

**TOWN OF HERNDON, VIRGINIA**  
**PLANNING COMMISSION PUBLIC HEARING MINUTES**  
**DECEMBER 6, 2010**

The Planning Commission met on Monday, December 6, 2010, in the Ingram Council Chambers located at 765 Lynn Street, Herndon, Virginia. Chairman Robert P. Burk called the meeting to order at 7:00 p.m.

**ROLL CALL:**

Chairman Burk asked the Recording Secretary to call the roll.

Ms. Tappan called the roll, as follows:

Commissioner Bettard:	Present
Commissioner Burke	Present
Commissioner East:	Present
Commissioner Jonas:	Present
Vice Chairman LeReche:	Present
Commissioner Moses:	Present
Chairman Burk:	Present

Ms. Tappan turned the meeting over to Chairman Burk, who noted that a quorum was present.

**Staff Present:**

Elizabeth Gilleran, Director of Community Development  
 Mark R. Holland, Zoning Administrator  
 Dana E. Heiberg, Senior Planner  
 Kay D. Robertson, Senior Project Planner  
 Brandice Elliott, Planner I  
 Brenda S. Morgan, Administrative Planner  
 Janet Bolton, Associate Administrative Planner  
 Patsy Tappan, Recording Secretary  
 Richard B. Kaufman, Town Attorney

**APPROVAL OF MINUTES:**

Chairman Burk presented the minutes from the public hearing of November 1, 2010, the work session of November 15, 2010, the special neighborhood meeting for Metrorail Station Area Plan hosted by the Planning Commission of November 17, 2010, and the special work session of November 29, 2010 for review and approval.

**MOTION:** Commissioner East moved approval of the minutes from the public hearing of November 1, 2010, as submitted.

Mr. Moses seconded the motion. The motion carried, 6-0-1 (Commissioner Bettard abstained).

**MOTION:** Commissioner East moved approval of the minutes from the work session of November 15, 2010, as submitted.

Vice Chairman LeReche seconded the motion. The motion carried unanimously, 7-0.

**MOTION:** Vice Chairman LeReche moved approval of the minutes from the special neighborhood meeting for Metrorail Station Area Plan hosted by the Planning Commission of November 17, 2010, as submitted.

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Commissioner Jonas seconded the motion. The motion carried, 6-0-1 (Commissioner East abstained).

**MOTION:** Commissioner East moved approval of the minutes from the special work session of November 29, 2010, as submitted.

Commissioner Bettard seconded the motion. The motion carried, 6-0-1 (Vice Chairman LeReche abstained).

**APPROVAL OF AGENDA:**

Vice Chairman LeReche stated that he did not have any suggested changes to the agenda.

**COMMISSIONERS' COMMENTS:**

Commissioner Bettard commented that on December 1, she had attended the annual meeting and reception for the Dulles Corridor Rail Association. She found out that the Metrorail is 22% complete; all five stations are currently in progress; and the first station is 95% designed. She added that there was a lot of excitement created by the Metro construction, and the attendees were aware that the citizens of Herndon are engaged in this process and excitedly and actively involved. She presented the program to the Chairman and thanked him for the opportunity to attend this affair.

**STAFF COMMENTS:**

There were no staff comments.

**CITIZENS' COMMENTS:**

There were no citizens' comments.

**PUBLIC HEARING ITEMS:**

- 1. COMPREHENSIVE PLAN AMENDMENT, CPA #10-01, DOWNTOWN MASTER PLAN.** Amend the Town of Herndon 2030 Comprehensive Plan adopted August 12, 2008, to incorporate by reference a Downtown Master Plan. The plan amendment will also make minor changes to the appropriate plan text (mainly Chapter III: Land Use Plan) in order to reference a master plan. The Downtown Master Plan includes a map of specific planned land use and related information. The general purpose of the plan amendment is to carry out the vision, goals and objectives of the 2030 Comprehensive Plan to encourage a vital downtown with a mix of land uses. The master plan depicts residential, commercial and public uses and parking facilities to support these uses; the plan displays the approximate height and level of density on each block of a core downtown area. The area is similar or equal to areas displayed as Sectors 1, 2 and 3 in the 2030 Comprehensive Plan. 16 block areas are affected; they are located in the center of the Town of Herndon in the general area of Elden Street, Center Street, Vine Street, Lynn Street, Station Street, Spring Street, Pine Street, Monroe Street, Jefferson Street, Jackson Street, Van Buren Street and the Washington and Old Dominion Railroad Regional Park. Downtown Master Plan maps and related information are posted on the Town of Herndon website at [www.herndon-va.gov](http://www.herndon-va.gov) (click on Planning and Zoning and follow links). A descriptive summary of the proposed action is to update plan text and maps to reflect changed conditions and to incorporate land use policy based on the results of a major community planning process. *Continued from the November 1, 2010, public hearing.*

**STAFF COMMENTS:**

Dana E. Heiberg, Senior Planner, presented the staff memoranda dated November 11, 2010 and November 24, 2010, both of which are on file in the Department of Community Development.

Staff recommended approval of CPA #10-01 as outlined in the draft Resolution dated December 6, 2010.

**QUESTIONS FOR STAFF:**

Chairman Burk asked for clarification of the process for including Town owned land in the mix with no cash sale proceeds, but the value of the land would go into infrastructure. He asked if staff had devised a way to handle such a transaction, when the infrastructure improvements may not be site specific and one developer might get a windfall.

Mr. Heiberg responded, "I guess we have been thinking of it in terms of the total infrastructure gap that's related to this block plus this block plus this block, etc. (indicating the blocks on the overhead) and more specifically, we've been looking at some equations for Blocks D, E and F, which are the blocks where the Town owns land."

Ms. Gilleran added, "The question, as I understand it is, if the Town is basically throwing our land into the development to obtain public infrastructure, then how are we going to be certain that the value of the public infrastructure for that particular development area is adequate to provide us with fair compensation for our land?"

Chairman Burk responded, "Well, if the Town puts in a particular parcel, and there is no other way that undergrounding utilities is going to be paid for, then that money would be used to pay for undergrounding utilities, maybe, all over Downtown, and would be benefiting other property owners."

Ms. Gilleran responded, "That is, I suppose, somewhat possible, but at this point the land values would not indicate that that would be the case. We've got that Downtown core, the blocks that Dana referred to, are very close together. If there was going to be undergrounding paid for by the developer based upon the fact that the Town has written off the value of our land towards that end, frankly, it's contiguous with the other blocks. Right now, the values of the land; the numbers that we've seen from the consultants and in the gap analysis would indicate that the offset would be in very, very close proximity to the land being developed. There is enough of a gap there, at least at this point and in the short term, I don't see where we would be expecting to obtain infrastructure significant enough that it would be far a field from the core of developer's site."

Chairman Burk responded, "It may be something that we have to visit once this becomes a reality."

Ms. Gilleran added, "I think something along those lines is going to be very development specific, or I should say, developer specific (not that it is tied to the person, but to the proposal), and what exactly is being proposed and what the value of the land is at the time of the proposal. We also, as the owner of the land that is being part of that particular development proposal, at that point, I think that we will, needless to say, have quite a bit of influence on what improvements are being made and what infrastructure, in fact, is being paid for by that additional dollar."

Commissioner East asked, "Dana, you've identified in the staff report, a number of costs associated with different infrastructures, such as undergrounding utilities across the Downtown development area, construction, the big (570 space) garage, the extension of Vine Street to Station Street, and so on. You've also identified a number of mechanisms by which the Town could raise funds to address the cost of the infrastructure improvements in addition to the land contributions. Would we expect all of the expenses to occur immediately? A big rush of expenses? If we approve the plan today, and all of a sudden we get a bill for \$14 million, or would these be reasonably expected to occur over time and what kind of time are we talking about?"

Mr. Heiberg responded, "Well, I think they would be expected to occur over a period of years, but it's really hard to say what that horizon or span might be, partly because of market forces, and partly because of a sequence of developing these various

blocks. It might take place over two, three, or four years, simply for design, development and construction, and so forth.”

Chairman Burk advised the audience that he was limiting each individual speaker to three minutes and representatives of groups to five minutes.

**CITIZENS' COMMENTS:**

Vicki Dorman, Executive Director for the Council for the Arts of Herndon, 730 Elden Street, read from a written letter that was submitted for the record, “I am speaking at the direction of the Council for the Arts Board of Directors. The Board of Directors of the Council for the Arts of Herndon urges Herndon decision makers to strongly consider planning Block E in the Town of Herndon as a mixed use public/commercial use and to plan for an Arts Center on this block.

While the Town may see an immediate cash inflow for residential use, residential use does not in the long run generate the revenue stream that mixed use of an Arts Center and associated commercial arts businesses would. Residential does not position the Downtown as a destination that brings people into the downtown. The Town of Herndon has made it known that it is preferable to raise the commercial tax base in relation to the residential base. The two major SUCCESSFUL draws to Downtown Herndon each year both have major arts components to them, the Herndon Festival and Friday Night Live! and an Arts Center in Downtown Herndon could only expand upon that base.

