

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 22, 2011

Resolution— Comprehensive Plan Amendment #10-01--Downtown Master Plan.

WHEREAS, in 2009 the Town Council determined that the current Comprehensive Plan policies governing downtown development did not adequately or correctly reflect the community's vision for future development in downtown Herndon; and

WHEREAS, the Town Council sought to ascertain the community vision for future downtown development through a community based planning process coordinated, recorded and interpreted by a team of consultants comprised of recognized professionals in the fields of urban planning, real estate development economics, architecture, historic preservation, and civil and transportation engineering; and

WHEREAS, the Town Council appointed the Downtown Master Plan Steering Committee to work with Town staff and the consultants during the process of determining and recording the community's vision for the downtown, and to recommend to the Town Council and Planning Commission particular development goals and preferred options for future development in the downtown; and

WHEREAS, the Planning Commission has reflected upon the recommendations of the Downtown Master Plan Steering Committee, comments from the public, consultant and staff recommendations and is recommending adoption of Comprehensive Plan Amendment #10-01 with recommendations concerning the type and location of future structures, methods of ensuring quality development reflecting the community's preferred vision of the future downtown, methods of financing necessary or desirable public infrastructure, and techniques for simplifying and decreasing risks for the private sector wishing to invest and develop within downtown Herndon; and

WHEREAS, the Town Council has considered Comprehensive Plan Amendment #10-01, including detailed graphics and the results of several reports generated by the consultants (Urban Design Associates, Streetsense, Frazer Associates, The Eisen Group, Alvarez and Marsal, VHB and Bohler Engineering,) town staff, as well as the findings and recommendations of the Downtown Master Plan Advisory Committee and the Planning Commission (as expressed in a resolution approved on December 6, 2010), and public comment.

BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that

Based on a planning process involving extensive community input, which served as the basis for the development of a detailed design, the Town Council approves a revised form of development for the land area identified as Downtown Sectors 1 through 3 and a small part of Sector 6 along Center Street. The revised form of development is less dense than the adopted 2030 Comprehensive Plan and the adopted Zoning Ordinance allow. This revised form of development that the Town Council approves is also less dense than major downtown redevelopment proposals that the town has received in recent years. However, this general plan for development allows a substantial increase in density for properties currently zoned Central Commercial while recognizing the desire of the community to retain an appropriate scale of development within and adjacent to the historic downtown core. Further, the Council wishes to emphasize the form of the approved plan as well as the detail of specific buildings. The council views the plan and its level of detail as necessary to demonstrate the physical and financial viability of the plan as well as the form and architectural character of buildings and public spaces; yet the plan should be interpreted as a vision with flexibility where various land uses may be substituted at specific sites while retaining consistency with the general approach of the plan as to the placement of buildings, parking, public streets and spaces, and particularly stringent consistency to the façade massing and height of structures, and the architectural character and quality of development.

Toward these ends and to enhance the long term viability of the downtown while encouraging sustainable development per the town’s comprehensive plan policies and the town’s implementing ordinances, the Town Council approves and adopts Comprehensive Plan Amendment CPA #10-01 – Downtown Master Plan, as recommended and certified by the Planning Commission on December 6, 2010, including the CPA #10-01 documents on file in the Department of Community Development and incorporated by reference, subject to the following clarifications, amendments and future actions by the Town Council:

A. Clarifications, Amendments and Directives for Implementation of the Downtown Master Plan:

1. Adopt “Illustrative Plan: Option A” (“master plan Option A”) as created by Urban Design Associates, dated December 10, 2009 with the following changes to the Option A plan and map affecting certain small geographic areas (blocks):
 - a. Block E: Retain Block E for a long-term land lease or sale to an entity for the development of an arts/associated uses public art center and commercial facility with flexible leased spaces for arts-related commercial and/or other uses. It is intended that this facility provides sale or ground lease income to the town as opposed to requiring any further town investment and/or development costs. In the event that a facility is not funded and designed by the end of calendar year 2015, the Town

