

Agenda
City Council Economic/Community Development & Land Use Committee
City Hall, Second Floor Conference Room
Thursday, May 28, 2015

Members:

The Hon. Mark D. Wolfe, Chairman
The Hon. Sheryl L. Bass
The Hon. Ian T. Lovejoy
The Hon. Ken D. Elston (Alternate)

Staff Liaison:

Elizabeth S. Via-Gossman, AICP

5:30 pm

CALL TO ORDER

ROLL CALL

1. Adoption of Minutes of April 23, 2015 1 minute
2. Presentation by Landowner on Potential Rezoning of 9110 Weir Place (Staff: Kelly Davis, Senior Planner) 10 minutes
3. Tourism Development Financing Program (Staff: Patrick Small, Director, Economic Development) 10 minutes
4. Consideration of a resolution authorizing a closed meeting on subjects in accordance with the amended Freedom of Information Act. Sec. 2.2-3711 A (3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, since discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City (5) concerning a prospective business or industry or the expansion of an existing business or industry, since no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the City. (Staff: Patrick Small, Economic Development) 30 minutes
5. Land Use Committee Work Program and Pending Land Use Cases (Staff: Elizabeth S. Via-Gossman, Director, Community Development) Information Only

ALL COUNCIL MEMBERS ARE ENCOURAGED TO REVIEW THE AGENDA AND ATTEND IF THEY HAVE AN INTEREST IN ANY OF THE ITEMS. THERE WILL NOT BE A CITY COUNCIL WORKSESSION ON THESE ITEMS PRIOR TO BEING PLACED ON A CITY COUNCIL AGENDA FOR ACTION IF APPROPRIATE.

cc: The Hon. Harry J. Parrish, Mayor City Manager
The Hon. Marc T. Aveni, Council Member City Attorney
The Hon. Jonathan L. Way, Vice Mayor Senior Staff
Chair, MBC (Rebecca Vaughan-King) EDA (Mark Bradford)
President, HMI (Mark Olsen) Planning Commission (Bruce Wood)

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LAND USE COMMITTEE

REGULAR MEETING MINUTES

Thursday, April 23, 2015
City Hall, 2nd Fl, 5:30 pm

DETERMINATION OF QUORUM

MEMBERS PRESENT: Councilmember Mark D. Wolfe, Chair
Councilmember Sheryl L. Bass
Councilmember Ian T. Lovejoy

MEMBERS ABSENT: None

STAFF PRESENT: W. Patrick Pate, City Manager
Patrick Small, Economic Development Manager
Matt Arcieri, Planning and Zoning Services Manager
Kelly Davis, Senior Planner
Tony Dawood, Acting Utilities Director
Patrick Moore, Assistant Public Works Director

GUESTS PRESENT: Vice-Mayor Way, Ray Beverage

CALL MEETING TO ORDER

The meeting was called to order at 5:30 pm. A quorum was established.

Adoption of Minutes of March 16, 2015

Councilmember Lovejoy, seconded by Councilmember Bass, motion to approve the minutes of March 26, 2015. **Motion Carried.**

Presentation by the Department of Public Works and Utilities Regarding Water and Sewer Availability Fees

Mr. Dawood updated the committee on the FY16 budget proposal to move away from a "fixture" method of calculating availability fees to a "meter size" for the fees. Meter size provides a much easier method of calculation and enhances the City's customer service. The committee and staff discussed how the revised fee structure will be simpler to administer and for residents and the business community to understand.

Update on Mathis Avenue Sector Plan Implementation

Ms. Davis presented an overview of the adopted 2005 sector plan for Mathis Avenue, recommendations for the sector plan provided by the Urban Land Institute in 2010, and other steps that have been taken and will be studied to continue implementation of the sector plan recommendations. Ms. Bass asked for additional information on short-term actions the City

could take to implement the sector plan, and Mr. Pate and Mr. Small provided additional information on the need to have the necessary tools in place to take advantage of opportunities to develop and redevelop the area. Mr. Arcieri noted the ongoing zoning ordinance update process had already taken some steps to address outdated zoning regulations, and Ms. Davis noted that recommendations from her study could be incorporated into the next phase of the zoning update. Mr. Wolfe commented on the need to have a private sector partner in order to help achieve the goals of the sector plan.

