Call to Order and Pledge of Allegiance - 7:00 p.m.

Roll Call and Determination of a Quorum

1. Approval of the Minutes
   1.1 August 7, 2019 Draft Planning Commission Meeting Minutes
       August 7 - Draft Meeting Minutes

2. Citizens’ Comments – Other Than Agenda Items

   The citizens' comments portion of the agenda is set aside for those citizens who wish to address the Planning Commission for less than three minutes each on topics that are not scheduled for a public hearing.

3. Public Hearings
   3.1 REZ #2020-01, Beauregard Square Shopping Center
       8951 Center Street
       Staff: Matthew Arcieri, AICP Planning & Zoning Manager
       Staff Report
       Attachment 2. Approved Proffers for REZ #1987-05
       Attachment 3. Planning Commission Initiation
       Attachment 4. Draft Planning Commission Resolution

   3.2 REZ #2020-02, Godwin Business Park
       9813, 9815, 9817, and 9819 Godwin Drive and 10498 Colonel Court
       Staff: Matthew Arcieri, AICP, Planning & Zoning Manager
3.3 REZ #2020-03, Commerce Corner
9037, 9041, 9043, 9045, 9047, 9049, 9051, 9053, 9055, 9057, 9059, 9061, 9063, 9065, 9067, 9069, 9071, 9073, 9075, 9077, 9079, 9081, 9083, 9085, 9087, and 9089 Liberia Avenue
Staff: Matthew Arcieri, AICP, Planning & Zoning Manager
Staff Report
Attachment 2. Planning Commission Initiation
Attachment 3. Draft Planning Commission Resolution

3.4 ZTA #2020-01, 2019 Zoning Ordinance Annual Updates
Staff: Matthew Arcieri, AICP, Planning & Zoning Manager
Staff Report
Attachment 1. 2019 Draft Zoning Ordinance Updates
Attachment 2. Wellington Community Association Request
Attachment 3. Zoning; Penalties - Virginia Acts of Assembly – Chapter 726
Attachment 4. Draft Planning Commission Resolution

4. Other Business

4.1 Monthly Updates
Staff: Matthew Arcieri, AICP, Planning & Zoning Manager
Pending Land Use Cases - Oct. 2019
Annaburg Community Meeting

Adjournment
MINUTES
City of Manassas
Planning Commission
Public Hearing Meeting

August 7, 2019 – 7:00 p.m.

Members Present: Harry Clark – Chairman
Ken Johnson – Vice-Chairman
Bill Thompson
Elaine Trautwein
Russell Harrison
Robert Schilpp
Martha Wilson (arrived at 7:19 p.m.)

Staff: Kelly Davis – Senior Planner
Lisa Sievel-Otten – Communications Coordinator (Acting Clerk)

CALL TO ORDER
The Chairman called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

DETERMINATION OF A QUORUM
Clerk took the roll, and a quorum was determined.

APPROVAL OF MINUTES – April 3, 2019
Ms. Trautwein motioned to approve the minutes as submitted. Mr. Johnson seconded the motion. The MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.

COMMITTEE REPORTS
No committee reports were presented.

CITIZENS’ COMMENT TIME (other than agenda items)
No citizens came forward to speak.

NEW BUSINESS

The Chairman stated that the affidavit before him was signed by an authorized agent of the Prince William Times Newspaper, and the advertisement for the public hearing listed on tonight’s agenda was duly published in the newspaper in accordance with the law.
SUP #2019-06, Judith Evans Molinelli Home Business
9209 Maple Street

Ms. Davis provided an overview of the applicant’s has request for a special use permit for a Home Business to allow a law firm with three employees to operate from the residence. Under the proposed conditions, no customers will be permitted to come to the residence.

The request, with the proposed SUP conditions and applicable zoning ordinance performance measures, is not anticipated to have a negative land use impact on the existing patterns of development. Staff recommends approval of SUP #2019-06, as conditioned dated August 2, 2019.

Planning Commission Discussion

- Mr. Harrison questioned the building code restrictions that require use of only 10% of the floor space. Ms. Davis confirmed this requirement and stated that applicant has worked with the building official to ensure the area dedicated for the home business meets this requirement.

- Mr. Thompson asked about the SUP in the event of a sale of the property. The Commission discussed various scenarios regarding the transfer of ownership. Ms. Davis stated that the performance standards apply and that a zoning interpretation might be needed depending upon the specific circumstance. Ms. Trautwein suggested adding the condition that the SUP is not transferrable.

Applicant Discussion

Applicant, Judith Molinelli, stated that the property is her primary residence and that other law partners reside in Florida. She also supported the addition of condition that would lapse the SUP if she sells the property.

There were no questions for the applicant.

CITIZENS’ COMMENT TIME
No citizens came forward to speak.

Mr. Johnson motioned to close the public hearing. Ms. Trautwein seconded the motion.

Roll Call by Clerk:

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<td>Mr. Thompson</td>
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<td>Mr. Schilpp</td>
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The MOTION PASSED UNANIMOUSLY.
Mr. Schilpp motioned to recommend approval of SUP #2019-06 with the provision that a clause be added stating that the SUP will expire if the home is sold to another party. Ms. Trautwein seconded the motion.

Roll Call by Clerk:

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The MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

Initiation of ZTA #2020-01 and ZTA #2020-02
Zoning Ordinance Annual Updates and Updates to City Subdivision Ordinance

Ms. Davis provided an overview of recommended zoning ordinance annual updates for referral to the ZORC for review in Fall 2019 or Spring 2020 depending on the timing of other updates and priority projects.

There were no questions for staff.

Mr. Schilpp motioned to initiate ZTA #2020-01 and ZTA #2020-02. Mr. Harrison seconded the motion.

Roll Call by Clerk:

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Initiation of REZ #2020-01, REZ #2020-02, and REZ #2020-03
Beauregard Square, Godwin Business Park, and Commerce Corner
Ms. Davis provided an overview of the rezoning for these three properties to bring them into conformance with the Comprehensive Plan, and the staff recommendation to adopt a resolution to initiate the rezoning process. If initiated, a Planning Commission public hearing would be scheduled.

There were no questions for staff.

Mr. Johnson motioned to initiate REZ #2020-01, REZ #2020-02, and REZ #2020-03. Mr. Harrison seconded the motion.

Roll Call by Clerk:

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<td>Ms. Wilson</td>
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Planning Commission FY19 Annual Report

Chairman Clark noted that several members would like to update their biographies in the report. Ms. Davis asked that all updates be submitted to her within a week, and that the report would be submitted to City Council at a future date.

Monthly Updates – Pending Land Use Cases

Ms. Davis informed the Commission of the approved and pending land use cases, including an additional SUP that is now under review. Staff will send a supplemental update on the schedule of upcoming public hearings and other committee meetings.

ADJOURNMENT

Ms. Trautwein motioned to adjourn the meeting. The MOTION CARRIED UNANIMOUSLY BY VOICE VOTE and the meeting was adjourned at 7:38 p.m.
Proposed Use: To consider a city-initiated request for a proffer amendment to repeal the proffers approved as part of Rezoning #1987-03 that requires no less than 25% of the usable space be utilized for office activities.

Parcel Address: 8951 Center Street

Existing Zoning: B-3, City Center Commercial, with proffers and Historic Overlay District (HOD)

Parcel Size: ±1.75 acre parcel

Comprehensive Plan Designation: Downtown; designated as Mixed Use/Neighborhood Retail in the Old Town Sector Plan

Date Initiated: August 7, 2019
Planning Commission Hearing: October 2, 2019
REZ #2020-01, Beauregard Square Shopping Center
8951 Center Street

Public Hearing Dates:
Planning Commission: October 2, 2019

Recommendation:
Staff: Approve

OVERVIEW OF REQUEST

Request: To consider a city-initiated proffer amendment to repeal the proffers approved as part of Rezoning #1987-03 that requires no less than 25% of the usable space be utilized for office activities.

Surrounding Land Uses:
**Level of Service:** The property is an existing shopping center. The property will continue to be subject to the requirements of the Historic Overlay District, and the proposed proffer amendment will not affect existing levels of service.

**Public Comments:** This case has been advertised in accordance with requirements of the Code of Virginia and the City of Manassas, including newspaper advertisement, adjacent property owner notification (a total of 46 mailings), and public hearing signs posted on the property. No comments have been received to date.

