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PLANNING COMMISSION

**Monday
April 25, 2022**

The Planning Commission met in public session on Monday, April 25, 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 Jay Donahue, Paul LeReche, Mike McFarlane, Kevin Moses and Meron Yohannes.

Others present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; Bryce Perry, Deputy Director of Community Development; Dave Stromberg, Zoning Administrator; Ahmad Zaki, Lead Planner-Long-Range Planning and Erika Orellana, Clerk of Boards and Commissions.

Chairman Romeo called the meeting to order at 7:00 p.m., with seven Commissioners present, and with Chairman Romeo presiding.

1. ROLL CALL/DETERMINATION OF QUORUM

For the record, Ms. Orellana, Clerk to Boards and Commissions, called the roll with seven members present, which constituted a quorum.

2. APPROVAL OF AGENDA

On the motion of Vice Chair Burke, seconded by Commissioner LeReche and carried by a vote of 7-0, the agenda for the April 25, 2022 Planning Commission Public Hearing meeting was approved. The vote was: Commissioners Donahue, LeReche, McFarlane, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting "Aye."

APPROVAL OF MINUTES

3. Vote on March 14, 2022 Work Session Minutes

On the motion of Commissioner McFarlane, seconded by Commissioner Yohannes and carried by a vote of 6-0-1, the minutes for the March 14, 2022, Planning Commission Work Session were approved. The vote was: Commissioners Donahue, LeReche,

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McFarlane, Yohannes, Vice Chair Burke and Chairman Romeo voting “Aye.” Commissioner Moses abstained.

4. **Vote on March 28, 2022
Public Hearing Minutes**

On the motion of Commissioner Donahue, seconded by Commissioner LeReche and carried by a vote of 7-0, the minutes for the March 28, 2022, Planning Commission Public Hearing were approved. The vote was: Commissioners Donahue, LeReche, McFarlane, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting “Aye.”

5. **COMMENTS FROM THE STAFF**

There were no comments from the Staff.

6. **COMMENTS FROM THE COMMISSIONERS**

There were no comments from the Commissioners.

7. **COMMENTS FROM THE AUDIENCE**

There were no comments from the audience.

PUBLIC HEARING

Chairman Romeo stated that the staff reports for items ZMA# 21-01 and SE#22-01 would be heard together, however, the motions would be made separately.

8. **ZONING MAP AMENDMENT – ZMA #21-01, 315 Elden Street**, a zoning map amendment from CS, Commercial Services, to PD-UR, Planned Development – Urban Residential, with proffered conditions to allow the conversion of an existing hotel to multi-family residential with a workforce housing component. Fairfax County Tax Map Reference Number 0171-02-0007. Agent: Ken Wire, Wire Gill LLP. Applicant and property owner: Elden Street Owner, LLC. **Continued from the March 28, 2022, Planning Commission public hearing.**

9. **SPECIAL EXCEPTION – SE #22-01, 315 Elden Street**, a special exception to allow for development within the FPO, Floodplain Overlay District. This case is subject to approval of Zoning Map Amendment ZMA #21-01, 315 Elden Street, a zoning map amendment from CS, Commercial Services, to PD-UR, Planned Development – Urban Residential, with proffered conditions to allow the conversion of an existing hotel to multi-family residential with a workforce housing component, which is being reviewed concurrently with this case. Fairfax County Tax Map Reference Number 0171-02-0007. Agent: Ken Wire, Wire Gill LLP. Applicant and property owner: Elden Street Owner, LLC.

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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, April 8 and April 15, 2022 issues.

Chairman Romeo opened the public hearing and called on David Stromberg, Zoning Administrator, for the staff reports and updates.

Mr. Stromberg presented the staff memo dated April 6, 2022 and the staff report dated April 11, 2022, which are on file in the Department of Community Development. Mr. Stromberg provided information on the following: property's history, requested parking modification to reduce the amount of required parking, the proposed generalized development plan, a summary of the proffers for dedicated workforce housing, pedestrian, bicycle, and transit transportation improvements, design, monetary contributions, and information on the floodplain overlay district.

Staff recommended approval of ZMA #21-01 and SE#22-01, in accordance with the resolutions presented by staff.

Chairman Romeo called on the Planning Commission individually for questions of Mr. Stromberg. Commissioners asked for clarification on the parking for the proposed applications and clarification on the process of approval/denial for the workforce program. Mr. Stromberg provided responses.

Chairman Romeo recognized the agent to provide comments. Agent, Ken Wire, Wire Gill LLP was present. Mr. Wire provided his comments.

Chairman Romeo called on the Planning Commission individually for questions of Mr. Wire. Commissioner McFarlane asked if there was a consideration for reducing the number of units. Mr. Wire responded to the Commissioners questions and concerns.

