

November 13, 2013

Mr. Frank de la Fe
Hunter Mill District Planning Commissioner
Fairfax County Planning Commission
12000 Government Center Parkway, Suite 330
Fairfax, Virginia 22035

**RE: Reston Master Plan Special Study, Phase I
Comprehensive Plan Amendment ST09-III-UP1(A)**

Dear Commissioner de la Fe:

We write as a group of commercial property owners who have participated in and closely followed the work of the Reston Master Plan Special Study Task Force ("Task Force") in planning for future mixed-use, transit-oriented development in the Reston-Dulles corridor. Collectively, we represent the ownership of over 350 acres of land in Reston Town Center and the Transit Station Areas. This acreage constitutes approximately 21% of the land area involved in Phase I of the special study.

We appreciate the substantial time, effort, and resources Fairfax County Staff and the Task Force members have devoted to collaboratively developing the proposed Comprehensive Plan recommendations for consideration by the Planning Commission. We believe the proposed Comprehensive Plan amendment represents a significant step forward in achieving the Task Force's vision for the future of the Reston community.

We do, however, have several concerns that remain unresolved following the final Task Force meeting and the final draft of the proposed Comprehensive Plan text. We offer these concerns for your consideration in the spirit of continued collaboration and in an effort to improve the Comprehensive Plan recommendations so that we, as the property owners who will be implementing these recommendations, are able to achieve the vision for future transit-oriented development in Reston.

I. Emphasize the Quality, Rather than Quantity, of Open Space

We agree with the goal of achieving high-quality open space, and we believe the Comprehensive Plan should emphasize the quality, rather than quantity, of open space. Overall, we're concerned that establishing a threshold of 20% has absolutely no correlation to the quality of the open space. Further, such a high target of 20% under the narrower definition in the proposed Plan text will likely have the opposite effect by requiring new development to limit the quality of open space in exchange for creating more non-programmed green space in order to meet the target.

We recommend the following changes to improve the open space provisions:

1. The Comprehensive Plan should differentiate between open space generally and open space that is publicly accessible. The 20% open space goal is an appropriate target for

“open space” generally, but it is too prescriptive and too high for the amount of publicly accessible open space. We recommend a target of 10% publicly accessible open space.

2. The definition of open space should be expanded to include landscaped rooftops, streets and parking spaces if these areas can be made publicly accessible and are designed and programmed for public use. These areas were included within the definition of publicly accessible open space in the Tysons Corner Comprehensive Plan recommendations, and we believe the same standards should apply here.
3. The Comprehensive Plan text should allow flexibility such that:
 - a. Quality open spaces will be approved even if the overall amount of open space within a development is less than the 20% goal.
 - b. If certain well-located sites have specific advantages (such as adjacency to public areas like the W&OD trail) these sites should be encouraged to make improvements that foster greater accessibility to these pre-existing open spaces rather than duplicate the creation of open space. Again, we suggest that the Comprehensive Plan should support and encourage meaningful open spaces. Quality should be emphasized over quantity.

Attached please find proposed Comprehensive Plan text that includes the changes described above to better achieve the important goal of creating meaningful, high-quality open space.

II. Stormwater Management Guidance Should Be Consistent with State Regulations

We believe the stormwater management recommendations in the draft Comprehensive Plan are too specific given the pending adoption of new, more stringent stormwater management regulations statewide. We’re concerned that the specific expectations under the Plan may not be consistent with the Virginia regulations pending implementation by the County in July 2014. Although we understand they are generally consistent, there would be considerable issues if the Comprehensive Plan conflicted with the Virginia regulations as they are ultimately approved.

Further, the new Comprehensive Plan preference for on-site stormwater management contrasts with the history of Reston’s regional approach using the five lakes created for this purpose. We acknowledge the approach to stormwater management is changing and moving away from this regional strategy. Nevertheless, this change will have a significant impact on development.

We suggest that the Comprehensive Plan should articulate the County’s goals for stormwater management and reference the pending state regulations as the governing authority for specific stormwater management requirements. Rather than identify specific, potentially conflicting guidance, we suggest that the attached language be incorporated into the Comprehensive Plan.