**STAFF RECOMMENDATION**

Staff finds that the B-3 zoning district, as revised through the comprehensive zoning update, is an appropriate zoning district for the existing commercial shopping center. The existing proffers are no longer required to mitigate land use impacts and are inconsistent with the sector plan's neighborhood retail designation. Staff recommends approval of REZ #2020-01.

Staff: Matthew D. Arcieri, AICP, Planning & Zoning Manager

Contact Information: 703-257-8232, marcieri@manassasva.gov

**Attachments:**

1. Staff Analysis
2. Approved Proffers for REZ #1987-05
3. Planning Commission Initiation
4. Draft Planning Commission Resolution

Application is available at the Department of Community Development office (9027 Center Street, Room 202, Manassas, VA 20110) and can be provided upon request.
Background and History:

The shopping center at 8951 Center Street was constructed in 1989 and contains a mix of restaurant, office, and retail uses. The shopping center is subject to proffers approved as part of REZ #1987-03 (Attachment 2) that requires no less than 25% of the usable space be utilized for office activities. This restriction has resulted in limited flexibility for leasing existing vacant space.

The proposed proffer amendment would eliminate this restriction and allow the property to fully utilize the list of by-right uses in the B-3 zoning district as revised through the comprehensive zoning update in 2015. The property is located in the Historic Overlay District and any exterior changes would remain subject to Architectural Review Board approval.

Comprehensive Plan Analysis:

The subject property is zoned B-3, City Center Commercial, and is designated Downtown in the Comprehensive Plan Downtown and designated as Mixed Use/Neighborhood Retail in the Old Town Sector Plan. The existing proffers are no longer required to mitigate land use impacts and are inconsistent with the sector plan's neighborhood retail designation.

Land Use

Manassas will maintain its existing pattern of residential, commercial, and open space land uses, emphasize improved design principles, promote mixed uses compatible with existing neighborhoods, accommodate high quality infill and redevelopment where appropriate, and reinforce the unique and positive qualities of diverse neighborhoods.

The proposed proffer amendment would only impact the uses permitted on the property. The shopping center will continue to be located in the Historic Overlay District with exterior alterations subject to review and approval by the Architectural Review Board.

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<td><strong>Strategy 3.1.1:</strong> Review the impact and implications of character area designations on existing zoning ordinances and procedures, and recommend changes necessary to align the Plan’s character area concepts with the City’s ordinances.</td>
<td>City initiated zoning map amendments of existing properties continue the process of aligning existing zoning with the character areas of the Comprehensive Plan.</td>
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Economic Development

**Strategy 3.2.1:** Assess development or redevelopment impacts on the visual quality, mobility and cohesiveness of the community, and additional factors that otherwise define its character.

No changes to the existing shopping center are proposed with this proffer amendment. The shopping center will continue to be located in the Historic Overlay District with exterior alterations subject to review and approval by the Architectural Review Board.

*Manassas will have a strong and diverse economy that provides quality jobs, meets the retail needs of the community, attracts new residents, and creates tourism opportunities, while generating revenues that provide for superior public services and facilities.*

The Department of Economic Development supports this proffer amendment. This proposal ensures the zoning of the property supports current and intended uses, thereby increasing the opportunity for the types of businesses that want to be in these spaces and maximizing the economic potential of each property. The City initiated rezoning process is a strong incentive to help property owners undertake the process.
ORDINANCE

First Reading: June 29, 1987
Second Reading: July 13, 1987
Enacted: July 13, 1987
Effective: August 13, 1987

WHEREAS, Stanley A. Owens, Jr., Trustee, (rezoning Request 87-3) has made application to rezone 1.75 acres of land located at 8915 Center Street from the I-2, General Industrial District to B-3, City Center Commercial District, and

WHEREAS, pursuant to notice and advertisement in the Journal Messenger on April 22, 1987 and April 30, 1987 a public hearing was held by the Planning Commission on May 6, 1987, and

WHEREAS, the Planning Commission at its regular meeting on May 6, 1987 recommended approval of the rezoning request, and

WHEREAS, pursuant to notice and advertisement in the Journal Messenger on June 10, 1987 and June 17, 1987, a public hearing was held by the City Council on June 24, 1987.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Manassas meeting in regular session this 29th day of June, 1987 that the Zoning Ordinance and Map of the City of Manassas be amended to rezone the parcel located at 8915 Center Street and identified on City of Manassas Tax Map 100, double circle 1, parcel 72 from I-2, General Industrial District to the B-3, City Center Commercial District, as proffered.

BY ORDER OF THE COUNCIL

Attested: [Signature]

Endorsed: [Signature]
May 1, 1987

Ms. L. W. Payne
Zoning Administrator
City of Manassas
9027 Center Street
Manassas, VA 22110

Re: Rezone Request 87-3

Dear Ms. Payne:

In addition to the proffers on the application submitted on April 3, 1987 and in the letter submitted to you on April 29, 1987, I proffer that no less than 25% of the usable space will be utilized for office activities.

Sincerely,

CRESTWOOD DRIVE ASSOCIATES

Stanley A. Owens, Jr.
Trustee
April 29, 1987

Ms. L. W. Payne
Zoning Administrator
City of Manassas
9027 Center Street
Post Office Box 512
Manassas, Virginia 22110

Dear Ms. Payne:

In addition to the proffers on the zoning application submitted on April 3, 1987 in reference to changing the zoning from I-2 to B-3 on 1.75 acres on Center Street, City of Manassas, I also agree to proffer that the Site Plan will be developed in substantial conformance with that development which has been approved by the City Council. This does not preclude minor alterations or additions that would be approved through the normal Site Plan approval process.

If you have any additional questions concerning this, please do not hesitate to contact me.

Sincerely,

CRESTWOOD DRIVE ASSOCIATES

[Signature]
Stanley A. Owens, Jr.
Trustee

SAO,jr:bk
CITY OF MANASSAS
APPLICATION FOR ZONING MAP AMENDMENT

To: The Mayor and City Council of Manassas, Virginia

I (We) STANLEY A. OWENS, JR., TRUSTEE

10694-A CRESTWOOD DRIVE
MANASSAS, VIRGINIA 22110

HEREBY PETITION TO CHANGE THE ZONING

From the I-2 District, to the B-3 District on the property located as follows, described, and shown on the plat maps attached hereto, which are made a part of this application.

This property contains 1.75 Acres total area and is to be used for:

Any uses allowed under B-3 Zoning, except residential and hotels and motels.

The conditions set forth in this submission are to be binding on the development of the subject property of this application as noted above.

(State the specific use for which the rezoning is requested. If the proposed use is not to be binding, and the applicant requests any or all permissible uses under the zoning category, it should be stated here as well as on the development plan and text. If the use is to be binding, it should be stated as a proffer here and on the development plan and text.)

Respectfully submitted:

Mail Correspondence to:

Stanley A. Owens, Jr., Trustee

10694-A Crestwood Drive

Manassas, Virginia 22110

(703) 361-1700

Contract Purchaser (if any)
PLANNING COMMISSION
RESOLUTION

Re: Initiation Amendments of the Official Zoning Map to Change the Zoning of 8951 Center Street (Beauregard Square Shopping Center), 9819 Godwin Drive (Godwin Business Park), and 9037 Liberia Avenue (Commerce Corner)

WHEREAS, the City of Manassas adopted the first phase of the Comprehensive Zoning Update on May 11, 2015 that revised the permitted uses in all zoning districts; and

WHEREAS, the property owner of 8951 Center Street has requested that the Planning Commission review whether the existing proffers adopted with Rezoning #1987-03 that require no less than 25% of the usable space be utilized for office activities are still appropriate under the B-3 zoning district, as revised through the Comprehensive Zoning Update; and

WHEREAS, the property owners of 9819 Godwin Drive have requested that the Planning Commission review whether the I-1 zoning district, as revised through the Comprehensive Zoning Update, is a more appropriate zoning district for the existing development; and

WHEREAS, the property owners of 9037 Liberia Avenue have requested that the Planning Commission review whether the B-4 zoning district, as revised through the Comprehensive Zoning Update, is a more appropriate zoning district for the existing development; and

WHEREAS, the Manassas City Zoning Ordinance, Section 130-542(a), Initiation of Amendments, provides that an amendment to the zoning map may be initiated by the Planning Commission after the adoption of a resolution of intention to amend, which resolution, upon adoption, shall be referred to the Planning Commission for public hearing pursuant to the Section 130-542(a) of the Zoning Ordinance and Virginia Code §15.2-2204.

