in subsection (c) of this section.

(e) The Developer shall enter into an agreement that requires the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract-dollar volume of the project, and requires, in accordance with section 2349a of the CBE Act (D.C. Official Code § 2-218.49a), at least 20% in equity participation and 20% in development participation of Certified Business Enterprises.

(f) The Developer shall enter into a First Source Agreement with the District that governs certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement 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 as a result of the construction on the Property.

(g) Pursuant to An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes ("Act"), approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District under section 1(b)(8)(F) of the Act (D.C. Official Code § 10-801(b)(8)(F)) for a portion of the Property, and a lease of greater than 20 years under section 1(b)(8)(C) of the Act (D.C. Official Code § 10-801(b)(8)(C)) for a portion of the Property, as further described in the documents submitted to the Council for consideration with this resolution.

ENROLLED ORIGINAL

(h) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act (D.C. Official Code § 10-801(b-1)) shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act (D.C. Official Code § 10-801(b-1)(2)).

(i) The Council understands that the disposition shall be consistent with the terms of the documents submitted to the Council with this resolution, including the Disposition Analysis, Term Sheet, Land Disposition and Development Agreement with exhibits, and First Source Agreement.

(j) The Council intends to approve additional legislation to require that \$250,000.00 per tax year of tax revenue owed on the Property shall not go into the General Fund of the District of Columbia but shall be held to defray operating expenses of the African American Civil War Memorial Museum, beginning October 1, 2017.

Sec. 4. Approval of disposition.

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

(b) The Council approves the disposition of the Property.

Sec. 5 Transmittal.

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

Sec. 6. 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. 7. Effective date.

This resolution shall take effect immediately.