III. Permit Feasible, Appropriately Phased Parking Ratios

We agree with the goal of reducing the parking ratios for office space in the Reston-Dulles corridor over the long-term. While we agree with a maximum parking goal, it is important for

the Comprehensive Plan to recognize that implementing a change of this magnitude will need to be accomplished over time. It is critical that the property owners be afforded sufficient flexibility in the implementation of the reduced parking ratios as development occurs.

There are several factors affecting the Reston office market that need to be taken into account in implementing the reduced parking ratios. Specifically, these factors include:

1. Phase II of the Silver Line will not be operational until 2018. Given this schedule, existing and new office tenants at the Reston Town Center and Herndon stations will not be able to use Metro as an alternative to driving for another five years. In addition, it will take time for office employees at all stations to adjust their commuting behavior to use Metro rather than driving to work.
2. Property owners already have a strong incentive to provide as little parking as they can reasonably operate in their developments because parking is very expensive. They will only build the parking they actually need due to the cost. Further, the transportation demand management reductions in the Plan are applicable regardless of the number of parking spaces constructed. There are multiple ways to reduce vehicle trips and parking maximums are just one of a number of strategies.
3. Existing office leases have specific parking requirements the owners must continue to fulfill. Where infill development occurs on a parking lot, the owner will need to provide parking for the new structure and also replace the parking required under existing leases. Developments may not be able to meet the reduced parking ratios immediately, and will need to phase in the reductions as leases expire and new development occurs over time.
4. We're also concerned about the competitive imbalance created by different parking ratios for office in the Transit-Station Mixed-Use and Residential Mixed-Use areas. Given the challenges of implementing the reduced parking ratios, developments farther from the Metro stations will have a competitive advantage with respect to parking. The Plan should not discourage office development in the area where it is otherwise encouraged.

Based on these factors, we suggest the Comprehensive Plan recommend a parking ratio of 2.4 spaces per 1,000 square feet of office across the Transit Station Areas over the 20 year horizon of the Comprehensive Plan. In addition, we suggest Plan recommendations that the County and applicants work toward the goal of 2.4 spaces/1,000 square feet, but not apply this ratio to zoning applications until ten years from the adoption of the Comprehensive Plan. This approach would allow the County and applicants to implement the goal of reducing parking on a case-by-case basis for an interim period of ten years. We suggest the attached text be incorporated into the Comprehensive Plan.

IV. Avoid Expectations for Reston Association Membership and Architectural Review by the Reston Association Design Review Board

The property owners strongly believe that the draft Plan's reference to encouraging membership in Reston Association should be removed. The County cannot, and should not give the appearance that it can, deny a rezoning application due to an applicant's unwillingness to join the

Reston Association or the Reston Town Center Association ("RTCA"). The County is not authorized to compel membership in a private association as part of a zoning application. The Comprehensive Plan should at most recommend consultation with the Reston Association or the RTCA without establishing any policy position by the County.

The County also should eliminate the draft Plan recommendation for all development in the Transit Station Areas (outside Reston Town Center) to be reviewed by the Reston Association Design Review Board ("RA DRB"). Given the extensive architectural design and site planning review by Fairfax County, the Reston Planning & Zoning Committee and adjacent communities, it is unnecessary for an additional layer of review by the RA DRB. Further, the RA DRB has significantly less experience dealing with large-scale, mixed-use developments than does the RTCA DRB and the Reston Planning & Zoning Committee.

V. Conclusion

We appreciate the opportunity to present our concerns regarding the proposed Comprehensive Plan amendment and thank you in advance for your consideration. We would be glad to discuss our concerns and our proposed Comprehensive Plan text with you at any time. We look forward to the adoption of new Comprehensive Plan recommendations that will enable property owners to achieve the Task Force's vision for future mixed-use, transit-oriented development in the nation's premier planned community of Reston.

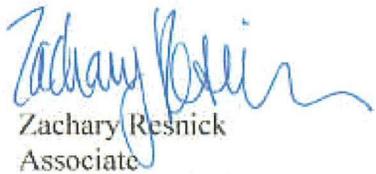
Sincerely,



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Publicly Accessible Open Space

High quality open spaces of all types provide opportunities for spontaneous interaction and programmed activities as well as for introducing variability in the fabric of the built-environment. A variety of large and small publicly accessible open spaces should be available throughout the Reston community.

