

**TOWN OF HERNDON, VIRGINIA
PLANNING COMMISSION WORK SESSION AGENDA
JUNE 14, 2021
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
7:00 P.M.**

CALL TO ORDER

1. Determination of Quorum

PUBLIC HEARING

2. **ZONING ORDINANCE TEXT AMENDMENT, ZOTA #21-02**, to allow for an increase in permitted density up to 28 dwelling units per acre in the PD-UR, Planned Development Urban Residential, zoning district when a zoning map amendment includes adaptive reuse of existing buildings for residential dwelling units. This zoning ordinance text amendment is being considered pursuant to Virginia Code §§ 15.2-2204, 15.2-2285, 15.2-2286, and an Initiating Resolution adopted by the Town Council on May 25, 2021. Notice is hereby given to consider zoning text amendments to establish new, and clarify, revise, and/or delete, existing regulations and definitions in order to increase the maximum density up to 28 dwelling units per acre in PD-UR. The proposed amendments under consideration include, without limitation: Chapter 78 (ZONING), Article V (Planned Development Districts), Section 78-51.1 (Planned Development Urban Residential), and Section 78-180 (Definitions).

DISCUSSIONS

3. Items of Interest
4. Accessory Dwelling Units

COMMENTS

5. Comments from the Staff Members
6. Comments from the Commissioners

ADJOURNMENT



STAFF REPORT

Planning Commission

June 14, 2021

Title: ZONING ORDINANCE TEXT AMENDMENT, ZOTA #21-02, to allow for an increase in permitted density up to 28 dwelling units per acre in the PD-UR, Planned Development Urban Residential, zoning district when a zoning map amendment includes adaptive reuse of existing buildings for residential dwelling units.

Summary Information:

The town council approved Resolution 21-G-48 to initiate consideration of this zoning ordinance text amendment during a public hearing on May 25, 2021.

The Planned Development Urban Residential (PD-UR) zoning district already exists in the Town of Herndon Zoning Ordinance. Any property owner requesting to be governed by this zoning district would need to request a zoning map amendment. The maximum density allowed in this zoning district is 20 dwelling units per acre. The proposed zoning ordinance text amendment would allow a density of up to 28 dwelling units per acre if the project includes the adaptive reuse of existing buildings.

Background:

Zoning District History

This zoning district was adopted on July 19, 2019. The district was created because the existing multi-family zoning districts in the zoning ordinance were ill suited to further the goals of the Adaptive Area – Residential land use designation of the 2030 Herndon Comprehensive Plan. The existing districts also did not reflect the current styles of multifamily product common in the regional DMV development community.

The Planned Development Urban Residential zoning district is intended for properties designated as Adaptive Area – Residential in the Comprehensive Plan. The properties with this designation are those where the town encourages redevelopment over the long term to some form of residential use. The areas are generally located between existing commercial areas and existing single-family attached and single family detached neighborhoods.

The intended uses of Planned Development Urban Residential are a mix of housing types including single family dwellings, duplexes, townhouses, stacked or two-over-two townhouses, and multifamily buildings. Daycares, preschools, government buildings, and retail sales may also be permitted as part of a development plan and associated rezoning.

The maximum density allowed in Planned Development Urban Residential is 20 dwelling units per acre. This is a higher level of density than what is allowed under the Residential Townhouse Cluster (RTC) and Residential Multifamily (RM) zoning districts, which allow 10-15 dwelling units per acre, and a lower level of density than what would be allowed in the Planned Development Traditional Downtown (PD-TD) and Planned Development Transit Oriented Core (PD-TOC).

Comprehensive Plan History

On November 17, 2020, the town council approved Comprehensive Plan Amendment CPA #20-01 to change the land use designation of 315 Elden Street from Business Corridor to Adaptive Area – Residential.

Staff and the planning commission recommended the town council change the land use designation because the current property owner has stated their intention to renovate and reuse the existing buildings that comprise the hotel for a multifamily project. The owner has stated that the project will include market rate dwelling units and dwelling units dedicated for workforce or affordable housing. The site is along several transit lines and has pedestrian connections to multiple nearby shopping centers.