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

There were no comments from the audience.

Following the public hearing, Commissioner Donahue moved recommendation for **approval** of ZMA# 21-01 in accordance with the draft resolutions. The motion was seconded by Commissioner LeReche.

Chairman Romeo called on the Commission for comments. Vice Chair Burke stated that the property is not currently serving a useful purpose, the applicant has a suitable background for workforce housing projects, and that the proposed proffers are suitable. He also stated that the town needs to be cautious on approving the first workforce housing project in town and that he is concerned about the amount of parking. Commissioner McFarlane also stated his concerns that the project did not have enough parking for the number of dwelling units proposed. Commissioner Yohannes expressed concerns on the application approval process for the workforce dwelling units and

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stated her desire to see projects for individuals who had little to no credit history or could not afford a security deposit. Chairman Romeo stated that this application is a unique way to have a private developer provide workforce housing when the town does not have an adopted policy for affordable or workforce housing.

The question was called on the motion, which carried by a vote of 6-1. The vote was: Commissioners Donahue, LeReche, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting “Aye.” Commissioner McFarlane voting “nay.”

[Note: Below is the approved resolution and Proffer Statement for ZMA #21-01.]

TOWN OF HERNDON, VIRGINIA

PLANNING COMMISSION

DRAFT RESOLUTION

April 25, 2022

Resolution- to recommend APPROVAL of Zoning Map Amendment ZMA #21-01, 315 Elden Street, a zoning map amendment from CS, Commercial Services, to PD-UR, Planned Development Urban Residential, with proffered conditions to allow the conversion of an existing hotel to multi-family residential with a workforce housing component.

WHEREAS, the applicant, Elden Street Owner, LLC, has submitted a zoning map amendment, ZMA #21-01, on land identified as Fairfax County Tax Map Number 0171-02-0007, to convert an existing hotel development to multi-family use with a workforce housing component of at least 50 percent; and

WHEREAS, the request includes a proffer statement dated March 2, 2022 and a generalized development plan dated March 2, 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 78-100.2(a), regarding minimum off-street parking, Section 78-51.1(e), regarding maximum 15 foot setback and minimum 18 foot building separation, Section 78-110.4(e)(3)(b), regarding minimum buffer strip, and Section 78-110.4, regarding planting standards; and

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WHEREAS on March 28, 2022 and April 25, 2022, the Planning Commission held public hearings to consider ZMA #21-01; 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 #21-01 with the following proffers. [Proffers included with signed resolution.]

Following the public hearing, Vice Chair Burke moved **approval** of SE #22-01 in accordance the resolutions. The motion was seconded by Commissioner Yohannes.

The question was called on the motion, which carried by a vote of 7-0. The vote was: Commissioners Donahue, LeReche, McFarlane, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting “Aye.”

[Note: Below is the approved resolution for SE #22-01.]

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PLANNING COMMISSION

DRAFT RESOLUTION

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Resolution- to recommend approval of **SPECIAL EXCEPTION – SE #22-01, 315 Elden Street**, a special exception to allow for development within the FPO, Floodplain Overlay District.

WHEREAS, the applicant, Elden Street Owner, LLC, has submitted a special exception, SE #22-01, on land identified as Fairfax County Tax Map Number 0171-02-0007, to convert an existing hotel development to multi-family use and a portion of the existing site is within the floodplain; and

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WHEREAS, this request is being heard concurrently with ZMA #21-01 and is contingent upon approval of ZMA #21-01; and

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

WHEREAS on April 25, 2022, the Planning Commission held a public hearing to consider SE #22-01; and

WHEREAS, the Planning Commission has determined that the above referenced application conforms to Section 78-155.3(e)(1) and (2) of the zoning ordinance; and

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 SE #22-01.

10. **COMPREHENSIVE PLAN AMENDMENT (CPA #22-01).** Pursuant to Section 15.2-2229 of the Code of Virginia, an amendment to the Town of Herndon 2030 Comprehensive Plan, adopted August 12, 2008, as amended through November 17, 2020. The proposed amendment supports the Sterling Road Multimodal Improvement Project, a Townwide Complete Street Policy, and incorporates by reference the previously adopted Herndon Bicycle Network Master Plan and Herndon Pedestrian Plan.

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, April 8 and April 15, 2022 issues.

Chairman Romeo opened the public hearing and called on Ahmad Zaki, Lead Planner-Long-Range Planning, for the staff memo and updates.

Mr. Zaki presented the staff reports dated April 11, 2022 which is on file in the Department of Community Development. Mr. Zaki provided information on the following: background, purpose of the action, Sterling Road Complete Street Improvement project, Bicycle Network Master Plan, Pedestrian Plan, and the Complete Streets Policy.

