



**Planning, Development and Real Estate Committee**

**Board Action Item VI-C**

**June 11, 2009**

**Authorization to Negotiate and Execute a  
Memorandum of Understanding with  
Montgomery County for Wheaton  
Redevelopment**

Washington Metropolitan Area Transit Authority  
**Board Action/Information Summary**

<input checked="" type="radio"/> Action <input type="radio"/> Information	MEAD Number: 100303	Resolution: <input type="radio"/> Yes <input checked="" type="radio"/> No
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**TITLE:**

MOU with Montgomery Co. for Wheaton Redevelopment

**PURPOSE:**

Authorize (1) inclusion of Metro properties at Wheaton Station in a Montgomery County solicitation similar to Metro's Request for Qualifications process in which a developer is selected to help plan an ultimate redevelopment, and (2) execution of a Memorandum of Understanding ("MOU") with Montgomery County defining the basic ground rules under which the Metro property would be included.

**DESCRIPTION:**

Two properties at the Wheaton station were the subject of a Metro solicitation by which the selected developer was to build an apartment project on the east side of Georgia Avenue and an office building on the west side. The apartment building is now substantially complete, but the developer was not able to find tenants for the office building and withdrew. A short time later, Metro was contacted by Montgomery County, which is interested in finding a developer to redevelop downtown Wheaton. The County will include its property on the same block as the Wheaton bus station and Metrorail station entrance, as well as others in the adjoining blocks.

The MOU sets out the basic parameters for Metro and Montgomery County to cooperate in this effort. Since it is not possible to anticipate every detail that may come out of the developer selection and plan development process, it is possible that an amended MOU may be needed in the future. The Metro properties to be included are the Wheaton station (west side of Georgia Ave) and the parking garage on the west side of Veirs Mill Rd. Metro will actively participate in the developer selection process. Any redevelopment of our property will be in accordance with Metro standards and procedures. Metro, in its sole judgment, will be responsible for the quantity, quality, and design of its facilities, and the standards for safety, operations, and access. As is our normal practice, the cost of replacing our existing facilities will be accounted for in the ultimate agreement between Metro and the selected developer. The cost of additional facilities that might be requested by Montgomery County would be borne by the County. Metro would not be required to proceed if the costs of constructing the replacement facilities exceeds the financial return to Metro. Metro would continue to own, or have perpetual easements for, its operational facilities.

The Metro Board would have the following future approvals: developer selection, any subsequent agreements related to the sale or lease of Metro property, and the staff report if a Compact public hearing is required as a result of the ultimate plan. In addition, Federal Transit Administration approval of an eventual transfer would be required.

**FUNDING IMPACT:**

There is no current impact on funding. Assuming the process contemplated by the MOU is successful, there will be future agreements which, if approved by the Metro Board, would likely generate revenue and/or improved station access. However, there are no immediate financial consequences of executing the MOU.

**RECOMMENDATION:**

Authorize (1) inclusion of Metro properties at Wheaton Station in a Montgomery County-led solicitation to re-plan and redevelop downtown Wheaton and (2) execution of a MOU with Montgomery County defining the basic ground rules under which the Metro properties would be included.



# Memorandum of Understanding with Montgomery County for Wheaton Redevelopment

*Presented to the Board of Directors*

**Planning, Development and Real Estate Committee**

June 11, 2009





## Purpose

**Authorization to (1) include Metro properties in a Montgomery County-led solicitation, and (2) execute a Memorandum of Understanding (MOU) with Montgomery County.**

