FAIRFAX COUNTY PLANNING COMMISSION
TYSONS CORNER COMMITTEE
TUESDAY, JUNE 26, 2012

COMMITTEE MEMBERS PRESENT:
Walter L. Alcorn, At-Large, Chairman
Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Kenneth A. Lawrence, Providence District
James T. Migliaccio, Lee District

COMMITTEE MEMBERS ABSENT:
None

OTHER COMMISSIONERS PRESENT:
James R. Hart, At-Large
Ellen J. Hurley, Braddock District
Timothy J. Sargeant, At-Large

FAIRFAX COUNTY STAFF PRESENT:
Fred R. Selden, Director, Department of Planning and Zoning
Thomas P. Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Daniel B. Rathbone, Chief, Transportation Planning Division, FCDOT
Ray Johnson, Senior Transportation Planner, Coordination & Funding Division, FCDOT
Barbara A. Byron, Director, Office of Community Revitalization (OCR)
Charles Wu, Deputy Director, OCR
Scott Sizer, Revitalization Program Manager, OCR
Clayton Medford, Director for Communications, Board of Supervisors Chairman Sharon Bulova's Office
Barbara J. Lippa, Executive Director, Planning Commission Office
Kara A. DeArrastia, Clerk to the Planning Commission

OTHERS PRESENT:
Elizabeth Baker, Land Use Planner, Walsh, Colucci, Lubeley, Emrich & Walsh, PC
Heather Fox, Senior Manager, Property Management, Macerich/Tysons Corner Center
Jill Parks, Esquire, Cooley LLP
Kathryn Woods, Corresponding Secretary, McLean Citizens Association (MCA)
Keith S. Turner, Vice President, Cityline Partners LLC
Mark Zetts, Co-Chairman of MCA's Planning & Zoning Committee
Michael Caplin, Executive Director, Tysons Partnership
Michael P. Carlin, Co-Founder and Partner, Access Point Public Affairs, LLC/Macerich
Pam Kondè, President, Greater Tysons Green Civic Association (GTGCA)
Phyllis Lauber, GTGCA
Russell Marks, Real Estate Investor/Developer, NVCommercial Inc.
Thomas Cranmer, First Vice President, Fairfax County Taxpayers Alliance
Tom D. Fleury, Executive Vice President, Cityline Partners LLC

ATTACHMENTS:

A. Strawman Document for Public Review and Comment: Planning Commission Tysons Committee Recommendations to the Board on Certain Tysons-related Activities, dated June 14, 2012
B. "Tysons Committee Strawman Review – Comment Compilation, revised June 26, 2012" matrix
C. Letter dated June 12, 2012, from Michael Caplin, Executive Director, Tysons Partnership, regarding Funding Strategies for Table 7 Infrastructure Costs (Annotated June 14, 2012 to conform with verbal testimony)
D. Letter, dated June 26, 2012, from John E. Harrison, Vice President, Development, Macerich/Tysons Corner Center
E. "Strawman Comments Addendum" document, dated June 26, 2012

Chairman Walter L. Alcorn called the meeting to order at 7:07 p.m., in Conference Rooms 2/3 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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DISCUSSION OF COMMENTS RECEIVED ON THE JUNE 14, 2012 STRAWMAN

Chairman Alcorn noted that staff had prepared a draft "strawman" document, dated June 14, 2012, summarizing the Committee's deliberations to date related to certain issues associated with the redevelopment of Tysons and its recommendations to the Board of Supervisors on certain Tysons-related activities, as shown in Attachment A. He said he envisioned that staff would prepare a second strawman that integrated the comments received at the public input session on Thursday, June 21, 2012 and this evening's discussions.

Barbara Byron, Director, Office of Community Revitalization (OCR), indicated that staff would present a progress report to the Board of Supervisors on Tuesday, July 17, 2012. She said she anticipated presenting the Planning Commission's Tysons recommendations to the Board in September or October.

In response to a question from Commissioner Donahue, Ms. Byron pointed out that Capital One Bank representatives had expressed a willingness to parallel the Planning Commission's recommendations in their proffers for applications, RZ/FDP 2010-PR-021 and PCA 92-P-001-08, which were scheduled to be heard by the Commission on Wednesday, July 25, 2012.

Replying to a question from Jill Parks, Esquire, Cooley LLP, Chairman Alcorn noted that a schedule of the Committee's upcoming meetings would be posted on the Planning Commission's website at http://www.fairfaxcounty.gov/planning.

Answering questions from Commissioner Hart, Ms. Byron indicated that the Capital One applications were scheduled to be heard by the Board of Supervisors on Tuesday, September 25, 2012. She stated that the next set of Tysons Corner applications, PCA 88-D-005-007, RZ/FDP 2010-PR-023, FDP 2011-PR-023-02, and FDP 2011-PR-023-03 by Cityline Partners LLC, were scheduled to be heard by the Planning Commission on Thursday, September 27, 2012 and the Board on Tuesday, October 30, 2012. Ms. Byron noted that staff could present the Commission's Tysons recommendations to the Board of Supervisors' Community Revitalization and Reinvestment Committee meeting on Tuesday, October 2, 2012, or its Transportation Committee meeting in September, depending on when the recommendations were finalized.

Chairman Alcorn suggested reviewing each page of the "Tysons Committee Strawman Review – Comment Compilation, revised June 26, 2012" matrix, as shown in Attachment B, and identifying specific areas for staff analysis or additional strawman language. He also suggested focusing primarily on the "Comment" column.

Commissioner de la Fe recommended additional language to the strawman emphasizing that the Board review of the construction schedule and funding mechanisms should be based on the most current data and information available at the time of the review.

Commissioner Sargeant suggested avoiding the concern about revamping the funding plan itself by asking the Board of Supervisors to produce specific guidance regarding the review.

Ms. Byron said staff could modify Recommendation Number 21 on page 13 of the strawman to incorporate the Commissioners' suggestions.

Chairman Alcorn recommended that the review also include the pace and location of development and the financing policy. He said this would help determine whether the allocation of funds was still aligned with the underlining policy of funding responsibility.

Ms. Byron said she believed that it would be appropriate to also consider whether the County had received any Federal or State funds and how this was being factored into the funding plan.

Commissioner Lawrence said he thought that conducting the review on a five-year basis was appropriate, but it should be sooner if warranted by circumstances and events. Commissioner Hurley said she agreed with this statement.

Responding to questions from Chairman Alcorn, Thomas Biesiadny, Director, Fairfax County Department of Transportation (FCDOT), explained that transportation improvements would be monitored and amended on an annual basis as part of the County budget and five-year Capital Improvement Program (CIP) processes. He said these existing processes would provide a transparent process with public hearings at both the Planning Commission and Board of Supervisors.

Commissioner Sargeant commented that if the Planning Commission recommended establishment of a Tysons-wide Service District, the periodic review process should not enable a complete change of such a district every time it was conducted.

In reply to a question from Mark Zetts, Co-Chairman of McLean Citizens Association's (MCA) Planning & Zoning Committee, Chairman Alcorn clarified that the review process would not entail a review of the Tysons Corner Comprehensive Plan but rather the transportation infrastructure financing for Tysons.

Answering a question from Pam Kondé, President, Greater Tysons Green Civic Association, Chairman Alcorn stated that the proposal to run an exit ramp from the Dulles Toll Road directly into the north end of the Old Courthouse Spring Branch park (Preferred Option 3) would be addressed in a separate, project-specific process with public hearings.

Commissioner Donahue said the Committee could suggest that the Tysons Partnership report to the Planning Commission or Board of Supervisors every year, which would trigger a review process. He said the CIP process also provided an appropriate opportunity for such a review.

Chairman Alcorn said he concurred with Commissioner de la Fe's suggestion that the review should be based on the most current data and information available at the time of the review because he believed it addressed a number of comments received thus far.

Commissioner de la Fe expressed opposition to Preferred Option 3 because the County should encourage people to use Metrorail not cars.

Referring to Bruce Bennett's comment on page 1 of the matrix, Commissioner Lawrence said he did not believe that the County could impose caps on the infrastructure costs and expect any sort of accuracy. He commented that the private and public sectors needed to have coverage for their financial exposure and agreed with the idea that there could not be unlimited financial obligations and risks. He noted that periodic and/or episodic review could help address this issue, but cautioned that it should also be reviewed as part of the annual budget process.

Commissioner de la Fe said he thought that cost overruns (not caused by changes in the scope of work) should be addressed by allocating the responsibility of the public and private sectors in the same percentages of the original costs. Commissioner Lawrence replied that other kinds of cost overruns derived from a change order or unexpected problems would also need to be addressed. He commented that a mechanism would need to be implemented to handle the sharing of the responsibility for cost overruns because it was inevitable that unforeseen events or circumstances would occur.

Commissioner Hart said he concurred with Commissioners de la Fe and Lawrence, noting that he supported placing a limit on each sector's financial exposure to any unknown contingent liabilities to assist in obtaining financing. He said this strawman was not an appropriate document to include caps on the infrastructure costs because it was not legally binding. He then

asked staff to investigate the following: Was there a jurisdiction in Virginia that capped the future costs of road construction or other improvements through a policy document over a certain number of years in advance? If so, how did that jurisdiction implement such a policy? Commissioner Hart said he believed that the CIP process provided an annual opportunity for reshuffling of the transportation project priorities based on the most current cost estimates and funding mechanisms. He also noted that the annual CIP process would eliminate the need for caps because it was adopted by the Board of Supervisors every year.

Mr. Biesiadny said he was not aware of any jurisdictions that imposed caps on capital or transportation improvements extending over a lengthy period. He pointed out, however, that a public-private partnership involving development of a particular project could indicate a cap on the cost of that project in the agreement.

Commissioner Sargeant said he anticipated that the annual County budget process would be the appropriate mechanism by which staff and the Board of Supervisors specified the estimated funding levels for Tysons-specific transportation improvements in coordination with the anticipated spending and timing of construction. Commissioner de la Fe said he agreed with this assessment.

Commissioner Lawrence asked staff to amend the strawman to better clarify a transparent process that set and maintained Tysons project spending limits for both the private and public sectors to help limit their financial exposure.

Fred Selden, Director, Department of Planning and Zoning, pointed out that the County's existing annual budget and CIP processes identified specific projects and included funding sources on a project-by-project basis. He said the priorities for the Tysons projects would need to be updated periodically. He explained that financial limits could not be established because this would essentially limit the discretion of the Board of Supervisors, Planning Commission, and citizenry over the next 40 years. Mr. Selden commented that the residents, businesses, and property owners within Tysons should contribute a proportionate share toward the transportation costs in Tysons. He also noted that improvements and investment in Tysons would benefit Fairfax County as a whole in terms of property appreciation and increased revenues.

Mr. Biesiadny remarked that the County would not have unrestricted authority to pay for the Tysons-wide road improvements contained in Table 7 of the Tysons Corner Comprehensive Plan. He said staff recognized that the County would need to use all available sources of funding in an efficient and effective manner to maximize resources and minimize costs. He noted that the project cost estimates and funding levels to support the Tysons improvements would also need to be flexible to provide for changes in future construction costs.

Responding to a question from Commissioner Lawrence, Chairman Alcorn said the review process should allow adjustments based upon pace of development and the need to provide a reliable funding mechanism to implement the Tysons Plan.

Tom Fleury, Executive Vice President, Cityline Partners LLC, said the Table 7 improvements were fully vetted by the Tysons Partnership as being adequate. He discussed the benefits of in-kind construction of specific transportation improvements by landowners/developers. He pointed out that Tysons-wide Service District tax rates could be adjusted through the County's annual budget process. He commented that a cap would provide developers and landowners with certainty and predictability as they transform Tysons although he recognized that construction, commodity, and labor costs and priorities would change over time. Mr. Fleury also discussed the merits of bond financing and sufficient revenue streams to pay those bonds on time.

Ms. Byron pointed out that the second strawman would incorporate Commissioner Hart's minor editorial edits, as outlined in his email dated June 26, 2012, a copy of which is in the date file.

In response to a question from Chairman Alcorn, Mr. Biesiadny stated that any additions to Table 7 that exceeded the year 2050 threshold projected by George Mason University (GMU) in 2008 (referred to as "Table 7b") would need to be addressed through an amendment to the Tysons Plan. Chairman Alcorn clarified that Table 7b would essentially capture those transportation projects identified through the Consolidated Transportation Impact Analyses (CTIAs) for the East, Central, and West portions of Tysons as expected needs beyond the 40-year planning horizon of the Tysons Plan.

Commissioner de la Fe said he understood that adjustments might need to be made to Table 7 to account for changes in prioritization or substitutions given the current assumptions and circumstances.

Replying to questions from Commissioner Lawrence, Mr. Biesiadny noted that the Tysons East CTIA had analyzed development that exceeded the level anticipated for the year 2050. He said staff's analysis anticipated build-out of all the currently identified transportation improvements in the year 2050, although some input received had noted that this was unlikely. He indicated that the proposed superstreet design on Route 123 would not be constructed until the level of development reflected such a need and the exact year was unknown at this time.

Answering another question from Commissioner Lawrence, Daniel Rathbone, Chief, Transportation Planning Division, FCDOT, explained that staff's analysis had assumed build-out for all the rezoning application projects by the year 2030, which was considered very aggressive.

Chairman Alcorn pointed out that the level of development tested by the CTIAs exceeded the level of development anticipated by the GMU study to occur by the year 2050. He reiterated the importance of ensuring that Tysons transportation improvement funding arrangements were periodically reviewed and adjusted as necessary to accommodate changes in the pace and location of development. Mr. Biesiadny said he agreed with this assessment, noting that it would also ensure a sustainable balance between development and transportation infrastructure.

Ms. Byron stated that staff had concerns about the following caveats outlined in the Tysons Partnership's letter, as shown in Attachment C:

a. No additional transportation infrastructure projects are added to the $507,000,000 Table 7 inventory of infrastructure improvements;

b. Various financing options are made available to current and future applicants, among which they can choose to pay their portion, including the option to make payments over the 40-year development horizon; and

d. The current list of proffer requirements is reviewed and reconsidered for possible reduction of scope.

Ms. Byron explained that if improvements beyond those identified in Table 7 were needed before the year 2050, and such were considered more effective in addressing traffic congestion, consideration should be given to substituting those improvements for projects currently included in Table 7. She said improvements identified in Table 7b would need to be flexible to reflect transportation infrastructure needs as they arose.

Chairman Alcorn said he thought that Table 7b was important because it provided the opportunity to memorialize those projects that were not currently identified in Table 7 and to ultimately add true build-out based on the CTIAs.

Addressing Commissioner Lawrence's concern regarding the accuracy of Table 7, Commissioner Hart pointed out that transportation improvements would be monitored and amended as part of the annual budget and CIP processes based on the most recent information. Commissioner Lawrence said he concurred with this statement.

