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**Planning Commission
Work Session
May 8, 2023**

The Planning Commission of the Town of Herndon, Virginia, met in work session on Monday, May 8, 2023, at 7:00 p.m. in the Town of Herndon Municipal Building, Large Conference Room, 2nd floor, 777 Lynn Street, Herndon, Virginia. In attendance were: Chair Mike Romeo, Vice Chair George Burke, and Commissioners: Jay Donahue, Dua'a Elbarasse, Mike McFarlane, and Meron Yohannes. Commissioner Kevin Moses was absent.

Staff present during the meeting: Lisa Gilleran, Director of Community Development; Lesa Yeatts, Town Attorney; David Stromberg, Zoning Administrator; Ben Schitter, Development Program Planner; Fadrique Iglesias, Community Planner; and Aaron Zoellick, Clerk of Boards and Commissions.

1. Call to Order

Chair Romeo called the Planning Commission work session for May 8, 2023, to order at 7:00 p.m.

Chair Romeo stated that six Commissioners were present, which constitutes a quorum.

2. Public Hearing

- a. **APPLICATION FOR A SPECIAL EXCEPTION AMENDMENT – SE #21-05, 299 Herndon Parkway, Suite 107 and 108, Fancy Lashes and Beyond, LLC**, to consider an amendment to a special exception approved by Town Council on November 16, 2021, to allow an expansion of personal service use consisting of cosmetics and aesthetic services, from unit 108 to include unit 107. The property is zoned CO, Commercial Office. The property is designated in the Herndon 2030 Comprehensive Plan as "Business Corridor Use". The property is located within the Herndon Park Condominium office building and is located at the northeast corner of the intersection Herndon Parkway and Elden Street. Unit 108 consists of approximately 966 square feet and Unit 107 consists of approximately 933 square feet. Both units are within a multi-unit building (Building 2). Fairfax County Tax Map Reference Number: 0171 13 0108 and 0171 13 0107. Applicant: Fancy Lashes and Beyond, LLC. Property Owners: Tommy Nguyen and Phuong Thuy Le Tran.

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Chair Romeo opened the work session and called on Mr. Iglesias for the staff report.

Ms. Gilleran introduced Mr. Iglesias to the Planning Commission.

Mr. Iglesias delivered the staff report and staff presentation dated May 8, 2023, which are on file with the Department of Community Development.

Staff is recommending approval of SE #21-05 with conditions in accordance with the draft resolution.

Chair Romeo recognized the commissioners for questions of Mr. Iglesias.

Commissioners offered comments and questions about the following topics: clarification on the application regarding the number of staff and clients permitted; and, whether the applicants are agreeable with the conditions.

Mr. Iglesias and the applicant Tommy Nguyen responded to the Commissioners' comments and questions.

- b. **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).

Chair Romeo opened the work session and called on Mr. Schitter for the staff report.

Ms. Gilleran introduced Mr. Schitter to the Planning Commission.

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Mr. Schitter delivered the staff report and staff presentation dated May 8, 2023, which are on file with the Department of Community Development.

Staff is recommending a continuance of ZMA #22-001 to the June 26, 2023, Planning Commission regular meeting. Staff is requesting feedback from the Planning Commission on the voluntary proffer commitments and proposed site improvements.

Chair Romeo recognized the commissioners for questions of Mr. Schitter.

Commissioners offered comments and questions about the following topics: whether the applicant was amenable to a continuance, potential impacts on traffic density around the properties, clarification on the proposed uses of the properties, possible need for additional bicycle racks, prohibiting left turns from Elden Street on to Grant Street, clarification on the traffic assessment from Wells + Associates included in the staff report as attachment #4, possibility of stop sign at the intersection of Grove Street and Grant Street being replaced with a traffic light, procedure for continuing the application to the June 26, 2023 regular meeting, and clarification regarding Americans with Disabilities Act compliance modification.

Chair Romeo requested a zoning map for the May 22, 2023, public hearing showing the existing zoning versus the proposed zoning.

Ms. Gilleran, Mr. Stromberg, Mr. Schitter, and the applicant Mark M. Viani responded to the Commissioners' comments and questions.

- c. **ZONING ORDINANCE TEXT AMENDMENT, ZOTA #23-02**, to amend Chapter 78 (ZONING), Section 78-150.3 (Board of Zoning Appeals), and Section 78-155.4 (Variances), to make housekeeping amendments aligning the zoning ordinance with the Code of Virginia and to consider adopting a time limit of up to one year before the Board of Zoning Appeals will consider substantially the same application on the same property.

Chair Romeo opened the work session and called on Mr. Stromberg for the staff report.

Mr. Stromberg delivered the staff report and staff presentation dated May 8, 2023, which are on file with the Department of Community Development.

Staff is recommending approval of ZOTA #23-02 and requesting feedback from the Planning Commission on the proposed reapplication time limit.

Chair Romeo recognized the commissioners for questions of Mr. Stromberg.

Commissioners offered comments and questions about the following topics: reapplication time limits in place for other boards, clarification on the "substantially the same" standard, the Board of Zoning Appeals (BZA) caseload, whether the BZA's status as a quasi-judicial body impacts the standard of approval, removal of neighborhood character criteria, and the disability variance.

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Ms. Gilleran, Mr. Stromberg, and Ms. Yeatts responded to the Commissioners' comments and questions.

3. Comment

a. Comments from the Staff Member

Chair Romeo recognized staff members for additional comments.

Ms. Gilleran stated that future Planning Commission work sessions will be moving to the Herndon Council Chambers. Staff will keep the Planning Commission updated on when this change will begin.

Ms. Gilleran inquired if there was interest from the Planning Commission for town issued tablets. Staff will work with the IT department to order tablets for those that are interested.

Ms. Gilleran stated that there will be a public engagement session with the consultants from SOM on May 24, 2023, at 7:00 p.m. in the Herndon Council Chambers. The purpose of the session is to gain information from the general public on the Transit-Related Growth (TRG) redevelopment. A joint session with the Town Council and the Planning Commission will be scheduled in the weeks following the session.

b. Comments from the Commissioners

Chair Romeo recognized the commissioners for additional comments.

Commissioner Donahue inquired about a property at the intersection of Spring Street and Nash Street.

Ms. Gilleran responded.

Chair Romeo inquired about a new occupant for the property previously occupied by Burger King.

Ms. Gilleran and Mr. Stromberg responded.

4. Adjournment

There being no further business, on the motion of Vice Chair Burke, seconded by Commissioner Donahue, and without objection, the May 8, 2023, Planning Commission work session was adjourned at 7:20 p.m.

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

**Aaron Zoellick
Clerk of Boards and Commissions**

Minutes approved by the Planning Commission: June 26, 2023