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**ARCHITECTURAL REVIEW BOARD
Public Hearing
Wednesday, April 15, 2020**

Pursuant to Virginia Code Section 2.2-3708.2(A)(3) and the Order of the Governor EO-53, and in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19) ~ adopted on March 24, 2020, Chairman Walker has stated that the April 15, 2020 Architectural Review Board Public Hearing will be by electronic means. The meeting was broadcast and recorded through Cisco WebEx and details for the meeting were made available to the public on Thursday, April 17, 2020. In attendance electronically were: Chairman Walker, Vice Chair Leslie Blaker-Glass and Board Members: Eric Boll, Lauren Edmondson and Hiren Shah.

Staff present during the meeting: Lauri Sigler, Deputy Town Attorney; Christopher Garcia, Community Design Planner; and Erika Orellana, Clerk to Boards and Commissions.

STAFF ANNOUNCEMENTS

Erika Orellana, Clerk to Boards and Commissions, stated that tonight's Architectural Review Board public hearing will hold its first virtual meeting. Tonight's meeting was a public hearing and the public would have an opportunity to comment later in the meeting. She welcomed those listening and encouraged the public to provide comments for the record at hprb.arb@herndon-va.gov.

Ms. Orellana stated, for the record, that:

- The Architectural Review Board public hearing that evening was conducted electronically pursuant to Virginia Code Section 2.2-3708.2(A)(3) and the Order of the Governor EO-53, and in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19) ~ adopted on Mar 24, 2020;
- Proper notice of the electronic meeting was provided in accordance with Section 2.2-3708.2 of the Code of Virginia, along with information for viewing the meeting and submitting comments for the record;

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- The agenda and meeting materials are available on the town’s website;
- Electronic meetings will begin with a roll call and determination of quorum; and
- All votes, including adjournment, will be by roll call vote.

1. CALL TO ORDER

Roll Call

Chairman Walker called the public hearing by electronic means to order at 9:13 p.m. and asked Ms. Orellana to call the roll for attendance. All members were present, electronically, with Chairman Walker presiding.

2. DETERMINATION OF QUORUM

Chairman Walker stated, for the record, that there was a quorum present, electronically, that evening. Deputy Town Attorney and Community Design Planner were also present.

ANNOUNCEMENTS

Chairman Walker, stated that this was a serious time weighing heavily on everyone’s minds and the purpose of the electronic public hearing was to bring resolution to applications that were previously scheduled for the March 18, 2020 public hearing and three additional applications that were already scheduled to be heard at tonight’s public hearing. Chairman Walker asked all to be mindful that comments should be limited to the applications on the agenda.

Chairman Walker stated that he encourages the public to provide comments for the record at hprb.arb@herndon-va.gov.

APPROVAL OF MINUTES

**3. Vote on February 5, 2020
Work Session Minutes**

On motion of Board Member Shah, seconded by Vice Chair Blaker-Glass, the minutes of the Wednesday, February 5, 2020 Work Session were approved by a vote of 4-0-1, the vote was: Board Members Boll, Shah, Vice Chair Blaker-Glass and Chairman Walker voting “Aye.” Board Member Edmondson abstained.

**4. Vote on February 19, 2020
Public Hearing Minutes**

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On motion of Vice Chair Blaker-Glass, seconded by Board Member Boll, the minutes of the Wednesday, February 19, 2020 Public Hearing were approved by a vote of 4-0-1, the vote was: Board Members Boll, Shah, Vice Chair Blaker-Glass and Chairman Walker voting “Aye.” Board Member Edmondson abstained.

**5. Vote on March 4, 2020
Work Session Minutes**

On motion of Vice Chair Blaker-Glass, seconded by Board Member Shah, the minutes of the Wednesday, March 4, 2020 Work Session were approved by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting “Aye.”

**6. Vote on March 18, 2020
Public Hearing Minutes, cancellation**

On motion of Board Member Boll, seconded by Vice Chair Blaker-Glass, the minutes of the Wednesday, March 18, 2020 Public Hearing, cancellation were approved by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting “Aye.”