NOW, THEREFORE, BE IT RESOLVED this 7th day of August, 2019 that the Planning Commission does hereby determine that it is appropriate to initiate Rezoning #2020-01, Rezoning #2020-02, and Rezoning #2020-03 for public necessity, convenience, general welfare, and good zoning practices; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-01 of 8951 Center Street from B-3, City Center Commercial and HOD, Historic Overlay District, with proffers, to B-3/HOD and repeal the proffers approved as part of Rezoning #1987-03; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-02 of 9819 Godwin Drive from I-2, Heavy Industrial, to I-1, Light Industrial; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-03 of 9037 Liberia Avenue from I-1, Light Industrial, to B-4, General Commercial; and
BE IT FURTHER RESOLVED that the initiation of this amendment does not reflect an endorsement of the amendment; only that it should be presented to the public for comment and consideration after thorough study.

Harry J. Clark  
Chairperson

7 August 2019  
Date
WHEREAS, the City of Manassas Planning Commission held a public hearing for Rezoning #2020-01 on October 2, 2019, for a proffer amendment to repeal the proffers approved as part of Rezoning #1987-03 that requires no less than 25% of the usable space be utilized for office activities; and

WHEREAS, the Commission has heard from the City staff and the public with regards to this land use matter; and

WHEREAS, approval of the proffer amendment is not projected to have a detrimental impact on the character and development of adjacent land; and

WHEREAS, the application is found to be consistent with the Comprehensive Plan and compatible with existing, adjacent land uses and patterns of development.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby RECOMMENDS APPROVAL of REZ #2020-01.
Proposed Use: To consider a city-initiated request for the Godwin Business Park to rezone ±3.3 acres of land from I-2, Heavy Industrial and AOD, Airport Impact Overlay District, to I-1, Light Industrial and AOD.

Parcel Address: 9813, 9815, 9817, and 9819 Godwin Drive and 10498 Colonel Court

Existing Zoning: I-2, Heavy Industrial and AOD, Airport Impact Overlay District

Parcel Size: ±3.3 acre parcel

Comprehensive Plan Designation: Industrial/Suburban Business

Date Initiated: August 7, 2019
Planning Commission Hearing: October 2, 2019
REZ #2020-02, Godwin Business Park
9813, 9815, 9817, and 9819 Godwin Drive and 10498 Colonel Court

Public Hearing Dates:
Planning Commission: October 2, 2019

Recommendation:
Staff: Approve

OVERVIEW OF REQUEST

Request: To consider a city-initiated request for the Godwin Business Park to rezone ±3.3 acres of land from I-2, Heavy Industrial and AOD, Airport Impact Overlay District, to I-1, Light Industrial and AOD.

Surrounding Land Uses:
Level of Service: The property is an existing business park. The proposed map amendment will not affect existing levels of service.

Public Comments: This case has been advertised in accordance with requirements of the Code of Virginia and the City of Manassas, including newspaper advertisement, adjacent property owner notification (a total of 18 mailings), and public hearing signs posted on the property. No comments have been received to date.

STAFF RECOMMENDATION

Staff finds that the I-1 zoning district, as revised through the comprehensive zoning update, is a more appropriate zoning district for the existing business park and is compatible with the Comprehensive Plan and adjacent land uses. Staff recommends approval of REZ #2020-02.

Staff: Matthew D. Arcieri, AICP, Planning & Zoning Manager

Contact Information: 703-257-8232, marcieri@manassasva.gov

Attachments:
1. Staff Analysis
2. Planning Commission Initiation
3. Draft Planning Commission Resolution

Application is available at the Department of Community Development office (9027 Center Street, Room 202, Manassas, VA 20110) and can be provided upon request.
ATTACHMENT 1: STAFF ANALYSIS

Background and History:

The Godwin Business Park was constructed in 1988 and consists of one, two-story building containing nine units. It contains a mix of uses, including general office and contractor/tradesperson services.

In May 2015, the City adopted Phase 1 of the Comprehensive Zoning Ordinance Update that revised the land uses in the I-1, Light Industrial and I-2, Heavy Industrial districts to align with the Industrial/Suburban Business character area in the adopted Comprehensive Plan. The revised ordinance preserves the structure of two separate zoning districts and provides distinction between the I-1, Light Industrial district and the I-2, Heavy Industrial district. The list of land uses in the I-1, Light Industrial district was revised so that this district becomes the primary industrial/employment zoning district within the City. The revised I-2, Heavy Industrial district became a specialized district to accommodate specific heavy industrial uses. By-right uses in the I-2 zoning district have been revised to remove uses incompatible with the intent of the district including assembly uses, office, personal services, and retail sales.

Significant to the request for the Godwin Business Park, office uses within the development became legally nonconforming with the adoption of the new I-2 zoning district. While existing legally nonconforming uses may continue, the new zoning district limits flexibility within the development. As an example, an existing contractor’s office (by-right in I-2) is prohibited from being converted to a general office use. The rezoning from I-2 to I-1 will eliminate nonconforming uses and permit additional flexibility for future leasing of the property consistent with its design as a flex/warehouse space and its location across from the Landing at Cannon Branch Development.

Comprehensive Plan Analysis:

The subject property is zoned I-2, Heavy Industrial, and is designated Industrial/Suburban Business and Gateway/Corridor in the Comprehensive Plan.

Land Use

Manassas will maintain its existing pattern of residential, commercial, and open space land uses, emphasize improved design principles, promote mixed uses compatible with existing neighborhoods, accommodate high quality infill and redevelopment where appropriate, and reinforce the unique and positive qualities of diverse neighborhoods.

The proposed map amendment would only impact the uses permitted on the property. The property is already developed, and the I-1 zoning district is a more appropriate zoning district...
for the business park’s design as flex/warehouse space and its location across from the Landing at Cannon Branch Development.

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<td><strong>Strategy 3.2.1:</strong> Assess development or redevelopment impacts on the visual quality, mobility and cohesiveness of the community, and additional factors that otherwise define its character.</td>
<td>No changes to the existing business park are proposed with this map amendment. The I-1 zoning district will limit the potential for outdoor storage and other negative visual impacts if the site were redeveloped in the future.</td>
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**Economic Development**

Manassas will have a strong and diverse economy that provides quality jobs, meets the retail needs of the community, attracts new residents, and creates tourism opportunities, while generating revenues that provide for superior public services and facilities.

The Department of Economic Development supports this map amendment. This proposal ensures the zoning of the property supports current and intended uses, thereby increasing the opportunity for the types of businesses that want to be in these spaces and maximizing the economic potential of each property. The City initiated rezoning process is a strong incentive to help property owners undertake the process.
PLANNING COMMISSION
RESOLUTION

Re: Initiation Amendments of the Official Zoning Map to Change the Zoning of 8951 Center Street (Beauregard Square Shopping Center), 9819 Godwin Drive (Godwin Business Park), and 9037 Liberia Avenue (Commerce Corner)

WHEREAS, the City of Manassas adopted the first phase of the Comprehensive Zoning Update on May 11, 2015 that revised the permitted uses in all zoning districts; and

WHEREAS, the property owner of 8951 Center Street has requested that the Planning Commission review whether the existing proffers adopted with Rezoning #1987-03 that require no less than 25% of the usable space be utilized for office activities are still appropriate under the B-3 zoning district, as revised through the Comprehensive Zoning Update; and

WHEREAS, the property owners of 9819 Godwin Drive have requested that the Planning Commission review whether the I-1 zoning district, as revised through the Comprehensive Zoning Update, is a more appropriate zoning district for the existing development; and

WHEREAS, the property owners of 9037 Liberia Avenue have requested that the Planning Commission review whether the B-4 zoning district, as revised through the Comprehensive Zoning Update, is a more appropriate zoning district for the existing development; and

WHEREAS, the Manassas City Zoning Ordinance, Section 130-542(a), Initiation of Amendments, provides that an amendment to the zoning map may be initiated by the Planning Commission after the adoption of a resolution of intention to amend, which resolution, upon adoption, shall be referred to the Planning Commission for public hearing pursuant to the Section 130-542(a) of the Zoning Ordinance and Virginia Code §15.2-2204.

