



PLANNING COMMISSION MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170
Monday, June 26, 2023 | 7:00 p.m.

1. Call to Order

2. Approval of Minutes

- a. May 8, 2023, Planning Commission Work Session Minutes
- b. May 22, 2023, Planning Commission Regular Meeting Minutes

3. Comments

- a. Comments from the Staff Members
- b. Comments from the Commissioners
- c. Comments from Citizens

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

4. Public Hearings

- a. **ZONING MAP AMENDMENT – ZMA #22-001, 500, 555, and 585 Grove Street**, a zoning map amendment from CS, Commercial Services, to PD-B, Planned Development - Business District, with proffered conditions to permit a new post-secondary education use within vacant office space. The site consists of three existing office buildings on two different parcels. The first parcel, Fairfax County Tax Map No. 0162 02 0203D with an address of 500 Grove Street, Herndon, Virginia 20170; is approximately 1.187 acres, and is currently improved with an existing office building with a density of 0.60 FAR (Floor Area Ratio). The second parcel, Fairfax County Tax Map No. 0162 02 0190C with an address of 555 and 585 Grove Street, Herndon, Virginia 20170; is approximately 3.266 acres, and is currently improved with two existing office buildings with a density of 0.52 FAR. The total land area between the two sites is approximately 4.453 acres, with a total density of 0.54 FAR between the two parcels. Site developments are proposed to enhance pedestrian circulation, address accessibility concerns, and provide landscape improvements with no proposed increase to the current FAR. The maximum permitted density in the PD-B zoning district is up to 0.8 FAR. The parcels are designated as Business Corridor in the Comprehensive Plan. The parcels are located at the northwest and southwest corners of the intersection of Grant Street and Grove Street. Applicant / Agent: Mark M. Viani, Bean, Kinney & Korman, P.C. Property owners: HERITAGE EDUCATION TRUST LLC (Tax Map No. 0162 02 0190C) and SAFA TRUST INC. (Tax Map No. 0162 02 0203D). **(Continued from the May 22, 2023, Planning Commission Public Hearing.)**

5. Adjournment



MEMORANDUM

To: Chair Michael Romeo and Members of the Planning Commission

From: Ben Schitter, Development Program Planner

Date: June 26, 2023

Subject: ZMA #22-001; 500, 555 & 585 Grove Street

This memorandum serves as a notification that there are new documents for review prior to the June 26th public hearing.

The applicant updated the Generalized Development Plan (GDP) and Proffer Statement after coordination with staff.

A minor change to the GDP has been updated to reflect a requested change of adding a note that stormwater requirements will be addressed at the time of site plan.

The applicant has added a proffer that addresses the phasing of the site. See proffer #5 on the revised proffer statement.

The applicant has also revised the use proffer to more clearly state all uses listed for the PD-B zone as allowed by-right, subject to special exception approval, or prohibited. See proffer #3 on the revised proffer statement.

Staff Recommendation

With the changes to the GDP and Proffer Statement, staff is now recommending approval of ZMA #22-001.

Attachments:

- 1) Draft Resolution
- 2) June 20, 2023 Revised GDP
- 3) June 22, 2023 Revised Proffer Statement

TOWN OF HERNDON, VIRGINIA

PLANNING COMMISSION

DRAFT RESOLUTION

JUNE 26, 2023

Resolution- to consider Zoning Map Amendment ZMA #22-001, 500, 555, 585 Grove Street, a zoning map amendment from CS, Commercial Services, to PD-B, Planned Development – Business District, with proffered conditions to permit a post-secondary education use within vacant office space.

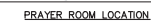
The applicant, SAFA TRUST INC. and HERITAGE EDUCATION TRUST LLC, has submitted a Zoning Map Amendment, ZMA #22-001, on land identified as Fairfax County Tax Map Numbers 0162 02 0190C and 0162 02 0203D, to permit a new post-secondary education use within vacant office space. The request includes a proffer statement dated June 22, 2023, and a generalized development plan dated June 20, 2023.

On May 22, 2023, and June 26, 2023, the Planning Commission held public hearings to consider ZMA #22-001, and 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 the 2030 Herndon Comprehensive Plan.

THEREFORE, BE IT RESOLVED by the Planning Commission for the Town of Herndon, Virginia that:

The Planning Commission recommends approval of the Zoning Map Amendment ZMA #22-001 in accordance with the draft GDP dated June 20, 2023, and the draft Proffer Statement dated June 22, 2023.

