PLANNING COMMISSION
REGULAR MEETING AGENDA

Herndon Police Department — Community Room
397 Herndon Parkway, Herndon, VA 20170

Monday, October 19, 2026 | 7:00 PM

1. **Call to Order**

2. **Approval of Minutes**

   a. August 10, 2026, Planning Commission Work Session Draft Minutes

   b. September 28, 2026, Planning Commission Regular Meeting Draft Minutes

3. **Comments**

   a. Comments from the Staff Members

   b. Comments from the Commissioners

   c. Comments from the Public
   Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

4. **Public Hearings**

   a. SPECIAL EXCEPTION – SE #26-05, 757 Elden Street, to consider a special exception to permit a commercial recreation/entertainment, indoor use consisting of a private event/meeting venue within the CC, Central Commercial, District

   b. ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-05 to amend Chapter 78 (ZONING), Article VI (Overlay Districts), as deemed necessary and appropriate to clarify existing language providing the Historic District Review Board's (HDRB) ability to grant setback reductions to certain properties within the HDO, allowing the HDRB to grant greater setback reductions than what is currently permitted when appropriate with certain standards within the HDO, and clarifying that the setback reduction process is separate and exempt from the Certificate of Appropriateness requirement

   c. ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-07 to amend Chapter 78 (ZONING), Article VII (Use Regulations), as deemed necessary

and appropriate to update conformance with the Code of Virginia to permit mixed-use or residential projects by-right on land owned by a property tax-exempt religious organization or a 501 (c)(3) property tax-exempt nonprofit organization

d. ZONING ORDINANCE TEXT AMENDMENT - ZOTA #26-08 to amend Chapter 78 (ZONING), Article X (Parking, Loading and Circulation), as deemed necessary and appropriate to update conformance with the Code of Virginia to cap minimum off-street parking requirements for residential, multifamily, and mixed-use development within a designated area, defined as any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility

5. Adjournment

Planning Commission
Regular Meeting
Agenda Item 2.a.

Agenda Item: **August 10, 2026, Planning Commission Work Session Draft Minutes**

Meeting Date: October 19, 2026

Category: Approval of Minutes

Prepared by: Margie Tacci, Deputy Town Clerk

Description:
This is a request to approve the August 10, 2026, Planning Commission Work Session Draft Minutes.

Background/Timing Impact:
Planning Commission minutes are typically presented for approval in chronological order. Action on the minutes is an important function of the Planning Commission.

Fiscal Impact:
N/A

Legal Impact:
Code of Virginia Section 2.2-3707 outlines the requirements for the recording of minutes for all public bodies.

Staff Recommendation/Next Steps:
Recommend approval as presented.

Attachments:
1. Draft Minutes

HERNDON PLANNING COMMISSION
Work Session Minutes
Monday, August 10, 2026

1. Call to Order

Chair Romeo called the Planning Commission Work Session to order on Monday, August 10, 2026, at 7:01 p.m. in the Herndon Council Chambers, 765 Lynn Street, Herndon. In attendance were: Commissioners Andrew Beatty; Yung C. Kim; Stephen Mundt; Brenda Wichman; Vice Chair Meron Yohannes; and Chair Michael G. Romeo.

Commissioner Samuel Richardson was absent.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; Bryce Perry, Deputy Director of Community Development; Collin Okoniewski, Economic Development Manager; and Margie Tacci, Deputy Town Clerk.

Chair Romeo stated that six Planning Commissioners were present, which constituted a quorum.

2. Old Business/Updates

a. Update on the 2050 Comprehensive Plan Project, the Downtown and Metro Early Action Plans, and the Market Study

Chair Romeo recognized Lisa Gilleran, Director of Community Development, for the staff presentation. Ms. Gilleran provided an update on the Herndon 2050 Comprehensive Plan and the Downtown and Metro Early Action Plans. She stated that work was continuing on the Comprehensive Plan and the accompanying early action plans, as well as the Market Study and Economic Development Strategy (MSEDS). Ms. Gilleran shared that an open house was planned in the fall to receive public feedback on scenarios for the Downtown and Metro areas. Following the open house, the Town's consultants would refine the scenarios based on the feedback received, and consider what the action areas should be.

Ms. Gilleran requested the Commission’s input on potential land uses, activities, and connections between the Downtown and Metro areas.

Chair Romeo and Vice Chair Yohannes provided updates on their participation on the Metro and Downtown Early Action Plan committees. They stated that the

committees were continuing to discuss the roles of both areas, opportunities for future growth, and ways to maintain the Downtown's character while supporting development in the Metro area.

There was discussion among the Commission and staff on the following:

1. Metro Area and Downtown Area: The Metro area and Downtown area should be viewed as complementary, with opportunities for growth while maintaining the Downtown area's character. The Metro area was identified as an important growth area for residential, office, retail, and service uses.
2. Connectivity and Transportation: Improved connections between the Metro area, Downtown area, open spaces, and surrounding neighborhoods were emphasized, including trails, Herndon Parkway, wayfinding, and potential transportation improvements. A possible roundabout at Van Buren Street and Spring Street was discussed, although one is not currently planned.
3. Downtown Area Revitalization: Opportunities to support the Downtown area include the Main Street Program, events and entertainment, public art, and strategies to attract more visitors to the area.
4. Parks and Amenities: Potential amenities include parks, splash pads, larger tot lots, unique restaurants, and connections to the golf course and surrounding neighborhoods.
5. Development and Land Use: The future use of Parcel H was discussed, including whether additional services or mixed-use development could attract visitors. Flexible industrial uses were also noted as potentially performing well, including light warehousing and data center support services.
6. Staff Follow-Up: Staff discussed the importance of connectivity, active uses, and understanding the committees' perspectives. Staff will follow up, as appropriate, on the feasibility of proposed transportation and connectivity improvements and will provide any additional information requested regarding Downtown area properties and Parcel H.

Collin Okoniewski, Economic Development Manager, briefed the Commission on the Market Study and Economic Development Strategy, including strategies for business recruitment and retention and opportunities for flexible space. He noted that the Economic Development Authority (EDA) would have a supporting role in implementation. The applicability of the Main Street Program will depend on future discussions regarding Downtown area boundaries and would include additional community input and promotional efforts.

There was discussion among the Commission and staff on the following:

1. Housing: The Commission discussed workforce housing, including varying definitions of the term and how current housing needs differ from previous consultant recommendations. Ms. Gilleran referenced housing consultant

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findings indicating a need for greater housing diversity and attainable homeownership options. She noted that while the Town can establish policies and goals, developers ultimately determine the types of housing constructed. Housing recommendations and future opportunities remain under evaluation.

2. Arts Center: The Arts Center was briefly referenced as another topic of ongoing community interest and planning consideration.

3. Comments

a. Comments from the Staff Members

Chair Romeo recognized staff members for additional comments.

Ms. Lisa Gilleran, Director of Community Development, informed the Commission that no applications had been received for the month and no public hearings would be held.

Chair Romeo stated that, as planning efforts move forward, he would like to review additional areas of the Town. Ms. Gilleran noted that these topics would be discussed further during the upcoming open house.

The Commission discussed future land use concepts for the Pines Center, a shopping center located at the corner of Elden and Monroe Streets. Commissioner Beatty suggested evaluating the commercial area for potential residential use. Ms. Gilleran noted that previous planning documents envisioned residential development with some supporting commercial uses. Chair Romeo observed that any such change would require rezoning or possible incentives to the owners.

Commissioner Mundt suggested that the area could serve as an extension of Junction Square. Chair Romeo commented that the Pines Center should maintain a distinct character and noted that businesses within Junction Square currently occupy a relatively limited area. Ms. Gilleran added that prior concepts for the Pines Center included apartment development with some retail uses.

Commissioner Mundt also asked about the South Elden Area Plan. Ms. Gilleran confirmed that the plan contemplates the redevelopment of existing shopping centers into mixed-use developments.

b. Comments from the Commissioners

Chair Romeo recognized the Commissioners for comments.

Commissioner Mundt asked about the October 1, 2026, open house. Ms. Gilleran stated that the Town will host two Herndon 2050 interactive planning open houses on Thursday, October 1, from 2:00–4:00 p.m. and 6:00–8:30 p.m. The events plan

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to provide an opportunity for residents to help shape the Town's future, with a gift available to the first 100 participants at each session.

4. Adjournment

There being no further business, and without objection, Chair Romeo adjourned the August 10, 2026, Planning Commission Work Session at 8:09 p.m.

Margie C. Tacci
Deputy Town Clerk

Minutes approved by the Planning Commission: _____

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Planning Commission Regular Meeting
Agenda Item 2.b.

Agenda Item: **September 28, 2026, Planning Commission Regular Meeting Draft Minutes**

Meeting Date: October 19, 2026

Category: Approval of Minutes

Prepared by: Margie Tacci, Deputy Town Clerk

Description:
This is a request to approve the September 28, 2026, Planning Commission Regular Meeting Draft Minutes.

Background/Timing Impact:
Planning Commission minutes are typically presented for approval in chronological order. Action on the minutes is an important function of the Planning Commission.

Fiscal Impact:
N/A

Legal Impact:
Code of Virginia Section 2.2-3707 outlines the requirements for the recording of minutes for all public bodies.

Staff Recommendation/Next Steps:
Recommend approval as presented.

Attachments:
1. Draft Minutes

HERNDON PLANNING COMMISSION
Regular Meeting Minutes
Monday, September 28, 2026

1. Call to Order

Chair Romeo called the Planning Commission Regular Meeting to order on Monday, September 28, 2026, at 7:05 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon. In attendance were: Commissioners Andrew Beatty; Yung C. Kim; Samuel F. Richardson II; Brenda Wichman; Vice Chair Meron Yohannes; and Chair Michael G. Romeo.

Commissioner Stephen Mundt was absent.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; and Margie Tacci, Deputy Town Clerk.

Chair Romeo stated that six Planning Commission Members were present, which constituted a quorum.

2. Approval of Minutes

a. May 28, 2026, Planning Commission Special Work Session

b. June 8, 2026, Planning Commission Work Session

c. June 22, 2026, Planning Commission Regular Meeting

Vice Chair Yohannes moved the following sets of minutes for approval, as presented:

- May 28, 2026, Planning Commission Special Work Session Minutes;
- June 8, 2026, Planning Commission Work Session Minutes; and
- June 22, 2026, Planning Commission Regular Meeting Minutes.

Motion seconded by Commissioner Richardson. The question was called on the motion, which was carried by a 6-0 roll call vote. The vote was: Commissioners Beatty, Kim, Richardson, Wichman, Vice Chair Yohannes, and Chair Romeo voting "Aye." Commissioner Mundt was absent.

3. Comments

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a. Comments from the Staff Members

Lisa Gilleran, Director of Community Development, stated that a joint work session with the Town Council and the Planning Commission was scheduled for November 10, 2026. The meeting will be a workshop about placemaking with Peter Kageyama, author of *The Emotional Infrastructure of Places* and *For the Love of Cities*.

Ms. Gilleran stated that the Town would host the Herndon Futures Workshop, part of the Herndon 2050 Public Engagement Plan, on Thursday, October 1, 2026, at the Herndon Community Center to talk about the 2050 Comprehensive Plan and economic development study. She stated there would be two sessions, the first from 2:00 to 4:00 p.m., and the second from 6:00 to 8:30 p.m.

Responding to Chair Romeo, Ms. Gilleran stated that from October 1, 2026, through December 31, 2026, all Town Council, Board, Commission, and Committee meetings will be held at the Herndon Police Department Community Room, at 397 Herndon Parkway, unless otherwise noted, due to the HVAC replacement project in the Herndon Council Chambers.

Margie Tacci, Deputy Town Clerk, stated that during this time, livestreaming will not be available. Meetings typically recorded will be uploaded after the meeting date for on-demand viewing through the CivicClerk portal.

b. Comments from the Commissioners

Chair Romeo recognized the Commissioners for comments.

Chair Romeo: stated that he recently visited a site in Cary, North Carolina. He noted the development took 10 years to come to fruition and is interested in reviewing this for the future. He offered to provide pictures.

c. Comments from the Public

There were no comments from the public.

4. New Business

a. Resolution to establish the Planning Commission meeting schedule for January 1, 2027 to December 31, 2027

Chair Romeo recognized Margie Tacci, Deputy Town Clerk, for the staff presentation. Ms. Tacci reviewed the proposed 2027 Planning Commission meeting schedule dates, which were selected based on the Commission's by-laws and traditional schedule. Staff recommended approval of the proposed resolution, as presented.

Chair Romeo stated that the American Planning Association Virginia Annual

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Conference is scheduled for July 11-14 in Spotsylvania County, Virginia. While a Planning Commission Work Session on July 12, 2027, is proposed, he did not think the date had to be changed.

Commissioner Beatty moved to approve Resolution 26-PC-12 to establish the Planning Commission meeting schedule for January 1, 2027, to December 31, 2027. Motion seconded by Commissioner Kim. The motion carried by a 6-0 roll call vote. The vote was: Commissioners Beatty, Kim, Richardson, Wichman, Vice Chair Yohannes, and Chair Romeo voting "Aye." Commissioner Mundt was absent.

5. Adjournment

There being no further business, and without objection, Chair Romeo adjourned the September 28, 2026, Planning Commission Regular Meeting at 7:17 p.m.

Margie Tacci
Deputy Town Clerk

Minutes approved by the Planning Commission: _____

[Note: Approved resolutions are on file in the Department of Community Development.]

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Agenda Item: **SPECIAL EXCEPTION – SE #26-05, 757 Elden Street, to consider a special exception to permit a commercial recreation/entertainment, indoor use consisting of a private event/meeting venue within the CC, Central Commercial, District**

Meeting Date: October 19, 2026

Category: Public Hearings

Prepared by: Aaron Zoellick, Zoning Services Specialist

Description:
Following the October 5 Planning Commission work session, the applicant provided additional information based on staff and Commissioners comments.

Parking
The applicant previously purchased ten parking spaces through the Public Shared Parking program to bring the property into conformance with zoning ordinance requirements for minimum off-street parking. Six additional spaces have been leased through the owner of the adjacent rear lot. Two of the six leased spaces will be reserved for vendors waiting to load/unload. The remaining four leased parking spaces will be used for event guest parking.

The applicant states that there are two parking spaces in the rear of the property. Under Section 78-100.5(b)(1) of the Zoning Ordinance, parking stalls at a 90° parking angle are required to have a depth of 18 feet and the distance from the rear of the building to the property line is 16 feet. The applicant is further proposing to store six refuse/recycling carts along the rear wall that will further reduce the space for parked vehicles. The two proposed parking spaces at the rear of the building do not comply with the zoning ordinance. Without the two parking spaces at the rear of the building, the applicant has 16 parking spaces and exceeds zoning ordinance requirements.

Guest Pick-up and Drop-Off:
The applicant is proposing mitigating measures to address concerns related to guest pick-up and drop-off for events.

1. The applicant proposes two rideshare, taxi, limousine, and car-service pick-up/drop-off locations along Spring Street. Staff cannot support designated spaces for these services, as there is no space for designated guest pick-up and drop-off locations along Spring Street. Vehicles should not be stopping in a travel lane for passenger pick-up/drop-off. Off-site signs are not permitted.

2. The applicant is requesting one existing parking space in front of 757 Elden Street for an active passenger-loading location. Staff is recommending that this proposal not be considered as part of the special exception application. Instead, the request should be directed to the Transportation Engineering Improvement Committee (TEIC). TEIC is an advisory committee that reviews and evaluates transportation plans and can make a recommendation to the Town Manager.
3. The applicant proposes an optional valet service with a reception podium located near the Public Shared Parking lot on Spring Street. Staff cannot support a reception podium in the proposed location, or on any public property without a license agreement approved by Town Council. However, the applicant could pursue an agreement with an adjacent property to host the reception podium.
4. The applicant states that any bus, shuttle, or unusually large vehicle movement will require advance coordination and a lawful loading location. Staff recommends that any bus, shuttle, or limousine be required to use one of the two designated vendor parking locations at the rear of the building.

Vendor Loading and Unloading:
All event-related vendor loading and unloading will occur in the existing loading area along the south elevation of the property. Vendors will not load, unload, queue, stage, or store equipment in the public alley or other public rights-of-way. Vendors will be appointed staggered loading/unloading times. Vendors waiting to load/unload supplies will be directed to the two dedicated vendor parking spaces. Staff is supportive of these mitigating measures.

Pedestrian experience when the venue is not hosting an event:
A limited number of tables and chairs will remain arranged as coordinated display vignettes. Table linens, chair treatments, and other decorative elements supplied by Design and Interiors may be incorporated and changed periodically to provide visual interest. The storefront windows will remain visually open. Interior lighting will provide a warm, welcoming appearance during business and appointment hours. The intent is to provide pedestrians with a view of a finished, furnished, and actively maintained event venue.

Background/Timing Impact:
The property is currently occupied by the Upholstery Shop and operates as a personal services and retail use. The applicant is requesting to add an indoor entertainment use. Staff and the applicant met in a pre-application meeting on February 26, 2026.

Fiscal Impact:
There is no immediate fiscal impact from this application. The proposed business may be subject to applicable taxes and fees, including the Town’s BPOL tax.

Legal Impact:
The Code of Virginia Sec. 15.2-2310 and Herndon Town Code Sec. 78-155.3 outline the requirements of applications for special exceptions.

Staff Recommendation/Next Steps:
Staff recommends the Planning Commission recommend approval to Town Council. If approved, SE #26-05 may be considered by the Town Council at its November 17, 2026, regular meeting.

Attachments:
1. SE 26-05 Staff Report (Oct 5 WS)
2. Resolution (Proposed)
3. Special Exception Criteria Matrix
4. Revised Plans
5. Applicant Narrative
6. Updated Applicant Narrative
7. Supplemental Photographs
8. Legal Ad
9. Presentation

STAFF REPORT

Agenda Item: Special Exception – SE #26-05, 757 Elden Street - Application to permit an indoor entertainment use within the central commercial zoning district.

Meeting Date: October 5, 2026

Staff Contact: Aaron Zoellick, Zoning Services Specialist
aaron.zoellick@herndon-va.gov (703) 787-7380
David Stromberg, AICP, Zoning Administrator
david.stromberg@herndon-va.gov (703) 787-7380

Site Description & Background:



757 Elden Street is located approximately 100 feet from the intersection of Elden Street and Spring Street in the central commercial (CC) zoning district and is within the Historic District Overlay. Although the front facade of the building has been modified, it remains a contributing structure. The original use of the building was as a movie theater. The property is currently occupied by The Upholstery Shop and operates as a personal services and retail sales use. The property's inclusion in Herndon Downtown - Sector 2 of the Town of Herndon 2030 Comprehensive Plan, Downtown Master Plan, Comprehensive Plan Amendment #10-01 reflects the Town's intent to "[r]einforce Elden Street as the retail core by adding new mixed-use buildings and restoring certain historic buildings to accommodate viable commercial buildings." The intent of central commercial (CC) district is to "allow for a mix of office, service commercial, retail commercial, entertainment, cultural, government, and civic uses." Sec. 78-40.1.

Case Details & Proposed Operations:

The applicant seeks a special exception to convert the property to a venue for private events, including weddings, receptions, corporate meetings, private celebrations, nonprofit gatherings, recitals, presentations, and similar scheduled functions. The Town's zoning ordinance categorizes this type of use as indoor entertainment. Sec. 78-71.8. Indoor entertainment is permitted in the central commercial zoning district by special exception. Sec. 78-40.1(c)(3).

Private events will be held on the first floor of the building. The applicant anticipates most events to occur Thursday through Sunday, primarily during the evening. The venue will host no more than one event per day. In the first year of operation, the applicant anticipates hosting 30-45 events, or approximately one per week – increasing to 60-80 events per year as the business grows.

The second floor will continue to be used as a personal services and retail sales space. Design and Interiors by the Upholstery Shop will be an appointment-based design studio, sample library, showroom, sales and consultation service. Appointments for the design studio will not conflict with scheduled events. This is a continuation of the existing principal use and not part of the special exception.

The applicant is proposing the installation of a gate at either end of the property along the west elevation. Additionally, the applicant is proposing a ramp from the right-of-way to the entrance near the northwest corner of the property.

Staff Analysis:

Zoning Ordinance Compliance

Indoor entertainment is a permitted use by special exception in the central commercial zoning district. Sec. 78-40.1. Each proposed special exception use must be evaluated for compliance with the standards set forth in Sec. 78-155.3, the standard for the proposed use in Sec. 78-71, and any other relevant considerations. Sec. 78-155.3(b)(2).

Sec. 78-155.3(e) establishes general standards for all special exception uses. Staff evaluated the criteria for review of special exceptions found in Zoning Ordinance Sec. 78-155.3(e). Criteria (a)–(e), (g)–(i), and (j) were found to be applicable to the analysis. Criteria (f) and (k) – (m) were found to be not applicable to the analysis because there are minimal physical alterations to the structure proposed, and the building is not located within the floodplain overlay. Staff believes that conditions will be required to limit impacts.

The zoning ordinance requires that indoor entertainment uses in the Herndon Downtown shall be of a scale and impact harmonious with existing development and planning policy for the Herndon Downtown. Factors to be considered include traffic impact, parking availability, pedestrian access, peak period visitation for the proposed use and positive economic multipliers for existing downtown businesses. Sec. 78-71.8(d)(1).

Traffic

The zoning ordinance does not require a traffic impact study for a proposed change of use. Sec. 78-156.1. Preliminary analysis conducted by Town staff suggests that the current use generates 17 daily trips; 3 trips during the weekend peak. Using available Institute of Traffic Engineer (ITE) data for trips generated by a fine dining use as an approximate comparison, staff estimates that the proposed indoor entertainment use could generate 226 daily trips; 28 trips during the weekend peak. These rates assume a spread arrival and departure distribution, with guests staying for at least an hour, which may not match the proposed use. The applicant expects typical attendance to range from approximately 80 – 120 guests. Initial assessments of permissible occupant load by Town staff ranges from 145 with tables and chairs to 352 standing room only.

Parking

The zoning ordinance requires a flat rate of 3.3 spaces per 1,000 square feet of gross floor area, regardless of the use. Sec. 78-100.2(b). The building has 3,000 square feet of gross area. The property owners purchased ten spaces through the Town's Public Shared Parking program and are in compliance with zoning ordinance parking requirements.

As a special exception, the adequacy of required parking may be considered. Staff estimates that 24 parking spaces are required to accommodate trip generation from a fine dining use. The proposed use with scheduled events would likely create more peak demand for parking rather than spread demand seen in fine dining.

Loading/Unloading

There are double doors at the south end of the property that lead to a loading area and public alley. The loading area is approximately 500 square feet. This area will serve as the loading and unloading area for all vendors. According to the applicant, vendors will be given building access to set up no earlier than 9:00 a.m. Events will conclude by

10:00 pm Sunday – Thursday, and 10:30 p.m. Friday – Saturday. Vendors will be expected to finish cleanup and breakdown activities by 11:00 p.m. The potential conflict of multiple deliveries occurring at the same time has not been addressed, nor has the potential for drop-off and pick-up of guests.

Comprehensive Plan Adherence

The current proposal is consistent, in part, with the Herndon 2030 Comprehensive Plan and Downtown Master Plan – Comprehensive Plan Amendment #10-01. While the proposal makes progress in the expressed goals of enhancing Herndon's Downtown image as an attractive entertainment destination, sufficient conditions may be necessary to assure that the goal of creating a pedestrian-friendly environment while providing reasonable traffic circulation and adequate parking is also obtainable.

Fiscal Impact:

There is no immediate fiscal impact from this application. The proposed business would be subject to applicable taxes and fees, including the Town's BPOL tax.

Planning Commission Alternatives:

The following alternatives are available to the Planning Commission for its decision on SE #26-05:

1. Recommend approval.
2. Recommend denial.
3. Continuance to the November 16, 2026, Planning Commission regular meeting.

