

AGENDA
City Council Economic/Community Development & Land Use Committee
City Hall, Second Floor Conference Room
Thursday, March 24, 2016

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 January 28, 2016 1 minute
2. Review of ARB Appeal to City Council for 9512 & 9514 Liberty Street: (Staff: Jamie Collins, Development Services Manager) 30 minutes
3. Discussion on Water Tower/Next Steps (Staff: Allison Whitworth, Planner) 20 minutes
4. Update on Property Code Enforcement and Rental Inspection Program. (Staff: Matt Arcieri, Planning & Zoning Services Manager) 40 minutes
5. Review of Potential Properties for Economic Development Opportunities (Staff: Patrick Small, Director, Economic Development) 15 minutes
6. Consideration of a resolution authorizing a closed meeting on subjects in accordance with the amended Freedom of Information Act. Sec. 2.2-3711 A (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) 15 minutes
7. Land Use Committee Work Program and Pending Land Use Cases (Staff: Elizabeth S. Via-Gossman, Director, Community Development) 5 minutes

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 (Charlie Patullo) Planning Commission (Harry Clark)

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LAND USE COMMITTEE

REGULAR MEETING MINUTES

Thursday, January 28, 2016

City Hall, 2nd Fl, 5:30 pm

DETERMINATION OF QUORUM

- MEMBERS PRESENT:** Councilmember Mark D. Wolfe, Chair
Councilmember Ian Lovejoy (Left 6:30 pm)
Councilmember Ken Elston
- MEMBERS ABSENT:** Councilmember Sheryl Bass
- STAFF PRESENT:** Elizabeth S. Via-Gossman, AICP, Liaison
W. Patrick Pate, City Manager
Patrick Small, CEcD, Director of Economic Development
Matt Arcieri, AICP, Planning and Zoning Manager
Kelly Davis, Sr. Planner
- GUESTS PRESENT:** Chief Keen, Police Department
Russ Gestl, Buchanan Partners
Giff Hampshire, Blankingship & Keith
Carlos Montenegro, Aksoylu Properties
Ahmet Aksoylu, Aksoylu Properties
Doug Brown, GMBL
Pete McCabe, Pruitt Corporation

CALL MEETING TO ORDER

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

Adoption of Minutes of October 22, 2015 and December 7, 2015

Councilmember Lovejoy moved adoption of the Minutes of October 22, 2015 and December 7, 2015. Councilmember Elston seconded. Motion passed.

Consideration of Initiation of a Comprehensive Plan Amendment (CPA) for 9075 Euclid Avenue

Mr. Arcieri introduced the proposal to initiate a CPA to support residential uses in the Euclid corridor. Mr. Hampshire presented the applicant's proposal (attached). Mr. Hampshire stated that this client would be satisfied with the City studying this corridor with the next update of the City's comprehensive plan as opposed to a separate study at this time. Ms. Via-Gossman noted that State law required that local governments reviewed their plans every 5 years and that the next update for the City's plan would be July, 2018.

Councilmember Elston moved that a study of the Euclid Sector and the potential to incorporate residential in that Sector per the applicant's request be incorporated into the next 5 year update of the City's comprehensive plan. **Councilmember Lovejoy** seconded. Motion passed (2/1).

Roll Call	
Chairperson Wolfe	N
Councilmember Elston	Y
Councilmember Lovejoy	Y

Staff Note: This proposal will be put on the list of items to study in 2018, and no further action by City Council is needed at this time. The applicant concurs with this action.

Gateway Development Update

Ms. Via-Gossman updated the Committee on the schedule which includes a Planning Commission public hearing on March 2nd and City Council public hearing on March 21st. Mr. Gestl provided an update on the project and solicited input on the design of the project.

- Mr. Elston felt the project should have a contemporary look but from a historic perspective. He also stated he expects elevations with the proffer amendment.
- Mr. Wolfe stated he preferred that the commercial drive the residential, and that it should be distinctive from the historic downtown but timeless. He also expected the architecture to be interesting such that there were varied rooflines (example).

Consideration of an Amendment to the Manassas Gateway Business Park

Ms. Via-Gossman explained that the west side of the business park was zoned I-1 with no proffers and so design and land uses were governed by recorded covenants. Those covenants needed to be updated to be consistent with the current zoning ordinance. In addition, the contractor purchaser of the vacant parcels at the intersection of the railroad and Gateway Boulevard had asked for minor modifications/clarifications to signage and land uses. Mr. Small introduced Mr. Pete McCabe with Pruitt Corporation and they presented the proposal for two flex/warehouse buildings adjacent to the WDP building and the Cannon Branch Fort Historic Park.