Digitally signed by
Ted Britt, P.E.
Date: 2023.06.20
15:36:09 -04'00'



1. ALL ADA SPES WILL MEET ADA REGULATIONS AT THE TIME OF SITE PLAN.
2. FINAL TREE SPECIES TO BE DETERMINED AT THE TIME OF SITE PLAN. THE MAJORITY OF SPECIES PROVIDED SHALL BE NATIVE SELECTION.
3. ANALYSIS OF EXISTING/PROPOSED PLANT MATERIAL TO MEET THE INTENT OF ZONING ORDINANCE SECTIONS 78-110.3, 78-110.4, AND 78-110.5 WILL BE PROVIDED AT TIME OF SITE PLAN.
4. STORMWATER REQUIREMENTS WILL BE ADDRESSED AT THE TIME OF SITE PLAN SUBMISSION.

TRI-TEK ENGINEERING

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THEODORE D. BURT
Lic. No. 28063
6.20.23
PROFESSIONAL ENGINEER

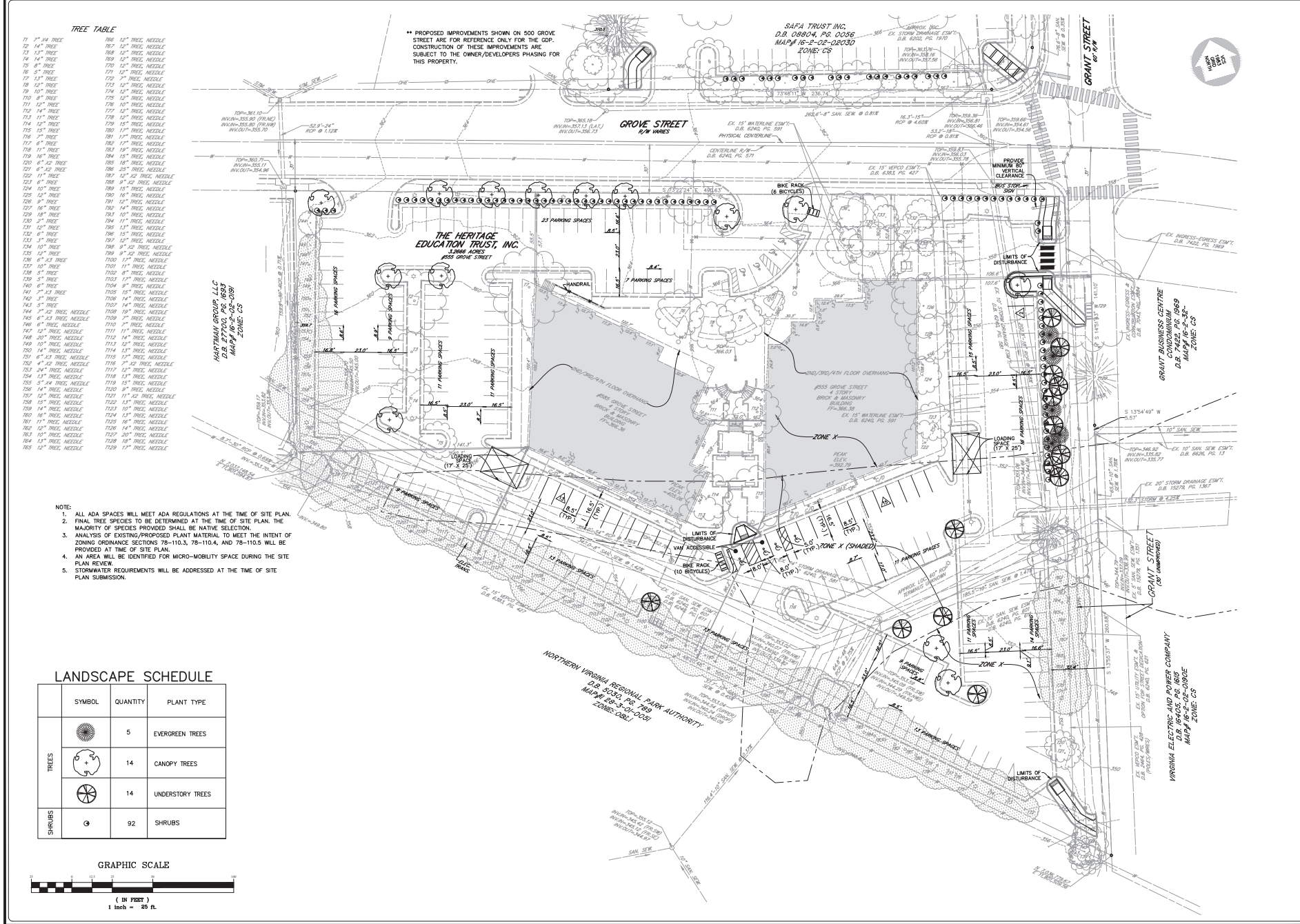
**FAIRFAX UNIVERSITY
- HERNDON CAMPUS**

FAIRFAX COUNTY, VIRGINIA
TOWN OF HERNDON

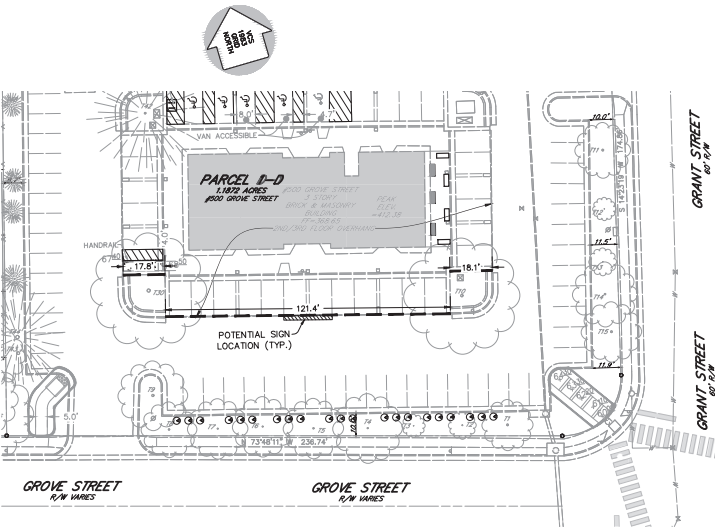
**GENERALIZED DEVELOPMENT
PLAN - 555 & 585 GROVE
STREET**

DATE	REVISION
03.15.23	TOWN OF HERNDON COMMENTS
05.21.23	TOWN OF HERNDON COMMENTS
08.22.23	TOWN OF HERNDON COMMENTS

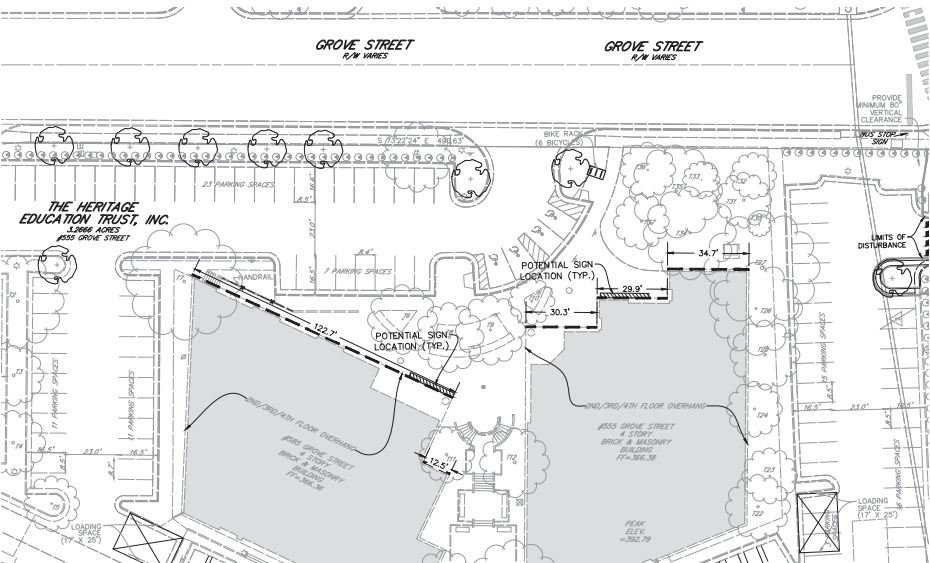
PM: IDB SCALE: 1"=25'
PC: SHE DATE: 10.19.24
CON SHEET 3 OF 4



C:\pwworking\FAIRFAX\GDP\H455-585 GROVE ST.dwg, 6/20/2023 3:02:41 PM, user: _AutoCAD PLOT (General Document.dwt) Job: 1, TRI-TEK Engineering, Inc.