Staff Recommendation:

Staff recommends continuance of this application to allow additional time to fully consider potential impacts and conditions, particularly those related to noise, pick-up/drop-off, deliveries, and occupancy associated with use type. Staff also suggests that the applicant provides details regarding how drop-off and pick-up of customers will occur and how deliveries will be timed or otherwise limited to decrease the likelihood of multiple deliveries occurring at the same time.

TOWN OF HERNDON, VIRGINIA
PLANNING COMMISSION

RESOLUTION

OCTOBER 19, 2026

Resolution- to recommend approval of Special Exception (SE) #26-05, 757 Elden Street, to permit a commercial recreation/indoor entertainment use within the CC, Central Commercial zoning district.

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

1. The Planning Commission recommends approval of Special Exception (SE) #26-05, to permit a commercial recreation/indoor entertainment use defined in the Town of Herndon Zoning Ordinance ("Zoning Ordinance") Sec. 78-71.8, within the CC, Central Commercial zoning district and shall run with the land pursuant to Sec. 78-155.3(f)(2) of the Ordinance.

2. The development of the Special Exception use described in condition 1 above shall be in substantial conformance with the Applicant Narrative, the Updated Applicant Narrative, and the plan set entitled "Herndon Hall", "The Upholstery Shop, 757 Elden Street, Herndon, VA 20170", dated August 24, 2026, by Gary Bills Design ("Plan") provided that the Plan will be revised to remove the area described as "Parking, Existing Parking Area to Remain". Deviations from these materials by action of the Historic District Review Board or staff administrative review shall be considered to be in substantial conformance.

3. The conditions set forth below are necessary to achieve compliance with the standards found in Sections 78-155.3(e)(1) and 78-71.8(d)(1) of the Zoning Ordinance:

    a. Occupancy is limited to 150 people.

    b. No more than one event shall be scheduled at the property per day. Appointments taking place on the second floor are not considered events for the purposes of this special exception.

    c. The applicant shall schedule all event-related deliveries in advance. Pre-event delivery and post-event pick-up of vendor materials, supplies, and equipment shall be staggered so that multiple vendors are not simultaneously queued on the public alley or rights-of-way.

d. All vendor loading and unloading shall occur in the loading zone located at the rear of the building.

e. The applicant and any event vendor shall not use public streets, sidewalks, or the public alley for staging or storage.

f. Event operations, including guest arrival/departure, vendor loading/unloading, deliveries, and temporary equipment, shall not obstruct or impede vehicular or pedestrian circulation on Elden Street, Spring Street, the public alley, or other public rights-of-way.

g. A valet reception point, podium, station, booth, or kiosk shall not be located on any public property without a license agreement approved by Town Council.

4. The Town reserves the right to revoke the Special Exception in accordance with Sec. 78-155.3(h) of the Zoning Ordinance.

Sec. 78-155.3(e) Special Exception Criteria Matrix
SE #26-05
757 Elden Street

Criteria Section 78-155.3(e)(1)	Assessment	Reasoning
a. Is consistent with the Comprehensive Plan.	Meets with conditions	The proposed use will be in conformance with the Comprehensive Plan policies on provision of goods and services to the local community and positive economic benefits of new businesses.
b. Is free of conflict with any provision of this chapter and related regulations or any other applicable local, state, or federal laws and regulations.	Meets	The proposed special exception uses are provisioned with the base zoning district and do not create any substantial conflicts with other regulatory requirements. The use and business operations will be conditioned to ensure the use continually meets the purpose and intent of the CC zoning district.
c. Does not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.	Meets with conditions	The proposed use is generally compatible with the site. Conditions may be necessary to limit impacts.
d. Consistent with the purpose and intent of the zoning district in which it is located or will improve compatibility among uses and will ensure efficient development within the town.	Meets	The proposed conditions will remain compatible with the intent of the uses of the CC zoning district.
e. Minimizes adverse visual impact of the proposed use on adjacent lands.	Meets	The proposed use will generate minimal visual changes to the site.
g. Minimizes adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and should not create a nuisance.	Meets with conditions	Conditions may be necessary to limit impacts of parking and loading.
h. Avoids significant adverse impacts on the property values of surrounding lands or substantially and permanently injures the use of neighboring property for those uses that are permitted in the zoning district.	Meets with conditions	The proposed use potentially will impact neighboring properties related to traffic and parking. Conditions may be necessary to limit impacts.
i. Does not significantly and adversely impact the natural environment, including but not limited to, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.	Meets	The proposed conditions will not involve any expansion of floor area and minimal conversion of pervious area to impervious area.
j. Results in development that is adequately served by transportation facilities, including whether or not a substantial deterioration of the level of service on the town's transportation network would occur and whether or not the proposed use is designed to ensure safe ingress and egress on the site and safe road conditions on and around the site.	Meets with conditions	Conditions may be necessary to limit impacts.

HERNDON HALL

Venue Operations Narrative

Special Exception SE #26-05 | 757 Elden Street, Herndon, Virginia 20170

Applicant / Operator	Herndon Hall LLC
Property Owner	Palo Viejo LLC
Managing Partner	Jeffrey Colon
Proposed Main-Level Use	Private event and meeting venue; approximately 3,000 square feet
Second-Level Use	Appointment-based design studio, sample library, showroom and client consultation area for Designs and Interiors by the Upholstery Shop

1. Purpose and Operating Concept

Herndon Hall will operate as a professionally managed, advance-reservation venue for private events, meetings and celebrations. The venue is intended to provide a flexible indoor setting for weddings, receptions, corporate meetings, private celebrations, nonprofit gatherings, recitals, presentations and similar scheduled functions. It will not operate as a nightclub, public dance hall or regularly scheduled concert venue.

The operating model is based on scheduled rentals rather than continuous walk-in activity. Each event will be governed by a written rental agreement, an established event schedule and venue operating rules. A venue manager or designated representative will be responsible for coordinating access, vendor activity, guest use, cleanup and compliance with all applicable jurisdictional requirements.

2. Event Frequency, Attendance and Scheduling

Most events are anticipated to occur Thursday through Sunday, primarily during evening periods, with occasional weekday events. Typical attendance is expected to range from approximately 80 to 120 guests, subject to the final lawful occupant load.

Herndon Hall will host no more than one principal rental event per day. During the initial year of operation, the venue anticipates approximately 30 to 45 events, averaging approximately one event per week, with greater frequency during the spring, summer and fall event seasons. As the business becomes established, Herndon Hall anticipates approximately 60 to 80 events annually, generally averaging one to two events per week with occasional seasonal weeks containing up to four scheduled events.

Vendor setup and building access may begin at 9:00 a.m. Guest events will conclude by 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday. Amplified entertainment will conclude by 9:30 p.m. Sunday through Thursday and 10:30 p.m. Friday and Saturday. Limited indoor cleanup, breakdown and managed loading may continue until 11:00 p.m. Sunday through Thursday and midnight Friday and Saturday.

Event scheduling will provide sufficient time between rentals for vendor access, cleaning, waste removal and preparation of the premises.

3. Venue Management and Staffing

At least one responsible venue manager or designated management representative will be present or immediately available during each event. Additional venue attendants will be assigned according to event size, layout, service requirements and the nature of the function. Venue staff will oversee building access, coordination with renters and vendors, compliance with venue rules, refuse handling and end-of-event closing procedures.

Outside personnel may include licensed caterers, bartenders, servers, event planners, photographers, florists, musicians, disc jockeys, security personnel and other event-specific vendors. These persons will be employed or retained by the renter or the applicable vendor unless expressly provided by Herndon Staffing will therefore vary according to the event, while venue management will remain responsibl overall on-site coordination.

4. Relationship to the Second-Floor Design Studio

The second-floor space will be occupied by Designs and Interiors by the Upholstery Shop and used appointment-based design studio, sample library, showroom, sales and client consultation area. The floor will not operate as an upholstery production workroom or manufacturing facility. No machinery-intensive furniture production or regular walk-in retail traffic is proposed for that space.

Designs and Interiors and Herndon Hall will operate as distinct but complementary businesses unde coordinated ownership and management. General design appointments will be scheduled in advan coordinated with the venue calendar. On days when a private event is scheduled, ordinary design appointments will be arranged so they do not overlap with the principal guest-arrival and event per thereby minimizing simultaneous customer traffic and parking demand.

Designs and Interiors may also provide optional event-related design services to Herndon Hall clien These services may include wedding and event-design consultations, specialty linens, custom chair decorative textiles and other bespoke design enhancements requested by venue clients. Such serv be separately arranged according to the needs of the event.

5. Catering Support and Beverage Service

Food service will be provided by licensed outside caterers. The areas shown on the plans as the cat support kitchen and beverage service center are intended for staging, limited warming, refrigeratio beverage service, washing and temporary holding associated with catered events. They are not int operate as a restaurant or commercial production kitchen.

The submitted plans depict support equipment including sinks, dishwashers, an ice machine, micro counters, cabinets and shelving. No commercial cooking line, fryer, range, stovetop, grill, commerc or similar grease-producing cooking equipment is proposed. Caterers will prepare food off-site and for service, subject to all applicable health, fire and licensing requirements.

Alcohol, when permitted for a particular event, will be furnished and served only in accordance with applicable Virginia Alcoholic Beverage Control requirements. Licensed caterers, approved service p or event-specific licenses will be used as required.

6. Entertainment and Noise Management

The presentation platform may be used for wedding ceremonies, speeches, presentations, disc jock small musical groups and other entertainment incidental to a private event. Herndon Hall is not pro a regularly scheduled concert establishment.

Amplified entertainment will occur indoors. No outdoor amplified music is proposed. Venue manage will control amplification and require compliance with the Town of Herndon noise ordinance. Exteri and windows will remain closed during amplified entertainment except for ordinary ingress, egress emergency use.

7. Loading, Unloading and Vendor Access

The rear double doors will serve as the principal loading and unloading access for caterers, florists, event planners, musicians, rental-equipment providers and other vendors. Vendor arrivals and departures will be scheduled and managed to avoid obstruction of streets, sidewalks, gates, required exits and neighboring access.

The revised plan will identify the designated loading/unloading area immediately serving the rear double doors. No refuse cart, equipment or stored material will be placed within the door swings, required landing, loading apron or required path of egress.

8. Refuse and Recycling Management

The property will continue to utilize the existing eight-cubic-yard commercial dumpster serviced by Republic Services twice weekly. Herndon Hall will maintain four 96-gallon wheeled refuse carts and two 96-gallon wheeled recycling carts as temporary event-collection containers.

The six carts will be stored in a single row against the approximately 24- to 25-foot rear wall area beside the double doors, outside all door swings, loading activity, gate clearances and required egress paths. Following each event, venue management will transfer refuse and recycling from the carts to the authorized central dumpster and recycling collection system. The carts will then be returned to the designated rear storage area with lids securely closed. No loose refuse or bags will be stored outside the carts.

Licensed caterers and outside vendors will be contractually required to remove food-service waste, grease, bulk packaging and other vendor-generated refuse at the conclusion of each event. Herndon Hall will remain responsible for ordinary guest refuse and for maintaining the cart-storage and loading areas in a clean, sanitary and orderly condition. Additional collection will be scheduled if operating experience indicates that it is necessary.

9. Parking, Arrivals and Community Compatibility

Guest and vendor activity will be managed through advance event scheduling. The second-floor appointment calendar will be coordinated with event periods to reduce simultaneous customer demand. Herndon Hall will provide event renters and vendors with arrival, loading, parking and departure instructions appropriate to the approved parking arrangements and the downtown setting.

Events will primarily occur indoors. Venue management will establish and enforce rules governing amplified sound, exterior activity, waste handling, vendor access and orderly guest departure. The intent is to operate the venue in a manner compatible with neighboring businesses, nearby properties and the historic downtown environment.

10. Building and Exterior Operations

The existing storefront windows will remain, and no removal, replacement or other exterior modification is planned. Herndon Hall values the existing appearance of the building and its prominent storefront windows, which contribute to the small-town charm and historic character of downtown Herndon.

A new HVAC system will be selected and sized to accommodate the calculated load, capacity and day-to-day operating needs of the approximately 3,000-square-foot main-level venue. The designated mechanical space beneath the presentation platform will house the new venue HVAC system and other mechanical equipment necessary for the day-to-day operation of the main-level venue. The second-floor design studio is served by a separate, dedicated HVAC system.

The proposed front and rear gates will be configured to open in the proper manner consistent with the Town's second-round review comments, so that no gate swings into a sidewalk or public right-of-way. Gates will remain entirely within the property-controlled area and will not obstruct required pedestrian, loading or emergency access.

11. Conclusion

Herndon Hall is proposed as a scheduled, professionally managed private event venue that complements the appointment-based design studio on the second floor. Coordinated scheduling, controlled vendor access, indoor entertainment, managed refuse handling and event-specific supervision are intended to minimize operational impacts while supporting a distinctive downtown event and design destination.

Proposed Building Use

Area	Primary Use	Occupancy Strategy
	Main level Private Event / Meeting Venue	A-3 Assembly
	Second level	Design studio / showroom / sales office/ Business

Preliminary Occupancy Planning

Assembly / Meeting Space
Operational posture is tables-and-chairs or structured event layouts
Adaptive reuse of existing historic structure as a private event and meeting venue.
Food service provided by licensed outside caterers.

Likely Life Safety

- Posted occupant load signage
- Fire safety and evacuation plan
- Emergency lighting and illuminated exit signs
- Approved means of egress and door hardware
- Fire alarm components as required by the building and fire officials

4. Second-Floor

Operating home for Designs and Interiors by the Upholstery Shop - a design studio, sample library, and sales/showroom function.

5. Waste Management

Regarding waste management and the receptacle location, we plan to maintain the status quo. The receptacle will remain in its current location, and we will schedule additional pickups with Republic Services throughout the week.

APPLICABLE CODES

International Building Code (IBC)
National Electrical Code (NEC) – NFPA 70
International Mechanical Code (IMC)
International Plumbing Code (IPC)
International Energy Conservation Code (IECC)
International Existing Building Code (IEBC)
International Fire Code (IFC)
International Green Construction Code (IgCC)
NFPA 101 – Life Safety Code
ANSI/ASHRAE/IES Standard 90.1 – Energy Standard for Buildings Except Low-Rise Residential Buildings

Project Information

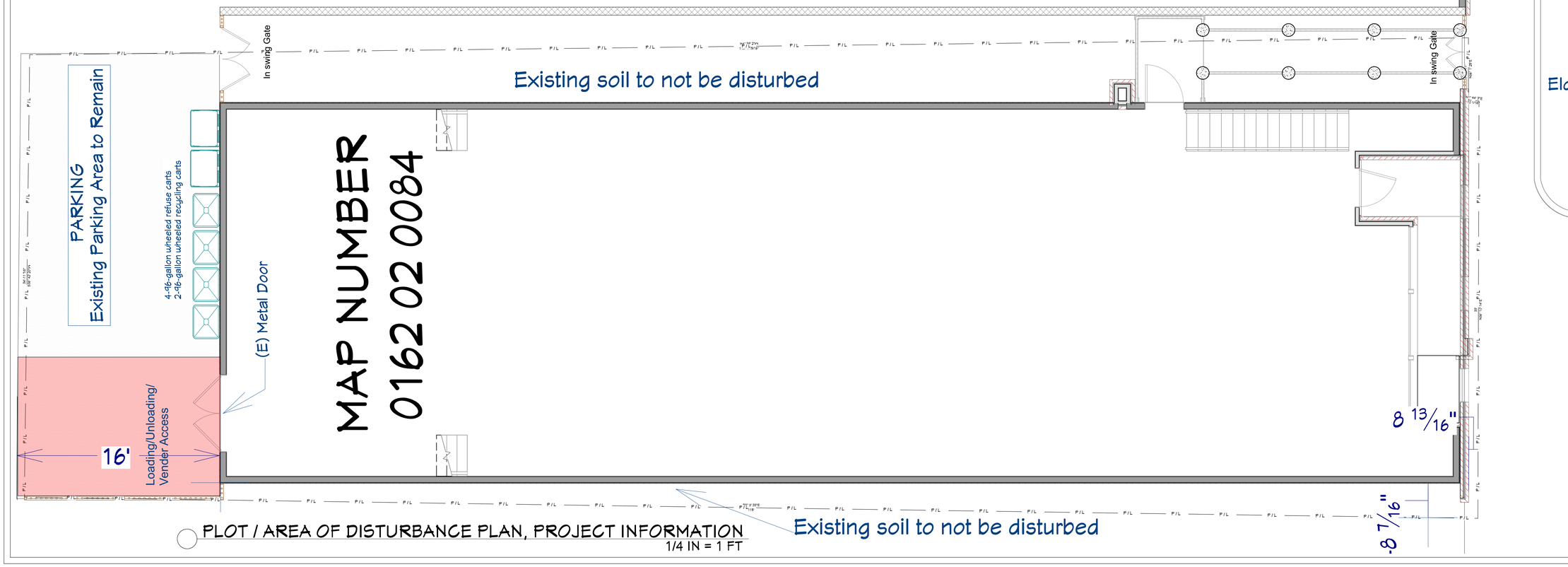
Designer
Gary Bills Design
681-439-1216
garybills60@gmail.com

Scope
The Upholstery Shop
Herndon Hall Event Venue

Owner
Jeffery Colon
(703) 554-7590
j.designsinteriors@gmail.com
757 Elden Street
Herndon, VA 20170

1 VA BC 1030.3 Assembly Other Exits ('21)
2 VA BC 1030.2 Assembly Main Exit ('21)
3 VA FC 1001.3.1 Temporary Occupant Load Determination ('21)
4 VA FC 1001.3 Overcrowding ('21)
5 VA FC 403.2.1 Seating Plan ('21)
6 VA FC 10 Means of Egress ('21)
7 VA FC 403.11.2 Public Safety Plan for Gatherings ('21)
8 VA BC Occupant Load ('21)
9 VA BC 1004.7 Outdoor Areas ('21)
10 VA FC 3106.3.1 Occupant Load ('21)
11 VA FC Means of Egress ('21)
12 VA BC Means of Egress ('21)
13 VA BC Exit ('21)
14 VA FC 3106.3 Occupancy and Means of Egress ('21)
15 VA FC 3106.3.2 Maintenance of Emergency Egress and Escape Routes ('21)

FIRE CODES
NO SCALE



PLOT / AREA OF DISTURBANCE PLAN, PROJECT INFORMATION
1/4 IN = 1 FT

REVISION TABLE		
NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

Plot / Area of Disturbance Plan, Project Information

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

SCALE:

SHEET:
A-1

New 42" Black Metal Fence
W/60" In Swing Gate

Front Sidwalk

New 42" Black Metal Fence
W/ 48" In Swing Gate

16'

8 13/16"

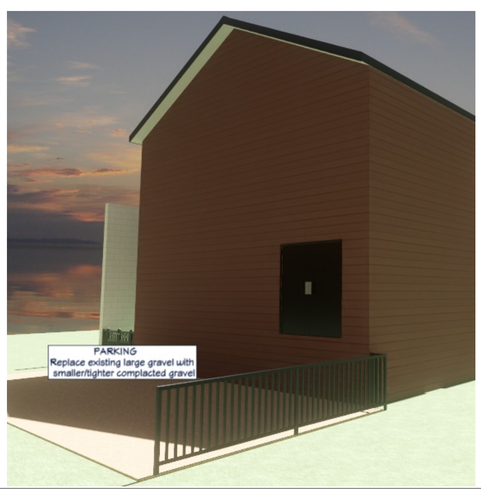
2'-8 7/16"

FENCE & GATE PLAN VIEW
1/4 IN = 1 FT





C6 RAMP 1



REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

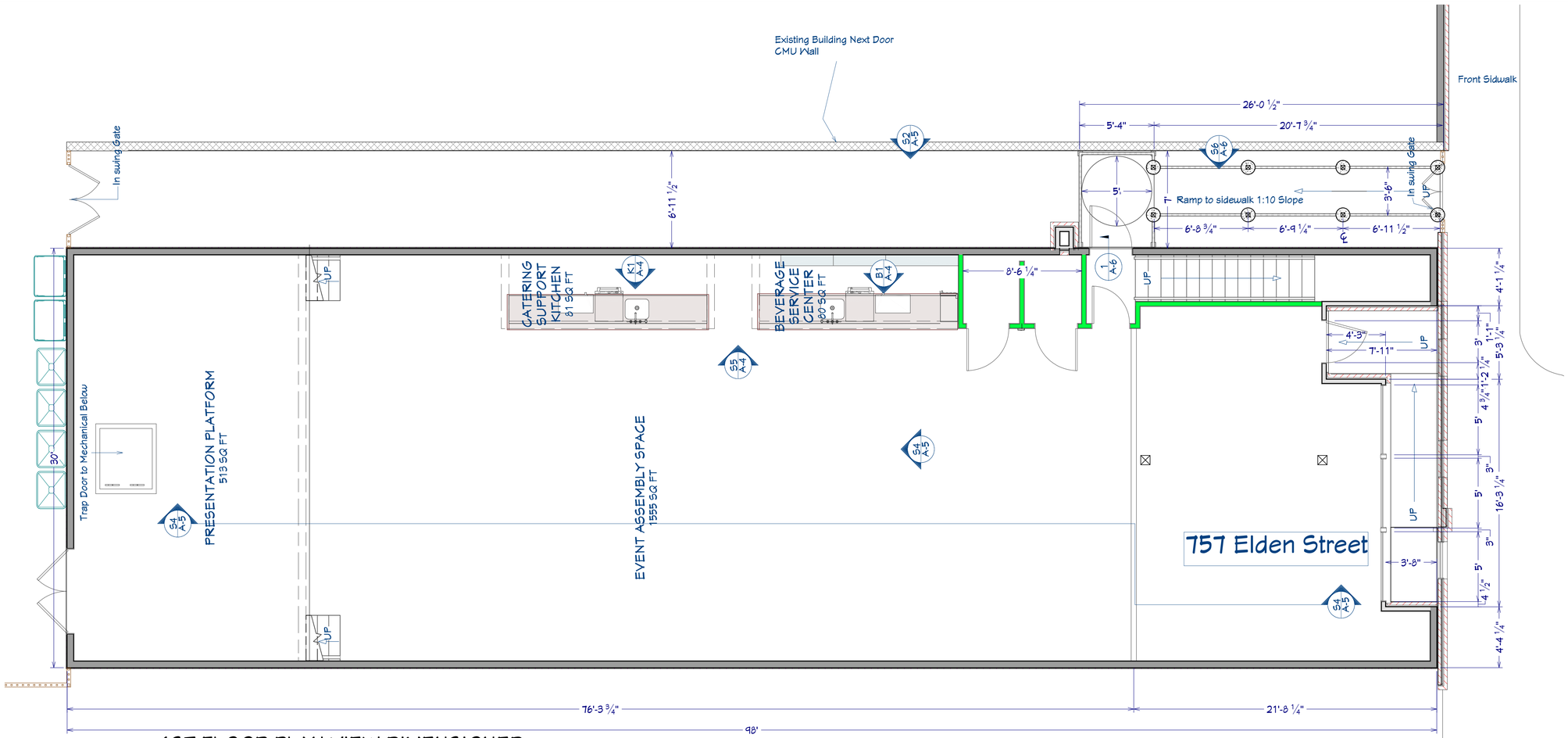
Fence & Gate Plan View

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

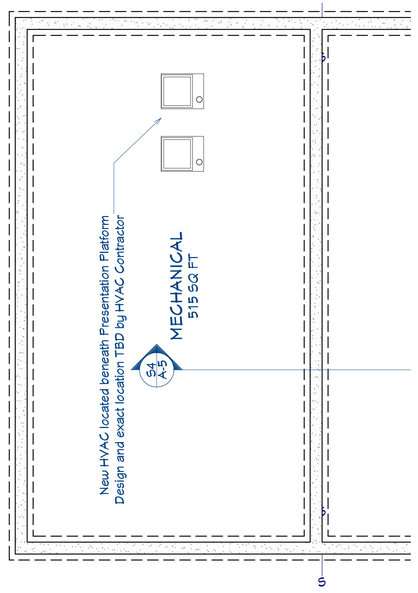
DATE:
8/24/2026

SCALE:

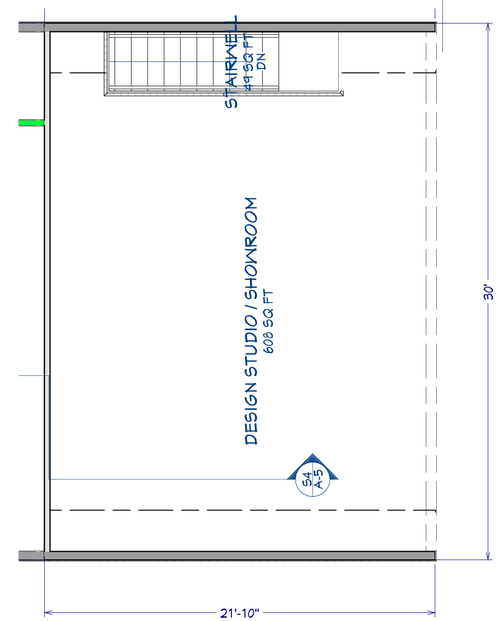
SHEET:
A-2



1ST FLOOR PLAN VIEW DIMENSIONED
1/4 IN = 1 FT



AREA UNDER PLATFORM FLOOR PLAN VIEW DIMENSIONED
1/4 IN = 1 FT



2ND FLOOR PLAN VIEW DIMENSIONED
1/4 IN = 1 FT

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

Fllor Plan

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

SCALE:

SHEET:
A-3

CABINET SCHEDULE

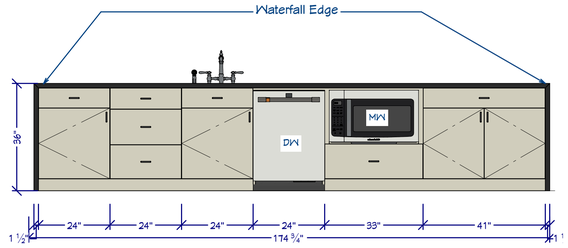
NUMBER	LABEL	QTY	FLOOR	WIDTH	DEPTH	HEIGHT	DESCRIPTION
C01	3DB27	1	1	27"	24"	34 1/2"	BASE CABINET
C02	B24L	1	1	24"	24"	34 1/2"	BASE CABINET
C03	B24R	2	1	24"	24"	34 1/2"	BASE CABINET
C04	3DB24	1	1	24"	24"	34 1/2"	BASE CABINET
C05	OB33	2	1	33"	24"	34 1/2"	BASE CABINET
C06	SB24L	1	1	24"	24"	34 1/2"	BASE CABINET
C07	SB23R	1	1	23"	24"	34 1/2"	BASE CABINET
C08	W45549	1	1	45"	9"	54"	WALL CABINET
C09	W45709	1	1	45"	9"	70"	WALL CABINET
C10	W62549	1	1	62 3/16"	9"	54"	WALL CABINET
C11	B41	1	1	41"	24"	34 1/2"	BASE CABINET

CABINET SCHEDULE
1/2 IN = 1 FT

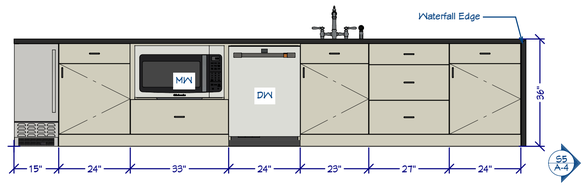
FIXTURE SCHEDULE

NUMBER	LABEL	QTY	FLOOR	WIDTH	DEPTH	HEIGHT	DESCRIPTION
A01	D/W	2	1	24"	28"	34 1/2"	161-D/W
A02	DUIM150DL	1	1	14 3/4"	26 5/16"	34 1/2"	DUIM150DL ICE MACHINE
A03	GROUP_6	1	1	52"	60"	9 3/16"	GROUP_6
A04	K-76520-4	2	1	17 1/2"	9 7/8"	12 5/8"	K-76520-4 ARTIFACTS DECK-MOUNT BRIDGE BAR SINK FAUCET
A05	SINGLE BASIN UNDERMOUNT SINK	2	1	20 5/16"	17 3/16"	11 7/16"	SINGLE BASIN UNDERMOUNT SINK

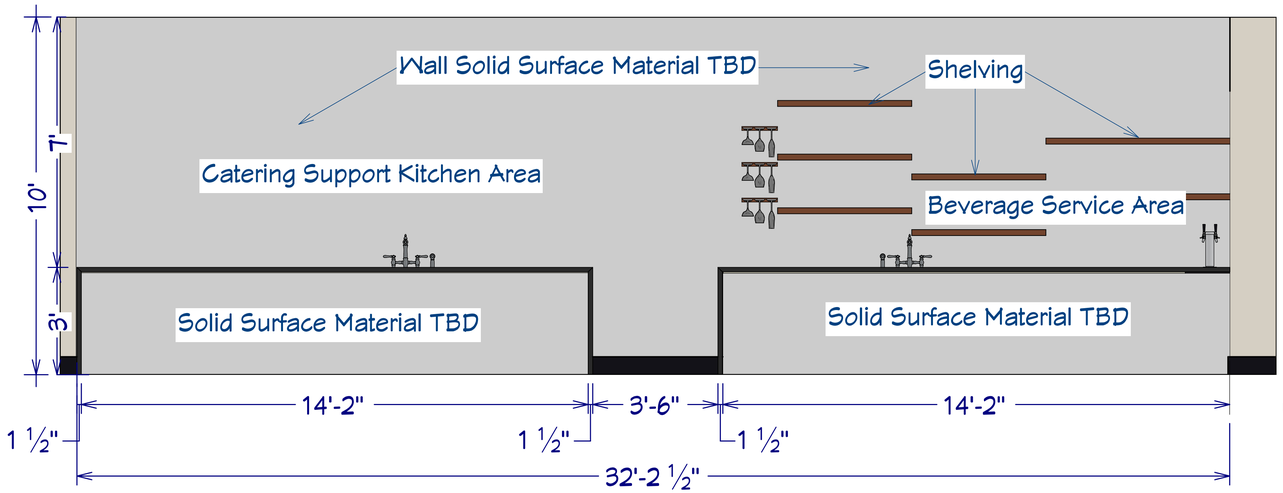
APPLIANCE SCHEDULE
1/4 IN = 1 FT



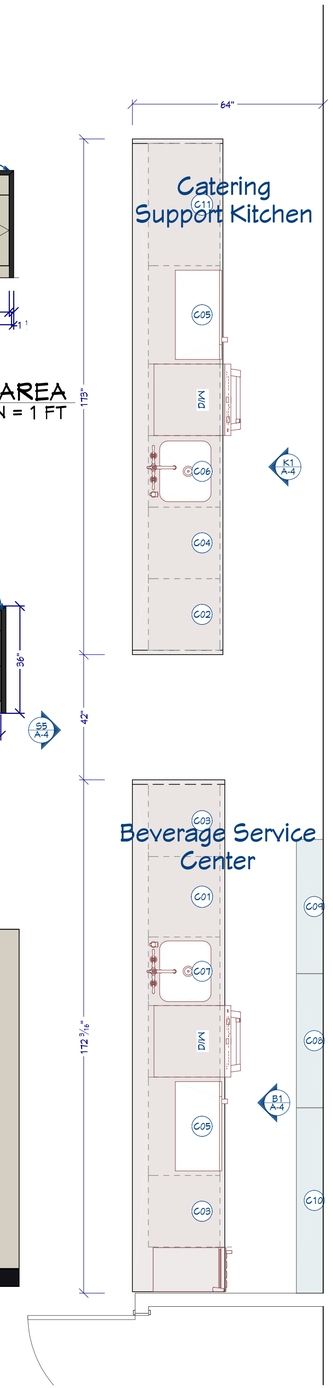
K1 CATERING SUPPORT COUNTER AREA
1/2 IN = 1 FT



B1 BEVERAGE SERVICE COUNTER
1/2 IN = 1 FT



S5 CROSS SECTION 5
1/2 IN = 1 FT



BEVERAGE CENTER/CATERING COUNTER AREA
1/2 IN = 1 FT

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

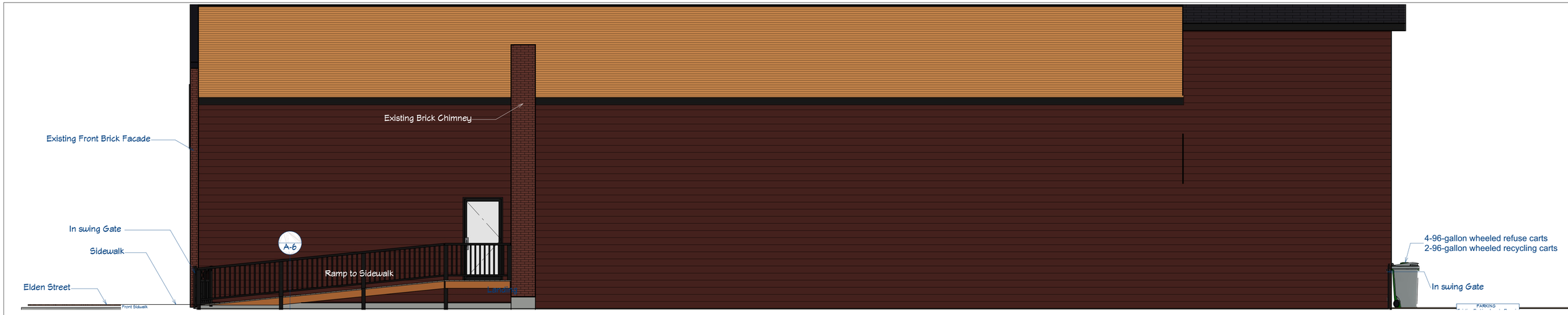
Beverage Center/Catering Counter Plan

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

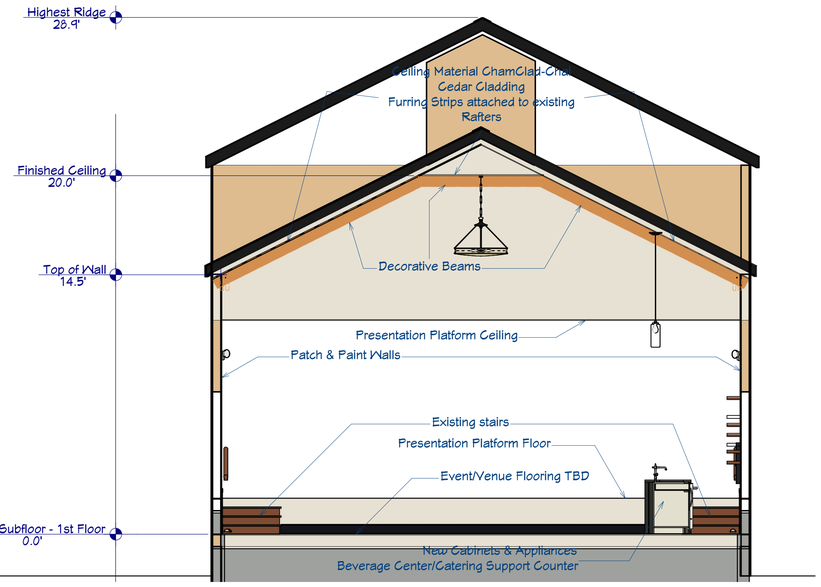
SCALE:

SHEET:
A-4



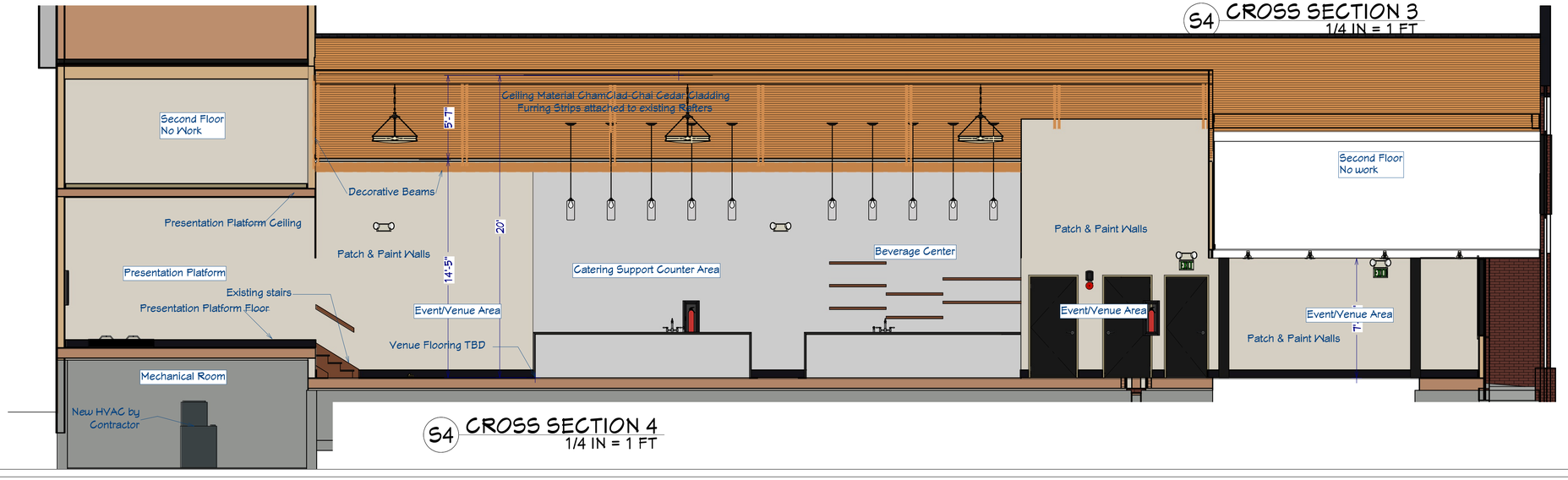


S2 CROSS SECTION 2
1/4 IN = 1 FT



S3 FONT ELEVATION
1/4 IN = 1 FT

S4 CROSS SECTION 3
1/4 IN = 1 FT



S4 CROSS SECTION 4
1/4 IN = 1 FT

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

Elevations & Sections

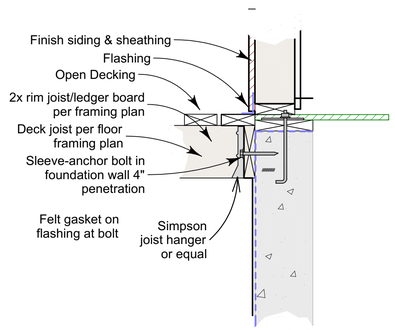
DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

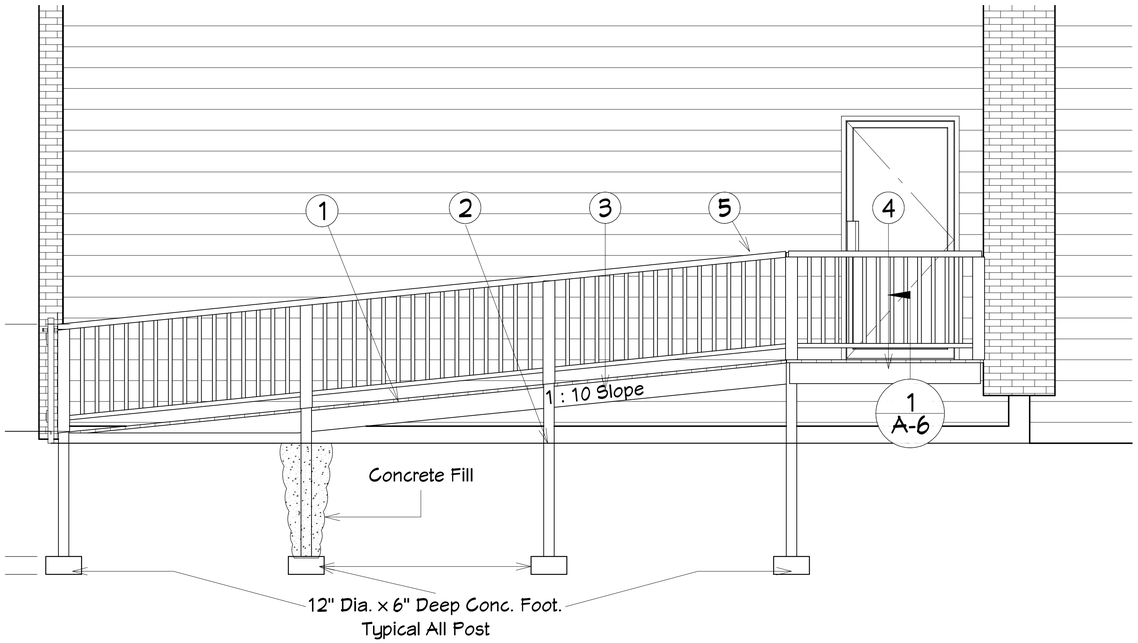
SCALE:

SHEET:
A-5

RAMP NOTE SCHEDULE	
1	LANDING #1 - 2 X 8 P.T. JOIST TREX DECKING
2	4 X 4 P.T. LUMBER - SET IN CONCRETE, W/ 6" X 12"DIA. FOOTING
3	RAMP SECTION - 1:10 SLOPE W/ TREX DECKING
4	LANDING - 2 X 8 P.T. JOIST TREX DECKING
5	BLACK METAL RAILING



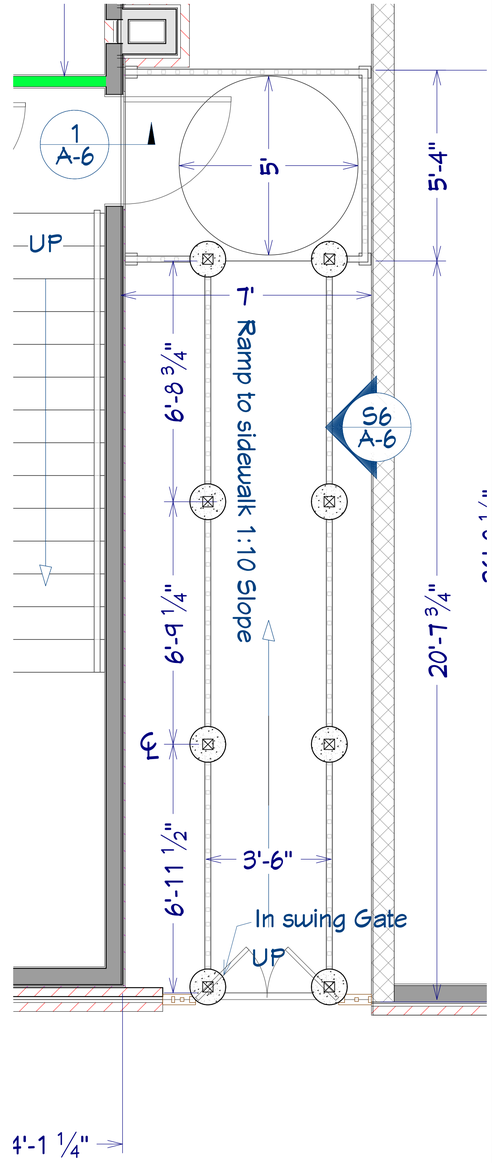
1 DECK LEDGER
1/2 IN = 1 FT



S6 CROSS SECTION 6
1/2 IN = 1 FT



C5 FRONT RAMP



RAMP PLAN VIEW
1/2 IN = 1 FT

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

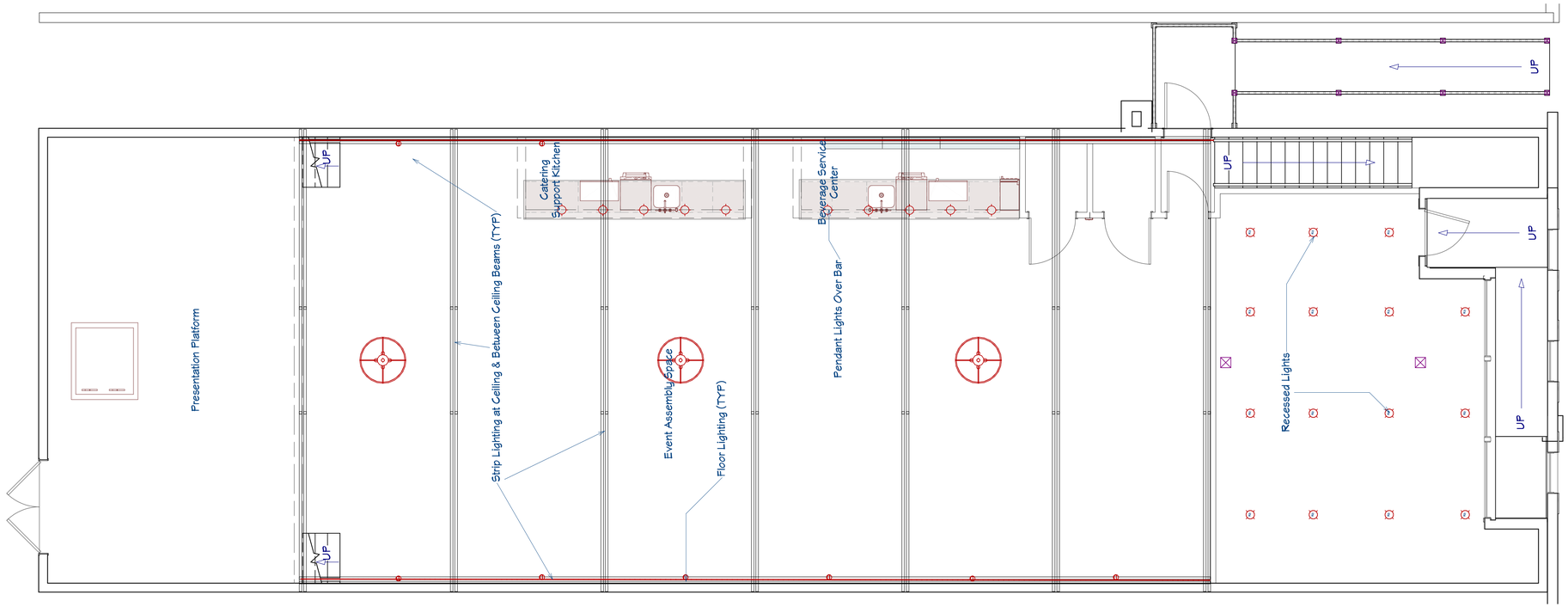
ADA Ramp Plan

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

SCALE:

SHEET:
A-6



ELECTRICAL PLAN VIEW
1/4 IN = 1 FT

ELECTRICAL SCHEDULE

2D SYMBOL	NUMBER	QTY	FLOOR	WIDTH	DEPTH	HEIGHT	ATTACHED TO
—	E01	2	1				
	E02	3	1	36"	36"	53 15/16"	CEILING
	E03	8	1	4"	4"	2 1/16"	FLOOR
	E04	10	1	8 1/2"	8 3/8"	77 1/16"	CEILING
	E05	15	1	8"	8"	5/8"	CEILING
	E06	4	1	16 5/8"	5 9/16"	14 5/8"	WALL
	E07	4	1	16 5/8"	5 9/16"	7"	WALL