- Council shall re-evaluate the land use for Block E and the town's commitment to providing the land for the facility through a specific land lease. The Town Council directs the Town Manager and the Town Attorney to develop and conclude a land lease for Block E in accord with this framework.
- b. Pines Block: Substitute small lot single-family detached homes for the townhomes depicted along the south side of Jefferson Street as part of the total block redevelopment for the Pines Center. Replace the layout shown on Illustrative Plan: Option A, dated December 10, 2009 with the Pines development layout depicted on the "Illustrative Plan Option" sheet dated January 15, 2010, by Urban Design Associates.
 - c. Add a text note on to the Option A plan to encourage a hotel use somewhere in the downtown, recognizing that the plan is based on form and generally does not prescribe specific upper story uses on specific sites.
2. The staff shall develop for future consideration by Planning Commission and Town Council Zoning Ordinance Text Amendments altering the PD-D zoning district to align with the form, height and density prescribed by the Downtown Master Plan (Illustrative Plan: Option A) and renaming the district PD-TD, Planned Development –Traditional Downtown; and
 3. To streamline the process and conserve private and public sector costs, staff shall develop a rezoning for the Planning Commission and Town Council to consider, specifically a Zoning Map Amendment that would propose rezoning of certain properties in the Downtown Master Plan area that are currently owned by the town (Parcels 16-2-002; 10, 10B, 10C, 10D, 11, 15, 15A, 16, 16A, 17, 18, 20B, and 20C) and zoned Central Commercial (CC) and Single Family Residential (R-10) to Planned Development-Traditional Downtown (PD-TD), thereby facilitating the implementation of the plan with regard to the development of property that was purchased by the town for the ultimate purpose of downtown development.
 4. Staff shall present the approved Downtown Master Plan element of the Comprehensive Plan and zoning changes adopted by the Town Council to the Heritage Preservation Review Board and to the Architectural Review Board for their consideration and comment, with future incorporation into the Town's historic heritage and building design review process.
 5. Staff shall add a statement to 2030 Comprehensive Plan (specifically, the vision for the Herndon Downtown on page III-15) to articulate that the Downtown Master Plan exemplifies the approach that supports excellent pedestrian and bicycle facilities in accord with the principles of "Complete Streets" and in general accord with the Virginia Department of Transportation adopted Policy for Integrating Bicycle and Pedestrian Accommodations (dated March 18, 2004). This policy establishes bicycling and walking in Virginia as "fundamental travel modes and integral components of an efficient transportation network."

6. Town Council directs staff with consultant assistance to take concrete steps to proactively implement the master plan to include the development of a Pattern Book that will inform and illustrate the town's vision and inform developers of the town's community-driven master plan process while providing critical information such as the key results of the market study, the heritage resources study, the development analysis spreadsheet (development and parking quantities by block) and the perspective illustrations and section views of future development. The pattern book will be used by the Heritage Preservation Review Board and it will serve as their primary resource in determining the appropriateness of proposed architectural designs and materials; and
7. Town Council endorses the November 17, 2009 Historic Building Evaluation by Frazier Associates, including the new system assigning ratings to downtown structures from C-1 Highest Preservation Priority to C-2 Moderate Preservation Priority to C-3 Lowest Preservation Priority to Noncontributing Structure, replacing the existing system that is limited to contributing versus noncontributing ratings. However, the Town Council directs that four specific structures rated non-contributing in this evaluation be officially changed due to their significance to the community and despite the alterations to the structures that have occurred over time. These properties are:
 - a. 781 Station Street (*The Mediterranean Breeze*; Tax Map #16-2-002 parcel 301D) (*change from non-contributing to C-2 Moderate Preservation Priority due to the building's context along a street wall containing primarily contributing structures as well as the sympathetic and appropriate style of its alterations.*)
 - b. 757 Elden Street (The Upholstery Shop; Tax Map #16-2-002 parcel 84) (*change from non-contributing to C-3 Lowest Preservation Priority, based upon its community significance and the age of the structure, but with the understanding that it has been significantly altered in a manner that is not appropriate to the architecture and historical use of the original structure.*)
 - c. 755 Elden Street (small structure adjoining Jimmy's Old Town Tavern, Tax Map #16-2-002, part of parcel 86) (*change from non-contributing to C-2 moderate preservation priority due to its recent alteration which attempts to return the structure to its earlier appearance and to its long-term connection to the adjoining contributing structure.*)
 - d. 785 Station Street (the Great Harvest Bread; Tax Map #16-2-002, parcel 301E) (*change from non-contributing to C-2 Moderate Preservation Priority due to the building's context along a street wall containing primarily contributing structures.*)

