



TOWN COUNCIL WORK SESSION AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Tuesday, July 9, 2024
Closed Meeting - 6:00 PM | Work Session - 7:00 PM

1. Call to Order

2. Closed Meeting (6:00 PM)

a. A closed meeting pursuant to the:

- Code of Virginia Section 2.2-3711(A)(1), for discussion of prospective candidates relative to appointments to boards and commissions; and
- Code of Virginia Section 2.2-3711(A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to real estate in the downtown.

3. Public Hearings

- a. Ordinance to approve and authorize the mayor to sign a third lease amendment between the town and T-Mobile Northeast, LLC to renew the lease term at the Spring Knoll Drive water tower
- b. Ordinance to approve and authorize the mayor to sign a second franchise amendment between the Town and XO Virginia, LLC to extend the current term for an additional 10-years, update exhibit map, and amend notice information
- c. Ordinance to amend the Fiscal Year (FY) 2025 Adopted Budget for the General Fund, Water and Sewer Fund, Chestnut Grove Cemetery Fund, Herndon Centennial Golf Fund, Capital Projects Fund, Storm Water Management Fund, and American Rescue Plan Act (ARPA) Fund

4. General

- a. Resolution to authorize the Reserve of Fiscal Year (FY) 2024 funding for ongoing operations and maintenance, Capital Projects, ARPA Projects, and for Outstanding Encumbrances on June 30, 2024 for the FY 2025 Adopted Budget
- b. Request to consider a donation to Stars and Stripes NOVA Committee in support of the 2024 Stars and Stripes NOVA Committee Charity Golf Tournament
- c. Request to consider a donation to the Global Beat Foundation in support of the Pakistan Day Celebration event
- d. Resolution to adopt new *Standards for Traffic Calming and Crosswalks* and repeal the *Neighborhood Traffic Calming Guide* previously adopted by Resolution 11-G-45
- e. Ordinance to amend Chapter 1 (GENERAL PROVISIONS), Sec. 1-16 (Standards for public improvements) to include new subsection (a)(4) *Standards for Traffic Calming and Crosswalks*

5. Consent

- a. Resolution to affirm corrections to the Proffer Statement and Generalized Development Plan of Zoning Map Amendment ZMA #22-02, 13100 and 13150 Worldgate Drive and amend Ordinance 24-O-06
- b. Resolution to approve the town's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and to direct the Town Manager and/or Town Attorney to execute the documents necessary to effectuate participation in the settlement
- c. Ordinance to amend Chapter 42 (MOTOR VEHICLES AND TRAFFIC), Article I (In General), Sec. 42-1 (Definitions) to correct numbering

6. Discussion

- a. Ferndale Avenue Project Update
- b. Town Council Meeting Schedule - Structure Update Discussion
- c. Additional donation request to Virginia Hispanic Chamber of Commerce in support of ¿Qué Pasa? Herndon Event - Councilmember del Aguila

7. Roundtable

8. Adjournment

Agenda Item: Ordinance to approve and authorize the mayor to sign a third lease amendment between the town and T-Mobile Northeast, LLC to renew the lease term at the Spring Knoll Drive water tower

Meeting Date: July 9, 2024

Category: Public Hearings

Prepared by: Tammy Chastain, Deputy Director of Public Works, Lesa Yeatts, Town Attorney

Description:

Third lease amendment extending the current lease term for existing cellular telecommunication equipment located on the Spring Knoll Drive water tower.

Background:

The original lease agreement between the Town and T-Mobile at the Spring Knoll Drive Water Tower is dated December 22, 2008 and was first amended on June 9, 2015, and subsequently on January 29, 2019. The current lease term expired on July 1, 2024.

The proposed 3rd Amendment dated June 11, 2024, allows for the renewal of the lease for three (3) additional renewal terms of five (5) years each, which would be effective July 1, 2024. Each renewal term will renew automatically, on the same terms and conditions of the original lease, unless T-Mobile provides the town with at least sixty (60) days prior written notice before the expiration of the then current term.

Budget Impact:

The current rent as of July 1, 2024, is \$4,450.43 per month. As per the original Deed of Lease, the lease is subject to an annual 3% yearly escalation in rent.

Recommendation:

Staff recommends approval of the Ordinance authorizing the mayor to sign the 3rd Amendment to the Deed of Lease.

Attachments:

1. Ordinance (Proposed)
2. Lease Amendment

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

JULY 16, 2024

Ordinance- **to approve and authorize the mayor to sign a third lease amendment between the town and T-Mobile Northeast, LLC to renew the lease term at the Spring Knoll Drive water tower.**

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

1. The Town Council approves the Third Amendment to Deed of Lease dated June 11, 2024. This instrument amends the original Deed of Lease dated December 22, 2008, as amended by the First Amendment dated June 9, 2015, and as amended by the Second Amendment dated January 29, 2019.
2. This instrument approves the addition of three renewal terms of five-years each that will become effective upon the expiration of the current term on July 1, 2024. Each five-year term will automatically renew.
3. In all other respects the original lease remains in effect.
4. The mayor is authorized to sign and deliver the lease amendment and any ancillary instruments necessary to evidence or effectuate the lease amendment, provided they are consistent with this ordinance and on such form approved by the Town Attorney.
5. This ordinance shall be in effect on and after the date of its adoption.

THIRD AMENDMENT TO DEED OF LEASE

This Third Amendment to Deed of Lease ("Third Amendment") is made this 11th day of June 2024 by and between **Town of Herndon, Virginia**, a municipal corporation, ("Town") and **T-Mobile Northeast LLC**, a Delaware limited liability company ("Lessee").

WHEREAS, Town and Lessee entered into that certain Deed of Lease dated December 22, 2008 as amended by the First Amendment to Deed of Lease dated June 9, 2015, and that Second Amendment to Deed of Lease dated January 29, 2019 (collectively referred to herein as the "Lease") whereby Town leased to Lessee a portion of the Town's property and space on the Spring Knoll Water Tower located at 828 Spring Knoll Drive, Herndon, Fairfax County, Virginia 20170 (the "Property"), and known as Site Number 7WAC201A to Lessee; and,

WHEREAS, Town and Lessee desire to amend the Lease as follows;

WHEREAS, Town and Lessee hereby affirm that, as of the date hereof: (i) no breach or default by Town or Lessee occurred; and (ii) the Lease, and all the terms, covenants, conditions, provisions and agreements thereof, except as expressly modified by this Third Amendment are in full force and effect, with no defenses or offsets thereto; and

NOW THEREFORE, in consideration of the mutual covenants contained in the Lease and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and Lessee hereby agree as follows:

1. All capitalized terms shall have the meaning ascribed to them in the Lease unless otherwise defined in this Third Amendment.
2. Renewal Terms. Upon the expiration of the current term on July 1, 2024, Lessee shall have the right to renew the Lease for three (3) additional renewal terms of five (5) years each. Each renewal term shall renew automatically, on the same terms and conditions of the Lease, unless Lessee provides at least sixty (60) days prior written notice before the expiration of the then current term that Lessee does not wish to exercise such renewal term.
3. Each of the parties represent and warrant that they have the right, power, legal capacity and authority to enter into and perform their respective obligations under this Third Amendment.
4. This Third Amendment will be binding on and inure to the benefit of the parties herein, their heirs, executors, administrators, successors-in-interest and assigns.

5. Town represents and warrants to Lessee that the consent or approval of a third party has either been obtained or is not required with respect to the execution of this Third Amendment.
6. Except as specifically amended herein, the remaining terms of the Lease shall remain in full force and effect. To the extent any provision contained in this Third Amendment conflicts with the terms of the Lease, the terms and provisions of this Third Amendment shall prevail.
7. This Third Amendment may be executed in duplicate counterparts, each of which will be deemed an original.

TOWN:

TOWN OF HERNDON, VIRGINIA

BY:

Sheila A. Olem, Mayor

DATE: _____

ATTEST:

Town Clerk

APPROVED AS TO FORM:

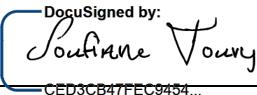


Lesa J. Yeatts, Town Attorney

Additional Signatures on Following Page

LESSEE:

T-MOBILE NORTHEAST LLC

BY: 
 CED3CB47FEC9454...

NAME: Soufiane Toury

TITLE: Sr. Market Director

DATE: 5/29/2024

TMO
Leg
al
Digitally signed
by TMO Legal
Date: 2024.05.14
10:59:11 -0400

Agenda Item: Ordinance to approve and authorize the mayor to sign a second franchise amendment between the Town and XO Virginia, LLC to extend the current term for an additional 10-years, update exhibit map, and amend notice information

Meeting Date: July 9, 2024

Category: Public Hearings

Prepared by: Tammy Chastain, Deputy Director of Public Works, Lesa Yeatts, Town Attorney

Description:

Second Franchise Amendment proposal between the Town and XO Virginia, LLC for maintenance of existing telecommunication facilities.

Background:

The original franchise agreement between the Town and XO Virginia, LLC, which was acquired by Verizon in 2014, has been in place since July 14, 2004. The agreement was extended for an additional ten years on July 14, 2014.

The proposed Second Amendment extends the franchise agreement for an additional ten years, expiring on July 14, 2034. Even though there were no route changes, the exhibit map has been updated to a more legible format than the original. Notice addresses for the Town and for XO have also been updated.

Budget Impact:

XO Virginia, LLC currently pays the Town public rights-of-way use fees per access line. The rights-of-way use fee varies per year and is governed by the Code of Virginia and determined annually by the Virginia Department of Transportation. This shall remain in effect for the term of this agreement. Payments made for Fiscal Year (FY) 2024: October 2023, \$9264.78, January 2024, \$9147.60, and April 2024, \$8,856.54.

Recommendation:

Staff recommends approval of the Ordinance as proposed.

Attachments:

1. Ordinance (Proposed)
2. Franchise Amendment No. 2

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

JULY 16, 2024

Ordinance- **to approve and authorize the mayor to sign a second franchise amendment between the town and XO Virginia, LLC to extend the current term for an additional 10-years, update exhibit map, and amend notice information.**

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

1. The second franchise amendment between Town of Herndon and XO Virginia, LLC dated July 14, 2024, is approved. This instrument amends the original franchise agreement, effective date July 14, 2004, as amended by the first amendment, effective date September 30, 2014.
2. Beginning on July 14, 2024, the current term is hereby extended for an additional ten (10) years.
3. Exhibit "A" is deleted in its entirety and replaced with Exhibit "A" dated June 7, 2024.
4. Section 12 regarding notices is hereby amended to reflect the following address information:

Town of Herndon, Attention: Town Manager, 777 Lynn Street, Herndon, Virginia 20170, and to Franchisee at 600 Hidden Ridge, Irving, TX 75038, Attn: Franchise Manager.
5. In all other respects the original franchise agreement remains in effect.
6. The mayor is authorized to sign and deliver this second amendment and any related documents, on such a form approved by the Town Attorney, necessary to evidence or effectuate the agreement.
7. This ordinance shall be effective on and after the date of its adoption.

TOWN OF HERNDON, VIRGINIA

FRANCHISE AGREEMENT

TERMS AND CONDITIONS FOR USE OF TOWN'S RIGHT OF WAY

AMENDMENT NO. 2

This Amendment No.2 dated July 14, 2024, amends the Franchise Agreement with an effective date of July 14, 2004, as amended by the Amendment No. 1 with an effective date of September 30, 2014 between the TOWN OF HERNDON, a Virginia municipal corporation (the "Town") and XO Virginia, LLC, ("Franchisee"), having its principal place of business at One Verizon Way, Basking Ridge, NJ 07920.

1. Subject to all the terms and conditions contained in Franchise Agreement, the term of the Franchise Agreement is hereby extended for additional ten (10) years beginning on July 14, 2024.
2. Exhibit "A" is hereby deleted in its entirety and replaced with Exhibit "A" dated June 7, 2024.
3. Section 12 regarding notices is hereby amended to reflect the following address information: Town of Herndon, Attention: Town Manager, 777 Lynn Street, Herndon, Virginia 20170, and to Franchisee at 600 Hidden Ridge, Irving, TX 75038, Attn: Franchise Manager.
4. Except as specifically amended or modified herein, the terms and conditions of the Franchise Agreement will remain in full force and effect throughout the extended term.

TOWN OF HERNDON, VIRGINIA

XO VIRGINIA, LLC



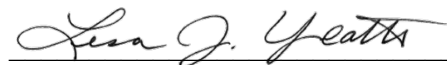
Shiela A. Olem, Mayor

Name: Dina Dye
Title: Associate Director Network
Regulatory/Real Estate

ATTEST:

Town Clerk

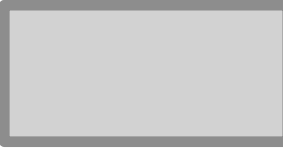
APPROVED AS TO FORM:



Lesa J. Yeatts, Town Attorney

XO Communications Services, LLC
Existing Fiber Routes
Herndon, VA



-  Aerial
-  Buried
-  Herndon



Data Source: VZB
Projection: GCS_WGS_1984
Map Created: 6/7/2024
Map Created By: Andres McDonnell

Agenda Item: Ordinance to amend the Fiscal Year (FY) 2025 Adopted Budget for the General Fund, Water and Sewer Fund, Chestnut Grove Cemetery Fund, Herndon Centennial Golf Fund, Capital Projects Fund, Storm Water Management Fund, and American Rescue Plan Act (ARPA) Fund

Meeting Date: July 9, 2024

Category: Public Hearings

Prepared by: Marjorie Sloan, Finance Director, Maria Lee, Budget Manager

Description:

The town's annual procedure at fiscal year-end is to set aside specific amounts from fund balance or net position for the outstanding encumbrances and reserves that exist on June 30 of the prior fiscal year, as described in the Town Council's annual reserve resolution and annual budget ordinance. Town Council's authorization of the Fiscal Year (FY) 2024 reserves and encumbrances are not appropriated or budgeted amounts for FY 2025 as defined in the Code of Virginia. Therefore, this budget amendment will recognize the designated reserves and outstanding encumbrances at June 30, 2024 as FY 2025 budget appropriations.

Background:

N/A

Budget Impact:

Impacted funds have capacity either through grant revenues, grant commitments, unrestricted net positions (enterprise funds), or assigned fund balances, to support the reserves and encumbrances.

Recommendation:

Staff recommends approval of the attached Ordinance, as presented.

Attachments:

1. Ordinance (Proposed)
2. FY25 Budget Amendment 1 (Attachment A)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

JULY 16, 2024

Ordinance- **to amend the Fiscal Year (FY) 2025 Adopted Budget for the General Fund, Water and Sewer Fund, Chestnut Grove Cemetery Fund, Herndon Centennial Golf Fund, Capital Projects Fund, Storm Water Management Fund, and the American Rescue Plan Act (ARPA) Fund.**

The Town Council, in adopting this ordinance, has considered the Town Manager's recommended budget modifications as described in Attachment A, FY 2025 Budget Amendment Number 1.

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

1. The financial adjustments to the FY 2025 Budget, as described in Attachment A, Budget Amendment FY2025, Number 1 to this ordinance, are approved.
2. This ordinance shall be effective on and after the date of its adoption.

TOWN OF HERNDON, VIRGINIA
FY 2025 BUDGET AMENDMENT 1

The following appropriations and funding sources are proposed for amendment:

GENERAL FUND

Expenditure Appropriations	Amount	Revenue Budget	Amount
Estimated Outstanding Encumbrances at June 30, 2024	\$961,185	Use of Fund Balance	\$6,407,606
Authorized Reserves at June 30, 2024	5,446,421		
Total Expenditures Increase	\$6,407,606	Total Revenues Increase	\$6,407,606

CAPITAL PROJECTS FUND

Expenditure Appropriations	Amount	Revenue Budget	Amount
Estimated Outstanding Encumbrances at June 30, 2024	\$184,423	Use of Fund Balance	\$936,606
Authorized Reserves at June 30, 2024	752,183		
Total Expenditures Increase	\$936,606	Total Revenues Increase	\$936,606

WATER AND SEWER FUND

Expenditure Appropriations	Amount	Revenue Budget	Amount
Estimated Outstanding Encumbrances at June 30, 2024	\$1,477,232	Use of Net Position	\$1,477,232
Authorized Reserves at June 30, 2024	0		
Total Expenditures Increase	\$1,477,232	Total Revenues Increase	\$1,477,232

CHESTNUT GROVE CEMETERY FUND

Expenditure Appropriations	Amount	Revenue Budget	Amount
Estimated Outstanding Encumbrances at June 30, 2024	\$5,606	Use of Net Position	\$971,482
Authorized Reserves at June 30, 2024	965,876		
Total Expenditures Increase	\$971,482	Total Revenues Increase	\$971,482

HERNDON CENTENNIAL GOLF COURSE FUND

Expenditure Appropriations	Amount	Revenue Budget	Amount
Estimated Outstanding Encumbrances at June 30, 2024	\$21,556	Use of Net Position	\$1,769,120
Authorized Reserves at June 30, 2024	1,747,564		

Total Expenditures Increase	\$1,769,120	Total Revenues Increase	\$1,769,120
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STORM WATER MANAGEMENT FUND

Expenditure Appropriations	Amount	Revenue Budget	Amount
Estimated Outstanding Encumbrances at June 30, 2024	\$466,994	Use of Fund Balance	\$1,988,021
Authorized Reserves at June 30, 2024	1,521,027		
Total Expenditures Increase	\$1,988,021	Total Revenues Increase	\$1,988,021

AMERICAN RESCUE PLAN ACT FUND (ARPA)

Expenditure Appropriations	Amount	Revenue Budget	Amount
Estimated Outstanding Encumbrances at June 30, 2024	\$4,463,802	ARPA grant received	\$9,545,031
Authorized Reserves at June 30, 2024	5,081,229		
Total Expenditures Increase	\$9,545,031	Total Revenues Increase	\$9,545,031

Agenda Item: Resolution to authorize the Reserve of Fiscal Year (FY) 2024 funding for ongoing operations and maintenance, Capital Projects, ARPA Projects, and for Outstanding Encumbrances on June 30, 2024 for the FY 2025 Adopted Budget

Meeting Date: July 9, 2024

Category: General

Prepared by: Marjorie Sloan, Finance Director, Maria Lee, Budget Manager

Description:

The Town Council authorized and appropriated monies for specific activities anticipated to occur during Fiscal Year (FY) 2024. Due to timing, delays, and status, some of these activities or projects were not completed by June 30, 2024, and will therefore need to be reauthorized and re-appropriated to continue. This request is an annual procedure.

The attached schedules provide detail supporting the recommended reserves and estimated encumbrances as of June 30, 2024.

Background:

N/A

Budget Impact:

Impacted funds have capacity either through grant revenues, grant commitments, unrestricted net positions (enterprise funds), or assigned fund balances (Capital Projects fund), to support the reserves and encumbrances.

Recommendation:

Staff recommends adoption of the attached Resolution, as presented.

Attachments:

1. Resolution (Proposed)
2. Schedules (Attachment A)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

JULY 16, 2024

Resolution- to authorize the Reserve of Fiscal Year (FY) 2024 funding for ongoing operations & maintenance, Capital Projects, ARPA Projects, and for Outstanding Encumbrances on June 30, 2024 for the FY 2025 Adopted Budget.

The Town of Herndon closes its fiscal year (FY) on June 30, 2024. The FY 2024 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. It is the intent of the Town Council to reserve, encumber, and re-appropriate these funds into the next fiscal year.

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

1. The reserved or encumbered amounts for the fiscal year ended June 30, 2024 is established and re-appropriated as listed on the attached Schedules for Fiscal Year 2025 Budget.
2. This resolution is effective retroactively to June 30, 2024.

Schedule 1 – Operations & Maintenance Reserves

Fund	Dept	Amount	Description
General Fund	Community Development	\$900,000	Comprehensive Plan Costs
General Fund	Finance/IT/Comm/HPD	145,200	SW, Advisory Costs, Branding Initiative, Security
General Fund	Non-Departmental	3,995,500	Downtown Parking
General Fund	Public Works	405,721	Paving contract, TEIC, traffic controller install
Total O&M Reserves		\$5,446,421	

Schedule 2 – Capital Reserves

Fund	Account Number	Description	Amount
Capital Projects	015-08-86-000-491630	Sidewalks Trails & Bicycles	\$85,683
Capital Projects	015-08-86-000-491850	Sterling Road Improvements	204,000
Capital Projects	015-99-99-000-491900	Arts Center Project	462,500
Centennial Golf	007-04-22-000-480020	Master Plan Project & vehicles	1,747,564
Chestnut Grove Cemetery	003-03-39-000-480480	Expansion Project	965,876
Storm Water Mgt	015-08-80-000-491711	Stream Restoration North	608,386
Storm Water Mgt	015-99-99-000-490080	Stormwater Drain Improvement	912,641
Total Capital Reserves			\$4,986,650

Schedule 3 – ARPA Reserves

Fund	Description	Amount
ARPA	HCC Backlog (Maint & Repair)	\$228,967
ARPA	HMC Town Hall Backlog (Maint & Repair)	620,943
ARPA	IT Infrastructure	29,603
ARPA	Aquatics Center Program	118,031
ARPA	Tennis Court and Bubble	10,794
ARPA	Ball/Sports Field & Park Improvement	33,271
ARPA	Park Equipment Replacement	49,926
ARPA	HPD Parking Lot Expansion	145,761
ARPA	Convert of AutoCAD	27,320
ARPA	Town Shop Improvement – 1479 Backlog	37,380
ARPA	Town Hall, Square & Depot Improvement	213,313
ARPA	Fire Alarm System at HMC	617,587
ARPA	Town-wide Security Initiatives	328,137
ARPA	Underground Storage Tank	315,507
ARPA	Sewer Vehicle/Equipment	1,275
ARPA	Sewer Utility Master Plan	924,000
ARPA	Sewer Main Relining	344
ARPA	Water Utility Master Plan	1,105,827
ARPA	Water Facility Security Improvement	20,000
ARPA	DPW Vehicles/Equipment	5,836
ARPA	Cemetery Expansion	237,245
ARPA	Hunter's Creek Bridge Replacement	10,164
Total ARPA reserves		\$5,081,229

Schedule 4 – Estimated Outstanding Encumbrances- June 30, 2024

General Fund	\$961,185
Water & Sewer Fund	1,477,232
Chestnut Grove Cemetery Fund	5,606
Herndon Centennial Golf Course Fund	21,556
Capital Projects Fund	184,423
Storm Water Management Fund	466,994
ARPA Fund	4,463,802
Total Estimated Encumbrances	\$7,580,798

Agenda Item: Request to consider a donation to Stars and Stripes NOVA Committee in support of the 2024 Stars and Stripes NOVA Committee Charity Golf Tournament

Meeting Date: July 9, 2024

Category: General

Prepared by: Marjorie Sloan, Finance Director, Kirstyn Jovanovich, Town Clerk

Description:

As directed by Town Council, this is a request to consider a cash donation to the Stars and Stripes NOVA Committee in support of their May 24, 2024 charity golf tournament held at the Herndon Centennial Golf Course. The Stars and Stripes NOVA Committee has requested a cash donation of \$3,848 to off-set the greens fees incurred during the May 24, 2024 golf tournament. Please see the attached materials for additional information on the donation request.

Community donation disbursements are at the discretion of Town Council.

During the Regular Meeting during which Council may take action on items before them, the Town Council may:

- Award a donation as requested or as amended;
- Deny award of the donation request;
- Other action deemed appropriate by Town Council.

Background:

The Stars and Stripes NOVA Committee held a golf tournament at Herndon Centennial Golf Course Memorial Day weekend on Friday, May 24, 2024. As with every tournament held at the town's course, staff provided support to the event organizers in planning and holding the event at the course. In addition to providing tournament support services, staff accommodated the organizer's requests and allowed an outside food vendor and band, which is not normally permitted as part of tournaments. In addition, at the organizer's request to reduce the rate for the charity tournament, staff reduced the greens fees rate within the policy limitations to the 25% discount resident rate. The town also donated range balls, and closed the course to the public from 7 am to 2 pm. As a result of this additional support, the town has contributed direct contributions and received indirect revenue impacts to the Golf Enterprise Fund as a result of the tournament:

Category	Potential Revenue (9a-2p)	Tournament Revenue (Actual)	Indirect Impact	Direct Impact
Player Revenue	\$9,712	\$3,848	\$5,864	\$740
Course Closure (7a-9a)			\$3,224	
Range Ball Donation				\$592
Subtotal			\$9,088	\$1,332

The **total estimated revenue impact** (including revenue loss and in-kind donation) for this event is **\$10,420**. Another potential impact that is not included in the above estimates include meal tax revenue loss from allowing an outside vendor to provide meals, as opposed to using the onsite food vendor for the tournament. The assumptions utilized in the above estimates include assuming a full tee sheet on a Friday of a holiday weekend and lower number of public players impacted by closure if the tournament was held on a Monday - Thursday, instead of a Friday/holiday weekend day.

During the Roundtable portion of the May 21, 2024 Town Council work session meeting, Councilmember del Aguila requested that the Town Council consider providing a cash donation to the Stars and Stripes NOVA Committee. Staff contacted representatives of the Stars and Stripes NOVA Committee to obtain information on the donation request; however, the requested information had not yet been received by the June work session for Council to consider the request. Since that time, staff has received the application and requested documentation for review and consideration by Town Council, which has been attached to this agenda item.

Under the Code of Virginia § 15.2-953, localities may appropriate public funds to any charitable institution or association, located within the locality's limits or outside the limits if the organization provides services to residents of the locality, and if such organizations are not controlled in whole or in part by any church or sectarian society. In addition, under Code of Virginia § 15.2-953, donations include the lawful provision of in-kind resources for any event sponsored by the donee.

Budget Impact:

Cash donation request is \$3,848; the Golf Course Enterprise Fund has an estimated revenue impact of \$10,420 as a result of hosting the tournament.

Recommendation:

Staff has no recommendation; donation disbursements are at the discretion of Town Council.

Attachments:

1. Donation Request (with Attachments)



Application Town of Herndon Area Charitable and Non-Profit Organizations Request for Town Funds

Section I – Organization Information

Organization Name: Stars and Stripes NOVA Committee

Mailing Address: 12913 Alton Square, Apt. 106, Herndon, VA 20170

Phone number: (347) 556-2219 E-mail address: Anton410@langerconsulting.org

Website address: <https://www.starsandstripesnovacommittee.org/index.html>

Name, Title, and Phone Number of Primary Contact: Kristin Ball, Committee Chair, (540) 818-1295

Name, Title, and Phone Number of Chief Executive Officer: Philip Langer, Chief Executive Officer, 347-556-2219

Employer Identification Number (if applicable): 872642312

Primary Purpose of the Organization and Description of its programs and services:

The Stars & Stripes NOVA Committee responds to the urgent needs of veterans, service members, first responders, and their families in Herndon and Northern Virginia. We are here to proudly serve those who serve us. The committee members, a diverse cohort of volunteers including veterans and direct military family members, understand that we must make new programs accessible to the ever-expanding number of veterans, service members, and first responders requiring support in Herndon and Northern Virginia.

Goals, Objectives and Accomplishments of the Organization. Describe how the organization benefits the citizens of the Town of Herndon.

The initiatives of Stars and Stripes NOVA Committee benefit the citizens of the Town of Herndon in many ways. In December 2023, for example, the Stars and Stripes NOVA Committee and its diverse group of volunteers held a food and clothing distribution in Herndon that provided 26,000 pounds of free food and clothing to 2,500 individuals. Please see the following link: <https://www.connectionnewspapers.com/news/2023/dec/06/food-lines-resemble-bread-lines-of-great-depression/>.

We are also in the process of creating a once-a-week soup kitchen to benefit the veterans and first responders in need in Herndon. When we receive enough donations, we will create an adaptive sports program to help veterans and first responders with PTSD and disabilities.

Section II – Donation Request Information

Requested Cash Donation: \$3,848

Purpose for which the donation will be used. Specifically describe the outcomes that will result from the expenditure of these town funds.

The amount requested would off-set the golf green fees assessed during the May 24, 2024, Stars and Stripes NOVA Committee Charity Golf Tournament at Herndon Centennial Golf Course. The goal of the tournament was to raise funds for the initiatives of Stars and Stripes NOVA Committee, which include an adaptive sports program for veterans in transition, the creation of a soup kitchen in Herndon, and our annual food and clothing distribution in December 2024. If Stars and Stripes NOVA Committee receives this requested cash donation, it allows us to use those monies raised on May 24 toward our initiatives rather than for greens fees. Stars and Stripes NOVA Committee is located in the Town of Herndon and our initiatives will directly affect the residents of the Town of Herndon.

Is this donation for a specific event? ☒ yes ☐ no If yes, please describe the event and how it benefits the citizens of the Town of Herndon.

The amount requested will cover the greens fees incurred during the Memorial Day Weekend Golf Tournament at Herndon Centennial Golf Course. We had 72 golfers participate in the event. The goal of the charity golf event was to raise funds for the initiatives of Stars and Stripes NOVA Committee as outlined above. Our initiatives will benefit families in need, veterans, and service members in the Town of Herndon. Many of the golf tournament participants expressed their positive impression of Herndon Centennial Golf Course, the Town of Herndon helping those less fortunate, and our motto, "No one left behind."

Date of Event (if applicable): Friday, May 24th, 2024

Section III – Attachments

Submit the following documents with your application. Applications are not considered complete until all required supporting documents are submitted.

☒ X IRS Determination Letter [501(c)(3)]

☒ X Up-to-date listing of names and affiliations of the principal officers and Board of Directors

☒ X IRS Form 990

☒ X Detailed Event Budget (if applicable)

☒ X Completed Vendor Set-up form

☒ X Completed W-9 form

Section IV - Authorization

I, Kristin Ball, do hereby certify that this application and related documentation is true to the best of my knowledge, information, and belief. I further agree that by signing this application, this agency agrees to abide by the Town of Herndon policies.

I acknowledge that membership or participation is open to all residents and businesses in the town without regard to race, color, religion, sex, or national origin.

I confirm that I am legally authorized to sign this application on behalf of the organization.

I understand that a donation can only be approved by the Town Council at a public meeting.

Signature: *Kristin F. Ball*

Date: 06/05/2024

Print Name: Kristin Ball

Title: Chair of the Stars and Stripes NOVA Committee



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities

P.O. Box 2508
Cincinnati, OH 45201

LANGER CONSULTING
C/O PHILIP LANGER
12913 ALTON SQUARE UNIT 106
HERNDON, VA 20170

Date:

03/18/2022

Employer ID number:

87-2642312

Person to contact:

Name: Customer Service

ID number: 31954

Telephone: 877-829-5500

Accounting period ending:

December 31

Form 990-PF required:

Yes

Effective date of exemption:

September 2, 2021

Addendum applies:

No

DLN:

26053459007772

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a private foundation within the meaning of Section 509(a).

You're required to file Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation, annually, whether or not you have income or activity during the year. If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PF" in the search bar to view Publication 4221-PF, Compliance Guide for 501(c)(3) Private Foundations, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Form **990-EZ**Department of the Treasury
Internal Revenue Service**Short Form****Return of Organization Exempt From Income Tax**

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form, as it may be made public.

Go to www.irs.gov/Form990EZ for instructions and the latest information.

OMB No. 1545-0047

2023**Open to Public
Inspection**

A For the 2023 calendar year, or tax year beginning , 2023, and ending , 20										
B Check if applicable: ☐ Address change ☐ Name change ☐ Initial return ☐ Final return/terminated ☐ Amended return ☐ Application pending	<table border="1" style="width:100%"><tr><td colspan="2">C Name of organization he 501c3 nonprofit</td><td>D Employer identification number he 872642312</td></tr><tr><td>Number and street (or P.O. box if mail is not delivered to street address) he 12913 Alton Square</td><td>Room/suite Unit 106</td><td>E Telephone number 347-556-2219</td></tr><tr><td colspan="2">City or town, state or province, country, and ZIP or foreign postal code Herndon, VA 20170</td><td>F Group Exemption Number he</td></tr></table>	C Name of organization he 501c3 nonprofit		D Employer identification number he 872642312	Number and street (or P.O. box if mail is not delivered to street address) he 12913 Alton Square	Room/suite Unit 106	E Telephone number 347-556-2219	City or town, state or province, country, and ZIP or foreign postal code Herndon, VA 20170		F Group Exemption Number he
C Name of organization he 501c3 nonprofit		D Employer identification number he 872642312								
Number and street (or P.O. box if mail is not delivered to street address) he 12913 Alton Square	Room/suite Unit 106	E Telephone number 347-556-2219								
City or town, state or province, country, and ZIP or foreign postal code Herndon, VA 20170		F Group Exemption Number he								
G Accounting Method: ☒ Cash ☐ Accrual Other (specify):		H Check ☐ if the organization is not required to attach Schedule B (Form 990). he								
I Website: www.starsandstripesnovacommittee.org										
J Tax-exempt status (check only one) — ☒ 501(c)(3) ☐ 501(c) () (insert no.) ☐ 4947(a)(1) or ☐ 527										
K Form of organization: ☐ Corporation ☐ Trust ☐ Association ☐ Other: nonprofit										
L Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, column (B)) are \$500,000 or more, file Form 990 instead of Form 990-EZ \$										

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (see the instructions for Part I) **he**Check if the organization used Schedule O to respond to any question in this Part I ☐

Revenue	1	Contributions, gifts, grants, and similar amounts received	1	25,800
	2	Program service revenue including government fees and contracts	2	0
	3	Membership dues and assessments	3	0
	4	Investment income	4	0
	5a	Gross amount from sale of assets other than inventory	5a	0
	5b	Less: cost or other basis and sales expenses	5b	0
	5c	Gain or (loss) from sale of assets other than inventory (subtract line 5b from line 5a)	5c	0
	6	Gaming and fundraising events:		
	6a	Gross income from gaming (attach Schedule G if greater than \$15,000)	6a	0
	6b	Gross income from fundraising events (not including \$ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds \$15,000)	6b	1,375
6c	Less: direct expenses from gaming and fundraising events	6c	1,375	
6d	Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c)	6d	0	
7a	Gross sales of inventory, less returns and allowances	7a	0	
7b	Less: cost of goods sold	7b	0	
7c	Gross profit or (loss) from sales of inventory (subtract line 7b from line 7a)	7c	0	
8	Other revenue (describe in Schedule O)	8	0	
9	Total revenue. Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8	9	25800	
Expenses	10	Grants and similar amounts paid (list in Schedule O)	10	0
	11	Benefits paid to or for members	11	0
	12	Salaries, other compensation, and employee benefits he	12	0
	13	Professional fees and other payments to independent contractors he	13	25,800
	14	Occupancy, rent, utilities, and maintenance	14	19,200
	15	Printing, publications, postage, and shipping	15	350
	16	Other expenses (describe in Schedule O) he	16	500
17	Total expenses. Add lines 10 through 16	17	45,850	
Net Assets	18	Excess or (deficit) for the year (subtract line 17 from line 9)	18	20,050
	19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)	19	0
	20	Other changes in net assets or fund balances (explain in Schedule O)	20	0
	21	Net assets or fund balances at end of year. Combine lines 18 through 20	21	0

For Paperwork Reduction Act Notice, see the separate instructions.

Cat. No. 106421

Form **990-EZ** (2023)

Part II

7

22

Part III

nonprofit supporting veterans, first responders, families

Expenses
(Required for section 501(c)(3) and 501(c)(4) organizations; optional for others.)

Part IV

☐he

Part V Other Information (Note the Schedule A and personal benefit contract statement requirements in the instructions for Part V.) Check if the organization used Schedule O to respond to any question in this Part V ☐

	Yes	No
33 Did the organization engage in any significant activity not previously reported to the IRS? If "Yes," provide a detailed description of each activity in Schedule O		☒
34 Were any significant changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the amended documents if they reflect a change to the organization's name. Otherwise, explain the change on Schedule O. See instructions		☒
35a Did the organization have unrelated business gross income of \$1,000 or more during the year from business activities (such as those reported on lines 2, 6a, and 7a, among others)?		☒
b If "Yes" to line 35a, has the organization filed a Form 990-T for the year? If "No," provide an explanation in Schedule O		☒
c Was the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization subject to section 6033(e) notice, reporting, and proxy tax requirements during the year? If "Yes," complete Schedule C, Part III		☒
36 Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N		☒
37a Enter amount of political expenditures, direct or indirect, as described in the instructions	37a	0
b Did the organization file Form 1120-POL for this year?		☒
38a Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee; or were any such loans made in a prior year and still outstanding at the end of the tax year covered by this return?		☒
b If "Yes," complete Schedule L, Part II, and enter the total amount involved	38b	
39 Section 501(c)(7) organizations. Enter:		
a Initiation fees and capital contributions included on line 9	39a	
b Gross receipts, included on line 9, for public use of club facilities	39b	
40a Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911: ; section 4912: ; section 4955:		
b Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year, or did it engage in an excess benefit transaction in a prior year that has not been reported on any of its prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I	40b	☒
c Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958		
d Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax on line 40c reimbursed by the organization		
e All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T	40e	☒
41 List the states with which a copy of this return is filed: VA		
42a The organization's books are in care of: Philip Langer Telephone no. 347-556-2219 Located at: ZIP + 4 20170-5886		
b At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? If "Yes," enter the name of the foreign country: See the instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).	42b	☒
c At any time during the calendar year, did the organization maintain an office outside the United States? If "Yes," enter the name of the foreign country:	42c	☒
43 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of Form 1041—Check here ☐ and enter the amount of tax-exempt interest received or accrued during the tax year	43	
44a Did the organization maintain any donor advised funds during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ	44a	☒
b Did the organization operate one or more hospital facilities during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ	44b	☒
c Did the organization receive any payments for indoor tanning services during the year?	44c	☒
d If "Yes" to line 44c, has the organization filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O	44d	☒
45a Did the organization have a controlled entity within the meaning of section 512(b)(13)?	45a	☒
b Did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," Form 990 and Schedule R may need to be completed instead of Form 990-EZ. See instructions	45b	☒

46 Did the organization engage, directly or indirectly, in political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I

	Yes	No
46		☒

Part VI Section 501(c)(3) Organizations Only

All section 501(c)(3) organizations must answer questions 47–49b and 52, and complete the tables for lines 50 and 51.

Check if the organization used Schedule O to respond to any question in this Part VI ☐

47 Did the organization engage in lobbying activities or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II

	Yes	No
47		☒

48 Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E

48		☒
----	--	-------------------------------------

49a Did the organization make any transfers to an exempt non-charitable related organization?

49a		☒
-----	--	-------------------------------------

b If "Yes," was the related organization a section 527 organization?

49b		☒
-----	--	-------------------------------------

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees, and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and title of each employee	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC/1099-NEC)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation
NONE				

f Total number of other employees paid over \$100,000 0

51 Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and business address of each independent contractor	(b) Type of service	(c) Compensation
None		

d Total number of other independent contractors each receiving over \$100,000 0

52 Did the organization complete Schedule A? **Note:** All section 501(c)(3) organizations must attach a completed Schedule A ☒ Yes ☐ No

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here ☒ Signature of officer Philip M. Langer Date 4/17/24
Type or print name and title Philip Langer, President

Paid Preparer Use Only Print/Type preparer's name Preparer's signature Date Check ☐ if self-employed PTIN
Firm's name Firm's EIN
Firm's address Phone no.

