

**County of Fairfax, Virginia
Planning Commission Meeting
March 2, 2017
Verbatim Excerpt**

PA S13-II-TY1 – COMPREHENSIVE PLAN AMENDMENT (TYSONS IMPLEMENTATION, LAND USE AND URBAN DESIGN; TRANSPORTATION; PARKS, PUBLIC FACILITIES AND OTHER UPDATES) – *To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the Code of Virginia, Title 15.2, Chapter 22. This Amendment concerns approx. 2,100 ac. Tysons area, generally located at the confluence of the Capital Beltway/Interstate 495 (I-495) with the Dulles Airport Access Road and Dulles Toll Road (Route 267), Leesburg Pike (Route 7), and Chain Bridge Road/Dolley Madison Boulevard (Route 123) (Tax map #28-2, 28-4, 29-1, 29-2, 29-3, 29-4, 30-3, 39-1, 39-2, 40-1) in the Providence and Hunter Mill Supervisor Districts. The area is planned for high density, mixed-use development concentrated in transit-oriented developments around the four Metrorail stations that will resemble intense and busy central business districts. The pattern of development along the edges of Tysons transitions down to a scale and use that respects the adjacent communities. The Plan amendment considers revisions to facilitate implementation activities, including changes to the land use (including the Plan's Initial Development Level for office uses), urban design, parks, public facilities and transportation recommendations. The amendment would reconcile Plan text and maps with completed studies and planning activities since 2010, updates the text to reflect implementation, and proposes other changes deemed necessary throughout the amendment process. (Providence and Hunter Mill District)*

Decision Only During Commission Matters
(Public Hearing held on February 8, 2017)

Commissioner Niedzielski-Eichner: Mr. Chairman on February 3rd, 2017 the Commission held a public hearing on a proposed amendment to the Tysons Comprehensive Plan. The proposed amendment followed months review, comment and comment resolution starting with staff's first draft version, made available for public comment in the fall of 2013, followed two years later by a second draft make available for public comment in the fall of 2015 and then this final draft version which captures the Planning Commission's Tysons Committee review of public comments submitted in the spring and summer of 2016. In short, a tremendous level of effort has been put into this draft amendment by the staff, the Planning Committee – Tysons - Planning Commission Tysons Committee, and, of course, the public. In this regard, I would want to thank the staff coordinator, Bernie Suchicital, and Fred Selden of the Department of Planning and Zoning, Tracy Strunk of the Office of Community Revitalization staff, Andy Dorlester of the Park Authority staff, and Leonard Wolfenstein of the Transportation staff, for their excellent and dedicated work. I also want to commend the Tysons Partnership and Greater Tysons Citizens Coalition for their thorough and thoughtful commentary throughout the draft and review process. And finally, I will take this opportunity, Mr. Chairman, to recognize my predecessor, Ken Lawrence, for who I understand have been his visionary, patient and open-minded leadership as the Chairman of the Commission's Tysons Committee. I believe there is widespread agreement that this is a necessary, valuable and timely amendment and coming as it does, nearly seven years, following the Board of Supervisors adoption of the Comprehensive Plan for the Tysons Urban Center. Further, this amendment updates the Tysons plan predominately focused on

