

May 16, 2008

Clark Tyler and Task Force Members
Tysons Land Use Task Force
Fairfax County, Department of Planning & Zoning
12055 Government Center Parkway, Suite 730
Fairfax, VA 22035

Re: CARS DB1 LLC
Tax Map 29-3 ((1)) 2C1, 2C2, 2D, 3B and 56 (the "CARS' Property")
Route 7 and Springhill Road

Dear Chairman Tyler:

An affiliate of Capital Automotive Real Estate Services, Inc. (CARS) owns five parcels of land, 20.8 acres in total, that border or are in close proximity to the proposed Tysons West METRO station in Tysons Corner. We have attached a copy of a tax map with the CARS' Property highlighted as Exhibit A. We write to express concerns we have regarding the consultant's draft plans that the Task Force is now reviewing.

Power Substation and Lines

The Draft Preferred Concept: Land Use, Parks and Open Space Network Map that has been circulated shows that the southernmost portion of the CARS' Property that borders Old Courthouse Spring Branch is planned "Civic/Facility" (see Exhibit B). It is my understanding that a power substation is needed to accommodate future growth in Tysons Corner, and the CARS' Property is being considered for such a facility. We must object to that idea and ask why the substation could not be placed instead on the adjoining public land to the south. As a "civic" facility, it only seems appropriate that it should be placed on *public* land.

Theoretically, the new substation could be placed on a number of other properties and thus the Civic/Facility designation should not be applied to any specific parcel. In any case, wherever the new substation is ultimately located, *bonus density* – not just "density credit" – should be granted to the property owner. The power substation will reduce the value of the remainder of the property. Electric substations have numerous negative connotations, can be difficult to screen, and make the adjacent properties difficult to market.

CAPITAL AUTOMOTIVE REAL ESTATE SERVICES, INC.

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A parcel owned by the Board of Supervisors (29-3 ((1)) 5) runs diagonally along the eastern boundary of CARS' Parcel 3B. Parcel 5 is developed with large high-tension electric transmission poles and overhead lines. These poles and lines have a negative visual impact on CARS' Parcel 3 and numerous other properties both south and north of Route 7. The juxtaposition of the overhead lines with the elevated rail line in the median of Route 7 should also be investigated for conflicts. It would be in the best interest of Tysons Corner that these lines be placed underground, with the cost either funded by Virginia Power or borne by all property owners in Tysons Corner. This would add greatly to the transformation of Tysons Corner into an attractive, livable area.

Intensity Levels

It is our understanding that the consultant's preferred concept recommends an intensity of 4.75 FAR within $\frac{1}{8}$ mile of the station platform (Level 1) and then drops down to 2.75 FAR between $\frac{1}{8}$ and $\frac{1}{4}$ mile (Level 2). While we agree that the highest intensity development should be closest to the station, a less severe step down between the Level 1 and Level 2 areas would be more appropriate. We suggest an FAR of 3.5 for Level 2 would be more reasonable, providing a significant and definitive reduction while ensuring that the very walkable area within $\frac{1}{4}$ mile of the station is used efficiently and maximizes transit usage.

In reviewing the draft Intensity Map, it appears that Intensity Level 1 area is applied inequitably in the Tysons West Station area. Intensity Level 1 is larger north of Springhill Road, both north and south of Route 7, than it is south of Springhill Road near the CARS' Property. This disparity is easily seen on attached Exhibit C. This apparent oversight should be corrected so that properties of similar distance from the station entrances are treated equally.

We understand that during the Task Force deliberations on April 15, some Task Force members suggested that properties south of Route 7 – such as ours – should be assigned less density than those properties located north of Route 7. This is a misguided concept. The stated basis for the suggestion was that properties south of Route 7 are closer to existing neighborhoods and should therefore be lower density. This completely misses the fact that Old Courthouse Spring Branch provides a large natural buffer between those neighborhoods and properties on the south side of Route 7. The purpose of “transit-oriented development” is to put high intensity uses next to public transportation to reduce vehicle use, etc. Reducing density for “south side” properties would be contrary to this concept. For these reasons, the Task Force should reject the idea of reduced density for properties south of Route 7.

Tysons West Description

The narrative in the Draft Summary of Findings dated February 27, 2008 describes the Tysons West District as “the optimum location for an arts and entertainment district.” Other than the fact that Tysons West is a “gateway to Tysons Corner,” there does not appear to be any justification for specifying this area as arts and entertainment. The summary goes on to describe the south side of Route 7 as an “area of trendy night life-rich identity.” While we are not opposed to the inclusion of galleries, small theatres, and specialty café/club/bars, we would not like to have these uses be mandated.