7. COMMENTS FROM THE DEPUTY TOWN ATTORNEY

Chairman Walker recognized Lauri Sigler, Deputy Town Attorney, to provide comments. Deputy Town Attorney stated that the current state of emergency arising from the novel coronavirus (COVID-19) pandemic was declared by Governor Northam on March 12, 2020 and is in effect through June 10, 2020. Ms. Sigler stated that the state law allows local governing bodies and board to conduct meetings entirely by electronic means in limited circumstances. And we are conducting tonight’s public hearing pursuant to those limited circumstances and Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19) adopted the Town Council March 24, 2020, that permits the Board to conclude applications already in process. Ms. Sigler stated that as of today, we do not have any new ARB cases submitted for future consideration by this Board. Regularly scheduled ARB work sessions and public hearings are anticipated to resume in July 2020. Ms. Sigler stated that any current case under consideration that is continued by this Board will be continued to the July 2020 ARB meetings. Intervening regularly scheduled meetings will be cancelled by memo issued by the Chair as the dates approach. While the Town buildings are closed to the public, applications and materials may be sent to Staff electronically, dropped off in the appropriate bin outside of the Herndon Municipal Center, and sent regular mail. The public is also encouraged to visit the Community Development page on the Town’s website. Staff will continue to accept, process and review new applications or materials. Staff regrets any delays during this time of unprecedented events. The Town of Herndon will notify this Board, any affected ARB applicants, and the public at-large should conditions change.

PUBLIC HEARINGS

**April 15, 2020
(Public Hearing)**

8. **APPLICATION FOR A WALL OR WINDOW SIGN, ARB #20-006**, to consider an application to install one new tenant business wall sign on the multi-tenant commercial building located at 366 Elden Street, Herndon, Virginia, located between the intersection of Elden Street and Herndon Parkway and the intersection of Elden Street and Grant Street, and further identified as Fairfax County Tax Map 0162-24-C1. The property is zoned PD-B, Planned Development - Business, and consists of 139,081 square feet of land. Owner/Applicant: Herndon Centre PH III, LP c/o Michael McGregor, A.J. Dwoskin & Associates, Inc.

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 27, 2020 and April 3, 2020 issues.

Chairman Walker opened the public hearing and called on Christopher Garcia, Community Design Planner, for the staff report.

Mr. Garcia presented the staff report dated April 15, 2020, which is on file in the Department of Community Development.

Staff recommended approval of ARB #20-006, with the following condition:

1. Proposed sign shall be constructed and installed in substantial conformance with the application and supporting materials as submitted March 10, 2020.

Chairman Walker called on the Board Members individually for questions to Mr. Garcia.

There were no questions from the Board for Mr. Garcia.

Chairman Walker recognized the applicant's representative for comments.

Anthony Mead, the applicant's representative, had no comments to provide.

Chairman Walker asked the Board Members for questions to the applicant's representative, Mr. Mead.

Chairman Walker asked Mr. Mead if the landlord agreed with the sign, even though it didn't meet with a Master Sign Plan. Mr. Mead stated that the landlord is aware and approved of the proposed sign.

Chairman Walker recognized the public for comments on this item.

There were no comments from the public.

Following the public hearing, Vice Chair Blaker-Glass moved approval of ARB #20-006 in accordance with the condition recommended by staff. This motion was seconded by Board Member Shah.

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(Public Hearing)**

The question was called on the motion, which carried by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting “Aye.”

9. **APPLICATION FOR AN ALTERATION TO AN EXISTING STRUCTURE, ARB #20-007**, to consider an application to deconstruct an existing brick wall and brick automatic teller machine (ATM) enclosure and install a new ATM with protective bollards located at 1201 Elden Street, Herndon, Virginia, located at the intersection of Elden Street and Herndon and further identified as Fairfax County Tax Map 0161-02-0016D1. The property is zoned CS, Commercial Services, and consists of 38,754 square feet of land area. Owner/Applicant: Chevy Chase Bank FSB c/o Randy Levitt, Capital One. Applicant’s Representative/Agent: Alan Su, Leo A Daly. ***Continued from the March 18, 2020 ARB Public Hearing.***

[NOTE: This item was continued from the March 18, 2020 ARB public hearing.]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 27, 2020 and April 3, 2020 issues.

