

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to authorize the Mayor to exercise eminent domain to acquire the real property known as East Capitol Gateway, known for tax and assessment purposes as Lot 0110 in Square 5246 and Lots 807, 808, 809, and 7000 – 7014 in Square 5273.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “East Capitol Gateway Eminent Domain Authority Emergency Declaration Resolution of 2022”.

Sec. 2. (a) The communities east of the Anacostia River, including the areas along the East Capitol Street corridor, are underserved for retail options, particularly regarding access to healthy food options.

(b) The collection of parcels known as East Capitol Gateway represents an ongoing opportunity to provide much needed commercial and retail activity to an underserved community.

(c) The parcels are controlled by CG Marketplace LLC (the “Joint Venture”) , which is owned in equal shares by a subsidiary of the District of Columbia Housing Authority and A&R/THC Marketplace, LLC, a private developer. The Joint Venture has made no effort to continue to develop the parcels and has explicitly stated the parcels were being converted to “long-term inactivity”.

31 (d) Due to the length of the existing ground lease, these parcels could remain
32 undeveloped for a generation, exacerbating the inequitable lack of retail options for residents of
33 this part of the District, specifically Ward 7.

34 (e) The parcels, once developed, will further many important public purposes
35 including the removal of unsafe and unsanitary conditions, reduction of the incidence of crime,
36 and the removal of garbage and other eyesores.

37 (f) The parcels, once developed, will expand economic opportunities for residents
38 of Ward 7 and their neighbors in Wards 5, 6, and 8, including much needed job opportunities.

39 (g) Once developed, the parcels will further aid in reducing food insecurity in an
40 underserved neighborhood and provide revitalization in an economically distressed community.

41 (h) Given the lack of effort on the part of the Joint Venture, it is highly unlikely
42 that the parcels will be developed absent the involvement of the District government and without
43 the authority to exercise eminent domain by the Mayor.

44 Sec. 3. The Council of the District of Columbia determines that the circumstances
45 enumerated in Section 2 constitute emergency circumstances making it necessary that the East
46 Capitol Gateway Eminent Domain Authority Emergency Act of 2022 be adopted after a single
47 reading.

48 Sec. 4. This resolution shall take effect immediately.