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PLANNING COMMISSION
Work Session
Monday, February 8, 2021

Pursuant to Virginia Code Section 2.2-3708.2, as amended; the Governor's Executive Orders, as amended; and in accordance with Ordinance 20-O-23, Continuity of Governmental Operations during Pandemic Disaster (COVID-19), as amended and readopted by the Herndon Town Council on September 8, 2020, which superseded previously adopted amendments. The meeting was broadcast and recorded through Cisco WebEx and details for the meeting were made available to the public on Wednesday, February 3, 2021. In attendance electronically were: Chairman Romeo, Vice Chair George Burke and Commissioners: Jay Donahue, Paul LeReche, Kevin Moses, and Meron Yohannes.

Staff present during the meeting: Lesa Yeatts, Town Attorney and Parliamentarian; Lisa Gilleran, Director of Community Development; David Stromberg, Zoning Administrator; Michael Wallick, Transportation Planner, Bill Ashton, Town Manager; Scott Robinson, Director of Public Works; John Irish, Deputy Director of Public Works; Tammy Chastain, Deputy Director of Public Works; Cindy Roeder, Director of Parks and Recreation; Justin Dyer, from the Herndon Police Department; Mark Duceman, Transportation Program Manager and Erika Orellana, Clerk to Boards and Commissions.

STAFF ANNOUNCEMENTS

Erika Orellana, Clerk to Boards and Commissions, stated that the Planning Commission work session will be held electronically. Individuals are encouraged to participate and to provide comments for the record at planning.commission@herndon-va.gov. Ms. Orellana informed that the next scheduled meeting for the Planning Commission would be a public hearing to be held on February 22, 2021.

Ms. Orellana stated, for the record, that:

The Planning Commission work session held that evening was being conducted electronically Pursuant to Virginia Code Section 2.2-3708.2, as amended; the Governor's Executive Orders, as amended; and in accordance with Ordinance 20-O-23,

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Continuity of Governmental Operations during Pandemic Disaster (COVID-19), as amended and readopted by the Herndon Town Council on September 8, 2020, which superseded previously adopted amendments.

- Proper notice of the electronic meeting was provided in accordance with Section 2.2-3708.2 of the Code of Virginia, along with information for viewing the meeting and submitting comments for the record;
- The agenda and meeting materials are available on the town's website;
- Electronic meetings begin with a roll call and determination of quorum; and
- All votes, including adjournment, will be by roll call vote.

1. **ROLL CALL / DETERMINATION OF QUORUM**

Chairman Romeo called the work session to order at 7:00 p.m. and asked the Clerk to call roll call.

Ms. Orellana called roll call.

Chairman Romeo stated, for the record, that there was a quorum present, electronically, that evening.

ANNOUNCEMENT

Chairman Romeo announced that Lesa Yeatts, Town Attorney and Parliamentarian; Lisa Gilleran, Director of Community Development; David Stromberg, Zoning Administrator; Michael Wallick, Transportation Planner, Bill Ashton, Town Manager; Scott Robinson, Director of Public Works; John Irish, Deputy Director of Public Works; and Mark Duceman, Transportation Program Manager were also present.

PUBLIC HEARINGS

2. **TOWN OF HERNDON FY 2022 – FY 2027 CAPITAL IMPROVEMENT PROGRAM (CIP), the Planning Commission will take public comment on the town's Capital Improvement Program (CIP) and consider a recommendation to the Town Manager. The manager will subsequently recommend an operating budget and CIP to the Town Council. The CIP is a financial planning document that establishes a six-year schedule for public improvements and serves as a companion policy document to the Town of Herndon 2030 Comprehensive Plan.**

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Chairman Romeo called on Lisa Gilleran, Director of Community Development, for the staff report. Ms. Gilleran presented the staff report dated February 8, 2021, which is on file in the office of Community Development.

Ms. Gilleran informed the Planning Commissioner that Justin Dyer from the Herndon Police Department, Tammy Chastain, Deputy Director of Public Works, and Cindy Roeder, Director of Parks and Recreation were also present for the work session and available to answer questions.

Ms. Gilleran provided the following information regarding the Capital Improvement Program:

- Financial planning document with a six-year schedule for a variety of public facilities and improvements.
- The CIP becomes part of the annual operating budget, with funding for projects within six fiscal years. During an economic crisis, the budget may be impacted by sequestration and related actions.
- The CIP is a planning effort with a general commitment to support major project stages from concept through design and construction.