The Board of Directors of the Council for the Arts of Herndon, the Town of Herndon's Official Arts agency since 1985, would like to see Herndon branded as a destination for Arts Enthusiasts in all art genres and not simply an extended use of the Downtown as a bedroom community. Failure to consider planning for the use of Block E as a vehicle to promote the arts and to be used as a draw to the Downtown would in the boards' opinion be shortsighted in terms of Economic Development and would not address the support that a Downtown Arts Center has generated for many years.”

Cheryl Parsons, President of the Reston League of Artists, 1053 Jeff Ryan Drive, stated, “I am a new resident of Herndon, having moved here from Reston. I have been President of the League of Reston Artists for the last two years. It is a 200 member non-profit. I also sit on the Planning Committee for the Herndon ArtsSpace. I have a lot of experience in marketing and work as a professional artist. My studio is located at the Workhouse Art Center in Lorton. Being part of the art community, I have found the primary concern of artists is a place to work and to show their art. I probably could name a dozen artists right now who would rent studio space in a minute, because they keep asking me “where is studio space?” I drive an hour a day back and forth to Lorton, and I would love to have place that is five minutes from my house. There's a definite need here. There are enough artists between Herndon and Reston to fill whatever art center that you would have. Being at Lorton I have learned a lot. My background is in marketing, so I have watched Lorton struggle. They are a destination, but they have no restaurants; no shops; and yet, they have to bring people every week. I've been there for over two years and I've been watching what is happening. It is a hard, hard way to get an arts center off the ground. They have 55 acres. They have a lot of space, but it's a long project and it's going to take a long time. I've talked to people who come in and out of my studio to find out where they are from and a lot of people don't come from this area. It is usually just the local people, so we need something in this area. I think that Herndon is a great base. People love to be with artists. They love to see the process that an artist is going through. They love to come in where the artists are working and ask them questions and they buy art, which is a great thing. It is a win, win process. You've got everything here already. I think this is a win, win for Herndon and I hope that this will go forward.”

Barbara Glakas of 935 Barton Oaks Place, read from a statement that was submitted for the record, “I am here to support allowing our comp plan to allow Block E to be used for arts-related public and commercial uses. I do not support the use of Block E for solely multi-family use.

Although I do understand and support the idea that we need to achieve a certain amount of density downtown, I do not support the idea of having our very central downtown core area be filled with residential only, with a condo or apartment building located just a few feet from our town green. If we fill up our public space with residential, we will have no public spaces to come to. The lots immediately adjacent to our town green should have mixed uses, including green spaces, retail, commercial, limited residential, and other public functions, for the public to gather and to enjoy.

Allowing Block E to be strictly residential poses parking issues and decreases long-term town revenue. For every \$1.00 in tax revenue that is received from residential use, the town has to spend about \$1.20 – \$1.30 on services. But for every \$1.00 in tax revenue received from commercial use, the town only has to spend about \$0.30 (cents) on services.

But over and beyond all that, we have a wonderful opportunity to brand Herndon as an Arts town. I have heard some people say that the Arts is just a special interest or a hobby, and the town government should not waste its time or money on it. But the arts are already in Town. The Herndon Festival is the arts. Friday Night Live is the arts. Elden Street Players are the arts. ArtSpace is the Arts. And it is amazing how much ArtSpace has grown and established its fine reputation in the scant two years that it has been in existence, all run on volunteerism, grants and donations, specifically because people are interested in the arts, and people will come to Herndon, due to the arts.

That old farming tractor building now houses a nice art gallery, it hosts musical artists and painters from around the world, it houses train shows and book fairs and receptions. It is just amazing what has been done.

Now those same people who had that vision to make ArtSpace into an experimental and successful arts facility, are ready to expand their vision into making Block E an arts block, with galleries, studios, retail shops, a café, a theatre --- a space that connects to our exiting town green.

A couple of years ago I was in the 'Roaches in the Attic' antiques shop, speaking with a gentleman who works there. He was expressing his disappointment that the only other antiques store in town, which had formerly been located in Kitty Kitchen's old house on Monroe Street, had closed down and moved. He understood that it was less likely that customers would come to visit his antique shop, if he was the only shop in town. Herndon is not known to be branded as an antiques town. If you want to go antiquing you go to Leesburg, because they have many antiques shops, so that's where the "antiquers" go.

We can have that same kind of branding. We have the opportunity to do that here in Herndon, with a conglomeration of arts facilities. It would be great for Herndon and could help kick-start our town economy and redevelopment. But this vision is only possible, if you are willing to allow Block E to include arts-related uses."

Melanie Z. Stanley of 12228 Parkstream Terrace stated, "I am an educator, a published author of six children's books, a freelance writer, a storyteller and a practicing artist, not to mention, a mother, a grandmother and a wife. I belong to the Reston League of Artists and in the last year or so, I have become enamored with ArtSpace and have gotten involved with them, as well, and was lucky enough to teach a class there this past summer. ArtSpace opens their arms, not only to local artists, but to artists all over the country who have expressed their inner most joys, curiosities and passions through a myriad of media, color and design, for all of us to enjoy and from which we learn and grow as interactive human beings. ArtSpace is a respite in our busy, hectic lives, where the arts can breathe their healing spirit into the hearts and souls of all who pass through her doors. It's an important connecting place where people gather to enjoy the arts and exchange ideas, dreams and ideologies. Art brings us together. Just the other day I got an e-mail from a former parent of two of my 6<sup>th</sup> graders who I taught. "Guess what I found at ArtSpace," she wrote. She sent me a photo of some of the cards she had bought of my artwork to send to each of her boys for the holidays. She sent her love, as well. This is what art does for us. I sincerely believe that it is critical for artists to have a place

to work and to make art together, to inspire one another, to learn from one another and to offer artistic avenues to the community and beyond. Everyone needs a place to grow their own artistic gardens, to think and see beyond the concrete patterns of our busy lives. ArtSpace is a valuable member of our ever growing Town and to watch it evolve; possibly into a huge art center, would just enhance our sense of community through the arts. We don't, none of us, we do not want the artists to become an endangered species in the face of today's economics."

Nancy Myers of 509 Herndon Woods Court, read from a statement that was submitted to the Recording Secretary, "Good evening. My name is Nancy Myers and I live at 509 Herndon Woods Court here in Herndon. I am here to testify in favor of amending Option A of the Downtown Master Plan to designate Block E for an Arts Center and related business and non-profit enterprises.

I have lived in Herndon for 18 years. Throughout most of that time, I have been eagerly anticipating the construction of a theater and arts center in the Downtown. Through the years important steps toward that end have been taken such as the purchase by the town of the land we now refer to as Block E. I was under the impression that it was purchased as the future site of an Arts Center after an exhaustive study of various options and locations to determine the best location for such a facility.

Another important step taken was the establishment of the Foundation for the Cultural Arts. As I recall, this foundation was established because there was a majority opinion in Town that the cost of building a Cultural Arts Center should not fall on the taxpayers of Herndon. The fact is that the Arts community in Herndon has stepped up to that challenge in a big way creates a huge advantage for Herndon as we look at downtown redevelopment.

Again and again, we hear that people in Town want Downtown Herndon to be a DESTINATION. A place that people from the surrounding area want to come to and enjoy in the afternoon or evening -- eat in our restaurants or shop in the stores. Aside from the W&OD Trail, I cannot think of a better asset for our community than a Downtown Cultural Arts Center. And we have a non-profit group willing to raise the money to fund it. We are indeed fortunate.

Although selling the land in block E for the development of apartments would result in a cash gain for the Town that onetime benefit does not compare favorably to the long term benefit that a Downtown Cultural Arts Center will bring to the Town as the anchor of a more vibrant, economically viable Downtown.

In closing, I am asking that you vote in favor of amending option A of the Downtown Master Plan to designate Block E for an Arts Center."

Ed Hahn of 11501 Turnbridge Lane, Reston stated, "I am here tonight as a Board member for the Foundation of the Cultural Arts of Herndon. I would like to read a letter that Dr. Gerald Gordon sent in support of Block E being designated as a possible public art and commercial development in the plan you have before you. Dr. Gordon is the CEO and President of the Economic Development Authority of Fairfax County who was recently named the 2010 Virginia Business Person of the Year. This is dated November 27, 2010. Dear Chairman Burk,

Over the past several months, I have had numerous conversations with Herndon elected officials and community leaders regarding the establishment of an arts center in the town. From those discussions, as well as my involvement in and research about similar efforts locally and around the country, I respectfully offer the following observations for your consideration as you and others in the town make decisions about alternative land uses.

As communities, large and small, seek to attract new residents and businesses, they find themselves in competition with similar areas that offer similar assets and amenities. The tipping point for each business and each resident may be different, but they universally include some impression of the local quality of life. Interestingly,

everyone's expectation of the local quality of life is also very different. For some, the key component is the public schools system while others may focus on outdoor recreation activities or other community offerings.