NOW, THEREFORE, BE IT RESOLVED this 7th day of August, 2019 that the Planning Commission does hereby determine that it is appropriate to initiate Rezoning #2020-01, Rezoning #2020-02, and Rezoning #2020-03 for public necessity, convenience, general welfare, and good zoning practices; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-01 of 8951 Center Street from B-3, City Center Commercial and HOD, Historic Overlay District, with proffers, to B-3/HOD and repeal the proffers approved as part of Rezoning #1987-03; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-02 of 9819 Godwin Drive from I-2, Heavy Industrial, to I-1, Light Industrial; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-03 of 9037 Liberia Avenue from I-1, Light Industrial, to B-4, General Commercial; and
BE IT FURTHER RESOLVED that the initiation of this amendment does not reflect an endorsement of the amendment; only that it should be presented to the public for comment and consideration after thorough study.

Harry J. Clark
Chairperson

July 8, 2019
Date
PLANNING COMMISION
RESOLUTION

Re: REZ #2020-02, Godwin Business Park
9813, 9815, 9817, and 9819 Godwin Drive and 10498 Colonel Court

WHEREAS, the City of Manassas Planning Commission held a public hearing for Rezoning #2020-02 on October 2, 2019 for a request for the Godwin Business Park to rezone ±3.3 acres of land from I-2, Heavy Industrial and AOD, Airport Impact Overlay District, to I-1, Light Industrial and AOD; and

WHEREAS, the Commission has heard from the City staff and the public with regards to this land use matter; and

WHEREAS, approval of the proffer amendment is not projected to have a detrimental impact on the character and development of adjacent land; and

WHEREAS, the application is found to be consistent with the Comprehensive Plan and compatible with existing, adjacent land uses and patterns of development.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby RECOMMENDS APPROVAL of REZ #2020-02.

____________________________________
Harry J. Clark
Chairperson

____________________________________
Date
Proposed Use: To consider a city-initiated request for the Commerce Corner business park to rezone ±2.83 acres of land from I-2, Heavy Industrial to B-4, General Commercial.

Parcel Address: 9037, 9041, 9043, 9045, 9047, 9049, 9051, 9053, 9055, 9057, 9059, 9061, 9063, 9065, 9067, 9069, 9071, 9073, 9075, 9077, 9079, 9081, 9083, 9085, 9087, and 9089 Liberia Avenue

Existing Zoning: I-2, Heavy Industrial

Parcel Size: ±2.83 acre parcel

Comprehensive Plan Designation: Industrial/Suburban Business

Date Initiated: August 7, 2019
Planning Commission Hearing: October 2, 2019
OVERVIEW OF REQUEST

Request: To consider a city-initiated request for the Commerce Corner business park to rezone ±2.83 acres of land from I-2, Heavy Industrial to B-4, General Commercial.

Surrounding Land Uses:

- Home Depot
- Contractor/Tradesperson Services
- Motor Vehicle Sales
- Veterinary Hospital & Kennel
- Subject Property
- Carpet Royale & Rug (not included in request)
- Motor Vehicle Sales
- Retail (7-11)
**Level of Service:** The property is an existing business park. The proposed map amendment will not affect existing levels of service.

**Public Comments:** This case has been advertised in accordance with requirements of the Code of Virginia and the City of Manassas, including newspaper advertisement, adjacent property owner notification (a total of 27 mailings), and public hearing signs posted on the property. No comments have been received to date.

**STAFF RECOMMENDATION**

Staff finds that the B-4 zoning district, as revised through the comprehensive zoning update, is a more appropriate zoning district for the existing business park and is compatible with the Comprehensive Plan and adjacent land uses. Staff recommends approval of REZ #2020-03.

Staff: Matthew D. Arcieri, AICP, Planning & Zoning Manager

Contact Information: 703-257-8232, marcieri@manassasva.gov

**Attachments:**

1. Staff Analysis
2. Planning Commission Initiation
3. Draft Planning Commission Resolution

*Application is available at the Department of Community Development office (9027 Center Street, Room 202, Manassas, VA 20110) and can be provided upon request.*
ATTACHMENT 1: STAFF ANALYSIS

Background and History:

The Commerce Corner business park was constructed in 1984 and consists of two, one-story buildings containing 25 units. It contains a mix of uses including motor vehicle repair, contractor/tradesperson services, as well as legally nonconforming retail sales and restaurant uses.

In May 2015, the City adopted Phase 1 of the Comprehensive Zoning Ordinance Update that revised the land uses in the I-2, Heavy Industrial district. The revised I-2, Heavy Industrial district became a specialized district to accommodate specific heavy industrial uses. By-right uses in the I-2 zoning district have been revised to remove uses incompatible with the intent of the district including assembly uses, office, personal services, and retail sales.

Based on this revised zoning district, Commerce Corner’s I-2, Heavy Industrial zoning is no longer appropriate. As noted in the 2013 industrial land use study, while the Euclid Avenue corridor that includes this property is primarily zoned I-2, Heavy Industrial, the majority of businesses are service oriented, automotive in nature, or contain some form of retail or office uses. Prior to the Comprehensive Zoning Ordinance Update, the zoning ordinance contained a cumulative zoning (“waterfall”) structure that permitted commercial uses in the industrial zoning districts. Over time, the cumulative effect has allowed the Euclid Avenue corridor to become saturated with commercial uses. That same study recommends consideration of B-4, General Commercial zoning for corridors containing suburban-style shopping centers and development, such as Liberia Avenue.

Comprehensive Plan Analysis:

The subject property is zoned I-2, Heavy Industrial, and is designated Industrial/Suburban Business and Gateway/Corridor in the Comprehensive Plan.

Land Use

Manassas will maintain its existing pattern of residential, commercial, and open space land uses, emphasize improved design principles, promote mixed uses compatible with existing neighborhoods, accommodate high quality infill and redevelopment where appropriate, and reinforce the unique and positive qualities of diverse neighborhoods.

The proposed map amendment would only impact the uses permitted on the property. The property is already developed and the B-4 zoning district is a more appropriate zoning district for the business park’s location across along the Liberia Avenue corridor.
Economic Development

Manassas will have a strong and diverse economy that provides quality jobs, meets the retail needs of the community, attracts new residents, and creates tourism opportunities, while generating revenues that provide for superior public services and facilities.

The Department of Economic Development supports this map amendment. This proposal ensures the zoning of the property supports current and intended uses, thereby increasing the opportunity for the types of businesses that want to be in these spaces and maximizing the economic potential of each property. The City initiated rezoning process is a strong incentive to help property owners undertake the process.
PLANNING COMMISSION
RESOLUTION

Re: Initiation Amendments of the Official Zoning Map to Change the Zoning of 8951 Center Street (Beauregard Square Shopping Center), 9819 Godwin Drive (Godwin Business Park), and 9037 Liberia Avenue (Commerce Corner)

WHEREAS, the City of Manassas adopted the first phase of the Comprehensive Zoning Update on May 11, 2015 that revised the permitted uses in all zoning districts; and

WHEREAS, the property owner of 8951 Center Street has requested that the Planning Commission review whether the existing proffers adopted with Rezoning #1987-03 that require no less than 25% of the usable space be utilized for office activities are still appropriate under the B-3 zoning district, as revised through the Comprehensive Zoning Update; and

WHEREAS, the property owners of 9819 Godwin Drive have requested that the Planning Commission review whether the I-1 zoning district, as revised through the Comprehensive Zoning Update, is a more appropriate zoning district for the existing development; and

WHEREAS, the property owners of 9037 Liberia Avenue have requested that the Planning Commission review whether the B-4 zoning district, as revised through the Comprehensive Zoning Update, is a more appropriate zoning district for the existing development; and

WHEREAS, the Manassas City Zoning Ordinance, Section 130-542(a), Initiation of Amendments, provides that an amendment to the zoning map may be initiated by the Planning Commission after the adoption of a resolution of intention to amend, which resolution, upon adoption, shall be referred to the Planning Commission for public hearing pursuant to the Section 130-542(a) of the Zoning Ordinance and Virginia Code §15.2-2204.

