

**TOWN OF HERNDON, VIRGINIA
PLANNING COMMISSION VIRTUAL PUBLIC HEARING AGENDA
MARCH 22, 2021
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
7:00 P.M.**

CALL TO ORDER

1. Roll Call

APPROVAL OF AGENDA

APPROVAL OF MINUTES

2. February 8, 2021 Work Session Draft Minutes
3. February 22, 2021 Public Hearing Draft Minutes

COMMENTS

4. Comments from the Staff Members
5. Comments from the Commissioners

PUBLIC HEARINGS

6. **SPECIAL EXCEPTION AMENDMENT, SE #19-02, 525 Grove Street, Virginia Dominion Energy Substation**, to amend the conditions associated with the construction of a new telecommunications facility that includes a monopole. Fairfax County Tax Map Reference Number: 0162-02-0190E. Applicant: Vertical Bridge. Representative: Tessia Knight, Network Building & Consulting Solutions. Property Owner: Virginia Electric and Power Company.
7. **SPECIAL EXCEPTION, SE #21-01, 400 Herndon Parkway, Peppertree Montessori**, to permit a private school/daycare within an existing building. The property is zoned O&LI, Office and Light Industrial. Fairfax County Tax Map Reference Number: 0171 06 F3. Applicant: Gwendolyn Dozier, Managing Member, Peppertree Montessori, LLC. Property Owner: DK Herndon Parkway, LLC.

ADJOURNMENT



MEMORANDUM

To: Chairman Romeo & Members of the Planning Commission

From: Michael Wallick, AICP, Transportation Planner MW

Date: March 17, 2021

Subject: SE#21-01, 400 Herndon Parkway, Peppertree Montessori & Preschool

This memorandum serves as an addendum to the staff report dated March 8, 2021 and provided for the work session. Staff withheld a recommendation at the work session due to the need for additional clarifying information from the applicant. Staff requested that the applicant provide a revised plan exhibit that clearly indicates the location of the parking, the location and circulation of the child pick-up/drop-off area, and the size and location of the required outdoor fenced playground area. The revised plan exhibit has been provided as attachment #3 to this addendum. Additionally, the draft planning commission resolution (attachment #1) and draft conditions of approval (attachment #2) are provided.

Parking

Of the 25 parking spaces allocated to be used by Peppertree Montessori & Preschool, the applicant intends to mark 10 parking spaces to be used as the designated pick-up and drop-off area. The 10 marked parking spaces are located directly in front of the entrance to suite 150. The remaining 15 parking spaces are proposed to be used by the employees of the Montessori & preschool and located towards the rear of the site.

Revised Plan Exhibit

The revised plan exhibit includes a proposed outdoor fenced playground area measuring 74 feet long and 21 feet wide, for a total 1,554 square feet. The zoning ordinance requires the outdoor fenced play area be constructed at 100 square feet per child. The applicant has informed staff that no more than one class, with a maximum of 10 children, will use the playground area at any one time. The Virginia Building Code also requires the applicant to construct a second exterior door within suite 150. As staff stated at the work session, this proposed exterior door will be located towards the rear of the suite and lead to the proposed outdoor fenced playground area.

There were questions at the work session related to the restroom facilities for suite 150. The restroom facilities exist currently within the suite, however, based on requirements from the Virginia Building Code, the restroom facilities are required to be modified.

Draft Conditions of Approval

Staff has generated recommended draft conditions of approval to offset impacts and address any particular concerns unique to this proposal. The conditions speak to substantial conformity with the submitted special exception materials, which are included with this application. The conditions require that child pick-up and drop-off occurs within the 10 marked parking spaces located in front of the main entrance to the Montessori & preschool. The conditions limits the maximum number of children on site to 50 at any one time. The applicant would need to seek a separate special exception if wishing to add additional children to the school/daycare. The conditions requires that an outdoor fenced recreation, no smaller than 1,000 square feet, be constructed in the approximate location as shown on the conceptual plan. The maximum number of children permitted in the outdoor fenced recreation area at any one time shall comply with Section 78-71.2(d)(2)(b) of the zoning ordinance, which requires 100 square feet per child. The last condition requires the applicant to obtain a zoning inspection permit prior to the issuance of a business license.

Staff Recommendation

The staff recommendation to the Planning Commission is approval with the proposed conditions.

Attachments:

1. Draft Planning Commission Resolution
2. Draft Conditions of Approval
3. Revised Special Exception Plan, dated March 5, 2021

TOWN OF HERNDON, VIRGINIA

PLANNING COMMISSION

RESOLUTION

MARCH 22, 2021

Resolution- to consider Special Exception Application SE #21-01, to permit a private school/daycare within an existing building in an Office & Light Industrial, O&LI, zoning district.