Chairman Walker opened the public hearing and called on Christopher Garcia, Community Design Planner, for the staff memo and updates.

Mr. Garcia presented the staff memo dated April 10, 2020, which is on file in the Department of Community Development.

Staff recommended approval of ARB #20-007, with the following condition:

1. Proposed alteration shall be constructed in substantial conformance with the application and supporting materials as submitted February 10, 2020 and March 11, 2020.

Chairman Walker called on the Board Members individually for questions to Mr. Garcia.

There were no questions by the Board for Mr. Garcia.

Chairman Walker recognized the applicant’s representative for comments.

Mr. Alan Su, the applicant’s representative, did not have comments to provide.

Chairman Walker asked the Board Members for questions to the applicant’s representative, Mr. Su.

There were no questions for Mr. Su from the Board Members.

Chairman Walker recognized the public for comments on this item.

**April 15, 2020
(Public Hearing)**

There were no comments from the public.

There was no discussion on this item by the Board Members.

Following the public hearing, Board Member Shah moved approval of ARB #20-007 in accordance with the condition recommended by staff. This motion was seconded by Vice Chair Blaker-Glass.

The question was called on the motion, which carried by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting “Aye.”

10. **APPLICATION FOR NEW CONSTRUCTION, ARB #20-008**, to consider an application to construct a new screening enclosure for a new backup power generator on a new concrete pad located adjacent to the multi-tenant commercial office building located at 1145 Herndon Parkway, Herndon, Virginia, located between the intersection of Herndon Parkway and Elden Street and the intersection of Herndon Parkway and Summerfield Drive, and further identified as Fairfax County Tax Map 0161-02-0015G. The property is zoned CO, Commercial Office, and consists of 384,073 square feet of land. Owner/Applicant: FMI Herndon Corporate Center, LLC c/o Finmarc Management. Applicant’s Representative/Agent: Mary Seonarain, Finmarc Management. ***Continued from the March 18, 2020 ARB Public Hearing.***

[NOTE: This item was continued from the March 18, 2020 ARB public hearing.]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 27, 2020 and April 3, 2020 issues.

Chairman Walker opened the public hearing and called on Board Member Shah to provide his disclosure. Board Member Shah provided his disclosure.

Disclosure:

Board Member Shah stated for the record, “I was previously employed by OTJ Architects of Washington D.C., which company has submitted correspondence related to this application. I no longer have any personal or business ties to OTJ Architects nor do I have any personal interest in the owner or applicant companies. I am able to participate in the transaction fairly, objectively, and in the public interest.”

Chairman Walker called on Christopher Garcia, Community Design Planner, for the staff memo and updates.

Mr. Garcia presented the staff memo dated April 10, 2020, which is on file in the Department of Community Development.

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Staff recommended approval of ARB #20-008, with the following conditions:

1. Applicant shall collaborate with staff to address the noted cornice design with an appropriate cornice material/form; and should staff and/or the applicant not determine an appropriate or acceptable design, staff shall remand the case back to the ARB for further consideration; and
2. Proposed alteration shall be constructed in substantial conformance with the application and supporting materials as submitted February 10, 2020, and any future updates required by the Board meeting Condition #1.

Chairman Walker called on the Board Members individually for questions to Mr. Garcia.

There were no questions by the Board for Mr. Garcia.

Chairman Walker recognized the applicant's representative for comments.

Mr. Peter Ducas, the applicant's representative, did not have comments to provide.

Chairman Walker asked the Board Members for questions to the applicant's representative, Mr. Ducas.

Board Member Edmondson acknowledged the work put into this project.