Alignment with the Comprehensive Plan:

- Projects requiring debt are included in the adopted 2030 Comprehensive Plan such as:
 - Downtown Parking and Arts Center
 - Community Center Phase 5
 - Runnymede Park Nature Center
 - Several major transportation projects
- Other major infrastructure CIP projects are necessary to support redevelopment per the Comprehensive Plan.

Project Overview:

- The proposed CIP contains 49 projects:
 - 37 General Fund projects
 - 12 Enterprise Fund projects
 - Most of these projects are on-going from the adopted FY 2021 -FY 2026 CIP; the following projects are new:
 - #18 Herndon Parkway/Sunset Park Drive Intersection
 - #21 Police Parking Lot Expansion
 - #25 1481 Sterling Road HVAC and Roof Replacement
 - #26 Energy Conservation (Federal grant and Va. financing)
 - #27 Town Shop Underground Fuel Storage Tanks

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- #37 Aquatic Pool Pak Replacement at Herndon Community Center

Multimodal Transportation & Enhancements:

- 8 projects including 3 large projects designed and built by Virginia Department of Transportation
- **East Elden Street** - \$55,341,000 total
 - Town matching includes \$1,948,000 G.O. bond
 - VDOT Revenue Sharing matches that amount
- **Herndon Pkwy/Spring to Fairfax Co. Pkwy** - \$17,977,000 total
 - G.O. bond at total \$3,841,000
 - VDOT Revenue Sharing nearly matches that amount
- **South Elden Street** - \$16M total from VDOT Smart-Scale funding
- Vehicle/Pedestrian Access to Metro Station (“Bus Bays” plus “vehicle drop-off”)
- Van Buren Street (old Spring to Herndon Pkwy.)
- Herndon Parkway/Van Buren Intersection
- Trails to Herndon Metrorail
- Worldgate Drive Extension
- Downtown Streets
- Elden-Center Intersection
- Elden-Monroe Intersection
- Downtown Utility Relocation
- Traffic Signal at Herndon Centre
- Sterling Road Improvements
- Sidewalks, Minor Trails and Bicycle Facilities
- Way-finding Signs and Historic Markers

Government Facilities & Infrastructure:

- Information Technology
- Town-wide Security Initiative
- Police Parking Lot Expansion
- Police Exterior Garage
- Police Server Room – HVAC and Expansion
- Downtown Redevelopment – Art Center Interior
- 1481 Sterling Road HVAC and Roof
- Energy Conservation
- Town Shop Underground Fuel Storage Tanks

Stormwater Management & Environmental Enhancement:

- Storm Drainage Improvements
- Stream Restoration

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* both projects funded by Fairfax County Stormwater Tax revenues

Parks & Recreation:

- Sports Field and Park Improvements
- Bready Park Tennis Courts
- W&OD Trail Lighting
- Park Equipment Replacement Program
- Herndon Community Center Phase 5
- Trailside Skate Park Expansion
- Runnymede Park Nature Center
- Community Center Aquatics Pool Pak (replace dual units serving the natatorium)

Ms. Gilleran presented the FY22-FY27 Proposed Funding Sources for the Capital Improvement Program.

Chairman Romeo called on the Commissioners to address comments or questions to staff. The Planning Commissioners asked for clarification on bond rating, VODT funding, Covid impact on the CIP, and when would the CIP go to Town Council. Ms. Gilleran, Bill Ashton, Town Manager, John Irish, Deputy Director of Public Works provided information to the Planning Commissioners.

Chairman Romeo requested that Carroll House be added to the CIP for next year.

3. **ZONING ORDINANCE TEXT AMENDMENT, ZOTA #21-01**, to reduce the minimum front setback requirement in the CS, Commercial Services, zoning district. This zoning ordinance text amendment is being considered pursuant to Virginia Code §§ 15.2-2204, 15.2-2285, 15.2-2286, and an Initiating Resolution adopted by the Town Council on January 26, 2021. Notice is hereby given to consider zoning text amendments to establish new, and clarify, revise, and/or delete, existing regulations and definitions in order to reduce the minimum required front setback from 50 feet to 25 feet. The proposed amendments under consideration include, without limitation: Chapter 78 (ZONING), Article IV (Business Districts), and Section 78-40.2 (CS – Commercial Services District).