Boone Boulevard Extended

The extension of Boone Boulevard is an important component in the redevelopment of the Tysons West District. Implementing this extension will require significant right-of-way dedication and coordination from a multitude of land owners. In order to maximize the opportunity to construct this new street, sooner rather than later, the street alignment should be carefully studied so as to minimize disruption to properties that are not likely to redevelop in the near to mid-term. Thus, locating the extension from Gosnell Road westward along the northern edge of the Courthouse Spring Branch stream valley, as shown on the Draft Consultant's Preferred Concept, appears to be a realistic alignment.

Land Uses

The last point we would like to bring to your attention involves the land use categories shown on our property in the Draft Preferred Concept Map. Office Focus is shown directly next to the proposed METRO station with Mixed Use farther south along with the aforementioned area for Civic/Facility use. It would be better to categorize the entirety of our property into the mixed-use category. This will give more flexibility in the future when it will be better known what the needs for office space versus housing or another use will be. If it turns out that office is the best choice for this area, then office should be built, but we believe it would be best to maintain the option for mixed uses throughout.

Thank you for considering these thoughts as you and the Task Force complete your work.

Sincerely,



John M. Weaver

Attachments

cc: G.B. Arrington, PB Placemaking
Frank de la Fe, Hunter Mill District Planning Commissioner
Sterling Wheeler
Martin D. Walsh
Elizabeth Baker

