

**TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD PUBLIC HEARING AGENDA
JANUARY 19, 2022
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
7:00 P.M.**

CALL TO ORDER

1. Roll Call
2. Determination of Quorum

2022 ELECTION OF OFFICERS

3. Election of Officers

APPROVAL OF MINUTES

4. December 1, 2021, Work Session Draft Minutes, *Cancellation*
5. December 15, 2021, Public Hearing Draft Minutes

COMMENTS

6. Comments from the Board Members
7. Comments from the Staff Members
8. Comments from the Audience

PUBLIC HEARING

9. **APPLICATION FOR BUILDING ALTERATIONS, HDRB #21-015**, to consider an application for façade alterations to the commercial building located at 681 Spring Street, Herndon, Virginia, approximately 200' south of the intersection of Elden Street and Spring Street, and further identified as Fairfax County Tax Map 0162-02-0082. The property is zoned as zoned CC; Central Commercial and consists of 26,641 total square feet of land. Owner: Kjurram Afzal, 681 Spring Street LLC. Applicant: Farshad Ferdowsi, EMSI Engineering Inc.

NEW BUSINESS

10. State of the Historic District
11. Resolution, to approve amendment to the by-laws for the Historic District Review Board (HDRB).

ADJOURNMENT



MEMORANDUM

To: Chair Blaker-Glass and Members of the Historic District Review Board

From: Tamsin Himes, Lead Planner / Design and Development *TH*

Date: January 14, 2022

Subject: HDRB #21-015

This staff memo is an addendum to the staff report for HDRB #21-015 provided to the Board prior to the work session of January 5, 2022. It addresses questions from the board during the work session and provides additional information and analysis of the project and building. The memo will also speak to additional information provided by the applicant since the previous dispatch.

The subject of this project is 681 Spring Street and seeks to make alterations to the existing building. The applicant has updated the proposed alterations since the work session. The revised design is attached to this memo (see Attachment #2).

A color illustrative rendering of the storefront proposal was requested by a Board Member but had not been provided to staff at the time of this dispatch. As requested by the Board, staff has included more detailed historical information regarding the building.

History. The building at 681 Spring Street is not only a contributing structure, it is also the only remaining example of a commercial building in the Art Deco architectural style within the Historic District. Art Deco is characterized by geometric patterns and detailing, simple motifs, and repeated patterns.

Built in 1949, its original use was a Safeway grocery store. Staff have been in contact with the Herndon Historical Society in an effort to find any historical images of the original building. Historical images would be helpful for reviewing this project for two reasons: 1) to establish an understanding of the development of the building over time and 2) to verify which features and materials still in existence are contributing, character defining elements or historic fabric.

Unfortunately, efforts to find historic images of this building were unsuccessful. Neither the historical society nor the town have any on record. The earliest image available is from the Architectural Survey from 1987 which is attached to this memo. It shows the building divided into multiple storefronts with individual tenants. (Attachment #3)

Though images of this specific building were unavailable, there are several images of similar Safeway buildings of this same time period. (See the image below and the images in Attachment #1). In some cases, the design and layout of these buildings is almost identical to the building at 681 Spring Street. Several contain a tile “bulkhead” that runs the length of the storefront beneath the windows. This supports a belief that portions of the storefront including the tiling is most likely original to the building and a contributing feature of its Art Deco construction during the Historic District’s period of significance.



Image source: google images

These images also indicate that the original storefront would have contained just one entrance, probably the far right. The other entrances were most likely added at later dates as the building changed uses. Staff believe that the tile bulkhead/lower portion of the storefront system and probably much of the aluminum window framing is original to the building’s construction and first use. Also, that the two additional entrances are not original, but modifications made years later as the building developed over time.

Guidelines Overview. The general preservation principles included in the Historic District Overlay Guidelines state that new uses should “seek to minimize alterations,” that projects should “respect the historic character of a property [and] . . . not implement changes that alter its architectural style and detailing,” that “distinctive or character defining features should be retained,” and that appropriate projects should seek to repair rather than replace features.

Regarding storefronts specifically the guidelines state that “In the HDO, unfortunately, many of Herndon’s original commercial buildings were lost in a downtown fire in 1917. This makes the surviving historic commercial buildings particularly important resources.

Given their high visibility, storefronts, and associated features such as awnings play an out-sized role in the character of the historic district’s commercial buildings” (p. 68).

Updated Application. The original proposal was to demolish the storefront and reconstruct in a way that referenced the original design with the singular entrance. In the updated version, the storefront bulkhead tile work in existence now is retained while the window and door openings are replaced in a similar configuration (see Attachment #2). The proposed alterations to the rear façade are also updated with an altered configuration of openings and a stairway. Other minor repair and restoration work throughout the exterior remains the same.

Staff Analysis and Recommendation. As mentioned, the original proposal was a storefront demolition and reconstruction project. If that was an option that ended up moving forward, staff would have recommended a condition whereby the applicant works with staff to find suitable materials and design solutions to maximize retention of character and history, with a focus on an appropriate bulkhead design and material.

As the applicant has modified their proposal, some of these issues are not applicable, such as finding suitable replacement materials or matching color and design of the tiling. However, there are still gaps in the proposal that staff wish to bring to the board’s attention.

Staff is primarily concerned that the updated designs do not describe the articulation of the storefront. The applicant indicated at the work session that the storefront system proposed would present a flat surface between glass and frame. Even with retaining the bulkhead tiling portion as is, there is important variation in depth throughout the storefront – for example between the bulkhead and window framing and between the framing and window glass – that is crucial to the success of a design sympathetic to the building and cohesive with the Historic District. The depth of articulation of the frames and bulkhead against the glass is not described or shown in the elevation drawings provided by the applicant. Storefront articulation and depth are important characteristics of historic storefronts. Modern storefronts tend to be much flatter. Given this concern, staff believes any resolution for approval should include a condition requiring traditional articulation with updated specifications and details provided to staff for review and approval prior to issuance of the building permit. The draft resolution provided (Attachment #4) includes this condition.

Staff is recommending a condition approval at this time (see Attachment #4).