May the IRS discuss this return with the preparer shown above? See instructions ☐ Yes ☐ No

**SCHEDULE A
(Form 1040)**Department of the Treasury
Internal Revenue Service**Itemized Deductions**

Attach to Form 1040 or 1040-SR.

Go to www.irs.gov/ScheduleA for instructions and the latest information.**Caution:** If you are claiming a net qualified disaster loss on Form 4684, see the instructions for line 16.

OMB No. 1545-0074

2023Attachment
Sequence No. **07**

Name(s) shown on Form 1040 or 1040-SR

Langer Consulting DBA Stars & Stripes NOVA Committee

Your social security number

872642312

**Medical
and
Dental
Expenses****Caution:** Do not include expenses reimbursed or paid by others.

- | | | | |
|---|---|---|---|
| 1 | Medical and dental expenses (see instructions) | 1 | 0 |
| 2 | Enter amount from Form 1040 or 1040-SR, line 11 | 2 | 0 |
| 3 | Multiply line 2 by 7.5% (0.075) | 3 | 0 |
| 4 | Subtract line 3 from line 1. If line 3 is more than line 1, enter -0- | 4 | 0 |

**Taxes You
Paid****5** State and local taxes.**a** State and local income taxes or general sales taxes. You may include either income taxes or general sales taxes on line 5a, but not both. If you elect to include general sales taxes instead of income taxes, check this box ☐

5a 0

b State and local real estate taxes (see instructions)

5b 0

c State and local personal property taxes

5c 0

d Add lines 5a through 5c

5d 0

e Enter the smaller of line 5d or \$10,000 (\$5,000 if married filing separately)

5e 0

6 Other taxes. List type and amount:

6 0

7 Add lines 5e and 6

7 0

**Interest
You Paid****Caution:** Your mortgage interest deduction may be limited. See instructions.**8** Home mortgage interest and points. If you didn't use all of your home mortgage loan(s) to buy, build, or improve your home, see instructions and check this box ☐**a** Home mortgage interest and points reported to you on Form 1098. See instructions if limited

8a 0

b Home mortgage interest not reported to you on Form 1098. See instructions if limited. If paid to the person from whom you bought the home, see instructions and show that person's name, identifying no., and address

8b 0

c Points not reported to you on Form 1098. See instructions for special rules

8c 0

d Reserved for future use

8d 0

e Add lines 8a through 8c

8e 0

9 Investment interest. Attach Form 4952 if required. See instructions

9 0

10 Add lines 8e and 9

10 0

**Gifts to
Charity****Caution:** If you made a gift and got a benefit for it, see instructions.**11** Gifts by cash or check. If you made any gift of \$250 or more, see instructions

11 0

12 Other than by cash or check. If you made any gift of \$250 or more, see instructions. You **must** attach Form 8283 if over \$500

12 0

13 Carryover from prior year

13 0

14 Add lines 11 through 13

14 0

**Casualty and
Theft Losses****15** Casualty and theft loss(es) from a federally declared disaster (other than net qualified disaster losses). Attach Form 4684 and enter the amount from line 18 of that form. See instructions

15 0

**Other
Itemized
Deductions****16** Other—from list in instructions. List type and amount:

16 0

**Total
Itemized
Deductions****17** Add the amounts in the far right column for lines 4 through 16. Also, enter this amount on Form 1040 or 1040-SR, line 12

17 0

18 If you elect to itemize deductions even though they are less than your standard deduction, check this box ☐

For Paperwork Reduction Act Notice, see the Instructions for Form 1040.

Cat. No. 17145C

Schedule A (Form 1040) 2023

Order #:78380001

SHIP TO: Philip Langer
12913 Alton Square, Unit 106
Herndon, VA 20170



Dear Philip Langer:

Thank you for ordering your Fictitious Business Name filing from LegalZoom.

Your Certificate of Assumed or Fictitious Name has been filed with the Virginia State Corporation Commission, and you may now conduct business under Stars & Stripes Nova Committee. Enclosed is a copy of the filed Certificate of Assumed or Fictitious Name for your records.

Thank you again for choosing LegalZoom. We look forward to serving all of your legal document needs in the future. If you should have any questions concerning your document, please contact us at customercare@legalzoom.com.

Sincerely,

The LegalZoom Team

566602461

Fictitious Name - Fictitious Name Certificate

Entity Information

Entity Name: Langer Consulting

Entity Type: Nonstock Corporation

Fictitious Name

Fictitious Name: Stars & Stripes Nova Committee

Signature Information

Date Signed: 07/25/2023

Entity Name	Entity Type	Printed Name	Signature	Title
Langer Consulting	Nonstock Corporation	Philip Langer	Philip Langer	President

STARS AND STRIPES NOVA COMMITTEE

Names and Affiliations of the Principal Officers and Board of Directors

Executive Committee

- Chair: **Dr. Kristin Ball**, Retired Professor, [George Washington University](#)
- Deputy Chair, **Mr. Matt Kreider**, LEAD [Parsons Xtreme Golf, Fairfax, Virginia](#)
- **Mr. Phillip Langer**, Co-Chair, Chief of Staff: President & Founder, Co-Founder, Stars & Stripes NOVA Committee, Langer Consulting
- **2d Lt. Steven BoodSKI**, Co-Chair, Associate Director and Co-Founder, Stars & Stripes NOVA Committee, Langer Consulting

Ambassadors

- **Matt Fernandes**, General Manager [MISSION BBQ](#)
- **Halley Nguyen**, Community Ambassador, [MISSION BBQ](#)

Strategic Advisers

- **Mr. Dave Meyer**, Owner / Operator [Green Lizard Cycling](#) / [Green Lizard Foundation](#)
- **Amanda Blake**, Director of Operations, [Harris Teeter](#)
- **Olga Vlasenko**, Pharmacist, [Harris Teeter](#)
- **Wendy Bragg**, Director of Operations, [Giant Food](#), Herndon
- **Col Steve Zappalla**, Founder, Psychologist, *CVIT* Center for Veterans in Transition
- **Amanda Gertel**, Executive Assistant [AAFMAA](#)
- **Gen Mike Meese**, President [AAFMAA](#)
- **Stephanie Watson**, Social Media Administrator
- **Alan Dorow**, Managing Partner, [SiteWelder](#) - Website development and Hosting

Langer Consulting d/b/a Stars & Stripes
NOVA Committee Charity Golf Event
Herndon Centennial on May 24, 2024

Item	Price	# to Sell	Total
Expenses			
Golf Course (Golfers)	\$ 52.00	74	\$ 3,848.00
Egg Karne (drink cart plus sales of beers to golfers)	\$ 4.38	222	\$ 972.36
Corporate Yard Signs for Golf Course	\$ 7.37	16	\$ 118.00
Golf Balls for Guests (bought in dozens)	\$ 27.00	32	\$ 864.00
Stars & Stripes Nova Committee Banners	\$ 150.00	2	\$ 300.00
Pens & Magnets	\$ 0.60	500	\$ 300.00
Gift Tees	\$ 0.62	240	\$ 148.80
Wrist baands & Particpant putting/Mulligan tickets	\$ 0.62	240	\$ 148.80
Golfers breakfasts	\$ 3.50	75	\$ 262.50
Golfer & Volunteer lunches	\$ 17.50	20	\$ 350.00
Trophy for Winning Team	\$ 80.00	1	\$ 80.00
Program (Yardage book) Graphics Design	\$ 700.00	1	\$ 700.00
Program Printing	\$ 3.00	50	\$ 150.00
Tournament Administration & Production (see line item below)			
(Estimated salaries of Stars & Stripes Nova Executive Committee members, Ambassadors, and Advisors)	\$ 1,071.42	14	\$ 14,999.88

**Estimated Event Budget Submitted
with Application**

Travel (see line item below)	\$ 500.00	1	\$ 500.00
(includes estimated mileage for Executive Committee members, Ambassadors, Advisors, and other volunteers)			
Postage/Printing/Delivery (see line item below)	\$ 200.00	1	\$ 200.00
(delivery of PXG golf balls, tees, wrist bands, printing of Golfers' agendas and flyers)			
Misc. (see line item below)	\$ 2,000.00	1	\$ 2,000.00
(Committee Meeting Expenses, Thank You Gifts, etc.)			
Total expenses			\$ 25,942.34
In-Kind Volunteers (volunteered time without pay)	0	28	0

From: [Kristin Froemling](#)
To: [Sloan, Marjorie](#)
Cc: [Philip Langer](#); kristin@langerconsulting.org
Subject: Re: Donation Request Package - Town of Herndon
Date: Thursday, June 20, 2024 9:46:59 AM
Attachments: [Golf Tourn Donations and Sponsors.pdf](#)
[Stars and Stripes NOVA Committee Charity Golf Tournament Budget FINAL.pdf](#)
[image001.png](#)

Good Morning

We have reworked the budget document to make it clearer. We are attaching a revised budget along with a document outlining the donations, sponsors, and volunteer hours. The line item for "Salaries" on the old budget is on the new document under "Volunteering." That amount represents the ESTIMATED monetary value (based on estimated salaries) of the time that the Executive Committee members, Ambassadors, and Strategic Advisors dedicated through volunteer work at the Stars & Stripes NOVA Committee Golf Event (both the six months of planning and the day of the event). They took time off from their jobs to volunteer for the event. *They have not and will not be monetarily compensated by Stars & Stripes NOVA Committee.*

As you can see from the attached document, we have had many sponsors and many expenses leading up to our charity golf tournament. We are asking for the donation to help us pay for the greens fees at Herndon Centennial. The money we are requesting will go right back into the Town of Herndon through our initiatives, such as buying food for a soup kitchen or for our annual food and clothing distribution. Both of those initiatives directly benefit the residents of Herndon.

There are rumors around town that Stars & Stripes NOVA Committee has received previously \$10,000 from the Town of Herndon. This is categorically false. We have never received funding (kind or in-kind) from the Town. If we had received money previously, we would not be asking for more money now.

Our charity golf tournament was a success. We believe we will greatly increase the number of teams who play next May. Our success benefits the residents of the Town of Herndon.

Thank you again for considering our request. If you have any additional questions, do not hesitate to contact me.

Respectfully,

Kristin F. Ball, Ph.D.
Chair, Stars and Stripes NOVA Committee

On Monday, June 17, 2024 at 03:17:07 PM EDT, Sloan, Marjorie <marjorie.sloan@herndon-va.gov> wrote:

Thank you for your donation request submission. I have completed an initial review of your materials and have two follow-up requests for you.

1. On your event budget, can you provide the event revenue in addition to the expenses you provided?
2. On your event budget, you listed salaries for committee members, ambassadors and advisors. Please provide a list of those receiving a payment under this line item.

Thanks so much.

Marjorie Sloan, CPA

Director of Finance

Town of Herndon

(o) 703-435-6898

(m) 571-459-6294

marjorie.sloan@herndon-va.gov



CONFIDENTIALITY NOTE: The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

From: Kristin Froemling <kfroemling@yahoo.com>

Sent: Thursday, June 6, 2024 12:35 PM

To: Sloan, Marjorie <marjorie.sloan@herndon-va.gov>

Cc: Town Clerk <town.clerk@herndon-va.gov>; Philip Langer <anton410@langerconsulting.org>; del Aguila, Cesar <cesar.delaguila@herndon-va.gov>

Subject: Re: Donation Request Package - Town of Herndon

Good afternoon,

First I want to apologize for the delay in responding to your email. I was out of town and did not see your email until yesterday.

Second, thank you for the opportunity to apply for a donation from the Town of Herndon. Attached is our application along with all of the additional documents you require.

Philip Langer will be bringing to your office today the voided check from our Town of Herndon vendor application along with hard copies of our IRS paperwork (which is attached here).

Thank you again for your consideration. Have a great day!

Respectfully,

Kristin F. Ball, Ph.D.

Chair, Stars & Stripes NOVA Committee

On Thursday, May 30, 2024 at 05:18:08 PM EDT, Sloan, Marjorie <marjorie.sloan@herndon-va.gov> wrote:

Stars and Stripes NOVA Committee:

I have attached the materials required for your organization to request a donation from the Town of Herndon. Please complete the application and vendor forms and return them with the required documents as soon as possible for upcoming review by town staff and Town Council.

Thanks.

Marjorie Sloan, CPA

Director of Finance

Town of Herndon

(o) 703-435-6898

(m) 571-459-6294

marjorie.sloan@herndon-va.gov

Langer Consulting d/b/a Stars & Stripes NOVA
Committee Charity Golf Event Herndon Centennial on
May 24, 2024

Item	Price	# to Sell	Total
Expenses			
Golf Course (Golfers)	\$ 52.00	74	\$ 3,848.00
Egg Karne (drink cart plus sales of beers to golfers)	\$ 4.38	222	\$ 972.36
Corporate Yard Signs for Golf Course	\$ 7.37	16	\$ 118.00
Golf Balls for Guests (bought in dozens)	\$ 27.00	32	\$ 864.00
Stars & Stripes Nova Committee Banners	\$ 150.00	2	\$ 300.00
Pens & Magnets	\$ 0.60	500	\$ 300.00
Gift Tees	\$ 0.62	240	\$ 148.80
Wrist bands & Participant putting/Mulligan tickets	\$ 0.62	240	\$ 148.80
Golfers breakfasts	\$ 3.50	75	\$ 262.50
Golfer & Volunteer lunches	\$ 17.50	20	\$ 350.00
Trophy for Winning Team	\$ 80.00	1	\$ 80.00
Band (Blair Rich Project)	\$ 500.00	1	\$ 500.00
Postage/Printing/Delivery (see line item below)	\$ 350.00	1	\$ 350.00
(delivery of PXG golf balls, tees, wrist bands/printing of Event agendas and flyers)			
Misc. (see line item below)	\$ 2,000.00	1	\$ 2,000.00
(Committee Meeting Expenses, Thank You Gifts, etc.)			
Total expenses			\$ 10,242.46

Donations, In-Kind Donations, and Volunteering
Stars & Stripes NOVA Committee Charity Golf Tournament
May 24, 2024

Sponsors:

TOTAL SPONSOR DONATIONS: \$8,000

Charity Golf Tournament Earnings:

\$5662 – Entry Fees / Ticket Sales

\$4694 – Day-of-Event Purchases (Putting Challenge, Mulligans)

-\$70 – Amount Paid to Square (for credit card purchases)

TOTAL GOLF TOURNAMENT EARNINGS: \$10,286

In-Kind Donations:

Green Lizard Bicycle Shop/Foundation (\$14,000 bicycle for Hole-In-One Contest)

Green Lizard (not Stars & Stripes) maintains possession and ownership of the bicycle

\$4740 – Mission Barbeque (Free Lunch for event participants and Committee)

110 people on May 24 @ \$30/person=\$3,300

48 people at Stars & Stripes NOVA Committee meetings @\$30/person=\$1,440

\$100 – AAFMAA (4 VISA Cards of \$25 each)

\$50 – COSTCO (2 gift cards of \$25 each)

\$100 – TGIF (10 certificates for free desserts)

\$50 – Virginia Kitchen (\$50 certificate for meal)

\$25 – Lowe's (\$25 gift certificate)

\$250 – Chiropractor McNicholas (2 certificates for free sessions – each worth \$125)

\$60 – Golf House (free simulator session)

\$375 – PXG (3 certificates for free fittings – each worth \$125)

\$87.50 – Anita's (25 free breakfast burritos plus 10% discount on additional 75 burritos)

\$500 – Wegman's (free cases of water)

\$1500 – Harris Teeter (free water, snacks, etc.)

TOTAL IN-KIND DONATIONS: \$6,037.50

Volunteering

Committee Members (6 months of planning and meetings) – estimated \$40,000 in donated time

The line item for “Salaries” represents the ESTIMATED monetary value (based on salaries) of the time that the Executive Committee members, Ambassadors, and Strategic Advisors dedicated through volunteer work at the Stars & Stripes NOVA Committee Golf Event. They took time off from their jobs to volunteer for the event. They also traveled to the event at their own expense for gas and tolls.

They have not and will not be monetarily compensated by Stars & Stripes NOVA Committee.

Sitewelder (Web Design/ Administration) – estimated \$5,000 in donated time

Graphic Design (for banners and ads) – estimated \$700 in donated time

TOTAL VOLUNTEERING: \$45,700

Agenda Item: Request to consider a donation to the Global Beat Foundation in support of the Pakistan Day Celebration event

Meeting Date: July 9, 2024

Category: General

Prepared by: Marjorie Sloan, Finance Director, Kirstyn Jovanovich, Town Clerk

Description:

The Fiscal Year (FY) 2025 adopted budget includes donation funding for Pakistan and Juneteenth events that occur between July 1, 2024 and June 30, 2025. As a donation request to a non-profit organization, Town Council action is required to consider and take action on the donation to the requesting organization.

Community donation disbursements are at the discretion of Town Council.

During the Regular Meeting during which Council may take action on items before them, the Town Council may:

- Award a donation as requested or as amended;
- Deny award of the donation request;
- Other action deemed appropriate by Town Council.

Background:

As Global Beat held a Pakistan event in October 2023 (FY 2024) utilizing funding from the Community Cultural Festivals Donation program, the 2024 event (FY 2025) does not qualify under the Community Cultural Festivals Donation program policy as it is not considered a new event. The FY 2025 budget includes a total donation amount of \$10,000 identified for a Pakistan event and a Juneteenth event, should they be planned and executed by a qualified non-profit community organization within FY 2025. As the adopted budget does not identify the donation amounts allocated for each event or to what organization the donation should be awarded, Council consideration and action on the donation request is required.

The organization, Global Beats, is requesting a cash donation of \$5,000 in support of the Pakistan celebration event to be held on August 18, 2024 at the Herndon Community Center. The request and supporting documentation is attached to this agenda item. No in-kind donation request has been made.

Under the Code of Virginia § 15.2-953, localities may appropriate public funds to any charitable institution or association, located within the locality's limits or outside the limits if the organization provides services to residents of the locality, and if such organizations are not controlled in whole or in part by any church or sectarian society. In addition, under Code of Virginia § 15.2-953, donations include the lawful provision of in-kind resources for any event sponsored by the donee.

Budget Impact:

Cash donation request is \$5,000 and if awarded, will be disbursed from the FY 2025 Budget, Non-Departmental Expenditures - Community Donations.

Recommendation:

Staff has no recommendation; donation disbursements are at the discretion of Town Council.

Attachments:

1. Donation Request Application



**Application
Town of Herndon
Area Charitable and Non-Profit Organizations
Request for Town Funds**

Section I – Organization Information

Organization Name: The Global Beat Foundation _____

Mailing Address: 1509 Coat Ridge Road, Herndon VA 20170 _____

Phone number: 202-368-3019 _____ E-mail address: theglobalbeat@gmail.com _____

Website address: <https://www.theglobalbeat.org/> _____

Name, Title, and Phone Number of Primary Contact: Nuzaira Azam, President, cell: 202-368-3019 _____

Name, Title, and Phone Number of Chief Executive Officer: _____ As Above _____

Employer Identification Number (if applicable): _____

Primary Purpose of the Organization and Description of its programs and services:
Helping organize special days in the community, seminars, and discussions on current
affairs, media, and social issues. _____

Goals, Objectives, and Accomplishments of the Organization. Describe how the organization benefits the citizens of the Town of Herndon. _____

This is a charity-based Educational Organization. We have organized seminars and
workshops, discussions with State Department officials on South Asia, trained journalists working
in the remote areas of Pakistan, and published a book on veteran journalists in Pakistan who
struggled to save Press freedom. Our next project would be a book on South Asian women's
education and training issues in the US. Our programs reach out to the local community. _____

Section II – Donation Request Information

Requested Cash Donation: \$ 5,000

The purpose for which the donation will be used. Specifically, describe the outcomes that will result from the expenditure of these town funds.

It is a mini festival showcasing the culture of the country Pakistan that many Americans are not familiar with.

Is this donation for a specific event? ☒ yes ☐ no If yes, please describe the event and how it benefits the citizens of the Town of Herndon. Pakistan Day is the celebration of the independence day of Pakistan that took place in 1947 by the British. This event will exhibit Pakistani, culture, music, and food. It will show the diverse culture of South Asia. The town of Herndon has a large Pakistani population enjoying the diversity of this town. They are contributing their services to the town such as medical professionals, business owners, and IT professionals.

Date of Event (if applicable): Sunday, August 18, 2024

Section III – Attachments

Submit the following documents with your application. Applications are not considered complete until all required supporting documents are submitted.

- ☐ IRS Determination Letter [501(c)(3)]
 - ☐ Up-to-date listing of names and affiliations of the principal officers and Board of Directors
 - ☐ IRS Form 990
 - ☐ Detailed Event Budget (if applicable)
 - ☐ Completed Vendor Set-up form
 - ☐ Completed W-9 form
-

Section IV - Authorization

I, Nuzaira Azam, do hereby certify that this application and related documentation is true to the best of my knowledge, information, and belief. I further agree that by signing this application, this agency agrees to abide by the Town of Herndon policies.

I acknowledge that membership or participation is open to all residents and businesses in the town without regard to race, color, religion, sex, or national origin.

I confirm that I am legally authorized to sign this application on behalf of the organization.

I understand that a donation can only be approved by the Town Council at a public meeting.

Signature: Nuzaira Azam Date: 07/01/2024

Print Name: Nuzaira Azam

Title: President, The Global Beat Foundation

Budget for Pakistan Festival

1. Cultural performance:	\$500
2. Decoration:	\$500
3. Face painting & henna:	\$400
4. Lunch:	\$2,500
5. Dessert:	\$500
6. Tea:	\$200
7. Soda:	\$200
8. Paper product:	\$200
Total:	\$5,000

In kind: Cookies & cake

Listing of Board of Directors and Volunteers per <https://www.theglobalbeat.org/>.

Board of Directors

- Nuzaira Azam, President
- Asma Tirmizi
- Ghazala Azam
- Meriam Sabih
- Nadeem Hotiana
- Samina Mallick
- Zafar Iqbal
- Zafarul Azam

Volunteers

Our incredible team of volunteers assisting the GBF President are:

- Fatima Akhlaq
- Fouzia Ishtiaq
- Kanwal Bashir
- Faiz Rehman
- Firoza Salahuddin
- Nausheen Baig

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUL 10 2018

GLOBAL BEAT FOUNDATION
1509 COAT RIDGE RD
HERNDON, VA 20170-0000

Employer Identification Number:
82-3923521
DLN:
26053578002358
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
January 8, 2018
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

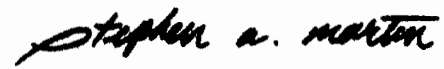
If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

GLOBAL BEAT FOUNDATION

Sincerely,

A handwritten signature in black ink that reads "Stephen A. Martin". The signature is written in a cursive, slightly slanted style.

Director, Exempt Organizations
Rulings and Agreements

Agenda Item: Resolution to adopt new *Standards for Traffic Calming and Crosswalks* and repeal the *Neighborhood Traffic Calming Guide* previously adopted by Resolution 11-G-45

Meeting Date: July 9, 2024

Category: General

Prepared by: Mike Shindledecker Transportation Engineer

Description:

Adopt new *Standards for Traffic Calming and Crosswalks* and repeal the old *Neighborhood Traffic Calming Guide*.

Background:

The Town previously adopted the Neighborhood Traffic Calming Guide in 2011, authored by the Town's Traffic Engineering Improvement Committee (TEIC). Staff recommends this guide be repealed and replaced with a new document that aligns with current Federal guidance and industry best practices, considering the advancements in methods and countermeasures over the past decade. In order to maintain a standard that keeps pace with the state of practice, this proposed resolution repeals Town Council Resolution 11-G-45, previously approved August 9, 2011, and adopts the new Standards for Traffic Calming and Crosswalks, dated June 2024. In order to implement and enforce the new standards, staff recommends that the Town Council take further action to approve an Ordinance to amend Chapter 1 (GENERAL PROVISIONS), Sec.1-16 (Standards for Public Improvements), to include new subsection (a)(4) to add the Standards for Traffic Calming and Crosswalks, as they may be amended from time to time, that will incorporate the new standards into the Town's Public Facilities Manual (PFM).

Following the adoption of the new standards as part of the Town's PFM, the Town Manager will direct staff to regularly review and update the standards when industry guidance and Federal standards are modified. This practice is consistent with other local and state practices where staff are provided discretion to maintain planning and design standards, most notably within the public right-of-way.

The new Standards for Traffic Calming and Crosswalks has been prepared by staff under the care of several professional transportation engineers and planners. The current June 2024 version of the standards has been reviewed and endorsed by TEIC and the Town Manager.

Budget Impact:

There is no immediate fiscal impact on the adoption of the new standards as they have already been developed by staff and the Town's engineering on-call consultant.

Updates to the standards in future years may necessitate the retainage of professional services.

Recommendation:

Staff recommends approval of the attached Resolution to adopt new Standards for Traffic Calming and Crosswalks and repeal the Neighborhood Traffic Calming Guide previously adopted by Resolution 11-G-45. Staff also recommends the subsequent adoption of the Ordinance to amend Chapter 1 (GENERAL PROVISIONS), Sec.1-16 (Standards for Public Improvements), to include new subsection (a)(4) Standards for Traffic Calming and Crosswalks.

Attachments:

1. Resolution (Proposed)
2. Standards for Traffic Calming and Crosswalks
3. Resolution 11-G-45 (Adopted August 9, 2011)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

JULY 16, 2024

Resolution- to adopt new *Standards for Traffic Calming and Crosswalks* and repeal the *Neighborhood Traffic Calming Guide* previously adopted by Resolution 11-G-45.

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

1. The new *Standards for Traffic Calming and Crosswalks*, dated June 2024, is adopted and the Town Manager is authorized to direct staff to regularly review and update the standards from time to time.
2. The *Neighborhood Traffic Calming Guide*, previously adopted by Resolution 11-G-45, is repealed.
3. This resolution shall be effective on the date of its adoption.

Standards for Traffic Calming and Crosswalks



Standards for Traffic Calming and Crosswalks

June 2024

Version 1.0



777 Lynn Street
Herndon, VA, 20170

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1 INTRODUCTION

Per Herndon’s 2030 Comprehensive Plan, the Town of Herndon (hereafter referred to as the “Town”) seeks to provide a transportation system that safely accommodates local traffic, facilitates alternative modes of transportation within the town, and provides safe streets that are friendly to pedestrians and bicyclists. The Town’s Department of Public Works (DPW) is responsible for the maintenance of streets within the Town boundary, except those which are privately maintained; however, private street owners are encouraged to reference this document and apply elements found herein for consistency across the Town’s transportation network. The Town, through the Traffic Engineering Improvement Committee (TEIC) and the departments of Public Works, Community Development, and Police, are responsible for processing resident concerns related to transportation safety and connectivity on Town-maintained streets.

This document standardizes the process by which community concerns are reviewed, the criteria utilized to determine if modifications or treatments are warranted, and the criteria utilized to select appropriate treatments. For the purposes of this document, traffic calming measures are defined as either physical features or policy measures designed to improve non-motorist safety, mobility, and comfort through the reduction of vehicle speeds. However, some traffic calming elements may also be used to improve roadway safety or operations as necessitated by deficient transportation network conditions. Crosswalk treatments include the provision of new marked crosswalks in locations where they currently do not exist, or the addition of features to an existing crosswalk intended to enhance non-motorist safety, mobility, and comfort. This document replaces the *Neighborhood Traffic Calming Guide*, approved by the Herndon Town Council in August 2011.¹ Other transportation measures which fall outside of these definitions, such as traffic control devices (e.g. stop signs), cut-through traffic restrictions, sidewalk improvements, or new transportation network connections are considered outside of the scope of this document.

1.1 Document Overview

This document is organized into the following chapters:

- **Chapter 1: Introduction**
- **Chapter 2: Process Overview** – Reviews the overall process for receiving and reviewing transportation-related concerns in the Town of Herndon.
- **Chapter 3: Basic Eligibility Requirements and Engineering Study Requirements** – Provides guidance on what locations are eligible for traffic calming measures and/or crosswalk treatments, and the information that should be collected as part of an engineering study if the location is deemed eligible.
- **Chapter 4: Evaluation Criteria** – Details the evaluation process to be utilized in the selection of appropriate traffic calming measures and/or crosswalk treatments.
- **Appendices** – Provides a toolbox of traffic calming measures and crosswalk treatments.
 - **Appendix A: Traffic Calming Measures** – Defines potential traffic calming measures and documents their advantages, disadvantages, effectiveness, and other considerations.
 - **Appendix B: Crosswalk Treatments** – Defines potential crosswalk treatments and documents their advantages, disadvantages, effectiveness, and other considerations.

1.2 How to Read this Document

Town of Herndon staff utilize this guidance to classify concerns, determine the extent of the concern, determine eligibility of mitigations related to the concern, determine appropriate traffic calming measures or crosswalk treatments for the location of concern (if applicable), and inform the selection of potential improvements. Town staff also utilize this document to consider improvements throughout the Town as part of typical safety audits, public works maintenance activities, and during planning activities.

Residents can utilize this guide to understand the process by which the Town intakes and evaluates transportation-related concerns such as traffic calming measures and crosswalk treatments. All readers can utilize this guidance to understand potential traffic calming measures or crosswalk treatments, their advantages and disadvantages, and the contexts in which each measure is appropriate.

1.3 Town Standards

The Town is subject to Federal requirements and State code, which cover topics such as accessibility and connections to State Highways. This includes the Final Ruling of the Pedestrian Right-of-Way Accessibility Guidelines (PROWAG), which is published in the Federal Register. The Town of Herndon owns and maintains all public roadways within its physical municipal limits. As such, the following documents have been adopted as the Town's standards for roadway design and markings within the public right-of-way:

- The *Manual on Uniform Traffic Control Devices* (MUTCD), published by the United States Department of Transportation Federal Highway Administration.²
- *A Policy on the Geometric Design of Highways and Streets* (the "Green Book"), published by the American Association of State Highway and Transportation Officials.³
- The *Town of Herndon Public Facilities Manual*, as described in Town of Herndon Code Section 1-15.

Where the above standards and guides lack detailed information, the Town will opt to follow the most current and applicable Virginia Department of Transportation (VDOT) standard or reference applicable industry guidance from the sources including, but not limited to the following:

- The Institute of Transportation Engineers
- The Transportation Research Board
- The National Association of City Transportation Officials

2 PROCESS OVERVIEW

This chapter describes the process through which a transportation concern is reviewed and addressed. Figure 1 provides a step-by-step diagram illustrating this process. At various steps in the process, the diagram references additional requirements or criteria documented in later chapters of this document. Following this process diagram is a narrative describing each individual step. Note that while the source of a transportation concern may vary (e.g. residents, business owners, or elected officials), Town staff will follow the same general intake and evaluation process. However, the approval and stakeholder engagement may vary based on the appropriate forum for communication.

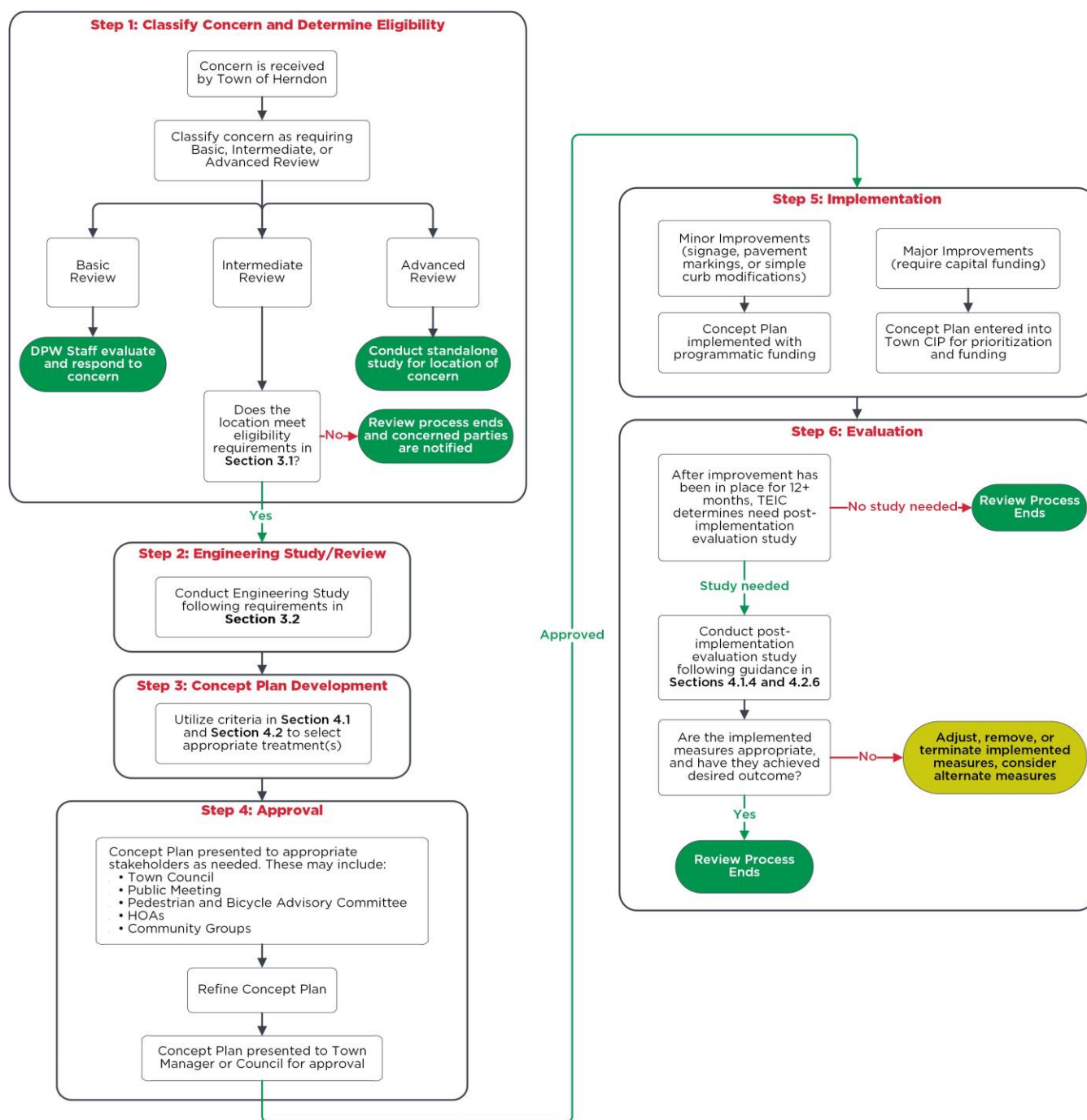


Figure 1: Process Flow Chart

2.1 Step 1 – Classify Concern and Determine Eligibility

Residents, community groups, or organizations may submit a transportation-related concern via e-mail, phone call, in-person meetings, or the Herndon on the Go App; however, staff will enter and track all concerns through the Town’s internal CityWorks system throughout the remainder of the process. Concerns may also be raised by staff as part of Town transportation planning efforts. Upon receipt of this submission, Town staff will conduct a preliminary review to classify the concern, define the issue or problem in the concern, determine eligibility, identify the study area, and determine the proper action. This may include a site visit to the location of concern. Staff may also contact the submitting party to clarify the concern and/or collect additional details.

Concerns will be classified under one of the following categories, based on the complexity of the identified concern:

- **Basic Review** – DPW staff evaluate the concern and take action based on the discretion of the Director of Public Works. Concerns that undergo a Basic Review can typically be addressed at the staff level without consultation with the TEIC.
- **Intermediate Review** – The identified concern is progressed through subsequent steps of the review process described in this guide, including conducting preliminary work and presenting findings to the TEIC, conducting an engineering study, and development of a concept plan.
- **Advanced Review** – The concern requires a level of review more detailed than what could be provided in the review process described in this guide. If an Advanced Review is required to address the identified concern, the TEIC would proceed with conducting a standalone Town study to address the identified concern. The study may consider the evaluation criteria in this guidance document to determine appropriate improvements, but shall use engineering judgement to determine which improvements are appropriate. Recommended measures may be implemented as part of the Town Capital Improvement Program (CIP). Improvements would undergo an interdepartmental review and would be presented to the Town Manager or Town Council for approval.

Concerns categorized as requiring a Basic Review will be addressed at the staff level and will not progress through the subsequent review steps described in this guide. Examples of concerns that would fall under the Basic Review category include those that could be addressed through minor staff-level actions, such as improvements to sight distances (e.g. tree pruning or sign sizes), warning signs, or changes to parking restrictions. Concerns categorized as requiring Advanced Review will require a standalone Town study to properly review and address the identified concerns. Examples of concerns that may require Advanced Review include (but are not limited to) corridor-wide speeding concerns (i.e. requiring consideration of countermeasures along an extended stretch of road) or pedestrian crossing concerns within school zones or near pedestrian generators. Once a concern is categorized as requiring Basic or Advanced Review, the review process is considered outside of the scope of this guide, but staff may utilize this document to consider potential improvements.

Based on the nature of the concern, staff will then identify a study area:

- **Traffic Calming** – Study area is likely to include the street segment identified in the initial communication, but may be expanded at the discretion of the Town engineer.
- **Crosswalk Treatments** – Study area is likely to focus on the intersection identified in the community concern. If the location is mid-block, the study area will include the entire street segment between the two nearest crosswalks. Adjacent or nearby intersections or street segments may be included if beneficial to the comprehensive review of the crossing concern.

Upon review and classification of the concern, staff will determine if traffic calming or crosswalk treatment criteria are specifically applicable to the location in question. Eligibility requirements will reference the following:

- **Traffic Calming** – Follow eligibility criteria outlined in Section 3.1.1.
- **Crosswalk Treatments** – Follow eligibility criteria outlined in Section 3.1.2.

If the location is deemed not eligible for traffic calming or crosswalk treatments, the review process ends and any parties who submitted the concern to the Town will be notified.

2.2 Step 2 – Engineering Study/Review

The TEIC will conduct an engineering study to collect relevant traffic data and inform the selection of appropriate traffic calming or crosswalk treatments. The study will include collection of traffic data and a field review at the location of concern; the data collection and field review will be conducted based on the nature of the concern:

- **Traffic Calming** – Follow engineering study guidelines outlined in Section 3.2.1
- **Crosswalk Treatments** – Follow engineering study guidelines outlined in Section 3.2.2

For studies that include multiple locations or encompass potential issues other than those noted above, the TEIC will evaluate what the appropriate scope of study is to study and address the concern(s).

2.3 Step 3 – Concept Plan Development

Under this step, the TEIC will review the results of the engineering study to identify the appropriate treatments for the study location and propose a plan to address concerns (if warranted and applicable).

For traffic calming concerns, the TEIC will use the evaluation criteria outlined in Section 4.1 to select the appropriate traffic calming treatment(s). The specific context of the location and engineering judgment shall then be used to select a specific measure or set of measures.

For crosswalk treatment concerns, the TEIC will use the evaluation criteria outlined in Section 4.2 to select the appropriate crosswalk treatment(s). The specific context of the location and engineering judgment shall then be used to select a specific treatment or set of treatments.

During this step, it may be determined that no treatments are appropriate or justified, at which point the review process ends. For example, if the engineering study for a traffic calming concern does not show speeding in excess of established thresholds, the TEIC may determine that no treatment is justified at the study location.

