



TOWN COUNCIL REGULAR MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Tuesday, September 24, 2024 | 7:00 PM

1. Call to Order

2. Pledge of Allegiance to the Flag of the United States of America

3. Presentations/Reports/Comments

- a. Town Manager Report
- b. Councilmember Comments

4. Comments from the Audience

Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

5. Public Hearings

- a. Resolution 24-G-59 to approve a Special Exception Amendment SE #24-02, 1031 Sterling Road, Suite 104

6. Consent

- a. Resolution 24-G-60 to award contract IFB# B-25-01 Folly Lick Sanitary Sewer and Stormwater Improvement Project
- b. Ordinance 24-O-28 to amend Chapter 26 (ENVIRONMENT), Article III. (Erosion and Sediment Control), Sec. 26-49 (Erosion and sediment control program), Article VIII. (Stormwater Management), Sec. 26-322 (Definitions), Sec. 26-325 (Stormwater pollution prevention plan contents), Sec. 26-328 (Pollution prevention plan contents), and Sec. 26-329 (Technical criteria for regulated land disturbing activities), to replace repealed Virginia Administrative Code references with the newly adopted Virginia Administrative Code references

- c. Resolution 24-G-61 to appoint a member to the Police Supplemental Retirement Plan Administrative Committee (PSRPAC)

7. Adjournment

Interpretación en Español está disponible en esta sesión.

Agenda Item: Resolution 24-G-59 to approve a Special Exception Amendment SE #24-02, 1031 Sterling Road, Suite 104

Meeting Date: September 24, 2024

Category: Public Hearings

Prepared by: Fadrique Iglesias, Community Planner, David Stromberg, Zoning Administrator

Description:

This resolution is to consider an amendment to the previously approved CU#89-11 associated with a restaurant use to expand the hours of operations and number of seats within the Commercial Office Zoning District. The property is located within the Crossroads of Dulles Office Condominium and is located at the southwest corner of the intersection of Sterling Road and Elden Street. Suite 104 consists of approximately 950 square feet and is in a multi-unit building.

The applicant proposes to operate an ice cream parlor. The proposed space, located in suite 104, consists of five rooms: a back-of-house service kitchen, a janitor's room, a service area, a restroom, and a dining room open to the public. The special exception request is to expand the hours of operation and increase the number of seats. The applicant anticipates having a maximum of six (6) employees.

Background:

The property is designated in the Herndon 2030 Comprehensive Plan as a "Business Corridor" and is located in Tier 1 of the South Elden Area Plan.

The property is located within the Crossroads of Dulles Office Condominium development and is located at the southwest corner of Sterling Road and Elden Street. Suite 104 consists of approximately 950 square feet and is on the first floor of a multi-unit building that fronts Sterling Road. The building has surface parking on the Sterling Road side and along the internal drive. The development has a cluster of eight office buildings and a freestanding restaurant. The portion of the freestanding restaurant is zoned CS, Commercial Services. These buildings, parking, and surrounding site features compose what is known as Crossroads of Dulles office park, and its site plan was approved in 1986.

The CO zoning district is intended to function as a transitional area between higher-intensity commercial uses and neighborhood residential uses. The Crossroads at Dulles Shopping Center is to the south, and residential uses are to the west, east, and north.

A previous Conditional Use permit (CU#89-11) was granted on February 13, 1990, to allow a restaurant in this suite. The first business was under the name Deli Licious and the next business was Italia's Deli & Pizzeria. The conditional use permit runs with the land and a restaurant is allowed to operate in this suite under the existing, approved conditions. The conditions limit the hours of operation to 5 pm and the number of seats to 12.

The Planning Commission voted 7-0 to recommend approval of SE #24-02 on August 26, 2024.

Budget Impact:

None

Recommendation:

Staff recommends the Town Council approve the amended conditions. A restaurant use has been operating intermittently at this location since 1990 without any negative impacts to the adjacent units or surrounding neighborhood. The expansion of the hours and number of seats are minor enough to not generate negative impacts and the demand for office condominiums has decreased since 1990.

Attachments:

1. Staff Report
2. Resolution (Proposed)
3. Annex 1 - Approved CU#89-11
4. Annex 2 - Applicant Statement SE#24-02
5. Annex 3 - Ice Ice Ice Cream Plan

STAFF REPORT

Agenda Item: Special Exception Amendment – SE #24-02, 1031 Sterling Rd. Suite 104

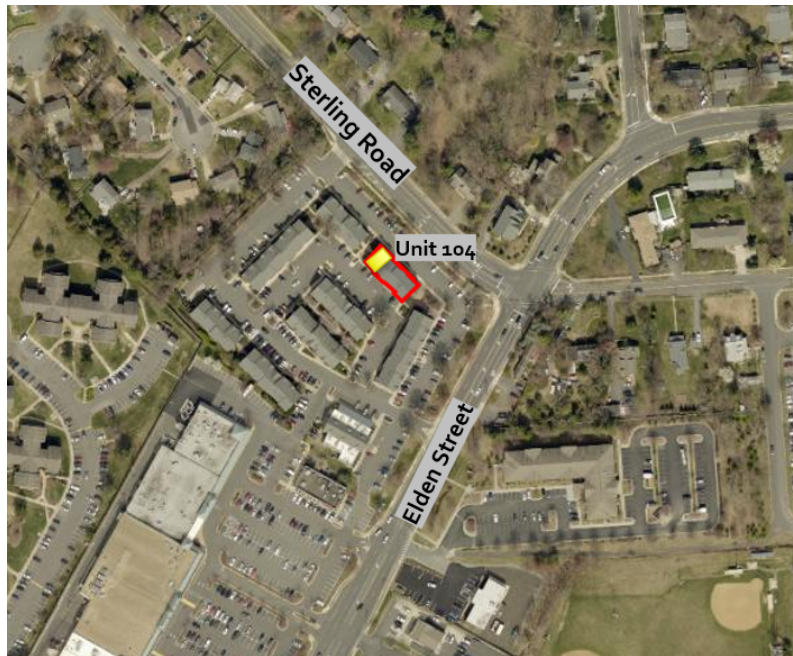
Meeting Date: September 24, 2024

Staff Contact: Fadrique Iglesias, Community Planner
fadrique.iglesias@herndon-va.gov (703) 787-7380
David Stromberg, AICP, Zoning Administrator
david.stromberg@herndon-va.gov (703) 787-7380