In some instances, such open spaces can be sited so as to preserve, augment and/or enhance the natural environment. In certain parts of Reston's TSAs, opportunities to preserve areas with existing trees should be sought to help connect these more urban areas to the larger fabric of Reston.

Definition of Publicly Accessible Open Space

For the purposes of this Plan, these spaces are to be for public enjoyment and may be either public or privately owned space to which public access is granted. They may include:

- environmentally sensitive areas, such as Resource Protection Areas (including wetlands, streams and stream buffers) and existing stands of trees;
- active recreation areas, such as large active play fields and smaller outdoor recreation areas for activities such as tennis and volleyball;
- designated privately owned, publicly-accessible open spaces, such as gardens, plazas, walkways, pathways, trails, urban parks, through-block connections, civic spaces, town squares, and a memorial sculpture garden; and
- other publicly owned and publicly accessible open spaces including small urban parks and civic spaces.

Publicly accessible open spaces ~~do not~~ can include landscaped rooftops, streets, parking and driveways or areas for vehicles, streetscape widths that are less than 12 feet wide, and roof top areas not readily accessible to the public, if these areas can be closed and programmed for public use (e.g. street fairs or farmers' markets). In some instances, publicly accessible open space may need to be identified by a wayfinding sign.

Calculation of Publicly Accessible Open Space

The following guidelines apply when considering the total amount of publicly accessible open space to be provided by any given project:

- The open space goal inclusive of private rooftop areas and other open space not publicly accessible should be 20 percent of the net lot area (total lot area not including areas for public or private streets ~~and 12 feet of the streetscape area~~) unless they are designed to be able to be closed and used as public space of which a goal of 10% is targeted to be publicly accessible. Flexibility in location should be used in applying this goal, recognizing that smaller open spaces are more appropriate and are generally used and enjoyed in the highest density areas. Some portions of the 20 percent goal may be more readily located in the immediate proximity of the transit station areas or be made up by adjacent publicly owned accessible open space so long as the project provides for pedestrian connections to the space (e.g. the portion of the W&OD trail that runs along the frontage of a property).

- The publicly accessible open space goal for each parcel may be met by open space located off-site and combined with other properties within the TSA to create larger public spaces (e.g. the proposed large civic green in the South TOD area of the Town Center TSA and the proposed green, linear park along Sunrise Valley Drive).
- Publicly accessible open space may include active space such as an outdoor performance space, active recreation fields, public parks, and a memorial sculpture garden.
- Flexibility on the percentage of open space may be granted for exceptional design and exceptional land dedications for public use.

Stormwater Management

Future development offers considerable opportunities to improve upon past stormwater management practices in furtherance of efforts to protect and restore local streams and to reduce pollutant loads entering the Potomac River and Chesapeake Bay. Low impact development (LID) techniques of stormwater management can serve to reduce runoff volumes entering local streams and can more easily be incorporated within densely developed areas than more Reston traditional detention and retention ponds. These LID practices can include, but are not limited to, bioretention or biofiltration facilities (commonly known as rain gardens), vegetated swales, porous pavement, vegetated roofs, tree box filters and the collection and reuse of stormwater runoff.

Environmentally-friendly stormwater design should be an integral design principle that will be part of the conceptual stage of site development for all future development, recognizing that stormwater management measures may be phased with development. The stormwater design should first seek to minimize the effect of impervious cover, followed by the application of stormwater reuse, retention, detention, extended filtration and, where soils and infrastructure allow, infiltration to improve downstream waters. The incorporation of stormwater management strategies in parks and other open space areas may support this approach while providing recreational amenities, and there may be opportunities to incorporate LID practices within other open space areas.

Coordination of stormwater management controls among multiple development sites may also be effective in achieving stormwater management goals in an efficient manner. Stormwater management and water quality controls should be optimized for all future development projects consistent with the scale of such projects.

~~Stormwater~~In addition, the following guidelines should be followed for any application for which a floor area ratio (FAR) of 1.0 or more is proposed. Any development proposals in the area should be reviewed on a case-by-case basis for the appropriate optimization of stormwater management and water quality controls allowing for flexibility in specific approaches taken to achieve these guidelines.