Attachments:

1. Historic Safeway storefront images
2. Updated drawings
3. Architectural survey
4. Draft resolution

Historic District Review Board

Attachment #1 Staff Memo HDRB #21-015

681 Spring Street

Historic Images of Safeway Buildings



Image: craigdailynews.com



Image: searcharchives.vancouver.ca

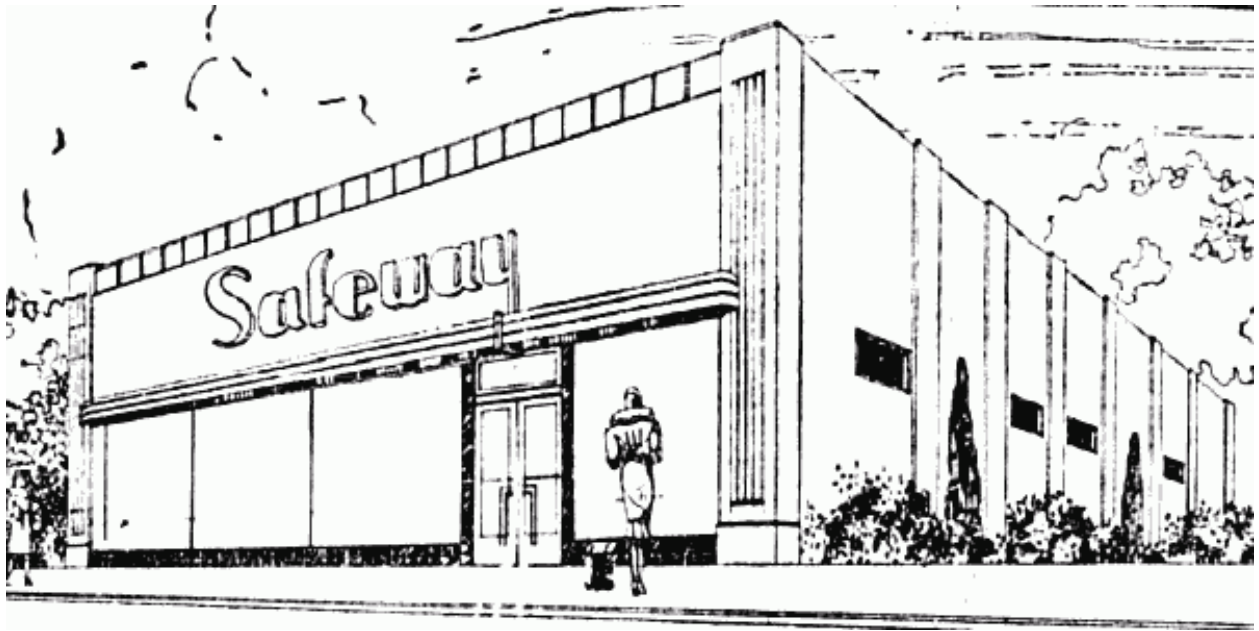


Image: Andrewturnbul.net



Image: nonpareilonline

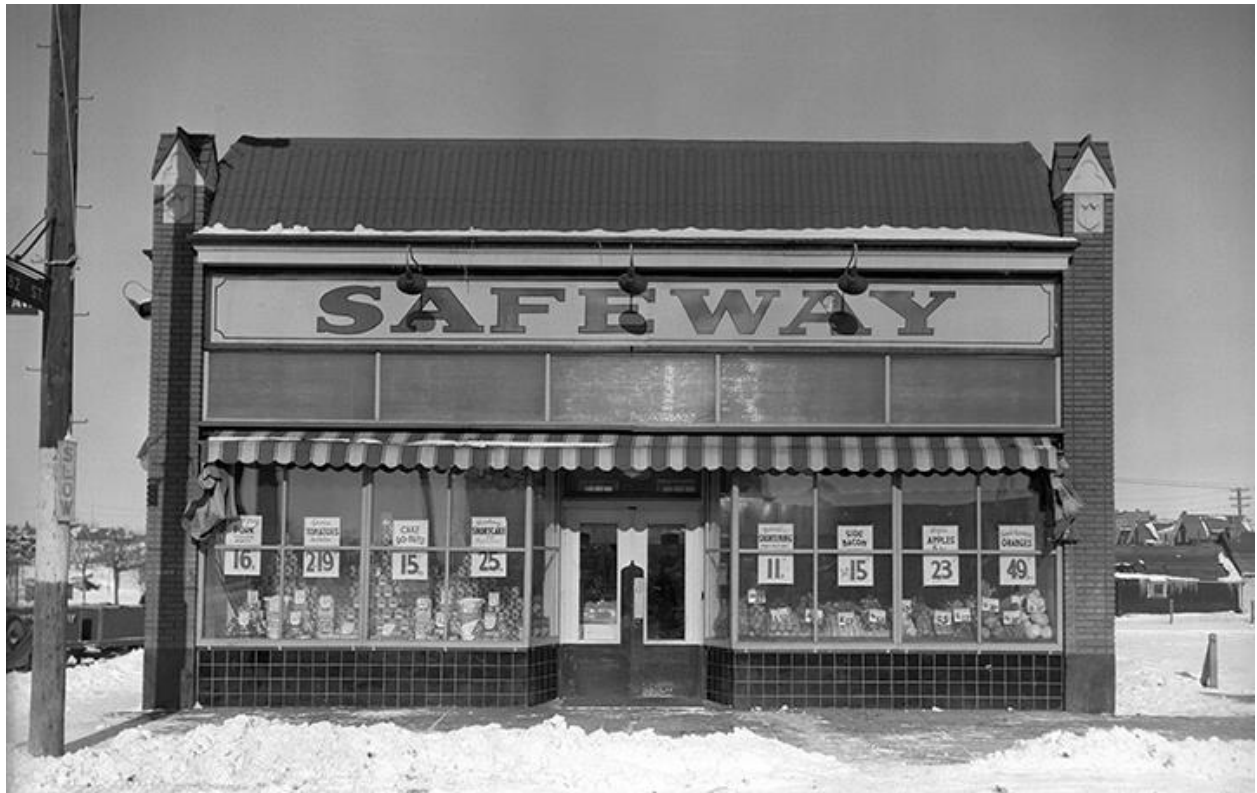