Summary Information:

Proposed Modification	This application is to consider an amendment to the previously approved CU#89-11 associated with a restaurant use to expand the hours of operations and number of seats within the Commercial Office Zoning District. The property is located within the Crossroads of Dulles Office Condominium and is located at the southwest corner of the intersection of Sterling Road and Elden Street. Unit 104 consists of approximately 950 square feet and is in a multi-unit building.	
Address	1031 Sterling Road, Suite 104	
Fairfax County Tax Map Number	0161 22 0010G	
Owners	Mr. Spiro Souliotis	
Applicant	KARPENISSI LLC and Mr. Spiro Souliotis	
Business/Organization	Ice Ice Ice Cream, LLC	
Property Use	Restaurant	
Zoning District	CO, Commercial Office	
HDO Designation	N/A	
Adjacent Zoning	North: Residential Single-Family - 10 District South: Commercial Services District	East: Residential Single-Family - 10 District. Historic Overlay District. West: Residential Multi-Family
Date of Construction:	1986	
Comprehensive Plan Land Use Designation	Business Corridor Use. South Elden Area Plan Tier 1	

Location Map:



Background & Site Description:

The property is designated in the Herndon 2030 Comprehensive Plan¹ as a “Business Corridor” and is located in Tier 1 of the South Elden Area Plan².

The property is located within the Crossroads of Dulles Office Condominium development and is located at the southwest corner of Sterling Road and Elden Street. Unit 104 consists of approximately 950 square feet and is on the first floor of a multi-unit building that fronts Sterling Road. The building has surface parking on the Sterling Road side and along the internal drive. The development has a cluster of eight office buildings and a freestanding restaurant. The portion of the freestanding restaurant is zoned CS, Commercial Services. These buildings, parking, and surrounding site features comprise what is known as Crossroads of Dulles office park, and its site plan was approved in 1986.

The CO zoning district is intended to function as a transitional area between higher-intensity commercial uses and neighborhood residential uses. The Crossroads at Dulles Shopping Center is to the south, and residential uses are to the west, east, and north. A previous Conditional Use permit (CU#89-11) was granted on February 13, 1990, to

¹ Herndon 2030 Comprehensive Plan <https://www.herndon-va.gov/home/showpublisheddocument/17554/638247637418370000>

² South Elden Area Plan & Street Improvement Plan <https://www.herndon-va.gov/home/showpublisheddocument/10222/636866224841200000>

allow restaurant in this suite. The first business was under the name Deli Licious and the next business was Italia's Deli & Pizzeria. The conditional use permit runs with the land and a restaurant is allowed to operate in this suite under the existing, approved conditions. The conditions limit the hours of operation to 5 PM and the number of seats to 12.

Case Details & Proposal:

The applicant proposes to operate an ice cream parlor. The proposed space, located in unit 104, consists of five rooms: a back of house service kitchen, a janitor's room, service area, and a dining room open for the public. The special exception request is to expand the hours of operation and increase the number of seats. The applicant anticipates having a maximum of six (6) employees.

Staff Analysis:

Zoning Ordinance Compliance

The proposed restaurant use (ice cream shop) is only allowed by special exception in accordance with the Town's Zoning Ordinance 78-40.3 - *CO – Commercial office district*, Table 78-40.3(c)(3).

The zoning ordinance allows for flexibility for instances like this, when a specific use may be appropriate in a particular location, provided there are adequate development and land use controls. In this case, the additional seating and hours of operation for the Restaurant Uses are still consistent with the purpose and intent of the Commercial Office Zoning District and the additional controls that can be implemented through the special exception process.

Staff evaluated the criteria for review of special exceptions found in Zoning Ordinance Section 78-153.3(e):

Criteria from Section 78-153.3(e)(1)	Meets/ Does Not Meet	Why the application meets or does not meet the criteria of Section 78-153.3(e)
a. Is consistent with the Comprehensive Plan.	Meets	The Comprehensive Plan Land Use Section provides polices for provision of goods and services to the local community and positive economic benefits of new businesses. The proposed uses will be in conformance with the comprehensive plan polices.
b. Is free of conflict with any provision of this chapter and related regulations or any other	Meets	The proposed special exception uses are provisioned with the base zoning district and do not create any substantial