2.4 Step 4 – Approval

Upon selection of a concept plan for the study location, staff will present the plan to the appropriate body for review and approval. For plans that require significant adjustments to public infrastructure (such as parking restrictions, curb modifications, or signal adjustments), a public meeting will be held during concept development to solicit community input. Following this input and refinement of the concept, the plan will move to the appropriate approval level (Town Manager or Town Council).

2.5 Step 5 – Implementation

After approval of the concept plan, DPW will oversee the implementation of the proposed improvement measures based on funding and contractor availability. For minor improvements consisting primarily of signage, pavement markings, or simple modifications to curb such as curb ramps, staff will advance the plan through programmatic funding. For larger improvements where capital funding is required, staff will enter the project into the Town's Capital Improvement Program (CIP) for prioritization and funding.

2.6 Step 6 – Evaluation

After an improvement has been in place for more than one month, but less than six months, Town staff may conduct a post-implementation evaluation study depending on the extent of the problem identified at the location of concern. Whether a post-implementation evaluation study is conducted will be determined by the Town's TEIC. Guidance on evaluation studies is provided in Sections 4.1.4 and 4.2.6. If a study is conducted, staff will record the results of the post-implementation evaluation and summarize them in a report to the Town Manager. If it is determined that the implemented measures are not appropriate or have not achieved the desired outcome, Town staff may adjust, remove, or terminate such measures or consider alternate measures. If Town staff identifies a new safety concern due to an implemented measure, they may unilaterally make the decision to remove the measure.

3 BASIC ELIGIBILITY AND ENGINEERING STUDY REQUIREMENTS

3.1 Basic Eligibility Requirements

3.1.1 Traffic Calming

To be considered for traffic calming measures, the study location should meet the following conditions:

- Be a roadway maintained by the Town of Herndon
- Have a posted speed limit of 25 mph or less
- Have a maximum of 2 lanes of vehicular traffic
- Be classified as a local or collector road by the Town of Herndon
- Traffic calming measures have not been previously requested and studied in the past two (2) years at the study location

If a roadway does not meet these requirements, the structured review process ends. The Town's TEIC may consider an alternate process outside of the scope of this guidance document to address community concerns at the location of concern.

3.1.2 Crosswalk Treatments

To be considered for crosswalk treatments, the proposed crossing location should meet the following eligibility criteria:

- Be a roadway maintained by the Town of Herndon
- Crosswalk treatments have not been previously requested and studied in the past two (2) years at the study location
- An existing crosswalk is already provided at the location of concern (i.e. additional treatments are being considered to improve the existing crosswalk); OR
- A crosswalk has already been determined to be warranted through an outside process (i.e. additional treatments are being considered in addition to the provision of a crosswalk); OR
- If an existing crosswalk is not already provided at the location of concern, determine eligibility as follows:
 - If the location is at a signalized intersection, it is considered eligible.
 - If the location of concern is unsignalized, the location should:
 - Be at least 300 feet or more to nearest controlled crosswalk
 - Have adequate stopping sight distance of the entire crosswalk (or potential crosswalk) and its entry points, based on the most recent methodology for stopping sight distance calculations in the AASHTO Policy on Geometric Design of Highways and Streets; refer to Table 1 for stopping sight distances on level ground.
 - If the location does not have adequate stopping sight distance, crosswalk treatments may still be considered; however, any proposed treatments for the location should include mitigation measures to address the inadequate stopping sight distance.

Table 1: Stopping Sight Distance

Design Speed	Minimum Stopping Sight Distance*
25 mph	155 feet
30 mph	200 feet
35 mph	250 feet
40 mph	305 feet

* The minimum distance needed by drivers to see pedestrians and other potential obstacles on the road in time to come to a safe stop. In simpler terms, it is the distance required for a driver to see a hazard, such as a pedestrian in a crosswalk, and then have enough space to stop before reaching that point. This table is provided as a quick reference; distances shown are based on the *AASHTO Policy on Geometric Design of Highways and Streets*, 7th Edition and are for level roadways only.

Note that a crosswalk is not always marked with pavement markings, particularly on local and neighborhood streets; however, Town staff will still treat these locations as having existing crosswalks. If the location fails to meet eligibility requirements, the structured review process ends. However, Town staff may consider the subject location in a comprehensive planning process, development review process, or other planning activity if pedestrian safety and connectivity concerns are noted at the study location. Additionally, locations within school zones (within an a quarter mile of schools, or up to industry standard based on staff discretion), near pedestrian generators, or requiring consideration of new traffic control devices (such as traffic signals or stop signs) may require an Advanced Review or other separate study.

3.2 Engineering Study Data Collection Requirements

3.2.1 Traffic Calming Study Requirements

For an engineering study conducted in response to a traffic calming concern, the following data should be collected as it pertains to the specific need:

- Traffic volumes and speed data, typically collected over a 48-hour period on Tuesdays, Wednesdays, or Thursdays, during a week when public schools are in session, no holidays occur, and weather does not impact typical travel patterns
- Crash history of the study location for the most recently available 5-year period
- A site visit should be conducted to gather additional information specific to the study location, including:
 - Grade
 - Designation of the study location as an emergency, truck, or bus route
 - Sight distances and sight line issues
 - Roadway geometry, including widths
 - Posted speed limit
 - Observation of abnormal or undesirable driver behaviors or site conditions
 - Notable land uses such as schools, parks and recreation facilities, or commercial shopping centers

3.2.2 Crosswalk Treatment Study Requirements

For an engineering study conducted in response to a crosswalk treatment concern, the following data should be collected:

- Traffic volumes, collected over a 48-hour period on Tuesdays, Wednesdays, or Thursdays, during a week when public schools are in session, no holidays occur, and weather does not impact typical travel patterns
- Pedestrian volumes, collected over a 48-hour period on Tuesdays, Wednesdays, or Thursdays, during a week when public schools are in session, no holidays occur, and weather does not impact typical travel patterns. If the study location does not have an existing crosswalk, volumes should observe any crossings that occur within 300 feet in either direction from the location of concern. If the study location is near a bicycle facility, such as a trail or bike lane, and potential treatments may involve provision of bicycle crossing facilities, bicycle volumes should be collected in the same period.
- (Optional) Driver yield rates during peak hours, collected only for locations with an existing crosswalk and where driver yielding behavior has been identified as a concern
- Crash history of the study location for the most recently available 5-year period
- A site visit should be conducted to gather additional information specific to the study location, including:
 - Nearby pedestrian generators such as schools, hospitals, senior centers, shopping centers, parks, bus stops, or recreation centers
 - Distance to the nearest controlled crosswalk
 - Stopping sight distance
 - Presence of street lighting adjacent to the proposed crossing location
 - Roadway geometry, including number of lanes and presence of a raised median
 - Posted speed limit

4 EVALUATION CRITERIA

4.1 Traffic Calming

Once a study location is considered eligible for potential traffic calming measures based on the criteria outlined in Section 3.1.1, and an engineering study has been conducted in accordance with Section 3.2.1, the evaluation criteria discussed in this section will be used to identify appropriate traffic calming measures and inform the development of a concept plan for the study location. The decision tree in Figure 2 describes this evaluation process.

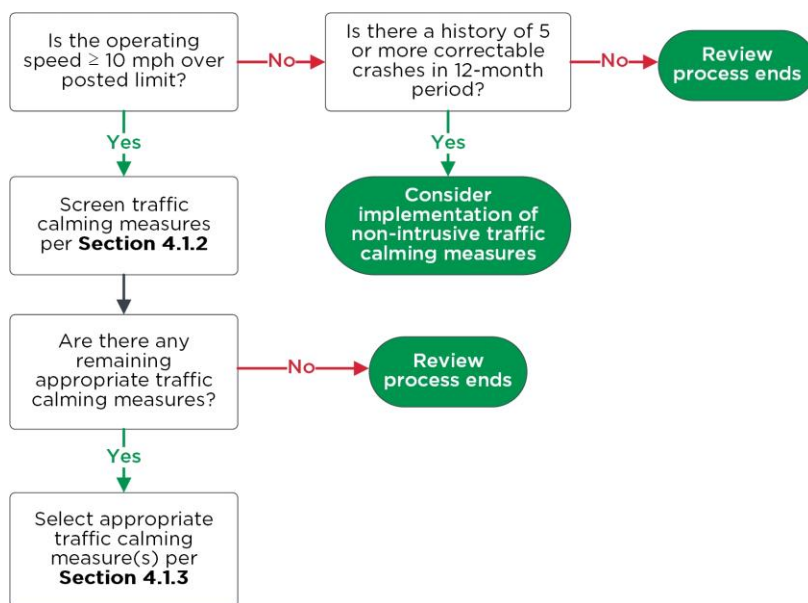


Figure 2: Traffic Calming Process Decision Tree

4.1.1 Potential Traffic Calming Measures

Potential traffic calming measures that could be utilized at the study location include the following, with detailed definitions provided in [Appendix A](#):

- Non-Intrusive Measures
 - Education
 - Enforcement
 - Pavement Markings
 - Warning Signs
 - Radar Speed Feedback Sign
 - Additional \$200 Fine Sign
- Vertical Measures
 - Speed Hump
 - Speed Cushion
 - Speed Table
 - Raised Intersection

- Horizontal and Narrowing Measures
 - Chicane
 - Median Island
 - Choker
 - Curb Extension
 - Traffic Circle

Detailed information on traffic calming measures, including descriptions, pictures, advantages/disadvantages, and effectiveness is provided in [Appendix A](#).

The following are **not** intended for and will not be used as traffic calming measures:

- Stop Signs – The placement of stop signs shall be determined in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD indicates that stop signs shall not be used for speed control and, when used for purposes other than traffic control, they may cause more harm than good. As such, they are not included as a traffic calming measure in this guidance.
- Traffic Restrictions – Traffic restriction is the use of various methods to restrict vehicle travel through specific locations. This could include the placement of signage to restrict undesired movements (such as one-way such restricted turn movements), or placement of physical barriers to block undesired travel (such as half- or full-street closures). These measures are more appropriate for the restriction of cut-through traffic, which is not an objective of this guidance.
- Roundabouts – While roundabouts have documented traffic calming effects, the cost and scope of implementing a roundabout generally does not fit within the scope of improvements considered in this *Transportation Guidance*. If a roundabout is desired, a full intersection redesign and traffic study should be conducted. Mini-roundabouts (also called traffic circles) are included in this guidance as they provide a traffic calming effect but have a scope more appropriate and similar to the other measures discussed.

The elements above are intended to regulate traffic flow and provide guidance where motorist right-of-way must be controlled. The need for and use of these elements will be assessed in a separate study by the Town's TEIC using criteria detailed in the MUTCD.

Note that the above lists are not exhaustive, and the final selection of appropriate traffic calming measures will be at the professional judgement of the Town's engineer.

4.1.2 Initial Screening

The intent of this section is to describe the initial screening process to be used to remove from consideration any traffic calming measures that are not appropriate for the study location. The appropriateness of a particular measure depends on several factors, including the function of the street, operating speeds, volumes, and other context-specific characteristics of the study location.

The first step of the screening process is to identify and determine the extent of the problem to be addressed. For traffic calming measures, this includes determining the 85th percentile speed of vehicles on this segment, also referred to as the operating speed. The 85th percentile speed is the speed at which 85% of drivers drive at or below and 15% of drivers drive faster than. If the operating speed is less than 10 mph over the posted speed limit, then traffic calming measures are generally considered to not be justified and the review process ends. If otherwise justified, non-intrusive traffic calming measures may be considered at excepted locations where there is a history of crashes (guidance: 5 or more correctable crashes in a 12-month period), or repeated, observed, unsafe behaviors.

If the operating speed is 10 mph or more than the posted speed limit, Table 2 and Table 3 are used as initial screening tools to determine whether a particular traffic calming measure may be appropriate for the study location.

Table 2 is used as a screening tool to determine whether a particular traffic calming measure is considered appropriate for the study location given its classification, function, and daily vehicle volume. Certain traffic calming measures may be considered not appropriate for streets of a certain classification, or streets considered emergency routes, transit routes, or truck routes. For example, because speed humps can cause delay for emergency vehicles, they are generally not considered appropriate for routes frequently utilized by emergency vehicles, such as streets that provide access to a hospital or other emergency service locations. Guidelines were developed based on the results of studies listed in the FHWA Traffic Calming E-Primer⁴ as well as the guidance of other jurisdictions such as VDOT. Traffic calming measures are listed in Table 2 as one of three levels of appropriateness:

- May be appropriate
- Caution; could be inappropriate
- Likely inappropriate

Table 3 is used to screen traffic calming measures based on additional constraining factors, including:

- Grades – Certain traffic calming measures are not considered appropriate on steep grades or may limit the ability to drain stormwater on the roadway.
- Operating speeds – If the operating speed (the observed 85th percentile speed of vehicles at the study location) is over 45 mph, vertical measures such as speed humps or speed tables are not considered appropriate.
- Available curb-to-curb width – Some measures require a minimum amount of curb-to-curb width to be implemented while still being effective and leaving room for emergency vehicles.
- Measure location – Certain measures are appropriate for implementation only at intersections, a certain distance from an intersection, or along street segments.

Table 2: Traffic Calming Screening – Roadway Classification and Function

Roadway Classification and Function		Vehicles Per Day								
		≤500			500 - 4,000			≥4000		
Local	Standard	1	2	3	①	②	③	①		
		4	5	6	④	⑤	⑥			
		7	8	9	⑦	⑧	⑨	⑦	⑧	
	Emergency Access*	1		3	①		③	①		
			5	6		⑤	⑥			
		7	8		⑦	8		⑦	8	
	Bus Route*	1	2	3	①	2	③	①		
		4	5	6	4	⑤	⑥			
		7	8	9	⑦	8	9	⑦	8	
	Truck Access*	1	2	3	①		③	①		
		7	8		⑦	8		⑦	8	
Collector	Standard	1		3	①		③	①		
		4	5	6	④	⑤	⑥			
		7	8		⑦	⑧		⑦	⑧	
	Emergency Access*	1		3	①		③	①		
			5	6		⑤	⑥			
		7	8		⑦	8		⑦	8	
	Bus Route*	1		3	①		③	①		
		4	5	6	4	⑤	⑥			
		7	8		⑦	8		⑦	8	
	Truck Access*	1		3	①		③	①		
		7	8		⑦	8		⑦	8	

* If a roadway has multiple functions, screen measures based on all applicable functions.

- 1 Non-Intrusive Measures (Education, Enforcement, Pavement Markings, Signage)
- 2 Speed Hump
- 3 Speed Cushion
- 4 Speed Table
- 5 Raised Intersection
- 6 Chicane
- 7 Median Island or Choker
- 8 Curb Extension
- 9 Traffic Circle

In each combination of roadway classification, function, and vehicle volumes:

- Circled Number Signifies that the measure may be appropriate
- # Uncircled Number Signifies that the measure could be inappropriate and to use caution when considering
- Missing Number Signifies that the measure is likely inappropriate

Source: [FHWA - Traffic Calming ePrimer](#); [VDOT - Traffic Calming Guide for Neighborhood Streets](#)

Table 3: Traffic Calming Screening – Additional Considerations

Consideration					
Traffic Calming Measure	Grade	Operating Speed	Curb-to-Curb Width	Location (Segment vs. Intersection)	Other Considerations
Education	N/A	-	-	Segment	N/A
Enforcement				Segment or Intersection	
Pavement Marking			Can be utilized to narrow travelway on wider roadways	Segment or Intersection	
Radar Feedback Sign			-	Segment	
Additional \$200 Fine Sign				Segment	Use as a targeted measure for school zones, locations near senior living centers, and pedestrian activity centers
Speed Hump	Not appropriate for steep grades (>8%)	Not appropriate if operating speed is ≥45 mph		Segment	Place at a midblock location at least 150 feet from an unsignalized intersection and 250 feet from a signalized intersection. Must review impact on road drainage and may increase noise.
Speed Cushion				Segment	
Speed Table				Segment	
Raised Intersection	N/A	-		Intersection	N/A
Chicane	Not appropriate for steep grades (>8%)		Requires enough curb-to-curb width to install an effective chicane	Segment	Must review impact on road drainage; potential to add greenery/landscaping; impact to on-street parking
Median Island (Crosswalk Refuge)	N/A		Requires enough curb-to-curb width to install a median	Segment or Intersection (Can be utilized as a crosswalk refuge)	
Choker (Mid-Block Crossing)			Requires enough curb-to-curb width to install a choker	Segment; can be utilized to implement a mid-block crossing	
Curb Extension	N/A		-	Requires enough curb-to-curb width to install curb extensions	Segment or Intersection
Traffic Circle		-		Intersection	Must review impact on road drainage; potential to add greenery/landscaping; affects left turns on transit routes

Source: [FHWA - Traffic Calming ePrimer](#)

4.1.3 Measure Selection

After the initial screening of potential traffic calming measures for the location of concern has been completed, Town staff will select the most appropriate measure(s) for that location. Selection of appropriate measures will require consideration of several factors, including but not limited to:

- Cost of the measure(s)
- Effectiveness of the measure(s)
- Timeline to implement the measure(s)
- Operating speed
- Drainage impacts
- Sight lines
- Existing traffic calming measures already in place
- Snow removal and snow emergency routes
- Noise concerns
- Utility conflicts
- Other nearby or ongoing projects in the area

The Town will work amongst the Departments of Public Works, Community Development, Police, and with Fairfax County emergency services to identify the most appropriate measure based on the factors present at the study location. Information on the advantages, disadvantages, effectiveness, and special considerations for traffic calming measures is provided in [Appendix A](#).

4.1.4 Post-Implementation Evaluation

Town staff may elect to conduct a post-implementation evaluation study depending on the extent of the problem identified at the location of concern. Whether a post-evaluation study is conducted will be determined by the Town's TEIC; this document recommends that at minimum if the operating speed determined in the engineering study was 10 mph or more over the speed limit, or there is a history of speed related crashes in the study area, a post-evaluation study should be heavily considered.

In this study, Town staff may do the following:

- Conduct a site visit to the location of concern to observe road user behavior.
- Conduct a speed study, with data collected at times in which driver behavior is considered typical.
- Assess the measure's impact on emergency, transit, or public works maintenance vehicles.

If the study determines that the desired outcome has not been achieved or that the negative impacts outweigh the desired impacts, the TEIC may consider additional action at the subject location, such as implementation of additional or alternative traffic calming measures.

4.2 Crosswalk Treatments

Once a study location is considered eligible for potential crosswalk treatments based on the criteria outlined in Section 3.1.2, and an engineering study has been conducted in accordance with Section 3.2.2, the evaluation criteria discussed in this section will be used to identify appropriate crosswalk treatments and inform the development of a concept plan for the location of concern.

The crosswalk treatment evaluation is a three-step decision process that guides the consideration and selection of crosswalk treatment:

- **Safety Issue Identification:** This step involves recognizing and assessing safety issues associated with pedestrian crossings, laying the groundwork for targeted solutions to enhance pedestrian safety (Section 4.2.1).
- **Crosswalk Treatment Decision Tree:** This decision tree assists in determining the potential need for crosswalk treatments at an existing or a proposed crosswalk location based on a series of criteria (Section 4.2.2).
- **Crosswalk Treatment Screening and Selection:** If a marked crosswalk is justified, appropriate crosswalk treatments are screened and selected based on the safety issues identified and characteristics of the location of concern, among other considerations (Sections 4.2.3-4.2.5).

4.2.1 Safety Issue Identification

Prior to selection of crosswalk treatments, the specific safety issues at the location of concern should be identified. The following five (5) safety issues are crucial to identify and understand when selecting and implementing crosswalk treatments:

- **Conflicts at crossing locations** – Situations where pedestrians face challenges navigating roadways due to conflicts with vehicular traffic or other factors. These conflicts can arise from complex intersections, unclear right of way, or other designed-related issues that hinder the smooth and safe passage of pedestrians across roadways.
- **Excessive vehicle speed** – Vehicles traveling at speeds that exceed safe limits for pedestrian crossing, increasing the risk of accidents and reducing reaction time for both drivers and pedestrians.
- **Inadequate conspicuity/visibility** – Insufficient visibility for pedestrians and crosswalks, making it challenging for drivers to easily recognize and respond to the presence of pedestrians.
- **Drivers not yielding to pedestrian in crosswalks** – Situations when drivers fail to yield the right of way to pedestrians already in a crosswalk, posing a direct threat to pedestrian safety.
- **Insufficient separation from traffic** – A lack of physical or visual separation between pedestrians and vehicular traffic, increasing the likelihood of conflicts.

4.2.2 Crosswalk Treatment Decision Tree

The decision tree shown in Figure 3 serves as a tool in guiding the determination of whether a marked crosswalk is justified at the location of concern. This flowchart outlines a comprehensive decision-making process, directing users through various considerations to reach an informed conclusion. In some cases, a marked crosswalk may not be justified.

Various factors and criteria are taken into account at different crossing locations, including signal-controlled intersections, stop-controlled intersections, and mid-block locations. Each situation necessitates a tailored approach to ensure pedestrian safety.

- **Signal Controlled Intersections** – At intersections and mid-block crossings controlled by traffic signals or flashing beacons, marked crosswalks are recommended. These markings enhance visibility and safety for pedestrians. Generally, crosswalks should be marked across each intersection approach unless specific instances prohibit pedestrian travel.
 - In unique cases, such as T-intersections, engineering judgement may lead to the provision of one crosswalk instead of the typical two, aiming to minimize potential conflicts with left-turning vehicles.

- **Stop Controlled and Uncontrolled Intersections** – The decision to mark crosswalks is determined through Figure 3.
- **Mid-Block Locations** – The decision to mark crosswalks is determined through Figure 3.

Where a crosswalk is justified at an unsignalized or mid-block location, the decision tree leads users to subsequent sections of this guidance for screening and selection of potential crosswalk treatments. Prior to crosswalk treatment screening and selection, staff will determine if any of the safety issues listed above are applicable to the location of concern, as they will inform the ultimate selection of crosswalk treatments.

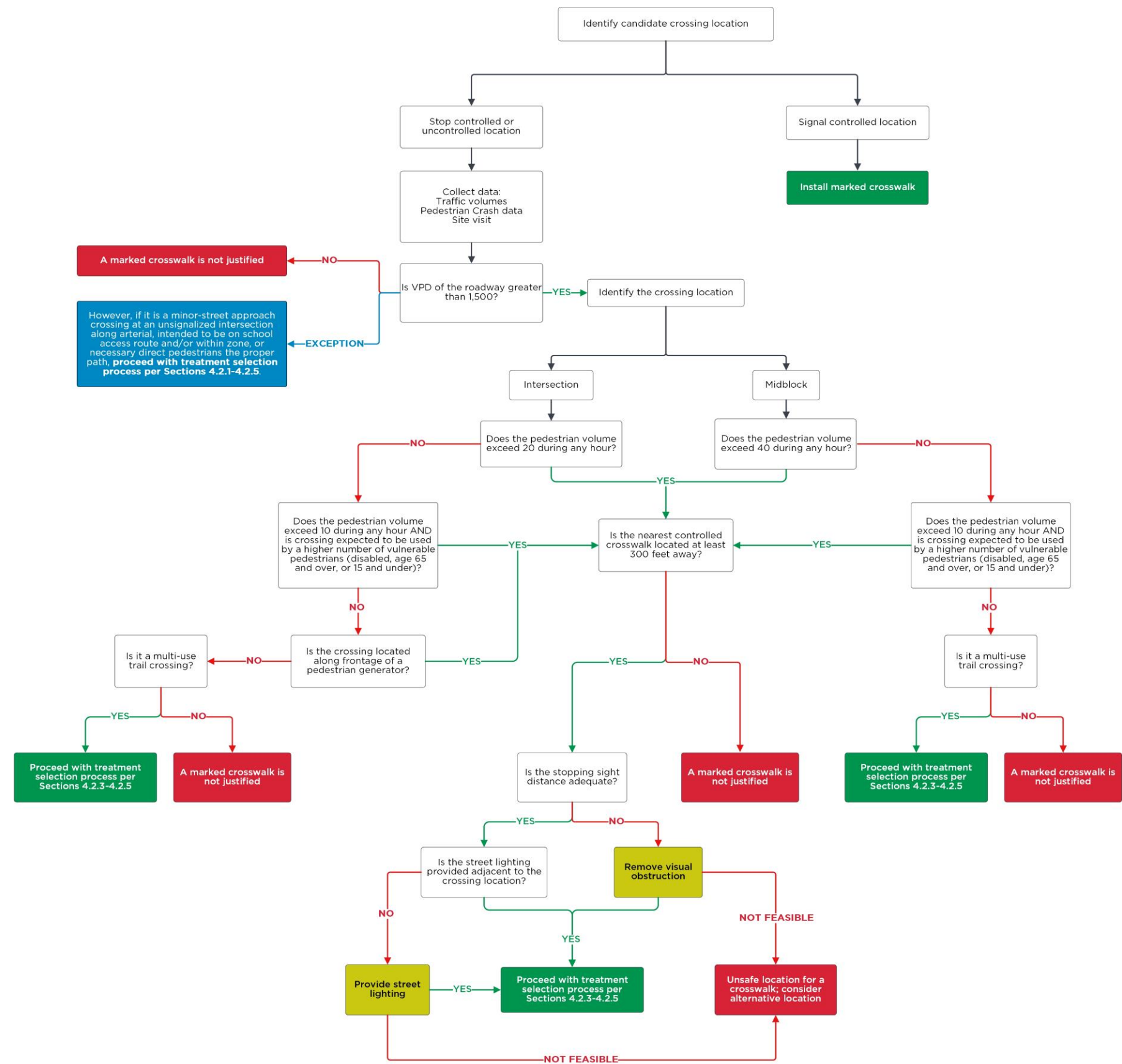


Figure 3: Crosswalk Treatment Decision Tree

4.2.3 Potential Crosswalk Treatments

Potential crosswalk treatments that could be utilized at the location of concern include the following, with detailed definitions provided in [Appendix B](#):

- Crosswalk visibility enhancements, including high-visibility crosswalk markings, adequate nighttime lighting levels, and crosswalk warning signs
- Raised Crosswalk
- Advance Stop Here For Pedestrian Sign and Stop Line
- In-Street Pedestrian Crossing Sign
- Curb Extension
- Pedestrian Refuge Island (Median Island)
- Pedestrian Hybrid Beacon (PHB)
- Road Diet
- Rectangular Rapid-Flashing Beacon (RRFB)

4.2.4 Crosswalk Treatment Screening

The intent of this section is to describe the screening process to remove from consideration any crosswalk treatments that are not appropriate for the location of concern. Table 4 and Table 5 are used as screening tools to determine whether a particular crosswalk treatment is appropriate. Table 5 identifies treatments that would be considered appropriate based on roadway configuration, posted speed limits, and vehicles per day (VPD).

Table 4, which is derived from Table 2 of the FHWA’s *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations* (hereafter referred to as the “FHWA Guide”), identifies appropriate crosswalk treatments to address the safety issues identified in Section 4.2.1.

4.2.5 Crosswalk Treatment Selection

After the initial screening of potential crosswalk treatments, the TEIC will select the most appropriate crosswalk treatments for the location of concern. [Appendix B](#) provides comprehensive details on the description, advantages, disadvantages, safety benefits, and relative costs associated with each crosswalk treatment. Selection of appropriate treatments will require careful assessment of this information, as well as engineering judgment, funding availability, and construction feasibility. If traffic calming concerns have also been identified at the study location, the TEIC may elect to prioritize crosswalk treatments that also serve as traffic calming measures. Table 4 can be used to identify crosswalk treatments that would be considered appropriate for addressing traffic calming concerns, such as excessive vehicles speeds.

4.2.6 Post-Implementation Evaluation

It is at the discretion of the TEIC to determine whether a post-implementation evaluation is necessary based on the severity of the safety issues identified and the selected treatment(s). Depending on the extent and nature of the safety issues identified at the location of concern per Section 4.2.1, the following post-implementation studies should be conducted:

- **Conflicts at crossing locations** – Monitor the occurrence of conflicts at crossing locations by conducting field observations and reviewing incident reports. If conflicts persist or escalate, the TEIC may consider adjustments to the crosswalk design or traffic control measures.

- **Excessive vehicle speeds** – Conduct a speed study, with data collected at times in which driver behavior is considered typical. If speeds remain consistently high, the TEIC may choose to enhance crosswalk treatments (e.g., upgrading high-visibility crosswalk to RRFB, or RRFB to PHB, where appropriate) or implement additional traffic calming measures.
- **Inadequate conspicuity/visibility** – Evaluate the visibility of crosswalk markings and signage, especially during low-light conditions. If conspicuity issues persist, the TEIC may explore enhancement such as high-visibility striping, improved lighting, or additional signage.
- **Drivers not yielding to pedestrians in crosswalks** – Collect driver yield rates during peak hours on Tuesdays, Wednesdays, or Thursdays at any point in the year where no holidays occur, and weather does not impact typical travel patterns. If the driver yielding rate is not improved or is still consistently below the established threshold, HPD may consider implementing educational campaigns, enforcement measures, or alterations to the crosswalk design to encourage proper yielding.
- **Insufficient separation from traffic** – Assess the physical and visual separation between pedestrians and traffic. If insufficient separation persist, consider changes to crosswalk infrastructure such as curb extensions, refuge islands, or raised crosswalks, to enhance safety.

Table 4: Safety Issues Addressed by Crosswalk Treatments

Crosswalk Treatment	Safety Issue				
	<i>Conflicts at crossing locations</i>	<i>Excessive vehicle speed</i>	<i>Inadequate conspicuity/visibility</i>	<i>Drivers not yielding to pedestrians in crosswalks</i>	<i>Insufficient separation from traffic</i>
Crosswalk visibility enhancements	✓	✓	✓	✓	✓
High-visibility crosswalk markings	✓		✓	✓	
Improved nighttime lighting	✓		✓		
Advance Stop Here For Pedestrians sign and stop line	✓		✓	✓	✓
In-street Pedestrian Crossing sign	✓	✓	✓	✓	
Curb extension	✓	✓	✓		✓
Raised crosswalk	✓	✓	✓	✓	
Pedestrian refuge island	✓	✓	✓		✓
Pedestrian hybrid beacon (PHB)	✓	✓	✓	✓	
Road diet	✓	✓	✓		✓
Rectangular rapid-flashing beacon (RRFB)	✓		✓	✓	✓

Source: [FHWA – Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations](#)

Table 5: Crosswalk Treatment Selection Table

Roadway Configuration	Vehicle Per Day (VPD) and Posted Speed Limit											
	1,500 to 9,000 VPD			9,000 to 12,000 VPD			12,000 to 15,000 VPD			≥15,000 VPD		
	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph
2 lanes with raised median	① 2 4 5 6	① 5 6 7 9	① 5 6 ⑦ ⑨	① 4 5 6	① 5 6 7 9	① 5 6 ⑦ ⑨	① 4 5 6	① 5 6 ⑦ 9	① 5 6 ⑦ ⑨	① 4 5 6 ⑦ 9	① 5 6 ⑦ 9	① 5 6 7 9
2 lanes w/o raised median	① 2 4 5 6	① 5 6 7 9	① 5 6 ⑦ ⑨	① 4 5 6	① 5 6 7 9	① 5 6 ⑦ ⑨	① 4 5 6	① 5 6 7 9	① 5 6 ⑦ ⑨	① 4 5 6 ⑦ 9	① 5 6 ⑦ 9	① 5 6 7 9
3 lanes with raised median	① 2 3 4 5	① ③ 5 7 9	① ③ 5 ⑦ ⑨	① 3 4 5 7 9	① ③ 5 ⑦ ⑨	① ③ 5 ⑦ ⑨	① 3 4 5 7 9	① ③ 5 ⑦ ⑨	① ③ 5 ⑦ ⑨	① ③ 4 5 7 9	① ③ 5 ⑦ ⑨	① ③ 5 ⑦ ⑨
3 lanes w/o raised median	① 2 3 4 5 6 7 9	① ③ 5 ⑥ 7 9	① ③ 5 ⑥ ⑦ ⑨	① 3 4 5 ⑥ 7 9	① ③ 5 ⑥ ⑦ ⑨	① ③ 5 ⑥ ⑦ ⑨	① 3 4 5 ⑥ 7 9	① ③ 5 ⑥ ⑦ ⑨	① ③ 5 ⑥ ⑧ ⑨	① ③ 4 5 ⑥ ⑦ 9	① ③ 5 ⑥ ⑧ ⑨	① ③ 5 ⑥ ⑧ ⑨
4+ lanes with raised median	① ③ 5 7 8 9	① ③ 5 7 8 9	① ③ 5 8 ⑨	① ③ 5 7 8 ⑨	① ③ 5 ⑦ 8 ⑨	① ③ 5 8 ⑨	① ③ 5 7 8 ⑨	① ③ 5 ⑦ 8 ⑨	① ③ 5 8 ⑨	① ③ 5 ⑦ 8 ⑨	① ③ 5 8 ⑨	① ③ 5 8 ⑨
4+ lanes w/o raised median	① ③ 5 7 8 9	① ③ 5 ⑥ 7 8 9	① ③ 5 ⑥ 8 ⑨	① ③ 5 ⑥ 7 8 9	① ③ 5 ⑥ ⑦ 8 ⑨	① ③ 5 ⑥ 8 ⑨	① ③ 5 ⑥ 7 8 9	① ③ 5 ⑥ ⑦ 8 ⑨	① ③ 5 ⑥ 8 ⑨	① ③ 5 ⑥ ⑦ 8 ⑨	① ③ 5 ⑥ 8 ⑨	① ③ 5 ⑥ 8 ⑨
Note: Each matrix cell indicates possibilities that may be appropriate for designated pedestrian crossings. Not all of the countermeasures listed in the matrix cell should necessarily be installed at a crossing location. Given the set of conditions in a cell, # Signifies that the countermeasure is a candidate treatment at a crossing location. ○ Signifies that the countermeasure should always be considered, but not mandated or required, based on engineering judgement of a crossing location. ● Signifies that the identified countermeasure should always occur in conjunction with crosswalk visibility enhancements. The absence of a number signifies that the countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgement. 1. High-visibility crosswalk markings, adequate nighttime lighting levels, and crossing warning signs 2. Raised crosswalk 3. Advance Stop Here For Pedestrian sign and stop line 4. In-street Pedestrian Crossing sign 5. Curb extension 6. Pedestrian refuge island 7. Rectangular rapid-flashing beacon (RRFB) 8. Road diet 9. Pedestrian hybrid beacon (PHB)												

Source: [FHWA – Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations](#); [VDOT – Pedestrian Crossing Accommodations at Unsignalized Approaches](#)

A APPENDIX A – TRAFFIC CALMING MEASURES

A description, picture examples, advantages, disadvantages, effectiveness, and relative costs of each individual treatment are shown in this appendix. The advantages and disadvantages and costs are based on information from FHWA and VDOT. Cost estimates from these sources were adjusted for inflation to current-year (2024) dollars using the Bureau of Labor Statistics' Consumer Price Index (CPI). An additional 30% contingency was applied to the high end of these cost estimates to account for other potential uncertainties in the design and installation process. Costs for any individual improvement can vary depending on the size of the improvement, materials used, utility needs, and drainage, among other factors.

Traffic Calming Measures included in this Appendix:

- Non-Intrusive Measures
- Education
- Enforcement
- Pavement Markings
- Radar Speed Feedback Sign
- Additional \$200 Fine Sign
- Vertical Measures
- Speed Hump
- Speed Cushion
- Speed Table
- Raised Intersection
- Horizontal and Narrowing Measures
- Chicane
- Median Island
- Choker
- Curb Extension
- Traffic Circle

A.1 Education

Description

Education consists of raising motorists' awareness about traffic safety concerns. Options for education include, but are not limited to, the following:

- Literature distribution – The Town can provide flyers or other educational literature to HOAs, businesses, or other community groups.
- Radar speed feedback sign – Raises awareness of speeding to drivers. See radar speed feedback sign for more information.

Depending on the distribution strategy, the Town's TEIC may partner with HPD, the Town's Pedestrian and Bicycle Advisory Committee, Fairfax County Public Schools, or other community organizations.

Advantages

- Does not physically restrict driver maneuvers and thus does not impose speed reductions on emergency and transit vehicles.
- Does not affect drainage or sight distance and is not affected by excessive grading.
- Can be used with other forms of traffic calming.
- If the program uses the police or a radar speed feedback sign, then the advantages and disadvantages of using those apply here as well.

Disadvantages

- Effectiveness varies depending on the duration and extent of the education program. Even long and extensive programs are found to have limited effectiveness without the use of other traffic calming measures.
- Long term effects are not as well studied, but it is likely to lose its effect over time.⁵
- If the program uses the police or a radar speed feedback sign, then the advantages and disadvantages of using those apply here as well.

Effectiveness

- A reduction of approximately 1-1.5 mph in vehicle speeds.⁵

Approximate Cost

- Costs vary depending on the extent and duration of the program.

A.2 Enforcement

Description

Enforcement involves coordination with the Herndon Police Department to monitor traffic safety concerns and enforce as appropriate.

Advantages

- Does not require any change to the roadway or engineering design and thus can be implemented without imposing speed reductions on emergency and transit vehicles, affecting traffic flow, drainage, or sight distance.
- Can be temporarily placed.
- Limited capital cost to the Town.

Disadvantages

- Monitoring and enforcing speed limits on low-volume residential streets will be a lower priority for Herndon Police Department compared to arterial and collector roadways.
- Cannot be always in effect, only during times when a police officer is on duty.
- Require HPD staff time.

Effectiveness

- While police are actively on location, this method has traditionally been effective at keeping speeds at or below the speed limit. Studies have found that while speeds are low upstream of the police vehicle, after motorists pass the police vehicle, they quickly return to the measured operating speeds.⁶

Approximate Cost

- No capital cost to the Town, but uses police time and resources on this activity versus other priorities.

A.3 Pavement Markings

Description

Pavement markings use paint to visually change the look of the roadway without adapting any physical elements. This can include striping the shoulder or centerline to narrow the roadway. This can also include street marking installed on the pavement to supplement signage. Pavement marking treatments can be utilized anywhere along a roadway segment, or at intersections.



Source: [City of Alexandria](#) (left), Town of Herndon (right)

Advantages

- Does not physically restrict driver maneuvers and thus does not impose speed reductions on emergency and transit vehicles.
- Less costly than other methods and can be done with a repaving project.
- Involves measures that are easily recognizable by motorists.
- Can be easily removed if placed with temporary marking tape.
- Does not affect drainage or sight distance and is not affected by excessive grading. Depending on the implementation, it can be flexible in use.
- Lower maintenance costs when compared to other solutions.

Disadvantages

- New pavement markings are more expensive when eradication of previous pavement marking is required. Thus, it is recommended to pair this with a repaving project.
- Adds to maintenance costs for pavement markings.
- Visibility of markings may be reduced over time, particularly in locations where vehicle tires travel.

Effectiveness

- A reduction in vehicular speeds by 0.5 mph where shoulder markings are used to narrow the travel lane.⁷
- A reduction in vehicular speeds by 1-5 mph when parallel parking is added, and the vehicle travel lanes are narrowed.⁷

Approximate Cost

- Capital cost: approximately \$1.50-\$18 per linear foot of pavement marking/striping and \$140-\$2,200 per pavement marking symbol.⁸
- Cost of ongoing maintenance of pavement markings.

A.4 Radar Speed Feedback Sign

Description

A radar speed feedback sign combines a regulatory speed limit sign with a radar speed display sign that displays the real-time speed of an approaching vehicle. These signs can be portable and temporarily placed in a location. These are placed midblock.



