

A RESOLUTION

21-374

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 2, 2016

To approve the disposition of District-owned real property located at 1336 8th Street, N.W., and known for tax and assessment purposes as Lot 68 in Square 399.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “8th & O Streets, N.W., Disposition Approval Resolution of 2016”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “CBE Agreement” means an agreement governing certain obligations of the Purchaser under 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”), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) “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.*).

(3) “First Source Agreement” means an agreement with the District governing certain obligations of the Purchaser 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.

(4) “Property” means the real property located at 1336 8th Street, N.W., and known for tax and assessment purposes as Lot 68 in Square 399.

(5) “Purchaser” means, collectively, 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 Dantes Partners, LLC, with a business address of 701 Lamont Street, N.W., Washington, D.C. 20010, its successor, or one of its affiliates or assignees approved by the Mayor.

Sec. 3. Findings.

(a) The Property consists of an approximately 13,306 square foot parcel of land in the Shaw neighborhood of Ward 6, which is currently an unused parking lot.

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

(1) Approximately 76 residential units, including approximately 23 affordable-housing units;

(2) Approximately 5,400 square feet of ground-floor retail space, including approximately 1,500 square feet allocated as community or parish-hall space for the Immaculate Conception Church;

(3) An underground parking garage with approximately 25 parking spaces;

(4) Approximately 25 off-site replacement parking spaces; and

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

(c) The Purchaser 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 (b) of this section.

(d) The Purchaser shall enter into an agreement that requires the Purchaser 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.

(e) The Purchaser shall enter into a First Source Agreement with the District that governs certain obligations of the Purchaser 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.

(f) Pursuant to section 1(b)(8)(F) of 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(b)(8)(F)), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District.

(g) All documents that are submitted with this resolution pursuant to section 1(b-1) of 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(b-1)) ("Act"), 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)).

(h) 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.

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 Purchaser.

(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.