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revisions to plan text in areas of implementation, land use and urban design, transportation, parks, public facilities and environmental stewardship. There are two key proposed changes, however, that have generated public comment to the Commission during the public hearing, and in my judgement warrant our attention. The first is the proposed setting of an overall development level for all uses at 113 million square feet to replace the initial development level or IDL of 45 million square feet of offices use only. The second is the addition of the sentence under Parks and Recreation Guidelines which states “Some of the active recreational facility needs may be accommodated by adding or upgrading facilities at existing or future public school sites or in nearby existing parks - parks surrounding Tysons.” Let me take you to these in turn if you will. With regard to the IDL, staff believes that the Board adopted funding plan for plan transportation improvements through 2050, meets the original concern that development not outpace the infrastructure improvements required to support the increase demands on public facilities particularly with regard to transportation in the grid of streets. Further, staff is concerned that maintaining the current IDL, could act to slow the pace of development by placing a perceived cap on Tysons office development. A key staff assumption is that the Board’s funding plan will be adequately augmented by local, state and federal funding sources. I agree, however, with public comments that in these times the uncertainty of the potential availability of government revenues at the level required and at the time needed is simply too great to completely abandon the IDL. I, therefore, have asked staff to develop alternative text language that will maintain the IDL at a higher level than at the 45 million square feet for office only, and will clear any mix signals, the development community might interpret as limiting the opportunity for continued Tysons development for all uses. Therefore, my motion will include the raising of the IDL to 55 million square feet for office. Now, the proposed - proposal for the 55 million square feet for office space was derived by replacing George Mason University’s forecast for year 2030, with the University’s forecast for year 2050. As follows, and I will take this slowly, the IDL in the current plan of 45 million square feet for office represented GMU’s high forecast for 2030. The total development high cast forecast for 2030, that is an overall development level for all uses was 83 million square feet. The GMU 2050 high forecast for office is 60 million square feet and the total development high forecast of 124 million square feet. As you will recall, the funding plan is built on a 113 million total square feet projection of mixed use development. The 113 million square feet projection is approximately 91% of the 124 million of the 2050 high total development forecast. Using this then as a model for an office only projection, the 55 million square feet proposed in the revised text is 91% of the 60 million square feet associated with the 2050 high office forecast. Finally, I note that keeping the IDL, but raising the square footage threshold, is a compromise between keeping it as it is, as advocated by the Greater Tysons communities, in doing away with it completely, as advocated by the Tysons Partnership. Now, with regard to the Parks and Recreation Guidelines for Tysons active recreation facility needs, I believe on one hand, the referenced sentence unnecessarily conveys a scaled back expectation for locating such facilities within the Tysons proper. While on the other hand, I believe the current language combined with the other amended language, provides for the flexibility called for by the developers. My motion, therefore, does not include the referenced language with regarding to meeting Tysons active recreational facility needs. On other matters, Mr. Chairman, the McLean Citizens Association, advocated at the public hearing that among

other initiatives certain proposed amended language related to library services be struck and replaced by language that acknowledges ongoing renovation of the Tysons Regional Library and a footnote be added to Map 7 noting that Magarity Road abuts low density residential neighborhoods, outside of Tysons and due consideration be given in the design of the road to mitigate Tysons impact on these neighborhoods. My motion accommodates both of these MCA recommendations. Among other considerations, the Tysons Partnership proposes changes to various provisions of the Tysons plan that restore the phrase “on the order of,” to the descriptions of several land use categories, because this text provides additional flexibility with the implementation of the plan. Also, to align the bicycle parking guidelines for Tysons with those used in the prior County. And finally, restore the original plan text that refers to using the consumer price index to adjust the amount of the non-residential contribution to affordable housing. My motion accommodates each of these Tysons Partnership recommendations. In closing, when the Tysons plan was adopted, a key component going forward was to be the monitoring of growth and development, in the collection of data covering a variety of areas. Now that we are approaching seven years since the plan’s adoption, I believe it would be prudent to bring more formality and staff integration into this effort, and bring greater precision and rigor to monitoring the Tysons Urban Center evolution, against current projections and expectations. A monitoring program should define a new and integrated baseline understanding of the progress made in the last seven years implementing the Comp Plan. The soon to be realized completion of Metro Silver Line into Loudoun County in the significant projects completed under construction and approved. In this regard, I will be offering a follow-on motion to charge the Planning Commission’s Tysons Committee to work closely with staff to define a Tysons Urban Center Development Monitoring Program. With all this, Mr. Chairman, I, therefore, MOVE FIRST MOTION THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE STAFF’S RECOMMENDATIONS FOR PA S13-II-TY1, AS SHOWN ON PAGES 6 AND 7 OF THE STAFF REPORT DATED JANUARY 5, 2017 AND AS REVISED BY THE PROPOSED PLAN LANGUAGE AND MAPS CONTAINED IN THE ADDENDUM TO THE STAFF REPORT DATED MARCH 2, 2017.