NOW, THEREFORE, BE IT RESOLVED this 7th day of August, 2019 that the Planning Commission does hereby determine that it is appropriate to initiate Rezoning #2020-01, Rezoning #2020-02, and Rezoning #2020-03 for public necessity, convenience, general welfare, and good zoning practices; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-01 of 8951 Center Street from B-3, City Center Commercial and HOD, Historic Overlay District, with proffers, to B-3/HOD and repeal the proffers approved as part of Rezoning #1987-03; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-02 of 9819 Godwin Drive from I-2, Heavy Industrial, to I-1, Light Industrial; and

BE IT FURTHER RESOLVED that the Planning Commission does hereby initiate REZ #2020-03 of 9037 Liberia Avenue from I-1, Light Industrial, to B-4, General Commercial; and
BE IT FURTHER RESOLVED that the initiation of this amendment does not reflect an endorsement of the amendment; only that it should be presented to the public for comment and consideration after thorough study.

Harry J. Clark
Chairperson

7 August 2019
Date
PLANNING COMMISSION
RESOLUTION

Re: REZ #2020-03, Commerce Corner
9037, 9041, 9043, 9045, 9047, 9049, 9051, 9053, 9055, 9057, 9059, 9061, 9063, 9065, 9067,
9069, 9071, 9073, 9075, 9077, 9079, 9081, 9083, 9085, 9087, and 9089 Liberia Avenue

WHEREAS, the City of Manassas Planning Commission held a public hearing for Rezoning
#2020-03 on October 2, 2019 for a request for the Commerce Corner business park to rezone
±2.83 acres of land from I-2, Heavy Industrial to B-4, General Commercial; and

WHEREAS, the Commission has heard from the City staff and the public with regards to
this land use matter; and

WHEREAS, approval of the proffer amendment is not projected to have a detrimental
impact on the character and development of adjacent land; and

WHEREAS, the application is found to be consistent with the Comprehensive Plan and
compatible with existing, adjacent land uses and patterns of development.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby RECOMMENDS
APPROVAL of REZ #2020-03.

_________________________________________
Harry J. Clark
Chairperson

_________________________________________
Date
TO: Planning Commission
FROM: Matthew D. Arcieri, AICP, Planning & Zoning Manager  
Gregory J. Bokan, AICP, Development Services Coordinator
DATE: September 27, 2019
RE: ZTA #2020-01, 2019 Zoning Ordinance Annual Updates

As a follow-up to the completion of the City’s comprehensive zoning ordinance update, staff recommends that the City annually review the ordinance to make technical corrections and updates, and to ensure that the code remains in compliance with current requirements of state and federal laws and regulations. Following Planning Commission initiation in August 2019, staff and the City Attorney have prepared draft ordinance revisions (Attachment 1) for review. A summary of the proposed updates is as follows:

Home Occupations

The Zoning Ordinance defines a home occupation as:

*Home Occupation means an Accessory Use conducted within a Dwelling Unit by residents of that unit which is clearly incidental and secondary to the principal residential use and where customers and/or employees do not come to the Dwelling Unit.*

Any business conducted from a dwelling unit that allows customers or non-family member employees to come to the dwelling unit is considered a Home Business and requires approval of a Special Use Permit. The City’s prohibition on all customers coming to a dwelling unit is one of the most restrictive in the region and many adjacent localities, including Prince William County, permit some limited on-site customer activity.

Property code enforcement staff have experienced a number of ongoing enforcements issues with certain home occupations that are not being conducted within the dwelling or that have employees or customers come to the dwelling unit in violation of the ordinance. In addition, the City routinely receives requests to conduct home occupations for personal services such as tutoring, music lessons, and personal training from the dwelling unit that are currently prohibited. Staff recommends consideration of two enhancements to the home occupation regulations to improve enforcement and accommodate these requests:

- A new section (b)(6) would clarify and explicitly state that, with the exception of a home office, landscaping and contractor businesses and commercial motor vehicle repair and sales are prohibited.
• A revised section (b)(2) would permit a maximum of one customer to come to the dwelling unit on an appointment-only basis. The text amendment contains restrictions on the maximum appointments permitted per day (five), hours of operations, and a requirement for an additional on-site parking space. Employees in the dwelling unit would continue to be prohibited.

Kennels

Animal Control and City Attorney have recently worked on an enforcement action regarding a downtown business that was operating a retail pet store selling puppies in violation of state and local animal care ordinances. While that business has agreed to cease operations, the zoning ordinance defines the sales of puppies as Retail Sales and a similar use could theoretically open within any City zoning district permitting retail sales. Staff has drafted a revised definition of Kennel that would align with the state code and include the sale of dogs and cats. Defining the sale of dogs and cats as a Kennel use would also require that these uses adhere to the minimum requirements for pet enclosures in the City zoning code Sec. 130-97 including minimum sizes for enclosures, minimum requirements for sanitation, and minimum requirements for exercise areas.

Defining these sales as a Kennel use would require a Special Use Permit in the B-4, PMD, and I-1 zoning districts and would be prohibited in all other zoning districts. The definition includes two exceptions. Retail stores that offer, as an accessory use, pets for adoption that are procured from humane societies or public shelter (as defined by state code) would not be classified as a Kennel. The definition would also exclude the keeping of pets within dwelling units that are separately regulated by Chapter 18 (Animals) of the City Code.

Community Signs

The current zoning ordinance allows modifications to the City’s sign regulations through the approval of a Special Use Permit (SUP) for a comprehensive sign permit. In residential zoning districts, only certain non-residential uses (churches, daycares, etc.) permitted by approval of a SUP can apply to modify their allowable signage.

Wellington Community Association (Attachment 2) has expressed interest in allowing a digital message sign at their community center, which is prohibited in residential zoning districts, and has requested that Private Community Recreation Uses (such as the Wellington clubhouse and pool) be added to the list of uses eligible to apply for a SUP.

Commercial Flags and Flagpoles

The recommended updates include technical corrections to the requirements for commercial flags and a requirement that commercial flags be removed when a business is closed, similar to existing requirements for portable “A” frame signs. These flags, when not actively monitored, can become damaged and present a safety hazard obstructing the roadway or sidewalks, particularly after storm events. A final technical correction to the height of flag poles matches the zoning maximum height limit to the height limit in the Uniform Statewide Building Code.

Signs on Recreational Facility Fences

A technical amendment is recommended to allow signs affixed to the interior of permanent fences of recreational or sports facilities. This amendment codifies a zoning administrator’s interpretation at the GMBL ballfields regarding the signs on the inside of their fences. These signs have limited visibility from
public right-of-way and are primarily intended to advertise to patrons who have already entered the facility.

Technical Corrections

The draft amendments contain a number of technical corrections to the ordinance to improve the administration. Recommended changes include:

- A technical correction to the definition of Oversized Vehicles that adds plows to the list of prohibited heavy equipment in residential neighborhoods.
- Technical amendments requested by the Airport to airport parking requirements (Sec. 130-204) and I-A, airport zoning district height limits (Sec. 130-309). The modification to the height limits replaces the current 75-foot limit with the more restrictive requirements of the existing Airport Impact Overlay District.
- A technical correction to the list of administrative review items in Sec. 130-405 for the Historic Overlay District. This change splits existing administrative review item (1) into three separate parts for ease of reading and administration.
- An amendment to Sec. 130-602, criminal violations and penalties to address the requirements of Chapter 726 of the 2018 Virginia Acts of Assembly (Attachment 3).

Recommendation

The Zoning Ordinance Review Committee (ZORC) met on September 11, 2019, to review the draft changes.

Member of the ZORC expressed concerns over the Kennel definition recommendations and asked staff to provide additional justification for the proposed change. Upon further review staff continues to recommend the definition as drafted. While there remains an exemption in the definition for animal adoptions, the primary purpose of the definition change will be to require that dog and cat sales adhere to existing zoning performance standards for the minimum care of these animals. These requirements already exist for boarding of dogs and cats and modifying the definition to include sales ensures that the City’s minimum animal welfare requirements for dogs and cats are applied uniformly to commercial uses operating in the City that are providing shelter these animals. Staff recommends approval of ZTA #2020-01.

Attachment:

1. 2019 Draft Zoning Ordinance Updates
2. Wellington Sign Request
3. Zoning; Penalties - Virginia Acts of Assembly - Chapter 726
4. Draft Planning Commission Resolution
ARTICLE II. DEFINITIONS

Sec. 130-44. Definitions.