One component of quality of life for many people centers around the activities that take place in the town and the arts and cultural opportunities that exist in close proximity to housing, restaurants, etc. Over the last few years, Richard Florida has written about this extensively, starting with his initial foray, *The Rise of the Creative Class: And How it is Transforming Work, Leisure, Community, and Everyday Life*, in which he highlights how arts and cultural opportunities help attract the creative class of workers who, in turn, drive significant job creation, wealth generation, and general economic growth.

Clearly, attracting residents, businesses, and visitors to Herndon relies not only on a variety of assets and amenities, but on a critical mass of such offerings. And, facilities such as arts centers generate substantial economic impacts of their own. Attendees at events or visitors to museums buy tickets, eat lunches, and often shop in nearby stores; and, those who come from outside the community do so without requiring the provision of a great deal of public services.

The issue of the public expense is an interesting one. Over time, I have seen numerous studies of the relative costs and benefits of housing versus office construction versus the provision of public facilities. Of course, the values change from place-to-place and even from time-to-time, but there is one generally recognized conclusion: residential uses tend to return less in the way of tax revenues than they demand in public services. Office uses typically reverse that equation: business contributes more in tax dollars than the value of the public services they use. It is for these reasons that cities struggle to identify the proper balances between various uses.

My purpose in addressing this letter to you is to encourage you to consider the economic development impacts the arts can have in communities and to highlight their importance to attract and retain both residents and businesses. I thank you for your consideration and for your appreciation of the spirit in which these observations are offered.

Sincerely,  
Gerald L. Gordon, Ph.D. President and CEO  
Fairfax County Economic Development Authority

Al Robertson of 625 Center Street stated, "Ladies and gentlemen of the Commission, I'm here tonight to talk about something that is emotional for me. I'm a Virginia resident. I'm a product of the Virginia Education System. I graduated from Herndon High School and I've lived in this area most of my life. I received my music education at VCU. I'm a local guitar teacher and I'm a Herndon resident. This art center is so important...I don't know how to tell you. It's not just painting. It's not just music. It's writing. It's poetry. It's digital arts. We don't have an arts high school in Fairfax. They have one in D. C., and it's phenomenal. My daughter wants to be a writer in the most serious way. She is 15 years old and she's already published. You know, the way the recession and this economy have been, it's been a little dicey for me as a guitar teacher. HerndonGuitarLessons.com is my business. A lot of kids of my children's ages (15 and 10) they were able to participate in summer activities and programs, but those programs cost money. Quite frankly, my wife and I didn't have the funds to include my children in programs that would help them out tremendously. My mother is still teaching in Fairfax County Schools, and my family is very passionate about education. My daughter, she is very smart, and she is already published. Through Herndon Middle School, she was able to participate in a program and attend some activities in New York and she is doing fantastic. My son, on the other hand, is extremely bright, but we noticed that he was having some problems. We wanted to get them in a writing program this summer, but alas, there was nothing there. My mother tutored them in their writing and their mathematics, but through ArtSpace, and Melanie Stanley, there was a creative writing program offered. We were able to afford the program and send them down there.

My daughter goes in and she writes, but we found some issues with my son. He has a learning disability. He is 10 years and is in the 5<sup>th</sup> grade, but he writes at the level of a 2<sup>nd</sup> grader. So, we didn't know that at the time, but because there was a program this summer, and through that, my son was able to go and really take a writing class that he desperately needed. On an emotional level, if there is a way we can do this, we must do this. The arts are one of the seven intelligences and if we don't foster that, then I think our kids are going to suffer."

Mike Cantwell of 1781 Ivy Oak Square stated, "Good evening distinguished ladies and gentlemen. My name is Mike Cantwell and I am the coordinator of Computer Art and Animation at Montgomery College. I'm going on my 22<sup>nd</sup> year. I have been a curator at the Greater Reston Arts Center and an exhibiting artist, and just fell in love with ArtSpace. We have a current exhibition up at ArtSpace, which includes Northern Virginia's finest artists and poets, with Herndon's sister city Runnymede, who are participating, as well. We will ship all of the artwork and poems over to Runnymede, England for an exhibit in May, 2011. This is all due to ArtSpace. Block 5 needs to be an arts center or a center for the arts. With my background, I have a BFA from the University of Notre Dame in studio art, I have MFA degree from the University of South Florida. Both of those with honors. I work with important artists, including James Rosenquist, Robert Rauchenburg, Alice Aycock, and what Herndon desperately needs is an arts center. A real arts center. An arts center that we, in Northern Virginia can be very proud of. I think we have an opportunity here to actually do that. I am willing to put all of my effort into making this happen. Not only an arts center with a theater, stages, studios and classrooms, but I think we can take this beyond that to create an art school at this location. With my expertise, I think we can do it; we just need your backing and your help. This can be a real thing. We can actually do this."

Richard Goe of 9259 Kristy Drive, Manassas stated, "I am friends with Al and Les and I am familiar with ArtSpace Herndon. I'm also a proponent of Block E use as a commercial and arts space. There are many reasons why, but I'm going to keep it short and sweet. One of the things is that this can be a self-sustaining facility. You are going to have a stage that is a performance area. You'll have a recording studio. You'll have video production suites. You'll have offices and conference rooms. You're thinking to yourself, "how is that really going to be self-sustaining?" Performances happen at night, so what do you do with that facility during the day? You use it for training. There are a lot of corporations around here that send their business and money leaves this area to use conference rooms and larger training facilities. That's one of the ways that this can be done. There is the ability to actually produce training videos. I know for a fact that Sprint just outsourced videos to be done for all of their customer service that could have been done here locally. There are a lot of opportunities here and art is huge. I mean, if that wasn't the case, President Obama would not have taken the time to acknowledge Paul McCartney at the Kennedy Center Honors that just happened last night. This is huge for the city. Housing...you have plenty of that, but you have to have a specific draw that's going to bring people, small and large businesses here. This is a unique way to do that that can make you truly stand out. At the end of the day, you're all accountable for the revenue and expenses and how you make this city successful. That's how you are measured, I'm sure, and this is a great way to do that. It is not the standard, cookie cutter way. I appreciate your time and hope you will genuinely consider using this space for that, because there are many benefits that are long-lasting. They use music for therapy with patients that suffer from Alzheimer's. They use smell and art for rehabilitating children that have different disabilities. This is a great opportunity."

Les Zidel of Herndon stated, "A quarter of a century ago, several of your predecessors on the Planning Commission (Ed Stirewalt and myself among others) working with Dr. DeNoyer the Town Council's representative from what was then called the Map Commission. John and I stood early one morning on the W&OD Trail where Ed had asked us to stand with our backs to Pine Street and to look straight down across the trail. We drew that line on a map, and then we took Lynn Street, which was the main street of Downtown until Elden Street was later added (in case you didn't know). Where those two lines bisected each other, I'm standing, pretty much at that point right here. That's where we recommended that the Municipal Center be built; the seat of the Town of Herndon. Phase 1 was to include this Municipal Center and a new public Library, to



begin the Downtown revitalization process around a Village Green. Almost a decade later, when I attended the dedication of this complex, I gathered the architect for the Library, Wayne Hughes, and the architect from Cooper-Lecky, who designed the Municipal building, to tell me what would be their next step for how to make the plaza work. The architect from Cooper-Lecky asked me to step in front of where the Village Green was at the back of the Municipal Building and look straight ahead across the Trail. It was basically looking at Block E that we're talking about today. He said, "There. There's where the next phase should be built." He told me that great public spaces are often defined by buildings carefully placed along its edge, and that was Block E, the next public building. Since that time, the Town has been looking for people who would invest their time and resources to design buildings which would help create at destination in the Downtown; build a pedestrian friendly activity center embracing both the Heritage District concept and the opportunities that the W&OD Trail present; people who incorporate uses that could take advantage of shared public parking; attract new businesses and services; people whose creativity would advance the idea of an entertainment/dining district already the heart of the Downtown. Members of the Commission, these are the people you've been looking for. Let me tell you just a little bit about them. We can wait five or ten more years and spend hundreds of thousands of dollars on more studies, or we can place our hope and our trust in people like the Council for the Arts who take a small public grant and quadruple it every year, and give it back to the community in scholarships and in programs. Or, we can put our trust in the volunteers of HCTV, the Town Square Singers and the community theater people who give hundreds and thousands of hours of their own time to create award winning productions and bringing thousands of people into Herndon. I've got to tell you, when we began work on the public/private partnerships, I was kind of offended by them and I'll tell you why. It made it sound like the arts people were looking for a handout...we're not. We are going to put value in this Downtown, if you'll let us. When I first moved to Northern Virginia, I was drawn to the Kennedy Center. Envision, at the time of President Eisenhower in 1958, it took a while to get that building up, too. Funds were not raised until John F. Kennedy was assassinated, and they named the national center for arts after him. On the terrace, there is a quote from John F. Kennedy chiseled in the stone: "I am certain that after the dust of centuries has past over our cities, we too will be remembered for our victories or defeats, not in battle or in politics, but our contribution to the human spirit." That's what we're dedicated to do here in Herndon."

