STATEMENT OF JUSTIFICATION
EXCHANGE PLACE
ZONING MAP AMENDMENT

December 20, 2024

I. Overview

This project seeks approval to demolish existing office structures and construct a 400-unit multifamily residential building and garage, and 62 stacked (or back-to-back) townhouse units along a new urban street grid with quality open space, amenities, streetscape, and bicycle facilities to realize the Town's recently adopted Transit-Related Growth (the "TRG") area vision.

A. Application: Zoning Map Amendment
B. Applicant: Herndon Van Buren LLC
C. Address: 250 Exchange Place, Herndon, VA 20170
D. Parcels: 016-4 ((10)) 0001B (the "Site" or "Property")
E. Site Area: 410,222 sf (approximately 9.42 acres)
F. Existing Use: Office
G. Proposed Use: Residential (multifamily, stacked (or back-to-back) townhouse)
H. Existing/Proposed Zoning District: O&LI (Office and Light Industrial District) / Proposed district is to be determined

II. Background

This Zoning Map Amendment ("ZMA") application (the "Application") is filed on behalf of Herndon Van Buren LLC (the "Applicant") as title owner of the property located at : 250 Exchange Place (the "Property" or the "Site") also identified as Tax Map parcel 016-4 ((10)) 0001B. The Property is within a larger area comprised primarily of low-rise office and industrial spaces developed during the 1980s and 1990s.

The Property is currently home to the Van Buren Office Park, a 5-building complex of 1-story office buildings and surface parking that was built in the mid-1980s. The buildings are positioned to soon need to renew leases, which would also require extensive building system upgrades, or the Property can transition to a new and better use. The ownership team believes the Site is positioned to transition to a new residential neighborhood in order to achieve the vision laid out by the recently adopted TRG Small Area Plan (the "SAP").

The Property is part of a new Small Area Plan (Transit-Related Growth Area #CPA 23-01) that was recently adopted (04/23/24) by Town Council. The Applicant team was heavily involved in supporting that public effort. The adoption of the TRG SAP precipitates the need for new Zoning Districts through a Town Zoning Ordinance Text Amendment (the "ZOTA"). This ZOTA (#24-02 PD-TRG1) is currently under review. Planning Commission at their 11/18/24 recommended approval of a draft ZOTA. Town Council, will consider the ZOTA in January 2025. Afterwards another ZOTA for the proposed stacked townhouse portion of the Application will be considered. We understand, in discussions with Town Staff and the Town Manager, that we are proceeding with this ZMA

application at our own risk given uncertainties regarding the Zoning requirements that will ultimately govern this Property. It is our intention that review of this ZMA application will benefit staff, the public, and other TRG landowners by testing certain draft Zoning requirements with this real-world proposal. It is our hope that during the early review of this ZMA application the ZOTA will be adopted by Town Council.

III. Location and Existing Conditions

The approximately 9.42 acre Property is located on the north side of Herndon Parkway, east of Exchange Place. The Property is zoned O&LI (Office and Light Industrial District). It currently consists of five 1-story office buildings constructed in the mid-1980s, served by surface parking. The Site has two vehicular access points from public rights of way, one from Herndon Parkway, and one from Exchange Place. Land to the west is zoned O&LI and developed with 1980s and 1990s era low-rise office uses. A sliver of land to the north is zoned R-10, and includes the single family detached Van Buren Estates subdivision. The remainder of land to the north is zoned Planned Development Business, and O&LI and consists primarily of public storage and industrial-flex space. Land to the south, on the south side of Herndon Parkway is zoned O&LI and includes the Fairbrook development site. Finally, land on the south side of Herndon Parkway is zoned Planned Development Transit Oriented Core and is developed with 1980s and 1990s era low and mid-rise office, which include several development approvals for high-rise mixed uses.

IV. Development Program

The Application will implement the Town's Comprehensive Plan vision of creating a new urban residential neighborhood consisting of medium and low-density residential uses identified by the recently adopted TRG SAP. The proposal places the 6-story multifamily building along Herndon Parkway, and places the stacked townhouses further north, both per the TRG SAP guidance. The building locations, along with location of other site elements such as landscape buffers are strategically located to both buffer less intense uses (single family detached to the north) while relating to the surrounding and future uses. The Proposal will replace a suburban, automobile-centered design with a more balanced approach that caters more to pedestrians and bicyclists. By providing an inviting, engaging streetscape environment along with an attractive passive and active public open space the proposed plan prioritizes pedestrian and bicyclist safety, convenience, and comfort.