Chairman Romeo called on David Stromberg, Zoning Administrator, for the staff report. Mr. Stromberg presented the staff report dated February 8, 2021, which is on file in the office of Community Development.

Mr. Stromberg informed the Planning Commissioners that the town council approved Resolution 21-G-22 to initiate consideration of this zoning ordinance text amendment during a public hearing on January 26, 2021. Mr. Stromberg informed that this zoning ordinance text amendment will reduce the minimum front setback requirement in the

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CS, Commercial Services, zoning district. All principal and accessory structures in the CS zoning district are currently required to be at least 50 feet back from the front property line. The proposal would reduce the minimum setback requirement to 25 feet. Chairman Romeo called on the Commissioners to address comments or questions to staff. There were no major comments or questions from the Planning Commissioners to staff.

4. **SPECIAL EXCEPTION, SE #20-01, 1131 Elden Street, Pollo Campero, to permit a drive-through service accessory to a new-construction eating establishment. The property is zoned CS, Commercial Services, and is designated in the Herndon 2030 Comprehensive Plan as "Business Corridor". The property is located on the east side of Elden Street, approximately 260 feet from its intersection with Alabama Drive. Fairfax County Tax Map Reference Number: 0161-04050009B. Applicant: Campero USA Corporation. Property Owner: BXA, LLC.**

Chairman Romeo called on Michael Wallick, Transportation Planner, for the staff report. Mr. Wallick presented the staff report dated February 8, 2021, which is on file in the office of Community Development.

Mr. Wallick, Transportation Planner, informed that the Pollo Campero operates an existing eating establishment within the town at 496 Elden Street. Mr. Wallick informed that the existing location does not include a drive-through service. The applicant is looking to move its operations within the town to 1131 Elden Street and is seeking a special exception to permit a drive-through service accessory to an eating establishment.

Mr. Wallick informed that staff believes this proposal meets the criteria for approval of a special exception and recommends approval of the drive-through with the attached conditions.

[Note: Below are the conditions recommended by staff.]

1. Substantial Conformity. The development and maintenance of the special exception use, described in Condition 2 below, shall be in substantial conformance with the SE #20-01 application plans, prepared by Menemsha Solutions and dated February 1, 2021. Approval of this application on the parcel identified as Fairfax County Tax Map Number 0161-04050009B, known as 1131 Elden Street, 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

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comply with and conform to any other Zoning Ordinance, codified ordinance, or regulatory requirement.

2. Permitted Use. This special exception is granted to allow a drive-through service as accessory to a new-construction eating establishment on the Property pursuant to Section 78-80.4(j) of the Town of Herndon Zoning Ordinance (the "Zoning Ordinance").
3. Fencing. A decorative metal fence, subject to approval by the Architectural Review Board, shall be installed and maintained along the northern property boundary and shall be a minimum of 5 feet in height, unless otherwise restricted by Section 78-115.2 of the Zoning Ordinance.
4. Loading Zone. Use of the loading zone shall be restricted to the hours of 7:00 AM to 10:00 AM. The loading zone area shall be identified on the site with signage, markings on the pavement, or both.
5. Trash Collection. Trash collection shall be restricted to the hours of 7:00 AM to 10:00 AM.
6. One Drive-Through Service Window per Lot. There shall be no more than one accessory drive-through service window on the Property.
7. Amendment of Special Exception. Any proposed changes to this special exception shall follow the process described in Section 78-155.3(j) of the Zoning Ordinance.
8. Revocation. Any violation of the aforementioned conditions or other sections of the Herndon Town Code shall be grounds for revoking the special exception pursuant to the manner described in Section 78-155.3(h) of the Zoning Ordinance.

Chairman Romeo called on the Commissioners to address comments or questions to staff. The Planning Commissioners asked for clarification of the proposed application, specifically related to the drive aisles, vehicle turning radius, and landscape buffers. Mr. Wallick stated he would provide a memorandum prior to the public hearing with additional details.

5. **SPECIAL EXCEPTION, SE #20-05, 385 Spring Street, Security Public Storage, to permit the addition of six moving trucks for rent accessory to a self-service storage facility. The property is zoned PD-B, Planned Development - Business, and is designated in the Herndon 2030 Comprehensive Plan as "Office Parks & Flexible Space". The property is located on the southwest side of the Spring Street and Victory Drive intersection. Fairfax County Tax Map Reference Number: 0162-02-0173B. Applicant: Man Choi. Property Owner: Herndon Storage, LLC.**

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Chairman Romeo called on Michael Wallick, Transportation Planner, for the staff report. Mr. Wallick presented the staff report dated February 8, 2021, which is on file in the office of Community Development.