Image: edmontonsarchitecturalheiritage.ca

SEAL

**Fair Price
Groceries
Halal Meats**

681 Spring St. Herndon
VIRGINIA 20170

PROJECT TITLE

REVISIONS

SCALE AS NOTED
DATE 01/12/2022
DRAWN BY FF
CHECKED BY TJ
PROJECT NO. VA-21-31

**PROPOSED
ELEVATIONS**

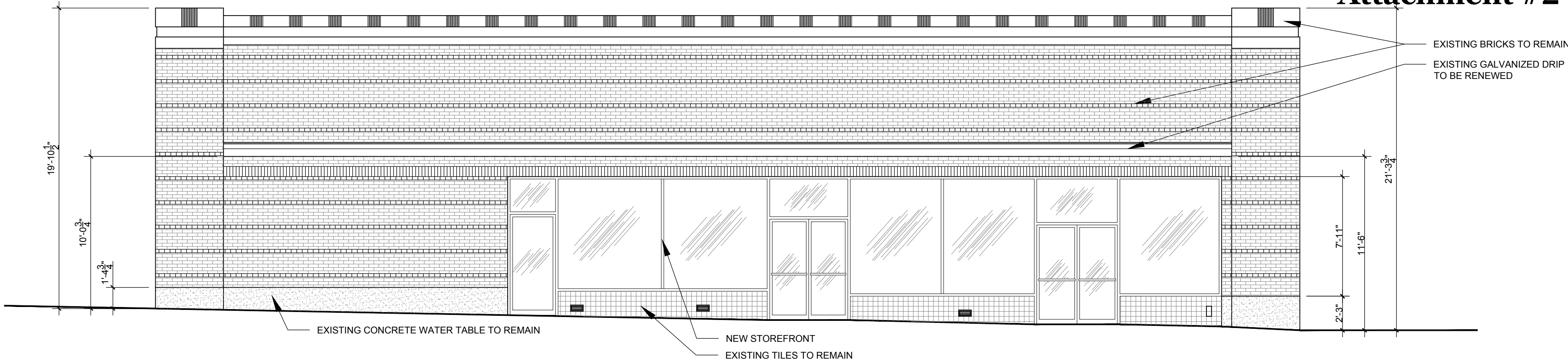
DRAWING TITLE

A-4

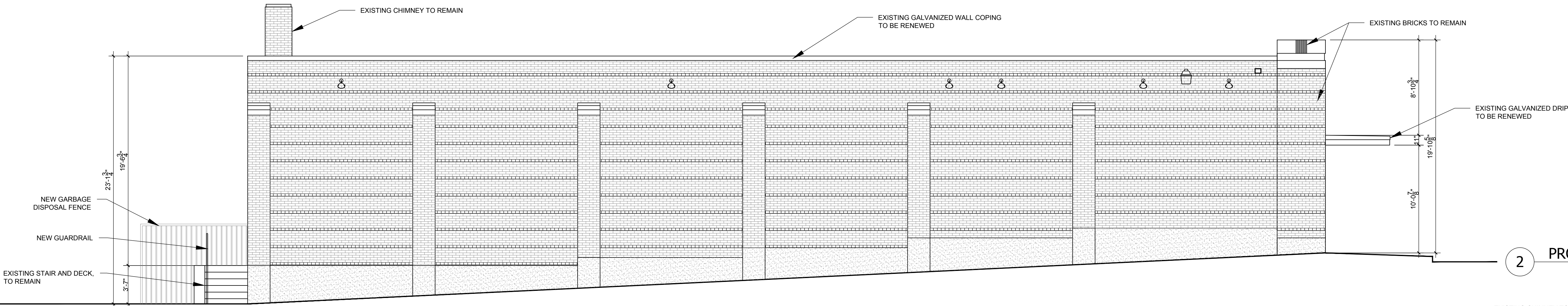
DRAWING NO.

Attachment #2

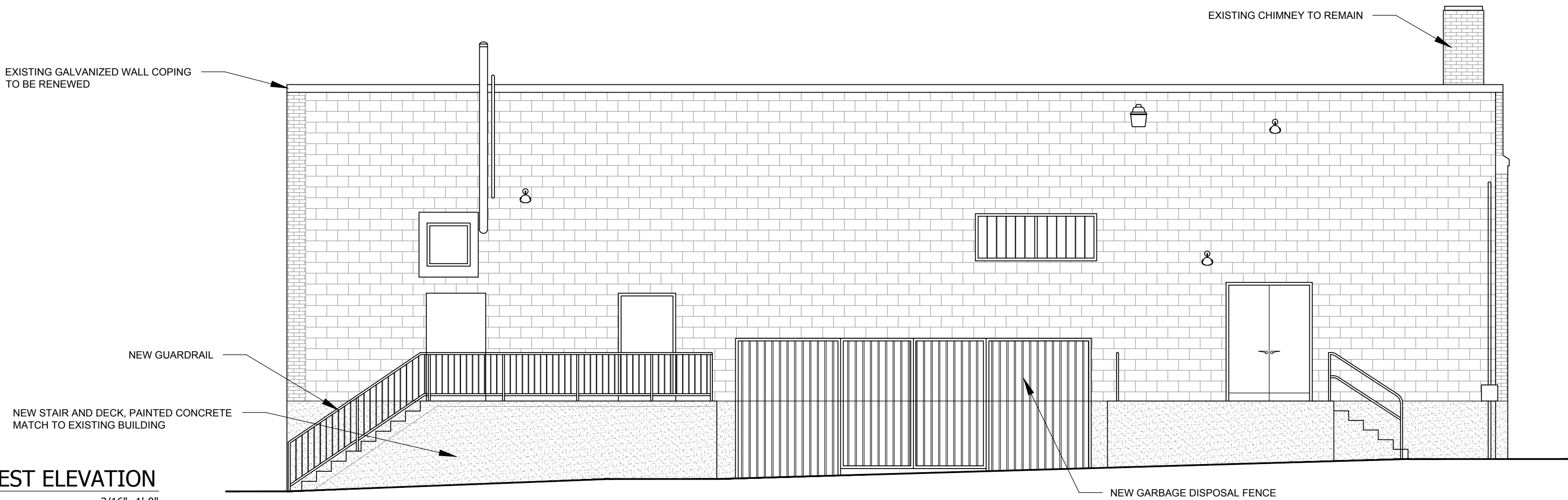
1 PROPOSED EAST ELEVATION (FRONT)
3/16"=1'-0"