Source: Town of Herndon

Advantages

- Does not physically restrict driver maneuvers and thus does not impose speed reductions on emergency and transit vehicles.
- Is somewhat easily removed and can be temporarily placed. Can be placed at alternate locations.
- Does not affect drainage and is not affected by excessive grading.
- Minimal maintenance costs and can be powered with a solar panel.

Disadvantages

- Residual effects are negligible when removed.
- Placement may be limited by availability of a power source in shaded areas.

Effectiveness

- A reduction of approximately 4 mph in vehicle speeds.⁹

Approximate Cost

- Capital cost: approximately \$9,500-\$12,000 per installation, depending on the power source.¹⁰
- Cost of ongoing maintenance of installed signage.

A.5 Additional \$200 Fine Sign

Description

An Additional \$200 Fine sign combines a regulatory speed limit sign with a sign that displays “\$200 Fine for Speeding.” The segment following this is subject to higher speeding fines. These are placed midblock and must be approved by the Town Manager. These signs should be used as a targeted measures in areas with vulnerable users such as school zones, locations near senior living centers, and pedestrian activity centers.



Source: [VDOT - Traffic Calming Guide for Neighborhood Streets](#)

Advantages

- Does not physically restrict driver maneuvers and thus does not impose speed reductions on emergency and transit vehicles.
- Does not affect drainage or sight distance and is not affected by excessive grading.
- Negligible maintenance costs.

Disadvantages

- Has negligible effects.

Effectiveness

- The effectiveness of this measure is unknown.

Approximate Cost

- Capital cost: approximately \$1,000 per sign. Typically at least four (4) signs per segment are needed, for a total cost of approximately \$4,000. This includes two (2) per direction, indicating the beginning and ending of the higher fine zone.¹⁰
- Cost of ongoing maintenance of installed signage.

A.6 Speed Hump

Description

A speed hump is a vertical deflection measure consisting of an elongated mound in the roadway pavement surface (or a removable installation) extending across the travel lane perpendicular to traffic flow. This is typically 3 inches in height and 12 feet in length. These are placed midblock at least 150 feet from an unsignalized intersection or 250 feet from a signalized intersection. Signage should accompany this measure to improve visibility during snow removal operations.



Sources: [FHWA – Traffic Calming ePrimer](#)

Advantages

- Self-enforcing.
- Involves measures that are easily recognizable by motorists.
- Can spread them out to have a lower impact on the roadway.

Disadvantages

- Impacts travel times of emergency and transit vehicles.
- Can increase noise as vehicles pass over the measure.
- Can affect drainage and should avoid placing on steep grades (>8%).
- If located in locations with limited sight distance, require additional warning signage.
- Can damage vehicles if they pass over it too fast. Should not be installed if operating speeds are over 45 mph.

Effectiveness

- A reduction of approximately 6-8 mph in vehicle speeds.¹¹
- Can result in volume reductions of 20-43% as a result of vehicle trips rerouting to other streets.¹² It should be noted that the Town does not install traffic calming measures to lower traffic volumes, but these are a noted side effect of this form of traffic calming.

Approximate Cost

- Capital cost: approximately \$2,500-\$6,500 per installation.¹³
- Cost of ongoing maintenance of the installed measure and any associated signage and striping.

A.7 Speed Cushion

Description

A speed cushion is a vertical deflection measure; it is a modified speed hump where openings are added to accommodate emergency or transit vehicles to cross the measure without experiencing vertical deflection and slowing down. These are placed midblock at least 150 feet from an unsignalized intersection or 250 feet from a signalized intersection.



Source:

[FHWA - Traffic Calming ePrimer](#) (left); [VDOT - Traffic Calming Guide for Neighborhood Streets](#) (right)

Advantages

- Self-enforcing.
- Does not impose speed reductions on emergency and transit vehicles.
- Produces less noise than speed humps from emergency and transit vehicles.
- Certain designs can be installed temporarily to reduce impact on roadway pavement structure.

Disadvantages

- Can increase noise as vehicles pass over the measure.
- May encourage passenger vehicles to cross into the opposing lane in an attempt to straddle the humps. A centerline strip may help discourage this.
- Depending on placement, may impact bicycle lanes.
- Should avoid placing on steep grades (>8%).
- If located in locations with limited sight distance, place warning signage. Can affect drainage, check design.

Effectiveness

- A reduction of approximately 5-7 mph in vehicle speeds.¹¹

Approximate Cost

- Capital cost: Approximately \$4,000-\$6,500 per installation.¹³
- Cost of ongoing maintenance of the installed measure and any associated signage and striping.

A.8 Speed Table

Description

A speed table is a vertical deflection measure; it is essentially a modified speed hump with a flat top long enough (in the direction of travel) to accommodate the wheel base of most passenger vehicles, allowing for a more comfortable experience than a speed hump. These are placed midblock at least 150 feet from an unsignalized intersection or 250 feet from a signalized intersection.



Source: [VDOT - Traffic Calming Guide for Neighborhood Streets](#)

Advantages

- Self-enforcing.
- Is more comfortable than speed humps or cushions.

Disadvantages

- Impacts travel times of emergency and transit vehicles.
- Can increase noise as vehicles pass over the measure, although to a lesser extent than speed humps.
- Should avoid placing on steep grades (>8%) and can affect drainage.
- If located in locations with limited sight distance, place warning signage.
- Can damage vehicles if they pass over it too fast. Should not be installed if operating speeds are over 45 mph.

Effectiveness

- A reduction of approximately 4-11 mph in vehicle speeds.¹¹
- Can result in volume reductions of 15-20% as a result of vehicle trips rerouting to other streets.¹² It should be noted that the Town does not install traffic calming measures to lower traffic volumes, but these are a noted side effect of this form of traffic calming.

Approximate Cost

- Capital cost: approximately \$3,500 - \$13,500 per installation.¹³
- Cost of ongoing maintenance of the installed measure and any associated signage and striping.

A.9 Raised Intersection

Description

A raised intersection is a vertical deflection measure which includes a flat, raised area covering an entire intersection with ramps on all approaches. It is essentially a speed table covering an entire intersection. These are installed at intersections.



Source: [FHWA - Traffic Calming ePrimer](#)

Advantages

- Self-enforcing.
- More comfortable than speed tables and speed humps.
- Provides traffic calming on all connecting streets at the intersection.
- Can be considered visually attractive.

Disadvantages

- Impacts travel times of emergency and transit vehicles.
- Expensive and less effective than other measures.
- Can increase noise as vehicles pass over the measure.
- If located in locations with limited sight distance, place warning signage. Can affect drainage, check design.

Effectiveness

- A reduction of approximately 0-1 mph in vehicle speeds.¹¹

Approximate Cost

- Capital cost: approximately \$19,500 - \$100,000 per installation, depending on the street width at the intersection to be raised, types of pavements or pavers used, utility conflicts, manholes, or other street elements.¹³
- Cost of ongoing maintenance of the installed measure and any associated signage and striping.

A.10 Chicane

Description

A chicane is a horizontal deflection measure which causes realignment on an otherwise straight street, causing all lanes to shift in one direction. Each chicane shifts lanes from one side to the other, causing vehicles to take a S-shaped path instead of going straight and encouraging drivers to slow down. This effect can be achieved with medians or curb extensions alternating on opposite sides of the street. These are installed midblock.



Source: [FHWA - Traffic Calming ePrimer](#)

Advantages

- Self-enforcing.
- Can provide streetscape enhancements and opportunities to install landscaping elements.
- Lower impact on emergency and transit vehicle travel times compared to vertical deflection methods.

Disadvantages

- Needs a certain amount of curb-to-curb width, which is typically taken from street parking or narrowing the travel lanes.
- May obstruct cyclists depending on location and design.
- Can make it difficult for snow removal, providing a fixed object in the roadway that vehicles can strike.
- Should avoid placing on steep grades (>8%).
- If located in locations with limited sight distance, place warning signage. Can affect drainage, check design.

Effectiveness

- A reduction of approximately 3-9 mph in vehicle speeds.¹¹

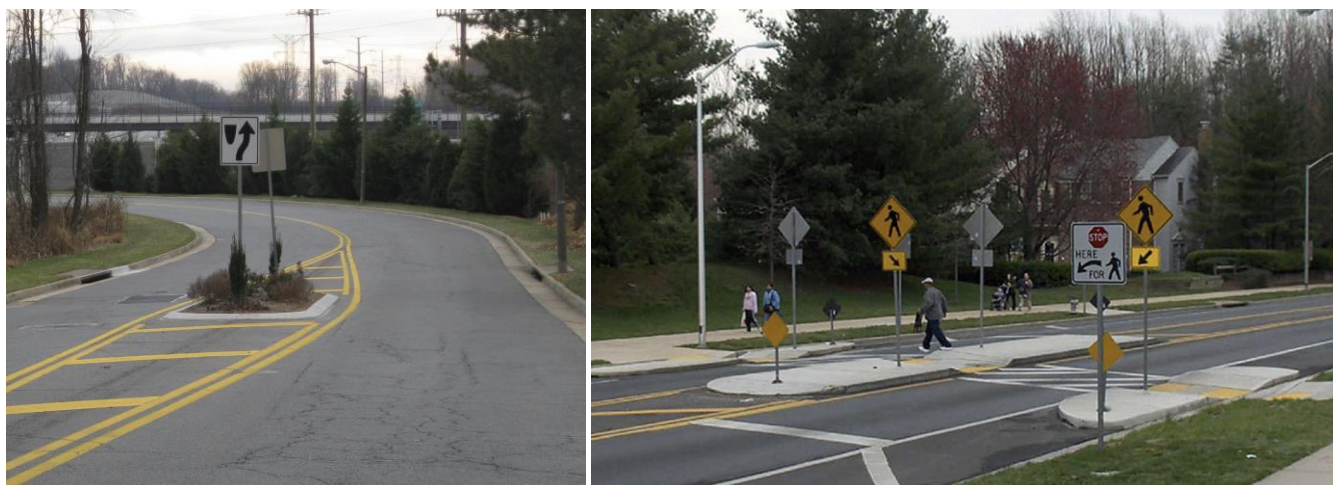
Approximate Cost

- Capital cost: approximately \$10,500 - \$42,000 per installation.¹³
- Cost of ongoing maintenance of the installed measure and any associated signage and striping.

A.11 Median Island

Description

A median island is an island placed in the middle of the street in order to narrow vehicular travel lanes, causing drivers to moderate their speeds at the narrower section. These can also be used as a crosswalk refuge for pedestrians. Median islands can be installed at intersections or midblock.



Source: [VDOT - Traffic Calming Guide for Neighborhood Streets](#) (left); [FHWA - Traffic Calming ePrimer](#) (right)

Advantages

- Self-enforcing.
- Provides for adding greenery and chances to improve the attractiveness of the street.
- Applying a crosswalk at the island can improve pedestrian safety compared to a standard crosswalk.
- Low impact on emergency and transit vehicle travel times.

Disadvantages

- Depending on design, could be difficult for cyclists.
- Can make it difficult for snow removal, providing a fixed object in the roadway that vehicles can strike.
- Needs a certain amount of curb-to-curb width, which is typically taken from street parking or narrowing the travel lanes.
- Can affect drainage.
- If located in locations with limited sight distance, place warning signage.

Effectiveness

- A reduction of approximately 1-8 mph in vehicle speeds.¹¹

Approximate Cost

- Capital cost: approximately \$2,000 - \$17,000 per installation.¹³
- Cost of ongoing maintenance of the installed measure, any associated signage and striping, and upkeep of any landscaping.

A.12 Choker

Description

A choker narrows the roadway by extending the curb out from both sides of the street, reducing the width of vehicular travel lanes and causing drivers to moderate their speeds at the narrower section. These are installed midblock and can be combined with on-street parking. This improvement also creates an opportunity to provide a midblock crosswalk, if warranted.



Source: Town of Herndon

Advantages

- Self-enforcing.
- Provides for adding greenery and chances to improve the attractiveness of the street.
- Provides protection for parking.
- Low impact on emergency and transit vehicle travel times.

Disadvantages

- Can be difficult for cyclists depending on design.
- Can make it difficult for snow removal, providing a fixed object in the roadway that vehicles can strike.
- Needs a certain amount of curb-to-curb width, which is typically taken from street parking or narrowing the travel lanes.
- If located in locations with limited sight distance, place warning signage.
- Can significantly affect drainage depending on location and design.

Effectiveness

- A reduction of approximately 1-4 mph in vehicle speeds.¹¹

Approximate Cost

- Capital cost: approximately \$2,000 - \$33,500 per corner.¹³
- Cost of ongoing maintenance of the installed measure, any associated signage and striping, and upkeep of any landscaping.

A.13 Curb Extension

Description

A curb extension narrows the roadway and shortens pedestrian crossings by extending the curb from the corners of intersections. This causes drivers to moderate their speeds at the narrower section, decreases the distance pedestrians must cross through vehicular traffic, and decreases curb radii, meaning vehicles need to slow down more to turn. These are installed at intersections or midblock and often combined with on-street parking. Curb extensions can be implemented using lower-cost materials, such as striping, flexible posts, and planters.



Source: Google Street View (left); Town of Herndon (right)

Advantages

- Self-enforcing.
- Shortens crossing distance for pedestrians, improving safety and makes intersection feel “pedestrianized”.
- Provides protection for parking and reduces the likelihood of illegal parking close to the intersection.
- Low impact on emergency and transit vehicle travel times.
- Greatly reduces speeds of turning vehicles.

Disadvantages

- Bus routes and bike lanes need additional considerations.
- Needs a certain amount of curb-to-curb width, which is typically taken from street parking or narrowing the travel lanes, or simply by reducing the curb radii.
- Emergency, transit, and truck access routes should provide appropriate turning radii.
- If located in locations with limited sight distance, place warning signage.
- Installation can affect drainage depending on design.

Effectiveness

- A reduction of approximately 1-3 mph in vehicle speeds.
- A reduction of approximately 6-8 mph in vehicle turning speeds.¹¹

Approximate Cost

- Capital cost: approximately \$2,000 - \$33,500 per corner.¹³
- Cost of ongoing maintenance of the installed measure, any associated signage and striping, and upkeep of any landscaping.

A.14 Traffic Circle

Description

A traffic circle is a raised island placed in an unsignalized intersection that forces motorists to use reduced speeds. This measure may not necessitate a redesign of the intersection as the island is typically small enough to leave room for vehicles to go around it in the existing right of way. However, site-specific conditions may require a more in-depth engineering evaluation. These are installed at intersections.



Source: [FHWA - Traffic Calming ePrimer](#)

Advantages

- Self-enforcing.
- Expected reduction in angle and turning collisions.
- Provides for adding greenery and chances to improve the attractiveness of the street.

Disadvantages

- Emergency and transit vehicles may have trouble navigating the traffic circle, mountable curbs may help with this.
- Bikes merge with traffic.
- Cannot be placed when bus routes turn left at the intersection.
- Should avoid placing on steep grades (although any intersection should not be placed on steep grades).
- If located in locations with limited sight distance, place warning signage. Can affect drainage, check design.

Effectiveness

- A reduction of approximately 4 mph in 85th percentile vehicle speeds.¹¹
- A reduction of 28% to 71% in average annual collisions.¹⁴

Approximate Cost

- Capital cost: approximately \$13,000 - \$42,000 per installation.¹³
- Cost of ongoing maintenance of the installed measure, and any associated signage and striping.
- Requires upkeep/maintenance of any landscaping within the traffic circle, if provided.

B APPENDIX B – CROSSWALK TREATMENTS

A description, picture examples, advantages, disadvantages, safety benefits, and relative costs of each individual treatment are shown in this Appendix. Costs are based on information from FHWA and VDOT. When cost estimates were available from these sources, they were adjusted for inflation to current-year (2024) dollars using the Bureau of Labor Statistics' Consumer Price Index (CPI). An additional 30% contingency was applied to the high end of these cost estimates to account for other potential uncertainties in the design and installation process. Costs for any individual improvement can vary depending on the size of the improvement, materials used, utility needs, and drainage, among other factors.

Crosswalk Treatments included in [Appendix B](#) are based on the list of countermeasures provided in FHWA's Guide:

- Crosswalk visibility enhancements, including the following five (5) countermeasures:
 - High-Visibility Crossing Markings
 - Improved Lighting
 - Advanced Stop Here For Pedestrian Sign and Stop line
 - In-Street Pedestrian Crossing Sign
 - Curb Extensions
- Raised Crosswalk
- Pedestrian Refuge Island (Median Island)
- Pedestrian Hybrid Beacon (PHB)
- Road Diet
- Rectangular Rapid-Flashing Beacon (RRFB)

B.1 High-Visibility Crossing Markings

Description

High-visibility crosswalks use patterns (the Town uses continental style markings or altered ladder-style markings at the Washington & Old Dominion trail crossings) that are visible to both the driver and pedestrian from farther away compared to traditional transverse line crosswalk. Use of high-visibility crosswalks should be prioritized in areas of higher pedestrian volume or in areas that have more frequent vulnerable population users such as school-aged children, seniors (65+), or physical disability (visual, auditory, or mobility). Examples may include school zones, the Downtown area, or the Transit-Oriented Core.



Source: Town of Herndon at the W&OD Trail (left), Town of Herndon (right)

Advantages

- Improved visibility enhances pedestrian safety.
- Relatively low implementation cost.

Disadvantages

- Slight increase in maintenance and installation cost compared to standard markings.
- Effectiveness depends on driver compliance.

Safety Benefits

- Up to 40% reduction in pedestrian injury crashes.¹⁵

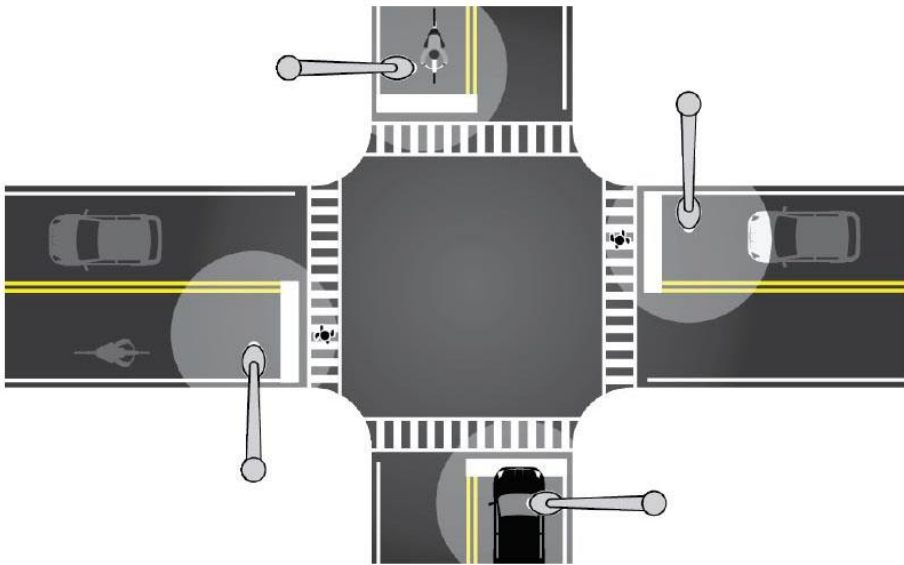
Approximate Cost

- Capital cost: approximately \$800-\$10,5000 per crosswalk.⁸
- Cost of ongoing maintenance of striping improvements.

B.2 Improved Lighting

Description

Improved crosswalk lighting is designed to help drivers see pedestrians more easily. Lighting should be placed in advance of a crosswalk to better light the front of the pedestrian and avoid silhouette lighting. The Federal Highway Administration *Lighting Handbook* suggests that an average vertical illuminance values of at least 10 lux should be maintained in the crosswalk in the direction of the approaching driver.



Source: [FHWA](#)

Advantages

- Improved visibility during low-light conditions enhances safety.
- Can deter crime and increase the sense of security.

Disadvantages

- Ongoing energy and maintenance costs.
- Requires reliable power sources and maintenance.

Safety Benefits

- Up to 42% reduction in pedestrian crashes.¹⁵

Approximate Cost

- Capital cost: approximately \$400 - \$25,000 per light fixture.⁸
- Cost of ongoing maintenance of the installed measure.

B.3 Advance Stop Here For Pedestrian Sign and Stop Line

Description

A “STOP Here for Pedestrians” sign is placed in advance of a marked crosswalk along with the stop line to indicate where a driver should stop for pedestrians.



Source: Google Street View

Advantages

- Clearly defines safe stopping points for drivers and improves visibility of crossing pedestrians.
- Enhances predictability in traffic flow.

Disadvantages

- Effectiveness relies on driver compliance.
- May not be as effective in complex intersections.
- Stop lines may be confusing to drivers if placed at uncontrolled crosswalk locations.

Safety Benefits

- Up to 25% reduction in pedestrian crashes.¹⁵

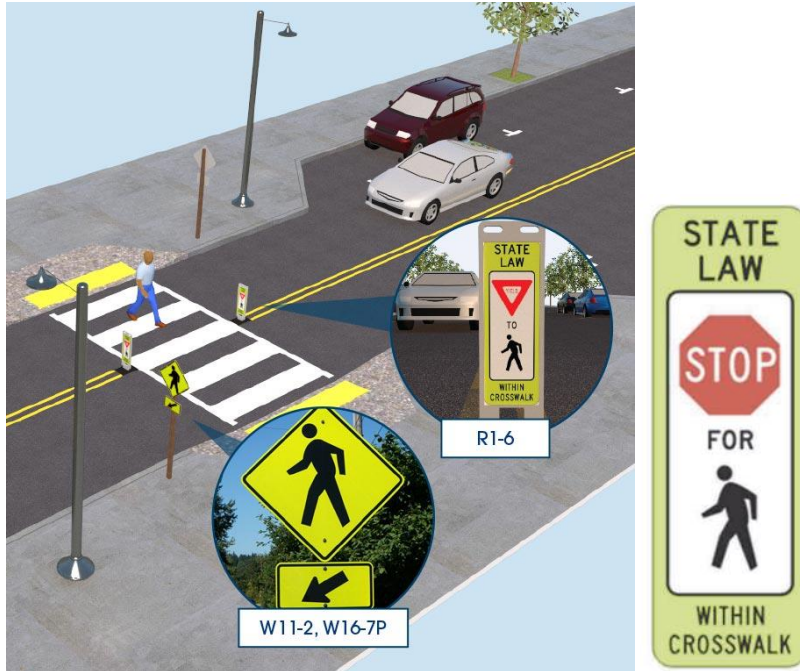
Approximate Cost

- Capital cost: approximately \$300 - \$1,000 per sign and \$100 - \$1,000 per advance stop bar.⁸
- Cost of ongoing maintenance of the installed measure.

B.4 In-Street Pedestrian Crossing Sign

Description

An in-street “STOP Here for Pedestrians” sign is placed in the middle of the road at a crossing and is often used in conjunction with refuge islands.



Source: [FHWA](#)

Advantages

- Provides visual cues for drivers and is easily noticeable.
- Relatively low-cost solution.

Disadvantages

- Effectiveness depends on driver compliance.
- May not stand out in busy or visually cluttered areas.
- Signs are frequently damaged when installed on a centerline without median.

Safety Benefits

- Up to 25% reduction in pedestrian crashes.¹⁵

Approximate Cost

- Capital cost: approximately \$300-\$450 per sign.⁸
- Cost of ongoing maintenance of the installed measure.

B.5 Curb Extension

Description

A curb extension narrows the roadway and crossings by extending the curbs from the corners of intersections. This causes drivers to moderate their speeds at the narrower section, decreases the distance pedestrians must cross through vehicular traffic, and decreases curb radii, meaning vehicles need to slow down more to turn. These are installed at intersections or midblock and often combined with on-street parking. These can be implemented using lower-cost materials, such as striping, flexible posts, and planters.



Source: [VDOT - Traffic Calming Guide for Neighborhood Streets](#) (left); Google Street View (right)

Advantages

- Self-enforcing.
- Shortens crossing distance for pedestrians, improving safety and makes intersection feel “pedestrianized”.
- Provides protection for parking and reduces the likelihood of illegal parking close to the intersection.
- Low impact on emergency and transit vehicle travel times.
- Greatly reduces speeds of turning vehicles.

Disadvantages

- Bus routes and bike lanes need additional considerations.
- Needs a certain amount of curb-to-curb width, which is typically taken from street parking or narrowing the travel lanes, or simply by reducing the curb radii.
- Emergency, transit, and truck access routes should provide appropriate turning radii.
- If located in locations with limited sight distance, place warning signage.
- Installation can affect drainage depending on design.

Effectiveness

- A reduction of approximately 1-3 mph in vehicle speeds.
- A reduction of approximately 6-8 mph in vehicle turning speeds.¹¹

Approximate Cost

- Capital cost: approximately \$2,000 - \$33,500 per corner.¹³
- Cost of ongoing maintenance of the installed measure, any associated signage and striping, and upkeep of any landscaping.

B.6 Raised Crosswalk

Description

A raised crosswalk is a variation of a speed table. The raised crosswalk is marked and signed as a pedestrian crossing. Raised crossings are often level with the street curb. This height makes pedestrians more visible to motorists and improves pedestrian's line of sight. Raised crosswalks can be installed midblock or at an intersection.



Source: [FHWA - Traffic Calming ePrimer](#) (left); [VDOT - Traffic Calming Guide for Neighborhood Streets](#) (right)

Advantages

- Self-enforcing.
- Provides improved visibility and safety for pedestrians.
- Enhances pedestrian environment at the crossing.
- Can increase the rate of motorists yielding to pedestrians crossing at the raised crosswalk.

Disadvantages

- Impacts travel times of emergency and transit vehicles.
- Can increase noise as vehicles pass over the measure, although to a lesser extent than speed humps.
- Should avoid placing on steep grades (>8%).
- If located in locations with limited sight distance, place warning signage. Can affect drainage, check design.
- Can damage vehicles if they pass over it too fast. Should not be installed if operating speeds are over 45 mph.

Effectiveness

- No studies available for raised crosswalks alone. Effectiveness is anticipated to be similar to speed tables.

Approximate Cost

- Capital cost: approximately \$3,500 - \$13,500 per installation, depending on the length, materials used, and drainage.¹³
- Cost of ongoing maintenance of the installed measure and any associated signage and striping.

B.7 Pedestrian Refuge Island (Median Island)

Description

A median island is an island placed in the middle of the street in order to narrow vehicular travel lanes, causing drivers to moderate their speeds at the narrower section. These can also be used as a crosswalk refuge for pedestrians. Median islands can be installed at intersections or midblock.



Source: [VDOT - Traffic Calming Guide for Neighborhood Streets](#) (left); Town of Herndon (right)

Advantages

- Self-enforcing.
- Provides for adding greenery and chances to improve the attractiveness of the street.
- Applying a crosswalk at the island can improve pedestrian safety compared to a standard crosswalk.
- Low impact on emergency and transit vehicle travel times.

Disadvantages

- Depending on design, could be difficult for cyclists.
- Can make it difficult for snow removal, providing a fixed object in the roadway that vehicles can strike.
- Needs a certain amount of curb-to-curb width, which is typically taken from street parking or narrowing the travel lanes.
- Can affect drainage.
- If located in locations with limited sight distance, place warning signage.

Effectiveness

- A reduction of approximately 1-8 mph in vehicle speeds.¹¹

Approximate Cost

- Capital cost: approximately \$2,000 - \$17,000 per installation.¹³
- Cost of ongoing maintenance of the installed measure, any associated signage and striping, and upkeep of any landscaping.

B.8 Pedestrian Hybrid Beacon (PHB)

Description

A PHB is a user-actuated traffic signal that illuminates when a pedestrian manually pushes a button. Upon activation, the signal illuminates a flashing yellow beacon, then changes to solid yellow to communicate to drivers to prepare to stop. The beacon changes to a steady red once it is safe for a pedestrian to cross, followed by a flashing red during the pedestrian clearance interval.



Source: [FHWA](#)

Advantages

- Offers controlled pedestrian crossings for increased safety.
- High visibility ensures clear signaling.

Disadvantages

- Higher installation and maintenance costs.
- May require education for drivers on proper usage.

Safety Benefits

- A reduction of approximately 55% in pedestrian crashes, 29% reduction in total crashes, and 15% reduction in serious injury and fatal crashes.¹⁶

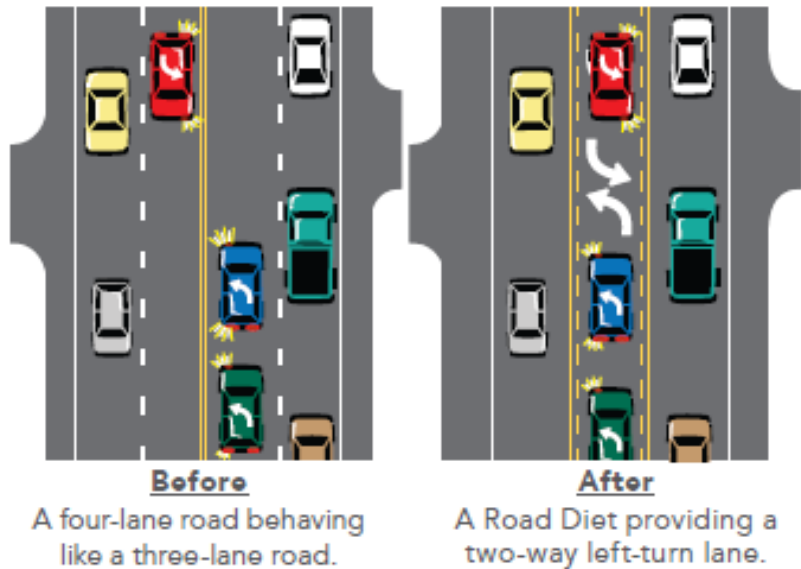
Approximate Cost

- Capital cost: approximately \$30,000 - \$230,500 per installation.⁸
- Cost of ongoing maintenance of signal equipment and any associated signage and striping.

B.9 Road Diet

Description

A road diet reconfigures the roadway by narrowing or repurpose wide or multiple travel lanes to improve pedestrian crossing safety. Typically, a road diet is implemented on a roadway with a current and future daily traffic of 25,000 or less.



Source: [FHWA](#)

Advantages

- Reduction of rear-end and left-turn crashes due to the dedicated left-turn lane.
- Reduced right-angle crashes as side street motorists cross three versus four travel lanes.
- Fewer lanes for pedestrians to cross.
- Opportunity to install pedestrian refuge islands, bicycle lanes, on-street parking, or transit stops.
- Traffic calming and more consistent speeds.
- A more community-focused, Complete Streets environment that better accommodates the needs of all road users.

Disadvantages

- Potential community concerns due vehicular capacity reduction.
- Impact on traffic flow may vary based on specific conditions.

Safety Benefits

- A reduction of approximately 19-47% in total crashes with 4-lane to 3-lane road diet conversions.¹⁷

Approximate Cost

- Capital cost varies depending on the extent of the roadway reconfiguration.
- Cost of ongoing maintenance of the installed measure, and any associated signage and striping.

B.10 Rectangular Rapid-Flashing Beacon (RRFB)

Description

A RRFB is a pedestrian-actuated conspicuity enhancement that consists of two rectangular-shaped LED lights flashing rapidly in a strobe-like pattern when activated by a pedestrian push a button.



Source: [FHWA](#)

Advantages

- Grabs driver attention effectively.
- Provides clear signaling for pedestrian crossings.
- Actuation occurs much faster than a PHB.

Disadvantages

- Higher installation and maintenance costs.
- May require a power source if solar power is insufficient.
- Requires proper education and understanding by drivers.

Safety Benefits

- Up to 47% reduction in pedestrian crashes.¹⁸
- Up to 98% increase in motorist yielding rates, depending on speed limit, number of lanes, crossing distance, and time of day.¹⁸

Approximate Cost

- Capital cost: approximately \$6,500 - \$94,000 per installation.⁸
- Cost of ongoing maintenance of signal equipment and any associated signage and striping.

REFERENCES

- ¹ https://herndon_redesign.prod.govaccess.org/home/showpublisheddocument/607/635838909802630000
- ² *Manual on Uniform Traffic Control Devices (MUTCD)*, published by the United States Department of Transportation Federal Highway Administration
- ³ *A Policy on the Geometric Design of Highways and Streets* (the “Green Book”), published by the American Association of State Highway and Transportation Officials
- ⁴ <https://highways.dot.gov/safety/speed-management/traffic-calming-eprimer>
- ⁵ <https://highways.dot.gov/media/15206>
- ⁶ https://www.researchgate.net/publication/245559162_Study_of_the_Impact_of_Police_Enforcement_on_Motorists'_Speeds
- ⁷ <https://www.fhwa.dot.gov/publications/research/safety/08067/>
- ⁸ <http://www.pedbikesafe.org/pedsafe/countermeasures.cfm>
- ⁹ https://rosap.ntl.bts.gov/view/dot/57513/dot_57513_DS1.pdf
- ¹⁰ <https://www.vdot.virginia.gov/media/vdotvirginiagov/about/programs/neighborhood-traffic/Traffic-Calming-Guide-For-Neighborhood-Streets.pdf>
- ¹¹ https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/eng_ctm_spd_14.pdf
- ¹² https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/eng_ctm_crsh_14.pdf
- ¹³ <https://www.ite.org/technical-resources/traffic-calming/traffic-calming-measures/>
- ¹⁴ <https://safety.fhwa.dot.gov/saferjourney1/library/pdf/toolsintro.pdf>
- ¹⁵ <https://highways.dot.gov/safety/proven-safety-countermeasures/crosswalk-visibility-enhancements>
- ¹⁶ <https://highways.dot.gov/safety/proven-safety-countermeasures/pedestrian-hybrid-beacons>
- ¹⁷ <https://highways.dot.gov/safety/proven-safety-countermeasures/road-diets-roadway-reconfiguration>
- ¹⁸ <https://highways.dot.gov/safety/proven-safety-countermeasures/rectangular-rapid-flashing-beacons-rrfb>

TOWN OF HERNDON, VIRGINIA

RESOLUTION

AUGUST 9, 2011

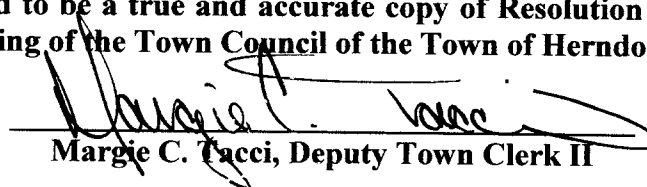
Resolution- Approval, Traffic Calming Policy.

WHEREAS, the Town Council desires to have a Traffic Calming Guide in place to slow the vehicles traveling on local residential and some collector streets in town; and

WHEREAS, the town staff developed the Traffic Calming Guide, a set policy by which the town staff would evaluate inquiries, comments, or complaints and establish a set of rules and procedures to calm the traffic on the town streets.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia, that it hereby approves the draft Traffic Calming Guide dated July 26, 2011, on file in the Office of the Town Clerk.

This is certified to be a true and accurate copy of Resolution 11-G-45 adopted at a legally convened meeting of the Town Council of the Town of Herndon on August 9, 2011.


Margie C. Tacci, Deputy Town Clerk II

The Traffic Calming Guide dated July 26, 2011, as approved on August 9, 2011, is attached for reference. A copy of the approved guide also is available on the Town's Web site.

11-G-45



NEIGHBORHOOD TRAFFIC CALMING GUIDE

Town of Herndon, Virginia

Prepared by the Town of Herndon Traffic
Engineering Improvement Committee
July 26, 2011

Approved by the Herndon Town Council
Resolution 11-G-45
August 9, 2011

STOP NEIGHBORHOOD SPEEDING

A little extra speed makes a big impact.

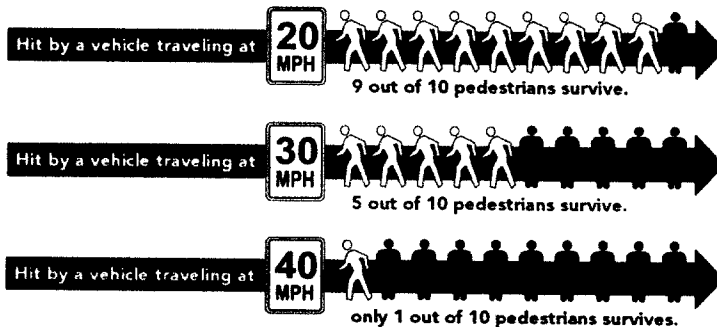


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INTRODUCTION

Traffic calming is the combination of physical and visual controls that reduce negative effects of excess motor vehicle speed, alter driver behavior and improve conditions for non-motorized street users.

In 1996, Herndon created a traffic engineering improvement committee (TEIC) to evaluate inquiries, comments, and complaints received from citizens concerning the management of traffic in town. Traffic calming was a fundamental element of the charter of the TEIC committee and continues today as an important tool for maximizing road safety. TEIC meets regularly to address traffic management problems and is comprised of police officers, transportation planners, traffic engineers and other town staff that offer a wide range of experience on transportation issues.

This guide outlines Herndon's policy and procedures by which citizens can request traffic calming measures in their neighborhoods. For purposes of this guide, traffic calming shall be designed to slow down vehicles traveling on public local residential streets, although certain collector streets that have characteristics of local residential streets may also qualify for traffic calming measures. Concerns regarding major arterial streets such as Elden Street and Herndon Parkway will be directed to the Department of Public Works (DPW) or Herndon's Police Department as appropriate.

TRAFFIC CALMING PROCESS

The traffic calming process has four major components: eligibility, education, enforcement, and engineering. Requests for traffic calming on neighborhood streets can come from civic associations or from citizens where no civic association exists.

Typically, requests to calm traffic involve concerns with vehicle speed. Therefore, as a first step, requests go to the Police Department (non emergency phone number 703-435-6846).

The request should include:

- street segment where speeding exists
- time of day speeding occurs
- type of vehicle (car, truck, bus, etc)
- perceived dangers to pedestrians, bicyclists and local residents

ELIGIBILITY

For a street to qualify for traffic calming, the criteria below must be met:

- Limited to two-lane public residential local / collector streets posted 25 mph
And one or more of the following:
- Traffic speed: 85th percentile speed is equal to or greater than 30 mph
- Accident history of at least 2 accidents in the past 12 months
- Enforcement history must show more than 15 traffic summonses issued in 10 hours of enforcement or 30 summonses in the most recent 6 months

A traffic volume/ speed study will be conducted to determine if the data supports the complaint. Data collection is normally performed on weekdays, September to May when public school is in session. Other considerations include proximity to schools, active pedestrian areas, availability of sidewalks, parking, etc. If the study finds that the request for traffic calming meets the eligibility criteria, then education and police enforcement through the *Traffic Safety Watch Program* will be initiated before undertaking more elaborate engineering solutions.

Streets that fail to meet the criteria are not eligible for traffic calming initiatives and the complainant(s) will be contacted and advised. Upon notification, a two year waiting period is required for re-evaluation; however, TEIC may waive the waiting period if it finds significant changes emerging in the study area.

Depending on complexity, expected timelines for speed study analyses, education and enforcement could take 1 to 3 months (when public school is in session) to assess results. An additional 1 to 3 months is estimated for TEIC to engineer and implement minor non physical controls. After installation, traffic speeds and volumes would be re-analyzed in the following 12 months to compare with those taken prior and may indicate whether or not adjustments are necessary. Generally, in place minor improvements will be assessed for a year to fully gauge their impact before major controls are considered.

