TASK FORCE COMMENTS: "Straw Man" Plan Text

March 19, 2009

The Tysons Land Use Task Force Draft Review Committee is engaged in a review of the February 6, 2009 Straw Man Plan Text as submitted to the Tysons Corner Committee of the Fairfax County Planning Commission. This submission covers pages 1 though 34 of the Straw Man document.

The review is organized chronologically by type of comment, either Substantive or Other.

SUBSTANTIVE

Page 6: Paragraph 2: Drop "40 years" and add a bullet as follows: A redesigned Transportation System with circulator routes, community shuttles, and vastly improved pedestrian and bicycle routes and connections.

Page 7: The following comments address the Staff Comment on the Planning Horizon as delineated in the boxed text:

- The George Mason Study is treated in the staff comments as directing the Plan. It is not meant to be defining but rather as guidance. The projections are not meant to be limiting but are what GMU projects the market would support by the dates specified.
- Paragraph 2, third line—delete the phrase "can be reasonably" and replace it with "the market is projecting or capable of producing".

Page 19: Relocate all bullets under the sentence "The specific powers and responsibilities of the implementation entity may include:"

Page 21: The narrative on Regulatory Framework is not clear as to VDOT's role. "(E)xpedited permitting process" should apply across the board and not be limited to affordable/workforce housing.

Page 23: How phasing is to be accomplished remains to be defined. Once the transportation analyses are completed, information will be there to help plan phasing. There must be a careful balance established to ensure that infrastructure is put in place to support the development but that development is not inappropriately restricted. The language used will be critical and the issue can be addressed from both areawide and district perspectives.

Page 28: Under Office Mixed Use, the Task Force recommends that the commercial component should be 65% to 85% of total development; staff has changed this mix to 60% to 80%.

There needs to be some flexibility in the percentage distributions of uses, consideration of what those percentages mean for both individual projects and districts, and how situations are dealt with when one sector of the market is doing better than another.

Page 29: Third paragraph under Tiered Intensity: Rather than attach intensity to only "walk distance", there should be some flexibility in how that distance is determined, with the decisions at the district level trying to apply a commonsense approach.

The document states: "Within 400 and 600 feet of a circulator route, increased intensity may be planned. Achievement of the highest intensities will be contingent on reductions in single occupancy vehicle trips in areas closet to Metro and the circulators" The "may" should be "will" and density **is** to be associated with the circulators. While the goal of the circulators is to reduce single-occupancy vehicles and there may be TDM requirements, there do not need to be reductions in single-occupancy vehicle trips along the circulator routes prior to approval of projects.

In the fourth paragraph, last sentence, the Task Force and the consultants define TOD, transit-oriented development, as being within ½ mile of a metro station because people have been shown to walk ½ mile to and from the Metro.

Of even greater concern to the Task Force Committee is the statement at the end of the fourth paragraph "In areas beyond ¼ mile of the stations, maximum intensity can only be achieved if secondary transit such as a circulator system is available to link development to Metro" This statement/interpretation only allows for development around the station areas and within ¼ mile of the station and tries to too closely control development which is controlled by the market and economy. The Task Force report proposes densities for development in the TOD areas of ½ mile from the stations.

Page 31: Proposed Intensities Map

In the development of land use models, the issue of splitting density allocations when a parcel extends beyond more than one "distance zone" needs to be resolved with flexibility and actions at the district levels.

Page 32: Staff Comment on Intensity

The staff comment says "These intensities and bonuses are not supported by staff at this time." Also, "The Task Force established the maximum FARs with the understanding that they were to include land needed for such things as the proposed street network, transit circulators, and public parks and open space. Therefore land dedications for these purposes should not be eligible for density credit during the consideration of development applications and this should be made clear in the Plan text."

The Task Force Report did not eliminate density bonuses for the provision of community benefits and strongly disagrees with the staff statements on this issue. The Task Force did not intend for dedications to be subtracted from eligible land for calculating density.

The Task Force believes that land owners should be incentivized to dedicate their land for public use.

Page 33: Table 1: Maximum Allowable Floor Area Ratios by Distance Category

The staff includes a footnote (2) Beyond ¼ mile of stations, maximum intensity can only be achieved if secondary transit service such as a circulator system is available to link development to the Metro. The Task Force **did not** recommend that TOD densities be limited to ¼ mile unless the circulator system is available. The staff statement means that no development in the TOD areas between ¼ and ½ mile will be allowed without the circulators being operational. In order to get the ROW and possible funding for the Circulator system, development between ¼ and ½ mile **should be encouraged immediately**. Development along the proposed circulator routes (possibly with interim shuttle buses or partial systems) which will result in the necessary ROW and some portion of the funding will make the Circulator system possible and should be encouraged immediately, not precluded until the entire, final system is up and running.

