HERNDON PLANNING COMMISSION
Regular Meeting Minutes
Monday, February 24, 2025

1. Call to Order

Chair Romeo called the February 24, 2025, Planning Commission regular meeting to order at 7:00 p.m. in the Town of Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Commissioners Jay Donahue, Yung Kim, Kevin Moses, Samuel Richardson, and Chair Michael Romeo.

Commissioners Dua'a Elbarasse and Vice Chair Meron Yohannes were absent.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; Collin Okoniewski, Planning Operations Manager; Fadrique Iglesias, Community Planner; and Aaron Zoellick, Clerk of Boards and Commissions.

Chair Romeo determined there was a quorum of five members present.

2. Approval of Minutes

a. January 13, 2025, Planning Commission Work Session

b. January 27, 2025, Planning Commission Regular Meeting

Commissioner Moses motioned to approve the January 13, 2025, Planning Commission work session minutes and the January 27, 2025, Planning Commission regular meeting minutes. Motion seconded by Commissioner Kim. The question was called on the motion which was carried by a 5 - 0 roll call vote. Commissioners Donahue, Kim, Moses, Richardson, Chair Romeo voted "Aye."

3. Comments

a. Comments from the Staff Members

No comments were offered.

b. Comments from the Commissioners

Chair Romeo recognized Commissioner Moses for his years of service to the Planning Commission and the Town of Herndon.

Commissioner Moses provided brief comments and thanked the Chair Romeo, the Planning Commission, and the Town of Herndon staff.

c. Comments from Citizens

No comments were offered.

4. <u>Public Hearings</u>

Certifications of Publication from the Editor of the Fairfax County Times Newspapers were filed, showing that notices of the following public hearing items were duly advertised in the February 7 and February 14, 2025, issues.

a. Application for a Special Exception – SE #24-03, 1402 Winterland Ct., to consider a special exception to permit a home-based child daycare use within the PD-R, Planned Development-Residential, zoning district.

Chair Romeo opened the public hearing and called on Mr. Iglesias for the staff presentation.

Mr. Iglesias delivered the staff presentation dated February 24, 2025, which is on file with the Department of Community Development. Mr. Iglesias stated this is an application for a Special Exception to increase the number of children permitted in a home-based childcare business to a max of 12. Staff recommended the Planning Commission recommend Town Council approve the Special Exception with conditions.

There was a discussion among the Planning Commission and staff on this item, including: (1) clarification regarding the gap in time between the first and second shift.

Chair Romeo recognized the applicant for comments.

The applicant, Nidia Retamal was present and provided brief comments through their interpreter.

There was a discussion among the Planning Commission, staff, and the applicant on this item, including: (1) clarification regarding the gap in time between the first and second shift.

Chair Romeo recognized members of the audience for comment.

Mark Byrd**,** president of the Four Seasons Recreation Association, provided comments opposing the application.

Commissioner Donahue asked for clarification regarding HOA rules requiring home-based businesses to limit hours between 8am and 8pm. Mr. Byrd responded.
Commissioner Kim asked for clarification regarding Four Season's status as a homeowners association. Mr. Byrd responded.

Harold Booshada provided comments opposing the application.

Commissioner Donahue asked for clarification regarding if citizen concerns impact staff analysis.
Ms. Gilleran responded.

George Verd provided comments opposing the application.

Margarette Booshada provided comments opposing the application.

Chair Romeo left the public hearing open and moved to the Commission level for discussion and possible action.

There was discussion among the Planning Commissioners and staff on this item, including: (1) clarification regarding any communication with the homeowner's association regarding the application; (2) clarification regarding whether there would be an issue if the Planning Commission approved the expanded business hours that would conflict with the HOA rules; (3) clarification regarding when the applicants began operating the business from the home; (4) clarification regarding state requirements on home-based daycares; and (5) whether any zoning violations have been issued to this home-based daycare.

Commissioner Donahue motioned to continue SE #24-03 to the March 24, 2025, Planning Commission regular meeting. Motion seconded by Chair Romeo.

Commissioner Donahue provided comments regarding their concerns with the application.
Commissioner Kim provided comments regarding their concerns with the application.
Chair Romeo provided comments regarding their concerns with the application and requested staff provide responses to public comments provided, specifically traffic and parking impacts.

The question was called on the motion which was approved by a 5 - 0 roll call vote. Commissioners Donahue, Kim, Moses, Richardson, and Chair Romeo voted "Aye."

b. Zoning Ordinance Text Amendment ZOTA #25-02, to amend Chapter 78

(ZONING), Article XV (Decision-Making Authorities, Application Review, and Permitting), Table 78-152.2(b)(3) (Fees for Development Applications) to adjust development fees in accordance with a comprehensive fee evaluation.

Chair Romeo opened the public hearing and called on Mr. Okoniewski for the staff presentation.

Mr. Okoniewski delivered the staff presentation dated February 24, 2025, which is on file with the Department of Community Development. Mr. Okoniewski stated this was a proposed text amendment to adjust development application fees to account for increased costs of staff review times and to bring fees in line with neighboring jurisdicitions. Staff recommended the Planning Commission recommend Town Council approve the draft ordinance.

There was a discussion among the Planning Commission and staff on this item, including: (1) clarification regarding discrepancies between the presentation and the draft ordinance; (2) clarification regarding the justification for the Proffer Condition Amendment fee increase from $455 to $7,500; (3) clarification regarding the justification for the Special Exception fee increases.

Chair Romeo called on comments from the audience.

No comments were offered.

Chair Romeo closed the public hearing and moved to the Commission level for discussion and possible action.

Chair Romeo motioned to approve ZOTA #25-02 and the recommended fees for development applications as listed in the staff report dated February 24, 2025. Motion seconded by Commissioner Moses. The question was called on the motion, which was carried by a 5 - 0 roll call vote. Commissioners Donahue, Kim, Moses, Richardson, and Chair Romeo voted "Aye."

5. Adjournment

There being no further business, and without objection, the February 24, 2025, Planning Commission regular meeting was adjourned at 8:03 pm.