EXHIBIT A - CARS Property

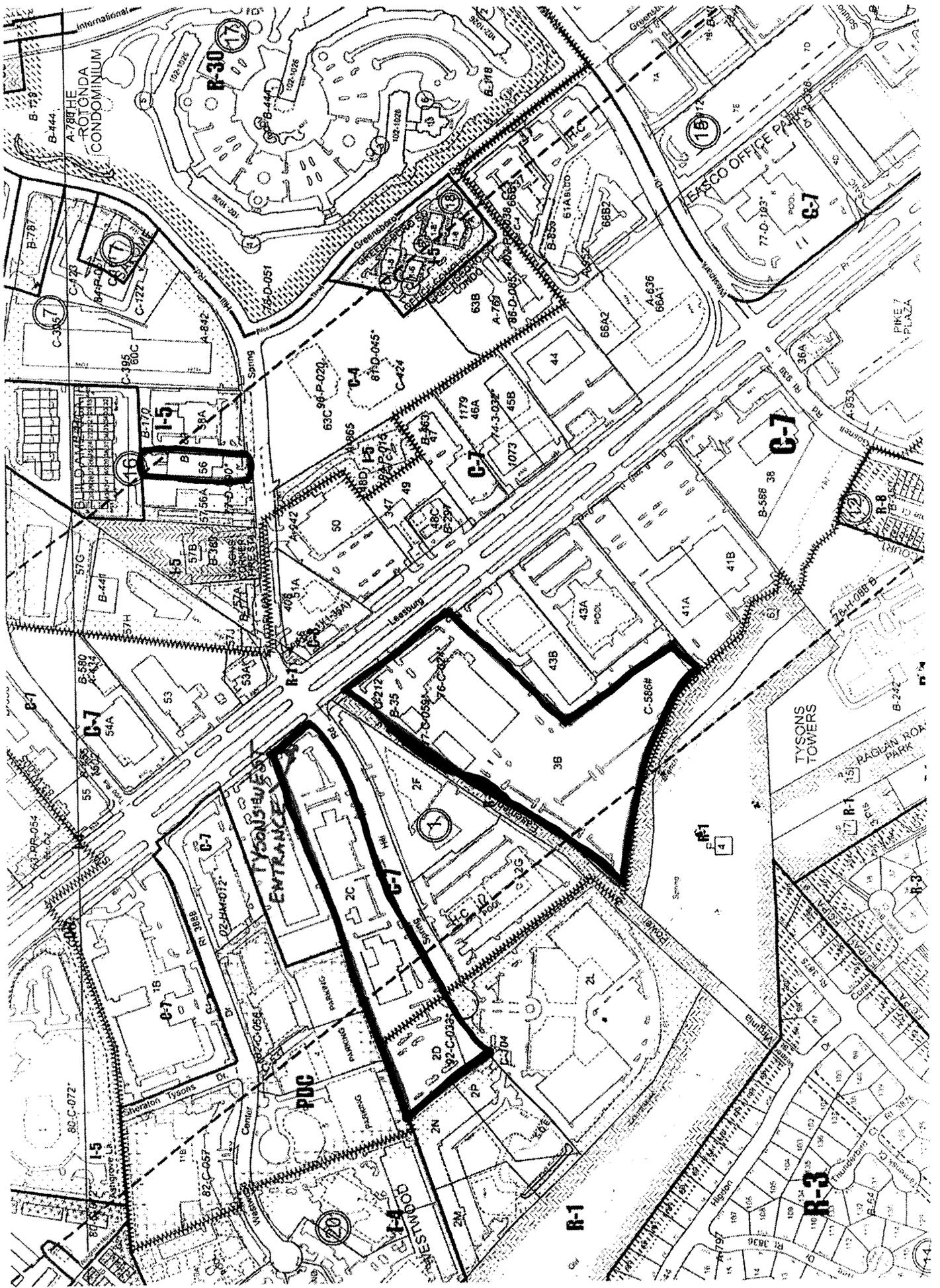


EXHIBIT B - CARS Property

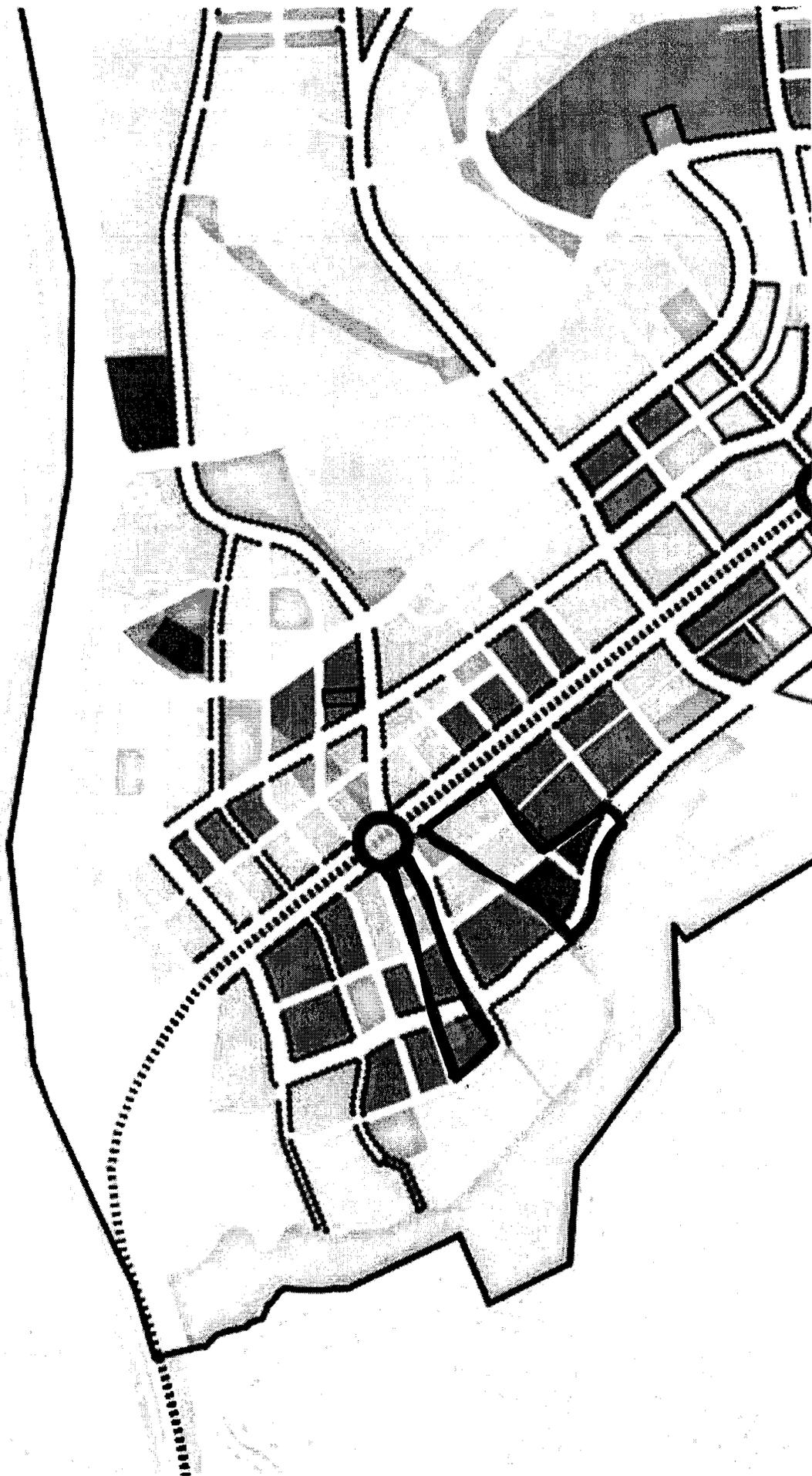


EXHIBIT C - CARS PROPERTY