TRAFFIC SAFETY WATCH PROGRAM

The Traffic Safety Watch Program (TSWP) is a multi-step program which encourages residents to take an active part in addressing neighborhood traffic issues. The TSWP, modeled after the Neighborhood Watch Program, utilizes groups of organized citizens to work with law enforcement to keep a trained eye and ear on their communities, while demonstrating their presence day and night. Activities of the TSWP include monitoring vehicles traveling faster than the posted speed limit, traffic volume, re-occurring traffic accidents, and pedestrian safety. The goal of TSWP is to significantly reduce or eliminate issues that compromise traffic safety.

TSWP Parameters and Process

- Complaint received and documented in a police report.
 - Community Complaint
 - Government referral
- Information gathering
 - Interview complainant
 - Speed and traffic studies
 - Accidents analysis, summonses issued

EDUCATION

Education is the first step for eligible streets and is comprised of several options the police use to raise neighborhood and motorist awareness about traffic safety concerns. Raising neighborhood and driver awareness may significantly reduce or eliminate the identified problem.

Education options include:

- Literature distribution – stopping of vehicles traveling 4 mph or more over the posted speed limit and issuing the drivers a warning along with an educational handout (Speed is Lethal). A survey form will also be completed.
- Speed trailers - used to educate and raise awareness by displaying the speed of the motorist, thereby promoting a change in driving behavior.
- Speed Watch - a speed monitoring program usually conducted by members of the Herndon Police Citizens Support Team (HPCST). Speeding vehicles' license numbers are recorded and a warning letter for any vehicle traveling 4 mph or more over the posted speed limit will be sent a warning letter- not a ticket- from the police department informing them of the violation and requesting that they obey posted speed limits.
- Community involvement - upon request, neighborhood signs stating "RESPECT OUR STREET – TRAFFIC SAFETY WATCH" or "ZERO SPEEDING TOLERANCE – TRAFFIC SAFETY WATCH" are available for residents to place in their front yards subject to Herndon Zoning temporary sign regulations.

ENFORCEMENT

Enforcement is another tool/option to address traffic safety concerns. While education of the motorist through heightened awareness may be all that is needed for most neighborhoods, some areas may require the police to monitor traffic safety concerns and enforce as appropriate.

ENGINEERING

Engineering is an option used only when education and enforcement do not reduce or eliminate the traffic safety concern. All streets meeting the eligible criteria will be forwarded for Traffic Engineering Improvement Committee review and a traffic calming recommendation. TEIC then determines the appropriate type and cost of traffic calming measures with the greatest likelihood to abate the problem. Minor non-physical improvements such as radar speed signs or other signs and pavement striping will be attempted and evaluated for 12 months before major physical changes to the street such as speed tables and chokers are undertaken. Following installation of any minor or major controls, traffic speeds and volumes will be analyzed to compare with those taken prior and may indicate whether or not adjustments are necessary.

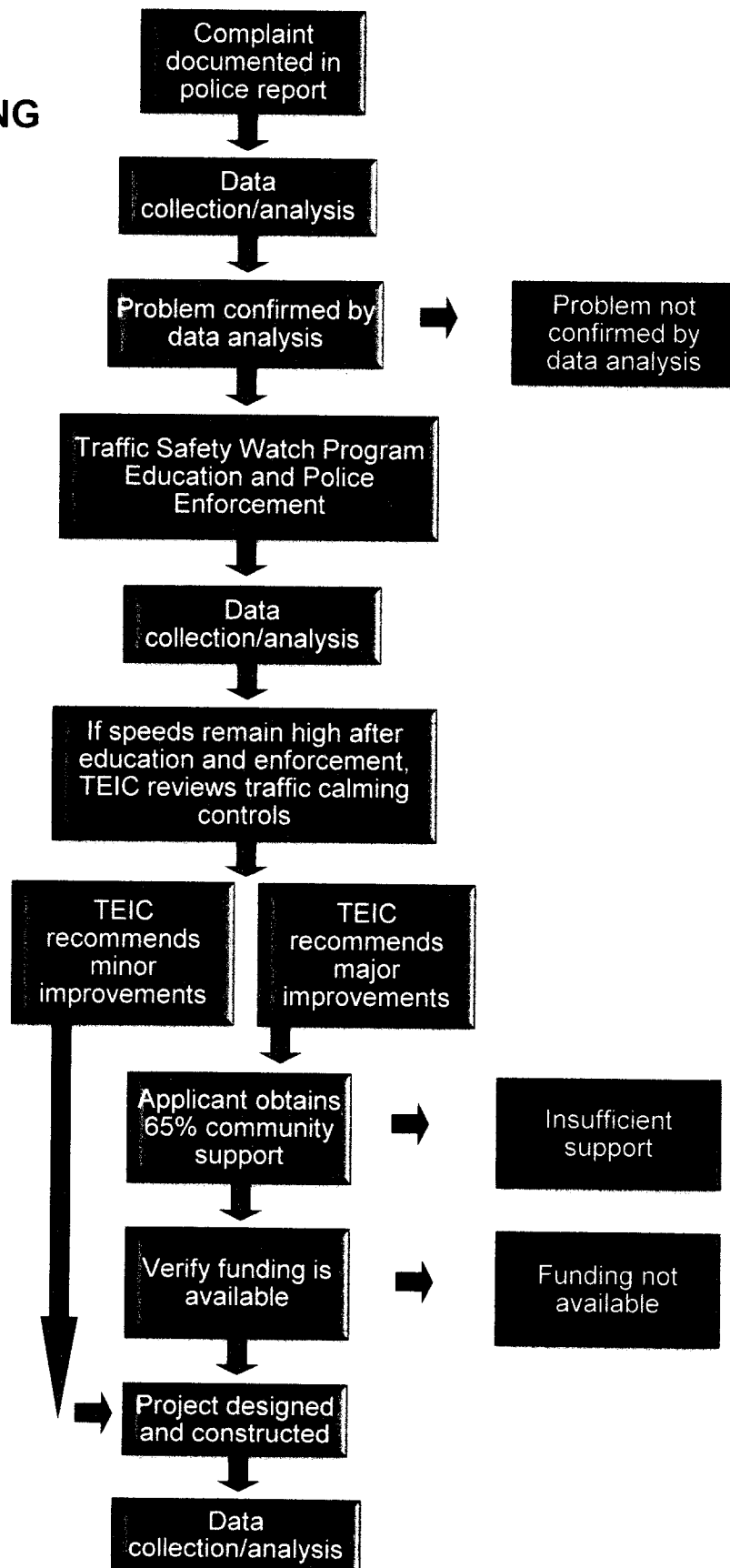
Traffic calming can often impact adjacent streets; therefore, if TEIC identifies major physical traffic calming controls are needed to address speeding, the applicant must obtain 65% support for the project within the impacted area as defined by TEIC and petition the town for the improvements (see petition form page 20). Upon 65% support for the project, funding is verified and design is initiated. If minor improvements such as signs and striping can be implemented, the 65% community support is not required, and the project would be scheduled for installation.

TRAFFIC VOLUMES

Traffic volumes will determine the appropriate traffic calming measures as follows:

- Fewer than 600 vehicles per day
 - Education
 - Enforcement
 - Minor non-physical measures
- 600- 4,000 vehicles per day
 - Education
 - Enforcement
 - Minor non-physical measures
 - Major physical measures
- More than 4,000 vehicles per day
 - Education
 - Enforcement
 - Minor non-physical measures
 - Network analysis or other alternative actions

TRAFFIC CALMING PROCESS FLOW CHART



TRAFFIC CALMING MEASURES- MINOR CONTROLS

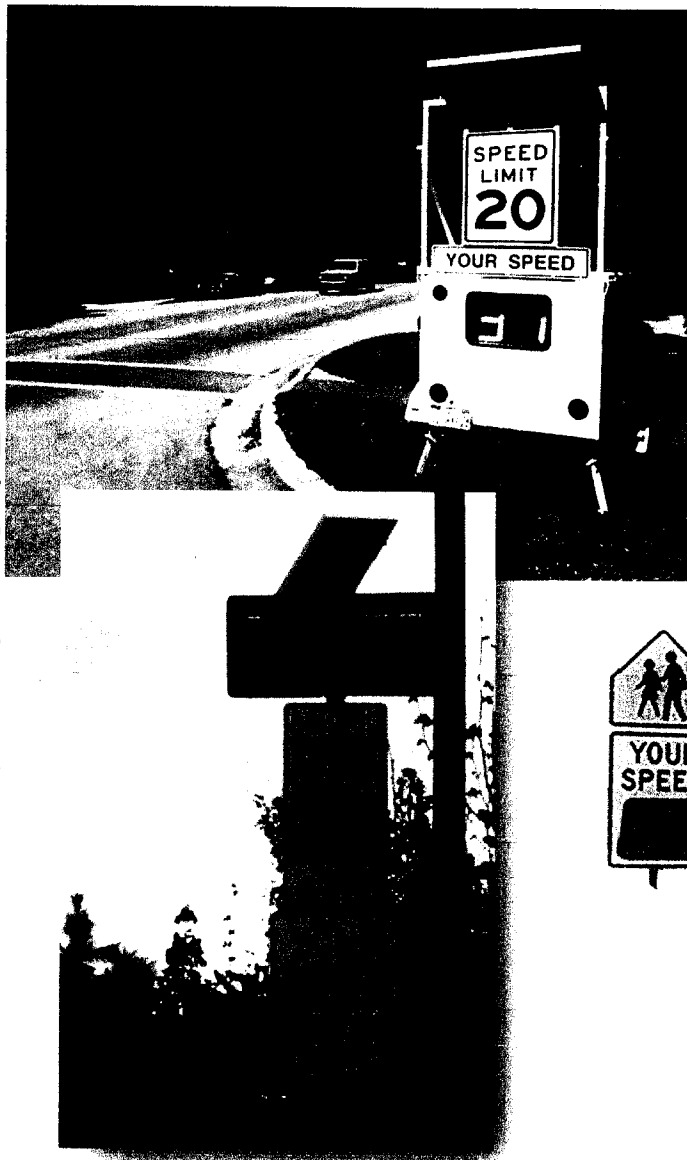
RADAR TRAILERS AND SPEED DISPLAY SIGNS

Description: Mobile radar trailers and permanently mounted radar signs remind motorists of their actual travel speed and are especially effective if the speed limit is also posted.

Advantages: Can be less expensive than long term police enforcement. Mobile signs can be relocated. Permanently mounted signs are especially effective in school zones. No impact to emergency response times.

Disadvantages: Only effective for one direction of travel. May only be effective for short distances

Cost: \$5,000 - \$10,000 per unit.



CENTERLINE AND EDGE STRIPING

Description: Can be used to delineate on-street parking and visually narrow travel lanes, thereby inducing drivers to reduce speed.

Advantages: Inexpensive. No impact to emergency response times. Can also be used to create bicycle lanes.

Disadvantages: Regular maintenance required.

Cost: \$2 - \$4 per linear foot



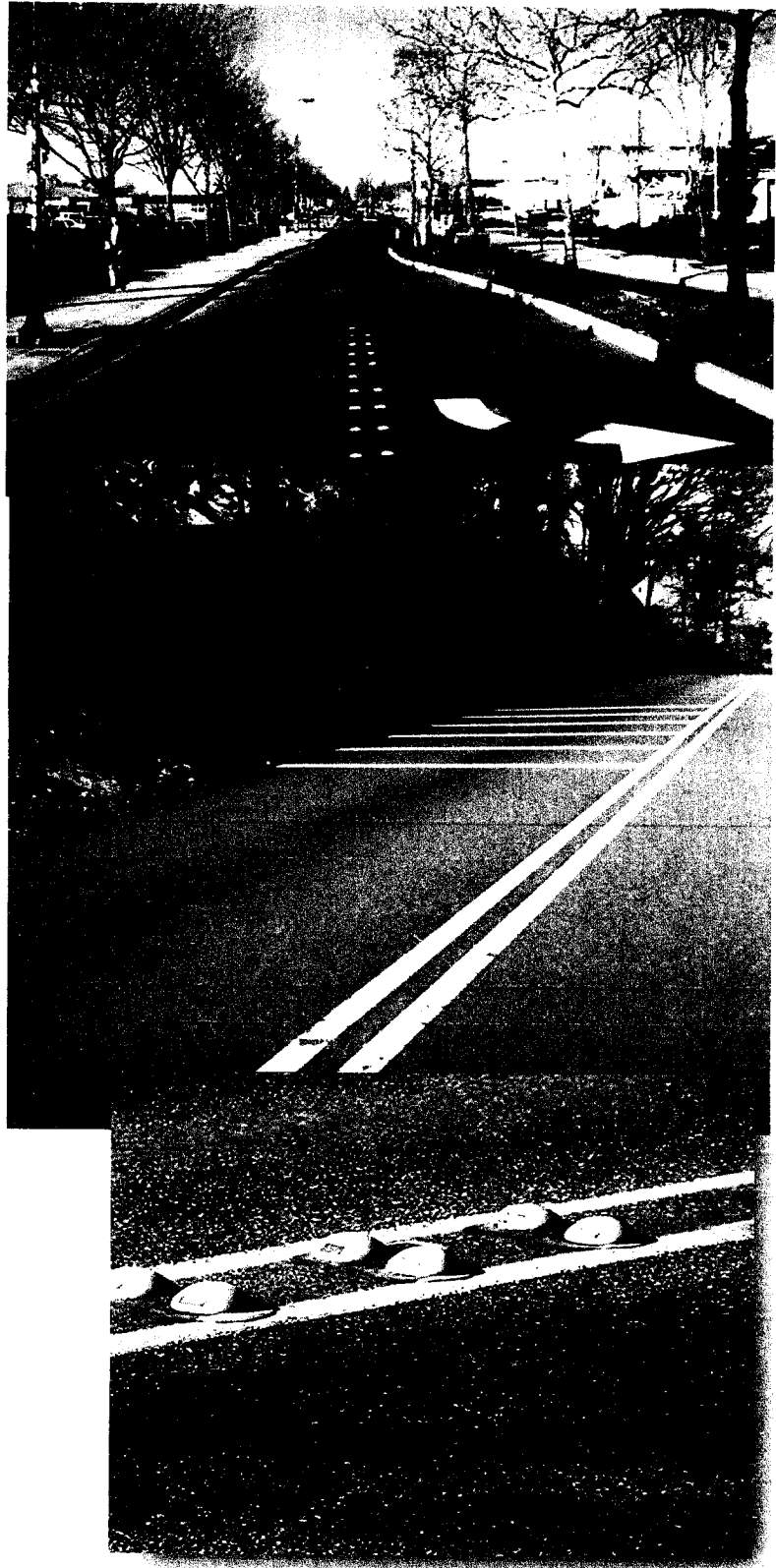
RAISED PAVEMENT MARKERS

Description: Markers of variable construction often reflectorized for enhanced visibility. If installed in series along the centerline or edge line, alerts the driver when deviating from the travel lane. Rumble strips placed laterally across the roadway provide advance warning of a potential danger ahead.

Advantages: Inexpensive. No impact to emergency response times.

Disadvantages: Subject to damage from snow plows. Noise and vibration.

Cost: \$2 - \$7 per marker.



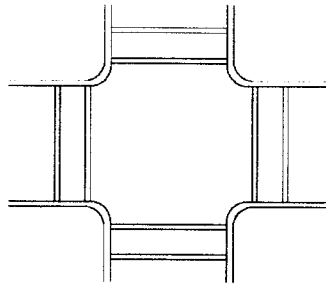
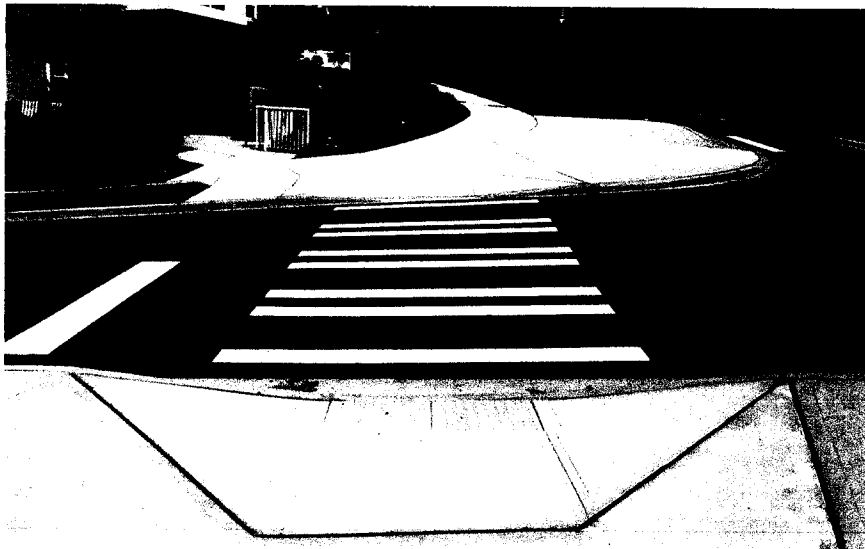
HIGH VISIBILITY CROSSWALKS

Description: High visibility crosswalks are white, high intensity retro reflective patterns. They can be combined with textured, colored pavement to increase driver awareness.

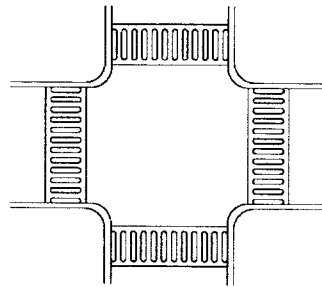
Advantages: Inexpensive. No impact to emergency response times.

Disadvantages: May provide pedestrians with a false sense of security when used at mid-block locations.

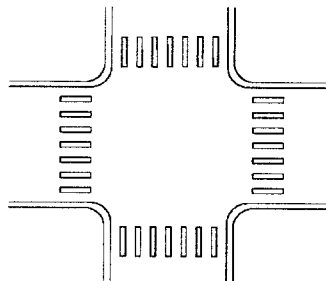
Cost: \$300 - \$500 per crosswalk per lane



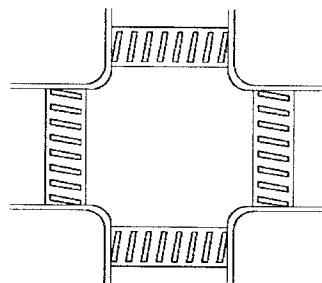
Standard



Ladder



Block



Diagonal

PAVEMENT MARKING LEGENDS

Description: On-pavement markings reinforce posted speed signs or special wording may remind motorists of particular conditions such as crosswalks and schools.

Advantages: Inexpensive. No interruption to emergency vehicles. Easy to implement. No increase in noise. No affect on vehicle operation.

Disadvantages: May not be effective in reducing speeds. Minor maintenance costs.

Cost: \$50 per letter or number.



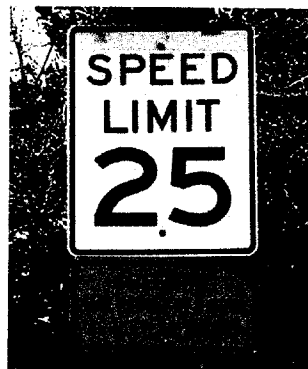
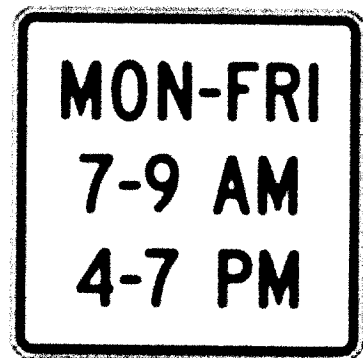
SIGNS

Description: Turn prohibition signs are posted to restrict movement through a given area and to limit travel in certain directions. Warning signs reinforce penalties associated with traffic violations.

Advantages: Inexpensive to install. Turn restrictions can be limited to certain hours.

Disadvantages: Turn restrictions may divert additional traffic onto nearby streets. Requires enforcement.

Cost: \$100 - \$200 per sign.



TRAFFIC CALMING MEASURES- MAJOR CONTROLS

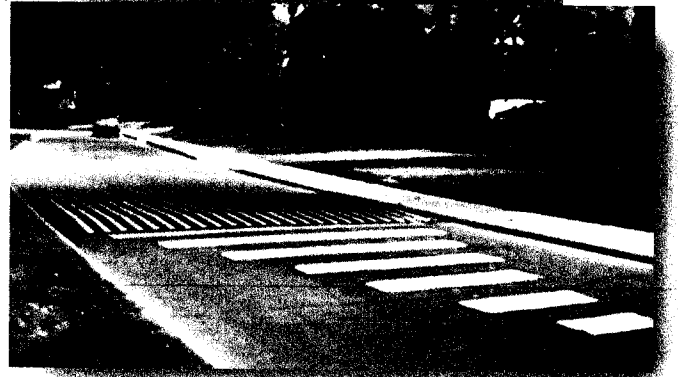
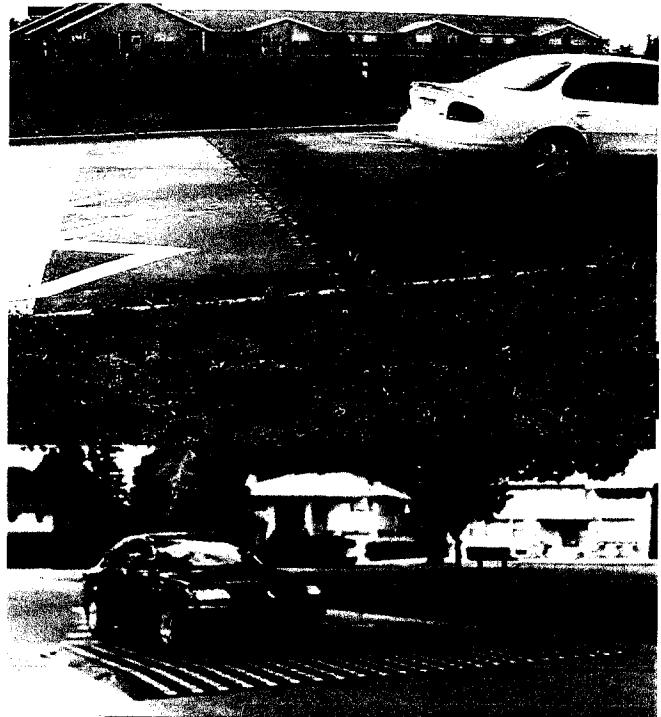
SPEED TABLES

Description: Typically 3-4 inches high and 14 to 22 feet long trapezoidal shape of variable materials covering the full width of roadway. The flat top is long enough for the wheelbase of a car to ride on and the ramps are sloped more gently than speed humps to allow higher speeds. Place no closer than 300 feet apart or 300 feet from stop signs or traffic signals.

Advantages: Commonly preferred over speed humps, yet effective for reducing speeds. Compatible with pedestrian and bicycle movements. May decrease cut through traffic.

Disadvantages: Can be expensive to build and maintain, and drainage must be carefully considered. Slows emergency vehicles. Vehicular damage and or injury to vehicle occupants may occur if crossed too fast.

Cost: \$3,000 - \$6,000 depending on materials.



RAISED CROSSWALKS

Description: Similar to speed tables with appropriate crosswalk markings and signage. Placement distance requirements are similar to speed tables.

Advantages: Effective at reducing speeds. Increases visibility of pedestrians and slows traffic at conflict point with pedestrians. May decrease cut through traffic.

Disadvantages: Can be expensive to build and maintain, and drainage must be carefully considered. Vehicular damage and or injury to vehicle occupants may occur if crossed too fast. Slows emergency vehicles.

Cost: \$3,500 - \$6,500 depending on materials.



CROSSWALK REFUGES

Description: Raised median in middle of roadway with a walkway cut providing protection from traffic.

Advantages: Reduces speeds, provides protection for crosswalk users.

Disadvantages: Maintenance. Potential snow plow damage.

Cost: \$5,000 - \$15,000



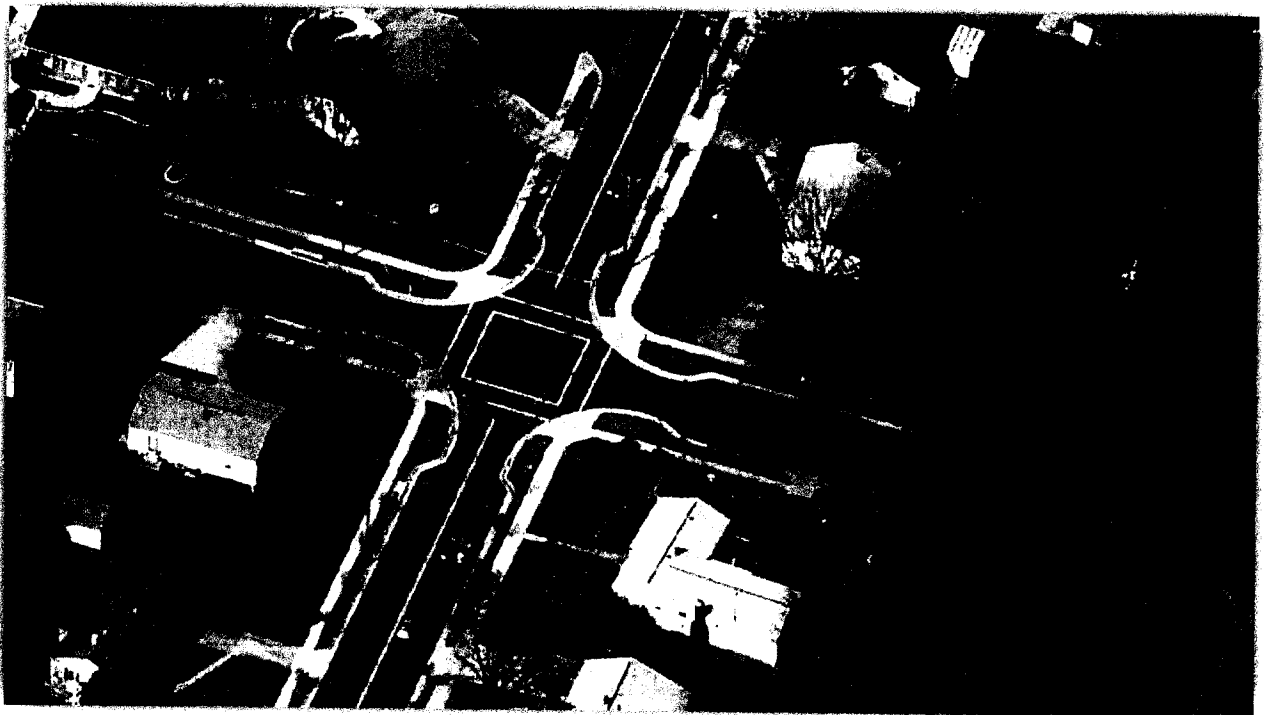
BUMPOUTS

Description: Narrows road width at intersections to reduce speeds and aid pedestrian crossings.

Advantages: Reduces speeds near intersections. Shortens distances for pedestrians crossing street. Increases green space. No impact to emergency response times.

Disadvantages: Turns are more difficult for large vehicles. Drainage must be carefully considered. Potential snow plow damage.

Cost: \$5,000 per corner



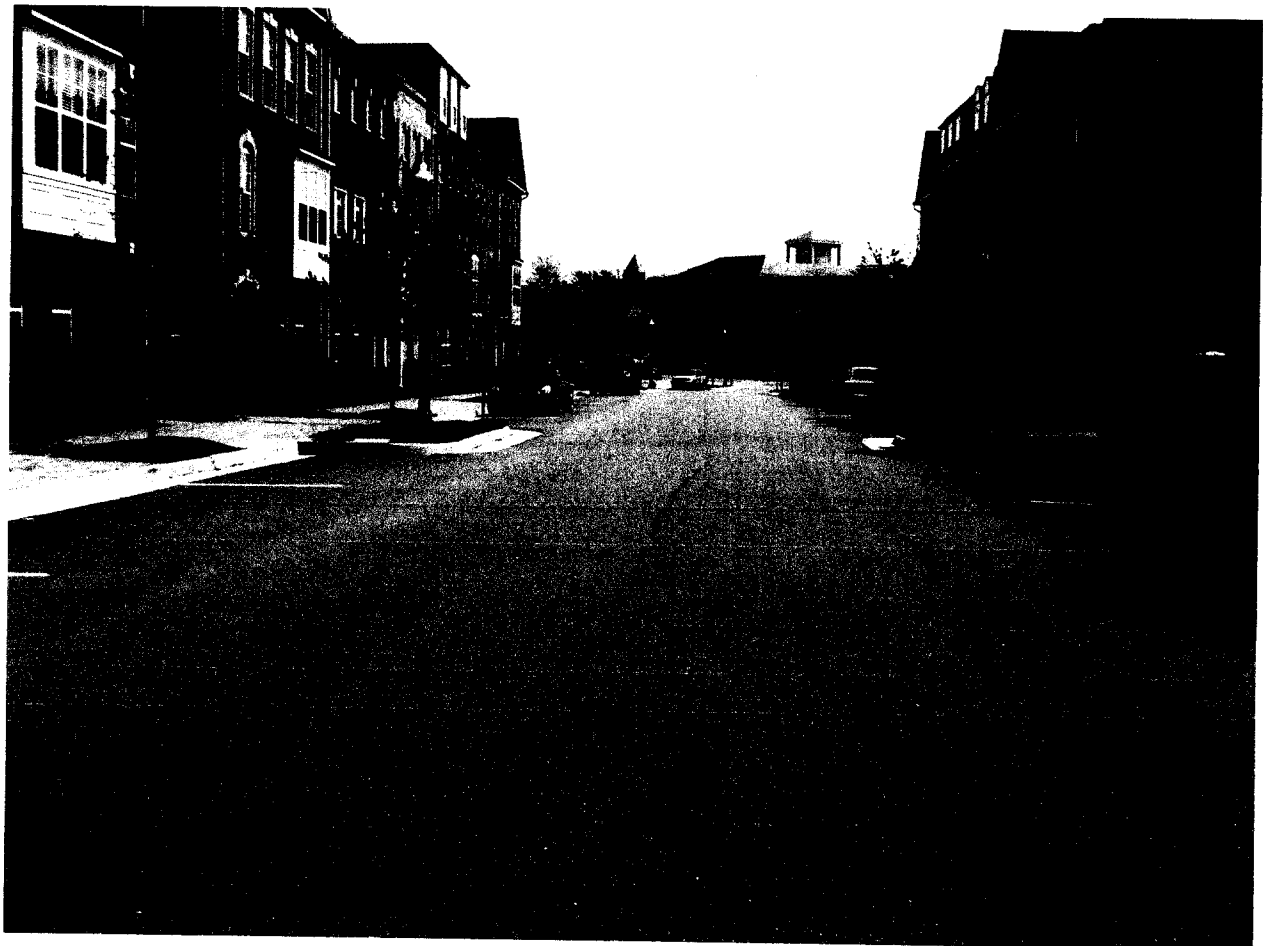
CHOKERS

Description: Used at mid block locations to narrow road width and reduce speeds.

Advantages: Reduces speeds. Increases green space. Creates safer pedestrian crossings. Provides some parking protection.

Disadvantages: Potential drainage problems. Potential snow plow damage. Lost parking spaces.

Cost: \$7,000 - \$10,000





HERNDON NEIGHBORHOOD TRAFFIC CALMING PETITION

On _____ between _____ and _____ Street

***Note: By signing this petition you accept the possibility that traffic calming may be built in front of your home.**

[illegible]

MODIFICATION AND REMOVAL

If a traffic calming measure is found to cause a hazardous condition, the Director of Public Works may unilaterally modify or remove the control. Otherwise, the process for removal of traffic calming is initiated by a petition from the community, similar to petitioning for the installation of traffic calming controls, with 65% of households seeking modifications and/or removal.

In general, traffic calming controls will not be removed before a full assessment of their effectiveness can be evaluated- usually one year. Any petitions for removal shall be reviewed by TEIC before a recommendation can be made to the Town Council, which will ultimately decide whether to modify or remove the controls. TEIC will compare speed and traffic volumes before and after the installation as well as review archives for the circumstances that brought about the initial concerns.

MULTI-WAY STOP SIGNS

Multi-way stop signs are traffic control devices primarily installed to assign right of way at intersections and are not considered to be traffic calming controls. While motorists may slow and stop at approaching intersections where stop signs are installed, studies have shown that beyond the intersection, speeds remain the same, and in some cases, motorists increase speed to make up for lost time. By contrast, traffic calming measures slow motorists along the length of the controls, not just at intersections.

Residents may request that a particular intersection be evaluated for all way stop control due to accident history, traffic volumes, pedestrian crossing safety, or sight distance issues.

ALTERNATIVE FUNDING OPTION

The Town of Herndon has limited resources and may not be able to address every community's engineering project; therefore, the Town will allow communities to implement a program at their own expense under the following circumstances:

- The traffic calming project must be approved by TEIC.
- The community provides funding to the Town for the project.
- DPW oversees the design, construction, and maintenance of the project.

FOR MORE INFORMATION

Questions and concerns may be directed to the Director of Public Works, Herndon Municipal Center, 777 Lynn Street, Herndon, VA 20170, phone 703-435-6856, email publicworks@herndon-va.gov. Please also visit the Town's website, <http://www.herndon-va.gov/>, for additional information.

Agenda Item: Ordinance to amend Chapter 1 (GENERAL PROVISIONS), Sec. 1-16 (Standards for public improvements) to include new subsection (a)(4) *Standards for Traffic Calming and Crosswalks*

Meeting Date: July 9, 2024

Category: General

Prepared by: Mike Shindledecker Transportation Engineer

Description:

The proposed ordinance will amend Chapter 1 (GENERAL PROVISIONS), Sec. 1-16 (Standards for public improvements) to include a new subsection (a)(4) that incorporates the newly adopted *Standards for Traffic Calming and Crosswalks* dated June 2024, into the Town Code of Ordinances. The adoption of this ordinance will enable staff to enforce the new *Standards for Traffic Calming and Crosswalks* as part of the Town's Public Facilities Manual (PFM). These new standards will serve as a significant update to the Town's *Neighborhood Traffic Calming Guide* which was previously adopted by Town Council resolution 11-G-45 in August 2011.

Background:

Please review the information provided under the previous agenda item regarding the adoption of the new *Standards for Traffic Calming and Crosswalks* and repeal of the 2011 *Neighborhood Traffic Calming Guide*.

Budget Impact:

None.

Recommendation:

Staff recommends approval of the proposed Ordinance.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

JULY 16, 2024

Ordinance- to amend Chapter 1 (GENERAL PROVISIONS), Sec. 1-16
 (Standards for public improvements), to include new subsection
 (a)(4) *Standards for Traffic Calming and Crosswalks*.

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

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are amended as follows:

CHAPTER 1 (GENERAL PROVISIONS)

Sec. 1-16 - Standards for public improvements

(a) The following documents are adopted and incorporated by reference, except as otherwise provided in this section:

(4) *Standards for Traffic Calming and Crosswalks, Town of Herndon, June 2024, as amended, and as may be amended from time to time.*

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

Agenda Item: Resolution to affirm corrections to the Proffer Statement and Generalized Development Plan of Zoning Map Amendment ZMA #22-02, 13100 and 13150 Worldgate Drive and amend Ordinance 24-O-06

Meeting Date: July 9, 2024

Category: Consent

Prepared by: David Stromberg, Zoning Administrator, Lauri Sigler, Deputy Town Attorney

Description:

This resolution will correct an inadvertent administrative error made by the property owner to Proffer 3.a and 3.b of the Proffer Statement dated March 18, 2024, approved with ZMA #22-02, which incorrectly limited maximum project floor area to 608,752 square feet of residential development when the proffer should have stated a maximum floor area of 610,151 square feet of residential development.

The same administrative error also appeared on Sheet 2 of 86 of the Generalized Development Plan entitled Worldgate prepared by Urban LTD, dated March 18, 2024, where the Gross Site Area was incorrectly stated as 449,447 square feet when it should have stated 453,958 square feet, and the GFA was incorrectly stated as 608,752 square feet when it should have stated 610,151 square feet which also resulted in errors to other calculations in the "Site Data Summary" table and the "Building Data Summary" table.

Background:

In a letter dated May 24, 2024, to the Zoning Administrator, the attorney representing the property owner informed the Town that in reviewing the approval documents for ZMA #22-02, they realized that the adopted Proffer Statement and General Development Plan (the "GDP") inadvertently referenced the incorrect maximum residential gross floor area (the "gfa" or "GFA") permitted for the Property. The letter apologized for the mistake and asked the Town to correct their inadvertent mistake. Although the means of correcting this mistake is different from what the property owner proposed, Town staff and the Town Attorney determined that the proposed resolution along with the attached amended Proffer Statement and GDP, will properly correct this matter.

ZMA #22-02 was a zoning map amendment in the PD-W, Planned Development - Worldgate zoning district with proffered conditions to allow the redevelopment of 13100

and 13150 Worldgate Drive (Fairfax County Tax Map Numbers 0161 02 0025 & 0163 02 0002A). The redevelopment will demolish two, six-story office buildings and a portion of the structured parking garage. The remaining portion of the parking garage will serve a new five-story building with 349 apartments. The eastern half of the site will have 49 four-story townhouses and 52 four-story stacked two-over-two residential units. The development will have both private and publicly accessible amenities, including a public trail connected to and expanding the existing trail network.

Budget Impact:

N/A

Recommendation:

Recommend adoption of the Resolution to affirm corrections to the Proffer Statement, Generalized Development Plan and amend Ordinance 24-O-06.

Attachments:

1. Resolution (Proposed)
2. Ordinance 24-O-06A, Amended
3. Proffer Variation Request Letter
4. Adopted Proffers (Redline Corrections)
5. Corrected Proffers (Signed)
6. Adopted GDP (Redline Corrections)
7. Corrected GDP

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

JULY 16, 2024

Resolution- to affirm corrections to the Proffer Statement and Generalized Development Plan of Zoning Map Amendment ZMA #22-02, 13100 and 13150 Worldgate Drive and amend Ordinance 24-O-06 to correct administrative errors.

The Town Council originally approved Zoning Map Amendment ZMA #22-02, by Ordinance 24-O-06 on March 26, 2024.

After the approval, the applicant realized there was an administrative error to Proffer 3.a and 3.b of the Proffer Statement dated March 18, 2024, approved with ZMA #22-02, which incorrectly limited maximum project floor area to 608,752 square feet of residential development when it should have stated a maximum floor area of 610,151 square feet of residential development.

Administrative errors also appeared on Sheet 2 of 86 of the Generalized Development Plan entitled Worldgate prepared by Urban LTD, dated March 18, 2024, where the Gross Site Area was incorrectly stated as 449,447 square feet when it should have stated 453,958 square feet, and the Gross Floor Area was incorrectly stated as 608,752 square feet when it should have stated 610,151 square feet which also resulted in errors to other calculations in the “Site Data Summary” table and the “Building Data Summary” table.

