

**RE: Comments on Draft TRG Plan**

Greenlief, Lori R. &lt;lgreenlief@mcguirewoods.com&gt;

Fri 1/5/2024 4:43 PM

To:Gilleran, Lisa <lisa.gilleran@herndon-va.gov>;Perry, Bryce <bryce.perry@herndon-va.gov>;Zaki, Ahmad <Ahmad.Zaki@herndon-va.gov>  
Cc:Steve Shanks <sshanks@shorenstein.com>;Sean Fay <sfay@shorenstein.com>;Alysia Vigil <avigil@shorenstein.com>;Eric Hansen <ehansen@shorenstein.com>;Rieggle, Gregory A. <grieggle@mcguirewoods.com>

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Good afternoon, Lisa,

Thanks for your quick review and comments back to us. For the sake of time, we've reviewed your thoughts with Shorenstein and can provide the following responses. We are thinking that it might be of most benefit to the Committee to refine our Advisory Committee comments that I sent earlier to reflect this constructive discussion. When were you thinking of transmitting those comments to the committee?

Regarding your concern about the multifamily residential comment, this was not meant to be a red flag. We were simply acknowledging the reality of the financing and construction cost market today. We are not suggesting any change to the land uses within the plan, just a simple correction to that one sentence since it isn't accurate to state that multifamily development is stable, since (unlike two years ago) very few projects can secure financing in current market conditions. We anticipate this will improve over the next couple of years as interest rates stabilize. This reinforces our previous comments that since the plan is focused on a long-term horizon, it should be inherently flexible, as markets always ebb and flow on a much shorter timeframe.

Regarding the other comments, our general concern is that adding too much specificity into a planning/policy document without properly developing site plan designs will lead to unintended conflicts and unnecessary constraints. Here are some specific concerns in each of the areas you mention below as follows:

Relating to the buffer along the Downs, we fully understand and agree with the concept of a landscaped buffer/berm here. Our intent would be to generally maintain the existing berm and trees and not build any structures within the area of the existing berm. However, the section on p43 of the SOM document gives the impression of precision when there are some inaccuracies and inconsistencies. For example, the grade elevation on the Downs side of the berm is higher than the existing grades on the Shorenstein property. This grade change improves the effectiveness of the berm in that the structures to the south will be lower in height than the Downs. Further, SOM's plan view diagrams (e.g. p40) show alleyways and/or fire access roads along the north side of the mews townhomes but this isn't shown on the section. We agree that an alleyway and/or fire access path will be required here. So while the existing berm is generally 50' wide and we intend to maintain that, we recommend including language that to allow flexibility for the alleyway and/or fire access path to encroach within the 50' dimension. Also, the buffer should not apply at the hammerhead turnaround which encroaches into the Shorenstein property.

Relating to ROW widths, we agree with the general concepts outlined in the document, but the specificity within the SOM diagrams is problematic. For example, on p66, the section through Herndon Pkwy shows a prescriptive 30' setback north of the curb-line. We appreciate the need for a well-designed pedestrian zone, but it appears that the additional two-way cycle tracks along the north side of Herndon Pkwy is an error. Also, being prescriptive with three separate zones of landscape buffers (7' at the buildings+ 5' tree zone + 2' of buffer at the curb) is premature ahead of site specific design. This creates a very suburban feel which is contrary to the intent of a TOD. Similarly, Shorenstein understands the importance of the parallel road along the powerlines – indeed, all of Shorenstein's test fits includes some version of this road. However, the specific dimensions in SOM's section (p64 for example) should not be so prescriptive. For example, as drafted, an unintended consequence is that it would preclude shifting the south parking lane into the Dominion easement (which we believe is a much better site solution). Finally, the plan should simply not prescribe specific dimensions for the private mews, plazas and other areas that require detailed design study.

Finally, we agree with your statements that parking garages should have a certain quality of screening and that there are many ways to explore and achieve this. Our concern is that the SOM document includes many "absolute" statements such as "avoid parking at grade, place them on upper floors" and "parking structures should be screened with residential "liner buildings." Generally speaking, garage screening is feasible. Lining with active uses is more difficult but can be done at the ground floor on key frontage like Herndon Pkwy and the Arrival Plaza.

We very much appreciate the constructive discussion and look forward to working with you to resolve these concerns in the coming weeks.

Have a great weekend!

Lori

**Lori R. Greenlief**

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**From:** Gilleran, Lisa <lisa.gilleran@herndon-va.gov>  
**Sent:** Friday, January 5, 2024 12:46 PM  
**To:** Greenlief, Lori R. <lgreenlief@mcguirewoods.com>; Perry, Bryce <bryce.perry@herndon-va.gov>; Zaki, Ahmad <Ahmad.Zaki@herndon-va.gov>  
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Lori,

Thank you for the updated material. I have a few thoughts and questions.

I suspect that the request to remove dimensions from the buffer/berm separating the TRG from the Downs, and further to the north the abutting townhouses, will receive pushback and there should be some guidance regarding the extent of buffer to inform the zoning text that will be developed from the TRG plan. McGuireWoods and Shorenstein should propose what they believe is appropriate language to address the buffer, and a preferred minimum in regard to space and physical features to be discussed by the Advisory Committee. Town staff doesn't want this topic to be open ended and hotly debated at the time of the zoning text amendment. Now is the time to develop language that both the representatives of the residential community and Shorenstein can agree to (hopefully) or at least establish the desires of both groups so that we are not handling the zoning text without a range of expectation.

While private roadways can have a higher level of flexibility, the road running parallel to the Herndon Parkway is an extremely important roadway for achieving a functional system and ensuring the ability of the major intersections to operate successfully. Town staff believes that more specifics are necessary for the parallel roadway. Please let us know your thoughts on this matter.

Regarding the orientation of the buildings, as well as parking guidance and screening. I think there is a lot of room here for discussion. The Town's primary concerns relate to the need to reduce impervious surface, ensure an enjoyable park setting and have service areas and parking garage entrances handled in a manner that makes them unobtrusive and not appear to be the utilitarian back of building. This will take a high level of architectural design. Of course, such entrances along the Herndon Parkway would not be acceptable. The treatment of parking garage levels is a matter to explore in more detail. Due to experience in the HTOC, it is clear to Town staff that a certain quality of screening needs to be established in the plan, but this shouldn't be an impediment to achieving consensus. In addition, different locations of buildings and facades will probably need different solutions and the plan should address this, at least at a general level.

As we move forward, I believe resolution of these matters are both critical but doable.

I do have a more serious concern regarding the statement on multifamily residential. I'm not certain what you're proposing in regard to this matter. Are you proposing to amend the statement that the market will not remain relatively stable, or are you proposing changes to the actual land use portion of the plan and the plan layout to minimize the percentage of multifamily? I am also interested in knowing what land uses your team believes to be advantageous in the short-term, mid-term and later for a transit-oriented development? Are multi-family condominiums going to become more desirable? Are there new products of which we should be aware?

Thank you for your input and engagement in this process.

Best,  
Lisa

Elizabeth M. Gilleran, AICP

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**From:** Greenlief, Lori R. <lgreenlief@mcguirewoods.com>  
**Sent:** Friday, January 5, 2024 10:48 AM  
**To:** Gilleran, Lisa <lisa.gilleran@herndon-va.gov>; Perry, Bryce <bryce.perry@herndon-va.gov>; Zaki, Ahmad <Ahmad.Zaki@herndon-va.gov>  
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Lisa/Bryce/Ahmad,

Good morning. Hope your holiday was restful and rejuvenating! Could you please forward the attached memorandum to Chairman Burke and the Advisory Committee please? Note that it is a revision and should supersede the memorandum we sent on December 22. Happy to discuss these comments if you wish.

Lori

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