Closed Session

Councilmember Lovejoy moved at 6:03 pm that the Land Use Committee of the City Council convene in closed session to discuss subjects in accordance with the amended Freedom of Information Act, Virginia Code Sec. 2.2-3711 Paragraph A (3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property known as Manassas Gateway since discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City and (5) concerning a prospective business or industry or the expansion of an existing business or industry, since no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the City. Councilmember Wolfe Seconded. Included in the Closed Session were the Committee, City Manager, and Economic Development Director.

Roll Call	
Chairperson Wolfe	Y
Councilmember Bass	Y
Councilmember Lovejoy	Y

Councilmember Lovejoy moved at 6:31 pm that the Land Use Committee of the City Council certify that, in the closed session just concluded, nothing was discussed except the matter (1) specifically identified in the motion to convene in closed session and 2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in the motion.

ADJOURNMENT

Chairman Wolfe **moved** to adjourn. **Seconded** by Councilmember Lovejoy. **Motion carried.** The regular meeting of the Land Use Committee adjourned at 6:32 p.m.

AGENDA STATEMENT

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ITEM NO. 2

MEETING DATE: May 28, 2015 – Land Use Committee

TIME ESTIMATE: 10 Minutes

AGENDA ITEM TITLE: Presentation by landowner for potential rezoning of 9110 Weir Place

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:**

**SUMMARY OF
ISSUE/TOPIC:** The landowner is seeking feedback from the Committee on a proposal to re-zone ±1.31 acres from R2 (Moderate Density, Single Family Residential) and B4 (General Commercial) for a townhouse or multi-family product.

