

AN ACT

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2009 Summer  
Supp.

West Group  
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide for tax exemptions for the Eckington One Residential Project located in Lots 816, 817, 818, 819, and 820, Square 3576, in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Eckington One Residential Project Economic Development Act of 2008”.

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-4616. Eckington One Residential Project tax exemptions.”.

(b) A new section 47-4616 is added to read as follows:

“§ 47-4616. Eckington One Residential Project tax exemptions.

“(a) For the purposes of this section, the term:

“(1) “Developer” means NoMa West Residential I, LLC, its successors, affiliates, and assigns.

“(2) “Eckington One Residential Project” means the acquisition, development, construction, installation, and equipping, including the financing, refinancing, or reimbursing of costs incurred, of the mixed-use, multi-family residential and ground-floor retail project located on the Eckington One Residential Property, consisting of:

“(A) Approximately 600 units of residential condominium/apartment house use totaling approximately 560,000 square feet of floor area and housed in 3 buildings, including approximately 48 units of affordable housing;

“(B) Approximately 1,000 square feet of ground-floor retail space;

“(C) Below-grade parking garages; and

“(D) Other ancillary improvements, including extension of Q Street,

New  
§ 47-4616

N.E., from Eckington Place to Harry Thomas Way.

“(3) “Eckington One Residential Property” means the real property, including any improvements constructed thereon, located in Lots 816, 817, 818, 819, and 820, Square 3576 (or as the land for such lots may be subdivided into a record lot or lots or assessment and taxation lots, condominium lots, air rights lots, or any combination in the future).

“(b)(1) The tax imposed by Chapter 8 of this title on the Eckington One Residential Property shall be abated as follows:

“(A) In tax year 2010, taxes in excess of 107% of the taxes paid for tax year 2009;

“(B) In tax year 2011, taxes in excess of 113.96% of the taxes paid for tax year 2009; and

“(C) In tax year 2012 and each year thereafter, taxes in excess of 121.25% of the taxes paid for tax year 2009.

“(2) The real property tax abatement granted by paragraph (1) of this subsection shall only apply for the 10 consecutive real property tax years beginning in the tax year in which the developer begins development on the Eckington One Residential Property. The developer shall notify the Director of the Real Property Tax Administration of the Office of Tax and Revenue by certified mail that development has started within 30 days of the commencement of development.

“(3) The real property tax abatements granted by paragraphs (1) and (2) of this subsection shall not exceed, in the aggregate, \$5 million, plus 6% per year of the unused amount of the real property tax abatement from the commencement of development.

“(c) The abatement pursuant to subsection (b) of this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the Eckington One Residential Project or the Eckington One Residential Property.

“(d) This section shall not:

“(1) Prevent or restrict the developer from utilizing any other tax, development, or other economic incentives available to the Eckington One Residential Project or the Eckington One Residential Property; or

“(2) Limit the owner of the Eckington One Residential Property from appealing or contesting its real estate tax assessment.”.

### Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer, dated December 15, 2008, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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

---

Chairman  
Council of the District of Columbia

---

Mayor  
District of Columbia