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PLANNING COMMISSION
Monday
September 26, 2022

The Planning Commission met in public session on Monday, September 26, 2022, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Vice Chair George Burke and Commissioners Dua’a Elbarasse, Jay Donahue, Mike McFarlane, Kevin Moses, and Meron Yohannes.

Others present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; David Stromberg, Zoning Administrator; and Aaron Zoellick, Assistant Town Clerk.

Vice Chair Burke called the meeting to order at 7:00 p.m., with six Commissioners present, and with Vice Chair Burke presiding.

1. ROLL CALL/DETERMINATION OF QUORUM

For the record, Aaron Zoellick, Assistant Town Clerk, called the roll with six members present, which constituted a quorum. Chairman Romeo was absent.

2. APPROVAL OF AGENDA

Vice Chair Burke asked Aaron Zoellick, Assistant Town Clerk, if the Planning Commission received any public comments or Transactional Disclosure Declarations from Commissioners on any items listed on the agenda.

Mr. Zoellick stated that no public comments were received. Chairman Romeo filed a Transactional Disclosure Statement. The statement indicates that Chairman Romeo’s employer, Walsh, Colucci, Lubeley & Walsh PC, represents the applicant for ZMA #21-02, 331 Victory Drive. While Chairman Romeo believes that he would be able to participate in the transaction fairly, objectively, and in the public interest, he nonetheless recused and disqualified himself from discussion and voting on this transaction.

On the motion of Commissioner Moses, seconded by Commissioner Yohannes and carried by a vote of 6-0, the agenda for the September 26, 2022, Planning Commission Public Hearing meeting was approved. The vote was: Commissioners Elbarasse, Donahue, McFarlane, Moses, Yohannes, and Vice Chair Burke voting “Aye.”

APPROVAL OF MINUTES

3. Vote on June 13, 2022
Work Session Minutes

On the motion of Commissioner Donahue, seconded by Commissioner Moses and carried by a vote of 6-0, the minutes for the June 13, 2022, Planning Commission Work Session were approved. The vote was: Commissioners Elbarasse, Donahue, McFarlane, Moses, Yohannes, and Vice Chair Burke voting “Aye.”

4. Vote on June 27, 2022
Public Hearing Minutes

On the motion of Commissioner Moses, seconded by Commissioner Donahue and carried by a vote of 6-0, the minutes for the June 27, 2022, Planning Commission Public

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Hearing were approved. The vote was: Commissioners Elbarasse, Donahue, McFarlane, Moses, Yohannes, and Vice Chair Burke voting “Aye.”

5. Vote on July 11, 2022
Work Session Minutes

On the motion of Commissioner McFarlane, seconded by Commissioner Moses and carried by a vote of 6-0, the minutes for the July 11, 2022, Planning Commission Work Session were approved. The vote was: Commissioners Elbarasse, Donahue, McFarlane, Moses, Yohannes, and Vice Chair Burke voting “Aye.”

6. Vote on August 8, 2022
Work Session Minutes

On the motion of Commission Yohannes, seconded by Commissioner Elbarasse and carried by a vote of 5-0-1, the minutes of the August 8, 2022 Work Session were approved. The vote was: Commissioners Elbarasse, McFarlane, Moses, Yohannes, and Vice Chair Burke voting “Aye.” Commissioner Donahue abstained.

7. COMMENTS FROM THE STAFF

Lisa Gilleran, Director of Community Development, stated that there will be a special meeting of the Planning Commission and Architectural Review Board on October 3, 2022, at 7:00p.m. at the Herndon Police Station, 397 Herndon Parkway, Herndon, Virginia. The purpose of the meeting is to discuss “Sense of Place” in the Herndon Transit-Related Growth Area.

8. COMMENTS FROM THE COMMISSIONERS

Commissioner Donahue thanked Aaron Zoellick, Assistant Town Clerk, and Dave Bracamonte, Operations Manager, I.T., for their assistance with a recent computer issue.

9. COMMENTS FROM THE AUDIENCE

No comments from the audience were offered.

PUBLIC HEARING

Vice Chair Burke asked staff if the public hearing item on the agenda was properly advertised.

David Stromberg, Zoning Administrator, stated that 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, September 2, 2022, and Friday, September 9, 2022 issues.