Uses

Two residential uses are proposed for the Site, multifamily residential dwellings, and stacked townhouse dwellings. We are proposing the option to alternatively provide "back-to-back" townhouse dwellings instead of the stacked. A midrise (6-story) multifamily residential building would occupy the southern portion of the site fronting on Herndon Parkway, with stacked townhouses in the northern portion of the site closer to existing residential neighborhoods. In total, approximately 462 total residential units are proposed - 400 multifamily units (approximately 420,000 gross floor area), and 66 stacked towns (approximately 160,000 gross floor area). The overall proposed gross floor area is approximately 580,000 square feet or approximately 1.41 FAR. In terms of dwelling units per acre, overall the proposal is for approximately 49.05 dwelling units/acre.

Multi-Family

An approximately 400-unit, midrise (6-level) residential building will front on Herndon Parkway in an east-west orientation. The building is essentially a large "ring" shape with a corridor of residential units down the middle of the "ring" forming two voids within the residential building. The void on the west will contain a multilevel parking structure. The void on the east will contain an outdoor private amenity space. Neither the garage nor the private amenity space will be visible from the street due to their being completely wrapped with residential units. The building's lobby will be oriented to the Herndon Parkway streetscape nearest Fairbrook Drive. Fairbrook Drive will also have on-street parking, some of which we hope to be marked for short term parking for drop-offs such as Uber and Door Dash. Based on staff's preapplication comments, collocating the lobby and short term parking closer to Exchange Place was not preferred. The lobby and other active common areas will line most of the Herndon Parkway streetscape, helping to activate the sidewalk as much as possible. Vehicular access into the garage is provided off of Park Drive along the north. Loading, refuse, and recycling is located off Exchange Place, as far away from Herndon Parkway as possible. The maximum proposed building height is 85 feet (6 floors).

Stacked Townhouses

The approximately 62 stacked (or back-to-back) townhouses are proposed in the northern portion of the site. There will be 31 building footprints. One row of units fronts along Park Street, creating a strong urban street edge for this new street. A second row of units will front on Private Road B with two additional small rows north of Private Road B. The massing and density for this product type is in keeping with the TRG SAP's idea to step down density and building heights in the portion of the property closest to the existing residential neighborhood further north. These stacked townhouses consist of 4-levels with rear-loaded garages off alleys. The bottom two levels consist of the garage as well as the first unit. The second larger unit sits on the top two levels. The maximum proposed height is 55 feet.

Streets and Access

The Site is bounded on the south by Herndon Parkway, and on the west by Exchange Place, two public rights of way. The Proposal will build two new streets per the TRG SAP guidance. Fairbrook Drive will be built through the eastern portion of the site, and Park Drive will be built through the center of the site, parallel to Herndon Parkway. The two access points into the site are both from Herndon Parkway. One off a new intersection at Fairbrook Drive and Herndon Parkway, the other at the existing intersection of Exchange Place and Herndon Parkway. A series of private roads and alleyways connect the stacked townhouses to both Park Drive and Exchange Place. These new streets and alleyways form part of a new urban street grid for the neighborhood, and will permit logical connections with surrounding properties when they redevelop in the future. The multifamily building's garage access is off of Park Drive, and the loading and refuse/recycling are off of Fairbrook Drive. Short term parking for drop-offs such as Uber and Door Dash are anticipated to be within several on-street parking spaces on Fairbrook Drive, adjacent to the multifamily building's lobby on Herndon Parkway.

Building Setbacks and Landscape Buffers

The multifamily building is setback approximately 22 feet from Herndon Parkway's face of curb. The building is approximately 36 feet from Park Drive's face of curb (28 feet if you exclude the 8 feet of horizontal space for on-street parking). A balcony element of the building projects 2' into this space, however we believe these balconies will help to activate the pedestrian sphere and also mimic/compliment the massing and pattern of the stacked townhouses on the other side of the

street. In addition, along Park Street, stoops sit within the building zone, further activating the pedestrian realm. The multifamily building setback from Fairbrook Drive's face of curb is approximately 26.5 feet (18.5 feet if you exclude the 8 feet of horizontal space for on-street parking). The building setback along Exchange Place is large along most of its frontage due to the existing Dominion Virgina transmission line easement, however the building setback at the far northwestern corner along Exchange Place is much narrower and is setback approximately 30 feet from Exchange Place's face of curb.

The stacked townhouses are setback approximately 26.5 feet from Park Drive's face of curb (18.5 feet if you exclude the 8 feet of horizontal space for on-street parking). Along Exchange Place, the closest unit/pinch point for the row of units along Park Drive is setback approximately 23 feet from the face of curb.