Richard Downer of Ashburn, read from a statement that was submitted for the record, "Chairman Burk and Members of the Commission: For the record my name is Richard Downer, my residence address is 44354 Oakmont Manor Square, Ashburn, VA, my business address is in our downtown at 718 Pine Street, Herndon, and my wife, Linda, and I own a residential rental property at 216 Herndon Station Square, which is immediately adjacent to our downtown.

Tonight I also wear several community "hats," one as Vice President of the Herndon Foundation for the Cultural Arts and the second as a member of the Herndon Chamber of Commerce committee of the Dulles Regional Chamber of Commerce. You have already heard excellent testimony regarding the Herndon Foundation for the Cultural Arts' proposal for the "highest and best use" for Block E and as a member of the team that has worked diligently to develop that proposal, needless to say, I strongly endorse the proposed Resolution Section A, Paragraph 1, Sub-paragraph a. before you tonight.

At last week's Commission work session the Herndon Chamber of Commerce Committee presented a letter, which I request be made a part of tonight's record, calling for an "Alternate Proposal for Parcel D of the Downtown Master Plan." I am very pleased to see the concern expressed in that letter is addressed in the Resolution, Section B. Paragraph 6. Block D, encompassing the major parcels of Town owned land and the Ashwell parcel, is one of the key blocks whose development/redevelopment will determine the future of our downtown. As stated in our letter, we feel the Town would be making a major planning mistake by possibly adopting a DMP that will continue to require the Ashwell site be acquired or consolidated before anything can happen, including the proposed garage which would straddle the Ashwell parcel and a small portion of Town owned land on Vine Street. The Town has gone down that planning road

for about 20 years and nothing has happened on Block D. That approach continues the hope that some big developer is going to assemble Block D and "save" the downtown in one packaged deal. This has not happened in the past ten years and we feel the chances of this happening are very unlikely for the foreseeable future.

The Resolution before you tonight reads in part, "The Block D garage could be configured as per the Option A plan at 570 spaces OR A SMALLER GARAGE PROVIDING FEWER SPACES COULD BE CONFIGURED EXCLUSIVELY ON TOWN LAND IN BLOCK D..." Including this wording in your final recommendation to the Town Council will assure that the Town will not continue to be held hostage by one landowner in Block D, and still leave flexibility if a developer does assemble all of Block D. For over 25 years we have been struggling to find the right formula to revitalize our downtown. Many of you on the commission and many of us in tonight's audience have been involved in that effort, some of us for the whole 25 years. As we have seen, there have been numerous commissions and many studies done over these years and we have all learned a lot, the Town has spent thousands of dollars and yet, we are here tonight still trying to find the formula. I think the resolution you have before you is definitely a "step in the right direction" and I encourage your support. Thank you for your time."

Linda Sullivan, President and CEO of the Arts Council of Fairfax County, stated, "I thank you for the opportunity to say a few words. I'm here to request that you recommend and that you support the development of Block E as an arts center and I'd like to briefly mention, before I say anything else, that prior to taking this position, I served as a consultant, primarily for Capital Arts Facility Development and Planning. I worked with arts organizations and I worked with town center developments. I wanted to say that I've been talking with Les and the Foundation members, and I hope that you will have a lot of confidence in this project. As a consultant, I think that they're doing all the right things. They didn't just build it and hope that they will come. They have actually developed programs, developed participants, developed a profile and they are developing support. That is a smart way to start an arts center. The other thing I want to say is that it is really a lovely, lovely, smart conceptual plan that they have. It really is very smart that they are mixing the for-profit, the not-for-profit, the experiential, and the community elements. I think it's a very viable project and I think it will be a nice, high-end, upscale contributing facility to the Town. One of the things I'd like to say is that I know that there are many pressures in the Town's development and planning, but the arts contribute many things; educational opportunities, economic opportunities, social opportunities and these are all really important to the communities and some of the biggest investment in the arts in the past couple of decades, has been through municipalities. They are developing something for their communities, right there in the community. There are many studies that show that people want to participate in the arts, and people are looking for experiential opportunities. I think as, especially in this economic time, we are going to see people buying less things and looking for more experiences, and they're going to look for them in their own community. I recommend that you all seriously consider using Block E for an arts center. I think it will bring many, many good things to the community and serve the community well and keep those discretionary dollars in your own community."

Jay Donahue of 997 Crestview Drive stated, "Far be it from to speak to the really substantive issue here tonight, which is the advantages that this amendment to the Plan can bring us. People, both from the arts community and from the business community have spoken to those advantages much more articulately than I can. The letter from Dr. Gordon showed us what a potential bombshell we have for the sake of economic development in the Town of Herndon and the people who have come from the arts community have spoken to us and told us what an advantage they feel it would be to have this type of facility in the Town. What I want to do really, having read through the Resolution, is commend you people for the way you have gone about this. It seems to me that you've done it in precisely the right fashion. You say, in the prelude to the Resolution, that flexibility in a plan is very important. I agree. Flexibility in a plan is important, but it's important as a means to an end, not an end in itself. Hereby, the flexibility will give us, for the next few years, the opportunity to take advantage of a real cultural and economic development entity that we can use and it could put Herndon on

the map, as far as facilities available to the Town's people. The other thing is, you haven't made this an open-ended commitment, and I think that's precisely the proper way to do this. We're talking about an opportunity that will last for about five years, and if the Town and the Foundation can show a true interest in having this type of facility, then the Foundation can bring it to pass, or at least lay the foundation, by which it can be successful and get it going...it's going to happen. The Town and the Foundation have a certain limited amount of time to do it and I think that is very important. So, I think the idea -- I think its time has come. I think if we can pull this off it will be a tremendous advantage for the Town of Herndon, and I think the way that you have written it into the Plan, and suggested implementation, is a perfect solution for the way to get it going. Thank you very much."

Evan Hoffman of Arlington stated, "Good evening ladies and gentleman. I must admit that I am currently a resident of Arlington, Virginia, but I am here because I am a product of the arts in Herndon. I moved to Herndon when I was five years old. I graduated from Herndon High School, subsequently from the College of William and Mary. I went on to what continues to be fruitful career as a professional actor and director. I have toured the country doing theater. I have worked in New York. I have worked in London, but something that I am particularly proud of, just this weekend I became the newest member of the Board of Directors of the Elden Street Players. Herndon is important to me and the Elden Street Players are important to me, although I'm not specifically here on their behalf. I just wanted to share a couple of quick facts with you. In 1997, 14<sup>th</sup> Street in D.C. was, to put it bluntly, a slum. There was no real commerce going on there. Unfortunately, a couple of years earlier, a studio theater had bought an old auto repair shop and converted it. A few years after they finished it, other companies started moving in and now 14<sup>th</sup> Street is one of the most flourishing areas of Washington, D.C. Subsequently, in the earlier part of this decade, H Street, which was similarly run down, built the H Street Playhouse, and then subsequently, the Atlas Performing Arts Center. Now H Street is one of the fastest growing communities in Washington, D.C. In Arlington, the Shirlington downtown area, in the last three years, has become one the most exciting areas in Arlington and it is, in large part, due to the cultural cornerstone that is Signature Theater, which is a multi-million dollar company that started in Arlington due to funds and the support of artists in Arlington. Another example that I find very interesting, in 2005, Arena Stage decided that they were going to rebuild their theater and they just opened the Meade Center for Cultural Arts in Southeast, which is a beautiful space. In the meantime, they moved into a couple of spaces, one of those was a converted old hotel theater in Crystal City. They were there for two years, and in early 2009, when they decided that they were going to move, the Crystal City Business Improvement District panicked because the economic impact that Arena had with the local stores and restaurants was HUGE. So, they actually went to the Washington Business Journal and put out a call to every theater company in the area, saying "Does anyone want to come and move into our theater? We don't want this space to go dark again." Now, Synetic Theater, which is another young theater company, has moved in there and is producing there year-round. Finally, another city that I think speaks appropriately to the place that Herndon is in is Stanton, Virginia. In the census 2000 it had less than 25,000 residents. They built Blackfriar's Theater and they have 55,000 patrons come to them every year. In the past 10 years, they've had almost half a million patrons. They started with a \$500,000 annual budget and they now operate over \$3 million. Those are just some specific facts I wanted to share with you about the economic impacts, all of the quality of life effects of the arts aside; it's important and it helps. Thank you very much."

