WIRE GILL LLP

Kenneth W. Wire
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703-677-3129

June 27, 2025

VIA HAND DELIVERY AND EMAIL
Lisa Gilleran, Director
Community Development
Town of Herndon
777 Lynn Street
Herndon, VA 20170

RE: 250 Exchange Place ZMA #24-01, Modification Request for Parking Structure Landscape Requirements

Dear Ms. Gilleran,

As you are aware, our client, Herndon Van Buren LLC, is the owner of the property located at 250 Exchange Place, Herndon, Virginia 20170 (the "Property"). Our client has submitted a Zoning Map Amendment application (the "Application").

As part of this Application, we are requesting a modification of the landscape requirements for parking structures in Section 78-51.2.I.1 of the PD-TRG1 District. Modifications are permitted by Zoning Ordinance Section 78-50.2(d).

We request a modification of the requirement for shade trees or shade structures on our multifamily parking structure. It is our understanding that the intent of the requirement is to reduce the "heat island" effect. In our proposal, the multifamily building wraps the parking structure on all sides, and is mostly taller than the parking structure. Specifically, the southern half of the parking structure is shortest and is therefore the most shaded given the southern sun exposure for most of the year. This will result in a parking structure that will be mostly shaded by the building for a large part of the day, during most of the year.

We believe this modification request meets the standards set forth in Zoning Ordinance Section 78-50.2(d). For the reasons listed above, the Applicant respectfully submits this modification request.

Sincerely,



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Lisa Gilleran, Director
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777 Lynn Street
Herndon, VA 20170

RE: 250 Exchange Place ZMA #24-01, Modification Request for Private Amenity Space Width Requirement

Dear Ms. Gilleran,

As you are aware, our client, Herndon Van Buren LLC, is the owner of the property located at 250 Exchange Place, Herndon, Virginia 20170 (the "Property"). Our client has submitted a Zoning Map Amendment application (the "Application").

As part of this Application, we are requesting a modification of the requirement that there shall be a private amenity space between six feet and 20 feet from the edge of the sidewalk to the building façade along all streets in Section 78-51.2.(f)(4) of the PD-TRG1 District. Modifications are permitted by Zoning Ordinance Section 78-50.2(d).

We request a modification of the requirement for the dimension of the private amenity space. 48% of our building frontage, or 700 linear feet of the overall building's 1,435 linear feet meets the 6-20' private amenity space requirement. The remaining 52% is of the building has private amenity space that is larger than 20' due to the reasons listed below:

- Areas along Exchange Place are beyond the 20' due to the Dominion easement.
- Limited areas along Fairbrook Drive are beyond the 20' due to the shape of the building, which is reflective of the uniformity of units interior to the building along a frontage that is "diagonal" to the building façade. In other words, based on staff and ARB input, we "pushed" the building back from the street at certain points, creating a wider streetscape and creating a varying building massing. But this results in the larger than allowed private amenity space.
- Areas along Herndon Parkway are further than 20' due to the architectural design of the building, which includes the colonnade. This feature itself is 'under' the building but the façade within the colonnade is beyond the 20' maximum distance. This colonnade supports the "sawtooth" building design above, but also allows for a larger streetscape to provide potential alternative pedestrian space along the busy, wide Herndon Parkway.

We believe this modification request meets the standards set forth in Zoning Ordinance Section 78-50.2(d). For the reasons listed above, the Applicant respectfully submits this modification request.

Sincerely,



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Town of Herndon
777 Lynn Street
Herndon, VA 20170

RE: 250 Exchange Place ZMA #24-01, Modification Request for 60-Foot Building Setback from Single Family Residential Zoned Property

Dear Ms. Gilleran,

As you are aware, our client, Herndon Van Buren LLC, is the owner of the property located at 250 Exchange Place, Herndon, Virginia 20170 (the "Property"). Our client has submitted a Zoning Map Amendment application (the "Application").

As part of this Application, we are requesting a modification of the (draft TRG2 District) requirement that there shall be a minimum 60-foot building setback from any existing property zoned for single family residential in (draft) TRG 2 Dimensional Standards Section 78-51.3(f)(5) of the PD-TRG2 District. Modifications are permitted by Zoning Ordinance Section 78-50.2(d).