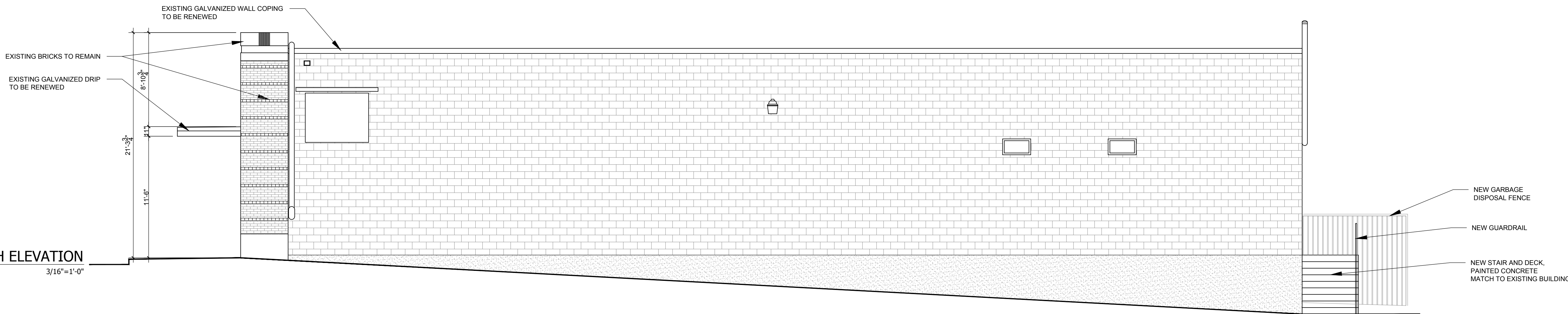
2 PROPOSED SOUTH ELEVATION
3/16"=1'-0"



3 PROPOSED WEST ELEVATION
3/16"=1'-0"



4 PROPOSED NORTH ELEVATION
3/16"=1'-0"





VIRGINIA
DIVISION OF HISTORIC LANDMARKS
HISTORIC DISTRICT/BRIEF
SURVEY FORM

Attachment #3

File no. 235-47
Negative no(s). 9095/20

City/Town/Village/Hamlet Herndon
Street address or route number 681 Spring St.
Historic name Safeway Grocery

County Fairfax
U.S.G.S. Quad Herndon
Common name "Roberts Carpet"

Present use commercial
Original use commercial

Building Style Art Deco.
Building Date(s) ca. 1930-1950

1. Construction Materials

- ☐ wood frame
☒ brick
bond: ☐ English
☐ Flemish
☐ _____-course American
☒ stretcher
☐ other _____
- ☐ stone
☐ random rubble
☐ coursed rubble
☐ ashlar ☐ dressed
☐ rock-faced
- ☐ log:
☐ squared ☐ unsquared
notching:
☐ V-notch ☐ half dovetail
☐ saddle ☐ full dovetail
☐ square ☐ diamond
- ☒ concrete block sides
☐ terra cotta
☐ steel frame
☐ other _____

2. Cladding Material

- ☐ weatherboard ☐ composition siding
☐ vertical siding ☐ stucco
☐ board & batten ☐ aluminum or vinyl siding
☐ shingle:
☐ wood ☐ cast iron
☐ asbestos ☐ sheet metal
☐ asphalt ☐ enameled metal
☐ bricktex ☐ glass
☐ other _____

3. Stories (number) 1
☐ low basement ☐ raised basement

4. Bays (number): front 6 side (church) _____
☐ symmetrical ☒ asymmetrical

5. Roof Type
☐ shed ☐ hipped
☐ parapet? ☐ pyramidal?
☐ gable ☐ mansard
☐ pediment? ☐ false mansard
☐ parapet? ☐ gambrel
☐ clipped end? ☒ flat
☐ cross gable? ☐ parapet?
☐ central front gable? ☒ roof not visible
☐ other _____

6. Roofing Material

- ☐ shingle
☐ composition (asphalt, asbestos, etc.)
☐ wood
☐ metal
☐ standing seam
☐ corrugated
☐ pressed tin (simulated shingles)
☐ tile
☐ pantile ☐ flat ☐ glazed
☐ slate
☒ not visible

7. Dormers (number): front _____ side _____
☐ gable ☐ pediment?
☐ shed
☐ hipped

8. Primary Porch

style _____
stories _____
levels _____ bays _____
materials _____
description and decorative details _____

9. General supplementary description and decoration:

Nicely detailed Art Deco, molded cornice with modified triglyphs. Simple metal overhang. Metal sash and glass doors.

10. Major additions and alterations:

Unaltered.

11. Outbuildings:

12. Landscape Features:

13. Significance:

Nice example of Art Deco, commercial architecture in Herndon.

Surveyed by: Polhill/Frazier

Date: 12/87



ROBERTS CARPETS
VINYL - FLOORS
CERAMIC - TILE
& ORIENTAL RUGS
SALES REPAIRING
CLEANING APPRAISALS

YEN CHENG
RESTAURANT

ROBERTS CARPETS
Armstrong carpet studio

Sale

**Yen
Cheng**
RESTAURANT

**TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD**

DRAFT RESOLUTION

January 19, 2022

Resolution- to approve HDRB #21-015, for exterior alterations to a commercial building located at 681 Spring Street, Fairfax County Tax Map Number 0162-02-0082.

WHEREAS, the applicant has submitted an application to alter the front and rear facades at the above referenced address; and

WHEREAS, the proposed alterations comply with the applicable zoning ordinance regulations as specified in the Town of Herndon Zoning Ordinance; and

WHEREAS, the Town of Herndon Historic District Review Board has determined that the proposed alterations comply with the applicable Historic District Overlay Guidelines; and

WHEREAS, the Town of Herndon Historic District Review Board has reviewed this application and has held a duly advertised public hearing on January 19, 2022.

NOW THEREFORE, BE IT RESOLVED that the Historic District Review Board of the Town of Herndon, Virginia, HEREBY:

Approves HDRB #21-015, for alterations to the commercial building located at 681 Spring Street in Herndon, VA in substantial conformance with the design as shown in case materials reviewed by the HDRB and according to the following condition:

1. The applicant provide storefront drawings and details that specify and clearly show the storefront articulation and depth of reveal between the storefront frame, glass, and bulkhead to staff for administrative review and approval prior to submission of any building permits for the project.