Don Owens of Herndon stated, "I've been a business owner here in Town for 29 years. We own the property across the street from the center and I'm here on behalf of the Herndon Chamber of Commerce, on which I serve as the Vice President. I'll just add a few more comments to what Mr. Downer provided you. The Chamber supports this Resolution. We support the notion of the arts center being an economic engine; the notion of having independent development of the land; not waiting for everyone to get together and that the Town be a catalyst for this. Back in the summer, we hosted a roundtable discussion, and in that discussion, we included people from the staff, Town Council members, residents, business owners, landowners, developers and outside land-use attorneys. At the roundtable, it sounded as though they wrote this Resolution,

because they had in mind the notion of form-based development, so the developers don't get a surprise. We've had too many iterations of that. We've had all these things for 25 years; a generation of it, and we get to the altar and there's no marriage. Too many people have spent hundreds of thousands of dollars in pre-development costs and they've become gun-shy. That was the common theme of our roundtable. The money dried up. People pulled projects away from Herndon. This is the kind of thing that excites the developers and the business owners because they see it. They understand that they have to respect the quaintness and the uniqueness of Herndon. We have a special time right now. The Metrorail is a great opportunity for an economic engine and special transit-oriented development. If we tie public transit to a quaint downtown and a destination, and arts center or whatever the image might be that we want to create, this is a very special time. It's a great way to tie these two issues together. Part of the issues that have always stalemated this is that we've tried to make Herndon's Downtown a destination in itself; an economic engine. There never seemed to be the right combination of mixed use for that critical mass. You throw in the redevelopment of the Metro Station and tie those two together with transportation; it's a special and unique time in history that hasn't always been on the table. In that roundtable discussion, the people brought up form-based development, having respect for the Herndon residents and the visions that are common among the people who live around the Downtown, and to reduce the surprises and risks involved for development. Having a catalyst, the Town has in its hands, so much land and that's what really came out. Being a major landowner could be a catalyst. To build its own garage...there was a developer at that meeting who spoke up and said, "I'll build a residential unit or mixed-use unit right now if the Town gives me "X" number of spaces." Build it and they will come. There was general agreement with that. It throws a bit of extra icing on the cake if we could have a vibrant arts community, as well. These other people, as Mr. Donahue had said, are speaking more eloquently than I can, the opportunities and the experiences they have. The Chamber supports this and I'll wrap it up. There are many opportunities to put the pieces of this puzzle together, but in principle and in general, the Chamber supports your Resolution. Thank you for your time."

John DeNoyer of 600 Austin Lane stated, "I've listened very carefully to Dana's comment today concerning the Resolution and I was very pleased to see the recommendation for Block E for the cultural arts center. This is extremely important. Some of the confusion may have come because the original Map Commission report had the cultural arts center next to the Municipal Building over the parking lot. That was put there because that was Town owned land, at the time, and there was no other place to put it. I was very pleased with the Town Council a number of years ago, of which I was a member at the time, bought the land in Block E and designated it for the cultural arts center. That was our intent at the time and I am glad to see it come back again. This is extremely important to designate this land for that purpose, because that will give the various organization that are raising money, something solid to look forward to. Without that designation, it's like having your feet planted in mid-air. You need something firm for them to refer to and to work for. Thank you very much and I hope you will approve this Resolution and I certainly support the cultural arts center."

Ann Csonka of 600 Austin Lane, read from a statement submitted for the record, "I have worked in the arts for many years teaching art, but I tend to work more for applied arts and sciences. There is no question that what everyone has said about the arts is true. There are so many advantages to having a place like Block E to provide that opportunity. All of these attributes and advantages were identified as desirable by the steering committee, as well as the consultants. That's why we couldn't understand the recommendation for 80 apartments. Good grief! It didn't make sense, so we are glad to see that change in your recommendation. You can build apartments anytime, anywhere, practically. It's not right to take that type of space right on the Trail in the middle of Downtown that could provide the vitality that we really need. Density: We have watched plans and proposals and countless consultants come and go for more than the 25 years Richard mentioned. I picked up a box that had a bunch of other plans, but I forgot to bring it. Now, you have two new plans, a lot of community input, a little bit of education and sincere efforts by many. Sadly, both plans are destined to fail because they do not propose a level of density that is economically or functionally realistic, unless you expect, somehow, to maneuver to serendipitously, but somehow get the TOD related to

Metrorail to provide a lot of income to the Town. People want and need structured parking, underground utilities, 24/7 activity, but that will not happen if you downzone the whole Downtown. That's the way that we feel. Downtown, by definition, should be an economically viable center for commerce and community activity. It should be the heart of the community and the spirit of the community. It should be built to 21<sup>st</sup> century green standards, by the way, which no one ever, ever mentions, with mixed-use, but not such heavily residential plans. We look forward to further consideration. You've already made a couple of great advances in letter "a" in your Resolution. Transportation; of course it says you are adopting VDOT bicycle and pedestrian accommodation policies. You can't ride a bike from here to there without taking your life in your hands, somewhere, unless you stay on the Trail. Thank you for the opportunity to comment. We are really concerned about the density. Transportation; green standards and improving the Depot area."

Robin Carroll of 691 Old Hunt Way, stated, "I'm speaking tonight on behalf of the Herndon Foundation for the Cultural Arts as President of the Board of Directors. Thank you for including our request as item "a 1 a" in your draft Resolution before you tonight. We are confident that Block E is not only the best location for an arts center, but we are also confident that arts associated use center we have proposed on Block E will be a very positive contributor to the Downtown of Herndon's economic development. This location and use designation gives the Foundation for the Cultural Arts an opportunity to deliver a privately funded arts center to the Town of Herndon and its citizens as part of an art/associated use center. We intend to bring additional funds to the table in order to make the arts center in Downtown a reality. We're not looking to the Town to hand us a lavish facility. Instead, we're merely asking that Block E be designated as the location for a future arts/associated use center, so we can apply for grants and private funding to move the project forward. Rather than being a drain on the Town, the art/associated use center would be a driver of economic development by contributing funds to the shared public parking that is so vital to future Downtown growth. Your Resolution goes farther to propose a long-term land lease and our Board did approve pursuing that. We are ready to begin discussions with the Town on this and other means by which the Town would receive a return on its investment for the land. We are committed to this project and will take action to deliver the project before the deadline at the end of 2011. I wanted to speak to the aspects of the Resolution that are new, since the work session on the 29<sup>th</sup>, and we fully support the Resolution as it is written. The first step is before you tonight, designating an art/associated use center as a desirable use for Block E in the Downtown Master Plan. Please approve the draft Resolution, as written, for the sections designating Block E as the location for the art/associated use center. Thank you."

Peter Vladimirovic of 1012 Charlton Place stated, "I guess I'm coming a little bit late to the game here. I didn't realize that this was all this far along, but very excited to hear about this from some neighbors of mine that the whole project was going on. I'm a Town of Herndon resident for over 21 years and, quite frankly, I've not spent any time in Herndon in the evening hours or during the daytime for recreational purposes. All my time is spent downtown (D.C.) because that's where most of what is being proposed here is already located. I'm excited to see that something like this is being thought of to be built here in Herndon. I'm also a business owner in D.C. I own several restaurants that are of national acclaim, if you will, and geared to something that the Town of Herndon would benefit from to bring people together. Families, youth, all age groups. I'm just excited to see that there is a place that has a potential for me, as a business owner, to come and provide something to bring the Town together and saving me the drive into D.C. I would prefer to stay here and bring the tax revenues from the businesses that would, hopefully, jump at the opportunity to come and do something with the Town."

Faith Penland of 2516 Pegasus Lane stated, "I'm one of the artists that has participated in ArtSpace, and I just wanted to let you know that they have a very unique vision for their space in that they include many different aspects and activities for us artists. I have been involved in lessons and workshops there, shows and networking activities, and all of those bring artists to the area. We are all looking for places to eat. The people that I have been with have been commenting on what a great little Town this is and what a unique opportunity and setting Herndon has for this type of facility. I just

wanted to add my little two cents for supporting the arts and how this facility has supported me. I thank you for your time.”

Chairman Burk closed the public hearing.

**COMMENTS FROM THE COMMISSION:**

*Note: Commissioner East requested that they dispense with the reading of the Resolution in the staff report dated November 24, 2010, as corrected, since all present had a copy of the Resolution in front of them.*

**MOTION:** Commissioner East moved to recommend approval of CPA #10-01, Downtown Master Plan, as outlined in the following Resolution:

**PLANNING COMMISSION OF THE TOWN OF HERNDON, VIRGINIA**

**RESOLUTION**

**DECEMBER 6, 2010**

**RESOLUTION – Comprehensive Plan Amendment #10-01--Downtown Master Plan**

**BE IT RESOLVED** by the Planning Commission of the Town of Herndon, Virginia, that:

The Planning Commission has considered Comprehensive Plan Amendment #10-01 and the concerns of the Town Council, including the financial implications of the plan that were cited when the council remanded the plan to the commission on June 15, 2010.

Based on a planning process involving extensive community input, which served as the basis for the development of a detailed design, the Planning Commission recommends a revised form of development that is less dense than the current policies of the town advocate, as found in the adopted 2030 Comprehensive Plan. This revised form of development that the Planning Commission recommends is also less dense than major downtown redevelopment proposals that the town has received in recent years. Further, the commission wishes to emphasize the form of the recommended plan as well as the detail of specific buildings. The commission 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 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 mass and height of structures, and the architectural character and quality of development.

