


Councilmember Marion Barry

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Marion Barry introduced the following bill, which was referred to the
Committee on _____

To authorize the Mayor to exercise eminent domain authority to acquire the property in
the area of the intersections between South Capitol Street and Martin Luther
King, Jr. Avenue, S.W.; Martin Luther King, Jr. Avenue and Good Hope Road,
S.E.; and Pennsylvania Avenue and Minnesota Avenue, S.E.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Downtown Anacostia and Pennsylvania Avenue
Eminent Domain Authorization Act of 2008".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "South Capitol Street-Martin Luther King, Jr. Avenue, S.W. Intersection
Area" means the real property located at 3913, 3915, 3917, 3918, 3919, 3920, 3921, and
3923 South Capitol Street, and comprised of Lots 7, 816, 817, and 818 in Square 6150.

(2) "Martin Luther King, Jr. Avenue-Good Hope Road, S.E. Intersection Area"
means the real property located at 1111, 1113, 1115 and 1117 Good Hope Road, S.E.,
1110 U Street, N.E., and 1901, 1902, 1903, 1905, 1906 and 1907 Martin Luther King, Jr.

1 Avenue, S.E., comprised of Lots 5, 812, 813, 822, 830, 832, 833, 834, and 911 in Square
2 5770.

3 (3) "Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection Area" means
4 the real property located at 2329, 2330, 2331, 2335, 2339, and 2341 Pennsylvania
5 Avenue, S.E., and 2334 L'Enfant Square, S.E., comprised of Lots 39, 43, 44, 46, and 52
6 in Square 5560.

7 Sec. 3. Findings related to the South Capitol Street-Martin Luther King, Jr.
8 Avenue, S.W. Intersection Area.

9 The Council finds that:

10 (1) The South Capitol Street-Martin Luther King, Jr. Avenue, S.W. Intersection
11 Area is an area that suffers from a failure to coordinate the spatial arrangement of
12 improvements and open spaces and this failure has produced a community characterized
13 by structures of obsolete design with open spaces that facilitate illegal activity rather than
14 community interaction and increased security;

15 (2) The provision of safe, sanitary neighborhoods with thriving local businesses
16 is an urgent need and high priority of the District of Columbia;

17 (3) The South Capitol Street-Martin Luther King, Jr. Avenue, S.W. Intersection
18 Area must be redeveloped in order to improve the safety and quality of life in the area
19 and attract businesses that are desired by the nearby residents;

20 (4) The acquisition and assemblage of the South Capitol Street-Martin Luther
21 King, Jr. Avenue, S.W. Intersection Area properties is necessary to allow for the
22 redevelopment of the South Capitol Street-Martin Luther King, Jr. Avenue, S.W.
23 Intersection Area;

1 (5) The acquisition and assemblage of the properties comprising the South
2 Capitol Street-Martin Luther King, Jr. Avenue, S.W. Intersection Area, and the potential
3 construction of new office space, retail space, or housing in the area, guided by the
4 policies and requirements of the District government, will further many important public
5 purposes, including:

6 (A) Removal of inadequate provision for ventilation, light, air, and
7 sanitation;

8 (B) Reorganization and reorientation of improvements to make the
9 improvements safer and more attractive; and

10 (C) Revitalization of a distressed community, including the reduction of
11 illegal activity in the area;

12 (6) The proposed redevelopment will significantly contribute to the expansion of
13 safe, sanitary, and thriving mixed-use neighborhoods within the District of Columbia;
14 and

15 (7) The acquisition of the properties in the South Capitol Street-Martin Luther
16 King, Jr. Avenue, S.W. Intersection Area and the redevelopment of the South Capitol
17 Street-Martin Luther King, Jr. Avenue, S.W. Intersection Area serve many public
18 purposes and are in the interest of, and for the benefit of, the citizens of the District of
19 Columbia.

20 Sec. 4. Findings related to the Martin Luther King, Jr. Avenue-Good Hope Road,
21 S.E., Intersection Area.

22 The Council finds that:

1 (1) The Martin Luther King, Jr. Avenue-Good Hope Road, S.E., Intersection
2 Area is afflicted with buildings and improvements that are obsolete, dilapidated, and
3 deteriorated to the point of being nuisances to the community, which also contribute to
4 juvenile delinquency, poverty, and crime and have impeded the provision or expansion of
5 safe, sanitary neighborhoods with thriving local businesses;

6 (2) The provision of safe, sanitary neighborhoods with thriving local businesses
7 is an urgent need and high priority of the District of Columbia;