applicable local, state, or federal laws and regulations.		conflicts with other regulatory requirements. The use and business operations will be conditioned to ensure the use continually meets the purpose and intent of the Commercial Office Zoning District.
c. Does not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.	Meets with conditions	The proposed uses are generally compatible to the site / neighborhood. The proposed amended conditions will expand the hours of operation (non-business hours and weekends) but will limit the impact to parking and vehicle trips by restricting maximum number of clients.
d. Consistent with the purpose and intent of the zoning district in which it is located or will improve compatibility among uses and will ensure efficient development within the town.	Meets	The proposed changes to the conditions will remain compatible with the intent of the uses of the CO district.
e. Minimizes adverse visual impact of the proposed use on adjacent lands.	Meets	The proposed changes to the conditions will not generate visual changes to the site.
f. Contributes to a logical and orderly development pattern consistent with accepted or emerging planning practices.	Not Applicable	No physical alterations of the structure expected and thus not subject to this criterion.
g. Minimizes adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and should not create a nuisance.	Meets with conditions	Staff recommended the revised conditions to limit the overall capacity and distribution of customers in order to prevent negative impacts to parking, loading, and noise.
h. Avoids significant adverse impacts on the property values of surrounding lands or substantially and permanently injures the use of neighboring property for those uses that are permitted in the zoning district.	Meets	The proposed use has virtually no external impacts and provides needed space utilization for the new business owners.
i. Does not significantly and adversely impact the natural environment, including but not limited to, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.	Meets	The proposed changes to the conditions will not involve any expansion of floor area or conversion of pervious area to impervious area.
j. Results in development that is adequately served by transportation facilities, including whether or not a substantial deterioration of the level of service on the town's transportation network would occur and whether or not the proposed use is designed	Not Applicable	No physical alterations of the structure expected and thus not subject to this criterion.

to ensure safe ingress and egress onto the site and safe road conditions on and around the site.		
k. Results in development that is adequately served by public facilities (roads, potable water and sewage, schools, parks, police, and fire and emergency medical facilities).	Not Applicable	No physical alterations of the structure expected and thus not subject to this criterion.
l. If infill and redevelopment is consistent with the redevelopment criteria and other applicable guidelines as stated in the Herndon 2030 Comprehensive Plan (adopted August 12, 2008), as amended.	Not Applicable	No physical alterations of the structure expected and thus not subject to this criterion.
m. If located in the floodplain overlay district, meets floodplain overlay standards.	Not Applicable	The building is not located within the FPO.

Comprehensive Plan Adherence

The proposal is consistent with the Herndon 2030 Comprehensive Plan Business Corridor Land Use Policies and encourage uses that provide a variety of goods and services as well as promote economic development that helps increase employment and add to the community tax base. Most particularly, the proposal aligns with Land Use Policies for Business Corridor #1 and #3 (Herndon 2030 Comprehensive Plan, pages III- 11 through III-12³). The site is also designated Tier 1 – North End Transitional in the South Elden Area Plan. The plan does not recommend changes to the existing densities and uses to Tier 1 areas.

Parking

The property contains a parking lot with 335 spaces. The parking lot and all common areas are owned by the condominium association. The tenant space for Unit 104 consists of 950 square feet. Parking provided is undesignated shared surface parking with front-loaded spaces along the building frontage and rear within the office condominium. The requirement is one space per 200 Gross Floor Area which totals 5 spaces. The Town Ordinance limits the parking area to 1 space per 4 seats, according to the Minimum Off-Street Parking Standards⁴, which will limit the total to 20 spaces.

³ Herndon 2030 Comprehensive Plan (ibid.)

⁴ Restaurant: 1 space per 4 seats, plus 1 per each 2 employees on duty during peak shift.

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

https://library.municode.com/va/herndon/codes/code_of_ordinances?nodeId=PTIICOOR_CH78_ZO_ARTXPALOCI_S78-100.2MIOREPALOST

Analysis of Conditions

Staff is recommending changes to five of the existing six conditions for this special exception, listed in the following conditions analysis table. Three are proposed to be amended and two are proposed to be deleted so that the conditions are consistent with recently approved special exceptions. Staff believes these conditions provide reasonable ways in which the existing restaurant use can be expanded while properly mitigating potential impacts, as well as achieving the purpose and intent of the applicable zoning district.

#	Condition	Covered by language in the Zoning Code	Reason for Condition
1	Substantial conformance with the submitted application and plan submitted by Mark R. Yoo architect in June 26, 2024 and for the purpose of a restaurant use only.	No	Existing condition amended. This condition is what gives the town the authority to ensure the proposed use is developed in the way that is presented to the Planning Commission and the Town Council.
2	The restaurant shall have a maximum of 20 seats or as determined by the Building Officer determination, whichever is less.	No	Existing condition amended from a maximum of 12 seats.
3	The total floor area for the use shall not exceed 950 square feet.	No	Existing condition.
4	The hours of operation shall be limited to: Monday - Thursday: 11 AM – 9 PM; Friday - Saturday: 11 AM – 10 PM; and Sunday: 11 AM – 9 PM	No	Existing condition amended from 7 AM to 5 PM.
5	The staff shall review the SE permit on an annual basis, and the SE may be revoked if the Zoning Administrator determines that the use is violating one or more of these conditions.	No	Existing condition to be deleted because the zoning ordinance already specifies the procedure for zoning enforcement.
6	A Zoning Inspection Permit shall be issued prior to conducting business at this location.	No	Existing condition to be deleted because the zoning ordinance already specifies the procedure for obtaining additional required permits after approval of a special exception

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

Fiscal Impact:

The town can collect meals taxes from restaurants.

Town Council Alternatives:

The following alternatives are available to the Town Council for its decision on SE#24-02.

1. Recommendation for approval.
2. Recommendation for approval with amended conditions.
3. Recommendation for denial.
4. Continuance of the application to October 1, 2024.

Staff Recommendation:

Staff recommends the Town Council approve the amended conditions. A restaurant use has been operating intermittently at this location since 1990 without any negative impacts to the adjacent units or surrounding neighborhood. The expansion of the hours and number of seats are minor enough to not generate negative impacts and the demand for office condominiums has decreased since 1990.