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

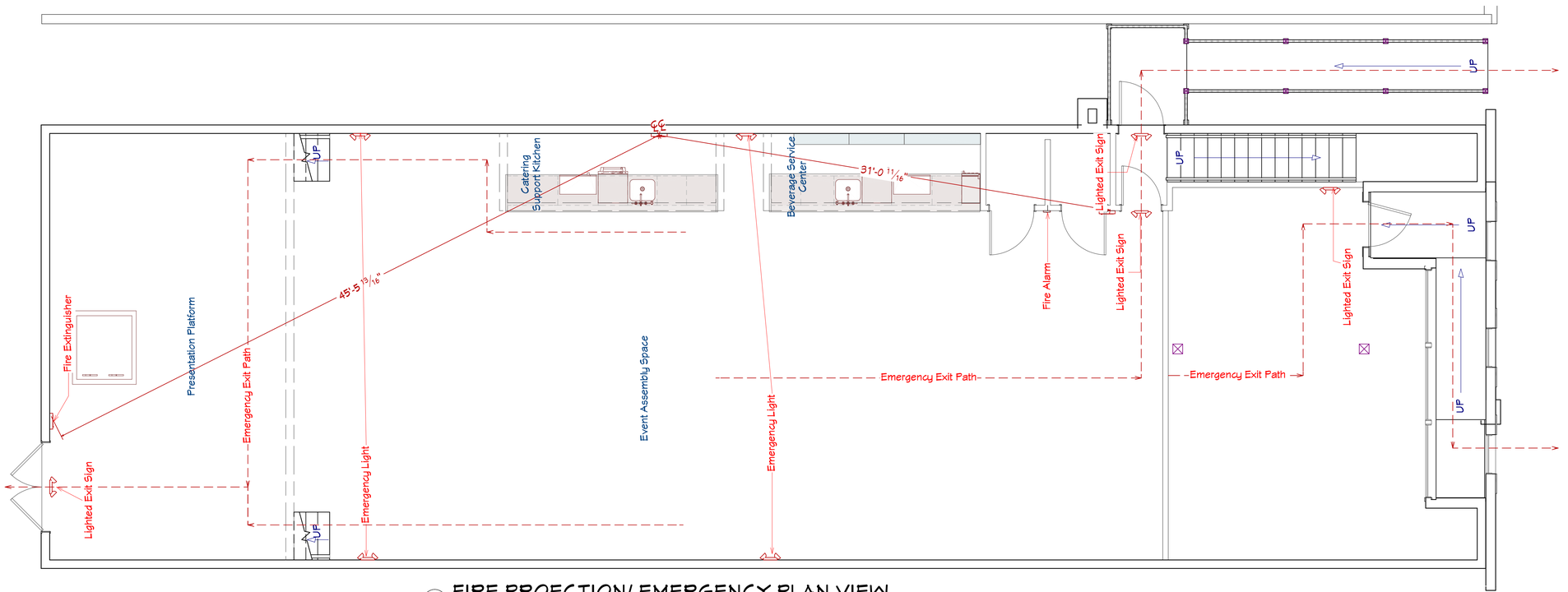
Electrical Plan

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

SCALE:

SHEET:
E-1



FIRE PROECTION/ EMERGENCY PLAN VIEW
1/4 IN = 1 FT

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

Electrical Plan

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

SCALE:

SHEET:
E-2

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
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DATE:
8/24/2026

SCALE:

SHEET:

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

The Upholstery Shop
757 Elden Street
Herndon, VA 20170

DRAWINGS PROVIDED BY:
Gary Bills Design
681-439-1216
garybills60@gmail.com

DATE:
8/24/2026

SCALE:

SHEET:

HERNDON HALL

Venue Operations Narrative

Special Exception SE #26-05 | 757 Elden Street, Herndon, Virginia 20170

Applicant / Operator	Herndon Hall LLC
Property Owner	Palo Viejo LLC
Managing Partner	Jeffrey Colon
Proposed Main-Level Use	Private event and meeting venue; approximately 3,000 square feet
Second-Level Use	Appointment-based design studio, sample library, showroom and client consultation area for Designs and Interiors by the Upholstery Shop

1. Purpose and Operating Concept

Herndon Hall will operate as a professionally managed, advance-reservation venue for private events, meetings and celebrations. The venue is intended to provide a flexible indoor setting for weddings, receptions, corporate meetings, private celebrations, nonprofit gatherings, recitals, presentations and similar scheduled functions. It will not operate as a nightclub, public dance hall or regularly scheduled concert venue.

The operating model is based on scheduled rentals rather than continuous walk-in activity. Each event will be governed by a written rental agreement, an established event schedule and venue operating rules. A venue manager or designated representative will be responsible for coordinating access, vendor activity, guest use, cleanup and compliance with all applicable jurisdictional requirements.

2. Event Frequency, Attendance and Scheduling

Most events are anticipated to occur Thursday through Sunday, primarily during evening periods, with occasional weekday events. Typical attendance is expected to range from approximately 80 to 120 guests, subject to the final lawful occupant load.

Herndon Hall will host no more than one principal rental event per day. During the initial year of operation, the venue anticipates approximately 30 to 45 events, averaging approximately one event per week, with greater frequency during the spring, summer and fall event seasons. As the business becomes established, Herndon Hall anticipates approximately 60 to 80 events annually, generally averaging one to two events per week with occasional seasonal weeks containing up to four scheduled events.

Vendor setup and building access may begin at 9:00 a.m. Guest events will conclude by 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday. Amplified entertainment will conclude by 9:30 p.m. Sunday through Thursday and 10:30 p.m. Friday and Saturday. Limited indoor cleanup, breakdown and managed loading may continue until 11:00 p.m. Sunday through Thursday and midnight Friday and Saturday.

Event scheduling will provide sufficient time between rentals for vendor access, cleaning, waste removal and preparation of the premises.

3. Venue Management and Staffing

At least one responsible venue manager or designated management representative will be present or immediately available during each event. Additional venue attendants will be assigned according to event size, layout, service requirements and the nature of the function. Venue staff will oversee building access, coordination with renters and vendors, compliance with venue rules, refuse handling and end-of-event closing procedures.

Outside personnel may include licensed caterers, bartenders, servers, event planners, photographers, florists, musicians, disc jockeys, security personnel and other event-specific vendors. These persons will be

employed or retained by the renter or the applicable vendor unless expressly provided by Herndon Hall. Staffing will therefore vary according to the event, while venue management will remain responsible for overall on-site coordination.

4. Relationship to the Second-Floor Design Studio

The second-floor space will be occupied by Designs and Interiors by the Upholstery Shop and used as an appointment-based design studio, sample library, showroom, sales and client consultation area. The second floor will not operate as an upholstery production workroom or manufacturing facility. No machinery-intensive furniture production or regular walk-in retail traffic is proposed for that space.

Designs and Interiors and Herndon Hall will operate as distinct but complementary businesses under coordinated ownership and management. General design appointments will be scheduled in advance and coordinated with the venue calendar. On days when a private event is scheduled, ordinary design appointments will be arranged so they do not overlap with the principal guest-arrival and event periods, thereby minimizing simultaneous customer traffic and parking demand.

Designs and Interiors may also provide optional event-related design services to Herndon Hall clients. These services may include wedding and event-design consultations, specialty linens, custom chair pads, decorative textiles and other bespoke design enhancements requested by venue clients. Such services will be separately arranged according to the needs of the event.

5. Catering Support and Beverage Service

Food service will be provided by licensed outside caterers. The areas shown on the plans as the catering support kitchen and beverage service center are intended for staging, limited warming, refrigeration, ice, beverage service, washing and temporary holding associated with catered events. They are not intended to operate as a restaurant or commercial production kitchen.

The submitted plans depict support equipment including sinks, dishwashers, an ice machine, microwaves, counters, cabinets and shelving. No commercial cooking line, fryer, range, stovetop, grill, commercial hood or similar grease-producing cooking equipment is proposed. Caterers will prepare food off-site and deliver it for service, subject to all applicable health, fire and licensing requirements.

Alcohol, when permitted for a particular event, will be furnished and served only in accordance with applicable Virginia Alcoholic Beverage Control requirements. Licensed caterers, approved service providers or event-specific licenses will be used as required.

6. Entertainment and Noise Management

The presentation platform may be used for wedding ceremonies, speeches, presentations, disc jockeys, small musical groups and other entertainment incidental to a private event. Herndon Hall is not proposed as a regularly scheduled concert establishment.

Amplified entertainment will occur indoors. No outdoor amplified music is proposed. Venue management will control amplification and require compliance with the Town of Herndon noise ordinance. Exterior doors and windows will remain closed during amplified entertainment except for ordinary ingress, egress and emergency use.

7. Loading, Unloading and Vendor Access

The rear double doors will serve as the principal loading and unloading access for caterers, florists, event planners, musicians, rental-equipment providers and other vendors. Vendor arrivals and departures will be scheduled and managed to avoid obstruction of streets, sidewalks, gates, required exits and neighboring access.

The revised plan will identify the designated loading/unloading area immediately serving the rear double doors. No refuse cart, equipment or stored material will be placed within the door swings, required landing, loading apron or required path of egress.

8. Refuse and Recycling Management

The property will continue to utilize the existing eight-cubic-yard commercial dumpster serviced by Republic Services twice weekly. Herndon Hall will maintain four 96-gallon wheeled refuse carts and two 96-gallon wheeled recycling carts as temporary event-collection containers.

The six carts will be stored in a single row against the approximately 24- to 25-foot rear wall area beside the double doors, outside all door swings, loading activity, gate clearances and required egress paths. Following each event, venue management will transfer refuse and recycling from the carts to the authorized central dumpster and recycling collection system. The carts will then be returned to the designated rear storage area with lids securely closed. No loose refuse or bags will be stored outside the carts.

Licensed caterers and outside vendors will be contractually required to remove food-service waste, grease, bulk packaging and other vendor-generated refuse at the conclusion of each event. Herndon Hall will remain responsible for ordinary guest refuse and for maintaining the cart-storage and loading areas in a clean, sanitary and orderly condition. Additional collection will be scheduled if operating experience indicates that it is necessary.

9. Parking, Arrivals and Community Compatibility

Guest and vendor activity will be managed through advance event scheduling. The second-floor appointment calendar will be coordinated with event periods to reduce simultaneous customer demand. Herndon Hall will provide event renters and vendors with arrival, loading, parking and departure instructions appropriate to the approved parking arrangements and the downtown setting.

Events will primarily occur indoors. Venue management will establish and enforce rules governing amplified sound, exterior activity, waste handling, vendor access and orderly guest departure. The intent is to operate the venue in a manner compatible with neighboring businesses, nearby properties and the historic downtown environment.

10. Building and Exterior Operations

The existing storefront windows will remain, and no removal, replacement or other exterior modification is planned. Herndon Hall values the existing appearance of the building and its prominent storefront windows, which contribute to the small-town charm and historic character of downtown Herndon.

A new HVAC system will be selected and sized to accommodate the calculated load, capacity and day-to-day operating needs of the approximately 3,000-square-foot main-level venue. The designated mechanical space beneath the presentation platform will house the new venue HVAC system and other mechanical equipment necessary for the day-to-day operation of the main-level venue. The second-floor design studio is served by a separate, dedicated HVAC system.

The proposed front and rear gates will be configured to open in the proper manner consistent with the Town's second-round review comments, so that no gate swings into a sidewalk or public right-of-way. Gates will remain entirely within the property-controlled area and will not obstruct required pedestrian, loading or emergency access.

11. Conclusion

Herndon Hall is proposed as a scheduled, professionally managed private event venue that complements the appointment-based design studio on the second floor. Coordinated scheduling, controlled vendor access, indoor entertainment, managed refuse handling and event-specific supervision are intended to minimize operational impacts while supporting a distinctive downtown event and design destination.

HERNDON HALL

Transportation, Parking, Loading and Guest Arrival Management Proposal

Special Exception SE #26-05
757 Elden Street · Herndon, Virginia

Applicant	Herndon Hall LLC
Use	Indoor entertainment / private event venue
Purpose	Response to parking, traffic, loading, vendor coordination and passenger-arrival concerns
Status	Applicant proposal for Town review; proposed curb and valet locations remain subject to approval

Planning principle. The plan is designed around a conservative maximum anticipated vendor-demand scenario while recognizing that many events will be smaller and require few or no outside vendors.

1. Purpose and Management Commitment

Herndon Hall will host private events of varying size, format and complexity. Smaller meetings, showers, workshops and intimate gatherings may require few or no outside vendors. Larger weddings and formal events may involve a caterer, florist, rental company, entertainment provider, cleaning contractor and other event-service vendors.

This proposal establishes a conservative management framework capable of handling the maximum reasonably anticipated vendor-demand scenario. The same procedures will be scaled down for simpler events. The venue manager and an event coordinator designated by the venue lessee, Herndon Hall LLC, will be responsible for preparing the schedule, communicating instructions, controlling access to the rear loading area and monitoring guest arrival and departure.

AI-Assisted Scheduling with Human Oversight

Venue management may use digital and machine-learning-assisted scheduling tools to organize vendor time windows, identify potential overlaps, estimate loading-area turnaround times and flag conflicts before an event schedule is finalized. These tools are administrative aids only. The venue manager and the event coordinator designated by Herndon Hall LLC will approve the final schedule, communicate directly with vendors and patrons, and retain responsibility for all real-time operational decisions.

Core Commitments

• No more than one principal event will be scheduled at the property per day.

• All vendors and contracted service providers will operate within the 9:00 a.m.–11:00 p.m. service window.

• Event-vendor arrivals and departures will be scheduled and staggered.

• The public alley, streets, sidewalks, crosswalks and emergency-access routes will remain unobstructed.

• The existing approximately 500-square-foot rear area will remain the sole designated vendor loading and unloading location.

• Proposed Town-controlled curb locations will not be used as exclusive or reserved facilities unless approved by the Town.

2. Parking Resources

Parking resource	Spaces	Management designation
Town Public Shared Parking Program	10	Patron/general venue parking credit
Existing spaces behind the building	2	Property parking recognized in the Town presentation
Separately leased adjacent rear lot	6	2 vendor waiting spaces + 4 supplemental/overflow spaces
Total associated parking resources	18	Combined parking resources serving venue operations

Within the separately leased six-space lot, **VP-1 and VP-2** will be designated as vendor parking and scheduled waiting spaces. They are not proposed as additional loading spaces. **OP-1 through OP-4** will provide supplemental or overflow parking. Public/shared parking will not be represented as exclusively reserved unless the applicable agreement expressly provides such authority.

3. Vendor Scheduling and Rear Loading

All event-related loading and unloading will occur in the existing approximately 500-square-foot loading area along the south elevation, accessible from the public alley. Vendors will not load, unload, queue, stage or store equipment in the public alley or other public rights-of-way.

Event-Specific Procedure

Step	Phase	Control
1	Before the event	Management prepares a written schedule identifying each vendor, vehicle type, arrival time, waiting location, authorized loading period and departure or pickup time.
2	Arrival	The vendor reports at its assigned time and, when directed, may wait in VP-1 or VP-2 without entering the public alley.
3	Loading access	Management releases the vehicle to the rear loading area only when the prior vehicle has cleared.
4	Relocation	After unloading, the vehicle immediately relocates to VP-1, VP-2, another authorized space or leaves the area.
5	Breakdown/pickup	Post-event pickup occurs in a management-controlled sequence using the same rear loading area.

Operating Window and Event Variability

The full vendor and contractor service window is 9:00 a.m.–11:00 p.m. A principal event will generally be scheduled within an eight-hour reservation period occurring inside that window. Guest-event conclusion times will follow the operating hours stated in the Special Exception materials; all vendor breakdown, cleaning, loading and departures will be completed by 11:00 p.m.

The contracted cleaning company is treated as a scheduled vendor. Depending on the event, it may complete its work that evening or receive the first assigned period beginning at 9:00 a.m. the next morning. Other deliveries may then begin at approximately 10:30 a.m. or another time assigned by management.

When no event is scheduled for the following day, management may authorize nonperishable rental equipment or decorative materials to remain secured inside the building overnight. Next-day pickup will occur during assigned periods beginning no earlier than 9:00 a.m. Nothing will be stored overnight in the exterior loading area, public alley, sidewalk or street.

Illustrative Conservative Vendor Sequence

Illustrative order	Vendor/service	Management treatment
1	Cleaning contractor	First scheduled period when next-morning cleaning is required
2	Table/chair or rental company	Assigned loading interval; vehicle relocates immediately
3	Caterer	Separate interval; no public-alley staging
4	Florist/decorator	Separate interval following clearance of loading area
5	Music/DJ or entertainment	Later assigned interval
6	Cake/specialty delivery	Short-duration scheduled interval

4. Guest Parking, Rideshare and Passenger Loading

Guests will receive advance directions identifying nearby public/shared parking and the approved walking route to 757 Elden Street. Venue communications will discourage stopping on Elden Street except at a Town-approved passenger-loading location.

Active Management of Guest Arrivals and Departures

Venue management recognizes that event traffic is concentrated around guest arrival and departure rather than distributed evenly throughout the day. Before each event, the venue manager and designated event coordinator will review the expected attendance, event format, anticipated vehicle demand, rideshare use, accessibility needs and vendor schedule. Parking and arrival instructions will be supplied to the event host for advance distribution to guests.

• For larger events, a designated venue representative will monitor the building entrance and proposed passenger-loading locations during principal arrival and departure periods.

• Guests will be directed to lawful parking areas and approved pedestrian routes; guest vehicles will not be directed into the public alley or rear vendor-loading area.

• Rideshare pickup will be requested only when the passenger is ready, reducing curbside waiting and vehicle stacking.

• At event conclusion, venue personnel may sequence announcements, rideshare requests and assisted departures to reduce a single simultaneous surge.

• Events with atypically high vendor complexity, limousine activity or anticipated rideshare demand will receive additional management personnel, adjusted vendor intervals, or an approved valet service as appropriate.

• Any bus, shuttle or unusually large vehicle movement will require advance coordination and a lawful loading location rather than unscheduled curbside activity.

Proposed Spring Street Rideshare Locations — RS-1 and RS-2

The applicant proposes principal rideshare, taxi, limousine and car-service pickup/drop-off locations along Spring Street. These locations were selected because the applicant observes wide sidewalks, existing curbs, convenient pedestrian access and comparatively low traffic activity relative to Elden Street. Final locations and any signage remain subject to Town review. Vehicles will remain only during active passenger transfer; parking, staging and queuing will be prohibited.

Requested Elden Street Passenger-Loading Space — PL-1

The applicant respectfully requests that the Town evaluate one existing space directly in front of 757 Elden Street for an active passenger-loading designation. The location would principally serve elderly guests, persons with mobility limitations and others requiring closer access. Final configuration, signage, hours and accessibility treatment will be determined with Town staff. The applicant requests that existing Town and VDOT data and field observation be considered before any applicant-funded traffic analysis is required.

Severability: Herndon Hall's underlying parking and transportation plan is not dependent upon approval of PL-1, RS-1 or RS-2. If a proposed location is not approved, management will use Town-approved alternatives and other lawful passenger-loading practices.

Passenger-Loading Controls

• Active pickup and drop-off only; no standing, unattended parking or driver waiting.

• No obstruction of travel lanes, sidewalks, crosswalks, intersections or fire access.

• Venue personnel will monitor larger-event arrivals and departures.

• Guests will be directed to the Spring Street locations whenever practicable.

• Any formally designated accessible loading zone will be configured only as approved by the Town and applicable reviewing authorities.

5. Optional Third-Party Valet Service

Herndon Hall may offer valet parking as an optional event add-on through a qualified and appropriately insured third-party operator. The conceptual reception point, **VA-1**, is proposed along Spring Street near—but clear of—the shared-parking entrance. The conceptual podium location, **VP**, will remain outside the driveway throat, clear sidewalk width and accessible route.

The operator will use numbered vehicle tickets, corresponding key tags and a secured key-control system. Staffing will be event-specific and sufficient to prevent queuing; a three-person team may serve smaller events, while the operator will increase staffing when anticipated arrivals, retrieval demand or walking distance requires it.

Valet vehicles will be stored only in spaces lawfully available to the operator. No public/shared space will be coned, reserved or represented as exclusive valet inventory without authorization. The rear vendor-loading area and public alley will not be used for valet intake, storage or queuing. Valet service will operate only under a Town-acceptable event-specific plan and any required public-space authorization.

6. Refuse, Recycling and Rear-Area Coordination

All event-generated refuse and recycling will be collected the day of the event in four 96-gallon wheeled refuse carts and two 96-gallon wheeled recycling carts maintained against the designated rear wall. Carts will remain outside door swings, required egress, loading maneuvering areas, gate clearances and emergency access. No loose bags or refuse will be stored outside the carts.

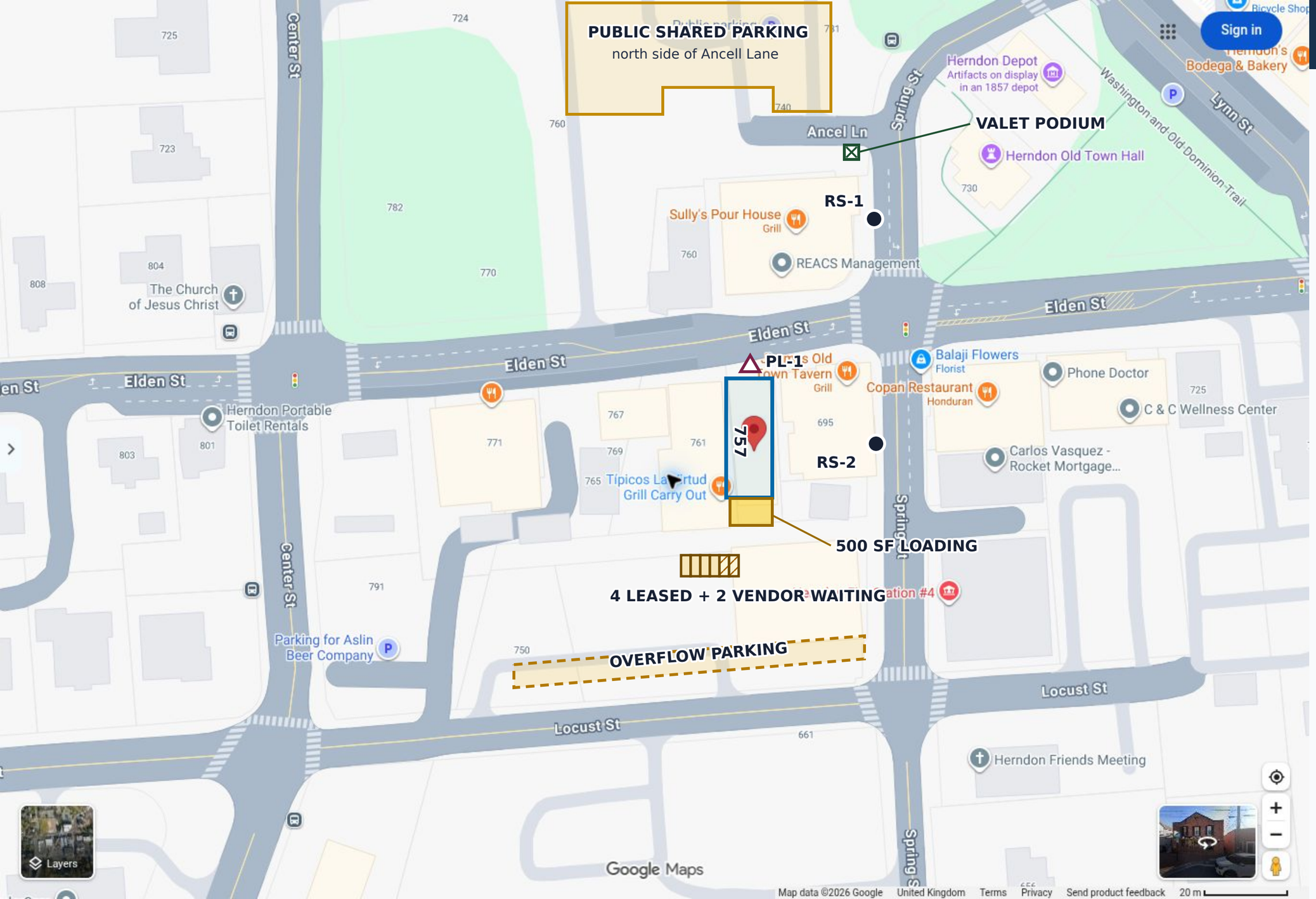
The venue manager will transport the wheeled carts to the authorized dumpster and recycling collection location, empty them and return them to the designated storage area. Transfer will be scheduled so it does not conflict with guest arrival/departure, vendor loading, pedestrian circulation or use of the public alley. Caterers and vendors will remove grease, cooking waste, bulk packaging and specialized vendor-generated materials as required by contract.