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

1. The Town Council affirms the corrections to Proffer 3.a and 3.b of ZMA #22-02, so that the limited maximum floor area is limited to 610,151 square feet of residential development.
2. The Town Council affirms the necessary change to Proffer 1.d to reference that the Generalized Development Plan entitled Worldgate prepared by Urban LTD dated March 18, 2024 has a revision date of May 22, 2024.
3. The Town Council affirms corrections to Sheet 02 of 86 of the Generalized Development Plan showing a Gross Site Area of 453,958 square feet, a maximum floor area of 610,151 square feet of residential development and corrected calculations to the “Site Data Summary” table and the “Building Data Summary” table.

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

MARCH 26, 2024

Ordinance- **to approve Zoning Map Amendment ZMA #22-02, 13100 and 13150 Worldgate Drive, in the Planned Development-Worldgate (PD-W) zoning district with proffered conditions to allow the redevelopment of the site with single-family attached and multi-family residential uses.**

In adopting this Ordinance, the Town Council has considered the factors set out in 15.2-2284, Code of Virginia (1950) as amended.

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

1. The zoning of the property described below, lying in the Town of Herndon, Fairfax County, Virginia, is amended to allow multi-family and single-family attached residential uses in the PD-W, Planned Development-Worldgate zoning district as proposed in the Boston Properties / Wire Gill LLP / URBAN, LTD / KTG Y / Gorove Slade Associates, INC. Generalized Development Plan dated ~~March 18, 2024~~, **May 22, 2024**, the Proffer Statement dated March 18, 2024 **and revised May 22, 2024** of ZMA #22-02, and in accordance with Section 78-50.9 and 78-155.1 of the Town of Herndon Zoning Ordinance.

The property comprising of two parcels is shown in the above referenced Generalized Development Plan and described in the land records of Fairfax County in Deed Book 25544 on page 1450 (parcel 1) and Deed Book 25544 on page 1450 (parcel 2). The Fairfax County Tax Map Numbers are 0161 02 0025 and 0163 02 0002A and the total combined land area is 10.42 acres.

2. This rezoning shall be governed by this ordinance, the Town of Herndon Zoning Ordinance, the above referenced Proffer Statement for ZMA #22-02, and the above referenced Generalized Development Plan for ZMA #22-02. The Proffer Statement is included as an attachment to this ordinance. This Zoning Map Amendment is consistent with the adopted 2030 Comprehensive Plan of the Town of Herndon.
3. The Town Council approves the following modifications to the zoning regulations, as allowed under Section 78-50.2(d):

24-O-06A

- a. A modification to Section 78-100.2 to allow for a reduction in off-street parking spaces for the multi-family building in accordance with the associated parking study exhibit dated January 16, 2024 and the Generalized Development Plan for ZMA #22-02.
- b. A modification to Section 78-30.6(b)(1) to allow for a reduction in the street width along the frontage of single-family attached residential dwelling (townhouses) in accordance with the Generalized Development Plan for ZMA #22-02.
- c. A modification to Section 78-30.6(b)(2) to allow reduced widths for single-family attached residential dwelling (townhouses) in accordance with the associated exhibits dated November 1, 2023 and the Generalized Development Plan for ZMA #22-02.
- d. A modification to Section 78-30.6(b)(3)(c) to allow for longer spans without wall offsets along the facades of multi-family buildings in accordance with the associated exhibits dated November 1, 2023 and the Generalized Development Plan for ZMA #22-02.
- e. A modification to Section 78-110.3 to allow a reduction in site landscaping for multi-family and single-family attached (townhouse) residential dwellings in accordance with the Generalized Development Plan for ZMA #22-02.
- f. A modification to Section 78-110.5 to allow a reduction in the required vehicular use landscaping in accordance with the associated exhibit dated November 1, 2023 and the Generalized Development Plan for ZMA #22-02.
- g. A modification to Section 78-110.4 to allow a reduction in required perimeter buffer landscaping in accordance with the associated exhibit dated March 7, 2024 and the Generalized Development Plan for ZMA #22-02.
- h. A modification to Section 78-112 to allow for a deviation from the streetscape standards in accordance with the associated exhibit dated March 7, 2024 and the Generalized Development Plan for ZMA #22-02.
- i. A modification to Section 78-30.6(b)(3)(b) to allow single-family attached residential dwelling (townhouses) end units to have front entrances in accordance with the associated exhibits dated November 1, 2023 and the Generalized Development Plan for ZMA #22-02.

4. As to the modifications set out in item 3 above, the Town Council finds that such modifications will afford equal or greater assurance of meeting the goals of the zoning ordinance, Town of Herndon, Virginia, as set out in the preamble of that ordinance.

5. This ordinance shall be effective on and after its adoption.

[This Ordinance amends Ordinance 24-O-06 in accordance with Resolution 24-G-XX, adopted by the Herndon Town Council on DATE.]



Kenneth W. Wire
kwire@wiregill.com
703-677-3129

May 24, 2024

VIA EMAIL

David Stromberg, Zoning Administrator
Community Development Department
777 Lynn Street, Herndon, VA 20170

RE: Request for Minor Variation to Correct Proffer and GDP for
13150 and 13100 Worldgate Drive
Tax Map 016-1 ((02)) 0025 and 016-3 ((02)) 0002A (collectively the "Property")

Dear Dave:

As you are aware, my client, Boston Properties, received Town Council approval for Zoning Map Amendment ZMA #22-02 for 13100 and 13150 Worldgate Drive, on March 26, 2024. In reviewing the approval documents afterwards, we realize that the adopted Proffers and General Development Plan (the "GDP") inadvertently reference the incorrect maximum residential gross floor area (the "gfa" or "GFA") permitted for the Property.

Correct Maximum Residential Gross Floor Area

We respectfully request a minor variation to amend proffer #3a. and 3.b and Sheet #02 of the GDP as described immediately below, and as explained further below that.

- **"Uses" Proffer:**
 - #3.a should refer to a total maximum project floor area being limited to 610,151 square feet of GFA, not 608,752 square feet of GFA.
 - #3.b should refer to total residential development not exceeding 610,151 square feet of GFA, not 608,752 square feet of GFA.
- **GDP Sheet #02 Zoning Tabulations:**
 - Site Data Summary:
 - Site area should be 453,958 square feet or 10.42 acres, not 449,447 square feet or 10.32 acres.
 - Up to 610,151 square feet of gross floor area should be permitted, not 608,752 square feet.
 - Under "F.A.R." up to 610,151 square feet of gross floor area should be permitted, not 608,752 square feet.
 - Building Data Summary:
 - A total of 610,151 square feet of gross floor area should be permitted, not 610,000 square feet.

Explanation and Supporting Documents

We are requesting this correction due to an inadvertent mistake. We provided these incorrect numbers on the GDP sheet and proffers. The correct maximum residential GFA is 610,151 square feet and



Kenneth W. Wire
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comes from your Zoning Administrator Decision ZAD #23-01 dated 01/27/2023 (Attachment A). As you recall, this was the maximum residential gross floor area you identified is available to the site, in response to our request. In addition, to aid you in your review, we have attached the originally approved Council Proffers (Attachment B) and GDP (Attachment C) along with redlines illustrating the correct maximum residential gross floor area for the Proffers (Attachment B.2) and GDP Sheet #02 (Attachment C.2). The actual document that we request Council consider is a signed and notarized Minor Variation Statement (Attachment D) that would supplement the already approved proffers and GDP.

We do apologize for this mistake and for the inconvenience. Should you have questions or require additional documentation, please let me know. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. W. Wire', with a stylized flourish at the end.

Kenneth W. Wire
Wire Gill LLP

PROFFERS

Worldgate Development Plan Amendment and Proffer Condition Amendment

March 18, 2024

and Revised May 22, 2024

Pursuant to Section 15.2-2303 of the Code of Virginia (1950, as amended) and Section 78-50.8 of the Town of Herndon Zoning Ordinance, as amended (the “Zoning Ordinance”), the undersigned, for themselves and their successors and/or assigns (referred to hereafter, both collectively and, where appropriate, individually, as the “Applicant”), hereby proffers that the development (the “Development”) of the parcel that is the subject of this application, which is shown on the Fairfax County 2024 Tax Map as parcels 016-1 ((02)) 0025 and 016-3 ((02)) 0002A (the “Property”) shall be in substantial conformance with the conditions set forth below (the “Proffers”) if and only if Zoning Map Amendment # 22-02 is approved. Upon approval, these Proffers will supersede any and all previously approved proffers and development conditions and subsequent amendments associated with Worldgate Land Bays A1, and A2. The Application Property consists of individual Land Bays totaling approximately 10.42 acres.

1. DEVELOPMENT PLAN.

- a. The Applicant is permitted to maintain the existing office use on the property until such time as demolition permits are issued for the redevelopment of the property. The Applicant shall maintain the office buildings, parking structure and landscaping in their current condition until the permits are issued for the redevelopment.
- b. The Property shall be developed in substantial conformance with the development plan entitled Worldgate prepared by Urban LTD. dated March 18, 2024 (the “Development Plan,” “General Development Plan,” and/or “GDP”) and revised May 22, 2024, and these Proffers. It is understood by the Applicant that all other applicable regulations and policies governing land development within the Town of Herndon (the “Town”) shall apply to the Property and its development unless specifically modified by the language of this approval.
- c. Minor modifications of the Development Plan may be permitted without the need for an amendment to this approval when necessitated by final engineering or site design provided that the development is in substantial conformance with the Development Plan, these Proffers, and as approved by the Architectural Review Board (“ARB”), if applicable. Substantial conformity shall be determined as provided in the Zoning Ordinance.

- d. A preliminary subdivision plan is not required with the approval of the GDP. While not required with the approval of the Development Plan, the Applicant may proceed with the approval of a preliminary subdivision plan without the need to amend these Proffers, provided that the proposed preliminary subdivision does not adversely impact the ability of the site to develop in accordance with the Development Plan and these proffers.

2. ARCHITECTURE AND URBAN DESIGN

- a. The final architectural treatment and exterior design of all buildings within the Development Plan and in accordance with the Architectural Review Board approval(s) shall create a sense of identity and place through the use of unifying elements such as materials, textures, color, lighting, and landscaping as generally reflected in the materials and exhibits contained in the Development Plan and the Herndon Streetscape Manual.
- b. Architectural plans may be revised subsequent to the final approval of the Development Plan and pursuant to approval by the ARB.
- c. Development Phasing. The Applicant shall construct the streets and provide pedestrian improvements, and private amenities on the Property in conjunction with the development of each development phase in a manner that reflects the intent of that shown within the Phasing Exhibits contained in the Development Plan's Sheet #10A. Development may proceed first with either the multifamily phase or the townhouse phase (or portions thereof), or with both phases occurring at the same time, provided that each phase provides the phasing conditions depicted on the Phasing Exhibits and as described in the Transportation proffer #4.d below regarding bus stops.
 - i. Under either phase, the remaining portion of the multifamily garage will be finished and painted to be substantially similar to the existing exposed finished garage.
 - ii. Each phase of the project shall also comply with the minimum parking requirements, for that given phase, as approved under the requested parking modification.
 - iii. Adjustments to the phasing boundaries may be approved with the site plan approvals provided that the adjustments do not materially adversely affect the other phases.
 - iv. If one phase of the project is built, and the other phase of the project remains unbuilt 2 years after the last certificate of occupancy has been issued for the

first phase, the Applicant shall construct a more substantial fence around the unbuilt phase. The Applicant will obtain ARB approval of the fence prior to any such fence being installed.

d. Conceptual Open Space Plan.

- i. The Development Plan includes a conceptual open space plan for the Property as shown on Sheet 10 consisting of approximately 3.37 acres. The Applicant shall provide open space improvements generally consistent with the Development Plan concepts for streetscapes, plazas, courtyards and private amenity areas.
- ii. The Applicant shall preserve trees as generally consistent with Sheets 22-24.
- iii. The Applicant shall provide a public access easement and trail along the northern property line as generally shown on the Development Plan.
- iv. As part of each plan approval, more detailed landscape plans for each building phase shall be provided and subject to the review and approval of the ARB, provided that the detailed landscaping and hardscape plans are found to be in substantial conformance with the concepts included in the Development Plan.
- v. Construction of the amenities in the open space area located at the corner of Elden Street and Worldgate Drive requires the approval of a license agreement from the Town Council for encroachment into the right-of-way as shown on Sheet 28. If a license agreement is not approved, the Applicant may be permitted to redesign the amenities in this open space area at the time of site plan approval without the need for an amendment to this approval, provided that the amenities are in substantial conformity with the Development Plan as determined by the Zoning Administrator.

e. Interior Noise Attenuation. The Applicant shall submit a roadway noise study, prepared by a qualified acoustical consultant, at the time of each building permit submission to determine what if any noise attenuation measures are needed to achieve Day-Night Average Sound Levels (DNL) of no more than 45 dBA for interior residential uses. Based on the findings of the study, the Applicant shall incorporate the appropriate noise attenuation elements into the design and construction documents to achieve the recommended DNL for the applicable building(s) or portions thereof.

f. Streetscape Furnishings, Materials and Lighting. Streetscape furnishing, materials and lighting plans shall be provided as part of the site plan and shall be in substantial conformance with the Herndon Streetscape Manual and subject to review and

approval by the ARB. Unified and high-quality streetscape materials shall be provided and may include, but not be limited to, unit pavers, seat walls, tree space edging, lighting, benches, trash receptacles and other hardscape elements. These plans submitted as part of the site plan shall include general product information and approximate locations of furnishings and materials to be located in the streetscape between the building face and the curb.

- g. Design of Internal Streets and Alleyways. The internal streets and alleyways shall be installed as depicted in the Development Plan.
 - h. Existing Utilities Relocation. The Applicant shall relocate, at its expense, any existing utilities (and associated easements) necessary to accommodate the proposed development as shown on the Development Plan. The relocation shall be shown at the time of site plan approval as required by the Town. Any necessary utility relocation shall occur with construction of the Development and prior to issuance of any certificate of occupancy. Any existing utilities that are in conflict with or impede the placement, growth, or health of any street trees or trees on-site, may be relocated at the time of final site plan and in coordination with Town Staff. If relocation of an existing utility is not feasible or allowed by the utility provider, then any landscaping that is proposed within the Development Plan shall be relocated to a location on the Property in close proximity to where it was shown on the Development Plan after coordination with and the approval of the Town's Zoning Administrator. Proposed utilities shall not be placed in a location that impedes the placement, growth, and health of any tree on-site and within abutting public right-of-way.
 - i. Townhouse Architecture. The architecture of the townhouse and stacked townhouse units shall reflect the quality and architectural expression of the multifamily building.
 - j. Multifamily Garage Door. The multifamily loading bays will include roll-up garage doors. These doors will include a design aesthetic, materials, and colors coordinated with the surrounding architecture as generally depicted in the GDP.
 - k. HVAC Unit Screening. The Applicant will screen ground level exterior HVAC units facing Worldgate Drive and Wiltshire Lane, as generally depicted in the GDP.
3. USES. Unless modified by an amendment to the approved Development Plan, any use or combination of uses permitted in the PD-W may be established on the Property so long as the Project is in substantial conformance with the plans and notes on Development Plan Sheet 2 and the following:

- a. The total maximum project floor area is limited to ~~608,752~~610,151 square feet of GFA which is a 1.34 FAR based on a lot area of 453,958 square feet.
- b. Total residential development shall not exceed ~~608,752~~610,151 square feet of GFA.
- c. Subject to Zoning Ordinance Article IX, Temporary uses and Structures, the Applicant, or its designee, shall be permitted to operate or hold festivals, fairs farmers' markets, food trucks/carts or similar activities on the Property, within publicly-accessible privately-owned open spaces, pedestrian ways and private streets. Portions of the private street network may be closed for such activities, provided that alternate circulation, garage and parking access is maintained.

4. TRANSPORTATION.

- a. Right of Way Dedication. The Applicant shall dedicate the right-of-way along the Elden Street and Worldgate Drive frontage as shown on Sheet 6 of the Development Plan prior to the first site plan approval. The Applicant reserves future density credit from the Right-of-Way dedication in accordance with the terms and conditions of Zoning Ordinance Section 78-155.9 in effect as of the date of the approval of these Proffers. The open space at the corner of Worldgate Drive and Elden Street, though dedicated as Right-of-Way, will be maintained by the Applicant.
- b. Private Street and Utility Easements.
 - i. The Applicant will grant public vehicular access and utility easements over the project's internal streets shown on Development Plan sheets 6 and 7.
 - ii. These easements will enable the Applicant to close the street for the construction of future phases and street maintenance.
 - iii. Prior to Town approval of any site plan, the Applicant will make good faith efforts to acquire any necessary offsite easements for the offsite grading and temporary construction access from the immediately adjacent property owners for installation of offsite grading, curb tie-ins, vehicular directional arrows, and trail connections as shown on the Applicant's Offsite Permission Exhibit on GDP sheet #07B For the improvements at the corner of Worldgate and Wiltshire, the Applicant shall advise the Town of such acquisition efforts and shall, to the best of its ability, attempt to acquire such off-site easements without the need for eminent domain proceedings. Where easements necessary for these proffered improvements cannot be obtained, despite such good faith efforts, either (i) voluntarily through donation or proffer to the Town, or (ii) through purchase by the Applicant at a fair market value, the Applicant shall request that the Town acquire such

easements by appropriate eminent domain proceedings by the Town, with all costs associated with the eminent domain proceedings to be borne by the Applicant, including, but not limited to, land acquisition costs and appraisal fees. The initiation of such eminent domain proceedings is solely at the discretion of the Town. If the necessary off-site easements cannot be acquired by the Applicant and the Town chooses not to exercise its right of eminent domain, the Applicant shall be released from the obligation to acquire such easements and installation of the improvements. If the Town elects to defer its exercise of eminent domain, then the Applicant's proffer requiring such acquisition or installation shall likewise be deferred. It is understood by the Applicant that the Town may, in its sole discretion, seek off-site improvements from other landowners as development occurs.

- c. Streetscape Improvements. As shown on the Development Plan, the Applicant will construct the streetscape improvements along the Elden Street and Worldgate Drive frontages prior to the issuance of the first certificate of occupancy for the Project.
- d. Bus Stops.
 - i. Worldgate Drive. With the first phase of the development, prior to the issuance of the first certificate of occupancy, the Applicant shall relocate and make improvements to the existing bus stop on Worldgate Drive. Improvements include a concrete pad and bus shelter, a trash and recycling receptacle, and a bicycle rack per the standards found in the Herndon Streetscape Manual as identified in the bus shelter detail provided on Development Plan sheet 02.
 - ii. Elden Street. With the first phase of the development, prior to the issuance of the first certificate of occupancy, the Applicant shall make improvements to the existing bus stop on Elden Street. Improvements include a bus pull-off area, a rerouted sidewalk, a concrete pad, a trash and recycling receptacle, and a bicycle rack per the standards found in the Herndon Streetscape Manual as identified in the bus shelter detail provided on Development Plan sheet 02. The bus shelter shall be constructed within 5 years of the construction of the Elden Street bus pull-off area, or concurrent with construction of the multifamily building, whichever comes first.
- e. Northern Trail. As shown on the Development Plan, the Applicant will construct an onsite trail along the northern property line, and will connect the trail to the Elden Street public sidewalk and the existing Worldgate trail and pedestrian bridge in the northeast of the site. The onsite trail will include pedestrian lighting with either garage-mounted lights or landscaping lights, or a combination thereof. The

Applicant will make commercially reasonable efforts to obtain required permissions to construct the short offsite segment of sidewalk to connect the onsite trail with the existing offsite Worldgate trail. In the event the Applicant is unable to obtain offsite permissions to construct the small offsite trail segment, the Applicant will work with Town staff to design and construct a functionally equivalent alternative pedestrian bridge or other connection directly from the Applicant's property into Chandon Park.

- f. Transportation Demand Management. This Proffer sets forth the programmatic elements of a transportation demand management program (the "TDM Program") that shall be implemented by the Applicant to encourage the use of transit (Metrorail, Fairfax Connector, Metrobus, or other public transit service), other high-occupant vehicle commuting modes, walking, biking and teleworking, all in order to reduce peak hour automobile trips generated by the multifamily dwellings, stacked townhouse dwellings, and townhouse dwellings constructed on the Property. The proffered elements of the TDM Program will be implemented through a Transportation Demand Management Work Plan (the "TDM Work Plan") developed by the Applicant with input from and approval by the Town of Herndon Department of Community Development. This TDM Work Plan shall be submitted for approval prior to approval of the first site plan on the Property. It is the intent of this Proffer that the TDM Work Plan will be adapted over time to respond to the changing transportation related circumstances of the Property, the surrounding community and the region, as well as to technological and/or other improvements. The Applicant's TDM Work Plan has the objective of meeting the trip reduction goals for single occupancy vehicles measured at the peak AM/PM hours by 15%. The TDM Work Plan shall incorporate the elements listed or elements similar in purpose and form, as approved by the Town:
 - a. Appointment of a TDM Program Manager.
 - b. Contributions to resident Metro fare cards.
 - c. Contributions to Fairfax Connector, WMATA, or other public transit service approved by the Town.
 - d. Bicycle racks and bicycle share stations.
 - e. Bicycle storage rooms.
 - f. Tenant incentives to participate in yearly transportation management surveys.
 - g. Program monitoring to include surveys and/or vehicular traffic counts.

- h. Yearly reporting to Town staff on utilization of TDM Funds.

The results of surveys and/or vehicular traffic counts shall be provided to the Town as part of the Annual Reporting process. If the Annual Report demonstrates that the trip reduction goals are not being met, then the Applicant shall meet with the Town to review the TDM elements in place and to develop modifications to the TDM Work Plan to address the surplus of trips.

- g. Parking. Parking shall be provided in phases concurrent with development of the Property and in substantial conformance with the Development Plan and these proffers. Notwithstanding the above, Applicant reserves the right to provide parking at revised ratios as may be permitted at time of site plan by the Town of Herndon Zoning Ordinance or may seek future parking reductions for the Property as permitted by the Town of Herndon Zoning Ordinance, either of which shall not require a Development Plan amendment.
- h. Townhouse Garages. The use of the Townhouse and Stacked Townhouse garages will not interfere with the parking of vehicles. This restriction must be disclosed in the COA documents. Prospective purchasers will be advised of this use restriction, in writing, prior to entering into a contract of sale. Additionally, information regarding the exact dimensions of the garages with a graphic depicting the area available for the parking will also be disclosed per the parameters in this proffer. The initial deeds of conveyance and COA governing documents will expressly contain these disclosures. A covenant setting forth these restrictions will be recorded among the land records of Fairfax County in a form approved by the Town Attorney prior to the sale of any lots and will run to the benefit of the COA and the Town Council. Notwithstanding the above, within the model unit for a particular phase, the Applicant will be entitled to use such garage space for a temporary sales office until such unit is sold. Prior to occupancy of such unit, the garage space must be converted to garage space and will be subject to this proffer.
- i. Road A Design Details. The final design of Road A is subject to the review and approval of Town staff prior to Site Plan approval.

5. GREEN BUILDING.

- a. Residential Building Certifications. For the multifamily residential building and the stacked and conventional townhouses, the Applicant shall achieve either LEED v4 certification from U.S. Green Building Council, Multifamily Building certification from National Green Building Standard (NGBS), EarthCraft Multifamily certification, or an equivalent green building program as determined by the Town, within 3 years of the issuance of the first certificate of occupancy for each phase.
- b. The Applicant shall include, at the time of application for a building permit for each building, a list of specific credits or design elements incorporated into the building using the then current documentation of the selected green building program for the

multifamily building and each townhouse and stacked townhouse building.

- c. The Applicant shall meet with the Town following application for each site plan to coordinate green building strategies and priority credits, such priorities shall include evaluating green infrastructure for stormwater management and potential bird-friendly design features, and the installation of electric vehicle charging stations for at least 5% of the total parking spaces within the multifamily garage, with EV charging infrastructure for up to 10% of the total parking spaces within the multifamily garage.
- d. Low Impact Development. The Applicant will meet all required onsite stormwater management regulations, and in addition, shall provide LID (Low Impact Development) measures onsite at any development phase. The Applicant shall provide at least 2 LID measures on the property at the time of project completion, which may include but are not limited to, green roof areas, tree filters, and/or other LID features not listed here. The type and location of these features will be decided at the time of site plan to ensure the most effective and appropriate measures are chosen, and to accommodate limitations and constraints set by the final engineering of the property.

6. ENVIRONMENTAL.

- a. Planting Species Diversity. In order to promote biodiversity, 10% maximum of each species of deciduous shrubs, 10% maximum of each species of deciduous trees, 25% maximum of each species of evergreen shrubs, and 25% maximum of each species of evergreen trees shall be specified within any development phase.
- b. Refuse and Recycling Service. The Development shall be served by a private refuse and recycling service. For the multifamily building, any refuse and recycling containers brought from inside the building must be placed on the concrete pad for service, and removed in a timely manner after service.
- c. Multifamily Garage Paint. The Applicant shall paint the top floor of the garage with sun-reflecting paint to reduce the “heat island” effect.
- d. Manufactured Stormwater Devices. Manufactured stormwater filtration systems will be provided to meet BMP requirements.
- e. Tree Preservation Measures. Tree preservation will be provided on the Property as shown on the GDP Plan Sheets 22 -24.

7. UNIVERSAL DESIGN. The Applicant will offer the following Universal Design options in all townhouse and stacked townhouse units on the Property:

- a. At the time of initial purchase, for units that have not yet been constructed, each purchaser will be offered the following Universal Design options at no additional cost to the purchaser:
 - i. Blocking for reinforcement of bathroom fall grab bars;
 - ii. Front entrance doors that are a minimum of 36 inches wide;
 - iii. Electrical outlets that are at least 18 inches high off the floor;
 - iv. Light switches and thermostats that are a maximum of 48 inches off the floor;
 - v. Clear knee space under the kitchen sink; and
 - vi. Lever door handles instead of doorknobs.
- b. In addition to the Universal Design options offered pursuant to Proffer 7.a above, at the time of initial purchase, for units that have not yet been constructed, each purchaser will be offered the following additional Universal Design options at the purchaser's sole cost, which will include, but not necessarily be limited to:
 - i. A curb-less shower, or a shower with a maximum 2-inch high curb;
 - ii. Step-less entry for ground floor residential units from the garage to the house, to the extent permitted by the then current edition of the Virginia Statewide Building Code;
 - iii. A turning radius of 5 feet near the first-floor bathroom commode;
 - iv. ADA compliant grab bars in the bathroom; and
 - v. A first-floor bathroom console-style sink instead of a cabinet-style vanity.

8. CONTRIBUTIONS.

- a. Recreation/Community Amenities/Civic Facilities. Prior to the issuance of the last certificate of occupancy for the multifamily building and for the last townhome unit, the Applicant shall separately demonstrate that the value of any proposed recreational on-site amenities/community amenities/civic facilities for each product type are equivalent to a minimum of \$2,100.00 per residential unit, for that phase. The value calculation shall include the cost of amenities such as, but not limited to, benches and seating, outdoor seating and gathering areas, fitness centers, community rooms, swimming pools, decks, artwork, fire pits, trellises, etc. Project building materials are not included in the calculation. The Applicant shall submit the verification of the cost of these improvements to the Town as provided by its

general contractor. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall provide the remainder in a cash contribution to the Town of Herndon for use on recreational facilities in the Town of Herndon.

- b. Offsite Recreation Contribution. The Applicant shall make a per GFA square foot contribution payment of \$0.35 to the Town for offsite recreation improvements for multifamily residential GFA prior to the issuance of the first certificate of occupancy based on the actual GFA of the building for that phase. In addition, the Applicant shall make a per residential unit contribution payment of \$2,100.00 to the Town for offsite recreation improvements for the townhouse and stacked townhouse units prior to the first certificate of occupancy per building. Such funds shall be used for the improvements of Town recreational facilities in locations that logically serve the approved development.

- c. School Contribution.

- i. Per the Residential Development Criteria Implementation Motion adopted by the Fairfax County Board of Supervisors on January 7, 2003, as amended, the Applicant will use the Fairfax County Public Schools' School Impact Proffer Formula and Student Yield Ratio Update dated May 23, 2022, to determine the school contribution amount. Prior to the issuance of the first certificate of occupancy for that phase, the Applicant will contribute funds at the assumed rates below, multiplied by \$14,956.00 per student generated to the Board of Supervisors for transfer to the Fairfax County School Board to be used for capital improvements and capacity enhancements to schools that serve the Town of Herndon.

- 1. Multifamily units:

- a. 0.061 elementary school
 - b. 0.019 middle school
 - c. 0.028 high school

- 2. Townhouse units:

- a. 0.254 elementary school
 - b. 0.072 middle school
 - c. 0.141 high school

3. Stacked townhouse units:

- a. 0.202 elementary school
- b. 0.057 middle school
- c. 0.098 high school

ii. The contributions will be based on the actual number of residential units constructed, as the total amount may vary. Following approval of this Development Plan and prior to the Applicant's payment of the amount(s) set forth in this Proffer, if Fairfax County should modify the ratio of students per units of the amount of the contribution per student, the Applicant will pay the modified contribution amount for that phase of development to reflect the then current ratio and/or contribution.

iii. Prior to beginning construction, the Applicant will notify the Fairfax County Public Schools of the intended construction and anticipated completion date.

d. Public Safety Contribution. The Applicant shall contribute a total of \$28,000.00 to the Town of Herndon Police Department. The contribution shall be paid upon site plan approval.

9. DECLARATION OR OWNERS' ASSOCIATION. Prior to the issuance of the first certificate of occupancy for the townhouse phase of the project, the Applicant shall cause the recordation of one or more declarations creating an owners' association ("OA") and as necessary, condominium owners' associations ("COA") or declarations of covenants and agreements dealing with the governance of maintenance and operation of the townhouse phase of the Property or other governance documents which will legally bind the townhouse phase of the Property (collectively referred to as the "Governance Documents"). Such Governance Documents shall be prepared, be legally effective and recorded prior to the issuance of the first certificate of occupancy for the townhouse phase of the Property. The respective Governance Documents (including budgets provided in any offering or sale materials) shall specify the various proffer and maintenance obligations set forth in the Development plan and these Proffers, including the maintenance of certain streets, bicycle facilities, associated sidewalks and streetscapes, and site amenities such as, but not limited to, the recreation areas as well as funding, implementation and monitoring of the TDM program, all as related to the townhouse phase of the Property. Purchasers shall be advised in writing of these obligations, and other restrictions, prior to entering into a contract of sale, whether purchasing residential or commercial property. The Governance Documents shall be included in any offering, sale materials or contracts for any townhomes. Purchasers of land of buildings shall be advised of these obligations in the

contract of sale.

- a. Visitor Parking. The Governance Documents shall reserve the townhouse phase of the Property's on-street parking solely for the use of visitors to the townhouses and stacked townhouses. A separate recorded document shall specify that visitors to the multifamily building shall park within the multifamily parking structure.

10. MAINTENANCE. The Applicant shall maintain and replace in-kind all common area elements within the Development Pland during any development phase. Maintenance commitments include, but are not limited to:

- a. All plantings including trees, shrubs, perennials, and annuals;
- b. All associated irrigation elements;
- c. All hard surfaces;
- d. All streetscape furnishings including benches, bike racks, trash and recycling receptacles and non-standard structures;
- e. All lighting fixtures, poles and brackets;
- f. Snow removal;
- g. Leaf removal;
- h. Trash, recycling and litter removal;
- i. Decorative and structural retaining walls;
- j. Special drainage features, such a Low Impact Design facilities; and
- k. All open space amenities including horticultural care, maintenance of all water features, irrigation, lighting, furnishings, paving, and art.

11. METRORAIL TAX DISTRICT BUYOUT FOR FOR-SALE RESIDENTIAL USES. At least sixty days prior to registration with the Common Interest Community Board of any residential condominium documents that would change the use of all or any portion of the Property to a use that is not subject to the Phase II Dulles Rail Transportation Improvement District (the "Phase II District") tax, the Applicant shall provide a written notice to the Director of the Real Estate Division of the Fairfax County Department of Tax Administration advising that the Applicant intends to register such condominium documents for that portion of the Property. Prior to registering the condominium documents, the Applicant shall pay to Fairfax County a sum equal to the then-present value of Phase II District taxes estimated by the County to be lost as a result of that change in use.

12. ESCALATION. All monetary contributions required by these proffers, with the exception of the proffer relating to the public school contribution, shall escalate on a yearly basis from the base year of 2023 and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the “CPI”), as permitted by Virginia State Code Section 15.2-2303.3.3.
13. SUCCESSORS AND ASSIGNS. These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.
14. COUNTERPARTS. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

TITLE OWNER/APPLICANT SIGNATURE TO FOLLOW ON THE NEXT PAGE:

AM WORLDGATE OWNER, LLC, a Delaware
limited liability company

Title Owner of 016-1 ((02)) 0025
and 016-3 ((02)) 0002A

By: ABXP WORLDGATE INVESTMENTS LLC,
a Delaware limited liability company, its sole
member

By: BXP WORLDGATE MEMBER LLC, a
Delaware limited liability company, its managing
member

By: BOSTON PROPERTIES LIMITED
PARTNERSHIP, a Delaware limited partnership,
its managing member

By: BOSTON PROPERTIES, INC., a Delaware
corporation, its general partner

By: _____
Name: Peter V. Otteni
Title: EVP, Co-Head of the Washington, DC
Region

DISTRICT OF COLUMBIA, to wit:

The foregoing instrument was acknowledged before me this ____ day of March, 2024,
by Peter V. Otteni, as Executive Vice President, Co-Head of the Washington, DC Region of Boston
Properties, Inc., a Delaware corporation, the general partner of Boston Properties Limited Partnership,
a Delaware limited partnership, the managing member of BXP Worldgate Member LLC, a Delaware
limited liability company, the managing member of ABXP Worldgate Investments LLC, a Delaware
limited liability company, the sole member of AM Worldgate Owner, LLC, a Delaware limited liability
company.

Notary Public

Notary Registration No: _____

My Commission Expires: _____

PROFFERS

Worldgate Development Plan Amendment and Proffer Condition Amendment

March 18, 2024

and Revised May 22, 2024

Pursuant to Section 15.2-2303 of the Code of Virginia (1950, as amended) and Section 78-50.8 of the Town of Herndon Zoning Ordinance, as amended (the “Zoning Ordinance”), the undersigned, for themselves and their successors and/or assigns (referred to hereafter, both collectively and, where appropriate, individually, as the “Applicant”), hereby proffers that the development (the “Development”) of the parcel that is the subject of this application, which is shown on the Fairfax County 2024 Tax Map as parcels 016-1 ((02)) 0025 and 016-3 ((02)) 0002A (the “Property”) shall be in substantial conformance with the conditions set forth below (the “Proffers”) if and only if Zoning Map Amendment # 22-02 is approved. Upon approval, these Proffers will supersede any and all previously approved proffers and development conditions and subsequent amendments associated with Worldgate Land Bays A1, and A2. The Application Property consists of individual Land Bays totaling approximately 10.42 acres.

1. DEVELOPMENT PLAN.

- a. The Applicant is permitted to maintain the existing office use on the property until such time as demolition permits are issued for the redevelopment of the property. The Applicant shall maintain the office buildings, parking structure and landscaping in their current condition until the permits are issued for the redevelopment.
- b. The Property shall be developed in substantial conformance with the development plan entitled Worldgate prepared by Urban LTD. dated March 18, 2024 (the “Development Plan,” “General Development Plan,” and/or “GDP”) and revised May 22, 2024, and these Proffers. It is understood by the Applicant that all other applicable regulations and policies governing land development within the Town of Herndon (the “Town”) shall apply to the Property and its development unless specifically modified by the language of this approval.
- c. Minor modifications of the Development Plan may be permitted without the need for an amendment to this approval when necessitated by final engineering or site design provided that the development is in substantial conformance with the Development Plan, these Proffers, and as approved by the Architectural Review Board (“ARB”), if applicable. Substantial conformity shall be determined as provided in the Zoning Ordinance.

- d. A preliminary subdivision plan is not required with the approval of the GDP. While not required with the approval of the Development Plan, the Applicant may proceed with the approval of a preliminary subdivision plan without the need to amend these Proffers, provided that the proposed preliminary subdivision does not adversely impact the ability of the site to develop in accordance with the Development Plan and these proffers.

2. ARCHITECTURE AND URBAN DESIGN

- a. The final architectural treatment and exterior design of all buildings within the Development Plan and in accordance with the Architectural Review Board approval(s) shall create a sense of identity and place through the use of unifying elements such as materials, textures, color, lighting, and landscaping as generally reflected in the materials and exhibits contained in the Development Plan and the Herndon Streetscape Manual.
- b. Architectural plans may be revised subsequent to the final approval of the Development Plan and pursuant to approval by the ARB.
- c. Development Phasing. The Applicant shall construct the streets and provide pedestrian improvements, and private amenities on the Property in conjunction with the development of each development phase in a manner that reflects the intent of that shown within the Phasing Exhibits contained in the Development Plan's Sheet #10A. Development may proceed first with either the multifamily phase or the townhouse phase (or portions thereof), or with both phases occurring at the same time, provided that each phase provides the phasing conditions depicted on the Phasing Exhibits and as described in the Transportation proffer #4.d below regarding bus stops.
 - i. Under either phase, the remaining portion of the multifamily garage will be finished and painted to be substantially similar to the existing exposed finished garage.
 - ii. Each phase of the project shall also comply with the minimum parking requirements, for that given phase, as approved under the requested parking modification.
 - iii. Adjustments to the phasing boundaries may be approved with the site plan approvals provided that the adjustments do not materially adversely affect the other phases.
 - iv. If one phase of the project is built, and the other phase of the project remains unbuilt 2 years after the last certificate of occupancy has been issued for the

first phase, the Applicant shall construct a more substantial fence around the unbuilt phase. The Applicant will obtain ARB approval of the fence prior to any such fence being installed.

d. Conceptual Open Space Plan.

- i. The Development Plan includes a conceptual open space plan for the Property as shown on Sheet 10 consisting of approximately 3.37 acres. The Applicant shall provide open space improvements generally consistent with the Development Plan concepts for streetscapes, plazas, courtyards and private amenity areas.
- ii. The Applicant shall preserve trees as generally consistent with Sheets 22-24.
- iii. The Applicant shall provide a public access easement and trail along the northern property line as generally shown on the Development Plan.
- iv. As part of each plan approval, more detailed landscape plans for each building phase shall be provided and subject to the review and approval of the ARB, provided that the detailed landscaping and hardscape plans are found to be in substantial conformance with the concepts included in the Development Plan.
- v. Construction of the amenities in the open space area located at the corner of Elden Street and Worldgate Drive requires the approval of a license agreement from the Town Council for encroachment into the right -of-way as shown on Sheet 28. If a license agreement is not approved, the Applicant may be permitted to redesign the amenities in this open space area at the time of site plan approval without the need for an amendment to this approval, provided that the amenities are in substantial conformity with the Development Plan as determined by the Zoning Administrator.

e. Interior Noise Attenuation. The Applicant shall submit a roadway noise study, prepared by a qualified acoustical consultant, at the time of each building permit submission to determine what if any noise attenuation measures are needed to achieve Day-Night Average Sound Levels (DNL) of no more than 45 dBA for interior residential uses. Based on the findings of the study, the Applicant shall incorporate the appropriate noise attenuation elements into the design and construction documents to achieve the recommended DNL for the applicable building(s) or portions thereof.

f. Streetscape Furnishings, Materials and Lighting. Streetscape furnishing, materials and lighting plans shall be provided as part of the site plan and shall be in substantial conformance with the Herndon Streetscape Manual and subject to review and

approval by the ARB. Unified and high-quality streetscape materials shall be provided and may include, but not be limited to, unit pavers, seat walls, tree space edging, lighting, benches, trash receptacles and other hardscape elements. These plans submitted as part of the site plan shall include general product information and approximate locations of furnishings and materials to be located in the streetscape between the building face and the curb.

- g. Design of Internal Streets and Alleyways. The internal streets and alleyways shall be installed as depicted in the Development Plan.
 - h. Existing Utilities Relocation. The Applicant shall relocate, at its expense, any existing utilities (and associated easements) necessary to accommodate the proposed development as shown on the Development Plan. The relocation shall be shown at the time of site plan approval as required by the Town. Any necessary utility relocation shall occur with construction of the Development and prior to issuance of any certificate of occupancy. Any existing utilities that are in conflict with or impede the placement, growth, or health of any street trees or trees on-site, may be relocated at the time of final site plan and in coordination with Town Staff. If relocation of an existing utility is not feasible or allowed by the utility provider, then any landscaping that is proposed within the Development Plan shall be relocated to a location on the Property in close proximity to where it was shown on the Development Plan after coordination with and the approval of the Town's Zoning Administrator. Proposed utilities shall not be placed in a location that impedes the placement, growth, and health of any tree on-site and within abutting public right-of-way.
 - i. Townhouse Architecture. The architecture of the townhouse and stacked townhouse units shall reflect the quality and architectural expression of the multifamily building.
 - j. Multifamily Garage Door. The multifamily loading bays will include roll-up garage doors. These doors will include a design aesthetic, materials, and colors coordinated with the surrounding architecture as generally depicted in the GDP.
 - k. HVAC Unit Screening. The Applicant will screen ground level exterior HVAC units facing Worldgate Drive and Wiltshire Lane, as generally depicted in the GDP.
3. USES. Unless modified by an amendment to the approved Development Plan, any use or combination of uses permitted in the PD-W may be established on the Property so long as the Project is in substantial conformance with the plans and notes on Development Plan Sheet 2 and the following:

- a. The total maximum project floor area is limited to 610,151 square feet of GFA which is a 1.34 FAR based on a lot area of 453,958 square feet.
- b. Total residential development shall not exceed 610,151 square feet of GFA.
- c. Subject to Zoning Ordinance Article IX, Temporary uses and Structures, the Applicant, or its designee, shall be permitted to operate or hold festivals, fairs farmers' markets, food trucks/carts or similar activities on the Property, within publicly-accessible privately-owned open spaces, pedestrian ways and private streets. Portions of the private street network may be closed for such activities, provided that alternate circulation, garage and parking access is maintained.

4. TRANSPORTATION.

- a. Right of Way Dedication. The Applicant shall dedicate the right-of-way along the Elden Street and Worldgate Drive frontage as shown on Sheet 6 of the Development Plan prior to the first site plan approval. The Applicant reserves future density credit from the Right-of-Way dedication in accordance with the terms and conditions of Zoning Ordinance Section 78-155.9 in effect as of the date of the approval of these Proffers. The open space at the corner of Worldgate Drive and Elden Street, though dedicated as Right-of-Way, will be maintained by the Applicant.
- b. Private Street and Utility Easements.
 - i. The Applicant will grant public vehicular access and utility easements over the project's internal streets shown on Development Plan sheets 6 and 7.
 - ii. These easements will enable the Applicant to close the street for the construction of future phases and street maintenance.
 - iii. Prior to Town approval of any site plan, the Applicant will make good faith efforts to acquire any necessary offsite easements for the offsite grading and temporary construction access from the immediately adjacent property owners for installation of offsite grading, curb tie-ins, vehicular directional arrows, and trail connections as shown on the Applicant's Offsite Permission Exhibit on GDP sheet #07B For the improvements at the corner of Worldgate and Wiltshire, the Applicant shall advise the Town of such acquisition efforts and shall, to the best of its ability, attempt to acquire such off-site easements without the need for eminent domain proceedings. Where easements necessary for these proffered improvements cannot be obtained, despite such good faith efforts, either (i) voluntarily through donation or proffer to the Town, or (ii) through purchase by the Applicant at a fair market value, the Applicant shall request that the Town acquire such

easements by appropriate eminent domain proceedings by the Town, with all costs associated with the eminent domain proceedings to be borne by the Applicant, including, but not limited to, land acquisition costs and appraisal fees. The initiation of such eminent domain proceedings is solely at the discretion of the Town. If the necessary off-site easements cannot be acquired by the Applicant and the Town chooses not to exercise its right of eminent domain, the Applicant shall be released from the obligation to acquire such easements and installation of the improvements. If the Town elects to defer its exercise of eminent domain, then the Applicant's proffer requiring such acquisition or installation shall likewise be deferred. It is understood by the Applicant that the Town may, in its sole discretion, seek off-site improvements from other landowners as development occurs.

- c. Streetscape Improvements. As shown on the Development Plan, the Applicant will construct the streetscape improvements along the Elden Street and Worldgate Drive frontages prior to the issuance of the first certificate of occupancy for the Project.
- d. Bus Stops.
 - i. Worldgate Drive. With the first phase of the development, prior to the issuance of the first certificate of occupancy, the Applicant shall relocate and make improvements to the existing bus stop on Worldgate Drive. Improvements include a concrete pad and bus shelter, a trash and recycling receptacle, and a bicycle rack per the standards found in the Herndon Streetscape Manual as identified in the bus shelter detail provided on Development Plan sheet 02.
 - ii. Elden Street. With the first phase of the development, prior to the issuance of the first certificate of occupancy, the Applicant shall make improvements to the existing bus stop on Elden Street. Improvements include a bus pull-off area, a rerouted sidewalk, a concrete pad, a trash and recycling receptacle, and a bicycle rack per the standards found in the Herndon Streetscape Manual as identified in the bus shelter detail provided on Development Plan sheet 02. The bus shelter shall be constructed within 5 years of the construction of the Elden Street bus pull-off area, or concurrent with construction of the multifamily building, whichever comes first.
- e. Northern Trail. As shown on the Development Plan, the Applicant will construct an onsite trail along the northern property line, and will connect the trail to the Elden Street public sidewalk and the existing Worldgate trail and pedestrian bridge in the northeast of the site. The onsite trail will include pedestrian lighting with either garage-mounted lights or landscaping lights, or a combination thereof. The

Applicant will make commercially reasonable efforts to obtain required permissions to construct the short offsite segment of sidewalk to connect the onsite trail with the existing offsite Worldgate trail. In the event the Applicant is unable to obtain offsite permissions to construct the small offsite trail segment, the Applicant will work with Town staff to design and construct a functionally equivalent alternative pedestrian bridge or other connection directly from the Applicant's property into Chandon Park.

- f. Transportation Demand Management. This Proffer sets forth the programmatic elements of a transportation demand management program (the "TDM Program") that shall be implemented by the Applicant to encourage the use of transit (Metrorail, Fairfax Connector, Metrobus, or other public transit service), other high-occupant vehicle commuting modes, walking, biking and teleworking, all in order to reduce peak hour automobile trips generated by the multifamily dwellings, stacked townhouse dwellings, and townhouse dwellings constructed on the Property. The proffered elements of the TDM Program will be implemented through a Transportation Demand Management Work Plan (the "TDM Work Plan") developed by the Applicant with input from and approval by the Town of Herndon Department of Community Development. This TDM Work Plan shall be submitted for approval prior to approval of the first site plan on the Property. It is the intent of this Proffer that the TDM Work Plan will be adapted over time to respond to the changing transportation related circumstances of the Property, the surrounding community and the region, as well as to technological and/or other improvements. The Applicant's TDM Work Plan has the objective of meeting the trip reduction goals for single occupancy vehicles measured at the peak AM/PM hours by 15%. The TDM Work Plan shall incorporate the elements listed or elements similar in purpose and form, as approved by the Town:

- a. Appointment of a TDM Program Manager.
- b. Contributions to resident Metro fare cards.
- c. Contributions to Fairfax Connector, WMATA, or other public transit service approved by the Town.
- d. Bicycle racks and bicycle share stations.
- e. Bicycle storage rooms.
- f. Tenant incentives to participate in yearly transportation management surveys.
- g. Program monitoring to include surveys and/or vehicular traffic counts.

- h. Yearly reporting to Town staff on utilization of TDM Funds.

The results of surveys and/or vehicular traffic counts shall be provided to the Town as part of the Annual Reporting process. If the Annual Report demonstrates that the trip reduction goals are not being met, then the Applicant shall meet with the Town to review the TDM elements in place and to develop modifications to the TDM Work Plan to address the surplus of trips.

- g. Parking. Parking shall be provided in phases concurrent with development of the Property and in substantial conformance with the Development Plan and these proffers. Notwithstanding the above, Applicant reserves the right to provide parking at revised ratios as may be permitted at time of site plan by the Town of Herndon Zoning Ordinance or may seek future parking reductions for the Property as permitted by the Town of Herndon Zoning Ordinance, either of which shall not require a Development Plan amendment.
- h. Townhouse Garages. The use of the Townhouse and Stacked Townhouse garages will not interfere with the parking of vehicles. This restriction must be disclosed in the COA documents. Prospective purchasers will be advised of this use restriction, in writing, prior to entering into a contract of sale. Additionally, information regarding the exact dimensions of the garages with a graphic depicting the area available for the parking will also be disclosed per the parameters in this proffer. The initial deeds of conveyance and COA governing documents will expressly contain these disclosures. A covenant setting forth these restrictions will be recorded among the land records of Fairfax County in a form approved by the Town Attorney prior to the sale of any lots and will run to the benefit of the COA and the Town Council. Notwithstanding the above, within the model unit for a particular phase, the Applicant will be entitled to use such garage space for a temporary sales office until such unit is sold. Prior to occupancy of such unit, the garage space must be converted to garage space and will be subject to this proffer.
- i. Road A Design Details. The final design of Road A is subject to the review and approval of Town staff prior to Site Plan approval.

5. GREEN BUILDING.

- a. Residential Building Certifications. For the multifamily residential building and the stacked and conventional townhouses, the Applicant shall achieve either LEED v4 certification from U.S. Green Building Council, Multifamily Building certification from National Green Building Standard (NGBS), EarthCraft Multifamily certification, or an equivalent green building program as determined by the Town, within 3 years of the issuance of the first certificate of occupancy for each phase.
- b. The Applicant shall include, at the time of application for a building permit for each building, a list of specific credits or design elements incorporated into the building using the then current documentation of the selected green building program for the

multifamily building and each townhouse and stacked townhouse building.

- c. The Applicant shall meet with the Town following application for each site plan to coordinate green building strategies and priority credits, such priorities shall include evaluating green infrastructure for stormwater management and potential bird-friendly design features, and the installation of electric vehicle charging stations for at least 5% of the total parking spaces within the multifamily garage, with EV charging infrastructure for up to 10% of the total parking spaces within the multifamily garage.
- d. Low Impact Development. The Applicant will meet all required onsite stormwater management regulations, and in addition, shall provide LID (Low Impact Development) measures onsite at any development phase. The Applicant shall provide at least 2 LID measures on the property at the time of project completion, which may include but are not limited to, green roof areas, tree filters, and/or other LID features not listed here. The type and location of these features will be decided at the time of site plan to ensure the most effective and appropriate measures are chosen, and to accommodate limitations and constraints set by the final engineering of the property.

6. ENVIRONMENTAL.

- a. Planting Species Diversity. In order to promote biodiversity, 10% maximum of each species of deciduous shrubs, 10% maximum of each species of deciduous trees, 25% maximum of each species of evergreen shrubs, and 25% maximum of each species of evergreen trees shall be specified within any development phase.
- b. Refuse and Recycling Service. The Development shall be served by a private refuse and recycling service. For the multifamily building, any refuse and recycling containers brought from inside the building must be placed on the concrete pad for service, and removed in a timely manner after service.
- c. Multifamily Garage Paint. The Applicant shall paint the top floor of the garage with sun-reflecting paint to reduce the “heat island” effect.
- d. Manufactured Stormwater Devices. Manufactured stormwater filtration systems will be provided to meet BMP requirements.
- e. Tree Preservation Measures. Tree preservation will be provided on the Property as shown on the GDP Plan Sheets 22 -24.

7. UNIVERSAL DESIGN. The Applicant will offer the following Universal Design options in all townhouse and stacked townhouse units on the Property:

- a. At the time of initial purchase, for units that have not yet been constructed, each purchaser will be offered the following Universal Design options at no additional cost to the purchaser:
 - i. Blocking for reinforcement of bathroom fall grab bars;
 - ii. Front entrance doors that are a minimum of 36 inches wide;
 - iii. Electrical outlets that are at least 18 inches high off the floor;
 - iv. Light switches and thermostats that are a maximum of 48 inches off the floor;
 - v. Clear knee space under the kitchen sink; and
 - vi. Lever door handles instead of doorknobs.
- b. In addition to the Universal Design options offered pursuant to Proffer 7.a above, at the time of initial purchase, for units that have not yet been constructed, each purchaser will be offered the following additional Universal Design options at the purchaser's sole cost, which will include, but not necessarily be limited to:
 - i. A curb-less shower, or a shower with a maximum 2-inch high curb;
 - ii. Step-less entry for ground floor residential units from the garage to the house, to the extent permitted by the then current edition of the Virginia Statewide Building Code;
 - iii. A turning radius of 5 feet near the first-floor bathroom commode;
 - iv. ADA compliant grab bars in the bathroom; and
 - v. A first-floor bathroom console-style sink instead of a cabinet-style vanity.

8. CONTRIBUTIONS.

- a. Recreation/Community Amenities/Civic Facilities. Prior to the issuance of the last certificate of occupancy for the multifamily building and for the last townhome unit, the Applicant shall separately demonstrate that the value of any proposed recreational on-site amenities/community amenities/civic facilities for each product type are equivalent to a minimum of \$2,100.00 per residential unit, for that phase. The value calculation shall include the cost of amenities such as, but not limited to, benches and seating, outdoor seating and gathering areas, fitness centers, community rooms, swimming pools, decks, artwork, fire pits, trellises, etc. Project building materials are not included in the calculation. The Applicant shall submit the verification of the cost of these improvements to the Town as provided by its

general contractor. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall provide the remainder in a cash contribution to the Town of Herndon for use on recreational facilities in the Town of Herndon.

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iii. Prior to beginning construction, the Applicant will notify the Fairfax County Public Schools of the intended construction and anticipated completion date.

d. Public Safety Contribution. The Applicant shall contribute a total of \$28,000.00 to the Town of Herndon Police Department. The contribution shall be paid upon site plan approval.

9. DECLARATION OR OWNERS' ASSOCIATION. Prior to the issuance of the first certificate of occupancy for the townhouse phase of the project, the Applicant shall cause the recordation of one or more declarations creating an owners' association ("OA") and as necessary, condominium owners' associations ("COA") or declarations of covenants and agreements dealing with the governance of maintenance and operation of the townhouse phase of the Property or other governance documents which will legally bind the townhouse phase of the Property (collectively referred to as the "Governance Documents"). Such Governance Documents shall be prepared, be legally effective and recorded prior to the issuance of the first certificate of occupancy for the townhouse phase of the Property. The respective Governance Documents (including budgets provided in any offering or sale materials) shall specify the various proffer and maintenance obligations set forth in the Development plan and these Proffers, including the maintenance of certain streets, bicycle facilities, associated sidewalks and streetscapes, and site amenities such as, but not limited to, the recreation areas as well as funding, implementation and monitoring of the TDM program, all as related to the townhouse phase of the Property. Purchasers shall be advised in writing of these obligations, and other restrictions, prior to entering into a contract of sale, whether purchasing residential or commercial property. The Governance Documents shall be included in any offering, sale materials or contracts for any townhomes. Purchasers of land or buildings shall be advised of these obligations in the

contract of sale.

- a. Visitor Parking. The Governance Documents shall reserve the townhouse phase of the Property's on-street parking solely for the use of visitors to the townhouses and stacked townhouses. A separate recorded document shall specify that visitors to the multifamily building shall park within the multifamily parking structure.
10. MAINTENANCE. The Applicant shall maintain and replace in-kind all common area elements within the Development Pland during any development phase. Maintenance commitments include, but are not limited to:
 - a. All plantings including trees, shrubs, perennials, and annuals;
 - b. All associated irrigation elements;
 - c. All hard surfaces;
 - d. All streetscape furnishings including benches, bike racks, trash and recycling receptacles and non-standard structures;
 - e. All lighting fixtures, poles and brackets;
 - f. Snow removal;
 - g. Leaf removal;
 - h. Trash, recycling and litter removal;
 - i. Decorative and structural retaining walls;
 - j. Special drainage features, such a Low Impact Design facilities; and
 - k. All open space amenities including horticultural care, maintenance of all water features, irrigation, lighting, furnishings, paving, and art.
11. METRORAIL TAX DISTRICT BUYOUT FOR FOR-SALE RESIDENTIAL USES. At least sixty days prior to registration with the Common Interest Community Board of any residential condominium documents that would change the use of all or any portion of the Property to a use that is not subject to the Phase II Dulles Rail Transportation Improvement District (the "Phase II District") tax, the Applicant shall provide a written notice to the Director of the Real Estate Division of the Fairfax County Department of Tax Administration advising that the Applicant intends to register such condominium documents for that portion of the Property. Prior to registering the condominium documents, the Applicant shall pay to Fairfax County a sum equal to the then-present value of Phase II District taxes estimated by the County to be lost as a result of that change in use.

12. ESCALATION. All monetary contributions required by these proffers, with the exception of the proffer relating to the public school contribution, shall escalate on a yearly basis from the base year of 2023 and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, the U.S. Department of Labor for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI"), as permitted by Virginia State Code Section 15.2-2303.3.3.
13. SUCCESSORS AND ASSIGNS. These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.
14. COUNTERPARTS. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

TITLE OWNER/APPLICANT SIGNATURE TO FOLLOW ON THE NEXT PAGE:

AM WORLDGATE OWNER, LLC, a Delaware
limited liability company

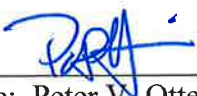
Title Owner of 016-1 ((02)) 0025
and 016-3 ((02)) 0002A

By: ABXP WORLDGATE INVESTMENTS LLC,
a Delaware limited liability company, its sole
member

By: BXP WORLDGATE MEMBER LLC, a
Delaware limited liability company, its managing
member

By: BOSTON PROPERTIES LIMITED
PARTNERSHIP, a Delaware limited partnership,
its managing member

By: BOSTON PROPERTIES, INC., a Delaware
corporation, its general partner

By: 
Name: Peter V. Otteni
Title: EVP, Co-Head of the Washington, DC
Region

DISTRICT OF COLUMBIA, to wit:

The foregoing instrument was acknowledged before me this 15th day of July, 2024, by Peter V. Otteni, as Executive Vice President, Co-Head of the Washington, DC Region of Boston Properties, Inc., a Delaware corporation, the general partner of Boston Properties Limited Partnership, a Delaware limited partnership, the managing member of BXP Worldgate Member LLC, a Delaware limited liability company, the managing member of ABXP Worldgate Investments LLC, a Delaware limited liability company, the sole member of AM Worldgate Owner, LLC, a Delaware limited liability company.


Notary Public

Notary Registration No: N/A

My Commission Expires: 10/14/26



GENERAL NOTES

1. THE PROPERTY IS IDENTIFIED AS FAIRFAX COUNTY TAX MAP NUMBER: 0161-02-0025, AND 0163-02-0002A. THE PROPERTIES ADDRESSES ARE LOCATED IN 13150 WORLDGATE DR AND 13100 WORLDGATE DR, HERNDON, VA 20170.
2. PARCELS # 0161-02-0025 AND 0163-02-0002A ARE CURRENTLY ZONED PD-W.
3. THE BOUNDARY INFORMATION SHOWN HEREON WAS COMPILED BY URBAN, LTD DATED SEPTEMBER, 2022.
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5. THE PROPERTY SHOWN ON THIS GDP PLAN IS LOCATED IN THE DRANESVILLE DISTRICT.
6. THIS PROPOSED DEVELOPMENT IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED CONDITIONS, EXCEPT AS NOTED HEREIN.
7. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO FLOODPLAINS AND NO RESOURCE PROTECTION AREAS ON THE SUBJECT PROPERTY.
8. THIS SITE CURRENTLY HAS PUBLIC SEWER, GAS AND WATER AVAILABLE.
9. UTILITY LOCATIONS SHOWN ARE APPROXIMATE. THE PROPOSED LOCATION IS SUBJECT TO CHANGE BASED ON FINAL DESIGN AND COORDINATION WITH PUBLIC WORKS.
10. INDIVIDUAL UTILITY PLANS AND PROFILES WILL BE SUBMITTED DURING THE SITE PLAN STAGE FOR CONSTRUCTION PURPOSES.
11. THERE ARE NO KNOWN BURIAL SITES OR EXISTING GRAVES FOUND ON THIS SITE.
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18. EXTERIOR FACE MATERIALS MAY EXTEND NO MORE THAN 6" FROM CURRENT BUILDING FOOTPRINT WHICH WILL REDUCE ANY SETBACK SHOWN ON THE GDP.
19. SITE AMENITIES TO BE PROVIDED. SEE SHEET 27
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25. THE FOLLOWING ARE THE OWNERS OF THE PARCELS INCLUDED IN THIS ZONING APPLICATION:

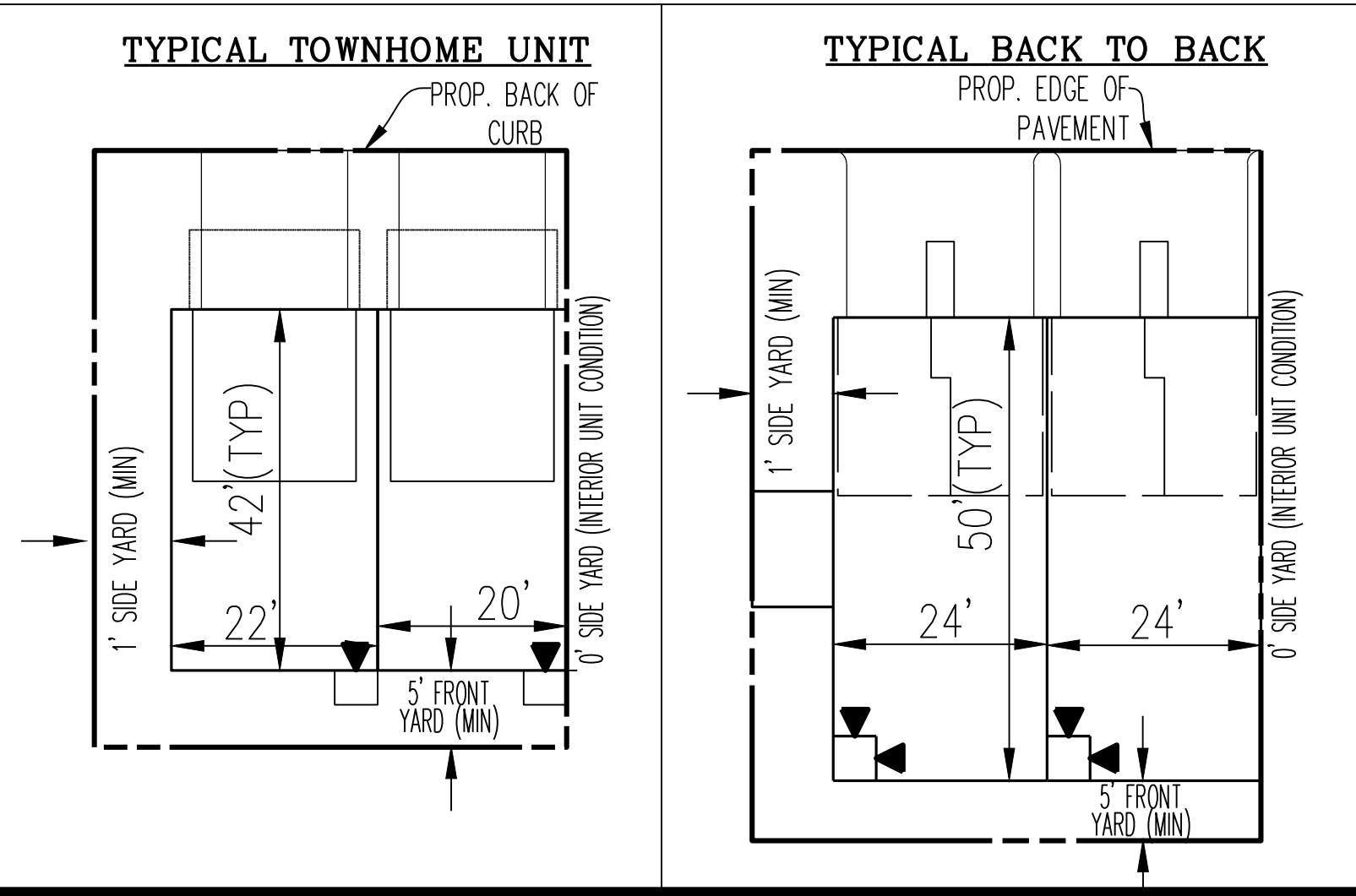
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SUITE 1150
CHEVY CHASE, MD 20815

MAP # 0163-02-0002A
AM WORLDGATE OWNER LLC,
5404 WISCONSIN AVE
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CHEVY CHASE, MD 20815

WAIVERS AND MODIFICATIONS

- A. PARKING REDUCTION
B. LOT FRONTAGE
C. TOWNHOUSE UNIT WIDTH
D. MULTIFAMILY WALL OFFSET
E. LANDSCAPE PLANTINGS
F. VEHICULAR AREA PLANTINGS
G. PERIMETER BUFFER
H. SPECIAL STREETSCAPE AREA PLANTINGS
I. TOWNHOUSE END UNIT ENTRANCES

TYPICAL LOT DETAIL [N.T.S.]



ZONING TABULATIONS

(PER TOWN OF HERNDON ZONING ORDINANCE)

SITE AREA DATA:

EXISTING SITE AREA:	5.45 AC OR 237,372 S.F. (T.M. 016-3-02-0002A)
	4.97 AC OR 216,586 S.F. (T.M. 016-1-02-0025)
GROSS SITE AREA:	10.42 AC OR 453,958 S.F.
ROW DEDICATION ON WORLDGATE DRIVE:	0.08 AC OR 3,432 S.F.
ROW DEDICATION ON ELDEN STREET:	0.02 AC OR 1,079 S.F.
TOTAL NET SITE AREA:	10.32 AC OR 449,447 S.F.

ZONING:

EXISTING ZONING:	PD-W
PROPOSED ZONING:	PD-W

USE:

EXISTING USE:	-GENERAL MED/HIGH RISE OFFICE
PROPOSED USE:	-MULTI-FAMILY DWELLING
	-TOWNHOUSE DWELLINGS
	-STACKED TOWNHOUSE

SITE DATA SUMMARY

GROSS SITE AREA	453,958 SF OR 10.42 AC
GFA	UP TO 610,151 SF
F.A.R.	= 1.34 (610,151 SF / 453,958 SF)
UNITS	UP TO 460 UNITS
DENSITY	= 44.14 (460 UNITS / 10.42 AC)
OPEN SPACE	= 32% (146,900 SF OR 3.37 AC)*

*SEE SHEET 10 FOR OPEN SPACE EXHIBIT

BUILDING DATA SUMMARY

BUILDING USE	BUILDING GROSS FLOOR AREA (SF)	# OF UNITS
TOWNHOUSE DWELLINGS	UP TO 125,000	UP TO 49 UNITS
STACKED TOWNHOUSE	UP TO 111,000	UP TO 52 UNITS
MULTI-FAMILY DWELLINGS	UP TO 374,151	UP TO 359 UNITS
TOTAL	UP TO 610,151*	UP TO 460 UNITS*

* ASSUMES MOST INTENSIVE OPTION

BUILDING DATA

BUILDING	USE	NUMBER OF UNITS	BUILDING GROSS FLOOR AREA (SF)	BUILDING HEIGHT (# OF STORIES) (FT)
BUILDING 1	TOWNHOUSE DWELLINGS	7 UNITS	18,000	43' (4 STORIES)
BUILDING 2	TOWNHOUSE DWELLINGS	8 UNITS	20,000	43' (4 STORIES)
BUILDING 3	TOWNHOUSE DWELLINGS	7 UNITS	18,000	43' (4 STORIES)
BUILDING 4	TOWNHOUSE DWELLINGS	6 UNITS	17,900	43' (4 STORIES)
BUILDING 5	TOWNHOUSE DWELLINGS	7 UNITS	18,000	43' (4 STORIES)
BUILDING 6	TOWNHOUSE DWELLINGS	4 UNITS	10,100	43' (4 STORIES)
BUILDING 7	TOWNHOUSE DWELLINGS	5 UNITS	11,500	43' (4 STORIES)
BUILDING 8	TOWNHOUSE DWELLINGS	5 UNITS	11,500	43' (4 STORIES)
BUILDING 9	STACKED TOWNHOUSE	8 UNITS	36,400	43' (4 STORIES)
BUILDING 10	STACKED TOWNHOUSE	7 UNITS	29,000	43' (4 STORIES)
BUILDING 11	STACKED TOWNHOUSE	6 UNITS	24,600	43' (4 STORIES)
BUILDING 12	STACKED TOWNHOUSE	5 UNITS	21,000	43' (4 STORIES)
BUILDING M1	MULTI FAMILY UNITS	359 UNITS (66 STUDIOS, 173 1BR, 31 1BR+DEN, 89 2BR+)	374,151	72' (5 STORIES)

BIKE RACK DETAIL

COMPANY: AMERICAN BICYCLE SECURITY COMPANY
401 S BECKWITH RD,
SANTA PAUL, CA 93060
P.H 805.937.6888
WWW.AMERBIKE.COM

PRODUCT NAME: BIKE RACK
PRODUCT # RAL9005
COLOR: STAINLESS



PARKING & LOADING TABULATIONS

MULTIFAMILY (BUILDING M1)

REQUIRED:	1 SPACE PER UNIT (66 UNITS PROPOSED)
STUDIOS:	1.5 SPACES PER UNIT (173 UNITS PROPOSED)
1 BEDROOM:	2 SPACES PER UNIT (31 UNITS PROPOSED)
1 BEDROOM + DEN:	2 SPACES PER UNIT (89 UNITS PROPOSED)
2 BEDROOM OR MORE:	2 SPACES PER UNIT (89 UNITS PROPOSED)

TOTAL REQUIRED =566 SPACES

PROVIDED =498 SPACES

TOWNHOMES (BUILDING 1-12)

REQUIRED: 2.33 SPACES PER UNIT (49 UNITS PROPOSED)
=115 SPACES

PROVIDED =115 SPACES (INCLUDES 17 SURFACE SPACES)

STACKED TOWNHOMES (BUILDING 9-12)

REQUIRED: 2.33 SPACES PER UNIT (52 UNITS PROPOSED)
=122 SPACES

PROVIDED: =122 SPACES (INCLUDES 18 SURFACE SPACES)

OVERALL PARKING SUMMARY

TOTAL PARKING REQUIRED =803 SPACES

TOTAL PARKING PROVIDED =735 SPACES

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

The following information is required to be shown or provided in all zoning applications, or a waiver request of the submission requirement with justification shall be attached. Note: Waivers will be acted upon separately. Failure to adequately address the required submission information may result in a delay in processing this application.

This information is required under the following Zoning Ordinance Sections:

Special Permits (Sect. 8-011 2J & 2L)	Special Exceptions (Sect. 9-011 2J & 2L)
Cluster Subdivision (Sect. 9-615 1G & 1N)	Commercial Revitalization Districts (Sect. 9-622 2A (12) & (14))
Development Plans PRC District (Sect. 16-302 3 & 4L)	PRC Plan (Sect. 16-303 1E & 1 O)
FDP P Districts (Sect. 16-502 1A (6) & (17))	Amendments (Sect. 18-202 10F & 10I)

- ☒ 1. Plat is at a minimum scale of 1"=50' (Unless it is depicted on one sheet with a minimum scale of 1"=100')
- ☐ 2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet(s) 06-07 AND 11-13. If infiltration is proposed the soils should be tested for suitability prior to submission of the development plan and results of the infiltration test provided as part of the description of the facility.

☐ 3. Provide:

Facility Name/ Type & No. (E.g. dry pond, infiltration trench, underground vault, etc.)	On-site area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage volume (cf)	If pond, dam height (ft.)
EXISTING OFFSITE DRY POND						
EXISTING OFFSITE WET POND						
Totals:						

- ☐ 4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet(s) 06-07. Pond inlet and outlet pipe systems are shown on Sheet(s) 11-13.
- ☐ 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet(s) 11-13. Type of maintenance access road surface noted on the plat is _____ (asphalt, geoblock, gravel, etc.)
- ☐ 6. Landscaping and tree preservation in and near the stormwater management facility is shown on Sheet(s) N/A.
- ☐ 7. Stormwater management and BMP narratives including Virginia Runoff Reduction Spreadsheet and descriptions of how detention and best management practices requirements will be met are provided on Sheet(s) 13.
- ☐ 8. A description of existing conditions of each numbered site outlet extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet(s) 12. If the outfall is proposed to be improved off-site it should be specifically noted.
- ☐ 9. A detailed description and analysis of how the channel protection requirements and flood protection requirements of each numbered outfall will be satisfied per Stormwater Management Ordinance and Public Facilities Manual are provided on Sheet(s) 12.
- ☐ 10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheet(s) 04.
- ☐ 11. A submission waiver is required for N/A.
- ☐ 12. Stormwater management is not required because N/A.

14

Revised: 8/4/2015

LEGEND:

—W—	EXISTING WATER LINE	—●—	ROAD SIGN
—W—	PROPOSED WATER LINE	—○—	EX. POWER POLE
—H—	EX. FIRE HYDRANT	× 363.2	EXISTING SPOT ELEVATION
—H—	PROP. FIRE HYDRANT	+25.60	PROP. SPOT ELEVATION
WM ○	EXISTING WATER METER	CG-6 CG-6R	SPILL AND TRANSITION CURB AND GUTTER
WM ●	PROPOSED WATER METER	=====	PROPOSED CURB
WV ○	EXISTING WATER VALVE	▼▼	MAIN BUILDING ENTERANCE
WV ●	PROPOSED WATER VALVE	○□□	EX. STREET LIGHTS
—○—	EXISTING STORM DRAIN	—□□—	PROP. STREET LIGHTS
—○—	PROPOSED STORM DRAIN	○	PROPOSED CG-12
—○—	EXISTING SANITARY SEWER	○	EXISTING TREE
—○—	PROPOSED SANITARY SEWER	○	PROPOSED TREE
—G—	EXISTING GAS LINE	△	WATER FITTING IDENTIFIER
—G—	PROPOSED GAS LINE	○	LOADING AREA
GV ○	EXISTING GAS VALVE	○	BENCHMARK
GV ●	PROPOSED GAS VALVE	○	TEST PIT REQUIRED
---○---	EXISTING OVERHEAD WIRE	← ??? VPD	PROJECTED TRAFFIC COUNT
—○—	EXISTING LIGHTING	← O.R.	OVERLAND RELIEF
—x—x—x—	EXISTING FENCE	PROP. EX. SF	PROPOSED EXISTING SQUARE FEET
—x—x—x—	PROPOSED FENCE	GSF	GROSS SQUARE FEET
—○8—	EXISTING TREE LINE	NSF	NET SQUARE FEET
—○8—	EXISTING CONTOURS	T.B.R.	TO BE REMOVED
—○8—	PROPOSED CONTOURS	FF	FINISHED FLOOR
—○8—	PROPOSED PHASE LINE	V	VISITOR PARKING SPACE
—○8—	PROPOSED LIMITS OF CLEARING & GRADING	S, C, HC	STANDARD, COMPACT, AND HANDICAP PARKING SPACE DESIGNATOR
—○8—	EXISTING WETLANDS	○	LOADING SPACE
—○8—	PROP. RET. WALL	▨	100 YR FLOOD PLAIN

GENERAL NOTES & DETAILS

WORLDGATE
GENERALIZED DEVELOPMENT PLAN
DRANESVILLE DISTRICT
TOWN OF HERNDON, VIRGINIA

DATE: NOV. 2022

SCALE: N/A

SHEET
02
OF
86

FILE No.
RZ-13126

GENERAL NOTES

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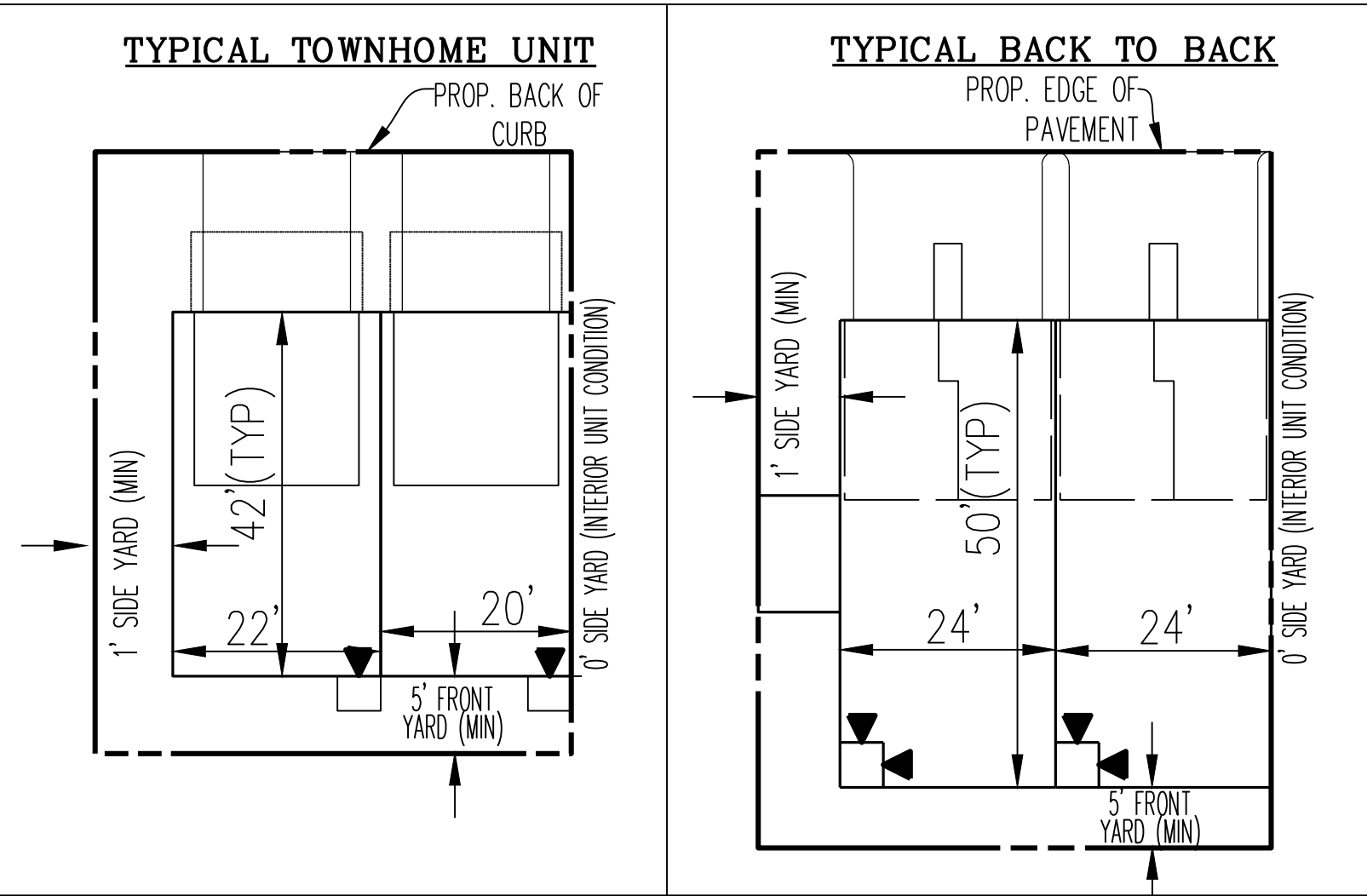
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B. LOT FRONTAGE
C. TOWNHOUSE UNIT WIDTH
D. MULTIFAMILY WALL OFFSET
E. LANDSCAPE PLANTINGS
F. VEHICULAR AREA PLANTINGS
G. PERIMETER BUFFER
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I. TOWNHOUSE END UNIT ENTRANCES

TYPICAL LOT DETAIL [N.T.S.]



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(PER TOWN OF HERNDON ZONING ORDINANCE)

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EXISTING SITE AREA:	5.45 AC OR 237,372 S.F. (T.M. 016-3-02-0002A)
GROSS SITE AREA:	4.97 AC OR 216,586 S.F. (T.M. 016-1-02-0025)
ROW DEDICATION ON WORLDGATE DRIVE:	0.08 AC OR 3,432 S.F.
ROW DEDICATION ON ELDEN STREET:	0.02 AC OR 1,079 S.F.
TOTAL NET SITE AREA:	10.32 AC OR 449,447 S.F.

ZONING:

EXISTING ZONING:	PD-W
PROPOSED ZONING:	PD-W

USE:

EXISTING USE:	-GENERAL MED/HIGH RISE OFFICE
PROPOSED USE:	-MULTI-FAMILY DWELLING
	-TOWNHOUSE DWELLINGS
	-STACKED TOWNHOUSE

SITE DATA SUMMARY

GROSS SITE AREA	453,958 SF OR 10.42 AC
GFA	UP TO 610,151 SF
F.A.R.	= 1.34 (610,151 SF / 453,958 SF)
UNITS	UP TO 460 UNITS
DENSITY	= 44.14 (460 UNITS / 10.42 AC)
OPEN SPACE	= 32% (146,900 SF OR 3.37 AC)*

*SEE SHEET 10 FOR OPEN SPACE EXHIBIT

BUILDING DATA SUMMARY

BUILDING USE	BUILDING GROSS FLOOR AREA (SF)	# OF UNITS
TOWNHOUSE DWELLINGS	UP TO 125,000	UP TO 49 UNITS
STACKED TOWNHOUSE	UP TO 111,000	UP TO 52 UNITS
MULTI-FAMILY DWELLINGS	UP TO 374,151	UP TO 359 UNITS
TOTAL	UP TO 610,151*	UP TO 460 UNITS*

* ASSUMES MOST INTENSIVE OPTION

BUILDING DATA

BUILDING	USE	NUMBER OF UNITS	BUILDING GROSS FLOOR AREA (SF)	BUILDING HEIGHT (# OF STORIES) (FT)
BUILDING 1	TOWNHOUSE DWELLINGS	7 UNITS	18,000	43' (4 STORIES)
BUILDING 2	TOWNHOUSE DWELLINGS	8 UNITS	20,000	43' (4 STORIES)
BUILDING 3	TOWNHOUSE DWELLINGS	7 UNITS	18,000	43' (4 STORIES)
BUILDING 4	TOWNHOUSE DWELLINGS	6 UNITS	17,900	43' (4 STORIES)
BUILDING 5	TOWNHOUSE DWELLINGS	7 UNITS	18,000	43' (4 STORIES)
BUILDING 6	TOWNHOUSE DWELLINGS	4 UNITS	10,100	43' (4 STORIES)
BUILDING 7	TOWNHOUSE DWELLINGS	5 UNITS	11,500	43' (4 STORIES)
BUILDING 8	TOWNHOUSE DWELLINGS	5 UNITS	11,500	43' (4 STORIES)
BUILDING 9	STACKED TOWNHOUSE	8 UNITS	36,400	43' (4 STORIES)
BUILDING 10	STACKED TOWNHOUSE	7 UNITS	29,000	43' (4 STORIES)
BUILDING 11	STACKED TOWNHOUSE	6 UNITS	24,600	43' (4 STORIES)
BUILDING 12	STACKED TOWNHOUSE	5 UNITS	21,000	43' (4 STORIES)
BUILDING M1	MULTI FAMILY UNITS	359 UNITS (66 STUDIOS, 173 1BR, 31 1BR+DEN, 89 2BR+)	374,151	72' (5 STORIES)

BIKE RACK DETAIL

COMPANY: AMERICAN BICYCLE SECURITY COMPANY
401 S BECKWITH RD,
SANTA PAUL, CA 93060
P.H 805.937.6888
WWW.AMERBIKE.COM

PRODUCT NAME: BIKE RACK
PRODUCT # AL9005
COLOR: STAINLESS



PARKING & LOADING TABULATIONS

MULTIFAMILY (BUILDING M1)

REQUIRED:	1 SPACE PER UNIT (66 UNITS PROPOSED)
STUDIOS:	1.5 SPACES PER UNIT (173 UNITS PROPOSED)
1 BEDROOM:	2 SPACES PER UNIT (31 UNITS PROPOSED)
1 BEDROOM + DEN:	2 SPACES PER UNIT (89 UNITS PROPOSED)
2 BEDROOM OR MORE:	2 SPACES PER UNIT (89 UNITS PROPOSED)

TOTAL REQUIRED =566 SPACES

PROVIDED =498 SPACES

TOWNHOMES (BUILDING 1-12)

REQUIRED: 2.33 SPACES PER UNIT (49 UNITS PROPOSED) =115 SPACES

PROVIDED =115 SPACES (INCLUDES 17 SURFACE SPACES)

STACKED TOWNHOMES (BUILDING 9-12)

REQUIRED: 2.33 SPACES PER UNIT (52 UNITS PROPOSED) =122 SPACES

PROVIDED: =122 SPACES (INCLUDES 18 SURFACE SPACES)

OVERALL PARKING SUMMARY

TOTAL PARKING REQUIRED =803 SPACES

TOTAL PARKING PROVIDED =735 SPACES

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

The following information is required to be shown or provided in all zoning applications, or a waiver request of the submission requirement with justification shall be attached. Note: Waivers will be acted upon separately. Failure to adequately address the required submission information may result in a delay in processing this application.

This information is required under the following Zoning Ordinance Sections:

Special Permits (Sect. 8-011 2J & 2L)	Special Exceptions (Sect. 9-011 2J & 2L)
Cluster Subdivision (Sect. 9-615 1G & 1N)	Commercial Revitalization Districts (Sect. 9-622 2A (12) & (14))
Development Plans PRC District (Sect. 16-302 3 & 4L)	PRC Plan (Sect. 16-303 1E & 1 O)
FDP P Districts (Sect. 16-502 1A (6) & (17))	Amendments (Sect. 18-202 10F & 10I)

- ☒ 1. Plat is at a minimum scale of 1"=50' (Unless it is depicted on one sheet with a minimum scale of 1"=100')
- ☐ 2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet(s) 06-07 AND 11-13. If infiltration is proposed the soils should be tested for suitability prior to submission of the development plan and results of the infiltration test provided as part of the description of the facility.

☐ 3. Provide:

Facility Name/Type & No. (E.g. dry pond, infiltration trench, underground vault, etc.)	On-site area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage volume (cf)	If pond, dam height (ft.)
EXISTING OFFSITE DRY POND						
EXISTING OFFSITE WET POND						
Totals:						

- ☐ 4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet(s) 06-07. Pond inlet and outlet pipe systems are shown on Sheet(s) 11-13.
- ☐ 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet(s) 11-13. Type of maintenance access road surface noted on the plat is _____ (asphalt, geoblock, gravel, etc.)
- ☐ 6. Landscaping and tree preservation in and near the stormwater management facility is shown on Sheet(s) N/A.
- ☐ 7. Stormwater management and BMP narratives including Virginia Runoff Reduction Spreadsheet and descriptions of how detention and best management practices requirements will be met are provided on Sheet(s) 13.
- ☐ 8. A description of existing conditions of each numbered site outlet extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet(s) 12. If the outfall is proposed to be improved off-site it should be specifically noted.
- ☐ 9. A detailed description and analysis of how the channel protection requirements and flood protection requirements of each numbered outfall will be satisfied per Stormwater Management Ordinance and Public Facilities Manual are provided on Sheet(s) 12.
- ☐ 10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheet(s) 04.
- ☐ 11. A submission waiver is required for N/A.
- ☐ 12. Stormwater management is not required because N/A.

14

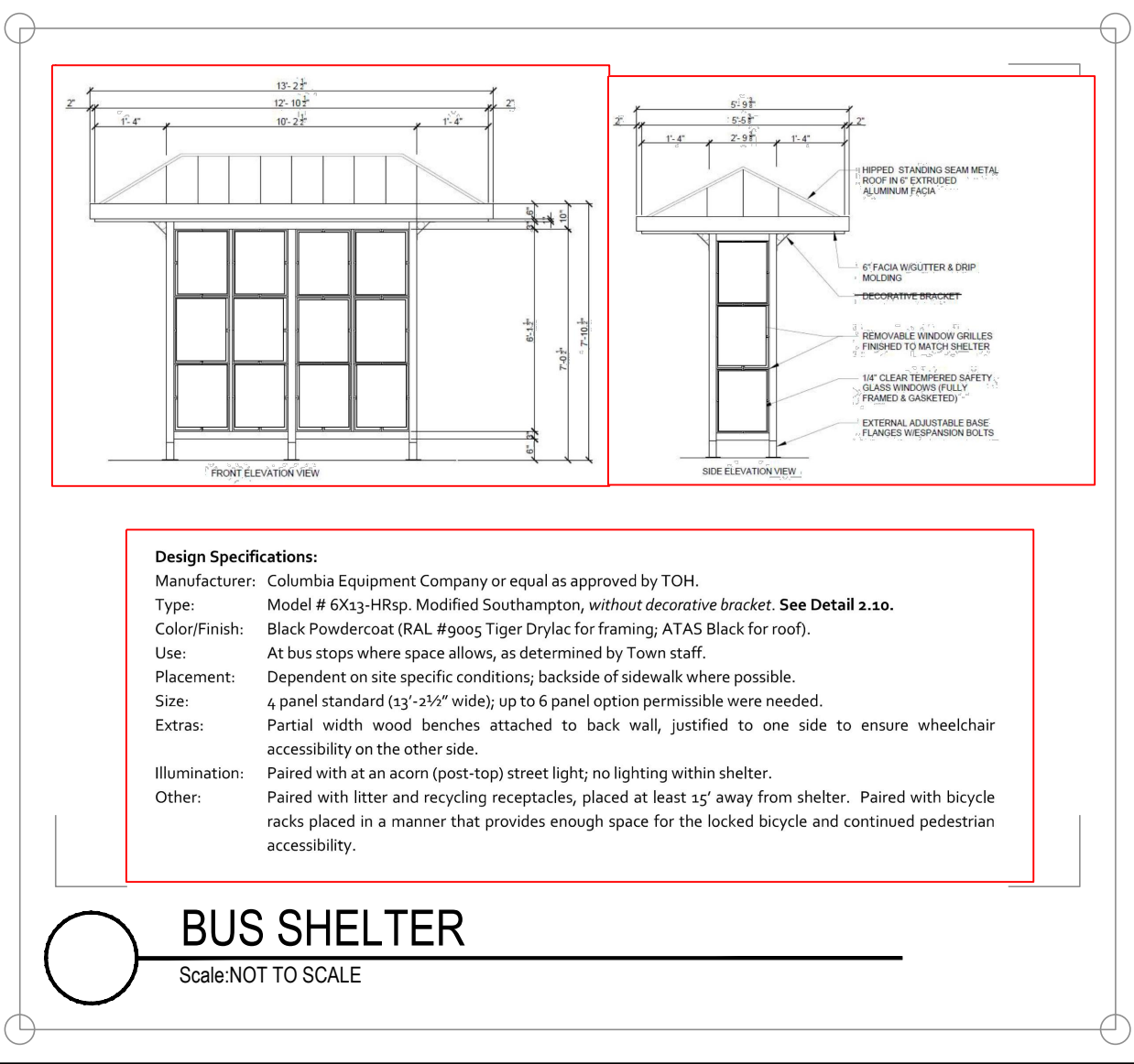
Revised: 8/4/2015

LEGEND:

—W—	EXISTING WATER LINE	—●—	ROAD SIGN
—W—	PROPOSED WATER LINE	—○—	EX. POWER POLE
—H—	EX. FIRE HYDRANT	× 363.2	EXISTING SPOT ELEVATION
—H—	PROP. FIRE HYDRANT	+25.60	PROP. SPOT ELEVATION
WM ○	EXISTING WATER METER	CG-6 CG-6R	SPILL AND TRANSITION CURB AND GUTTER
WM ●	PROPOSED WATER METER	=====	PROPOSED CURB
WV ○	EXISTING WATER VALVE	▼▼	MAIN BUILDING ENTERANCE
WV ●	PROPOSED WATER VALVE	○□□	EX. STREET LIGHTS
—○—	EXISTING STORM DRAIN	□□□	PROP. STREET LIGHTS
—○—	PROPOSED STORM DRAIN	○	PROPOSED CG-12
—○—	EXISTING SANITARY SEWER	○	EXISTING TREE
—○—	PROPOSED SANITARY SEWER	○	PROPOSED TREE
—G—	EXISTING GAS LINE	△	WATER FITTING IDENTIFIER
—G—	PROPOSED GAS LINE	○	LOADING AREA
GV ○	EXISTING GAS VALVE	○	BENCHMARK
GV ●	PROPOSED GAS VALVE	○	TEST PIT REQUIRED
---○---	EXISTING OVERHEAD WIRE	← ??? VPD	PROJECTED TRAFFIC COUNT
○	EXISTING LIGHTING	← O.R.	OVERLAND RELIEF
—X—	EXISTING FENCE	PROP. EX. SF	PROPOSED EXISTING SQUARE FEET
—X—	PROPOSED FENCE	NSF	GROSS SQUARE FEET
—○—	EXISTING TREE LINE	NSF	NET SQUARE FEET
—○—	EXISTING CONTOURS	T.B.R.	TO BE REMOVED
—○—	PROPOSED CONTOURS	FF	FINISHED FLOOR
—○—	PROPOSED PHASE LINE	V	VISITOR PARKING SPACE
—○—	PROPOSED LIMITS OF CLEARING & GRADING	S, C, HC	STANDARD, COMPACT, AND HANDICAP PARKING SPACE DESIGNATOR
—○—	EXISTING WETLANDS	○	LOADING SPACE
—○—	PROP. RET. WALL	▨	100 YR FLOOD PLAIN

BUS SHELTER

Scale: NOT TO SCALE



Design Specifications:
Manufacturer: Columbia Equipment Company or equal as approved by TOH.
Type: Model # EX3-HRsp. Modified Southampton, without decorative bracket. See Detail 2.a.s.
Color/Finish: Black Powdercoat (RAL #9005 Tiger Drylac for framing, ATAS Black for roof).
Use: At bus stops where space allows, as determined by Town staff.
Placement: Dependent on site specific conditions; backside of sidewalk where possible.
Size: 4 panel standard (33'-0" wide), up to 6 panel option permissible were needed.
Extras: Partial width wood benches attached to back wall, justified to one side to ensure wheelchair accessibility on the other side.
Illumination: Paired with an acorn (post-top) street light; no lighting within shelter.
Other: Paired with litter and recycling receptacles, placed at least 35' away from shelter. Paired with bicycle racks placed in a manner that provides enough space for the locked bicycle and continued pedestrian accessibility.

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CHANTILLY, VA 20151
CLAYTON C. ROCK
FAX 703.578.7888
www.urban-lltd.com

urban

Planner-Engineer-Landscape Architect-Land Surveyors



COMMONWEALTH OF VIRGINIA
CLAYTON C. ROCK
Lic. No. 0067960
09/22/2024
PROFESSIONAL ENGINEER

GENERAL NOTES & DETAILS
WORLDGATE
GENERALIZED DEVELOPMENT PLAN
DRANESVILLE DISTRICT
TOWN OF HERNDON, VIRGINIA

DATE: NOV. 2022

SCALE: N/A

SHEET
02
OF
86

FILE No.
RZ-13126

Agenda Item: Resolution to approve the town's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and to direct the Town Manager and/or Town Attorney to execute the documents necessary to effectuate participation in the settlement

Meeting Date: July 9, 2024

Category: Consent

Prepared by: Lesa Yeatts, Town Attorney

Description:

Town participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities.

Background:

As a part of the nationwide settlement of opioid claims, the Town participated in the Virginia settlement in 2021 with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, and with opioid manufacturer Johnson & Johnson. In 2023, the town also participated in the Virginia settlement with opioid manufacturers, Teva and Allergan, and retail pharmacy chains, Walmart, CVS, and Walgreens.

This Resolution is before you for approval of the Town's participation in a new settlement against Kroger, and for authorization of the Town Manager and Town Attorney to sign the documents necessary to effectuate the Town's participation in the settlement.

The amount of funds that will flow to Virginia and its localities from this settlement depends on maximizing participation by as many local government subdivisions as possible. Herndon is being asked to approve the settlement and submit participation forms because, due to the structure of the settlement agreement, towns above a certain population threshold must approve the settlement and submit participation forms in order to maximize the overall recovery for the Commonwealth and its subdivisions.

Participating towns are not eligible to receive direct shares from the settlement funds. However, we may be able to apply for, request, or receive funds for opioid abatement programs through the county. Our participation will help to maximize the recovery for all of Virginia's counties, including Fairfax.

Budget Impact:

Although it is unlikely that the town will receive any funds from the settlement, a positive financial impact of accepting this settlement is anticipated for the entire Commonwealth.

Recommendation:

Staff recommends adoption of the Resolution as proposed.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

JULY 16, 2024

Resolution- to approve the town's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and to direct the Town Manager and/or Town Attorney to execute the documents necessary to effectuate participation in the settlement.

The opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties, cities, and towns by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services.

The Commonwealth of Virginia and its counties, cities, and towns, including the Town of Herndon, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and the Town of Herndon.

Settlement proposals have been negotiated that will cause Kroger to pay a billion dollars nationwide to resolve opioid-related claims against them.

The Town Attorney has reviewed the available information about the proposed settlements and has recommended that the Town participate in the settlements.

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

1. The town's participation in the proposed settlement of the opioid-related claim against Kroger and its related corporate entities is approved.
2. The Town Council directs the Town Manager and/or Town Attorney to execute the documents necessary to effectuate the town's participation in the settlement, including the required release of claims against Kroger.

Agenda Item: Ordinance to amend Chapter 42 (MOTOR VEHICLES AND TRAFFIC), Article I (In General), Sec. 42-1 (Definitions) to correct numbering

Meeting Date: July 9, 2024

Category: Consent

Prepared by: Lesa Yeatts, Town Attorney, Lauri Sigler, Deputy Town Attorney

Description:

Numbering correction to Town Code Sec. 42-1.

Background:

Chapter 42 was most recently amended with the approval of Ordinance 22-O-03, on January 25, 2022. This proposed ordinance corrects an administrative numbering error that occurred when the ordinance was codified by the code publisher, which will align Sec. 42-1 with Sec. 78-100.9(b)(5) c. & d. of the zoning ordinance and references made to 42-1 therein.

Budget Impact:

N/A

Recommendation:

Staff recommends approval of the Ordinance as proposed.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

JULY 16, 2024

Ordinance- **to amend Chapter 42 (MOTOR VEHICLES AND TRAFFIC), Article I (In General), Sec. 42-1 (Definitions) to correct numbering.**

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

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are amended as follows:

CHAPTER 42 (MOTOR VEHICLES AND TRAFFIC)

Article I. In General

Sec. 42-1. Definitions.

Commercial vehicle.

(8) ~~Any vehicle with three or more axles.~~ **Reserved.**

(9) Any vehicle with three or more axles.

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

Agenda Item: Ferndale Avenue Project Update

Meeting Date: July 9, 2024

Category: Discussion

Prepared by: Mike Shindledecker Transportation Engineer

Description:

This discussion item is to brief the Town Council on the recent community meeting held on June 13, 2024 on the subject of the Ferndale Avenue project. As a result of the community meeting, staff has elected to bring discussion before Council as there was a request to consider restriction of public parking. The staff is requesting input from the Town Council on the topic of parking restrictions along Ferndale Avenue, and will aim to discuss the benefits and potential disadvantages of said restriction. The intended outcome of discussion will be to reach consensus on the restriction of public parking along Ferndale Avenue as part of the project's design.

Background:

In order to mitigate observed operational and safety concerns along Ferndale Avenue from Park Avenue to Herndon Parkway, the Department of Public Works conducted a sight distance analysis and roadway concept redesign of Ferndale Avenue. The preliminary concept was shared with members of the community who provided their perspective and input on project elements.

Budget Impact:

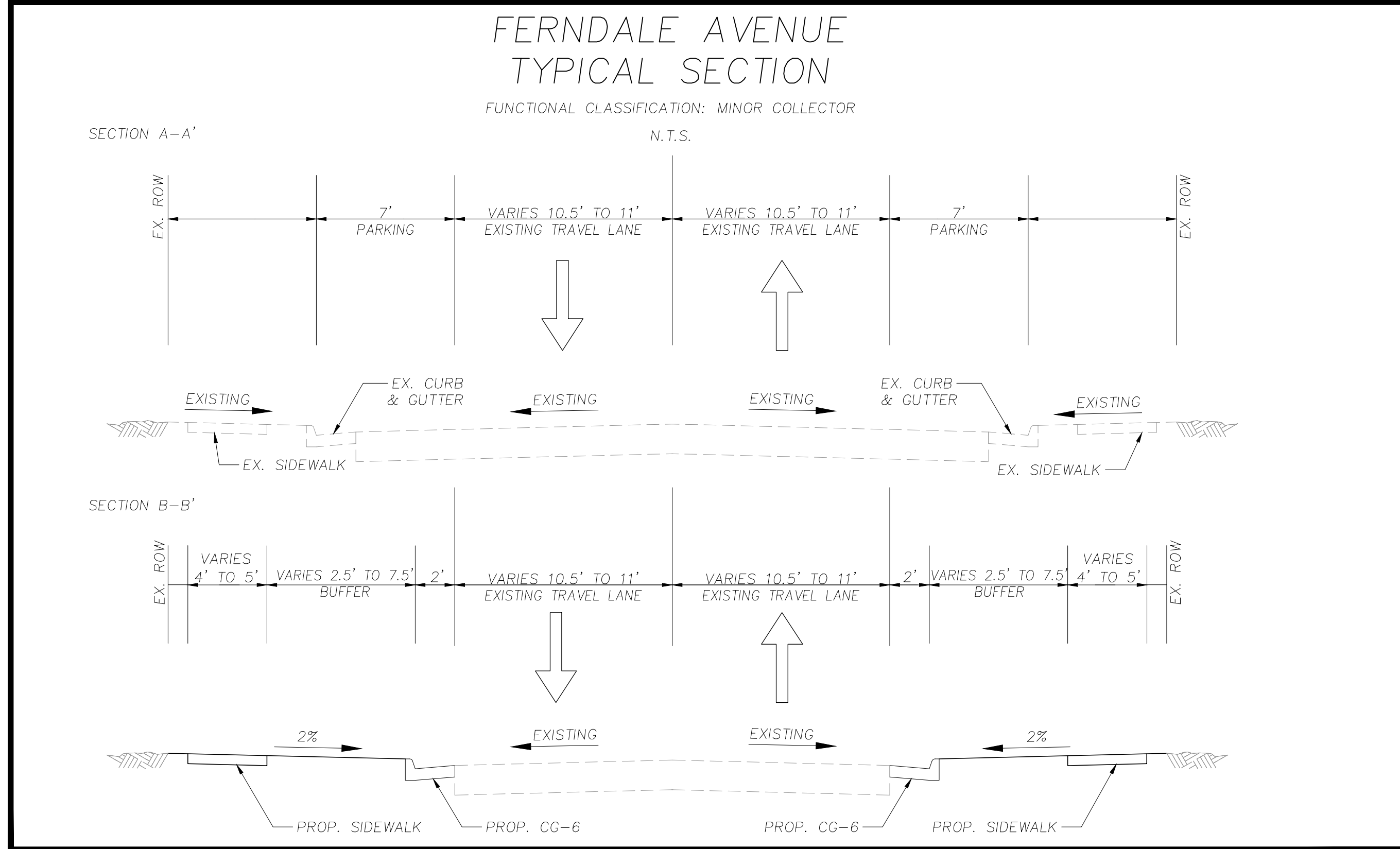
The project is anticipated to cost a total of \$650,000 as currently designed. This total includes \$80,000 in engineering professional services fees anticipated to occur in Fiscal Year 2025. A change to the roadway concept design to incorporate parking restrictions may increase preliminary engineering fees by an estimated \$15,000.

Recommendation:

This is a discussion item; staff is seeking Council feedback.

Attachments:

1. Ferndale Avenue Concept Exhibit



Agenda Item: Town Council Meeting Schedule - Structure Update Discussion

Meeting Date: July 9, 2024

Category: Discussion

Prepared by: Kirstyn Jovanovich, Town Clerk

Description:

Annually in September, the Town Council adopts by Resolution the Town Council meeting schedule for the next calendar year. Ahead of this annual process, the Town Clerk's office reviewed the current meeting processes and has prepared a proposed revised meeting schedule for Town Council's review and consideration. The attached presentation and draft 2025 meeting calendar includes proposed meeting schedule changes for Council consideration and feedback.

This is an opportunity for Town Council to review the current structure and provide feedback on proposed changes, which will then be incorporated into a Resolution for Council consideration in September for the 2025 meeting schedule.

Background:

N/A

Budget Impact:

None

Recommendation:

This is a discussion item; staff is seeking Town Council feedback.

Attachments:

1. 2025 Draft Calendar Proposal

DRAFT

Town Council Meeting Schedule Proposal

Dec 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JAN 2025

Feb 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
29	30	31	1 New Year's Day	2	3	4
5	6	7 TCSM ¹	8	9	10	11
12	13 PCWS	14 TCWS	15	16	17	18
19	20 M L King Day	21	22	23	24	25
26	27 PCRM	28 TCRM	29	30	31	1

¹ Special Meeting – Organizational Meeting, Council Orientation, Swearing In (Odd Years)

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

Jan 2025						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEB 2025

Mar 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10 PCWS	11 TCWS ²	12	13	14	15
16	17 Presidents' Day	18	19	20	21	22
23	24 PCRM	25 TCRM	26	27	28	1

² Strategic Plan Update – Q2 Report, Oct – Dec

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

Feb 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

MAR 2025

Apr 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
23	24	25	26	27	28	1
2	3	4	5	6	7	8
9	10 PCWS	11 TCWS ³	12	13	14	15
16	17	18	19	20	21	22
23	24 PCRM	25 TCRM	26	27	28	29
30	31	1	2	3	4	5

³ Budget Work Session #1

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

Mar 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

APR 2025

May 2025						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30	31	1 TCWS ⁴	2	3	4	5
6	7	8	9	10	11	12
13	14 PCWS	15 TCSM ⁵	16	17	18	19
20	21	22 TCRM ⁶	23	24	25	26
27	28 PCRM	29	30	1	2	3

⁴ Budget Work Session #2 (moved to first Tuesday)

⁵ Proposed Budget – Budget Public Hearing #1 (Special Meeting)

⁶ Proposed Budget – Budget Public Hearing #2 + Adoption (Regular Meeting)

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

Apr 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

MAY 2025

Jun 2025						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	1	2	3
4	5 PCWS	6	7	8	9	10
11	12	13 TCWS ⁷	14	15	16	17
18	19 PCRM	20	21	22	23	24
25	26 Memorial Day	27 TCRM	28	29	30	31

⁷ Strategic Plan Update – Q3 Update, Jan - Mar

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

DRAFT

Town Council Meeting Schedule Proposal

May 2025						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JUN 2025

Jul 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4	5	6	7
8	9 PCWS	10 TCWS	11	12	13	14
15	16	17	18	19 Juneteenth	20	21
22	23 PCRM	24 TCRM	25	26	27	28
29	30	1	2	3	4	5

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

Jun 2025						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

JUL 2025

Aug 2025						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
29	30	1	2	3	4 Independence Day	5
6	7	8	9	10	11	12
13	14 PCWS	15 TCWS ⁸	16	17	18	19
20	21	22	23	24	25	26
27	28 PCRM	29 TCRM	30	31	1	2

⁸ Strategic Plan Update – Q4 Update, Apr-Jun

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

Jul 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUG 2025

Sep 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	31	1	2
3	4	5	6	7	8	9
10	11 PCWS	12	13	14	15	16
17	18	19	20	21	22	23
24	25 PCRM	26 TCRM	27	28	29	30
31	1	2	3	4	5	6

*August recess – no work session (required by Charter to have at least one meeting)

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

DRAFT

Town Council Meeting Schedule Proposal

Aug 2025						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

SEP 2025

Oct 2025						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
31	1 Labor Day	2	3	4	5	6
7	8 PCWS	9 TCWS	10	11	12	13
14	15	16	17	18	19	20
21	22 PCRM	23 TCRM ⁹	24	25	26	27
28	29	30	1	2	3	4

⁹ State of the Town presentation

Legal Ad Deadline Legal Ad Publication

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Sep 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

OCT 2025

Nov 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13 PCWS	14 TCWS ¹⁰	15	16	17	18
19	20	21	22	23	24	25
26	27 PCRM	28 TCRM	29	30	31	1

¹⁰ Strategic Plan Update – Q1 Update, Jul - Sept

Legal Ad Deadline Legal Ad Publication

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DRAFT

Town Council Meeting Schedule Proposal

Oct 2025						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NOV 2025

Dec 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
26	27	28	29	30	31	1
2	3 PCWS	4 Election Day	5 TCWS	6	7	8
9	10	11 Veterans Day	12	13	14	15
16	17 PCRM	18 TCRM	19	20	21	22
23	24	25	26	27 Thanksgiving Day	28	29
30	1	2	3	4	5	6

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

DRAFT

Town Council Meeting Schedule Proposal

Nov 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

DEC 2025

Jan 2026						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30	1 PCWS	2 TCWS	3	4	5	6
7	8	9	10	11	12	13
14	15 PCRM	16 TCRM	17	18	19	20
21	22	23	24	25 Christmas	26	27
28	29	30	31	1	2	3

Legal Ad Deadline Legal Ad Publication

TC=Town Council | PC=Planning Commission | RM=Regular Meeting | WS=Work Session

Agenda Item: Additional donation request to Virginia Hispanic Chamber of Commerce in support of ¿Qué Pasa? Herndon Event - Councilmember del Aguila

Meeting Date: July 9, 2024

Category: Discussion

Prepared by:

Description:

Councilmember del Aguila requested this discussion item to consider an additional donation to the Virginia Hispanic Chamber of Commerce in support of the ¿Qué Pasa? Festival of Herndon event scheduled for September 14, 2024 on Lynn Street.

Background:

The Virginia Hispanic Chamber of Commerce has completed a donation application for \$10,000 under the Community Cultural Festivals Donation program in support of the planned ¿Qué Pasa? Herndon event. The event is a new event, planned to be free and open to the public. Pending substantial completion of the special event application review process, the event is anticipated to be awarded the donation under the Community Cultural Festivals Donation program policy. The policy limits donations to qualified non-profit or not-for-profit organizations to 50% of the estimated event budget, or \$10,000, whichever is less. The donation application and supporting materials are attached to this agenda item.

Budget Impact:

TBD

Recommendation:

This is a discussion item; staff has no recommendation.

Attachments:

1. Que Pasa Herndon - CCF Donation Application

Submission #	3112816
IP Address	96.249.245.241
Submission Recorded On	04/04/2024 10:19 AM
Time to Take Survey	3 minutes, 45 seconds

Page 4

NOTE: This form does not save, once you submit you will not be able to modify this form. Do not hit the back function or your information may clear.

We highly encourage you to visit our [Community Cultural Festival](#) page before completing this form. It will give you details about the Town's expectations and the application procedures.

Organization Information

*** Organization name**

Virginia Hispanic Chamber of Commerce

*** Legal name (DBA)**

Virginia Hispanic Chamber of Commerce

*** Mailing Address**

10700 Midlothian Turnpike
Suite 200
Richmond VA 23235

*** Physical Address (if different than mailing address)**

10700 Midlothian Turnpike
Suite 200
Richmond VA 23235

*** Phone**

(804) 378-4099

*** Email**

zajur@vahcc.com

*** Website**

www.vahcc.com

*** When was the organization established?**

2000

*** What is the general purpose of the organization?**

The mission of the chamber has always been to build economic bridges between Hispanic businesses and the community at large in order to create, promote and enhance business opportunities for its members and partners. Now in 2024 the VAHCC serves as the only state-wide Hispanic chamber in Virginia and serves as the top Hispanic/Latino learning resource throughout the state.

*** How does your organization serve the Herndon Community?**

The VAHCC will be bringing its premier event to Herndon this year. By partnering together to host the first ever ¿Qué Pasa? Herndon, the chamber hopes to help celebrate the growing Hispanic/Latino community within the Town of Herndon. Residents and businesses will also gain insight into the many different resources provided by the Virginia Hispanic Chamber.

*** EID (if applicable)**

541989885.00

*** Exempt organization type**

501c6

Near the completion of this form you are required to load a copy of your IRS determination letter.

Proposed Community Cultural Festival Information

*** Name of event**

¿Qué Pasa? Herndon

*** Proposed event date and time**

September 14th, 2024

*** Proposed event location**

Herndon

*** Expected number of attendees**

3,000

*** Expected duration in hours [include the set-up/clean-up]**

12

*** Describe the event including how it qualifies as a new Community Cultural Festival**

The ¿Que Pasa? Festival is a staple in Virginia. It is a well known event that has been around for over two decades. Bringing this festival to Herndon is an amazing way to showcase and celebrate Hispanic/Latino culture, while also highlighting Herndon's flourishing Hispanic/Latino population. www.quepasafestival.com

Donation Request

Community Cultural Festival donation requests cannot exceed the estimated total event budget. Please upload a detailed event budget and include information on other revenue sources that will also support the proposed Community Cultural Festival.

*** Estimated total event budget**

15,000.00

*** Requested Town donation**

10,000.00

Required Supporting Documentation

*** Detailed proposed event budget**

MOU VAHCC & HERNDON 2024.pdf

*** IRS determination letter**

IRS Determination Letter.pdf

*** IRS form 990**

W-9 VAHCC 2023.pdf

Applicant Information

*** Name**

Michel Zajur

*** Address**

10700 Midlothian Turnpike
Suite 200
Richmond VA 23235

*** Phone**

(804) 378-4099

*** Email**

zajur@vahcc.com

I hereby affirm and certify that:

- The information provided on this application is true and correct to the best of my knowledge
- I am legally authorized to sign this application on behalf of the organization
- I have read the Policy Statement and understand and agree to the requirements associated with the application and requested donation
- I understand that my application will not be considered until it is complete
- I understand that a donation can only be approved by the Town Council at a public meeting

*** Signature Field (Please type your name to serve as your signature.)***

Michel Zajur

*** Date and Time**

04/04/2024 11:20 AM

*By selecting the "Submit" button, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual/handwritten signature on this Application. By selecting "Submit" using any device, means or action, you consent to the legally binding terms and conditions of this Application. You further agree that your signature on this document (hereafter referred to as your "E-Signature") is as valid as if you signed the document in writing. You also agree that no certification authority or other third party verification is necessary to validate your E-Signature, and that the lack of such certification or third party verification will not in any way affect the enforceability of your E-Signature or any resulting agreement. You are also confirming that you are authorized to enter into this Application.

General Number

****SKIPPED****

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 25 2002

VIRGINIA HISPANIC CHAMBER OF
COMMERCE
C/O MICHEL ZAJUR
2810 WINTERFIELD RD
MIDLUTHIAN, VA 23113

Employer Identification Number:

54-1989885

DLN:

17053211009021

Contact Person:

JOANNA YAWNEY

ID# 95078

Contact Telephone Number:

(877) 829-5500

Internal Revenue Code

Section 501(c)(6)

Accounting Period Ending:

December 31

Form 990 Required:

Yes

Addendum Applies:

No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in the section indicated above.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) for each employee to whom you pay \$100 or more during a calendar year. And, unless excepted, you are also liable for tax under the Federal Unemployment Tax Act for each employee to whom you pay \$50 or more during a calendar quarter if, during the current or preceding calendar year, you had one or more employees at any time in each of 20 calendar weeks or you paid wages of \$1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

Letter 948 (DO/CG)

Project Budget Form
Organization Virginia Hispanic Chamber Que Pasa Festival Event

Item	Description	Total Expense	Request
PR EVENT IMPLEMENTATION			
Social Media Targeted Ads	Targeted to zip codes	\$ 1,050.00	
Print Targeted Ads	Targeted to zip codes	\$ 660.00	
radio spots	Ongoing spots for marketing	\$ 2,600.00	
Quepasafestival.com website-updated	labor/develpoment updates	\$1,560.00	
SEO Updates & Content Marketing	Updates to Search Engine Optimization to optimize ¿Qué Pasa? Herndon results.	\$1,200.00	
Email Marketing Campaigns & Press Release		\$800	
Logo Design & Branding		\$300.00	
TOTAL		\$ 8,170.00	
MATERIALS AND SUPPLIES			
All Print Materials	Signage, Flyers, Banners, etc.	\$ 2,500.00	
Set-Up & Decorative Materials	Decorative Materials & Set Up	\$ 2,825.00	
Break Down		\$ 1,200.00	
Decorative Photo Area	With photo booth	\$ 1,000.00	
Cultural Displays & Live Artist	Live artist exhibition	\$ 1,550.00	
Kids area activities	Face Painting & Multiple Art Stations	\$ 1,500.00	
TOTAL		\$ 10,575.00	
OTHER DIRECT COSTS			
Sound system including speakers/mics/sound board One large/Two small		\$ 3,275.00	
Entertainment/live music/DJ/children's entertainment/workshops/dance demonstrations		\$ 16,200.00	
Sound engineers (3 people)		\$ 1,100.00	
Stage hands/loaders		\$ 320.00	
Richmond City Police Dept		\$ 1,680.00	
Port-A-Potty units		\$ 1,380.00	
insurance liability		\$ 750.00	
stage rental		\$ 1,000.00	
Emcee for event		\$ 500.00	
DJ for event		\$ 800.00	
EMS		\$ 2,300.00	
Rental equipment: tables/tents/chairs		\$4,500.00	
Travel/hotel/transportation/meals (Team)		\$3,003.00	
trash removal after event		\$1800.00	
TOTAL		\$ 38,608.00	
OTHER COSTS			
MISC.		\$ 6,000.00	
TOTAL		\$ 6,000.00	
TOTAL PROJECT BUDGET		\$ 63,353.00	