



Councilmember Charles Allen

A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare the existence of an emergency with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to establish the affordable housing requirements for the development 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, and to extend the time in which the Mayor may dispose of said real property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “8th & O Streets, N.W., Affordable Housing Requirements and Extension of Disposition Authority Emergency Declaration Resolution of 2020”.

Sec. 2. (a) Pursuant to section 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), on September 17, 2015, the Mayor transmitted to the Council a resolution for the disposition of the property located at 1336 8th Street, N.W., and known for tax and assessment purposes as Lot 68 in Square 399 (“the Property”). The Council approved the disposition of the Property, pursuant to the 8th & O Streets, N.W., Disposition Approval Resolution of 2016, effective February 2, 2016 (Res. 21-374; 63 DCR 1498), on February 2, 2016 (“Disposition Approval Resolution”). The Council thereafter approved the

extension of disposition authority to February 2, 2020, pursuant to the Extension of Time to Dispose of 8th & O Streets, N.W., Amendment Act of 2018, effective February 22, 2019 (D.C. Law 22-209; 65 DCR 12371), which became law on February 22, 2019 (“Disposition Extension Approval Law”).

(b) The Property consists of approximately 13,306 square feet of land in the Shaw neighborhood of Ward 6. The intended use of the Property is a mixed-use development providing for affordable housing, market rate housing, retail, and any ancillary uses allowed under applicable law.

(c) The Disposition Approval Resolution indicates that the purchaser will comply with the requirements of D.C. Official Code § 10-801(b-3)(1)(A) dedicating 30% of all multi-family units as affordable housing units.

(d) The Land Disposition Transparency and Clarification Amendment Act 2016, effective April 7, 2017 (D.C. Law 21-267, 64 DCR 2152), amended D.C. Official Code § 10-801 to provide deeper affordable housing requirements for District-owned property disposed of through this process.

(e) Despite the fact that Disposition Approval Resolution was approved before the effective date of the Land Disposition Transparency and Clarification Amendment Act 2016, the Deputy Mayor for Planning and Economic Development and developer diligently worked together to comply with the Land Disposition Transparency and Clarification Amendment Act 2016.

(f) The Mayor's authority to dispose of the Property under the Disposition Extension Approval Law expired on February 2, 2020, without a closing of the Property.

(g) On March 11, 2020, the Mayor declared a public health emergency in response to several presumptive and confirmed cases of the coronavirus (COVID-19) in the Washington, DC metropolitan region. The person-to-person spread of COVID-19 makes it virtually certain that COVID-19 will have a significant impact on the District's residents, businesses, visitors, students, and at-risk population.

(h) The public health emergency will increase the need for affordable housing in the District of Columbia. As such, an amendment to the affordable housing requirement applicable to the project to be built on the Property and an extension of the disposition authority is necessary to provide the Developer with the necessary time to close on the Property.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 8th & O Streets, N.W., Affordable Housing Requirements Extension of Disposition Authority Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.