Herndon

VIRGINIA

Report on the Herndon Historic District



HDRB Public Hearing - January 19, 2022

54 **total cases**

11 HDRB COAs
29 admin COAs
14 exemptions

24.5 **average review time**

45.86 days in review (HDRB)
20.80 days in review (admin)
6.84 days in review (exempt)

25 **new district owners**

6 contributing properties
44 total new residents
out of 520 district properties

100 **percent approval rate**

no appeals
no violations

8 **development projects**

2 master plan projects
3 by-right projects
3 public improvement projects

2021 data

Herndon
VIRGINIA

54 **total cases**
11 HDRB COAs
29 admin COAs
14 exemptions

24.5 **average review time**
45.86 days in review (HDRB)
20.80 days in review (admin)
6.84 days in review (exempt)

25 **new district owners**
6 contributing properties
44 total new residents
out of 520 district properties

100 **percent approval rate**
no appeals
no violations

8 **development projects**
2 master plan projects
3 by-right projects
3 public improvement projects

2021 data

Herndon
VIRGINIA

54 total cases
11 HDRB COAs
29 admin COAs
14 exemptions

100 percent approval rate
no appeals
no violations

2021 data

Herndon
VIRGINIA

24.5 average review time
45.86 days in review (HDRB)
20.80 days in review (admin)
6.84 days in review (exempt)

25 new district owners
6 contributing properties
44 total new residents
out of 520 district properties

8 development projects
2 master plan projects
3 by-right projects
3 public improvement projects

54 total cases

11 HDRB COAs
29 admin COAs
14 exemptions

24.5 average review time

45.86 days in review (HDRB)
20.80 days in review (admin)
6.84 days in review (exempt)

25 new district owners

6 contributing properties
44 total new residents
out of 520 district properties

100 percent approval rate

no appeals
no violations

8 development projects

2 master plan projects
3 by-right projects
3 public improvement projects

2021 data

Herndon
VIRGINIA

54 **total cases**
11 HDRB COAs
29 admin COAs
14 exemptions

24.5 **average review time**
45.86 days in review (HDRB)
20.80 days in review (admin)
6.84 days in review (exempt)

25 **new district owners**
6 contributing properties
44 total new residents
out of 520 district properties

100 **percent approval rate**
no appeals
no violations

8 **development projects**
2 master plan projects
3 by-right projects
3 public improvement projects

2021 data

Herndon
VIRGINIA

- transition to electronic case review and dispatch
 - began administrative COA review
 - created and published new procedure guides
 - began resolutions for board actions
- began guideline compliance matrix for case review

2021 process updates

Herndon
VIRGINIA

- created welcome package for new district property owners
 - began implementing and refining new guidelines
 - created draft resource guide for residents

2021 other initiatives

Herndon
VIRGINIA

- adoption of uniform sign standards
 - develop district awareness plan
- installation of district street signs
 - cleanup of new guidelines
 - publishing resource guide

Herndon

VIRGINIA

Report on the Herndon Historic District



HDRB Public Hearing - January 19, 2022

Title: Resolution, to amend Article IV, Section (a) of the By-laws of the Town of Herndon the Historic District Review Board (HDRB).

Staff Contact: Tamsin Himes
Lead Planner, Design and
Development
tamsin.himes@herndon-va.gov
(571) 612-0537

Summary Information:

The current By-laws of the Historic District Review Board (HDRB) of the Town of Herndon, Virginia, were approved and adopted February 16, 2021. The current version of the By-laws does not specifically address the procedure to follow when a meeting of the Board is unnecessary due to lack of applications for consideration. Staff and the Town Attorney recommend an amendment to Article IV, Section (a) of the By-laws so that it is clear that the Chair of the HDRB can declare in writing that the conduct of a regular meeting is unnecessary due to the lack of applications for consideration, in which case the meeting is continued to the next regular meeting day.

The By-laws for this board must now be amended to reflect the situation where it is unnecessary for the HDRB to meet due to lack of applications for consideration. No other revisions are being proposed by staff at this time

Staff Analysis

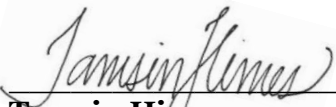
Pursuant to Article IX. of the current By-laws, a proposal for a modification to the By-laws must be submitted to the Board at a regular meeting and then scheduled for consideration and action at the next regular meeting. The revisions to the By-laws are being presented to the Board at this regular meeting for review and discussion and this item will also be placed on the agenda for the February 17, 2022, regular meeting/public hearing for consideration of the revisions and a final vote.

A redline version of the proposed changes to the bylaws is attached hereto as Attachment #1, and a final version the bylaws is attached hereto as Attachment #2 for the Board's review and consideration. The proposed by-laws can be adopted with a HDRB resolution, which is also attached hereto as Attachment #3.

Staff Recommendation:	Staff recommends approval of the Resolution - to amend Article IV, Section (a) of the By-laws of the Town of Herndon the Historic District Review Board (HDRB) attached to the staff report.
------------------------------	--

Report Attachments

1.	Redline draft of revised HDRB by-laws
2.	Final revised HDRB by-laws
3.	Resolution to approve the revised by-laws



Tamsin Himes
Lead Planner/Design and Development



Bryce A. Perry
Deputy Director of Community Development

**Town of Herndon, Virginia
Historic District Review Board**

By-Laws

Introduction

This Historic District Review Board is established pursuant to §78-150.4 of the Herndon Town Code.

**ARTICLE I.
BOARD MEMBERS**

- a. COMPOSITION/QUALIFICATIONS OF MEMBERS. The Historic District Review Board (“HDRB”) shall consist of SEVEN (7) members, five (5) of whom shall be members of the Town’s Architectural Review Board (ARB), along with two (2) additional members. At least one of the two members of the HDRB who is not on the ARB shall have a demonstrated interest, competence, or knowledge in historic preservation and at least one member shall be an architect or an architectural historian and have appropriate professional qualifications to qualify as an expert in the area of historic preservation. No more than two of the members on the combined ARB/ HDRB with professional qualifications to qualify as an expert in the area of historic preservation may be non-residents of the Town. The other members on the combined ARB/ HDRB shall be Town residents. The ARB members serving on the HDRB shall be appointed pursuant to section 7.4:1(b) of the Town’s Charter. The two additional members shall be appointed by Town Council pursuant to §78-150.4 of the Herndon Town Code.
- b. TERM. The term of office of the ARB members serving on the HDRB shall be concurrent with their membership on the ARB. The terms of the two additional HDRB members shall be three (3) years.
- c. RESIGNATION. Any member who resigns from the HDRB prior to the end of

[Date By-laws approved and adopted]

their term shall do so in writing to the chair. The effective date of such resignation shall be the date of the letter to the chair unless another date is stated within the letter of resignation.

d. VACANCIES. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by appointment by the Town Council for the unexpired term only. Any member is eligible for reappointment.

e. REMOVAL. Any member may be removed by the Town Council for malfeasance, misfeasance or nonfeasance in office

f. COMPENSATION. All members of the HDRB shall receive monthly compensation in an amount approved by the Town Council.