- 10. ZONING MAP AMENDMENT – ZMA #21-02, 331 Victory Drive, Herndon**, a zoning map amendment to permit a new self-storage facility within the PD-B, Planned Development – Business, zoning district with proffered conditions and a revised Generalized Development Plan. The site is approximately 1.78 acres and is currently improved with an existing multi-tenant industrial building. The proposed site alteration would result in demolition of the existing 36,921 square foot building and construction of a new 91,098 square-foot self-storage facility, of which, 30,366 square feet is proposed below grade and 60,732 is proposed above grade in a 24-foot-tall building. The proposed density is 0.77 FAR (Floor Area Ratio), where 0.8 FAR is the maximum permitted in the PD-B zoning district. The application includes requests for the following modifications: Zoning Ordinance Section 78-50.5(f)(4)(b) regarding off-street parking setback requirements in the PD-B zoning district and Zoning Ordinance Section 78-110.4(e)(4)(a) regarding perimeter buffer strip requirements. The property is designated as Regional Corridor Mixed Use in the Comprehensive Plan. The property is located at the western edge of Herndon Industrial Venture Subdivision, approximately

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300 feet south of the intersection of Herndon Parkway and Victory Drive. Fairfax County Tax Map Reference Number 0162 02 0174C. Applicant / Agent: Kelly Posusney, Walsh, Colucci, Lubeley & Walsh PC. Property owner: Parcel 5 Partners, LLC.

Vice Chair Burke opened the public hearing and called on David Stromberg, Zoning Administrator, for the staff report and updates.

Mr. Stromberg delivered the staff report dated September 12, 2022, and the presentation dated September 26, 2022. which are on file in the Department of Community Development.

Staff recommended approval of ZMA #21-02 with attached proffers.

Vice Chair Burke called on the Planning Commission individually for questions of Mr. Stromberg. Commissioner Donahue asked whether staff has investigated the current supply of self-storage space. Commissioner McFarlane asked about the possibility of traffic increasing at the adjourning parcels. Commissioner Yohannes asked about the impact on traffic along the rear of the applicant property. Vice Chair Burke asked about the effect on surrounding residential communities. Mr. Stromberg responded to each of the Commissioners questions.

Vice Chair Burke recognized the agent to provide comments. Applicant Kelly Posusney, Walsh, Colucci, Lubeley & Walsh PC and Philip Ackley, agent of the property owner, were present. Ms. Posusney delivered a presentation to the Commission. Ms. Posusney requested that the Commission approve ZMA #21-02 as recommended by the staff.

Vice Chair Burke called on the Planning Commission individually for questions of Ms. Posusney. Commissioner Elbarasse asked whether the applicant has received any questions or concerns from surrounding property owners. Commissioner Donahue asked what material the applicant planned to use to replace the current fence and the reason for the setback reduction. Commissioner Moses asked if the current building is being used and if the current tenants have been notified that they will be vacated during construction. Commissioner McFarlane asked about the plan for internal trash handling and whether external dumpsters would ever be utilized. Vice Chair Burke asked about the dimensions of the proposed building, planned duration of construction, and whether adjacent homeowners and homeowners associations have been notified. Ms. Posusney and Mr. Ackley responded to the Commissioners questions and concerns.

Vice Chair Burke recognized members of the public for comments on this item.

The following individuals provided their comments on this item:

- Em Marstello stated that from a homeowners association point of view, they are pleased with the plan as presented. Mr. Marstello has outstanding concerns about the proposed buffer and the types of trees that will be planted and fence materials utilized.
- Keilyn Distefano (117 Gracie Park Dr, Herndon, VA) stated that they are concerned about noise, dust, and debris during construction. Additionally, they want more information about how the new fence will be integrated into the existing fence. They would prefer if the new fence is a uniform height with the existing fence. Ms. Distefano asked if the planned greenery will be maintained.

Ms. Posusney was called by Vice Chair Burke to respond to audience questions and concerns.

Following the public hearing, Commissioner McFarlane made a motion for recommendation of ZMA #21-02. The motion was seconded by Commissioner Moses.