Towards 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 Planning Commission recommends and certifies to the Town Council Comprehensive Plan Amendment CPA #10-01 – Downtown Master Plan, including the CPA #10-01 documents on file in the Department of Community Development and incorporated by reference, subject to the following recommendations to Town Council:

**A. ITEMS TO ADDRESS PLAN ADOPTION AND IMPLEMENTATION (not including the financial aspects of plan implementation):**

- 1. Recommend “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. Retain Block E for a long term land lease to a non-profit entity for the development of an arts/associated uses public art center and commercial facility

with flexible leased spaces for arts-related commercial uses. This facility is intended to be developed as a partnership of non-profit and for-profit entities and it is intended that ground lease income will be provided to the town. The non-profit sponsors will seek grants and private funding sources to address the infrastructure gap identified in the report by Alvarez and Marsal dated November 11, 2010 and to bring a facility into development or at minimum final engineering design by the end of calendar year 2015. 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; and

- b. 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. These single-family detached homes are depicted on the "Illustrative Plan Option" sheet dated January 22, 2010, by Urban Design Associates and the rest of the mixed-use redevelopment scheme for the Pines is recommended as drafted, except that the Commission recognizes that the single-family home lot dimensions will be somewhat deeper than the original townhouse lots, thus slightly reducing the size of the parking structures, townhomes and multifamily buildings as depicted on the original Option A.
  - c. Add a text note on 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 uses on specific sites.
2. Recommend the development of a Zoning Ordinance Text Amendment 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. Recommend that the Town Council adopt a comprehensive rezoning, specifically a Zoning Map Amendment that would rezone existing Central Commercial (CC) and Commercial Services (CS) property located within the block areas of the Downtown Master Plan to Planned Development-Traditional Downtown (PD-TD), thereby facilitating the implementation of the plan. This recommendation relieves the development community of the constraint whereby major downtown development proposals have been withdrawn after considerable time and expense on the part of viable development firms. This comprehensive rezoning would allow development proposals that closely follow the Downtown Master Plan in form and development quantity and quality to proceed directly to the by-right site plan process, provided that necessary provisions can be drafted to ensure the desired quality and necessary public improvements to support future development. The provision of certain public improvements to insure optimal and coherent function and appearance along multiple properties and to fulfill projects identified in the current Town of Herndon Capital Improvement Program would be an additional requirement of properties over and above the standard facilities required by the Town of Herndon Public Facilities Manual; and
  4. Request the Town staff present the recommended Downtown Master Plan element of the Comprehensive Plan and zoning changes recommended by the Planning Commission 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; and
  5. Recommend an additional comprehensive plan text change to add a statement to 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"; and

- 6. Recommend that the Town Council direct 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. Recommend that the Town Council endorse 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.
- 8. Recommend the following specific text changes to Chapter II of the Town of Herndon 2030 Comprehensive Plan, Adopted August 12, 2008:

[NOTE: new plan language appears with underline; text to be deleted appears with ~~strikeover~~]

\* \* \*

*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, ~~or Adaptive Area~~, or Adaptive Area – Residential) and the vision, goals, objectives and policies set forth below. In addition, the Downtown Master Plan (adopted [date of Town Council adoption] provides a specific land use plan for Sectors 1, 2 and 3. 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 2008-2010 is documented and reports on the Market Analysis, Heritage Resources Analysis and other materials including a spreadsheet of development quantities for each block (“Herndon Downtown Development Analysis”) are available from the Department of Community Development.

\* \* \*

*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 and 3, 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 very 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...

\* \* \*

*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 [date of adoption] ~~relatively dense redevelopment~~. Consolidation of parcels is supported and this would include vacation of relatively small portions of public right-of-way to support coherent development. ~~The appropriate density may range up to a floor area ratio of 2.5 with a height limit of fifty feet, as allowed by the current PD-D zoning district when special criteria are met.~~ However, ~~r~~Reduced height and building mass 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.

\* \* \*

*Land Use Plan, page III-20:*

**Sector 3**

~~...This area is appropriate for PD-D rezoning, although the maximum floor area ratio should be less dense than the Sector 2 core, with a total floor area ratio of 2.0 or less. This area should be redeveloped in accord with the character, density and generalized building locations specified in the Downtown Master Plan adopted [date of adoption].~~ 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-D rezoning, although the maximum floor area ratio should be less dense than the Sector 2 core, with a total floor area ratio of 2.0 or less approximately 1.0 or less.

**B. ITEMS TO ADDRESS THE FINANCIAL ASPECTS OF PLAN IMPLEMENTATION.** The Planning Commission recognizes that the form and scale of development included in the recommended Option A master plan creates a need for the town to fund infrastructure costs. Infrastructure gap cost figures were identified for immediate or short term development pro formas by the Alvarez and Marsal report of November 2010. The commission also recognizes the uncertainty of future development cycles and the current market downturn. Therefore, the commission provides the following general infrastructure cost items to be viewed as town efforts to 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:

1. Place all of the town-owned land on Blocks D and F into private redevelopment at \$0 in order 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 10B, 10C, 10D, 11, 15A, 15B, 16A, 17, 18, 20B, 20C)

2. General Obligation bond funding for street improvements that serve the greater community and possibly also for structured parking that serves the greater community.
3. Service District funding for the undergrounding of utilities, with a special tax up to the maximum permitted for infrastructure located within the district, as enabled by Virginia legislation. The Service District could be the entire Downtown Master Plan geography, with Phase 1 being the implementation south of the W&OD Trail and a subsequent phase or phases addressing areas north of the W&OD Trail. Note that conduits for undergrounding on Block C are on track for construction in calendar year 2011, funded through an approved American Recovery and Reconstruction Act federal grant.
4. Tax Increment Financing for parking facilities that would not be feasible but for the public investment. This would require a partnership effort with Fairfax County to create a TIF district and capture the county and town property tax revenue (and potentially other tax revenue) increment increase generated by new development in order to pay debt service on special bonds issued to finance infrastructure. The tax revenues would revert to normal status after the county and town pay off the debt over an amortization period such as 15 or 20 years. This form of financing does not add any additional property tax; rather it dedicates the revenue from a property to paying off specific infrastructure debt and the revenue streams back to the general funds of county and town when the debt is paid off.
5. The town could issue a Request for Proposals for redevelopment on Blocks D-E-F and seek 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 dollar 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. An option may be provided to include redevelopment on Block C, although the town does not own land on Block C.
6. Recognize 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 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. A garage built exclusively on town property may provide circulation through the garage in lieu of the extension of Vine Street to Station Street, which would become a shorter and less costly street extension. 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 lots 26 and 27A, as included in the commission's initial plan recommendation of May 2010.
7. Town staff is directed to continue to pursue various county, state and federal grant funding sources to further offset the commitment to town financing of infrastructure.

Commissioner Jonas seconded the motion.

Commissioner East commented, "Ladies and gentlemen, friends and neighbors, I am so impressed that all of you have turned out this evening for the second try. It's not often that we get a "re-do." As a matter of fact, we never get a "re-do", we live with our mistakes. We're sort of like umpires; we live and die with our mistakes. I am so impressed with the turnout tonight, and I thank all of you for myself, and I think on

behalf of the Commission, for taking your time to listen to us and our deliberations. This is as important a step that the Planning Commission has taken since I've been on it, and I suspect in many years. I have made a motion to approve, and I am supporting, the resolution to recommend to the Town Council the current version of the Downtown Master Plan and the concomitant changes to the Town's Comprehensive Plan.

Let me lead off by solidly endorsing the designation of Block E as an arts and associated use center. Aside from the fact that I believe an arts center would be a terrific economic impetus, not only for Herndon, but would address the lack of an arts-related facility in western Fairfax County. I'm persuaded that the Herndon Foundation for the Cultural Arts can bring their plan to fruition without any cost to the Town. The plan that the Planning Commission recommended to the Town Council last May was wrought from almost a year's worth of intensive study, unprecedented levels of public discussion, and on the recommendation of a blue ribbon panel of citizen stakeholders, the Downtown Master Plan Steering Committee. The plan revolutionized Herndon's approach to downtown redevelopment, putting the horse properly in front of the cart by describing what Herndon's citizens wanted its downtown to look like. The plan, by recommending blanket rezoning for the downtown business district, embraced Herndon's sense of place and rejected the notion that viability equaled density. It also reflected the kinds of business activities Herndon's citizens wanted: more retail, more entertainment, and less office space. Finally, it embraced the notion that increased residential opportunities in the downtown core were essential to revitalization success. However, this kind of plan comes with a price tag. If you want to maintain a sense of place by limiting density, then you're probably not going to be able to attract the kind of development that pays for all the infrastructure additions and upgrades that go along with that redevelopment. This is one of the reasons the former Town Council remanded the downtown plan to the Planning Commission: they knew there was a price tag. They didn't know how much it was. Well, now we do. As I see it, the Planning Commission has a clear choice. First, we can recommend the adoption of the Downtown Master Plan essentially as recommended last May (with the slight alterations that we've hammered together this evening and over the last several of months); or we can ignore everything that went into the plan's development, maintain the development profile the Town has assumed for the past decade and more, and simply recommend some cosmetic changes to the designation of historic buildings. It is plain from the motion that I support the first option. I support this option for two reasons: First, as I stated initially, the first option, what we're recommending to the Town Council, overwhelmingly reflects the public input received by the Planning Commission during a long and intense vetting process. Second, I believe that at some point any municipality has to decide how committed it is to investing in anything, be it downtown revitalization or something else such as a sewage treatment plant or corporation yard. And I think that means that we've got to have something at stake besides our heritage and sense of place. By recommending that the Town Council adopt this amendment to the Comprehensive Plan, the Downtown Master Plan, we are saying, "We understand the costs, but we also understand the commitment. This plan is what the citizens of Herndon have told us and you that they want." In conclusion I note that in remanding the Downtown Master Plan to the Planning Commission, the Council merely asked the Planning Commission to examine the costs potentially attendant to implementing the Downtown Master Plan that was, and is still being, recommended. That examination revealed that there are identifiable costs that may be associated with implementation of the Downtown Master Plan. It also revealed several existing, viable alternatives to addressing those costs. In other words, the Downtown Master Plan has costs, but they're not insurmountable and should not be considered an obstacle to achieving the vision for Herndon's downtown as expressed by its citizens."