Chairman Alcorn recommended that staff provide information comparing the costs of the Table 7 projects with historical spending by the County on transportation projects over the last 20 years through General Obligation bonds, Paydown capital, and other mechanisms. Mr. Biesiadny said staff could produce an average rate of spending but cautioned that it would rise and decline based on economic conditions from year to year. He also pointed out that the amount of money the County planned to invest in Tysons would exceed historic averages Countywide.

Ms. Byron commented that FCDOT and Department of Management and Budget (DMB) staff had also been working on addressing the transportation infrastructure problems that existed Countywide, which had been taken into context in the deliberations on Tysons improvements. Mr. Biesiadny added that there would be similar types of discussions on the planned Metrorail stations in Reston and Herndon.

Chairman Alcorn said it would be helpful if staff could provide historical data on the potential annual County General Fund expenditures that would be borne by residential homeowners in Tysons compared to the annual combined expenditures on an average basis.

Commissioner Hart noted that it would also be helpful to assure County taxpayers that there would be no disproportionate change in the share of the total burden of funding the Tysons transportation infrastructure that would be borne by them. He explained that safeguards should be implemented to help minimize the financial burden on County taxpayers. Commissioner Donahue said he agreed with this assessment, but pointed out that the annual CIP process would set controls on spending. He also stressed the importance of ensuring the timely provision of the infrastructure needed to support the approved developments.

Addressing the comments received on the Initial Development Level (IDL), Chairman Alcorn suggested that staff consider calculating the IDL using the development levels shown on the currently proposed Final Development Plans (FDPs) rather than the Conceptual Development Plans (CDPs).

Responding to a question from Ms. Byron, Chairman Alcorn said he thought that the current IDL of 45 million square feet of total office development built and approved within Tysons should remain in the Tysons Plan.

Commissioner Hart said he concurred with Chairman Alcorn's suggestion, noting that the FDP was a more accurate, timely measure of a proposed development than the CDP.

In reply to a concern expressed by Elizabeth Baker, Land Use Planner, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, Chairman Alcorn asked that staff consider revisiting the current limitations on office development within the context of the proposed financing plan.

Mr. Zetts said he believed that Recommendation Number 26 (lines 597-599) on page 16 of the strawman to increase or remove the current IDL of 45 million square feet of office use should be deleted because it was highly problematic, lacked insufficient justification, and could not accurately predict the office market in Tysons.

Commissioner Lawrence said he aligned himself with the remarks of Commissioners Hart and Donahue regarding assurance instilled in this process against increasing the County tax rate to help fund Tysons improvements. He added that he understood that the State, Federal, Regional, and Countywide funding sources were expected to provide the majority of funding for projects early in the 40-year redevelopment time span, while the landowner/developer Tysons-specific revenue sources were expected to provide funding later in the 40-year period to allow those revenue sources to accrue sufficient revenue.

Mr. Selden commented on the historic revenue generation of Tysons and its economic benefits to the County as a whole, such as the construction of public facilities throughout the County. He also pointed out that investing in Tysons would continue to benefit the County overall.

Answering a question from Commissioner Sargeant, Mr. Selden said he thought that the Board of Supervisors considered the revenues generated by commercial and urban areas when making funding decisions regarding the whole range of needs in the County. He noted, for example, that

there had been times when the County had spent a significant amount of resources on parkland acquisition or schools as predicated on upcoming needs. Ms. Byron added that in an attempt to balance needs geographically, the Board was mindful of dispersing funds fairly throughout the County to help address anticipated needs.

Commissioner Sargeant emphasized the importance of establishing benchmarks to measure the needs for development, traffic management methods, and transportation infrastructure. He also noted the importance of a concerted and sustained effort to promote and lobby for funds necessary to support such needs in Tysons. He discussed the linear relationship between the Tysons' transportation funding plan, monitoring and review process, and the annual CIP and budget processes, noting that the projects pertinent to Tysons must be identified in the latter processes. Commissioner Sargeant commented that investing in the economic growth of Tysons would help alleviate traffic flow problems for the entire region.

Chairman Alcorn asked that staff distinguish the operating from capital costs for transit service improvements. He explained that the possibility of increased participation from the private sector and new funding sources for transit services after the year 2030 might produce a difference in the capital versus operating costs during that transition. Mr. Biesiadny said staff would consider this possibility.

Commissioner Hurley discussed Follow-on Motion Number 17a, which requested that the Planning Commission examine supporting a non-residential contribution to affordable housing similar to the recommendation in the Tysons Plan. Chairman Alcorn noted that the Committee had received correspondence from the Fairfax County Redevelopment and Housing Authority and Northern Virginia Affordable Housing Alliance on this issue. He explained that since this proposed policy would be applicable Countywide, the effort would require more time and extensive public outreach before a recommendation could be made by the Planning Commission. He, therefore, suggested that the Commission's Housing Committee hold meetings with staff and citizens to address this issue.

In reply to a question from Commissioner Donahue, Mr. Biesiadny said there was no intention that the public sector would borrow money on behalf of the private sector. He stated that the public funding sources were expected to provide the majority of funding for projects early in the 40-year period, and the Tysons landowner/developer revenue sources were expected to provide funding later in the period.

Commissioner Donahue pointed out that lines 104-105 on page 4 of the strawman stated, "The Planning Commission recommends the cost for construction of the Grid be primarily the responsibility of the Tysons' landowners/developers." He also noted that "primary responsibility" had been defined as 90 percent of the cost associated with the improvements (lines 297-298, page 8). He suggested that the grid of streets language be clarified to indicate that private sector development would be fully responsible for construction of the grid.

Keith Turner, Vice President, Cityline Partners LLC, indicated that the Committee had also debated a scenario wherein the public sector might have to fund in advance a particular critical "missing link" within the grid of streets if there was not enough money in the Tysons Road Fund.

Chairman Alcorn asked staff to delete "primarily" from line 105 on page 4 (under the Grid of Streets section) per Commissioner Hart's suggestion. Commissioner Hart said the cost for construction of the grid should be the responsibility of the Tysons' landowners/developers, except for in cases when the Tysons Road Fund did not have sufficient funds to pay for the construction of a missing critical link, as described earlier by Mr. Turner. Chairman Alcorn pointed out that the primary purpose of the Tysons Road Fund was to fund the construction of the missing links.

Commissioner de la Fe noted that "90 percent" was mentioned only once in the strawman document (line 298 in Recommendation Number 10 under the Tysons-wide Road Improvements section).

The Committee agreed with the proposed transportation funding responsibility splits.

Responding to a question from Commissioner de la Fe, Ms. Byron explained that staff was amiable to setting the revised Tysons Road Fund rates for 2012 at either $6.48 per square foot of new non-residential development or $5.63 per square foot of new non-residential development and $1,000 per new residential unit. Commissioner de la Fe said he preferred the contribution of $5.63 per square foot of new non-residential development and $1,000 per new residential unit. Chairman Alcorn suggested inclusion of this option only in the next revised draft strawman.

Replying to questions from Commissioner Lawrence, Mr. Biesiadny said staff was confident that the Tysons-wide Service District would allow for the issuance of bonds towards the initial transportation projects as had been applied to other service districts in the County. Ms. Byron added that the "Tysons Transportation Project Funding with Inflation" spreadsheets presented by staff at the June 12 meeting had assumed specific hypothetical bonding schedules based on seven different tax rate scenarios as scrutinized by DMB staff and financial advisors.

At the request of Chairman Alcorn, Mr. Biesiadny noted that it would take several weeks for FCDOT and DMB staff to prepare spreadsheets that projected the cash flow using a certain tax rate from the Tysons-wide Service District toward the estimated Tysons transportation costs out to the year 2053. Chairman Alcorn said it would be helpful to review this information before the recommendations were forwarded to the Board of Supervisors.

Referring to a letter, dated June 26, 2012, from John E. Harrison, Vice President, Development, Macerich/Tysons Corner Center, as shown in Attachment D, Chairman Alcorn indicated that Macerich had suggested that a list of immediate Tysons-wide transportation improvements be fully funded by the Tysons-wide Service District and completed in the next five years. He then requested that the schedule prepared by staff also frontload the improvements financed specifically by the Service District using a given tax rate with bonding in the early years. He

said he also assumed that the majority of the Tysons Road Fund contributions for Tysons-wide improvements were not anticipated until the later years.

In response to a question from Ms. Byron, Chairman Alcorn confirmed that the 40-year cash flow schedule should be structured so that the Tysons-wide Service District would fund the projects that were anticipated to provide the most benefit to the most properties within Tysons in the early years.

Chairman Alcorn noted that revenues generated from the Service District would help fund construction of the Tysons-wide road projects, increased and improved transit services, and neighborhood and access improvements, and said this funding strategy should be mentioned in the strawman. Ms. Byron concurred, noting that a portion of the Service District funding could be allocated toward transportation projects that have a direct benefit to the residential landowners in Tysons, such as improved sidewalks and trails. Chairman Alcorn suggested that such acknowledgement should be added to the strawman as a qualified statement.

Mr. Biesiadny pointed out that the short list of priority Tysons-wide transportation projects would not be completed in the next five years as recommended by Macerich. He also noted that it would probably take a large, significant Tysons-wide project eight to ten years to reach completion. He indicated that the first bonds in any of the tax rate scenarios would not be sold until the year 2015.

Answering a question from Mr. Fleury, Chairman Alcorn replied that he interpreted "Tysons regional transportation improvements," as depicted in the Macerich letter, to mean Tysons-wide road improvements inside Tysons that connect to regional infrastructure like the Dulles Toll Road ramps or the Jones Branch Connector. Ms. Byron said staff understood the concept.

Ms. Parks said she would ask Macerich to provide a list specifying the immediate Tysons regional transportation improvements. Chairman Alcorn cited the following sentence from the Macerich letter: "This short list could be prioritized by County staff and an advisory board comprised of traffic experts, property owners and stakeholders selected by the Planning Commission or Board of Supervisors."

In reply to a question from Ms. Byron, Chairman Alcorn said he believed people were receptive to the flat tax rate scenario.

Responding to a question from Commissioner Hart, Chairman Alcorn stated that the Board of Supervisors' Four-Year Transportation Funding Plan would program current and projected revenues for Countywide transportation infrastructure projects, including Tysons-specific projects. Mr. Biesiadny indicated that FCDOT staff would present the Four-Year Plan, covering Fiscal Years 2013-2016, to the Board for adoption on Tuesday, July 10, 2012. Commissioner Hart said he thought that Macerich had suggested that the Tysons-wide projects identified in the current Four-Year Plan be fully funded by the Tysons-wide Service District.

Answering another question from Commissioner Hart, Ms. Byron stated that the next revised strawman would indicate that the Tysons Road Fund contributions would be subject to credit for the construction of any off-site portions of the grid of streets not needed to support the proposed development, as recommended by some speakers at the June 21 public input session.

Chairman Alcorn asked that staff consider possible ways to allow a one-time Tysons Road Fund payment. Ms. Byron agreed with this request, noting that staff could possibly suggest a payment of half of the required amount at the time of the first Residential Use Permit (RUP) or Non-RUP. She said, however, that allowing developers to make payments over the 40-year development horizon would not make sense.

Commissioner Hart expressed concern that MCA still recommended limiting the contributions of County taxpayers to no more than 25 percent of the total cost for the Tysons-related transportation infrastructure.

In response to a question from Ms. Kondé, Commissioner Donahue indicated that the Tysons neighborhood intersection improvements were still being studied. Mr. Biesiadny added that FCDOT staff expected to publish policies and procedures, including measurable strategies as part of the overall plan monitoring, to address traffic congestion in communities surrounding Tysons Corner, this fall.

Chairman Alcorn explained that the working assumption was that the primary funding responsibilities for sidewalk, trail, and spot intersection improvements not associated with a particular development come from State, Federal, Regional, and County funding sources as had been the tradition in the past (see Recommendation Number 4). Ms. Kondé suggested that this recommendation also reference the Tysons Metrorail Station Access Management Study (TMSAMS) related improvements.

Chairman Alcorn noted that the working policy delineated that the majority of the projects that occur inside of Tysons would be funded primarily by the developers and the majority of the projects that occur outside of Tysons would be funded primarily by State, Federal, Regional, and Countywide funding sources.

A discussion ensued among Ms. Kondé, Mr. Biesiadny, Mr. Rathbone, and Chairman Alcorn regarding the Boone Boulevard extension project and its impact on Route 123 and Gosnell Road. Ms. Kondé suggested that staff host a series of public hearings at convenient locations throughout the Tysons area to provide input, concerns, and suggestions.

Replying to a question from Chairman Alcorn, Mr. Biesiadny said staff had assumed that the transportation improvements contained in Table 7 of the Tysons Plan were still valid for planning purposes. He noted that any additional transportation projects beyond those listed in Table 7 would be contained in Table 7b.

Chairman Alcorn pointed out that if improvements beyond those identified in Table 7 were needed before the year 2050, and such were considered more effective in addressing traffic congestion, those projects could substitute for those that were currently included in Table 7.

Kathryn Woods, Great Falls resident, indicated that she had submitted a letter dated June 20, 2012, a copy of which is in the date file and available online at http://www.fairfaxcounty.gov/planning/tysons_docs/062112strawman_comment_letter.pdf. She requested that the County fully disclose residential taxpayer costs and risks. Chairman Alcorn replied that his earlier request of staff to provide historical information on Countywide spending on transportation projects would help address her concern. He explained that these historical data would be compared with the average expected burden carried by the County, State, and Federal funding sources over the 40-year redevelopment time span. He said although the County might appear to be shouldering a bigger burden on an actual dollar basis, the County population and tax base had grown and expected to continue to grow. Chairman Alcorn asked staff to consider this context and determine whether taxes would increase and if so, by how much and for how long.

Mr. Zetts asked whether the historical perspective of Countywide spending rates was only considering road construction. He pointed out that spending on Countywide and Tysons-wide transit service enhancements was expected to increase considerably, as detailed in the new Ten-Year Transit Development Plan. He also noted that the transit services expected to occur after the year 2030 were particularly important. Mr. Zetts expressed concern that revenue sources might not be sufficient to construct the specific transportation improvements needed to support the approved development. Chairman Alcorn said he believed that the Tysons Road Fund and Tysons-wide Service District contributions would prevent such a situation.

Responding to a question from Chairman Alcorn, Mr. Rathbone explained that staff's analysis had assumed growth would be evenly spread over Tysons and that 60 percent of the total street grid would be constructed by the year 2030 in conjunction with the anticipated level of development.

