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.			