Staff recommended approval of CPA#21-01, in accordance with the resolution.

Chairman Romeo called on the Planning Commission individually for questions of Mr. Zaki. Chairman Romeo asked if there may be more information on the Complete Streets Policy. Chairman Romeo requested an explanation of how the Complete Street reference will be personalized for the Town. Mr. Zaki responded that it would be a future effort.

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

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There were no comments from the audience.

Following the public hearing, Commissioner Yohannes moved **approval** of CPA#22-01, in accordance with the resolution. The motion was seconded by Vice Chair Burk.

The question was called on the motion, which carried by a vote of 7-0. The vote was: Commissioners Donahue, LeReche, McFarlane, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting “Aye.”

[Note: Below is the approved resolution and conditions for CPA#22-01.]

TOWN OF HERNDON, VIRGINIA

PLANNING COMMISSION

RESOLUTION

April 25, 2022

Resolution- Recommending and certifying a copy of Comprehensive Plan Amendment CPA #22-01 to support the Sterling Road Multimodal Improvement Project and a Complete Street Policy, and incorporates by reference the previously adopted Herndon Bicycle Network Master Plan and Herndon Pedestrian Plan to the Town Council.

WHEREAS, On March 22, 2022, the Town Council initiated consideration of a comprehensive plan amendment to support the Sterling Road Multimodal Improvement Project and a Complete Street Policy and to incorporate by reference the previously adopted Herndon Bicycle Network Master Plan and Herndon Pedestrian Plan to the Herndon 2030 Comprehensive Plan as adopted August 12, 2008, and as amended through November 17, 2020; and

WHEREAS, On March 22, 2020, the Town Council approved Resolution 22-G-26 to formally authorize consideration of the plan amendment and referred the amendment to the Planning Commission for study and recommendation; and;

WHEREAS, The Planning Commission held a public hearing on April 25, 2022, with due notice as required under Section 15.2-2225 of the Code of Virginia.

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

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1. The Planning Commission recommends Comprehensive Plan Amendment CPA #22-01 for adoption by the Town Council as an amendment to the Herndon 2030 Comprehensive Plan as adopted on August 12, 2008, and as amended through November 17, 2020; and
2. The Planning Commission certifies a copy of the amendment to the Town Council as shown on the attached Herndon 2030 Comprehensive Plan, Chapter IX 2030 Transportation Plan, with change to the text of pages IX-01, IX-05, IX-06, IX-07, IX-08, IX-09, IX-10 and IX-12.

NEW BUSINESS

11. **Resolution-** to establish an alternate meeting location in the Herndon Municipal Center, Second Floor Conference Room, located at 777 Lynn Street, Herndon, Virginia, for the Planning Commission work session meetings that occur on the second Monday of each month at 7:00 p.m.

Chairman Romeo called on Town Attorney, Lesa Yeatts for the presentation. Ms. Yeatts provided brief presentation for the resolution to establish an alternate meeting location in the Herndon Municipal Center, Second Floor Conference Room, located at 777 Lynn Street, Herndon, Virginia, for the Planning Commission work session meetings that occur on the second Monday of each month at 7:00 p.m. Ms. Yeatts reminded the Board that the vote would be taken this evening. Commissioner McFarlane asked if the location would be permanent. Vice Chair Burke provided his concerns on security of the building while the meeting is in session. Ms. Yeatts and Ms. Gilleran provided responses.

On the motion, Commissioner McFarlane moved approval of resolution, to establish an alternate meeting location in the Herndon Municipal Center, Second Floor Conference Room, located at 777 Lynn Street, Herndon, Virginia, for the Planning Commission work session meetings that occur on the second Monday of each month at 7:00 p.m.

This motion was seconded by Commissioner Donahue.

The question was called on the motion, which was carried by a vote of 7-0, The vote was: Commissioners Donahue, LeReche, McFarlane, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting "Aye".

ANNOUNCEMENT

Chairman Romeo asked the Commissioners to present for the Planning Commission and volunteer the PBAC. There were few questions by the Commissioners and Community

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Development Deputy Director Mr. Perry provided response for the Commissioners. Commissioner McFarlane stated he would volunteer.

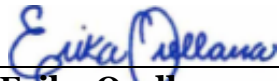
ADJOURNMENT

On the motion of Commissioner Donahue, seconded by Commissioner Moses and carried by a vote of 7-0, the April 25, 2022 Planning Commission Public Hearing was adjourned. The vote was: Commissioners Donahue, LeReche, McFarlane, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting "Aye."

There being no further business, the meeting adjourned at 8:13 p.m.



**Michael Romeo, Chairman
Planning Commission**



**Erika Orellana
Clerk of Boards and Commissions**

Minutes approved by the Planning Commission: May 23, 2022