Vice Chair Burke called on the Commission for comments. Commissioner Yohannes asked whether the Architectural Review Board will be considering the integration of the proposed fence with the existing fence. Ms. Gilleran responded that matter will need to be reconciled with the property owner, the applicant, and the Architectural Review

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Board. Ms. Gilleran added that any fence outside of the scope of the application could not be required to be updated unless it was dilapidated or in need of repair. Commissioner Moses asked if the HVAC units will be on the roof and if they will be noisy. On request by Vice Chair Burke, Ms. Posusney responded that residential HVAC units will be utilized. Vice Chair Burke stated that he is pleased that the surrounding community seems to be in favor of the proposed plan.

The question was called on the motion, which carried by a vote of 6-0. The vote was: Commissioners Elbarasse, Donahue, McFarlane, Moses, Yohannes, and Vice Chair Burke voting “Aye.

[Note: Below is the approved resolution for ZMA #21-02.]

TOWN OF HERNDON, VIRGINIA

PLANNING COMMISSION

RESOLUTION

September 26, 2022

Resolution- **to recommend APPROVAL of Zoning Map Amendment ZMA #21-02, 331 Victory Drive, a zoning map amendment to permit a new self-storage facility within the PD-B, Planned Development – Business, zoning district with proffered conditions and a revised GDP, Generalized Development Plan.**

WHEREAS, the applicant, Parcel 5 Partners, LLC, has submitted a zoning map amendment, ZMA #21-02, on land identified as Fairfax County Tax Map Number 0162-02-0174C, to amend the existing proffers and GDP in order to demolish the existing industrial building and construct a new self-service storage facility; and

WHEREAS, the request includes a proffer statement dated September 7, 2022 and a generalized development plan dated July 28, 2022; and

WHEREAS, the request conforms to the Town of Herndon 2030 Comprehensive Plan; and

WHEREAS, the applicant is requesting modifications to the following sections of the zoning ordinance: Section 78-50.5(f)(4)(b) regarding parking areas located within 60 feet of residential areas, and Section 78-110.4(e)(3)(b) regarding landscape buffer material when not adjacent to a public right-of-way; and

WHEREAS on September 26, 2022, the Planning Commission held a public hearing to consider ZMA #21-02; and

WHEREAS, the Planning Commission has determined that the above referenced proffer statement and generalized development plan conforms to Section 78-155.1(i)(2) of the zoning ordinance and Section 15.2-2284 of the Code of Virginia; and

WHEREAS, the Planning Commission has determined that the applicant has demonstrated that the requested modifications afford equal or greater assurances of meeting the applicable goals of the zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Herndon, Virginia, that the Commission hereby recommends that the Town Council Approve ZMA #21-02 with the following proffers.

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NEW BUSINESS

11. Resolution – To amend the regularly scheduled 2022 Planning Commission calendar for the October 2022 work session

Vice Chair Burke called on Lisa Gilleran, Director of Community Development, for the staff report.

Ms. Gilleran, stated that the staff recommended that the Planning Commission adopt the resolution, amending the Commission's 2022 schedule for the month of October.

Commissioner Yohannes asked if this would move the October 2022 Planning Commission public hearing date. Ms. Gilleran stated that it would not impact the regularly scheduled October 2022 Planning Commission public hearing date.

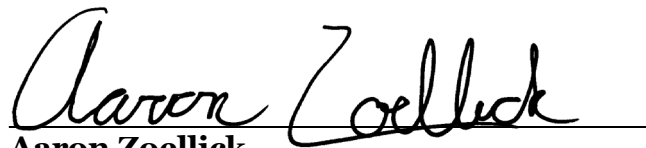
Commissioner McFarlane made a motion to approve the resolution, to amend the regularly scheduled 2022 Planning Commission calendar for the October 2022 work session. The motion was seconded by Commissioner Yohannes.

The question was called on the motion, which was carried by a vote of 6-0. The vote was: Commissioners Elbarasse, Donahue, McFarlane, Moses, Yohannes, and Vice Chair Burke voting "Aye."

ADJOURNMENT

On the motion of Commissioner Elbarasse, seconded by Commissioner McFarlane and carried by a vote of 6-0, the September 26, 2022, Planning Commission Public Hearing was adjourned. The vote was: Commissioners Elbarasse, Donahue, McFarlane, Moses, Yohannes, and Vice Chair Burke voting "Aye."

There being no further business, the meeting adjourned at 7:55 p.m.

A handwritten signature in black ink, reading "Aaron Zoellick", written over a horizontal line.

**Aaron Zoellick
Assistant Town Clerk**

Minutes approved by the Planning Commission: November 14, 2022