Commissioner Hedetniemi: Second

Commissioner Niedzielski-Eichner: This plan amended will update the recommendations for the Tysons Urban Center to reflect the studies and planning activities that have been completed since 2010.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of the motion?

Commissioner Hart: Mr. Chairman.

Chairman Murphy: Yes. Just one quick amendment if I may. I believe you said the Planning Commission public hearing was February 3rd, it was February 8th. Could we make that change?

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Commissioner Niedzielski-Eichner: Please.

Chairman Murphy: Okay. Mr. Hart.

Commissioner Hart: Yes, thank you, Mr. Chairman. I'm going to support the motion but I want to make some observations regarding the change to the section about the IDL. The Tysons Committee went through a very thorough process with staff and stake holders over a long period of time and I think reached - the Committee reached a consensus with itself that the language as proposed in the staff report regarding the IDL was the appropriate thing to do. And, I think sitting here tonight, I could still support the language that's in the staff report. I tend to agree that the compromise at 55 million square feet, may not be particularly harmful to what we are doing in Tysons and I think coupled with the follow-on motion regarding monitoring, which I hope we would be doing anyway, the results may not be all that different. But I also tend to agree that changes like this may create some level of uncertainty which complicates the ability for developers to get funding from lenders. And, the more uncertainty we create the more difficult it is for any of these projects to go forward, good or bad. I think it's a fair observation that the compromise proposal of the 55 million was never really vetted with the stakeholders or by the Committee in it's come up in the last few days. It may be perfectly reasonable and it may be that we would alternately get there. But I think with a little more time we could have gotten closer to a consensus that specifically addressed that item and I think our recommendation to the Board, at least from my standpoint, would be a little more confident if I had felt we had a little stronger feedback from all the stakeholders regarding that particular change. To some extent, by putting the 55 million back in, we are kicking the can down the road, but this is an ongoing process and the Committee is going to have more work to do. I think, unfortunately, doing it this way and voting now to some extent leaves that issue on the table for the Board and we really haven't rung every drop from the material before we've - we've set it up. Overall, this is a good package, and I'm going to support the motion. I will put a little asterisk next to the IDL. Thank you, Mr. Chairman.

Chairman Murphy: Further discussion? Mr. Ulfelder.

Commissioner Ulfelder: Thank you Mr. Chairman. Yes, I am going to support the motion as well. And I - I agree with some of Commissioner Hart's comments, however, I think that the - we are still only seven years from having approved the Tysons plan and the progress has been a lot slower than George Mason anticipated, particularly in the office side. And, I think that the factors that have contributed to that have more to do with federal budget sequestration with the general problems in the office market throughout the County and in the region in terms of occupancy and so on. And, that - I think that it will be - need a little bit more time to see where things are going and how they are going before we can really be in a position to adequately judge progress and whether some changes can be made along the line of what was proposed in terms of removing the IDL. And I would also add, you know, that the major transportation improvement that's occurred since we approved the plan has been the arrival of the Silver Line and that's a little bit problematic right now. And now we have broken ground for the Jones Branch Connector, but

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there is still a lot of projects that are on the list that haven't begun and I think that we just need a little more time to see how this is going to all work out. So I'm going to support the motion with the understanding that if things pickup, if things start to change, there is the opportunity to jump in at any point to do a reevaluation and to determine whether the IDL as it will have been restructured here or at least where we'll have gone from 45 to 55 million square feet. Whether that's a major factor or not and whether we need to change it in order to try to help with progress in development and redevelopment of Tysons Corner.

