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**PLANNING COMMISSION
Monday
November 14, 2022**

The Planning Commission met in public session on Monday, November 14, 2022, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Chairman Michael Romeo, Vice Chair George Burke and Commissioners Dua'a Elbarasse, Mike McFarlane, and Meron Yohannes.

Others present during the meeting: Bryce Perry, Deputy Director of Community Development; Lesa Yeatts, Town Attorney; and Aaron Zoellick, Assistant Town Clerk.

Chairman Romeo called the meeting to order at 7:04 p.m., with five Commissioners present, and with Chairman Romeo presiding.

1. ROLL CALL/DETERMINATION OF QUORUM

For the record, Aaron Zoellick, Assistant Town Clerk, called the roll with five members present, which constituted a quorum.

2. APPROVAL OF AGENDA

On the motion of Vice Chair Burke, seconded by Commissioner Yohannes and carried by a vote of 5-0, the agenda for the November 14, 2022, Planning Commission Public Hearing meeting was approved. The vote was: Commissioners Elbarasse, McFarlane, Yohannes, Vice Chair Burke, and Chairman Romeo voting "Aye."

APPROVAL OF MINUTES

**3. Vote on September 12, 2022
Work Session Minutes**

On the motion of Vice Chair Burke, seconded by Commissioner McFarlane and carried by a vote of 4-0-1, the minutes for the September 12, 2022, Planning Commission Work Session were approved. The vote was: Commissioners Elbarasse, McFarlane, Yohannes, and Vice Chair Burke voting "Aye." Chairman Romeo abstained.

**4. Vote on September 26, 2022
Public Hearing Minutes**

On the motion of Vice Chair Burke, seconded by Commissioner Elbarasse and carried by a vote of 4-0-1, the minutes for the September 26, 2022, Planning Commission Public Hearing were approved. The vote was: Commissioners Elbarasse, McFarlane, Yohannes, and Vice Chair Burke voting "Aye." Chairman Romeo abstained.

**5. Vote on October 3, 2022
Planning Commission-Architectural Review Board
Joint Work Session Minutes**

On the motion of Commissioner Elbarasse, seconded by Chairman Romeo and carried by a vote of 4-0-1, the minutes for the October 3, 2022, Planning Commission-Architectural Review Board Joint Work Session were approved. The vote was: Commissioners Elbarasse, McFarlane, Vice Chair Burke, and Chairman Romeo voting "Aye." Commissioner Yohannes abstained.

**6. Vote on October 24, 2022
Work Session Minutes**

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On the motion of Commission Yohannes, seconded by Commissioner McFarlane and carried by a vote of 4-0-1, the minutes of the October 24, 2022, Work Session were approved. The vote was: Commissioners McFarlane, Yohannes, Vice Chair Burke, and Chairman Romeo voting “Aye.” Commissioner Elbarasse abstained.

7. COMMENTS FROM THE STAFF

There were no comments from the staff.

8. COMMENTS FROM THE COMMISSIONERS

There were no comments from the Commissioners.

9. COMMENTS FROM CITIZENS

There were no comments from citizens.

PUBLIC HEARING

Chairman Romeo asked Aaron Zoellick, Assistant Town Clerk, if the Planning Commission received any public comments on any items listed on the agenda.

Mr. Zoellick stated one comment was provided to the Planning Commission, it is on file with the Office of Community Development and has been entered into the record on DEVELOPMENT PLAN – DP #21-01, 555 Herndon Parkway.

Chairman Romeo asked Bryce Perry, Deputy Director of Community Development, if the public hearing item on the agenda was properly advertised.

Mr. Perry stated that the application was properly advertised with notices of the public hearing having been duly advertised in the October 28 and November 4, 2022, issues of the Fairfax County Times Newspapers. Certificates of Publication from the Editor will be entered into the record upon receipt.