Along the northeastern property line, abutting the commercial uses, the units are setback at least 66 feet from the property line, and at least 52 feet from the residential uses. A landscape buffer is provided along the entire northern/eastern property line. The buffer varies in width but is 50-70 feet wide abutting the existing residential. Abutting an existing offsite stormwater pond that serves the existing residences, the buffer narrows from a maximum of 50' to the narrowest point of 15' wide. The buffer is heavily planted with trees, shrub plantings, ground cover, and enhanced plantings. Trees will be planted where possible to further enhance the landscape buffer, but most of the land along this periphery contains several large utility easement (stormwater and sanitary sewer) serving offsite uses properties. A fence will run along the property line and/or between the stacked townhouses and the existing residential. Please see GDP plan sheet #13 and 13.1 for detailed information of the landscape buffer. The landscape buffers along the four streets are as described below in "Streetscape and Bicycle Facilities."

Streetscape and Bicycle Facilities

The Project proposes to improve the existing streetscapes along Herndon Parkway and Exchange Place. Streetscapes will be built along the newly constructed Park Drive and Fairbrook Drive. Both Herndon Parkway and Park Drive will include off street bicycle facilities.

Herndon Parkway will include a 22' wide streetscape. This includes a 8' wide tree zone, 8' wide shared use bicycle/pedestrian facility, and a 6' wide (private) building zone.

Exchange Place's frontage along the multifamily building will have a varied streetscape width but will include a minimum 30' wide streetscape. This includes a 13' wide tree zone, 6' wide sidewalk, and a 13' wide (private) landscape buffer. Exchange Place frontage along the stacked townhouse block has a varied streetscape width. The closest unit/pinch point for the row of units along Park Drive is setback approximately 23 feet from the face of curb. Within the setback streetscape includes an approximately 9' wide tree zone, 6' sidewalk, and 8' space for landscaping. For the row of units further north, the closest unit is setback approximately 19' from face of curb. The 19' includes an 8' wide tree zone, 6' sidewalk, 5' space for landscaping.

Park Drive's south side frontage along the multifamily building will include a 28' wide streetscape. This includes a 6.5' wide tree zone abutting the parallel parking, 9" concrete wedge, an 8' wide 2-way cycle track, another 9" concrete wedge, a 6' wide sidewalk, and a 6' wide (private) building zone. Park Drive's north side frontage along the stacked townhouse block will include an 18.5' wide streetscape. This includes a 6.5' wide tree zone, 6' wide sidewalk, and a 6' wide (private)

building zone. Park Drive will include 8' wide on-street parking spaces on both the south and north side of the street. Within the portion of the tree zones abutting the on-street parking, we will provide paved step-offs for these on-street parking spaces.

Fairbrook Drive's west side will include an 18.5' wide streetscape. This includes a 6.5' wide tree zone, 6' wide sidewalk, and a 6' wide (private) landscape/tree zone. Fairbrook Drive's east side abutting the proposed open space will include a 12.5' wide streetscape. This includes a 6.5' wide tree zone, and a 6' wide sidewalk. There will be 8' wide on-street parking spaces on both the east and west sides of the street. Abutting tree zones will include paved step-offs for these on-street parking spaces. We are requesting that several of these on-street parking spaces be marked for short term parking for drop-offs such as Uber and Door Dash, adjacent to the multifamily building's lobby on Herndon Parkway.

Secure, weather-protected bike parking will be provided for multifamily residents within the parking structure. They will be parked at a rate of 0.20 bike stalls/unit, or 400 units x 0.20 stalls = 80 bike stalls. Adjacent to this, we will also provide a space for bicycle repair and maintenance.

Open Space and Recreational Facilities

The project provides approximately 42% open space on approximately 4 acres (175,000 sf). This includes both publicly accessible open space, and private open space. Additional private open space not counted towards these numbers is provided within the private ground level courtyard of the multifamily building for multifamily residents and guests. Large areas on the east and west side of the Herndon Parkway frontage are set aside for publicly accessible open space. These open spaces will be coordinated with the proposed streetscape improvements to enhance the functionality of the open spaces

Parking

Parking for the multifamily building is provided within a parking structure. This includes all visitor parking for the multifamily building. The project is required to provide 1.25 space/unit or 500 parking spaces (1.25 x 400 units = 500 parking spaces). The project provides 515 parking spaces within the garage. This does not include on-street public parking. 2% of the total multifamily parking spaces will be EV charging spaces and 15% will be EV-ready (inclusive of the 2%).