**STAFF
RECOMMENDATION:** Information Only

**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: Approve Disapprove Reviewed See Comments

CITY MANAGER: Approve Disapprove Reviewed See Comments

COMMENTS: _____

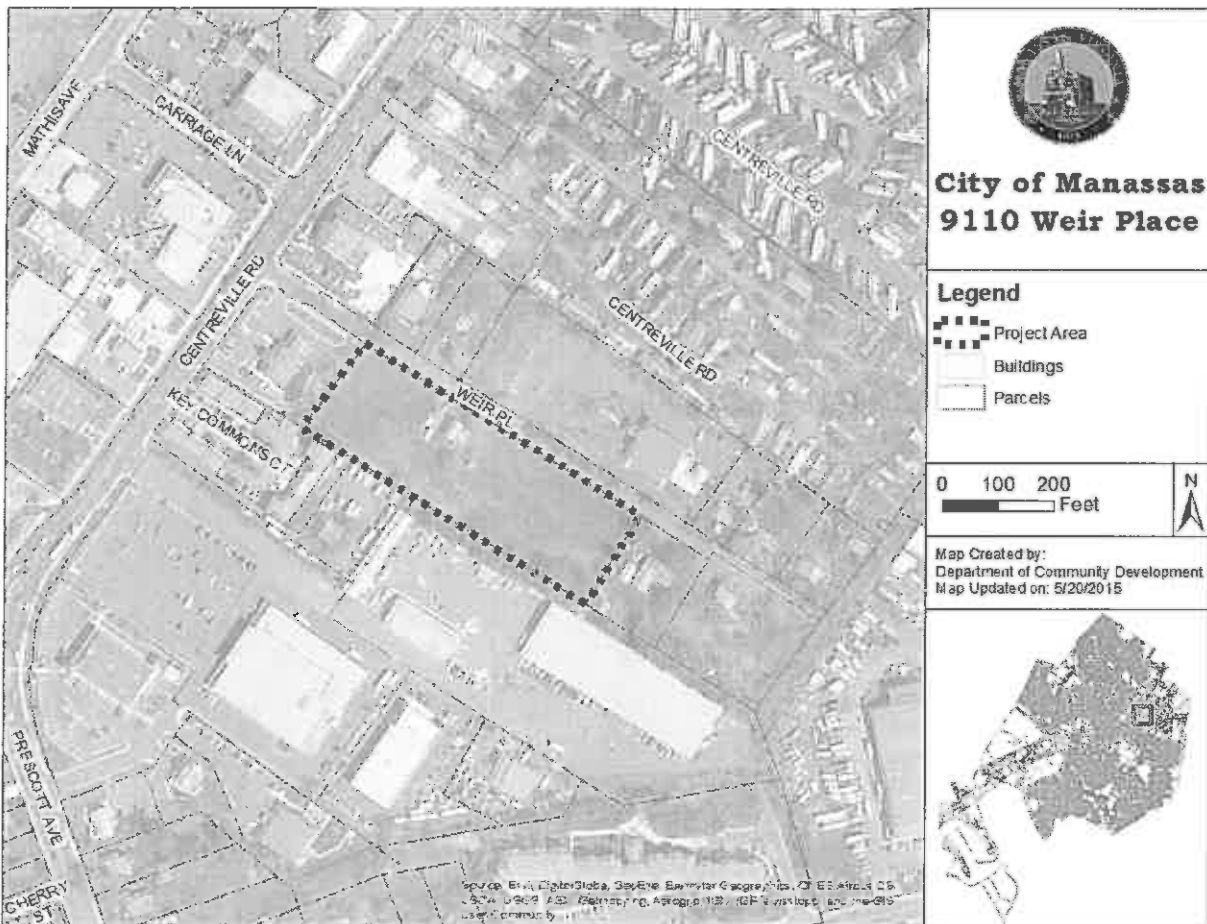
**DISCUSSION
(IF NECESSARY):** See attached location map and conceptual layout

**BUDGET/FISCAL
IMPACT:**

STAFF: Kelly Davis, Senior Planner

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Case Name: Rezoning of 9110 Weir Place
Site Location: 9110 Weir Place
Current Zoning: R2 (Moderate Density, Single-Family Residential) and B4 (General Commercial)
Parcel Size: ±1.31 Acres
Comprehensive Plan Designation: Mathis Corridor
Sector Plan Designation: High Density Residential
Proposed Use: Rezoning to replace the existing single-family detached residential dwelling unit with a townhouse or multi-family product.



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MEETING DATE: May 28, 2015 – Land Use Committee

TIME ESTIMATE: 10 Minutes

AGENDA ITEM TITLE: Tourism Development Financing Program (TDFP)

DATE THIS ITEM WAS LAST CONSIDERED BY COUNCIL: N/A

SUMMARY OF ISSUE/TOPIC: TDFP is a two-tiered gap financing program for qualified tourism development projects in a designated Tourism Zone. Through a partnership with the Economic Development Authority, a developer, and the Commonwealth of Virginia, a percentage of the project’s sales and use tax can be applied toward paying down a development’s debt service.

STAFF RECOMMENDATION: Recommend that the City Council establish a Tourism Zone at Gateway to enable use of the TDFP by the development community.

BOARD/COMMISSION/ COMMITTEE:

RECOMMENDATION: Approve Disapprove Reviewed See Comments

CITY MANAGER: Approve Disapprove Reviewed See Comments

COMMENTS:

DISCUSSION (IF NECESSARY): None.

BUDGET/FISCAL IMPACT:

STAFF: Patrick Small, Economic Development Director

Virginia's Tourism Development Financing Program (TDFP)

What it is: A two-tiered gap financing program for qualified tourism development projects in a designated Tourism Zone. Through a partnership with the Economic Development Authority, a developer, and the Commonwealth of Virginia, a percentage of the project's sales and use tax can be applied toward paying down a development's debt service.

Tier One: 70/30 financing for projects less than \$100 million.