Councilmember Wolfe moved approval of the updated covenants. **Councilmember Elston** seconded. Motion passed. The Committee directed staff to place this item on the consent agenda for City Council once approved as to form by the City Attorney.

Roll Call	
Chairperson Wolfe	Y
Councilmember Elston	Y

Councilmember Wolfe volunteered to be the Committee's representative on the Gateway Architectural Board.

PWC/Manassas Adult Detention Center (ADC) Update

Ms. Via-Gossman presented the design concepts that were included in the Committee's package. Chief Keen provided a brief update on jail population trends. Ms. Via-Gossman pointed out that PWC was exploring a relocation of the work release facility currently on Euclid Avenue to the Judicial Center but that project was unfunded at this time and would require an amendment to the shared services agreement on ADC expansions.

Consideration of Ordinance #O-2016-09 related to the Planning Commission

Mr. Arcieri presented the change to the code to add Section 2-302 and repeal Chapter 90.

Councilmember Wolfe moved approval of Ordinance #O-2016-09. **Councilmember Elston** seconded. Motion passed. The Committee directed staff to place this item on the consent agenda for City Council.

Roll Call	
Chairperson Wolfe	Y
Councilmember Elston	Y

Closed Session

Councilmember Wolfe moved at 7:25 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 (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 Elston Seconded. Included in the Closed Session were the Committee, City Manager, and both the Community Development and Economic Development Directors.

Roll Call	
Chairperson Wolfe	Y
Councilmember Elston	Y

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Councilmember Elston moved at 7:51 pm that the Land Use Committee of the City Council did 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.

Economic Development Process

Deferred to next available meeting

Land Use Committee Workplan and Pending Land Use Cases

Ms. Via-Gossman requested that the Committee consider rescheduling the February meeting due to a conflict with the PWC Chamber Business Awards. The Committee directed Staff to look at Tuesday, February 23rd.

Mr. Arcieri highlighted two pending PWC comprehensive plan amendments to their transportation plan that would 1) remove the bi-county parkway from the plan and 2) reduce the number of planned lanes on Route 234 from six lanes to four lanes between Brentsville and Montclair. The Mayor has expressed concern regarding the removal of the bi-county parkway. Staff has a concern about the reduction of lanes on Rt. 234. This action by the PWC initiates the amendments; Staff will monitor and bring back more information as the PWC staff looks for input.

ADJOURNMENT

Councilmember Wolfe moved to adjourn. Seconded by Councilmember Elston. Motion carried. The regular meeting of the Land Use Committee adjourned at 8:00 p.m.

AGENDA STATEMENT

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ITEM NO. 2

MEETING DATE: March 24, 2016 – Land Use Committee

TIME ESTIMATE: 30 Minutes

AGENDA ITEM TITLE: 9512, 9514 Liberty Street

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

**SUMMARY OF
ISSUE/TOPIC:**

Application for a Certificate of Appropriateness to demolish blighted structures at 9512 and 9514 was denied by the Architectural Review Board in January. Applicant has appealed the decision to City Council; public hearing has been scheduled as part of the April 18 City Council meeting

**STAFF
RECOMMENDATION:** Information only

**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: Approve Disapprove Reviewed See Comments

CITY MANAGER: Approve Disapprove Reviewed See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):**

**BUDGET/FISCAL
IMPACT:** None

STAFF: Jamie Collins, Development Services Manager 



MEMORANDUM

CITY OF MANASSAS

Department of Community Development
 Phone: 703-257-8223 Fax: 703-257-5117

TO: The Hon. Mark Wolfe, Councilmember
 Chairman, Economic/Community Development and Land Use
 The Hon. Sheryl Bass, Councilmember
 The Hon. Ken Elston, Councilmember
 The Hon. Ian Lovejoy, Councilmember

FROM: Jamie S. Collins, Development Services Manager

DATE: March 17, 2016

RE: 9512 Liberty Street, 9514 Liberty Street

In January of 2016, the owners of these 2 blighted properties came before the Architectural Review Board for a Certificate of Appropriateness to demolish the structures on each of the lots. While staff recommended approval of the applications, the Architectural Review Board denied both applications. The applicant appealed the decision of the Architectural Review Board, and a public hearing on the appeal is set for the April 18, 2016 meeting of City Council. The agenda item for Land Use Committee is for informational purposes only.

