



Real Estate Committee – Public Session

Board Action Item III.A.

December 21, 2006

**Approval of Final Compact Public Hearing Staff
Report for the Rhode Island Avenue Joint
Development Site Project**

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

<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information	MEAD Number: 99642	Resolution: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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PURPOSE

To obtain Board approval of the final Compact Public Hearing Report for the proposed Rhode Island Avenue parking realignment and garage construction, and to obtain Board authorization for staff to execute the Rhode Island Avenue Shared Parking Agreement.

DESCRIPTION

On June 16, 2005, the Board approved holding a Compact Public Hearing regarding the proposed construction of a parking garage by Rhode Island Avenue Metro LLC (RIAM), bus bays, and related improvements at the Rhode Island Avenue Metrorail station. The hearing, chaired by Ms. Gladys Mack, was held on July 27, 2005. The topics of the hearing included reducing the amount of parking, relocating parking into a garage, and constructing the garage. WMATA's proposed parking reduction is in response to an April 25, 2003 letter from the District of Columbia Deputy Mayor for Planning and Economic Development requesting WMATA to reduce parking to 196 park-and-ride spaces and 19 Kiss & Ride spaces (215 total). The relocation of parking and garage construction will accommodate proposed transit-oriented development on the site.

WMATA staff, RIAM team members, and consultants to RIAM each made presentations. Sixteen people provided testimony focusing on the parking reduction. Of the six speakers supporting a reduction, two were neighborhood residents, three represented organizations, and one represented District of Columbia government staff. The six speakers opposed to the parking reduction were all residents of the community, including an ANC representative. There was particular emphasis on having parking available for midday trips, for example, medical appointments. The remaining speakers addressed other topics.

On August 9, 2005, subsequent to the public hearing, staff received a letter from FTA stating that FTA concurrence would be dependent upon WMATA's reaching an agreement with RIAM for an additional 172 parking spaces that could be shared among transit patrons, residents, shoppers, and others. To provide the shared parking requested by FTA, WMATA and RIAM have negotiated a Shared Parking Agreement. It calls for 140 shared spaces in the residential garage, 168 shared spaces in the retail garage, and 13 shared spaces on new, interior residential streets. The retail shared parking will be available for at least 4 hours at a time. In addition to the shared parking, WMATA will have 215 total spaces dedicated to its patrons in structured and surface parking. The overall effect will increase the number of spaces available to WMATA patrons without WMATA's incurring the capital cost of building the additional spaces.

The Shared Parking Agreement (SPA) also provides that parking will be priced separately from apartment rents, as an encouragement to those who may choose not to own a vehicle at this convenient, infill location. The components of the SPA meet FTA's requirements expressed in the letter referenced above. As soon as Board approval has been granted, staff will seek FTA approval of the project including the Shared Parking Agreement.

The draft Compact Public Hearing Report was made available for public comment from October 20, 2006 to November 3, 2006. Those comments have been incorporated into the final Hearing Report.

FUNDING IMPACT

Metrorail revenues are expected to increase due to this transit-oriented development. Joint development revenues will also rise, while parking revenues should decrease due to the reduction in parking spaces operated by WMATA.

RECOMMENDATION

Staff recommends that the Board adopt a resolution (1) approving the Final Compact Public Hearing Staff Report (Staff Report) and Amending the Adopted Regional System and the General Plans for the Rhode Island Avenue Station to provide for a relocated garage, bus bays and Kiss & Ride spaces, as depicted in Appendix I to the Staff Report; and reducing the number of parking spaces from 387 to 229 spaces dedicated to WMATA patrons and 159 shared spaces, including 6 taxi spaces; and (2) authorizing staff to execute the Rhode Island Avenue Shared Parking Agreement with Rhode Island Avenue Metro, LLC.

PRESENTED AND ADOPTED:

SUBJECT: RHODE ISLAND AVENUE - APPROVAL OF FINAL PUBLIC HEARING STAFF REPORT; APPROVAL OF A PARKING REDUCTION, RELOCATION, AND GARAGE CONSTRUCTION, AND AUTHORIZATION FOR STAFF TO EXECUTE THE RHODE ISLAND AVENUE SHARED PARKING AGREEMENT

PROPOSED
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, On July 31, 2000, WMATA issued a Joint Development Solicitation requesting proposals to develop the Rhode Island Avenue Metrorail Station joint development site; and

WHEREAS, On December 20, 2001, the Board of Directors (the "Board") selected Mid-City Urban, LLC and A&R Development (Developer) to develop the Rhode Island Avenue Metrorail Station site; and

WHEREAS, On June 20, 2002, the Board approved a Term Sheet with the Developer for a mixed-use project under a long-term lease with WMATA; and

WHEREAS, On April 25, 2003, the District of Columbia's Deputy Mayor for Planning and Economic Development asked that WMATA reduce parking from the existing 387 total spaces to 215; and

WHEREAS, The Joint Development Agreement between WMATA and the Developer, dated March 31, 2005, requires the Developer, at its own cost and subject to WMATA's approval of all construction plans, to replace on-site approximately 229 parking spaces (215 in a garage and 14 on the surface) that will be displaced by the new development, and to relocate other displaced facilities, including bus bays and access roads, on-site; and

