



(Board Copy)  
Washington Metropolitan Area Transit Authority  
**METRO ELECTRONIC ACTION DOCUMENT**

IDENTIFICATION			
MEAD ID:	90173	ACTION:	N/A
AWARD VALUE:	(Not yet awarded)	CONTRACT: (Proposed)	
FUND SOURCES: ( <a href="#">View</a> )		CONTRACTOR:	
LAST MODIFIED:	03/25/2005		

DESCRIPTION	
SUBJECT:	Reinstatement and extension of Ashton Park Associates as selected developer for Arlington garage.
PURPOSE:	Request Board approval for reinstatement and extension of Ashton Park Associates as selected developer for the Arlington bus garage property.

ORIGINATION					
INITIATOR			DEPARTMENTAL APPROVAL		
ELISA HILL on 02/14/2005			Approved by BARTLETT , HAROLD 03/28/2005		
PHONE:	202-962-1593	OFFICE:	LAND	DEPT:	Secretary and Chief of St

COORDINATION (ROUTING)		
OFFICE	NAME	ACTION/DATE
LAND (7310)	HEINEMEYER, KLAUS	Approved 02/22/2005
SCOS (7100)	BARTLETT, HAROLD	Approved 03/28/2005
AGMM (4100)	SALPEAS, PANAGIOTIS	Approved 04/01/2005
COUN (1410)	O'KEEFFE, CAROL	Approved 04/01/2005
OPAS (3161)	HUGHES, JAMES	Approved 04/04/2005

FINAL APPROVALS	
OFFICE	NAME/ACTION
JOINT_DEV	Approved for SCOS by HAROLD BARTLETT on 03/28/2005
PLN_DEV_CMTE	Approved for AGMM by PANAGIOTIS SALPEAS on 04/01/2005
OPER_CMTE	Approved for OPAS by JAMES HUGHES on 04/04/2005
BEMR	Approved for BEMR by PAMELA WILKINS on 04/05/2005
GM	Approved for GMGR by GMGR CEO on 04/13/2005
BOARD	BOARD WMATA (Not Yet Approved)



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**NARRATIVE**

In April, 1999, Ashton Park Associates (APA) responded to a WMATA Joint Development Solicitation for the Arlington bus garage. In April, 2001, the Board chose APA as the selected developer, and on November 8, 2001, the Board authorized staff to execute an Interim Term Sheet Agreement (Agreement) with APA. The Agreement set out tasks that APA was to accomplish during the term of the agreement, which had a two year term with a one year extension, expiring in November, 2004.

Among the tasks for APA to complete under the Agreement were to design a 50-bus replacement bus garage in the same block as WMATA's existing garage, and submit a plan to Arlington County for approval of APA's proposed development. To have enough land for a new garage in the block, APA needed to obtain a commitment from a car dealership in the block to sell part of its land to the developer so that sufficient land would be available for the replacement garage. Despite considerable effort, APA was unable to get the car dealer to agree. Thus, APA could not submit a development plan to the County.

While APA was striving to replace the garage in the same block, WMATA, Arlington County, and Fairfax County were discussing the possibility of moving the Arlington garage to an alternative site. As the end of the Agreement term approached, Arlington, Fairfax, and WMATA agreed that the Arlington garage could be moved out of the Ballston area. When APA learned of this, they pointed out that the change altered the conditions for developing WMATA's Arlington bus garage site, and asked that their exclusive right to negotiate for development of the site be extended so that APA could modify its proposal to suit the new requirements.

Arlington County wrote WMATA in support of APA's request. They pointed out that APA's membership had changed to include The Shooshan Company, a development firm that has been very successful in Arlington. They also pointed out that the County and APA own adjacent land that will be important pieces of the assemblage necessary to realize the County's vision as detailed in its Quincy Street Plan. The County has tentatively committed to sell its land in this area to APA to facilitate development.

Upon Board approval, WMATA will review APA's revised submission and negotiate the major points of an agreement, which will be included in a Term Sheet. Staff will then return to the Board for authorization to sign the term sheet, negotiate a binding agreement and execute that agreement. The binding agreement execution is expected to be approximately ten months from this Board action to reinstate APA.

**ALTERNATIVES:**

Reject APA's request and re-advertise the Arlington bus garage site. This would add an additional year to the development process. Given that APA and Arlington County own contiguous parcels, WMATA would still need to involve APA in discussions no matter who the selected developer was.

**IMPACT ON FUNDING:**

N/A

**RECOMMENDATION:**

That the Board approve renewal of Ashton Park Associates' exclusive right to negotiate a Joint Development Term Sheet for a period beginning with the Board's approval and ending 90 days thereafter.