Commissioner Lawrence said he thought that the location of development would have some influence on which portions of the grid of streets needed to be constructed first, noting that this would need to involve coordination with the Tysons Partnership. In response, Mr. Biesiadny pointed out that if 100 percent of the growth that occurred between now and the year 2030 was contained to Tysons East, then 60 percent or more of the grid sections in Tysons East would need to be constructed to support that growth.

Mr. Selden commented that Tysons Corner was already zoned to handle a significant amount of office development, but a mix of uses and transit-oriented development was encouraged to provide a transportation benefit in Tysons. He cautioned that if housing opportunities were not located in Tysons, people who worked there would be forced to live in Loudoun or Prince William Counties, which would cause more traffic congestion on County roadways. Chairman Alcorn suggested that staff's analysis consider this perspective in determining the additional

burden anticipated in this funding plan versus the trajectory taken by the County over the past 20 to 30 years.

Ms. Kondé, Mr. Selden, Chairman Alcorn, and Ms. Byron discussed transportation improvement requirements of certain sites in Tysons that have received site plan approval for by-right uses under existing commercial zoning.

Ms. Byron explained that there were essentially three classes of landowners in Tysons:

1) Landowners who had not rezoned their property for a long time and had little or no proffered commitments related to their property;

2) Landowners whose property had been recently developed and proffered significant transportation improvements; and

3) Landowners who planned to rezone their property under the current Tysons Corner Comprehensive Plan.

Chairman Alcorn called for additional comments or questions from members of the audience.

Mr. Fleury said the stakeholders involved in this process developing a reliable funding mechanism that implemented the Tysons Plan were reaching a tipping point. He also noted that all the proffer expectations associated with redevelopment in Tysons contributed toward the cost of the land. He then commented on various issues currently influencing the development marketplace. Mr. Fleury expressed concern that the land values would soon become so high that it would deter businesses and residents from moving to Tysons. He asked that the specific construction costs for the grid of streets and Tysons-wide transportation improvements be provided. He said the developers and Tysons Partnership strongly encouraged the Committee and Planning Commission to advance this process.

Answering a question from Commissioner Lawrence, Chairman Alcorn said he requested that staff review the criteria to be considered when determining an increase in the IDL for office use that had been examined by the Committee a year ago and return to the Committee with a recommendation.

Chairman Alcorn and Commissioner Lawrence discussed with Ms. Baker and Mr. Fleury their concerns regarding the calculation of and need for the IDL.

Thomas Cranmer, First Vice President, Fairfax County Taxpayers Alliance, strongly recommended that staff analyze and publish the competitive costs of office space in areas with easier access and cheaper rates like Loudoun County.

Ms. Byron noted that the next revised strawman document should be ready by mid-July.

Mr. Biesiadny said FCDOT staff would work toward preparing a cash flow model to guide the implementation of the Tysons transportation improvements.

Commissioner Lawrence thanked Mr. Selden for his tremendous work in the Tysons redevelopment planning process, noting that it had been eight years since the inception of the first Tysons Task Force. Ms. Byron also pointed out that this week marked the two-year anniversary of the Board of Supervisors' adoption of the Tysons Corner Comprehensive Plan.

Chairman Alcorn announced that the Committee would next meet on Tuesday, July 24, 2012, at 7 p.m., in the Conference Rooms 9/10, to discuss the stakeholder input received on the strawman proposal. He also encouraged Commissioners, residents, developers, and other stakeholders to submit comments, concerns, and suggestions to Tysons@fairfaxcounty.gov.

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The meeting was adjourned at 9:34 p.m.
Walter L. Alcorn, Chairman

An audio recording of this meeting is available in the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Administratively Approved on: November 14, 2012

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Kara A. DeArrastia, Clerk to the
Fairfax County Planning Commission

Attachment A

The document that follows is a "strawman" prepared by the Planning Commission Tysons Committee ("the Committee") that summarizes 14 months of deliberations related to certain issues associated with the redevelopment of Tysons. This document is a draft that has been prepared for the purpose of receiving public comment and input on the work to date of the Committee.

The Committee will be holding a public input session on **June 21st** at **7 p.m.** in the **Board Auditorium in the Government Center** (12000 Government Center Parkway, Fairfax, VA 22035). Verbal input on the strawman will be received by the Committee at that time. Written input on the strawman document can be sent to Tysons@fairfaxcounty.gov

The Committee will follow the public input session with a Committee mark-up of the strawman on **June 26th** on **7 p.m.** in **Rooms 9/10 in the Government Center** (12000 Government Center Parkway, Fairfax, VA 22035).

Strawman Document for Public Review and Comment
June 13, 2012

Planning Commission Tysons Committee
Recommendations to the Board on Certain Tysons-related Activities

At its meeting on March 29, 2011, the Board of Supervisors ("the Board") requested that the Planning Commission, working with staff, develop an inclusive process to address Tysons Follow-On Motion #1, related to financing infrastructure; Follow-On Motion #14, related to options for providing commuter parking at Metrorail stations on an interim basis; Follow-On Motion #17 related to affordable housing contributions from non-residential developments and refinement of the County policy on walking distances in Transit Oriented Developments (TODs); and the Initial Development Level (IDL) set forth in the Comprehensive Plan ("the Plan"), given the number of rezoning applications that have been submitted.

To address these issues, the Planning Commission reconstituted its Tysons Committee ("the Committee"), which is chaired by At-Large Commissioner Walter Alcorn. The Committee adopted an inclusive process, which included 22 meetings over a period of fourteen months. During its deliberations, the Committee sought information and input from all stakeholders. Based upon that, the Committee developed recommendations regarding the issues identified by the Board; these recommendations were then approved by the Planning Commission on XXX, 2012, by a vote of XXX and forwarded to the Board of Supervisors for their consideration.

The Planning Commission is pleased to forward this report of its recommendations to the Board.

Follow on Motion #1 – Financing Infrastructure.

The Plan links development to the timely provision of the infrastructure needed to support it, and provides general strategies for phasing developments in order to achieve a sustainable balance with infrastructure and public facilities throughout Tysons. Prior to investigating potential transportation infrastructure financing options, the Committee undertook a discussion among Committee members, staff, and members of the community attending Committee meetings that confirmed that the transportation improvements contained in Table 7 of the Plan (Attachment 1) are still valid for planning purposes. The Committee then affirmed via a working consensus that the Plan's recommendations for the provision of the necessary transportation improvements and for transit operating costs should rely on multiple funding sources, including those from the public and private sectors; that the overall funding plan should be reliable, timely, bondable as appropriate, and sufficient; and, that each element of the funding plan should be legally sustainable.

While the staff had provided an initial proposal to fund 20 years of transportation improvements, by the time that the Tysons Committee began its deliberations, the County had received development proposals that exceeded the projected 2030 level of development, based upon the 2008 George Mason University estimates of growth. As a result, the Committee felt it was important to extend the funding and transportation improvements horizon from 2030 to 2050. This horizon year change also addresses concerns associated with the Initial Development Level element of the Plan, as discussed below, by looking at funding and improvements beyond 2030.

The Planning Commission's recommendations set forth below are based upon a goal of developing a comprehensive solution for funding the set of infrastructure improvements in the Plan identified to support 113 million square feet of development anticipated to occur by 2050; the need for a funding plan that allows for flexibility in funding options and sources, as well as for adjustments to be made based upon pace of development; and, the need to provide a reliable funding mechanism that implements the visionary plan.

The Planning Commission's recommendations are set forth below:

State, Federal, and Regional Funding Responsibility

The majority of the existing and future roads in Tysons will be public streets. The Virginia Department of Transportation (VDOT) is responsible for maintaining

public streets in most counties of the Commonwealth. The Planning Commission strongly believes that the Commonwealth has a responsibility to provide significant contributions to the construction, operation, and maintenance of the transportation infrastructure in Tysons.

Furthermore, the Planning Commission believes that the economic benefits of Tysons to Virginia should be recognized and that Virginia should strengthen its investment in Tysons, based on the economic benefits of Tysons to the Commonwealth.

The Planning Commission also believes that it is appropriate for the Federal Government to assist in the provision of infrastructure in Tysons.

RECOMMENDATION:
The Planning Commission recommends:

1) All stakeholders in Tysons, including the County, residents, landowners, and developers, engage together in a proactive and concerted effort to lobby and secure funds for Tysons from the state and federal governments, and any regional entities.

Transportation Infrastructure Improvements

The Planning Commission has categorized the infrastructure improvements needed to serve Tysons into four categories: Grid of Streets; Neighborhood Improvements; Tysons-wide Improvements; and Transit. Each component is addressed separately below.

Grid of Streets

The urban street network described within the Plan is needed to provide convenient connections within Tysons, distribute multi-modal traffic efficiently, and enhance the quality of the network through the use of "complete streets". The Grid of Streets ("the Grid") is comprised generally of Collector, Local, and Service streets that provide site access and circulation within Tysons.

The Plan recommends that the private sector be primarily responsible for on-site improvements, including the Grid and for contributions to the Tysons Road Fund to support the construction of the Grid.

RECOMMENDATION:

The Planning Commission recommends the cost for construction of the Grid be primarily the responsibility of the Tysons' landowners/developers. The Planning Commission recommends that the Grid be implemented through two mechanisms:

2) In-Kind Construction: Landowners/developers who seek to redevelop their properties should construct those portions of the Grid needed to support their development applications. This would include the elements of the Grid that are located within and adjacent to development application areas, as well as off-site links, as determined necessary through the entitlement process.

   Staff estimates that the value of these improvements is $561,000,000 (in 2012 dollars).

3) Tysons Road Club: There will be important sections of the Grid which are not anticipated to be provided through development applications. Nevertheless, these sections of the Grid are essential to the continuous functioning of Tysons in order to maintain an acceptable level of traffic flow, as well as bus routes, and bicycle and pedestrian connectivity. These sections may be at locations where development most likely will not take place at all, or may not occur in a timely manner. These links are referred to as the "missing links".

   Staff estimates that the value of these improvements is $304,000,000 (in 2012 dollars).

   To fund construction of the "missing links", the Planning Commission recommends that the Board adopt the following changes to the existing Tysons Road Club:

   a. Designate the primary purpose of the Tysons Road Club as funding the construction of the "missing links";

   b. Modify the Tysons Road Club rates to an amount necessary to fund the anticipated cost of the "missing links" in the planned 2050 Grid.

      Based on the anticipated need and the anticipated level of development, the Planning Commission recommends that

the revised Tysons Road Club rates be set at $1,000 per new dwelling unit and $6.44 per square foot of new non-residential development;

c. Escalate the Tysons Road Club rates annually with construction cost inflation;

d. Prioritize projects periodically; and,

e. Evaluate the Tysons Road Club on a periodic basis to ensure that the funding contribution levels are sufficient and that the funding available is being allocated efficiently.

Neighborhood and Access Improvements

There is a need now and in the future to make intersection improvements within Tysons and in the communities adjacent to Tysons. These intersections either currently experience traffic flow problems, or are expected to reach traffic flow problem levels if left unaddressed over the next five to ten years.

The Tysons Metrorail Station Access Management Study (TMSAMS), approved by the Board on May 22, 2012, identified a number of projects necessary in the near term to enhance multimodal access to and from the four new Tysons Metrorail stations and to improve the safety of pedestrian and bicycle access within Tysons. These pedestrian and intersection projects include improvements to sidewalks and walkways, bicycle facilities, trails in the vicinity of Tysons, and crosswalks at specific intersections.

The Fairfax County Department of Transportation (FCDOT) has developed a Four-Year Plan, covering the Fiscal Years 2013-2016 (Four-Year Plan) that programs current and projected revenues for countywide projects and begins to address long term needs in transportation infrastructure. The plan includes federal funding for a portion of the TMSAMS recommendations. The Board is expected to consider adoption of the Four-Year Plan on July 10, 2012.

Staff estimates the value of these improvements is $77,000,000 (in 2012 dollars).

RECOMMENDATION:
The Planning Commission recommends:

4) The primary funding responsibilities for these improvements come from state, federal, regional and County funding sources. These funding sources have traditionally paid for sidewalk, trail, and spot intersection improvements not associated with a particular development. In addition, these funding sources are more likely to be able to be timed to the needed improvements.

Transit

To leverage the investment in the Silver Line Metrorail expansion into Tysons and beyond, to implement the Fairfax County Transit Development Plan, and to create the environment for the type of transit-oriented development envisioned for Tysons, public transportation must serve an increasingly higher percentage of trips to, from, and within Tysons.

FCDOT is implementing plans to expand the Metrobus and Fairfax Connector service within Tyson to increase transit access, and is studying implementation of a circulator system within Tysons to aid movement within Tysons, as recommended in the Plan.

Staff estimates the value of this at $408,000,000 (in 2012 dollars).

RECOMMENDATION:
The Planning Commission recommends:

5) The funding plan address the expanded transit system through 2030, as the system post 2030 is still under study and may change with new technological developments.

6) The primary responsibility for funding this expanded service come from state, federal, regional, and County funding sources. These funding sources have traditionally paid for the capital and operating costs of transit improvements not associated with a particular development. In addition, these funding sources are more likely to be able to be timed to the needed improvements. Funding for new service hour operations related to the Fairfax Connector Silver Line routes will be included in the FY2014 Fairfax Connector budget and the Four-Year Plan will address additional transit requirements for Tysons.

7) There may be some elements of the transit system, including operating costs, transit stop facilities, and right-of-way area for future transit systems that should be the responsibility of the private sector. These elements should be funded primarily through proffers associated with redevelopment.

8) For the transit service expected to occur after 2030, the Planning Commission recommends that increased participation from the private sector and new funding sources be explored. For example, owning and operating private jitney services may prove to be economically feasible for the private sector at some point in the future.

Tysons-wide Road Improvements

A number of physical improvements to the roadway and transportation infrastructure are necessary to achieve critical access and egress to Tysons. These improvements are identified in Table 7 of the Plan under the Tysons-wide Road Improvements heading. These projects include new access points from the Dulles Toll Road to Tysons, expanded capacity on select primary and minor arterial roads, and the creation of new minor arterial roads to support the Grid.

The Plan recommends that these necessary transportation improvements will need to rely upon public and private sources of funding and makes recommendations as to the types of funding mechanisms that may be appropriate.

The Committee spent a significant portion of its deliberations on the issues related to the Tysons-wide Road Improvements. The deliberations involved understanding each of the specific improvements listed in Table 7, investigating all of the potential funding mechanisms that are currently available under existing legislation, and understanding the relationship between the transportation improvements and the potential funding mechanisms.

The Four-Year Plan includes a number of projects pertinent to Tysons. Studies include: Tysons Corner connections to the Dulles Toll Road; conceptual engineering and design for Boone Boulevard and Greensboro Drive extensions, and the Grid; the Tysons Corner Circulator Feasibility Study; and the Tysons Corner Transportation and Urban Design Study.