As you are aware, the Planning Commission recommended draft TRG2 Zoning district language to Council on 06/23 that includes the above listed requirement. We anticipate that Council will adopt this portion of the language as recommended by PC.

Our northern property line abuts an existing single family residential zoning district, so the proposed 60-foot building setback would apply to our proposal. We request a modification of the requirement for the 60-foot building setback. At the closest point, one stacked townhouse unit's corner is 59' from the northern property line. Complicating matters is the triangular shape of the site. Please see plan sheet #s 04, 13, and 13.1 for depictions.

In extensive discussions and negotiations with staff, and internally, our team has explored dozens of different site layouts that will both accommodate building setback and landscape buffer requirements, while simultaneously supporting the Application's required utilities, streets, sidewalks, bike lanes, private amenity spaces, landscaping (among other requirements), along with an existing 34' wide utilities easement for large (60" diameter) stormwater and sanitary sewer utilities serving the southeastern quadrant of the Town, that simply pass through our site. The existing utilities are a key driver of the site design, including the 59' building setback. In addition, the We explored shifting the utilities to various parts of the site and were unable to make them work due to the existing horizontal and vertical (elevation) location of the offsite utility infrastructure we must tie into. This is the optimal location to meet the requirements, while allowing for a financially viable number of stacked townhouse units.

We believe this modification request meets the standards set forth in Zoning Ordinance Section 78-50.2(d). For the reasons listed above, the Applicant respectfully submits this modification request.

Sincerely,



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RE: 250 Exchange Place ZMA #24-01, Modification Request for 50-Foot Landscape Buffer Along Single Family Residential Zoned Property

Dear Ms. Gilleran,

As you are aware, our client, Herndon Van Buren LLC, is the owner of the property located at 250 Exchange Place, Herndon, Virginia 20170 (the "Property"). Our client has submitted a Zoning Map Amendment application (the "Application").

As part of this Application, we are requesting a modification of the (draft TRG2 District) requirement that there shall be a minimum 50-foot landscaped area from the parcel line of any property zoned or used for single family residential in (draft) TRG 2 Dimensional Standards Section 78-51.3(j)(1) of the PD-TRG2 District. Modifications are permitted by Zoning Ordinance Section 78-50.2(d).

As you are aware, the Planning Commission recommended draft TRG2 Zoning district language to Council on 06/23 that includes the above listed requirement. We anticipate that Council will adopt this portion of the language as recommended by PC.

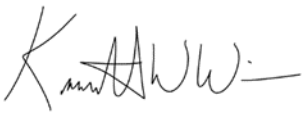
Our northern property line abuts an existing single family residential zoning district, so the proposed 50-foot landscape buffer requirement would apply to our proposal. We request a modification of the requirement for the 50-foot landscape buffer. At the narrowest pinch point, along stacked townhouse units 61 and 62, the buffer would be 25' wide. Further north the proposed buffer is 65' wide and further south it is 54.5' wide. Complicating matters is the triangular shape of the site. Please see plan sheet #s 04, 13, and 13.1 for depictions.

In extensive discussions and negotiations with staff, and internally, our team has explored dozens of different site layouts that will both accommodate the landscape buffer requirement, while simultaneously supporting the Application's required utilities, streets, sidewalks, bike lanes, private amenity spaces, landscaping (among other requirements), along with an existing 34' wide utilities easement for large (60" diameter) stormwater and sanitary sewer utilities serving the southeastern quadrant of the Town, that simply pass through our site. The existing utilities are a key driver of the site design, including the 50' landscape buffer requirement. In addition, the We explored shifting the utilities to various parts of the site and were unable to make them work due to the existing horizontal and vertical (elevation) location of the offsite utility infrastructure we must tie into. The 34' wide utilities easement can not be landscaped. Only turf is allowed. It is also worth noting that one of the abutting

offsite single family zoned parcels is a stormwater facility, which includes landscaping, and can not include a residence. The proposed landscape buffer is the optimal design to meet the requirements, while allowing for a financially viable number of stacked townhouse units.

We believe this modification request meets the standards set forth in Zoning Ordinance Section 78-50.2(d). For the reasons listed above, the Applicant respectfully submits this modification request.

Sincerely,



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