Each townhouse unit will include one garage space below the unit, and one driveway space outside of the alleyway, along with 35 surface parking spaces within the private streets of the townhouse development block. The project is required to provide 2.3 space/unit or 143 parking spaces (2.3 x 62 units = 143 parking spaces). The project provides 159 parking spaces within 124 spaces being on-lot and 35 on-street spaces.

In addition, beyond the above parking spaces, there are 43 additional on-street parking spaces on Park Drive (26 spaces) and Fairbrook Drive (17 spaces). Several of these are proposed for short term/drop-off parking on Fairbrook Drive near the multifamily lobby for Uber and Door Dash type functions.

Transportation Impact Analysis

The Applicant is coordinating the TIA with appropriate Town staff. The Applicant held a TIA scoping meeting with staff on 05/16/24 and received the signed scoping document on 05/30/24.

The TIA study was submitted to staff and staff has provided comments. TIA responses will be provided to appropriate staff on a parallel track within the next few weeks.

V. Complies With Comprehensive Plan's Redevelopment Criteria

For the reasons stated below, this application fully complies with the Comprehensive Plan's Redevelopment Criteria.

1. Where the property proposed for development adjoins areas that are Neighborhood Conservation, potential impacts upon the residential area should be a primary factor. The effectiveness of mitigation of those impacts through physical separation as well as constructed and vegetated buffer treatments shall be a major consideration in evaluating proposals.

   Response: The proposal mitigates impacts on the adjacent residential uses to the north and east by proposing a less intense use (residential) than exists today, and by providing structure setbacks, landscape buffering, and focusing the taller buildings on the portion of the site further from the residential uses.

2. Compatibility with existing land use and zoning shall be a primary factor, particularly where there are stable long-term uses in place.

   Response: We believe the proposed multifamily and stacked townhouse uses are compatible with existing and future surrounding uses which include (existing)residential to the north and office and industrial uses to the west and east. The most dense portions of the project will face the surrounding office and industrial uses.

3. Industrial uses shall be considered only when they can demonstrate excellence in meeting performance standards of the zoning ordinance, excellence in site design and buffering and avoidance of negative impacts on the environment.

   Response: Not applicable

4. The extent to which a proposal features beneficial consolidation of parcels with an effective master plan of development.

   Response: Parcel consolidation is not proposed. However, the size of the project assemblage allows for a functional and effective site layout.

5. The extent to which a proposal removes a property from a non-conforming status with respect to the zoning ordinance or if conforming due to a variance, the extent to which the proposal removes the current use and provides for a use allowed in the applicable zoning district.

   Response: Not applicable

6. Public Services Impact: Development applications should be evaluated for their impact on public services. For example, commercial and residential uses should have easy

access to mass transit routes and public recreation areas. Impacts on schools, parks and recreation, public safety, water and sewer infrastructure, transportation and traffic impact must be mitigated or alleviated in development applications.

Response: The development is adequately served by all public facilities, with any impacts to be mitigated.

7. Use of environmentally sound practices including green roofs, natural (especially wooded) open space corridors/areas as transition zones, visual amenities and buffers. Use of natural site amenities (e.g., quality trees, streams, etc.) through sensitive building placement, street and parking lot design/construction.

   Response: The project will include environmentally sound building practices.

8. Efforts to minimize the amount of impervious surface and provision of stormwater management facilities which can be retained as open space amenities. Use of bioretention and best management practices for stormwater retention wherever possible.

   Response: The project will minimize the amount of impervious surface on site, to the extent practicable.

9. Mitigation of noise impacts of the development and/or adjacent streets.

   Response: Landscape buffers will be provided to mitigate some noise impacts. In addition, proposed buildings will block much of the potential noise impacts on existing residential to the north.

10. Provision of wired fiber optic, wireless capabilities or other technologies to eliminate the need for satellite dishes in commercial and residential areas.

    Response: The project will install communication lines underground.

11. Placement of native trees and woody vegetation for energy conservation and other positive impacts. Planting of canopy shade trees in planting islands, serving to provide shade, reduce heat, absorb stormwater and visually break up large parking areas.

    Response: The project will install some native plantings and will include required landscaping along the public and private streets and open spaces.

12. Use of architectural masses scaled to relate positively to the site and to adjacent uses through consideration of building size, design, siting, setbacks and landscaping.

    Response: The tallest building heights and largest building masses are proposed to face Herndon Parkway while the shorter buildings with smaller massing will face the adjacent residential uses.