500 GROVE STREET SIGNAGE CALCULATIONS (FACING GROVE STREET)
TOTAL LENGTH OF BUILDING FRONTAGE: 157.3'
1.5 SF/LF FOR FIRST 100 FT OF FRONTAGE: $100' \times 1.5 \text{ SF/LF} = 150 \text{ SF}$
1.0 SF/LF FOR REMAINING FRONTAGE LENGTH: $57.3' \times 1.0 \text{ SF/LF} = 57.3 \text{ SF}$
TOTAL ALLOWABLE SIGN SF: $150 \text{ SF} + 57.3 \text{ SF} = 207.3 \text{ SF}$ (MAXIMUM ALLOWED SF IS 200 SF) ~ 200 SF
PROPOSED SIGN SF: 48 SF.



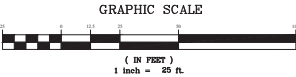
585 GROVE STREET SIGNAGE CALCULATIONS
TOTAL LENGTH OF BUILDING FRONTAGE: 135.2'
1.5 SF/LF FOR FIRST 100 FT OF FRONTAGE: $100' \times 1.5 \text{ SF/LF} = 150 \text{ SF}$
1.0 SF/LF FOR REMAINING FRONTAGE LENGTH: $35.2' \times 1.0 \text{ SF/LF} = 35.2 \text{ SF}$
TOTAL ALLOWABLE SIGN SF: $150 \text{ SF} + 35.2 \text{ SF} = 185.2 \text{ SF}$
PROPOSED SIGN SF: 48 SF.

555 GROVE STREET SIGNAGE CALCULATIONS
TOTAL LENGTH OF BUILDING FRONTAGE: 94.9'
1.5 SF/LF FOR FIRST 100 FT OF FRONTAGE: $94.9' \times 1.5 \text{ SF/LF} = 142.4 \text{ SF}$
1.0 SF/LF FOR REMAINING FRONTAGE LENGTH: N/A
TOTAL ALLOWABLE SIGN SF: 142.4 SF
PROPOSED SIGN SF: 48 SF.



- NOTE:
1. SIGN SIZE IS 2'X24". TOTAL SIGN AREA IS 48 SF.
 2. THE BUILDING SIGNAGE DESIGN IS NOT FINAL AND IS SUBJECT TO STAFF REVIEW UNDER A SEPARATE COVER.

LEGEND
--- BUILDING FRONTAGE
--- POTENTIAL SIGN LOCATION



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**FAIRFAX UNIVERSITY
- HERNDON CAMPUS**

**BUILDING SIGNAGE
EXHIBIT**

DATE	REVISION
03.15.23	TOWN OF HERNDON COMMENTS
05.21.23	TOWN OF HERNDON COMMENTS
06.22.23	TOWN OF HERNDON COMMENTS

PM: JDB SCALE: 1"=25'
PE: GME DATE: 10.19.23
CO: GMB SHEET 4 OF 4

PROFFER STATEMENT
GROVE STREET REZONING
Revised 6/22/2023

Pursuant to Section 15.2-2303 of the Code of Virginia (1950, as amended) and Section 78-50.8 of the Town of Herndon Zoning Ordinance, as amended (the “Zoning Ordinance”), the undersigned, for themselves and their successors and/or assigns (referred to hereafter, both collectively and, where appropriate, individually, as the “Applicant”), as owner of the property described as Tax map parcels 16-2-((02)) 190C & 203D (the “Property”) hereby proffer that in the event this ZMA #22-001 is approved, the development of the Property shall be in substantial conformance with the conditions set forth in these proffers (“Proffers”) and the existing buildings and improvements shown on the Generalized Development Plan (the “GDP”) described in Proffer 1 below. The purpose of the proffered rezoning and GDP approval is to allow for the proposed secondary educational use, Fairfax University of America on the Property with existing improvements to remain. No improvements or modifications to the Property are requested with this proffered rezoning.