ARTICLE II.

ELECTION AND DUTIES OF OFFICERS OF THE HDRB

a. ELECTION OF CHAIR/VICE-CHAIR. The HDRB shall annually at its first public hearing in January, elect from its appointed members a Chair and a Vice Chair whose terms shall be for one year or until a successor takes office. If the office of Chair becomes vacant, the Vice Chair automatically becomes Chair and the office of Vice Chair becomes vacant. The HDRB shall then, after a new member has been appointed elect from its appointed members a new Vice Chair. If the office of Chair becomes vacant at a time when there is no Vice Chair, the HDRB shall elect from its current members both a Chair and a Vice Chair.

b. DUTIES OF CHAIR. The Chair shall preside over all hearings and meetings of the HDRB, with the same powers and duties as the other members, with vote but no veto power. He shall be the official head of the HDRB and shall perform such other duties not inconsistent with his office including being informed of any official communication and reporting about such to the HDRB at the next regular HDRB meeting.

- c. DUTIES OF VICE-CHAIR. The Vice-Chair shall act in the absence or inability of the Chair to act, serve as aide to the Chair and represent the Chair upon request.
- d. CHAIR PRO TEM. In the absence of both the Chairman and Vice-Chairmen, the most senior member of the HDRB shall act as Chair and shall have powers of the chair.

ARTICLE III. DESIGNATION AND DUTIES OF STAFF

The Zoning Administrator or his designee shall serve as the professional staff to the HDRB. The duties of such staff shall include the preparation and presentation of applications before the HDRB, preparation of draft minutes, preparation and compilation of a written record of the official actions of the HDRB (minutes) which shall be posted on the Town's website and filed in the office of the Zoning Administrator at 777 Lynn Street and preparation of official correspondence to and from the HDRB as directed by the Chair.

ARTICLE IV. MEETINGS

- a. REGULAR MEETINGS. The HDRB shall meet in regular session on the third Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the fourth Wednesday of the month unless otherwise provided by resolution of the HDRB. The HDRB may also meet at such other times or places within the boundaries of the Town of Herndon that the HDRB designates by duly adopted resolution.

Should the conduct of a regular meeting be **unnecessary due to a lack of applications for consideration or** impossible due to the inability to obtain a quorum, or due to weather or other conditions such that it is hazardous for members to attend the regular meeting, as declared in writing by the chair, the regular meeting shall be continued to the next regular meeting day at 7:00 p.m. at 765 Lynn Street,

Herndon, Virginia. The press shall be notified as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

b. **REGULAR WORK SESSIONS AND SPECIAL MEETINGS.** The HDRB shall meet in regular work session on the first Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the second Wednesday unless otherwise provided by the resolution of the HDRB. Special meetings or additional work sessions of the HDRB may be called when necessary by the Chair and notice shall be provided at least five business days in advance to members, the public and the press.

c. **PUBLIC HEARINGS.** Public hearings are open to the public and citizens are encouraged to speak. Members of the HDRB are not expected to respond to general questions. Response to questions shall be made at the discretion of the Chair.

Notice of public hearing shall be provided in accordance with Code of Virginia and the Herndon Town Code and may be supplemented with additional notices as deemed appropriate by the HDRB or staff.

Sign-in forms, if deemed necessary by the Chair, shall be completed by persons desiring to speak, listing printed name, phone number, and address of the person desiring to speak, and application number of the issue to be addressed.

Members of the public or their representatives desiring to address the HDRB shall proceed to the appointed place, clearly state their names and addresses, and shall be subject to the following time limitations: 10 minutes total for the applicant and any of the applicant's representatives; 3 minutes per individual for all others. The Chair may, at personal discretion, allow additional time for speakers.

Members of the HDRB shall limit their comments to ensure public participation without HDRB interference. At the completion of each presentation, members of the

HDRB shall have an-opportunity to ask questions or clarify points made during the speaker's presentation.

(d) ORDER OF PUBLIC HEARING

- Presentation by staff summarizing the item.
- Presentation by the applicant.
- Testimony of citizens desiring to speak.
- Concluding comments by the applicant, if the Chair determines such are necessary; questions by HDRB members.
- Concluding comments by staff, if the Chair determines such are necessary; questions by HDRB members.
- Public hearing closed by the Chair.
- Motion
- Discussion by HDRB members.
- Vote (roll call vote if deemed necessary by the Chair)

(e) ELECTRONIC PARTICIPATION IN MEETINGS. A member of the HDRB may participate in a meeting that is not a public hearing from a remote location only pursuant to the requirements set forth in Sec. 2-4 of the Code of the Town of Herndon.

ARTICLE V.

**CONDUCT OF THE MEMBERS OF THE HISTORIC DISTRICT REVIEW
BOARD**

Section 2-5 of the Code of the Town of Herndon, “Code of Ethics for the Members of the Town Council and Council Appointed Board and Commission Members” is hereby incorporated by reference and members of the HDRB shall so govern their actions.

ARTICLE VI. CONDUCT OF PERSONS

APPEARING BEFORE THE HISTORIC DISTRICT REVIEW BOARD

During all public hearings and other regular meetings of the HDRB, the public may

[Date By-laws approved and adopted]

be present, and a specific time shall be reserved for receipt of public comments. At other times, the public shall remain silent unless specifically invited by a member of the HDRB and permitted by the Chair to provide comment.

Comments should be addressed to the item before the HDRB. If a comment is irrelevant, inflammatory, or prejudicial, the Chair may instruct the members to "disregard" the comment, which nevertheless remains in the public record.