Table 7 roadway projects entirely or partially funded under the Four-Year Plan include: the extension of Jones Branch Drive to inside I-495 (connecting Jones Branch to Route 123); the Route 7 widening from Route 123 to I-495; and the partial acquisition of right-of-way for the Route 7 widening from the Dulles Toll Road to Reston Avenue.

Staff estimates the value of the Tysons-wide Road Improvements at $1,207,000,000 (in 2012 dollars).

RECOMMENDATION:
The Planning Commission recommends:

9) All of the Tysons-wide Road Improvements included in Table 7 should be addressed in the funding plan, as all are needed to support future growth;

10) The Tysons-wide Road Improvements should be separated into two categories - those that occur outside of Tysons and those that occur inside of the Tysons. The Planning Commission believes that splitting these projects into two groups based on their location allows the projects to be primarily funded by the groups receiving the greatest benefit of the improvements.

    The Planning Commission recognizes that there may be situations where the landowners/developers may be responsible for an improvement outside the boundaries of Tysons. Conversely, there are instances where state, federal, regional, or County funding sources may be responsible for projects inside the boundary of Tysons. As such, the Planning Commission determined that, for the purposes of this recommendation, “primary responsibility” means 90% of the cost associated with the improvements;

11) The Tysons-wide Road Improvements that occur outside of Tysons, should be funded primarily by state, federal, regional, and County funding sources, since the majority of the trips do not result from the redevelopment of Tysons;

12) The Tysons-wide Road Improvements that occur inside of Tysons should be funded primarily from private sector sources, as the majority of the impacts result from the Tysons development and redevelopment;

13) The Board should continue to build upon the Four-Year Transportation Funding Flan, which includes initial funding for the Tysons-wide Road Improvements;

14) The Board should direct staff to develop a Tysons Transportation Funding Plan to determine initial priorities for the Tysons-wide Road Improvements;

15) The Board should develop a preliminary schedule of construction for the Tysons-wide Road Improvements, based upon the recommendations in Table 7;

16) The Board should direct staff to continue to maximize outside revenue sources to place the responsibility of transportation funding where it more appropriately resides, i.e. with our state and federal funding partners and that FCDOT should continue its current process of acquiring funding from outside sources wherever possible and using the County funding sources as the source of last resort for Tysons-wide Road Improvements.

    FCDOT staff routinely reviews federal, state and other funding opportunities to determine which County transportation projects best fit these programs. The planned Tysons-wide Road Improvements are currently included in this evaluation process.

Based upon the foregoing, $701,000,000 (in 2012 dollars) should be provided from state, federal, regional, and County funding sources and $506,000,000 from the private sector.

The Tysons-wide road improvements will benefit all residents and landowners who live, work, play and shop within Tysons, whether they are new office workers or long-time residents. Therefore, a portion of the cost of the improvements should be borne by all Tysons landowners.

While the roads will serve everyone accessing Tysons, the Plan includes redevelopment options for certain areas within Tysons that call for substantial additional development value, and thus these redevelopment options add to the need for the Table 7 Tysons-wide improvements. Therefore, a portion of the Tysons-wide road projects should be borne by the applicants for proposed new developments, in that they have a Plan development potential that will be enabled by the Tysons-wide road improvements.

RECOMMENDATION:
The Planning Commission recommends that the funding within the landowner/developer share be allocated in the following manner:

17) Half of the funding ($253,000,000 in 2012 dollars) should be generated by a Tysons-wide tax district, whose boundary would be the same as the Tysons Corner Urban Center. The Tysons-wide Road Improvements will be contained within this boundary and will serve to benefit the entire community within Tysons.

    The Planning Commission strongly encouraged landowners within Tysons to gain the requisite number of signatures to petition the Board to establish a transportation improvement district (TID) to generate the recommended level of revenue for the needed improvements by approximately 2050. The TID revenue mechanism was used to establish the Dulles Phase I Tax District, currently providing funding for Phase I of the Silver Line Metro Extension.

    The landowners within Tysons, as represented by the Tysons Partnership, do not believe they are able provide such a petition to the Board to establish a TID. Therefore, the Planning Commission recommends that the Board establish a Service District for the same purpose.

18) The service district should be established effective January 1, 2013, to allow for a full year of tax revenue to be raised in 2013.

Establishment of a Service District including all landowners within the Tysons Corner Urban Center would by law also include residential property owners. These residential property owners are currently exempt from the Dulles Phase I Rail District taxation, but would be subject to this service district. As of January 1, 2012, residential property owners make up approximately 10% of the total assessed value of properties in Tysons.

RECOMMENDATION:
The Planning Commission recommends:

19) The Board set a policy to spend approximately 10% of the Service District funding on transportation projects that have an immediate benefit of the residential landowners in Tysons. These may include

capital infrastructure such as improved sidewalks and trails, and that such funding should be accelerated to the earlier phases of the construction schedule to best serve existing residents. This funding may also provide support for increased and improved transit services that might be of a particular benefit to the existing residents.

20) The remaining half of the funding ($253,000,000 in 2012 dollars) should be funded through those properties seeking redevelopment within Tysons.

The primary method for raising this revenue should either be through a contribution of $6.48 per square foot of new non-residential development; or through a contribution of $5.63 per square foot of new non-residential development and $1,000 per new residential unit.

The Tysons Road Club purpose could be expanded to include the construction of the Tysons-wide Road Improvements or an additional funding pool could be established to administer this contribution.

Alternative funding mechanisms, or a combination thereof, could be enacted, as long as they could be applied equitably and reasonably be expected to provide the recommended funding level in a timely manner. Alternative funding mechanisms which could be suitable include;

- Proffered in-kind construction of specific transportation improvements;
- Proffered financial contributions to funding specific transportation improvements;
- A second, smaller tax district, such as a Transportation Improvement District, if such is determined to be legally sustainable; and/or
- Revenue from paid parking fees, or a parking district, in which a certain amount of money per space per day is used to fund the transportation improvements.

On June 11, 2012, the Tysons Partnership endorsed this two pronged financing approach with certain caveats (Attachment 2).

Transportation Funding Monitoring and Review

As previously discussed, the Planning Commission recommends the Tysons Transportation Funding Plan include all of the projects anticipated in the Plan to be needed for 113 million square feet of development, as projected by the George Mason University 2008 study, through 2050. This extended planning horizon contains a number of assumptions that will need to be monitored over time to ensure that the assumptions made today remain valid in the future.

The project cost estimates and funding levels determined to support construction of the needed improvements will also need to be flexible to provide for changes in future construction costs and address any funding overruns or shortfalls identified in the future.

The Planning Commission's recommended funding plan assumes that resources will come from a number of sources, as discussed above. These funding mechanisms vary in the amount of funds that they can raise, bonding capacity, total revenue generated, and timing of the delivery of funds. In general, it is expected that the state, federal, regional, and County funding sources will provide the majority of funding for projects early in the construction schedule, due primarily to the bonding and revenue capacity of those sources. The landowner/developer revenue sources are expected to provide funding later in the redevelopment time span to allow those revenue sources to accrue sufficient revenue for "pay as you go" funding, or to build up reserves to leverage other funding options when needed.

Consolidated Transportation Impact Analyses (CTIAs) for the East, Central, and West portions of Tysons have been conducted by the County to determine the combined impact of the current redevelopment proposals and the potential development on parcels with redevelopment options available under the Plan. The CTIA analyses resulted in the identification of several additional transportation projects in the Tysons East area beyond those listed in Table 7, and may result in additional transportation projects in the Tysons Central and Tysons West areas beyond those include in Table 7.

RECOMMENDATION:
The Planning Commission recommends:

21) The Board review the construction schedule and the funding mechanisms on a periodic basis to ensure that the estimated funding levels are coordinated with the anticipated construction spending and that the funding is being spent in an appropriate and efficient manner. This review should include members of the community and the Tysons Partnership; and,

22) The level of development tested by the CTIAs exceeds the level of development anticipated, by the George Mason University 2008 study, to occur by 2050. Any additions to Table 7 should be funded by the development that exceeds the 2050 threshold projected by George Mason University in 2008.

Follow on Motion #14 – Interim Commuter Parking

Follow-On Motion #14 directed staff to explore options for providing commuter parking at Metrorail station(s) in Tysons Corner on an interim basis until Tysons development reaches a level where such commuter parking is not practical or desirable.

To complete this task, FCDOT produced an inventory of potential sites that could accommodate such parking. Subsequent to developing the inventory, staff contacted the owners of these sites to gauge interest in providing interim parking and investigated the zoning regulations governing the provision of commercial parking. In most cases, a commuter parking agreement, approved by the Board, would be required to allow commercial parking. Such an agreement can contain any terms the Board deems appropriate and is agreed to by all parties.

Although a handful of property owners expressed initial interest when contacted, staff ultimately exhausted all identified possibilities with no property owners willing to move forward.

RECOMMENDATION:
The Planning Commission recommends:

23) A formal Tysons Corner Interim Parking Request for Interest (RFI) be issued and sent to all property owners proximate to the Metro stations;

24) The RFI include the target requirements and necessary steps for property owners to obtain interim parking agreements with Fairfax County and be released no later than 12 months before the scheduled opening of the Metro stations; and,

25) If an interim parking location is identified, that signage is posted at the location clearly indicating the interim status of the parking.

Follow on Motion #17a – Affordable Housing Policy.

This motion asked that the Planning Commission examine modifying the Policy Plan to incorporate a policy supporting a non-residential contribution to affordable housing similar to the recommendation in the Tysons Plan. Since this proposed policy will be applicable countywide, the effort will take more time and require extensive public outreach before a recommendation can be made by the Planning Commission.

Follow on Motion #17b – TOD Walking Distance Policy

Under separate cover, the Planning Commission will forward to the Board a proposed revision to the Policy Plan that would amend the County's Guidelines for Transit-Oriented Development (TOD) and request that the amendment be authorized for public hearing. To reflect elements of the Tysons Plan, this proposed amendment would refine the description of walking distance, as it relates to transit proximity.

Board Motion –Initial Development Level (IDL)

The Plan recommends that an IDL of 45 million square feet of total office development built and approved within Tysons should not be exceeded in order to implement the first 20 year increment of growth. Office uses were the trigger for the IDL due to their being the majority of existing uses and having high peak period vehicle trip generation characteristics.

The list below reflects the current and proposed amount of total office development within Tysons, as of March 25, 2012 for existing and approved/proposed Conceptual Development Plans (CDP) and Final Development Plans (FDP);

Existing Built Office Gross Floor Area (GFA)	**26,812,000 sq.ft.**
Unbuilt Office GFA Approved through Rezoning Process	**6,418,089 sq.ft. (CDP)** 6,110,689 sq.ft. (FDP)
Proposed Net New Office GFA Under Review	**15,191,648 sq.ft. (CDP)** 797,347 sq.ft. (FDP)
Total Built Office GFA and Approvals/Submissions	**48,421,737 sq.ft. (CDP)** 33,720,036 sq.ft. (FDP)

If all of the current applications under review were approved with their current entitlement requests and the IDL were calculated using the development levels shown on the Conceptual Development Plans (CDP), the Plan IDL level of 45 million square feet of total office development would be exceeded by approximately 3.4 million square feet. However, based on the development levels shown on the Final Development Plans (FDP) that have been approved or submitted, there would be over 11 million square feet of office development remaining before IDL is reached.

The Plan recommends that the following criteria be considered when determining an increase in the IDL for office uses:

a) Progress achieved toward the realization of the vision for Tysons;

b) Market demand for office space, as demonstrated by new building construction, vacancy rates, and revised forecasts;

c) Balance between land use and transportation, including provision of infrastructure and achievement of vehicle trip reduction levels identified for the year 2030 and TDM performance that exceeds the targets outlined in Table 5 in the Transportation section; and

d) Funding arrangements for transportation improvements and progress, so that timely completion of improvements for the period beyond 2030 can confidently be expected.

To address this issue, the Commission has proposed a funding recommendation that, if implemented, would provide for the timely completion of all of the currently identified transportation improvements for the 2050 time period. Implementing the proposed funding solution would result in a circumstance where limiting office development to the

2030 level, or determining if the IDL should be linked to the amount of office use approved at the CDP or FDP, would no longer be necessary.

RECOMMENDATION:

As the Planning Commission's recommendations for financing infrastructure (identified above) addresses the increment beyond 2030, the Planning Commission recommends:

26) The Board direct staff to incorporate within the next Tysons-wide plan amendment text to increase or remove the current IDL of 45 million square feet of office use.

Attachments:

1 - Table 7 Improvements

2 – Tysons Partnership Letter to Tysons Committee, June 11, 2012
http://www.fairfaxcounty.gov/planning/tysons_docs/061212tysonspartnershipletter.pdf

3 – Web link to 2011 Planning Commission Tysons Committee Minutes;
http://www.fairfaxcounty.gov/planning/2011tysonspresentations.htm

4 – Web link to 2012 Planning Commission Tysons Committee Minutes
http://www.fairfaxcounty.gov/planning/2012tysonspresentations.htm

Tysons Transportation Costs: 2012-2030 (January 19, 2012 Estimate)					
		Previous Estimate (2009 $s)		New Estimate (2012 $s)	
Project #	**Cost Items**	**Cost**	**Total Cost**	**Cost**	**Total Cost**
	A. Tysons-Wide Road Projects (excluding grid)				
1	Rt.7 Widening from Rt.123 to I-495	$29,000,000		$22,000,000	
2	Boone Blvd Extension west from Rt.123 to Ashgrove Lane	$99,000,000		$126,000,000	
3	Extension of Jones Branch Connection to inside I-495 (Jones Branch Connector to Route 123)	$20,000,000		$22,000,000	
4	Rt.7 Widening from the Dulles Toll Road to Reston Avenue	$160,000,000		$300,000,000	
5	Greensboro Drive Extension west from Spring Hill Road to Rt.7	$46,000,000		$58,000,000	
6	Dulles Toll Road Ramp to Greensboro Drive Extension	$24,000,000		$28,000,000	
7	Dulles Toll Road Westbound Collector Distributor	$105,000,000		$124,000,000	
8	Dulles Toll Road Eastbound Collector Distributor	$53,000,000		$62,000,000	
9	Dulles Toll Road Ramp to Boone Blvd Extension	$59,000,000		$79,000,000	
10	Rt.123 Widening from Rt.7 to I-495	$27,000,000		$20,000,000	
11	Rt.123 Widening from Old Courthouse Road to Rt.7	$21,000,000		$8,000,000	
12	Rt.7 Widening between I-495 and I-66	$43,000,000		$71,000,000	
13	Widen Magarity Road from Lisle/Rt.7 to Great Falls Street	$40,000,000		$63,000,000	
14	I-495 Overpass at Tysons Corner Center	$16,000,000		$18,000,000	
15	Widen Gallows Road from Rt.7 to Prosperity Ave.	$68,000,000		$94,000,000	
	Total for road projects (excluding grid)	**$810,000,000**	**$810,000,000**	**$1,095,000,000**	**$1,095,000,000**
	B. Road Projects: grid of streets (cost represents 60% of the completed grid)		**$444,000,000**		**$519,000,000**
	C. Transit Projects (new services, excluding existing services, excluding Metrorail costs)				
	Operating cost starting in year 2013)	$306,000,000		$334,000,000	
	Capital cost 2013-2021 (initial purchase and one replacement)	$68,000,000		$74,000,000	
	Total Transit Projects	**$374,000,000**	**$374,000,000**	**$408,000,000**	**$408,000,000**
	D. Tysons Neighborhood Spot Improvements, Bicycle and Pedestrian Access Improvements		**$70,000,000**		**$77,000,000**
	Grand Total		**$1,698,000,000**		**$2,099,000,000**

Notes:
1. Costs shown in this table are for planning purposes only. Actual project costs at the time of construction may vary.
2. Roadway maintenance and operational costs have not been included since this is the primary responsibility of the state and is taken "off the top" of state allocations.
3. Tysons Wide Road Projects and Grid of Streets were mainly adjusted by applying latest VDOT unit construction costs, latest right-of-way-cost and a 3% annual inflation rate.
4. Tysons Neighborhood Spot Improvements, Bicycle and Pedestrian Access Improvements and Transit Projects were adjusted by applying a 3% annual inflation rate.
5. These costs will still need to be grown to year of expenditure.
6. Total costs for project 4 are based on an updated VDOT cost estimate for this project.