Background

City staff have been working with the property owners to abate property maintenance code violations at both sites for years. The property at 9512 Liberty Street was placarded as unsafe/unfit for human habitation in February of 2014 by the office of the Fire Marshal. In addition to the deterioration of exterior elements, the inspection revealed unsafe conditions inside the structure including the installation of a gas heater without permits and unstable structural elements. The house has been vacant and without utility service since that time. The house at 9514 Liberty Street has been vacant and without utilities for over 4 years. Lack of maintenance has caused significant deterioration to the exterior elements of the house. Modifications to the structure over time have lost the original vernacular integrity of the structure. Notice was given to the owner of the property in September of 2015 citing Section 130-409 of the Historic Overlay District Division of the Zoning Ordinance – Demolition by Neglect. As no resolution of the condition occurred, follow up correspondence in November of 2015 also cited City Code Section 70-93 – Dangerous structures, derelict buildings, and spot blight abatement. The property owner has voluntarily come forward to demolish both of the structures by first applying for a Certificate of Appropriateness from the Architectural Review as required by City Code Section 70-93.

Architectural Review Board Appeal

Section 130-406 stipulates that the Architectural Review Board shall issue a certificate of appropriateness to raze, or demolish, a contributing or historic structure if the ARB finds that the structure meets at least 2 of the following criteria:

- 1. The structure is not of such architectural or historic interest that its removal would be a significant detriment of the public interest.
- 2. The structure is not of such significance that it would qualify on its own merit as a national, state landmark or local historic structure.
- 3. The structure is not of such old and uncommon design, texture and/or material that it could be reproduced only with great difficulty and/or expense.
- 4. The structure is not preserving or protecting an area of historic interest in the city.

The staff report for the cases indicated that the structures met all four of the criteria. The Architectural Review Board, in their denial of the application to demolish the structures, cited that none of the criteria had been met. A detailed response to each of the four criteria for both staff and the ARB is attached for your reference.

If you have any questions please do not hesitate to contact me at (703) 257-8231 or jcollins@manassasva.gov

Sec. 130-406 of the City of Manassas Zoning Ordinance

(e) Demolition of a contributing or historic structure.

The ARB shall issue a certificate of appropriateness to raze, or demolish, a contributing or historic structure if the ARB finds that the structure meets at least two of the following criteria:

1. The structure is not of such architectural or historic interest that its removal would be a significant detriment of the public interest.

STAFF: The vernacular architecture of the house can be found in many other locations in the Historic District that are better, more preserved examples of this type and style of housing.

ARB: The house preserves the neighborhood as it was circa 1920.

2. The structure is not of such significance that it would qualify on its own merit as a national, state landmark or local historic structure.

STAFF: While listed as a contributing structure, the house is not currently on the City's Historic Landmark's list. Nothing in the historic surveys indicates that the house would be eligible per the criteria in Section 130-403.

ARB: The Structure is eligible for designation as a local historic landmark via Section 130-403 criteria (c) *The structure exemplifies or reflects the architectural, cultural, political, economic, social, or military history of the nation, state, or community.*

3. The structure is not of such old and uncommon design, texture and/or material that it could be reproduced only with great difficulty and/or expense.

STAFF: The house details are not that unique that they could not be reproduced. Exterior materials have deteriorated to the point that they need replacement. Interior detailing has been compromised.

ARB: House details are unique and could only be reproduced with great difficulty and /or expense.

4. The structure is not preserving or protecting an area of historic interest in the city.

STAFF: Fabric of neighborhood has eroded and is no longer intact. Of the 20 structures in the neighborhood, 11 (55%) were constructed after 1940. 8 (40%) of the structures are not owner occupied. Of the properties along Liberty Street, 7 (38%) are listed as contributing in our adopted survey, 7 (38%) are listed as non-contributing, and there are 4 vacant lots.

ARB: The Structure is preserving one of the only early African American neighborhoods in the City.

AGENDA STATEMENT

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ITEM NO. 3

MEETING DATE: March 24, 2016 – Land Use Committee

TIME ESTIMATE: 20 Minutes

AGENDA ITEM TITLE: Discussion on Water Tower

DATE THIS ITEM WAS LAST CONSIDERED BY COUNCIL: February 22, 2016

SUMMARY OF ISSUE/TOPIC:

At the February 22, 2016 meeting, Council approved a motion to uphold the decision of the ARB denying the demolition of the water tower, refer to the Land Use Committee for further discussions on the future of the water tower, and authorized the Mayor to sign a letter to the National Park Service and Commonwealth of Virginia supporting the nomination and listing of the water tower to the National Register of Historic Places and the Virginia Landmarks Register.