Staff Analysis:

Consistency with the Comprehensive Plan

The primary focus for creating new zoning standards over the past ten years has been to implement the recommendations of the Downtown Master Plan (adopted 2011) and Metrorail Station Area Plan (adopted 2012). Properties designated as Adaptive Area – Residential are located outside of those two small area plans. The adoption of Planned Development Urban Residential in 2019 was the first new district intended for use specifically outside of those two areas and specifically to implement the Adaptive Area – Residential land use category as generally shown in the Comprehensive Plan and specifically shown in the South Elden Area Plan.

It is likely the properties that have already redeveloped (Vinehaven, Darlington Oaks, Park Place) will be re-designated as Neighborhood Conservation in the next update of the Community Plan.

Properties designated Adaptive Area – Residential in the Comprehensive Plan

	Current Name	Park Place
	Development Year	N/A – Site Plan Review
	Housing Type	Single Family Attached (Townhouse) & 2-over-2 Condo Units
	Zoning District	PD-UR
	Ownership Type	Fee Simple Lot & Condominium Ownership
	Total Area	8.83 Acres
	Units	141 Units
	Density	16 du/ac

	Current Name	Vinehaven
	Development Year	2015
	Housing Type	Single Family Detached Dwellings
	Ownership Type	Fee Simple Lots
	Zoning District	PD-D
	Total Area	2.41 Acres
	Units	17 Units
	Residential Density	7.05 du/ac

	Current Name	Darlington Oaks/South Van Buren/Timber Ridge
	Development Year	2011
	Housing Type	Single Family Detached Dwellings & Single Family Attached Dwellings (Townhouse)
	Zoning District	PD-D
	Ownership Type	Fee Simple Lots
	Total Area	8.5 Acres
	Units	73 Units
	Residential Density	8.6 du/ac

		
	Current Name	Residence Inn
	Development Year	1990
	Housing Type	N/A
	Zoning District	CS
	Ownership Type	Single Ownership
	Total Area	6.35 Acres
	Existing Hotel Units	168 Units
	Residential Density	N/A (26.3 du/ac with a 1-to-1 conversion)

	Current Name	Dulles Park Townhomes
	Development Year	1972
	Housing Type	Single Family Attached Dwellings (Townhouse)
	Zoning District	RTC
	Ownership Type	Fee Simple Lots
	Total Area	~12.9 Acres
	Units	99 Units
	Density	~7.7 du/ac

	Current Name	Berkdale Apartments
	Development Year	1972
	Housing Type	Multifamily Apartments
	Zoning District	RM
	Ownership Type	Single Ownership
	Total Area	8.45 Acres
	Units	184 Units
	Density	21.78 du/ac

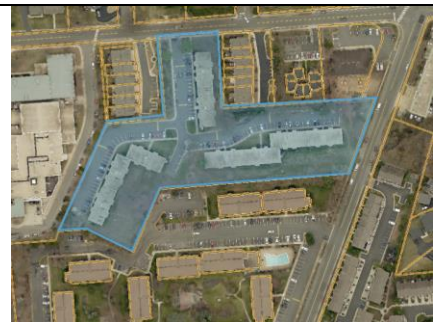
	Current Name	VanMetre Dulles Apartments
	Development Year	1972
	Housing Type	Multifamily Apartments
	Zoning District	CO
	Ownership Type	Single Ownership
	Total Area	8.16 Acres
	Units	180 Units
	Density	22.06 du/ac

	Current Name	Parkridge Gardens
	Development Year	1964 & 1989
	Housing Type	Multifamily Apartments
	Zoning District	RM
	Ownership Type	Single Ownership
	Total Area	6.8 Acres
	Units	144 Units
	Density	21.18 du/ac

	Current Name	Park Avenue Apartments
	Development Year	1964
	Housing Type	Multifamily Apartments
	Zoning District	PD-D
	Ownership Type	Single Ownership
	Total Area	2.95 Acres
	Units	44 Units
	Density	15 du/ac

	ZMA #05-101 (Fortnightly II) Ownership Type	Fee Simple Lot & Condominium Ownership
	ZMA #05-101 Housing Type	Single Family Attached (Townhouse) & Multifamily Condominium
	ZMA #05-101 Units	69 Units
	ZMA #05-101 Density	23.4 du/ac

	Current Name	Gaslight Square Condos
	Development Year	1962
	Housing Type	Multifamily Condominium
	Zoning District	RM
	Ownership Type	Condominium Ownership
	Total Area	~1.1 Acres
	Units	19 Units
	Density	~17.3 du/ac

	Current Name	International Apartments
	Development Year	1962
	Housing Type	Multifamily Apartments
	Ownership Type	Single Ownership
	Zoning District	RM
	Total Area	4.02 Acres
	Units	90 Units
	Residential Density	22 du/ac

Need for Current Amendment

When Planned Development Urban Residential was first adopted, the assumption was any property owner desiring to develop under these standards would do a complete redevelopment of an existing site. This would include demolishing any existing buildings, parking, and other site features to create a development. This is the case with the Park Place redevelopment where the existing offices and site improvements will be demolished and a new townhouse and two-over-two community will be built.