Annexes:

- Annex 1: CU#89-11
- Annex 2: Applicant Statement
- Annex 3: Plan submitted by Mark R. Yoo, architect, on June 26, 2024

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

SEPTEMBER 24, 2024

**Resolution- to approve a Special Exception Amendment SE #24-02, 1031
Sterling Road, Suite 104.**

The applicant, Mr. Spiro Souliotis and Ice Ice Ice Cream Inc., have submitted a request for a special exception amendment to permit an expansion of the hours of operation and number of seats for a restaurant use of Suite 104 within the multi-tenant commercial office building at 1031 Sterling Road, identified as Fairfax County Tax Map # 0161 22 0010G.

On January 22, 2024, the Planning Commission recommended that the special exception with conditions be approved based upon the finding that the proposed use meets the purpose and intent of the Zoning Ordinance.

The Town Council has reviewed this application and has held a public hearing in accordance with the provisions of §15.2-2204 of the State Code and recommended that the application be approved with amended conditions based upon the finding that the amended conditions still meet the purpose and intent of the Zoning Ordinance, in particular Section 78-155.3(f)(3).

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

1. The Town Council approves Special Exception SE #24-02, by amending the conditions of Conditional Use CU#89-11, that shall run with the land and not be voided or extinguished from a change in ownership of the property in accordance with the conditions set forth below to achieve compliance with the standards found in Section 78-155.3:
 - a. Substantial conformance with the submitted application and plan submitted by Mark R. Yoo, architect, on June 26, 2024, and for the purpose of a restaurant use only.
 - b. The restaurant shall have a maximum of 20 seats or as determined by the Building Official, whichever is less.
 - c. The total floor area for the use shall not exceed 950 square feet.
 - d. The hours of operation shall be limited to: Monday - Thursday: 11 AM – 9 PM; Friday - Saturday: 11 AM – 10 PM; and Sunday: 11 AM – 9 PM.

24-G-59

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 13, 1990

Resolution - Conditional Use Permit Application - Deli-Licious - Lorraine Harte, Daniel Harte, and Cara Bowler, Applicants

WHEREAS, an application, Conditional Use Permit, CU #89-22, has been submitted to operate a restaurant with 950 square feet of gross floor area; and

WHEREAS, the Planning Commission has reviewed said application and held a public hearing in accordance with the provisions of Section 15.1-431 of the State Code; and

WHEREAS, the Town Council has reviewed the application and the conditions recommended by the Planning Commission; and

WHEREAS, the Town Council has determined that the restaurant will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use; and

WHEREAS, the Town Council has determined that the operation of said activity will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and

WHEREAS, the Town Council has determined that the operation of said activity will not be in conflict with the purposes of the Comprehensive Plan of the Town of Herndon; and

WHEREAS, the applicant has requested that the site plan requirements be waived because the Elden Park site plan includes the restaurant location.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon that Conditional Use Permit application, CU #89-11 is hereby approved and that the site plan waiver request is hereby approved subject to the following conditions:

1. That the Use Permit shall be issued for the purpose of operating a restaurant use only.

90-G-26

2. That total floor area for the use shall not exceed 950 square feet.
3. The restaurant shall have a maximum of 12 seats.
4. The hours of operation shall be between 7:00 a.m. and 7:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. on Saturdays.
5. The staff shall review the Use Permit on an annual basis, and the Use Permit may be revoked if the Zoning Administrator determines that the use is violating one or more of these conditions.
6. A Zoning Inspection Permit shall be issued prior to conducting business at this location.

90-G-26

This is certified to be a true and accurate copy of Resolution 90-G-26 adopted at a legally convened meeting of the Town Council of the Town of Herndon on February 13, 1990.



Mary E. Ingram, Town Clerk

Iglesias, Fadrique

From: spiro souliotis <spirosouliotis@hotmail.com>
Sent: Monday, August 5, 2024 3:53 AM
To: Iglesias, Fadrique
Cc: Community Development; spiro souliotis
Subject: SE#24-02 for 1031 Sterling Road, Suite 104
Attachments: BE19586302-20361720-MISC.pdf; CP575Notice_1717773277195.pdf; BE19586302-20361720-CERT.pdf

CAUTION: This email originated outside the Town of Herndon email system.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Fadrique,

I am following up on your email regarding my special exception. The use of the space will be for an ice cream parlor. The reason for the special exception is for the hours of operation and # of persons in the space per the CU-89-11. The current hours outlined under CU-89-11 would make this business type difficult to provide the services to the community and allow it to succeed. The hours we are requesting would also have little impact to the community and its neighbors within the complex. The vast majority of businesses in the complex are operational during business hours from 9am to 5pm Monday to Friday. Although our business would provide services to many of the neighboring businesses during this time frame, the bulk of our operations would be after business hours, weekends and holidays when families are able to come home and enjoy a nice treat after getting home from a long day at work/school. The business hours we are requesting be amended are daily from 11am to 11pm.

We would also like to amend the # of seats and occupants in the unit per the original CU-89-11. The original tenant use was a restaurant space which did require significantly more equipment than what we would be using. We would like to amend this to 30 clients in the space along with approximately 6 employees in the space. From speaking with the Town in our initial meeting it sounds like the space based on sq footage would allow up to 50 persons. We would like to maximize the # of individuals in the space that we can allow per Town guidelines.

Regarding the Virginia State Corporation documentation, Karpenissi LLC is our real estate holding company for the unit that purchased the property. Mr. Pikrallidas that you see listed is my attorney and registered representative for Karpenissi LLC. Our business for the ice cream parlor will be under a different corporate name, Ice Ice Ice Cream Inc. Again, Mr. Pikrallidas will be our registered agent for this corporation as well. I will email over the documents for your reference.

If there is anything additional you may need, please don't hesitate to reach out and I will gladly assist. Thank you so much for your assistance and have a wonderful week!

Spiro

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From: Souliotis, Spiro <Souliotis@allstate.com>
Sent: Monday, August 5, 2024 10:38:25 AM
To: 'spiro souliotis' <spirosouliotis@hotmail.com>
Subject: SE#24-02 for 1031 Sterling Road, Suite 104

Hello Fadrique,

L	ANGLE	I.D.	INSIDE DIAMETER (DIM.)
@	AT	INSUL.	INSULATION
Q	CENTERLINE	INT.	INTERIOR
Ø	DIAMETER	JAN.	JANITOR
⊥	PERPENDICULAR	JT.	JOINT
□	CHANNEL		
#	POUND or NUMBER	KIT.	KITCHEN
(E)	EXISTING	LAB.	LABORATORY
ACOUS.	ACOUSTICAL	LAM.	LAMINATE
A.D.	AREA DRAIN	LAV.	LAVATORY
ADJ.	ADJUSTABLE	LKR.	LOCKER
A.F.F.	ABOVE FINISH FLOOR	LT.	LIGHT
AGGR.	AGGREGATE	MAX.	MAXIMUM
AL.	ALUMINUM	M.C.	MEDICINE CABINET
APPROX.	APPROXIMATE	MECH.	MECHANICAL
ARCH.	ARCHITECTURAL	MEMB.	MEMBRANE
ASB.	ASBESTOS	MTL.	METAL
ASPH.	ASPHALT	MFR.	MANUFACTURER
BD.	BOARD	MH.	MANHOLE
BITUM.	BITUMINOUS	MIN.	MINIMUM
BLDG.	BUILDING	MIR.	MIRROR
BLK.	BLOCK	MISC.	MISCELLANEOUS
BLKG.	BLOCKING	M.O.	MASONRY OPENING
BM.	BEAM	MTD.	MOUNTED
BOT.	BOTTOM	MUL.	MULLION
B.T.B.	BACK TO BACK	N.	NEW
CAB.	CABINET	N.I.C.	NOT IN CONTRACT
C.B.	CATCH BASIN	NO. or #	NUMBER
CEM.	CEMENT	NOM.	NOMINAL
CER.	CERAMIC	N.T.S.	NOT TO SCALE
C.I.	CAST IRON	OA.	OVERALL
C.G.	CEILING	OBS.	OBSCURE
CLO.	CLOSET	O.C.	ON CENTER
CLR.	CLEAR	O.D.	OUTSIDE DIAMETER (DIM.)
COL.	COLUMN	OFF.	OFFICE
CONC.	CONCRETE	OPNG.	OPENING
CONSTR.	CONSTRUCTION	OPP.	OPPOSITE
CONT.	CONTINUOUS		
CORR.	CORRIDOR	PRCST.	PRECAST
CTSK.	COUNTERSUNK	PL.	PLATE
CNTR.	COUNTER	PLAM.	PLASTIC LAMINATE
CTR.	CENTER	PLAS.	PLASTER
		PLYWD.	PLYWOOD
DBL.	DOUBLE	PR.	PAIR
DEPT.	DEPARTMENT	PT.	POINT
D.F.	DRINKING FOUNTAIN	P.T.D.	PAPER TOWEL DISPENSER
DET.	DETAIL	P.T.D/R	COMBINATION PAPER TOWEL DISPENSER & RECEPTACLE
DIA.	DIAMETER		
DIM.	DIMENSION	Q.T.	QUARRY TILE
DISP.	DISPENSER		
DN.	DOWN	R	RELOCATE
D.O.	DOOR OPENING	RAD.	RADIUS
DR.	DOOR	R.D.	ROOF DRAIN
DWR.	DRAWER	REF.	REFERENCE
DS.	DOWNSPOUT	REF.	REFRIGERATOR
D.S.P.	DRY STANDPIPE	REG.	REGISTER
DWG.	DRAWINGS	REINF.	REINFORCED
		REQD.	REQUIRED
E	EAST	RESIL.	RESILIENT
EA.	EACH	RM.	ROOM
E.J.	EXPANSION JOINT	R.O.	ROUGH OPENING
EL.	ELEVATION	RWD.	REDWOOD
ELEC.	ELECTRICAL	R.W.L.	RAIN WATER LEADER
ELEV.	ELEVATOR	S.	SOUTH
EMER.	EMERGENCY	S.C.	SOLID CORE
ENCL.	ENCLOSURE	S.C.D.	SEAT COVER DISPENSER
E.P.	ELECTRICAL PANEL	SCHED.	SCHEDULE
EQ.	EQUAL	S.D.	SOAP DISPENSER
EQPT.	EQUIPMENT	SECT.	SECTION
E.W.C.	ELECTRIC WATER COOLER	SH.	SHELF
EF.	EACH FACE	SHR.	SHOWER
EXIST.	EXISTING	SHT.	SHEET
EXP.	EXPOSED	SIM.	SIMILAR
EXP.	EXPANSION	S.N.D.	SANITARY NAPKIN DISPENSER
EXT.	EXTERIOR	S.N.R.	SANITARY NAPKIN RECEPTACLE
		SLNT.	SEALANT
F.A.	FIRE ALARM	SPEC.	SPECIFICATION
F.B.	FLAT BAR	SQ.	SQUARE
F.D.	FLOOR DRAIN	S.S.	STAINLESS STEEL
FDN.	FOUNDATION	S.SK.	SERVICE SINK
F.E.	FIRE EXTINGUISHER	STA.	STATION
F.E.C.	FIRE EXTINGUISHER CAB.	STD.	STANDARD
F.H.C.	FIRE HOSE CABINET	STL.	STEEL
FIN.	FINISH	STOR.	STORAGE
FL.	FLOOR	STRL.	STRUCTURAL
FLASH.	FLASHING	SUSP.	SUSPENDED
FLUOR.	FLUORESCENT	SYM.	SYMMETRICAL
F.O.C.	FACE OF CONCRETE	TRD.	TREAD
F.O.F.	FACE OF FINISH	T.B.	TOWEL BAR
F.O.S.	FACE OF STUDS	T.C.	TOP OF CURB
FP.	FIREPROOF	TEL.	TELEPHONE
F.S.	FULL SIZE	TER.	TERRAZZO
FT.	FOOT or FEET	T.G.	TONGUE AND GROOVE
F.T.	FIRE TREATED	THK.	THICKNESS
FTG.	FOOTING	T.P.	TOP OF PAVEMENT
FURR.	FURRING	T.P.D.	TOILET PAPER DISPENSER
F&I.	FINISH AND INSTALL.	T.V.	TELEVISION
FUT.	FUTURE	T.W.	TOP OF WALL
F.W.P.	FABRIC WRAPPED PANEL	TYP.	TYPICAL
		UNF.	UNFINISHED
GA.	GAUGE	U.O.N.	UNLESS OTHERWISE NOTED
GALV.	GALVANIZED	UR.	URINAL
G.B.	GRAB BAR	V.C.T.	VINYL COMPOSITION TILE
G.C.	GENERAL CONTRACTOR	VERT.	VERTICAL
GL.	GLASS/GLAZING	VEST.	VESTIBULE
G.	GROUND	V.I.F.	VERIFY IN FIELD
GR.	GRADE	W.	WEST
GYP.	GYPSPUM	W/	WITH
GWB	GYPSPUM WALL BOARD	W.C.	WATER CLOSET
		WD.	WOOD
H.B.	HOME BID	W/O	WITHOUT
H.C.	HOSE CABINET	WP.	WATERPROOF
HDWD.	HARDWOOD	WSC.	WAINSCOT
HDW.	HARDWARE		
H.M.	HOLLOW METAL		
HORIZ.	HORIZONTAL		
HR.	HOOR		
HT.	HEIGHT		

1. GENERAL PERMIT AND INSPECTION NOTES:
CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND SECURING OF ALL PERMITS.
CONTRACTOR TO BE PRESENT AT FINAL INSPECTIONS WITH THE BUILDING DEPARTMENT OFFICIAL.

2. APPLICABLE REGULATIONS:
THE DESIGN OF THE BUILDING CONFORMS TO ALL THE APPLICABLE CODES FOR COUNTY OF CITY OF ALEXANDRIA THE FOLLOWING ARE
THE CURRENT APPLICABLE CODES AND WHERE APPROPRIATE INCLUDE LOCAL AMENDMENTS TO THESE CODES:

- 2018 INTERNATIONAL BUILDING CODE
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE
- 2018 INTERNATIONAL FIRE PREVENTION CODE
- 2018 INTERNATIONAL FUEL GAS CODE
- 2018 INTERNATIONAL PLUMBING CODE
- 2018 INTERNATIONAL MECHANICAL CODE
- 2011 NATIONAL ELECTRIC CODE
- ICC ANSI A-117.1-2009
- 2018 INTERNATIONAL RESIDENTIAL CODE
- 2018 VESC - LEVEL 3 ALTERATION

3. GENERAL BUILDING DATA:

- a. GROSS BUILDING FLOOR AREA : 1901 GSF
- b. EXISTING BUILDING HEIGHT ABOVE GRADE: 2 STORY
- c. BUILDING HEIGHT ABOVE GRADE: 24 FEET
- SPRINKLER : NO
- AREA INCREASE FOR FRONTAGE : N
- AREA INCREASE FOR SPRINKLER : N
- EXISTING BUILDING CONSTRUCTION TYPE : V B
- EXISTING BUILDING OCCUPANCY CLASS : B - (Business) Ref. Sec.
- HIGH RISE : N

4. INTERNATIONAL BUILDING CODE REQUIREMENTS:

A. REQUIRED FIRE RESISTANCE RATING OF ELEMENTS:

- MECHANICAL SHAFTS : (SECTION 713.4) - N/A
- EXIT ENCLOSURES: (SECTION 1023.2) - N/A
- CORRIDORS (NON-SPRINKLED FLOOR)(TABLE 1020.1) - 0 HOUR
- STRUCTURAL FLOOR CONSTRUCTION: BEAMS, GIRDERS AND JOIST: 0 HOURS (TABLE 601)
- STRUCTURAL ROOF CONSTRUCTION: BEAMS, GIRDERS AND JOISTS 0 HOURS (TABLE 601)
- STRUCTURAL BEARING WALLS : 0 HOURS (TABLE 601)
- GARAGE WALL 1 HOUR, EX. 2 HOUR, UL 1801. DOOR 20 MIN WITH SELF CLOSING HINGES

B. ALTERATIONS: COMPLY WITH THE APPLICABLE FEDERAL LAWS, RULES AND REGULATIONS LOCAL, STATE AND PERTAINING TO THE FOLLOWING

- DEMOLITION AND ALTERATION WORK, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: O.S.H.A., C.S.A., AND THE IBC-CHAPTER 33.
- NONCOMBUSTIBLE TYPE CONSTRUCTION CONFORMING TO EXISTING STRUCTURE AND TO REQUIREMENTS OF NEW STRUCTURES.
- MEANS OF EGRESS: IBC-CHAPTER 10
- INTERIOR FLAME SPREAD RATINGS: IBC SECTION 803.3

EXIT ENCLOSURES: CLASS C TABLE 803.3 NOTE: D.

CORRIDORS: CLASS C TABLE 803.3

ROOMS AND ENCLOSED SPACES : CLASS C TABLE 803.3 (TO INCLUDE DRAPERIES AND WALL HANGINGS)

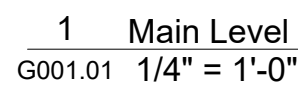
- GLASS & GLAZING: IBC-CHAPTER 24.
- SUSPENDED GYPSUM BOARD AND PLASTER CEILING SYSTEM: IBC-CHAPTER 25.
- SUSPENDED ACoustICAL CEILING SYSTEMS: IBC SECTION 803.9.1

E. LIFE SAFETY HARDWARE REQUIREMENTS:

- ALL DOOR HARDWARE SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY.
- PANIC HARDWARE IS PROVIDE ON ALL DOORS IN MEANS OF EGRESS IN AN ASSEMBLY OCCUPANCY WITH 50 OCCUPANTS OR MORE IN ACCORDANCE WITH SECTION 1008.1.10.
- UNLATCHING OF ANY DOOR OR LEAVE SHALL NOT REQUIRE MORE THAN ONE OPERATION.

1031 STERLING BLVD.
UNIT 104

Google Earth

25 OCCUPANTS

G001.01

Agenda Item: Resolution 24-G-60 to award contract IFB# B-25-01 Folly Lick Sanitary Sewer and Stormwater Improvement Project

Meeting Date: September 24, 2024

Category: Consent

Prepared by: John Irish, Acting Director of Public Works - Engineering

Description:

This is a request to award a contract for the Folly Lick Sewer and Stormwater Improvement Project.

Background:

The town has solicited by posting the Invitation for Bid (IFB) for a qualified contractor for construction of approximately 900-feet of new 24-inch diameter PVC sanitary sewer, demolition of approximately 900-feet of existing 21-inch diameter reinforced concrete pipe sewer, replacement of existing concrete manholes with new manholes, modifications to the existing sewer metering station and operation of a temporary sewer by-pass system during construction.

On July 1, 2024, IFB #B-25-01, Folly Lick Sanitary Sewer and Stormwater Improvement Project, was advertised on OpenGov and eVA, the state procurement site. On August 12, 2024, a bid opening was held, and three companies submitted bids. After evaluation, the lowest bidder, Bright Construction Group, was found non-responsive. The next lowest bidder, Triangle Contracting, LLC was found to be responsive and responsible:

Name of Bidder	Bid
Bright Construction Group	\$934,500
Triangle Contracting, LLC	\$1,064,212.50
Sagres Construction Corporation	\$2,534,000

Budget Impact:

Funds to support this contract are available in the ARPA Sewer - General Sewer Maintenance & Replacement Account.

Recommendation:

Staff recommends approval of the Resolution to award Contract B-25-01, Folly Lick Sanitary Sewer and Stormwater Improvement Project, to Triangle Contracting, LLC.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

SEPTEMBER 24, 2024

Resolution- to award contract IFB# B-25-01 Folly Lick Sanitary Sewer and Stormwater Improvement Project.

The town has solicited by posting the Invitation for Bid (IFB) for a qualified contractor for construction of approximately 900-feet of new 24-inch diameter PVC sanitary sewer, demolition of approximately 900-feet of existing 21-inch diameter reinforced concrete pipe sewer, replacement of existing concrete manholes with new manholes, modifications to the existing sewer metering station and operation of a temporary sewer by-pass system during construction. Three (3) bids were received and opened on August 12, 2024. The apparent lowest bidder was found to be non-responsive through evaluation.

The next lowest bidder, Triangle Contracting, LLC was found to be responsive and responsible.

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

1. Contract B-25-01 to Triangle Contracting, LLC² is awarded.
2. The Town Manager or their designee is authorized to approve contract modifications that modify project scope, costs and length of contract time in accordance with procurement policy and regulations.

Agenda Item: Ordinance 24-O-28 to amend Chapter 26 (ENVIRONMENT), Article III. (Erosion and Sediment Control), Sec. 26-49 (Erosion and sediment control program), Article VIII. (Stormwater Management), Sec. 26-322 (Definitions), Sec. 26-325 (Stormwater pollution prevention plan contents), Sec. 26-328 (Pollution prevention plan contents), and Sec. 26-329 (Technical criteria for regulated land disturbing activities), to replace repealed Virginia Administrative Code references with the newly adopted Virginia Administrative Code references

Meeting Date: September 24, 2024

Category: Consent

Prepared by: John Irish, Acting Director of Public Works - Engineering

Description:

Chapter 26 (Environment) is updated to reflect recent amendments to the Virginia Administrative Code that incorporate the newly approved Virginia Erosion and Stormwater Management (VESM) Regulation (9VAC25-875).

Background:

Effective July 1, 2024, the Virginia State Water Control Board: 1) approved and adopted the Virginia Erosion and Stormwater Management (VESM) Regulation (9VAC25-875). The VESM consolidated the Erosion and Sediment Control Regulations (9VAC25-840), Erosion and Sediment Control and Stormwater Management Certification Regulations (9VAC25-850), and Virginia Stormwater Management Program Regulation (9VAC25-870); and 2) approved the repeal of the Erosion and Sediment Control Regulations (9VAC25-840), Erosion and Sediment Control and Stormwater Management Certification Regulations (9VAC25-850), and Virginia Stormwater Management Program Regulation (9VAC25-870). These amendments to the Virginia Administrative Code now require that any references in Chapter 26 to the repealed sections be updated with references to the new sections.

Budget Impact:

N/A

Recommendation:

Staff recommends approval of the ordinance as proposed.

Attachments:

1. Ordinance (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

ORDINANCE

SEPTEMBER 24, 2024

Ordinance- to amend Chapter 26 (ENVIRONMENT), Article III. (Erosion and Sediment Control), Sec. 26-49 (Erosion and sediment control program), Article VIII. (Stormwater Management), Sec. 26-322 (Definitions), Sec. 26-325 (Stormwater pollution prevention plan contents), Sec. 26-328 (Pollution prevention plan contents), and Sec. 26-329 (Technical criteria for regulated land disturbing activities), to replace repealed Virginia Administrative Code references with the newly adopted Virginia Administrative Code references.

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 26 (ENVIRONMENT)

Article III. – Erosion and Sediment Control

Sec. 26-49. – Title.

- (a) Virginia Erosion and Sediment Control Regulations **Stormwater Management Regulation**, ~~9VAC25-840~~ are **9VAC25-875** is incorporated by reference to serve as an integral part of the town erosion and sedimentation control program. In accordance with Code of Virginia, § 62.1-44.15:52:

Article VIII. – Stormwater Management

Sec. 26-322. - Definitions.

In addition to the definitions set forth in ~~9VAC25-870-10~~ **9VAC25-875-20** of the Virginia **Erosion and Stormwater Management Program Regulations Regulation** the following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Off-site compliance option means an option allowed by ~~9VAC25-870-69~~ **9VAC25-875-610** where an owner may achieve the phosphorous reduction requirements of this article on a site other than where the regulated land disturbing activity occurs.

Regulations means the Virginia **Erosion and Stormwater Management Program (VSMP) Regulations Regulation**, ~~9VAC25-870~~ **9VAC25-875**, as amended.

Sec. 26-325. - Stormwater pollution prevention plan contents.

- (a) The SWPPP shall include the content specified by Section ~~9VAC25-870-54~~ **9VAC25-875-500** and must also comply with the requirements and general information set forth in Section 9VAC25-880-70, Section **Part** II of the general permit.

Sec. 26-328. - Pollution prevention plan contents.

- (a) The pollution prevention plan shall include the content specified by ~~9VAC25-870-56~~ **9VAC25-875-520**, shall be developed, implemented, and updated as necessary, and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:

Sec. 26-329. - Technical criteria for regulated land disturbing activities.

- (a) All land disturbing activities regulated pursuant to this article within the town shall comply with the technical criteria for land disturbing activities set forth in ~~9VAC25-870-62~~ **9VAC25-875-570** (applicability), ~~9VAC25-870-63~~ **9VAC25-875-580** (water quality design criteria requirements), ~~9VAC25-870-65~~ **9VAC25-875-590** (water quality compliance), ~~9VAC25-870-66~~ **9VAC25-875-600** (water quantity), ~~9VAC25-870-72~~ **9VAC25-875-620** (design storms and hydrologic methods), ~~9VAC25-870-74~~ **9VAC25-875-630** (stormwater harvesting), ~~9VAC25-870-76~~ **9VAC25-870-640** (linear development), ~~9VAC25-870-85~~ **9VAC25-875-650** (stormwater management impoundment structures or facilities), and ~~9VAC25-870-92~~ **9VAC25-875-660**

(comprehensive stormwater management plans). In addition, the following shall apply:

- (b) Notwithstanding subsection (a) above, a land-disturbing activity as defined in ~~9VAC25-870-48~~ **9VAC25-875-490** shall be grandfathered and meet the technical criteria in ~~9VAC25-870-93~~ **9VAC25-875-670** through ~~9VAC25-870-99~~ **9VAC25-875-730** except that the more stringent of technical criteria in ~~9VAC25-870-93~~ **9VAC25-875-670** through ~~9VAC25-870-99~~ **9VAC25-875-730** or the Herndon Town Code in effect prior to July 1, 2014 **at the time of the approved application filed in accordance with chapter 26 and 9VAC25-875-490** shall apply to the land-disturbing activity.
- (c) The public works director shall allow operators to utilize off-site compliance options in accordance with ~~9VAC25-870-69~~ **9VAC25-875-610** under the following conditions:

- (f) The public works director may grant exceptions to the technical requirements of subsection (a) provided that the exception is the minimum necessary to afford relief, reasonable and appropriate conditions are imposed so that the intent of this article are preserved, granting the exception will not confer any special privileges that are denied in other similar circumstances, and exception requests are not based upon conditions or circumstances that are self-imposed or self-created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this article.

- (2) Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to ~~9VAC25-870-69~~ **9VAC25-875-610** have been considered and found not available.

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

Agenda Item: Resolution 24-G-61 to appoint a member to the Police Supplemental Retirement Plan Administrative Committee (PSRPAC)

Meeting Date: September 24, 2024

Category: Consent

Prepared by: Maggie DeBoard, Chief of Police, Tanya Kendrick, Human Resources Director

Description:

This is a request to appoint Sergeant Gabe Miranda as a member of the Police Supplemental Retirement Plan Administrative Committee (PSRPAC).

Background:

The Police Supplemental Retirement Plan Administrative Committee (PSRPAC) was established by the Town Council to administer the plan and consists of a chairperson and at least two but no more than eight additional members.

Budget Impact:

N/A

Recommendation:

Staff recommends adoption of the resolution as proposed.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL**

RESOLUTION

SEPTEMBER 24, 2024

**Resolution- to appoint a member to the Police Supplemental Retirement Plan
Administrative Committee (PSRPAC).**

The Police Supplemental Retirement Plan Administrative Committee (PSRPAC) was established by the Town Council to administer the plan and consists of a chairperson and at least two but no more than eight additional members.

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

1. Sergeant Gabe Miranda is appointed as a member of the Police Supplemental Retirement Plan Administrative Committee (PSRPAC), replacing current member Lieutenant Justin Dyer, until further action by Town Council.