7. Response to Town Operational Concerns

Town concern / proposed condition	Applicant management response
Deliveries scheduled in advance	Written event-specific vendor schedule prepared and controlled by venue management.
No simultaneous vendor queuing	Staggered intervals; VP-1 and VP-2 used as scheduled waiting spaces; manager releases vehicles sequentially.
Loading from south elevation	All loading/unloading confined to the existing ≈500 SF rear loading area.
No staging in public areas	No equipment, vehicles or supplies staged or stored on streets, sidewalks or the public alley.
Protect vehicular/pedestrian circulation	Defined routes, monitored arrival/departure, clear egress and no obstruction of Elden, Spring or the alley.
Limited guest drop-off frontage	Proposed Spring Street rideshare locations plus requested PL-1 space for Town evaluation.
Parking adequacy	18 associated spaces documented as 10 + 2 + 6, supplemented by nearby public/shared parking.

8. Sample Event-Day Coordination Log

Vendor / service	Vehicle	Arrival	Waiting	Loading	Departure / pickup
Cleaning contractor					
Rental company					
Caterer					
Florist / decorator					
Entertainment					
Other					



CONCEPTUAL PARKING CIRCULATION

757 Elden Street

Legend

- 757 building footprint
- Approx. 500 SF loading area
- Four adjacent leased spaces
- Two vendor waiting spaces
- RS-1 / RS-2 passenger points
- PL-1 proposed curb space
- Proposed valet podium
- Shared / overflow parking

Exhibit notes

- Icons remain outside travel lanes.
- RS points are on sidewalk areas.
- Extra valet-adjacent RS dot removed.
- Six leased spaces shown as 4 + 2.
- Shared parking is shown broadly.

Conceptual applicant exhibit.
Not a survey or engineered site plan.
Town-controlled curb uses are subject to review and approval.

North Elevation along Elden Street



North Elevation along Elden Street

Existing storefront will remain



South Elevation

Showing rear double door intended for loading/unloading



South Elevation

Showing parking and loading/unloading area



East Elevation



West Elevation

Location of proposed gate and ramp to access side entrance



Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the **Planning Commission** of the Town of Herndon, Virginia, will hold a public hearing on Monday, October 19, 2026, at 7:00 p.m. in the Herndon Police Department's Community Room, located at 397 Herndon Parkway, Suite 300, Herndon, on the following items:

APPLICATION FOR A SPECIAL EXCEPTION – SE #26-05, **757 Elden Street**, to consider a special exception to permit an indoor entertainment use within the CC, Central Commercial zoning district. The property is located on the south side of Elden Street, west of the intersection of Spring Street and Elden Street. The building has 3,000 square feet of gross floor area and sits on a 4,565 square-foot lot. Fairfax County Tax Map Reference Number: 0162 02 0084. Applicant: Jeffrey Colon. Owner: Palo Viejo LLC.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-05 to amend Chapter 78 (ZONING), Article VI (Overlay Districts), Section 78-60.3(e) (Historic District Overlay (HDO) - Reduction of setback), Section 78-60.3(g)(2) (HDO - Exemptions from COA), and other sections as deemed necessary and appropriate to clarify the existing language providing the ability of the Historic District Review Board (HDRB) to grant setback reductions to certain properties within the HDO and to allow the HDRB to grant greater setback reductions than what is currently permitted under this section when appropriate with certain standards within the HDO, and clarify that the setback reduction process is separate and exempt from the Certificate of Appropriateness requirement.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-07 to amend Chapter 78 (ZONING), Article VII (Use Regulations), Section 78-71.1 (Residential Use Category), Section 78-71.4 (Institutional and Community Service Use Category), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to permit mixed-use or residential projects by-right on land owned by a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-08 to amend Chapter 78 (ZONING), Article X (Parking, Loading and Circulation), Section 78-100.2 (Minimum off-street parking and loading standards), Section 78-100.8 (Parking alternatives), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to cap minimum off-street parking requirements for residential, multifamily, and mixed-use development within a designated area, defined as any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above items are invited to attend the public hearing and state their opinions. Individuals may also submit comments to town.clerk@herndon-va.gov.

The proposed items are available for examination by the public at the front counter located at 397 Herndon Parkway, Suite 100, Herndon, during normal business hours (Monday – Friday) and also available for review on the town's website www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities, offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation.

Amanda Morrow Kertz, Town Clerk

Note to Publisher:
Publish on October 2, 2026/October 9, 2026

Special Exception (SE) #26-05
757 Elden Street
Indoor Entertainment

Planning Commission Regular Meeting
October 19, 2026

Aaron Zoellick
Zoning Services Specialist

LIVE DIFFERENTLY.

TOWN OF Herndon VIRGINIA

Site Description

- 4,565 square foot lot
- 3,000 square feet of gross floor area
- Central Commercial (CC)
- Commercial and Mixed-Use – Sector 2 Downtown Master Plan, CPA #10-01



Current Operation

- The property is currently occupied by The Upholstery Shop
- Personal services and retail sales use
- According to ITE, the current use generates:
  - 17 daily trips
  - 3 trips during the weekend peak
- The applicant purchased 10 parking spaces from the Town's Public Shared Parking program



Proposed Operations

First Floor:

<u>Use</u>

- Private event space (weddings, corporate meetings, etc.)

<u>Hours of Operation</u>

- No more than one event per day
  - 30-45 events first year of operation
  - 60-80 events as business grows
- Events will conclude by:
  - 10:00 pm Sunday – Thursday
  - 10:30 pm Friday – Saturday
- Vendors will begin setting no earlier than 9:00 am and expected to conclude cleanup by 11:00 pm



Proposed Operations

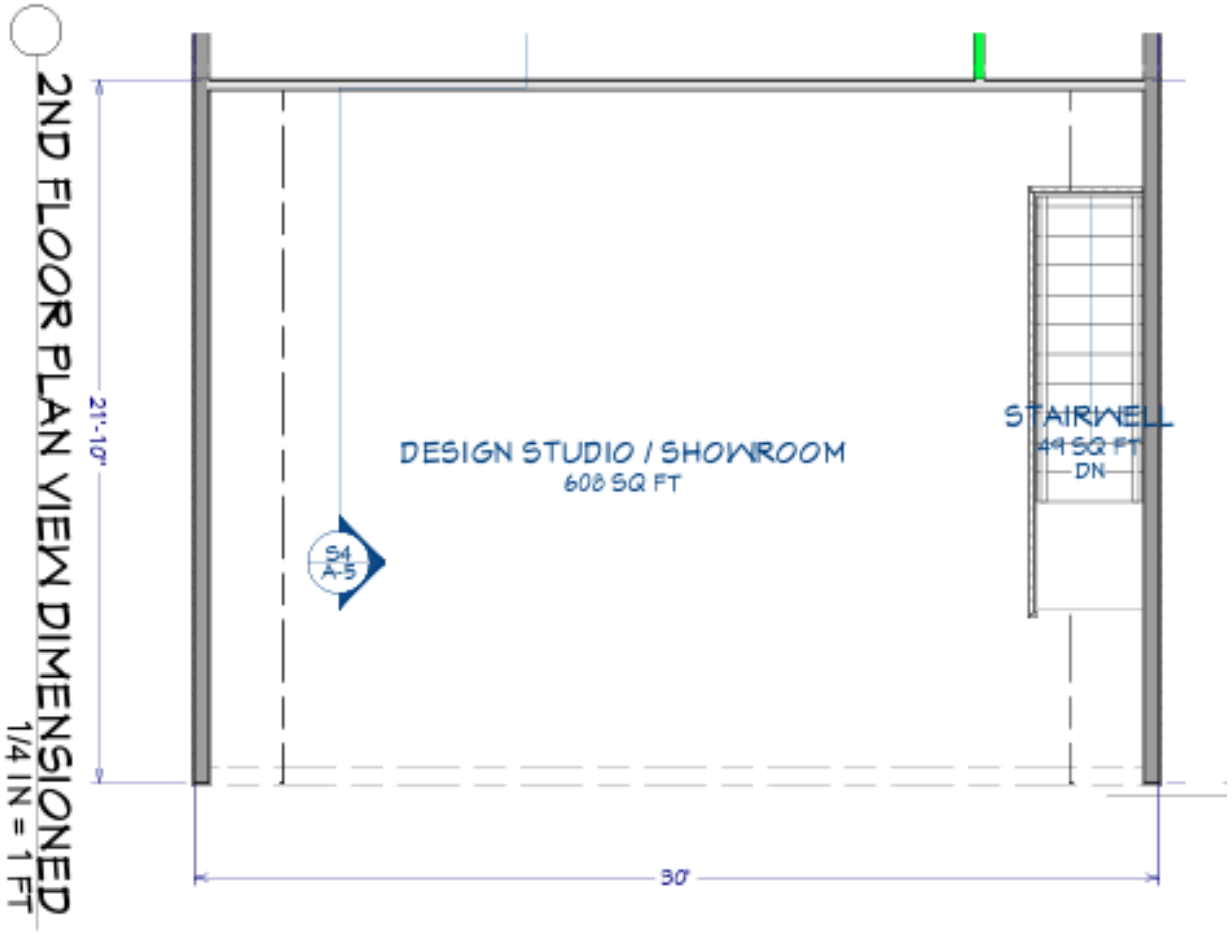
Second Floor:

<u>Use</u>

- Design studio, sample library, showroom, sales and consultation service

<u>Hours of Operation</u>

- Appointment based
- Will not conflict with scheduled events



Proposed Operations

Exterior:

- The façade of the building will remain unaltered
- The applicant is proposing a gate at both ends of the space between 757 and 761 Elden Street.
  - This space is private property shared between the two buildings
- An accessibility ramp is proposed along the west elevation from the public right-of-way to the side entrance



Proposed Special Exception

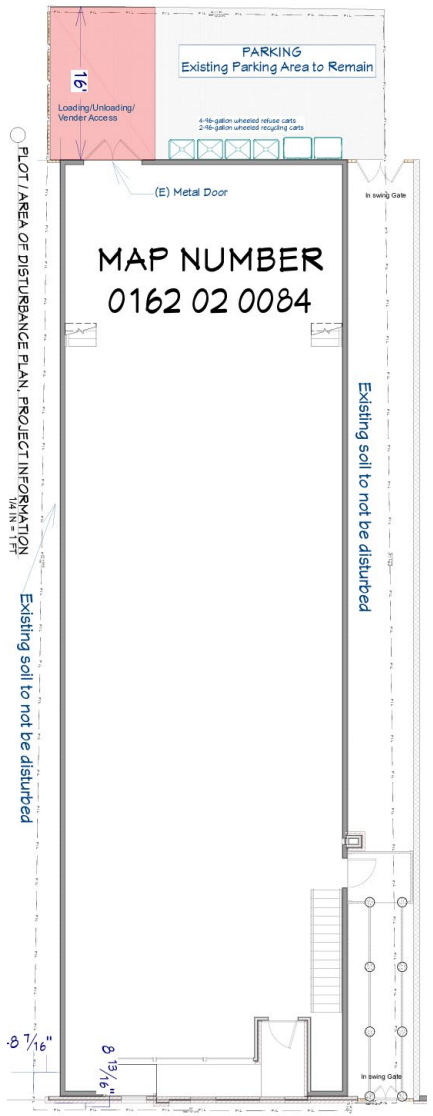
The commercial recreation/entertainment, indoor entertainment use is permitted in the Central Commercial zoning district by special exception.

<u>Sec. 78-155.3</u>

- Establishes general standards for all special exceptions
- 9 of the 14 criteria are applicable
- 4 of the 9 remaining criteria are met

<u>Sec. 78-71.8(d)(1)</u>

- Traffic impact
- Parking availability
- Pedestrian access
- Peak period visitation
- Positive economic multipliers for existing downtown businesses



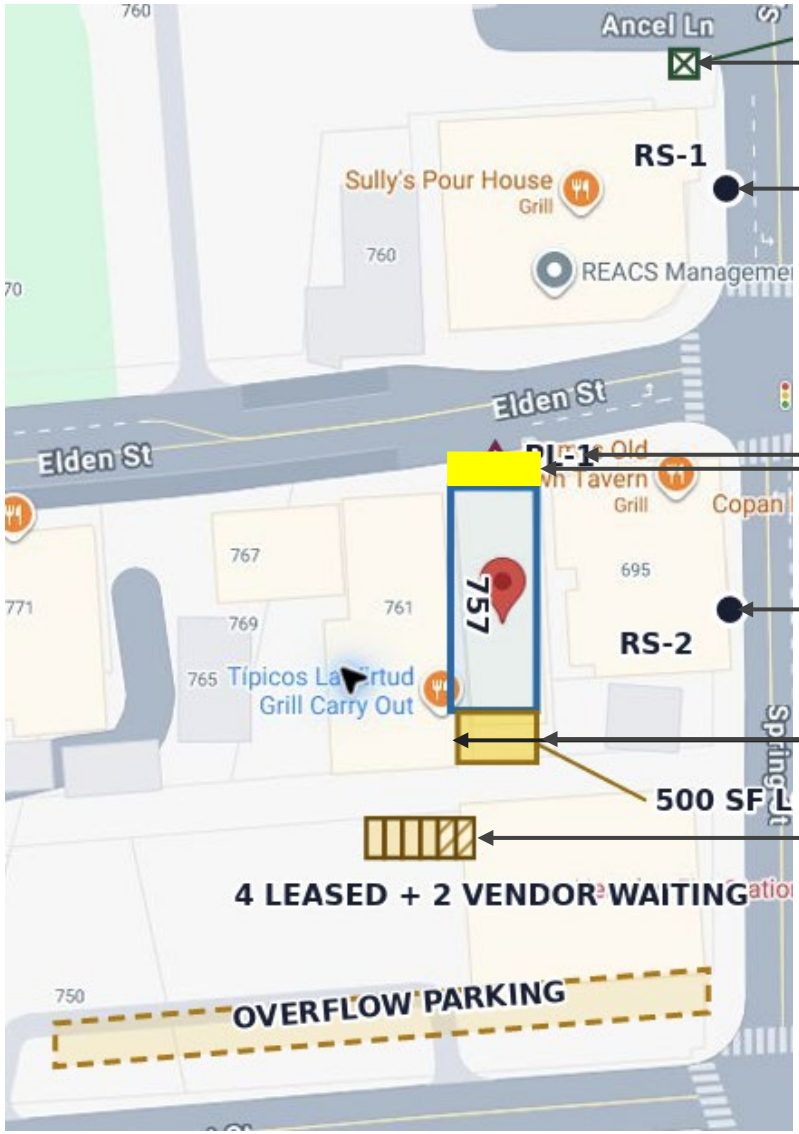
October 5 Work Session

- Traffic
- Parking
- Loading
- Storefront Pedestrian Experience



Updates

- Parking
- Guest Pick-Up and Drop-Off
- Vendor Loading and Unloading
- Storefront Pedestrian Experience



Proposed valet

Proposed designated pick-up/drop-off location

Proposed guest Stakeshare locations

2 proposed parking spaces

Vendor loading/unloading location

6 additional leased parking spaces

Proposed Conditions

1. Occupancy is limited to 150 people.

2. No more than one event shall be scheduled at the property per day. Appointments taking place on the second floor are not considered events for the purposes of this special exception.

3. The applicant shall schedule all event-related deliveries in advance. Pre-event delivery and post-event pick-up of vendor materials, supplies, and equipment shall be staggered so that multiple vendors are not simultaneously queued on the public alley or rights-of-way.

4. All vendor loading and unloading shall occur in the loading zone located at the rear of the building.

5. The applicant and any event vendor shall not use public streets, sidewalks, or the public alley for staging or storage.

6. Event operations, including guest arrival/departure, vendor loading/unloading, deliveries, and temporary equipment, shall not obstruct or impede vehicular or pedestrian circulation on Elden Street, Spring Street, the public alley, or other public rights-of-way.

7. A valet reception point, podium, station, booth, or kiosk shall not be located on any public property without a license agreement approved by Town Council.

Staff Recommendation

- Recommend approval to the Town Council.

- If recommended, SE #26-05 will be presented to Town Council at the November 17, 2026, regular meeting

Planning Commission
Regular Meeting
Agenda Item 4.b.

Agenda Item: **ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-05 to amend Chapter 78 (ZONING), Article VI (Overlay Districts), as deemed necessary and appropriate to clarify existing language providing the Historic District Review Board's (HDRB) ability to grant setback reductions to certain properties within the HDO, allowing the HDRB to grant greater setback reductions than what is currently permitted when appropriate with certain standards within the HDO, and clarifying that the setback reduction process is separate and exempt from the Certificate of Appropriateness requirement**

Meeting Date: October 19, 2026

Category: Public Hearings

Prepared by: Angelina Jones, Lead Planner / Design and Development

Description:
Currently, the Historic District Review Board (HDRB) may grant front setback reductions within the Historic District Overlay (HDO) as appropriate for detached single-family residential properties to a lesser distance than required for the underlying zoning district but not less than 20 feet. This Zoning Ordinance Text Amendment (ZOTA) would clarify and improve the existing language that allows the HDRB to grant front setback reductions within the HDO. Furthermore, this ZOTA will provide the HDRB with the ability to grant greater setback reduction than what is currently permitted, if the setback reduction will result in greater compatibility with the adjacent dwellings and historic fabric of the district.

Background/Timing Impact:
The HDRB passed a resolution in support of this proposed ZOTA at its October 15, 2025, public hearing. In their resolution, the board expressed their support for increasing the board's ability to grant setback reductions within the HDO as provided for in Sec. 78-60.3(e) of the Zoning Ordinance (HDRB adopted resolution attached). The Board found that this change would allow additional flexibility in the design and construction of new residential properties in the Historic District and allow for improvements with enhanced compatibility to nearby contributing structures. Additionally, this change will simplify the setback reduction process for residential property owners within the HDO. Furthermore, as a housekeeping measure, staff is proposing to amend Sec. 78-60.3(g)(2) of the Zoning Ordinance to clarify that the setback reduction process is separate and exempt from the Certificate of Appropriateness (CoA) requirement.

Work Session Discussion:
The following is a summary of changes made to the proposed ZOTA language based on comments received during the Planning Commission's October 5, 2026, work session:
Sec. 78-60.3(e):
- Lines 11-13: Updated the order of the activities eligible for HDRB setback reduction approval for clarity.
- Line 12: Updated to include reconstructed accessory buildings in the list of eligible activities.
- Lines 16-17: Added "...is consistent with historic district design guidelines, and will not cause an adverse impact to adjoining properties" in response to comments from the Planning Commission. The *Historic District Overlay Design Guidelines* are explicit as to where accessory buildings should be sited in relation to principal buildings, which addresses an inquiry from the Planning Commission as to how the proposed language relates differently to setbacks for principal versus accessory buildings.
- Line 20: Added "The HDRB will grant such a setback reduction through a resolution" to further clarify that the setback reduction is exempt from the CoA process.

This ZOTA was initiated by Town Council at its August 25, 2026, meeting. Following the Planning Commission recommendation, this ordinance amendment will be considered by the Town Council for adoption.

Fiscal Impact:
N/A

Legal Impact:
If adopted by the Town Council, this amendment will be effective on and after its date of adoption.

Staff Recommendation/Next Steps:
Recommend approval of ZOTA #26-05 to the Town Council.

Attachments:
1. ZOTA #26-05 DRAFT ORDINANCE
2. Supporting Document HDRB Adopted Resolution
3. Legal Ad
4. Presentation

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

ORDINANCE

_____, 2026

Ordinance- **to adopt Zoning Ordinance Text Amendment ZOTA - #26-05 to amend Chapter 78 (ZONING), Article VI (Overlay Districts), Section 78-60.3(e) (Historic District Overlay (HDO) - Reduction of setback), Section 78-60.3(g)(2) (HDO - Exemptions from COA), and other sections as deemed necessary and appropriate to clarify the existing language providing the ability of the Historic District Review Board (HDRB) to grant setback reductions to certain properties within the HDO and to allow the HDRB to grant greater setback reductions than what is currently permitted under this section when appropriate with certain standards within the HDO, and clarify that the setback reduction process is separate and exempt from the Certificate of Appropriateness requirement.**

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are amended and re-ordained as follows:

CHAPTER 78 (ZONING)

Article VI - OVERLAY DISTRICTS

Sec. 78-60.3 - Historic District Overlay (HDO)

***

(e) Reduction of setback. In the HDO, the front setback **may be reduced** for a **lot with a** single-family detached dwelling**, including for construction of a new single-family detached dwelling, a new or reconstructed accessory building, or additions to an existing dwelling,** ~~may be reduced from 35 feet to a lesser amount but not less than 20 feet~~, in instances where the HDRB makes a finding that such reduction shall cause the subject structure to be more compatible with nearby contributing structures**, is consistent with historic district design guidelines, and will not cause an adverse impact to adjoining properties. Such reduction shall not prohibit compliance with streetscape standards, and shall not conflict with requirements of Section 78-21(e). The HDRB will grant such a setback reduction through a resolution.**

***

(g) Certificate *of appropriateness (COA) in the historic district overlay.* The purpose of this section is to establish the procedures and standards for the review of certificates of appropriateness in the historic district overlay.

***

(2) *Exemptions from COA.* The following minor development, which has been determined not to have permanent effects on the character of the building or sites within the historic district overlay, is exempted from the requirements of this section. In the event the scope or nature of the development changes during the improvement process, a violation may be issued pursuant to Article XVII (Enforcement, Violations, and Remedies).

***

(h) Similar development determined by the zoning administrator not to have permanent effects on the character of the HPD.

(i) Reductions of setback requirements in the HDO pursuant to 78-60.3(e).

***

2. This ordinance shall be effective on and after the date of its adoption.

TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD

RESOLUTION

OCTOBER 15, 2025

Resolution- to support a Zoning Ordinance Text Amendment (ZOTA) to expand the authority of the Historic District Review Board to grant setback reductions within the Historic District Overlay.

The Historic District Review Board supports a Zoning Text Amendment, to increase the Board's authority to grant setback reductions within the Historic District Overlay as provided for in Sec. 78-60.3(e) of the Zoning Ordinance. The Board finds that this change would allow additional flexibility in the design and construction of new construction of residential properties in the Historic District and allow for improvements with enhanced compatibility to the district character.

THEREFORE, BE IT RESOLVED by the Historic District Review Board of the Town of Herndon, Virginia, that:

1. The following updates should be considered for initiation through a Zoning Ordinance Text Amendment:

    a. Clarifying language providing the ability of the Historic District Review Board to grant setback reductions to all single-family detached residential properties within the Historic District Overlay.

    b. Additional provisions to allow the granting of setback reductions by the board, when appropriate with certain standards, to accommodate new primary dwellings, new outbuildings or accessory structures, and additions to existing buildings.

    c. Allowance of a greater setback reduction than what is currently permitted under this provision when appropriate and when compliant with other applicable local, state, and federal codes.

    d. Clarifying language expressing a principal criteria that the setback reduction may be granted only when it is demonstrated that the reduction allows the subject structure to be more compatible with nearby contributing structures and more appropriate within the historic neighborhood context specific to the proposed buildings' relationship to the street.