Home Business means any commercial activity conducted within a Dwelling Unit as an Accessory Use to the principal residential use where more than one customers at any given time and/or any employees come to the Dwelling Unit. Any such use shall only be permitted in accordance with the requirements of §130-95.

Home Occupation means an Accessory Use conducted within a Dwelling Unit by residents of that unit which is clearly incidental and secondary to the principal residential use and where no more than one customers at any given time and/or employees do not come to the Dwelling Unit. No employees shall be permitted to come to the dwelling unit. Any such use shall only be permitted in accordance with the requirements of §130-96.

Kennel means the use of land where for hire, more than two dogs and/or more than five or more canines, felines, or hybrids of either cats that are more than four months of age are kept for the purpose of breeding, hunting, training, renting, buying, boarding, selling, or showing providing care, protection, guidance, breeding, training, or exercise. A Kennel shall be operated in accordance with the requirements of §130-97. Excluded from this definition are:

(1) Retail sales uses that, as an accessory use, offer for adoption dogs or cats procured only from a humane society or public animal shelter as those terms are defined in Code of Virginia §3.2-6500; and

(2) The keeping of pets in accordance with the requirements of Chapter 18 of this Code.

Vehicle, Oversized means any motor vehicle registered for business use with:

(1) A gross weight of more than 10,000 pounds;

(2) Vehicle Length in excess of 21 feet;

(3) Vehicle Width greater than 102 inches; or

(4) Any construction heavy equipment including, but not limited to, trailers, lowboys, cranes, well digging apparatus, plows, or other heavy construction equipment.
ARTICLE III. GENERAL REGULATIONS

DIVISION 2. USE STANDARDS.

Sec. 130-96. Home occupations.

(a) A home occupation shall be permitted as an accessory use by right in any residential dwelling unit lawfully occupied by one family as defined in §130-42. Such accessory use shall neither change the character of the dwelling unit nor exhibit any exterior evidence of a non-residential use. The City shall approve a home occupation permit, where permitted, subject to the following requirements.

(b) General requirements.

(1) No employees shall be permitted to come to the dwelling unit, except for family members residing in the dwelling unit.

(2) No more than one employee, agents, customers, or clients shall be permitted to come to the dwelling unit for business-related purposes at any given time and shall conform to the following requirements:
   a. Customer contact on-site shall be by appointment only.
   b. Customer appointments shall be limited to not more than five appointments a day, and not scheduled before 8:00 a.m. or after 6:00 p.m. Monday through Friday.
   c. A minimum of one on-site parking space in addition to required parking for the residential dwelling unit shall be provided.

(3) No business signs affixed to a mailbox, freestanding or otherwise, shall be permitted on-site.

(4) On-site storage of materials, merchandise, or equipment is limited to the following standards:
   a. Materials associated with the home occupation shall be limited to just-in-time delivery and storage practices. No bulk storage on-site is permitted.
   b. Exterior storage of equipment, trailers, other business related equipment, materials, or merchandise is prohibited.
   c. Interior use of equipment such as a telephone, fax, computer, or other typical light office equipment necessary to the business is permitted.
   d. All delivery of supplies shall be made just-in-time for its use.

(5) Any motor vehicle used in a home occupation shall conform to the following requirements:
a. No vehicle used in a home occupation and with a gross weight of more than 10,000 pounds, in excess of 21 feet in length, or wider than 102 inches shall be parked, garaged, or stored on the site or in a residential district for any reason.

b. No more than one motor vehicle used for each home occupation shall be parked within the residential district.

c. Any sign maintained on any vehicle used in a home occupation shall be covered or removed when the vehicle is parked in any residential district. Vehicles displaying a sign prior to enactment of this subsection shall be exempt from this provision until the vehicle is replaced.

(6) The following commercial activities are specifically prohibited, and shall not be deemed or construed as activities constituting a home occupation:

a. Storage or staging facilities for landscaping and lawn maintenance services or construction services.

b. Motor vehicle repair or motor vehicle sales and rental.

(5)(7) In the event a vehicle, including trailers or other on/off road equipment, is required as part of the home occupation, the applicant shall provide the following as part of the application process:

a. A valid street address where the vehicle will be garaged.

b. A copy of the current vehicle registration indicating the jurisdiction in which the vehicle is registered.

c. At no time shall a trailer or other off road equipment associated with a home occupation be permitted to be stored in any residential district.

(6)(8) Not more than 25 percent of the gross floor area of a dwelling unit, inclusive of any attached garage, shall be used for a home occupation.

(9) A permit for a home occupation shall only be valid for the original applicant and is not transferable to any other resident of the dwelling unit, address, or to any other home occupation use. Upon termination of the applicant's residency, the home occupation permit shall become null and void.
ARTICLE IV. SIGNS

Sec. 130-123. Administration.

(f) *Special exceptions.* Comprehensive sign plans may be approved by special use permit in B, I, and P districts. Comprehensive sign plans may be approved by special use permit in R or A-1 districts for *private community recreational uses* or for uses allowed by special use permit. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs may not be modified above the height permitted in the Zoning Ordinance.

Sec. 130-129. Signs not requiring permit.

In addition to signs allowed without a permit elsewhere in this article, the following signs are allowed and do not require a permit:

(a) The changing of message content, including message content on a changeable message sign, if permitted in that district.

(b) Signs erected by the City or other government entity, including but not limited to traffic control signs, signals, regulatory devices, legal announcements, historical markers, and directional signs.

(c) The following small signs:

(1) Yard sale signs permitted under §130-101.

(2) Multi-occupant signs erected in multiple-building complexes or on lots supporting three or more occupants, and operating as a shopping center, plaza, mall, or other common title.

(3) Two minor signs, not exceeding three square feet in sign area. Freestanding minor signs shall be located a minimum distance of twenty-five feet apart.

(4) Menu boards located adjacent to a drive-through lane and not exceeding six-feet in height.

(5) Temporary signs not exceeding three square feet in sign area and erected for not more than 30 consecutive days.

(d) Noncommercial signs on private property, subject to the restrictions on location, cumulative size, and materials provided in this article.

(e) On a property under construction or renovation, for sale, or for rent, signs not exceeding four square feet for single-family detached properties or 18 square feet for all other residential, non-residential, or mixed-use properties.
(f) Window signs, provided the aggregate sign area of all window signs does not exceed 25 percent of the total transparent area of the windows and doors on the building wall.

(g) Signs affixed to the interior of a permanent fence of a recreational or sports facility at a private community recreational use, public facility, or educational facility.

Sec. 130-130. Flags.

Except as prohibited by §130-128(b)(8), flags are permitted as follows:

(a) Noncommercial flags are permitted in every zoning district without a permit, subject to the general requirements of this article.

(b) Except for entrance-commercial flags permitted under §130-130(e), the minimum setback for a flag pole is the longest dimension of the pole, in order to prevent the flag or pole falling into the property of another or into a public street, trail, or sidewalk.

(c) The maximum height of a flagpole is 25-30 feet.

(d) Maximum size and number:

1. The maximum sign area of any flag in a residential district is 24 square feet. There is no maximum number of flags in a residential district.

2. A single commercial flag of no more than 50 square feet sign area is permitted per business in any B (except B-3), I, or P district. No permit is required.

3. Businesses in the B-3 district may have up to two entrance-commercial flags per entrance. The maximum sign area of an entrance flag is 12 square feet. No permit is required.

(e) All commercial flags shall be removed and stored when the business is closed.

(f) Flags shall not be illuminated unless illumination is required by law.
ARTICLE VI. PARKING AND LOADING REQUIREMENTS

Editor’s note: No other changes to §130-204, Table 1, except as noted below.