- The developer must have 70% of the financing (debt and/or equity) already in place. The incentive can pay up to 30% of the project's total costs.
- Once the project is generating income, the Virginia Dept. of Taxation quarterly reviews the state sales and use tax for that project and calculates a figure that is 1% of that amount. That figure is what each partner contributes to the project's debt service quarterly.
- For the duration of the loan (typically 15-20 years), the Dept. of Taxation remits the revenue to the City. The City remits the state & local funds to the EDA who then pays the lender.

TDFP has been mostly used for hotel projects throughout Virginia, but it can also finance recreation, heritage, entertainment, amusement, arts, culture, and "epicurean & experiential" projects.

Tier Two: 80/20 financing for projects more than \$100 million.

- This tier is similar, except that the developer must secure 80% of the development's costs and the gap financing cannot exceed 20%.
- Major retail projects (e.g., a mall) are ineligible.
- Each partner will quarterly contribute 1.5% of the sales and use tax, based on the amount that is determined by the Virginia Dept. of Taxation quarterly.

Why Participate? This incentive program will:

- Generate tax revenue for the City of Manassas.
- Give the City a powerful incentive that doesn't require money upfront. The incentive operates like a refund.
- Stimulate construction/development and our tourism industry.
- Increase economic development opportunities. Developers throughout the Commonwealth report difficulties in securing full financing for certain projects like hotels. This incentive fills that gap.
- Attract investors in the hospitality industry to the City of Manassas by sharing 20-30% of a qualified project's cost with developers rather than having them shoulder 100% of costs.
- The debt is solely owned by the developer. The City has no risk in the project.

In 2013, visitors in Virginia spent \$21.5 billion, supporting 212,000 jobs, and contributing \$1.4 billion in state & local taxes.

Visitors to Manassas spent \$64 million, supported almost 600 jobs, and contributed \$1.6 million in local taxes.

Source: Virginia Tourism Corporation

Example of Contributed Funds in Year One of Hypothetical Hotel Project – Tier 1

	Quarterly Hotel Revenue		1%	3 Partners' Contributions	Debt Payment
1 st Quarter	\$1,000,000	→	\$10,000	x3	\$30,000
2 nd Quarter	\$1,500,000	→	\$15,000	x3	\$45,000
3 rd Quarter	\$750,000	→	\$7,500	x3	\$22,500
4 th Quarter	\$1,000,000	→	\$10,000	x3	\$30,000
Yearly	\$4,250,000		\$42,500		\$127,500 (combined contributions from all three partners)

Steps to Enable the City of Manassas to Offer this Program

(Steps 1-5 happen concurrently):*

1. **Identify a project and explain how it fills a tourism void in the City of Manassas to the Virginia Tourism Corporation.**
2. **Verify the financing structure.** Indicate which tier will be used and share the finance plan, funding sources, and related term sheets and other debt financing documentation.
3. **Submit an executive summary** to the Virginia Resources Authority, Virginia Dept. of Taxation, and State Comptroller.
4. **Develop a performance agreement** between the developer and EDA outlining the minimum investment requirements, debt structuring, gap reimbursement, and other project details. It should stipulate that the developer's access fee and the returned sales taxes will be used to pay annual debt service on the gap funding until the debt is paid in full.
5. **Adopt an ordinance to establish defined tourism zone(s).** This can establish multiple zones or just the area around the identified project and explain the requirements and benefits of tourism businesses. If the City wants to extend this incentive to the existing Arts and Tourism District, a new ordinance can state that the existing district will be renamed an "arts and tourism zone."
6. **Develop a Tourism Development Plan.** The Plan must receive the Virginia Tourism Corporation's approval and be adopted by a City ordinance. It must include:
 - a. Proposed project description & tourism void
 - b. SWOT analysis, existing tourism amenities, infrastructure (transportation, architecture, etc.), visitor profiles, regional tourism competition
 - c. Expected return on investment, jobs created, tax revenue
 - d. An officially adopted marketing plan (new or existing)
7. **Submit application and pay \$500 fee.**

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MEETING DATE: May 28, 2015 – Land Use Committee

TIME ESTIMATE: 30 Minutes

AGENDA ITEM TITLE: Consideration of a resolution authorizing a closed session on subjects in accordance with the amended Freedom of Information Act.

