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[00:00:10] I'll tell you. Okay, I did good. Please call the roll. Thank you. Mayor Davis-Younger. Present. Vice Mayor Walsh. Council Member Ellis. Here. Council Member Smith. Here. Council Member Ocina.

[00:00:26] Here. Council Member Vasquez-Skula. Thank you. Council Member Heighton. Here. Yeah, that's okay. All right. Thank you all.

[00:00:46] This is item 1.1, ordinance number 0-2026-455-0.1, zoning text amendment status. I'll take this one and let Christian have the next one for you.

[00:01:05] Council member. Thank you, Your Honor, members of council. So this is a follow-up from your December 8th public hearing. I have the council presentation for that in case there's any questions, but this is obviously a zoning text amendment that the Planning Commission has been working on for the last year to address some of the impacts for certain industrial uses, but obviously our focus is on data centers and making sure that we codify some of the performance standards that we have up to this point been able to work with the ones that are under construction voluntarily.

[00:01:37] So just a little lay of the land, you know, data center construction is an issue that has been concerned from city residents. They're currently allowed by right in all of your industrial districts, one under one complete, three under construction, and the airport is actually no longer under review. It's moving into construction.

[00:01:56] And that's just generally where we are right now. I'm going to skip over these. Again, the set of proposals that are before you this evening are actually broader than data centers because when you look at some of the land use impacts of a data center, such as bulk and amassing, potential for noise, setbacks from residential, it actually applies to a whole bunch of our fire right uses in our industrial districts, so light manufacturing, truck terminals, warehouses distribution.

[00:02:22] A data center is essentially a very large warehouse and distribution in terms of bulk and massing, It just doesn't have as many trucks as a warehouse does. So Planning Commission has drafted a set of standards for your consideration that covers all the issues that we've heard to date, including architectural, the significantly enhanced setback adjacent residential.

[00:02:43] That's really important on the east end of the city where we don't have any data center development or other large industrial users, but you're right up on some of those older residential neighborhoods, such as Battery Heights when you get along the railroad tracks over there. Requirements for noise study and mitigation and then making sure we address mechanical equipment. The planning commission and staff also separately defined data centers pulling it out of the warehouse definition. But as drafted, the user remains my right in I1 and I2 with these enhanced performance statements.

[00:03:15] So you held your public hearing, you closed your public hearing. We recommended him taking you into the work session tonight so we could answer any additional questions. It would be scheduled for your 126th council meeting for first reading. And I stand for any questions or feedback along with Christian.

[00:03:33] Thank you. Do we know before we want the transmission, did you remember what the concern was? Madam Mayor, Commissioner Perez did not give a reason.

[00:03:49] He did not offer one. The facade guidelines, can you talk about kind of where that came from? I think a lot of the public's concern is just the overall appearance of data centers.

[00:04:07] So can you talk about what that kind of means in layman's terms a little bit? I'll say Christian, when they draft them, you see benchmarks against a number of other jurisdictions, Prince William County, Fairfax County, to come up with this. But I'll let you talk through what they actually do. Absolutely. Yeah, