

A RESOLUTION

22-482

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To approve the disposition of District-owned real property located at 1125 Spring Road, N.W., known for tax and assessment purposes as Lots 0804 and 0807 in Square 2902.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “1125 Spring Road, N.W., Disposition Approval Resolution of 2018”.

Sec. 2. Definitions.

For the purposes of this resolution, 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.

(4) “Developer” means Spring Flats MD, LLC, a District of Columbia limited liability company, with a business address of 11400 Rockville Pike, Suite 505, Rockville, Maryland 20852, or its successors, affiliates, or assignees, comprised of Victory Housing, Inc., a Maryland nonprofit corporation, with a business address of 11400 Rockville Pike, Suite 505, Rockville, Maryland 20852, or its successors, affiliates, or assignees, Brinshore Development, LLC, an Illinois limited liability company, with a business address of 666 Dundee Road, Suite 1102, Northbrook, Illinois, 60062, or its successors, affiliates, or assignees, and Banc of America Community Development Corporation, a North Carolina corporation, with a business address of One Bryant Park, New York, New York, 10036, or its successors, 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 residential development project, including adaptive preservation of the historic Hebrew Home for the Aged, affordable housing, market-rate housing, and any ancillary uses allowed under applicable law, and as further described in the term sheet submitted with this resolution, in accordance with section 1(b-1) of the Act.

(7) "Property" means the real property located at 1125 Spring Road, N.W., known for tax and assessment purposes as Lots 0804 and 0807 in Square 2902.

Sec. 3. Findings

(a) The property consists of a trapezoidal shaped lot, approximately 144,400 square feet in total land area, improved by the historic Hebrew Home for the Aged, a fire-proofed utility and chiller building, the former Paul Robeson School, a parking lot, and the adjacent portion of 10th Street, N.W.

(b) The intended use of the Property is residential development as further described in section 2(6).

(c) The Developer shall comply with the requirements of the Act.

(d) 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 2349 of the CBE Act and section 1(b)(6) of the Act.

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

(f) The proposed method of disposition is a lease of greater than 15 years pursuant to section 1(b)(8)(C) of the Act, as further described in the documents submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

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

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

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.

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Sec. 5. Transmittal.

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