DATE THIS ITEM WAS LAST CONSIDERED BY COUNCIL:

SUMMARY OF ISSUE/TOPIC: Consideration of a resolution authorizing a closed meeting on subjects in accordance with the amended Freedom of Information Act. Sec. 2.2-3711 A (3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, since discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City and (5) concerning a prospective business or industry or the expansion of an existing business or industry, since no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the City

STAFF RECOMMENDATION: For Discussion Only

BOARD/COMMISSION/ COMMITTEE:

RECOMMENDATION: Approve Disapprove Reviewed See Comments

CITY MANAGER: Approve Disapprove Reviewed See Comments

COMMENTS:

DISCUSSION (IF NECESSARY):

BUDGET/FISCAL IMPACT:

STAFF: Patrick Small, CEcD, Director, Economic Development

MOTION FOR CONVENING CLOSED MEETING

(requires recorded roll call vote)

I move that the Land Use Committee of the City Council convene in closed session to discuss the acquisition of real property for a public purpose, or of the disposition of publicly held real property, since discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City, and concerning a prospective business or businesses since no previous announcement has been made of the business' interest in locating or expanding in the City as permitted by Virginia Code 2.2-3711 Paragraph A (3) and (5) for which the Virginia Freedom of Information Act permits discussion in closed session.

Roll Call	
Chairperson Wolfe	
Councilmember Bass	
Councilmember Lovejoy	
Councilmember Elston (alternate)	

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION

(requires recorded roll call vote)

I move that the Land Use Committee of the City Council certify that, in the closed session just concluded, nothing was discussed except the matter (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in the motion.

Roll Call	
Chairperson Wolfe	
Councilmember Bass	
Councilmember Lovejoy	
Councilmember Elston (alternate)	

MEETING DATE: May 28, 2015 – Land Use Committee

TIME ESTIMATE: Information Only

AGENDA ITEM TITLE: Land Use Committee Work Program and Pending Land Use Cases

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** Provided regularly.

**SUMMARY OF
ISSUE/TOPIC:** The Staff maintains an ongoing status report of committee projects, inquires, and other items. A second report has been added showing land use development application cases that have been submitted and are in the process of review.

**STAFF
RECOMMENDATION:** Information Only

**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: Approve Disapprove Reviewed See Comments

CITY MANAGER: Approve Disapprove Reviewed See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):** See Attached.

**BUDGET/FISCAL
IMPACT:** To be determined

STAFF: Elizabeth S. Via-Gossman, AICP, Director, Community Development (703) 257-8224 and (571) 259-4405

City Council Land Use Committee (LUC) – Project Status FY15

May 28, 2015

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Issue/Project/ Priority	Date Initiated/ Key Dates	Date Due to City Council	Staff Assigned	Description	Status
HIGH PRIORITY					
Downtown Parking Task Force	Fall 2014	June 2015	Davis	Update 2004 Downtown Parking Task Force and Recommendations	Task force meetings underway; preliminary update to LUC in June 2015.
Technical Updates to the ZO (General Assembly)	TBD	TBD	Arcieri	Reestablish annual fall updates to the ZO based on Virginia General Assembly changes and other technical items.	Staff research in progress with City Attorney
Parking (Phase 2) Ordinance Update	TBD	TBD	Arcieri	Update parking standards in non-residential districts.	Staff research in progress, ZTA to be initiated by PC in June 2015
Spot Blight Abatement – GTS Properties	May, 2015 (Mayor)	TBD	Via-Gossman	At the request of GTS, Mayor Parrish has asked Staff to determine if the State and City codes on spot blight abatement can be used on their habitual vacant and deteriorated structures.	Under review by Staff and City Attorney, tentative June 2015.