8. Add the potential for single-family homes or townhouses, not to exceed three-stories, to the consultants proposed use for Block F.
9. Town Council adopts the following specific text changes to amend Chapter II of the Town of Herndon 2030 Comprehensive Plan adopted August 12, 2008:

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Land Use Plan, page III-15:

The Herndon Downtown – Vision and Specific Land Use Policies

The Herndon Downtown is designated and further divided into six sectors as shown on Map C. The geographic area identified as the Herndon Downtown is the traditional core commercial area of the town, which is an Adaptive Area. Public, commercial and residential uses are supported in the downtown. Land use policies in the downtown are guided by both the underlying land use designation (Community Facilities, Adaptive Area, or Adaptive Area – Residential) and the vision, goals, objectives and policies set forth below. In addition, the Downtown Master Plan (adopted February 22, 2010, provides a specific land use plan for Sectors 1, 2 and 3 and a small portion of Sector 6 along Center Street. This Downtown Master Plan is incorporated into the 2030 Comprehensive Plan by this reference. The intent of the Herndon Downtown policy is to ensure the integration of redevelopment with the unique heritage assets of Herndon’s traditional commercial center and surrounding residential areas. The downtown master planning process of 2008-2011 is documented and reports on the Market Analysis, Heritage Resources Analysis and other materials including a spreadsheet of approximate development quantities for each block (“Herndon Downtown Development Analysis”) are available from the Department of Community Development.

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Land Use Plan, page III-19:

Land Use Policies By Sector

Certain policies and planning approaches apply to specific Downtown Sectors as shown on Map C. With regard to Sectors 1, 2, 3 and a small portion of Sector 6, the Downtown Master Plan adopted [insert Town Council adoption date] shall govern with regard to specific density and other features; the density and features described below for Sectors 1, 2 and 3 are to be viewed only as a general guide. The general approach that is appropriate for this area is traditional town planning or new urbanism. This concept embraces the traditional street grid without setbacks other than enhanced streetscapes...

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Land Use Plan, page III-20:

Sector 2

This core area of the downtown is appropriate for redevelopment in accord with the character, density and generalized building locations specified in the Downtown Master Plan adopted February 22, 2010, Consolidation of parcels is supported and this would include vacation of relatively small portions of public right-of-way to support coherent development. Reduced height and building mass, as shown in the Downtown Master Plan adopted February 22, 2010, and enhanced buffering are appropriate in areas where Sector 2 borders properties with single-family detached zoning. The former Dominion Virginia Power parcels and the Town land bounded by Vine Street, Center Street and the W&OD Trail right of way are appropriate for residential use only. These parcel areas are designated Adaptive Area – Residential.

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Land Use Plan, page III-20:

Sector 3

... This area should be redeveloped in accord with the character and generalized density and building locations specified in the Downtown Master Plan adopted February 22, 2010. This area is appropriate for redevelopment with buildings forming a wall along the street and parking placed out of sight from the street, generally in a parking structure. This area is appropriate for PD-TD Planned Development –Traditional Downtown zoning once that new district is created and adopted.

B. ITEMS TO ADDRESS THE FINANCIAL ASPECTS OF PLAN IMPLEMENTATION

The Town Council recognizes that the form and scale of development included in the recommended Option A master plan may create a need for the town to contribute to the funding of infrastructure costs, especially in relation to the land owned by the town. The Town Council also recognizes the uncertainty of future development cycles and the current market downturn. Therefore, the Council provides the following general infrastructure cost items to be viewed as potential town efforts to improve safety, revitalize the downtown and support development to realize the master plan vision: Street improvements to include the Elden/Center Street Intersection realignment and signalization; the extension of Vine Street to Station Street; The undergrounding of overhead utilities (especially on Blocks D, E and F as an initial phase); and the development of a parking structure on Block D. Potential funding mechanisms to pay for these items are listed below, along with additional direction to staff on approaches to redevelopment in the downtown:

1. It is the intent of the Council to place all of the town-owned land on Blocks D, E and F into private redevelopment per the land use shown generally on the master plan to offset the level of public infrastructure financing required to spur conditions for private investment in development per the Downtown Master Plan. (Tax Map 16-2-002 parcels 10, 10B, 10C, 10D, 11, 15, 15A, 15B, 16, 16A, 17, 18, 20B and 20C.)'
2. The Town Council plans for public street improvements serving the community, including the Elden/Center Street Realignment and Signalization and the extension of Vine Street to connect with Station Street at the current location of the town's Station Street Parking Lot. Seek partial grant funding such as VDOT Revenue Sharing and other sources for the realignment and signalization of the Elden/Center Street intersection. Consider alternatives to reduce or possibly eliminate the Vine Street to Station Street project in favor of internal rights of way that may provide circulation through redeveloped property to include a reduced Block D parking garage located on town-owned land. Toward this end, the Council directs staff to seek alternatives that minimize or eliminate Town of Herndon General Fund commitments to these capital projects.
3. The Council directs staff to pursue significant grant funding opportunities for the undergrounding of overhead utilities; recognize that approved federal grant funding of \$960,000 will provide conduits for undergrounding along Elden Street, from Station Street to just east of the Monroe Street intersection. As specific development projects seek approvals, consider eliminating or modifying the undergrounding requirement in selected areas in recognition of the magnitude of the cost burden for this infrastructure relative to the scale of the development contained in the Downtown Master Plan and in recognition of subsurface conditions that greatly increase costs for such features as vaults for underground transformers and other equipment. Also, pursue consolidation or other alternative configurations for overhead lines as part of redevelopment, to minimize the visual impact of overhead lines while achieving cost savings as compared to undergrounding.
4. Staff analysis shows that development per the plan would generate additional town and county revenue sufficient to fund debt service on capital debt in the range of \$4.8 to \$5.5 million, based on conservative estimates. In recognition of the increased revenues that would result from redevelopment per the Downtown Master Plan, the Council will consider sources such as General Obligation Bond funding by the Town of Herndon and/or General Obligation Bond or other funding with Fairfax County redevelopment initiatives, transportation improvement bonds, and/or Economic Development Authority financing to fund parking on Block D.

PARKING FRAMEWORK:

570-space Block D Parking Structure per Option A Master Plan

420-space reduced Block D Parking Structure
(Option not serving the Ashwell LLC land with 157 spaces)

Breakdown of 420-space garage cost allocations:

Legacy Public Shared Parking - 182 spaces (committed through existing contracts)

“New” Public Shared Parking - 238 spaces (town can obtain 60% developer contribution in accord with existing Public Shared Parking ordinance). This number can change depending on the types of use and future contracts between the Town and the developer. The 420-space garage parks only the Town owned property which consists of one mixed-use building on Block D and development on Block E. If Block E is developed as an Arts Center/Associated Use building, the parking spaces could be offered to the developer as public shared parking. This would allow the spaces to be open to the public and not be reserved solely for Block E. If Block E is built as a residential use, the spaces will probably be built at 100% developer cost since the market necessitates the developer being able to dedicate parking for each unit. The parking associated with the building on Block D could be public shared parking or 100% developer costs. The scenario shown above is based on future parking for both the mixed-use building on D and the development on E being part of Public Shared Parking.

5. The Town Council directs staff to develop for future Town Council consideration a Request for Proposals for redevelopment on Blocks D and F, seeking a competitive environment to help address infrastructure costs. This should be done after the town has adopted zoning changes and completed a Pattern Book detailing additional features including additional views of development on specific blocks. At that time, the town should state an approximate Town of Herndon and Fairfax County commitment to infrastructure in the RFP, so that proposals are based on the Option A master plan form and densities and responses may include certain developer commitments to infrastructure costs to minimize public investment amounts. An option may be provided to include redevelopment on Block C, although the town does not own land on Block C.
6. The Council recognizes that the Block D parking structure must include a permanent public easement for the use of a minimum of 182 spaces to fulfill existing town public shared parking agreements. The Block D garage could be configured as per the Option A plan at 570 spaces or a smaller garage providing fewer spaces (420 spaces+-) could be configured exclusively on town land within Block D and without serving future development on privately owned land on Block D. The land on blocks D and E that is owned by the town would be fully served by such a reduced facility. Alternately, an exchange of land for parking could be negotiated so that the 570-space garage as shown on Option A could be developed with a permanent parking easement to serve

redevelopment on lots 26 and 27A, as included in the Planning Commission's initial plan recommendation of May 2010.

[END]

[block for appropriate signatures]

This is certified to be a true and accurate copy of Resolution 10-G-68 adopted at a legally convened meeting of the Town Council of the Town of Herndon on February 22, 2011.

Viki Wellershaus
Viki L. Wellershaus, Town Clerk