1. GDP

- a. The Property is developed in substantial conformance with the Generalized Development Plan GDP prepared by TRITEK, Inc. dated 05/31/2023 (the “GDP”) and these Proffers. It is understood by the Applicant that all other applicable regulations and policies governing land development within the Town of Herndon (the “Town”) shall apply to the Property and unless specifically modified by the language of this approval.
- b. Minor modifications of the GDP may be permitted without the need for amendments to this approval when necessitated by final engineering or site design provided that modifications are in substantial conformance with the GDP and these Proffers. Substantial conformity shall be determined as provided in the Zoning Ordinance.
- c. The purpose of this ZMA #22-001 is to allow for the use of vacant office space as a post secondary educational use.

2. TRANSPORTATION AND SITE CIRCULATION IMPROVEMENTS

- a. Improvements to the Property for the transportation and circulation, including for improved accessibility, have been provided as reflected on the GDP. These improvements include bike path access at the intersection of Grove and Grant Street, a bike path connection to the Property at the South East corner adjacent to the W&OD Trail, stairs connecting 500 Grove Street to the crosswalk at the intersection of Grove and Grant Street, and certain improvements to bring the Property into compliance with current ADA standards. Locations and sizes of accessible parking spaces (including van parking) have been updated across the entirety of the Property as well as inclusion of an ADA compliant ramp access from the Southwest corner of 500 Grove Street.

3. USES

Uses allowed on the property shall be those in the PD-B zoning district, except as modified below.

- a) The following uses shall be allowed by-right.
 - Post-Secondary Education and Career Schools
 - Library
 - Museum, Fine Arts Center
 - Restaurant
 - Commercial Recreation/Entertainment, Indoor
 - All Office Uses (excluding any medical or health related services - see "health care facility")
 - Animal Hospital, Kennel, Pet Daycare, Animal Shelter, and Veterinary Clinic
 - Artist's Studio or Gallery
 - Dry-Cleaning/Laundry, Laundromats
 - Durable Goods Sales
 - Financial Institution
 - Health Care Facility
 - Health Care Laboratory
 - Mailing and Packing Service
 - Personal Services, General
 - Pharmacy
 - Product Repair and Services
 - Retail Sales
 - School of Special Instruction
 - Other Personal Services and Retail Sales Uses
 - Scientific Research and Scientific Development

- b) The following uses shall be subject to Special Exception Approval:
 - Childcare Center, Daycare Center or Preschool
 - School, Public or Private (K-12)
 - Community Centers
 - Religious Institution (with a capacity of 300 or fewer persons) gathered for religious observance, with or without any accessory schools, daycare centers, or recreational facilities
 - Religious Institution (with a capacity of more than 300 persons) gathered for religious observance, with or without accessory schools, daycare centers, or recreational facilities
 - Senior Center
 - Drive-In Restaurant
 - Commercial Recreation/Entertainment, Outdoor
 - Commercial Communication Tower, Freestanding
 - Electrical Substation

- Telecommunication Switching Station
- All other Light Manufacturing Uses
- Wholesale Establishment

c) The following uses shall be prohibited:

- Convalescent home
- Hospital
- Conference center/hotel
- All other industrial service uses
- Self-service storage uses
- Public or private parking facility
- Electronic warehousing
- Contractor's materials

d) Accessory uses on the property shall be those as regulated in the PD-B zoning district.

e) The following uses existing prior to and at the time of this approved zoning map amendment will continue, provided that none of the identified uses shall be expanded or altered except for repairs and minor alterations. The uses to be preserved are as follows:

- Religious Institution with a capacity less than 300 – See GDP Plans Sheet

4. FAR

The existing FAR for 500 and 585 Grove Street is 0.6 and 0.52 respectively. The overall FAR across the Property is 0.54. The maximum floor area ratio ("FAR") for the Application Property shall not exceed 0.54.

5. PHASING OF DEVELOPMENT

The Property consists of two, separately owned parcels, each of which shall be improved consistent with the GDP. The project may be processed as two separate phases based on the parcels site improvements, as shown on Sheet 2 of 4 of the GDP, shall be substantially completed as determined by the Zoning Administrator prior to the issuance of any occupancy certificate for university use, at 500 Grove Street. Site improvements, as shown on Sheet 3 of 4 of the GDP, shall be substantially completed as determined by the Zoning Administrator prior to the issuance of any occupancy certificate for university use, at 555 & 585 Grove Street. Completion of construction of the proposed improvements on one parcel will vest the right to complete the GDP improvements on the other parcel in a later phase.

6. SUCCESSORS AND ASSIGNS.

These proffers shall bind and inure to the benefit of the Applicant and his/her successors an assigns.