Tysons Transportation Costs: 2030-2050 (January 19, 2012 Estimate)

		Previous Estimate (2009 $s)		New Estimate (2012 $s)	
Project #	**Cost Items**	**Cost**	**Total Cost**	**Cost**	**Total Cost**
	A. Tysons-Wide Road Projects (excluding grid)				
16	I-495 Additional Lane (Outer Loop between Rt. 7 and I-66)	$63,000,000		$74,000,000	
17	Ramps Connecting Dulles Toll Road to Jones Branch Drive	$33,000,000		$38,000,000	
	Total for road projects, excluding grid	**$96,000,000**	**$96,000,000**	**$112,000,000**	**$112,000,000**
	B. Road Projects: grid of streets (cost represents 40% of the completed grid)	**$204,000,000**	**$204,000,000**	**$346,000,000**	**$346,000,000**
	C. Transit Projects (new services, excluding existing services, excluding Metrorail costs)				
	Continuation of new 2012-2030 Tysons Transit Service. Operating cost*	$306,000,000		$334,000,000	
	Continuation of new 2012-2030 Tysons Transit Service. Capital Cost (based on two replacement cycles)*	$68,000,000		$74,000,000	
	Additional Transit Projects Beyond Current Comprehensive Plan				
	Neighborhood Bus Service Capital Cost	$6,000,000		$7,000,000	
	Neighborhood Bus Service Operating Cost (2030-2050)	$60,000,000		$66,000,000	
	Total for Transit Projects	**$440,000,000**	**$440,000,000**	**$481,000,000**	**$481,000,000**
	Grand Total		**$740,000,000**		**$939,000,000**

Other Countywide Transit Projects Also Affecting Tysons Beyond 2030:
Express Bus/BRT Transit Routes
Feeder Bus Service to Rail Stations outside Tysons
Additional Urban Transit Corridor
Orange Line Metrorail Extension (from Vienna to Centreville)
2 Park and Ride Garages
* At some point beyond 2030 a guideway system might replace the bus circulator included in these costs. The associated capital, operating cost could be approximately $870,000,000.

Notes:

1. Costs shown in this table are for planning purposes only. Actual project costs at time of construction may vary.
2. Roadway maintenance, operational costs are not included since this is the primary responsibility of the state and is taken "off the top" of state allocations.
3. Tysons Wide Road Projects and Grid of Streets were mainly adjusted by applying latest VDOT unit construction costs, latest right-of-way-cost and a 3% annual inflation rate.
4. Tysons Transit Projects were adjusted by applying a 3% annual inflation rate.
5. These costs will still need to be grown to year of expenditure.

ATTACHMENT 2

Tysons PARTNERSHIP
Building America's Next Great City

Board of Directors:
AvalonBay Communities, Inc.
Jonathan B. Cox
B.F. Saul Company Hotel Division
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Beacon Capital Partners, LLC
Karen S. Gentry
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William Holvey
Rotonda Condominium UOA
Michael Bogasky
SAIC
J. Douglas Koelemay
VIKA, Inc.
John F. Amatetti
Watkins Meeks
Mike Meeks
Wells & Associates
Terrance J. Miller
Tysons Partnership
Michael A. Caplin

To: Walter Alcorn, Chair, Fairfax County Planning Commission Tysons Committee
Re: Funding strategies for Table 7 infrastructure costs
Dt: June 12, 2012

The Tysons Partnership Board of Directors met on June 11, 2012, to consider and recommend funding strategies for $507,000,000 in "Table 7" transportation infrastructure costs.

The Tysons Partnership Board agreed to recommend to the Planning Commission that:

One-half of the $507,000,000 Table 7 infrastructure costs (and related financing and inflation costs) should be funded by a Tysons-wide service district tax, and one-half of that sum should be funded by new Tysons development, including all current and future applicants, provided that:

a. No additional transportation infrastructure projects are added to the $507,000,000 Table 7 inventory of infrastructure improvements;

b. Various financing options are made available to current and future applicants, among which they can choose to pay their portion, including the option to make payments over the 40-year development horizon;

c. The Tysons Partnership is allowed the opportunity to thoroughly review and provide input on the Tysons-wide Service District financial analysis before a rate is determined; and

d. The current list of proffer requirements is reviewed and reconsidered for possible reduction of scope.

Respectfully submitted,

Michael Caplin
Executive Director

Telephone: 703.939.4719 • 1600 Tysons Blvd. • Suite 856 • Tysons Corner, Virginia 22102

Recommendations to the Board on Certain Tysons-Related Activities

Strawman Proposal	Comment	Staff Response	Language Change	
At its meeting on March 29, 2011, the Board of Supervisors ("the Board") requested that the Planning Commission, working with staff, develop an inclusive process to address Tysons Follow-On Motion #1, related to financing infrastructure; Follow-On Motion #14, related to options for providing commuter parking at Metrorail stations on an interim basis; Follow-On Motion #17 related to affordable housing contributions from non-residential developments and refinement of the County policy on walking distances in Transit Oriented Developments (TODs); and the Initial Development Level (IDL) set forth in the Comprehensive Plan ("the Plan"), given the number of rezoning applications that have been submitted. To address these issues, the Planning Commission reconstituted its Tysons Committee ("the Committee"), which is chaired by At-Large Commissioner Walter Alcorn. The Committee adopted an inclusive process, which included 22 meetings over a period of fourteen months. During its deliberations, the Committee sought information and input from all stakeholders. Based upon that, the Committee developed recommendations regarding the issues identified by the Board; these recommendations were then approved by the Planning Commission on XXX, 2012, by a vote of XXX and forwarded to the Board of Supervisors for their consideration. The Planning Commission is pleased to forward this report of its recommendations to the Board.	Janet Caldow (200 Chain Bridge Road LLC, Koons): GMU projections didn't account for reduction in federal funding; traffic stats based on 2008 data, leads to a series of problems; traffic studies and improvement cost based on overestimation. Mayor Jane Seeman (Vienna): Motion 1: need neighborhood improvements; residents need relief from Tysons traffic impacts; shouldn't rely on state and federal funding; 4-year plan not yet adopted. Bruce Bennett (Hunter Mill Defense League): • Need for specific costs, percentages and total amounts on the complete financial aspect of the Tysons related infrastructure. • Need caps for all funding participants. • Include all the costs and who will pay, when, and at what percentage in case of overruns. • Publish all the items that are to be included in infrastructure costs: planning new and enlarged systems; road improvements required but not accounted for; bus, jitney, or other personal transportation; utilities expansions; and maintenance facilities. There is no way possible for there to be caps on the infrastructure costs and expect any sort of accuracy. Both the Feds and the developers were able to get them on Rail to Dulles phase I, leaving us to pay the cost overruns.			

Strawman Proposal	Comment	Staff Response	Language Change	
Follow on Motion #1 – Financing Infrastructure. The Plan links development to the timely provision of the infrastructure needed to support it, and provides general strategies for phasing developments in order to achieve a sustainable balance with infrastructure and public facilities throughout Tysons. Prior to investigating potential transportation infrastructure financing options, the Committee undertook a discussion among Committee members, staff, and members of the community attending Committee meetings that confirmed that the transportation improvements contained in Table 7 of the Plan (Attachment 1) are still valid for planning purposes. The Committee then affirmed via a working consensus that the Plan's recommendations for the provision of the necessary transportation improvements and for transit operating costs should rely on multiple funding sources, including those from the public and private sectors; that the overall funding plan should be reliable, timely, bondable as appropriate, and sufficient; and, that each element of the funding plan should be legally sustainable. While the staff had provided an initial proposal to fund 20 years of transportation improvements, by the time that the Tysons Committee began its deliberations, the County had received development proposals that exceeded the projected 2030 level of development, based upon the 2008 George Mason University estimates of growth. As a result, the Committee felt it was important to extend the funding and transportation improvements horizon from 2030 to 2050. This horizon year change also addresses concerns	Tysons Partnership: Support contingent upon (1) no additional projects are added to Table 7; (2) various financing options which should be made available to current and future applicants, including an option to make payments over the 40-year horizon; (3) the Partnership is allowed the opportunity to provide input on the Service District; and (4) the current list of proffers is reviewed for reduction of scope. Robert Whitfield (Dulles Corridor Users Group): 2008 "high" growth rate economic forecasts did not account for the potential job cuts in Fairfax County due to sequestration. Staff must perform sensitivity and fiscal impact analyses to assess the potential consequences of a lower rate of economic and employment growth during the next decade than projected by GMU in 2008. • County will not allow caps on spending by landowners. Landower costs must be tied to benefits received. • County must set specific schedule and conditions for providing funds, preferably based on a 6-year CIP. • Stringent caps on taxpayer spending must be tied to overall County economic and financial conditions. • Approval of all Tysons spending should be subject to annual public hearings. County planners propose taxpayer obligations at 58% while landowners at 42% in the next 20-40			

Strawman Proposal	Comment	Staff Response	Language Change	
associated with the Initial Development Level element of the Plan, as discussed below, by looking at funding and improvements beyond 2030. The Planning Commission's recommendations set forth below are based upon a goal of developing a comprehensive solution for funding the set of infrastructure improvements in the Plan identified to support 113 million square feet of development anticipated to occur by 2050; the need for a funding plan that allows for flexibility in funding options and sources, as well as for adjustments to be made based upon pace of development; and, the need to provide a reliable funding mechanism that implements the visionary plan.	years. County taxpayer share is unacceptable. Annual County taxpayer funding for Tysons infrastructure improvements should be limited to $50M, plus annual inflation. Greater funding should be subject to Countywide referendum. Shane Murphy (Cooley for Cap One): Supports Tysons Partnership's position that no additional projects should be added to Table 7; that substantial cash contributions for road improvements may be paid incrementally or otherwise financed; that there be an opportunity to review and provide input on any tax district before it is implemented. Thomas Cranmer: Strawman fails to meet any common sense for planning; haven't analyzed competition from neighboring jurisdictions; according to Jones Lang LaSalle, most vacant office space wouldn't be absorbed until 2035; need competitive costs for offices and housing; there is no timing of expenditures. Charlie Hall (Falls Church): Support MCA comments; need more community outreach; long term projects are fuzzy; instability of public/private partnerships; question whether public can fulfill its obligation; need to consider if Tysons doesn't grow as planned; in recent downturn, taxpayer was funding of last resort; Fed state monies is unknown.			

Strawman Proposal	Comment	Staff Response	Language Change	
	Sally Horn (MCA): The Strawman should more explicitly address the magnitude of the financial obligations and risks for County taxpayers and provide stronger protections for taxpayers against uncertain financial obligations. Prior to deciding the approach for funding Tysons transportation improvements, public meetings should be held. Language should be added that states costs are best estimates for Table 7 projects and that both the private and public sectors would be expected to cover the entire cost (or their share, in the case of shared projects) of the projects regardless of actual costs, including debt servicing, cost overruns and increases due to inflation. While MCA strongly opposes setting caps, if caps are to be set, they need to apply equally to both developers/landowners and County taxpayers. MCA has no objection to the County floating bonds to up-front money for a portion of private sector's contribution to the transportation infrastructure requirements, provided that: a. The concerns articulated above are addressed. b. The public has input into which projects are advanced money and into the tax rate that is set for the Tysons Service District.			

Strawman Proposal	Comment	Staff Response	Language Change	
	c. Debt servicing charges and opportunity costs to the County of floating the bonds are included. d. The proposed Tysons Service District is implemented in 2013; the tax rate is set at a level such that the Tysons community begins to make contributions immediately to retire its debt to the County; and the County taxpayers are made whole within the shortest amount of time but in any case in less than 40 years. e. Until the debt is fully repaid, the County defers any proposals to increase density beyond the Comp. Plan if those proposals would require additional transportation infrastructure to be built and if the private sector requests or needs the County to front funding for the private sector portion of those costs. Kathryn Woods: Request that the County fully disclose residential taxpayer costs and risks; include more precise language protecting the public interest in order to make the recommended plan one that is fair and balanced for all stakeholders. Supports MCA for a series of public forums.			

Strawman Proposal	Comment	Staff Response	Language Change	
The Planning Commission's recommendations are set forth below: State, Federal, and Regional Funding Responsibility The majority of the existing and future roads in Tysons will be public streets. The Virginia Department of Transportation (VDOT) is responsible for maintaining public streets in most counties of the Commonwealth. The Planning Commission strongly believes that the Commonwealth has a responsibility to provide significant contributions to the construction, operation, and maintenance of the transportation infrastructure in Tysons. Furthermore, the Planning Commission believes that the economic benefits of Tysons to Virginia should be recognized and that Virginia should strengthen its investment in Tysons, based on the economic benefits of Tysons to the Commonwealth. The Planning Commission also believes that it is appropriate for the Federal Government to assist in the provision of infrastructure in Tysons.	Roger Diedrich (Fairfax): Commonwealth not responsible even though it says so; concerned about reliability of public funding from state and federal govt.; phasing is minimally addressed; include all costs for 2050. Mark Zetts (Falls Church): Costs should be 2050 dollars; show true cost using 3-4% inflation; should be no caps on costs; should be project based rather than cost based for both public and private; tax rate should retire debt in 40 year time frame; CTIAs identified additional improvement such as superstreet, that should be added to Table 7.			