A Copy – Teste:



Aaron Zoellick
Clerk of Boards and Commissions

Motion: **Fetske**
Second: **Oleinick**
Re: **HDO ZOTA**
Action: **Approved**

Vote
Ayes: Chowdhury, Fetske, LeReche, Oleinick, O'Savio, Vice Chair Edmondson
Nays: None
Absent: Chair Blaker-Glass

Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the **Planning Commission** of the Town of Herndon, Virginia, will hold a public hearing on Monday, October 19, 2026, at 7:00 p.m. in the Herndon Police Department's Community Room, located at 397 Herndon Parkway, Suite 300, Herndon, on the following items:

APPLICATION FOR A SPECIAL EXCEPTION – SE #26-05, **757 Elden Street**, to consider a special exception to permit an indoor entertainment use within the CC, Central Commercial zoning district. The property is located on the south side of Elden Street, west of the intersection of Spring Street and Elden Street. The building has 3,000 square feet of gross floor area and sits on a 4,565 square-foot lot. Fairfax County Tax Map Reference Number: 0162 02 0084. Applicant: Jeffrey Colon. Owner: Palo Viejo LLC.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-05 to amend Chapter 78 (ZONING), Article VI (Overlay Districts), Section 78-60.3(e) (Historic District Overlay (HDO) - Reduction of setback), Section 78-60.3(g)(2) (HDO - Exemptions from COA), and other sections as deemed necessary and appropriate to clarify the existing language providing the ability of the Historic District Review Board (HDRB) to grant setback reductions to certain properties within the HDO and to allow the HDRB to grant greater setback reductions than what is currently permitted under this section when appropriate with certain standards within the HDO, and clarify that the setback reduction process is separate and exempt from the Certificate of Appropriateness requirement.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-07 to amend Chapter 78 (ZONING), Article VII (Use Regulations), Section 78-71.1 (Residential Use Category), Section 78-71.4 (Institutional and Community Service Use Category), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to permit mixed-use or residential projects by-right on land owned by a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-08 to amend Chapter 78 (ZONING), Article X (Parking, Loading and Circulation), Section 78-100.2 (Minimum off-street parking and loading standards), Section 78-100.8 (Parking alternatives), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to cap minimum off-street parking requirements for residential, multifamily, and mixed-use development within a designated area, defined as any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above items are invited to attend the public hearing and state their opinions. Individuals may also submit comments to town.clerk@herndon-va.gov.

The proposed items are available for examination by the public at the front counter located at 397 Herndon Parkway, Suite 100, Herndon, during normal business hours (Monday – Friday) and also available for review on the town's website www.herndon-va.gov.

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Amanda Morrow Kertz, Town Clerk

Note to Publisher:
Publish on October 2, 2026/October 9, 2026

Zoning Ordinance Text Amendment ZOTA #26-05 HDO Setbacks

Planning Commission Regular Meeting
October 19, 2026

Angelina R. Jones, AICP
Lead Planner - Design & Development

LIVE DIFFERENTLY. TOWN OF Herndon

Background

- HDRB may grant setbacks in HDO for single-family residential properties
  - May not be less than 20 feet from property line
- HDRB passed a resolution in support of this ZOTA
  - Allows the HDRB to grant greater setback reductions than currently permitted

Purpose

- ZOTA 26-05 will increase the HDRB's ability to grant setback reductions
  - Must be compatible with adjacent dwellings and HDO character
- Updates the existing language pertaining to HDO setback reduction
  - Chapter 78 (ZONING), Article VI (Overlay Districts), Section 78-60.3(e) (Historic District Overlay (HDO) - Reduction of setback)
- Also clarifies that setback reduction process is separate and exempt from the Certificate of Appropriateness requirement - Section 78-60.3(g)(2) (HDO - Exemptions from COA)

HDO Setback Reduction – Proposed Language

Sec. 78-60.3(e) - Reduction of setback

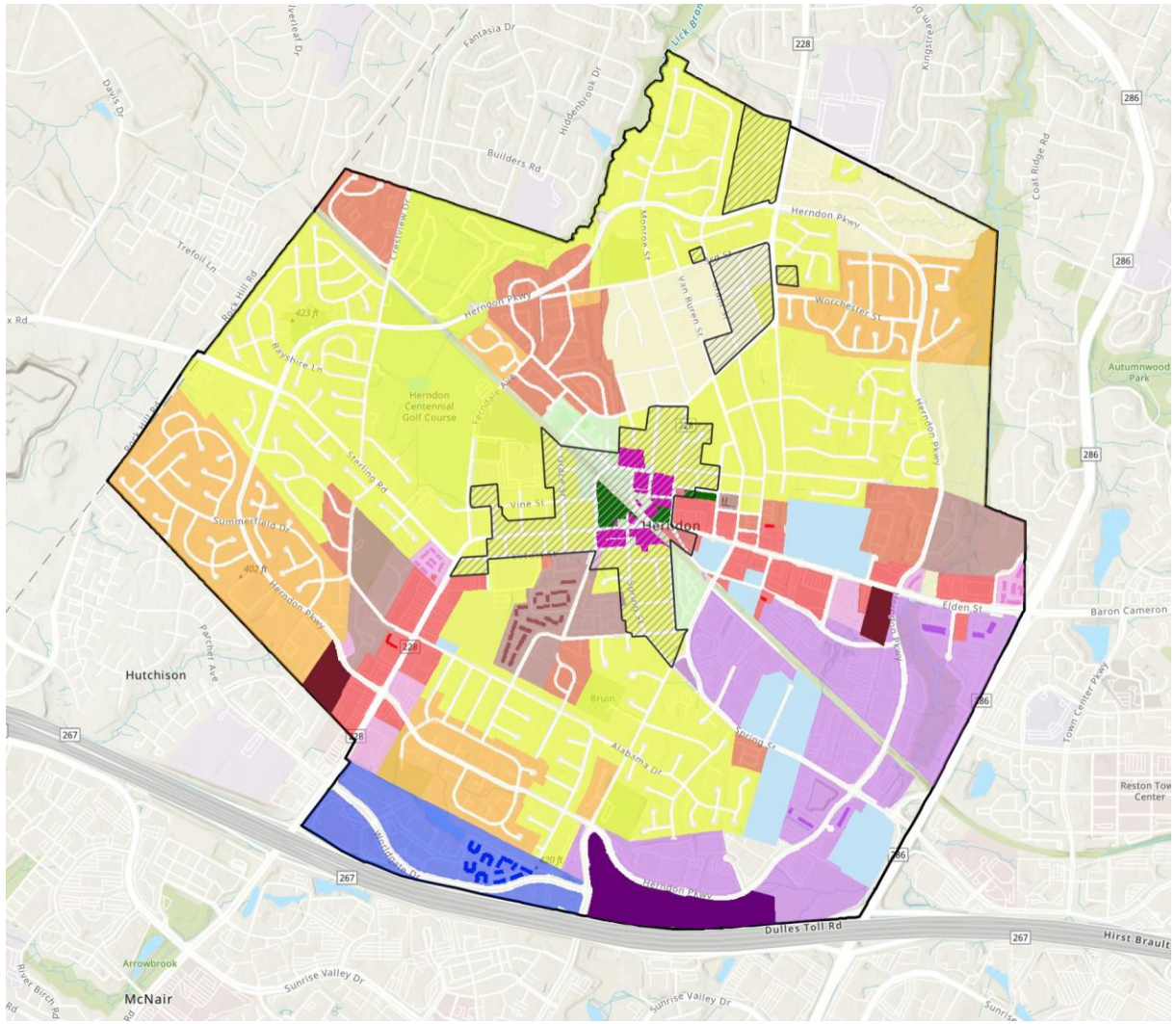
Reduction of setback. In the HDO, the front setback **may be reduced** for a **lot with a** single-family detached dwelling**, including for construction of a new single-family detached dwelling, a new or reconstructed accessory building, or additions to an existing dwelling,** ~~may be reduced from 35 feet to a lesser amount but not less than 20 feet~~, in instances where the HDRB makes a finding that such reduction shall cause the subject structure to be more compatible with nearby contributing structures**, is consistent with historic district design guidelines, and will not cause an adverse impact to adjoining properties**. **Such reduction shall not prohibit compliance with streetscape standards, and shall not conflict with requirements of Section 78-21(e). The HDRB will grant such a setback reduction through a resolution.**

Sec. 78-60.3(g)(2) - Exemptions from COA

- (h) Similar development determined by the zoning administrator not to have permanent effects on the character of the HPD.

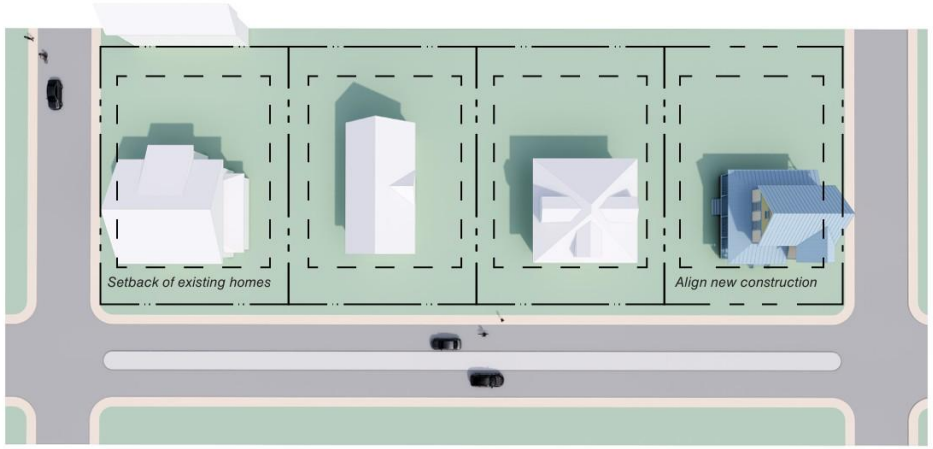
- **(i) Reductions of setback requirements in the HDO pursuant to 78-60.3(e).**

HDO Boundaries



Historic District Character

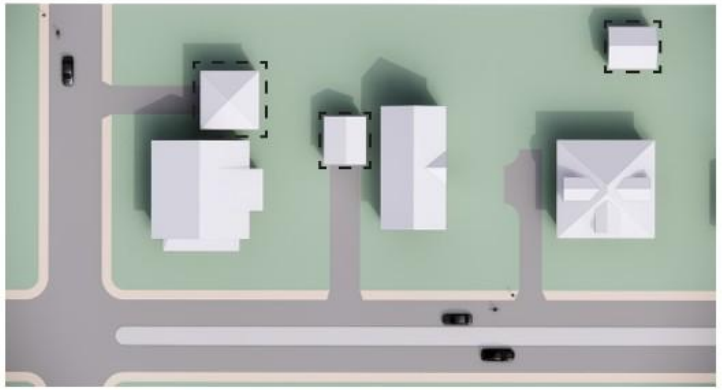




Property Lines

Setbacks

Appropriate setbacks, building orientation, and building scale should match adjacent properties



Appropriate placement of accessory structures and parking behind and to the side of the principle building.

Source: Herndon Historic District Overlay Guidelines (updated 2020)

Historic District Character





R-10 Example


R-10 Example: 706 Main Dr
Vine Street
Total: 28.9 ft
Total: 8.4 ft
28.9 ft
Total: 33.7 ft
33.7 ft
Main Street
0
0.02
0.0 Miles
This map is intended for reference purposes only. Fairfax County does not provide any guarantee of the accuracy or completeness regarding the map information.





R-15 Example


R-15 Example: 1100 Grant St
Grant Street
2nd Street
28.1 ft
Total: 28.1 ft
0
0.04
0.1 Miles
This map is intended for reference purposes only. Fairfax County does not provide any guarantee of the accuracy or completeness regarding the map information.





Examples from other jurisdictions

Arlington County, VA

§ 15.7.4 - Setback modification permitted - As part of the certificate of appropriateness review process, the Review Board may find that the proposed setback for buildings and structures is **consistent with the existing streetscape and historic district design guidelines** even though such setback is inconsistent with the requirements of the underlying zoning district. When the Review Board makes this finding, the zoning administrator shall grant a modification to the underlying setbacks, **unless such modification violates visual clearance requirements from §3.2.6.A.4.**

Emphasis added; Source: Arlington County Zoning Ordinance

Examples from other jurisdictions

Loudoun County, VA

Section 11.04(D)(3) Review and make recommendations on all applications for Site Plan, Subdivision, Variance, Zoning Map Amendment, Zoning Concept Plan Amendment, Special Exception, Minor Special Exception, or Zoning Modification in any Historic Overlay District.

Emphasis added; Source: Loudoun County Zoning Ordinance

Examples from other jurisdictions

Town of Leesburg, VA

Sec. 10.4(D)

New or expanded developments within the H-1 Overlay District may be located closer to the street frontage than otherwise authorized by the underlying zoning district, **up to the average setback of existing buildings** (including any covered or enclosed portions of such structures) which abut the property along the street frontage. In circumstances **where there will not be an adverse impact to adjoining properties**, an existing principal structure may be expanded along an established nonconforming perimeter yard setback. In both situations, the applicant must demonstrate to the satisfaction of the Board of Architectural Review and the Zoning Administrator that **the proposed structure will be compatible with the surrounding properties** and will not interfere with the light, air, convenience of access, public improvements, and safety from fire, flood and other dangers.

Emphasis added; Source: Town of Leesburg Zoning Ordinance

HDO Setback Reduction – Proposed Language

Sec. 78-60.3(e) - Reduction of setback

Reduction of setback. In the HDO, the front setback **may be reduced** for a **lot with a** single-family detached dwelling**, including for construction of a new single-family detached dwelling, a new or reconstructed accessory building, or additions to an existing dwelling,** ~~may be reduced from 35 feet to a lesser amount but not less than 20 feet~~, in instances where the HDRB makes a finding that such reduction shall cause the subject structure to be more compatible with nearby contributing structures**, is consistent with historic district design guidelines, and will not cause an adverse impact to adjoining properties**. **Such reduction shall not prohibit compliance with streetscape standards, and shall not conflict with requirements of Section 78-21(e). The HDRB will grant such a setback reduction through a resolution.**

Sec. 78-60.3(g)(2) - Exemptions from COA

- (h) Similar development determined by the zoning administrator not to have permanent effects on the character of the HPD.

- **(i) Reductions of setback requirements in the HDO pursuant to 78-60.3(e).**

Updates from Work Session

- Reordered eligible activities for clarity
- Reconstructed accessory buildings added to eligible activities
- Clarified how language relates to setbacks for principal vs. accessory buildings
- Added that activity may not cause an adverse impact to adjacent properties
- Additional language to state setback reduction granted by resolution

Staff Recommendation

- Recommend approval of the staff proposed language to the Town Council

Planning Commission
Regular Meeting
Agenda Item 4.c.

Agenda Item: **ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-07 to amend Chapter 78 (ZONING), Article VII (Use Regulations), as deemed necessary and appropriate to update conformance with the Code of Virginia to permit mixed-use or residential projects by-right on land owned by a property tax-exempt religious organization or a 501 (c)(3) property tax-exempt nonprofit organization**

Meeting Date: October 19, 2026

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator

Description:
This Zoning Ordinance Text Amendment is required to make the Town of Herndon Zoning Ordinance consistent with the Code of Virginia. Section 15.2-2288.9 of the Code of Virginia is a new section that mandates localities to allow mixed-use or residential projects by-right (locality cannot require a special exception or rezoning) on land that is owned by a property tax-exempt religious organization or a 501 (c)(3) property tax-exempt nonprofit organization.

A mixed-use or residential project must be allowed by-right if it meets the following key standards:

1. The property has been owned continuously by the tax-exempt religious organization or 501(c)(3) for five years.
2. At least 60 percent of the housing units are for affordable housing at 80 percent or less of the area median income for rental units and up to 120 percent of the area median income for for-sale units.
3. The affordability provisions are preserved for a minimum of 30 years.
4. The density does not exceed 20 dwelling units per acre (du/ac).
5. The height does not exceed 45 feet.
6. No more than 30 percent of the floor area of a mixed-used project is used for non-residential uses.

A mixed-use or residential project allowed under these provisions is subject to town administrative review and must comply with state stormwater management requirements. The provisions of Section 15.2-2288.9 do not apply in industrially zoned districts. In Herndon, this includes the O&LI, Office and Light Industrial, zoning district.

Background/Timing Impact:
Section 15.2-2288.9 of the Code of Virginia was codified as a result of House Bill HB 1279 and Senate Bill SB 388 during the 2026 General Assembly session. The provisions of this section of the Code of Virginia are effective starting January 1, 2027, until January 1, 2031. Final draft language is expected to be brought for a public hearing before the Town Council prior to January 1, 2027. The Town Council initiated this ZOTA at its August 25, 2026, regular meeting.

Fiscal Impact:
Any future fiscal impact on the Town is unknown and would depend on whether the proposed amendment is adopted and the extent to which the program is used during its period of effectiveness.

Legal Impact:
The proposed Zoning Ordinance Text Amendment incorporates the mandatory provisions of Section 15.2-2288.9 of the Code of Virginia.

Staff Recommendation/Next Steps:
Recommend approval of Zoning Ordinance Text Amendment ZOTA #26-07 to the Town Council.

Attachments:
1. ZOTA #26-07 DRAFT ORDINANCE
2. Code of Virginia Section 15.2-2288.9
3. Legal Ad
4. Presentation

TOWN OF HERNDON, VIRGINIA

TOWN COUNCIL

ORDINANCE

_____, 2026

Ordinance- **to adopt Zoning Ordinance Text Amendment ZOTA #26-07 to amend Chapter 78 (ZONING), Article VII (Use Regulations), Section 78-71.1 (Residential Use Category) and Section 78-71.4 (Institutional and Community Service Use Category), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to permit mixed-use or residential projects by-right on land owned by a property tax-exempt religious organization or a 501 (c)(3) property tax-exempt nonprofit organization.**

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are amended and re-ordained as follows:

CHAPTER 78 (ZONING)

Article VII. – USE REGULATIONS

***

Sec. 78-71.1 – Residential use category

***

(d) *Residential use category specific use standards.* All uses shall comply with all applicable standards in this chapter. In addition, the following standards shall apply, unless, in the judgment of the reviewing authority, exceptional circumstances warrant adjustment:

***

(5) *Affordable housing on property that is a tax-exempt religious organization or a 501(c)3 property tax-exempt nonprofit organization.* A mixed-use or residential project is allowed by-right in all zoning districts, provided the mixed-use or

residential project complies with Section 15.2-2288.9 of the Code of Virginia, and the following standards.

(a) *Tax-exempt status*. The property has been owned continuously by the property tax-exempt religious organization or 501(c)(3) property tax-exempt organization for five years prior to the development application.

(b) *Dedicated affordable units*. At least 60 percent of the mixed use or residential project's total housing units are for affordable housing at 80 percent or less of the area median income, as defined by the U.S. Department of Housing and Urban Development income limits and rent schedules, for rental units and up to 120 percent of the area median income for for-sale units, and such affordability is recorded and preserved for a minimum of 30 years by deed restrictions or other legally binding requirements.

(c) *Maximum height.* The maximum height is the greater of 45 feet, or the height of the tallest existing building within 500 feet that was approved by-right.

(d) *Maximum density.* The maximum density is the greater of 20 dwelling units per acre, or the most intensive existing residential unit density within 500 feet of the property line of the proposed project. There is no maximum floor area ratio.

(e) *Required setback.* The maximum setback is the lessor of 10 feet, or the smallest setback allowed for any existing property within 500 feet.

(f) *Residential floor area.* A minimum of 70 percent of the gross floor area of the development shall be used for residential.

(g) *Nonresidential uses*. A maximum of 30 percent of the gross floor area of the development may consist of the following nonresidential uses.

1. Religious worship space, child day centers, health clinics, coffee shops, or other uses that are ancillary to the operation or mission of the property tax-exempt religious organization or 501(c)(3) property tax-exempt nonprofit organization.

(h) *Parking*. Notwithstanding the provisions of Section 78-100.2, Minimum off-street parking and loading standards, there shall be a minimum of one vehicle parking space per dwelling unit and one vehicle parking space per 300 square feet of nonresidential use.

(i) *Prohibited districts.* The provisions of this Section shall not apply to properties zoned O&LI, Office and Light Industrial, or properties adjacent to properties zoned O&LI. The provision of this Section shall not apply to properties with an industrial use or adjacent to an industrial use.

(j) *Historic District Overlay.* Nothing within this Section shall be construed as limiting the authority of Section 78-60.3, Historic District Overlay.

***

Sec. 78-71.4. – Institutional and community service use category.

***

(c) *Similar use types, accessory uses and prohibited use types.*

***

(5) *Affordable housing on property owned by religious organizations and other tax-exempt organizations.* Affordable housing on property owned by religious organizations and other tax-exempt organizations shall be considered a by-right use, provided the project complies with Section 78-71.1(d)(5) of the zoning ordinance and Section 15.2-2288.9 of the Code of Virginia.

***

2. This ordinance shall be effective on January 1, 2027.

Code of Virginia
Title 15.2. Counties, Cities and Towns
Subtitle II. Powers of Local Government
Chapter 22. Planning, Subdivision of Land and Zoning
Article 7. Zoning

§ 15.2-2288.9. (Effective January 1, 2027, until January 1, 2031) Affordable housing; religious organizations and other tax-exempt properties

A. Notwithstanding any contrary provision of law, general or special, any locality that has adopted a zoning ordinance pursuant to this article shall allow by right, and not require a rezoning or other legislative approval as a precondition to the review or approval of a site plan or subdivision plat, the development or construction of a mixed-use or residential project by a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization.

B. Such mixed-use or residential project shall be permitted by right, notwithstanding the use, height, or density otherwise permitted under the local zoning ordinance. No locality shall require, as a condition of approval of a subdivision plat, site plan, or plan of development, that a special exception, special use permit, conditional use permit, or any other discretionary approval be obtained for such mixed-use or residential project. The review of such mixed-use or residential projects shall be conducted in accordance with the provisions of §§ 15.2-2258 through 15.2-2261.

C. Mixed-use or residential projects shall be permitted by right as described in subsection B, provided the proposed mixed use or residential project meets all of the following conditions:

1. The property has been owned continuously by the property tax-exempt religious organization or 501(c)(3) property tax-exempt nonprofit organization for five years prior to the development application.

2. At least 60 percent of the mixed use or residential project's total housing units are for affordable housing at 80 percent or less of the area median income, as defined by the U.S. Department of Housing and Urban Development income limits and rent schedules, for rental units and up to 120 percent of the area median income for for-sale units, and such affordability is recorded and preserved for a minimum of 30 years by deed restrictions or other legally binding requirements.

3. All housing built is subject to local real property taxation following completion.

4. The housing is open to the general public and follows nondiscrimination rules as provided by the Virginia Fair Housing Law (§ 36-96.1 et seq.).

5. The property is served by or within an area planned for public water and sewer and the mixed-use or residential project complies with all environmental, historic, siting, and archeological local, state, and federal laws and regulations applicable to similar projects, including local environmental, historic, and archaeological standards and siting provisions contained in zoning and land use codes; Department of Environmental Quality laws and regulations related to wetland protection, stormwater management, and erosion and sediment control; Department of

Transportation laws governing highway access and secondary streets; and Department of Health laws governing water and wastewater.

D. If a mixed-use or residential project meets the requirements of subsection C, local zoning ordinances shall be deemed to allow, at a minimum (i) a building height of 45 feet, or the height of the tallest existing building within 500 feet, whichever is greater, excluding any building granted any additional height above what is permitted by right in the zoning district in which that building is located via a special exception approval; however, for a property located within a designated historic district established as of January 1, 2026, the maximum permitted building height shall be controlled by the regulations governing the historic district; (ii) a density of 20 units per acre, or the most intensive existing residential unit density within 500 feet of the property line of the proposed project, whichever is greater; however, a locality may by ordinance establish higher minimum residential densities for properties within a revitalization area, transit area, or area located within a small area plan or sector plan; (iii) setbacks of 10 feet or the smallest setback allowed for any existing property within 500 feet, whichever is less; (iv) construction of mixed-use and residential developments with a variety of housing types, including detached, attached, and multifamily housing units; and (v) residential use of at least 70 percent of the gross floor area, and the remaining uses, not to exceed 30 percent of the gross floor area, may include public accessible ground-floor nonresidential facilities. Otherwise, the maximum permitted height shall be 45 feet. Permitted nonresidential uses shall include religious worship space, child day centers as defined in § 22.1-289.02, health clinics, coffee shops, or other uses that are ancillary to the operation or mission of the property tax-exempt religious organization or 501(c)(3) property tax-exempt nonprofit organization. No additional requirements shall be imposed regarding floor-area ratio, minimum unit size, or minimum lot size. Residential parking requirements shall be limited to no more than one space per residential unit, or the fewest parking spaces required for the by-right residential parking standard under the local zoning ordinance, whichever is less. Parking requirements for all other permitted nonresidential uses shall be limited to no more than one space per 300 square feet, or the fewest parking spaces required for that use type under the local zoning ordinance, whichever is less.

