

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to immediately revise the Historic Landmark and Historic District Protection Act of 1978 to provide that a certain new construction project in the Anacostia Historic District that provides more than 50% affordable housing units built on land owned, sold or contributed by District of Columbia or funded by the District of Columbia qualifies as a special merit project and that when such a project so qualifies that existing buildings will be relocated.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Affordable Housing Preservation Amendment Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to provide that when a new construction project will have more than 50% of its units as affordable (defined as residents making equal to or less than 80% of the median area income) and is either (i) partially or totally built on land that is owned, contributed or sold by the District of Columbia for the purposes of furthering the production of affordable housing or (ii) the District of Columbia is contributing any other economic assistance to the development for the same purpose, then the project shall qualify as meeting the requirement for special merit.

(b) The Big K project at 2228, 2234, 2238 and 2252 Martin Luther King, Jr. Avenue, S.E. meets the requirements noted in Section 2.(a). However, as it has been determined that an

1 affordable housing crisis exists in the District of Columbia, that there is a dire need for
2 investment in Ward 8, and due to rising interest rates, which may increase more dramatically
3 based on anticipated action by the Federal Reserve Board, that the Big K project risks not being
4 built unless its construction permits are processed timely by the Mayor and the Historic
5 Preservation Office. At the present, the project is in limbo as the Historic Preservation Review
6 Board (HPRB), which has previously allowed the relocation of contributing historic structures,
7 has denied the relocation of two existing vacant houses on 2234 and 2238. An appeal to the
8 Mayor's Agent, which is in process, along with further review by the HPRB, which has already
9 added substantial cost to this critical city-proposed project, will take several months and by that
10 time the rising interest rates on construction financing and increased construction costs could risk
11 making the project economically infeasible.

12 (c) The District of Columbia, and especially Ward 8, is in dire need of new work-
13 force/affordable housing for its residents, and Ward 8 is also in dire need of the investment and
14 retail development that this project provides. Martin Luther King Jr. Avenue, S.E. has not seen
15 the new construction of residential buildings in over 40 years. Thus, this project is critical to the
16 redevelopment of Anacostia.

17 (d) While the affected ANC has failed to take formal action, the Deputy Mayor for
18 Planning and Economic Development, the Department of Housing and Community Development
19 (DHCD) and the Department of General Services (DGS) are all strongly supportive of the project
20 and the relocation of the two houses.

21 (e) The area where the existing two houses will be relocated is within the Anacostia
22 Historic District and DHCD is prepared to renovate the houses and build several new houses that
23 will result in even more "for sale" work-force housing for District residents.

1 (f) The Council of the District of Columbia declares that the affordable housing needs of
2 the District and Ward 8 are of substantial significance to warrant a determination of special merit
3 under the conditions detailed in this resolution.

4 Sec. 3. The Council of the District of Columbia determines that the circumstances
5 enumerated in section 2 constitute emergency circumstances making it necessary that the
6 Affordable Housing Preservation Emergency Amendment Act of 2014 be adopted after a single
7 reading.

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