Chairman Walker recognized the public for comments on this item.

The following individual provided comments:

- Jeff Hoverson provided comments concerning potential noise from the periodic generator testing and adjacent residential properties.

Chairman Walker asked Mr. Ducas, the applicant's representative, for rebuttal.

Mr. Ducas provided rebuttal comments explaining noise dampening features of the proposed design.

There was no discussion on this item by the Board Members.

Following the public hearing, Vice Chair Blaker-Glass moved approval of ARB #20-008 in accordance with the conditions recommended by staff. This motion was seconded by Board Member Boll.

The question was called on the motion, which carried by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting "Aye."

11. **APPLICATION FOR A WALL OR WINDOW SIGN, ARB #20-009, to consider an application to install new business wall signs on the commercial building located at 1051**

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Elden Street, Herndon, Virginia, located between the intersection of Elden Street and Alabama Drive and the intersection of Elden Street and Sterling Road/Locust Street, and further identified as Fairfax County Tax Map 0161-02-0023. The property is zoned CS, Commercial Services, and consists of 33,408 square feet of land. Owner/Applicant: Amed Investment LLC c/o Yusuf Mehmetoglu. Applicant's Representative/Agent: Anthony Bashorun, Signarama. **Continued from the March 18, 2020 ARB Public Hearing.**

[NOTE: This item was continued from the March 18, 2020 ARB public hearing.]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 27, 2020 and April 3, 2020 issues.

Chairman Walker opened the public hearing and called on Christopher Garcia, Community Design Planner, for the staff memo and updates.

Mr. Garcia presented the staff memo dated April 10, 2020, which is on file in the Department of Community Development.

Staff recommended approval of ARB #20-009, with the following conditions:

1. The applicant shall provide revised submission materials with the specific color names and / numbers that match the selected colors of the blue and brown metal backer panels and the red stars as presented in the sign design revisions on March 23, 2020 and March 27, 2020;
2. The applicant shall provide revised submission materials that clarify the thickness of the blue and brown metal backer panels; and
3. The Applicant shall construct and install the wall sign in substantial conformance with the original application and revised sign design received by staff March 23, 2020 and March 27, 2020, specifically the new sign location and final design details on March 27, 2020, and any future updates required meeting Conditions #1 and #2.

Chairman Walker called on the Board Members individually for questions to Mr. Garcia.

Board Member Boll, Edmondson and Chairman Walker provided brief comments concerning improvements of the revised design.

Chairman Walker recognized the applicant's representative for comments.

Mr. Anthony Bashorun, applicant's representative did not have comments to provide.

Chairman Walker asked the Board Members for questions to the applicant's representative, Mr. Bashorun.

There were no questions for Mr. Bashorun from the Board Members.

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Chairman Walker recognized the public for comments on this item.

There were no comments from the public.

There was no discussion on this item by the Board Members.

Following the public hearing, Board Member Shah moved approval of ARB #20-009 in accordance with the conditions recommended by staff. This motion was seconded by Vice Chair Blaker-Glass.

The question was called on the motion, which carried by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting “Aye.”

12. **APPLICATION FOR A MASTER SIGN PLAN, ARB #20-011**, to consider an application to approve a master sign plan for the multi-tenant commercial building located at 900, 902 and 904 Alabama Street, Herndon, Virginia, located between the intersection of Elden Street and Alabama Drive and the intersection of Alabama Drive and Arkansas Street, and further identified as Fairfax County Tax Map 0162-13010001B. The property is zoned PD-B, Planned Development - Business, and consists of 42,923 square feet of land. Owner/Applicant: Elden Corner Center, LLC c/o Sanjay Bajaj. Applicant’s Representative/Agent: Anthony Bashorun, Signarama. ***Continued from the March 18, 2020 ARB Public Hearing.***

[NOTE: This item was continued from the March 18, 2020 ARB public hearing.]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 27, 2020 and April 3, 2020 issues.

