



2015 SEP 21 AM 9:56
OFFICE OF THE
MAYOR

MURIEL BOWSER

MAYOR

SEP 21 2015

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration by the Council are resolutions entitled the "Grimke School, N.W., Surplus Approval Resolution of 2015" and "Grimke School, N.W., Disposition Approval Resolution of 2015."

These resolutions will declare District owned real property located 1923 Vermont Ave, N.W. and 912 U Street, N.W. known as Grimke School ("Property") as no longer required for public purposes and approve its disposition pursuant to D.C. Official Code §10-801. No other government uses have been deemed viable for the Property.

In 2014, the Office of the Deputy Mayor for Economic Development (DMPED) issued a new solicitation and ultimately Roadside/Sorg Architects development team was awarded the project on April 9, 2015. The project will provide affordable housing, restore the historic Grimke School, provide a new home for the African-American Civil War Museum, provide practice and performance space for non-profit dance organizations servicing District youth and residents, and will also provide commercial office space to the U Street Corridor area. Additionally, the project will create 7 townhomes, 35 for sale condos, including 13 affordable units at 50% and 80% AMI, and ground floor retail. This project will be in compliance with new affordable housing requirements of D.C. Code § 10-801, First Source, and Certified Business Entity requirements.

Approval of these resolutions will declare the Property surplus and allow for the disposition to a private developer to redevelop the space in a manner consistent with the surrounding neighborhood.

As always, I am available to discuss any questions you may have regarding these resolutions. I look forward to prompt and favorable consideration of these resolutions.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser


Chairman Phil Mendelson
At the request of the Mayor

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8 A PROPOSED RESOLUTION
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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16 To approve the disposition of District-owned real property located at 1923 Vermont
17 Avenue, N.W. and 912 U Street, N.W., also known for tax assessment purposes as
18 Lots 0827 and 0833 in Square 0361.
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20 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that
21 this resolution may be cited as the “Grimke School, N.W., Disposition Approval
22 Resolution of 2015”.

23 Sec. 2. Definitions.

24 For the purposes of this resolution, the term:

25 (1) “Certified Business Enterprise” means a business enterprise or joint
26 venture certified pursuant to the Small, Local and Disadvantaged Business Enterprise
27 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33;
28 D.C. Official Code § 2-218.01 *et seq.*).

29 (2) “First Source Agreement” means an agreement with the District governing
30 certain obligations of the Developer pursuant to section 4 of the First Source
31 Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C.
32 Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983,

1 regarding job creation and employment generated as a result of the construction on the
2 Property.

3 (3) "Property" means the real property located at 1923 Vermont Avenue,
4 N.W. and 912 U Street N.W., also known for tax assessment purposes as Lots 0827 and
5 0833 in Square 0361.

6 Sec. 3. Findings.

7 (a) The developer of the Property shall be Roadside Development, LLC, with
8 a business address of 1730 Rhode Island Avenue, N.W., Suite 512, Washington, DC
9 20036, or its successors, or one of its affiliates or assignees, and Sorg Architects, with a
10 business address of 918 U Street, N.W., Washington, DC 20001, or its successors, or one
11 of its affiliates or assignees (collectively, the "Developer"), as approved by the Mayor.

12 (b) The Property consists of the following: (i) an approximately 38,000 square
13 foot parcel that includes the historic Grimke School, the current location of the African-
14 American Civil War Museum, and accessory parking; and (ii) an approximately 5,900
15 square foot adjacent parcel that is currently used for parking. The historic Grimke School
16 building is approximately 52,000 gross square feet.

17 (c) The intended use of the Property is a mixed-use development providing
18 for affordable housing, residential market rate housing, space for the African-American
19 Civil War Memorial Museum in accordance with the "African-American Civil War
20 Memorial Freedom Foundation, Inc., Museum Development Act of 2013," effective
21 December 24, 2013 (D.C. Law 20-0061; 61 DCR 962), and any ancillary uses allowed
22 under applicable law, and as further described in the term sheet submitted with this
23 resolution (the "Project").

1 (d) Developer will comply with the requirements of D.C. Official Code § 10-
2 801(a-3) and the “Disposition of District Land for Affordable Housing Amendment Act
3 of 2013,” effective November 27, 2014(D.C. Law20-193: 61 DCR 12407) dedicating 30
4 percent of all multi-family units as affordable housing units.

5 (e) Developer shall enter into an agreement that shall require Developer to, at
6 a minimum, contract with Certified Business Enterprises for at least 35% of the contract
7 dollar volume of the Project, and shall require in accordance with D.C. Official Code § 2-
8 218.49a, at least 20% of the equity and 20% development participation of Certified
9 Business Enterprises.

10 (f) Developer shall enter into a First Source Agreement with the District that
11 shall govern certain obligations of the Developer pursuant to D.C. Official Code § 2-
12 219.03 and Mayor’s Order 83-265 (November 9, 1983) regarding job creation and
13 employment as a result of the construction on the Property.

14 (g) Pursuant to An Act Authorizing the sale of certain real estate in the
15 District of Columbia no longer required for public purposes (“Act”), approved August 5,
16 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the proposed method of
17 disposition is a public or private sale to the bidder providing the most benefit to the
18 District under D.C. Official Code § 10-801(b)(8)(F) for a portion of the Property, and a
19 lease of greater than 20 years under D.C. Official Code § 10-801(b)(8)(C) for a portion of
20 the Property, as further described in the documents submitted with this resolution.

21 (h) All documents that are submitted with this resolution pursuant to D.C.
22 Official Code § 10-801(b-1) shall be consistent with the executed Memorandum of

1 Understanding or term sheet transmitted to the Council pursuant to D.C. Official Code §
2 10-801(b-1)(2).

3 Sec. 4. Approval of disposition.

4 (a) Pursuant to the Act the Mayor transmitted to the Council a request for
5 approval of the disposition of the Property to the Developer.

6 (b) The Council approves the disposition of the Property.

7 Sec. 5. Fiscal impact statement.

8 The Council adopts the fiscal impact statement in the committee report as the
9 fiscal impact statement required by section 602 (c)(3) of the District of Columbia Home
10 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02
11 (c)(3)).

12 Sec. 6. Transmittal of resolution.

13 The Secretary to the Council shall transmit a copy of this resolution, upon its
14 adoption, to the Mayor.

15 Sec. 7. Effective date.

16 This resolution shall take effect immediately.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Legal Counsel Division

MEMORANDUM

TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: September 1, 2015

SUBJECT: Legal Sufficiency Review of the "Grimke School N.W., Disposition Approval Resolution of 2015" and the "Grimke School, N.W., Surplus Declaration and Approval Resolution of 2015"
(AE-15-550)

This is to Certify that this Office has reviewed the above-referenced legislation and that we have found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

A handwritten signature in black ink, appearing to read "JMR/cslark", is written over a horizontal line.

Janet M. Robins