$\text{§130-204, Table 1: Minimum Off-Street Parking Requirements}$

<table>
<thead>
<tr>
<th>LAND USES</th>
<th>REQUIRED OFF-STREET PARKING</th>
<th>SPECIAL DISTRICTS</th>
<th>EXCEPTIONS/COMMENTS/ADDITIONAL REQUIREMENTS</th>
</tr>
</thead>
</table>
| Airport or Aviation Facility | 1 per 4500 SF of passenger waiting and service area/office 1 per 1,000 SF of hangar | DOWNTOWN*  
*For B-3 Zoning See §130-204(b)  
MANASSAS LANDING, MATHIS CORRIDOR, HOSPITAL/SUDLEY | Zoning Administrator  
Zoning Administrator  
An airport or aviation facility shall provide parking for each individual land use within the operation. Parking shall be the cumulative total of each individual use proposed (e.g. office + hangar). |

ARTICLE VIII. ZONING DISTRICTS

DIVISION 3. NON-RESIDENTIAL & MIXED USE DISTRICTS

Sec. 130-309. I-A airport district.

(d) Maximum structure height. No structure shall be greater than 75 feet in height, excluding mechanical equipment, which shall be adequately screened. Broadcasting and telecommunication towers, public facilities, and public utility uses may exceed this height subject to approval of a special use permit in accordance with Article IX of this chapter. See §130-424.
DIVISION 4. OVERLAY DISTRICTS

SUBDIVISION 1. HISTORIC OVERLAY DISTRICTS

Sec. 130-405. Certificate of Appropriateness.

(b) Administrative review. Notwithstanding any contrary requirement of this article, the City may review and administratively approve applications for the following exterior changes:

(1) Alterations to a Noncontributing Structure that do not substantially change the architectural character or are substantially hidden from view of the street right-of-way.

(2) Minor alterations to a Historic Structure that do not substantially change the architectural character or are substantially hidden from view of the street right-of-way, including:

(a) The construction of accessory buildings and structures on properties where none of the structures are Historic Structures and where the construction would be in keeping with the character of the principal structure and surrounding area.

(b) Reconstruction performed to restore or replace the same as, or nearly the same as practical, a structure to its original documented historical design.

(c) Banner signs, window signs, and other minor or temporary signs that comply with the established standards of review and any adopted and published design guidelines.

(d) Alterations to existing residential structures in the Liberia Mansion HOD unless exempt from review under §130-405(c).

ARTICLE X. ENFORCEMENT

Sec. 130-602. Criminal violations and penalties.

(a) Except as provided below, any violation of the requirements of this chapter or the DCSM shall be deemed a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not less than $10.00 and not more than $1,000.00. In the case of a continuing violation, further penalties and abatement orders are governed by the Code of Virginia §15.2-2286(A)(5).
July 8, 2019

Attention: Manassas City Planning Commission
Contact: Matthew Arcieri, ACP
Planning and Zoning Administrator
Zoning Administrator

To Whom it May Concern,

The Board of Directors for the Wellington Community Association, located at 9700 Wellington Road, Manassas, VA 20110, has asked me to send this correspondence on their behalf. They would like to request that you consider Sec. 130-123(f) of the code to allow HOAs to modify their community signs via a Special Use Permit. The Wellington Community Association has been interested in making this improvement to our signage for years, and believe it will add great value to our neighborhood.

Please don’t hesitate to reach out if you have any questions, or would like additional information.

Kind Regards,

Taylor Vasicek, CMCA, AMS
Community Manager
At the Request and on Behalf of the Board of Directors
Wellington Community Association
An Act to amend and reenact § 15.2-2286 of the Code of Virginia, relating to zoning; penalties.

Approved March 30, 2018

Be it enacted by the General Assembly of Virginia:
1. That § 15.2-2286 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2286. Permitted provisions in zoning ordinances; amendments; applicant to pay delinquent taxes; penalties.
A. A zoning ordinance may include, among other things, reasonable regulations and provisions as to any or all of the following matters:
1. For variances or special exceptions, as defined in § 15.2-2201, to the general regulations in any district.
2. For the temporary application of the ordinance to any property coming into the territorial jurisdiction of the governing body by annexation or otherwise, subsequent to the adoption of the zoning ordinance, and pending the orderly amendment of the ordinance.
3. For the granting of special exceptions under suitable regulations and safeguards; notwithstanding any other provisions of this article, the governing body of any locality may reserve unto itself the right to issue such special exceptions. Conditions imposed in connection with residential special use permits, wherein the applicant proposes affordable housing, shall be consistent with the objective of providing affordable housing. When imposing conditions on residential projects specifying materials and methods of construction or specific design features, the approving body shall consider the impact of the conditions upon the affordability of housing.
The governing body or the board of zoning appeals of the City of Norfolk may impose a condition upon any special exception relating to retail alcoholic beverage control licensees which provides that such special exception will automatically expire upon a change of ownership of the property, a change in possession, a change in the operation or management of a facility or upon the passage of a specific period of time.
The governing body of the City of Richmond may impose a condition upon any special use permit issued after July 1, 2000, relating to retail alcoholic beverage licensees which provides that such special use permit shall be subject to an automatic review by the governing body upon a change in possession, a change in the owner of the business, or a transfer of majority control of the business entity. Upon review by the governing body, it may either amend or revoke the special use permit after notice and a public hearing as required by § 15.2-2206.
4. For the administration and enforcement of the ordinance including the appointment or designation of a zoning administrator who may also hold another office in the locality. The zoning administrator shall have all necessary authority on behalf of the governing body to administer and enforce the zoning ordinance. His authority shall include (i) ordering in writing the remedying of any condition found in violation of the ordinance; (ii) insuring compliance with the ordinance, bringing legal action, including injunction, abatement, or other appropriate action or proceeding subject to appeal pursuant to § 15.2-2311; and (iii) in specific cases, making findings of fact and, with concurrence of the attorney for the governing body, conclusions of law regarding determinations of rights accruing under § 15.2-2307 or subsection C of § 15.2-2311.
Whenever the zoning administrator has reasonable cause to believe that any person has engaged in or is engaging in any violation of a zoning ordinance that limits occupancy in a residential dwelling unit, which is subject to a civil penalty that may be imposed in accordance with the provisions of § 15.2-2209, and the zoning administrator, after a good faith effort to obtain the data or information necessary to determine whether a violation has occurred, has been unable to obtain such information, he may request that the attorney for the locality petition the judge of the general district court for his jurisdiction for a subpoena duces tecum against any such person refusing to produce such data or information. The judge of the court, upon good cause shown, may cause the subpoena to be issued. Any person failing to comply with such subpoena shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may apply to the judge who issued the subpoena to quash it.
Notwithstanding the provisions of § 15.2-2311, a zoning ordinance may prescribe an appeal period of less than 30 days, but not less than 10 days, for a notice of violation involving temporary or seasonal commercial uses, parking of commercial trucks in residential zoning districts, maximum occupancy limitations of a residential dwelling unit, or similar short-term, recurring violations.
Where provided by ordinance, the zoning administrator may be authorized to grant a modification...
from any provision contained in the zoning ordinance with respect to physical requirements on a lot or parcel of land, including but not limited to size, height, location or features of or related to any building, structure, or improvements, if the administrator finds in writing that: (i) the strict application of the ordinance would produce undue hardship; (ii) such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and (iii) the authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification. Prior to the granting of a modification, the zoning administrator shall give, or require the applicant to give, all adjoining property owners written notice of the request for modification, and an opportunity to respond to the request within 21 days of the date of the notice. The zoning administrator shall make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to this paragraph. The decision of the zoning administrator shall constitute a decision within the purview of § 15.2-2311, and may be appealed to the board of zoning appeals as provided by that section. Decisions of the board of zoning appeals may be appealed to the circuit court as provided by § 15.2-2314.

The zoning administrator shall respond within 90 days of a request for a decision or determination on zoning matters within the scope of his authority unless the requester has agreed to a longer period.

5. For the imposition of penalties upon conviction of any violation of the zoning ordinance. Any such violation shall be a misdemeanor punishable by a fine of not less than $10 nor more than $1,000. Failure to remove or abate a zoning violation within the specified time period shall be punishable by a fine of not less than $10 nor more than $1,000, and any such failure during any 10-day period shall constitute a separate misdemeanor offense punishable by a fine of not less than $10 nor more than $1,500; and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of not less than $100 nor more than $1,500; and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of not more than $2,000.