WHEREAS, the applicant, Gwendolyn Dozier, has submitted a request for a special exception to permit a private school/daycare located at 400 Herndon Parkway and identified as Fairfax County Tax Map #0171-06-F3; and

WHEREAS, the Planning Commission has reviewed this application and has held a public hearing in accordance with the provisions of §15.2-2204 of the State Code; and

WHEREAS, the Planning Commission has found that the application, SE #21-01 with conditions, meets the purpose and intent of the Zoning Ordinance, in particular, Sections 78-71.2 and 78-155.3; and

WHEREAS, if granted, the uses permitted under the special exception are pursuant to this resolution; and

WHEREAS, if granted, the special exception may expire pursuant to Sections 78-155.3(f)(3) or Section 78-155.3(g) of the Zoning Ordinance; and

WHEREAS, if granted, the special exception may be amended pursuant to Section 78-155.3(j) of the Zoning Ordinance; and

WHEREAS, if granted, special exception may be revoked pursuant to Section 78-155.3(h) of the Zoning Ordinance.

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

Recommends approval of Special Exception Application SE #21-01, in accordance with the conditions set forth below to achieve compliance with the standards found in Sections 78-71.2 and 78-155.3;

[INSERT CONDITIONS]

TOWN OF HERNDON, VIRGINIA

PLANNING COMMISSION

RESOLUTION

MARCH 22, 2021

Resolution- to consider Special Exception Application SE #21-01, to permit a private school/daycare within an existing building in an Office & Light Industrial, O&LI, zoning district.

WHEREAS, the applicant, Gwendolyn Dozier, has submitted a request for a special exception to permit a private school/daycare located at 400 Herndon Parkway and identified as Fairfax County Tax Map #0171-06-F3; and

WHEREAS, the Planning Commission has reviewed this application and has held a public hearing in accordance with the provisions of §15.2-2204 of the State Code; and

WHEREAS, the Planning Commission has found that the application, SE #21-01 with conditions, meets the purpose and intent of the Zoning Ordinance, in particular, Sections 78-71.2 and 78-155.3; and

WHEREAS, if granted, the uses permitted under the special exception are pursuant to this resolution; and

WHEREAS, if granted, the special exception may expire pursuant to Sections 78-155.3(f)(3) or Section 78-155.3(g) of the Zoning Ordinance; and

WHEREAS, if granted, the special exception may be amended pursuant to Section 78-155.3(j) of the Zoning Ordinance; and

WHEREAS, if granted, special exception may be revoked pursuant to Section 78-155.3(h) of the Zoning Ordinance.

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

Recommends approval of Special Exception Application SE #21-01, in accordance with the conditions set forth below to achieve compliance with the standards found in Sections 78-71.2 and 78-155.3;

[INSERT CONDITIONS]

PLANNING COMMISSION DRAFT CONDITIONS
SPECIAL EXCEPTION SE #21-01
400 HERNDON PARKWAY
MARCH 22, 2021

1. Substantial Conformity. The development and maintenance of the special exception use for a Montessori school and daycare pursuant to Section 78-71.2 of the Herndon Zoning Ordinance (the “Zoning Ordinance”) shall be in substantial conformance with the SE #21-01 application materials submitted January 22, 2021 and concept plan dated March 5, 2021 (the “Concept Plan”). Approval of this application on the parcel identified as Fairfax County Tax Map Number 0171-06-F3, known as 400 Herndon Parkway, Herndon, Virginia (the “Property”), shall not relieve the applicant or the owners of the Property, or their successors or parties developing, establishing, or operating the approved special exception, from the obligation to comply with and conform to any other Zoning Ordinance, codified ordinance, or regulatory requirement.
2. Child Pick-Up & Drop-Off. Child pick-up and drop-off shall occur in the 10 marked parking spaces located in front of the entrance to the Montessori & preschool, as shown on the special exception plan dated March 5, 2021.
3. Number of Permitted Children. The number of children present on site shall not exceed 50 at any one time.
4. Outdoor Recreation Area. An outdoor, fenced playground area, no less than 1,000 square feet, shall be constructed in the approximate location as shown on the Concept Plan, prior to the issuance of a business license. When playing outside, all children shall be within the fenced playground area.
5. Number of Permitted Children in Outdoor Recreation Area. The maximum number of children permitted in the outdoor recreation area at any one time shall comply with Section 78-71.2(d)(2)(b) of the zoning ordinance, which requires 100 square feet for per child.
6. Zoning Inspection Permit and Inspections. A Zoning Inspection Permit is required prior to issuance of the business license. Following the business license, the use shall be inspected by zoning and building officials during reasonable hours and upon reasonable prior notice.