Strawman Proposal	Comment	Staff Response	Language Change	
RECOMMENDATION: The Planning Commission recommends: 1) **All stakeholders in Tysons, including the County, residents, landowners, and developers, engage together in a proactive and concerted effort to lobby and secure funds for Tysons from the state and federal governments, and any regional entities.**	Christian Deschauer (Fairfax County Chamber of Commerce): Include "businesses" to list of stakeholders. James Policaro (Lerner): Before any decision is made regarding a funding structure, Table 7 should be analyzed in conjunction with the developers' phasing plans. The landowners and developers who are filing rezoning applications for increased density should pay for the Table 7 improvements as identified in the Comp. Plan since they are required as a result of increased development. Landowners who have already received approval of development applications for rail-related density have proffers and development conditions associated with the approved applications. They should not have to pay twice for infrastructure improvements that are required as a result of new TOD applications. Sally Horn (MCA): The first recommendation lacks specificity to make it actionable. The recommendation needs to identify the projects that stakeholders should press for and how to proceed; and state that all stakeholders should band together to lobby and secure funds for Tysons from the state, federal and regional agencies. This should include county staff, the Partnership, the MCA, the Town of Vienna, and other appropriate stakeholders.			

Strawman Proposal	Comment	Staff Response	Language Change	
Transportation Infrastructure Improvements The Planning Commission has categorized the infrastructure improvements needed to serve Tysons into four categories: Grid of Streets; Neighborhood Improvements; Tysons-wide Improvements; and Transit. Each component is addressed separately below. Grid of Streets The urban street network described within the Plan is needed to provide convenient connections within Tysons, distribute multi-modal traffic efficiently, and enhance the quality of the network through the use of "complete streets". The Grid of Streets ("the Grid") is comprised generally of Collector, Local, and Service streets that provide site access and circulation within Tysons. The Plan recommends that the private sector be primarily responsible for on-site improvements, including the Grid and for contributions to the Tysons Road Fund to support the construction of the Grid.	Fred Costello: Leonard Wolfenstein said at a Reston Task Force meeting that the grid of streets will decrease traffic congestion is a false statement. His statement agrees with the analysis at http://www.fairfaxfederation.org/pdf /GriddedStreets.pdf. The traffic capacity of the grid is too little to decrease significantly congestion on the arteries. In addition, the increase in the number of intersections with the arteries reduces the capacity of the arteries due to cross traffic and merging traffic. Grids benefit pedestrians, but so do pedestrian walkways. The claim that pedestrians and bicyclists will decrease congestion may be false. Bus routes and bike lanes should be on the grid of streets, not on the arteries. Janet Caldow (200 Chain Bridge Road LLC, Koons): Grid links added to Comp. Plan create unbuildable lots. Louis Freeman (McLean): The Grid assignment of "primary" responsibility in lines 98 and 105 is too vague, since it could mean 51% is private and the rest public. The undefined word "primary" should be removed; private money should be responsible.			

Strawman Proposal	Comment	Staff Response	Language Change	
RECOMMENDATION: The Planning Commission recommends the cost for construction of the Grid be primarily the responsibility of the Tysons' landowners/developers. The Planning Commission recommends that the Grid be implemented through two mechanisms: 2) **In-Kind Construction: Landowners/developers who seek to redevelop their properties should construct those portions of the Grid needed to support their development applications. This would include the elements of the Grid that are located within and adjacent to development application areas, as well as off-site links, as determined necessary through the entitlement process.** Staff estimates that the value of these improvements is $561,000,000 (in 2012 dollars).	Tom Fleury (CityLine): Suggest the following edits to the second sentence of 2): "this would include the elements of the Grid that are located within and adjacent to development application areas, as well as the appropriate pro-rata share of off-site links that were determined to be necessary through the applicable VDOT 527 study, as determined necessary through the entitlement process. The financing of other off-links should be covered by the contributions to the Tysons Road Club." Ruth Hoang (Home): Consider funding on pro rata share basis of off-site links that were determined to be necessary through the applicable VDOT 527 study. The financing of other off-site links should be by the contributions to the Tysons Road Club. Sally Horn (MCA): Costs should be stated not only in 2012 dollars, but also in 2050 dollars, adjusted for inflation and debt servicing. Taxpayers deserve to know our potential "bottom line" obligation, even if it is a "soft cap" or "target".			

Strawman Proposal	Comment	Staff Response	Language Change	
3) **Tysons Road Club: There will be important sections of the Grid which are not anticipated to be provided through development applications. Nevertheless, these sections of the Grid are essential to the continuous functioning of Tysons in order to maintain an acceptable level of traffic flow, as well as bus routes, and bicycle and pedestrian connectivity. These sections may be at locations where development most likely will not take place at all, or may not occur in a timely manner. These links are referred to as the "missing links".** Staff estimates that the value of these improvements is $304,000,000 (in 2012 dollars).				
To fund construction of the "missing links", the Planning Commission recommends that the Board adopt the following changes to the existing Tysons Road Club: a. Designate the primary purpose of the Tysons Road Club as funding the construction of the "missing links"; b. Modify the Tysons Road Club rates to an amount necessary to fund the anticipated cost of the "missing links" in the planned 2050 Grid. Based on the anticipated need and the anticipated level of development, the Planning Commission recommends that the revised Tysons Road Club rates be set at $1,000 per new dwelling unit and $6.44 per square foot of new non-residential development; c. Escalate the Tysons Road Club rates annually with construction cost inflation; d. Prioritize projects periodically; and,	Tom Fleury (CityLine); Ruth Hoang (Home): State what measure will be used to escalate the construction costs, ie CPI vs Engineering News Record or other.			

Strawman Proposal	Comment	Staff Response	Language Change	
e. Evaluate the Tysons Road Club on a periodic basis to ensure that the funding contribution levels are sufficient and that the funding available is being allocated efficiently.				
Neighborhood and Access Improvements There is a need now and in the future to make intersection improvements within Tysons and in the communities adjacent to Tysons. These intersections either currently experience traffic flow problems, or are expected to reach traffic flow problem levels if left unaddressed over the next five to ten years. The Tysons Metrorail Station Access Management Study (TMSAMS), approved by the Board on May 22, 2012, identified a number of projects necessary in the near term to enhance multimodal access to and from the four new Tysons Metrorail stations and to improve the safety of pedestrian and bicycle access within Tysons. These pedestrian and intersection projects include improvements to sidewalks and walkways, bicycle facilities, trails in the vicinity of Tysons, and crosswalks at specific intersections. The Fairfax County Department of Transportation (FCDOT) has developed a Four-Year Plan, covering the Fiscal Years 2013-2016 (Four-Year Plan) that programs current and projected revenues for countywide projects and begins to address long term needs in transportation infrastructure. The plan includes federal funding for a portion of the TMSAMS recommendations. The Board is expected to consider adoption of the Four-Year Plan	Mayor Jane Seeman (Vienna): Need TMSAMS; need intersection, sidewalk and trail improvements; need more definitive timelines for construction and funding; County will be primary recipient of Tysons development benefits and should have the responsibility for transportation funding; not clear which recommendations will be funded; funding solutions vague and weak. Bruce Wright: No cost figures for spot improvements, bike pedestrian paths; East CTIA has no bike access on Chain Bridge Rd or Rt 123; bike and pedestrian paths can't be the first thing to be cut.			

Strawman Proposal	Comment	Staff Response	Language Change	
on July 10, 2012. Staff estimates the value of these improvements is $77,000,000 (in 2012 dollars).				
RECOMMENDATION: The Planning Commission recommends: 4) **The primary funding responsibilities for these improvements come from state, federal, regional and County funding sources. These funding sources have traditionally paid for sidewalk, trail, and spot intersection improvements not associated with a particular development. In addition, these funding sources are more likely to be able to be timed to the needed improvements.**	Sally Horn (MCA): Requested that the expected public contribution be disaggregated into three categories – Fairfax County, Virginia, and Federal. It is difficult to lobby for funding absent a clear understanding of the consequences of not receiving that funding.			
Transit To leverage the investment in the Silver Line Metrorail expansion into Tysons and beyond, to implement the Fairfax County Transit Development Plan, and to create the environment for the type of transit-oriented development envisioned for Tysons, public transportation must serve an increasingly higher percentage of trips to, from, and within Tysons. FCDOT is implementing plans to expand the Metrobus and Fairfax Connector service within Tyson to increase transit access, and is studying implementation of a circulator system within Tysons to aid movement within Tysons, as recommended in the Plan. Staff estimates the value of this at $408,000,000 (in 2012 dollars).	Louis Freeman (McLean): The response has been an incomplete transit program ending in 2030, with a vague intent to look at such potential money savers after 2030. Given the hundreds of millions of dollars for transit cost, this is not a fair deal for the taxpayers. The consideration of a private entity for transit should be examined now, not, as in the popular vernacular, kicking the can down the road.			

Strawman Proposal	Comment	Staff Response	Language Change	
RECOMMENDATION: The Planning Commission recommends: 5) **The funding plan address the expanded transit system through 2030, as the system post 2030 is still under study and may change with new technological developments.**	Roger Diedrich (Fairfax): Plans too timid on transit, walking, bike mode shares; should prioritize transit and neighborhood access over roads. Robert Whitfield (Dulles Corridor Users Group): Long range circulator plan costs have not been estimated yet. The public should have the opportunity to comment on that plan before the Strawman is adopted by the PC. Mark Zetts (Falls Church): The post-2030 transit costs are not disclosed, a major liability for the public sector. The public needs to know the transit costs because the Tysons Plan is premised on this Phase 2 transit system generating very high mode splits in Tysons. Louis Freeman (McLean): Need to know costs for transit. Charlie Hall (Falls Church): 20 year transit not spelled out; future tax payers will not be able to comment.			

Strawman Proposal	Comment	Staff Response	Language Change	
6) **The primary responsibility for funding this expanded service come from state, federal, regional, and County funding sources. These funding sources have traditionally paid for the capital and operating costs of transit improvements not associated with a particular development. In addition, these funding sources are more likely to be able to be timed to the needed improvements. Funding for new service hour operations related to the Fairfax Connector Silver Line routes will be included in the FY2014 Fairfax Connector budget and the Four-Year Plan will address additional transit requirements for Tysons.**				
7) **There may be some elements of the transit system, including operating costs, transit stop facilities, and right-of-way area for future transit systems that should be the responsibility of the private sector. These elements should be funded primarily through proffers associated with redevelopment.**				
8) **For the transit service expected to occur after 2030, the Planning Commission recommends that increased participation from the private sector and new funding sources be explored. For example, owning and operating private jitney services may prove to be economically feasible for the private sector at some point in the future.**				

Strawman Proposal	Comment	Staff Response	Language Change	
Tysons-wide Road Improvements A number of physical improvements to the roadway and transportation infrastructure are necessary to achieve critical access and egress to Tysons. These improvements are identified in Table 7 of the Plan under the Tysons-wide Road Improvements heading. These projects include new access points from the Dulles Toll Road to Tysons, expanded capacity on select primary and minor arterial roads, and the creation of new minor arterial roads to support the Grid. The Plan recommends that these necessary transportation improvements will need to rely upon public and private sources of funding and makes recommendations as to the types of funding mechanisms that may be appropriate. The Committee spent a significant portion of its deliberations on the issues related to the Tysons-wide Road Improvements. The deliberations involved understanding each of the specific improvements listed in Table 7, investigating all of the potential funding mechanisms that are currently available under existing legislation, and understanding the relationship between the transportation improvements and the potential funding mechanisms. The Four-Year Plan includes a number of projects pertinent to Tysons. Studies include: Tysons Corner connections to the Dulles Toll Road; conceptual engineering and design for Boone Boulevard and Greensboro Drive extensions, and the Grid; the Tysons	Christian Deschauer (Fairfax County Chamber of Commerce): Supports a hard cap on Table 7. Louis Freeman (McLean): There should not be any caps on the private contribution.			

Strawman Proposal	Comment	Staff Response	Language Change	
Corner Circulator Feasibility Study; and the Tysons Corner Transportation and Urban Design Study. Table 7 roadway projects entirely or partially funded under the Four-Year Plan include: the extension of Jones Branch Drive to inside I-495 (connecting Jones Branch to Route 123); the Route 7 widening from Route 123 to I-495; and the partial acquisition of right-of-way for the Route 7 widening from the Dulles Toll Road to Reston Avenue. Staff estimates the value of the Tysons-wide Road Improvements at $1,207,000,000 (in 2012 dollars).				
RECOMMENDATION: The Planning Commission recommends: 9) **All of the Tysons-wide Road Improvements included in Table 7 should be addressed in the funding plan, as all are needed to support future growth;**				
10) **The Tysons-wide Road Improvements should be separated into two categories - those that occur outside of Tysons and those that occur inside of the Tysons. The Planning Commission believes that splitting these projects into two groups based on their location allows the projects to be primarily funded by the groups receiving the greatest benefit of the improvements.** **The Planning Commission recognizes that there may be situations where the landowners/developers may be responsible for an improvement outside the boundaries of Tysons. Conversely, there are instances where state, federal, regional, or County funding**	Louis Freeman (McLean): Public/private breakdown should be based on trips generated by Tysons vs through trips; assignments need to be more fair.			