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: \$180,000-\$200,000 for continued use of water tower
\$95,000-\$105,000 to disconnect from water system and maintain as historic structure

The City Council has previously budgeted and appropriated \$30,000 for CIP Project W-058 Fire House Tank Demolition. \$5,000 was expended for the historic survey as part of their review of the CIP leaving \$25,000 unspent at this time.

STAFF: Allison Whitworth, Planner, Community Development *AWW*

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MEMORANDUM

CITY OF MANASSAS

Department of Community Development
Phone: 703-257-8223 Fax: 703-257-5117

TO: The Hon. Mark Wolfe, Councilmember
Chairman, Economic/Community Development and Land Use
The Hon. Sheryl Bass, Councilmember
The Hon. Ken Elston, Councilmember
The Hon. Ian Lovejoy, Councilmember

FROM: Allison Whitworth, Planner, Development Services *AW*

DATE: March 16, 2016

RE: Water Tower Update

Background

At the February 22, 2016 meeting, City Council approved a motion to deny the appeal of ARB Case #2014-14, upholding the ARB's decision to deny demolition of the water tower located at 9000 Quarry Street. The motion also referred the water tower to the Land Use Committee for further discussions on the future use and authorized the Mayor to sign a letter to the National Park Service and the Commonwealth of Virginia supporting the nomination and listing of the water tower to the National Register of Historic Places and the Virginia Landmarks Register. A draft of the nomination, with the letter of support signed by the Mayor, was submitted to the Virginia Department of Historic Resources on February 26, 2016.

National Register Designation

National Register designation is an honorary recognition of the significance of a property that places no obligations on property owners. There are no restrictions on the use, treatment, transfer, or disposition of property as long as there are no Federal monies or Federal licensure involved. If a Federally funded or Federally licensed project impacts a property listed on the National Register, the Advisory Council on Historic Preservation is given an opportunity to comment. Properties listed on the National Register may also be eligible for certain grants for preservation and maintenance. While National Register designation does not place any requirements on the property owner, grants may possibly place conditions or restrictions on the use or alteration of the property.

Next Steps

The final draft of the National Register nomination is due by April 1, 2016. As part of the review, the Virginia Department of Historic Resources will notify the affected property owner

and the local government and solicit public comment. It is anticipated the National Register nomination would be approved in early August of this year.

If you have any questions please do not hesitate to contact me at (703) 257-8247 or awhitworth@manassasva.gov.

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AGENDA STATEMENT

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ITEM NO. 4

MEETING DATE: March 24, 2016 – Land Use Committee

TIME ESTIMATE: 40 Minutes

AGENDA ITEM TITLE: Update on City's Property Code Enforcement and Rental Inspection Programs

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

**SUMMARY OF
ISSUE/TOPIC:** The City of Manassas has been proactive in addressing issues of neighborhood deterioration. The attached memorandum and presentation to the Land Use Committee provides updates on the City's Property Code Enforcement and Rental Inspection Programs.

**STAFF
RECOMMENDATION:** Staff recommends:
1) That the Land Use Committee review the current list of proactive enforcement items and confirm that these items all remain a priority for proactive enforcement.
2) Continue the Rental Inspection District Program as a complaint based enforcement program.

**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:**

STAFF: Matthew Arcieri, AICP, Planning & Zoning Manager (703-257-8232) 



MEMORANDUM


CITY OF MANASSAS

Department of Community Development

Phone: 703-257-8223 Fax: 703-257-5117

TO: The Hon. Mark Wolfe, Councilmember
 Chairman, Economic/Community Development and Land Use
 The Hon. Sheryl Bass, Councilmember
 The Hon. Ken Elston, Councilmember
 The Hon. Ian Lovejoy, Councilmember

THRU: Elizabeth S. Via-Gossman, AICP, Director

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

DATE : March 18, 2016

RE: Update on Property Code Enforcement and Rental Inspection Program

The following memorandum provides an update on the City's Property Code Enforcement program and Rental Housing program as requested by the City Council's Committee on Economic/Community Development and Land Use (LUC).

Property Code Enforcement Update

The City of Manassas has three property code inspectors and one supervisor, who also serves as a full-time inspector. As part of the division's FY16 work program, several new initiatives are underway:

1. The current adopted City budget includes a new performance measure for the Property Code staff. Inspectors are now expected to have a case abated or transferred to the City Attorney's office for legal action within 45 business days.
2. Using new data from the Citizen Satisfaction Survey, as well as existing data including workload measures, the City's four inspection districts have been revised to better align with neighborhoods, commercial corridors, and caseloads.
3. A revised civil penalty process for zoning has been implemented. Code Enforcement is focusing on using the process to address inoperable vehicle complaints.

