

A RESOLUTION

**Proposed
Resolution
20-319**

See
**Emergency
D.C. Res.
20-151
20 DCStat 1574**

**Justice Park
Property
Term Sheet
Amendment
Emergency
Declaration
Resolution of
2013**

To declare the existence of an emergency with respect to the need to approve an amendment to the term sheet for District-owned real property located at 1421 Euclid Street, N.W., known for tax and assessment purposes as Lot 0811 in Square 2665.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Justice Park Property Term Sheet Amendment Emergency Declaration Resolution of 2013”.

Sec. 2. (a) The Council approved the Justice Park Disposition Approval Resolution of 2011, effective April 5, 2011 (Res. 19-77; 58 DCR 3199), pursuant to 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.*) (“Act”), which was accompanied by a term sheet dated November 10, 2010 that was executed by the Deputy Mayor for Planning and Economic Development and the proposed developer. The term sheet outlined certain terms and conditions of the disposition of the real property located at 1421 Euclid Street, N.W. (“Property”), as required by the Act.

(b) The project has overcome several hurdles since first being approved, including a difficult lending market for affordable housing, zoning and parking constraints, as well as community requests for a smaller scale development that resulted in a decrease in the project’s scale from 37 residential units to 30 residential units. During this time, the developer saw a demand for affordable housing within the deaf community and designed the units to include features specifically for those with hearing impairments.

(c) A preliminary design review meeting with the Zoning Commission was held on March 21, 2012 to review the proposed development plans and compliance with zoning regulations. The Zoning Commission and the developer determined that the Property could not achieve the off-street parking requirements for a 30 residential unit building, therefore a reduction of off-street parking spaces from 15 spaces to 14 spaces and a corresponding reduction in units from 30 residential units to 28 residential units would be necessary to make the project compliant with the zoning regulations.

(d) The Zoning Commission, by letter dated May 15, 2012, determined that the revised development plan with 14 parking spaces and 28 residential units complied with the off-street parking requirements contained in Chapter 21 of the Zoning Regulations.

(e) The Council approved the Extension of Time to Dispose of the Justice Park Property Emergency Act of 2013, effective May 15, 2013 (D.C. Act 20-66; 60 DCR 7230), to authorize an extension of time within which the Mayor may dispose of the Property.

(f) Pursuant to the Act, the Mayor must submit a resolution to the Council detailing any substantial changes to the term sheet for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess.

(g) An initial change in unit count from 37 residential units to 30 residential units was previously authorized by the Council approved term sheet, which required a minimum of 30 residential units; however the additional reduction of 2 extra units below the minimum requirement of 30 residential units necessitated review and approval by Council.

(h) The Mayor submitted a resolution with a redlined term sheet that amends the unit count, the gross square feet of the project, and the parking spaces at the project, and includes revisions requested by the developer to facilitate the financing and development of affordable units on the Property.

(i) Closing for the Property cannot occur without Council approval of the amendments to the term sheet.

(j) Without immediate approval by Council, the development project cannot receive the necessary investments to receive the Low Income Housing Tax Credit equity investment from Wells Fargo.

(k) The cost of market rate housing in the Columbia Heights neighborhood has risen by 17.4% since December 2010, and the market rate for rentals has increased by 3.8% since December 2010, exacerbating the need for additional affordable units in the Columbia Heights neighborhood. The expeditious review and approval by the Council of the amended term sheet is essential to delivering this long awaited and important affordable housing project to District residents. Because the deaf community in Washington, D.C. is underserved and typically does not locate in Columbia Heights because of the lack of suitable affordable housing, these units were designed to accommodate the deaf and those who are hard of hearing.

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 Justice Park Property Term Sheet Amendment Approval Resolution of 2013 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.