- 10. DEVELOPMENT PLAN – DP #21-01, 555 Herndon Parkway**, a development plan in the Planned Development-Transit Oriented Core zoning district with proffered conditions to allow the redevelopment of the site with mixed office, retail, and multi-family residential uses. This plan would supersede a previously approved development plan for mixed use redevelopment at this location. The site is approximately 3.4 acres and is currently improved with a two-story, 89,711 square feet of gross floor area, office building. The proposed redevelopment includes one residential building with retail spaces and one office building. The residential building would be mid-rise with heights not exceeding 110 feet. The office building would be a tower with heights up to 275 feet. The development plan proposes a density up to 4.3 FAR the same density permitted under the previously approved development plan for the site. The parking for the development would be provided in a parking garage internal to the site and within the office tower podium. The site would also be improved with a private loop road along its boundaries, a central courtyard and drive, and public street frontage improvements. The property is governed by the policies of the “Herndon Transit-Oriented Core,” “Metrorail Station Urban Development Areas,” and “Herndon Metro Station Area” in the Comprehensive Plan and designated as Regional Corridor Mixed Use in the Comprehensive Plan. The application includes a request for a modification regarding the design of the streetscapes on the private streets in accordance with Section 78-50.2(d) of the zoning ordinance. The property is located on the south side of Herndon Parkway west of its intersection with Exchange Place. Fairfax County Tax Map Reference Number: 0164 10 0002C. Agent: Kenneth W. Wire, Esq. Wire Gill LLP. Applicant/Property Owner: 555 Herndon, LLC.

Chairman Romeo opened the public hearing and called on Mr. Perry for the staff report and updates.

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Mr. Perry delivered the staff memo dated November 14, 2022, and the presentation dated November 14, 2022. which are on file in the Department of Community Development.

Staff recommended approval of DP #21-01 in accordance with the draft resolution and with considerations.

Chairman Romeo called on the Planning Commission for questions of Mr. Perry. Commissioners offered questions regarding aspects of proposal approval for the Planning Commission and Architectural Review Board, expected timeline on phase two construction, possibility of proffer to ensure phase two construction, and the installation of traffic signals. Mr. Perry responded to Commissioners questions.

Chairman Romeo recognized the agent to provide comments. Applicant Kenneth W. Wire, Esq., Wire Gill LLP, was present. Mr. Wire delivered a presentation to the Planning Commission.

Chairman Romeo called on the Planning Commission for questions of Mr. Wire. Commissioners offered questions regarding the driving factors of the alternative design, communication with potential tenants regarding phase two, construction of phase two, proffer language regarding potential use of property as a hotel. Mr. Wire responded to the Commissioners questions.

Chairman Romeo recognized members of the audience for comments on this item.

There were no comments from the audience offered.

Chairman Romeo closed the public hearing.

Following the public hearing, Commissioner McFarlane made a motion for recommendation of approval of DP #21-01 in accordance with the draft resolution and proffer conditions. The motion was seconded by Chairman Romeo.

Chairman Romeo called on the Planning Commission for comments. Commissioner Yohannes asked if the applicant would be willing to strike the language regarding potential use of the property as a hotel from the proffers. Ms. Yeatts stated that would require an amendment to the motion. Mr. Wire stated that the applicant was willing to strike that language from the proffers.

Commissioner Yohannes moved for an amendment to the motion to strike "3(e). Incorporation of a hotel use is permitted but shall be in lieu of the residential GFA." from the proffers. Commissioner McFarlane agreed to the amendment. Chairman Romeo agreed to the amendment.

Commissioner McFarlane stated that he read the public comment that was received and disagrees with the proposal of reducing density in the HTOC.

Vice Chair Burke stated that he will be supporting the motion and believes that it is worth noting that there is a reduction in traffic with this plan.

Chairman Romeo stated that he will be supporting the motion and thanked the applicant and staff for their work on this plan.

The question was called on the motion, which carried by a vote of 5-0. The vote was: Commissioners Elbarasse, McFarlane, Yohannes, Vice Chair Burke, and Chairman Romeo voting "Aye."

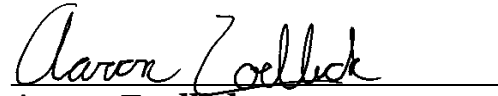
ADJOURNMENT

On the motion of Vice Chair Burke, seconded by Commissioner Elbarasse, and carried by a vote of 5-0, the November 14, 2022, Planning Commission Public Hearing was

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adjourned. The vote was: Commissioners Elbarasse, McFarlane, Yohannes, Vice Chair Burke, and Chairman Romeo voting “Aye.”

There being no further business, the meeting adjourned at 8:18 p.m.

A handwritten signature in black ink, appearing to read "Aaron Zoellick", is written over a horizontal line.

Aaron Zoellick
Clerk of Boards and Commissions

Minutes approved by the Planning Commission: January 23, 2023