ARTICLE VII. VOTING AND TRANSACTION OF BUSINESS

a. **PARLIAMENTARY AUTHORITY.** Parliamentary procedure at HDRB meetings shall be governed by the most recent edition of Robert's Rules of Order, newly revised, as applicable to boards, except to the extent set out otherwise in these bylaws or the Code of Virginia. The Town Attorney is Parliamentarian of the HDRB.

b. **QUORUM.** A quorum shall consist of four members of the HDRB and no action of the HDRB shall be valid unless authorized by a majority vote of those present and voting. Unless otherwise specified by the Chair, actions shall be by oral vote with the vote of each member recorded in the minutes.

c. **SUSPENSION OF THE RULES.** No rule of the HDRB shall be suspended without the concurrence of three-fourths of the members present and such suspension shall be limited to the meeting then in progress.

d. **AGENDA.** The activities at any regular meeting of the HDRB shall be in accordance with a formal agenda. Such agenda shall be distributed to the HDRB and made available to the public prior to each meeting.

e. **ORDER OF BUSINESS (Regular Meeting).** At regular meetings of the HDRB, business shall be conducted in the following manner:

[Date By-laws approved and adopted]

- Call to order and roll call
- Approval of minutes of the last meeting(s)
- Board comment period
- Staff comment period
- Citizen comment period
- Public hearings
- Special items deferred from previous meetings
- Old Business
- New Business
- Staff Reports
- Committee Reports
- HDRB Reports and requests
- Future Business
- Adjournment

f. ORDER OF BUSINESS (Special Meetings). The order of business at special meetings shall be in accordance with the agenda set by the Chair for such special meetings.

g. AMENDMENTS TO AGENDA. Agendas may be amended and/or items added or deleted from the agenda by majority concurrence of the members.

ARTICLE VIII. SEPARABILITY

Should any article of the HDRB bylaws be found to be void, the remaining articles shall remain in effect.

ARTICLE IX. MODIFICATION OF BYLAWS

Modification of these bylaws shall be approved by the HDRB in regular session. Proposals

[Date By-laws approved and adopted]

for modification shall be submitted to the HDRB at a regular meeting and shall be scheduled for consideration and action at the next regular meeting. An affirmative vote of a majority of the entire HDRB shall be required to modify the bylaws.

Approved and adopted this ____ day of _____, 2022.

Leslie Blaker-Glass, Chair
Historic District Review Board

Attest:

Erika Orellana
Clerk of Boards and Commissions

[Date By-laws approved and adopted]

**Town of Herndon, Virginia
Historic District Review Board**

By-Laws

Introduction

This Historic District Review Board is established pursuant to §78-150.4 of the Herndon Town Code.

**ARTICLE I.
BOARD MEMBERS**

a. COMPOSITION/QUALIFICATIONS OF MEMBERS. The Historic District Review Board (“HDRB”) shall consist of SEVEN (7) members, five (5) of whom shall be members of the Town’s Architectural Review Board (ARB), along with two (2) additional members. At least one of the two members of the HDRB who is not on the ARB shall have a demonstrated interest, competence, or knowledge in historic preservation and at least one member shall be an architect or an architectural historian and have appropriate professional qualifications to qualify as an expert in the area of historic preservation. No more than two of the members on the combined ARB/ HDRB with professional qualifications to qualify as an expert in the area of historic preservation may be non-residents of the Town. The other members on the combined ARB/ HDRB shall be Town residents. The ARB members serving on the HDRB shall be appointed pursuant to section 7.4:1(b) of the Town’s Charter. The two additional members shall be appointed by Town Council pursuant to §78-150.4 of the Herndon Town Code.

b. TERM. The term of office of the ARB members serving on the HDRB shall be concurrent with their membership on the ARB. The terms of the two additional HDRB members shall be three (3) years.

c. RESIGNATION. Any member who resigns from the HDRB prior to the end of

[Date By-laws approved and adopted]

their term shall do so in writing to the chair. The effective date of such resignation shall be the date of the letter to the chair unless another date is stated within the letter of resignation.

d. VACANCIES. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by appointment by the Town Council for the unexpired term only. Any member is eligible for reappointment.

e. REMOVAL. Any member may be removed by the Town Council for malfeasance, misfeasance or nonfeasance in office

f. COMPENSATION. All members of the HDRB shall receive monthly compensation in an amount approved by the Town Council.

ARTICLE II.

ELECTION AND DUTIES OF OFFICERS OF THE HDRB

a. ELECTION OF CHAIR/VICE-CHAIR. The HDRB shall annually at its first public hearing in January, elect from its appointed members a Chair and a Vice Chair whose terms shall be for one year or until a successor takes office. If the office of Chair becomes vacant, the Vice Chair automatically becomes Chair and the office of Vice Chair becomes vacant. The HDRB shall then, after a new member has been appointed elect from its appointed members a new Vice Chair. If the office of Chair becomes vacant at a time when there is no Vice Chair, the HDRB shall elect from its current members both a Chair and a Vice Chair.

b. DUTIES OF CHAIR. The Chair shall preside over all hearings and meetings of the HDRB, with the same powers and duties as the other members, with vote but no veto power. He shall be the official head of the HDRB and shall perform such other duties not inconsistent with his office including being informed of any official communication and reporting about such to the HDRB at the next regular HDRB meeting.

[Date By-laws approved and adopted]

c. DUTIES OF VICE-CHAIR. The Vice-Chair shall act in the absence or inability of the Chair to act, serve as aide to the Chair and represent the Chair upon request.

d. CHAIR PRO TEM. In the absence of both the Chairman and Vice-Chairmen, the most senior member of the HDRB shall act as Chair and shall have powers of the chair.

ARTICLE III. DESIGNATION AND DUTIES OF STAFF

The Zoning Administrator or his designee shall serve as the professional staff to the HDRB. The duties of such staff shall include the preparation and presentation of applications before the HDRB, preparation of draft minutes, preparation and compilation of a written record of the official actions of the HDRB (minutes) which shall be posted on the Town's website and filed in the office of the Zoning Administrator at 777 Lynn Street and preparation of official correspondence to and from the HDRB as directed by the Chair.

ARTICLE IV. MEETINGS

a. REGULAR MEETINGS. The HDRB shall meet in regular session on the third Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the fourth Wednesday of the month unless otherwise provided by resolution of the HDRB. The HDRB may also meet at such other times or places within the boundaries of the Town of Herndon that the HDRB designates by duly adopted resolution.

Should the conduct of a regular meeting be unnecessary due to a lack of applications for consideration or impossible due to the inability to obtain a quorum, or due to weather or other conditions such that it is hazardous for members to attend the regular meeting, as declared in writing by the chair, the regular meeting shall be continued to

[Date By-laws approved and adopted]

the next regular meeting day at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. The press shall be notified as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

b. **REGULAR WORK SESSIONS AND SPECIAL MEETINGS.** The HDRB shall meet in regular work session on the first Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the second Wednesday unless otherwise provided by the resolution of the HDRB. Special meetings or additional work sessions of the HDRB may be called when necessary by the Chair and notice shall be provided at least five business days in advance to members, the public and the press.

c. **PUBLIC HEARINGS.** Public hearings are open to the public and citizens are encouraged to speak. Members of the HDRB are not expected to respond to general questions. Response to questions shall be made at the discretion of the Chair.

