



Elizabeth M. Gilleran, AICP
Director of Community Development
T (703) 787-7380
F (703) 481-5280
community.development@herndon-va.gov

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April 8, 2022

Mr. Mark C. Looney
Cooley LLP
11951 Freedom Drive
Reston, VA 20190

**RE: Zoning Administrator Determination ZAD #22-01
Park Place Zoning Map Amendment ZMA #19-02
Fairfax County Tax Map Number 0161 02 0015G**

Dear Mr. Looney:

This letter is in response to your request (Attachment 1) for a zoning determination relating to the above-mentioned property. Your request includes a determination on whether a subdivision of the property along phasing lines as shown on Sheet C-07 of the Generalized Development Plan (GDP) and processing of a preliminary subdivision plan and site plan to facilitate phase 1 of the Park Place Development is in conformance with ZMA #19-02, the zoning ordinance, and the subdivision ordinance.

The Herndon Town Council adopted Ordinance 20-O-62 on November 17, 2020 (attachment 1) to rezone 1145 Herndon Parkway (Fairfax County Tax Map Number 0161-02-0015G) from CO, Commercial Office, to PD-UR, Planned Development – Urban Residential, with an associated Generalized Development Plan dated October 19, 2020, and Proffer Statement dated October 29, 2020.

Subdivision of the property is permitted along phasing lines as shown on Sheet C-07 of the GDP pursuant to Ordinance 20-O-62 and ZMA #19-02, provided all of the following conditions are met:

1. Public access easements are granted to the town as shown on Sheet C-03A of the GDP and Proffer 9.G, excepting in the areas for phase 2.
2. Documentation is provided in the Deed of Subdivision and Declaration of Covenants that the owner of the phase 2 property is included as part of the Property Owners Association, in accordance with Proffer 15.
3. Right-of-way is dedicated to the town pursuant to Proffer 7 and Sheet C-03A of the GDP.
4. Easements are provided for any utilities located on the phase 2 property as shown on Sheet C-08 of the GDP.

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Pursuant to Section 15.2-2299 of the Code of Virginia (1950), as amended, you have the right to appeal this decision to the Town Council of the Town of Herndon, Virginia, within thirty (30) days after receipt of this letter. The decision(s) set forth in this letter shall be final and not appealable if not appealed within the thirty-day period.

If you wish to appeal this decision you must do so in the specified time by submitting a written request specifying the grounds upon which you are aggrieved to the Zoning Administrator and Town Clerk, located in the Community Development Department at 777 Lynn Street Herndon, Virginia.

If you have questions about the application or process, please contact the Zoning Administrator's staff at 777 Lynn Street Herndon, Virginia, or call (703) 787-7380.

Respectfully,



David Stromberg, AICP
Zoning Administrator

Attachment: Zoning Determination Request submitted by Mark C. Looney, Cooley LLP,
dated February 15, 2022

c: FMI Herndon Corporate Center, LLC