E. The provisions of this section shall not apply to property zoned for or adjacent to land zoned for industrial use.

F. Nothing in this section shall apply to any existing permits for a housing development on real property owned by a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization approved by the locality prior to January 1, 2027.

G. Nothing in this section shall be construed to restrict a locality's passage prior to January 1, 2027, of an ordinance for the development of housing on real property owned by a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization, or a subsequent amendment thereof, that substantially complies with the requirements of this section.

H. Notwithstanding the provisions of subsection A, this section shall not apply to any parcel located within the Air Installation Compatible Use Zones footprint in any locality in which a United States military air installation or an auxiliary landing field used in connection with flight operations arising from a master jet base is located. Additionally, nothing in this subsection shall be construed as limiting the authority of localities to adopt ordinances pursuant to §§ 10.1-2206.1 and 15.2-2306 designed to protect existing or future areas of historic or archaeological significance, historic sites, historic landmarks, and historic buildings and structures, or to

establish local historic districts.

I. Nothing in this section shall apply to an application for a rezoning, special exception, or special use permit that is submitted prior to July 1, 2026.

J. Any residential or mixed-use project built pursuant to this section shall be deemed to be substantially in accord with the comprehensive plan of the host locality.

2026, cc. 1009, 1096.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

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Notice of Public Hearing

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ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-08 to amend Chapter 78 (ZONING), Article X (Parking, Loading and Circulation), Section 78-100.2 (Minimum off-street parking and loading standards), Section 78-100.8 (Parking alternatives), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to cap minimum off-street parking requirements for residential, multifamily, and mixed-use development within a designated area, defined as any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above items are invited to attend the public hearing and state their opinions. Individuals may also submit comments to town.clerk@herndon-va.gov.

The proposed items are available for examination by the public at the front counter located at 397 Herndon Parkway, Suite 100, Herndon, during normal business hours (Monday – Friday) and also available for review on the town's website www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities, offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation.

Amanda Morrow Kertz, Town Clerk

Note to Publisher:
Publish on October 2, 2026/October 9, 2026

Zoning Ordinance Text Amendment ZOTA #26-07 – Use Regulations for Tax-Exempt Properties

Planning Commission Regular Meeting
October 19, 2026

David Stromberg, AICP
Zoning Administrator

Reason for ZOTA #26-07

- Code of Virginia Section 15.2-2288.9 – Affordable housing; religious organizations and other tax-exempt properties
  - House Bill 1279 and Senate Bill 388
- Mandatory provision in local zoning ordinances
- Effective January 1, 2027, until January 1, 2031



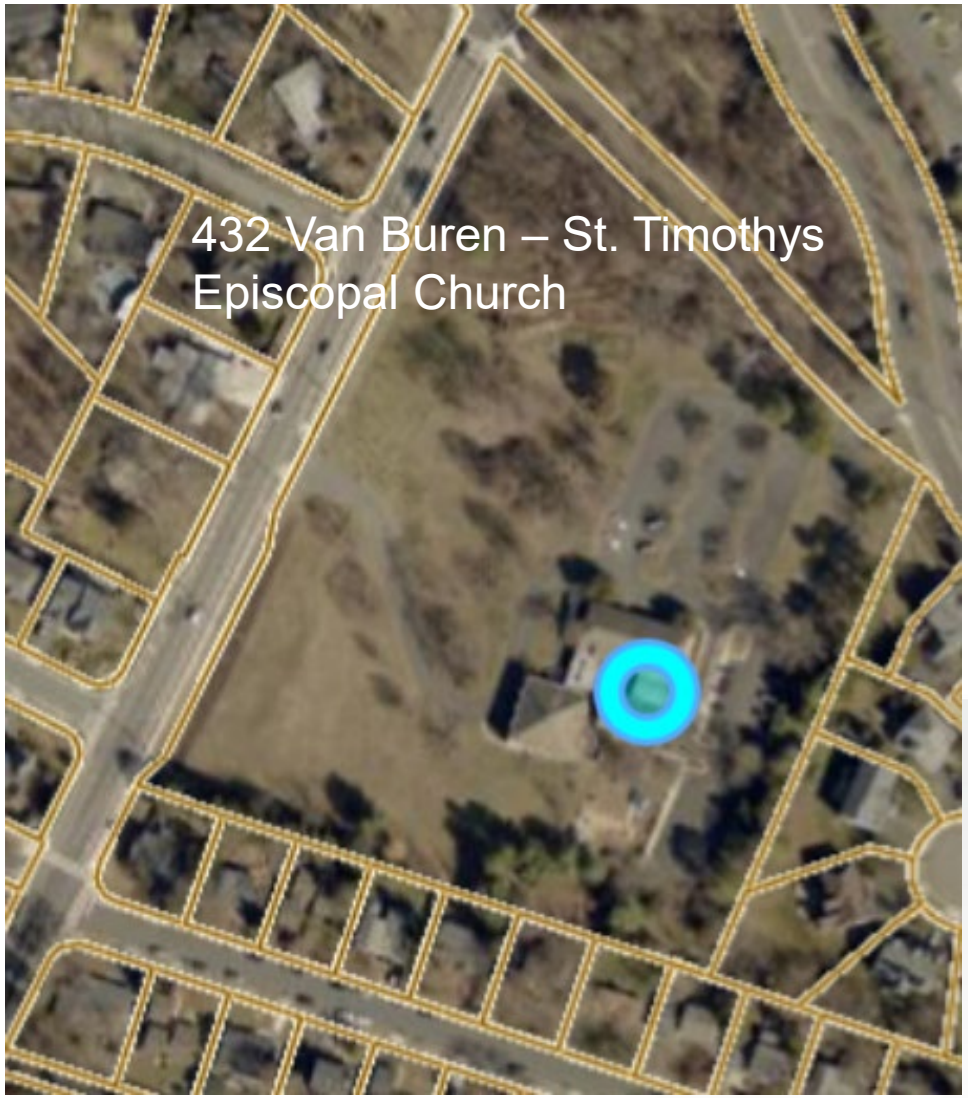
Waypoint at Fairlington Presbyterian Church. Image source: Google

Included Provisions in Section 78-71.1

- Property must be owned by a religious tax-exempt of 501(c)(3) tax-exempt for 5 years prior to submission of the development application
- At least 60 percent of the units must be dedicated affordable units
  - 80 percent or less of Area Median Income for rental
  - 120 or less of Area Median Income for for-sale
  - Must be affordable for 30 years by deed restriction
- Must comply with the following dimensional requirements
  - Density no greater than 20 units per acre (du/ac)
  - Maximum height of 45 feet
  - Maximum 30 percent floor area used for nonresidential uses
  - Minimum parking of 1 space per dwelling unit and 1 space per 300 square feet of nonresidential uses
- These provisions do not apply in industrial districts
  - In Herndon, O&LI, Office & Light Industrial, is the industrial zoning district
- These provisions do not preempt requirements in the Historic District Overlay

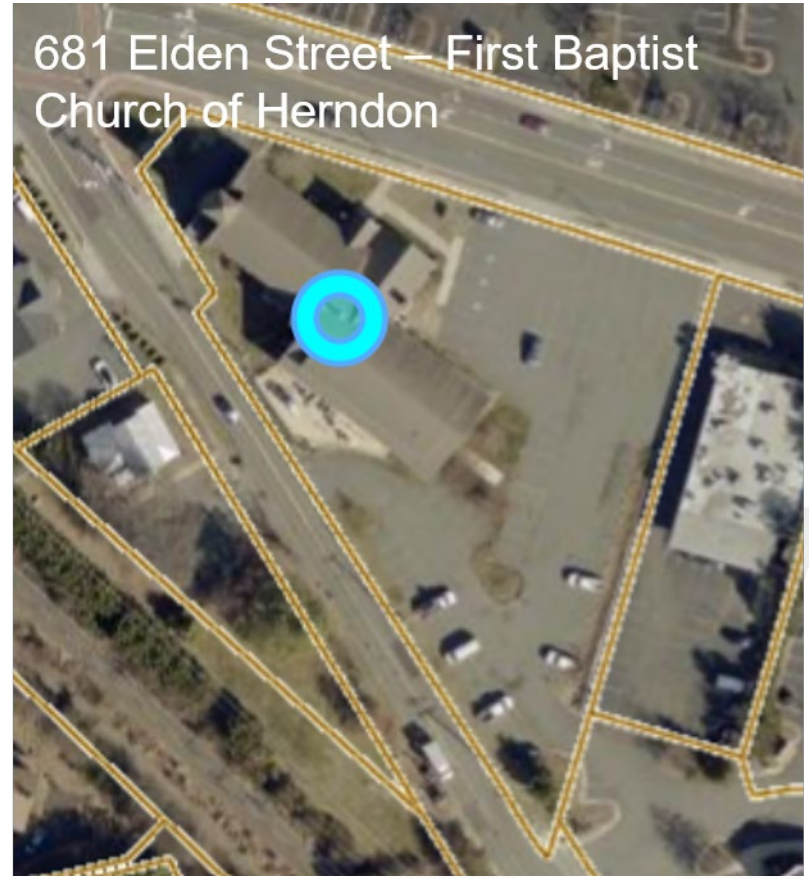
List of Religious and 501(c)(3) tax-exempt properties (not to scale)





List of Religious and 501(c)(3) tax-exempt properties (not to scale)





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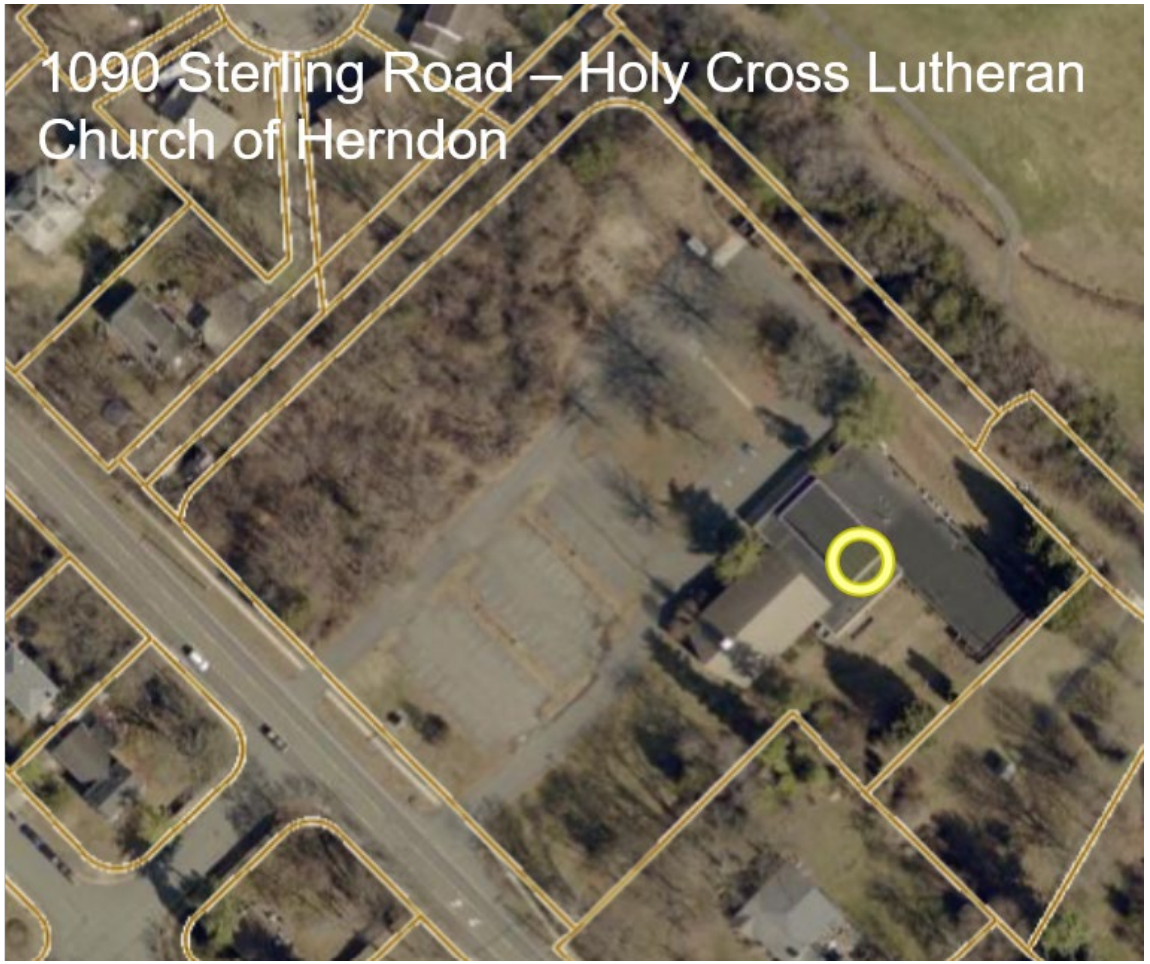

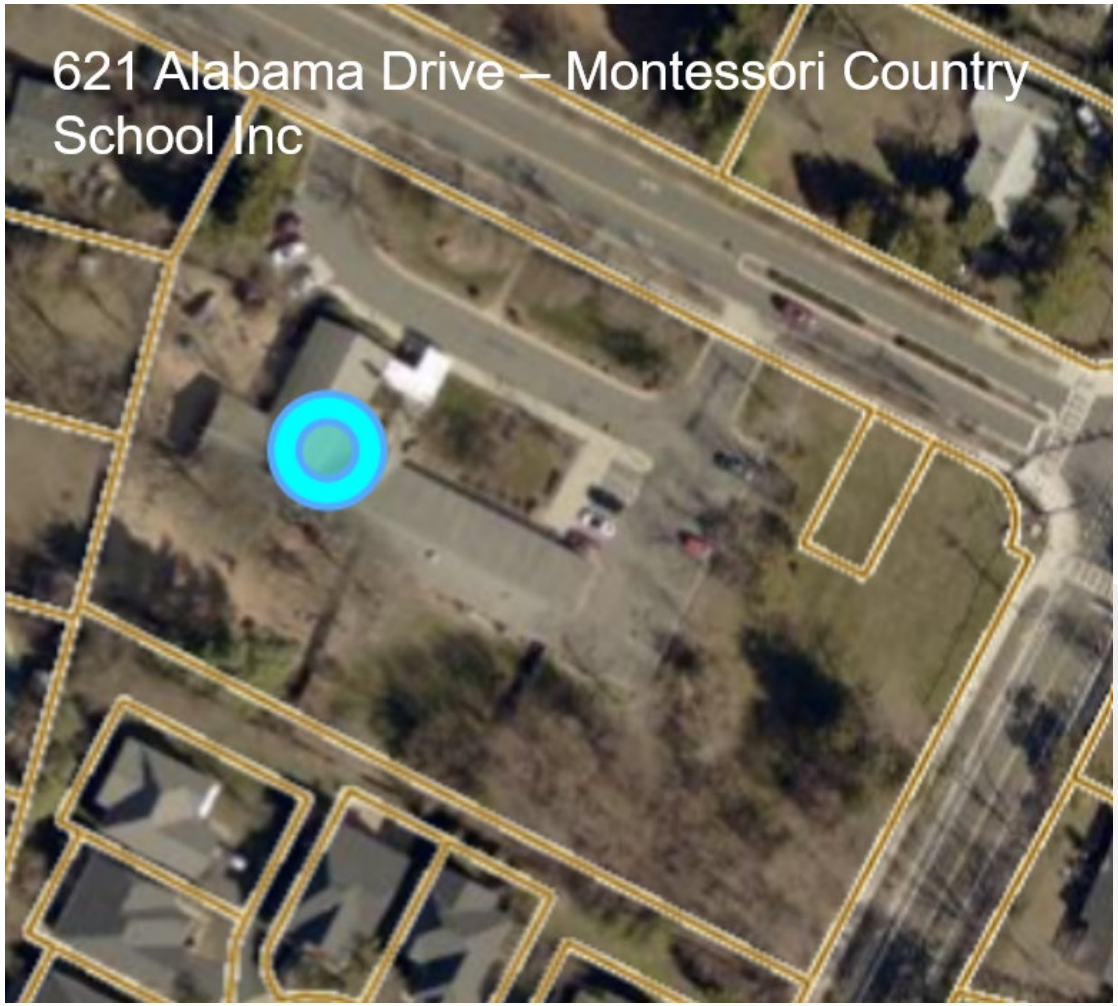

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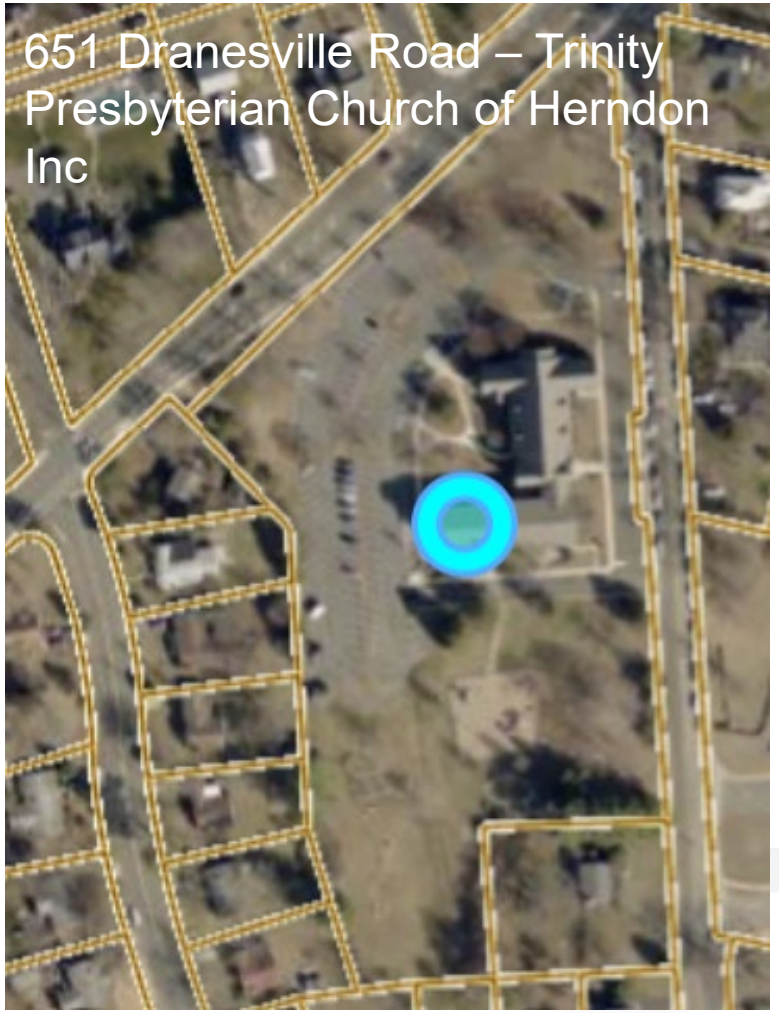

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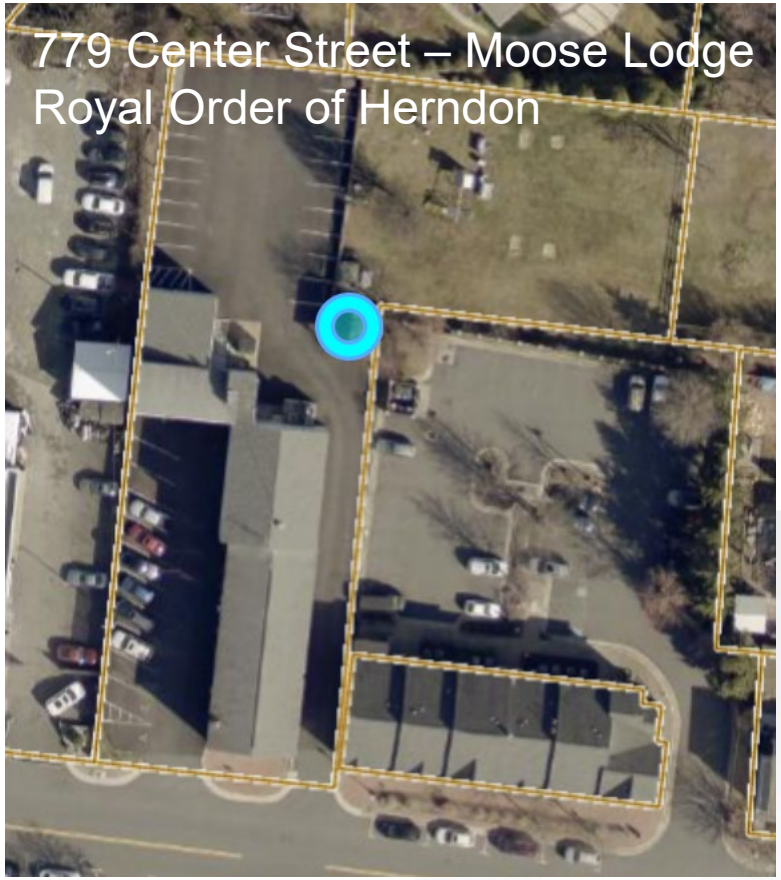


Recommendation

Staff

- Recommends approval of ZOTA #26-07

Planning Commission
Regular Meeting
Agenda Item 4.d.

Agenda Item: **ZONING ORDINANCE TEXT AMENDMENT - ZOTA #26-08 to amend Chapter 78 (ZONING), Article X (Parking, Loading and Circulation), as deemed necessary and appropriate to update conformance with the Code of Virginia to cap minimum off-street parking requirements for residential, multifamily, and mixed-use development within a designated area, defined as any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility**

Meeting Date: October 19, 2026

Category: Public Hearings

Prepared by: Aaron Zoellick, Zoning Services Specialist

Description:
Update since the October 5 Work Session:

- Staff evaluated whether any residential or mixed-use properties fell within one half mile of the Reston Town Center or Innovation Center Metro Stations. Both stations are more than one half mile from the Town of Herndon border.
- The requirements for a waiver due to unique characteristics were reduced so that an applicant need only meet two of the standards.
- The limit of a 20% reduction in the minimum parking standards was removed for properties outside the designated area.
- A definition for "Designated Area" was added to:
    1. Establish a point of measurement from the entrance of Herndon Metro Station
    2. Clarify that if any portion of a parcel was within one half mile of the entrance to the Herndon Metro Station, then the entire parcel is considered a designated area.

The Virginia General Assembly passed HB 888, and created § 15.2-2209.4, in April 2026. The statute establishes minimum off-street parking requirements for residential, multifamily, and mixed-use development within a designated area. The statute defines a designated area as any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility. A mass transit or public transportation station or facility is defined as a building or enhanced structure where the public boards or disembarks from mass transit or public transportation.

The statute caps minimum off-street parking for this area at the following:
1. One-half of one parking space per dwelling unit for multifamily or mixed-use residential development: and
2. One parking space per dwelling unit for one-family and two-family dwellings and townhouses.

Designated areas for the Town of Herndon are located around the Herndon Metro Station, specifically in the PD-W, PD-R, R-10, PD-TOC, PD-TRG1, and PD-TRG-2 zoning districts. The proposed ZOTA reduces minimum off-street parking requirements in these zoning districts.

The statute also requires that localities with a population greater than 20,000 establish an administrative process allowing developers to obtain a reduction of at least 20% in minimum off-street parking requirements for residential, multifamily, or mixed-use projects that are not in designated areas. The proposed ZOTA allows an applicant to seek a waiver from the zoning administrator for a reduction of 20% in minimum off-street parking requirements.

Background/Timing Impact:
HB 888 was approved and signed into law by the Governor in April 2026 and became effective on July 1, 2026.