When the property owner of 315 Elden Street approached the town with a proposal to convert the existing hotel to a multifamily residential project with an affordable dwelling unit component, town staff explained that there is no zoning district on the books that would allow that type of conversion to occur at that level of residential density. The only two ways to allow a conversion as a potential option is to create a new zoning district or to amend an already existing zoning district. Staff chose to amend Planned Development Urban Residential because it already has the framework for requiring communities to have on-site amenities, pedestrian, bicycle, and transit connections, and requirements to include universal design.

Impact if Approved

The intent of the Planned Development Urban Residential zoning district was to restrict its application to areas designated as Adaptive Area – Residential. This proposed zoning ordinance text amendment does not expand the areas where the district should go.

The proposed amendment includes provisions that any project proposing adaptive reuse of an existing building will show that the conversion of a previous use to residential will have a neutral or lower demand on the town's water and sewer infrastructure.

As it relates to 315 Elden Street, this is the second of the two required legislative actions before the property owner can apply for a rezoning. The first was the comprehensive plan amendment and this is the zoning ordinance text amendment. If ultimately approved, the property owner can submit a zoning map amendment for public hearing where the details of their specific project will be discussed.

Planning Commission Alternatives:

The following alternatives are available to the planning commission for its decision on Zoning Ordinance Text Amendment ZOTA #21-02:

1. Recommend the town council approve the ordinance
2. Recommend the town council deny the ordinance
3. Continue the public hearing on this ordinance to a date certain

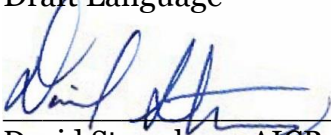
Staff Recommendation:

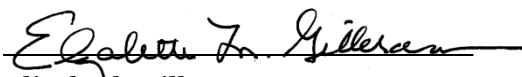
Staff recommends approval in accordance with **alternative 1**.

Recommending approval of this zoning ordinance text amendment will provide an additional tool for implementing the Community Plan and providing an opportunity for the owner of 315 Elden Street to request a rezoning to reuse the property.

Attachments:

1. Draft Language



David Stromberg, AICP
Zoning Administrator

Elizabeth Gilleran, AICP
Director of Community Development

TOWN OF HERNDON, VIRGINIA

ORDINANCE

_____, 2021

Ordinance - to amend Chapter 78 (ZONING), Article V (Planned Development Districts), Section 78-51.1, entitled PD-UR (Planned Development – Urban Residential) and Section 78-180, entitled Definitions, to allow for an increase in permitted density when a zoning map amendment includes adaptive reuse of existing buildings for residential dwelling units.

Sec. 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 creates 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.

(4) Adaptive reuse. Projects that are reusing or repurposing a nonresidential building(s) for residential use may be eligible for increased density as specified in table 78-51.1(e). Sites for adaptive reuse should be located near existing transit routes and commercial nodes. Adaptive reuse should lead to less than or neutral impact on water and sewer demand than the present use.

(5) Affordable dwelling units. Projects should provide a percentage of dwelling units available to those earning low to moderate incomes for the Washington Standard Metropolitan Statistical Area.

- (e) *Dimensional standards.* Structures in the PD-UR zoning district are subject to the 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
<i>Adaptive reuse for residential dwelling units</i>	<i>28 dwelling units per acre</i>

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41 *(h) Modifications to dimensional standards. Projects that are reusing an existing*
42 *building(s) may be entitled to modifications pursuant to the modification review*
43 *standards of Section 78-50.2(d).*

44 ***

45 **Section 78-180. – Definitions**

46 ***

47 *Adaptive reuse. Rehabilitation or renovation of existing building(s) or structures for*
48 *any use(s) other than the present use.*

49 ***