Strawman Proposal	Comment	Staff Response	Language Change	
sources may be responsible for projects inside the boundary of Tysons. As such, the Planning Commission determined that, for the purposes of this recommendation, "primary responsibility" means 90% of the cost associated with the improvements;				
11) **The Tysons-wide Road Improvements that occur outside of Tysons, should be funded primarily by state, federal, regional, and County funding sources, since the majority of the trips do not result from the redevelopment of Tysons;**				
12) **The Tysons-wide Road Improvements that occur inside of Tysons should be funded primarily from private sector sources, as the majority of the impacts result from the Tysons development and redevelopment;**				
13) **The Board should continue to build upon the Four-Year Transportation Funding Flan, which includes initial funding for the Tysons-wide Road Improvements;**				
14) **The Board should direct staff to develop a Tysons Transportation Funding Plan to determine initial priorities for the Tysons-wide Road Improvements;**				
15) **The Board should develop a preliminary schedule of construction for the Tysons-wide Road Improvements, based upon the recommendations in Table 7;**				
16) **The Board should direct staff to continue to maximize outside revenue sources to place the responsibility of transportation funding where it more appropriately resides, i.e. with our state and federal funding partners and that FCDOT should continue its**	Sally Horn (MCA): In a worst case scenario, County taxpayers would be liable for all or most of the "public funding." This public sector tab, expressed in 2012 dollars in the Strawman, is $1.186 B, or over 46% of the			

Strawman Proposal	Comment	Staff Response	Language Change	
current process of acquiring funding from outside sources wherever possible and using the County funding sources as the source of last resort for Tysons-wide Road Improvements. FCDOT staff routinely reviews federal, state and other funding opportunities to determine which County transportation projects best fit these programs. The planned Tysons-wide Road Improvements are currently included in this evaluation process.	total tab for Tysons transportation infrastructure improvements. Concerned that this is the equivalent of telling state and federal sources that there is the expectation that we would go it alone, if necessary. The public share that could accrue to County taxpayers in the worst case scenario exceeds that which is fair and equitable. This is particularly so, in light of (1) the relative benefits to the private sector vs. County taxpayers of the increased densities that the Plan permits at Tysons and (2) the actual contribution to the County coffers that has been and is expected to be received from Tysons commercial development. Rec. 16 should be revised along the following lines: "<u>County funding sources should not be used as the source of last resort for Tysons-wide Road improvements that are properly and historically a state or federal responsibility.</u>" The financial plan should include options for funding the "public" sector contribution in the event that the state and federal contributions do not materialize. Suggest the following addition to end of Rec. 16: "<u>To the extent that funding from state and/or federal sources is not available to meet these responsibilities and the private sector is unwilling or unable to help Fairfax County cover the shortfall, development must be adjusted so that, as called for in the Comprehensive Plan, development keeps pace with – and does not outpace – the acquisition of the transportation infrastructure required to make Tysons			

Strawman Proposal	Comment	Staff Response	Language Change	
	urbanization work and to ensure that the massive increases in density permitted in the plan do not overwhelm the transportation network." Louis Freeman (McLean): The statement as "the source of last resort" can be abused should be removed. There should be no caps on private responsibility for needed improvements. If money is short, development can be slowed or limited until funds become available.			
Based upon the foregoing, $701,000,000 (in 2012 dollars) should be provided from state, federal, regional, and County funding sources and $506,000,000 from the private sector. The Tysons-wide road improvements will benefit all residents and landowners who live, work, play and shop within Tysons, whether they are new office workers or long-time residents. Therefore, a portion of the cost of the improvements should be borne by all Tysons landowners. While the roads will serve everyone accessing Tysons, the Plan includes redevelopment options for certain areas within Tysons that call for substantial additional development value, and thus these redevelopment options add to the need for the Table 7 Tysons-wide improvements. Therefore, a portion of the Tysons-wide road projects should be borne by the applicants for proposed new developments, in that they have a Plan development potential that will be enabled by the Tysons-wide road improvements.				

Strawman Proposal	Comment	Staff Response	Language Change	
RECOMMENDATION: The Planning Commission recommends that the funding within the landowner/developer share be allocated in the following manner: 17) **Half of the funding ($253,000,000 in 2012 dollars) should be generated by a Tysons-wide tax district, whose boundary would be the same as the Tysons Corner Urban Center. The Tysons-wide Road Improvements will be contained within this boundary and will serve to benefit the entire community within Tysons.** The Planning Commission strongly encouraged landowners within Tysons to gain the requisite number of signatures to petition the Board to establish a transportation improvement district (TID) to generate the recommended level of revenue for the needed improvements by approximately 2050. The TID revenue mechanism was used to establish the Dulles Phase I Tax District, currently providing funding for Phase I of the Silver Line Metro Extension. The landowners within Tysons, as represented by the Tysons Partnership, do not believe they are able provide such a petition to the Board to establish a TID. Therefore, the Planning Commission recommends that the Board establish a Service District for the same purpose.	Fred Costello: The split in costs of the infrastructure should be based in proportion to their individual benefits. Construction, operating and maintenance costs should be included. The split should not be based on the current temporary downturn in the economy. The County should provide for public review the computations that justify the split it proposes. Taxpayers do not want to contribute more than their fair share so that land owners/developers reap a greater profit. Dr. James Davidson: Do not recommend the landowners foot the bill and tighten the noose on small businesses. This project benefits the region, as a whole, but instead of everyone contributing a little, it is politically easier to make a few pay a lot. Some of the larger landowners have been exempted from this tax burden. Establish a Service District. If landowners won't petition themselves, the Board should just do it. Michael Bogasky (Rotonda): Does not support 50/50 split. Request existing residential owners be “grandfathered.” William Lawson (Rotunda): Opposes special tax district, 25% of residents in Rotunda are over 65 and on fixed incomes. Steve Ruckman (Rotunda): Opposes, urges rejection to special tax district.			

Strawman Proposal	Comment	Staff Response	Language Change	
	Bill Espinosa (Burke): Dismayed by cost increases in plan during economic crisis; reject tax increase, pare back projects to only what is necessary. Sally Horn (MCA): Contribution of County taxpayers should be limited to no more than 25% of the total cost or lower. James Policaro (Lerner): A Service Tax District is not a fair financing mechanism for the majority of stakeholders within the Tysons. Landowners who cannot obtain an increase in density as a result of the Comp. Plan, landowners who may choose not to develop in the future, landowners who have previously approved applications, and private citizens who reside within Tysons are all stakeholders that are being asked to bear the burden of infrastructure improvements that are required as a result of new development. An applicant-specific tax district was proposed as a financing mechanism, and the new applicants agreed they would pursue this type of district. Private financial analysts and land-use attorneys have concluded this to be a feasible solution that has merits worth pursuing. It appears this structure was rejected prematurely for the overall funding of the Table 7 Improvements and should be reconsidered.			

Strawman Proposal	Comment	Staff Response	Language Change	
	Robert Whitfield (Dulles Corridor Users Group): Taxpayer funding share should be no more than 25% of overall costs. Juan Cardenas (Tyco Park Condo): 79 units built in 1980s, small businesses, supports petitioned trans. Improvement district over Service District; Strawman doesn't address why efforts to a petition failed; already paying Dulles Phase I; want a say in the tax district. Service District will create tax disadvantages for small businesses; no support from condo board for a Service District. Tom Fleury (CityLine): Ruth Hoang (Home): Strongly supports half funding by a Tysons-wide tax district, as all current and future residents and landowners will benefit. A self-imposed tax district will take too long. Russell Marks (NV Commercial): Support ½ funding by Service District. Linda Nguyen (Capital Automotive Real Estate Services): Support 50/50 split.			

Strawman Proposal	Comment	Staff Response	Language Change	
18) **The service district should be established effective January 1, 2013, to allow for a full year of tax revenue to be raised in 2013. Establishment of a Service District including all landowners within the Tysons Corner Urban Center would by law also include residential property owners. These residential property owners are currently exempt from the Dulles Phase I Rail District taxation, but would be subject to this service district. As of January 1, 2012, residential property owners make up approximately 10% of the total assessed value of properties in Tysons.**	John Harrison (Macerich): Largest tax payer in Tysons; Tysons depend on traffic working; a better solution than service district would be a 4-year plan to be funded by Tax District, to include near term regional projects that have broadest benefits; priority will determine who can develop when, need timing schedule they can rely on. Brian M. Gordon (AOBA): Pass-through costs under the proposed service district may render Tysons Corner uncompetitive with surrounding markets. Costs of building in Tysons Corner may provide a disincentive for higher density projects. The Service District may negatively impact affordability of housing. Cost-sharing under the proposed financing model may not be equitable.			
RECOMMENDATION: The Planning Commission recommends: 19) **The Board set a policy to spend approximately 10% of the Service District funding on transportation projects that have an immediate benefit of the residential landowners in Tysons. These may include capital infrastructure such as improved sidewalks and trails, and that such funding should be accelerated to the earlier phases of the construction schedule to best serve existing residents. This funding may also provide support for increased and improved transit services that might be of a particular benefit to the existing residents.**	Sally Horn (MCA): Examples cited are considered neighborhood and access improvements and not “within Tysons” as defined in the Strawman. Need to identify the offsets so that the “public” funding burden is not increased; otherwise sufficient “private” funds would not be available to cover the private sector’s share of the “within Tysons” Tysons-wide Road Improvements.			

Strawman Proposal	Comment	Staff Response	Language Change	
20) **The remaining half of the funding ($253,000,000 in 2012 dollars) should be funded through those properties seeking redevelopment within Tysons.** **The primary method for raising this revenue should either be through a contribution of $6.48 per square foot of new non-residential development; or through a contribution of $5.63 per square foot of new non-residential development and $1,000 per new residential unit.** **The Tysons Road Club purpose could be expanded to include the construction of the Tysons-wide Road Improvements or an additional funding pool could be established to administer this contribution.** **Alternative funding mechanisms, or a combination thereof, could be enacted, as long as they could be applied equitably and reasonably be expected to provide the recommended funding level in a timely manner. Alternative funding mechanisms which could be suitable include;** • **Proffered in-kind construction of specific transportation improvements;** • **Proffered financial contributions to funding specific transportation improvements;** • **A second, smaller tax district, such as a Transportation Improvement District, if such is determined to be legally sustainable; and/or** • **Revenue from paid parking fees, or a parking district, in which a certain amount of money per space per day is used to fund the transportation**	Tom Fleury (CityLine); Ruth Hoang (Home): Funding recommendation is equitable and should be implemented. Supports a contribution of $5.63 per square foot of new non-residential development and $1,000 per new residential unit. Supports alternative funding mechanisms. Supports an option to make these payments over a mutually agreeable payment schedule tied to the development schedule should be allowed. Shane Murphy (Cooley for Cap One): Applicant should have the flexibility to be granted credit for substantial dedications of property and/or construction of facilities directly related to a transportation improvement listed in Table 7. Lynn Strobel (Walsh Colucci): Applicants should receive in-kind contribution credit against road club contributions. Evan Pritchard (Walsh, Colucci): Suggest change Road Club to Street Grid Club. Include language that provides credits to road fund. Thomas Meyer (Clyde Rest. Group, NV); Russell Marks (NV Commercial): Support a contribution of $5.63 per square foot of new non-residential development and $1,000 per new residential unit.			

Strawman Proposal	Comment	Staff Response	Language Change	
improvements. **On June 11, 2012, the Tysons Partnership endorsed this two pronged financing approach with certain caveats (Attachment 2).**	Thomas Meyer (Clyde Rest. Group, NV); Linda Nguyen (Capital Automotive Real Estate Services): Credit should be given towards contributions to road club for building grid. Roger Diedrich (Fairfax): Supports parking district.			
<u>Transportation Funding Monitoring and Review</u> As previously discussed, the Planning Commission recommends the Tysons Transportation Funding Plan include all of the projects anticipated in the Plan to be needed for 113 million square feet of development, as projected by the George Mason University 2008 study, through 2050. This extended planning horizon contains a number of assumptions that will need to be monitored over time to ensure that the assumptions made today remain valid in the future. The project cost estimates and funding levels determined to support construction of the needed improvements will also need to be flexible to provide for changes in future construction costs and address any funding overruns or shortfalls identified in the future. The Planning Commission's recommended funding plan assumes that resources will come from a number of sources, as discussed above. These funding mechanisms vary in the amount of funds that they can	Roger Diedrich (Fairfax): Table 7 deserves more scrutiny (does not like widening Gallows Rd, countywide transit, widening Rt. 7 to Reston Ave., widen Rt. 7 to Rt. 66). Louis Freeman (McLean): Public money up fronted should be treated as loan.			

Strawman Proposal	Comment	Staff Response	Language Change	
raise, bonding capacity, total revenue generated, and timing of the delivery of funds. In general, it is expected that the state, federal, regional, and County funding sources will provide the majority of funding for projects early in the construction schedule, due primarily to the bonding and revenue capacity of those sources. The landowner/developer revenue sources are expected to provide funding later in the redevelopment time span to allow those revenue sources to accrue sufficient revenue for "pay as you go" funding, or to build up reserves to leverage other funding options when needed. Consolidated Transportation Impact Analyses (CTIAs) for the East, Central, and West portions of Tysons have been conducted by the County to determine the combined impact of the current redevelopment proposals and the potential development on parcels with redevelopment options available under the Plan. The CTIA analyses resulted in the identification of several additional transportation projects in the Tysons East area beyond those listed in Table 7, and may result in additional transportation projects in the Tysons Central and Tysons West areas beyond those include in Table 7.				

RECOMMENDATION: The Planning Commission recommends: **21) The Board review the construction schedule and the funding mechanisms on a periodic basis to ensure that the estimated funding levels are coordinated with the anticipated construction spending and that the funding is being spent in an appropriate and efficient manner. This review should include members of the community and the Tysons Partnership; and,**	Mark Zetts (Falls Church): Recommends that the Planning Commission review and comment on the construction schedule. PCTC meetings are an excellent forum for presenting detailed information and facilitating open participation with members of the community and Tysons Partnership.			
22) The level of development tested by the CTIAs exceeds the level of development anticipated, by the George Mason University 2008 study, to occur by 2050. Any additions to Table 7 should be funded by the development that exceeds the 2050 threshold projected by George Mason University in 2008.	Tom Fleury (CityLine): Strongly supports this recommendation. Russell Marks (NV Commercial); Thomas Meyer (Clyde Rest. Group, NV): Support this recommendation.			

Follow on Motion #14 – Interim Commuter Parking Follow-On Motion #14 directed staff to explore options for providing commuter parking at Metrorail station(s) in Tysons Corner on an interim basis until Tysons development reaches a level where such commuter parking is not practical or desirable. To complete this task, FCDOT produced an inventory of potential sites that could accommodate such parking. Subsequent to developing the inventory, staff contacted the owners of these sites to gauge interest in providing interim parking and investigated the zoning regulations governing the provision of commercial parking. In most cases, a commuter parking agreement, approved by the Board, would be required to allow commercial parking. Such an agreement can contain any terms the Board deems appropriate and is agreed to by all parties. Although a handful of property owners expressed initial interest when contacted, staff ultimately exhausted all identified possibilities with no property owners willing to move forward.				

RECOMMENDATION: The Planning Commission recommends: 23) **A formal Tysons Corner Interim Parking Request for Interest (RFI) be issued and sent to all property owners proximate to the Metro stations;**	Lynn Strobel (Walsh Colucci): Encourage interim commuter parking; behavior would not change overnight; should be market-driven rather than agreement with county. Mark Zetts (Falls Church): Support interim parking but language needs more clarity; if no one responds to RFI, option should remain open. Sally Horn (MCA): Supports Rec. 14. Without parking at one or more of the stations, the residents of the surrounding communities will not benefit. Public transit simply will not reach the vast majority of the residents in the surrounding communities who will further be disadvantaged by traffic and congestion. The County needs to work more aggressively with the private sector to find interim parking solutions. Bruce Wright: Doesn't support interim parking; against TOD principles.			