Proactive Code Enforcement

In March 2007, City Council directed staff to implement proactive code enforcement of zoning and property maintenance violations and other city related items that were felt to have the biggest impact on community appearance. This “dirty dozen” list included:

Property Code Enforcement

- Trash (also Public Works - Solid Waste and Street Divisions.)
- Graffiti
- Parked vehicles on lawns and inoperable vehicles
- Commercial vehicles in residential neighborhoods
- Signs on public right of way
- Broken windows
- Damaged fences
- Weeds and grass over 12 inches
- Vacant structures (unsafe dilapidated structures)

Other City Departments

- Leaning public signs
- Potholes
- Exposed cable cords

As the proactive code enforcement program approaches 10 years, there has been an overall decrease in Code Enforcement cases; however, the proactive approach has not always been successful in addressing significant, ongoing issues on a smaller number of properties in the City. Frequently, these properties have open code enforcement cases lasting multiple months or years. Alternatively, Code Enforcement repeatedly addresses issues on these properties, such as new trash or tall grass, only to have issues reoccur within weeks or months of the previous abatement. Identifying repeat offenders and addressing the long-term impacts of these properties will be a focus of Code Enforcement in the upcoming year.

Staff has also identified a significant issue regarding processing of Code Enforcement cases in a timely manner – service of violations or summonses to absentee property owners. If the property owner refuses to accept a violation through the mail or lives outside of the City or Prince William County, staff is often unable to proceed with processing the case. Staff will be reviewing internal processes as well as City Codes in FY17 to identify changes that may be needed to address these situations. The proposed FY17 budget includes a new line item within the existing Community Development budget to cover potential costs of private service or enhanced certified mail.

Rental Housing

In January 2015, the Land Use Committee (LUC) received an update on the Rental Housing Program. As part of that update, the Committee directed staff to proceed with two short-term recommendations to improve the program and compliance:

1. Eliminate the initial inspection fee (a fee is still charged for any follow-up inspections).
2. Send a rental district reminder to all 860 properties in the Georgetown South rental inspection district.

Of the two actions, the elimination of the initial inspection fee has been successful in increasing landlord compliance. However, the rental district reminder yielded only two additional requests for inspections. The lack of a method of proactively and legally identifying rental properties in the district remains a constraint of the program. In addition, if both the landlord and the tenant deny entry the only recourse is to seek an inspection warrant, which is difficult if no probable cause is documented.

RENTAL DISTRICTS	TOTAL UNITS/ ESTIMATED RENTAL UNITS (ESTIMATED PERCENT RENTAL)	RENTAL CERTIFICATES ISSUED JULY 2013 TO DECEMBER 2014	RENTAL CERTIFICATES ISSUED 2015
Georgetown South	860/452 (53%)	81	91
Holmes Heights	42/26 (62%)	1	2
Manassas Gardens	34/26 (76%)	2	8
TOTAL	936/504 (54%)	84	101

Conclusion and Recommendations

As mentioned earlier, the City adopted proactive code enforcement¹ in 2007 and we are coming up on almost 10 years of experience with this program. As we move into the next decade of code enforcement, the staff has evaluated the current program and makes the following recommendations for the policy's continuance:

¹ Proactive is as opposed to complaint based. Staff continues to investigate any complaints submitted by members of the public on any potential code violation.

1. Review and confirm the list of code violations for proactive enforcement. The staff does not proactively enforce the entire list of city applicable codes (zoning, property maintenance and trash). This would be impossible with 3.4 FTEs (Full-time equivalent positions). As the current list has not been reviewed since 2007, Staff seeks confirmation that the following items remain a priority for proactive enforcement:
 - Trash (also Public Works Solid Waste and Streets.)
 - Graffiti
 - Parked vehicles on lawns and inoperable vehicles
 - Commercial vehicles in residential neighborhoods
 - Signs on public right of way
 - Broken windows
 - Damaged fences
 - Weeds and grass over 12 inches
 - Vacant structures and/or unsafe dilapidated structures (Note: a structure being vacant is not necessarily a violation of any code unless it is not being maintained properly).

2. Continue the Rental Inspection District Program as a complaint based enforcement program. In January, 2015, the City staff and LUC considered recommending abandoning the program because it was impossible to identify rental landlords unless they came forward voluntarily or owned a number of units. It was determined that the staff would continue the program for another year with two improvements discussed previously. Staff recommends that the program remain on the books but does not have the manpower to proactively research and identify rental housing in the districts. We suggest it stays on the books because it is an important tool for compliance if a complaint is submitted by a tenant or the Department of Family Services identifies issues during a home inspection for Section 8 compliance. Making this program complaint based would enable additional staff resources to be redirected to the abatement of systemic and long-term violations on specific properties.

