

ASF | ARLINGTONIANS FOR OUR SUSTAINABLE FUTURE

6/2/2021 10:56 AM

To: mdeferranti@arlingtonva.us

Cc: CountyBoard; cao@arlingtonva.us; mschwartz@arlingtonva.us

Dear Mr. Chairman:

Following my presentation on related matters to the County Board on 12 December 2020, then Chairperson Garvey and I exchanged letters pertaining to that presentation, including the above subject matter.

Ms. Garvey's 29 January 2021 letter stated:

"I know ASF has long urged us to engage Tischler Bise to do a modeling study in order to further inform our decision processes for approving new development. If you were at the Civ Fed meeting with us on January 4, you heard that we are about to engage them to work with us."

On 31 January I replied:

"I noted that Falls Church has employed TischlerBise planning tools for some time. We look forward to learning more about and contributing to Arlington's new planning effort and hope that the capability developed will be prospective as well as retrospective in scope."

"We would be grateful if you would identify someone among the Board, Mr. Schwartz, and/or county staff we could contact so we may understand and help shape the anticipated scope/timing of an initial TischlerBise effort."

Not having yet received further communication on this matter I reiterate the ASF request for a contact point with whom we can engage on this matter. This is particularly germane at a time where we are entering the immediate post-covid crisis period and are facing possible "transformational" (the term used by the County Manager) changes in the demand for county and regional properties and related need for infrastructure and services.

Further, it has been clear to ASF for some time that the Falls Church implementation of the Tishler-Bise planning tool is most effective under the Falls Church proffer system. Under that system the jurisdiction can assess the potential impact of developer "asks" for additional density in a proposed project not just within the confines of the immediate project location or

proximate transit assets. Falls Church can thus assess the direct consequences of a particular development more broadly including additional costs such as infrastructure, parks, or schools. Thus, without detracting from the immediate need to coordinate with county staff on the scope of the current Tischler-Bise contract (either pending or awarded), we believe that this "transformational" period also presents an important opportunity to re-examine Arlington's "community benefit" approach and ensure developers help offset the incremental costs to County residents of a range of additional infrastructure and services required to support new development. The majority of jurisdictions in Virginia, including the City of Falls Church, Fairfax County, [Stafford County](#), and [Loudoun County](#) utilize, as you know, a proffer approach. A proffer approach could have a number of significant advantages to Arlington over our current system such as those realized by Falls Church.

Past Board review of a proffer approach was undertaken in coordination with the previous County Attorney who in 2018 opposed it based on legal arguments not fully disclosed to the public. Whatever legal rationale for non-disclosure may now be overtaken by the passage of time and, in any case, disclosure would afford us the opportunity to discuss this subject with the acting or new County Attorney and/or the County Board. Such a discussion should begin soon.

Please reply on behalf of the Board to these two requests.

Sincerely,

Charles J. Henkin for ASF