Mr. Wallick informed that staff believes this proposal meets the criteria for approval of a special exception and recommends approval of the addition of up to five moving trucks for rent, accessory to a self-service storage facility, with the attached conditions.

[Note: Below are the conditions recommended by staff.]

1. Substantial Conformity. The development and maintenance of the special exception use described in Condition 2 below shall be in substantial conformance with the SE #20-05 application materials submitted January 14, 2021. Approval of this application on the parcel identified as Fairfax County Tax Map Number 0162-02-0173B, known as 385 Spring Street, 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. Permitted Use. This special exception is granted to allow the addition of five moving trucks for rent on the Property pursuant to Section 78-80.4(o) of the Town of Herndon Zoning Ordinance (the "Zoning Ordinance").
3. Size Limit. The moving trucks shall not be any larger than a 10' rental truck, with the vehicle measuring 19'11" in length and 6'4" in width.
4. Parking. The moving trucks shall be parked in the designated parking spaces as shown on the special exception plan, dated January 14, 2021, with the exception of the space located near the center of the east building elevation, which shall be relocated to the small parking lot outside the loading dock.
5. Hours of Operation. The hours for picking up moving trucks shall be limited to 9:00 AM through 6:00 PM.
6. Drop-offs. Any moving truck returns that occur outside of the hours specified in condition #5 shall be in the marked spaces adjacent to the loading dock and Victory Drive.
7. Not to be Separate Business. The moving truck business operations shall be accessory to the self-service storage facility and not a separate business entity.

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8. Zoning Inspection Permit and Inspections. A Zoning Inspection Permit for the accessory moving truck rental use is required prior to issuance of the business license. Following the business license, the accessory use shall be inspected by zoning and building officials during reasonable hours and upon reasonable prior notice.
9. Amendment of Special Exception. Any proposed changes to this special exception shall follow the process described in Section 78-155.3(j) of the Zoning Ordinance.
10. Revocation. Any violation of the aforementioned conditions or other sections of the Herndon Town Code shall be grounds for revoking the special exception pursuant to the manner described in Section 78-155.3(h) of the Zoning Ordinance.

Chairman Romeo called on the Commissioners to address comments or questions to staff. The Planning Commissioners asked for clarification of the proposed application, specifically related to proposed truck "E", the loading dock, and proposed operations. Mr. Wallick stated that staff recommended that the proposed truck "E" be relocated or removed.

DISCUSSIONS

6. Items of Interest

Chairman Romeo called on Lisa Gilleran, to provide items of interest. Ms. Gilleran informed the Planning Commissioners that there were no items of interest for the work session.

7. Accessory Dwelling Unit presentation

Chairman Romeo called on Lisa Gilleran, to provide an abbreviated presentation on the discussion item, Accessory Dwelling Units. Ms. Gilleran provided an introduction of the accessory dwelling unit presentation, the housing challenge and the current practices involved. Ms. Gilleran informed the Planning Commissioners that this discussion item will be on the work session agenda in March.

8. Aslin Brewery Taproom Building Design

Chairman Romeo called on Lisa Gilleran, for the staff memo. Ms. Gilleran informed that the staff memo dated February 8, 2021, which is on file in the office of Community Development, was provided with the dispatch to address the Planning Commissioners questions from last month.

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Chairman Romeo called on the Commissioners to address comments or questions to staff. The Planning Commissioners did not have questions and informed Ms. Gilleran that the staff memo provided was helpful.

9. COMMENTS FROM THE STAFF

There were no comments from the staff.

10. COMMENTS FROM THE COMMISSIONERS

There were no comments from the Commissioners.

ADJOURNMENT

On the motion of Commissioner Donahue, seconded by Commissioner LeReche and carried by a vote of 6-0, the February 8, 2021 Planning Commission work session was adjourned. The vote was: Commissioners Donahue, LeReche, Moses, Yohannes, Vice Chair Burke and Chairman Romeo voting "Aye."

There being no further business, the meeting adjourned at 9:33 p.m.



**Michael Romeo, Chairman
Planning Commission**



**Erika Orellana
Clerk to Boards & Commissions**

Minutes approved by the Planning Commission: March 22, 2021