City Council Land Use Committee (LUC) – Project Status FY15
May 28, 2015
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Issue/Project/ Priority	Date Initiated/ Key Dates	Date Due	Staff Assigned	Description	Status
MEDIUM PRIORITY					
Airport Zoning/Overlay District Update (Phase 2 ZO)	TBD	TBD	Davis/Arcieri	Update zoning ordinance with recommendations from Airport Commission	Staff research In progress
Historic Overlay District, B-3, B- 3.5 Update (Phase 2 ZO)	TBD	TBD	Whitworth/Arcieri	Update the Historic Overlay District and underlying zoning districts with recommendations from ARB, business community, etc.	Staff research In progress; worksession with ARB anticipated October 2015.
Food Trucks	3/26/15 (Requested by Mike Hoover)	No deadline	Arcieri	Reconsider allowing food trucks to park on public and/or private land in limited circumstances.	Discussion and presentation at LUC in June 2015.

Issue/Project/ Priority	Date Initiated/ Key Dates	Date Due	Staff Assigned	Description	Status
LOW PRIORITY					

City Council Land Use Committee (LUC) – Project Status FY15

May 28, 2015

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COMPLETED		
Issue/Project/ Priority	Staff Assigned	Description/Disposition
Worksession on Comprehensive Overhaul of City Zoning Ordinance; Proffers and Koontz Decision	Arcieri	Staff presentation 2/3/14 on process, issues and possible costs – include issues such as tents and temp structures, uses, window signs, food trucks, reorganization impacts, performance standards, waterfall, design controls, etc.; CC action directed Staff to proceed with Phase 1 to update definitions and uses. See ZTA 2014-02
Downtown Sector Plan Update and Review of Strategies	Russell	Staff presentation on status of downtown sector plan, next project potentially the survey and conceptual design of Grant Ave from Lee Avenue to Wellington Road, incorporated into the CIP; also small planning study of development opportunities south of Prince William Street.
Site Location Study for Public Safety Facility	Via-Gossman	Study completed and provided to CM for CIP.
Code Enforcement Overview	Via-Gossman	Memorandum provided to the City Manager/Council June, 2014
School Partnerships Overview	Wilson-Sogunro	Memorandum provided to the City Manager/Council June, 2014; monthly updates to be provided to the City Manager and Superintendent
Neighborhood Parking Districts	DPW Staff	Ordinance amendments to parking districts completed.
Wayfinding Signage	Comm. Dev and DPW Staff	Gateway Signage Completed; additional signage to be scoped and budget estimated completed.
Housing and Redevelopment Strategies	Via-Gossman	Memorandum provided to the City Manager, December, 2014
Comprehensive Zoning Update (Phase 1) ZTA 2014-02	Arcieri	Adopted by City Council May, 2015

City Council Land Use Committee (LUC) – Pending Land Use Cases
 May 28, 2015

Planning Commission:

Case Name	Date Submitted	Staff Assigned	Address/ Description	Status
SUP-15-04/REZ-15-01; Kingdom Hall of Jehovah's Witnesses	11/17/14	Davis	9912 & 9928 Cockrell Road; SUP and proffer amendment to expand the existing facility by ±3,930 square feet and to include a new 178-seat auditorium. The existing 216-seat auditorium would remain.	Application accepted: 12/1/14 PC hearing: TBD
REZ-15-02; Hastings Marketplace Proffer Amendment	11/26/14	Arcieri	Proffer amendment to replace the approved 26 two-story residential lofts, eight live/work residential units and 32,288 square feet of non-residential space with 13 single-family detached residential dwelling units and a community park	Application accepted: 12/1/14 PC hearing: 6/3/15
SUP-15-05; Mayfield Intermediate School	4/22/15	Davis	9400 Mayfield Court; SUP amendment to SUP #2004-09 to allow up to three (3) modular classrooms at Mayfield Intermediate School.	Application accepted: 5/7/15 PC hearing: 6/3/15

Board of Zoning Appeals: No Cases Pending