TOWN OF HERNDON, VIRGINIA
WORK SESSION AGENDA
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
JULY 2, 2019
7:00 P.M.

PRESENTATIONS

1. Proclamation, to recognize Northwest Federal Credit Union, 2019 Herndon Festival

2. Proclamation, to recognize the 36th Annual "National Night Out," August 6, 2019

3. Proclamation, to recognize "National Parks & Recreation Month," July 2019

4. Certificate of Congratulations, to recognize William "Billy" Duquette, 2018 Athlete of the Year, Special Olympics Virginia

PUBLIC HEARINGS

5. Resolution 19-G-42, to consider two additional chapters of the Urban Design & Architectural Guidelines for the Herndon Transit-Oriented Core (HTOC); one for signs within the HTOC, and the other for landscaping within the HTOC **(Continued from May 28)**

6. Ordinance, to consider Zoning Ordinance Text Amendment ZOTA #19-01, to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by adding Section 78-51.1, entitled PD-UR (Planned Development – Urban Residential), and to amend Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), Article VIII (Accessory Uses), Section 78-80.2 (Table of Permitted and Allowed Accessory Uses and Structures), Article X (Parking, Loading, and Circulation), Section 78-100.2 (Minimum Off-Street Parking and Loading Standards), Article XI (Development Standards), Section 78-110.4 (Perimeter Buffer Strip Landscaping Requirements), Article XIV (Signs), adding a new Section 78-141.7 (Sign Standards for Planned Development – Urban Residential District) to create a new residential zoning district to implement the recommendations and standards of the "Adaptive Areas – Residential" land use category

7. Resolution, to consider a special exception, SE #19-04, 1037 Sterling Road, Suite 101, to allow a vocational school, Divine Healthtech Institute, on property zoned CO, Commercial Office; Applicant: Rev. Leonard Chukwujioke; Property Owner: Ferhan C Ege

8. Resolution, to authorize the reserve of Fiscal Year 2019 funding for capital, on-going, and new or expanded projects and for outstanding encumbrances at June 30, 2019

9. Ordinance, to amend the Fiscal Year (FY) 2020 Adopted Budget by recognizing the outstanding encumbrances and authorized reserved amounts for FY 2019 as appropriated amounts for FY 2020

10. Resolution, to authorize a license to Vivacity DC, Inc. to use designated public property in the downtown for the installation and maintenance of equipment and facilities for public use in accordance with the Pilot Program Agreement dated June 12, 2018 and as thereinafter amended

GENERAL

11. Ordinance, to approve a lease of space in the Town's building at 397 Herndon Parkway to Delegate Samirah

CONSENT AGENDA

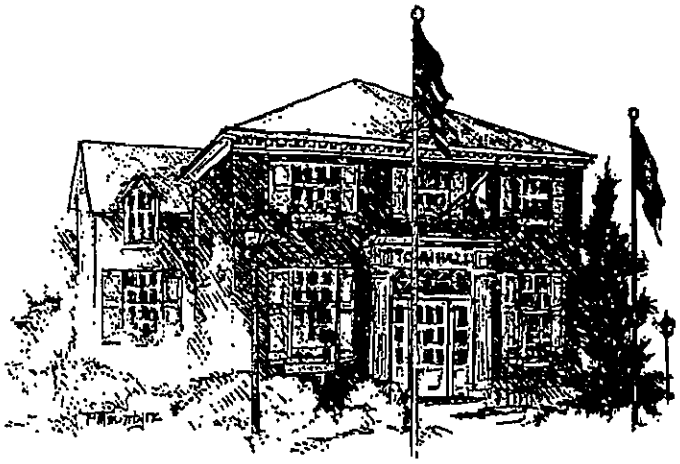
12. Resolution, to reappoint members to the Herndon Planning Commission

13. Resolution, to reappoint members to the Architectural Review and Heritage Preservation Review Boards

14. Resolution, to authorize a Business, Professional, Occupational License (BPOL) tax refund

15. Resolution, to appoint a Deputy Town Attorney

ROUNDTABLE



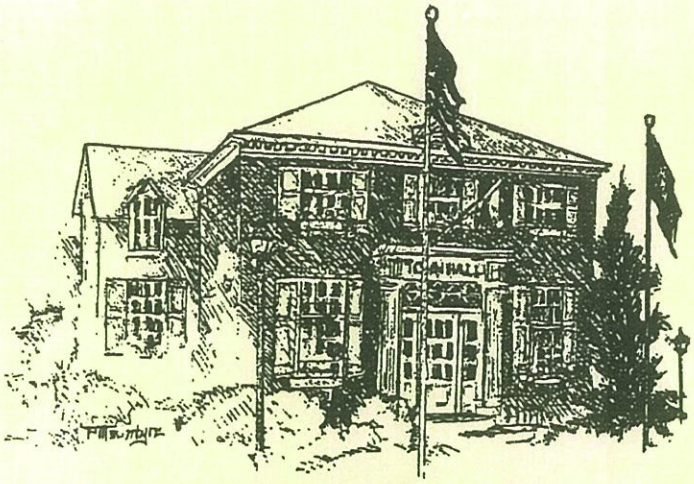
TOWN OF HERNDON, VIRGINIA
PROCLAMATION
NORTHWEST FEDERAL CREDIT UNION
2019 HERNDON FESTIVAL

The time-honored Herndon Festival had been held in downtown Herndon since it began in 1980. With the planned redevelopment of the downtown, the Festival committee searched for a new venue that would allow the carnival and many of the other Festival elements to continue. It became apparent that a potentially viable location was the corporate headquarters for Northwest Federal Credit Union (NWFCU), at 200 Spring Street. In addition to partnering with the town on events like the Ice Breaker 5K, NWFCU was a regular sponsor of the Herndon Festival, including sponsoring the K9-2K walk for several years, and was familiar with the Festival's scope and size. NWFCU was the title sponsor for the Festival in 2018 and 2019, generously committing significant funds and volunteer support to the event. In May 2018, the town and NWFCU signed a memorandum of understanding outlining the partnership between the two entities to promote and host the 2019 Herndon Festival.

Therefore, the Mayor and Town Council of the Town of Herndon, Virginia, hereby commend NWFCU ~ including Jeff Bentley, Chief Executive Officer ~ who was ever-present at the Festival; Project Manager Raquel Ortiz; Kristen Soller, Manager, Event and Communication Strategy; the executive leadership; Board of Directors; employees; and credit union members ~ for being active and engaged partners, and for the collaboration and cooperation they demonstrated in planning and executing the Herndon Festival. NWFCU's team maintained a positive attitude throughout and was willing to make concessions to their regular operating procedures to facilitate Festival requirements.

Further, the Mayor and Town Council of the Town of Herndon, Virginia, hereby express their sincere appreciation to NWFCU, its leadership and employees, for working to make a positive impact in the community they serve, and for their outstanding organization, effective communication, hospitality and flexibility during the 2019 Herndon Festival. The Town of Herndon looks forward to continuing its important and successful relationship with NWFCU.

/s/
Lisa C. Merkel, Mayor & Members of the Herndon Town Council



TOWN OF HERNDON, VIRGINIA
PROCLAMATION
NATIONAL NIGHT OUT
AUGUST 6, 2019

First celebrated on August 7, 1984, **National Night Out** is a unique crime and drug prevention event sponsored by the National Association of Town Watch. Over the past 35 years, **National Night Out** has grown into a massive, multinational community-building campaign that involves over 38 million people and over 16,000 communities from all 50 states, U.S. Territories, Canadian cities, and military bases worldwide.

The Town of Herndon supports the Herndon Police Department and local anticrime programs in their efforts to heighten crime awareness and prevention; promote community-police partnerships; and strengthen community spirit, energy and determination ~ helping to make our neighborhoods safer, better places to live. By celebrating **National Night Out**, and in cooperation with efforts such as Neighborhood, Fleet and Business Watch, the Herndon community sends a message to criminals that our neighborhoods are organized and fighting back against crime.

Therefore, the Mayor and Town Council of the Town of Herndon, Virginia, hereby proclaim August 6, 2019, as the 36th Annual **National Night Out** in the Town of Herndon, and encourage all neighborhoods and businesses to join the Herndon Police Department and the Herndon community as we unite, celebrate and promote **National Night Out** throughout our town.

Sheila A. Olem, Vice Mayor

Pradip Dhakal, Councilmember

Jennifer K. Baker, Councilmember

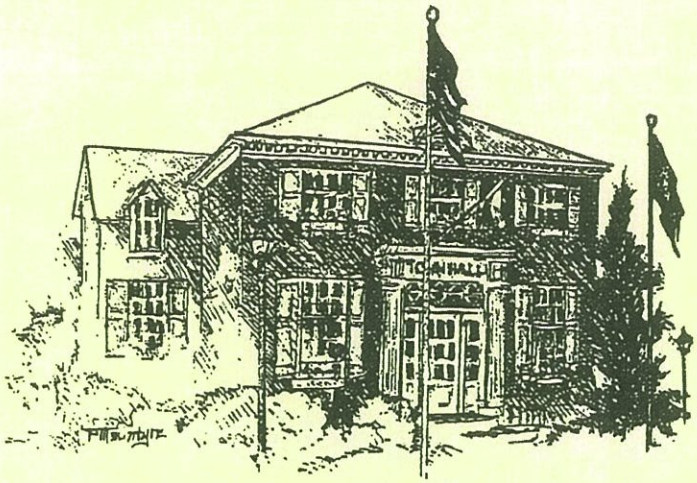
Signe Friedrichs, Councilmember

Cesar del Aguila, Councilmember

Bill McKenna, Councilmember

Lisa C. Merkel, Mayor

Proclaimed by the Herndon Town Council July 9, 2019.



TOWN OF HERNDON, VIRGINIA
PROCLAMATION
NATIONAL PARKS & RECREATION MONTH
JULY 2019

Since 1985, the National Recreation and Park Association (NRPA) has designated July as the month to recognize parks and recreation nationwide. This year's theme ~ **"Game On"** ~ is about highlighting the fun, games and exciting offerings at our local parks and recreation centers. Locally, the Town of Herndon Parks and Recreation Department's mission is to create programs to build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those in need, and also improve the mental and emotional health of all citizens.

The Town of Herndon recognizes that the town's diverse and accessible recreational amenities are vitally important to lead initiatives and provide opportunities for people of all ages to achieve healthier lifestyles, promote and understand nature and conservation as well as bringing the community closer through a variety of programs and services. In July and throughout the year, residents are encouraged to participate in outdoor activities; connect with nature; family and friends; and discover new ways to have fun in our community.

The dedication of the nationally renowned Town of Herndon Department of Parks and Recreation staff and volunteers contributes to the success of top quality events and programs ~ including summer camps for all ages; the Labor Day Festival; Nature Fest; 4th of July Celebration; Holiday Arts and Craft Show; Kids-Triathlon; Herndon Olympics and Harvest Moon Swim Meets; Turkey Trot; and the Herndon Festival.

Therefore, the Mayor and Town Council of the Town of Herndon, Virginia, hereby proclaim the month of July 2019 as **National Parks and Recreation Month** in the Town of Herndon, and encourage all residents to get out there and show that it's **"Game On"** at our local parks and recreation programs and facilities.

Sheila A. Olem, Vice Mayor

Pradip Dhakal, Councilmember

Jennifer K. Baker, Councilmember

Signe Friedrichs, Councilmember

Cesar del Aguila, Councilmember

Bill McKenna, Councilmember

Lisa C. Merkel, Mayor

Proclaimed by the Herndon Town Council July 9, 2019.

TOWN OF HERNDON VIRGINIA 1879

Town of Herndon, Virginia

Certificate of Congratulations

to

William "Billy" Duquette
2018 Athlete of the Year
Special Olympics Virginia

For your many achievements with the Special Olympics, including: participating in six sports; serving as a leader and mentor to other athletes; admirably representing the Town of Herndon; dedicating your time and efforts to the health, community, sports and education pillars of Special Olympics Virginia; and being a true example of the Special Olympics spirit.

Presented by the Herndon Town Council on this 9th day of July, 2019.

Sheila A. Olem, Vice Mayor

Pradip Dhakal, Councilmember

Jennifer K. Baker, Councilmember

Signe Friedrichs, Councilmember

Cesar del Aguila, Councilmember

Bill McKenna, Councilmember

Lisa C. Merkel, Mayor

TOWN OF HERNDON VIRGINIA 1879

TOWN OF Herndon VIRGINIA

MEMORANDUM

To: **William H. Ashton, Town Manager**

From: **Elizabeth M. Gilleran, Director of Community Development**

Date: **June 27, 2019**

Subject: **Resolution 19-G-42, Proposed Landscape and Signage Chapters for Inclusion into the Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core**

On June 26, 2019 the staff received a significant number of comments regarding the above referenced chapters to the Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core (the Guidelines). The comments were provided by Lerner Enterprises, owners of 593 Herndon Parkway, and were prepared by their consultants. Staff and a representative of Lerner Enterprises, as well as one of their consultants, met on June 27th to discuss some of the comments.

The staff appreciates the time, effort and monetary resources expended by the property owner to bring forth these thoughts and concerns, and staff believes that the comments need careful consideration. Staff also recognizes that the reach of some comments may extend beyond the two chapters currently under review and will most likely have bearing upon the currently adopted chapters of the Guidelines. Based upon the staff's respect for the source of the comments and staff's desire to provide these comments due diligence, while also ensuring consistency within the Guidelines, the staff anticipates that review and analysis of the material will take several months.

Staff is also aware that additional development plans within the Herndon Transit-Oriented Core (HTOC) could be submitted in the very near future. Delay in the adoption of these two chapters would place the Town in a position where signage and landscaping guidelines would not be available for the staff and the deliberative bodies of the Town (Town Council, Planning Commission and Architectural Review Board) to employ during review and decision. The lack of formally adopted guidance, particularly on the subject of landscape, will undermine the Town's ability to ensure consistency and minimum standards for determination of appropriate design and maximum Floor Area Ratio (FAR) within the HTOC. The lack of these chapters added delay to the review of the 555 Herndon Parkway development plan and placed the staff in the position of having to negotiate landscape improvements that should have been assumed within higher quality transit-oriented design.

To achieve both adequate consideration of the recently received comments and move forward with the inclusion of the currently proposed chapters, the staff recommends that the Council:

1. Adopt the draft resolution, dated July 9, 2019, approving both chapters as recommended by the Planning Commission following public hearing and the staff, and
2. To take the recently received comments under advisement and direct staff to analyze fully the appropriateness and merit of the comments and their impact on additional chapters of the adopted Guidelines, and to return to the Council in the future with any recommendations to amend the signage and landscape chapters, as well as other portions of the Guidelines, based upon their analysis of the comments.

Attachments:

1. Comments Received Regarding the Proposed Landscape Chapter
2. Comments Received Regarding the Proposed Signage Chapter

Town of Herndon

Landscape Guidelines Revision – Commentary

June 26th,2019

Having been part of several development teams working on projects in the design phases and built projects within the Herndon Transit Oriented Core, and also having provided initial commentary on the proposed guidelines, we ask that you delay the approval of the HTOC Landscape Guidelines and have the document edited and refined to address the following concerns.

These guidelines as presented in the document are somewhat impractical, incomplete, and serve to restrict design efforts in the space to make it an original and quality project. There are also many technical errors in the text. It is advisable to perform another round of edits and re-writing of the document before it is adopted and has lasting impacts on pending designs within the HTOC.

Below is a summary of the various issues identified, followed by a more detailed description of the issue, the reasoning, and possible solution:

Summary:

- **Plaza and Promenade** – Document is too prescriptive, arbitrary, and detailed.
- **Paving Materials** – Document is too prescriptive, proportion of paver/concrete is restrictive and not practical. Specification of specific materials should be excluded from this document, and for town-owned areas, be specified with spec sheets and proper details, a critical requirement for vehicular pavers. Reconsider locations where they are to be installed.
- **Curbless Streets** – Undesirable design feature not practical, safe, or appropriate in all areas where they are being suggested.
- **Lighting** – Pedestrian lighting (promenade) is too prescriptive, and in the case of festival lights, undesirable and impractical in this application.
- **Site Furniture** – Site furnishings in public spaces should be left to the owner and design representatives to specify on private property. For the Herndon standard street furnishings, something more durable is suggested to be specified.
- **Dining Areas/Retail Areas** – Allow for spaces to exceed 12′ from façade.
- **Plant Palettes** - Remove from document, revise native requirement to reflect latest research.
- **Green Space Minimum Requirement** – Arbitrarily high number for urban development.
- **Additional Road Classifications** – Additional roadway classifications and design standards are necessary to cover additional design issues.

Plaza and Promenade: These design of these spaces should be not be prescribed in any way apart from requested programming and concept function, as they are private property. Design wise, they should be UNIQUE spaces with their own character, and not necessarily match the rest of the hardscape in the TDOC or other developments within the HTOC outside of the right-of-way spaces. It needs to be able to stand alone. As well, materials do not need to match the architecture, again, to add a unique sense of place. Unharmonious materials to the rest of the town hardscape or the architecture can also enhance

and free the streetscape from plain building or inactive facades, enlivening the space. And given that development of this area will take place in phases taking many years, it is inadvisable to dictate design so precisely when it is unclear what architecture will be present, what the final the form of the sites will be, and what future needs will require design solutions. As well, this type of design control leads to monotonous and characterless sterile places that stand in contrast to true urban organic fabric with unique buildings, hardscapes, and landscapes that vary from space to space. Variety creates destination. Unified designs also tend to date themselves very quickly. What looks clean and modern now will look old and dated in a few short years if applied in a uniform manner across the HTOC. Thus, the need for variety and less prescriptive and arbitrary design regulations. For phased development, the design needs to be expandable and accommodating to whatever the next adjacent phases will bring.

Paving Materials: The stated requirement that paving materials in the promenade and plaza areas be 60% pavers and only 40% concrete is unreasonable and impractical. If any quantities are to be specified (it is arbitrary and prescriptive), the proportions should be reversed. Concrete can be scored and treated to create valuable texture in the landscape, and serves to meet minimum LEED SRI numbers important to these projects. At least 50% of the paving surfaces must meet or exceed an SRI of 29 to obtain LEED credit. The greys and dark greys dictated in the guidelines, as well as the patterning, would prevent this credit from been sought. Providing specialty unity pavers in such quantities reduces their effectiveness in providing "sense of place" and should be reserved for areas outside of the main pathways and any vehicular areas.

Areas of exposed-aggregate paving should also be avoided. The stone used in this region is generally non-pourous and is a river-polished pebbles, which can be extremely slippery in wet conditions. Exposed aggregate paving also do not stand up well over the long run, as water and snow tends to pool up in the spaces between the stones and freezes, spalling the concrete and stones away. It is also very difficult to repair to match existing. Standard concrete trowel finishing is far superior for pedestrian applications.

Furthermore, the specified pavers in the guidelines (Nitterhouse architectural paving stone) is offered in a standard thickness of just 1-7/8", making it unsuitable for vehicular, even light traffic, applications. Standard concrete pavers are not intended for extended vehicular use. They are too thin, and will immediately crack under the weight of a firetruck or bus, and will crack and fall-apart over time (within months) from car use. I have seen this many, many times on commercial applications, causing the owner to have to replace these expensive pavers, and preferably, change the design and type to pavers that are vehicular rated. Vehicular rated pavers are generally 80mm to over 100mm (3-1/8" to 4" thick) is based on a ratio of length to thickness. The larger the paver, the thicker it has to be.

Paver and decorative paving areas and types will be determined by the Landscape Architect to work with their design for the space, define pedestrian and program areas, and work for areas that may see heavy-duty uses such as the fire lanes. It is too prescriptive to specify the materials and quantity ratios for an undesigned space on private property.

It is also suggested to remove the areas of pavers in all other areas of public sidewalks, as outside of urban areas, they can create expensive maintenance issues for the town. Additionally, no detail is shown for installation or precautions for settling and stability which always occur with unit pavers. For durability, inlays should always be installed on a concrete base with a thin sand or asphaltic sand layer, proper drainage, and polymeric jointing sand.

Curbless Streets: It is recommended to remove this design from the guidelines, as there are many reasons why this arrangement is not desirable. Tried initially in the US during the 1970's, this design fell out of favor because it doesn't really work here. These types of streets are inherently more dangerous than curbed ones in all circumstances. They also require active facades on both sides of the street, in very close proximity (there has to be something to cross the street to) to have a reason to exist. A type of condition that is not really going to exist in most developments within the HTOC. Looking at recent built examples, extraordinary levels of implied separation are required such as dense bollard placement or rows of raised planter boxes just to keep traffic out of pedestrian spaces. However, even that is not fully successful, as collisions with bollards are very common, requiring expensive replacement and repair. These types of streets are also not accessibility friendly, as designated accessible street crossing are not present. Instead, a long linear street crossing must be created with a 2' strip of tactile warning surfaces along both sides of the street. The vehicle does not know where to expect pedestrians crossing, and pedestrians do not know where to safely cross. In one very recent installation, the design has already failed and is being altered with many more additional bollards and raised planter boxes to try to reinforce pedestrian vs. vehicle spaces. Planter boxes are also very expensive to install and maintain, and generally require multiple plantings per year. It is simply cheaper, easier, better for stormwater management, and most importantly, SAFER, to provide concrete curbs and raised sidewalks with marked crosswalks and standard curb ramps. Certain limited areas of flush curb can be allowed for specific functions, but requiring curbless streets in many areas is not advisable. It is yet another design fad that will soon pass for being impractical and dangerous, just as it did in the 1970's.

Lighting: Lighting will necessarily consist of pole mounted area lighting and/or on-building lights instead of catenary festival lights or hung pendants. The extent of the festival lights requested is impractical and will be entirely overused if following the suggested guidelines. Small areas can be used, but not mounted to the buildings. Instead, they can be mounted on poles and tensioned properly to highlight only certain spaces. These lights will create huge an undesirable overhead plane, creating an unwelcome sense of enclosure in an outdoor space (antithetical to the purpose of outdoor spaces) and interfere with the view shed. Additionally, much has been discussed regarding fire access. The festival lights would severely impede ladder rescue efforts as the ladder would have to go between the strands of lights, and would be impossible to turn the ladder without running into electrified cables. Pole lights also offer the opportunity for additional features, such as: power taps, spot lighting mounts, banner mounting, speaker mounting, and are easier to maintain. Thus, the promenade and plaza areas will be utilizing pole lighting in a design specified by the project's Landscape Architects and Architects, and will be installed per the ownership's direction.

Site Furnishings: Site furnishings are not to be specified for the private plaza areas, nor the promenade, as it is too prescriptive, and may not work well with the design of these spaces. The project Landscape Architect will specify appropriate furnishings and colors for the space and the design. They are not to match the standard Town furnishings in order to create a unified themed space specifically for the promenade and plazas. The Promenade needs to be its own space.

Additionally, the site furnishings specified in the guidelines for Town installations such as bus stops and ROW areas may not be the best choice. They are primarily comprised structurally of cast aluminum, with wood inserts, that will prove to be expensive and difficult to maintain. Aluminum is not the most durable material for site furnishings, as it has a tendency to become very brittle and will crack at sharp angles during spells of freezing weather. Thinner supports also will crack much easier under heavy use.

The wood accents and seats are also not recommended for municipal use. They will naturally change color to a grey over the course of time (as soon as months to a year), making the contrast originally intended with specifying the wood, becoming lost. If the color is desired, expensive maintenance in cleaning, sanding, and resealing is required every few years. Wood in unsupervised municipal areas, such as at bus stops, is prone to vandalism by carving or markers, and is difficult to remedy.

It is strongly suggested to choose furnishings more suitable for municipal use such as thick powdercoated iron and steel, with minimal exposed fasteners. Color can be chosen to prevent the furniture from getting too hot to sit on, or recycled "wood" slats can be specified if they are steel reinforced to prevent sagging, and will maintain desired color. The most durable furnishings would be iron with steel slats or expanded steel/water-jet cut seating surfaces, welded, and powder-coated. This type of furnishing will provide decades of maintenance-free service.

The placement of such site furnishings should also be revisited in the example diagrams. Many times, the furnishings will simply not fit in the area shown for their placement, or create a dangerous condition. For example, the bench specified in the Guidelines is only available in length slightly over 6' total width, but is placed at the ends of tree wells that are only 5' wide, which means the bench will stick out into the sidewalk or bike track by 1'. Placing any furniture near the bike track also creates a danger, especially since the benches are shown adjacent to and facing the track. They are shown with not enough room for pedestrians to access the seat of the bench, or may have legs extending into the bike track. And since the bike track has no separation from the sidewalk, site furnishings need to be placed away from the edge of the track to avoid collision and interference.

Dining Areas and Retail Amenity Areas: Currently, the draft document limits the location and width of outdoor dining areas to 12' from the façade of the building. While this is an appropriate limitation for spaces along a constricted and set right-of-way, it is too restrictive for larger spaces such as the Promenade and plaza areas, where it would be advantageous to have dining areas extend further out into the spaces to help enliven them, but also may be removed from the façade of the building by a sidewalk and placed into part of the plaza space adjacent to the establishment. Dining areas associated with a tenant restaurant would be necessarily surrounded by barricades, planters, or short walls, limiting access to patrons. Other dining areas open to the public and furnished by the ownership for public use may also be located in these spaces to accommodate food carts and picnic/al fresco dining of building occupants. These will not be cordoned off from free access.

Native Plant Palette/ Plant Suggestions: The proposed 85% native plant palette is arbitrary, and may be counter-productive to the intent of the Town. The use of high-percentages of pure natives is highly over-emphasized and, through extensive research and trials, plant-professional recognize that, despite some native advocates opinions, pure natives are very often NOT the best plant for the site. Native variety selections and hybrids, know colloquially as 'nativars', have proven to be superior in many ways to the pure natives in most cultivated installations, especially in urban environments. These 'nativars' are bred or selected from natural cross-breeding to have specific characteristics, such as better: drought tolerance and no need for irrigation; insect or disease resistance; better color, blooming, and overall aesthetics; and better urban condition tolerances. Many even outperform the true native for use by wildlife and pollinators. The goal for the Town should be to install "High-Performance" landscapes consisting of the best plant for the application. Plants that support habitat and food requirements for pollinators and wildlife, are durable and top-performing in harsh urban conditions, and require little to

now irrigation once established. This is also critical to obtain LEED points for water efficiency. And in many cases, non-native nor nativar plants are the best plant for the desired characteristic (Crepe Myrtle is a good example). As with most of the surrounding jurisdictions, requiring plans for commercial landscapes in the Town to be sealed by a Virginia Licensed Landscape Architect would go a long way to ensuring the plants used are appropriate for the intended design and negate the need to be so restrictive with the plant palette in the guidelines. Trust the licensed landscape professional while still giving them freedom and flexibility to create and provide the best product for the application.

To that end, the "Plant Material" section of the guidelines should be removed or drastically re-written. Accommodation needs to be made for 'nativars' and some non-natives where appropriate. To encourage the use of natives or 'nativars', most municipalities have had luck with introducing canopy bonuses for their use, instead of dictating an arbitrary percentage.

The Town should not provide any lists, inclusive or exclusive, regarding plants or nurseries (one of the nurseries mentioned is in New England, thus, the plants they provide are not acclimated to mid-atlantic growing conditions). The lists of plants in the document also recommend trees and shrubs that are not well-suited to the area nor urban conditions, and also contain numerous invasive species that shall not be planted under any condition. These lists are not helpful nor necessary to a landscape professional and are better off being removed from the document altogether.

Green Space Minimum Requirements: The arbitrary percentage listed in the amendments on Page 31 to add after "B" to provide for a minimum of 30% softscape is too restrictive and. In urban conditions, especially for small sites or plaza areas, a 30% number may be hard to provide and still provide adequate circulation and amenity spaces. Sometimes, depending on the design, softscapes should be kept to a minimum. Shade can be provided by other means, and depending on the area, trees simply may not be able to fit or survive in shaded areas. An adequate balance can be achieved by the project Landscape Architect working with the site layout, architecture, and other environmental factors. A minimum percentage number is not necessary.

Additional Road Classifications (Flexibility): There should be an additional option for private streets that do not allow parking on one and/or both sides. This would allow for narrow circulation-only streets where parking is not needed or desired. Such is the case with the access drive to the Metro landing, and access to the Lerner project, currently listed as 'Alternative B' Private Street. This requires two 8' parking lanes and two 11' drive lanes. The issue in this circumstance is that the road is private and would possibly be phased for full buildout. However, difference in grades with the adjacent could make for a difficult transition, and half-road ownership is also not desirable to either development.

A further problem exists in this particular situation with the roadway having the unintended use of a Kiss-N-Ride to the Metro. Being closer to the Metro Station than the official Kiss-N-Ride on Herndon Parkway, it is feared the service road and drive through the center of the development will become the primary Kiss-n-Ride, blocking traffic with business on the property, and cutting through the pedestrian-oriented courtyard area, meant to be more of a drop-off for the office building and residential tower.

A possibility exists to block off the through-access to the pedestrian-oriented courtyard, but metro traffic would likely still persist, and use the loading driveway or parking ramp driveway off of the service drive, as a turn-around, further restricting traffic.

It is suggested to narrow the roadway as much as possible (no parking) and to cut-off access to the courtyard via removable bollards.

Given these issues, it is imperative to continue the editing and revising the process to ensure the Town of Herndon sets the most practical and advantageous guidelines for future development that allows for creative and functional spaces, as well as costs less and requires less maintenance. The guidelines should not be accepted at this time until these issues are resolved.

We would be happy to assist the Town in further refinements to the guidelines.

Regards,

Jason T. Radice, RLA, ASLA, LEED-AP BD+C

Landscape Architect – christopher consultants, ltd.

LERNER

MEMO

DATE: June 25, 2019

TO: James D. Policaro

FROM: Bonnie Pulise

RE: Comments to Proposed Herndon Signage Revisions

Please find the following comments to the proposed changes to the Herndon Signage Guidelines:

Page 84
Design Philosophy

Note: In our experience, precedence imagery establishes a standard. Considering there are both local and National Tenants obtaining these guidelines, it is important to understand your complete audience and pros and cons of all criteria and imagery. Hand-made, hand painted and signs prepared by individuals not affiliated with professional sign companies should not be permitted. We recommend considering the following:

- No graffiti/hand painted signs
- Must be professionally prepared, no hand printed signs
- Signage on awnings and umbrellas to be restricted to trade name only and not display goods/products/sponsors

Page 86
General Design Principles

A. Size and Placement
   A. 4. – add at the end – "with the exception of "top of building signage"

B. Sign Material and Fabrication
   B.1 a. and e. - should be combined
   B.1 b. should read "Natural stone/cast stone
   B.1.j. monuments? Top of building? Illuminated signs?
   * recommend separating types as the above do not apply to Top of Bldg. or monument signs. Provide criteria for each type.

Continued

Writer's Direct Phone *Writer's Direct Fax*

Lerner Enterprises • 2000 Tower Oaks Boulevard • Eighth Floor • Rockville, Maryland 20852
301-284-6000 *tel* 301-692-2626 *fax*
Lerner.com

Page 87

B.3.d. – Wood – Major Tenants such as Founding Farmers would be eliminated in this case. Marine grade woods such as Ipe are appropriate for exterior ues.

Page 88

Sign Types Key

#6. Should read "Monument Sign" and in the case of mixed use developments, there should be one per use or building to account for retail, office, residential

#7. Sandwhich boards should not interfere with pedestrian access on sidewalks.

#8. Advise what Plaque signage sizes and materials would be allowed.

#9. Feature Sign: Consider how buildings with multiple uses would incorporate signage.

#14. Dulles Toll Road Tower Sign (same as page 92)
Very few office tenants fit this proportion of sign size and type. This location covers windowline as indicated and a horizontal option

#15. Top of building signage is not clearly represented as the market requires it to be. Allow for horizontal penthouse/top of building signage location for major tenants, residential tower signage and hotels for example.

#16. Allow for retail level signage at street level of office buildings and residential buildings. Also allow for eyebrow signs for office tenants on the ground floor of office buildings.

Page 89

Ground Floor Sign Types

All sign types are excellent for pedestrian oriented retail but not for retail in office and residential buildings.

Page 90

Sign Directory

2. Awning Signs
   –Location - one awning sign per business (and one per façade-corner locations for example)
   - Maximum area for sign – graphics such as those used by Buffalo Wild Wings and Panera should not count as signs.

Page 91

5. Door/Window Signs
   Lighting – Prohibit "open" signs, exposed neon, flashing signs
   Allow for internally-illuminated signs that are suspended inside of retail spaces and behind the storefront glass, like a STARBUCKS type sign.
6. Directory – The image is primarily retail driven for shopping centers. How would mixed use monument signage be addressed? Consider monuments for residential towers and office towers as well.

Continued

Page 92

10. Painted Wall Signs

These should only be professionally approved with artwork and artist requiring approval.

12. Umbrella Signs

Limit to trade name and restrict use of sponsored umbrellas

13. Monument Signs

Mixed use projects are not considered clearly. These types of projects would likely have buildings/uses/businesses without representation on monument signage visible from Herndon Parkway or from the toll road. This will have a negative impact on the leasing and success of such projects. Limiting these signs to one per block entrance will not work for mixed use projects with only one or two entrances.

Lighting – Consider internal and external lighting so they can be read at night.
General Comment – limiting the size of monument signs (along Herndon Parkway) to 32 square feet is prohibitive. A sign the size of 4' x 8' sheet of plywood is not adequate to identify the following:

- name of mixed-use development
- names and/or building addresses of the office and residential buildings within the development.
- 3+ key office tenant logos/names for every office building within the development.
- The names and/or logos for ground floor restaurant tenants in the office buildings.

Also would like the opportunity to use a Monument Sign at a strategic location at each office building property so that you can identify the following:

-The name of a mixed-use development
-The building addresses.
- 3+ key office tenant logos/names
- The names and/or logos for ground floor restaurant tenant(s)

14. Tower Sign – change to "Top of Building Signage"

Signs at the "top" of office and residential buildings should permitted to be mounted on the façade of the building at the top floor level, and also on the face of mechanical penthouse structures at the roof level. Building designs vary greatly, so providing this flexibility will be necessary to be able to locate signs for optimum visibility.

Location – Signs must be oriented towards Dulles Toll Road should be permitted on the sides as well in the case where a building is parallel to the Dulles Toll Road.
Lighting – Consider omitted external illumination of these signs and allow only internal illumination.
Consider that buildings less than 180' may have a need for signs facing Herndon Parkway to appeal to major tenants.

Continued

Page 93
Top of building signs are rarely vertical, few National Tenants and even fewer office Tenants have logs that work vertically.

Top of building signage for office Tenants is typically rooftop/PH. Residential offers more flexibility.

General Comment – Signage guidelines should include a section to deal with Temporary Signs for office and residential buildings that are visible to the Dulles the Dulles Access Road and to Herndon Parkway. These would include construction fence banners, coming soon and leasing ground-mounted signs, coming soon and leasing building-mounted signs. The guidelines should provide size and quantity restrictions for these but should also be flexible for the duration that these types of signs can be used. They should be allowed to display ALL pertinent developer/partnership names and logos, financing company logos, building sizes and space availability/opportunity, key development and building features, project timing, the logos/names of key tenants who have leased. Likely not possible but some or all of these should be able to be used "by-right" so that filing for permission or permits to put up and continue to use temporary signs and banners for periods longer than 30 days should not be necessary.

End

TOWN OF Herndon VIRGINIA

STAFF REPORT

Town Council
May 21, 2019

Title: Proposed Landscaping and Signage Guidelines for the HTOC

Staff Contact: Bryce A. Perry, Deputy Director of Community Development
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Elizabeth M. Gilleran, Director of Community Development
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Summary:
This is an initiative of the Town to amend the existing Urban Design and Architectural Guidelines for the Herndon Transit Oriented Core, by adding two new sections of guidelines for landscaping and signage.

Background:
In 2012, the Town Council adopted a Comprehensive Plan Amendment for nine properties on the north side of the Herndon Metro Station. The properties, now designated as the Herndon Transit Oriented Core (HTOC), are eligible for greater densities upon redevelopment. In order to guide the design of the redevelopment, the Urban Design and Architectural Guidelines for the HTOC were adopted in 2013. This document includes architectural guidelines, design for private access ways, and public spaces, sustainability, safety and security and interim conditions for phasing development.

At the time of initial adoption the landscaping and signage chapters had not yet been developed. Staff has worked closely with the Town's design consultants to complete drafts of those chapters for incorporation into the guidelines document.

The Architectural Review Board reviewed the draft landscaping and signage guidelines chapters at a special meeting on November 14, 2018. After an assessment and discussion regarding specific guidelines and their implementation, the Board supported the proposed guidelines with the amendments proposed in the errata sheets attached to this report.

The Planning Commission reviewed the draft landscaping and signage guidelines chapters at its April 2019 work session and public hearing. The Planning Commission supported the draft guidelines with some additional changes, which have been added to the errata sheets and are underlined and in red. The Planning Commission's resolution recommending approval of the guidelines with errata sheets (List of Amendments) is Attachment #2. The errata sheets are Attachment #4 and Attachment #6.

Description:
The Urban Design and Architectural Guidelines for the HTOC provide assistance to developers and property owners proposing to redevelop their property and to Town

decision makers, in accordance with the Herndon Transit Oriented Core plan adopted by the Town Council in 2012. The Guidelines assist the Town Council, Planning Commission and the Architectural Review Board in the evaluation of development proposals.

The two proposed sections are meant to supplement the existing guidelines by adding guidelines for the appropriate size and location of signs and proper open space and landscaping improvements in both public and private spaces.

The Guidelines are used as a tool to guide redevelopment proposals by articulating expectations for the Town Council for the equality and type of redevelopment. However, the Guidelines are not exclusive. Any redevelopment proposal that strives for excellence in design, quality materials, and superior public space will be evaluated by the Town for the proposal's own merit.

The signage guidelines were developed with the following design philosophy (page 84):

> *Signage in the HTOC will take on many different forms and voices based on the intended use. Civic or municipal signs and wayfinding signs will mark streets, parks, and trails. Signs for individual buildings or tenants will provide opportunities to add character and variety to Herndon Transit Oriented Core. Signage diversity creates a dynamic district, while informing users. The location, materials and architectural details of the signs shall be consistent with the palette and design ethic of Herndon in order to create cohesiveness. All signs shall be subject to review by the Town of Herndon so that signs are consistent and in harmony with the Herndon signage guidelines.*

The signage section includes general design objectives and principles, and guidelines for sizes, placement, material, and fabrication. The chapter also contains standards for fourteen different sign types that regulate size, number, location, and means on illumination. Examples of each sign type are provided for reference.

The landscaping guidelines focus on all outside ground plane design, both private and public. design intent states (page 2):

> *Site and landscape features help establish the urban fabric, while contributing to aesthetics, wayfinding, and the identity of the development. In a dense urban core, landscapes become a critical component to the aesthetic quality of life for users and residents in the area.*

Staff Analysis:
Since the draft of the landscaping and signage guidelines was completed, staff has compiled a list of amendments to be made to improve clarity and to address ARB and staff comments. Those amendments are listed in errata sheets for each set of guidelines and are attached to this report. More notable amendments include adding guidelines specific to the design of the Promenade connecting Herndon Parkway to the Herndon Metro Station, setting specific site furnishings for private streets, creating a specific design for

the private street that will also include the Sugarland Run Trail, and adding guidelines encouraging the use of focal points, public art, and historic references.

The proposed guidelines, with the amendments, are meant to seamlessly integrate into the existing guidelines document. Collectively, the combined guidelines ensure a visually appealing and engaging environment as envisioned by the HTOC plan.

Motion Alternatives:
The following alternatives are available to the Town Council for its decision on this item:

1. Approval of draft resolution, adopting the Signage and Landscaping Chapters of the Urban Design & Architectural Guidelines for the HTOC to include the "List of Amendments to the Proposed Landscaping Guidelines for the Herndon Transit Oriented Core" and "List of Amendments to the Proposed Signage Guidelines for the Herndon Transit Oriented Core."
2. Approval of draft resolution with additional changes to the draft guidelines.
3. Recommendation for continuance to a future Town Council public hearing.
4. Recommendation for denial.

Staff Recommendation:
Staff recommends approval in accordance Alternative #1.

Attachments:
1. Draft Resolution, dated May 28, 2019
2. Planning Commission Resolution Recommending Approval, Dated April 22, 2019
3. Proposed Urban Design and Architectural Guidelines for the HTOC -Landscaping
4. List of Amendments to the Proposed Landscaping Guidelines for the Herndon Transit Oriented Core (Landscaping Errata Sheet)
5. Proposed Urban Design and Architectural Guidelines for the HTOC - Signage
6. List of Amendments to the Proposed Signage Guidelines for the Herndon Transit Oriented Core (Signage Errata Sheet)

Bryce A. Perry
Deputy Director of Community Development

Elizabeth M. Gilleran, AICP
Director of Community Development

Attachment #1

TOWN OF HERNDON, VIRGINIA

DRAFT RESOLUTION

JULY 9, 2019

Resolution- to consider the Landscaping and Signage Chapters of the Urban Design Guidelines for the Herndon Transit-Oriented Core.

WHEREAS, in 2009 the Town Council directed the staff to pursue a special planning effort for the future Herndon Metrorail Station as contained in the 2030 Comprehensive Plan adopted in 2008; and

WHEREAS, the Town Council adopted a Comprehensive Plan amendment for the Herndon Metro Station Area Plan on February 28, 2013; and

WHEREAS, on November 26, 2013 the Town Council adopted Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core, prepared by Urban Design Associates, to provide assistance to developers and property owners proposing to redevelop their lands and to Town decision makers in accordance with the Plan; and

WHEREAS, landscaping and signage have been developed to supplement the existing Guidelines that were built upon the principles articulated in the Plan; and

WHEREAS, the Architectural Review Board has reviewed the proposed guidelines and expressed its support for the guidelines, at a public meeting on November 14, 2018; and

WHEREAS, the Planning Commission has reviewed the proposed guidelines and has held a public hearing, in accordance with the provisions of §15.2-2204 of the State Code, on April 22, 2019 and found that the proposed guidelines meet the purpose and intent of the Herndon Metro Station Area Plan; and

WHEREAS, the Town Council has conducted a public hearing and has reviewed the Planning Commission recommendation for approval.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby:

Approves the addition of the landscaping and signage guidelines, prepared by Urban Design Associates and LaQuatra Bonci Associates, for inclusion in the adopted Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core, including the attached "List of

Amendments to the Proposed Landscaping Guidelines for the Herndon Transit Oriented Core" and the "List of Amendments to the Proposed Signage Guidelines for the Herndon Transit Oriented Core."

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia, authorizes staff to make certain revisions to the Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core, as amended, without prior Town Council approval for correction of clerical and administrative errors and updates of an administrative nature, excluding substantive changes.

TOWN OF HERNDON, VIRGINIA

PLANNING COMMISSION

RESOLUTION

APRIL 22, 2019

Resolution- Urban Design Guidelines for the Herndon Transit-Oriented Core.

WHEREAS, in 2009 the Town Council directed the staff to pursue a special planning effort for the future Herndon Metrorail Station as contained in the 2030 Comprehensive Plan adopted in 2008; and

WHEREAS, the Town Council adopted a Comprehensive Plan amendment, Herndon Metro Station Area Plan on February 28, 2013; and

WHEREAS, On November 26, 2013 the Town Council adopted Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core, prepared by Urban Design Associates, to provide assistance to developers and property owners proposing to redevelop their lands and to Town decision makers in accordance with the Plan; and

WHEREAS, landscaping and signage have been developed to supplement the existing Guidelines that were built upon the principles articulated in the Plan; and

WHEREAS, the Planning Commission has considered comments from the public and staff and certified and recommended urban design guidelines for landscaping and signage for the Herndon Transit-Oriented Core on April 22, 2019.

NEW THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Herndon, Virginia that the Planning Commission recommends approval of the addition of landscaping and signage guidelines, prepared by Urban Design Associates and LaQuatra Bonci Associates, for inclusion in the adopted Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core, , including the attached "List of Amendments to the Proposed Landscaping Guidelines for the Herndon Transit Oriented Core" and the "List of Amendments to the Proposed Signage Guidelines for the Herndon Transit Oriented Core."

BE IT FURTHER RESOLVED that, the Planning Commission recommends that the Town Council authorize staff to make certain revisions to the Urban Design and Architectural Guidelines for the Herndon Transit-Oriented Core, as amended, without prior Town Council approval for correction of clerical and administrative errors, updates of an administrative nature, excluding substantive changes.

Attachment #3

INTRODUCTION

This section of the guidelines illustrates and identifies the design intent for both public and private realms outside of the buildings. Site and landscape features help establish the urban fabric, while contributing to aesthetics, wayfinding, and the identity of the development. In a dense urban core, landscapes become a critical component to the aesthetic quality of life for users and residents in the area.

Public, semi-public, and private landscapes should all adhere to the recommendations in this section. In general, these guidelines require the following:

- Great Streets: As part of the public open space realm, they should be pedestrian oriented and multi-modal in nature with lush planting.
- Quality Pedestrian Spaces: They are defined by tree canopies or other elements to provide intimacy and shade.
- Animated Pedestrian Zones: Sidewalks and passages are ideal for outdoor dining, gathering and sitting.
- Lush Landscape Planting: These are critical in both complementing and softening the built environment. Their patterns lend character to the architecture and ease their interaction with the ground plane. Furthermore, the planting can create intimate outdoor rooms, reinforce entrances, and delineate property boundaries.

Lush sidewalk planting

An urban tree canopy and movable seating to create vibrant outdoor spaces

Animated sidewalk with cafe seating

Street & Open Space Map

Herndon Transit-Oriented Core (HTOC) will have four broad landscape categories ranging from public streets to pocket parks. Each landscape type will have its own character and material palette. Whether developed collectively or separately, it will be essential for the parcels and circulation systems to apply these principles and interface with adjacent development to ensure a seamless urban environment.

Note: This map shows the various connections and spaces expected within the HTOC. While not prescriptive of exact private open space arrangement and size, this map offers a recommended vision for internal circulation and public plaza space.

Key Landscape Categories

- Public Streets (Herndon Parkway, Van Buren Street, Worldgate Drive)
- Alternative A Private Streets
- Alternative B Private Streets
- Pedestrian Passages
- Public Open Space
- Mid-block Pedestrian Option
- Building Zones

Connections Overview

The following pages illustrate the design guidelines and criteria necessary to develop a pedestrian friendly, walkable environment, that is rich in landscape character. These are defined as connections.

Connection types:

A. Public Streets

- Within the Herndon Transit-Oriented Core, potential high-density redevelopment provides an opportunity for an urban landscape with a greater emphasis on walkability. In this area, streetscape design should accommodate, encourage and invite activity at the street level. Creative and environmentally-conscience solutions should be sought when designing the public and private components of the pedestrian network within the metro area. The various streetscapes within the HTOC are regulated by the Landscaping chapter of the Urban Design and Architectural Guidelines. Public Streets include:
  - Herndon Parkway
  - Van Buren Street
  - Worldgate Drive

B. Private Streets

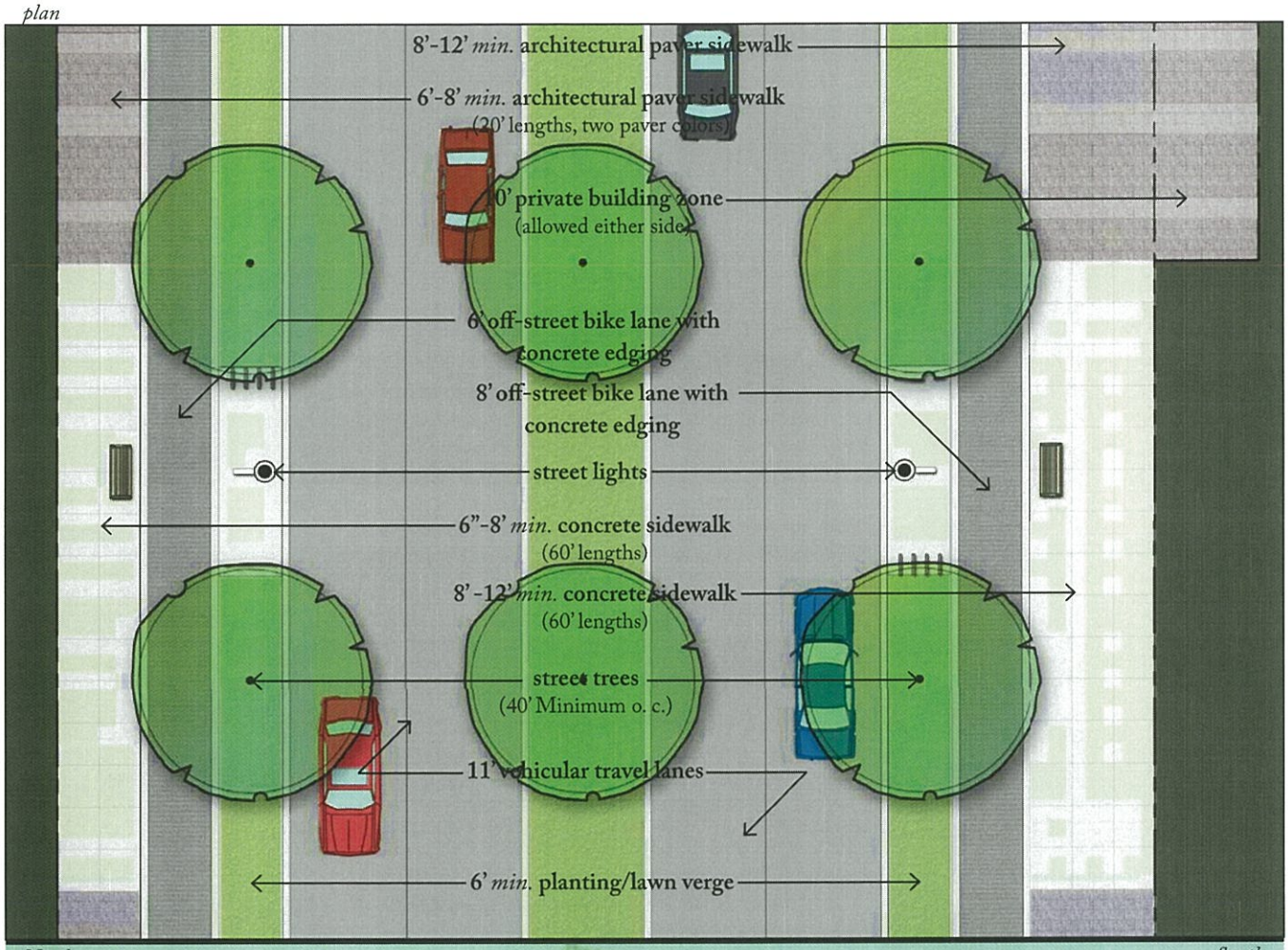
- The balance of the streets within the HTOC will be private in nature. These streets are internal and provide access to the development blocks.

In each connection type or category, there are variable options for site elements, material palettes, and planting requirements within the Right-of-Way's of the public and private streets. Dimensions for sidewalks and planting verges in the following graphics are posted as minimums. In addition, beyond the Right-of-Way, a 10' Private Building Zone can be aligned with the materials defined for each connection type. In some instances, certain features can encroach into the sidewalk up to 4' where there is a sidewalk width of a minimum of 12'. These include planters and other such amenities. Refer to Site Furnishings in this section. All dimensions for sidewalk width and tree verge width on the following pages are minimum dimensions required.

Public Streets

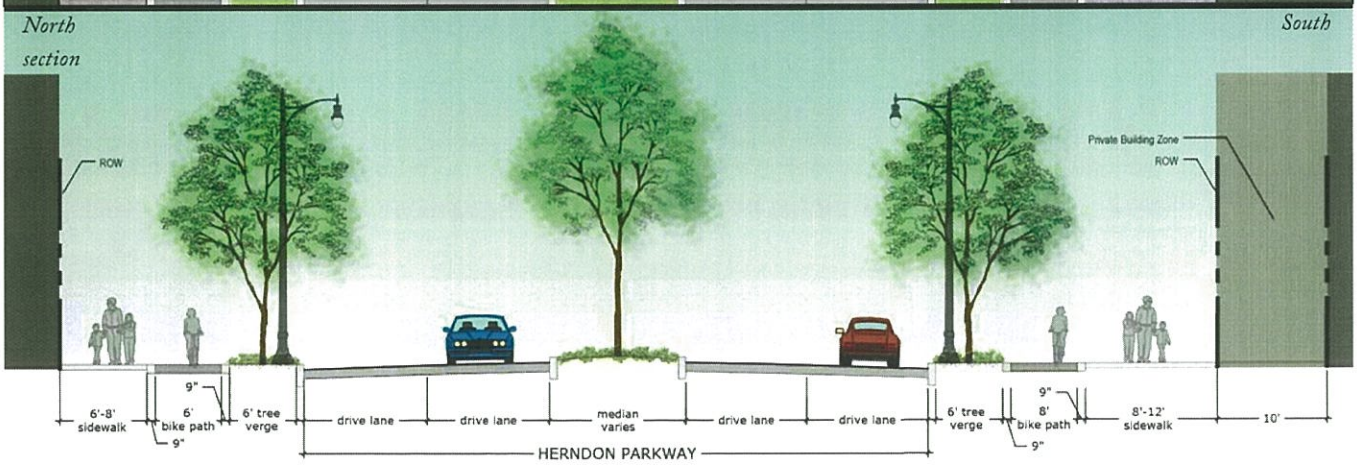
HERNDON PARKWAY

plan



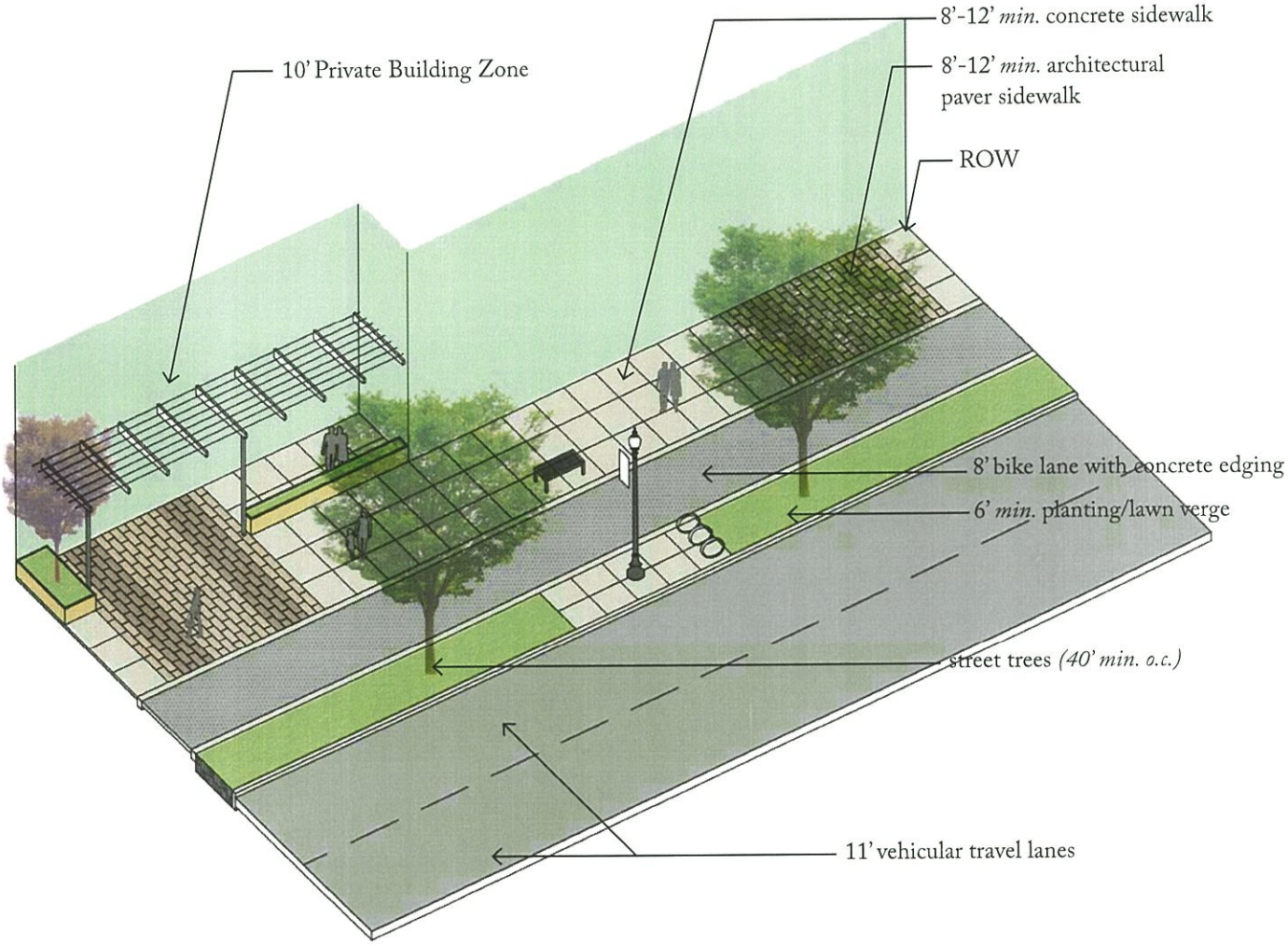
North *South*

section



Public Streets

HERNDON PARKWAY

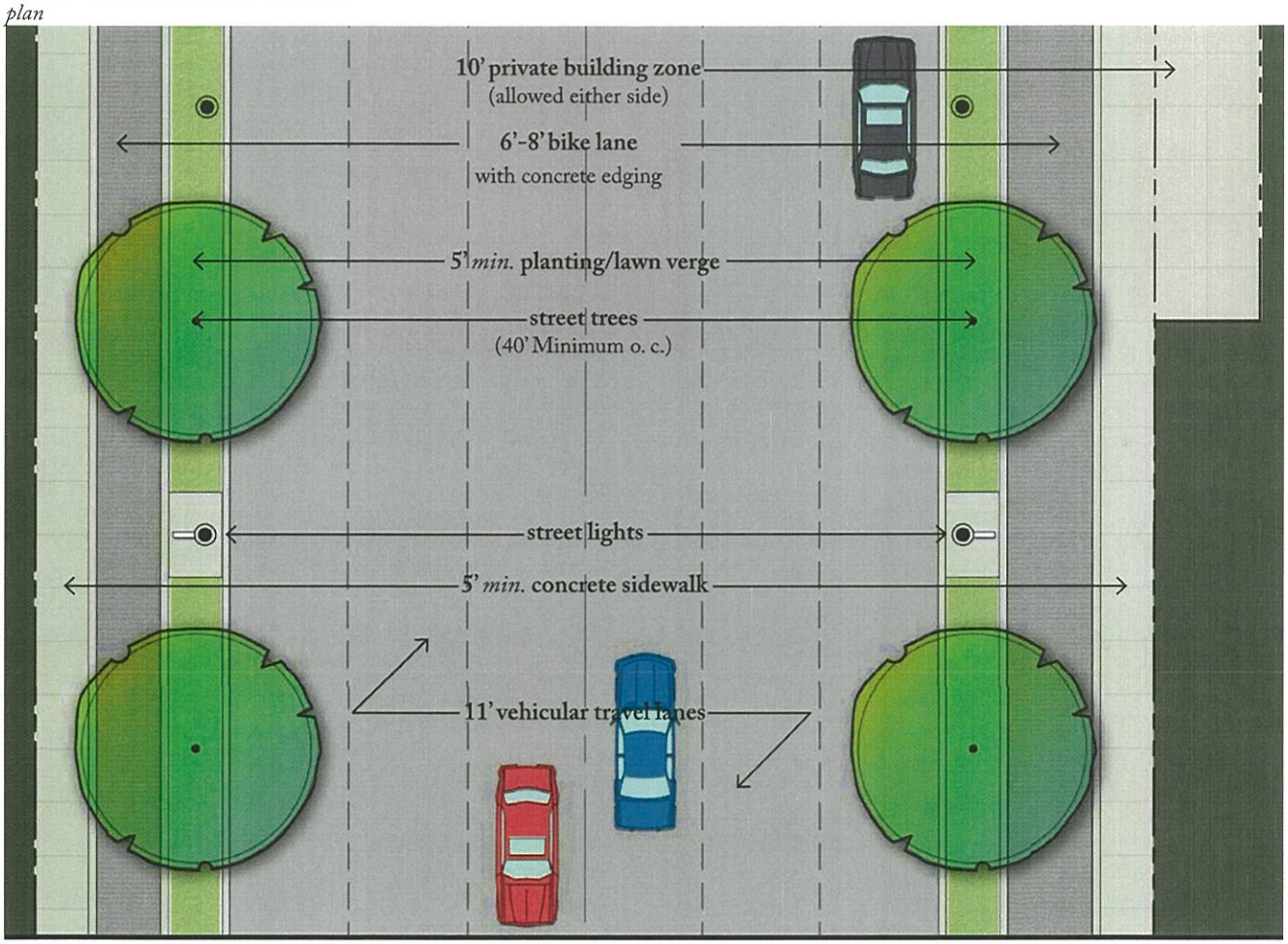


Axonometric drawing herndon parkway configuration

Public Streets

VAN BUREN STREET

plan

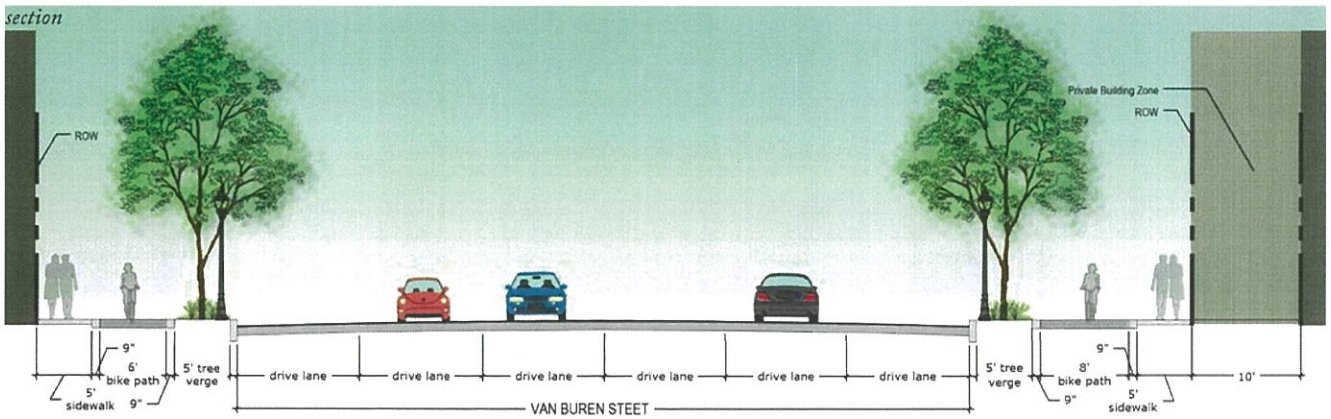


West *East*

Exact design of the West side of the street may differ and depending on the location of a future pedestrian/cyclist bridge over the Dulles Toll Road, may not include a dedicated off-street bicycle facility.

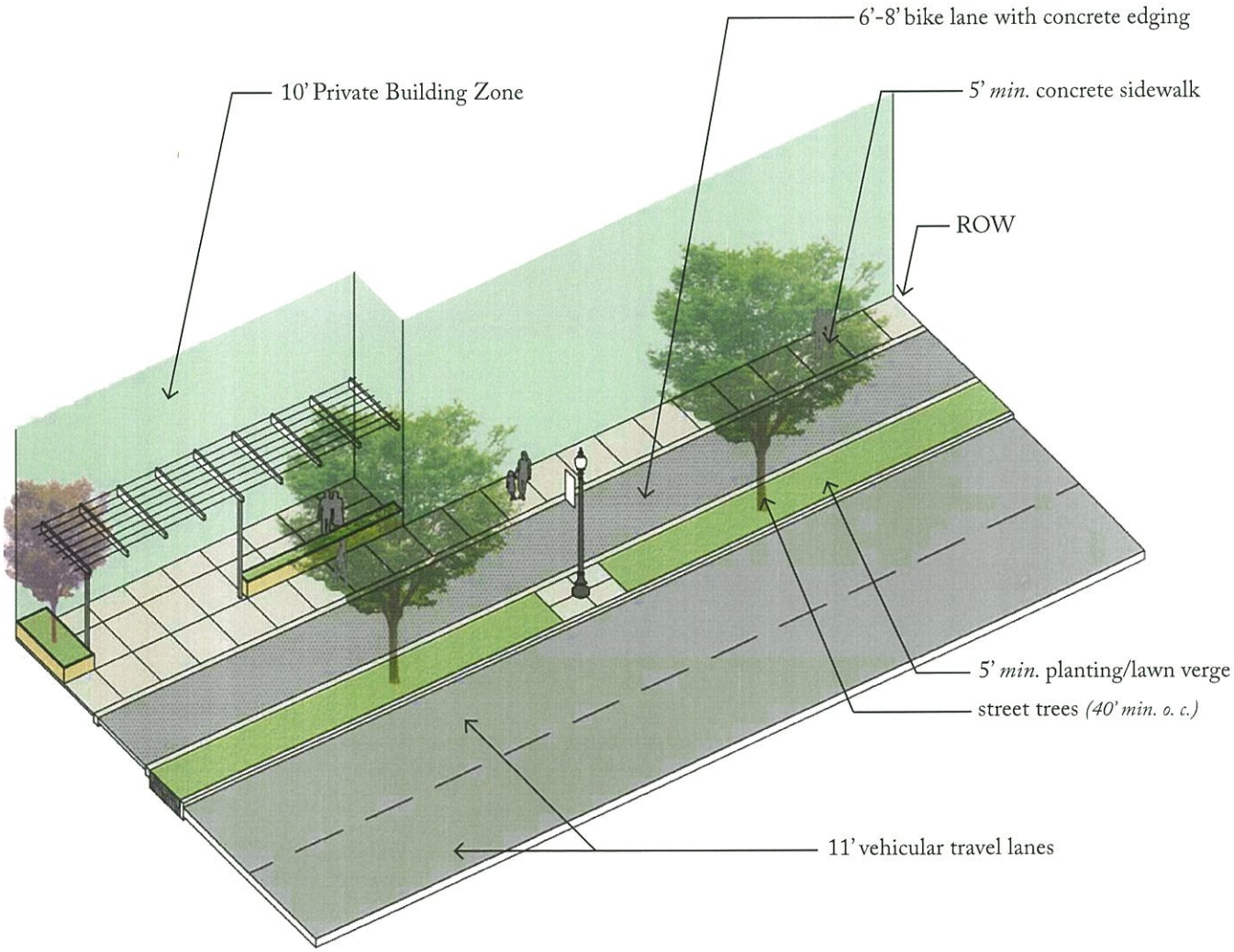
Exact lane configuration varies.

section



Public Streets

VAN BUREN STREET

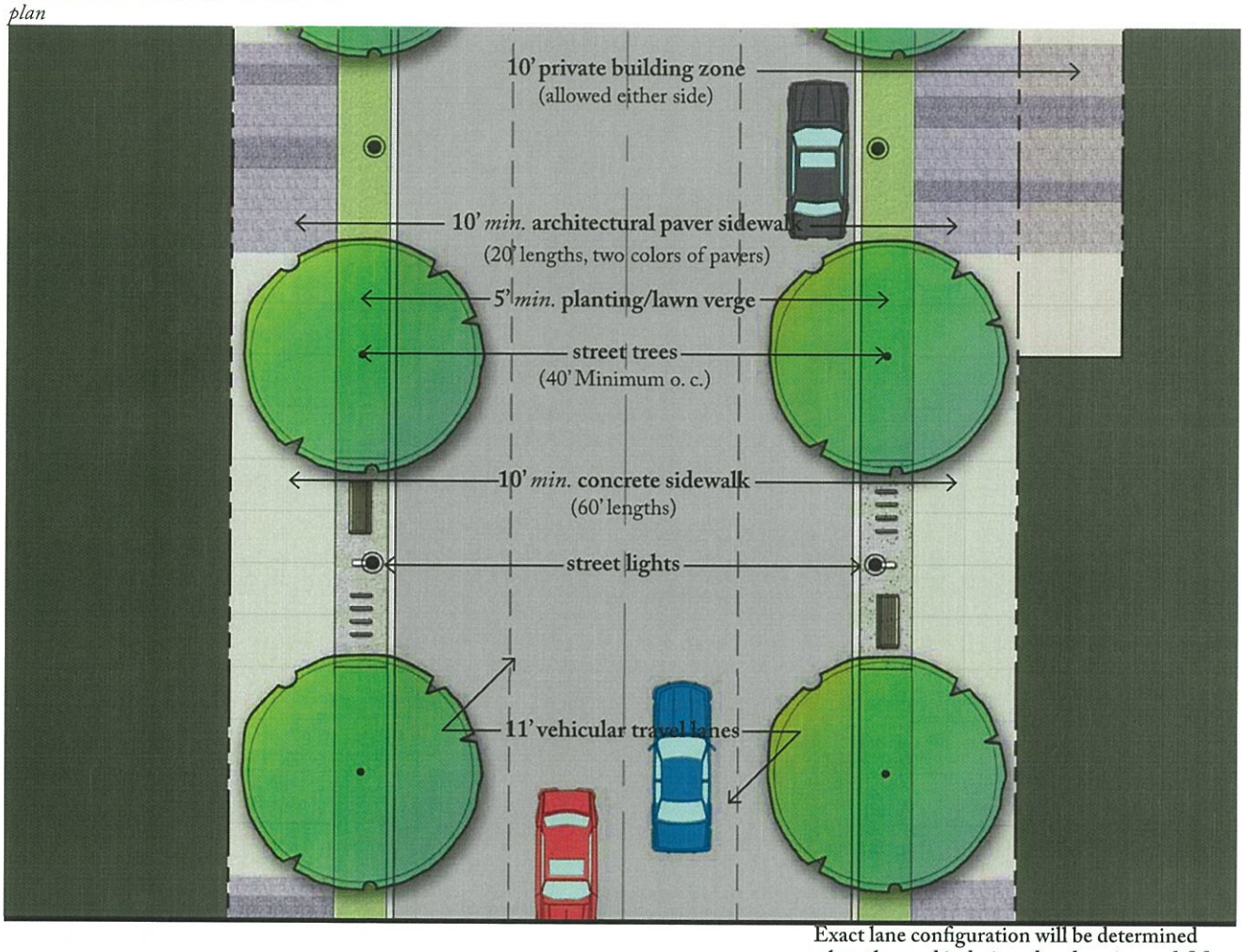


Axonometric drawing van buren street configuration

Public Streets

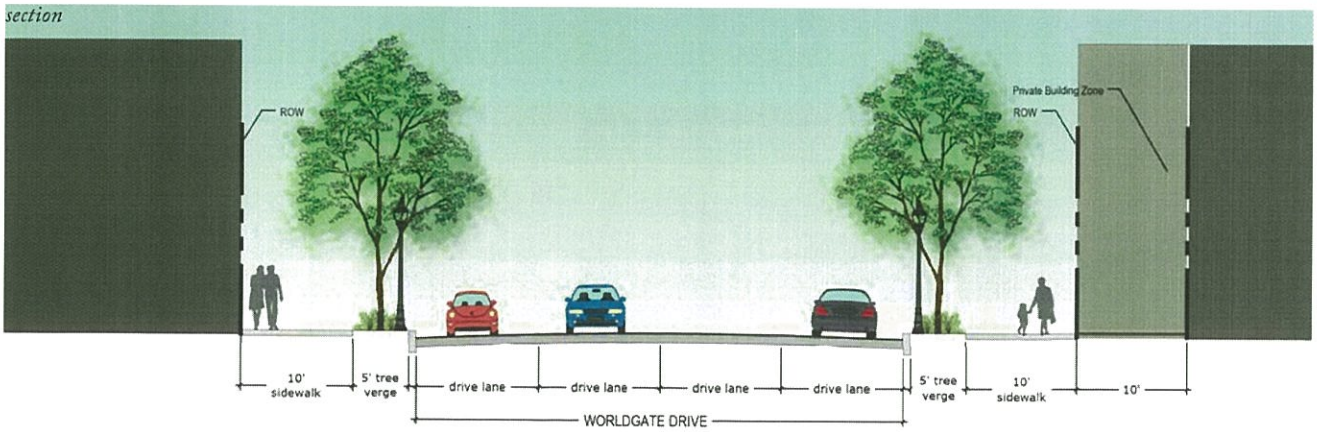
WORLDGATE DRIVE

plan



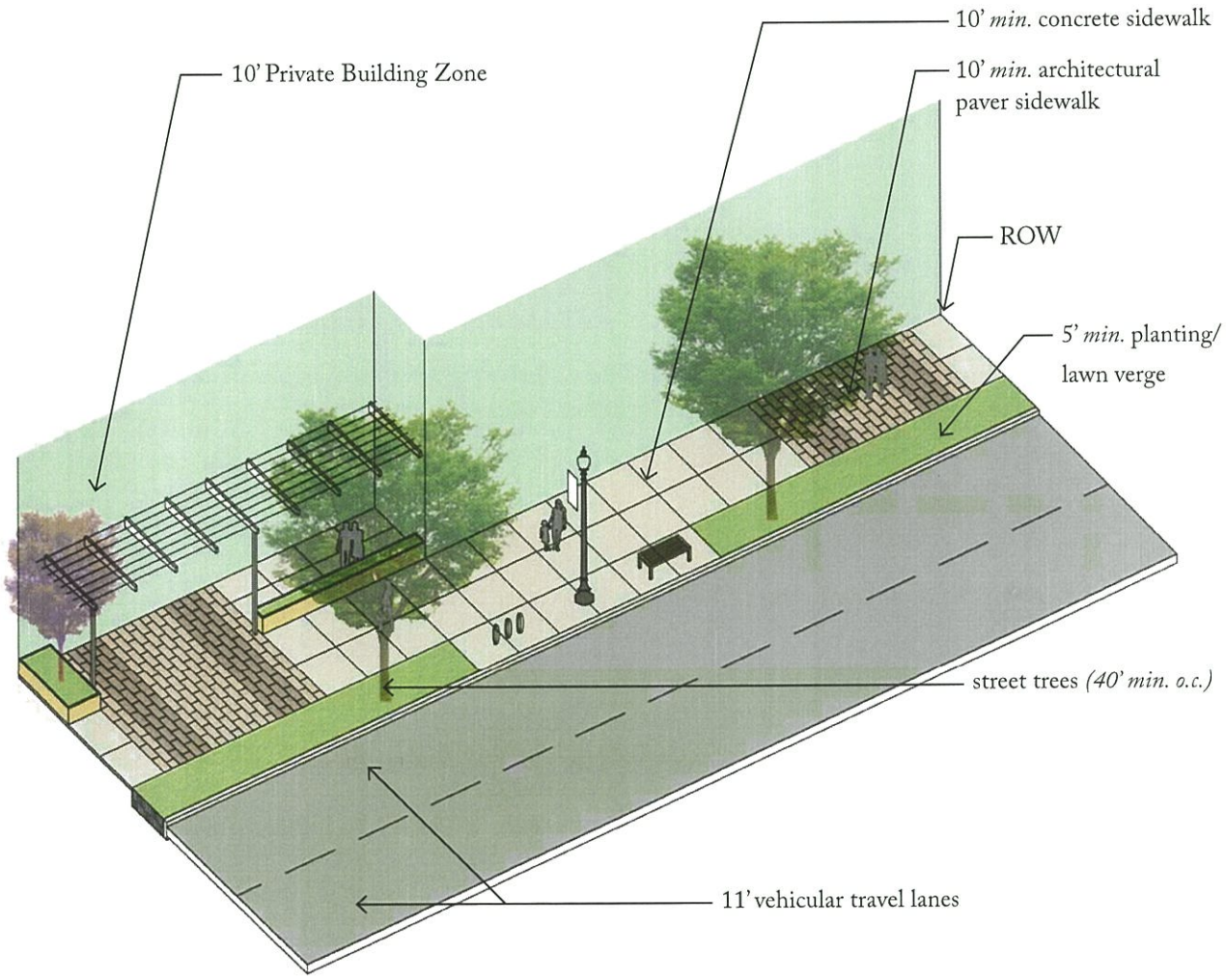
Exact lane configuration will be determined when the road is designed and engineered. May include parking lanes and/or travel lanes.

section



Public Streets

WORLDGATE DRIVE

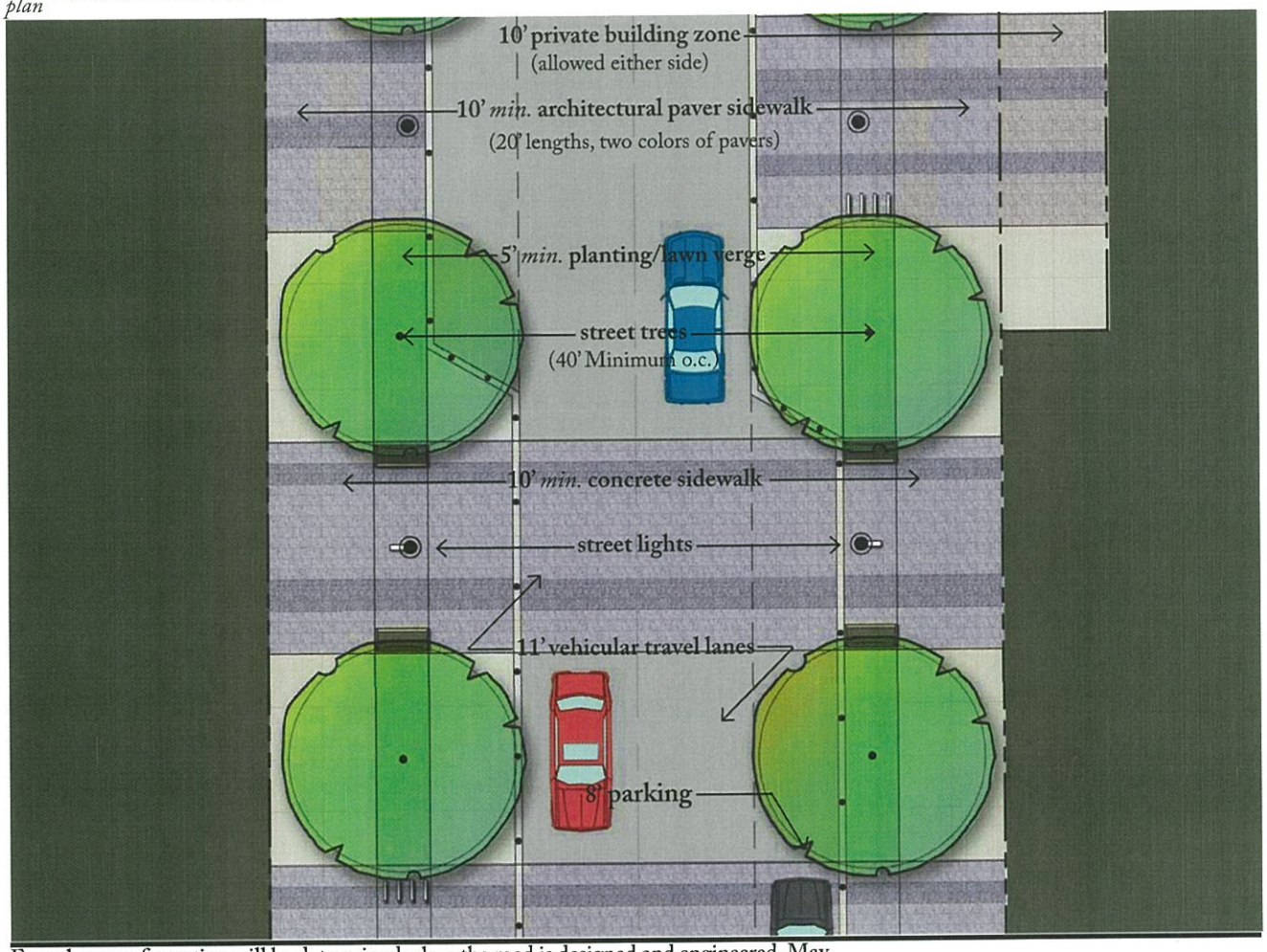


Axonometric drawing worldgate way configuration

Private Streets

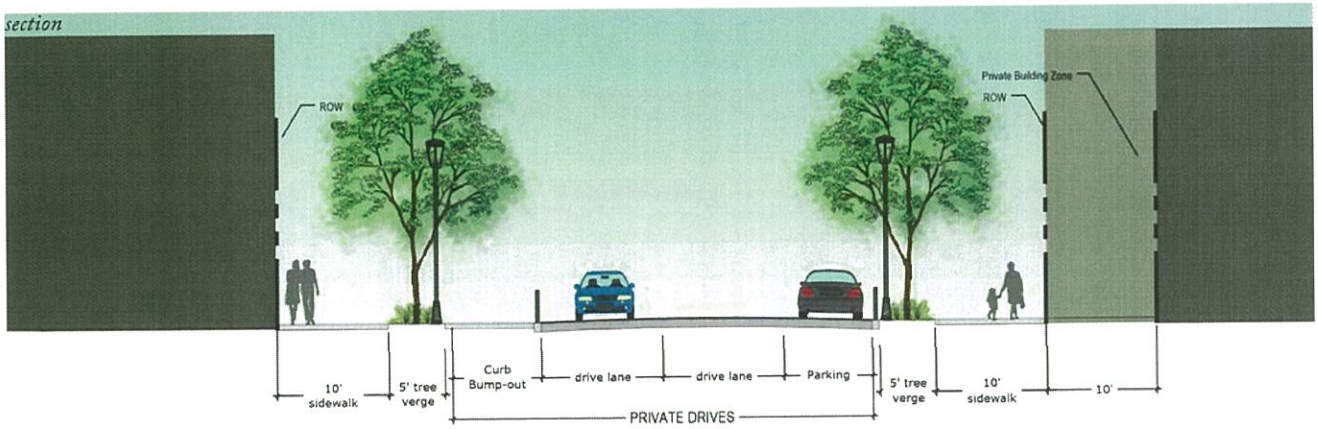
ALTERNATIVE A

plan



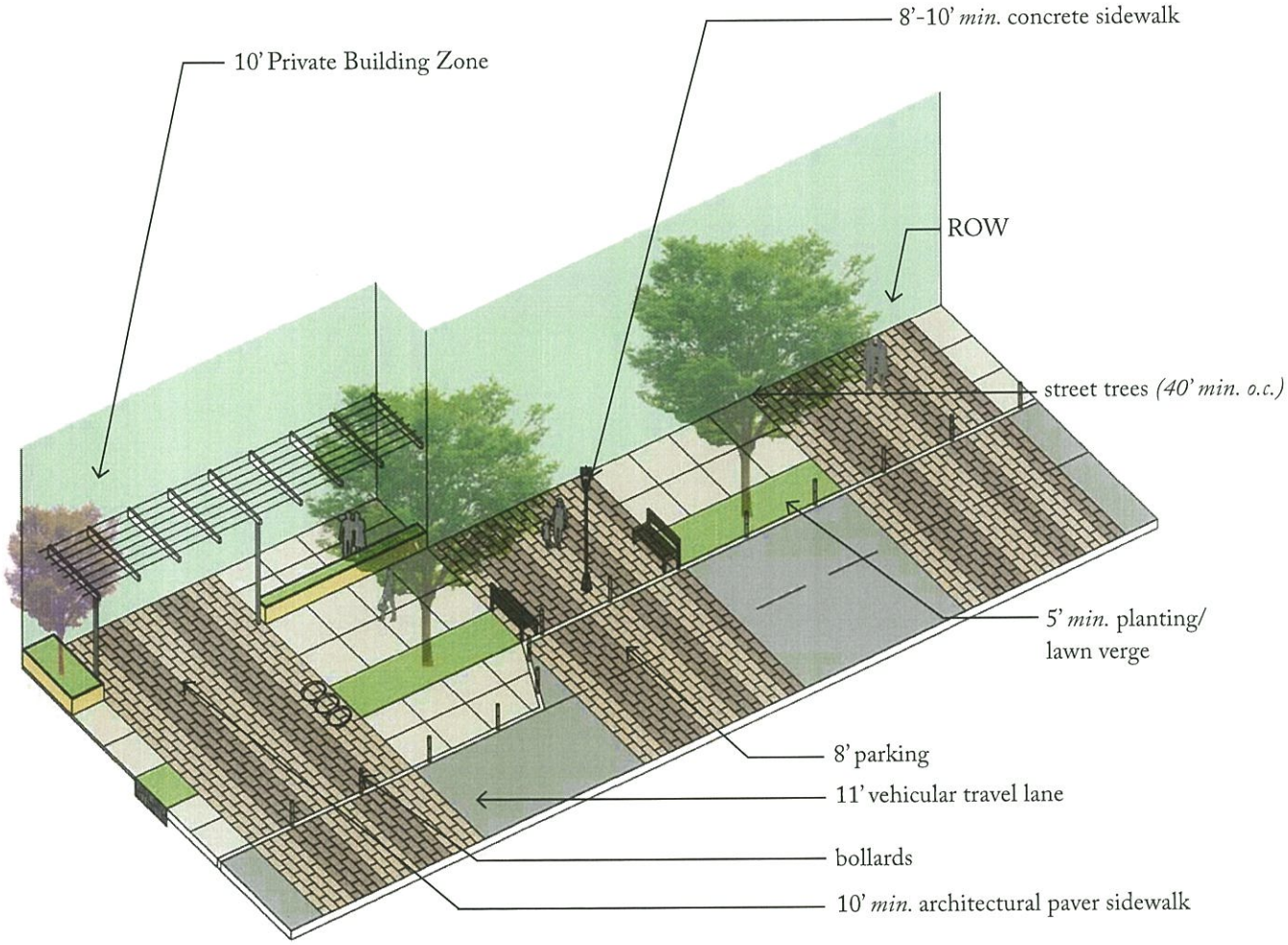
Exact lane configuration will be determined when the road is designed and engineered. May include parking lanes and/or travel lanes. Curb extensions may be used within the parking lane up to 30% of the block length. When used, the sidewalks may be reduced to 8'.

section



Private Streets

ALTERNATIVE A

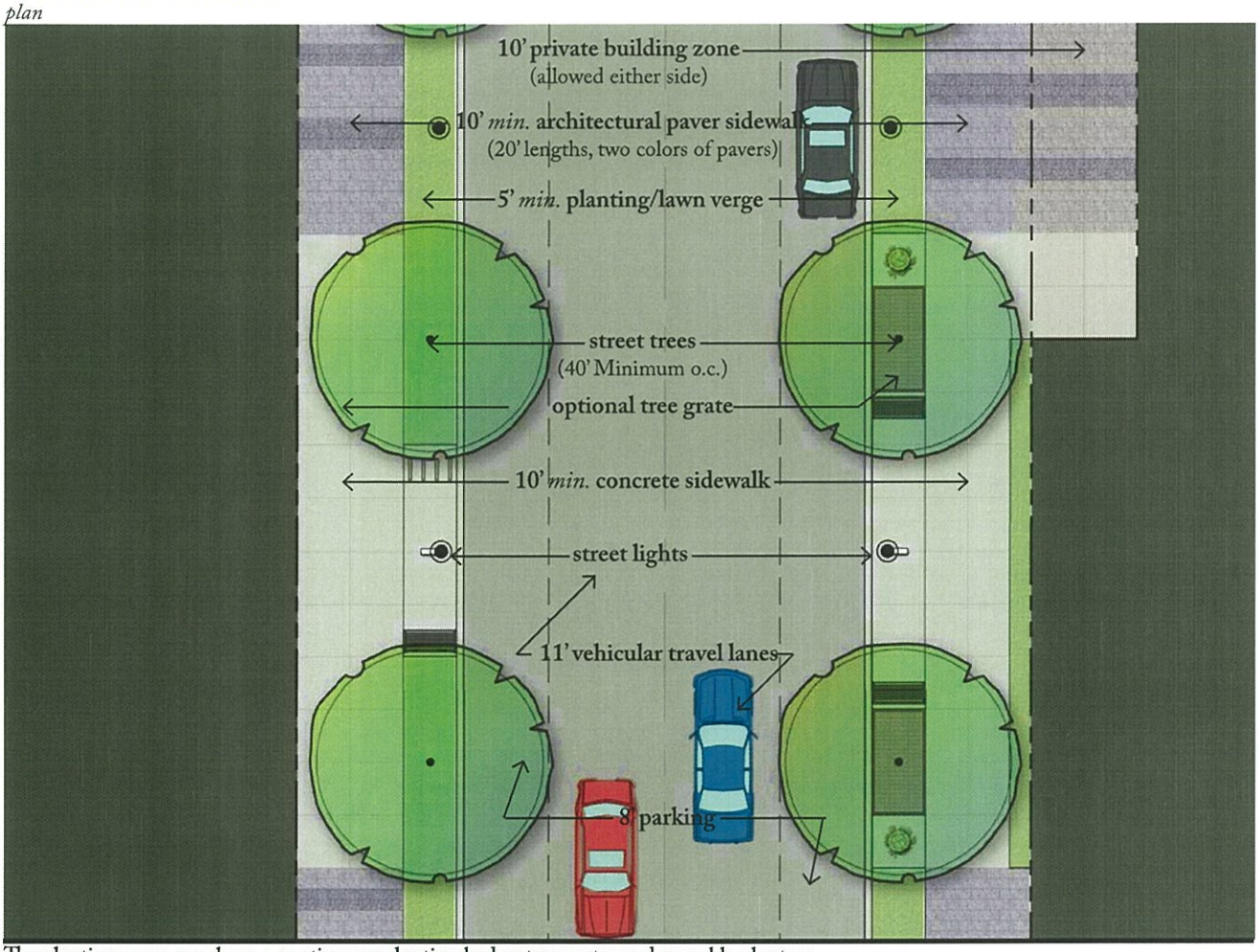


Axonometric drawing private drive configuration

Private Streets

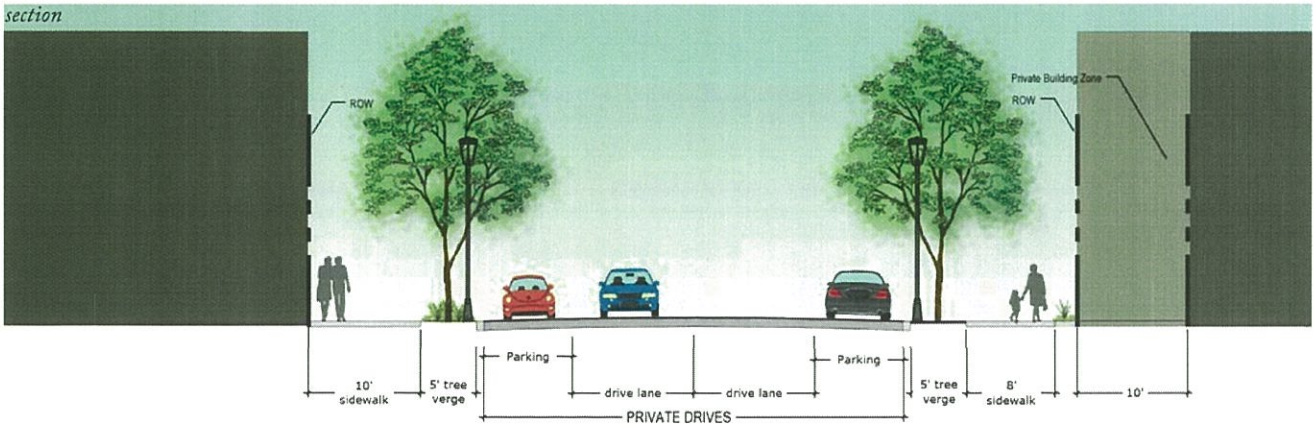
ALTERNATIVE B

plan



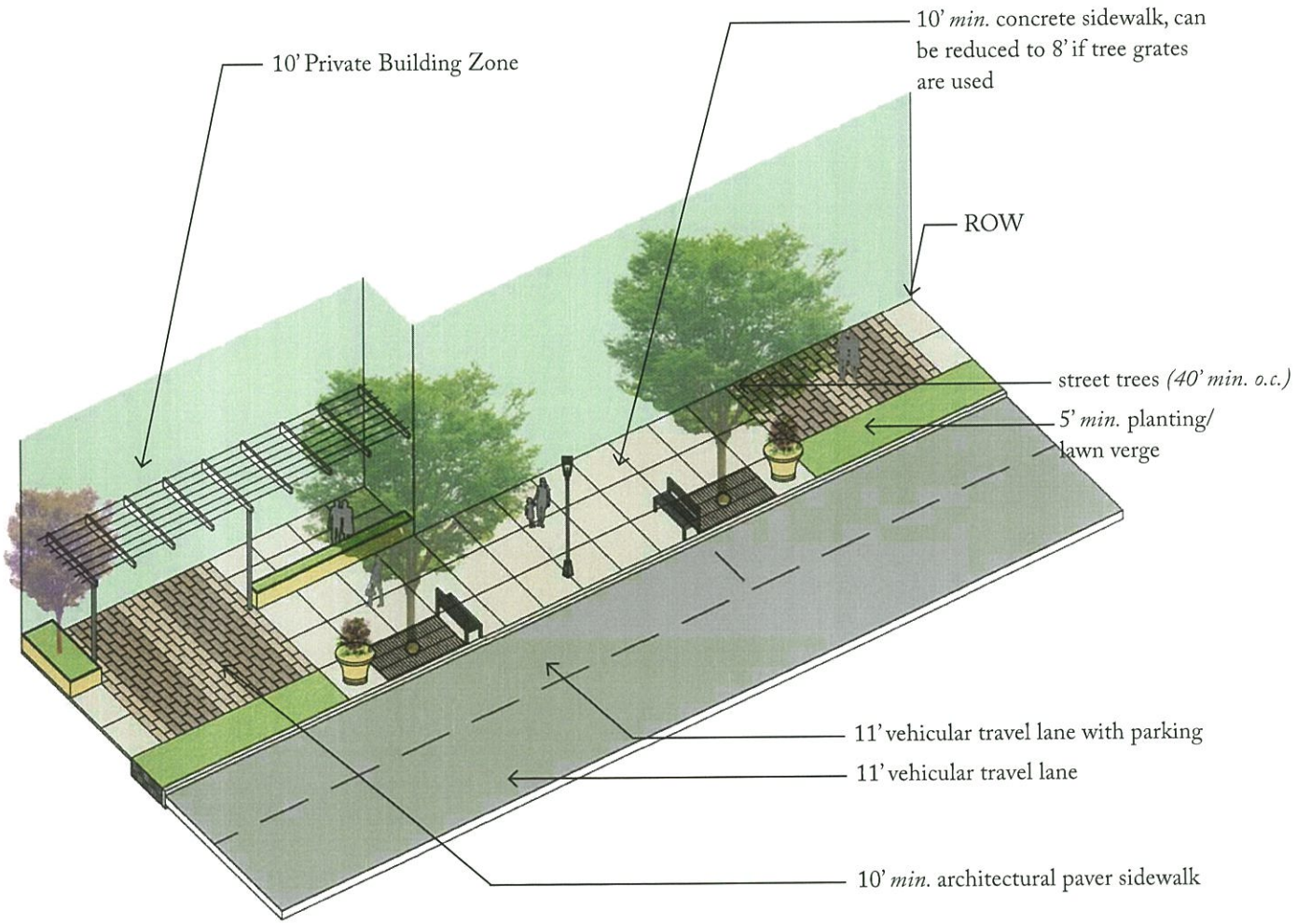
The planting verge may have a continuous planting bed or tree grates and movable planters.
On blocks with active ground floor uses, the tree grate design shall be used.

section



Private Streets

ALTERNATIVE B



Axonometric drawing private drive configuration with option showing tree grates

CONNECTIONS - MATERIALS

This section provides regulations that confirm the applicable Town standards for rights of way and open spaces within Herndon.

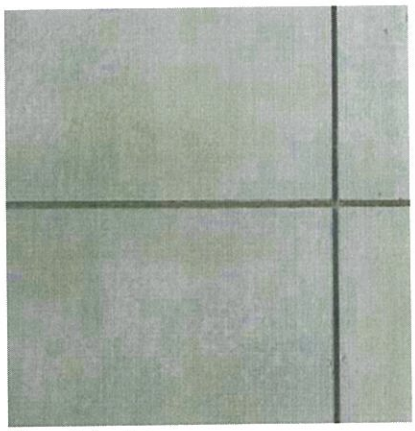
A key segment of the public realm, the Private Streets will contribute to the fundamental quality of life of the pedestrians that will use these spaces on a daily basis. These streets must be safe and inviting, as well as comfortable, dynamic and spontaneous, just as the public spaces of the HTOC. In essence, these streets are part of the public open space system. Therefore the entire public realm must be highly amenitized. The aesthetic and durability of site and landscape elements used in these streets are essential to long term sustainability of a dynamic public realm. The design and specification of any streetscape, park or public realm element shall be creative and state of the art in nature, with careful research and selection of materials of the highest quality and durability. Materials specified shall be used in a creative manner and a diverse palette is desired. Durability of selections should be of the highest grade of materials in strength and performance.

A. Main Sidewalk Area: For streets with 8' or greater depth of sidewalk, a minimum 4" thick pattern of alternate bands of paving shall be installed using broom finish or trowel finish concrete with architectural pavers from Nitterhouse Masonry Products LLC in two color alternating bands in 20' sections. On public streets, within the paver areas, etched granite motif pavers shall be installed in pairs every 100' of streetscape. For streets with less than 8' depth of sidewalk, a minimum 4" thick of continuous broom finish concrete shall be installed. All sidewalks shall be a maximum of 60% concrete and 40% pavers.

B. Tree Planter Verge: In the planter verge on streets with bike lanes, an optional architectural paver area can be installed for bike rack and movable planter placement. If tree grates and movable planters are used in tree verge, sidewalk may be reduced to 8' width.

C. Tree Planter Protection: An optional 4"-6" concrete curbs can be used to define the edges of each tree planter to protect planting and reduce damage. Fencing can also be used in lieu of curbs. In some instances, tree grates can be used in narrow sidewalk locations.

D. Crosswalks: A minimum 10' wide decorative paver crosswalk shall be used at all approaches to all intersections and curb cuts. All crosswalks shall include some degree of reflective thermoplastic and access shall be gained via ADA compliant curb ramps with detectable warning surfaces. Crosswalk paver design

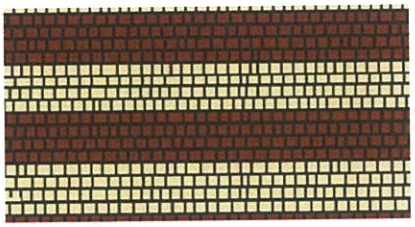


Concrete paving

Concrete planter curb & planter

Architectural pavers

Granite motif pavers



Crosswalk pattern

CONNECTIONS - MATERIALS

shall adhere to the Town of Herndon Street Standards.

E. Intersection Design: In instances where private streets are designed with curbs, intersections shall be raised beginning at the curb return to the level of the sidewalk. The raised area shall include the crosswalk and be fully faced with pavers to reflect the pavers used in either the sidewalk or crosswalk.

F. Cycle Track: Cycle tracks or off-street bicycle lanes are designed to separate bicycle traffic from pedestrians. The cycle track will be designed with flush textured borders or concrete strips to serve as detectable warning surfaces and as visual cues separating the cycle track from the sidewalk and tree verge. Concrete divider strips: 9" wide of belgian block finish concrete, match to sidewalk depth.

CONNECTIONS - SITE FURNISHINGS

This section includes standards for site furnishings in public and private rights of way that are intended to enhance the existing Town standards. Such furnishings include bicycle racks, benches, trash/recycling receptacles, and bus shelters. Refer to the Town's Streetscape Guidelines for further guidance and specifications of site furnishings.

A. Seating

» High quality and durable metal benches, stainless steel or aluminum with a powder coat finish, shall be used. Benches, with backs or backless styles, shall be placed as to not block pedestrian flow and may be arranged to create outdoor rooms. Other opportunities for respite within the private building zone and within pocket parks along streets may include seating walls and chairs. Seating shall be coordinated with transit stops, shaded areas, activity nodes, extended open spaces such as plazas, and near building entrances. Benches or other seating options shall be installed along every block, however, exactly how many depends on the development.

B. Bike racks

» High quality and durable metal bike racks shall be installed at key areas throughout the district. Bike racks shall be placed as to not block pedestrian flow and should be integrated into, but not limited to, the Tree Planting Verge. Finishes shall be compatible to the finish of the benches.

C. Litter receptacles

» High quality and durable recycling and litter receptacles shall be used and combined receptacles are desired. Litter receptacles shall be placed at street intersections and at convenient mid-block locations. Receptacles shall not be placed immediately adjacent to seating, however should be coordinated with

Trash receptacle

Recycling receptacle

Benches

Bicycle racks

CONNECTIONS – SITE FURNISHINGS

a nearby location. Litter receptacle locations shall not block pedestrian flow. Finishes shall be compatible to the finish of the benches. Both litter and recycling receptacles shall match.

D. Bus Shelters

» High quality and durable bus shelters shall be placed at designated bus stops along the public streets. Free pedestrian flow around bus shelters shall be maintained.

» Bus shelters can be of custom design to match the architectural styles of the open space areas or development blocks, or be one of the Town of Herndon Standard Shelters.

E. Bollards

» Bollards should be used for traffic control and security. Bollards may be lighted. Removable and regular bollards shall be located where necessary to control traffic and enhance pedestrian safety. Bollards shall be stainless steel or powder coated steel.

F. Planters

» Movable planters are permitted along all sidewalks to enhance the beauty of the streetscape. If used, planters shall be placed to define entries and seating areas, or be used to buffer cafes and other private uses along the sidewalks.

G. Wayfinding Signage

» Wayfinding signage along public streets shall match Herndon's standard street signage system. Along private streets and spaces, custom wayfinding signage an be used and shall be an integral design component of the architectural and landscape vocabulary. All signage shall conform to Herndon's signage ordinance and these Design Guidelines.

H. Other Amenities

» Other site elements, such as Power Pedestals and Cigarette Urns are permitted and must match the vocabulary and style of the other site furnishings. Power Pedestals shall be located in designated smoking areas.

Bollards

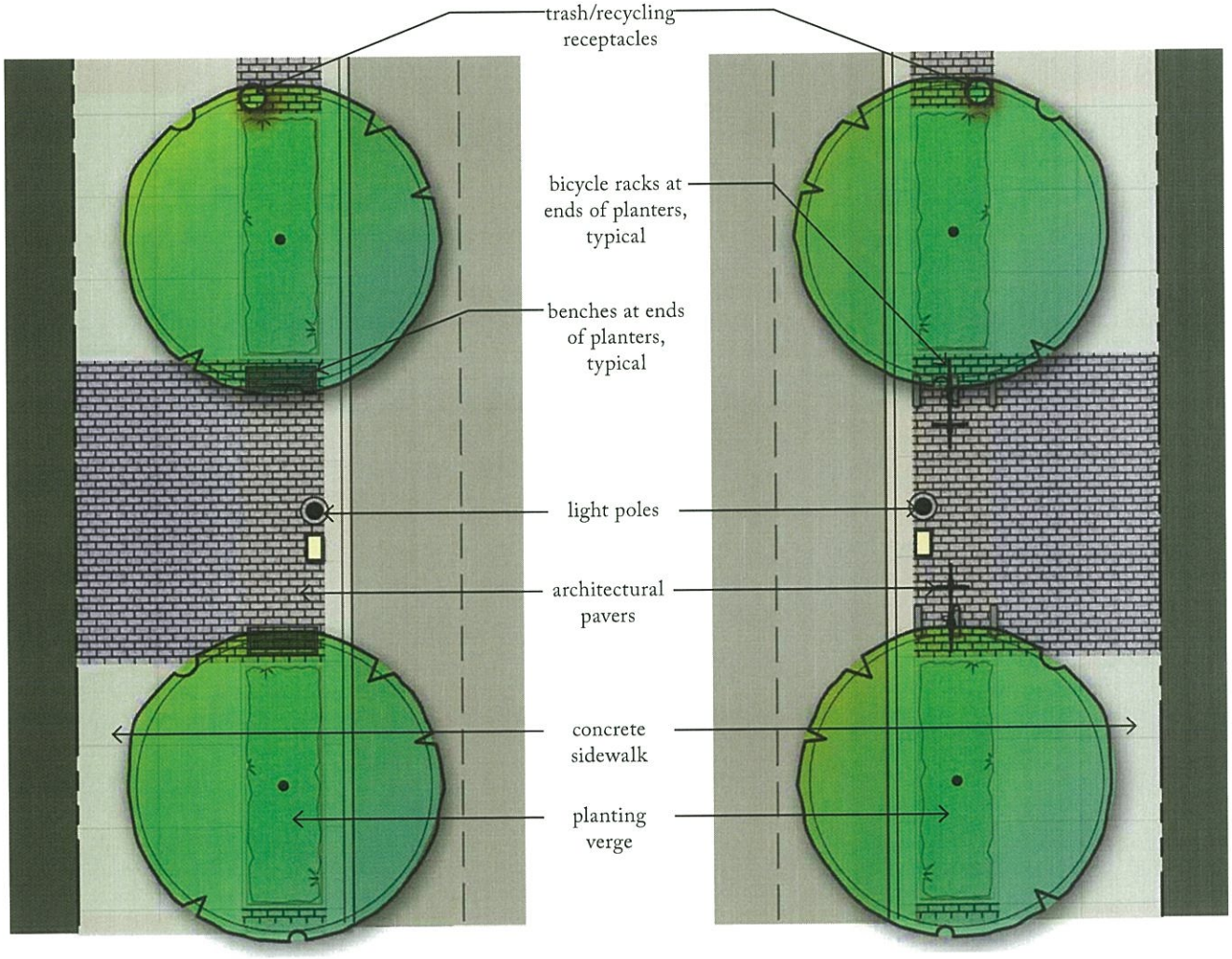
Planters

Wayfinding signage

Power pedestals

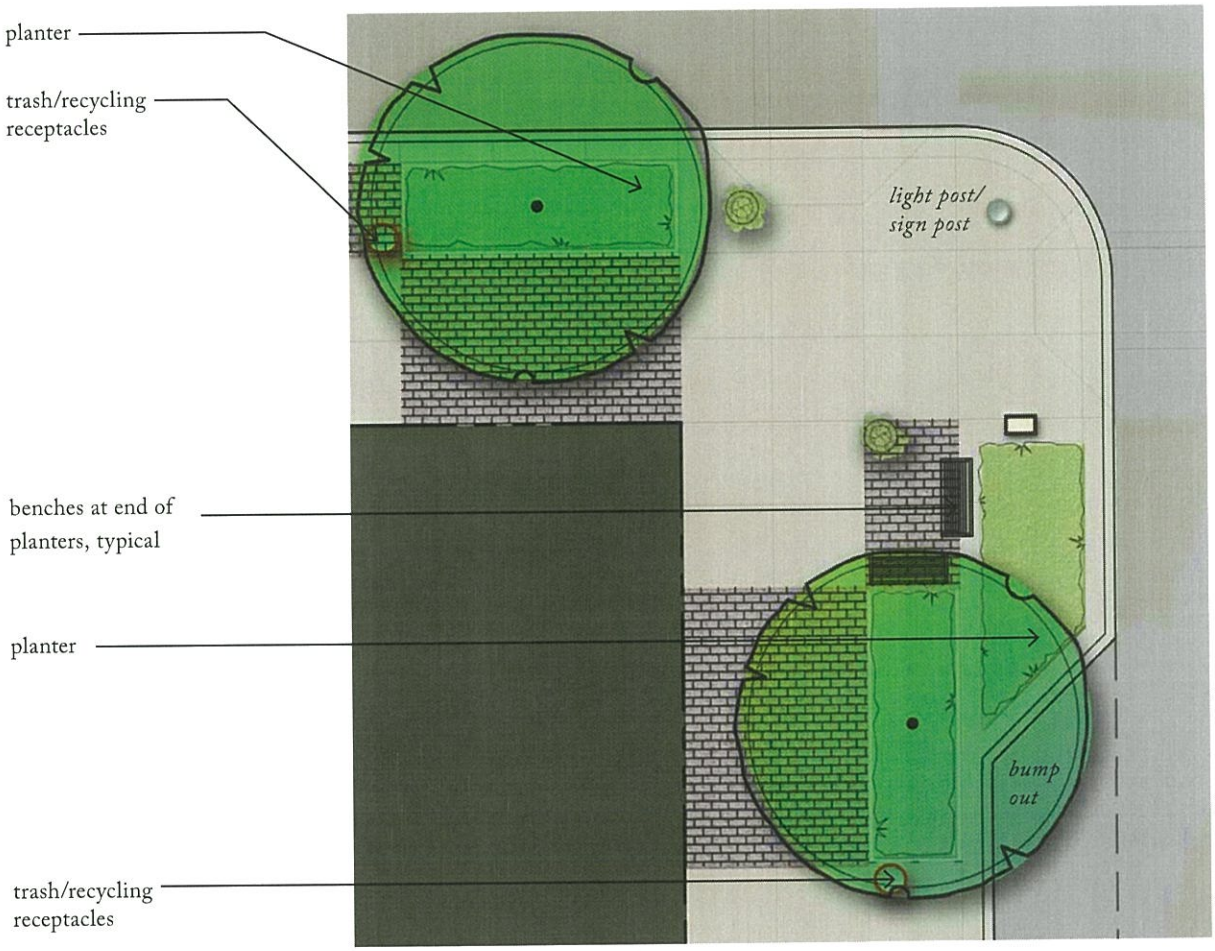
Placement of Site Elements - Along Streets

The following images show desired configurations of site furnishings along typical public and private streets. These furnishings include bicycle racks, benches, trash/recycling receptacles, and planters.



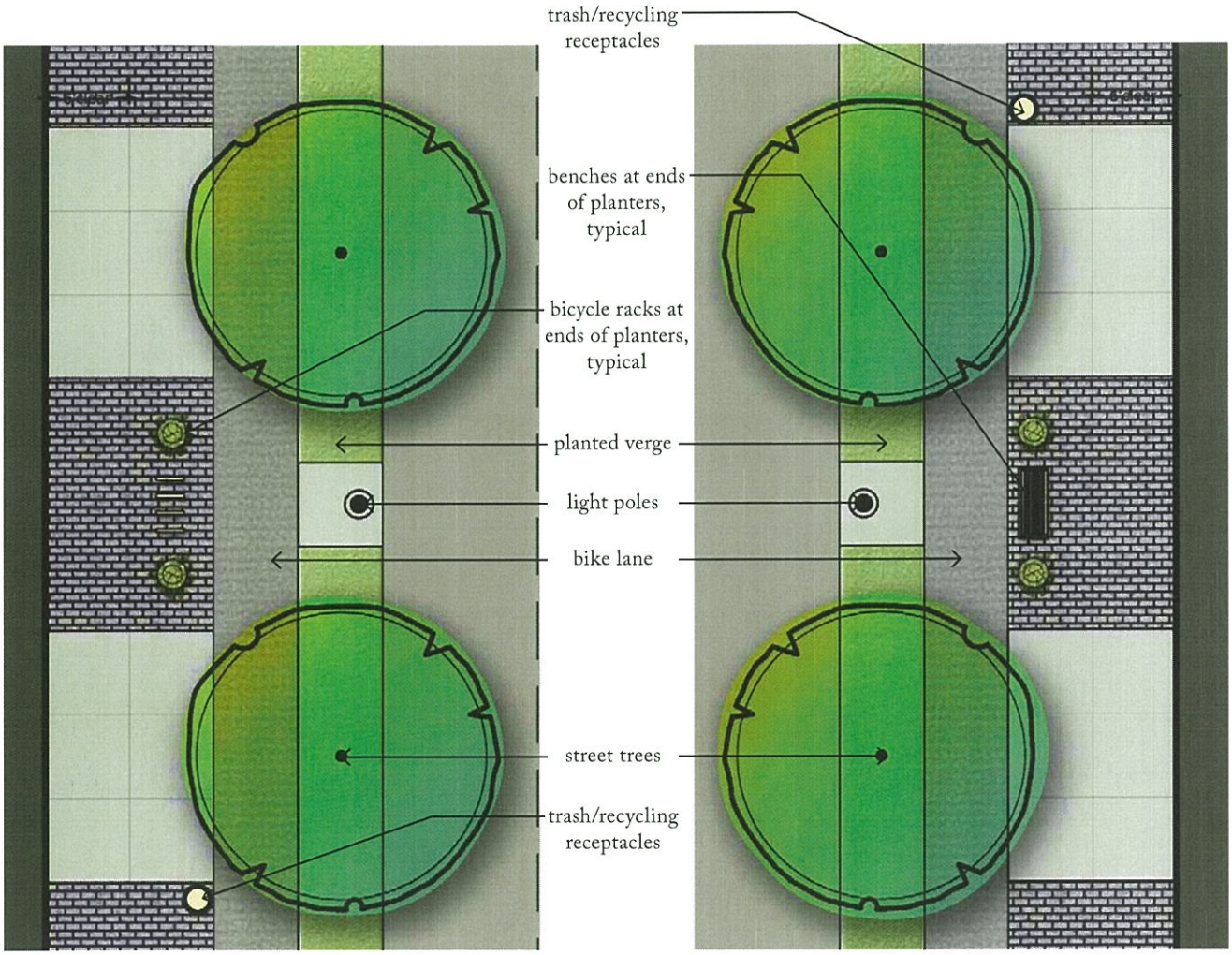
Street furniture configuration showing benches or bike racks at the ends of planters with light post centered in between. A trash/recycling receptacle on opposite side of planter away from seating areas.

Placement of Site Elements - Intersections



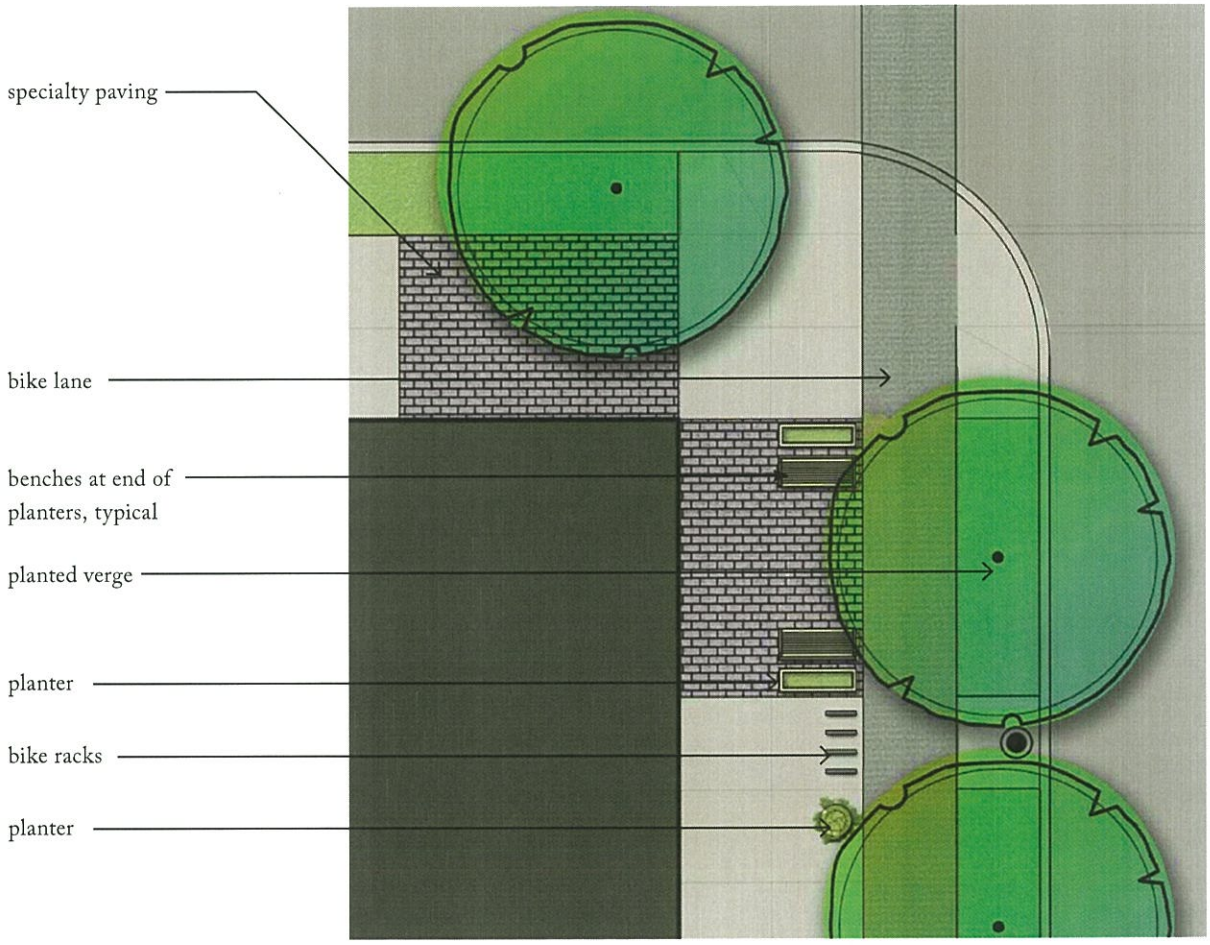
Example of street furniture configuration at an intersection showing benches and planters creating a small "garden room". A trash/recycling receptacle located on opposite end of planter, away from seating areas. Additional plant material is incorporated in the curb bump outs.

Placement of Site Elements - Along Streets with Bike Lanes



Street furniture configuration showing benches or bike racks between planters in sidewalk along bike lane, with a 6' clearing from building. A trash/recycling receptacle located further down the street away from seating areas.

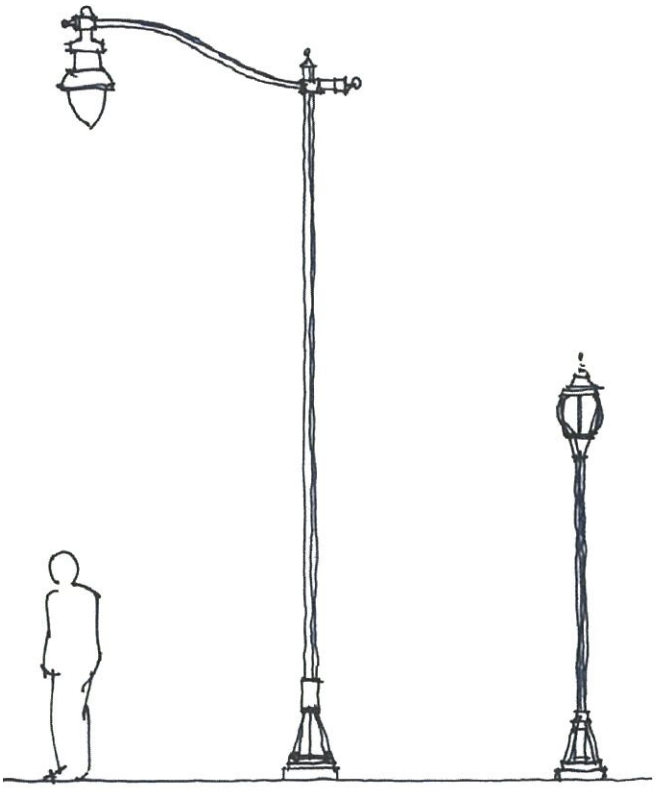
Placement of Site Elements - Intersections with Bike Lanes



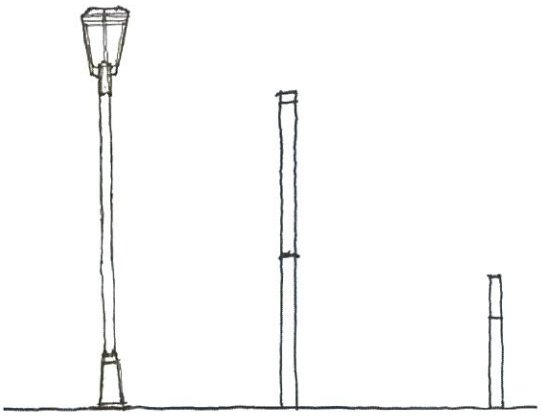
Example of street furniture configuration at an intersection with a bike lane showing benches and planters creating a small "garden room". Additional plant material is incorporated in the planted verge.

CONNECTIONS - LIGHTING

The following images represent the Herndon site lighting standards:



Major connector streets



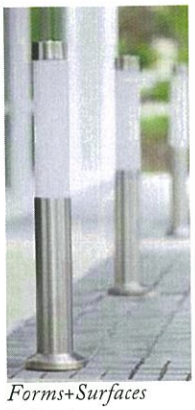
Shared access private streets

CONNECTIONS - LIGHTING

Fixtures shall be selected for lighting capacity, architectural detailing, and energy efficiency. To the maximum extent possible, they should be consistent throughout Herndon neighborhood streets and public spaces, and coordinated for coherent character with all other site furnishings.

- Street lighting shall be of two types, tall poles (25'-30') for major connecting streets and shorter pedestrian-scaled poles (15'-18') for smaller streets. Typical spacing for luminaires on 25'-30' poles can vary from 80' to 160' On 15' -18' poles the spacing is usually 40'. For each installation, the developer will obtain a photometric study to ascertain the appropriate spacing based on the specific fixture and site condition.
- Lighting shall be limited to the amount and intensity necessary for safety and security and to complement architectural character, minimum .5fc and uniform lighting intensity on the ground plane.
- Lighting that is visible from adjacent properties or roads shall, to the extent feasible, be indirect or incorporate full shield cutoffs.
- Fixtures are to be white color LED, preferably 3,500 Kelvin, but with any adjustable range from 2,800 to 5,000 Kelvin. The Color Rendering Index must be 80 or greater.
- The fixtures shall be primarily down-firing. Up-firing fixtures, if used for aesthetic effect, must be aimed at white horizontal reflectors to produce diffused light downward to prevent Dark Sky intrusion.
- The LED source should not be visible to driver, bicyclists, or pedestrian unless they are directly under the fixture.
- LED luminaires should be guaranteed for a minimum ten-year life span with no more than a 30% deterioration of illuminance as measured by footcandles.
- The preferred lighting pattern on the ground shall be overlapping ovals.
- All luminaires should be control-ready with the ability in the future to be individually monitored and controlled by wired or wireless central networks. Back-lighting of building facades should not exceed a height of 6" above the sidewalk.
- Luminaire design should be compatible with the local context.
- All luminaires shall be directed inward to eliminate excess light from spilling onto adjacent parcels by using cut-off or asymmetrical fixtures.

Landscape Forms Ashbery pedestrian light



Forms+Surfaces bollard

Forms+Surfaces light column

Philips Hadco r34 post top light

Halophane tear drop luminaire

Spaces Overview

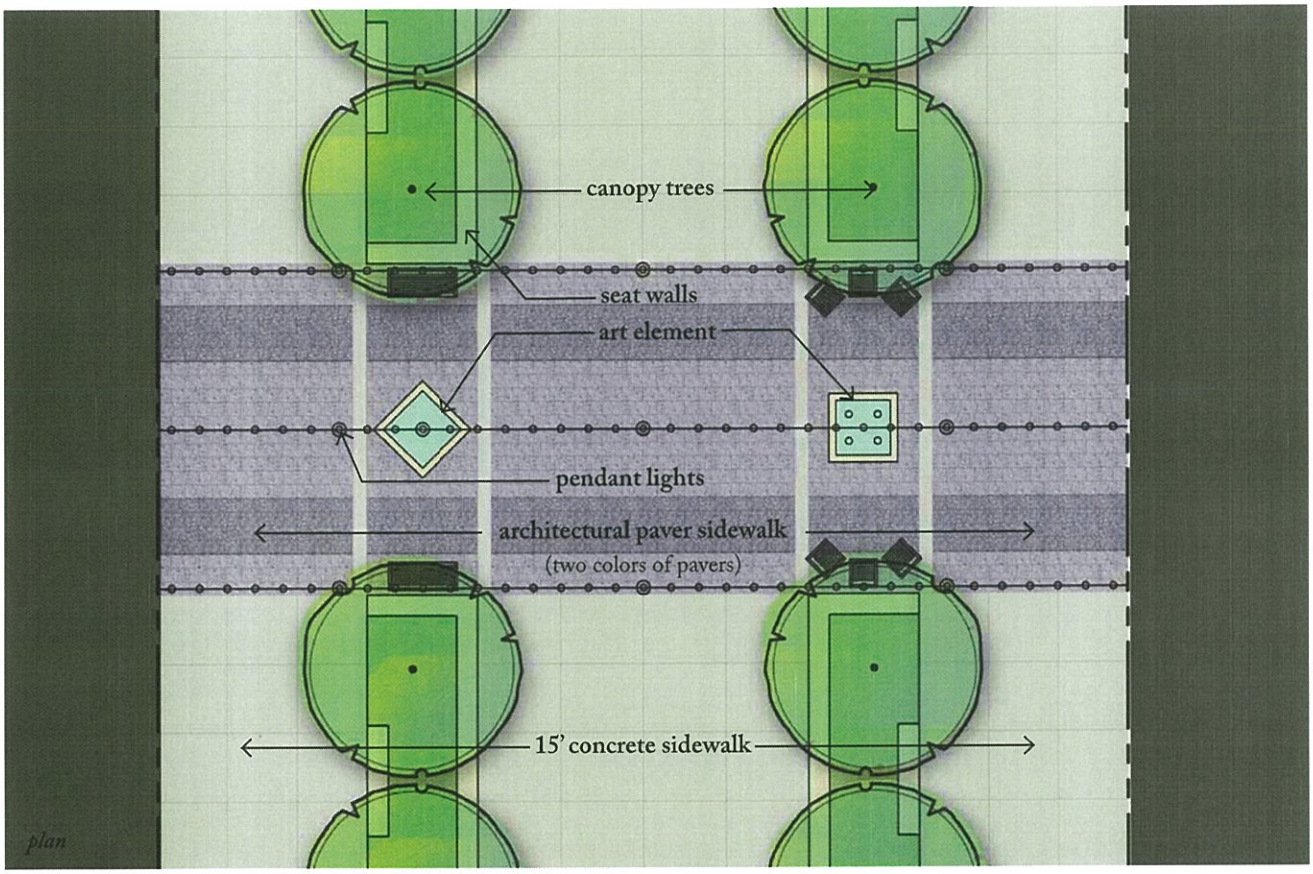
Beyond the public and private street requirements, there are two other components of the public realm that will enhance the character and spatial experience of the HTOC.

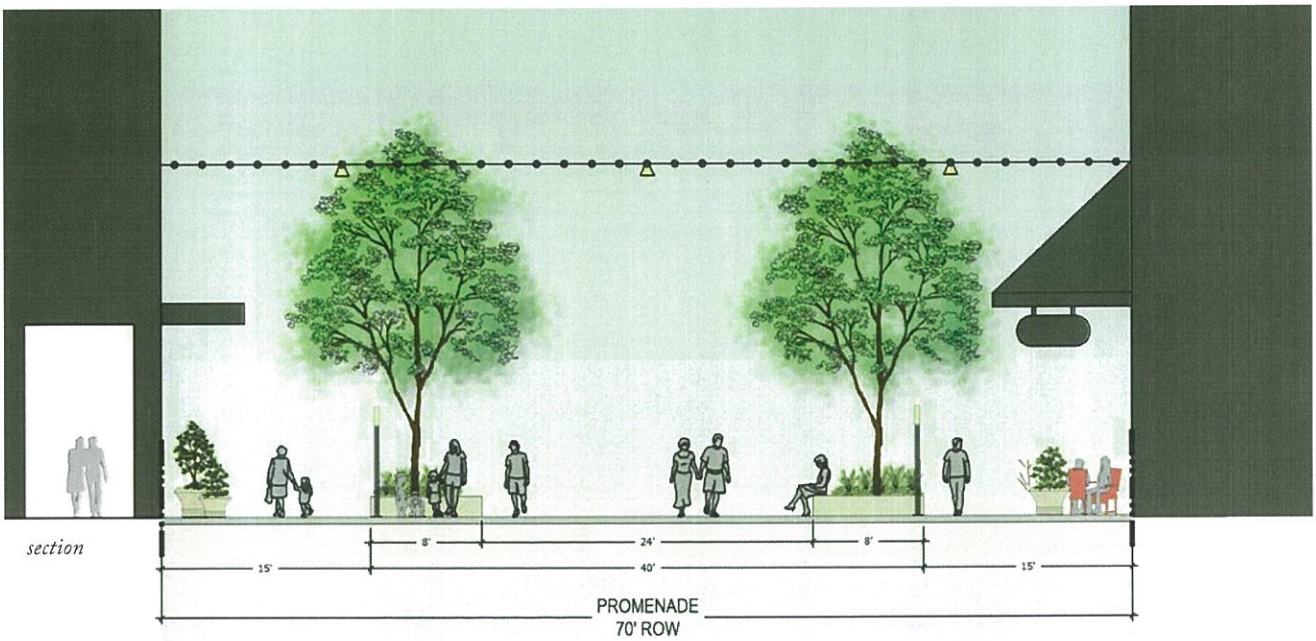
These include:

- Promenade. A primary address in the HTOC, this pedestrian promenade will be lined with commercial activity, including restaurants and shops. This shall be considered a linear park and highly amenitized. Fixed amenities, such as planters, seat walls, water features, sculptures and lighting, are typical features. Movable elements, such as benches, planters, cafe tables and chairs, umbrellas, and sign boards are permitted to enliven the space.
- Passages. These are considered to be part of the public open space realm of the HTOC and include the pedestrian spine connecting the Herndon Metro Station to the Herndon parkway as well as internal block connections. These are smaller, pedestrian oriented streets internal to the urban blocks connecting streets and public open spaces. The passages are of a width so that they can also accommodate service and emergency vehicles. These spaces should be considered a linear park with amenities such as planting, seating areas, overhead canopies, art, and unique lighting.
- Public Open Spaces. These are located in a variety of settings throughout the HTOC and can be in or adjacent to public right of ways. These are smaller parks or parklets. They can be internal, at the corner, or recessed along the frontage of the urban blocks. These are intended to be signature address that allow users to casually relax or gather for an event or social function. They can be primarily hardscape with edge landscape amenities, or more lush and garden like.

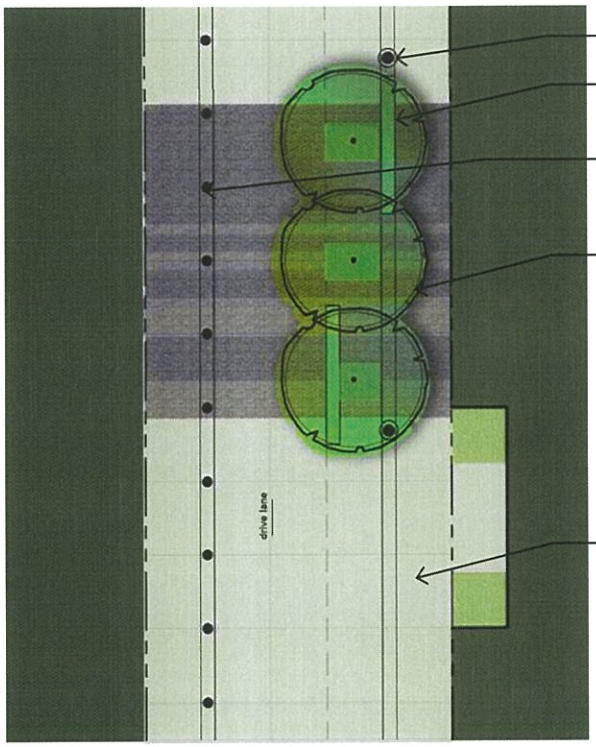
The following guidelines illustrate the desired design intent for these two types of spaces and have complimentary materials and furnishings. Just as the public and private streets share a vocabulary, these two elements of the public realm do as well. The intent is to provide continuity and give a clear distinction between the vehicular realm and the pedestrian realm.

Pedestrian Promenade



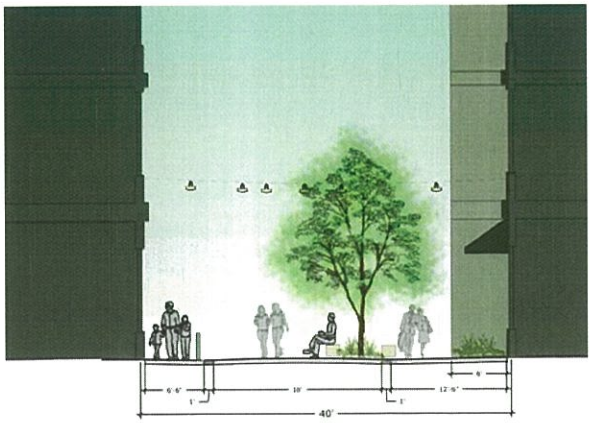


Pedestrian Passages

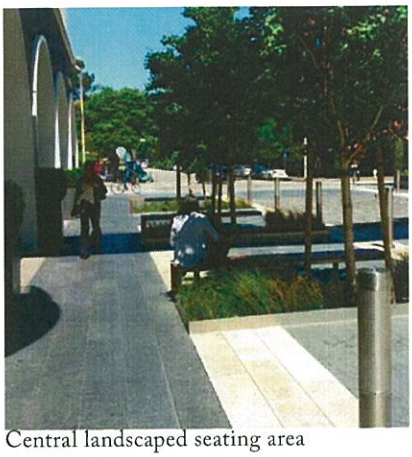


light
bench
bollard
specialty paving
concrete paving

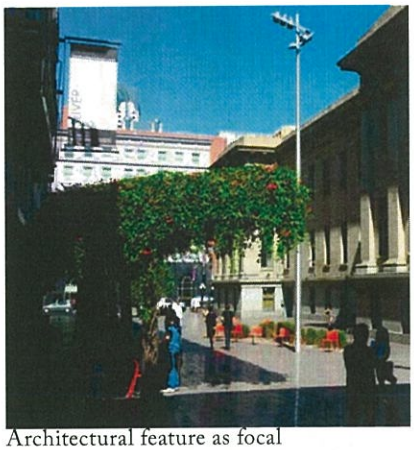
plan



section



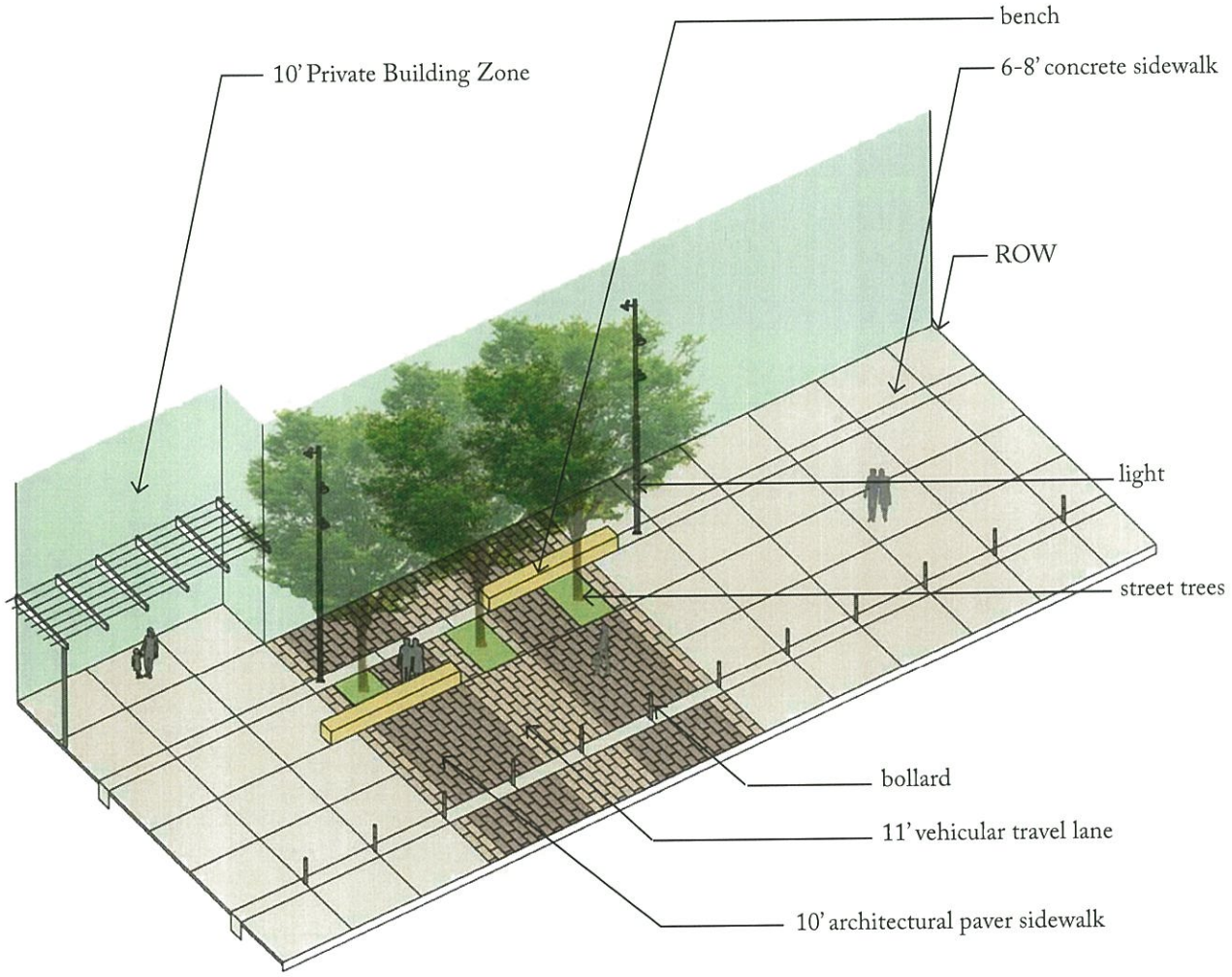
Central landscaped seating area



Architectural feature as focal

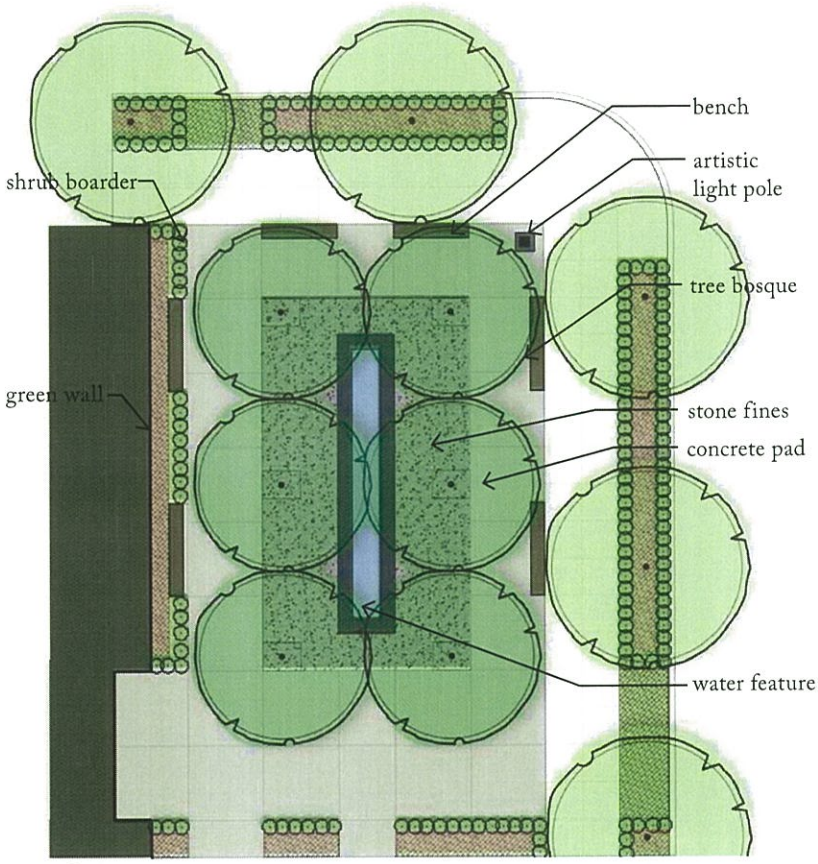
Edge planting

PEDESTRIAN PASSAGES

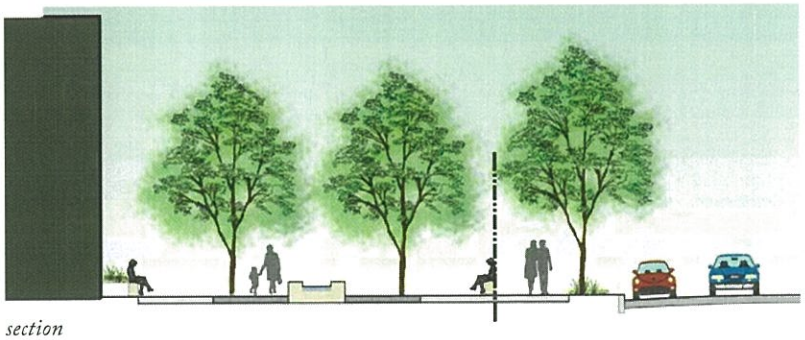


Axonometric drawing pedestrian passage configuration

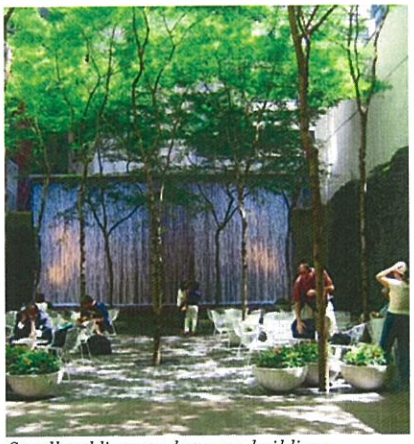
Public Open Space/Parklets



plan



section

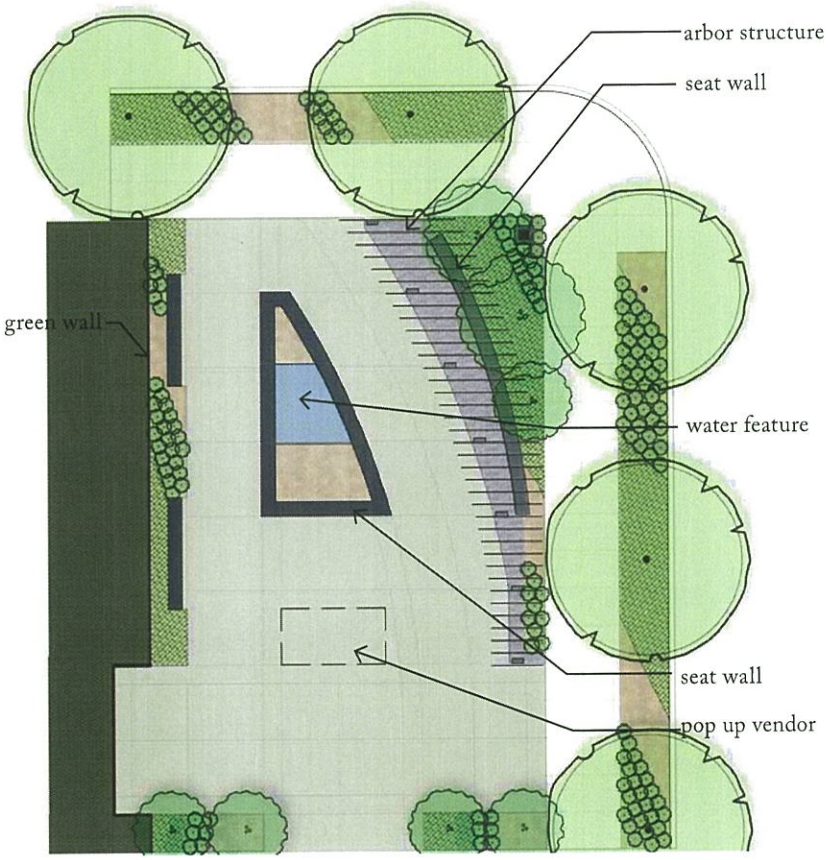


Small public space between buildings

Corner public space

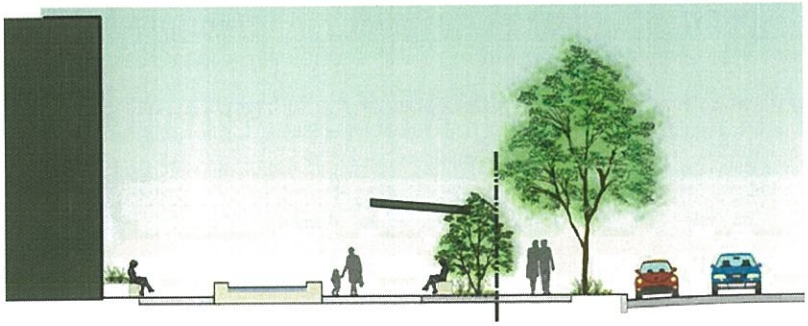
Public space with art as a focal

Public Open Space/Parklets



Architectural feature at edge

Outdoor work areas



Lush garden setting

PUBLIC OPEN SPACE & PEDESTRIAN PASSAGES

This section provides requirements for the use of durable site and landscape elements for public open spaces and pedestrian passages.

All public spaces in the district, including squares, private streets, and parks, shall be designed in a flexible manner and at various scales that address use and function. They should be adjacent to main pedestrian flow patterns. They should be transparent; in other words, visible and perceived safe. They should be comfortable and welcoming. They should be attractive and dynamic; incorporating features that draw people in to use them. They should be well managed, easily maintained and built with durable lasting materials.

Each space shall be designed for casual use by pedestrians on a daily basis where they can find comfort and respite allowing for leisure activities such a sitting, outdoor dining, or simply walking. The same spaces shall also have a more civic component programmed, such as open areas for setting up events like lunchtime concerts, urban farmers markets, food truck and cart vendors, tents for special events, and areas for creative play and gathering for all ages. This requires understanding the scale of design, allowing for a diverse array of site and landscape elements to accommodate a variety of uses.

Intimate seating areas with rich materials can be contrasted with open plaza spaces using high quality pavers that can be used for events and special functions. Elements mitigating the exposure to the outside elements, such as rain, wind and harsh sunlight, should be integrated into the design as well. Creative use of canopies, arbors, and trees for shade and space definition can separate and frame event spaces or provide a soft overhead canopy of filtered light. Lush plantings and gardens are critical to the urban landscape. The use of raised and ground plane landscape plantings can be used to define the entrances and the perimeter of these spaces. Lighting can enhance the spaces' identity while highlighting special features within the spaces. The use of art and water as focal points is desired. Public Art is a magnet that can enhance and personalize a space. Water softens the ambient noise of urban life and cools the spirit. In all, quality of materials are critical to the success of a space. Individual users respond positively to a simple palette of rich material textures and colors, as well as, to their comfort and durability.

PUBLIC OPEN SPACE & PEDESTRIAN PASSAGES - MATERIALS

A. Paved surfaces can be broom finish or exposed aggregate concrete with decorative pavers accenting seating areas, gathering spaces and building entries. These decorative pavers may include natural stone materials, concrete unit pavers or precast concrete pavers. For surfaces that need vehicular access for emergencies or service, provide for a minimum 6" reinforced paving base. Paving shall be a mixture of 60% stone or concrete unit pavers and 40% concrete, either broom finished, colored, stained, exposed aggregate or a mix there of. No more than 40% of the area can be paved in concrete paving.

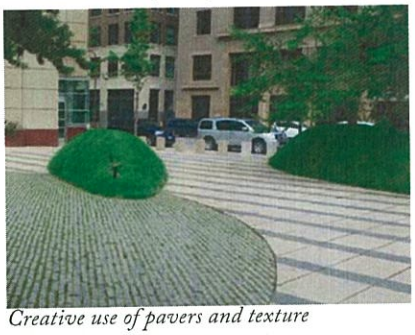
B. Landscaped areas can be flush with the adjacent paving or protected by curbed planters as described on the street pages or with decorative protective fencing.

C. Vertical elements or overhead structures should be designed to match the building vocabulary and materials. These materials can be metal, wood, glass, or a combination there of.

D. Planting can take a variety of forms, from tree bosque to more naturalized planting. An 85% native palette of plant materials is desired.

E. Specific to The Promenade, referenced on Page 25 and as guided by the Master Plan, a unique pedestrian oriented street that is required to accommodate emergency and service vehicles shall have minimum width of 24' clear zones in the center to accommodate this access. However, this central clear area, considered the main pedestrian spine, shall not read as one. Pavers shall match other material patterns found elsewhere in the HTOC. Cross bands of pavers, ninety degrees to the linear nature of the street, shall define use areas. These cross bands shall be a minimum of 24' in depth for the entire width of the street. Within these bands, amenities such as water features, public art, movable seating, movable planters, and other such elements should be organized. In between these bands, 40' sections of fixed, in-ground or above-ground planters, with fixed edge seating, canopy or ornamental trees, and ground plane plantings are required. Paving in these areas shall be concrete, either broom finish, exposed aggregate, or a combination there of. Lighting shall be overhead with the use of catenary lighting, building mounted that respects the architectural character of the building. Indirect lighting shall be used to uplight tees, on the underside of bench seating to wash the ground plan, or other creative lighting measures. Post lights are not desired in this area and should be minimally used and limited to theatrical or delicate light sticks. Outdoor dining areas are desired and must meet the Town of Herndon requirements. They are limited to a 12' depth from the face of buildings and have perimeter fencing or planters to define them. Temporary signage boards and other features are allowed.

Flush decorative paving

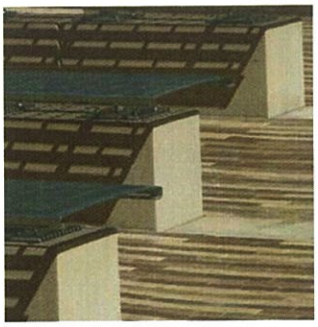


Creative use of pavers and texture

Edge planting detail

Vertical elements and seating

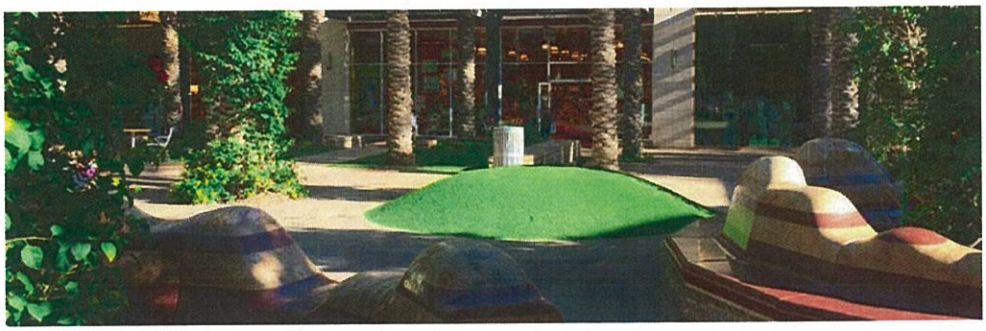
Canopy edge definition



Custom furnishings

Decorative paving with integrated LED lighting

Shade structure



Place making with sculpture and art

Paving and seating integration

Artful canopy and stormwater collection

Pop-up vendor in plaza

PUBLIC OPEN SPACE & PEDESTRIAN PASSAGES - FURNISHINGS

This section provides requirements for site furnishings.

A. Site furnishings can be similar to one specified for private streets, or custom fabricated to add an artistic touch. Materials may include wood, steel, aluminum, stone, cast in place or precast concrete, or a combination there of.

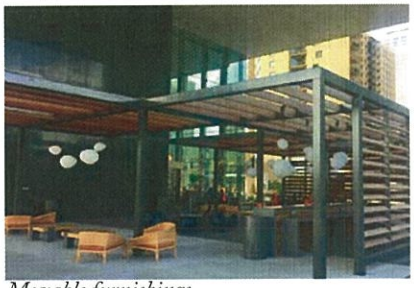
B. Furnishings should complement the architectural elements of the adjacent buildings as well as the ground plane paving material.

C. Furnishings can be fixed to define edges or the perimeter of the public space. Ideally they are used along the edges of use areas and can either be free standing or planting behind. Movable furnishings should be considered to animate large paving areas allowing them to be moved when events take place.

D. Movable planters should be considered where fixed planters are not desired.

Wood and steel furnishings

Steel and stone custom furnishings



Movable furnishings

Stone furnishings of different textures

Concrete and wood furnishings

PUBLIC OPEN SPACE & PEDESTRIAN PASSAGES - LIGHTING

As for streets, fixtures shall be selected for lighting capacity, architectural detailing, and energy efficiency. Lighting for open spaces and passages should reflect the architectural context of the space.

A. Lighting should be designed for the space and address safety lighting as well as more artistic, ambient, and indirect lighting to personalize the space.

B. No specific light standards are specified, but they can include overhead catenary lights, bollard lights, decorative pylon lights, and decorative wall or bench lighting.

C. Lighting shall be limited to the amount and intensity necessary for safety and security and to complement architectural character, minimum .5fc applied uniformly.

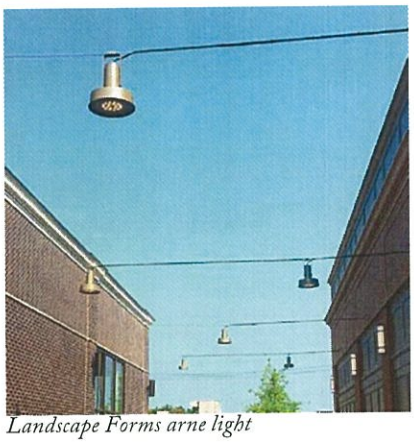
D. Lighting that is visible from adjacent properties or roads shall, to the extent feasible, be indirect or incorporate full shield cutoffs.

E. Fixtures are to be white color LED, preferably 3,500 Kelvin, but with any adjustable range from 2,800 to 5,000 Kelvin. The Color Rendering Index must be 80 or greater.

F. The LED source should not be visible to driver, bicyclists, or pedestrian unless they are directly under the fixture.

G. LED luminaires should be guaranteed for a minimum ten-year life span with no more than a 30% deterioration of illuminance as measured by footcandles.

H. All luminaires shall be directed inward to eliminate excess light from spilling onto adjacent parcels by using cut-off or asymmetrical fixtures.



Landscape Forms arne light

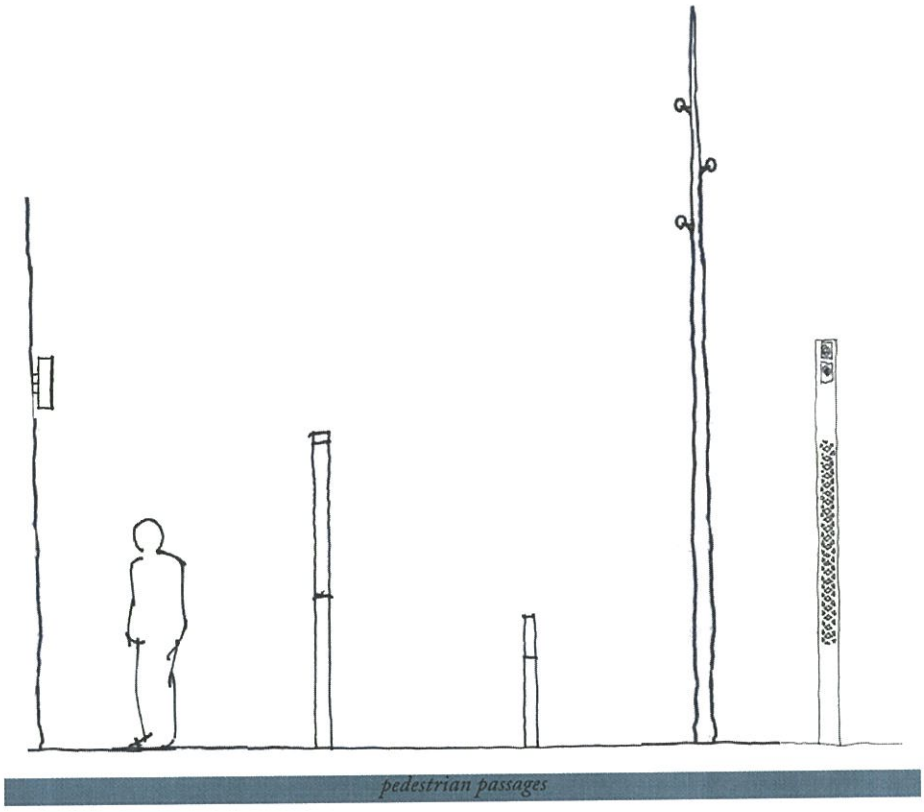
Forms+Surfaces bollard

Decorative wall or bench lighting

Technilum light column

PUBLIC OPEN SPACE & PEDESTRIAN PASSAGES - LIGHTING

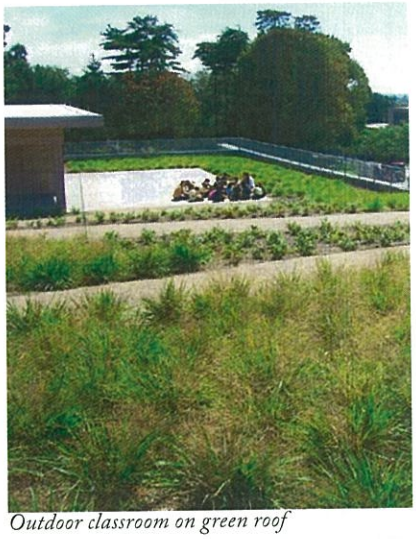
The following images represent the Herndon site lighting standards:



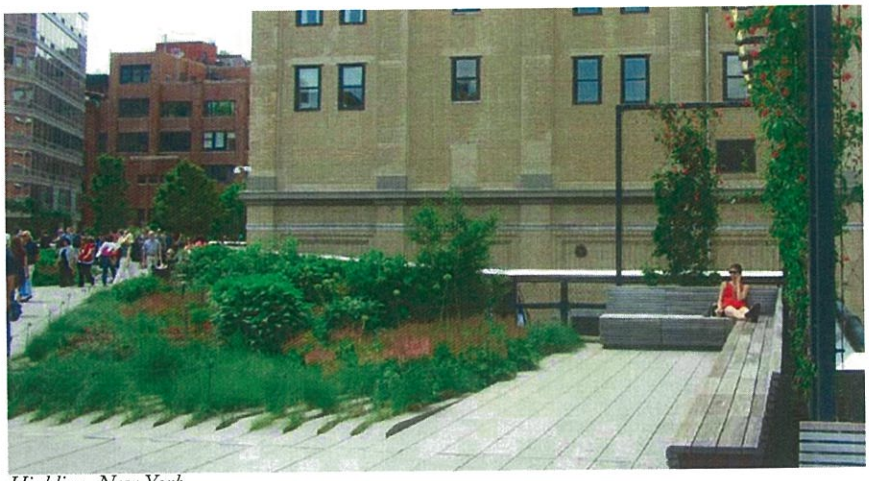
SUSTAINABILITY STRATEGIES

In the book Ten Shades of Green - Architecture and the Natural World (Peter Buchanan and Kenneth Frampton, 2005) ten strategies are laid out:

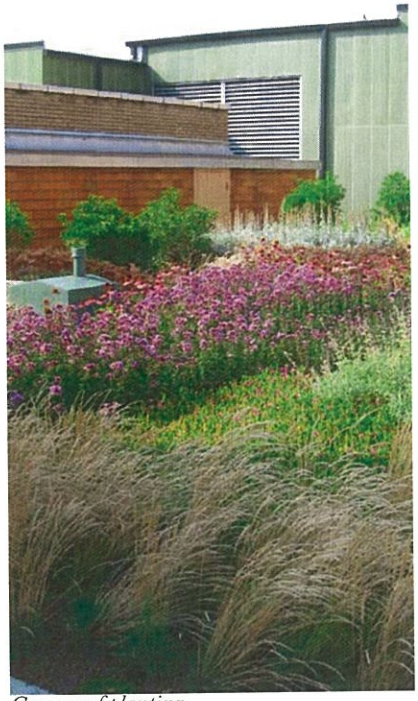
- Low Energy Performance - Achieved by making maximum use of natural light and ventilation.
- Replenishable Sources - Harvest non-depletable ambient energies of the sun, wind, waves, gravity and geothermal power.
- Recycling: Eliminating Waste and Pollution - Re-use building materials, design buildings that are flexible and easily reused, recycle water and heat.
- Embodied Energy - Look at energy efficiency in material selection in terms of life-time energy use.
- Long Life, Loose Fit - Build with materials that endure and improve with age; green buildings not only accommodate change easily but are timeless and pleasant in character so that people prefer to conserve them.
- Total Life Cycle Costing - Balance capital cost with long term maintenance costs.
- Embedded in Place - Green buildings fit seamlessly into, help integrate and minimize negative impacts on their surroundings.
- Access and Urban Context - To be green, integrate multimodal transportation alternatives.
- Health and Happiness - Natural light, fresh air, and contact with nature and community provide a healthy lifestyle.
- Community and Connection - Achieve a sustainable culture by regenerating a sense of community and connections with the natural world.



Outdoor classroom on green roof



Highline, New York



Green roof planting

SUSTAINABILITY STRATEGIES

Developers should consider an array of localized or centralized techniques, including green roofs, blue roofs, porous pavement, amended soils, infiltration practices and rainwater harvesting, to retain on-site and infiltrate, evapotranspiration, and reuse all rainfall depths up to the 1.2-inch depth. To the extent that on-site retention is not sufficient to meet stormwater retention requirements, shared facilities for holding stormwater should be considered.

A. Green Roofs

» Developers should consider incorporating green roofs into their roof plan design. Numerous benefits can result from the adoption of green roof technologies including the recovery of green space, moderation of the urban heat island effect, improved stormwater management, water and air purification, and the reduction in energy consumption. A major benefit of green roofs is their ability to absorb stormwater and release it slowly over a period of several hours. Green roof systems have been shown to retain 60%-100% of the stormwater they receive. In addition, green roofs have a longer life-span than standard roofs because they are protected from ultraviolet radiation and the extreme fluctuations in temperature that cause roof membranes to deteriorate.

B. Blue Roofs

» Developers should consider incorporating blue roods into their roof plan designs when not using green roofs. Blue roofs are a type of green infrastructure that functions similar to green roofs, but without vegetation. Blue roofs temporarily store water to help mitigate the "first flush" of rainfall and then release the captured stormwater incrementally. These systems typically cost less than green roofs and produce the desired stormwater management results.

C. Permeable Pavers

» In addition to using green roofs to capture run-off, permeable paving may be used in private alleys, courtyards, and pedestrian ways in order to help control stormwater.

D. Stormwater Catchment

» The design intent is to capture, control and treat the first flush of rainfall during storm events. This water can be directed to stormwater infiltration tree basins or tree box filters.

Green roof

Green roof planting

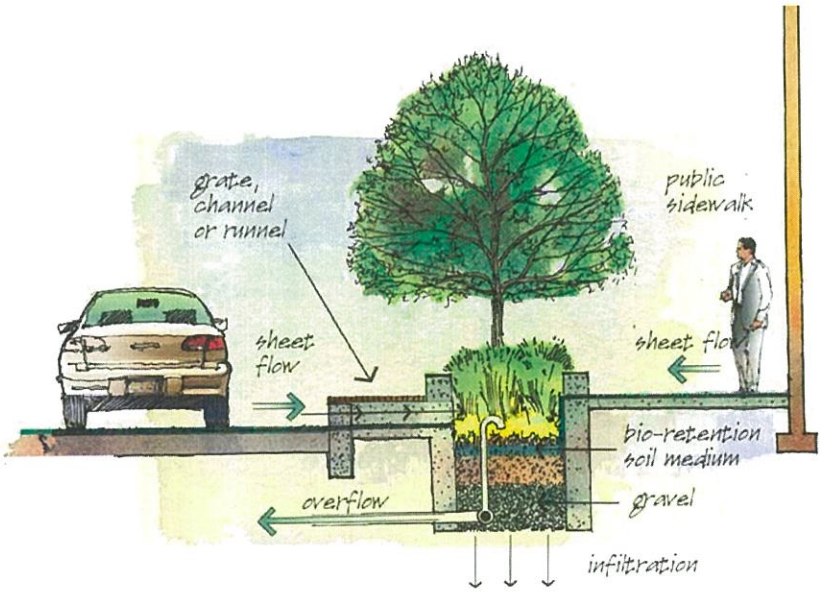
Green roof planting

SUSTAINABILITY STRATEGIES - STORMWATER CATCHMENT

For private streets, passages, and public open spaces, stormwater collection and treatment is required. The following site elements can be part of this stormwater catchment system:

- Street verge planters that capture stormwater from streets and sidewalks.
- Rain gardens.
- Below grade catchment areas and cisterns.

street verge stormwater catchment area with adjacent below grade storage



Street verge stormwater detail

Naturally planted rain garden

Stormwater catchment area in courtyard

Street verge stormwater catchment

Plant Material

PLANT PALETTE

Native Plants

Indigenous plants have evolved with the local climate and the soil; therefore, they are perfectly suited to the region. There are many advantages to using local plants besides their ability to thrive. They are often low maintenance and thrive without the addition of fertilizers or pesticides, and they provide food and shelter for native wildlife.

The following list consists of the "best of the best" plant materials for use in the development area, and should serve as both a guide and a starting point for plant selection. The plant list focuses exclusively on native plant material suitable to the region.

Many factors were considered in selecting the short list of plant materials including form and size, tolerance to urban conditions such as soil compaction, salt and brine spray, availability and hardiness, wildlife value, and beauty and seasonal color. The ideal plant for the proposed dense urban setting would be readily available and grow in almost any microclimate. It should be non-invasive, long lived, and provide forage and habitat for many songbirds and butterflies. This plant would also resist any disease or environmental stress and provide a vivid display of changing color throughout all seasons. Although this "ideal" plant is a fabrication, it is useful to underscore that plants making the following list needed to perform well in multiple categories versus being a standout in one particular category and showing poorly in several others. For additional information on using native plant material, reference the following websites:

- www.plantnative.org/nd_patova.htm#va
- www.earthtonesnatives.com
- www.virginiawildflowers.org

Ornamental Plants

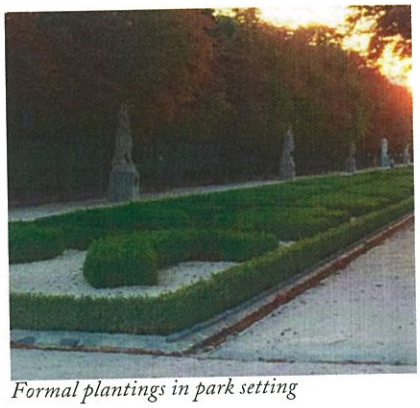
In some cases, ornamental plants (non native plants that are not invasive but do well in the climate) are acceptable. These plants will typically only be used at formal garden areas in limited quantities.

Green Roof Plants

If green roofs are used on development blocks, plant material should be selected from non-invasive materials recommended by the manufacturer to insure compatibility with soil depths. As another part of the urban forest, Green Roof planting is either intensive or extensive. Extensive Green Roof planting typically relies on a mixture of low lying plants such as sedums. Intensive planting requires more soil and structure for support, but are able to provide habitat for birds, butterflies, and insects. Intensive planting may use the perennials, groundcovers and grasses on the list on the pages that follows.

Native perennials

Lush plantings along street verge



Formal plantings in park setting

PLANT PALETTE

SCIENTIFIC NAME	COMMON NAME
CANOPY TREES	
Acer rubrum	Red Maple
Acer saccharum	Sugar Maple
Carya ovata	Shagbark Hickory
Fagus grandifolia	American Beech
Larix laricina	American Larch
Nyssa sylvatica	Black Tupelo
Prunus serotina	Black Cherry
Quercus alba	White Oak
Quercus rubra	Red Oak
Tilia americana	Basswood
Ulmus americana 'Princeton'	Princeton American Elm
UNDERSTORY TREES	
● Amelanchier canadensis	Shadblow Serviceberry
Betula lenta	Black Birch
● Betula nigra	River Birch
Cornus florida	Flowering Dogwood
Hamamelis virginiana	Witchhazel
Malus coronaria	Sweet Crabapple
● Ostrya virginiana	American Hophornbeam
Pyrus malus	Apple (domestic)
DECIDUOUS SHRUBS	
Aronia melanocarpa	Black Chokeberry
Cornus racemosa	Grey Dogwood
● Cornus sericea	Red-osier Dogwood
● Ilex verticillata	Winterberry (1male:3female)
Rosa virginiana	Virginia Rose
Salix g. 'Melanostachys'	Black Pussy Willow
Sambucus canadensis	American Elder
● Spiraea alba	Meadowsweet
● Viburnum lentago	Nannyberry
EVERGREEN SHRUBS	
Gaultheria hispidula	Creeping Snowberry
● Juniperus communis	Common Juniper
Kalmia angustifolia	Sheep Laurel
Ledum groenlandium	Labrador Tea
● Taxus canadensis	Canada Yew

● ***Simple palette***

Crape Myrtle

Red-osier Dogwood

Oakleaf Hydrangea

PLANT PALETTE

SCIENTIFIC NAME	COMMON NAME
GRASSES	
Andropogon gerardii	Big Bluestem
Eragrostis spectabilis	Purple Lovegrass
● Panicum Virgatum	Switch Grass
Schizachyrium scoparium	Little Bluestem
Sorghastrum nutans	Yellow Indian Grass
● Spartina pectinata	Prairie Cordgrass
Tridens flavus	Tall Redtop
GROUNDCOVER	
Arctostaphylos uva-ursi (6"-12")	Bearberry
Asarum canadense (6"-12") (12"-18")	Wild Ginger
Cornus canadensis (3"-6")	Bunchberry
Dennstaedtia punctilobula (12"-18")	Hay-scented Fern
● Dryopteris marginalis	Leatherwood Fern
Gaultheria hispidula	Creeping Snowberry
Juniperus horizontalis	Bar Harbor Juniper
Pachysandra procumbens (6")	Allegheny Spurge
● Phlox divaricata (8"-18")	Canadian Phox
● Sedum ternatum 'Larinem Park'	Stonecrop
Tiarella cordifolia (6"-12")	Foamflower
Trifolium repens	White Clover
PERENNIALS	
Anemone canadensis	Roundleaf Thimbleweed
Anemone quinquefolia	Wood Anemone
● Aquilegia canadensis	Wild Columbine
Asclepias syriaca	Common Milkweed
● Asclepias tuberosa	Butterflyweed
Aster novae-anglieae	New England Aster
Caulophyllum thalictroides	Blue Cohosh
Cypripedium reginae	Showy Lady's Slipper
● Eupatorium purpureum	Joe Pye Weed
Heliopsis helianthoides	Sweet Ox-eye
● Iris versicolor	Blue Flag Iris
● Rudbeckia hirta	Sweet Black-Eyed Susan
Penstemon digitalis	Foxglove Beardtongue
● Verbena hastata	Blue Vervain
Viola labradorica	Labrador Violet

● ***Simple palette***

Switch Grass

Blue Flag Iris

Astilbe

Black-eyed Susan

PLANT PALETTE – STREETSCAPES

Streetscape and the Urban Forest

An urban forest is the collection of trees that grow within a city. An urban forest provides many ecological as well as economical benefits to its citizens including moderating the local climate, slowing stormwater, and shading homes and businesses to reduce energy consumption. Street trees and streetscape planting are a large component of Herndon's urban forest and as such will be the hardiest materials on our urban plant list. These plants are low maintenance, salt and pollution tolerant, and offer a variety of forms, textures, and colors providing interest for pedestrian traffic. Often a variety of tree species will be planted along a street in order to strengthen the urban forest of Herndon.

The Understory Trees: Group A category applies to most planting under utility lines. This is necessary to consider because most lines are less than 25' above ground. Where possible, trees should be offset so that they are not directly under the wires.

The Understory Trees: Group B applies only to utility planting where the bottom wire is over 25' above the ground. Where possible, these trees should also be offset so as not directly under the wires.

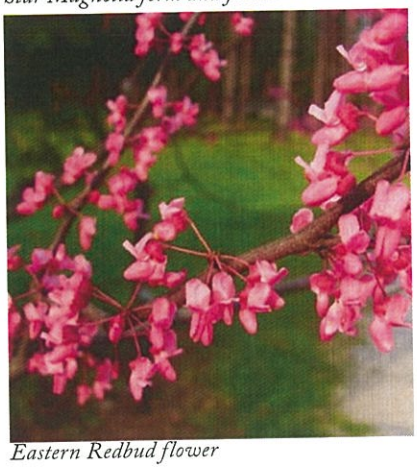
The shrubs, groundcovers, and perennials on this streetscape list are also known to be extremely tolerant of road salt and wind.

SCIENTIFIC NAME	COMMON NAME
UNDERSTORY TREES - GROUP A	
Acer ginnala	Amur Maple
Acer tataricum	Tatarian Maple
Crataegus laevigata 'Superba'	Crimson Cloud Hawthorn
Magnolia stellata	Star Magnolia
Malus floribunda	Japanese Flowering Crabapple
UNDERSTORY TREES - GROUP B	
Acer campestre	Hedge Maple
Acer griseum	Paperbark Maple
Amelanchier laevis 'Majestic'	Apple Serviceberry
Carpinus caroliniana	American Hornbeam
Cercis canadensis	Eastern Redbud
Koelreuteria paniculata	Goldenrain Tree
Syringa reticulata	Japanese Tree Lilac
SHRUBS AND GROUNDCOVERS	
Arctostaphylos uva-ursi	Bearberry
● Aronia spp.	Chokeberry

● ***Simple palette***

Thriving streetscape planting

Star Magnolia form and flower



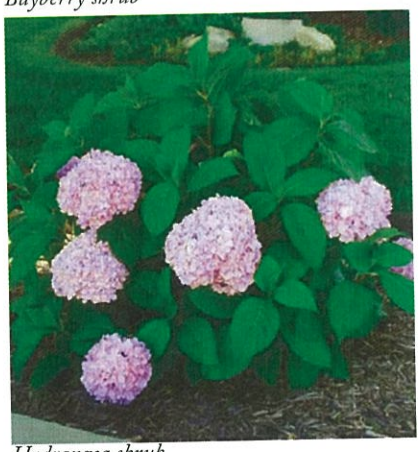
Eastern Redbud flower

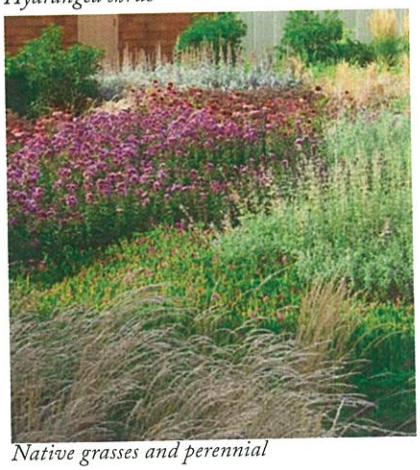
PLANT PALETTE - STREETSCAPES

SCIENTIFIC NAME	COMMON NAME
SHRUBS AND GROUNDCOVERS (CONT.)	
● Cornus racemosa	Gray Dogwood
● Cotoneaster divaricatus	Spreading Cotoneaster
Cotoneaster horizontalis	Rock Cotoneaster
Hibiscus syriacus	Rose-of-Sharon
● Hydrangea spp.	Hydrangea
Hypericum spp.	St. Johnswort
● Ilex verticillata	Winterberry
● Myrica pensylvanica	Bayberry
Philadelphus spp.	Mockorange
Potentilla fruiticosa	Potentilla
Ribes alpinum	Alpine Currant
Rosa rugosa	Saltspray Rose
Symphoricarpos spp.	Snowberry or Coralberry
Syringa spp.	Lilacs
Vaccinium spp.	Blueberry/Cranberry
● Viburnum dentatum	Arrowwood
PERENNIALS	
● Artemisia x 'Powis Castle'	'Powis Castle' Artemisia
Artemisia schmidtiana	'Silver Mound' Silver Mound Artemisia
● Calamagrostis acutiflora	'Karl Foerster' 'Karl Foerster' Reed Grass
Dianthus gratianopolitanus	Cheddar Pink
Festuca glauca 'Elijah Blue'	Blue Fescue Grass
Helleborus orientalis	Lenten Rose
● Hemerocallis spp.	Daylily
● Hosta spp.	Hosta
Iberis sempervirens	Candytuft
Limonium latifolium	Sea Lavender
● Liriope spicata	Lilyturf
● Pennisetum alopecuroides	Fountain Grass
Sedum spectabile 'Autumn Joy'	Sedum 'Autumn Joy'
Schizachyrium scoparium	Little bluestem
Yucca filamentosa	Adam's-needle Yucca

● ***Simple palette***

Bayberry shrub

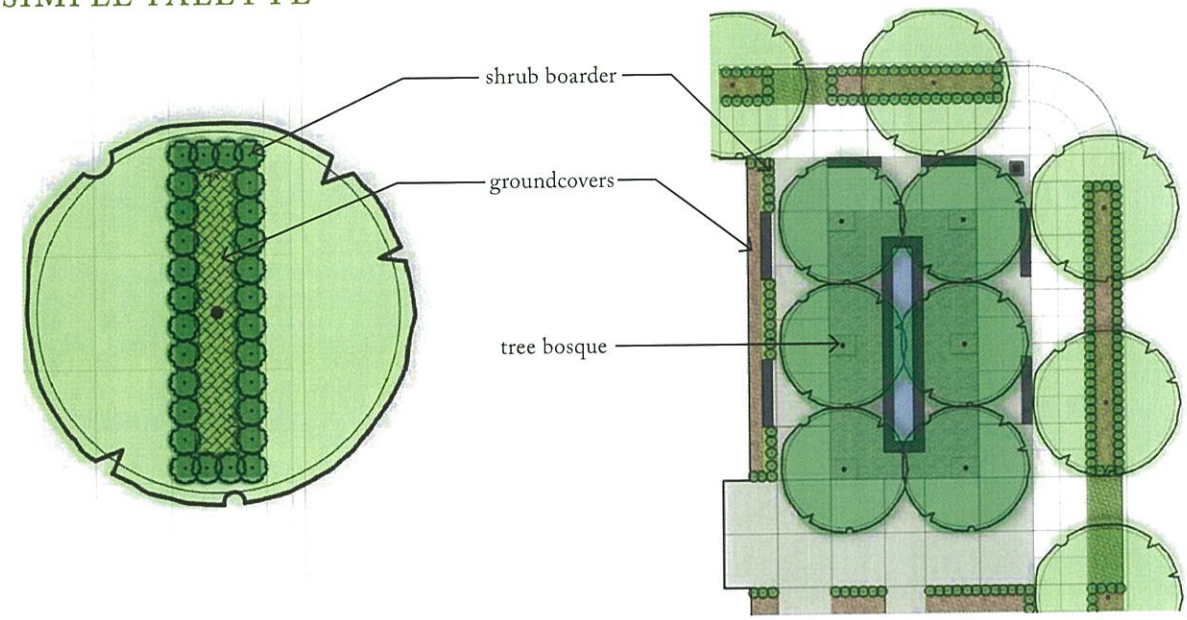

Hydrangea shrub


Native grasses and perennial

Typical Planting Plans

The following graphics illustrate typical planting suggestions for street verge planting and public open spaces.

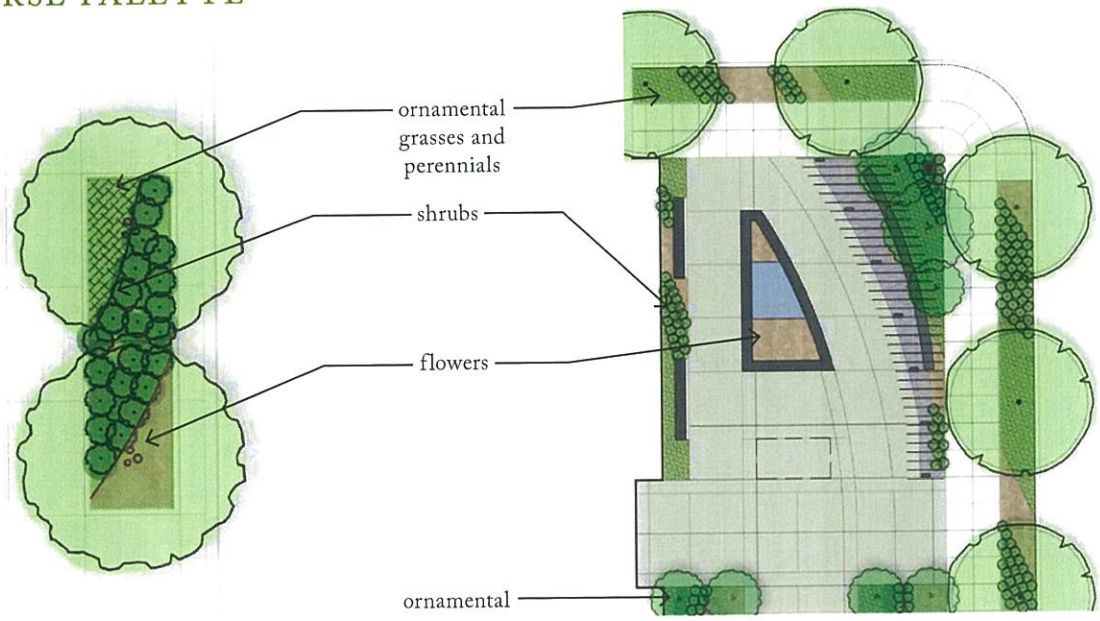
SIMPLE PALETTE



street verge

public open space

DIVERSE PALETTE



street verge

public open space

List of Amendments to the Proposed Landscaping Guidelines for the HTOC
4/12/19

#	Location	Type	Comment
1	Page 31	new standard; add after "B"	*"Public open spaces shall consist of a minimum of 30% softscapes to break up hardscaping and accommodate shade trees and other plants."*
2	Page 3	map update	insert identifier labels for reference. Add "Herndon Parkway", "Van Buren Street", "Worldgate Drive", and "Herndon Metrorail Station"
3	Page 3	map update	include open space as approved with DP#17-01
4	Page 7, 8	sidewalk dimensions in plan view, section view, and axo view	Change sidewalk dimension label on eastern side of Van Buren Street to "5'-10' variable width" and include an asterisk or footnote. Then include the asterisk/footnote below the plan view stating..."the sidewalk shall be a minimum of 8' when the adjacent property is redeveloped by Special Exception or Development Plan."
5	Page 7,8	note arrangement	Convert the two existing notes below the plan view into a bulleted list that includes the new note regarding sidewalk width. The section view should be move the next page to fit this or the notes should be moved to the next page.
6	Page 7	bike lane label	change bike lane label to indicate 6' on the west side and 8' on the east side. Similar to how its labeled for Herndon Parkway.
7	Page 6,8,10,12,14	private building zone label	do not capitalize
8	Page 6,8,10,12,14	image caption	Capitalize street names.
9	Page 10	image caption	change to "Worldgate Drive"
10	Page 3	legend update	change "Alternative A Private Streets" to Private Streets. Change "Alternative B Private Streets" to "Private Street with Sugarland Run Trail"
11	Page 11	note after title	remove "Alternative A" from title
12	Page 11	in plan view	Add label for "10' min. brushed concrete sidewalk (20' lengths)".
13	Page 13	in plan view	change title to "Private Street with Sugarland Run Trail"
14	Page 13	note after title	add label in plan view referencing 60' lengths for brushed concrete sidewalks.
15	Page 17	title	remove title at top of page; this is a continuation from the previous page and is not needed.
16	Page 16	title	remove title at top of page; this is a continuation from the previous page and is not needed.

17	Page 16	first line	change to "Town of Herndon Streetscape Manual"
18	Page 16	3rd full paragraph, last line	"Town's Streetscape Manual".
19	Page 17	add additional page	**after page 17; this new page would include a table identifying the specifications of the site furnishings to be used on private streets. See below:**
20			Litter Receptacle Manufacturer: Forms & Surfaces or equal as approved by TOH Type: 36gUrban Renaissance, side opening, vertical pattern Color/Finish: Slate texture powdercoat Graphics: Custom Herndon graphics backer Use: At least one per block frontage, at all bus stops, at least one per 1000SF of off-street open space Placement: Paired with litter receptacles, at least 10' from any seating
21			Recycling Receptacle Manufacturer: Forms & Surfaces or equal as approved by TOH Type: 36g Urban Renaissance, side opening, vertical pattern Color/Finish: Azure texture powdercoat Graphics: Custom recycling graphics backer Use: At least one per block frontage, at all bus stops, at least one per 1000SF of off-street open space Placement: Paired with recycling receptacles, at least 10' from any seating
22			Bench Manufacturer: Forms & Surfaces or equal as approved by TOH Type: Cordia, backed or backless Primary Color/Finish: Extruded aluminum slats, slate texture powdercoat Acccent Color/Finish: Jatoba Hardwood Slats, Slate Texture Powdercoat Use: At least two per block frontage along streets and at least two per 1000SF of off-street open space, at all transit stops Placement: at least 10' from any receptacle, under canopy tree or other source of shade to greatest extent possible

23			Bike Rack Manufacturer: Forms & Surfaces or equal as approved by TOH Type: Twist Color/Finish: Primary color required with optional accent colors. Primary to accent ratio is minimum of 3:1. - Slate texture powdercoat (primary) - Lime texture powdercoat (accent) - Azure texture powdercoat (accent) Use: At least two per block frontage, at all bus stops, at least two per 1000SF of off-street open space Placement: placed to ensure no obstruction of pedestrian access, coordinated with building entrances, high visibility and covered areas encouraged.
24			Private Street lights Manufacturer: TBD (in consultation with Dominion Energy) Luminaire: Carlyle Acorn (Dominion Energy Basic Option), Black finish Pole: Cast aluminum, Smooth round, Tapered, Black finish, 14' height limit Base: TBD (in consultation with Dominion Energy) Options: Internal glass refractor for light control Lights Source: LED 3500K Color Temperature Placement: Centered within the tree zone between curb and sidewalk
25	Page 15	in "D", first sentence	Add ...crosswalks shall be used..."all intersections, curb cuts, *and at entrances into pedestrian passages* "
26	Page 25	promenade images	remove drawings of Promenade; do not want to be prescriptive
27	Page 25	add additional page	in place of drawings on page 25; include several precedent images of well designed quality promenade or similar open space designs.
29	Page 31	rewrite "E"	rewrite to be less prescriptive. See below: Specific to the design of The Promenade:
			A unique community plaza space and pedestrian environment featuring appealing and engaging surface treatments and focal points, opportunities for passive recreation, areas for respite and programmable spaces. Accommodates emergency and service vehicle access.
			Full lighting is required and can be achieved by a diversity of illumination types. Most of the lighting shall be provided using overhead catenary fixtures. Additional lighting includes building façade accentuating fixtures, indirect tree uplighting, underside bench lighting, or other creative lighting measures that may be integrated into another features of the Promenade.

			All hardscaped areas shall be comprised of a variety of decorative pavers. The pavers shall be arranged to enliven the walking surface with different patterns and possible interactive or interpretative displays. The paver design may coordinate with the pavers used within the public and private streetscapes and relate to the location of building entrances along the Promenade.
			Softscape areas to include canopy trees, ornamental trees, and ground plantings shall cover at least 30% of The Promenade. Shade trees shall be used to the greatest extent possible. Native plant gardens, pollinator gardens, and/or stormwater retention planters are encouraged.
			A variety of amenities shall be integrated into the design of the Promenade and should include movable and fixed seating, café seating areas, kiosks for pop-up shops, temporary or permanent public art displays, wayfinding signage, movable and fixed planters, bicycle racks and/or shelters, interactive or interpretative displays.
			for the Promenade, the site furnishing specified for the private streets shall be used.
29	Page 38	planter detail	confirm whether this graphic was created by consultant; if not the caption should include a reference to the source.
30	Page 4, page 24	add language	in regards to incorporating focal points, historical references, and public art along/within connections and spaces to create a engaging environment and reinforce unique Herndon character.
31	Page 15	add language	add guideline for pet accommodations
32	Page 17	add language	under "Other Amenities" add language for drinking fountains and dog waste stations
33	Page 31	add language	add guideline for pet accommodations
34	Page 33	add language	for drinking fountains and dog waste stations

Design Philosophy

Signage in Herndon will take on many different forms and voices based on the intended use. Civic or municipal signs and wayfinding signs will mark streets, parks, and trails. Signs for individual buildings or tenants will provide opportunities to add character and variety to Herndon Transit Oriented Core. Signage diversity creates a dynamic district, while informing users. The location, materials and architectural details of the signs shall be consistent with the palette and design ethic of Herndon in order to create cohesiveness. All signs shall be subject to review by the Town of Herndon so that signs are consistent and in harmony with the Herndon signage guidelines. The Town of Herndon will use the graphics and language in these guidelines to make a determination of compliance.

OBJECTIVES

1. There will be several coexisting sign voices within the community, with different characters from subtle to vibrant, that provide variation and visual interest. Accordingly, civic signage will be relatively "quiet," while commercial, hospitality and retail and entertainment signage may be more "lively."
2. All civic, residential, and commercial signage shall complement the architecture, creating a lively atmosphere and visually enriching the fabric of the overall community.
3. Signs shall work with the other street amenities in establishing the character of the street on which they front while clearly identifying a business, encouraging window shopping, and enhancing the pedestrian experience. Avoid an overabundance of signage that creates visual clutter.
4. A cohesive family of municipal or civic signs shall provide a quiet street presence that unifies the community throughout, and becomes the constant backdrop to the widely varying commercial spectrum of signage.
5. Signs may vary in expression and have a unique character.

Projecting blade sign

Simple directional signage

Temporary signs mounted on building and visible at street level

GENERAL DESIGN PRINCIPLES

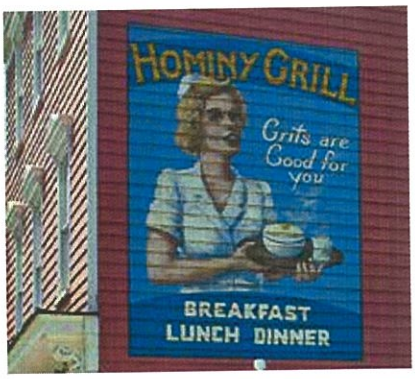
A. Size and Placement

1. The design, size, and location of each sign will be reviewed and approved in context with the design of the building to which it pertains and its specific use.
2. Sign area shall be calculated in accordance with the Herndon signage ordinance.
3. No signage is permitted within the vision clearance triangle at street intersections.
4. Signs mounted on buildings should be clearly visible from the street level.
5. Signage shall be sized to be appropriately scaled to its specific location and adjacent uses.

B. Sign Material and Fabrication

1. Allowed signage materials for all signage other than ground signs include the following:
   a. Metal finishes. Polished, brushed, patterned, and weathering metals with natural patinas
   b. Cast/stone concrete
   c. Glass tile/terra-cotta
   d. Wood: painted or natural hardwood (small hanging signs and sandwich boards only)
   e. Metal: copper, bronze, brass, galvanized steel, raw steel, brushed aluminum
   f. Painted or engraved directly on facade surface or glazing
   g. Etched glass
   h. Acrylic with matte finish, combined with other materials
   i. Printed canvas (awnings)
   j. Additional materials approved by the Architectural Review Board

Metal, wall mounted sign



Painted wall mural sign

Metal, wall mounted sign with neon lights

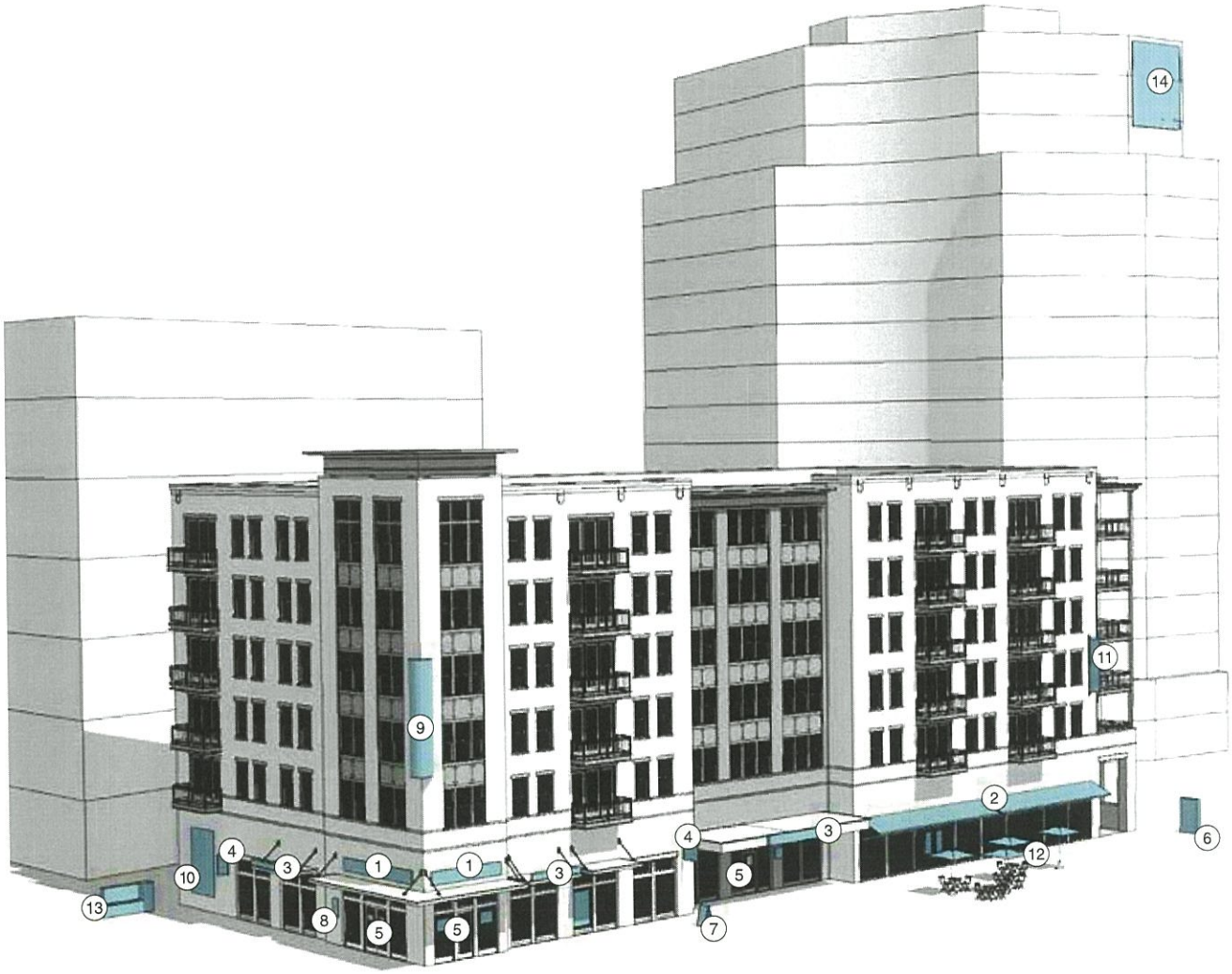
2. Allowed fabrication methods and signage types include the following:
   a. Fabricated, crafted and assembled signs that combine several complementary materials
   b. The layering and use of materials in innovative ways
   c. The use of environmentally responsible materials
   d. Individual letter forms used as signage
   e. Halo illuminated letters
   f. Additional fabrication methods approved by the Architectural Review Board
   g. Allowed ground monument materials include the following:
      i. Formed concrete: specialty finish (with integral color or stain)
      ii. Brick and stone masonry
      iii. Metal: bronze, brushed aluminum, stainless steel, galvanized steel, raw steel
      iv. Glass: etched, frosted, colored, luminous
      v. Green screen (metal mesh combined with vines or groundcover plantings)
      vi. Additional materials approved by the Architectural Review Board
3. Prohibited ground monument base materials include:
   a. Concrete block (unfinished, textured/colored)
   b. Acrylic
   c. Fiberglass
   d. Wood
   e. Faux Stone

Individual letter forms used as a sign and colored glass

Halo illuminated letters

Layering materials in innovated way

SIGN TYPES KEY



1. Sign Band
2. Awning Sign
3. Canopy Sign
4. Projecting Blade Sign
5. Door/Window Sign
6. Directory
7. Sandwich Board and Menu Board Sign
8. Plaque
9. Feature Sign
10. Painted Wall Sign
11. Projecting Banner Sign
12. Umbrella Sign
13. Monument Sign
14. Dulles Toll Road Tower Sign

GROUND FLOOR SIGN TYPES

1. Sign Band
2. Awning Sign
3. Canopy Sign
4. Projecting Blade Sign
5. Door/Window Sign
6. Directory
7. Sandwich Board and Menu Board Signs
8. Plaque

SIGN DIRECTORY

The design, size, and location of each sign will be reviewed and approved in context with the design of the building to which it pertains and its specific use.

1 Sign Band

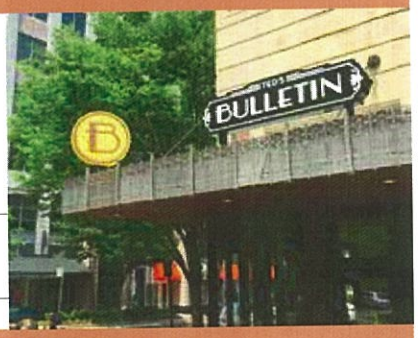
Location	› Architectural Sign Band above storefront › First floor occupancy only › One per establishment
Maximum Area for Sign	› 80% width of business › 1 sq. ft. for every 1 linear feet of Business Frontage
Lighting	› Internal or external*

2 Awning Signs

Location	› On top of awning or on the awning flap with a maximum height of 10 inches › One awning sign per business › First floor occupancy only
Maximum Area for Sign	› 10% of awning surface area (top and valance). › Maximum 10-inch lettering
Lighting	› Externally only*

3 Canopy Signs

Location	› First floor occupancy only › Minimum clearance above a pedestrian passage is 9 feet › Maximum height of canopy sign is 8 feet. › Maximum overhang is 6 feet from building facade › One per business
Maximum Width for Sign	› 10% larger than the width of the opening below › Maximum height of letters is 18"
Lighting	› Internal or external*



4 Projecting Blade Signs

Location	› Minimum clearance above a pedestrian passage is 9 feet.
Maximum Area for Sign	› 12 square feet excluding bracket › Maximum height is 4 feet › Maximum width is 3 feet
Lighting	› External illumination only

5 Door/Window Signs

Location	› One sign at entry door glazing and one sign for each window › Clear background
Maximum Area for Sign	› 25% of door/window glazed area
Lighting	› Internal only*

6 Directory

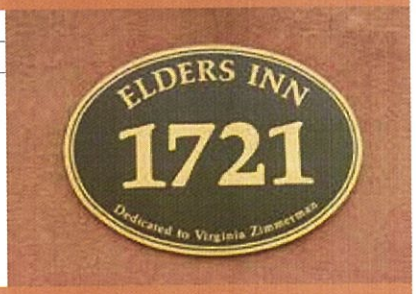
Maximum Height Limit	› 8 feet
Maximum Area for Sign	› 24SF max on public street; 18SF max on private street, limit two per block frontage
Lighting	› Internal or external*

7 Sandwich Board and Menu Board Signs

Location	› 1 each per business located outside pedestrian passage
Maximum Area	› Maximum width 3 feet › Maximum height 4 feet
Lighting	› Not permitted

8 Plaques

Maximum Height Limit	› 2 feet
Maximum Area for Sign	› 4 square feet
Lighting	› External illumination only

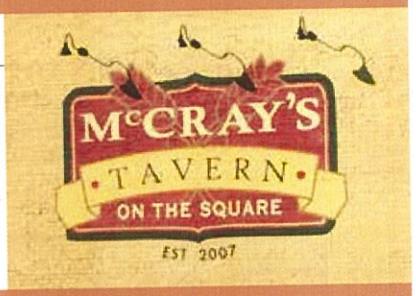


9 Feature Signs

Maximum Height Limit	› 24 feet
Maximum Area for Sign	› 10% of facade area, not to exceed 100 square feet per side
Lighting	› Internal or external*
Orientation	› Back to back permitted

10 Painted Wall Signs

Maximum Height Limit	› Limit height to 30 feet or first three floors, whichever is less
Lighting	› External only



11 Projecting Banner Signs

Location	› 1 spaced every 15 feet minimum › Limited to 1st, 2nd, or 3rd floors › Limited to one business per block frontage
Maximum Area for Sign	› 24 square feet, 4 feet maximum projection › Maximum height 10 feet
Lighting	› Not allowed

12 Umbrella Signs

Location	› One umbrella sign for every 25 square feet of outdoor dining or service area
Maximum Area for Sign	› 36 square inches and is displayed on a maximum of 50% of the panels › Display is also permitted on a flap no greater than 6 inches in height
Lighting	› Not allowed

13 Monument Signs

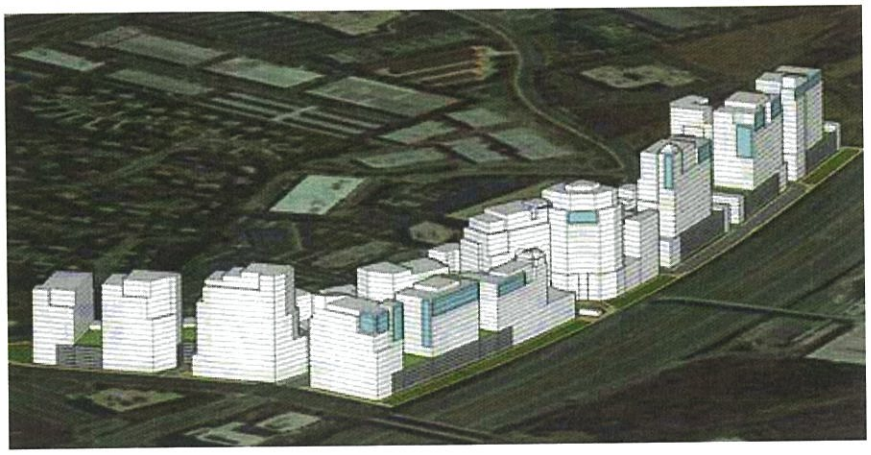
Location	› Entrances and corners, limited to frontage on public streets › Limit to one per block
Maximum Area for Sign	› Limited to 32 square feet › Maximum height 8 feet
Lighting	› External

14 Tower Sign

Location	› At the top of buildings over 15 stories or greater than 180 feet in height › Signs must be oriented towards Dulles Toll Road
Maximum Area for Sign	› 320 SF maximum for each sign; up to three per tower, not on the same frontage
Lighting	› External or Internal

SIGN DIRECTORY

Permitted locations for tower signs along westward bound Dulles Toll Road.



Permitted locations for tower signs along eastern bound along Dulles Toll Road

TOWER SIGN

** Internally lit signage may only be considered with individually lit letters and should use LED technology. All internally lit signage will be approved.*

SECTION I GLOSSARY

List of Amendments to the Proposed Signage Guidelines for the HTOC
4/12/19

#	Location	Type	Comment
1	Page 86	change langauge	"sign area shall be calculated in accordance with the *individual sign standards specified within this document* "
2	Page 90	add language	for "sign bands"; limit internal illumation to halo-lit
3	Pge 90	add language	for "canopy sign" allow upper floor occupancy at lobby entrances. Limit to external lighting
4	Page 90	change title of sign type	to just "projecting sign"
5	Page 91	change title of sign type	change from "directory" to "freestanding". Remove option for placement on public street.
6	Page 91	change title of sign type	change from "feature signs" to "Blade Signs".
7	Page 91	change max height	increase "feature sign" placement height to 35'. Clarify that height is related to placement and not size of sign. Also clarify sign's verical orientation.
8	Page 91	change language	for "door/window signs" change lighting to "not permitted"
9	Page 91	add language	for "plaques" limit one per business
10	Page 92	change language	for "monument signs"; allow on private streets as well
11	Page 92	change language	for "tower signs"; modify "Location": *At the top of tower building; visible from the Dulles Toll Road. On the south facing building elevation, left half of the east facing building elevation, or right half of the west facing building elevation.*
12	Page 92	change language	for "tower signs"; modify "Maximum Area for Sign": *250SF maximum for each sign when building is 14 stories or 180 feet in height. 150SF maximum for each sign when building is 6 stories or 80' in height.*
13	Page 92	add language	for "projecting banner signs": add standard for material - *durable exterior commercial grade fabric*
14	Page 93	in graphic captions	change "permitted locations" to "potential locations".

TOWN OF Herndon VIRGINIA

STAFF REPORT

Town Council
July 2, 2019

Title: ZONING ORDINANCE TEXT AMENDMENT – ZOTA #19-01 – PD-UR (Planned Development – Urban Residential)

Staff Contact: David Stromberg, AICP, Zoning Administrator
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Elizabeth M. Gilleran, AICP, Director of Community Development
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Summary Information:

The purpose of this zoning ordinance text amendment is to create a new zoning district to accommodate redevelopment of some areas designated as Residential – Adaptive in the Town of Herndon 2030 Comprehensive Plan. There are 7 areas within the town that are designated Residential – Adaptive. Some of these properties, such as Darlington Oaks and Vinehaven have already been redeveloped. Small area plans will provide the policy for how the other properties should be redeveloped in the future.

The recently adopted South Elden Area Plan (Comprehensive Plan Amendment CPA #18-01) identifies properties where and under what circumstances residential redevelopment would be appropriate. This zoning district is intended to implement the goals of that plan.

This zoning ordinance text amendment was initiated by the Town Council on April 23, 2019.

Background – South Elden Area Plan:

Town Council authorized consideration of CPA #18-01 on July 10, 2018 and ultimately approved the South Elden Area Plan on February 12, 2019. The study area for the plan encompasses Elden Street from Sterling Road at the north to the town boundary and Wordgate development at the south. The plan updated the Land Use Map by creating 5 tiers that further defined future land uses and appropriate densities that redevelopment along the corridor should take. Zoning ordinance text amendments are necessary to implement the recommendations of the plan. This zoning ordinance text amendment is intended specifically to implement Tier 2 – Transitional Urban Residential.

Tier 2 – Transitional Urban Residential includes parcels that do not abut Elden Street and contain 7 or more acres. The recommended future land uses for this tier are townhouses and "2 over 2s." The "2 over 2s" or "stacked townhouses" descriptor is term used to describe a specific type of multifamily development. These are structures which contain a 2-level dwelling unit with another 2-level dwelling unit on top for a total of a 4-level structure. The building code simply considers these multifamily buildings. The Metro Square development at the intersection of Herndon Parkway and Van Buren Street is an example of a 2 over 2s/stacked townhouse project.

The anticipated density for Tier 2 ranges from 18 to 20 units per acre. Redevelopment at this level of density is only appropriate if the proposal can achieve the following goals:

- Preserve and protect stable residential neighborhoods
- Encourage multi-modal use of the corridor
- Increase the number of residential units to provide a walkable customer base for retail and service uses within the plan area
- Construct high quality developments with the inclusion of sidewalk and cyclist facilities, transit amenities, and micro-parks
- Incorporate sustainable design

Only one property within the plan area is designated as Tier 2. It is the Herndon Corporate Center, also known as the "Finmarc" property, located at 1145-1175 Herndon Parkway. The site is approximately 8.8 acres and contains multi-tenant, single-story office buildings constructed in the 1980s.

Planning Commission Recommendation:

This zoning ordinance text amendment went before the Planning Commission at the May 13, 2019 work session and May 20, 2019 public hearing, where it was continued to the June 10 work session and June 24, 2019 public hearing.

Staff made several changes to the proposed ordinance based on feedback provided by the Planning Commission at the May set of meetings. Universal design and additional bicycle and pedestrian components were added. The option for retail uses at the rezoning phase was added to the list of permitted uses. Several text edits were made to eliminate potential loopholes within the language.

Cooley, LLP, who represents a potential developer of one of the properties designated as Adaptive – Residential, provided written comments to the Planning Commission at both the May and June public hearings. The majority of their concerns were addressed by minor clarifications of the language. Cooley had requested that the Planning Commission remove the requirement in the zoning district that mechanical equipment be located on the roof of a building or integrated within the façade of a building.

The Planning Commission had previously considered the concerns raised by Cooley, LLP and determined that the zoning district as drafted by staff was appropriate and on June 24, 2019, recommended Town Council approve ZOTA #19-01 as drafted by staff.

Staff Analysis:

The draft language for Planned Development – Urban Residential is intended to implement Tier 2 of the South Elden Area Plan but is also intended to be flexible enough to be an option for other areas within the town that are designated as Adaptive Area – Residential. These areas may be further identified in future updates of the Comprehensive Plan.

If the Town Council adopts this zoning district, it will not immediately apply to any property within town limits. A private property owner would need to apply for a rezoning requesting to change the existing zoning of their property to PD-UR. As a planned development zoning district, each proposal to rezone would be accompanied by a set of proffered conditions and a generalized development plan that is unique to the specific development proposal. All rezonings require at least one public hearing before the Planning Commission and Town Council.

The proposed zoning district allows for and encourages a mix of housing types by increasing the permitted density if more than 1 housing type is used. The intent of this provision is to encourage housing units at different price points and prevent monolithic developments where all of the units are the same type, style, and massing. Permitted densities range from 15 dwelling units per acre if only 1 housing type is used and up to 20 dwelling units per acre if 2 housing types are used.

Proposed PD-UR developments will need to provide usable open space and recreational amenities. In poorly designed projects, applicants try to meet the open space requirement simply but calculating remnant site "leftovers" and calling it open space. The draft language makes it clear that proposed developments will be required to have a cohesive

design for open space and recreation areas in order to be recommended for approval of a rezoning.

PD-UR contains a number of site planning and building design elements to ensure a high-quality project with enhanced functionality. Below is a summary of the site design provisions:

- Mechanical and HCAV equipment must be located on the roof or within the structure of the building to prevent congested alleys and improve aesthetics.
- Driveways must be at least 18 feet long. "Mini driveways" of less than 18 feet that result in a vehicle sticking out into the street or alley will be prohibited.
- Mailbox units must be accessible from sidewalks and not only from the street.
- Private streets will need to meet the same requirements as public streets and comply with the Town of Herndon Streetscape Manual.
- Sites must provide inter-parcel and neighborhood connectivity.
- Parking cannot be visible from the right-of-way.
- Buildings must be oriented towards public streets, internal private streets, or common amenity space.
- Bicycle parking must be provided.
- Universal design, on-site stormwater management, and energy efficiency are strongly encouraged.

Staff will evaluate proposed rezonings for consistency with the above-mentioned provisions.

Town Council Alternatives:

The following alternatives are available to the Town Council for its decision on Zoning Ordinance Text Amendment ZOTA #19-01:

1. Approve ZOTA #19-01.
2. Deny ZOTA #19-01.
3. Continue ZOTA #19-01 to a date certain.
4. Refer ZOTA #19-01 back to the Planning Commission for further discussion.

Staff Recommendation:

Staff recommends the Town Council approve ZOTA #19-01 in accordance with **Alternative 1.**

Attachments:

1. Draft Ordinance for PD-UR (Planned Development – Urban Residential)
2. Approved Initiating Resolution

Elizabeth M. Gilleran, AICP
Director of Community Development

David Stromberg, AICP
Zoning Administrator

Attachment #1

TOWN OF HERNDON, VIRGINIA

ORDINANCE

JULY 9, 2019

Ordinance - to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by adding Section 78-51.1, entitled PD-UR (Planned Development – Urban Residential), and amending Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), Article VIII (Accessory Uses), Section 78-80.2 (Table of Permitted and Allowed Accessory Uses and Structures), Article X (Parking, Loading, and Circulation), Section 78-100.2 (Minimum Off-Street Parking and Loading Standards), Article XI (Development Standards), Section 78-110.4 (Perimeter Buffer Strip Landscaping Requirements), Article XIV (Signs), adding a new Section 78-141.7 (Sign Standards for Planned Development – Urban Residential District) to create a new residential zoning district to implement the recommendations and standards of the "Adaptive Areas – Residential" land use category as identified in the Herndon 2030 Comprehensive Plan.

BE IT ORDAINED by the Council for the Town of Herndon that:

1. Chapter 78, (ZONING) of the Herndon Town Code is amended and reenacted as follows.

Section 78-51.1. - PD-UR - Planned development urban residential district.

(a) Purpose and intent. The intent of the PD-UR district is to encourage harmonious and creative new residential development that allows for a mix of housing types and create attractive and appropriate transitions between commercial, commercial mixed-use, and existing adjacent residential districts. PD-UR districts provide buffers to existing adjacent residential development while creating thoughtful interfaces with potential commercial redevelopment and mixed-use. The district regulations are designed to ensure cohesive residential developments that provide a diversity of housing types at different price points. PD-UR districts provide multimodal options and connections allowing residents to benefit from non-motorized vehicle connections to adjacent commercial areas and access to transit. PD-UR development will provide safe, well-integrated parking, circulation patterns, building massing, and appropriately located open spaces and site amenities. Applications for Zoning Map Amendments and Generalized Development Plans implement the policies of the Comprehensive Plan and adopted Small Area Plans. The following concepts should be addressed in applications in addition to the adopted policies.

(1) Housing Mix. Provisions in PD-UR are designed to encourage a variety of housing types. Density may be increased depending on the number of housing types provided in a proposed development. For the purposes of this Section, stacked townhouses and multi-family dwellings are considered different housing types. A single housing type must comprise 10 percent or more of the total number of units of the development to qualify for the "2 housing types" level of density identified in Table 78-51.1(e).

(2) Universal Design. Universal design is design for the whole population, for people with or without disabilities. Features of universal design should be incorporated into projects where feasible.

(3) *Green Building and Site Design. Buildings should be designed and constructed to be energy efficient. For the purposes of this section, an energy efficient building is any building that meets the qualifications as described in Section 58.1-3221.2 of the Code of Virginia. Urban bio-retention solutions should be employed to reuse, infiltrate, and retain stormwater on-site.*

(b) *A PD-UR district may only be established in areas designated as "Adaptive Area – Residential" in the Town of Herndon 2030 Comprehensive Plan (2008).*

(c) *Principal uses. Table 78-51.1 (c)(4) lists uses permitted and allowed in the PD-UR district as principal uses. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific principal uses in the PD-UR district. It is the applicant's responsibility to ensure that all published rules, regulations, and standards have been addressed in any application submitted for development approval. Definitions for uses and terms in this section may be found in Article XVIII. Other uses not listed on the following table are not allowed in the PD-UR district unless determined by the zoning administrator to be similar to a permitted use in accordance with provisions for unlisted uses, section 78-70.1(f).*

(1) *"P" permitted uses. A "P" in a cell indicates that a use category or use type is permitted by right in the respective zoning district, subject to compliance with the use-specific standards set forth in the final column of the table of principal permitted and allowed uses in PD-UR district, if any. Permitted uses are subject to all other applicable regulations of this chapter, including those set forth in Article XI, Development Standards, and Article VII, Use Regulations.*

(2) *"S" special exception uses. An "S" in a cell indicates that a use type is permitted by special exception in the respective zoning district, subject to compliance with the use-specific standards listed in the final column, of the table of principal permitted and allowed uses in PD-UR district, if any. Allowed uses are subject to all other applicable regulations of this chapter, including those set forth in Article XI, Development Standards, and Article VII, Use Regulations.*

(3) *"Z" allowed uses. A "Z" in a cell indicates that a use type is an allowed use in the respective planned development district, subject to approval as a planned development district Article V.*

(4) *Table of principal permitted and allowed uses in the PD-UR district.*

Table 78-51.1(c)(4): Principal Permitted and Allowed Uses PD-UR
KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z=Use Allowed Subject to Zoning Map Amendment Approval
Uses may be subject to use specific standards as noted in the last column

USE CATEGORY	USE TYPE	PD-UR	See Supplemental Regulations
Residential	Single-family-Detached Dwelling	Z	§78-71.1
	Duplex Dwelling	Z	§78-71.1
	Townhouse Dwelling	Z	§78-71.1
	Quadruplex Dwelling	Z	§78-71.1
	Stacked Townhouse	Z	§78-71.1

	Multi-Family Dwelling	*Z*	*§78-71.1*
	Housing for the Elderly	*Z*	*§78-71.1*
Education	*Childcare Center, Daycare Center or Preschool*	*Z*	*§78-71.2*
Government Facilities	*Government Buildings, Facilities and Uses not Otherwise Categorized*	*Z*	*§78-71.3*
Personal Services and Retail Sales	*Retail Sales*	*Z*	*§78-71.10*
Commercial Utilities	*Commercial Communication Tower, Freestanding*	*Z*	*§78-71.13*

(d) Accessory uses and structures. Table 78-51.1(d)(4) lists uses permitted and allowed in the PD-UR district as accessory uses. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific accessory uses and structures in the PD-UR district. It is the applicant's responsibility to ensure that all published rules, regulations and standards have been addressed in any application submitted for development approval. Definitions for uses and terms in this section may be found in Article XVIII. Other accessory uses not listed on the following table are not allowed in the PD-UR district unless determined by the zoning administrator to be similar to a permitted use in accordance with provisions for unlisted uses, section 78-70.1(f).

(1) "P" permitted uses. A "P" in a cell indicates that an accessory use category or use type is permitted by right in the respective zoning district, subject to compliance with the use-specific standards set forth in the final column of the table of permitted and allowed accessory uses in PD-UR district, if any. Permitted accessory uses are subject to all other applicable regulations of this chapter, including those set forth in Article XI, Development Standards, and Article VIII, Accessory Use Regulations.

(2) "S" special exception uses. An "S" in a cell indicates that an accessory use type is permitted by special exception in the respective zoning district, subject to compliance with the use-specific standards listed in the final column of the table of permitted and allowed accessory uses in PD-UR district, if any. Allowed accessory uses are subject to all other applicable regulations of this chapter, including those set forth in Article XI, Development Standards, and Article VIII, Accessory Use Regulations.

(3) "Z" allowed uses. A "Z" in a cell indicates that an Accessory Use type is an allowed use in the respective planned development district, subject to approval as a zoning map amendment (section 78-155.1).

(4) Table of permitted and allowed accessory uses in the PD-UR district.

Table78-51.1(d)(4): Permitted and Allowed Accessory Uses PD-UR ***KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z=Use Allowed Subject to Zoning Map Amendment Approval*** *Uses may be subject to use specific standards as noted in the last column*		
ACCESSORY USE	***PD-UR***	***Supplemental Use Regulations***

Accessory Food Preparation Area – Secondary Kitchen	*S*	*§78-80.4(b)*
Accessory Food Preparation – Wet Bar	*P*	*§78-80.4(b)*
Antennae of all kinds (except commercial communication towers, freestanding)	*P*	*§78-80.4(c)*
Bed and Breakfast Establishment	*S*	*§78-80.4(d)*
Home-Based Business, Including Daycare or Childcare	*P*	*§78-80.5*
Minor Utilities	*P*	*78-80.4(m)*
Features such as fences, walls, retaining walls, gate houses, trash enclosures, refuse containers, screening enclosures, storage sheds, and swimming pools	*P*	*§78-80.3(c)* *§78-21(f)* *§78-114*

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88 *(e) Dimensional Standards. Structures in the PD-UR zoning district are subject to the*
89 *dimensional standards set forth in Table 51.1(e).*

TABLE 78-51.1(e): PD-UR DIMENSIONAL STANDARDS	
STANDARD	***ALL USES***
Density, Maximum	
1 housing type	*15 dwelling units per acre*
2 housing types	*20 dwelling units per acre*
Minimum District Size	*2.5 acres*
Minimum Open Space[1]	*20% of site*
Minimum Space for Recreation	*8% of site*
Maximum Building Coverage	*60% of site*
Maximum Building Height	*40' when located within 50' of a property zoned R-15, R-10, PD-R, or RTC; otherwise 50'*
Required Minimum Setback	*10' from public right-of-way; 5' from private right-of-way*
Maximum Distance from Public Right-of-way	*15'; may be increased to 40' to accommodate a landscaped park for no more than 30% of the linear frontage*
Minimum Distance Between Buildings	*18'*

Minimum Distance between buildings and the boundaries of the development	*18'*
Minimum distance (feet) between paved surfaces and the boundaries of the development	*Subject to buffer requirements in Article XI, development standards*
[1]Recreational areas may used to meet the minimum open space requirement up to a maximum of 10% of the site.	

(f) Open space in PD-UR. Open space shall be provided as an asset to the development and not consist primarily of remnant sections of the development where buildings are unable to be located. Open space should be concentrated into functional areas to allow for pocket parks or common areas in the fronts of multiple buildings.

(1) Open space for recreation shall consist of physical improvements to enable recreation and programmable spaces and may include, but is not limited to, playgrounds, fenced pet areas, swimming pools, bocce ball or volleyball courts, picnic shelters, lawn areas for activities, or common areas for the viewing of movies/films.

(g) Site planning and building design in PD-UR. The following standards apply to sites and buildings within the PD-UR district:

(1) Utilities. All mechanical equipment shall be located on the roof or incorporated into the façade of each unit. Gas and electric meters and other similar devices normally attached to the outside wall of the premises which they serve may continue to be installed.

(2) Driveways. When provided, driveways must be a minimum of 18 feet in length exclusive of the apron or sidewalk. When no driveway is provided, aprons shall not exceed 3 feet. Parking on sidewalks is prohibited.

(3) Mailboxes. Mailboxes, singular and collective shall not encroach into pedestrian sidewalks. Resident access to mailboxes shall not be from the street.

(4) Streetscape Design. Public and Private streets within the development shall be designed and constructed in accordance with the Town of Herndon Streetscape Manual, unless as stated below.

a. For any private street, tree grates with planting pits and spaced no more than 35 feet apart on-center may be used in lieu of a 5-foot vegetated verge.

b. For any public street, a minimum 6-foot wide tree verge with canopy street trees no more than 35 feet apart on-center along back of curb and a minimum 6-foot sidewalk is required unless greater streetscape dimensional standards are required in the Town of Herndon Streetscape Manual.

(5) Sidewalks. Sidewalks shall be provided along front building facades as well as along side facades abutting private or public streets. No portion of the sidewalk shall be used to meet the minimum dimensional requirements for off-street parking.

(6) Inter-parcel and neighborhood connectivity. Site design shall accommodate for vehicle and pedestrian inter-parcel access. Publicly accessible sidewalks and trails may be required to establish inter-parcel access and connectivity between neighborhoods.

(7) Screening of Parking. Surface parking and structured parking shall not be visible from a public right-of-way, with the exception of on-street parallel parking, which may be visible from a public right-of-way.

(8) Building Orientation. Buildings shall be oriented to directly face the following:

(a) Public rights-of-way.

(b) Internal private streets if not adjacent to a public right-of-way.

(c) Other building fronts when facing a common community amenity.

(9) Multi-modal Accommodations. Bicycle parking shall be provided on site. In addition, any public right-of-way streetscape shall include at least two bicycle racks per block. If any public right-of-way includes a transit stop, the stop shall be improved with a decorative pocket park to accommodate transit stop amenities which shall include at least two bicycle racks, a recycling receptacle, a trash receptacle, at least one bench, and a bus shelter, in accordance with the Town of Herndon Streetscape Manual.

(10) Bicycle Route Facilities. Bicycle route facilities shall be provided on-site in accordance with the Town's bicycle plan.

***

Section 78-70.2 – Principal permitted and allowed uses.

Table 78-70.2(d): TABLE OF PERMITTED AND ALLOWED USES **KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z=Use Allowed Subject to Zoning Map Amendment Approval**
General Notes: **1. A blank cell means the use is prohibited in the district.** **2. Uses may be subject to use specific standards as noted in the last column.** **3. Any principal use allowed or permitted by right in this table is permitted by special exception in the Floodplain Overlay District, subject to section 78-60.2.** **District Specific Notes:** *** Uses in the PD-TD and PD-D districts are subject to specific comprehensive plan policies, design**

objectives and/or site standards. See additional regulations in section 78-50.5 for the PD-D District and section 78-50.6 for the PD-TD District.
**** For Permitted Uses in PD-TOC see section 78-50.7; For Permitted and Allowed Uses in PD-W see section 78-50.8.**

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		Residential Districts				Business Districts						Planned Development District			Suppl Reqs.
USE CATEGORY	USE TYPE	R15	R10	R TC	RM	CC	CS	CO	O& LI	PD-R	PD-B	PD-TD PD-D	*PD-UR*	PD-TOC PD-W	See Section
	Single-Family Detached Dwelling	P	P							Z		Z*	*Z*	**	§78-30.6, R-15. R-10, PD-R Only
	Duplex Dwelling			P						Z		Z*	*Z*	**	§78-30.6, R-15. R-10, PD-R Only
	Stacked Townhouse												*Z*	**	
	Townhouse Dwelling			P	P					Z		Z*	*Z*	**	§78-30.6, R-15, R-10, PD-R Only
Residential	Townhouse Rental Residential Development			P	P					Z				**	§78-30.6, R-15, R-10,

															PD-R Only
	Quadruplex Dwelling				P					Z		Z*	Z	**	§78-30.6, R-15, R-10, PD-R Only
	Multi-Family Dwelling within a Mixed-Use Building					P						P*		**	In CC, above 1set floor only, limit 2 per building
	Multi-Family Dwelling (including residential rental townhouses)				P					Z		Z*	Z	**	§78-30.6, R-15, R-10, PD-R Only
	Housing for the Elderly				P	P				Z		Z*	Z	**	§78-71.1
	Assisted Living for the Elderly and Persons with Disabilities				P					Z		Z*	Z	**	§78-71.1
	Group Home	P	P	P	P					Z		Z*		**	§78-71.1
	Childcare Center, Daycare Center or Preschool	S	S			S		S	S	Z	Z	Z*	Z	**	§78-71.2

Education	Post-Secondary Education and Career Schools							S	S		Z	Z*		**	§78-71.2
	School, Public or Private (K-12)	S	S					S		Z	Z	Z*		**	§78-71.2
Government Facilities	Government Buildings, Facilities and Uses not Otherwise Categorized	S	S	S	S	S	S	S	S	Z	Z	Z*	Z	**	§78-71.3
	Police Substation													**	§78-71.3
	Cemetery	S	S											**	§78-71.4
	Community Centers	S	S	S	S	S		S		Z	Z	Z*		**	§78-71.4
	Convalescent Home							S			Z			**	§78-71.4

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Personal Services and Retail Sales	Health Care Laboratory					P	P	P	P		Z			**	§78-71.10
	Mailing and Packing Service					S	P	S	P		Z	Z*		**	§78-71.10
	Personal Services, General					P	P	S		Z	Z	Z*		**	§78-71.10
	Pharmacy					P	P	P			Z	Z*		**	§78-71.10
	Product Repair and Services					P	P	S	P		Z	Z*		**	§78-71.10
	Retail Sales					P	P	S			Z	Z*	Z	**	§78-71.10

	School of Special Instruction				S	P	S	P	Z	Z	Z*		**	§78-71.10
	Other Personal Services and Retail Sales Uses				P	P	S			Z	Z*		**	§78-71.10

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Commercial Utilities	Commercial Communication Tower, Freestanding	S	S	S	S	S	S	S	S	Z	Z	Z*	Z	**	§78-71.13
	Electrical Substation						S		S		Z			**	§78-71.13
	Telecommunication Switching Station						S		S		Z			**	§78-71.13
	Utility-Related Maintenance and Storage Yards						S		S					**	§78-71.13

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153 **Section 78-80.2 – Table of permitted and allowed accessory uses and structures.**

	Table 78-80.2(dc): TABLE OF PERMITTED AND ALLOWED ACCESSORY USES & STRUCTURES **KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z=Use Allowed Subject to Zoning Map Amendment Approval**													
	Notes: 1. A blank cell means the use is prohibited in the district; 2. Uses may be subject to use specific standards noted in the last column. ** For Permitted Accessory Uses in PD-TOC see section 78-50.7; For Accessory Uses Permitted and Allowed in PD-W see section 78-50.8													
	Residential Districts				Business Districts						Planned Development District			Supp'l Reqs.
ACCESSORY USE	R 15	R 10	R TC	RM	CC	CS	CO	O& LI	PD-R	PD-B	PD-TD	*PD-UR*	PD-TOC	See Section

											PD-D		PD-W	
Accessory Dwelling Unit	S	S	S						Z				**	§78-80.4(a)
Accessory Food Preparation Area - Secondary Kitchen	S	S	S		S				S		S	*S*	**	§78-80.4(b)
Accessory Food Preparation - Wet Bar	P	P	P	P	P	P	P	P	P	P	P	*P*	**	§78-80.4(b)
Antennae of all kinds (except commercial communication towers, freestanding)	P	P	P	P	P	P	P	P	Z	Z	Z	*Z*	**	§78-80.4(c)
Bed and Breakfast Establishment	S	S									S	*S*	**	§78-80.4(d)
Car/Vehicle Rental						S		S		S	S		**	§78-80.4(e)
Car/Vehicle Used Sales								S					**	§78-80.4(g)
Car/Vehicle Wash (accessory to other automotive uses)						P		S					**	§78-80.4(f)
Caretaker or Security						P		P					**	§78-80.4(h)

Guard's Residence														
Commercial Communication Towers, Freestanding	S	S	S	S	S	S	S	S	Z	Z	Z		**	§78-71.13 (d)(2)
Daycare Center, Childcare Center or Pre-School					S	S	S	S	Z	Z	Z		**	§78-80.4(i)
Drive-Through Service						S		S		Z			**	§78-80.4(j)
Financial Institutions, Accessory					P	P	P	P		Z	Z		**	§78-80.4(k)
Home-Based Business, Including Daycare or Childcare	P	P	P	P					Z		Z	*Z*	**	§78-80.5
Keeping of Livestock													**	§78-80.4(l)
Minor Utilities	P	P	P	P	P	P	P	P	Z	Z	Z	*P*	**	§78-80.4(m)
Mobile Food Unit Preparer, Full Service					P	P	P	P		P	P		**	§78-80.4(t)
Mobile Food Unit Dispenser, Limited Service													**	Chap. 14, Art. III, Town Code

Outdoor Restaurant Seating					P	P	P	P	Z	Z	Z		**	§78-80.4(n)
Outdoor Storage (as an accessory use)						P		P					**	§78-80.4(o)
Outdoor Display of Products for Sale					P	P					Z		**	§78-80.4(p)
Parapets, Penthouses for Equipment and Other Roof Structures				P	P	P	P	P		Z	Z		**	§78-80.3(d)
Recreational Vehicle Parking and Storage of Individually-Owned Vehicles	P	P	P	P					Z				**	§78-80.4(q)
School Uses in Conjunction with, and on the same site as, Religious Institution	S	S			S			S	Z	Z	Z		**	§78-80.4(r)
Social Service and Similar Community Service Uses	S	S	S	S	S	S							**	§78-80.4(s)
Features such as Fences, Walls, Retaining Walls, Gate Houses, Trash	P	P	P	P	P	P	P	P	P	P	P	*P*	**	§78-80.3(c) §78-21(f)

Enclosures, Refuse Containers, Screening Enclosures, Storage Sheds, and Swimming Pools														

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Section 78-100.2 – Minimum off-street parking and loading standards.

(a) *Minimum number of parking spaces required in R-15, R-10, RTC, RM, CS, CO, O&LI, PD-R, PD-B, PD-W, PD-UR zoning districts.* Unless otherwise expressly stated in this chapter, off-street parking spaces in the R-15, R-10, RTC, RM, CS, CO, O&LI, PD-R, PD-B, PD-W, *PD-UR* zoning districts shall be provided in accordance with Table 78-100.2(a): Minimum Off-Street Parking Standards, below:

TABLE 78-100.2(a): MINIMUM OFF-STREET PARKING STANDARDS FOR R-15, R-10, RTC, RM, CS, CO, O&LI, PD-R, PD-B, PD-W, *PD-UR* ZONING DISTRICTS

USE TYPE	REQUIRED NUMBER OF SPACES
RESIDENTIAL USE CATEGORY	
Single-Family Detached Dwelling	Public Street Frontage: 2 spaces per dwelling unit with frontage on a public street;
	Private Street Frontage: 3 spaces per dwelling unit with frontage on a private street.
Duplex and Townhouse Dwellings and Stacked Townhouse	2.33 spaces per dwelling unit
Multi-Family Dwellings	Efficiency/Studio Unit: 1 space per unit
	One Bedroom Unit: 1.5 spaces per unit
	Two Bedrooms or more: 2 spaces per unit

Housing for the Elderly	1.5 spaces per dwelling unit, plus .25 per dwelling unit for visitors.
Assisted Living for the Elderly and Persons with Disabilities and Convalescent Homes for Long and Short-Term Care	1 space per 4 beds, plus 1 space for each 2 employees, plus 1 space for each doctor assigned to the facility per shift.
Group Home	1 space per four beds, plus 1 space for each 2 employees.
Bed and Breakfast Establishment	1 space per guestroom, in addition to the dwelling's required parking spaces.

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Section 78-110.4 – Perimeter buffer strip landscaping requirements.

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(e) *Perimeter buffer strip requirements not adjacent to public-right-of-way*. The following buffer requirements and buffer classifications shall apply to property boundaries that are not adjacent to public rights-of-way.

(3) Buffer types, widths and materials. Buffer types and landscape materials are prescribed in Table 78-110.4(3)(a). The width of the buffer strip and type of buffer required between zoning districts are prescribed in Table 78-110(e)(3)(b), landscape buffer classifications. ~~In developments where land is subdivided for lots other than those parcels to be developed for single-family detached or duplex dwelling units, the required buffer shall include land contained within lots for individual dwelling units.~~

TABLE 78-110.4(e)(3)b.: TYPE AND AMOUNT OF LANDSCAPE BUFFER MATERIAL REQUIRED WHEN NOT ADJACENT TO PUBLIC RIGHTS-OF-WAY
(KEY: Letter = Buffer Type per Table 78-110.4(e)(3)a.; Number = Minimum Buffer Width, in feet; n/a=No Buffer)

ZONING DISTRICTS		ZONING OF ADJOINING PROPERTY												
		R-15	R-10	RTC	RM	CC	CS	CO	O&LI	PDR	PD-B	PD-D	*PD-UR*	PD-W
ZONING OF PROPERTY	R-15	n/a	n/a	A-10	A-10	B-10	B-10	B-10	B-10	A-10	B-10	B-10	*A-10*	B-10

SUBJECT TO DEVELOPMENT APPROVAL	R-10	n/a	n/a	A-10	A-10	B-10	B-10	B-10	B-10	A-10	B-10	B-10	*A-10*	B-10
	RTC	A-15	A-15	A-10	A-10	B-10	B-10	B-10	B-10	A-10	B-10	B-10	*A-10*	B-10
	RM	A-15	A-15	A-15	A-10	B-10	B-10	B-10	B-10	A-10	B-10	B-10	*A-10*	B-10
	CC	C-25	C-25	C-25	C-25	n/a	n/a	n/a	n/a	C-25	n/a	n/a	*A-10*	n/a
	CS	C-15	C-15	C-15	C-15	D-7.5	D-7.5	D-7.5	D-7.5	C-15	D-7.5	D-7.5	*C-15*	D-7.5
	CO	C-15	C-15	C-15	C-15	D-7.5	D-7.5	D-7.5	D-7.5	C-15	D-7.5	D-7.5	*C-15*	D-7.5
	O&LI	C-20	C-20	C-20	C-20	D-7.5	D-7.5	D-7.5	D-7.5	C-20	D-7.5	D-7.5	*C-15*	D-7.5
	PD-R	B-15	B-15	B-15	B-15	B-15	B-15	B-15	B-15	B-15	B-15	B-15	*B-15*	B-15
	PD-B	C-15	C-15	C-15	C-15	D-7.5	D-7.5	D-7.5	D-7.5	C-15	D-7.5	D-7.5	*C-15*	D-7.5
	PD-D	C-15	C-15	C-15	C-15	n/a	n/a	n/a	n/a	C-15	n/a	n/a	*n/a*	n/a
	PD-UR	*A-10*	*A-10*	*A-10*	*A-10*	*A-10*	*A-10*	*A-10*	*A-10*	*A-10*	*A-10*	*n/a*	*A-10*	*A-10*
	PD-W	C-15	C-15	C-15	C-15	D-7.5	D-7.5	D-7.5	D-7.5	C-15	D-7.5	D-7.5	*C-15*	D-7.5

Examples for Selecting the Correct Landscape Buffer:

1. A property owner wants to locate a convenience store in the CS zoning district, adjacent to land that zoned R-10. The convenience store property would be required to include a Landscape Buffer Class "C" of 15 feet in width along the boundary shared with the R-10 property. Within the Buffer Class "C", the property owner would be required to place one canopy tree every 25 linear feet, plus one evergreen tree every 25 feet, plus one ornamental or understory tree every 50 linear feet, and to construct a masonry wall

	of six feet in height. 2. A developer wants to locate an office building in the O&LI district, adjacent to land zoned PD-B. The office building property would be required to include a Landscape Buffer Class "D" of 7.5 feet in width along the boundary shared with the PD-B property. Within the Buffer Class "D", the developer would be required to place one canopy tree every 30 linear feet, and evergreen tree every 30 linear feet, one ornamental or understory tree every 50 feet. If the developer chooses to provide a fence, it must permit maximum visibility between the O&LI property and the PD-B property.

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Section 78-141.7. – Sign standards for planned development – urban residential (PD-UR) district.

Type	***Freestanding***	***Temporary***
Number	*1 per street frontage*	*1 per street frontage*
Size	*24 SF Max.*	*12 SF Max.*
Height	*6' Max.*	*If freestanding: 6' Max*
Location	*5' Min. from ROW*	*If freestanding: 5' from ROW; if wall: No more than 10' high on building*
Illumination	*Halo-lit or Indirect Lit*	*None*
Duration	*Unlimited*	*60 Days*

***

2. This ordinance shall be effective on and after the date of its adoption.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

APRIL 23, 2019

Resolution- to initiate consideration of a zoning ordinance text amendment ZOTA #19-01, Chapter 78 (ZONING), Article V (Planned Development Districts), by adding Section 78-51.1, entitled PD-UR (Planned Development – Urban Residential), and amending Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), Article VIII (Accessory Uses), Section 78-80.2 (Table of Permitted and Allowed Accessory Uses and Structures), Article X (Parking, Loading, and Circulation), Section 78-100.2 (Minimum Off-Street Parking and Loading Standards), Article XI (Development Standards), Section 78-110.4 (Perimeter Buffer Strip Landscaping Requirements), Article XIV (Signs), adding a new Section 78-141.7 (Sign Standards for Planned Development – Urban Residential District) to create a new residential zoning district to implement the recommendations and standards of the "Adaptive Areas – Residential" land use category as identified in the Herndon 2030 Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby:

1. Initiates consideration of an amendment to Chapter 78 (ZONING) of the Herndon Town Code to establish a new residential zoning district to implement the recommendations and standards of the "Adaptive Areas – Residential" land use category as identified in the Herndon 2030 Comprehensive Plan, as amended.

2. Requires out of public necessity, convenience, general welfare, or good planning practice requires the Town Council's consideration of this proposed amendment.

This is certified to be a true and accurate copy of Resolution 19-G-34 adopted at a legally convened meeting of the Town Council of the Town of Herndon on April 23, 2019.

Margie C. Tacci, Deputy Town Clerk

TOWN OF HERNDON, VIRGINIA 1879

Attached for reference is the proposed draft ordinance.

TOWN OF Herndon VIRGINIA

STAFF REPORT

Town Council
July 2, 2019

Title: SPECIAL EXCEPTION – SE #19-04, 1037 Sterling Road, Suite 101

Staff Contact: David Stromberg, AICP, Zoning Administrator
david.stromberg@herndon-va.gov (703)787-7380

Elizabeth M. Gilleran, AICP, Director of Community Development
lisa.gilleran@herndon-va.gov (703) 787-7380

Summary Information:

Applicant Request	This application is for a special exception to permit a vocational school in the Crossroads of Dulles office park. The site is zoned CO, Commercial Office, district. Adult/vocational schools are allowed in the CO district upon approval of a special exception.
Address	1037 Sterling Road, Ste 101
Fairfax County Tax Map #	0161 22 0028G
Owner	Ferhan C. Ege
Applicants	Rev. Leonard Chukwujioke
Zoning	CO: Commercial Office
Adjacent Zoning	North: R-10, Single Family Residential South: CS, Commercial Services East: R-10, Single Family Residential West: RM, Multifamily Residential
Land Use Designation	Business Corridor (Tier 1)
Adjacent Land Use Designation South Elden Street Area Plan	North: Neighborhood Conservation South: Tier 4 – South Elden Neighborhood Mixed-Use East: Neighborhood Conservation West: Tier 1 – North End Transitional
Total Tenant Area	300 Square Feet
Existing Use	Vacant Office

Background & Site Description:

The subject property is located within the Crossroads of Dulles office park. The site plan for this development was approved in December 1986 for the construction of one restaurant and eight, two-story office condominium buildings. Dulles Park Shopping Center is located to the southwest and there is shared access between the two properties. The property has right-in, right-out ingress/egress to Elden Street and full movement ingress/egress to Sterling Road. Neither access point to the site is signalized.

The CO zoning district is intended to function as a transitional area between higher intensity commercial uses and neighborhood residential uses. There have been three special exception requests in the Crossroads of Dulles office park since 2017.

- SE #18-02 for a personal service use at 1020 Elden Street Ste 206. The Planning Commission recommended approval with conditions on February 5, 2018 and the Town Council approved the application on March 13, 2018.
- SE #17-08 for a barber shop at 1020 Elden Street Ste 205. The Planning Commission recommended approval with conditions on April 2, 2018 and subsequently withdrawn by the applicant.
- SE #17-07 for a convenience store at 1037 Sterling Road Ste 101. This is the same location as the current special exception request. The Planning Commission recommended denial of this application on December 4, 2017 and the Town Council denied the application on January 8, 2018.

The applicant is proposing to operate a vocational school for entry level health care fields. The proposal is to operate a morning class and an evening class Monday through Friday. At this time the applicant does not anticipate having standing class sessions on the weekends but would instead be used for office hours or make-up sessions. The proposed time for the morning sessions would range from approximately 9 a.m. to 2 p.m. and the evening sessions are proposed to range from 5:30 p.m. to 9:30 p.m. Staff informed the applicant during the required pre-application meeting that due to the size of the space and the available restroom facilities the maximum class size per the Building Code is five students per class. The applicant has modified the proposal and is only requesting five students per class size.

The 1037 Sterling Road condominium building is located directly behind Mellow Mushroom Pizza and Suite 101 is located on the first floor. The space is divided into four offices. Two of the offices are currently used for Nathan Travel and Cargo and one office is proposed to be used for the school class work.

Staff Analysis:

Proposed Impact

The Planning Commission and Town Council followed the staff recommendation of denial for the previous special exception (SE #17-07) request at this location. The proposed use in SE #17-07 was for a retail mini mart. Staff recommended disapproval in that application due to the higher traffic volumes generated by retail uses compared to office uses. Staff was also concerned about having two separate uses within one condominium suite.

Unlike retail uses where traffic demand is variable, the traffic generated by the proposed vocational school use is directly correlated with the size and hours of the classes. Staff is recommending that a condition be added which will limit the maximum class size to five students and that only one class shall be taught at a time. For example, prohibiting a lecture class with five students and a lab class with five students from occurring at the same time.

When the Crossroad of Dulles approved it provided 335 parking spaces which is more than the 294 parking spaces that is required by the zoning ordinance. The number of parking spaces required by a classroom use with a maximum attendance of 5 should not be detrimental on a site with 335 total parking spaces.

Staff maintains a level of concern with allowing multiple uses within one condominium suite from a general standpoint. In this specific case, staff believes the proposed use is similar enough to the existing use that any potential negative impacts could be mitigated by placing conditions on the approval.

Planning Commission Recommendation:

This case was heard by the Planning Commission at the May 13 work session and May 20 public hearing. The primary concern expressed by the Commission was of the allowance if this use would have a detrimental effect on parking within the development. Staff provided the Commission with additional information on the total parking during the public hearing.

With the condition that limits the maximum number of students at any one time to 5 and the fact that the Crossroads of Dulles was developed with more parking than is required

by the zoning code, the Commission recommended that the special exception be approved with the attached conditions.

Town Council Alternatives:

The following alternatives are available to the Town Council for its decision on Special Exception SE #19-04.

1. Approve the special exception.
2. Approve the special exception with the staff conditions.
3. Deny the special exception.
4. Refer the special exception back to the Planning Commission for further discussion.

Staff Recommendation:

Staff recommends the Council approve the special exception in accordance with **Alternative 2**.

The zoning ordinance lists uses permitted in a zoning district as by-right, by special exception, or not permitted. Special exceptions differ from by-right uses in that they have the potential to have a greater impact on neighboring properties and therefore are subject to more thorough review as specified in Section 78-155.3(e). Staff believes this proposal meets the conditions for approval of a special exception and recommends approval with the attached conditions.

Attachments:

1. Resolution with staff conditions
2. Location Map
3. Applicant's Narrative Statement
4. Proposed Floor Plan
5. Zoning Ordinance Section 78-155.3(e)

Elizabeth M. Gilleran, AICP
Director of Community Development

David Stromberg, AICP
Zoning Administrator

TOWN OF HERNDON, VIRGINIA

DRAFT RESOLUTION

July 9, 2019

Resolution- **to consider Special Exception SE #19-04, to allow a vocational school in an existing office space on a property zoned CO, Commercial Office, district.**

WHEREAS, the applicant, Rev. Leonard Chukwujioke, has submitted for a special exception to permit a vocational school in an existing office space located at 1037 Sterling Road, Suite 101 and identified as Fairfax County Tax Map # 0161 22 0028G

WHEREAS, vocational schools are permitted in this zoning district subject to the approval of a special exception; and

WHEREAS, the Planning Commission has reviewed this application and has held a public hearing in accordance with the provisions of §15.2-2204 of the State Code; and

WHEREAS, following the public hearing, the Planning Commission recommended that the application be approved with conditions based upon the finding that the proposed use meets the purpose and intent of the Zoning Ordinance, in particular Section 78-155.3; and

WHEREAS, the Town Council has conducted a public hearing and has reviewed the Planning Commission recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia, hereby:

Approves Special Exception Application SE #19-04, in accordance with the conditions set forth below to achieve compliance with the standards found in Section 78-155.3;

A. **Substantial conformity.** The site shall be developed and maintained in substantial conformance with the special exception plan dated March 19, 2019 and March 29, 2019.

B. **Permitted use.** The use shall be limited to a vocational school and the existing by-right office use.

C. **Number of students.** The number of students at the site shall not exceed five students at any one time.

D. **Hours of operation.** Classes shall not be held before 8 a.m. or after 10 p.m. on any day of the week.

E. **Occupancy**. A new occupancy permit issued by the Building Official and reviewed based on the two uses must be obtained prior to the start of any classes. The total number of people in all offices of Suite 101 may not exceed that which is shown on the occupancy permit.

F. **Inspection.** The property owner and tenant shall allow Town officials to inspect the property during reasonable hours upon prior notice.

G. **Expiration.** This Special Exception shall not run with the land and shall expire under the following conditions(s):

   i. A discontinuance of the use for which the special exception was granted for a continuous 12-month period;
   ii. Failure to commence operation of the use within 12 months of approval of the special exception;
   iii. A change in substantial ownership of possession of the subject land.

H. **Revocation.** Any violation of the aforementioned conditions or other sections of the Herndon Town Code shall be grounds for revoking the special exception pursuant to the manner described in Section 78-155.3(h) of the zoning ordinance.

This resolution by its terms shall be effective on and after the date of its adoption.

SITE LOCATION – AERIAL PHOTO

Case: SE #19-04 – 1037 Sterling Road Ste 101

N

TOWN OF Herndon

Photo prepared by Town of Herndon
Department of Community Development
Image source: Farifax County GIS

Mgt: Missionaries of Jesus the Savior
under
Catholic Diocese of Arlington

DIVINE HEALTHTECH INSTITUTE

TOWN OF HERNDON VA

January 29,2019

Dear Sir/Madam,

Request of Occupancy Permit: Special Exception USE

We wished to open Career Technical School and Vocational Education or continue education like; Nurse Aide or Nursing Assistant, Registered Medication Aide, etc. The student is scheduled to be in the morning from 9am – 2pm with break period of 30 minutes each class. Evening program shall have also had 5 capacity or five student from 5:30pm – 9:30pm with shot break.

As stated above, each class will contain only 5 capacity or five individuals in each class section from Monday to Friday. Weekend programs shall be only special and by an appointment with the professor shall be only 5.

Thanking you up front concern our request of the special exception USE permit.

Best regard,

Yours sincerely,
Rev Leonard Chukwujioke
Administrator

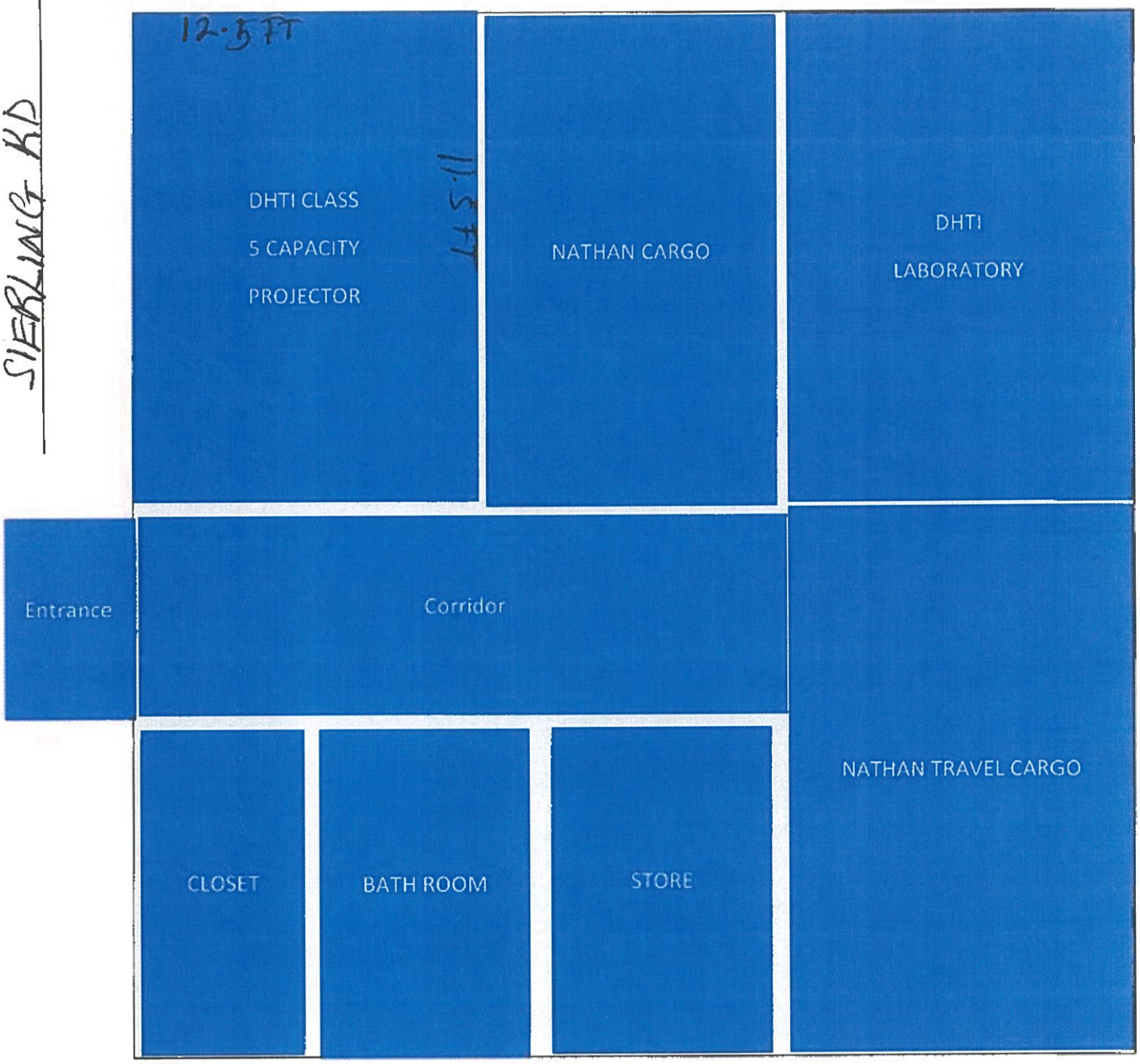
1037 Sterling Rd,
Suite 101
Herndon, VA 20170

PHONE +1(614)377-8913
FAX +1(571)441-0861
EMAIL info@mojsc.org
WEBSITE www.mojsc.org

Attachment #4

MELLOW MUSHROOM

SIERLING RD



TOWN OF
Herndon
VIRGINIA

STAFF REPORT

Town Council
July 2, 2019

Title:

Resolution - Authorizing the Reserve of FY 2019 Funding for On-Going Operations & Maintenance and Capital Projects and for Outstanding Encumbrances at June 30, 2019

Staff Contact:

Jennie A. Tripoli, Director of Finance
Telephone: (703) 435-6898
e-mail: jennie.tripoli@herndon-va.gov

Proposal/ Description:

The Town Council authorized and appropriated monies for specific activities to occur during the FY 2019 budget year. Many of these activities were expected to be completed by June 30, 2019. However, due to a variety of circumstances, some of these activities, as listed on the attached schedules, are currently on-going projects that were not concluded by the end of FY 2019. The requirements to complete the actions are still valid and the funds are recommended to be reserved to allow for the accomplishment of the work or service during FY 2020.

As is the town's fiscal practice, outstanding purchase orders as of June 30, 2019 will be recorded as a Reserve for Encumbrances within the General Fund and re-appropriated as part of the town's FY 2020 adopted budget. The actual dollar amount will be compiled and reported in the town's FY 2019 Comprehensive Annual Financial Report (CAFR), in conjunction with the annual audit of the town's financial records. In addition, reserves for outstanding purchase orders contained within the town's other operating and capital projects funds will also be re-appropriated for FY 2020.

Attached to the staff report are listings of the recommended reserves and estimated encumbrances as of June 30, 2019.

Following are brief highlights of the Operations & Maintenance reserve requests:

Office Space Expansion - Funds in the amount of $14,300 for Community Development and $13,600 for Town Attorney are requested to create and outfit additional office space for the Housing and Neighborhood Improvement employee and the Assistant Town Attorney, respectively.

Professional Services – Funds in the amount of $30,000 for Finance and $10,000 for Town Attorney are requested for on-going projects requiring external experts.

Herndon Festival – Funds in the amount of $18,000 are requested to cover additional costs associated with the new venue.

Fiscal Impact:

The various funds have capacity either through revenues and vacancy savings (General Fund, Cemetery Fund), unrestricted net position (Water & Sewer Fund, Golf Fund, DT Parking Fund), assigned fund balance (IS Fund, CIP Fund), or grant commitments (CIP Fund) to support these reserves and encumbrances.

Attached Documents:

1. Draft Resolution
2. Schedules 1 and 2, FY 2019 Listing of Reserve Amounts, and Schedule 3, Estimated Outstanding Encumbrances as of June 30, 2019, by Fund

Staff:

Jennie A. Tripoli

Jennie A. Tripoli, CPA
Director of Finance

TOWN OF HERNDON, VIRGINIA

RESOLUTION

July 9, 2019

Resolution- Authorizing the Reserve of FY 2019 Funding for On-going Operations & Maintenance and Capital Projects and for Outstanding Encumbrances at June 30, 2019.

WHEREAS, the Town of Herndon closes its fiscal year on June 30, 2019; and

WHEREAS, the FY 2019 Annual Budget and subsequent amendments to the annual budget authorized and appropriated various monies for specific activities which were expected to be concluded at the close of the fiscal year; and

WHEREAS, it is the intent of the Town Council to reserve, encumber and re-appropriate these funds into the next fiscal year; and

WHEREAS, the staff has reviewed the various accounts and balances and recommends the establishment of the encumbrances and reserves as listed on the attached Schedules.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby establishes and re-appropriates the reserved or encumbered amounts for the fiscal year ended June 30, 2019, as listed on the attached Schedules.

BE IT FURTHER RESOLVED that this resolution is effective retroactively to June 30, 2019.

Schedule 1 – Operations & Maintenance Reserves

Fund	Department	Account Number	Amount	Type	Description of Project
General Fund	Parks & Recreation	0010331-420730	$ 18,000	O&M	Herndon Festival - acquisition and on-going replacement of festival equipment for the new location.
General Fund	Finance	0010550-420150	30,000	O&M	Professional Services - Financial Advisors, Consultant for CIP project
General Fund	Community Development & Planning	0010660-421130	14,300	O&M	Office space expansion
General Fund	Town Attorney	0010990-420150	10,000	O&M	Professional Services related to Downtown/Comstock
General Fund	Town Attorney	0010990-421130	13,600	O&M	Office build out and computer for new Assistant Town Attorney
		Total	$ 85,900		

Schedule 2 – Capital Reserves

Fund	Account Number	Description	Amount
Capital Projects Fund	0150880-491710	Stream Restoration	$ 200,000
Capital Projects Fund	0150884-491530	Bldg Major Maint	25,485
Capital Projects Fund	0150885-491050	Gateway/Wayfinding	86,656
Capital Projects Fund	0150885-491860	Bicycle Facilities/Accommodations	62,000
Capital Projects Fund	0150886-491420	East Elden Street Improvements	45,600
Capital Projects Fund	0150886-491470	Herndon Pkwy - Spring St. to Fairfax County Pkwy	1,549,000
Capital Projects Fund	0150886-491630	New Sidewalk Construction	684,607
Capital Projects Fund	0150886-491650	Elden-Center St Intersections	1,830,000
Capital Projects Fund	0150886-491740	Herndon Pkwy/Van Buren St. Intersection Improvements	2,883,802
Capital Projects Fund	0150886-491780	Trails to Herndon Metro	967,558
Capital Projects Fund	0150886-491790	Multi-modal Access to Herndon Metro	2,105,391
Capital Projects Fund	0150886-491800	Sterling Rd/Herndon Pkwy Intersection Improvements	197,138
Capital Projects Fund	0150886-491810	Van Buren St/Herndon Parkway North	3,949,739
Capital Projects Fund	0150886-491830	Elden/Monroe Intersection Improvements	1,923,965
Capital Projects Fund	0150886-491840	Van Buren St/Herndon Pkwy to South Town Line	2,630,000
Capital Projects Fund	0150886-491910	Traffic Signal Uninterrupted Power	150,000
Capital Projects Fund	0159999-490080	Storm Drainage Improvements	226,330
Capital Projects Fund	0159999-490190	Streetlight Installations	146,343
Capital Projects Fund	0159999-490360	Bready Park Tennis Court Renovations	264,619
Capital Projects Fund	0159999-490650	Downtown Streets/Improvements	576,959
Capital Projects Fund	0159999-490670	Downtown Utility Undergrounding	2,514,776
Capital Projects Fund	0159999-491900	Parking & Arts Center	500,000

Schedule 2 – Capital Reserves

Fund	Account Number	Description	Amount
General Fund	0010889-480030	Capital Equipment	$ 62,096
Golf Fund	0070422-480030	Capital Equipment	22,400
Golf Fund	0070423-480020	Clubhouse Reonvoation	30,000
Information Systems Fund	0160225-480380	Energov Implementation	39,072
Information Systems Fund	0160770-480430	Police Radio Replacement	840,000
Water & Sewer Fund	0020887-480020	Folly Lick Upsizing	348,126
Water & Sewer Fund	0020887-480190	Sugarland Run Lining	190,000
Water & Sewer Fund	0020887-481100	SCADA	25,000
Water & Sewer Fund	0020888-480020	Center St Water Main Replacement & Third St Tank Painting	245,000
Downtown Parking Fund	0080885-480320	Downtown Parking	100,000

Total Reserves by Fund:

Capital Projects Fund	$ 23,519,967
General Fund	147,996
Golf Fund	52,400
Information Systems Fund	879,072
Water & Sewer Fund	808,126
Downtown Parking Fund	100,000

Schedule 3 – Estimated Outstanding Encumbrances at June 30, 2019, by Fund

General Fund	$1,688,000
Water & Sewer Fund	1,625,000
Chestnut Grove Cemetery Fund	13,250
Capital Projects Fund	1,236,000
Information Systems Fund	74,000

TOWN OF Herndon VIRGINIA

STAFF REPORT

Town Council
July 2, 2019

Title:
Ordinance - Amending the Fiscal Year (FY) 2020 Adopted Budget by recognizing the outstanding encumbrances and authorized reserved amounts for FY 2019 as appropriated amounts for FY 2020.

Staff Contact:

Jennie A. Tripoli, Director of Finance
Telephone: (703) 435-6898
E-mail: jennie.tripoli@herndon-va.gov

Description:

The town's usual accounting practice at fiscal year-end is to set aside specific amounts from fund balance or net position for all outstanding encumbrances (i.e., open purchase orders) and authorized reserves that exist at June 30, as described in the Town Council's annual reserve resolution and annual budget ordinance. Town Council's authorization of the FY 2019 reserves and encumbrances are technically not appropriated or budgeted amounts for FY 2020, as defined in the Code of Virginia. Therefore, this budget amendment will recognize the designated reserves and outstanding encumbrances at June 30, 2019 as FY 2020 budget appropriations.

Fiscal Impact:

Amending the FY 2020 budget to recognize the outstanding encumbrances and reserves at June 30, 2019 will convert the specific designated reserve amounts as of June 30, 2019 into FY 2020 budget appropriations.

Staff Recommendation:

Recommend that the Mayor and Town Council adopt the attached draft resolution.

Attached Documents:

1. Ordinance - Budget Amendment FY 2020, Number 1, July 9, 2019
2. Attachment A, Budget Amendment FY 2020, Number 1

Staff:

Jennie A. Tripoli

Jennie A. Tripoli, CPA
Director of Finance

TOWN OF HERNDON, VIRGINIA

ORDINANCE

July 9, 2019

Ordinance - Amending the Fiscal Year (FY) 2020 Adopted Budget by recognizing the outstanding encumbrances and authorized reserved amounts for FY 2019 as appropriated amounts for FY 2020.

Recital

In adopting this ordinance, the Town Council has considered the Town Manager's recommended budget modifications as described in Attachment A, FY 2020 Budget Amendment Number 1.

BE IT ORDAINED by the Council of the Town of Herndon, Virginia, that the financial adjustments to the FY 2020 budget, as described in Attachment A, FY 2020 Budget Amendment Number 1 to this ordinance, are hereby approved. This ordinance shall be effective on and after the date of its adoption.

TOWN OF HERNDON, VA
FY 2020

BUDGET AMENDMENT NUMBER 1

The following appropriations and revenue sources are proposed for amendment:

GENERAL FUND

Increase Expenditure Appropriations:	
Estimated Outstanding Encumbrances at June 30, 2019	$1,688,000
Authorized Reserves at June 30, 2019	147,996
Total General Fund Appropriation Increase:	$1,835,996
Increase Revenue Account Budget:	
General Fund Designated Reserves:	$1,835,996

WATER & SEWER FUND

Increase Expenditure Appropriations:	
Estimated Outstanding Encumbrances at June 30, 2019	$ 1,625,000
Authorized Reserves at June 30, 2019	808,126
Total Water & Sewer Fund Appropriation Increase:	$2,433,126
Increase Revenue Account Budget:	
Water and Sewer Fund Designated Reserves:	$2,433,126

CHESTNUT GROVE CEMETERY FUND

Increase Expenditure Appropriations:	
Estimated Outstanding Encumbrances at June 30, 2019	$13,250
Authorized Reserves at June 30, 2019	0
Total Chestnut Grove Cemetery Fund Appropriation Increase:	$13,250
Increase Revenue Account Budget:	
Cemetery Fund Designated Reserves:	$13,250

GOLF COURSE FUND

Increase Expenditure Appropriations:	
Estimated Outstanding Encumbrances at June 30, 2019	$ 0
Authorized Reserves at June 30, 2019	52,400
Total Golf Course Fund Appropriation Increase:	$52,400
Increase Revenue Account Budget:	
Golf Course Fund Designated Reserves:	$52,400

(continued)

DOWNTOWN PARKING ENTERPRISE FUND

Increase Expenditure Appropriations:	
Estimated Outstanding Encumbrances at June 30, 2019	$ 0
Authorized Reserves at June 30, 2019	100,000
Total Downtown Parking Fund Appropriation Increase:	$100,000
Increase Revenue Account Budget:	
Downtown Parking Enterprise Fund Designated Reserves:	$100,000

CAPITAL PROJECTS FUND

Increase Expenditure Appropriations:	
Estimated Outstanding Encumbrances at June 30, 2019	$ 1,236,000
Authorized Reserves at June 30, 2019	23,519,967
Total Capital Projects Fund Appropriation Increase:	$24,755,967
Increase Revenue Account Budget:	
Capital Projects Fund Designated Reserves:	$24,755,967

INFORMATION SYSTEMS IMPROVEMENT FUND

Increase Expenditure Appropriations:	
Estimated Outstanding Encumbrances at June 30, 2019	$ 74,000
Authorized Reserves at June 30, 2019	879,072
Total Information Systems Improvement Fund Appropriation Increase:	$953,072
Increase Revenue Account Budget:	
Information Systems Improvement Fund Designated Reserves:	$953,072

TOWN OF
Herndon
OFFICE OF THE TOWN ATTORNEY

STAFF REPORT

Town Council

July 2, 2019

Title: Resolution to authorize a license to Vivacity DC, Inc. to use designated public property in the downtown for the installation and maintenance of equipment and facilities for public use in accordance with the Pilot Program Agreement dated June 12, 2018 and as thereinafter amended.

Staff Contact:

William H. Ashton II, Town Manager
(703) 787-7368
bill.ashton@herndon-va.gov

Lesa J. Yeatts, Town Attorney
(703) 787-7370
lesa.yeatts@herndon-va.gov

Description:

This Resolution will authorize the granting of a license to Vivacity DC, Inc. and authorize the Mayor to sign the License Agreement and any associated documents.

Summary:

In June 2018, the Town entered into a Pilot Project Agreement with Vivacity DC, Inc. to explore and evaluate the impact of smart city technologies and services through the installation of equipment and facilities in downtown including the replacement of approximately 10 existing street light poles with LED smart poles and LED lighting upgrades to approximately 30 additional existing street lights downtown enabling a remote monitoring and management system for the new street lights; provision of a public Wi-Fi network downtown; an electric vehicle charging station and IoT sensors for other smart city services.

In December, 2018 the Agreement was amended to extend the project delivery date from December 31, 2018 to six (6) months from the date the Town approves all permits necessary to effectuate the Agreement and an extension to the initial

agreement termination date from December 31, 2020 to two (2) years following the Delivery Date, in any event no later than June 30, 2021.

Vivacity recently submitted and received approval for its site plan and now desires the town to issue them a license to install the described equipment and facilities on town property and in town rights-of-way.

Fiscal Impact:

None

Staff Recommendation:

Staff recommends that the Town Council approve the draft Resolution.

Attachments:

1. Draft Resolution
2. License Agreement

William H. Ashton II, Town Manager

Lesa J. Yeatts, Town Attorney

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JULY 9, 2019

Resolution- to authorize a license to Vivacity DC, Inc. to use designated public property in the downtown for the installation and maintenance of equipment and facilities for public use in accordance with the Pilot Program Agreement dated June 12, 2018 and as thereinafter amended.

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

1. The Town Council approves a license agreement dated June 30, 2019 between Vivacity DC, Inc. and the Town of Herndon. The license allows Vivacity DC, Inc. to install and maintain specified equipment and facilities within town property and rights-of -way located in the downtown. The license agreement may contain other necessary terms and is on file in the office of the Town Attorney.

2 The Mayor is authorized to sign and deliver this license agreement and any other instrument to evidence or support the license agreement

3. This resolution shall be effective on and after the date of its adoption.

OFFICE OF THE TOWN ATTORNEY

LICENSE BETWEEN THE TOWN OF HERNDON AND VIVACITY DC, INC. FOR USE OF THE DESIGNATED PUBLIC PROPERTY AND PUBLIC RIGHT-OF-WAY

THIS NONEXCLUSIVE LICENSE ("License") is dated this _____ day of _____, 2019, by and between the Town of Herndon, a Virginia municipal corporation (Town) and Vivacity DC, Inc. ("Vivacity") a Delaware corporation. The Town and Vivacity shall be referred to collectively hereinafter as the "Parties".

WHEREAS, the Town is a municipal corporation organized under the laws of the Commonwealth of Virginia, and

WHEREAS, the parties have entered into a Pilot Project Agreement dated June 12, 2018 and amended December 11, 2018 for the installation of equipment and facilities and provision of services to the Town and its inhabitants, and

WHEREAS, Vivacity has received approval of its site plan TP 19-02 and now desires the Town approve the use of certain designated public property and public rights-of-way ("Property") of the Town to install and maintain facilities as specified in TP 19-02 and this License, and

WHEREAS, the Town, as a municipal corporation has the authority and statutory obligation to regulate the use of the public property and public rights-of-way within its territorial boundaries and is willing to permit such use subject to the terms and conditions of TP 19-02 and this License; and

WHEREAS, the License is not a grant of any special private privilege or sale of public property; the parties hereby agree to the following terms and conditions:

Section 1. **TERM OF LICENSE**

The term of this license shall commence on the date of approval by the Town Council and shall end upon the revocation by either party but in no event shall this license extend beyond June 30, 2021.

Section 2. **CONSIDERATION**

The consideration herein is as described in the Pilot Project Agreement dated June 12, 2018, as amended (Exhibit A), attached and incorporated by reference.

Section 3. **FACILITIES LOCATION, INSTALLATION AND OPERATION**

All facilities and equipment authorized by this License to be placed and constructed, shall be located in accordance with TP 19-02 (Exhibit B) and the associated route map (Exhibit C), attached and incorporated by reference.

The installation of Vivacity's equipment and facilities shall be performed in a workmanlike manner with minimal disruption to the general public, the Town, Town facilities, Town property, existing tenants and adjoining property owners.

Vivacity shall install and operate its equipment and facilities in a manner which shall not cause technical interference to Town or other licensees with tenancies pre-dating that of the Vivacity's, and shall comply with all federal, state and local regulations governing the installation and operation of the equipment and facilities.

Section 4. **DAMAGE TO PUBLIC FACILITIES**

If Vivacity shall, in the construction, operation, replacement, maintenance, removal or repair of its equipment and facilities, damage any pavement, street, alley, trees, sidewalk, sewer, water or other pipe or other public property (collectively Public Facilities)

belonging to the Town, Vivacity shall promptly repair the same at its own cost and expense.

Vivacity shall immediately notify the Town Manager and the appropriate public safety agency (e.g., fire department) of any damage or injury to any Public Facilities caused by work authorized pursuant to the license.

Section 5. INDEMNIFICATION

Vivacity shall indemnify the Town, its officers, officials and employees (for purposes of this Section only, collectively the Town), and shall hold the Town harmless from liability on account of injury, death or damage to persons or property arising out of construction, improvement, removal, maintenance, repair or operations of its facilities. If suit shall be brought against the Town, either independently or jointly with Vivacity, Vivacity will defend, indemnify and hold the Town harmless in any such suit, at the cost of Vivacity. If a final judgment is obtained against the Town, either independently or jointly with Vivacity, Vivacity will pay the judgment, including all costs and attorney fees and will hold the Town harmless therefrom. The indemnity, however, shall not apply to claims for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting solely from the negligence or the willful misconduct or other intentionally wrongful acts or omissions of the Town, its agents or employees.

Section 6. LOSS AND DAMAGE

Save for the negligent acts or omissions of Town, its agents, employees or contractors, Town shall not be liable for any damage to property of Vivacity located on the the property or for loss or damage to any property of Vivacity or of others by theft or otherwise. Town shall not be liable for any injury, death, or damage to any persons or

property resulting from fire, explosion, steam, electricity, water, rain, snow or leaks from any part of the installation sites or from the street or sub-surface or from any other place.

Section 7. **ASSIGNMENT AND TRANSFER OF INTEREST**

This Franchise is not assignable or transferable without the express written permission of the Town.

Section 8. **REMOVAL OF FACILITIES UPON EXPIRATION OR TERMINATION**

Unless released by the Town, Vivacity shall remove all its facilities from the property in accordance with paragraph 7 of the Pilot Project Agreement.as amended.

Section 9. **NOTICES**

Any notice to be given under this License shall be mailed or delivered to the Town of Herndon, Attention: Town Manager, Lynn St., Herndon, Virginia 20170 and to Vivacity, Inc. 204 South Union St., Alexandria, Virginia 22314 by registered or certified mail, if mailed, return receipt requested, with postage prepaid.

Vivacity DC, Inc.

By: D. Bottoms

Authorized Representative

Name: Danny Bottoms

Title: President + CEO

Date:

27 June 2019

TOWN OF HERNDON,
VIRGINIA

By:

_____

Name: Lisa C. Merkel
Title: Mayor

ATTEST:

_____

Town Clerk

Approved as to Form:

_____

Vivacity License Agreement

Exhibit "A"

Pilot Project Agreement, as amended

TOWN OF HERNDON, VIRGINIA

RESOLUTION

DECEMBER 11, 2018

Resolution- to approve and authorize the Mayor to sign an Amendment to the Pilot Project Agreement between Vivacity DC, Inc., and the Town of Herndon, Virginia (Resolution 18-G-31) adopted on June 12, 2018

WHEREAS, the Town of Herndon and Vivacity DC, Inc., desire to amend the Pilot Project Agreement in order to extend the project delivery date from December 31, 2018 to six (6) months from the date the Town approves all permits necessary to effectuate the Agreement and to extend the initial agreement termination date from December 31, 2020 to two (2) years following the Delivery Date, in any event no later than June 30, 2021.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia, that the Mayor of the Town of Herndon, Virginia, is authorized to sign and deliver this amendment on such form approved by the Town Attorney and any other instrument necessary to evidence or effectuate this agreement.

This is certified to be a true and accurate copy of Resolution 18-G-69 adopted at a legally convened meeting of the Town Council of the Town of Herndon on December 11, 2018.

Margie C. Tacci, Deputy Town Clerk

TOWN OF HERNDON VIRGINIA 1879

Attached for reference is the Pilot Project Agreement dated June 12, 2018 b/n Vivacity DC, Inc. and the town; Exhibit A – Evaluation Criteria and the First Amendment to Vivacity Pilot Project Agreement dated December 11, 2018.

PILOT PROJECT AGREEMENT

Vivacity DC, Inc. ("**Vivacity**"), a Delaware corporation, with a principal place of business at 204 South Union Street, Alexandria, VA, 22314 and the Town of Herndon, Virginia with a principal place of business at 777 Lynn Street, Herndon, VA, 20170 ("**Herndon**") hereby enter into this Pilot Project Agreement (the "**Agreement**") on the 12th day of June, 2018, (the "**Effective Date**"). Vivacity and Herndon wish to evaluate smart city technologies and services together in a pilot project and agree to the following terms to govern their relationship.

Objectives. The parties agree to explore the impact of installing aesthetically-pleasing remote controlled LED lights equipped with radio communications and Internet-of-Things ("**IoT**") sensor equipment in a jointly defined area of downtown within the Town of Herndon. This upgraded infrastructure has the potential to reduce the town's electricity and maintenance costs, provide free public Wi-Fi, improve mobile coverage, improve public safety, enhance economic development, and count pedestrian traffic. The specific criteria for the pilot project are specified in Exhibit A (the "**Evaluation Criteria**") which will be evaluated at the end of the Initial Term.

1. Term and Termination. The initial term (the "**Initial Term**") shall commence on the Effective Date and terminate on December 31, 2020. At the end of the Initial Term, the term shall automatically renew for successive one (1) year terms. After the Initial Term, this Agreement may be terminated by either party for any reason upon sixty (60) days written notice to the other party. If a party is in default of this Agreement, the other party shall provide thirty (30) days written notice of such default and notice of intent to terminate, and the non-defaulting party shall have the right to terminate the Agreement if the defaulting party does not cure such default within the thirty (30) day notice period.

2. Vivacity Responsibilities. Vivacity shall lead the pilot project and serve as the Town's contractor to provide (i) design, engineering, construction and project management services to build an integrated fiber optic cable (the "**Fiber Cable**") and wireless network (the "**Wireless Network**") capable of delivering smart city services within a jointly defined area of the downtown area in the Town of Herndon (such area, the "**Network**"); (ii) replacement of approximately 10 existing street light poles with LED smart poles (the "**Smart Poles**") and LED upgrades to approximately 30 existing street lights within the Network (the "**LED Streetlights**" and each individual bulb within an LED Streetlight, an "**LED Bulb**"); (iii) implementation of a remote monitoring and management system for the new street lights; (iv) a public WiFi network based on the Network; (v) an electric vehicle charging station; (vi) IoT sensors for other smart city services; (vii) smart poles designed for small cells; (viii) operations and maintenance of the Network and its associated services. In the course of performing its responsibilities hereunder, Vivacity shall comply with all applicable federal, state and local regulations and review requirements as set forth by such regulations.

3. Herndon Responsibilities. Herndon shall support the pilot project through (i) providing timely information and decision-making during the design and engineering phase; (ii) timely processing of permits and approvals required for construction of the Network; (iii) access to town infrastructure, including existing street lights, conduit, and power facilities; (iv) electrical services to the replaced and upgraded street lights; and (v) any required authorizations for Vivacity to sell services using the Network to third parties.

4. Costs and Fees. Each party shall bear their own costs to perform their responsibilities under this Agreement. After the Network has been constructed, Herndon shall pay to Vivacity a monthly fee equal to $15.00 per month per Smart Pole, and $5.40 per month per LED Bulb.

5. Delivery and Operation. Vivacity will use commercially reasonable efforts to deliver the Network by December 31, 2018, subject to Herndon's grant of a right of way license to Vivacity. Upon reasonable notice by Vivacity, Herndon shall provide access to its infrastructure and rights-of-way for the Network. Vivacity reserves the right to interrupt the services using the Network for repair and maintenance, and will use commercially reasonable efforts to coordinate with Herndon to minimize any impact.

6. Reporting Obligations. Both parties will promptly notify each other of any project issues, defects or delays. The parties will meet periodically to review and discuss the progress and status of the pilot project and its performance. Once per month, Vivacity shall provide to Herndon a written report, which shall contain data and metrics based on evaluation criteria set forth in Exhibit A.

7. Ownership. Vivacity shall hold title and ownership of the Fiber Cable, Wireless Network, and Smart Poles envisioned to be installed pursuant to this Agreement. Herndon shall hold title and ownership to the LED Streetlights. Vivacity will apply for a right of way license from Herndon for construction and maintenance of the Network before initiating any work. Vivacity and Herndon acknowledge and agree that either on or before the date equivalent to five (5) years from the Effective Date of this Agreement, Herndon may grant to Vivacity a franchise agreement, and if Herndon elects not to grant such franchise agreement to Vivacity, Vivacity shall, at the end of the five (5) year period, have the right (but not the obligation) to remove the Fiber Cable, Wireless Network and Smart Poles, and Herndon shall reasonably assist Vivacity as requested to facilitate such removal. In the event that Vivacity elects not to remove the foregoing, Vivacity shall assign ownership of the Fiber Cable, Wireless Network and Smart Poles to Herndon. For clarity, such assignment of ownership does not grant Herndon a continuing right to use the Licensed Software, unless such rights are granted in a separate agreement executed by the parties. .

8. Software. Vivacity grants Herndon a limited, non-exclusive, non-transferable license to use software needed to use the infrastructure installed for the pilot project (the "**Licensed Software**") during the term of this Agreement. The Licensed Software shall include an online dashboard, which shall provide Herndon with the status of the LED Streetlights. Herndon has no claim to ownership in any Licensed Software. Herndon agrees not to copy, reverse engineer, decompile, disassemble, sell, lease, or license the Licensed Software, and not to create, write or develop any derivative works or other software based on Licensed Software.

9. Disclaimer. HERNDON UNDERSTANDS THAT VIVACITY AND ITS LICENSORS AND SUPPLIERS MAKE NO EXPRESS, IMPLIED OR STATUTORY WARRANTIES RELATING TO THE NETWORK OR THE PILOT PROJECT SERVICES CONTEMPLATED, AND HEREBY EXPRESSLY DISCLAIMS ANY SUCH WARRANTIES, INCLUDING BUT NOT LIMITED TO ANY WARRANTY REGARDING PERFORMANCE, THE IMPLIED WARRANTY OF NONINFRINGEMENT OF THIRD PARTY RIGHTS, THE IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR THE IMPLIED WARRANTY OF MERCHANTABILITY.

10. Limitation of Liability. IN NO EVENT SHALL EITHER PARTY (OR ITS AFFILIATES, EMPLOYEES, OFFICERS, DIRECTORS OR AGENTS) BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL OR EXEMPLARY DAMAGES, INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF REVENUE, LOSS OF PROFITS OR SAVINGS, OR LOSS

OF CUSTOMERS, CLIENTS OR GOODWILL ARISING IN ANY MANNER FROM THIS AGREEMENT AND/OR THE PERFORMANCE OR NONPERFORMANCE HEREUNDER.

11. Compliance. Vivacity and its licensors and suppliers shall use the standard of care in its industry to comply with all applicable federal, state, and local laws, codes, ordinances, and regulations.

12. Reference and Marketing Herndon agrees to act as a reference for potential Vivacity customers. The parties will mutually agree on any additional marketing activities.

13. General Provisions. The parties will provide notices required under this Agreement in writing and deliver them by personal delivery, certified mail, or courier to the addresses provided herein. This Agreement shall be governed by the laws of the Commonwealth of Virginia, U.S.A. without regard to conflict of laws principles. This Agreement may not be amended except in writing executed by both parties. If a term of this Agreement is found to be illegal, invalid or unenforceable in any way, then that term will be modified to the minimum extent necessary to make it legal, valid and enforceable, and the remainder of this Agreement will remain unchanged. Either party's failure to enforce any term of this Agreement is not a waiver of that term. This Agreement does not create any agency, partnership, or other form of joint enterprise between the parties. Neither party may assign this Agreement without first obtaining the other party's approval. The prevailing party in any dispute related to this Agreement may recover its reasonable fees and costs. This Agreement represents the entire understanding of the parties regarding the subject matter, and supersedes any and all other prior or contemporaneous agreements, whether written or oral.

We agree to these terms and have executed this Agreement as of the Effective Date.

Vivacity DC, Inc.

By: Donald A. Doering
Authorized Representative

Name: Donald A. Doering

Title: Treasurer

Date: 6/4/18

TOWN OF HERNDON, VIRGINIA

By

Lisa C. Merkel

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Lesa J. Yeatts

Town Attorney

EXHIBIT A - EVALUATION CRITERIA

Description		Success	Failure
(i)	design and install aesthetically pleasing light poles integrated with radio and sensor equipment	Installation and operation of functional lighting control system that enhances citizen and visitor experience	Lights that do not work or generate substantial complaints from community
(ii)	replace current lights in downtown area and bike path with LED lights	Installation and operation of functional lighting control system that enhances citizen and visitor experience	Lights that do not work or generate substantial complaints from community
(iii)	document cost savings of LED lights and remote management system	Documented reduced costs of LED lights and management system	Inability to document cost reduction; cost increase
(iv)	document reduction in carbon emissions from switching to LED lights with dynamic dimming capabilities and ambient light sensors	Documented reduced carbon emissions from LED lights	Inability to document reduction; emissions increase
(v)	improve mobile coverage	Improved mobile coverage	Decreased mobile coverage
(vi)	understand public safety impacts from using lighting and blue button calling feature	Documented use of blue button and effectiveness of response	Lack of evaluation; ineffective response
(vii)	understand changes in maintenance response times and reduction in costs for streetlights	Outage reporting integrated into city workflow; reduced response times; lower overall maintenance costs	Increased response times; increased maintenance costs
(viii)	improve the visitor experience and street-level retail capabilities by providing free public Wi-Fi, and speakers, thus positively impacting economic development	Use of public Wi-Fi	Limited or no adoption of public Wi-Fi
(ix)	provide the town with accurate data on pedestrian flow	Provide accurate data that is utilized by town	Inability to provide accurate, impactful, or useful data
(x)	understand cost and usage of electric vehicle charging station	Installation and operation of functional electric vehicle charging system	System that does not work; no use of charging station

FIRST AMENDMENT TO VIVACITY PILOT PROJECT AGREEMENT

THIS FIRST AMENDMENT dated December 11, 2018 is hereby made to the Agreement dated June 12, 2018 by and between the TOWN OF HERNDON, VIRGINIA, a Virginia municipal corporation ("Town") and VIVACITY DC, INC., ("Vivacity").

1. This amendment authorizes the change of the termination date as stated in paragraph 1 regarding Term and Termination from December 31, 2020 to two (2) years following the Delivery Date, in any event no later than June 30, 2021.

2. This amendment authorizes the change of the delivery date as stated in paragraph 5 regarding Delivery and Operation from December 31, 2018 to six (6) months from the date the Town approves all permits necessary to effectuate the Agreement.

3. Except as specifically amended or modified herein, the terms and conditions of the Agreement will remain in full force and effect through the term, including this extension of the term.

IN WITNESS WHEREOF, the parties have entered into this First Amendment as of the day and year set forth below by the signatures of their authorized representatives below.

Vivacity DC, Inc.

By: _____
Authorized Representative

Name: John Siegel

Title: President

Date: 12/18/18

TOWN OF HERNDON, VIRGINIA

By: _____
Name: Lisa C. Merkel
Title: Mayor

TOWN OF HERNDON, VIRGINIA 1879

ATTEST:

_____
Acting Town Clerk

APPROVED AS TO FORM:

_____
Lesa J. Yeatts
Town Attorney

Attachment
18-G-69

Vivacity License Agreement

Exhibit "B"

Site Plan TP #19-02

PERFORMANCE BOND ESTIMATE

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	COST
	CLEARING & GRUBBING		ACRES		
	EXCAVATION		CU. YDS.		
	EMBANKMENT		CU. YDS.		
	OVERLOT GRADING		LOTS		
	DRAINAGE STRUCTURES				
	CONCRETE PIPE		UN. FT.		
	CONCRETE PIPE		UN. FT.		
	CONCRETE PIPE		UN. FT.		
	CONCRETE PIPE		UN. FT.		
	CONCRETE PIPE		UN. FT.		
	CONCRETE PIPE		UN. FT.		
	PAVED DITCH		UN. FT.		
	RIP RAP		SQ. FT.		
	CONCRETE ENDWALL		EACH		
	CONCRETE ENDWALL		EACH		
	CONCRETE ENDWALL		EACH		
	CONCRETE END SECTION		EACH		
	BRICK CROSSWALK	41	SQ. YDS.	$155	$6,303
	DRIVEWAY ENTRANCE		EACH		
	SIDEWALK	29	SQ. YDS.	$54	$1,548
	HEADER CURB		UN. FT.		
	CURB & GUTTER		UN. FT.		
	MANHOLE	11	EACH	$500	$5,500
	SURFACE TREATMENT		SQ. YDS.		
	BITUMINOUS CONCRETE SURFACE	2,441	SQ. YDS.	$20	$48,822
	BASE COURSE		SQ. YDS.		
	SUBBASE MATERIALS		SQ. YDS.		
	STREET SIGNS		EACH		
	STREET LIGHTS	2	EACH	$5,335	$10,670
	ROADSIDE DELINEATORS		EACH		
	TRAFFIC BARRICADE		EACH		
	PIPES OR MONUMENTS AS SHOWN ON PLAT		EACH		
	STREET LIGHT UPGRADES	5	EACH	$1,535	$7,675
	WATER LINE		UN. FT.		
	FIRE HYDRANTS		EACH		
	SANITARY SEWER		UN. FT.		
	AS-BUILT PLAN		LUMP SUM		
	SEEDING AND FERTILIZING	138	SQ. YDS.	$8	$1,085
	PLUS 10% ENGINEERING FEE & MISC.				$8,260
			TOTAL		$90,954

CASH ESCROW BOND ESTIMATE

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	COST
1	EROSION/SEDIMENTATION CONTROL (SEE Siltfence and for approximate fee, min. $1000)	—		—	
2	TREE REPLACEMENT	1	L.S.	$2,500	$2,500
3	ARBORIST FEE	—		—	
4	DAMAGE TO EXISTING PUBLIC UTILITIES (To be computed by the Town of Herndon)	1	L.S.	$5,000	$5,000
5	LANDSCAPING	—	L.S.	—	
				TOTAL:	$7,500

APPLICATION FEES
(SEE SECTION 78-201.2 OF THE TOWN CODE FOR FEES)

TYPE OF APPLICATION: ____
CALCULATION OF APPLICATION FEE: ____
APPLICATION FEE PAID (Official Use Only): ____ DATE: ____
AMOUNT:

REVIEW AND INSPECTION FEE SCHEDULE
(SEE SECTION 78-201.2 AND SECTION 26-335 OF THE TOWN CODE FOR FEES)

ITEM	QUANTITY	UNIT	FEE PER UNIT (1st subm.)	FEE PER UNIT (2nd subm.)	FEE
BITUMINOUS SURFACE	32	SQ. YDS.	.51	.51	16.32
CURB & GUTTER OR HEADER CURB		UN. FT.	.82	.82	
SIDEWALK	80	UN. FT.	1.35	1.35	108.00
SANITARY SEWER		UN. FT.	2.34	2.34	
T.V. INSPECTION		UN. FT.	2.32	2.32	
WATERLINE		UN. FT.	1.75	1.75	
STORM DRAINAGE		UN. FT.	4.36	4.36	
VSMP STORMWATER MANAGEMENT FEE (see Town Code Section 26-335)		LUMP SUM			
BIORETENTION FACILITIES (RAIN GARDENS)		EACH	250.00	250.00	
STORMWATER DETENTION/BMP MEASURES (other than rain gardens)		EACH	1000.00	1000.00	
OVERLOT GRADING AND SURFACE DRAINAGE PLAN (per division of land or per disturbed acre, whichever is greater)		LOT/ACRE	200.00	200.00	
STREETLIGHTS	7	PER LIGHT	50.00	50.00	350.00
MISCELLANY		ACRE	175.00(min.)	175.00(min.)	
SCREENING		UN. FT.	2.34	2.34	
$ LINEAR FEET OF STREET		UN. FT.	1.20		
ESTIMATED FEE – TOTAL					474.32
INITIAL FEE PAYMENT (50% OF ESTIMATED FEE)	RECEIPT #		DATE		
BALANCE OF FEE (COMPUTED BY TOWN)	RECEIPT #		DATE		

NOTES

1. THE METHODS AND MATERIALS USED IN THE CONSTRUCTION OF THE IMPROVEMENTS HEREIN SHALL CONFORM TO THE CURRENT TOWN OF HERNDON STANDARD SPECIFICATIONS, CURRENT FAIRFAX COUNTY DESIGN AND CONSTRUCTION STANDARDS, AND THE CURRENT VDOT ROAD AND BRIDGE SPECIFICATIONS. IN THE EVENT OF CONFLICT BETWEEN THE STANDARDS AND SPECIFICATIONS, PREVAILING GUIDELINES SHALL BE SELECTED BY THE TOWN OF HERNDON.
2. A PERMIT MUST BE OBTAINED FROM THE TOWN OF HERNDON BEFORE ANY CONSTRUCTION IS STARTED IN CONFORMITY WITH THESE PLANS.
3. A PERMIT MUST BE OBTAINED FROM THE OFFICE OF THE RESIDENT ENGINEER, VDOT, FAIRFAX, VIRGINIA, BEFORE ANY CONSTRUCTION IS STARTED ON ANY EXISTING STATE HIGHWAY.
4. THE DEVELOPER IS REQUIRED TO NOTIFY THE TOWN OF HERNDON, PRIOR TO THE BEGINNING OF CONSTRUCTION. THE DEVELOPER SHALL REQUIRE THAT ALL OF HIS CONTRACTORS SPECIFICALLY REQUEST INSPECTION AT LEAST TWENTY FOUR (24) HOURS BEFORE BEGINNING
(A) CLEARING AND GRUBBING
(B) INSTALLATION OF SILTATION AND EROSION CONTROL MEASURES
(C) EARTHWORK
(D) INSTALLATION OF ANY UNDERGROUND UTILITY
(E) INSTALLATION OF ANY FORMS
(F) PLACING ANY CONCRETE
(G) BEFORE PLACING SUBBASE, BASE, OR PAVING SURFACE FAILURE TO DO SO FOR ANY REASON SHALL CONSTITUTE REJECTION OF SAID WORK.
5. ALL EXISTING UNDERGROUND UTILITIES SHALL BE PHYSICALLY LOCATED BY THE DEVELOPER OR HIS ENGINEER PRIOR TO THE BEGINNING OF ANY CONSTRUCTION IN THE VICINITY OF THESE UTILITIES.
6. ALL UTILITIES INSTALLED AS A PART OF THIS DEVELOPMENT SHALL BE PLACED UNDERGROUND.
7. ALL UNDERGROUND UTILITIES WITHIN THE STREET RIGHT OF WAY AND ALL SERVICE CONNECTIONS SHALL BE INSTALLED TO THE REQUIRED DISTANCE BEYOND THE RIGHT OF WAY LINE PRIOR TO THE INSTALLATION OF ANY SUBBASE MATERIAL, CURB AND GUTTER, OR SIDEWALK.
8. ALL UTILITIES TO BE TAKEN OVER BY THE TOWN FOR MAINTENANCE PURPOSES, MUST BE INSPECTED, TESTED AND APPROVED BY THE TOWN BEFORE BEING ACCEPTED INTO THE TOWN'S SYSTEM.
9. CUT SHEETS SHALL BE SUBMITTED TO AND APPROVED BY THE TOWN OF HERNDON PRIOR TO THE START OF CONSTRUCTION OF ANY UNDERGROUND UTILITIES, STREETS, OR CURBS AND GUTTERS.
10. SANITARY SEWERS: ALL SANITARY SEWER MATERIALS AND METHODS OF CONSTRUCTION SHALL COMPLY WITH THE CURRENT TOWN OF HERNDON STANDARDS AND SPECIFICATIONS.
11. STORM SEWERS
(A) STORM SEWER AND CULVERT PIPE SHALL BE REINFORCED CONCRETE PIPE TO CONFORM TO THE CURRENT A.A.S.H.T.O. DESIGNATION M 170, UNLESS OTHERWISE DESIGNATED ON THE PLANS. CLASS II PIPE WILL BE PERMITTED BEYOND THE LIMITS OF THE STREET RIGHT OF WAY. CLASS III PIPE WILL BE REQUIRED WITHIN THE LIMITS OF THE RIGHT OF WAY.
(B) UNDERDRAINS AND/OR CROSSDRAINS SHALL BE INSTALLED BY THE DEVELOPER WHERE DEEMED NECESSARY BY THE TOWN OF HERNDON.
12. STREETS
(A) ALL BASE AND SUBBASE MATERIAL SHALL BE COMPACTED TO 95% OF THEORETICAL MAXIMUM DENSITY AS DETERMINED BY A.A.S.H.T.O. T-99 METHOD A, WITHIN PLUS OR MINUS 20% OF OPTIMUM MOISTURE FOR THE FULL WIDTH OF ANY DEDICATED RIGHT OF WAY AND ALL TOWNHOUSE STREETS, COMMERCIAL AND INDUSTRIAL PARKING LOTS, PRIVATE STREETS, PARKING BAYS, CURB AND GUTTER, AND SIDEWALKS ADJACENT TO STREETS AND PARKING LOTS (NOT INTENDED TO INCLUDE LEAD SIDEWALKS).
(B) SOIL REPORTS AND SUBGRADE SPECIFICATIONS SHALL BE SUBMITTED TO THE TOWN OF HERNDON FOR APPROVAL PRIOR TO THE START OF CONSTRUCTION OF ANY SIDEWALKS, CURB AND GUTTER, STREETS OR PARKING AREAS.
(C) ROADWAY DESIGN IS BASED ON A CBR OF 10. CBR TESTS OF SUBGRADE SOILS MUST BE CONDUCTED FOR ACTUAL DETERMINATION OF ROADWAY DESIGN. ROADWAY DESIGNS SHALL BE IN ACCORDANCE WITH THE CURRENT VDOT PAVEMENT DESIGN GUIDE FOR SUBDIVISION AND SECONDARY ROADS, AND SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL.
(D) STANDARD STREET NAME SIGNS SHALL BE APPROVED BY FAIRFAX COUNTY SIGN SHOP AND SHALL BE INSTALLED AT EACH INTERSECTION BY THE DEVELOPER, AS WELL AS REQUIRED TRAFFIC CONTROL SIGNS IN THE DEVELOPMENT. SIGN FASTENERS SHALL BE 5/16" DIA STAINLESS STEEL HEX BOLTS AND NUTS USE—NO RIVETS PERMITTED.
(E) WHERE INSTALLATION OF ROADWAY SIGN IS ANYTHING OTHER THAN IN SOIL AREA, A PVC SLEEVE SHALL BE INSTALLED. SLEEVE SHALL BE MINIMUM 18" DEEP. SIZE OF PVC SLEEVE SHALL BE APPROPRIATE TO SIZE OF POST BEING INSTALLED, AND SHALL ALLOW FOR WEDGING TO STABILIZE SIGN POST.
(F) WHERE SIGN IS DESIGNED TO BE INSTALLED IN CONCRETE MEDIAN, A 12" X 12" AREA SHALL BE LEFT VOID OF CONCRETE. PVC SLEEVE SHALL BE INSTALLED AS INDICATED ABOVE.
(G) SIGN MATERIAL SHALL BE MINIMUM HIGH INTENSITY SHEETING, AND NO ENGINEER GRADE MATERIAL SHALL BE ALLOWED.
(H) A MINIMUM OF ONE DRIVEWAY ENTRANCE SHALL BE PROVIDED PER LOT. DRIVEWAY ENTRANCES ____ SHALL BE INSTALLED IN CONFORMITY WITH THE STANDARDS. PIPESTEM LOT DRIVEWAYS ARE SUBJECT TO APPROVAL BY THE TOWN OF HERNDON.
(I) SURFACED STREETS SHALL BE MAINTAINED IN A CLEAN CONDITION, MUD AND DUST FREE AT ALL TIMES, AND ADEQUATE MEANS SHALL BE PROVIDED TO CLEAN TRUCKS AND OTHER EQUIPMENT USING THE COMPLETED STREETS.
(J) PRIOR TO COMMENCING NEW WORK, THE CONTRACTOR SHALL PROTECT FROM DAMAGE ALL EXISTING ADJACENT AREAS. A PRE-CONSTRUCTION SURVEY SHALL OCCUR WITH CONSTRUCTION AND INSPECTION STAFF TO DOCUMENT EXISTING CONDITIONS. IF TOWN'S EXISTING PUBLIC INFRASTRUCTURE IS DAMAGED DURING CONSTRUCTION, THE APPLICANT SHALL REPAIR THE SAME TO THE SATISFACTION OF THE TOWN.
(K) ALL STREET CUT AND PATCH WORK LOCATED IN PUBLIC RIGHTS OF WAY SHALL BE PERFORMED IN ACCORDANCE WITH THE TOWN OF HERNDON STANDARDS AND SPECIFICATIONS. LIMITS OF ASPHALT OVERLAY TO BE DETERMINED BY TOWN INSPECTOR.
(L) STREET LIGHTS SHALL BE INSTALLED ACCORDING TO TOWN OF HERNDON STANDARDS.
(M) ALL WORK IN THE RIGHT-OF-WAY SHALL BE CONDUCTED BETWEEN 9AM AND 3PM, MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS.
(N) DEVELOPER SHALL COMPLY WITH STREET CUT PERMIT REQUIREMENTS. COPY OF APPROVED STREET CUT PERMIT MUST BE KEPT ON SITE AT ALL TIMES.
(O) DEVELOPER SHALL COORDINATE ALL TRAFFIC CONTROL ACTIVITIES WITH THE STREET CUT PERMIT INSPECTION SECTION (703-435-6853).
13. WATER DISTRIBUTION:
(A) ALL WATER MAIN MATERIALS AND CONSTRUCTION SHALL COMPLY WITH THE REGULATIONS OF THE STANDARD SPECIFICATIONS AND PLANS OF THE TOWN OF HERNDON AND THE CURRENT WATERWORKS REGULATIONS OF THE VIRGINIA STATE BOARD OF HEALTH.
(B) ALL WATER MAINS SHALL HAVE A MINIMUM COVER OF 4.0 FEET. WATER MAINS SHALL BE INSTALLED EIGHT (8) FEET NORTH OR EAST OF THE CENTERLINE OF THE STREET UNLESS OTHERWISE DESIGNATED ON THE PLANS.
(C) WORKING PRESSURE SHALL BE 150 PSI.
14. LAND CONSERVATION NOTES
(A) MEASURES TO CONTROL EROSION AND SILTATION SHALL BE PROVIDED PURSUANT TO AND IN COMPLIANCE WITH CURRENT STATE AND LOCAL REGULATIONS. HOWEVER, THE APPROVAL OF THESE PLANS SHALL IN NO WAY RELIEVE THE DEVELOPER OR HIS AGENT OF ANY LEGAL RESPONSIBILITY WHICH MAY BE REQUIRED BY THE CODE OF VIRGINIA OR ANY ORDINANCE ENACTED BY THE TOWN OF HERNDON.
(B) NO DISTURBED AREA WILL BE DENUDED FOR MORE THAN 30 CALENDAR DAYS.
(C) ALL EROSION AND SILTATION CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING.
(D) ALL STORM AND SANITARY SEWER TRENCHES NOT IN STREETS ARE TO BE MULCHED AND SEEDED WITHIN 7 DAYS AFTER BACKFILL. NO MORE THAN 500 FEET ARE TO BE OPEN AT ANY ONE TIME.
(E) ELECTRIC POWER, TELEPHONE AND GAS SUPPLY TRENCHES ARE TO BE COMPACTED, SEEDED AND MULCHED, WITHIN 7 DAYS AFTER BACKFILL.
(F) ALL TEMPORARY EARTH BERM DIVERSIONS AND SILT DAMS ARE TO BE MULCHED AND SEEDED FOR TEMPORARY VEGETATIVE COVER IMMEDIATELY AFTER GRADING. STRAW OR HAY MULCH IS REQUIRED. THE SAME APPLIES FOR ALL STOCKPILES.
(G) DURING CONSTRUCTION, ALL STORM SEWER INLETS WILL BE PROTECTED BY SILT TRAPS, MAINTAINED AND MODIFIED AS REQUIRED BY CONSTRUCTION PROGRESS.
(H) ALL DISTURBED AREAS NOT PAVED, SODDED, OR BUILT UPON BY NOVEMBER 1, OR DISTURBED AFTER THAT DATE, IS TO BE SEEDED WITHIN 7 DAYS WITH OATS, ABRUZZI RYE, OR EQUIVALENT AND MULCHED WITH HAY OR STRAW AT THE RATE OF 2 TONS PER ACRE.
(I) PRIOR TO BEGINNING OF ANY WORK ON THIS SITE, THE CONTRACTOR MUST READ AND ADHERE TO THE "VEGETATION PRESERVATION AND PLANTING" GUIDELINES OF FAIRFAX COUNTY PUBLIC FACILITIES MANUAL, AND SECTION 26, ARTICLE 8 OF THE TOWN CODE.
(J) PRIOR TO ANY LAND DISTURBANCE OF THE SITE THAT IS GREATER THAN, OR EQUAL TO 2500 SQ FT, THE CONTRACTOR MUST SUBMIT GENERAL PERMIT REGISTRATION STATEMENT TO VIRGINIA DEQ AND PROVIDE A COPY TO THE TOWN.
(K) IF REQUIRED BY LAW, THE OWNER/DEVELOPER SHALL PROVIDE STATEMENT CERTIFYING THAT ALL WETLANDS PERMITS WILL BE OBTAINED PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES.
15. THESE PLANS AND SPECIFICATIONS ARE BASED ON THE MINIMUM REQUIREMENTS FOR ____ ZONING. THIS PLAN CONTAINS ____ DWELLING UNITS.
16. ALL ELEVATIONS MUST BE BASED ON THE U.S.G.S. & OR THE N.G.S. MEAN SEA LEVEL DATUM.
17. PRIOR TO ANY APPROVED CLEARING AND GRADING ON A SITE, TREE PROTECTION FENCE SHALL BE ERECTED IN ACCORDANCE WITH FENCE DETAIL ON THE APPROVED LANDSCAPE PLAN, AND BE INSPECTED AND APPROVED BY THE URBAN FORESTER.
18. ALL WORK THAT REQUIRES TRAFFIC CONTROL (MOT) MUST BE PERFORMED AT NIGHT BETWEEN THE HOURS OF 7:00 PM AND 6:00 AM.
19. PRIOR TO CONSTRUCTION, THE APPLICANT MUST OBTAIN APPROVAL FROM THE TOWN MANAGER FOR ALL NIGHT WORK.
20. AS-BUILT DRAWINGS WILL BE PROVIDED TO THE TOWN PRIOR TO FINAL BOND RELEASE.

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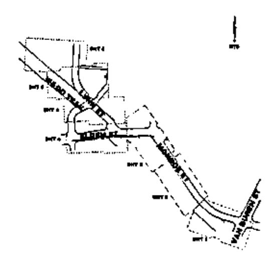
SITE PLANS	2–07
DETAILS	08–11
MOT PLANS	12–25
PHOTOMETRICS	26–28



WAIVER REQUESTS

(DESIGNATE EACH SECTION OF THE ZONING ORDINANCE, PUBLIC FACILITIES MANUAL OR SUBDIVISION ORDINANCE FROM WHICH A WAIVER IS REQUESTED. PLEASE NOTE THAT A LETTER OF JUSTIFICATION FOR EACH WAIVER MUST ACCOMPANY THE INITIAL PLAN SUBMISSION)

FEE = $200.00 PER REQUEST

WAIVER FROM SECTION ____ OF ____ = $200.00
WAIVER FROM SECTION ____ OF ____ = $200.00
NUMBER OF REQUESTS ____ X $200.00 = ____
DATE FEE COLLECTED (Official Use Only): ____

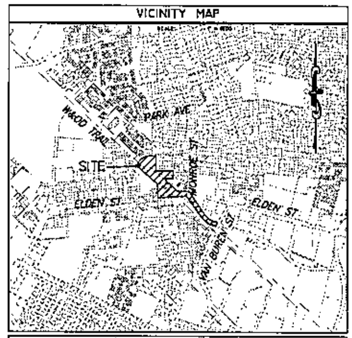
EXISTING CONDITION SURVEY NOTES

1. HORIZONTAL DATUM ____
VERTICAL DATUM ____
2. UTILITY INFORMATION, AS SHOWN ON THIS PLAN, IS TAKEN FROM THE RECORDS AND/OR FIELD SURVEY COMPLETED BY ____ DATED ____ ; AND CANNOT BE GUARANTEED. FOR EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES, NOTIFY "MISS UTILITY" AT 1-800-552-7001, 72 HOURS BEFORE THE START OF ANY EXCAVATION OR CONSTRUCTION.
3. LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.
CONTRACTOR/ENGINEER SHOULD DIG TEST PITS BY HAND AT ALL UTILITY CROSSINGS TO VERIFY EXACT LOCATION.

AMT LLC

PROFESSIONAL SEAL AND SIGNATURE

VICINITY MAP



LOCATION OF BENCHMARKS

APPROVED

FOR SITE CONSTRUCTION UNDER THIS PLAN.
BUILDING PERMITS TO BE ISSUED SEPARATELY.

DATE	FAIRFAX COUNTY FIRE MARSHAL
DATE	DIRECTOR OF PUBLIC WORKS
DATE	DIRECTOR OF COMMUNITY DEVELOPMENT
DATE	ZONING ADMINISTRATOR

SECTION 78-203(2)(i): SUBDIVISION APPROVAL VOID IF FINAL SUBDIVISION PLAT IS NOT SUBMITTED WITHIN ONE YEAR OF APPROVAL OF A PRELIMINARY SUBDIVISION PLAN.

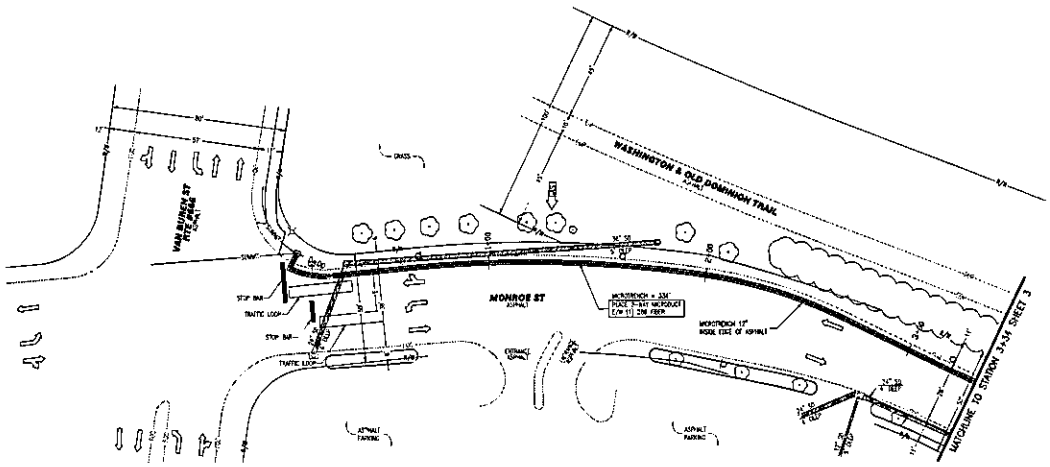
SECTION 78-202.6(h): SITE PLAN AND SINGLE LOT DEVELOPMENT PLAN APPROVAL SHALL AUTOMATICALLY EXPIRE AT THE END OF A FIVE-YEAR PERIOD FOLLOWING THE DATE OF ITS APPROVAL BY THE ZONING ADMINISTRATOR FOR ANY PHASE OR PART OF AN APPROVED SITE PLAN FOR WHICH A BUILDING PERMIT HAS NOT BEEN APPROVED.

