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**PLANNING COMMISSION
Regular Meeting
Monday, January 23, 2023**

The Planning Commission met in public session on Monday, January 23, 2023, 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, Dua’a Elbarasse, Mike McFarlane, Kevin Moses, and Meron Yohannes.

Others present during the meeting: Lisa Gilleran, Director of Community Development; Lesa Yeatts, Town Attorney; Scott Robinson, Director of Department of Public Works; John Irish, Deputy Director of Department of Public Works; John Verdin, Capital Improvement Program Project Manager; and Aaron Zoellick, 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. Call to Order

Chairman Romeo stated that there were seven members present, which constituted a quorum.

On the motion of Commissioner Moses, seconded by Vice Chair Burke and carried by a vote of 7-0, the agenda for the January 23, 2023, Planning Commission regular meeting was approved. The vote was: Commissioners Donahue, Elbarasse, McFarlane, Moses, Yohannes, Vice Chair Burke, and Chairman Romeo voting “Aye.”

2. Organizational Meeting Item

a. Election of Officers

Michael Romeo was nominated for the position of Chairman of the Planning Commission for the 2023 term on motion by Commissioner McFarlane, seconded by Vice Chair Burke.

Chairman Romeo accepted the nomination.

There were no other nominations, and the nominations were closed. The vote carried 7-0. The vote was: Commissioners Donahue, Elbarasse, McFarlane, Moses, Yohannes, Vice Chair Burke, and Chairman Romeo voting “Aye.”

Chairman Romeo was elected Chairman of the Planning Commission for the 2023 term.

George Burke was nominated for the position of Vice Chair of the Planning Commission for the 2023 term on motion by Chairman Romeo, seconded by Commissioner Yohannes.

Vice Chair George Burke accepted the nomination.

There were no other nominations, and nominations were closed. The vote carried, 7-0. The vote was: Commissioners Donahue, Elbarasse, McFarlane, Moses, Yohannes, Vice Chair Burke, and Chairman Romeo voting “Aye.”

3. Approval of Minutes

a. November 7, 2022, Planning Commission Work Session Minutes

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- b. November 14, 2022, Planning Commission Public Hearing Minutes
- c. December 5, 2022, Planning Commission Work Session Minutes
- d. December 12 ,2022, Planning Commission Public Hearing, *CANCELLED*

The minutes for the November 7, 2022, Planning Commission Work Session, the November 14, 2022, Planning Commission Public Hearing, and the December 5, 2022, Planning Commission Work Session were approved on the motion of Commissioner Donahue, seconded by Chairman Romeo. The vote carried 7-0. The vote was: Commissioners Donahue, Elbarasse, McFarlane, Moses, Yohannes, Vice Chair Burke, and Chairman Romeo voting “Aye.”

4. Comments

- a. Comments from the Staff Members

Ms. Gilleran stated that a joint meeting between the Herndon Town Council and the Planning Commission is being planned for February 16, 2023, to discuss the Transit Related Growth Small Area Plan.

- b. Comments from the Commissioners

There were no comments from the Commissioners.

- c. Comments from Citizens

There were no comments from citizens.

5. Public Hearing

Chairman Romeo asked Ms. Gilleran if the public hearing items on the agenda were properly advertised.

Ms. Gilleran stated that the application was properly advertised with notices of the public hearing having been duly advertised in the January 6 and January 13, 2023, issues of the Fairfax County Times Newspapers. Certificates of Publication from the Editor will be entered into the record upon receipt.

- a. **TOWN OF HERNDON FY 2024 – FY 2029 CAPITAL IMPROVEMENT PROGRAM (CIP).** The Planning Commission will take public comment on the Town’s Capital Improvement Program (CIP) and will consider a recommendation to the Town Manager. The Town 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.

Chairman Romeo opened the public hearing and called on Mr. Verdin for the staff report and updates.

Mr. Verdin delivered the staff memo dated January 23, 2023, and the presentation dated January 23, 2023, which are on file in the Department of Community Development.

Mr. Verdin stated that the Department of Public Works is asking that the Planning Commission recommend the proposed draft Capital Improvement Program to the Town Manager in accordance with the draft resolution.

Chairman Romeo called on the Planning Commission for questions of Mr. Verdin. Commissioners asked questions regarding the determination of ARPA funds available to

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the Town, the need for maintenance and improvements to the trails in Runnymede Park. Mr. Verdin and Mr. Irish responded to Commissioners questions.

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

There were no comments from the audience.

Chairman Romeo closed the public hearing.

Following the public hearing, Vice Chair Burke made a motion to recommend the proposed draft Capital Improvement Program to the Town Manager in accordance with the draft resolution. The motion was seconded by Commissioner Donahue.

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

- b. **ZONING ORDINANCE TEXT AMENDMENT, ZOTA #22-01**, to revise regulations governing the maximum number of freestanding signs permitted with a drive-through use. 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 amend the sign regulations for drive-through commercial uses. The proposed amendments under consideration include, without limitation: Chapter 78 (Zoning), Article XIV (Signs), and Section 78-141.4 (Sign Standards for Commercial Districts), and other articles as deemed necessary to revise the regulations.

Chairman Romeo departed the dais with Vice Chair Burke presiding.

Vice Chair Burke asked Mr. Zoellick if any disclosures were filed regarding ZOTA #22-01.

Mr. Zoellick stated that Chairman Romeo filed a Transactional Disclosure Statement. The statement indicates that Chairman Romeo’s employer, Walsh, Colucci, Lubeley & Walsh PC proposed ZOTA #22-01. While Chairman Romeo believes that he would be able to participate in the transaction fairly, objectively, and in the public interest, he nonetheless recused and disqualified himself from discussion and voting on this transaction.

Vice Chair Burke opened the public hearing and called on Mr. Stromberg for the staff report and updates.

Mr. Stromberg delivered the staff report dated January 9, 2023, and the presentation dated January 23, 2023, which are on file in the Department of Community Development.

Mr. Stromberg stated that staff is recommending Town Council approval of the staff version of ZOTA #22-01.

Vice Chair Burke called on the Planning Commission for questions of Mr. Stromberg. Commissioners asked questions regarding the possible applicability to other businesses, the possible applicability to temporary uses, and the Herndon Comprehensive Plan. Mr. Stromberg responded to the Commissioners’ questions.

Vice Chair Burke recognized members of the audience for comments on this item.

There were no comments from the audience.

Vice Chair Burke closed the public hearing.

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Following the public hearing, Commissioner McFarlane made a motion to recommend Town Council approve the staff version of ZOTA #22-01. The motion was seconded by Commissioner Yohannes.

The question was called on the motion, which carried by a vote of 6-0. The vote was: Commissioners Donahue, Elbarasse, McFarlane, Moses, Yohannes, and Vice Chair Burke voting "Aye."

6. Adjournment

There being no further business, and without objection, the January 23, 2023, Planning Commission regular meeting was adjourned at 7:40pm on the motion of Commissioner Moses, seconded by Commissioner McFarlane.

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

Aaron Zoellick
Clerk of Boards and Commissions

Minutes approved by the Planning Commission: February 27, 2023