Fiscal Impact:
N/A

Legal Impact:
Code of Virginia § 15.2-2285 states that the Planning Commission shall hold at least one public hearing on a proposed ordinance or any amendment of an ordinance, after notice as required by § 15.2-2204, and may make appropriate changes in the proposed ordinance or amendment as a result of the hearing.

Staff Recommendation/Next Steps:
Recommend approval of ZOTA #26-08 to the Town Council.

Attachments:
1. ZOTA #26-08 DRAFT ORDINANCE
2. Legal Ad
3. Presentation

TOWN OF HERNDON, VIRGINIA

ORDINANCE

_____, 2026

Ordinance - to adopt ZONING ORDINANCE TEXT AMENDMENT - ZOTA #26-08 to amend Chapter 78 (ZONING), Article X (Parking), by amending Section 78-100.2 (Minimum off-street parking and loading standards) and Section 78-100.8 (Parking alternatives), to update sections for conformance with the Code of Virginia regarding minimum off-street parking requirements.

BE IT ORDAINED by the Council for the Town of Herndon that:

1. The following sections or provisions of Chapter 78, (ZONING) of the Herndon Town Code (2000) are amended and ordained as follows

CHAPTER 78 (ZONING)

***

ARTICLE X. - PARKING, LOADING AND CIRCULATION

***

Sec. 78-100.2. - Minimum off-street parking and loading standards.

(a) Minimum number of parking spaces required in R-15, R-10, RTC, RM, CS, CO, O&LI, PD-R, PD-B, PD-W, PD-UR zoning districts. Unless otherwise expressly stated in this chapter, off-street parking spaces in the R-15, R-10, RTC, RM, CS, CO, O&LI, PD-R, PD-B, PD-W, PD-UR zoning districts shall be provided in accordance with Table 78-100.2(a): Minimum Off-Street Parking Standards, below:

TABLE 78-100.2(a): MINIMUM OFF-STREET PARKING STANDARDS FOR R-15, R-10, RTC, RM, CS, CO, O&LI, PD-R, PD-B, PD-W, PD-UR ZONING DISTRICTS	
USE TYPE	**REQUIRED NUMBER OF SPACES**
RESIDENTIAL USE CATEGORY	
Single-Family Detached Dwelling	Public Street Frontage: 2 spaces per dwelling unit with frontage on a public street;

	Private Street Frontage: 3 spaces per dwelling unit with frontage on a private street.
	One parking space per dwelling unit in a designated area
Duplex and Townhouse Dwellings and Stacked Townhouse	2.33 spaces per dwelling unit
	One parking space per dwelling unit in a designated area
Multi-Family Dwellings	Efficiency/Studio Unit: 1 space per unit
	One Bedroom Unit: 1.5 spaces per unit
	Two Bedrooms or more: 2 spaces per unit
	One-half of one parking space per dwelling unit in a designated area

***

(c) Minimum number of parking spaces required in PD-TOC. Unless otherwise expressly stated in this chapter, off-street parking spaces in the PD-TOC, zoning district shall be provided in accordance with Table 78-100.2(c): Table of Parking Standards PD-TOC.

TABLE 78-100.2(c): PARKING STANDARDS PD-TOC
GFA = Gross Floor Area (in square feet)

USE	SPACE PER UNIT OF MEASURE	MINIMUM PARKING LONG-TERM USE	MINIMUM PARKING INTERIM USE	MINIMUM BICYCLE PARKING
~~Residential~~**Townhouse Dwellings and Stacked Townhouse Dwellings**	Per Dwelling Unit	1.0	1.6	0.75
Multifamily Residential	**Per Dwelling Unit**	**0.5**	**1.6**	**0.75**

***

(e) *Minimum number of parking spaces required in PD-TRG1 AND PD-TRG2 zoning districts.* Unless otherwise expressly stated in this chapter, off-street parking spaces in the PD-TRG1 and PD-TRG2 zoning districts shall be provided in accordance with Table 78-100.2(e): Minimum Off-Street Parking Standards, below:

TABLE 78-100.2(e):
MINIMUM OFF-STREET PARKING IN THE PD-TRG1 AND PD-TRG2 DISTRICTS

USE	REQUIRED NUMBER OF CAR SPACES	REQUIRED NUMBER OF BICYCLE PARKING
Townhouse Dwellings and Stacked Townhouse Dwellings	~~2~~**1** spaces per dwelling unit;	1 space per every 10 units, to be located on common area.
Multifamily Residential	~~1.25 spaces per dwelling unit; may be reduced to 1 space per dwelling unit for properties located within 0.25 miles of the Herndon Metro Station and the submission of a Transportation Demand Management Plan~~**0.5 spaces per dwelling unit**	1 space per every 5 units

***

Sec. 78-100.8. - Parking Alternatives.

~~(a) *Town council review*. For developments that are the subject of a zoning map amendment, special exception, or preliminary subdivision plan, the town council may consider, approve, or disapprove requests for the following alternatives to providing the number of required off-street parking spaces required by Table 78-100.2 Minimum Off-Street Parking Standards, in accordance with the respective standards.~~

~~(1) *Inter-parcel access*. For all developments, the town council by ordinance, may determine to approve an inter-parcel connection with a corresponding reduction of parking as to the requirements of Table 78-100.2(a) Minimum Off-street Parking Standards. Any such reduction shall be the minimum necessary to accommodate the inter-parcel connection.~~

~~(2) *Standards for inter-parcel access*. The town council shall be guided by these standards in the determination for inter-parcel access: (i) improvement in the traffic or pedestrian safety or convenience of traffic circulation; and adequate storm water management.~~

~~(3) *Inter-parcel access agreement*. Nothing in this subsection shall be construed to require an applicant landowner to achieve an inter-parcel connection agreement with another adjacent landowner. The town council however, may require that the applicant landowner make physical or planning provisions for the eventual completion of an inter-parcel connector to achieve the reduced parking to accommodate the inter-parcel connection. Any agreement to achieve inter-parcel connection must be in recordable form and recorded by the parties to the agreement in the land records of the Circuit Court of Fairfax County.~~

~~(b) *Zoning administrator review*. For developments that have not been approved under a zoning map amendment, special exception, or preliminary subdivision plan, and are the subject of a zoning inspection permit or a zoning appropriateness permit, the zoning administrator may consider requests for the following alternatives to mitigate existing conditions that may be insurmountable or too onerous to provide the number of required off-street parking spaces required by Table 78-100.2(a): Minimum Off-street Parking Standards, in accordance with the respective standards.~~

(a) *Waiver of Parking Requirements.* A waiver from the zoning administrator may be requested in accordance with subsection 78-155.6(l) for a reduction of parking requirements, in accordance with the respective standards.

(5) Standards for a reduction of off-street parking requirements for residential, multifamily, or mixed-use development.

a. Parcel shall be beyond 0.5 miles from the Herndon Metro Center.

b. At least one of the following criteria shall be met for a waiver to be approved:

1. Unique characteristics of the site or uses on the site make the spaces proposed to be eliminated unnecessary or infeasible; or,

A. For the unique characteristics criteria to be met, two of the following shall be met:

1. Parking analysis demonstrates reduced demand;

2. Mass Transit or Public Transportation Facility located within one mile of the subject property;

3. Walkability analysis demonstrates essential services located with ½ mile;

4. For multifamily or mixed-use residential, 25% of units are studio/one-bedroom units;

5. **Minimum off-street parking requirements are unreasonable due to adaptive use of subject property.**

2. **A written shared parking agreement ensures availability of equivalent spaces within 1,000 feet of the subject property;**

d. Requests for a waiver of minimum off-street parking standards shall provide sufficient documentation to support the request. Documentation may include but is not limited to the following:

1. **Plan showing all proposed parking;**
2. **Calculation of the zoning-required parking;**
3. **Requested percentage reduction;**
4. **Parking demand analysis, where applicable;**
5. **Description of site constraints;**
6. **Documentation of Mass Transit or Public Transportation facility accessibility; and,**
7. **Proposed shared parking agreement.**

***

ARTICLE XVIII. - PARKING, LOADING AND CIRCULATION

***

Sec. 78-180. - Definitions.

***Designated Area*. Any parcel located within one-half mile of the entrance to the Herndon Metro Station, as measured from directly beneath the "Herndon Station" sign at the base of the escalator. If any portion of a parcel is within one-half mile of such point, the entire parcel shall be considered to be within the designated area.**

This ordinance shall be effective on and after the date of its adoption.

Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the **Planning Commission** of the Town of Herndon, Virginia, will hold a public hearing on Monday, October 19, 2026, at 7:00 p.m. in the Herndon Police Department's Community Room, located at 397 Herndon Parkway, Suite 300, Herndon, on the following items:

APPLICATION FOR A SPECIAL EXCEPTION – SE #26-05, **757 Elden Street**, to consider a special exception to permit an indoor entertainment use within the CC, Central Commercial zoning district. The property is located on the south side of Elden Street, west of the intersection of Spring Street and Elden Street. The building has 3,000 square feet of gross floor area and sits on a 4,565 square-foot lot. Fairfax County Tax Map Reference Number: 0162 02 0084. Applicant: Jeffrey Colon. Owner: Palo Viejo LLC.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-05 to amend Chapter 78 (ZONING), Article VI (Overlay Districts), Section 78-60.3(e) (Historic District Overlay (HDO) - Reduction of setback), Section 78-60.3(g)(2) (HDO - Exemptions from COA), and other sections as deemed necessary and appropriate to clarify the existing language providing the ability of the Historic District Review Board (HDRB) to grant setback reductions to certain properties within the HDO and to allow the HDRB to grant greater setback reductions than what is currently permitted under this section when appropriate with certain standards within the HDO, and clarify that the setback reduction process is separate and exempt from the Certificate of Appropriateness requirement.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-07 to amend Chapter 78 (ZONING), Article VII (Use Regulations), Section 78-71.1 (Residential Use Category), Section 78-71.4 (Institutional and Community Service Use Category), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to permit mixed-use or residential projects by-right on land owned by a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA #26-08 to amend Chapter 78 (ZONING), Article X (Parking, Loading and Circulation), Section 78-100.2 (Minimum off-street parking and loading standards), Section 78-100.8 (Parking alternatives), and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia to cap minimum off-street parking requirements for residential, multifamily, and mixed-use development within a designated area, defined as any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above items are invited to attend the public hearing and state their opinions. Individuals may also submit comments to town.clerk@herndon-va.gov.

The proposed items are available for examination by the public at the front counter located at 397 Herndon Parkway, Suite 100, Herndon, during normal business hours (Monday – Friday) and also available for review on the town's website www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities, offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation.

Amanda Morrow Kertz, Town Clerk

Note to Publisher:
Publish on October 2, 2026/October 9, 2026

Zoning Ordinance Text Amendment
ZOTA #26-08
Minimum Off-Street Parking Near Public Transportation

Planning Commission Regular Meeting

October 19, 2026

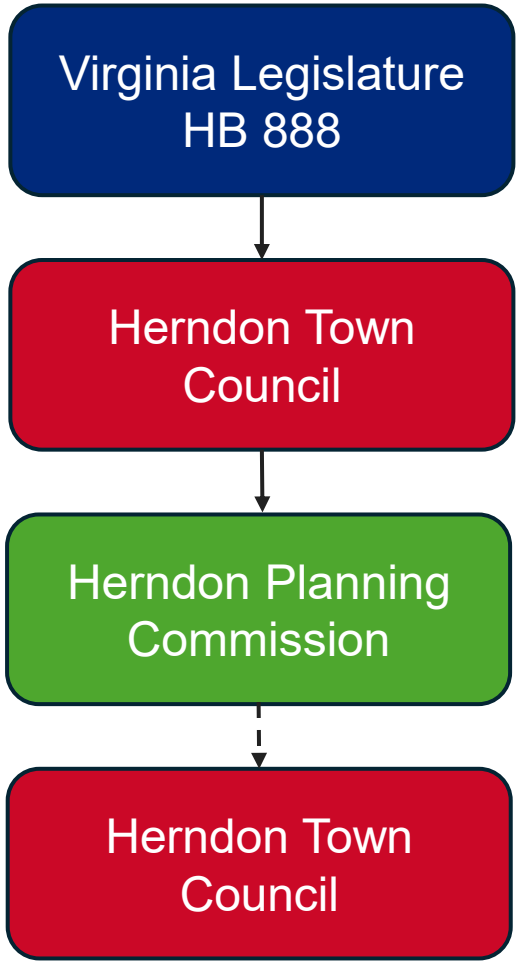
Aaron Zoellick

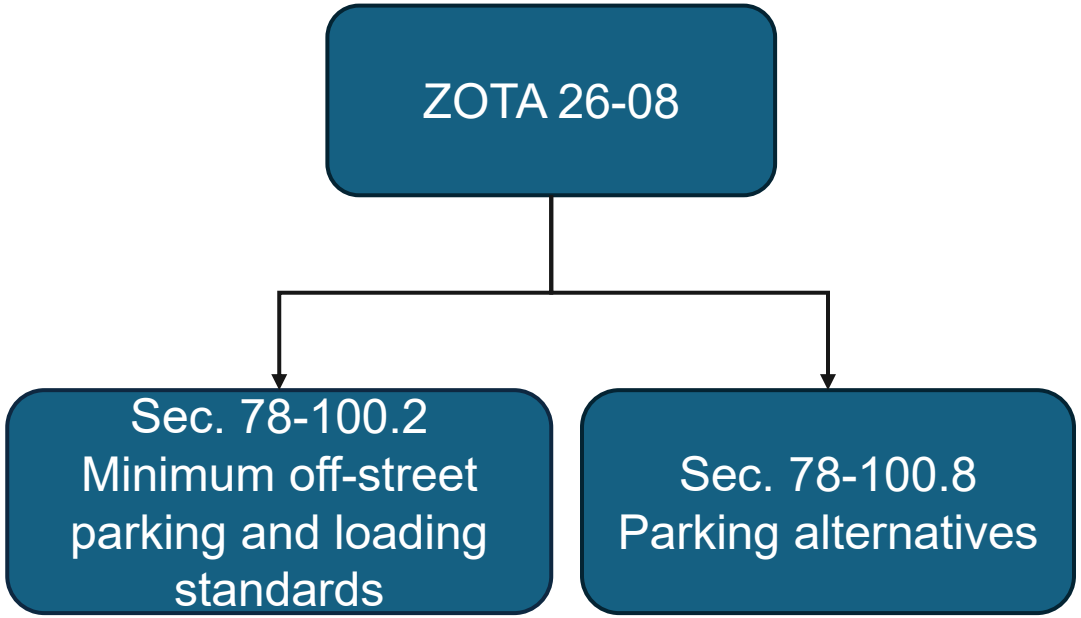
Zoning Services Specialist

ZOTA 26-08 Minimum Off-Street Parking



Image source: Schoolhouse Rock! / The Walt Disney Company





Sec. 78-100.2

Minimum off-street parking and loading requirements

HB 888 requires:

B. Any locality that has adopted a zoning ordinance pursuant to this chapter shall not require, as a condition of zoning approval, minimum off-street parking for residential, multifamily, or mixed-use development located within a designated area in amounts exceeding the following:

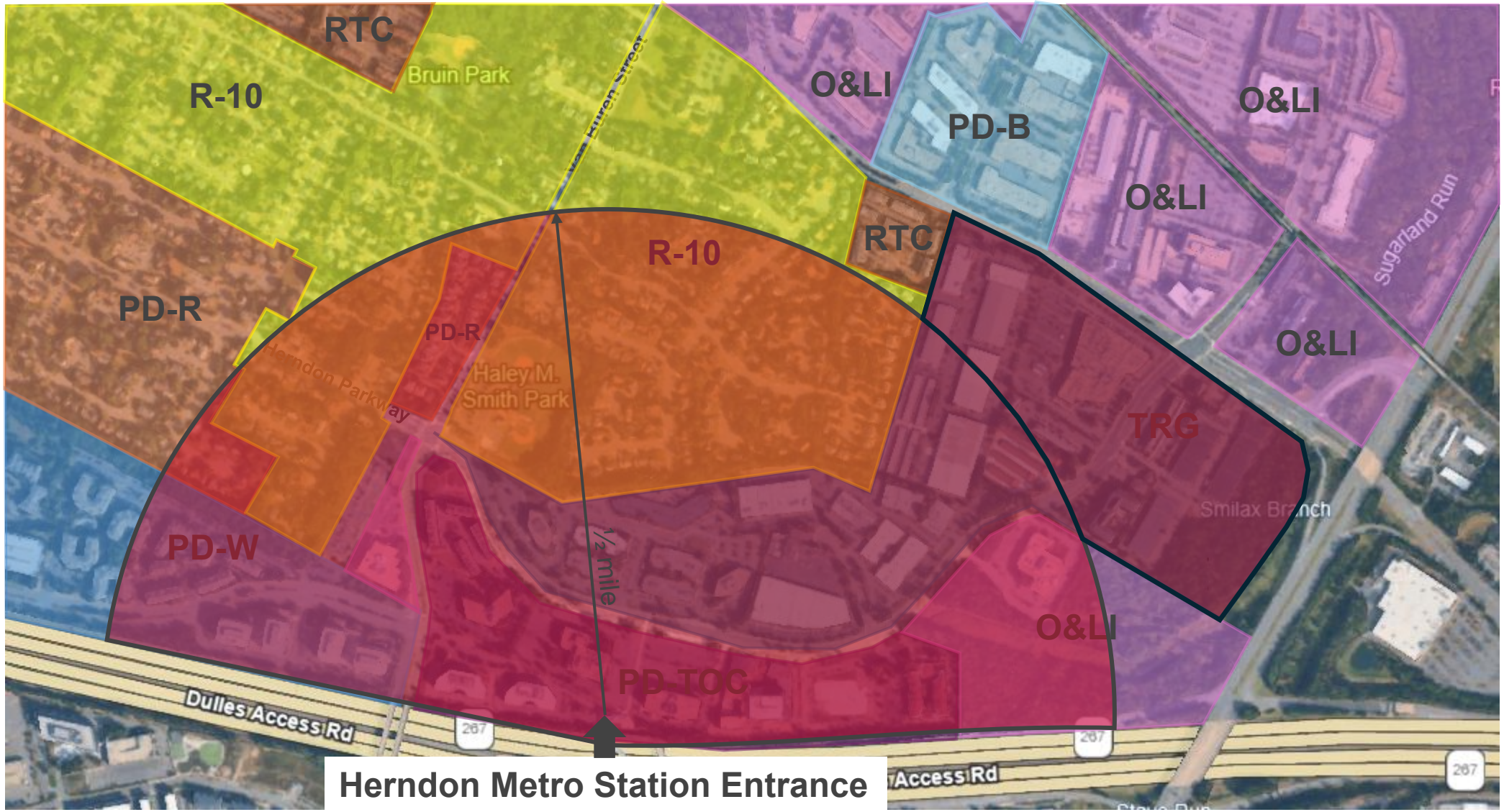
1. One-half of one parking space per dwelling unit for multifamily or mixed-use residential development; and

2. One parking space per dwelling unit for one-family and two-family dwellings and townhouses.

Metro Stations Near Herndon



Map imagery from Google Earth



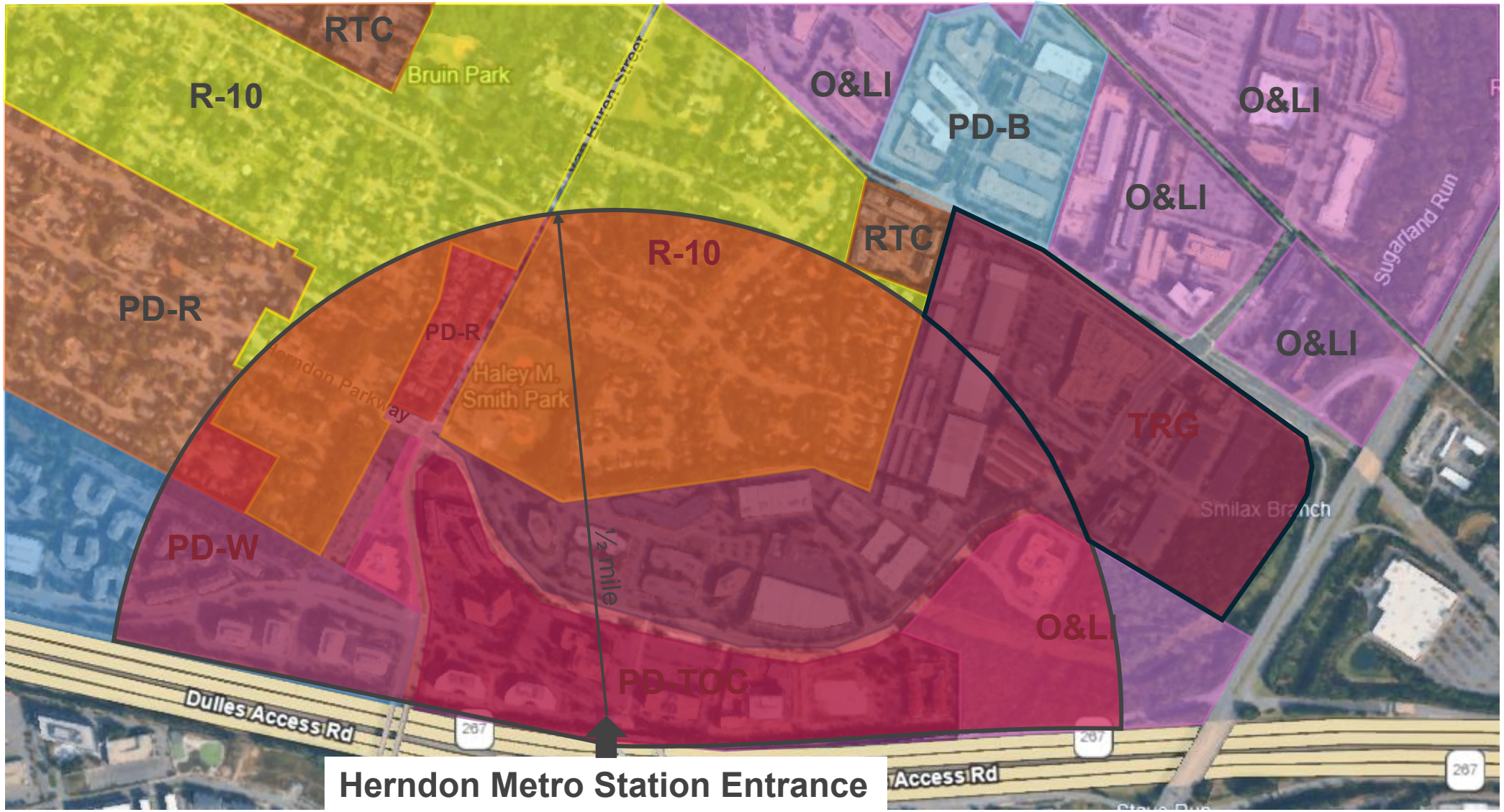
Herndon Metro Station Entrance

Sec. 78-100.8

Parking alternatives

HB 888 further requires:

E. Any locality with a population greater than 20,000 shall, by ordinance, establish an administrative review process in which developers may request a reduction of minimum off-street parking requirements of not less than 20 percent for residential, multifamily, or mixed-use development proposed on parcels not located within a designated area. The ordinance shall include criteria to determine eligibility for, and prescribe procedures for the submission and review of, the administrative reduction authorized by this subsection.



Herndon Metro Station Entrance

Map imagery from Google Earth

Waiver

- Requests are reviewed and determined by the Zoning Administrator
- Parcel shall be beyond ½ mile from the Herndon Metro station
- Waiver shall be for no less than 20% of required minimum off-street parking
- One of two criteria shall be demonstrated
  1. Unique characteristics of the site or uses on the site make the spaces proposed to be eliminated unnecessary or infeasible
  2. A written shared parking agreement ensures availability of equivalent spaces within 1,000 feet of the subject property

Staff Recommendation

- Recommend approval to Town Council

- If recommended, ZOTA #26-08 will be presented to Town Council at the November 17 regular meeting