24) **The RFI include the target requirements and necessary steps for property owners to obtain interim parking agreements with Fairfax County and be released no later than 12 months before the scheduled opening of the Metro stations; and**,				
25) **If an interim parking location is identified, that signage is posted at the location clearly indicating the interim status of the parking.**				

Follow on Motion #17a – Affordable Housing Policy. This motion asked that the Planning Commission examine modifying the Policy Plan to incorporate a policy supporting a non-residential contribution to affordable housing similar to the recommendation in the Tysons Plan. Since this proposed policy will be applicable countywide, the effort will take more time and require extensive public outreach before a recommendation can be made by the Planning Commission.	Paul Browne (AHOME); Michelle Krocker (Northern Virginia Affordable Housing Alliance): Expedite the process and make this a priority for staff. The resources of the Affordable Housing Advisory Committee, the DHCD and the Redevelopment and Housing Authority should be called upon to assist in this effort. Policy language should come before the Planning Commission no later than January, 2013. Elisabeth Lardner, Richard Sullivan: Request consideration on this policy by the Board by end of this year. Suggest the following language: "<u>This motion asked that the Planning Commission examine modifying the Policy Plan to incorporate a policy supporting a non-residential contribution to affordable housing similar to the recommendation in the Tysons Plan. Since this proposed policy is called for in the Housing Blueprint, will be applicable countywide and will contribute an important component in the provision of affordable housing throughout the County, time is of the essence in implementing this policy countywide. To this end, the County will undertake extensive public outreach within the next three months, with a recommendation by the Planning Commission to the Board of Supervisors within six months, or the end of the calendar year-2012.</u>"			

Follow on Motion #17b – TOD Walking Distance Policy Under separate cover, the Planning Commission will forward to the Board a proposed revision to the Policy Plan that would amend the County's Guidelines for Transit-Oriented Development (TOD) and request that the amendment be authorized for public hearing. To reflect elements of the Tysons Plan, this proposed amendment would refine the description of walking distance, as it relates to transit proximity.				
Board Motion –Initial Development Level (IDL) The Plan recommends that an IDL of 45 million square feet of total office development built and approved within Tysons should not be exceeded in order to implement the first 20 year increment of growth. Office uses were the trigger for the IDL due to their being the majority of existing uses and having high peak period vehicle trip generation characteristics.				
The list below reflects the current and proposed amount of total office development within Tysons, as of March 25, 2012 for existing and approved/proposed Conceptual Development Plans (CDP) and Final Development Plans (FDP); Existing Built Office Gross Floor Area (GFA): 26,812,000 sq.ft. Unbuilt Office GFA Approved through Rezoning Process: 6,418,089 sq.ft. (CDP); 6,110,689 sq.ft. (FDP) Proposed Net New Office GFA Under Review: 15,191,648 sq.ft. (CDP); 797,347 sq.ft. (FDP) Total Built Office GFA and Approvals/Submissions: 48,421,737 sq.ft. (CDP); 33,720,036 sq.ft. (FDP) If all of the current applications under review were approved with their current entitlement requests and				

the IDL were calculated using the development levels shown on the Conceptual Development Plans (CDP), the Plan IDL level of 45 million square feet of total office development would be exceeded by approximately 3.4 million square feet. However, based on the development levels shown on the Final Development Plans (FDP) that have been approved or submitted, there would be over 11 million square feet of office development remaining before IDL is reached.				
The Plan recommends that the following criteria be considered when determining an increase in the IDL for office uses: a) Progress achieved toward the realization of the vision for Tysons; b) Market demand for office space, as demonstrated by new building construction, vacancy rates, and revised forecasts; c) Balance between land use and transportation, including provision of infrastructure and achievement of vehicle trip reduction levels identified for the year 2030 and TDM performance that exceeds the targets outlined in Table 5 in the Transportation section; and d) Funding arrangements for transportation improvements and progress, so that timely completion of improvements for the period beyond 2030 can confidently be expected.				

To address this issue, the Commission has proposed a funding recommendation that, if implemented, would provide for the timely completion of all of the currently identified transportation improvements for the 2050 time period. Implementing the proposed funding solution would result in a circumstance where limiting office development to the 2030 level, or determining if the IDL should be linked to the amount of office use approved at the CDP or FDP, would no longer be necessary.				
RECOMMENDATION: As the Planning Commission's recommendations for financing infrastructure (identified above) addresses the increment beyond 2030, the Planning Commission recommends: **26) The Board direct staff to incorporate within the next Tysons-wide plan amendment text to increase or remove the current IDL of 45 million square feet of office use.**	Lynn Strobel (Walsh Colucci): Support removal of IDL. Louis Freeman (McLean): Not appropriate to remove or increase IDL.			

Attachment C

Tysons PARTNERSHIP
Building America's Next Great City

Board of Directors:
AvalonBay Communities, Inc.
Jonathan B. Cox
B.F. Saul Company Hotel Division
Mark G. Carrier
Beacon Capital Partners, LLC
Karen S. Gentry
Booz Allen Hamilton
Rick Kinne
Capital One
Barry L. Mark
Cityline Partners LLC
Keith Turner
Federal Realty Investment Trust
Evan Goldman / Mark Henderson
General Growth Properties
Stephanie Brager
Georgelas Group
Aaron J. Georgelas
Hilton Worldwide
Pierce DeGross, III
Holland & Knight LLP
Stuart Mendelsohn
JBG Retail
Jay Klug
Lerner Enterprises
James D. Policaro
Macerich
Timothy J. Steffan
McGuire Woods LLP
Gregory A. Riegle
The MITRE Corporation
Sol Glasner
MRP Realty
Matthew Robinson
NVCommercial
Stephen Cumbie
PS Business Parks
Maria Hawthorne
Quadrangle Management
William Holvey
Rotonda Condominium UOA
Michael Bogasky
SAIC
J. Douglas Koelemay
VIKA, Inc.
John F. Amatetti
Watkins Meeks
Mike Meeks
Wells & Associates
Terrance J. Miller
Tysons Partnership
Michael A. Caplin

To: Walter Alcorn, Chair, Fairfax County Planning Commission Tysons Committee
Re: Funding strategies for Table 7 infrastructure costs
Dt: June 12, 2012 / **Annotated June 14, 2012 to conform with verbal testimony**

The Tysons Partnership Board of Directors met on June 11, 2012, to consider and recommend funding strategies for $507,000,000 in "Table 7" transportation infrastructure costs.

The Tysons Partnership Board, **by a vote of 12-5-2**, agreed to recommend to the Planning Commission that:

One-half of the $507,000,000 Table 7 infrastructure costs (and related financing and inflation costs) should be funded by a Tysons-wide service district tax, and one-half of that sum should be funded by new Tysons development, including all current and future applicants, provided that:

a. No additional transportation infrastructure projects are added to the $507,000,000 Table 7 inventory of infrastructure improvements;

b. Various financing options are made available to current and future applicants, among which they can choose to pay their portion, including the option to make payments over the 40-year development horizon;

c. The Tysons Partnership is allowed the opportunity to thoroughly review and provide input on the Tysons-wide Service District financial analysis before a rate is determined; and

d. The current list of proffer requirements is reviewed and reconsidered for possible reduction of scope.

Respectfully submitted,

Michael Caplin
Executive Director

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June 26, 2012

Walter Alcorn, Vice Chairman
Fairfax County Planning Commission
12000 Government Center Parkway, Suite 330
Fairfax, VA 22035

TRANSMITTED VIA E-MAIL

Dear Vice Chairman Alcorn:

Thank you very much for the opportunity to share an overview of Tysons Corner Center's (the "Center") thoughts on the proposed straw-man at the Planning Commission's Transportation Committee meeting last Thursday. Please accept this letter with additional detailed comments as part of the record for the Commission's consideration as it reviews options for the funding of transportation improvements in Tysons.

The Center recognizes that there are significant challenges ahead, particularly with transportation, as the vision for Tysons is implemented. Tysons Corner Center has invested in the construction of the Westpark Bridge and International Drive and worked with the Commonwealth to facilitate the inclusion of the Jones Branch connection to the Beltway as part of the 495 Express Lanes project. The Center was among the first to petition for the Phase I Metro Tax district. To date, the Center has contributed more than $17 million to the rail tax district and $5.8 million in C&I taxes. Beyond these special tax payments, Tysons Corner Center pays approximately $15 million annually in property taxes and last year alone collected almost $9 million in sales taxes for Fairfax County.

The Center has concerns with the service tax district as it is currently contemplated. There is uncertainty in the phasing of improvements in Table 7 and whether future development will materialize to necessitate the improvements and fund the developer share of Table 7. History has shown that actual demand for new commercial space in Tysons is far below the projections reflected in the analysis undertaken to-date.

The Center supports an equitable and incremental approach to achieving priority transportation improvements in Tysons. Just weeks ago, the leading solution to the private sector funded transportation solutions seemed to be the use of commercial proffers and

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micro tax districts (i.e. small tax districts) that could be phased in with development as it occurs. This approach continues to be our preferred solution.

Understanding the scale and urgency of addressing the present transportation needs in Tysons Corner, we believe that an affordable and appropriate list of immediate Tysons regional transportation improvements can be identified, funded and constructed to benefit all who live, work and visit Tysons. This short list could be prioritized by County staff and an advisory board comprised of traffic experts, property owners and stakeholders selected by the Planning Commission or Board of Supervisors. The shortlist would be fully funded by the tax district, with the remaining Table 7 projects funded by direct developer investment (i.e. proffered improvement, small tax district, Tysons Road Fund, etc.). Those funding the special district would realize the benefit of needed improvements regardless of whether additional development moves forward. If an appropriate and affordable list of projects is selected, the Center could support a service tax district that would be created to construct those projects.

As stated above, our preference to address the Tysons transportation needs related to the densities contemplated in the current Comprehensive Plan is the small tax districts. Alternatively, we propose that the County reduce the size and scope of the proposed service tax district so that an affordable and appropriate list of Tysons regional transportation projects can be financed and completed in the next five years. In combination with this, the County could utilize developer-initiated small tax districts and/or direct developer investment for specific improvements (similar to those that have been created in Merrifield and elsewhere in northern Virginia). We believe these tax districts can and should play a significant role as part of the funding solution. The Center would be happy to assist with the effort to refine the County's tax/service district effort if this would be beneficial to the County and Planning Commission.

Thank you again for your consideration of our concerns and suggestions. Please let me know if we may answer any questions or provide additional information.

Sincerely,

John E. Harrison
Vice President, Development

cc: Members of the Fairfax County Planning Commission (at the 6/26/12 meeting)
Barbara Lippa, Director of the Fairfax County Planning Commission

STRAWMAN COMMENTS ADDENDUM (June 26, 2012)

AFFORDABLE / WORKFORCE HOUSING

Gary & Ann Baise: Reconsider the decision to devote so much money to affordable housing; money should be used for transportation infrastructure.

Anne Gruner: Money for affordable housing should go to infrastructure needs.

Mark Quimby (Springfield): Concern about subsidized housing when Tysons has other pressing transportation needs, funding should be spent on transportation; shift $500M to transportation funding.

Bill Espinosa (Burke): Eliminate subsidized housing; apply affordable housing contribution to transportation; many taxpayers earn less than incomes in plan.

Thomas Cranmer: Doesn't support affordable housing for incomes as high as $120K; wrong project at the wrong time.

Jim Rutland: Fairfax County should not be subsidizing middle class taxpayers making $70,000 - $120,000; $500 million should be applied to transportation improvements; County taxpayers should not be stuck with the bill.

PROFFER REQUIREMENT

Janet Caldow (200 Chain Bridge Road LLC, Koons): Many parts of Tysons have no rezoning application; some applications are speculative; proffers are too burdensome; there is not unlimited capital to finance redevelopment; if all development money goes to proffers, will get mediocre design.

Tysons Partnership: Support contingent upon the current list of proffer requirements is reviewed and reconsidered for possible reduction in scope.

Thomas Meyer (Clyde Rest. Group, NV); Russell Marks (NV Commercial): The County staff and PCTC should review the list of expected proffers and give serious consideration to the modification or elimination of one or more proffers to help reduce the financial burden on future development.

Ruth Hoang (HOME): The totality of all proffers and transportation costs is a significant burden.

Christian Deschauer (Fairfax County Chamber of Commerce): Review proffer requirement for possible reduction in scope.

Shane Murphy (Cooley for Cap One): The County engage in a thorough discussion with the Tyson Partnership of the current proffer requirements for Tysons to ensure that such proffer amounts are sustainable and affordable.

Sally Horn (MCA): Two of the Tysons Partnership caveats concern MCA: (1) its call for a prohibition on additions to the Table7 inventory of required transportation infrastructure projects, and (2) its call for consideration of a reduction in "proffer requirements."

The support for the increased densities approved in the Comprehensive Plan Amendment was predicated upon the commitments offered by Fairfax County and the developer community of no decrement to the quality of life in the surrounding communities, no increase in traffic congestion, and the availability of necessary amenities within Tysons to enable it to function as a contained urban center. The County staff already has identified additional transportation projects that will be required to fulfill this commitment to the surrounding communities over the planning horizon. The developer community must contribute its fair share to funding those projects. Follow-through on the proffers is essential to fulfillment of the commitments made to the surrounding communities related to quality of life and traffic reduction and to help offset non-transportation-related capital costs associated with providing the basic services required by the permitted density. To the extent that necessary road improvements are not forthcoming or proffers are reduced, development must be scaled back. All too often in the past, County residents have suffered because commitments made by the development community or County were allowed to be ignored. We expect those commitments to be honored.

BOONE BOULEVARD DULLES TOLL ROAD RAMP

Kirk Abriola: Restrict roads from being located in the Old Courthouse EQC/RPA; preserve it as it stands today. The County has not provided adequate justification for running a road through any portion of this RPA.

Dragan Momcilovic: Ignoring the interests of the existing people living at Tysons and its vicinity, destroying the parkland and numerous habitats of wildlife inhabiting Tysons, and endangering the sensitive ecological system of the Old Courthouse Branch stream, a tributary to Difficult Run, is clearly unacceptable.

Janet Caldow (200 Chain Bridge Road LLC, Koons): Boone Blvd. planned 94' wide cross-section is too wide for pedestrians to cross, not walkable, not pedestrian friendly, may not connect anywhere if ramp is not built.

John Reiter (Greater Tysons Green Civic Asso.): Doesn't agree that Boone will benefit his community; green space serves as buffer; parkland is resource protection; serves as stormwater collection, wildlife and ecosystem; has historic significance. Strawman should reflect community's desire to protect parkland.

Bruce Wright: Support Boone and Greensboro ramps, but prefer fewer impacts on parkland; ramps too wide, can be redirected in a better manner so traffic can filter into neighborhoods.