OTHER

As a general guideline, where reasonable and appropriate, the committee recommends that references to "could" be replaced with "would", "should" with "shall" and "will" with "must".

Page 1: Paragraph 2, line 1: The word "transformation" is replaced with the word "development". While this change is editorial in nature, the fact remains that Tysons over the past 40 years developed; its transformation begins with implementation of the Vision for Tysons as proposed by the Task Force.

Page 3: Paragraph 3: Add the sentence: "These communities have also experienced substantial retail, office, and residential growth in the last fifteen years".

Page 9--

Item 2 (beginning on page 8): Add a fifth bullet as follows: Vastly improved pedestrian and bicycle access

Item 4: Insert the word "urban" before "recreation" in the second bullet and change the third to read "Meeting the community's needs for cultural, arts, and civic facilities. Add a fifth bullet as follows: "Addressing the imbalance of housing and jobs"

Item 5: Last sentence, insert the phrase "current rates of" before the words "real estate . . licenses.

Item 6: The implementation strategy is not an "approach"; it is an "entity" and the text must be changed accordingly.

Page 10, top of the page, last sentence is changed to read: The tiers of implementation strategy **should** include. Under Achieving the Vision, the first line in the second paragraph is changed to read "The auto-oriented streets of Route 7 and Route 123 **must** be transformed . . .

With reference to the transformation of Routes 7 and 123, the Task Force is concerned that the VDOT plans for these roads is not consistent with the Task Force vision and every effort must be made to work with VDOT before plans are implemented that would negate or compromise the Task Force concept.

The reference to the circulator in the second paragraph under the Vision section talks about the circulator routes. References to the circulator in the plan needs to include that the plan is to link the circulator routes to Metro in terms of scheduling and marketing. Further, the plan must make clear that the Circulator Routes are intended to be in place when the Metro is operational.

Page 15, Second paragraph, first sentence, is amended to read: Transforming Tysons necessitates a departure from past **suburban** approaches to planning and implementation. In the second sentence, insert the words "and frequent" between abundant and transit.

Page 16/17: The bullets are reordered as follows: First bullet: Implementation Entity; Second bullet: Funding Strategies; Third bullet: Public-Private Partnerships; Fourth bullet: Private-Private Partnerships; Fifth bullet: Regulatory Framework; and Sixth bullet: Phasing.

Further, Private-Private Partnerships is amended to read: Unprecedented levels of cooperation among landowners **is one tool** to obtain . . and Regulatory Framework is amended to read Regulatory tools **will .** . .

Page 17: References to the Circulator Routes must include text that makes clear the intent to have the circulators in place when the Metro is operational.
Page 18: The narrative on Parks and Open Space, Environmental Stewardship Strategies, and Civic Infrastructure is tentative and implies an ad hoc and piece-meal approach to implementation. The intent is that the Implementation Authority will ensure that the approval process is accomplished in concert with the vision, market situations, opportunity, and demand.

Land Use Section beginning on Page 25:

Second paragraph, first sentence: Amend the sentence to read "The pattern of land use in Tysons focuses growth **within walking distance** of the Metrorail stations and along the circulator route (s), tapering down to be compatible with surrounding residential neighborhoods."

The Task Force wants to review the statement "The area within ½ mile of Metrorail will be expected to capture over 75% of all development in Tysons". The Task Force believes that, due to existing and future ROW, parks, resource protection areas, and open space requirements, this statement may no longer be accurate. The committee recommends that the land use map be layered with the intensity map and the concept of captured development recalculated.

Page 26, last paragraph, last sentence, revise to read Housing can also be successfully co-located with public **and private** facilities . . .

Page 27: The map must be revised; it does not take into consideration current land owner plans under consideration. Examples of this include, in Tysons East, West*Group's development plans identify the Garfield building as residential but the land use map identifies it as mixed use: Westgate and Van Buren buildings should be residential, not office mixed-use; Johnson II should be mixed use, not office mixed use. There are many more instances where the map must be revised in order to be accurate.

Page 30: Second sentence, top of the page: "Areas beyond the influence of transit, as well as areas adjacent to the residential communities outside Tysons, will be consistent with existing intensity, or as described in the District and Subdistrict recommendations." The meaning of this statement is unclear. The focus here should be on reasonable transitions at the edges, not on maintenance of an existing condition.

Page 30, after last full paragraph, before "Table 1 shows…": The text should add the paragraph from the Vision document that follows the paragraph included to provide better context.

Page 31: Proposed Intensities Map

The Task Force committee believes that there must be a review of what uses and parcels would most likely remain unchanged to determine their impact on the total vision and actual expected density levels. On the map, Levels 1, 2, 3, and 4 intensities seem arbitrary. They should be established by actual circles centered on station entrances. Areas that are served by two crossing or parallel circulators should get higher intensities than those served by only one circulator.