VIKA VIRGINIA LLC
8180 GREENSBORO DRIVE, SUITE 200 ■ TYSONS, VIRGINIA 22102
(703) 442-7800 ■ FAX (703) 761-2787
WWW.VIKA.COM

PARCEL F1-A
SUGARLAND INDUSTRIAL CENTER
DEED BOOK 5999 PAGE 1066
TOWN OF HERNDON
BRANESVILLE DISTRICT
FAIRFAX COUNTY, VIRGINIA

ALTA/NSPS LAND TITLE SURVEY

VIKA REVISIONS

DATE: JANUARY 31, 2020

DES. FEJ DWN. JWF

SCALE: 1"=30'

PROJECT/FILE NO. VB142A

SHEET NO. 2 OF 2

FILE: Q:\Projects\B142\CAADD SURVEYS\BASE DRAWINGS\B142C-SV.dwg USER: Jenkins DATE: Mar 10 2020 TIME: 06:30 pm

ZONING NOTE:

THE FOLLOWING INFORMATION WAS TAKEN FROM A ZONING REPORT ISSUED BY THE PLANNING AND ZONING RESOURCE COMPANY SITE NUMBER 130337-3, DATED: DRAFT (1) - 07/09/2019, DRAFT (2) - 07/22/2019. PLEASE REFER TO THE ZONING REPORT FOR COMPLETE ZONING INFORMATION AND COMPLIANCE:

CURRENT ZONING: "O & L" OFFICE AND LIGHT INDUSTRIAL DISTRICT
BUILDING SITE AREA: MIN OPEN SPACE: 20%
MAXIMUM DENSITY: 0.7
PARKING REQUIRED: 222 TOTAL PARKING SPACES
MAXIMUM HEIGHT: 5 STORIES / 75 FEET
FRONT SETBACK: 35 FEET
SIDE SETBACK: 30 FEET
REAR SETBACK: 30 FEET

17-1-02-0026
NEW DOMINION TECHNOLOGY PARK LLC
DB 11696 PG 603
ZONE: O&L
USE: LOW RISE OFFICE

17-1-06-F3
RREEF AMERICA
REIT II CORP VV
DB 17457 PG 93
PARCEL F1-A
SUGARLAND
INDUSTRIAL PARK
241,835 SF OR 5.55177 AC
DB 5999 PG 1066 ITEM 32
ZONE: O&L
USE: LOW RISE OFFICE

17-1-06-F4
PARCEL F2-A
SUGARLAND INDUSTRIAL PARK
DEED BOOK 5999 PAGE 1066
NORTH 75610 PG 655
ZONE: O&L
USE: LOW RISE OFFICE

HERNDON PARKWAY
(80' WIDE PUBLIC R/W)
DB 4080 PG 182

LEGEND:

— CTV —	BUILDING LINE	⊙	ELECTRICAL MANHOLE	⊙	STORM DRAIN MANHOLE	⊙	TREE
— E —	CABLE TV CONDUIT	⊙	ELECTRICAL JUNCTION BOX	⊙	CATCH BASIN RIM	⊙	HANDICAP
— F —	ELECTRICAL CONDUIT	⊙	GUY POLE	⊙	INLETS	⊙	PARKING METER
— G —	EDGE OF PAVEMENT	⊙	LIGHT POLE	⊙	CURB INLET	⊙	HVAC UNIT
— H —	FENCE LINE	⊙	GROUND LIGHT	⊙	SANITARY MANHOLE	⊙	UNKNOWN UTILITY MANHOLE
— I —	NATURAL GAS CONDUIT	⊙	UTILITY POLE	⊙	SANITARY CLEANOUT	⊙	BOLLARD
— J —	OVERHEAD WIRES	⊙	PHONE MANHOLE	⊙	WATER METER	⊙	COLUMN
— K —	TELECOM CONDUIT	⊙	PHONE PEDESTAL	⊙	WATER MANHOLE	⊙	CENTERLINE
— L —	PROPERTY LINES	⊙	CABLE TELEVISION PEDESTAL	⊙	WATER VALVE	⊙	SOIL BORING
— M —	PUBLIC UTILITIES EASEMENTS	⊙	GAS VALVE	⊙	FIRE HYDRANT	⊙	TEST PIT
— N —	SANITARY SEWER CONDUIT	⊙	GAS MANHOLE	⊙	FIRE DEPARTMENT CONNECTION	⊙	
— O —	STORM DRAIN CONDUIT	⊙	GAS MARKER	⊙	IRRIGATION CONTROL VALVE	⊙	
— P —	WATER CONDUIT	⊙	TRAFFIC CONTROL BOX	⊙	WELL	⊙	
		⊙	TRAFFIC SIGNAL POLE	⊙	WSO	⊙	



GRAPHIC SCALE