Notice of public hearing shall be provided in accordance with Code of Virginia and the Herndon Town Code and may be supplemented with additional notices as deemed appropriate by the HDRB or staff.

Sign-in forms, if deemed necessary by the Chair, shall be completed by persons desiring to speak, listing printed name, phone number, and address of the person desiring to speak, and application number of the issue to be addressed.

Members of the public or their representatives desiring to address the HDRB shall proceed to the appointed place, clearly state their names and addresses, and shall be subject to the following time limitations: 10 minutes total for the applicant and any of the applicant's representatives; 3 minutes per individual for all others. The Chair may, at personal discretion, allow additional time for speakers.

[Date By-laws approved and adopted]

Members of the HDRB shall limit their comments to ensure public participation without HDRB interference. At the completion of each presentation, members of the HDRB shall have an opportunity to ask questions or clarify points made during the speaker's presentation.

(d) ORDER OF PUBLIC HEARING

- Presentation by staff summarizing the item.
- Presentation by the applicant.
- Testimony of citizens desiring to speak.
- Concluding comments by the applicant, if the Chair determines such are necessary; questions by HDRB members.
- Concluding comments by staff, if the Chair determines such are necessary; questions by HDRB members.
- Public hearing closed by the Chair.
- Motion
- Discussion by HDRB members.
- Vote (roll call vote if deemed necessary by the Chair)

(e) ELECTRONIC PARTICIPATION IN MEETINGS. A member of the HDRB may participate in a meeting that is not a public hearing from a remote location only pursuant to the requirements set forth in Sec. 2-4 of the Code of the Town of Herndon.

ARTICLE V.

**CONDUCT OF THE MEMBERS OF THE HISTORIC DISTRICT REVIEW
BOARD**

Section 2-5 of the Code of the Town of Herndon, "Code of Ethics for the Members of the Town Council and Council Appointed Board and Commission Members" is hereby incorporated by reference and members of the HDRB shall so govern their actions.

ARTICLE VI. CONDUCT OF PERSONS

APPEARING BEFORE THE HISTORIC DISTRICT REVIEW BOARD

[Date By-laws approved and adopted]

During all public hearings and other regular meetings of the HDRB, the public may be present, and a specific time shall be reserved for receipt of public comments. At other times, the public shall remain silent unless specifically invited by a member of the HDRB and permitted by the Chair to provide comment.

Comments should be addressed to the item before the HDRB. If a comment is irrelevant, inflammatory, or prejudicial, the Chair may instruct the members to "disregard" the comment, which nevertheless remains in the public record.

ARTICLE VII. VOTING AND TRANSACTION OF BUSINESS

a. **PARLIAMENTARY AUTHORITY.** Parliamentary procedure at HDRB meetings shall be governed by the most recent edition of Robert's Rules of Order, newly revised, as applicable to boards, except to the extent set out otherwise in these bylaws or the Code of Virginia. The Town Attorney is Parliamentarian of the HDRB.

b. **QUORUM.** A quorum shall consist of four members of the HDRB and no action of the HDRB shall be valid unless authorized by a majority vote of those present and voting. Unless otherwise specified by the Chair, actions shall be by oral vote with the vote of each member recorded in the minutes.

c. **SUSPENSION OF THE RULES.** No rule of the HDRB shall be suspended without the concurrence of three-fourths of the members present and such suspension shall be limited to the meeting then in progress.

d. **AGENDA.** The activities at any regular meeting of the HDRB shall be in accordance with a formal agenda. Such agenda shall be distributed to the HDRB and made available to the public prior to each meeting.

e. **ORDER OF BUSINESS (Regular Meeting).** At regular meetings of the HDRB,

[Date By-laws approved and adopted]

business shall be conducted in the following manner:

- Call to order and roll call
- Approval of minutes of the last meeting(s)
- Board comment period
- Staff comment period
- Citizen comment period
- Public hearings
- Special items deferred from previous meetings
- Old Business
- New Business
- Staff Reports
- Committee Reports
- HDRB Reports and requests
- Future Business
- Adjournment

f. ORDER OF BUSINESS (Special Meetings). The order of business at special meetings shall be in accordance with the agenda set by the Chair for such special meetings.

g. AMENDMENTS TO AGENDA. Agendas may be amended and/or items added or deleted from the agenda by majority concurrence of the members.

ARTICLE VIII. SEPARABILITY

Should any article of the HDRB bylaws be found to be void, the remaining articles shall remain in effect.

ARTICLE IX. MODIFICATION OF BYLAWS

[Date By-laws approved and adopted]

Modification of these bylaws shall be approved by the HDRB in regular session. Proposals for modification shall be submitted to the HDRB at a regular meeting and shall be scheduled for consideration and action at the next regular meeting. An affirmative vote of a majority of the entire HDRB shall be required to modify the bylaws.

Approved and adopted this _____ day of _____, 2022.

Leslie Blaker-Glass, Chair
Historic District Review Board

Attest:

Erika Orellana
Clerk of Boards and Commissions

[Date By-laws approved and adopted]

TOWN OF HERNDON, VIRGINIA

RESOLUTION

FEBRUARY 16, 2022

Resolution – to amend Article IV, Section (a) of the By-laws of the Town of Herndon Historic District Review Board

WHEREAS, The Historic District Review Board of the Town of Herndon desires to amend its By-laws to provide for cancelation of regular meetings when no applications have been received for consideration.

NOW, THEREFORE BE IT RESOLVED by the Historic District Review Board for the Town of Herndon, Virginia, that:

1. The By-laws shall be amended as follows:

ARTICLE IV. MEETINGS

a. REGULAR MEETINGS. The HDRB shall meet in regular session on the third Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the fourth Wednesday of the month unless otherwise provided by resolution of the HDRB. The HDRB may also meet at such other times or places within the boundaries of the Town of Herndon that the HDRB designates by duly adopted resolution.

Should the conduct of a regular meeting be *unnecessary due to a lack of applications for consideration or* impossible due to the inability to obtain a quorum, or due to weather or other conditions such that it is hazardous for members to attend the regular meeting, as declared in writing by the chair, the regular meeting shall be continued to the next regular meeting day at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. The press shall be notified as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

2. This Resolution shall be effective on and after February 16, 2022.