- Additional stormwater quantity and quality control measures should be provided with the goal of reducing the total runoff volume or significantly delaying its entry into the stream system. ~~In furtherance of stream protection and/or restoration through replication of natural hydrologic conditions, the~~ The emphasis should be on LID techniques that evapotranspire water, filter water through vegetation and/or soil, return water into the ground or reuse it.
- LID techniques of stormwater management should also be incorporated into new and redesigned streets where allowed and practicable.

~~In addition, at a minimum the following guidelines should be followed for any application for which a floor area ratio (FAR) of 1.0 or more is proposed. Any development proposals in the TSAs should be reviewed on a case-by-case basis for the appropriate~~

~~optimization of stormwater management and water quality controls, allowing for flexibility in specific approaches taken to achieve these guidelines.~~

- ~~1. For sites that have greater than 50 percent impervious cover in the existing condition, the total volume of runoff released from the site in the post-developed condition for the 2-year, 24-hour storm should be at least 25 percent less than the total volume of runoff released in the existing condition for the same storm. Furthermore, the peak runoff rate for the 2-year, 24-hour storm in the post-developed condition should be at least 25 percent less than the existing condition peak runoff rate for the same storm.~~
- ~~2. For sites that have 50 percent or less impervious cover in the existing condition, the total volume of runoff released as well as the peak release rate for the 1- and 2-year, 24-hour storm in the post-developed condition should be equal to or less than the total runoff volume and peak release rate in the existing condition for the same storm.~~
- ~~3. In addition to item 1 or 2 above, stormwater runoff associated with the development should be controlled such that either: (a) the total phosphorus load for the property is no greater than what would be required for new development pursuant to Virginia's Stormwater Regulations/ the County's Stormwater Management Ordinance; or (b) an equivalent level of water quality control is provided.~~

~~As an alternative to items 1, 2 and 3 above, stormwater management measures may be provided that are sufficient to attain the Rainwater Management credit of the most current version of Leadership in Energy and Environmental Design New Construction (LEED NC) or LEED CS (Core & Shell) rating system (or equivalent of this/these credit(s)).~~

~~As an alternative to the minimum guidelines above, stormwater~~Stormwater management measures and/or downstream improvements ~~may~~should be pursued to optimize site-specific stormwater management and/or stream protection/restoration ~~efforts~~needs, consistent with ~~the~~ adopted watershed management plan(s) that is/are applicable to the site. Such efforts should be designed to protect downstream receiving waters by reducing stormwater runoff volumes and peak flows from existing and proposed impervious surfaces to the maximum extent practicable, consistent with watershed plan goals.

Parking Management

To facilitate the achievement of TDM goals and encourage transit use, shared parking for uses which have different peak demand periods, instituting paid parking, or other parking reduction strategies are encouraged. Additionally, shared parking between similar uses with both existing and new buildings should be explored, especially if the existing use is over parked. These parking strategies can serve to reduce vehicle trips and increase the cost-effectiveness of the provision of parking. For development within a half mile of the Metrorail station, a parking plan should be submitted along with a development application that demonstrates that the amount of parking that is provided is sized to support the development. Provisions for parking reductions and other incentives to lower parking should be utilized if it is supported by the parking plan. The use of higher parking rates in the first phases of a development followed by lower parking rates in subsequent phases can be considered. Parking agreements with neighboring sites can be considered on an interim basis. Residential uses should take into account the number of bedrooms per unit when establishing the amount of parking to supply. All non-residential uses should reduce their parking supply below the Countywide minimum.

For office space, at the maximum parking rate should be:

- ~~2.1 a goal of 2.4~~ spaces per 1,000 square feet within the Transit Station Mixed Use area
- ~~2.4 spaces per 1,000 square feet Residential Mixed Use~~ and the Residential Mixed Use area over the 20 year time horizon of the Comprehensive Plan recommendations. In instances where a higher office parking rate exists or is desired, a parking study higher office parking rates should be considered on a case-by-case basis for an interim period and the lower parking ratio of 2.4 spaces per 1,000 square feet should not be applied until ten years from the adoption of this Comprehensive Plan provision. Applicants may provide higher office parking ratios during the interim period based on a parking study, existing lease obligations, site-specific constraints to reducing existing parking, or other appropriate justification, can be submitted in order to consider a different rate for office use.