BEFORE YOU DIG
CALL "MISS UTILITY" 811
OR 1-800-552-7001
visit online at va811.com

TOWN PLAN #: 19-02

TOWN OF HERNDON, VIRGINIA
COVER SHEET

SUBDIVISION OR SITE PLAN NAME	SMART CITY PILOT PROJECT
OWNER:	TOWN OF HERNDON 777 LYNN ST HERNDON, VA 20170
DEVELOPER:	NYACITY DC, INC. 204 SOUTH UNION ST. ALEXANDRIA, VA 22314 (703)-518-2000
CERTIFIED ENGINEER, ARCHITECT OR SURVEYOR SUBMITTING PLAN: AMT	14900 CONFERENCE CENTER DRIVE, SUITE 180 CHANTILLY, VA 20151
FAIRFAX COUNTY TAX MAP NUMBER	16-2
TOTAL AREA ____	PRESENT ZONING PD-D
REVISED: June 17, 2019	PAGE 1 OF 28



SUMMARY OF WORK (THIS SHEET)-
INSTALL FIBER TO SUPPORT SMART POLES
LAND DISTURBANCE = 0 SF
FLOWABLE FILL = 28 SF
SAW CUT = 334 LF

LEGEND

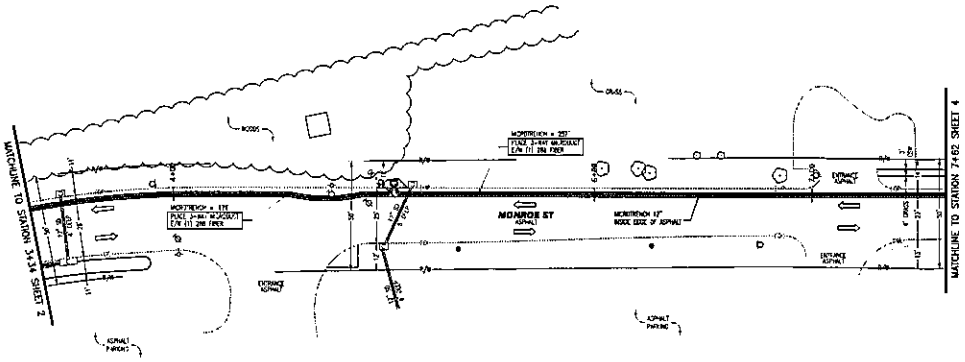
- FIBER RUNNING LINE
- EXISTING LIGHT POLE
- 12" X 12" HANDHOLE
- FLOWABLE FILL
- SOD
- REMOVE / RESET BRICK SIDEWALK

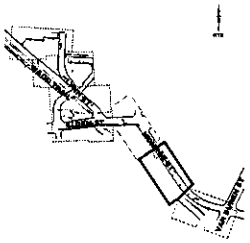
AMT LLC

SMART CITY
INFRASTRUCTURE PLAN

TN-1-01

SHEET 2 OF 28





SUMMARY OF WORK (THIS SHEET)-
INSTALL FIBER TO SUPPORT SMART POLES
LAND DISTURBANCE = 37 SF
FLOWABLE FILL = 36 S.F
SAW CUT = 420 LF
SOD = 37 SF

LEGEND

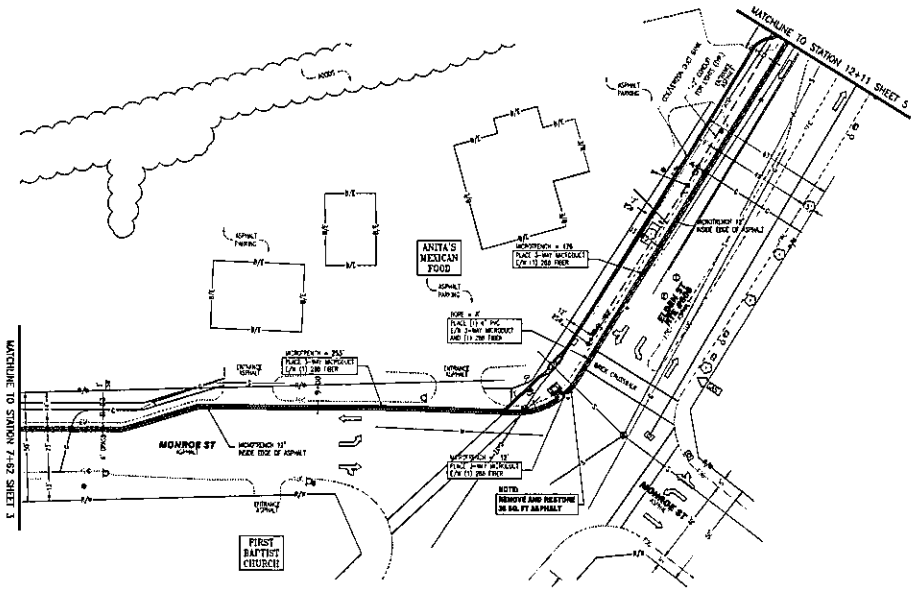
- FIBER RUNNING LINE
- EXISTING LIGHT POLE
- 19" X 17" HANDHOLE
- FLOWABLE FILL
- SOD
- REMOVE / REBEC BRICK SIDEWALK

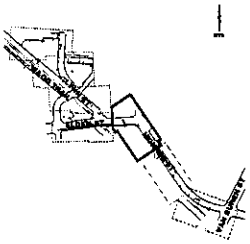
SMART CITY
INFRASTRUCTURE PLAN
CITY OF JACKSON
FIRST WARD, JACKSON, TENNESSEE

TN-1-02

PLAN REVIEW

SHEET 3 OF 28





SUMMARY OF WORK (THIS SHEET)-
INSTALL FIBER TO SUPPORT SMART POLES
LAND DISTURBANCE = 20
FLOWABLE FILL = 37 SF
REMOVE RESET BRICK SIDEWALK = 20 SF
SAW CUT = 441 LF

LEGEND

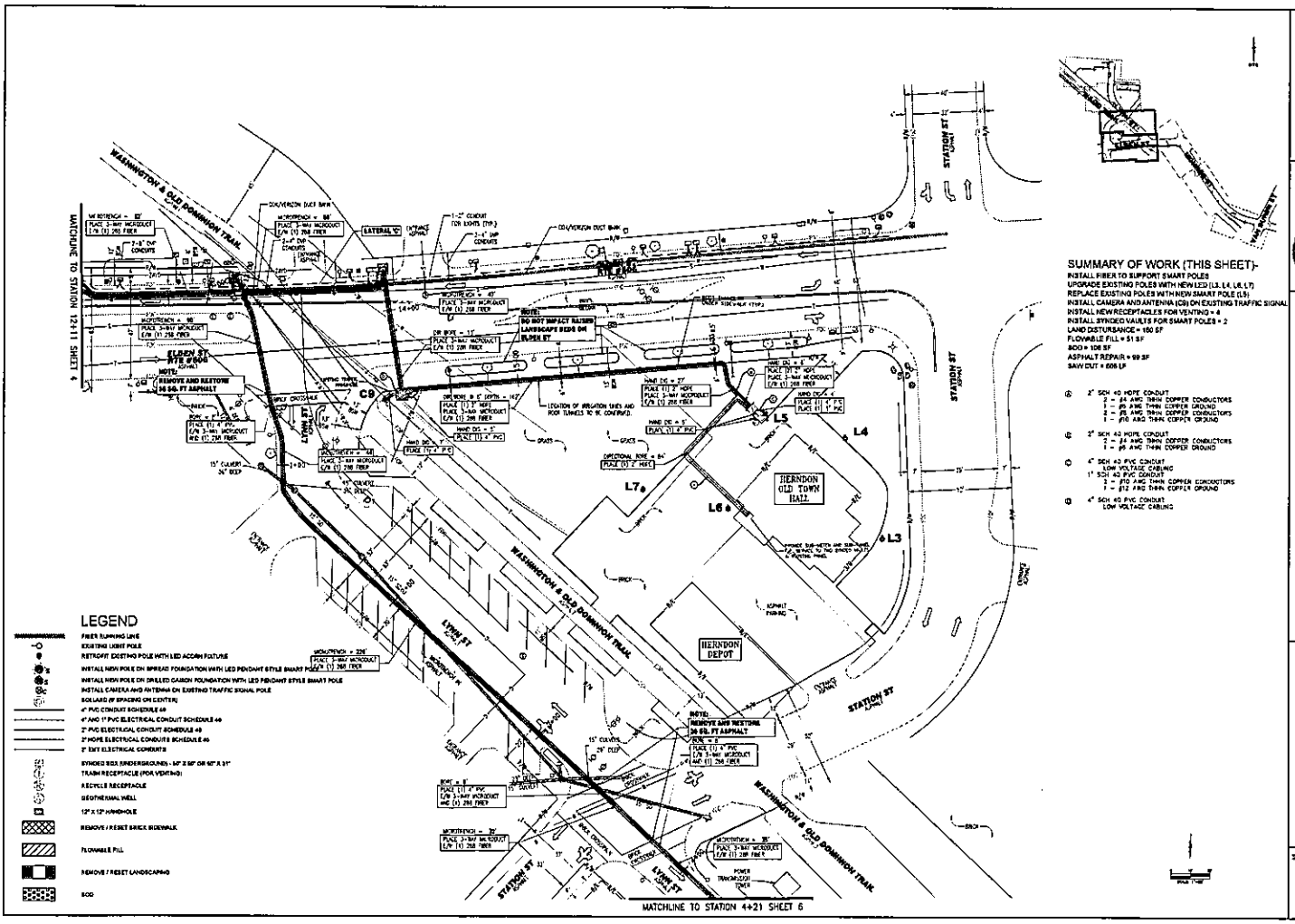
- FIBER RUNNING LINE
- EXISTING LIGHT POLE
- 12" X 12" HANDHOLE
- FLOWABLE FILL
- SOD
- REMOVE / RESET BRICK SIDEWALK

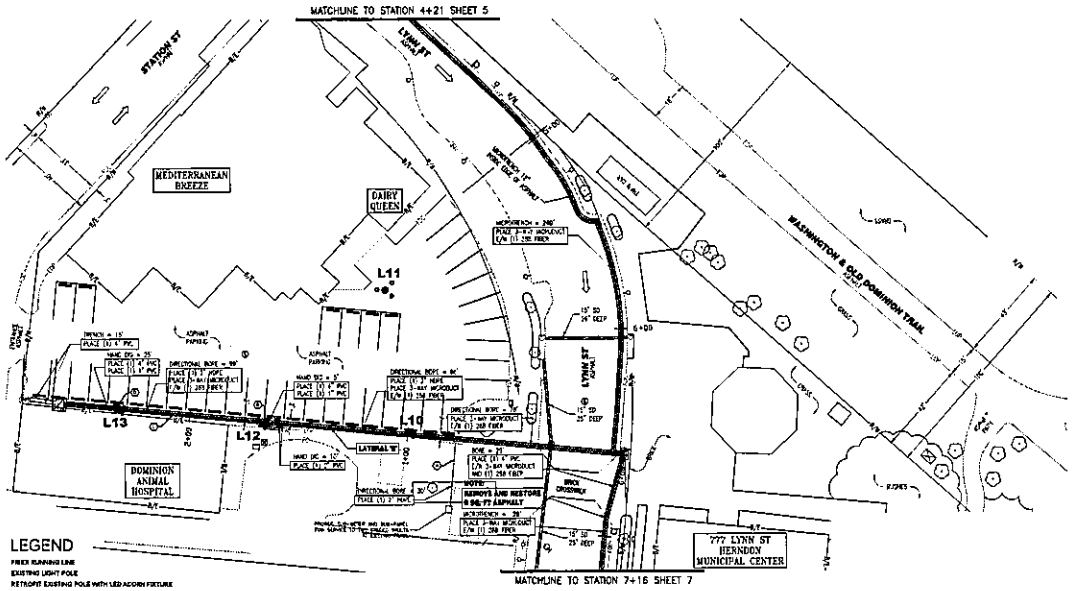
AMT LLC

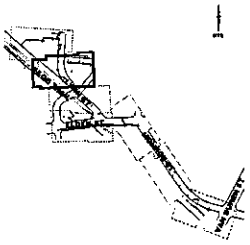
SMART CITY
INFRASTRUCTURE PLAN

TN-1-03

SHEET 4 OF 28


SMART CITY
INFRASTRUCTURE PLAN
TN-1-04
SHEET 5 OF 26
SUMMARY OF WORK (THIS SHEET)-
INSTALL FIBER TO SUPPORT SMART POLES
UPGRADE EXISTING POLES WITH NEW LED (L3, L4, L6, L7)
REPLACE EXISTING POLES WITH NEW SMART POLE (L5)
INSTALL CAMERA AND ANTENNA (C9) ON EXISTING TRAFFIC SIGNAL
INSTALL NEW RECEPTACLES FOR VENTING = 4
INSTALL SYNDEO VAULTS FOR SMART POLES = 2
LAND DISTURBANCE = 150 SF
FLOWABLE FILL = 51 SF
SOD = 108 SF
ASPHALT REPAIR = 99 SF
SAW CUT = 608 LF
LEGEND
FIBER RUNNING LINE
EXISTING LIGHT POLE
RETROFIT EXISTING POLE WITH LED ACORN FIXTURE
INSTALL NEW POLE ON SPREAD FOUNDATION WITH LED PENDANT STYLE SMART POLE
INSTALL NEW POLE ON DRILLED CAISON FOUNDATION WITH LED PENDANT STYLE SMART POLE
INSTALL CAMERA AND ANTENNA ON EXISTING TRAFFIC SIGNAL POLE
BOLLARD (9' SPACING ON CENTER)
4" PVC CONDUIT SCHEDULE 40
4" AND 1" PVC ELECTRICAL CONDUIT SCHEDULE 40
2" PVC ELECTRICAL CONDUIT SCHEDULE 40
2" HDPE ELECTRICAL CONDUITS SCHEDULE 40
2" EXIT ELECTRICAL CONDUITS
SYNDEO BOX SINDERGROUNDS - 30" X 58" OR 50" X 31"
TRASH RECEPTACLE (FOR VENTING)
RECYCLE RECEPTACLE
GEOTHERMAL WELL
12" X 12" HANDHOLE
REMOVE / RESET BRICK SIDEWALK
FLOWABLE FILL
REMOVE / RESET LANDSCAPING
SOD
WASHINGTON & OLD DOMINION TRAIL
STATION ST
LYNN ST
HERNDON OLD TOWN HALL
HERNDON DEPOT
L3
L4
L5
L6
L7
C9
MATCHLINE TO STATION 4+21 SHEET 6
MATCHLINE TO STATION 12+11 SHEET 4





SUMMARY OF WORK (THIS SHEET)-

INSTALL FIBER TO SUPPORT SMART POLES
REPLACE EXISTING POLES WITH NEW LED POLES AT GRADE (L10-L11)
REPLACE EXISTING POLES WITH NEW SMART POLES AT GRADE (L12-L13)
INSTALL NEW RECEPTACLES FOR VENTING = 2
INSTALL SYNDEO VAULTS FOR SMART POLES = 2
INSTALL GEOTHERMAL WELL FOR VENTING = 1
LAND DISTURBANCE = 92 SF
FLOWABLE FILL = 72 SF
REMOVE RESET BRICK SIDEWALK = 20 SF
REMOVE RESET BRICK CROSSWALK = 0 SF
SOD = 0 SF
ASPHALT REPAIR = 72 SF
SAW CUT = 256 LF

Ⓐ 2" SCH 40 HDPE CONDUIT
1 - #8 AWG THWN COPPER CONDUCTORS
1 - #10 AWG THWN COPPER GROUND
2 - #8 AWG THWN COPPER CONDUCTORS
1 - #8 AWG THWN COPPER GROUND

Ⓑ 4" SCH 40 PVC CONDUIT
LOW VOLTAGE CABLING
1" SCH 40 PVC CONDUIT
2 - #12 AWG THWN COPPER CONDUCTORS
1 - #12 AWG THWN COPPER GROUND

Ⓒ 2" SCH 40 HDPE CONDUIT
2 - #8 AWG THWN COPPER CONDUCTORS
1 - #8 AWG THWN COPPER GROUND

Ⓓ 4" SCH 40 PVC CONDUIT
LOW VOLTAGE CABLING
1" SCH 40 PVC CONDUIT
2 - #10 AWG THWN COPPER CONDUCTORS
1 - #12 AWG THWN COPPER GROUND

LEGEND

- FIBER RUNNING LINE
- EXISTING LIGHT POLE
- RETROFIT EXISTING POLE WITH LED ACORN FIXTURE
- INSTALL NEW POLE ON SPREAD FOUNDATION WITH LED PENDANT STYLE SMART POLE
- INSTALL NEW POLE ON DRILLED CAISON FOUNDATION WITH LED PENDANT STYLE SMART POLE
- INSTALL CAMERA AND ANTENNA ON EXISTING TRAFFIC SIGNAL POLE
- BOLLARD (6' SPACING ON CENTER)
- 4" PVC CONDUIT SCHEDULE 40
- 4" AND 1" PVC ELECTRICAL CONDUIT SCHEDULE 40
- 2" PVC ELECTRICAL CONDUIT SCHEDULE 40
- 2" HDPE ELECTRICAL CONDUITS SCHEDULE 40
- 2" EMT ELECTRICAL CONDUITS
- SYNDEO BOX (UNDERGROUND) - 50" X 60" OR 50" X 51"
- TRASH RECEPTACLE (FOR VENTING)
- RECYCLE RECEPTACLE
- GEOTHERMAL WELL
- 12" X 12" HANDHOLE
- REMOVE / RESET BRICK SIDEWALK
- FLOWABLE FILL
- REMOVE / RESET LANDSCAPING
- SOD

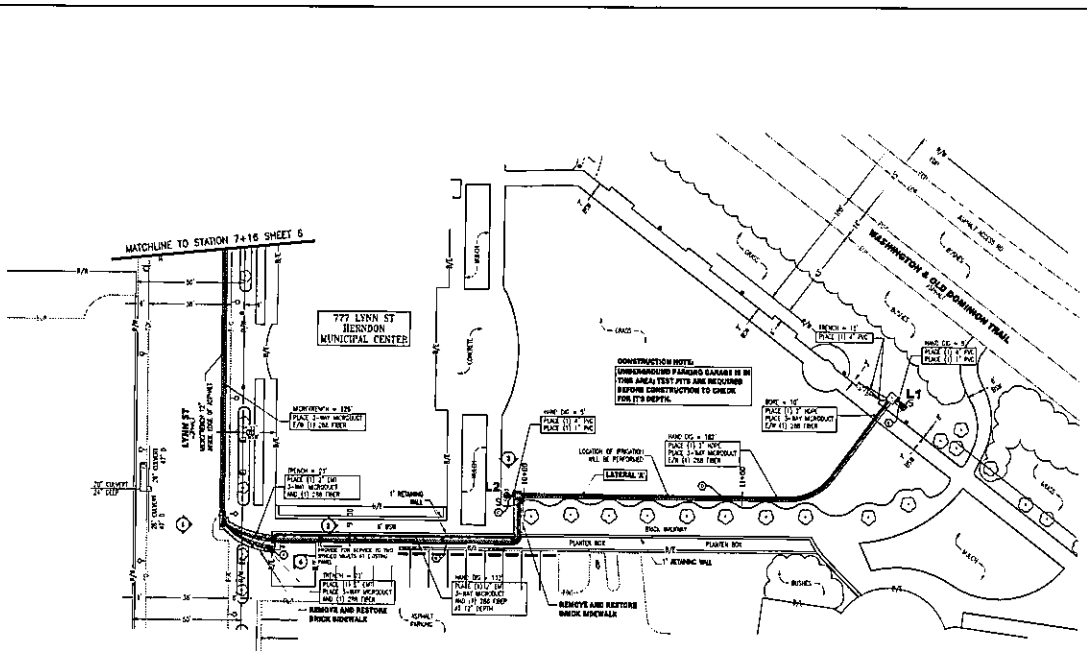
AMT LLC

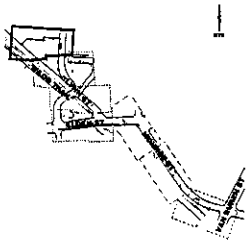
SMART CITY
INFRASTRUCTURE PLAN
FAIRFAX COUNTY, VIRGINIA

TN-1-05

PLAN REVISION

SHEET 6 OF 28





SUMMARY OF WORK (THIS SHEET)-

INSTALL FIBER TO SUPPORT SMART POLES
INSTALL 2 NEW SMART POLES (L1-2)
INSTALL ELECTRIC VEHICLE CHARGING STATION (EV1)
INSTALL NEW RECEPTACLES FOR VENTING = 2
INSTALL SYNDEO VAULT FOR SMART POLES = 1
LAND DISTURBANCE = 953 SF
FLOWABLE FILL = 11 SF
REMOVE/RESET BRICK SIDEWALK = 237 SF
SOD = 351 SF
PLANTER = 343 SF
SAW CUT = 126 LF

- 3" EWT CONDUIT
  - 2 - #6 AWG THHN COPPER CONDUCTORS
  - 1 - #6 AWG THHN COPPER GROUND
  - 2 - #3 AWG THHN COPPER CONDUCTORS
  - 1 - #4 AWG THHN COPPER GROUND
- 2" EWT CONDUIT
  - 2 - #6 AWG THHN COPPER CONDUCTORS
  - 1 - #6 AWG THHN COPPER GROUND
  - 2 - #3 AWG THHN COPPER CONDUCTORS
  - 1 - #4 AWG THHN COPPER GROUND
- 4" SCH 40 PVC CONDUIT
  LOW VOLTAGE CABLING
  1" SCH 40 PVC CONDUIT
  - 2 - #6 AWG THHN COPPER CONDUCTORS
  - 1 - #6 AWG THHN COPPER GROUND
- 2" SCH 40 HDPE CONDUIT
  - 7 - #3 AWG THHN COPPER CONDUCTORS
  - 1 - #4 AWG THHN COPPER GROUND
- 4" SCH 40 PVC CONDUIT
  LOW VOLTAGE CABLING
  1" SCH 40 PVC CONDUIT
  - 2 - #12 AWG THHN COPPER CONDUCTORS
  - 1 - #12 AWG THHN COPPER GROUND

LEGEND

- FIBER RUNNING LINE
- EXISTING LIGHT POLE
- RETROFIT EXISTING POLE WITH LED ACORN FIXTURE
- INSTALL NEW POLE ON SPREAD FOUNDATION WITH LED PENDANT STYLE SMART POLE
- INSTALL NEW POLE ON DRILLED CAISON FOUNDATION WITH LED PENDANT STYLE SMART POLE
- INSTALL CAMERA AND ANTENNA ON EXISTING TRAFFIC SIGNAL POLE
- BOLLARD (6' SPACING ON CENTER)
- 4" PVC CONDUIT SCHEDULE 40
- 4" AND 1" PVC ELECTRICAL CONDUIT SCHEDULE 40
- 3" PVC ELECTRICAL CONDUIT SCHEDULE 40
- 2" HDPE ELECTRICAL CONDUITS SCHEDULE 40
- 3" EWT ELECTRICAL CONDUITS
- SYNDEO BOX (UNDERGROUND) - 60" X 60" OR 30" X 31"
- TRASH RECEPTACLE (FOR VENTING)
- RECYCLE RECEPTACLE
- GEOTHERMAL WELL
- 12" X 12" HANDHOLE
- REMOVE / RESET BRICK SIDEWALK
- FLOWABLE FILL
- REMOVE / RESET LANDSCAPING
- SOD

AMT LLC

SMART CITY INFRASTRUCTURE PLAN

TOWN OF HERNDON
FAIRFAX COUNTY, VIRGINIA

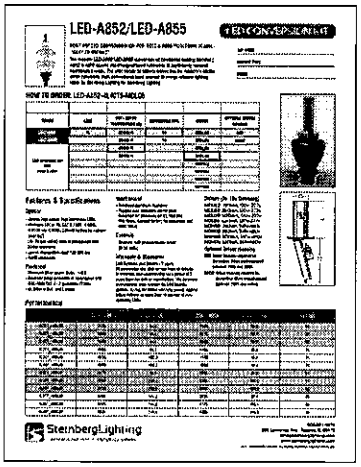
TN-1-06

PLAN REVIEWER _____

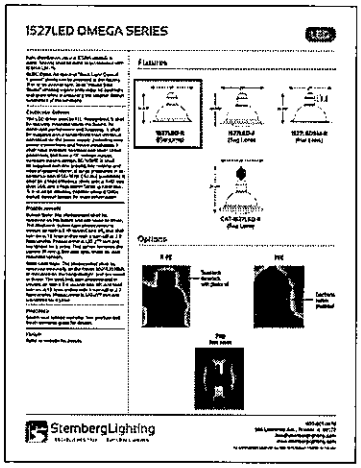
SHEET 7 OF 28

Pole #	Pole	Lighting	Smart City Functionality
L1	New	New LED	LED On/Off Dim, Push Blue, Camera, Wi-Fi, Small Cell
L2	New	New LED	LED On/Off Dim, Wi-Fi, Small Cell
L3	Existing	New LED	LED On/Off Dim, Speaker
L4	Existing	New LED	LED On/Off Dim, Speaker
L5	New	New LED	LED On/Off Dim, Speaker, WIFI, Small Cell
L6	Existing	New LED	LED On/Off Dim, Speaker
L7	Existing	New LED	LED On/Off Dim, Speaker
L8	N/A	N/A	N/A
C9	Existing	N/A	Traffic Signal equipped with Camera, People Counter, Wi-Fi, Small Cell
L10	New (at grade)	New LED	LED On/Off Dim
L11	New (at grade)	New LED	LED On/Off Dim, Wi-Fi
L12	New (at grade)	New LED	LED On/Off Dim, Wi-Fi, Small Cell
L13	New (at grade)	New LED	LED On/Off Dim, Small Cell
EV1	N/A	N/A	Electric Vehicle Charger

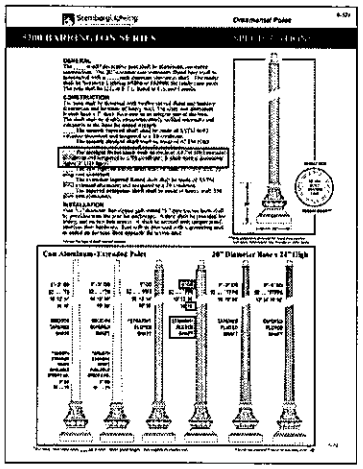
SITE PLAN POLE SUMMARY

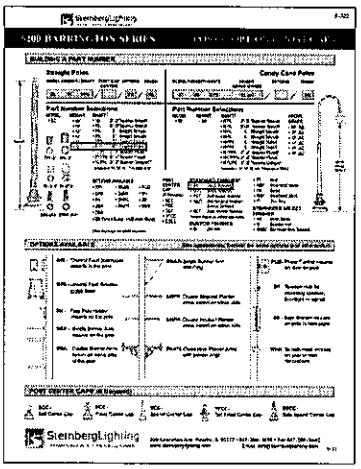


LED ACORN RETROFIT



LED PENDANT FIXTURE





STREETLIGHT POLE

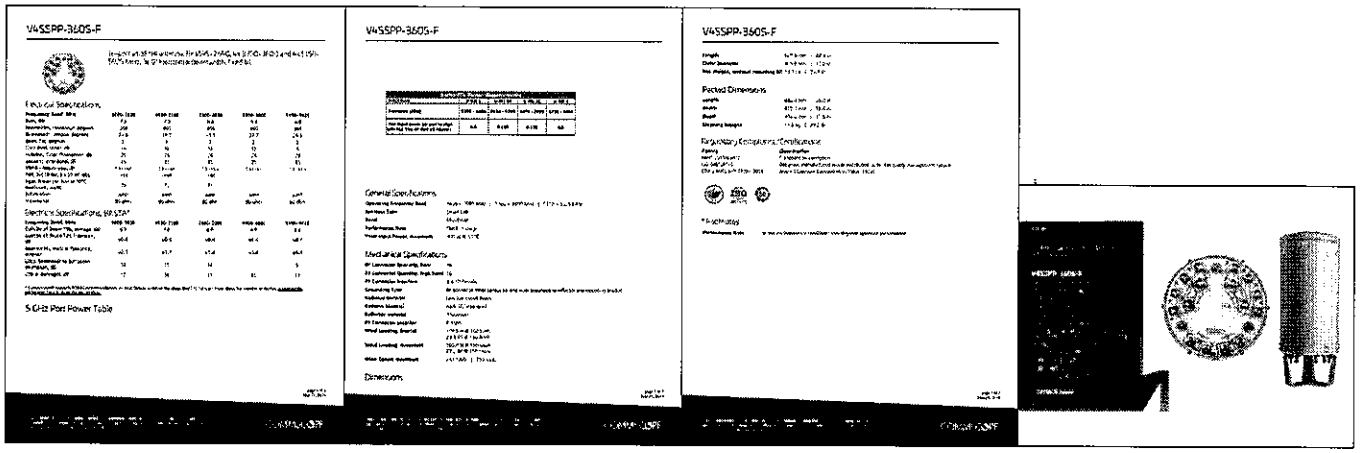
AMT LLC

SMART CITY

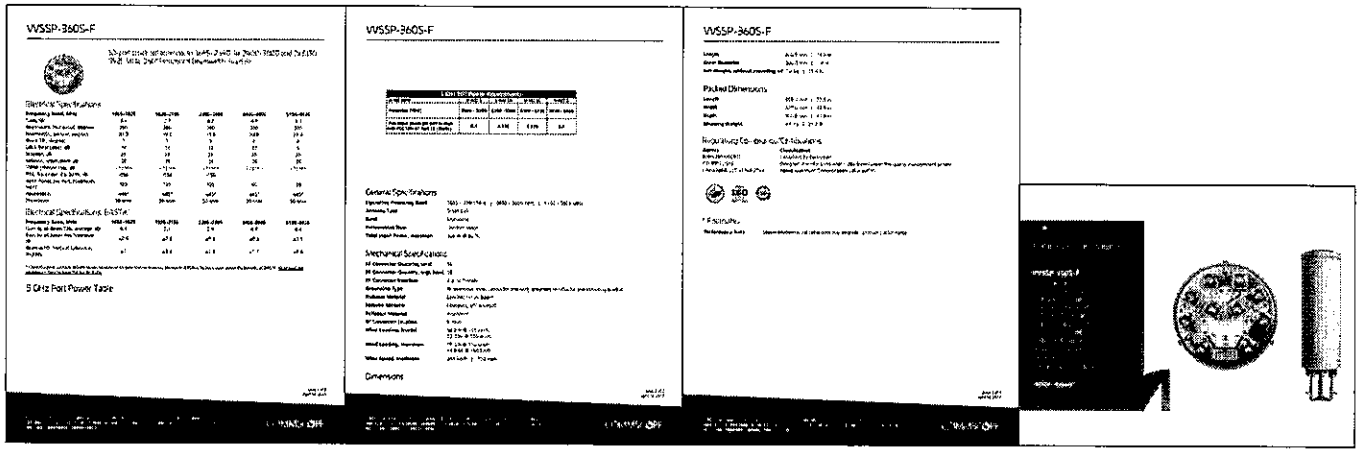
POLE & ELECTRIC VEHICLE DETAILS

TN-5-01

SHEET 8 OF 28



SMALL CELL ANTENNA
FOR TRAFFIC LIGHT



SMALL CELL ANTENNA
FOR SMART POLES

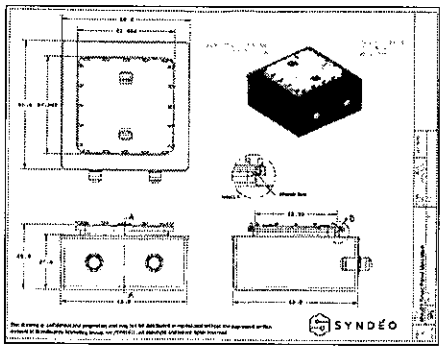
AMT LLC

SMART CITY
ANTENNA DETAILS

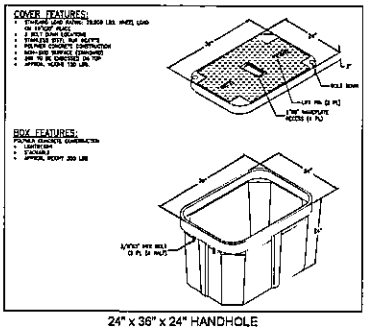
TN-5-02

PLAN REVISION

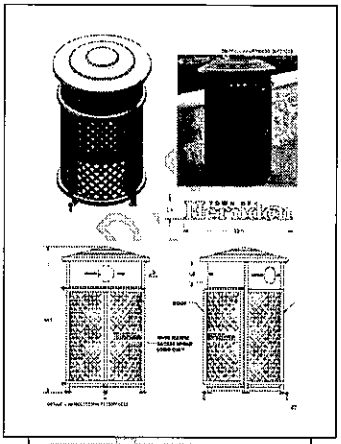
SHEET 9 OF 28



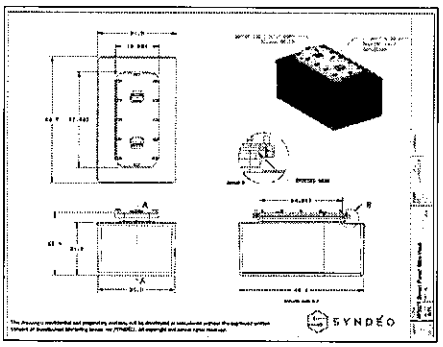
LARGE SYNDEO VAULT



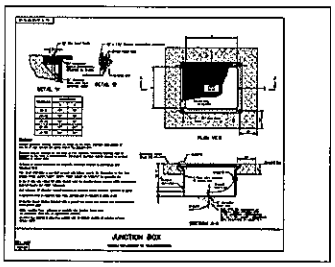
24" x 36" x 24" HANDHOLE



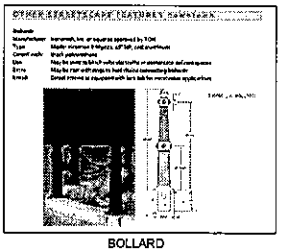
TRASH AND RECYCLE RECEPTACLES



SMALL SYNDEO VAULT



12" x 12" HANDHOLE



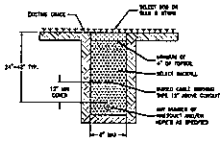
BOLLARD

AMT LLC

SMART CITY
INFRASTRUCTURE DETAILS

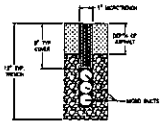
TN-5-03

SHEET 16 OF 26

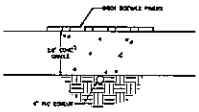


SOD/UNIMPROVED AREA TRENCH/HAND DIG RESTORATION TYPICAL

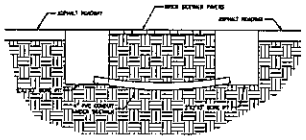
1. ALL BACKFILL MUST BE APPROVED BY THE TOWN OF VIENNA.
2. EXCAVATED MATERIAL MAY BE REUSED FOR BULK BACKFILL ON THE TOWN OF VIENNA.
3. A MINIMUM OF FOUR (4) INCH LIFTS OF BACKFILL ONLY MATERIAL WILL BE ALLOWED.
4. THE BOTTOM OF THE TRENCH SHALL BE LEVEL FLAT AND NOT HAVE ANY ROCKS BEHIND.
5. ALL SIDEWALKS, DRIVEWAYS, VALVES AND TO BE REPLACED WITH ASPHALT OR FENCE WITH ALTERNATE APPLIED AND MAINTAINED TO ACHIEVE A SATISFACTORY GRADE EQUAL TO CONTROL CHANNEL.



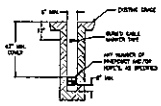
TYPICAL MICROTRENCH PROFILE



CONDUIT CROSSING BRICK CROSSWALK

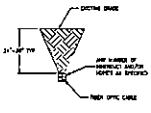


CONDUIT CROSSING BRICK CROSSWALK



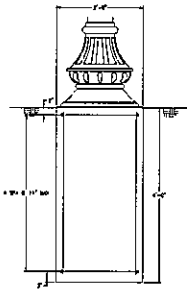
TYPICAL "A"

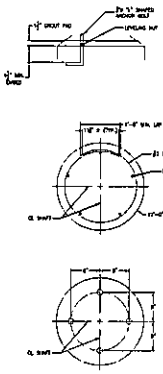
PLACE CONDUIT
CROSS SECTION



TYPICAL "B"

PLACE MORE BIDIRECTIONAL BORES
CROSS SECTION





LIGHT POLE SHAFT DETAIL

NOTES:
CONCRETE SHALL HAVE A MINIMUM 28 DAY $f'c$ = 3000 PSI.

REINFORCING SHALL HAVE f_y = 60,000 PSI.

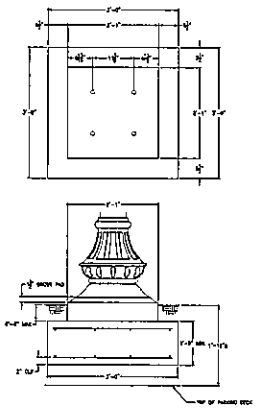
1" DIAMETER ANCHOR BOLT SHALL BE ASTM F1554 GRADE 36 OR APPROVED EQUIVALENT.

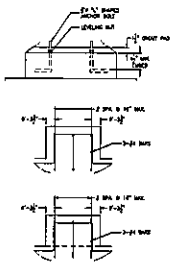
THE FOUNDATION HAS BEEN DESIGNED FOR A 5300 BARRINGTON SERIES LIGHT POLE. LIGHT POLE SHALL BE A PENDANT STYLE LIGHT, 14' MAX HEIGHT WITH A MAXIMUM SHAFT DIAMETER OF 6". LIGHT POLE ASSEMBLY HAS BEEN ASSUMED TO BE 125 POUNDS. IF THE ACTUAL WEIGHT EXCEEDS THIS, NOTIFY THE ENGINEER.

LIGHT POLE SHALL BE STRAIGHT/VERTICAL. MAST ARMS OR CANDY CANE STYLE LIGHT SUPPORTS SHALL NOT BE ATTACHED TO THE LIGHT POLE.

AFTER LEVELING THE BASE ON THE LEVELING NUTS, FILL THE SPACE BETWEEN THE BASE PLATE AND THE CONCRETE WITH A NON-SHRINK GROUT.

FOUNDATION HAS BEEN DESIGNED FOR A WIND SPEED OF 105mph AND IN ACCORDANCE WITH ASCE 7-10.





LIGHT POLE FOOTING DETAIL

NOTES:
CONCRETE SHALL HAVE A MINIMUM 28 DAY $f'c$ = 3000 PSI.

REINFORCING SHALL HAVE f_y = 60,000 PSI.

1" DIAMETER ANCHOR BOLT SHALL BE ASTM F1554 GRADE 36 OR APPROVED EQUIVALENT.

THE FOUNDATION HAS BEEN DESIGNED FOR A 5300 BARRINGTON SERIES LIGHT POLE. LIGHT POLE SHALL BE A PENDANT STYLE LIGHT, 18' MAX HEIGHT WITH A MAXIMUM SHAFT DIAMETER OF 8". LIGHT POLE ASSEMBLY HAS BEEN ASSUMED TO BE 125 POUNDS. IF THE ACTUAL WEIGHT EXCEEDS THIS, NOTIFY THE ENGINEER.

LIGHT POLE SHALL BE STRAIGHT/VERTICAL. MAST ARMS OR CANDY CANE STYLE LIGHT SUPPORTS SHALL NOT BE ATTACHED TO THE LIGHT POLE.

AFTER LEVELING THE BASE ON THE LEVELING NUTS, FILL THE SPACE BETWEEN THE BASE PLATE AND THE CONCRETE WITH A NON-SHRINK GROUT.

FOUNDATION HAS BEEN DESIGNED FOR A WIND SPEED OF 105mph AND IN ACCORDANCE WITH ASCE 7-10.

AMT LLC

COMMONWEALTH OF VIRGINIA
BRIAN A. SKRINJARIC
LIC. NO. 040208401
PROFESSIONAL ENGINEER

SMART CITY
STRUCTURAL DETAILS

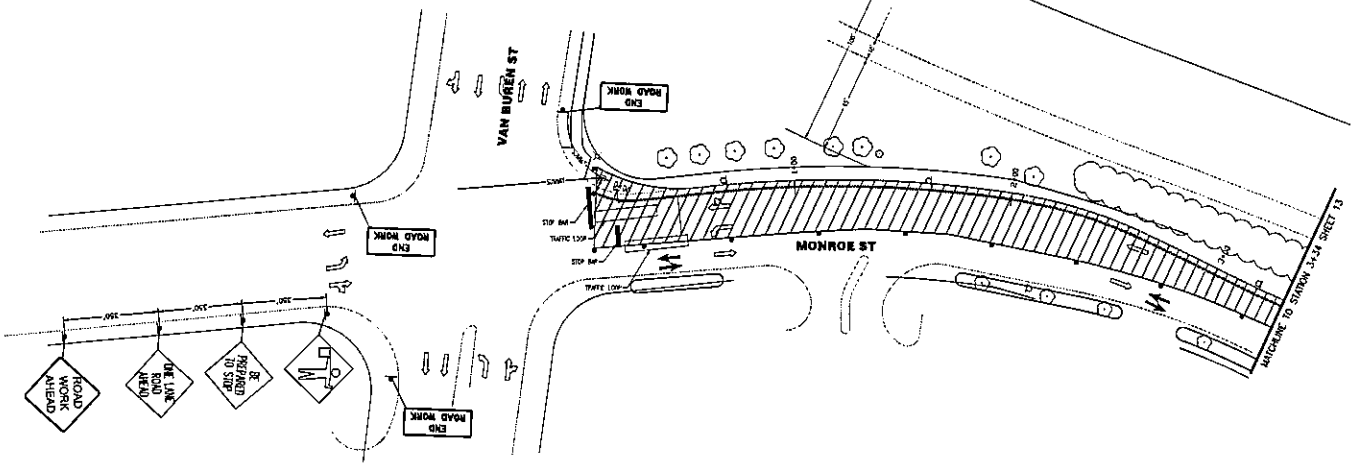
TOWN OF VIENNA
FAIRFAX COUNTY, VIRGINIA

TN-3-01

PLAN REVIEWER _____

SHEET 11 OF 28

MOT PLAN PHASE 1



NOTES:

1. WORK TO OCCUR AT NIGHT BETWEEN HOURS OF 7PM AND 5AM
2. NIGHT WORK MUST BE APPROVED BY THE TOWN MANAGER.
3. THIS MOT PLAN SHALL NOT BE ALTERED WITHOUT PRIOR APPROVAL OF THE TOWN INSPECTOR.

LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- WORK ZONE

AMT LLC

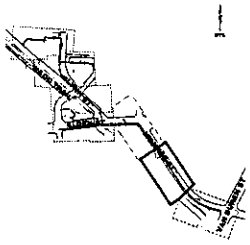
SMART CITY
MOT PLAN PHASE 1

TN-6-01

PLAN REVISED

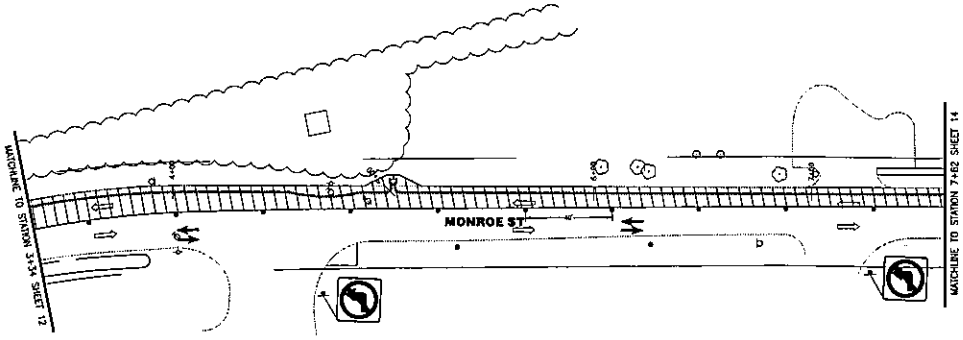
SHEET 12 OF 28

MOT PLAN PHASE 1



NOTES:

1. WORK TO OCCUR AT NIGHT BETWEEN HOURS OF 7PM AND 5AM
2. NIGHT WORK MUST BE APPROVED BY THE TOWN MANAGER.
3. THIS MOT PLAN SHALL NOT BE ALTERED WITHOUT PRIOR APPROVAL OF THE TOWN INSPECTOR.



LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- WORK ZONE

AMT LLC

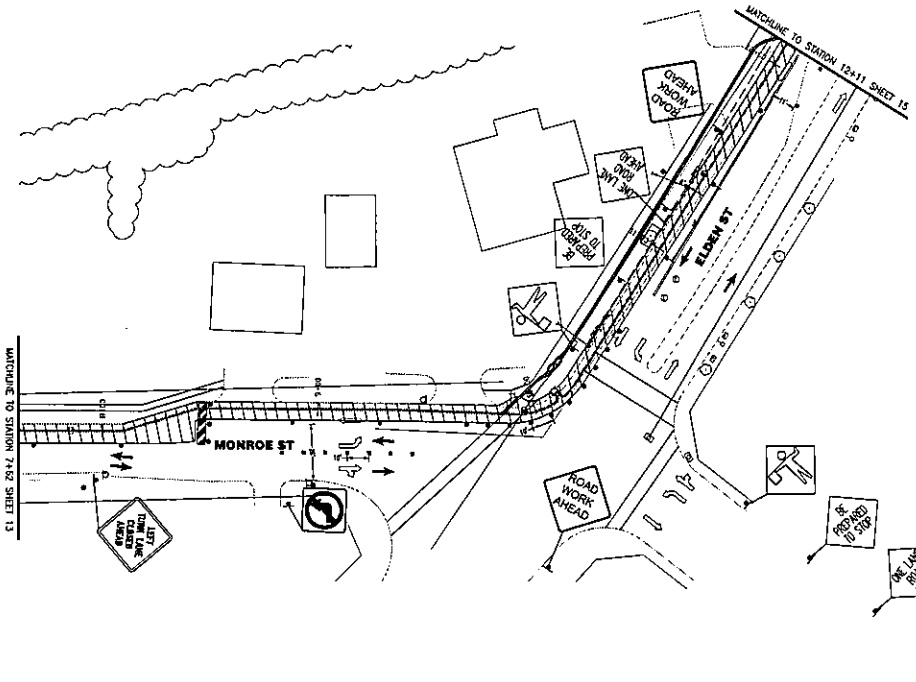
SMART CITY
MOT PLAN PHASE 1

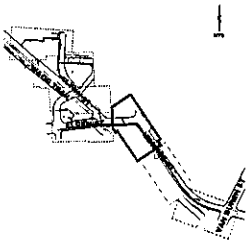
TN-6-02

PLAN REVISION

SHEET 13 OF 28

MOT PLAN PHASE 1





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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- TYPE III BARRICADE
- WORK ZONE

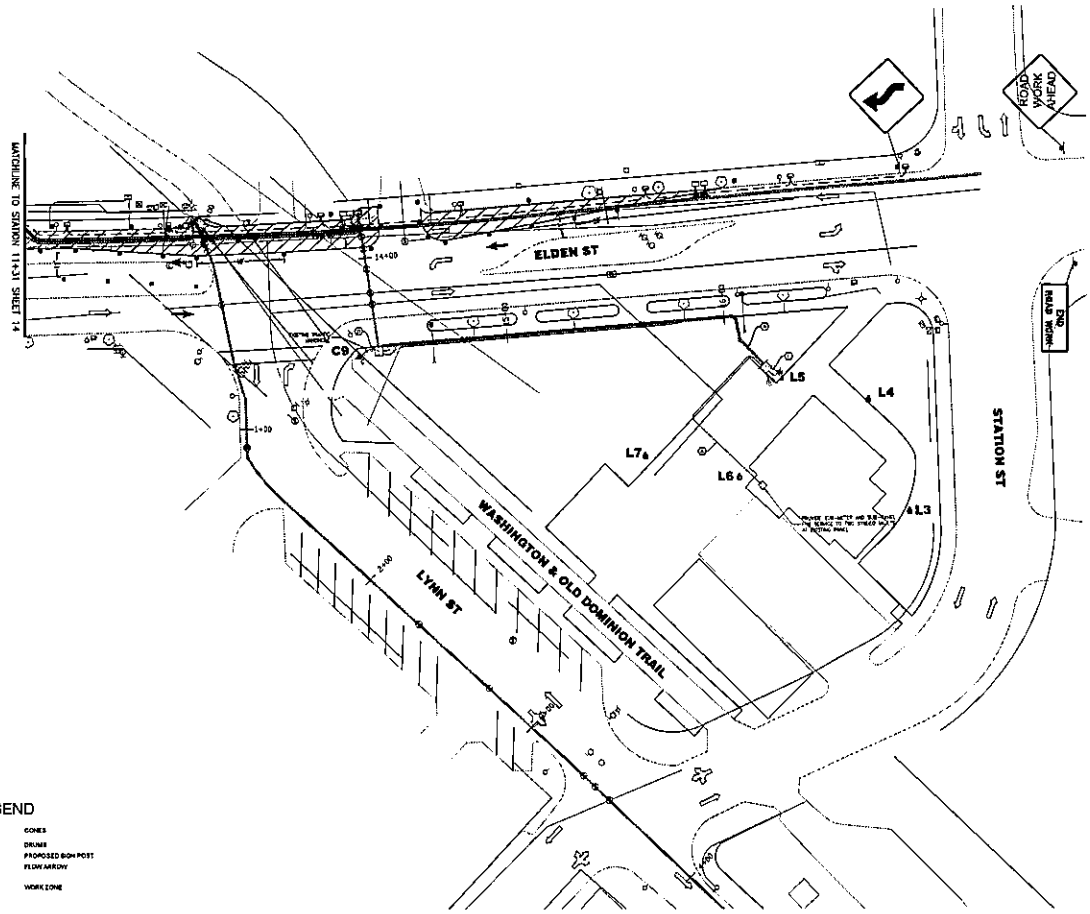
AMT LLC

SMART CITY
MOT PLAN PHASE 1

TN-6-03

SHEET 14 OF 28

MOT PLAN PHASE 1



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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- WORK ZONE

AMT LLC

SMART CITY
MOT PLAN PHASE 1

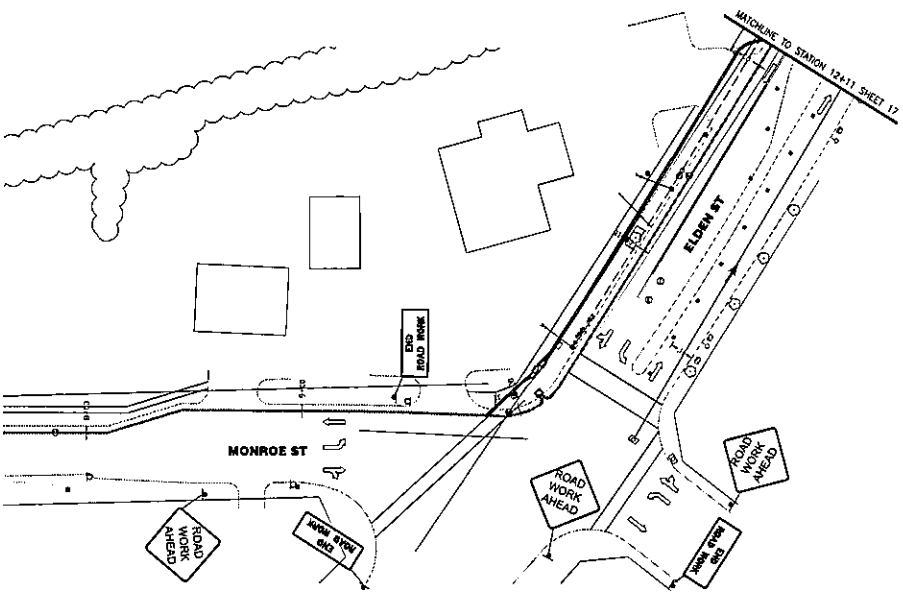
TOWN OF VIENNA
FAIRFAX COUNTY, VIRGINIA

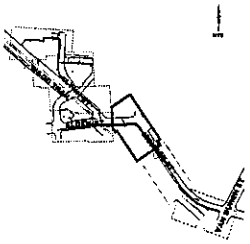
TN-6-04

PLAN NUMBER

SHEET 15 OF 25

MOT PLAN PHASE 2





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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- TYPE III BARRICADE
- WORK ZONE

AMT LLC

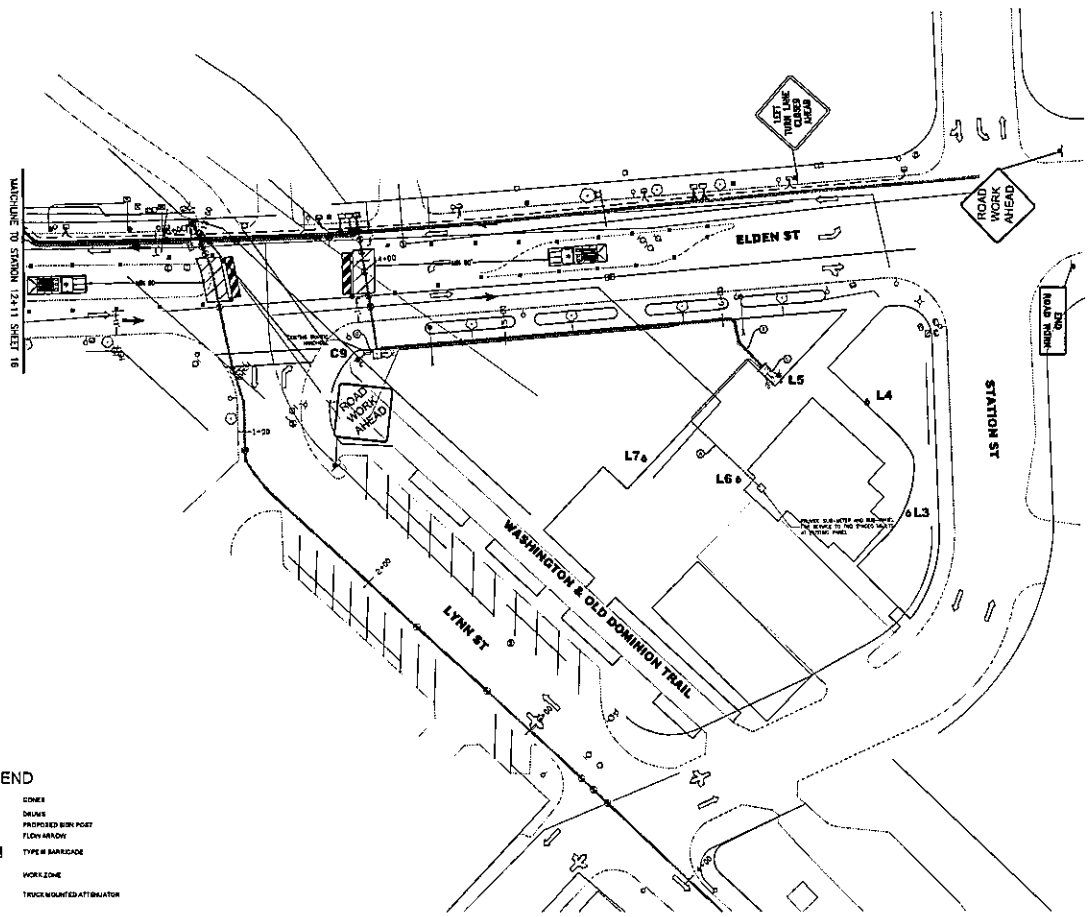
SMART CITY
MOT PLAN PHASE 2

TN-6-05

PLAN NUMBER

SHEET 18 OF 28

MOT PLAN PHASE 2



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LEGEND

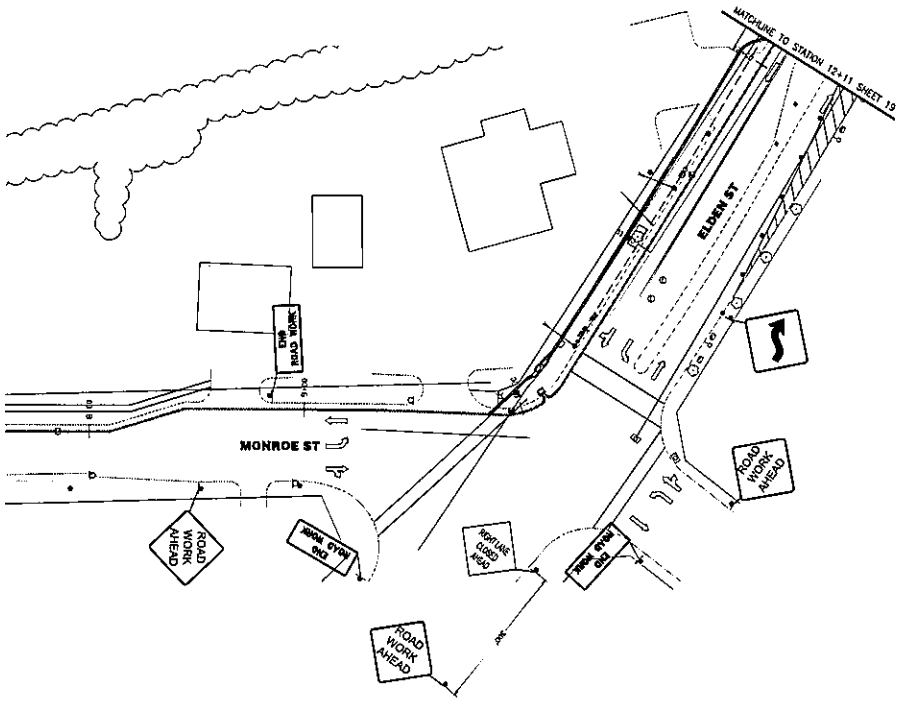
- CONES
- DRUMS
- PROPOSED BIRK POST
- FLOW ARROW
- TYPE III BARRICADE
- WORK ZONE
- TRUCK MOUNTED ATTENUATOR