3. Lastly, the staff is working with the City Attorney to review the City's Property Maintenance and Rental Inspection codes for improvements and additional civil penalties. These recommendations will come back to the Committee at a later date for recommendation to the City Council.

Attachment: History of Property Code Enforcement

ATTACHMENT 1: HISTORY OF PROPERTY CODE ENFORCEMENT

The City of Manassas has been very proactive in addressing issues of neighborhood deterioration. The following timeline provides an overview of City efforts:

August 13, 2003 (amended July 20, 2005) City Council adopted Ordinance #O-2003-42 to prohibit the parking of any vehicle on grass or other non-impervious surfaces and to limit the amount of total area on a residential lot devoted to parking and driveways.

July 1, 2006 The City Council adopted FY07 operating budget includes a new neighborhood enhancement program and a new position of Neighborhood Services Manager is hired 11/13/2006 to develop partnerships between City, non-profit and community resources to enhance neighborhood appearance and resolve issues. The indicators of success at the time of the adoption of the program included:

- Reduction in the # of complaints coming directly to the City Council
- Percent of residents who say their neighborhood is clean and attractive
- Number of active homeowner's association
- Percentage of City served by an active HOA or other association
- Number of neighborhood projects completed
- Number of volunteers and hours donated
- Tons of trash and debris collected
- Number of neighborhood plans developed

March 12, 2007 City Council adopts Resolution #R-2007-63 identifying neighborhood preservation as a city priority and directing City staff to implement proactive code enforcement and by policy approved a "dirty dozen" list of zoning and property maintenance violations and other city related items that were felt to have the biggest impact on community appearance. The "dirty dozen" included:

- Signs on public right of way
- Parked vehicles on lawns, inoperable vehicles
- Trash (abandoned TV's, monitors, etc)
- Exposed cable cords
- Graffiti
- Leaning public signs
- Potholes
- Broken windows
- Weeds and grass over 12 inches
- Commercial vehicles in residential neighborhoods
- Damaged fences
- Vacant structures (unsafe dilapidated structures)

At the time of the adoption of this ordinance, the “dirty dozen” was enforced by a team of zoning and building inspectors, the police department, and public works staff. Since then the City has consolidated the proactive enforcement of these items within the Property Code Enforcement Division of the Department of Community Development. PCE officers provide proactive enforcement of these items as well as rental inspections and complaint-based enforcement of other violations pursuant to the direction of the City Council and the City Manager.

October 12, 2009 City Council adopts Ordinance #O-2010-04 related to graffiti prevention and removal upon the 2009 General Assembly passing legislation authorizing local governments to enact a local ordinance to require any person convicted of graffiti to pay full or partial restitution to the locality for costs incurred to remove the graffiti.

May 24, 2010 City Council adopts Ordinance #O-2010-20 relating to dangerous structures, derelict buildings and spot blight abatement to enable the City through Property Code Enforcement to order compliance with property maintenance laws or by performing the necessary repairs and collecting the costs of those repairs by means of a lien on the property in the same manner as a tax lien.

July 9, 2012 City Council adopts Ordinance #O-2012-13 which provides that violations of the below listed zoning provisions shall be punishable by a civil penalty (fine) of \$200 for the initial summons and \$500 for each additional summons with a warning being issued prior to any civil penalty. Violations subject to civil penalties include the following:

- Broken or illegal Fences
- Illegal Signs (except signs on public right of way)
- Lack of Trash enclosure receptacles
- Failure to use parking lots and loading spaces in accordance with zoning
- Obstructions that impair vehicular sight distance
- Illegal home occupations
- Trash (storage of paper, rags, scrap metals, etc.)
- Inoperable vehicles or illegally stored vehicles (parked on grass)
- Alteration of a historic structure without a certificate of appropriateness
- Keeping animals in violation of the zoning ordinance
- Constructing accessory structures in violation of the zoning ordinance

May 14, 2014 City Council adopts Ordinance #O-2014-14 which updates the City Solid Waste Code. Property Code Enforcement has been delegated enforcement of the Ordinance, effective July 1, 2014.

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AGENDA STATEMENT

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ITEM NO. 5

MEETING DATE: March 24, 2016 – Land Use Committee

TIME ESTIMATE: 15 Minutes

AGENDA ITEM TITLE: Review of Potential Properties for Economic Development Opportunities

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

**SUMMARY OF
ISSUE/TOPIC:** Staff will present a preliminary analysis of vacant land and potential sites that could be marketed for economic development in the City.