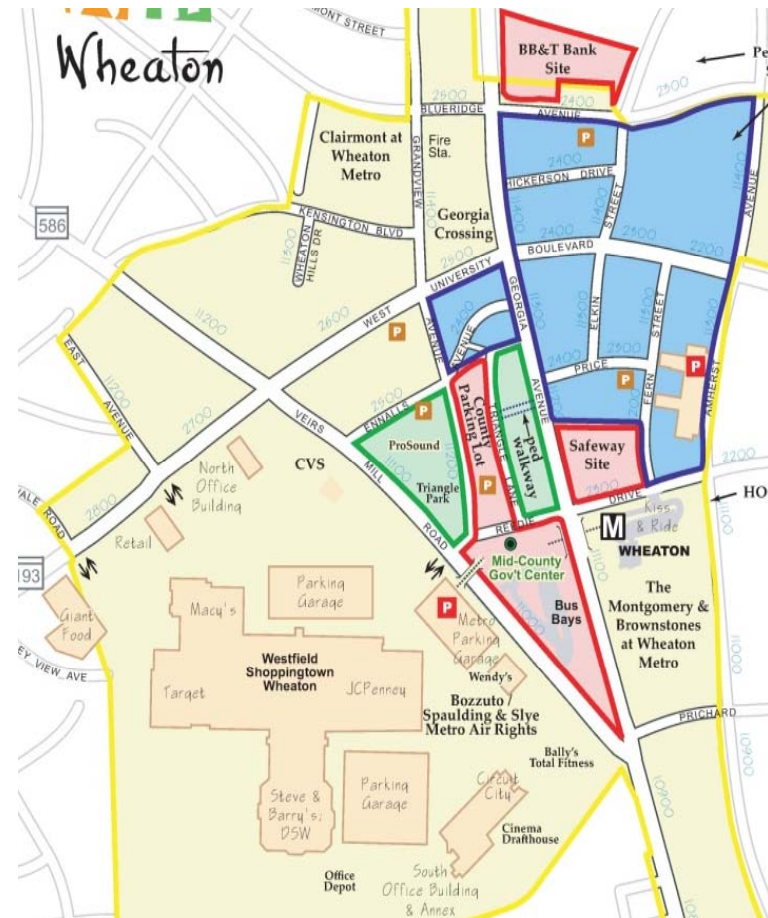






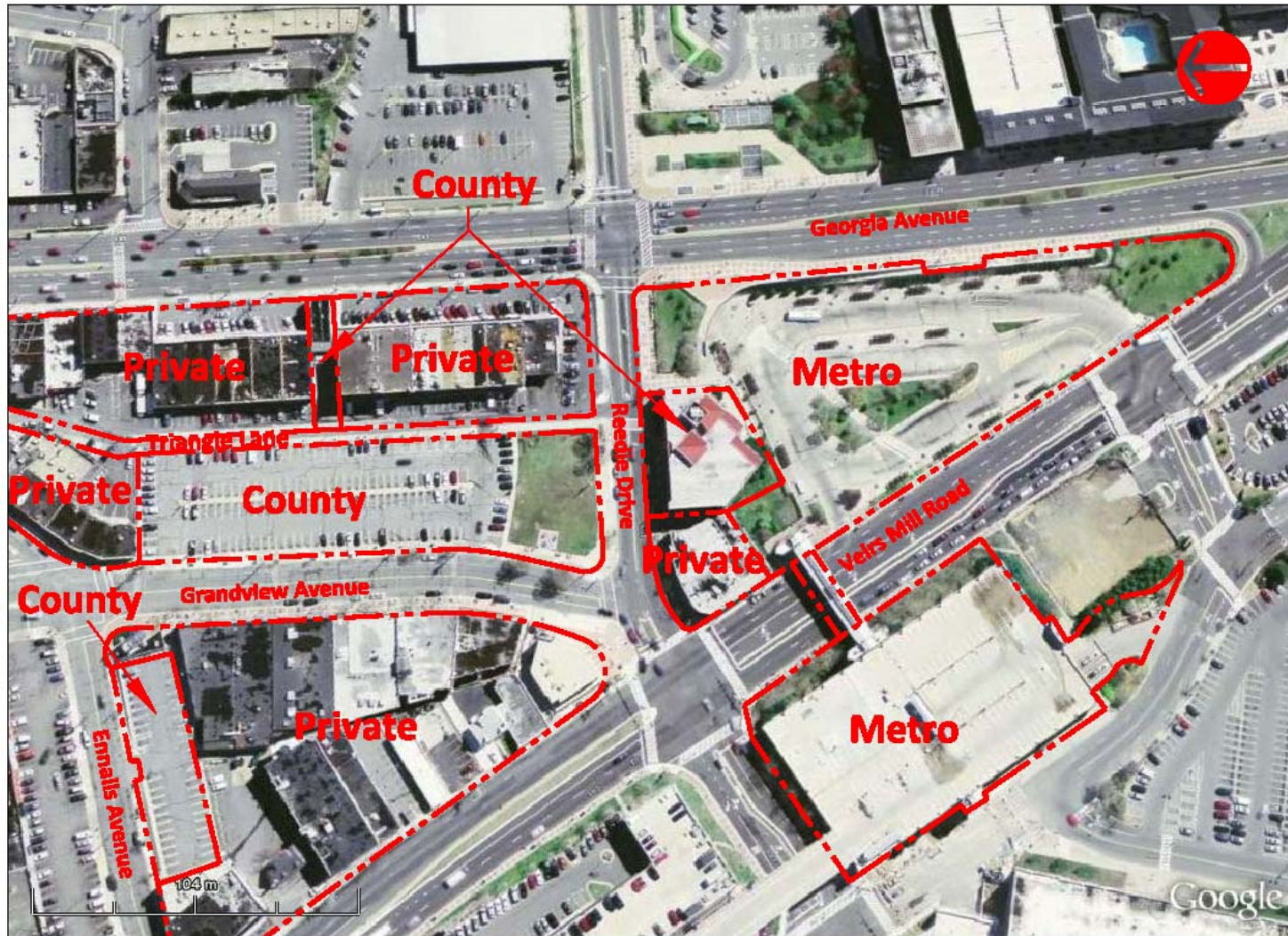
# Background

- Selected developer withdrew
- Montgomery County proposed a joint solicitation





# Montgomery County/Metro Properties



Source:  
Google Earth  
& MC Atlas





# Wheaton Station Triangle



Source:  
Google Earth  
& MC Atlas





# Highlights of MOU

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## Basic Parameters:

- **Metro will actively participate**
- **Redevelopment will be according to Metro standards**
- **Cost responsibility is assigned**
- **Metro will control its operational facilities**



# Comparison of Metro RFQ to MOU

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## Metro Board approvals:

### Metro Request For Qualifications

- Approval to Offer
- Developer Selection
- Price/Term Sheet
- Joint Development Agreement
- Compact Hearing

### County MOU

- Approval of MOU/ Approval to Offer
- Developer Selection
- Approval of Plan
- General Development Agreement
- Price/Term Sheet
- Joint Development Agreement
- Compact Hearing



# Recommendation

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## Authorize:

- **Inclusion of Metro properties in Montgomery County-led solicitation**
- **Execution of a Memorandum of Understanding with Montgomery County**