Chairman Murphy: Thank you. Further discussion? All those in favor of the motion to recommend to the Board of Supervisors they adopt the staff recommendations as amended here this evening for PA S13-II-TY1, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Niedzielski-Eichner: Mr. Chairman, I want to note my appreciation for Commissioner Hart's comments. They are thoughtful and I think are appropriate. I do want to assure my colleagues that the – there have been conversations with both the Partnership as well as the greater citizens groups about this change. The one caveat being that the specific number, the 55 million square feet was derived more recently, it was not explicitly discussed with the Partnership. So in that – in that regard, I understand Commissioner Hart's point. I would note that too - that leading into that next motion, the concept of this Monitoring Program was part of that conversation with the Partnership and - and the nature of this is if we have this ability to bring all the data together, have a set of metrics that are meaningful – meaningfully devised and then monitored over time through transparency, that we'll have the opportunity to have the sufficiently advanced notice of – of prospective problems, whether it be relative to funding, infrastructure issues or whatever, to be able to make adjustments, as Mr. Ulfelder – Commissioner Ulfelder – was referencing. So I think that, while the specifics were perhaps lacking, I think the broader concept of the linking of this change, I think re-including you – this level – development level - to this proposed program plan or program of monitoring, will help accomplish what we all would like to see and that's the ability to really understand how this vision is evolving as time progresses. So Mr. Chairman, I move that the Planning Commission's Tysons Committee be charged to closely coordinate with staff to define a Tysons Urban Center Development Monitoring Program to include such purposes as identifying the monitoring data that should be collected and all current data collection and reporting efforts identifying respective roles...

Chairman Murphy: We haven't voted. Hold on.

Vice Chairman de la Fe: Yeah, we did vote.

Commissioner Ulfelder: We haven't voted on the first motion.

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Vice Chairman de la Fe: Yeah. We did.

Commissioner Ulfelder: No, we didn't.

Chairman Murphy: Yeah, we have seconded. All right. Is there further discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Go ahead.

Commissioner Niedzielski-Eichner: That was on first motion?

Chairman Murphy: Yeah.

Commissioner Hart: Yes.

Commissioner Niedzielski-Eichner: Okay. Thank you. So I MOVE THAT THE PLANNING COMMISSION'S TYSONS COMMITTEE BE CHARGED TO CLOSELY COORDINATE WITH STAFF TO DEFINE A TYSONS URBAN CENTER DEVELOPMENT MONITORING PROGRAM TO INCLUDE SUCH PURPOSES AS IDENTIFYING THE MONITORING DATA THAT SHOULD BE COLLECTED AND ALSO ALL CURRENT DATA COLLECTION AND REPORTING EFFORTS ALREADY ON THE WAY, IDENTIFYING RESPECTIVE ROLES AND RESPONSIBILITIES OF COUNTY AGENCIES WITH REGARD TO MONITORING PROGRESS, CLARIFYING THE ROLE THAT TYSONS PARTNERSHIP AND DATA COLLECTION AND PLAN MONITORING, AND DEVELOPING AN INTEGRATED DATA DRIVEN VIEW OF PROGRESS IN RELATION TO LOGICAL OPERATIONAL MILESTONES AS WELL AS THE GOALS IMBEDDED WITHIN THE TYSONS PLAN. AND, FINALLY, RECOMMENDING THE VENUE AND TIMEFRAMES FOR RECORDING THE MONITORING RESULTS, SUCH AS, FOR EXAMPLE, IN CONJUNCTION WITH THE ANNUAL TYSONS PROGRESS REPORT OR A PUBLICLY AVAILABLE ONLINE DATA DASHBOARD. FURTHER, MR. CHAIRMAN, I MOVE THAT THE TYSONS COMMITTEE PRESENT THE COMMISSION WITH THE WORK PLAN BY MID-MAY, TO INCLUDE KEY STEPS TO BE TAKEN IN THE RELATED MILESTONES.

Commissioner Sargeant: Second

Chairman Murphy: Seconded by Mr. Sargeant. Is there discussion of the motion?

Commissioner Hart: Mr. Chairman.

Chairman Murphy: Mr. Hart.

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Commissioner Hart: Yes, I do support this I just – I just want to make sure mid-May is a realistic timeframe with the meeting dates we have got left to turn this around. If staff is okay that we could - mid-May is enough time to do this.

Fred Selden, Department of Planning and Zoning: Fred Selden, Department of Planning and Zoning. I think we can work with a mid-May timeline.

Commissioner Hart: Thank you.

Chairman Murphy: Okay all those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

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