**STAFF
RECOMMENDATION:** Information 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

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AGENDA STATEMENT

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ITEM NO. 6

MEETING DATE: March 24, 2016 – Land Use Committee

TIME ESTIMATE: 15 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 (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, as permitted by Virginia Code 2.2-3711 Paragraph A (3) 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)	

Applicable Economic Development Sections for Closed Session

Virginia Code § 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, since discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City;
 - 5. Discussion 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;
 - 6. The investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.
 - 7. [part 1] Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, since such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body;
 - 7. [part 2] consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.
 - 13. Discussion of strategy with respect to the negotiation of a siting agreement or to consider the terms, conditions, and provisions of a siting agreement, it being the finding of the City Council that an open meeting would have an adverse effect upon the negotiating position of the City or the establishment of the terms, conditions and provisions of the siting agreement, or both.
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Filler Page

AGENDA STATEMENT

PAGE NO. 29

ITEM NO. 7

MEETING DATE: March 24, 2015 – Land Use Committee

TIME ESTIMATE: 5 Minutes

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

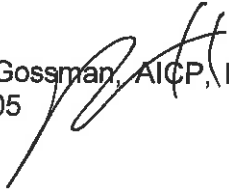
CITY MANAGER: Approve Disapprove Reviewed See Comments

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 FY16
March 24, 2016

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Issue/Project/ Priority	Date Initiated/ Key Dates	Date Due to City Council	Staff Assigned	Description	Status
HIGH PRIORITY					
Parking Ordinance Update(Phase 2 ZO)	June 3, 2015	June 30, 2016	Arcieri	Update parking standards in non-residential districts.	Planning Commission (PC) worksession held on July 1, 2015; PC review initiated and tentatively scheduled for Council adoption in April/May 2016.
Spot Blight Abatement and Civil Penalties for Property Maintenance Code Violations	May, 2015 (Mayor)	December 14, 2015	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. Staff has also been working on a new ordinance for fines for property owners that fail to comply with property maintenance code standards.	Presented to LUC on 9/24/15; Finance Committee on 11/18/15; City Council adopted 12/14/16; Appraisal update scheduled for 1/27/16.

City Council Land Use Committee (LUC) – Project Status FY16
March 24, 2016
 Page 2 of 4

Issue/Project/ Priority	Date Initiated/ Key Dates	Date Due	Staff Assigned	Description	Status
MEDIUM PRIORITY					
Airport Zoning/Overlay District Update (Phase 2 ZO)	July 1, 2015	June 30, 2016	Davis	Update zoning ordinance with recommendations from Airport Commission	Worksession with Airport Commission 11/14/15; PC review initiated and tentatively scheduled for Council adoption in April/May 2016.
Historic Overlay District, B-3, B- 3.5 Update (Phase 2 ZO)	July 1, 2015	June 30, 2016	Whitworth	Update the Historic Overlay District and underlying zoning districts with recommendations from ARB, business community, etc.	Worksession with ARB 10/27/15; PC review initiated and tentatively scheduled for Council adoption in April/May 2016.
Mathis Avenue Implementation Survey for Economic Development	April 23, 2015	June 30, 2016	Davis	Research implementation strategies for the Mathis Avenue Sector Plan.	Research underway.
Parks, Recreation, and Cultural Master Plan	July 1, 2015 (Budget)	September 30, 2016	Via-Gossman, Wilson-Sognuro	Comprehensive master plan for parks, recreation, and cultural facilities including looking at an update to the City's bike trail plan and delivery of parks, recreation, and cultural services.	Public input meetings completed November 2015; Citizen survey to be distributed January 2016.

City Council Land Use Committee (LUC) – Project Status FY16

March 24, 2016

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Issue/Project/ Priority	Date Initiated/ Key Dates	Date Due	Staff Assigned	Description	Status
LOW PRIORITY					
Housing and Neighborhoods Environmental Scan	July 1, 2015	TBD	Via-Gossman, Wilson- Sogunro	This project was unfunded in the FY16 budget but Staff will use existing City data on housing values, crime, code enforcement, etc. to identify neighborhood issues and priorities for rehabilitation, conservation, and redevelopment.	Working with the VA. Dept. of Housing & Community Development to see if grant money is available to undertake a study of City neighborhoods.
Final Zoning Ordinance Technical and Admin. Updates (Phase 3 ZO)	December 1, 2015	September 2016	Arcieri, Davis, Whitworth	Remaining technical and administrative updates to the Zoning Ordinance.	Staff research and drafting underway. PC Review to begin April 2016 with final adoption scheduled for July/August 2016
Sign Ordinance Update	July 1, 2015	September 2016	Davis	A recent Supreme Court decision on zoning regulations for signs may necessitate an update of the City's sign ordinance particularly as it relates to temporary directional signs.	Research underway to understand implications of SCOTUS decision and impact on local land use regulations.
Food Trucks	3/26/15 (Requested by Mike Hoover)	September 2016	Arcieri	Reconsider allowing food trucks to park on public and/or private land in limited circumstances.	Presented at LUC in July 2015. Added to zoning update work plan for Spring, 2016 (Phase 3 ZO).