WHEREAS, Upon completion, revenue from the replacement parking will be collected by WMATA; and

WHEREAS, On June 21, 2005, the Board authorized a public hearing to be held on the proposed replacement parking and road modifications and authorized the General Manager to approve and then release the Staff Report as soon as it was completed; and

WHEREAS, The public hearing was held on July 27, 2005, at 6:30 P.M. at the Isle of Patmos Baptist Church in Washington, D.C., and

WHEREAS, At the public hearing, the Developer stated that it would seek a reduction of surface parking spaces from 387 to 215; and

WHEREAS, The public hearing record remained open until August 8, 2005; and

WHEREAS, Subsequent to the public hearing, on August 9, 2005, the Federal Transit Administration (FTA) sent a letter to WMATA stating that the FTA's concurrence on the joint development project would be dependent upon WMATA reaching an agreement with the Developer for a minimum amount of shared parking to achieve a total of at least 387 spaces to serve WMATA patrons; and

WHEREAS, WMATA staff and the Developer have agreed upon language in a Shared Parking Agreement, which enables WMATA to comply with the FTA's requirements for its concurrence on the joint development project; and

WHEREAS, The proposed parking reduction will not impede or restrict the operation of the Transit System, as defined in the subsection 1 of Section 607 of the Gross Revenue Transit Bond Resolution adopted by WMATA on November 18, 1993 (the "Bond Resolution") or WMATA's ability to realize Pledged Revenues (as defined in the Bond Resolution); and

WHEREAS, A report on the public hearing entitled, "*Draft Public Hearing Staff Report Review of the Public Hearing Process and Staff Recommendations, Proposed Parking Reduction, Relocation, and Garage Construction, Rhode Island Avenue Metrorail Station, Red Line, Washington, D.C., Hearing No. 169, Docket No. R05-2*" ("Staff Report") was prepared; and

WHEREAS, On October 20, 2006, the Interim General Manager released the Staff Report for public review; and

WHEREAS, The Staff Report was circulated to all interested individuals, groups and agencies as required by the Compact, including all parties who presented testimony, submitted statements for the public hearing record or requested copies of the report whether at the public hearing or otherwise and attendees of the public hearing; and

WHEREAS, The public review period closed on November 3, 2006; and

WHEREAS, A report was prepared entitled, "*Final Public Hearing Staff Report Review of the Public Hearing Process and Staff Recommendations, Proposed Parking Reduction, Relocation, and Garage Construction, Rhode Island Avenue Metrorail Station, Red Line, Washington, D.C., Hearing No. 169, Docket No. R05-2*" dated November 6, 2006 ("Final Public Hearing Staff Report"), Attachment A to this Resolution, which describes the public review process, summarizes comments received during the public review, responds to issues raised and presents the final staff recommendations; and

WHEREAS, The Final Public Hearing Staff Report, along with the public hearing transcript record, has been made available to the Board and the Board has considered this information, now, therefore be it

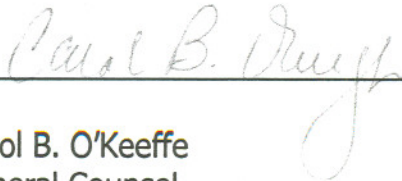
RESOLVED, That the Board approves the staff recommendations as presented in the Final Public Hearing Staff Report and amends the Rhode Island Avenue Metrorail Station General Plans to incorporate the following, subject to final detailed engineering:

1. That WMATA and the Developer shall execute the Shared Parking Agreement to provide a total of 159 shared parking spaces (153 spaces, plus 6 taxi cab spaces) in the Developer's parking facilities, or in surface parking, that will be available for use by WMATA patrons; and
2. That the Developer build an on-site garage, at no expense to WMATA, to be operated and maintained by WMATA for its patrons. The garage will have a minimum of 215 Park & Ride spaces; and
3. That the Developer provide 14 on-site surface Kiss & Ride spaces, at no expense to WMATA, dedicated for use by WMATA patrons; and
4. That WMATA bus bays be re-configured at no cost to WMATA, keeping them as close to the station entrance as possible to maximize pedestrian safety and patron comfort; and
5. That during construction, the Developer will provide 200 WMATA interim parking spaces at no expense to WMATA, approximately 150 of which will remain on-site. The entrance to the parking area for the remaining 50 spaces will be about 1,300 feet from the station, *and be it further*

RESOLVED, That the Board (1) approves the Final Compact Public Hearing Staff Report and Amends the Adopted Regional System and the General Plans for the Rhode Island Avenue Station to provide for a relocated garage, bus bays and Kiss & Ride spaces, as depicted in Appendix I to the Staff Report and reduces the number of parking spaces from 387 to 229 spaces dedicated to WMATA patrons and 159 shared spaces, including 6 taxi spaces; and (2) authorizes staff to execute the Rhode Island Avenue Shared Parking Agreement with Rhode Island Avenue Metro, LLC; *and be it finally*

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe
General Counsel