Commissioner LeReche commented, "I would like to say that tonight clearly illustrates that you don't know the value of something until you almost lose it. I appreciate everyone's testimony. I hope this exercise has served as a catalyst to get this growing, so that we're not waiting until 2015 to see things happening. We know that the downtown is being renovated on its own because of people like you, so I appreciate your coming out."

Chairman Burk commented, "I concur with everything that was said. On a Commission level, this is a gratifying process, and I'm not sure that there has been a

subject that has received so much public input. It has gotten better every step of the way as a result of that. I, too, can support it and call for a vote on the motion.”

The motion carried unanimously, 7-0.

2. **HERNDON METRORAIL STATION AREA PLAN.** A descriptive summary of the proposed action: The Planning Commission will consider preliminary findings and two land use options for a Herndon Metrorail Station Area Plan. The general purpose of the area plan is to carry out the vision, goals and objectives of the 2030 Comprehensive Plan to address the long range land uses, detailed policies, transportation management, infrastructure issues, and land use intensities in the transit-oriented development and the secondary impact area on the north side of the Herndon Metrorail Station. Area Plan Option One proposes a density of 2.5 Floor Area Ratio in the core of the transit-oriented development area, a 2.5 Floor Area Ratio in the transition area abutting the core, and a 0.7 Floor Area Ratio along the study area boundaries that abut existing residential neighborhoods. Area Plan Option Two proposes a density of 4.5 Floor Area Ratio in the core of the transit-oriented development area, a 3.0 Floor Area Ratio in the transition area abutting the core, and a 0.7 Floor Area Ratio along the study area boundaries that abut existing residential neighborhoods. The study area contains approximately 185 acres and is similar or equal to areas displayed as the Metrorail Station Urban Development Area and a portion of the Regional Corridor Mixed-Use Area in the 2030 Comprehensive Plan. The area includes all non-residential properties in an area bounded by Fairfax County Parkway on the east, Spring Street on the north, the Dulles Toll Road on the south, Van Buren on the west plus one parcel at 205 Van Buren Street, the subdivisions known as The Downs Sections 2 and 3, and the subdivision known as Van Buren Estates. Herndon Metrorail Station Area Plan maps and related information may be accessed through the Town of Herndon website at [www.herndon-va.gov](http://www.herndon-va.gov) (click on Planning and Zoning and follow links).

#### **STAFF COMMENTS:**

Kay D. Robertson, Senior Project Planner, presented the staff memorandum dated November 9, 2010, which is on file in the Department of Community Development. She advised the Planning Commission that the public comment period for this item had been extended until January 28, 2011, which would affect the schedule that was originally advertised. Ms. Robertson advised the Commission that no action would be necessary.

Ms. Gilleran stressed the fact that the plans were created to instigate discussions and reactions from the public. They were meant to create a platform from which people could react to. She added that she believed that since they were overlapping with the Downtown Master Plan, which was very specific about the details such as building heights, etc. that some people had found it confusing. She explained that the footprints of the future buildings, the location and type of parking, even the type of open spaces, at this point were just graphics to find out if people like or dislike the ideas. Staff would mold from those comments, which are based on these plans, a new plan, which may be like Plan 1 or Plan 2, but it may be something totally different. She asked that people not get caught up in the details of these preliminary plans, since the plans could change over time.

#### **QUESTIONS FOR STAFF:**

Commissioner East asked if staff could describe what would happen if the Town did nothing at the north side Metrorail Station.

Ms. Robertson responded, “We had a team of consultants look at that and help us understand. They looked at the existing zoning that is in place and the motivation for development under the existing zoning. We looked at economic conditions both now and in the long term, and we looked at those other economic studies that had been done on the Dulles Corridor. The Herndon Metrorail Station will be in place because of the Park and

Ride Garage. Back in the 1990's, when this was being planned, the powers in the region were trying to prepare for commuter parking and Metrorail, and they put the commuter parking in Reston, across from Herndon, and the Metrorail Station went there because of the commuter parking, not because of Herndon. Herndon did succeed in lobbying for a bridge to be built from the Metrorail Station to Herndon and that pedestrian bridge is reflected in the draft Environmental Impact Statement. The draft Statement states that there is just enough ridership in Herndon to justify the presence of that bridge. There are no other accommodations based on Metrorail for the Town of Herndon. There is no commuter parking anticipated for the north side of the Herndon Metrorail Station; no Kiss and Ride; nothing on the north side, just a bridge to the edge of Town and a sidewalk that would take passengers from the pavilion to Herndon Parkway, but once at Herndon Parkway, there was no provision for a bus stop or anything like that. So, that's the way it was seen in the region. If we take that as a starting point, well, that justified the pedestrian bridge, that's pretty much what we'd get. If the Town does nothing, then nothing happens. There will be very little growth. There will be very little investment in this area, because the current zoning is extremely restrictive. There is almost no incentive for a developer under existing zoning in that area to change anything from what you see in this aerial photograph. Our economic consultant has even suggested to us that there could be a possibility of decline. I think that is more of a subjective observation, but I think that where the consultant is coming from is that there are Metro Stations at the CIT, Reston Town Center, Wiehle and Tysons Corner, so that is where all of the investment would go if Herndon keeps things the way they are. Investment would go to the other Metro Stations where there are opportunities for reinvestment and growth."

Commissioner East commented, "In short form, then, if we do nothing we get a landing pad and a sidewalk."

Ms. Robertson responded, "That's it. We may not even get a bus route."

Commissioner Burke asked, "In your discussion of Area Plan 2, you mentioned that there were ongoing consultancy on the drop off area and the kiss and ride. Are you using those interchangeably?"

Ms. Robertson responded, "Almost interchangeably."

Commissioner Burke asked if the same situation applied to Area Plan 1.

Ms. Robertson responded, "It is the same. They are studying it regardless of the Area Plans."

#### **CITIZENS' COMMENTS:**

Pat Voltmer read from a statement which she submitted for the record, "My name is Pat Voltmer – a resident of the Town of Herndon for over two decades, currently residing at 284 Missouri Avenue. My property backs directly to the area proposed for redevelopment.

Having attended both public "workshops" (and I use that term loosely) and the November 17 neighborhood meeting for those residents directly affected by the proposed redevelopment, I have the following comments:

Both plans presented by the consultants consist of high-density, high-rise development. As expressed at the November 17 meeting - too high and too dense for many residents who live in the adjacent neighborhoods. The areas the consultants refer to as "transition" areas are too abrupt: increasing building heights and floor/area ratios exponentially. (For example, along Van Buren Street - building heights increase by over 200% and floor/area ratios by more than 80% over what exists today.)

Creating this proposed "vibrant" mixed-use area will directly compete with - and likely destroy - businesses within our downtown district. As proposed, this redevelopment will also alter the quiet, peaceful nights and weekends currently enjoyed by the surrounding neighborhoods. Many neighbors with whom I spoke proactively chose to

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live adjacent to the office district (as currently designed) since these buildings are largely occupied only on the weekdays.

Residents attending the November 17 neighborhood meeting expressed numerous concerns about the increased density and raised several thought provoking questions not addressed in the consultants' reports. The omission of Park-and-Ride/Kiss-and-Ride facilities makes it very apparent that the proposed redevelopment was not designed to provide easy metro access to the current residents of the Town of Herndon. It seems (most likely) that its main purpose is to increase tax revenue for the town by drawing hordes of new residents and big businesses to a grand "metropolis" at the station's doorstep. The consultants proclaim wanting to make Herndon a "destination" – berating the residents who have lived here for decades who love the small town/community atmosphere.

Herndon has always been a unique entity in the metropolitan area – not an overgrown city like Silver Spring, nor a "planned community" like Reston. Herndon has a history - which should be respected - and a small town feeling - which should be preserved. Herndon can prosper, and still maintain its unique identity, as long as we balance growth with preservation.

Rather than approving either of these overly dense plans - which will denigrate the character of the town and adjacent neighborhoods – as well as hurt our downtown businesses - I urge the Planning Commission to work with Community Development to create a more reasonable (less dense) plan that will actually benefit the town's existing, loyal residents."