City Council Land Use Committee (LUC) – Project Status FY16
March 24, 2016
 Page 4 of 4

Issue/Project/ Priority	Date Initiated/ Key Dates	Date Due	Staff Assigned	Description	Status
LOW PRIORITY					
Dean Park Master Plan	January 1, 2016	TBD	Via-Gossman	An update of the park master plan.	To be initiated after Phase I Parks, Recreation, and Cultural Master Plan completed.

COMPLETED

Issue/ Project/ Priority	Staff Assigned	Description/Disposition
Downtown Parking Task Force/ High	Davis	Update 2004 Downtown Parking Task Force and Recommendations; Presented to LUC 7/23/15 and Council 9/14/15; short-term implementation complete
Technical Updates to the ZO (General Assembly)/ High	Arcieri	Reestablish annual fall updates to the ZO based on Virginia General Assembly changes and other technical items. BZA amendments approved by Council on 1/25/16.

City Council Land Use Committee (LUC) – Pending Land Use Cases

March 24, 2016

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 Rd.; 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-16-02; Gateway Proffer Amendment	1/8/16	Via-Gossman	Proffer amendment to change 165 approved multi-family units to townhomes and update the general development plan, design guidelines, and elevations.	Application accepted: 1/8/16 PC recommended approval: 3/2/16 CC hearing: 3/21/16
SUP-16-01; Life Celebration Center, LLC	6/26/15	Davis	9510 Technology Dr.; SUP to allow 400-seat place of assembly.	Application accepted: 10/7/15 PC recommended approval: 11/4/15 CC approved: 3/14/16
SUP-16-04; 7-11 LLC, Wellington Road	10/8/15	Davis	9299 & 9291 Wellington Rd; SUP to allow a gasoline station.	Application accepted: 10/9/15 PC recommended approval: 2/3/16 CC approved: 3/14/16
SUP-16-05; Mathis Trucks Unlimited	3/2/16	Davis	9107 Mathis Ave.; SUP to allow motor vehicle repair. The repair use will be limited to the installation of motor vehicle parts sold at the "Trucks Unlimited" retail store located onsite.	Application accepted: 3/2/16
SUP-16-06; Manassas Junction Bed & Breakfast	3/14/16	Davis	9311 Prescott Ave.; SUP amendment to permit one additional guest suite at the existing bed and breakfast.	Application accepted: 3/15/16

Board of Zoning Appeals:
None

City Council Land Use Committee (LUC) – Prince William County Pending Land Use Cases
 March 24, 2016

Case Name	Address/ Description	Status
Wilson's Corner	4 single-family detached homes at 8109 Signal Hill Road	Planning Commission Recommended Approval: March 2016
Lindsay Volkswagon	Special use permit (SUP) for motor vehicle sales and service at 8200 Centreville Road (former Kline's Freeze site)	Under County Staff Review
Goodwill	SUP for donation Center in future Prince William Commerce Center at PW Parkway & Liberia Ave	Planning Commission Recommended Approval: March 2016
Grant Avenue Assemblage	Proffer amendment for an additional 28 units at New Dominion Square development	Planning Commission Recommended Approval: March 2016
New Dominion Square	Proffer amendment to allow additional road connection to Grant Avenue and one additional single family detached home in the New Dominion Square development	Planning Commission Recommended Approval: March 2016
Comprehensive Plan: Thoroughfare Plan Amendments	<ol style="list-style-type: none"> 1) To remove the Bi-County Parkway from the plan. 2) To reduce the number of <u>planned</u> lanes on Route 234 from six lanes to four lanes between Brentsville Road and Country Club Drive. 	<ol style="list-style-type: none"> 1) BOCS Approved: March 2016 2) Planning Commission Deferred Indefinitely
Comprehensive Plan Amendments	<ol style="list-style-type: none"> 1) Kline Property (Prince William Pkwy. at Liberia Ave.) with an Expanded Study Area 2) Innovation Town Center with an Expanded Study Area 	BOCS Initiated Review: March 2016