8 (3) The Martin Luther King, Jr. Avenue-Good Hope Road, S.E., Intersection
9 Area must be redeveloped in order to improve the safety and quality of life in the area
10 and to attract businesses that are desired by nearby residents;

11 (4) The acquisition and assemblage of the Martin Luther King, Jr. Avenue-Good
12 Hope Road, S.E., Intersection Area properties is necessary to allow for the redevelopment
13 of the Martin Luther King, Jr. Avenue-Good Hope Road, S.E., Intersection Area;

14 (5) The acquisition and assemblage of the properties comprising the Martin
15 Luther King, Jr. Avenue-Good Hope Road, S.E., Intersection Area, and the potential
16 construction of new office space, retail space, or housing in the area, guided by the
17 policies and requirements of the District government, will further many important public
18 purposes, including:

19 (A) Removal of unsafe and unsanitary conditions due to dilapidation,
20 deterioration, age, and obsolescence of buildings or improvements;

21 (B) Reorganization and reorientation of improvements to make the
22 improvements safer and more attractive; and

23 (C) Revitalization of a distressed community;

1 (6) The proposed redevelopment will significantly contribute to the expansion of
2 safe, sanitary, and thriving mixed-use neighborhoods within the District of Columbia;
3 and

4 (7) The acquisition of the properties in the Martin Luther King, Jr. Avenue-Good
5 Hope Road, S.E., Intersection Area and the redevelopment of the Martin Luther King, Jr.
6 Avenue-Good Hope Road, S.E., Intersection Area serve many public purposes and are in
7 the interest of, and for the benefit of, the citizens of the District of Columbia.

8 Sec. 5. Findings related to the Pennsylvania Avenue-Minnesota Avenue, S.E.
9 Intersection Area.

10 The Council finds that:

11 (1) The Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection Area is
12 afflicted with buildings and improvements that are obsolete, dilapidated, and deteriorated
13 to the point of being nuisances to the community, which also contribute to juvenile
14 delinquency, poverty, and crime and have impeded the provision or expansion of safe,
15 sanitary neighborhoods with thriving local businesses;

16 (2) The provision of safe, sanitary neighborhoods with thriving local businesses
17 is an urgent need and high priority of the District of Columbia;

18 (3) The Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection Area must
19 be redeveloped in order to improve the safety and quality of life in the area and to attract
20 businesses that are desired by nearby residents;

21 (4) The acquisition and assemblage of the Pennsylvania Avenue-Minnesota
22 Avenue, S.E. Intersection Area properties is necessary to allow for the redevelopment of
23 the Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection Area;

1 (5) The acquisition and assemblage of the properties comprising the
2 Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection Area, and the potential
3 construction of new office space, retail space, or housing in the area, guided by the
4 policies and requirements of the District government, will further many important public
5 purposes, including:

6 (A) Removal of unsafe and unsanitary conditions due to dilapidation,
7 deterioration, age, and obsolescence of buildings or improvements;

8 (B) Reorganization and reorientation of improvements to make the
9 improvements safer and more attractive; and

10 (C) Revitalization of a distressed community;

11 (6) The proposed redevelopment will significantly contribute to the expansion of
12 safe, sanitary, and thriving mixed-use neighborhoods within the District of Columbia;
13 and

14 (7) The acquisition of the properties in the Pennsylvania Avenue-Minnesota
15 Avenue, S.E. Intersection Area and the redevelopment of the Pennsylvania Avenue-
16 Minnesota Avenue, S.E. Intersection Area serve many public purposes and are in the
17 interest of, and for the benefit of, the citizens of the District of Columbia.

18 Sec. 5. Exercise of eminent domain.

19 The Mayor may exercise eminent domain to acquire the properties comprising the
20 South Capitol Street-Martin Luther King, Jr. Avenue, S.W., Intersection Area, the Martin
21 Luther King, Jr. Avenue-Good Hope Road, S.E., Intersection Area and the Pennsylvania
22 Avenue-Minnesota Avenue, S.E. Intersection Area in order to redevelop or facilitate the
23 redevelopment of each area. The exercise of eminent domain under this section shall

1 follow the procedures set forth in subchapter II of chapter 13 of title 16 of the District of
2 Columbia Official Code.

3 Sec. 6. Fiscal impact statement.

4 The Council adopts the fiscal impact statement in the committee report as the
5 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
6 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
7 206.02(c)(3)).

8 Sec. 7. Effective date.

9 This act shall take effect following approval by the Mayor (or in the event of veto
10 by the Mayor, action by the Council to override the veto), and a 30 day period of
11 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
12 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
13 206.02(c)(1)), and publication in the District of Columbia Register.