However, any conviction resulting from a violation of provisions regulating the number of unrelated persons in single-family residential dwellings shall be punishable by a fine of up to $2,000. Failure to abate the violation within the specified time period shall be punishable by a fine of up to $5,000, and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of up to $7,500. However, no such fine shall accrue against an owner or managing agent of a single-family residential dwelling unit during the pendency of any legal action commenced by such owner or managing agent of such dwelling unit against a tenant to eliminate an overcrowding condition in accordance with Chapter 13 or Chapter 13.2 of Title 55, as applicable. A conviction resulting from a violation of provisions regulating the number of unrelated persons in single-family residential dwellings shall not be punishable by a jail term.

6. For the collection of fees to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of a zoning ordinance or to the filing or processing of any appeal or amendment thereto.

7. For the amendment of the regulations or district maps from time to time, or for their repeal. Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the governing body may by ordinance amend, supplement, or change the regulations, district boundaries, or classifications of property. Any such amendment may be initiated (i) by resolution of the governing body; (ii) by motion of the local planning commission; or (iii) by petition of the owner, contract purchaser with the owner's written consent, or the owner's agent therefor, of the property which is the subject of the proposed zoning map amendment, addressed to the governing body or the local planning commission, who shall forward such petition to the governing body; however, the ordinance may provide for the consideration of proposed amendments only at specified intervals of time, and may further provide that substantially the same petition will not be reconsidered within a specific period, not exceeding one year. Any such resolution or motion by such governing body or commission proposing the rezoning shall state the above public purposes therefor.

In any county having adopted such zoning ordinance, all motions, resolutions or petitions for amendment to the zoning ordinance, and/or map shall be acted upon and a decision made within such reasonable time as may be necessary which shall not exceed 12 months unless the applicant requests or consents to action beyond such period or unless the applicant withdraws his motion, resolution or petition for amendment to the zoning ordinance or map, or both. In the event of and upon such withdrawal, processing of the motion, resolution or petition shall cease without further action as otherwise would be required by this subdivision.

8. For the submission and approval of a plan of development prior to the issuance of building permits to assure compliance with regulations contained in such zoning ordinance.

9. For areas and districts designated for mixed use developments or planned unit developments as defined in § 15.2-2201.

10. For the administration of incentive zoning as defined in § 15.2-2201.
11. For provisions allowing the locality to enter into a voluntary agreement with a landowner that would result in the downzoning of the landowner's undeveloped or underdeveloped property in exchange for a tax credit equal to the amount of excess real estate taxes that the landowner has paid due to the higher zoning classification. The locality may establish reasonable guidelines for determining the amount of excess real estate tax collected and the method and duration for applying the tax credit. For purposes of this section, "downzoning" means a zoning action by a locality that results in a reduction in a formerly permitted land use intensity or density.

12. Provisions for requiring and considering Phase I environmental site assessments based on the anticipated use of the property proposed for the subdivision or development that meet generally accepted national standards for such assessments, such as those developed by the American Society for Testing and Materials, and Phase II environmental site assessments, that also meet accepted national standards, such as, but not limited to, those developed by the American Society for Testing and Materials, if the locality deems such to be reasonably necessary, based on findings in the Phase I assessment, and in accordance with regulations of the United States Environmental Protection Agency and the American Society for Testing and Materials. A reasonable fee may be charged for the review of such environmental assessments. Such fees shall not exceed an amount commensurate with the services rendered, taking into consideration the time, skill, and administrative expense involved in such review.

13. Provisions for requiring disclosure and remediation of contamination and other adverse environmental conditions of the property prior to approval of subdivision and development plans.

14. For the enforcement of provisions of the zoning ordinance that regulate the number of persons permitted to occupy a single-family residential dwelling unit, provided such enforcement is in compliance with applicable local, state and federal fair housing laws.

15. For the issuance of inspection warrants by a magistrate or court of competent jurisdiction. The zoning administrator or his agent may make an affidavit under oath before a magistrate or court of competent jurisdiction and, if such affidavit establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the zoning administrator or his agent an inspection warrant to enable the zoning administrator or his agent to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. After issuing a warrant under this section, the magistrate or judge shall file the affidavit in the manner prescribed by § 19.2-54. After executing the warrant, the zoning administrator or his agents shall return the warrant to the clerk of the circuit court of the city or county wherein the inspection was made. The zoning administrator or his agent shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant under this section.

B. Prior to the initiation of an application by the owner of the subject property, the owner's agent, or any entity in which the owner holds an ownership interest greater than 50 percent, for a special exception, special use permit, variance, rezoning or other land disturbing permit, including building permits and erosion and sediment control permits, or prior to the issuance of final approval, the authorizing body may require the applicant to produce satisfactory evidence that any delinquent real estate taxes, nuisance charges, stormwater management utility fees, and any other charges that constitute a lien on the subject property, that are owed to the locality and have been properly assessed against the subject property, have been paid, unless otherwise authorized by the treasurer.
PLANNING COMMISSION
RESOLUTION

Re: 2019 Zoning Ordinance Annual Updates (ZTA #2020-01)

WHEREAS, the Planning Commission recognizes that an annual review and update of the Zoning Ordinance is a best practice to make technical corrections and updates, and ensure the code remains in compliance with current requirements of state and federal laws and regulations; and

WHEREAS, on August 7, 2019, the Planning Commission initiated Zoning Text Amendment (ZTA) #2020-01, 2019 Zoning Ordinance Annual Updates, which was reviewed by the Zoning Ordinance Review Committee on September 11, 2019; and

WHEREAS, the Planning Commission held a public hearing on October 2, 2019, to hear public comment on the proposed text amendments after full compliance with all State Code public hearing notice requirements; and

WHEREAS, the Commission has heard from the City staff and the public with regards to the zoning text amendments; and

WHEREAS, upon careful consideration, the Planning Commission finds that approval of ZTA #2020-01 is justified by public necessity and convenience, promotes the health, safety, and general welfare of the public, and is consistent with reasonable zoning and economic development practices, and state and federal law.

NOW THEREFORE BE IT RESOLVED that the Planning Commission hereby RECOMMENDS APPROVAL of ZTA #2020-01 this 2nd day of October, 2019.

______________________
Date

______________________
Harry J. Clark, Chairperson
<table>
<thead>
<tr>
<th>Case Name</th>
<th>Date Submitted</th>
<th>Staff Assigned</th>
<th>Address/ Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUP #2019-06; Judith Evans Molinelli Home Business</td>
<td>6/20/19</td>
<td>Davis</td>
<td>9209 Maple Street; SUP for a home business (attorney’s office).</td>
<td>Application accepted: 6/27/19 PC hearing: 8/7/19 CC approved: 9/23/19</td>
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<tr>
<td>SUP #2020-01; Firestone on Liberia Avenue</td>
<td>7/12/19</td>
<td>Davis</td>
<td>8805 Liberia Avenue; SUP to allow a minor motor vehicle repair use in a portion of Home Depot parking lot.</td>
<td>Application accepted: 7/16/19 PC hearing: TBD</td>
</tr>
<tr>
<td>REZ #2020-01; Beauregard Square Shopping Center</td>
<td>8/7/19</td>
<td>Arcieri</td>
<td>8951 Center Street; City initiated rezoning to B-3 without proffers to remove the use restrictions adopted in 1987</td>
<td>PC initiation: 8/7/19 PC hearing: 10/2/19</td>
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<tr>
<td>REZ #2020-02; Godwin Business Park</td>
<td>8/7/19</td>
<td>Arcieri</td>
<td>9819 Godwin Drive; City initiated rezoning from I-2, Heavy Industrial to I-1, Light Industrial</td>
<td>PC initiation: 8/7/19 PC hearing: 10/2/19</td>
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<tr>
<td>REZ #2020-03; Commerce Corner</td>
<td>8/7/19</td>
<td>Arcieri</td>
<td>9037 Liberia Avenue; City initiated rezoning from I-2, Heavy Industrial to B-4, General Commercial</td>
<td>PC initiation: 8/7/19 PC hearing: 10/2/19</td>
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Annaburg Community Meeting

WHEN:
Saturday, October 26

TIME:
12:00 - 3:00 p.m.

WHERE:
9201 Maple Street
Manassas, Va 20110

October 26 / 12 Noon - 3 p.m.
Annaburg Community Meeting
(October 26 / 12 Noon – 3 p.m.)

Share your voice and help envision the future of Annaburg Park. Join in a community conversation about planning future park amenities and take a peek inside the historic Annaburg Manor.

If you are unable to attend, you may leave your comments at
www.manassascity.org/annaburg