Terry Zobek of 314 Missouri Avenue stated, "This is my first exposure to the plan. I read the staff report that is online and I do appreciate the presentation and comments by staff. It clarified, to me, where the stage is in this planning and it's not something that's going to be happening in the near future. I have many concerns. The same concerns that the previous speaker had, but I guess mine are more in the form of questions in terms of the high density plan. What are the plans for dealing with the increased traffic flow? Some of the report was rather dense with jargon and legends to the maps weren't very well explained. I'd like to see more detail on that. As someone living on Missouri, right on the edge of where the plan development is, my primary concern is the impact on the property values. I've been here 11 years, and I had planned on retiring here, so I have an interest in what's going to happen in the future. I, too, wonder if this is just going to be Reston within Herndon and one of the things that did attract my wife and I to the area, was the small town atmosphere of it. I commute to D.C. and work for the government, and by the time the rail opens, I'll probably have about two years left of working, so I'm welcoming the idea of having the Metrorail here. It makes a lot of sense, but I'm just not sure if the development that we're talking about here is really reasonable, or if it will really attract that kind of development being this far out, and at what price? I'm not sure what the cost to the Town would be. I have lots of questions, but I do appreciate the fact that we are at the very early stages of this and I expect that you will be answering a lot of those questions."

Chairman Burk suggested that Mr. Zobek follow the Town's website for the dates of the future public meetings.

Nancy Myers of 509 Herndon Woods Court stated, "I live approximately  $\frac{3}{4}$  of a mile from the north side of the future Herndon/Monroe Metro stop. With no changes or enhanced service, I could either walk 15 minutes to access the Metro from the north side, or take a bus 20 minutes to the south side. Others in Herndon who live further away, have much less attractive options. My primary concern with the Metro study is that it does not address the needs of the people who currently live in Herndon, for access to the future Metro Station. I feel that much more attention is needed on that topic. What the study does, is lay out options for new development in Herndon, to attract future residents and economic development. As a taxpayer, I'm not opposed to that new revenue, and if this study is needed to justify zoning changes to a higher density to incent the current business owners and landowners to allow current Herndon residents to have easy access to the future Metro Station, then I support that as a concept. I object to proceeding only

with the study and pretending that it somehow also solves the other important issues relating to Metro coming to Herndon. With regard to the Metro study, I do not support Plan 1 at all. There is no chance that it could ever be a transit oriented type of development. Plan 2 comes closer, at least in terms of density, but it needs revision to include more features to ensure that it would be a true transit oriented development of the kind that discourages automobile use. My recommendation to the Planning Commission is to send Plan 2 back for revisions and to do everything possible to promote attention to the needs of current Herndon residents for ease of access to the future Herndon/Monroe Metro Station such as bike lanes, bus route changes, pedestrian crossovers and enhanced traffic flow. Thank you.”

Richard Downer of 44354 Oakmont Manor Square, Ashburn stated, “When I was on the Council from 2008 to 2010, I tried to get things going to start talking about what was facing us, particularly with an interest in what was mentioned already, which is addressing the Kiss and Ride from the very beginning and also for an internal circulating bus system. We have a jewel, as we all know, in Herndon Parkway. It is a circumventing road around the Town. If you ran that ¼ mile “magic circle” of how far people will walk easily to a public transit station, and ran it around Herndon Parkway and another route that ran down Elden Street to Worldgate Drive, just those two routes alone (in my estimation) would cover 50% to 60% of the people in the Town of Herndon would be able to walk that distance to get on a circulator bus that would take them to this facility. I think our goal should be to see a Kiss and Ride for people who want to get dropped off and the circulator system should be in place from day one that the station opens if you really want to make Herndon a green community where you can commute and think about your car secondary. One suggestion made in some of the meetings that I’ve attended was to have the Kiss and Ride inside a parking garage. Commissioner Jonas was nice enough to send a copy of a report that shows that Franconia/Springfield has a Kiss and Ride on the lower level of their parking garage. I hope Commissioner Jonas will share that report with her fellow Commissioners. I’m also concerned about parking garages along Herndon Parkway, and one of the presenters at the meetings said it was like taking beachfront property and putting the worst thing you can put there. I don’t know what to do. You know, at Worldgate, they have the parking garages on the first two levels and it’s integral to the building. Monument 1, 2 and 3 buildings, at least some of them, have parking internal to the building. I think we do need to...I talked to someone else who suggested that the parking garages could be perpendicular to the roadway, so we’re not putting a big parking garage face out on some of the most prime land you could have. I’m not suggesting that you would get more density, but you would create more green/open space, by tucking as much of the garages as you can underneath the actual building itself. I think it would be interesting, and the Chamber ran a session not too long ago, showing the probability of redevelopment. I think it would be nice to have a probability map of this area. What I mean by that is that you look at the number of stories in the building, the age of the building, the current use of the building and say, “What are the probabilities of that building redeveloping in the next one year, five years, ten years, fifteen years, twenty years?” We’ve got a lot of warehouse space over in some ends of this, which is prime for redevelopment. The major part of Monroe Business Park is one story, and that’s within a quarter mile from the station. There are some areas that would be interesting to look at, and most of the developers who spoke at that meeting, were considering their options. As Ms. Gilleran pointed out, this is all redevelopment and it is not going to happen fast. It’s not going to happen like we saw out on the left side on the way to the airport where it was claimed land. It’s going to take time and we need to do a good plan. We need to stick with it, and I think what we’ll end up with will not be Plan 1 or Plan 2; it will probably be Plan 1.5 or 1.65. It will be a Herndon version of what should happen. I think it is an exciting time to be involved and I look forward to working with you all. Thank you.”

Barbara Glakas of 935 Barton Oaks Place stated, “I hadn’t planned on speaking, but after hearing a couple of things I have a couple of comments and questions. I do support the Metro Area development, but I’m not sure I’m ready to support a particular plan yet, although, I think I am possibly leaning toward Plan 2 at this time. About the bus pick up, I was glad to hear Kay say that the developers are now starting to think about that and I really like the idea of extending Worldgate and using it. My only worry is the use of cars and buses in the plaza area, because that would take away from this

being a pedestrian friendly/open space area and turn it into a bus depot. I don't know if there is any way the developers can extend this route down here for drop off and cut it under or behind the buildings or through the parking lot instead of having to cut through the plaza. One thing that was mentioned was on both plans they had about 1% retail and about 50% residential. I am wondering about what type of retail it would be. I realize Kay said that it would not be destination retail like department stores, but if it's going to be 50% residential, I'm thinking retail in terms of grocery stores? What kind of retail is going to support 50% residential? Where are they going to take their dry cleaning? Where are they going to get their food? If that kind of retail is not going to be worked into this plan, then are they going to be driving into our Downtown to go grocery shopping? I know the developers were also talking about having an anchor of some sort, like a draw in this area, and I don't know what they are envisioning or if that is something we have to envision. I think I have the opposite concern that Richard Downer has about these parking garages along the Parkway. I think he might have been concerned about the garages facing the Toll Road. I would not want to see the building out here on the Toll Road and a bunch of parking garages along the Herndon Parkway. Having them enveloped in buildings or somehow covered, or aesthetically pleasing.

Chairman Burk commented that the garages were just showing the amount of parking that would be required, not necessarily the locations or configurations. It would not be a big gray building; it would be integrated into other buildings or made less obvious. He added that the model shows that parking would be needed in this area.

Ms. Glakas continued, "I understand, but in the spirit of us being here to make comments, I understand that this is for feedback, so my feedback is that I don't want to see a bunch of parking garages along the Parkway."

**COMMENTS FROM THE COMMISSION:**

There were no comments from the Commission.

No action was taken on the Metrorail Station Area Plan.

- 3. **ZONING ORDINANCE TEXT AMENDMENT, ZOTA #10-06. Summary of Proposed Action:** Consideration of an amendment to the Zoning Ordinance (2007), Herndon Town Code (2000), as amended, to amend §78-203.4, Enforcement generally, to provide that written notice of a zoning violation shall include the applicable appeal fee and a reference to where other appeal process information may be obtained.

**STAFF COMMENTS:**

Mark R. Holland, Zoning Administrator, presented the staff report dated November 15, 2010, which is on file in the Department of Community Development.

Staff recommended approval of ZOTA #10-06 as submitted.

**QUESTIONS FOR STAFF:**

There were no questions for staff.

**CITIZENS' COMMENTS:**

There were no citizens' comments.

**COMMENTS FROM THE COMMISSION:**

**MOTION:** Vice Chairman LeReche moved to recommend approval of ZOTA #10-06.

Commissioner Moses seconded the motion.

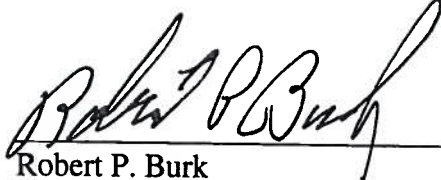


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Chairman Burk called for a vote on the motion. The motion carried unanimously, 7-0.


Commissioner East moved to adjourn.

Chairman Burk adjourned the Planning Commission public hearing at 9:46 p.m.



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Robert P. Burk  
Chairman, Planning Commission



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Patsy Tappan, Recording Secretary

Minutes Approved: 01/03/2011