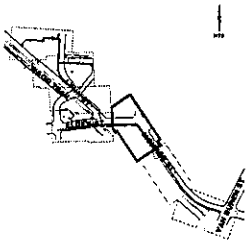
SMART CITY
MOT PLAN PHASE 2

TN-6-06

SHEET 17 OF 26

MOT PLAN PHASE 3





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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- WORK ZONE

AMT LLC

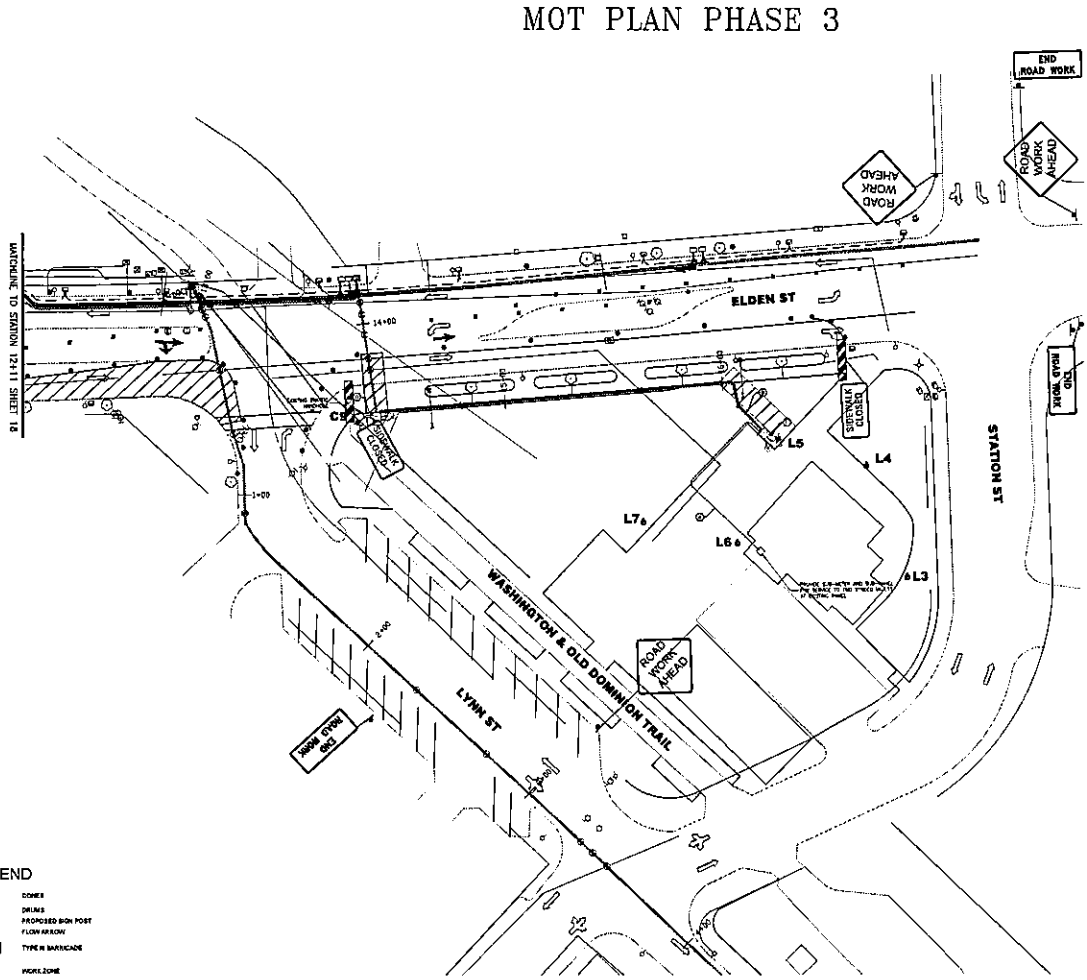
SMART CITY
MOT PLAN PHASE 3

TN-6-07

PLAN REVIEWER: _____

SHEET 18 OF 28

MOT PLAN PHASE 3



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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- TYPE III BARRICADE
- WORK ZONE

AMT LLC

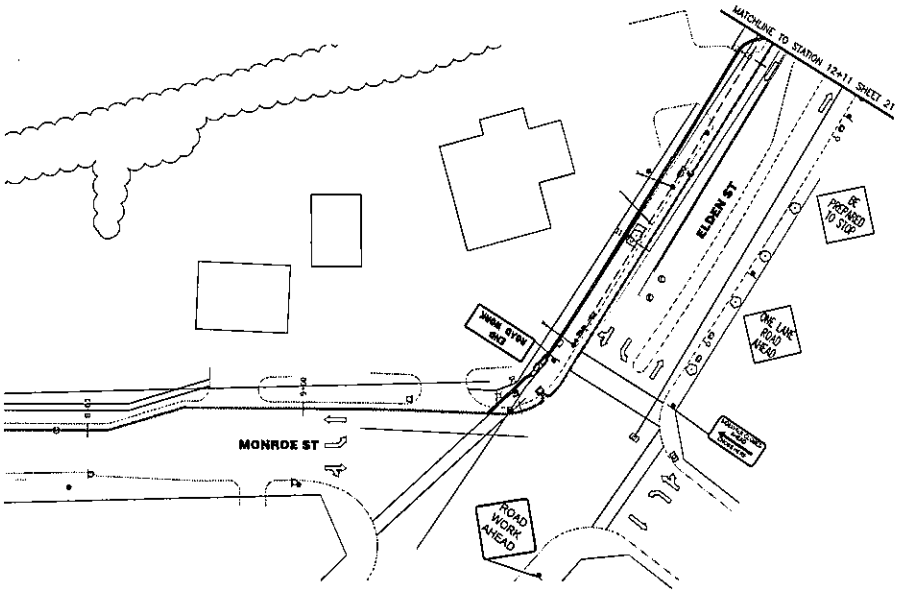
SMART CITY
MOT PLAN PHASE 3

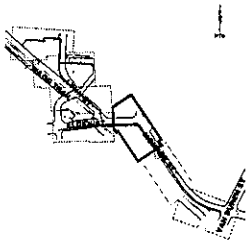
TN-6-08

PLAN REVIEW

SHEET 19 OF 28

MOT PLAN PHASE 4A





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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- WORK ZONE

AMT LLC

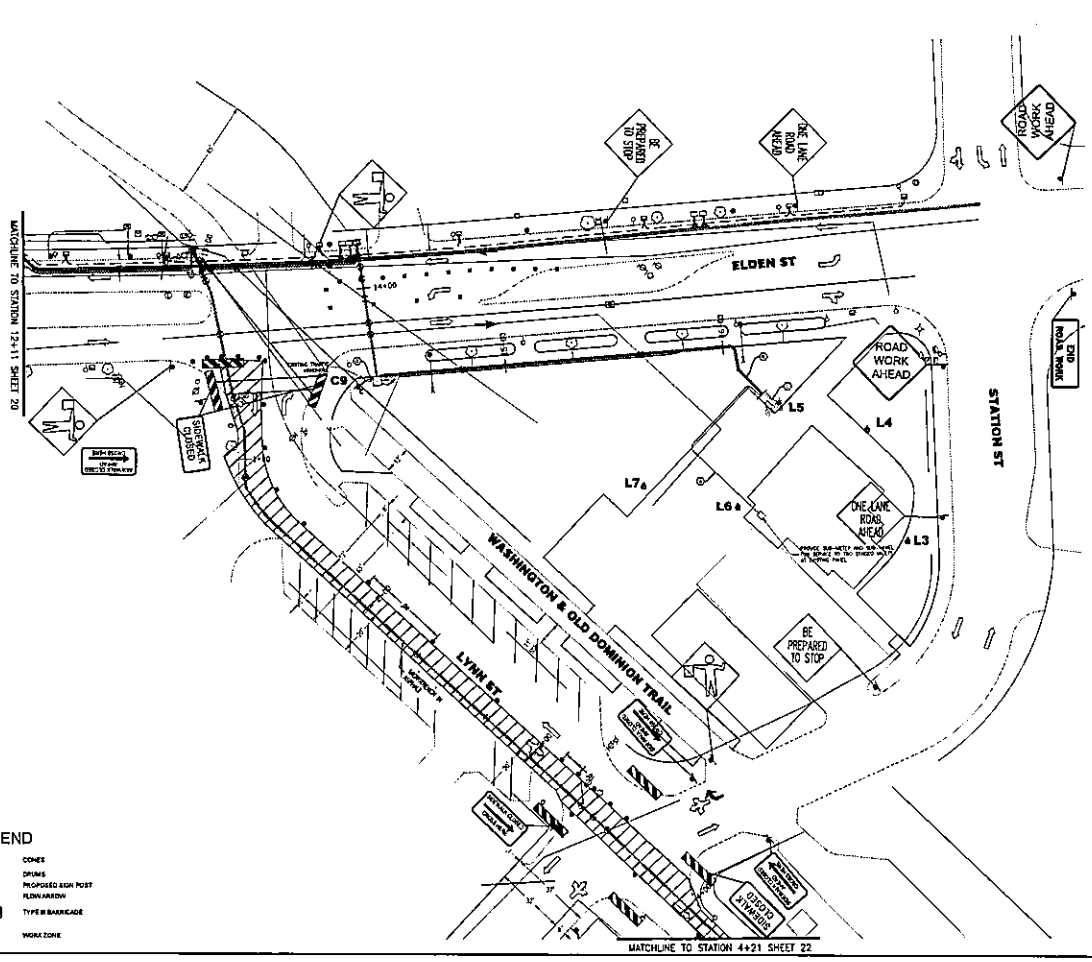
SMART CITY
MOT PLAN PHASE 4A
TOWN OF ATTLEBORO
BRISTOL COUNTY, MASSACHUSETTS

TN-6-09

PLAN REVISION

SHEET 20 OF 28

MOT PLAN PHASE 4A



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4. ALL TEMPORARY LANES MUST BE A MINIMUM OF 20 FT WIDE FOR BI-DIRECTIONAL AND 16 FT WIDE FOR UNI-DIRECTIONAL VEHICLE TRAVEL.

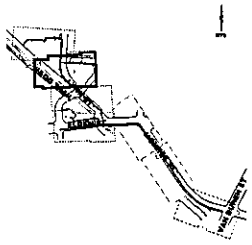
AMT LLC

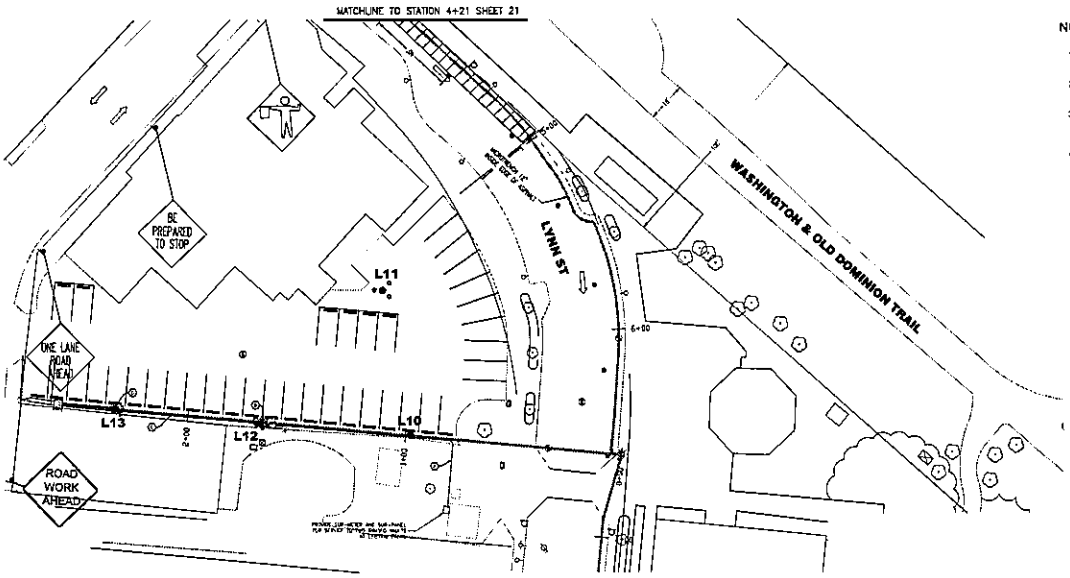
SMART CITY
MOT PLAN PHASE 4A

TN-6-10

SHEET 21 OF 28

MOT PLAN PHASE 4A





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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- WORK ZONE

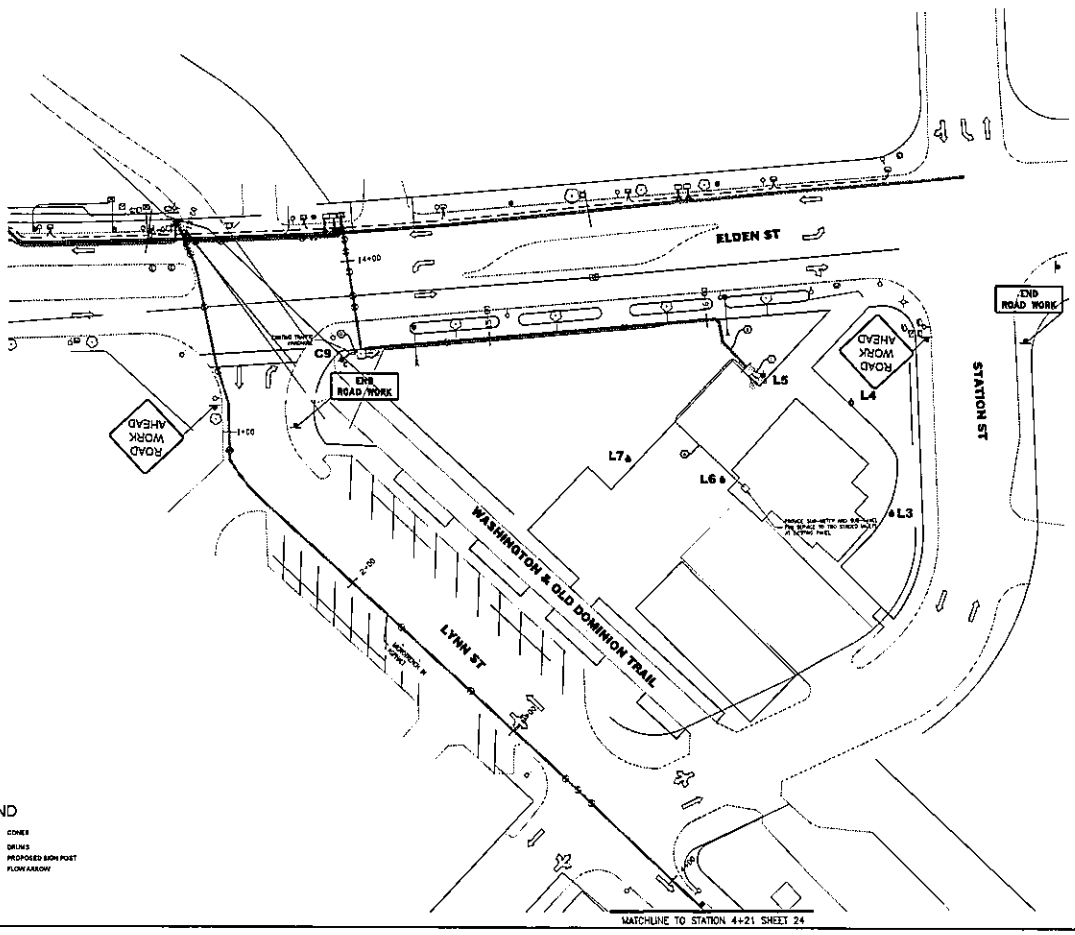
AMT LLC

SMART CITY
MOT PLAN PHASE 4A

TN-6-11

SHEET 22 OF 28

MOT PLAN PHASE 4B



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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW

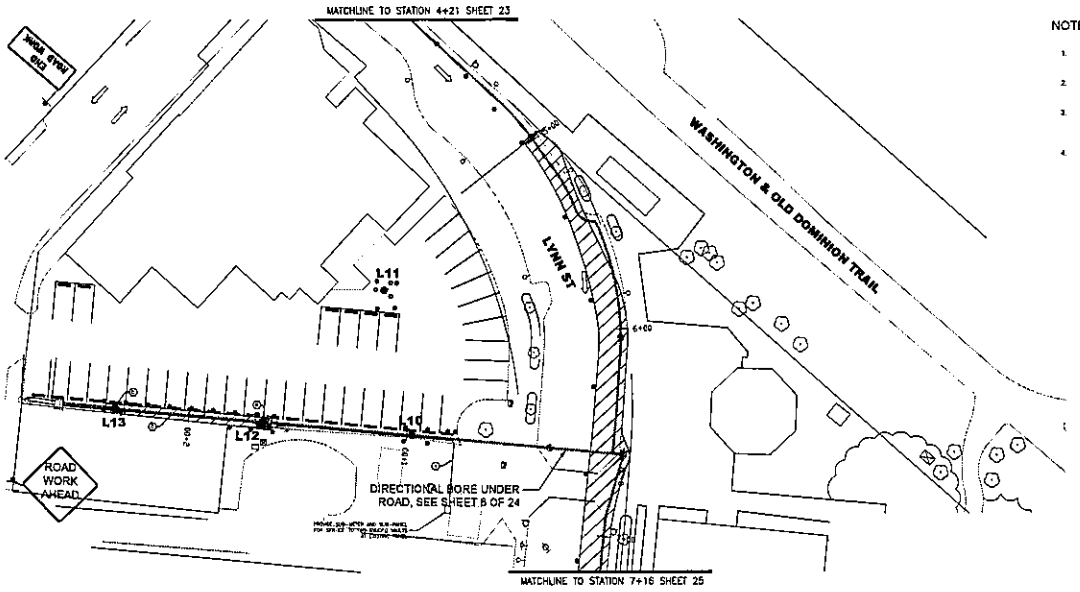
AMT LLC

SMART CITY
MOT PLAN PHASE 4B

TN-6-12

SHEET 23 OF 26

MOT PLAN PHASE 4B



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LEGEND

- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- WORK ZONE

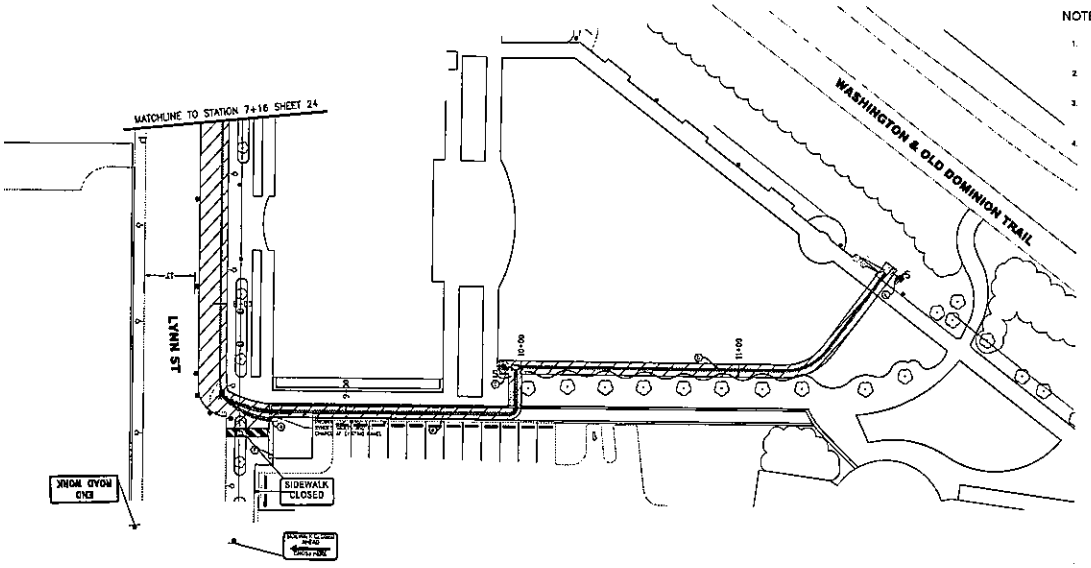
AMT LLC

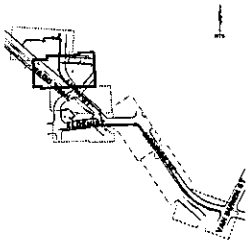
SMART CITY
MOT PLAN PHASE 4B

TN-6-13

SHEET 24 OF 25

MOT PLAN PHASE 4B





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LEGEND

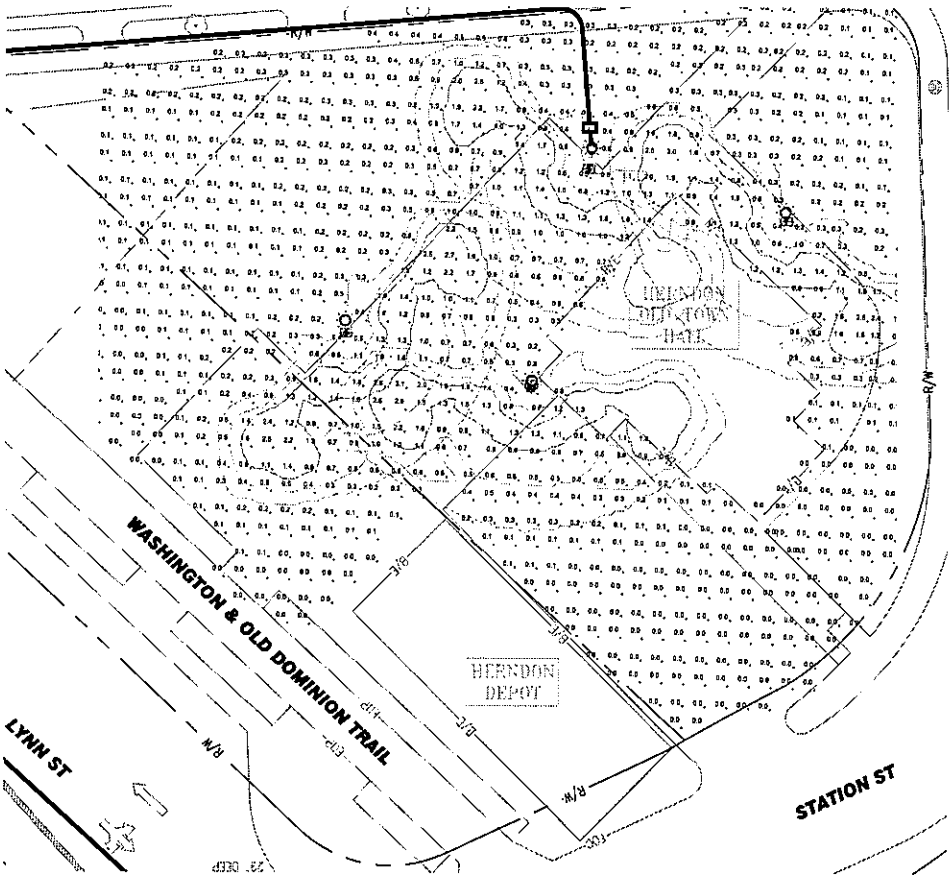
- CONES
- DRUMS
- PROPOSED SIGN POST
- FLOW ARROW
- TYPE III BARRICADE
- WORK ZONE

AMT LLC

SMART CITY
MOT PLAN PHASE 4B

TN-6-14

SHEET 25 OF 28



LIGHTING TABLE

Town Hall Calc Zone Grass	
Average	0.2 fc
Maximum	1.5 fc
Minimum	0.0 fc
Max/Min	N/A
Average/Min	N/A
Town Hall (PLAZA)	
Average	0.8 fc
Maximum	2.8 fc
Minimum	0.0 fc
Max/Min	N/A
Average/Min	N/A
Town Hall Parking Lot Calc Zone	
Average	0.2 fc
Maximum	3.2 fc
Minimum	0.0 fc
Max/Min	N/A
Average/Min	N/A

LEGEND

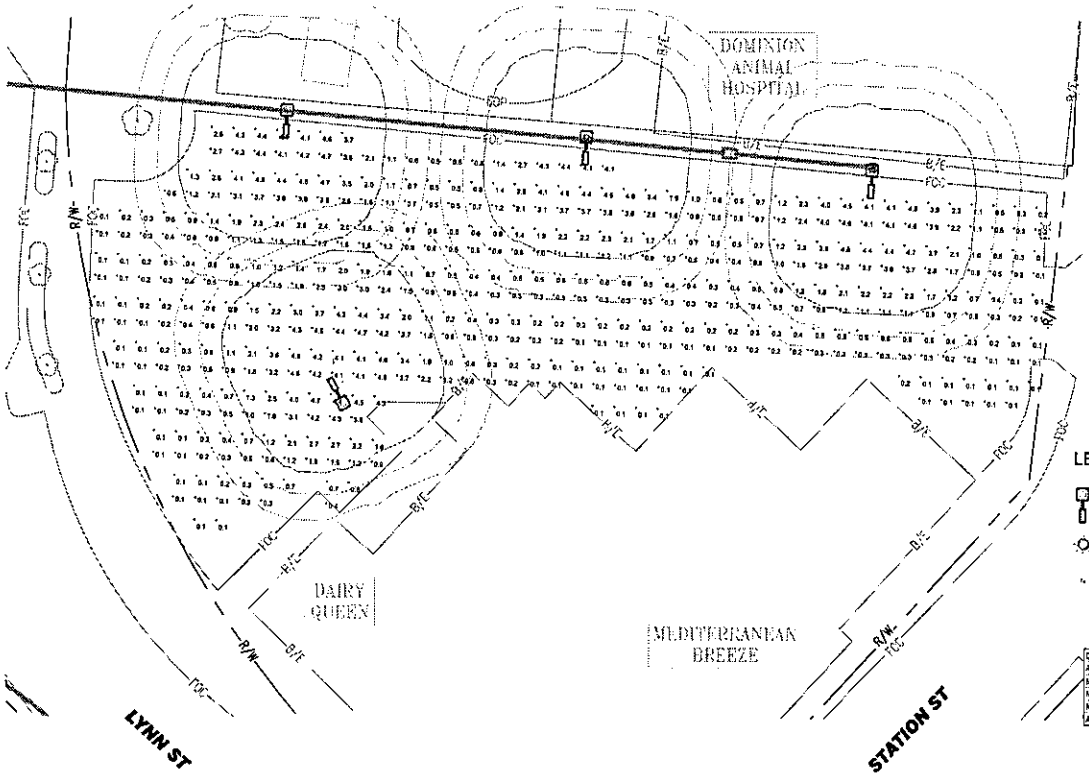
- PROPOSED LED FIXTURE
- EXISTING HPS FIXTURE
- FOOT CANDLE LEVEL (AT 2' SPACING)

SCALE 0 10' 20'

SMART CITY PHOTOMETRICS PLAN

TN-6-15

SHEET 28 OF 28



LEGEND

- PROPOSED LED PENDANT FIXTURE
- EXISTING HPS FIXTURE
- FOOT CANDLE LEVEL (AT 2' SPACING)

LIGHTING TABLE

Dairy Queen Parking Lot Calc Zone	
Average	1.4 fc
Maximum	4.8 fc
Minimum	0.1 fc
Max/Min	48.0:1
Average/Min	14.0:1

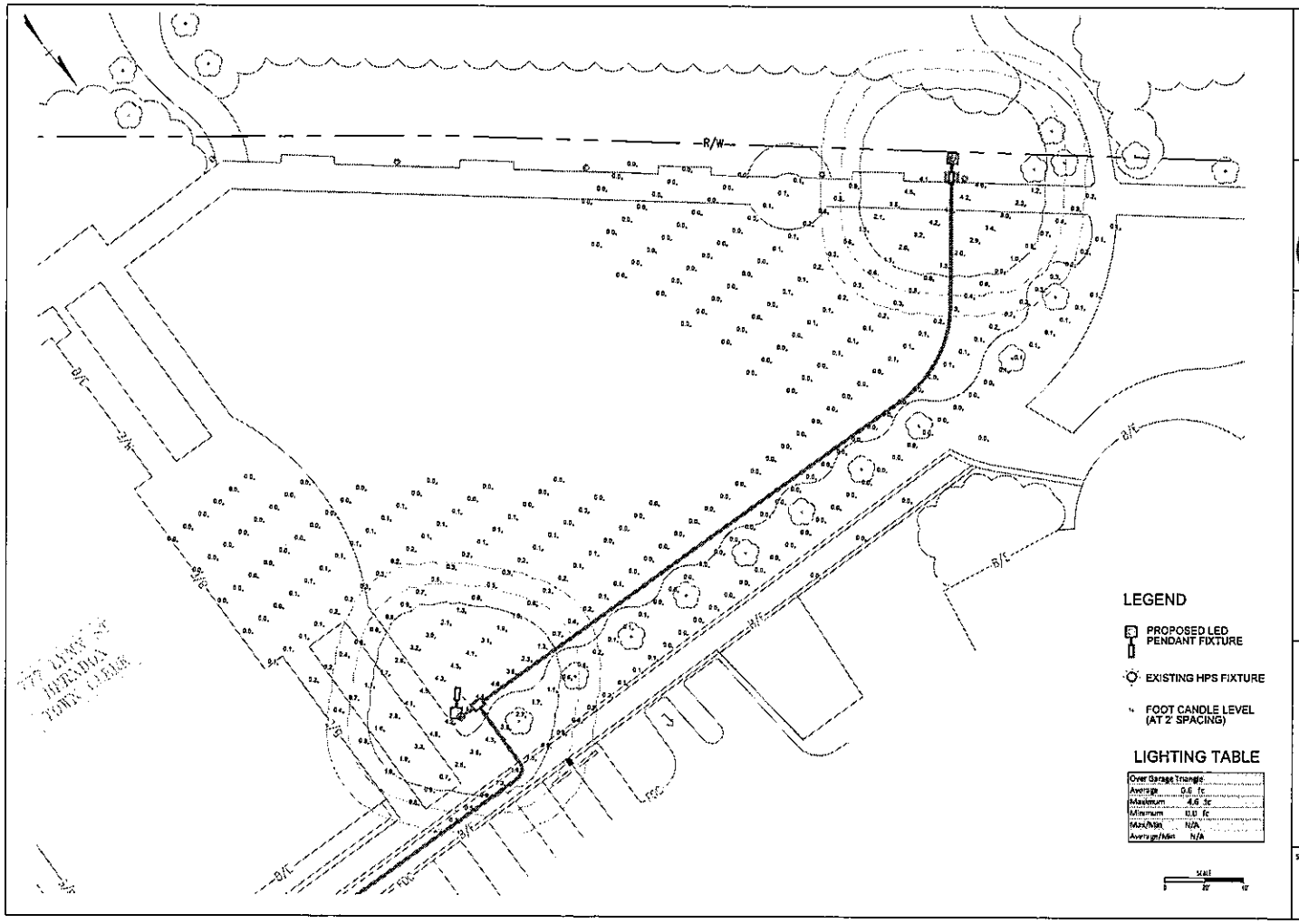
SCALE 0 10' 20'

SMART CITY PHOTOMETRICS PLAN

TN-6-16

PLAN VERSION

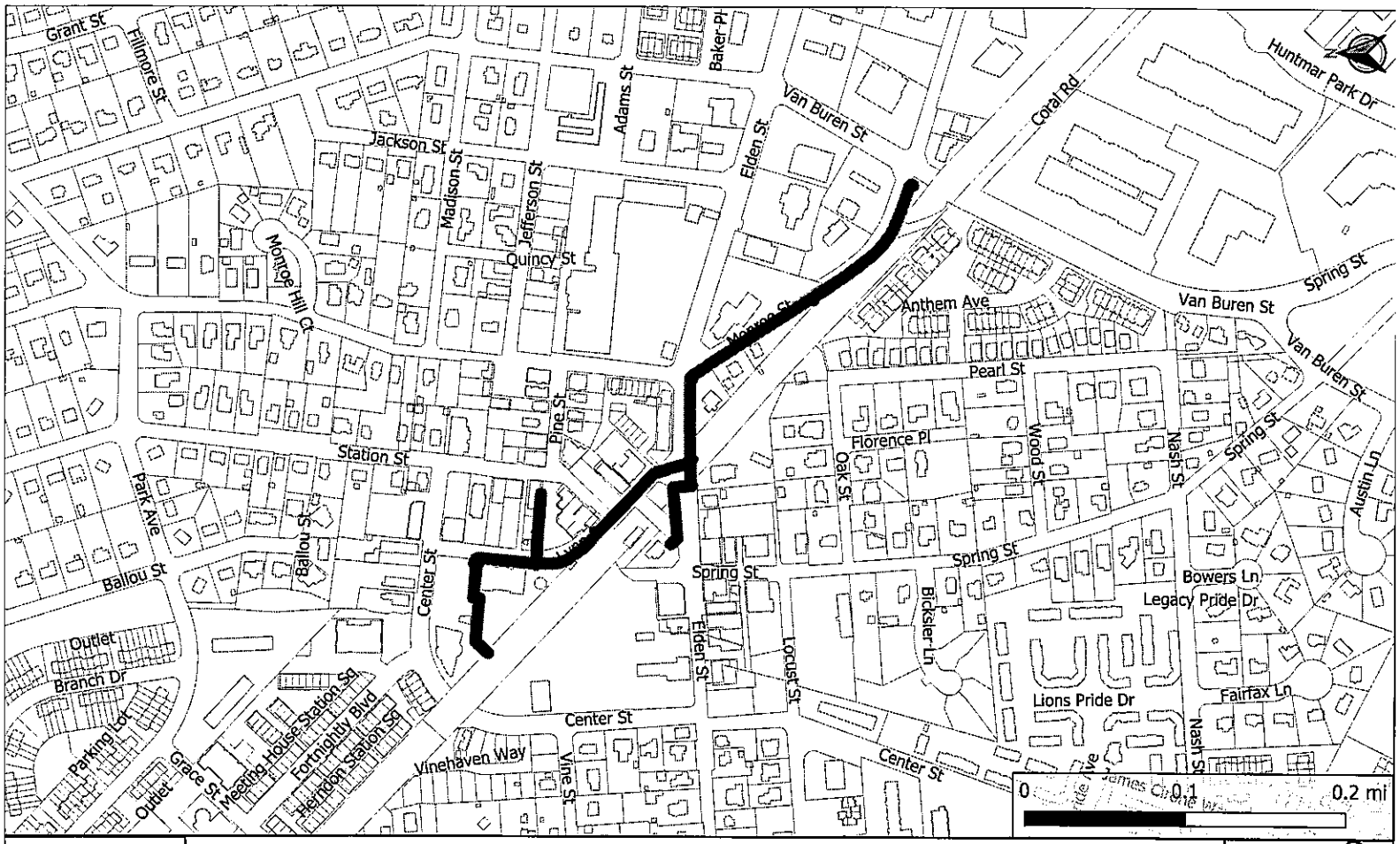
SHEET 27 OF 28


R/W
B/C
LEGEND
PROPOSED LED PENDANT FIXTURE
EXISTING HPS FIXTURE
FOOT CANDLE LEVEL (AT 2' SPACING)
LIGHTING TABLE
Over Garage Triangle
Average 0.6 fc
Maximum 4.6 fc
Minimum 0.0 fc
Max/Min N/A
Average/Min N/A
SCALE
SMART CITY
PHOTOMETRICS PLAN
TN-6-17
SHEET 28 OF 28

Vivacity License Agreement

Exhibit "C"

Fiber Route Map



Legend

- Fiber Route
- Buildings
- Parcels

Vivacity Smart City
Pilot Project
Proposed Fiber Route
Town of Herndon, VA

EXCELLENCE IN EXECUTION

TOWN OF
Herndon
OFFICE OF THE TOWN ATTORNEY

STAFF REPORT

Town Council
July 2, 2019

Title:

Ordinance - Approving a lease of space in the Town's building at 397 Herndon Parkway to Delegate Samirah

Staff Contact:

Lesa J. Yeatts, Town Attorney
(703) 787-7370
lesa.yeatts@herndon-va.gov

Description:

I am providing to you a proposed Lease between the Town and Delegate Samirah and a draft approving ordinance for consideration.

To be consistent with the Delegate's term, this lease expires on December 31, 2019. If re-elected, the rental of this space can be taken up again in December. The rent for this space would be $1.00 per year, consistant with leases for office space at Town Hall for the former Delegate Boysko.

Fiscal Impact:

None.

Staff Recommendation:

The Mayor and Town Council adopt the attached ordinance.

Attachments:

1. Draft Ordinance
2. Lease
3. Exhibit A

Prepared and Approved by:

Lesa J. Yeatts

Lesa J. Yeatts, Town Attorney

TOWN OF HERNDON, VIRGINIA

ORDINANCE

JULY 9, 2019

Ordinance- to approve a lease of space in the Town's building at 397 Herndon Parkway to Delegate Samirah

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia, that:

1. The Town Council approves a lease dated July 9, 2019 by which the Town would lease to Delegate Ibraheem Samirah, space in the Town's building at 397 Herndon Parkway, Herndon, Virginia. The rent shall be $1.00 for the term. The term shall be from July 9, 2019 through December 31, 2019. The lease may contain certain other terms agreed to by the Mayor and Town Manager.

2. This ordinance shall be effective on and after the date of its adoption.

LEASE AGREEMENT

THIS LEASE made on the 9th day of July 2019, by and between the TOWN OF HERNDON, a municipal corporation (Landlord) and the Honorable IBRAHEEM SAMIRAH, Member of the House of Delegates (Tenant).

Recitals

Landlord is the owner of a building and premises located at 397 Herndon Parkway, Herndon, Virginia (the building).

Landlord and Tenant have agreed that Tenant will lease from Landlord, in consideration of the rent and other benefits, and under the terms and conditions specified here, a portion of the premises commonly known as part of the building at 397 Herndon Parkway, (as shown on Exhibit A, attached and incorporated by reference).

THEREFORE, the parties agree as follows:

1. Commencement and Ending Date of Term. Beginning July 9, 2019, Landlord leases the leased premises to Tenant according to the terms of this lease. The Tenant may possess the leased premises with the Tenant having the right to terminate the Lease upon 30 days prior written notice to the Landlord, and the Landlord having the right to terminate the Lease upon 90 days prior written notice to the Tenant. The term of this lease shall expire December 31, 2019

2. Rent. Tenant shall pay Landlord on demand $1.00 rent for the entire term.

3. Use of Premises. Tenant shall use the leased premises solely for an office for constituent services. Tenant shall have access to and from the leased premises and to the restrooms. Landlord retains for itself and its employees, agents, and invitees, a right of access through the leased premises to and from spaces. Tenant certifies to Landlord that uses of this space are consistent with the Town of Herndon Zoning Ordinance and architectural guidelines or ordinances of the Herndon Town Code.

4. Utility Charges. Landlord shall maintain and pay the cost of all utilities (except telecommunications) on the leased premises.

5. Liability Insurance. Tenant shall keep in effect a policy of bodily injury and property damage liability insurance or a self-insurance program of the Commonwealth of Virginia with respect to the leased premises in commercially reasonable amounts, as determined by Landlord. Any policy shall name the Town of Herndon as an additional insured.

6. Hold Harmless of Landlord. Tenant shall hold harmless Landlord, its officers, agents, and employees from any and all claims, actions, damages, liability and expense, in connection with loss of life, personal injury or damage to property arising from any occurrence in, upon, or at the leased premises through the occupancy or use by Tenant.

7. Default. Tenant shall be in default upon failure to perform any term of this lease for more than five days after written notice of such failure shall have been given to Tenant or after Tenant's abandonment of the leased premises.

8. Rights and Remedies on Default. Landlord shall have the following rights on default of Tenant, which shall be cumulative, none excluding any other right allowed by this lease or by law.

a. Landlord may enter the leased premises and repossess the leased premises and remove Tenant and any others who may be occupying the leased premises and remove any property.

b. Landlord may seize, remove and sell all of the personal property and fixtures of Tenant on the leased premises or remove and store such property at the cost of and for the account of Tenant.

9. Custodial. Landlord shall provide custodial services, consisting of emptying trash

and vacuuming, once a week for the leased premises.

10. Waste or Nuisance. Tenant shall not commit any waste or nuisance upon the leased premises.

11. Maintenance by Tenant. Tenant accepts the leased premises including the improvements and any furnishings and equipment in the leased premises in their existing condition. Tenant shall at all times keep the leased premises in good order, condition, and repair. Tenant shall maintain the leased premises in a clean and sanitary condition. If Landlord is required to make any repairs by reason of Tenant's negligent or intentional act or omission, Tenant shall pay to Landlord the cost of the repairs as additional rent within ten days after written notice. Landlord shall be responsible for roof, structural integrity of the building, and replacement and repair of utility systems related to the leased premises. Except as provided in paragraph 14, Tenant shall return the leased premises to its original condition prior to Tenant's vacation of the premises, normal wear and tear excepted.

12. Notification of Hazard. Tenant and Landlord shall give immediate notice to the other in case of fire, accident, or defect in the leased premises or in any fixtures or personal property comprising the leased premises.

13. Alterations and Improvements. Except as provided in this paragraph, Tenant shall not make or cause to be made any alterations to the leased premises without first obtaining Landlord's written consent.

14. Removal of Improvements and Restoration by Tenant. All alterations except lighting not necessary for normal use of the building or conformance with the Virginia Uniform Statewide Building Code made by Tenant shall remain the property of Landlord at the expiration or termination of the lease. This property will remain part of the leased premises and Tenant shall not have any

obligation to remove it.

14. Loss and Damage. Landlord shall not be liable for any loss or damage to property of Tenant located on the leased premises. Landlord shall not be liable for any injury, death, or damage to persons or property associated with Tenant resulting from fire, explosion, falling plaster, steam, gas, electricity, water, rain, snow, or leaks from any part of the leased premises. Landlord shall not be liable for any latent defect in the leased premises or in the building of which they form a part. All property of Tenant or its subtenants kept or stored on the leased premises shall be so kept or stored at the risk of Tenant or subtenants and Tenant shall hold Landlord harmless from any claims arising out of damage to the same, including subrogation claims by Tenant's insurance carrier.

15. Right of Entry. In addition to Landlord's right of access as described in paragraph 3, Landlord, its contractors, agents, or prospective purchasers or lessees, shall have the right to enter the leased premises during normal business hours to examine the same upon reasonable notice, either oral or written.

16. Quiet Enjoyment. Upon the observance of all Tenant's obligations of this lease, Tenant shall peaceably and quietly hold and enjoy the leased premises.

17. Surrender of Premises. At the expiration or termination of the term of this lease, Tenant shall surrender the leased premises in the same condition that the leased premises were in at the commencement of this lease, except as provided in paragraph 14, reasonable wear and tear excepted, and shall surrender all keys for the leased premises to Landlord.

18. Assignment and Subletting. Tenant may not assign this lease without prior written consent of Landlord. This prohibition against assigning or subletting shall be construed to include a prohibition against any assignment or subletting by operation of law.

19. Binding on Successors/Assigns. All of the terms of this lease shall bind the successors and assigns of Landlord and Tenant, except where the assignment is ineffective due to lack of Landlord's consent.

_____
Ibraheem Samirah
Member House of Delegates

TOWN OF HERNDON, VIRGINIA

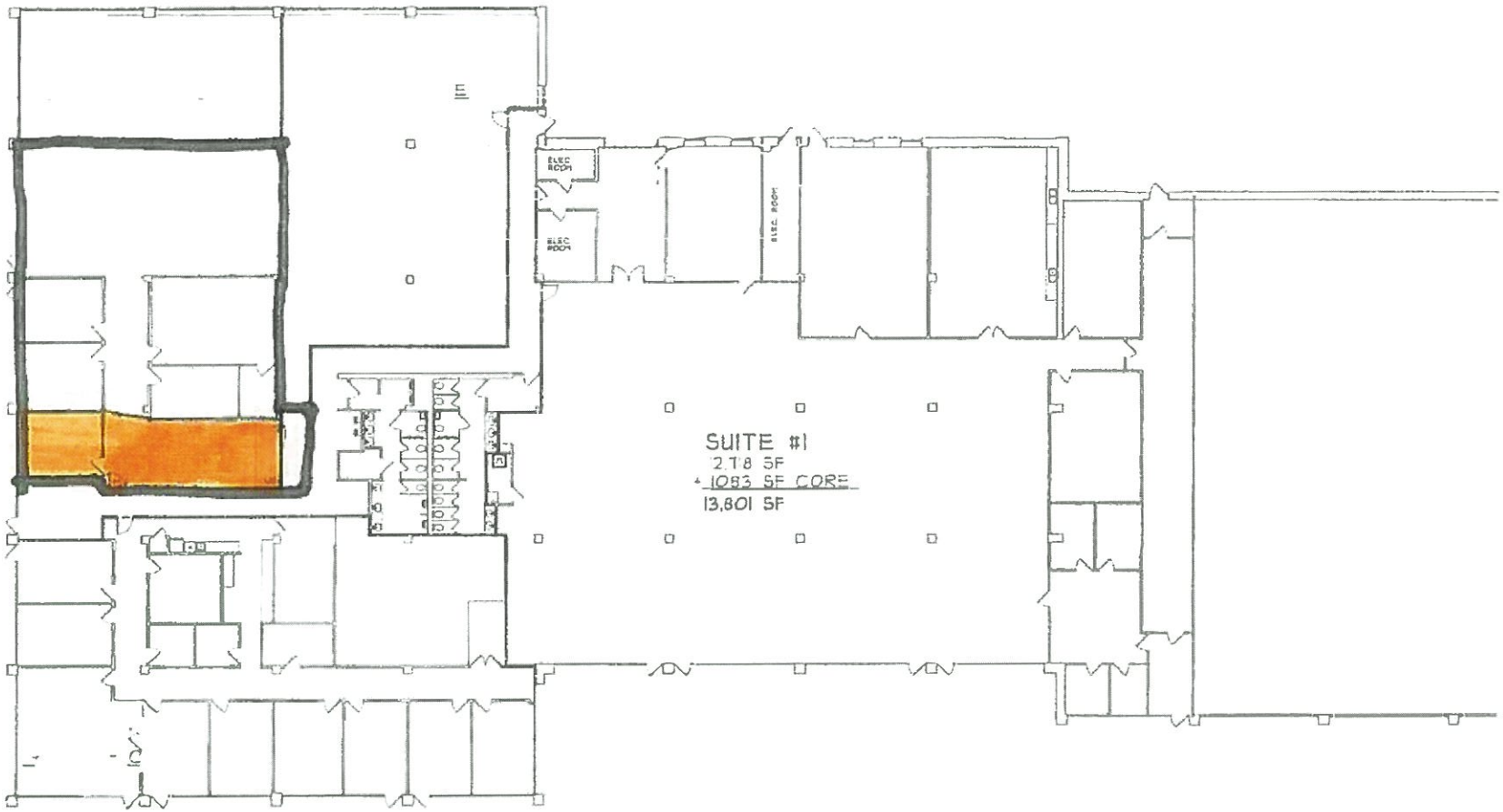
By:_____
Lisa C. Merkel
Mayor

ATTEST:

_____
Town Clerk

APPROVED AS TO FORM:

_____
Lesa J. Yeatts
Town Attorney



BUILDING S.F. = 27,479

BASE BUILDING 397 HERNDON PARKWAY HERNDON, VIRGINIA 20170	Arencibia Architects Inc. 703-733-0190 13348 POINT RIDER LANE, HERNDON, VA. 20171	DATE 17 FEB. 2005 SCALE 1" = 30'

Exhibit A 7/9/2019

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JULY 9, 2019

Resolution- to reappoint "town resident" members to the Herndon Planning Commission.

BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby reappoints the following individuals as "town resident" members to the Herndon Planning Commission:

- **Marcia M. Bouchard** for a four-year term ending July 31, 2023; and

- **Michael G. Romeo** for a four-year term ending July 31, 2023.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JULY 9, 2019

Resolution- to reappoint members to the Architectural Review and Heritage Preservation Review Boards.

BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby reappoints the following individuals as members to the Herndon Architectural Review and Heritage Preservation Review Boards:

- **Leslie Blaker-Glass** as a "town resident" member for a three-year term ending August 31, 2022; and

- **Hiren Shah** as an "architect" member for a three-year term ending September 30, 2022.

TOWN OF Herndon VIRGINIA

STAFF REPORT

Town Council
July 2, 2019

Title:

Resolution – to authorize a Business, Professional, Occupational License (BPOL) tax refund

Staff Contact:

Jennie A. Tripoli, Director of Finance
(703) 435-6898
Jennie.Tripoli@herndon-va.gov

Description:

During renewal years 2016, 2017, and 2018, the Athene Group, LLC erroneously paid BPOL taxes on company-wide gross receipts instead of Virginia gross receipts. They have applied for refund of the excess taxes paid. The Director of Finance has reviewed their revised BPOL returns and supporting tax documentation and agrees that a refund of $54,005.22 is due. There are no associated penalties or interest.

Fiscal Impact:

Reduction in BPOL revenues by the amount of the refund.

Recommendation:

Town Council approval of the resolution as proposed.

Attachments:

Resolution

Prepared and Approved By:

Jennie A. Tripoli

Jennie A. Tripoli
Director of Finance

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JULY 9, 2019

Resolution - **to authorize a Business, Professional, Occupational License (BPOL) tax refund**

WHEREAS, the Athene Group, LLC paid BPOL taxes on company-wide gross receipts during renewal years 2016, 2017, and 2018; and

WHEREAS, they should have paid BPOL taxes on Virginia gross receipts only; and

WHEREAS, the Athene Group, LLC has made appropriate and timely application for refund of the excess taxes paid; and

WHEREAS, the Director of Finance has reviewed their application and supporting documentation and recommends approval of the refund.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby authorizes the refund of $54,005.22 in excess BPOL taxes paid by the Athene Group, LLC.

TOWN OF
Herndon
OFFICE OF THE TOWN ATTORNEY

STAFF REPORT

Town Council
July 2, 2019

Title:

Resolution to appoint a Deputy Town Attorney

Staff Contact:

Lesa J. Yeatts, Town Attorney
(703) 787-7370
lesa.yeatts@herndon-va.gov

Description:

Adoption of this Resolution would fill the Assistant/Deputy Town Attorney position created and funded by Town's FY20 Budget.

Fiscal Impact:

None.

Staff Recommendation:

It is recommended that the Mayor and Town Council approve the resolution as proposed.

Attachments:

Resolution

Prepared and Approved by:

Lesa J. Yeatts

Lesa J. Yeatts, Town Attorney

TOWN OF HERNDON, VIRGINIA

RESOLUTION

JULY 9, 2019

Resolution- to appoint a Deputy Town Attorney

WHEREAS, the Town's FY20 Budget funded a full time Assistant/Deputy Town Attorney position; and

WHEREAS, the town advertised the position and after receiving numerous applications, a Staff/Town Attorney Interview Panel interviewed several highly qualified applicants and selected the most qualified applicant for recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby appoints **Lauri Sigler** as Deputy Town Attorney effective July 22, 2019 to serve at the direction and under the supervision of the Town Attorney.