13. Mitigation of height impacts of proposed structures on existing neighboring structures through consideration of factors such as architectural design, provision of generous buffer areas, and avoidance of blocking sunlight to adjacent structures; neighborhood reception to the proposal should be considered.

Responses: The tallest building heights and largest building masses are proposed to face Herndon Parkway while the shorter buildings with smaller massing will face the adjacent residential uses.

14. Use of structured parking whenever possible; integrate parking decks into overall building architecture.

    Response: Structured parking will be utilized for the multifamily building, and will be fully wrapped with the multifamily units.

15. Provision of secure bicycle parking areas.

    Response: Secure bicycle parking will be provided.

16. Incorporation of pedestrian plazas at major building entrances, featuring special paving, seating, plantings and water features such as fountains.

    Response: A pedestrian plaza will be provided, along with the required associated amenities.

17. Provision of outdoor architectural elements such as trellises, kiosks, public art and bus shelters.

    Response: The project provides streetscape and landscape elements.

18. Integration of on-site service (e.g., loading areas, trash collection containers, or utility substations) and amenity features into overall functional and design scheme; provision of a high quality image to all off-site public views.

    Response: The project incorporates service areas in a way to minimize their aesthetic impact as viewed from within the site, and from outside of the site.

19. Placement of utility lines underground, screening and landscaping utility substations and service areas from public view.

    Response: As much as feasible, utility lines will be placed underground, and any above ground utility structures will be screened and hidden as much as possible.

20. Assistance with the provision of a continuous pedestrian/open space system linking the project to existing and planned community amenities and activity nodes.

    Response: The project will provide new and improved pedestrian and bicyclist facilities along both Park Drive and Herndon Parkway. New and improved pedestrian links will also be provided along Exchange Place and Fairbrook Drive. In addition, two major open space amenities will be provided along Herndon Parkway.

21. Consolidation of parcels wherever possible. This results in opportunities for better site design, more efficient use of site, better drainage controls, fewer curb cuts, and better landscape design.

Response: Parcel consolidation is not proposed. However, the size of the project assemblage allows for a functional and effective site layout.

VI. Complies With Transit-Related Growth Area's Plan Principles

1. A LIVE-WORK-RIDE-PLAY COMMUNITY

   The TRG will realize different sub-areas with differentiated predominant uses and densities, like neighborhoods within the larger area, resulting in a self-sustaining community where residents meet all, or most of their needs, within a short distance. This future will incorporate abundant mixed-use development and affordable multi-family housing, configurations of uses that support transit-related lifestyles, memorable destination uses, and central public neighborhood assets like parks and retail.

   Response: The proposal provides for a mix of housing types and at a density that is both economically viable and that will support the Town's investment in transit facilities. The publicly accessible open spaces along Herndon Parkway will help to create a sense of place and achieve the Town's vision for this new neighborhood.

2. CONNECTED REDEVELOPMENT

   The future TRG will realize cross-parcel connectivity that fosters more vehicular routes and pedestrian and bicycle connectivity, more like a truly integrated part of the town of Herndon, rather than concentrating all circulation and access on the Herndon Parkway. This new network will augment trails, cycle tracks, and the vehicular network, integrate connections to Metro, Sugarland Run Trail Park and the W&OD trail, rethink the Herndon Parkway as a multi-modal Parkway, and generate a porous landscape of development that encourages walking and next-gen personalized mobility, as well as greater connectivity with surrounding residential neighborhoods.

   Response: The proposal is to build two new streets, which include generous streetscape, on street parking, and bicycle facilities. In addition, it will improve the existing facilities along two existing streets. The design of the streets will also enable logical future extensions to abutting properties. This will be an integral part of realizing the Town's TRG SAP urban street grid.

3. LANDSCAPE AS A DRIVER

   The TRG will be defined by a rich landscape environment. Greenery, open space and parkland is a major characteristic of the Town of Herndon. The TRG site area is largely impervious surface today, but in the future will become much greener by integrating and elevating Sugarland Run as a placemaking asset, growing a network of naturally-connected open spaces, imagining redevelopment that is green and environmentally performative, and affirming a commitment to sustainability across all development.

   Response: The proposal is for over 43% open space, most of which will be pervious surface and will include richly landscaped areas. Most of this will be publicly accessible, and is located and designed to be highly visible and accessible to the

public. Inviting green, open spaces are located along Herndon Parkway on both the east and west end of the frontage.

For all of the aforementioned reasons, the Applicant respectfully requests that Staff and Planning Commission endorse, and the Town Council approve this Zoning Map Amendment application.