

McLean Citizens Association



McLeanCitizens.org

January 21, 2008

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Supervisor Pat Herrity
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Re: Dulles Rail and the Tysons Corner Task Force

Dear Chairman Connolly and Supervisors:

The McLean Citizens Association (MCA) believes that potential developments concerning the Dulles Rail Project (Project) would have a significant, negative impact on the fundamental principle underlying the work of the Tysons Corner Land Use Task Force – the availability of rapid rail transit service from Washington, D.C., through Tysons Corner, and to the Dulles Corridor. Absent a guarantee of the physical presence of rail through Tysons Corner, the Task Force should not recommend, nor the County approve, additional density whatsoever. Indeed, even the so-called “Base Case, which is the increased density proposed by the previous (1994) Task Force,” was conditioned upon the availability of rail through Tysons Corner.

Under existing Fairfax County policy, additional density for Tysons Corner absolutely cannot be considered without rail.¹ Rail is, therefore, a necessary condition precedent to growth even to the Base Case level. This is explained below. Accordingly, should the Federal Transit Administration (FTA) make a decision not to fund the Project as currently proposed, or to delay

¹ By discussing rail herein, we are not suggesting that the availability of rail alone is sufficient to permit increases in density at Tysons. Existing County policy requires the availability of adequate public facilities of all types before further density can be approved. The County’s policy states: “land use policies [to] maintain an attractive and pleasant quality of life for its residents; provide for orderly and coordinated development for both public and private uses while sustaining the economic and social well-being of the County; provide for an adequate level of public services and facilities, including a system of transportation facilities, to sustain a high quality of life; and ensure sound environmental practices in the development and redevelopment of land resources.” Policy Plan, p.2.

or otherwise postpone consideration of federal funding for the Project, the work of the Task Force should also be suspended for the interim.

The MCA understands that the FTA is very close to making a funding decision for the Dulles Rail Project and that many knowledgeable individuals believe that the FTA may not agree to fund the Project as currently proposed. Further, Fairfax County supervisor John Foust and Virginia state senator Chap Petersen have separately asked the FTA for a “timeout” in its evaluation process for the Metrorail extension to Dulles. The timeout process, which would not cause the Dulles Rail Project to lose its place in line for potential federal funding, would permit further evaluation of the tunnel option and the use of competitive bidding to reduce the Project’s costs.

The MCA strongly supports the requests of Supervisor Foust and Senator Petersen. Indeed, we have recently urged other federal and state elected officials to make similar requests to the FTA. However, the purpose of this letter is not to discuss the merits of an administrative timeout. Rather, we are simply demonstrating that, without an active rail proposal, there can be no reasonable consideration of additional density up to, much less beyond, that contemplated by the “Base Case.” Our position is well supported.

For example, the Land Use Recommendations of the 1994 Tysons Plan condition higher densities on provision of rail through Tysons Corner, as described at pages 25-26 of the current Tysons Corner Urban Center portion of the Fairfax County Comprehensive Plan. That document states in part:

The Plan’s development potential for Tysons Corner is based on an analysis of future planned infrastructure and environmental constraints. The capacity of the planned transportation system (which includes rapid rail transit serving the Dulles Corridor and 18 additional lanes of roadway serving the area) is the major influence in establishing the area’s maximum development potential. By optimizing the capacity of the planned transportation system, Tysons Corner’s development potential was determined to be almost twice the area’s current (1993) development level. (p.25)

The effective Plan makes it crystal clear that, without rail, Tysons simply could not even be developed to 55 million square feet or the road system would be overwhelmed. “Under any scenario, the planned transportation system will need to be fully implemented including the provision of rapid rail service, if an acceptable level of service is to be maintained on the roadways.” (p.26) “Rail service through the center of Tysons Corner will best serve the existing and future employment concentrations, and is needed to accommodate the Plan’s maximum build-out.” *Ibid.*

The mission of the current Task Force maintains this requirement for rail.

In 2004 the county faced many proposed changes to the Tysons Comprehensive Plan as a result of the four planned Metrorail

stations. These changes represented the potential for substantial growth within Tysons, and the county recognized that it needed to update the existing Comprehensive Plan in order to plan for the future of Tysons Corner with rail. As a result the county authorized the Special Study of Tysons to evaluate the area's transportation system and land use and created the Tysons Land Use Task Force in March 2005 to consider the impacts of four planned Metrorail stations on land use within Tysons.
<http://www.fairfaxcounty.gov/dpz/tysonscorner/>

Existing County policy will not permit further development plans for Tysons absent these important transportation facilities. "Land use must be balanced with the supporting transportation infrastructure, including the regional network, and credibility must be established within the public and private sectors that the transportation program will be implemented." Policy Plan, p.2 (emphasis added).

As stated above, there are good reasons for sensible people to believe rail to Tysons, as currently proposed, may not occur – at least as quickly as was contemplated when the Board of Supervisors chartered the current Task Force. Yet, without the certainty of rail, County policy would not permit adding density to Tysons Corner. The MCA, therefore, urges the Board of Supervisors to make that clear to the public through an appropriate statement.

The MCA can certainly understand that frustration would occur should the current rail proposal not be funded or a funding decision be delayed. Many good people have worked long and hard on Task Force-related projects. But a desire to avoid frustration cannot trump County policy. The existence of rail and, indeed, adequate public facilities of all types, is a condition precedent to land use plan changes. When such condition precedent cannot be satisfied, for whatever reason, more density is simply out of the question based on the County's rules. In the event that the Task Force is prevented from recommending, in a lawful manner, more density, its work should be suspended unless and until the condition precedent is satisfied. To do otherwise would be to waste the time and talents of Task Force members, County staff, and interested parties. Such a result is not consistent with the public interest.

This is not to say that an FTA decision not to fund the current rail proposal means that rapid rail transit service would never come to Tysons Corner or that additional density at Tysons would be impossible in the future. MWAA and the Commonwealth might later decide, for example, to build rail through Tysons underground, but with only one or two stations; to build rail exclusively in the median of the Dulles Toll Road; or to replace rail with another form of rapid transit that is much more affordable than the current rail plan. In such an event, it would seem reasonable for this or a future Board of Supervisors to re-charter the Task Force to look at re-planning Tysons but with different facts.

In any event, however, the Board of Supervisors should make it clear that it will not permit planning for additional Tysons Corner density unless there is a certainty of the current plan for rail.

The MCA leadership would be more than happy to answer any questions you might have. Thank you for your time and thoughtful consideration.

Most sincerely,

A handwritten signature in black ink that reads "Rob Jackson". The signature is written in a cursive, flowing style.

Rob Jackson, President

cc: Senator Janet Howell
Delegate Jim Scott
Delegate Margi Vanderhye
Chairman Clark Tyler
Mr. Sterling Wheeler