Chairman Walker opened the public hearing and called on Christopher Garcia, Community Design Planner, for the staff memo and updates.

Mr. Garcia presented the staff memo dated April 10, 2020, which is on file in the Department of Community Development.

Staff recommended approval of ARB #20-011, with the following conditions:

1. The applicant and staff shall collaborate to finalize the master sign plan standards and accompanying design graphics and drawings ensuring appropriate design standards language and drawings are refined as necessary;
2. Staff shall assign a master sign plan number, produce the final master sign plan standards, incorporate the revised sign design graphic example(s) with the standards and provide finalized master sign plan documentation to the applicant and appropriate Town files; and
3. The applicant shall ensure the existing and future tenants are provided the master sign plan standards for reference in future sign design applications.

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Chairman Walker called on the Board Members individually for questions to Mr. Garcia.

Board Member Shah provided brief comments concerning the improvements of the revised master sign plan design features.

Chairman Walker recognized the applicant's representative for comments.

Mr. Anthony Bashorun, applicant's representative did not have comments to provide.

Chairman Walker asked the Board Members for questions to the applicant's representative, Mr. Bashorun.

There were no questions for Mr. Bashorun from the Board Members.

Chairman Walker recognized the public for comments on this item.

There were no comments from the public.

There was no discussion on this item by the Board Members.

Following the public hearing, Vice Chair Blaker-Glass moved approval of ARB #20-011 in accordance with the conditions recommended by staff. This motion was seconded by Board Member Boll.

The question was called on the motion, which carried by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting "Aye."

13. **APPLICATION FOR A WALL OR WINDOW SIGN, ARB #20-012**, to consider an application to install a new tenant business sign on the multi-tenant commercial building located at 360 Herndon Parkway, Suite 2150, Herndon, Virginia, located on the southwest corner of the intersection of Herndon Parkway and Grove Street, and further identified as Fairfax County Tax Map 0171-06-F4. The property is zoned O&LI, Office and Light Industrial, and consists of 226,639 square feet of land. Owner/Applicant: North Washington, LLC c/o Borger Management, Inc. Applicant's Representative: Anthony Bashorun, Signarama. ***Continued from the March 18, 2020 ARB Public Hearing***

[NOTE: This item was continued from the March 18, 2020 ARB public hearing.]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 27, 2020 and April 3, 2020 issues.

Chairman Walker opened the public hearing and called on Christopher Garcia, Community Design Planner, for the staff memo and updates.

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Mr. Garcia presented the staff memo dated April 10, 2020, which is on file in the Department of Community Development.

Staff recommended denial of ARB #20-012, with the following reasons:

1. Inability of compliance with Section 78-141.4. - Sign standards for commercial districts, Table 141.4(a).
2. Proposed signage is a short-term architectural aesthetic and primarily serve as advertisement/commercial display of marginal business or functional utility.

Chairman Walker called on the Board Members individually for questions to Mr. Garcia.

There were no questions by the Board for Mr. Garcia.

Chairman Walker recognized the applicant's representative for comments.

Mr. Anthony Bashorun, applicant's representative did not have comments to provide.

Chairman Walker asked the Board Members for questions to the applicant's representative, Mr. Bashorun.

There were no questions for Mr. Bashorun from the Board Members.

Chairman Walker recognized the public for comments on this item.

There were no comments from the public.

There was no discussion on this item by the Board Members.

Following the public hearing, Board Member Boll moved denial of ARB #20-012 in accordance with the reasons provided by staff. This motion was seconded by Board Member Shah.

The question was called on the motion, which carried by a vote of 5-0, the vote was: Board Members Boll, Edmondson, Shah, Vice Chair Blaker-Glass and Chairman Walker voting "Aye."

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ADJOURNMENT

There being no further business, the meeting adjourned at 10:40 p.m.



**Robert B. Walker, Chairman
Architectural Review Board**



**Erika Orellana
Clerk to Boards and Commissions**

Minutes approved by the Architectural Review Board: June 17, 2020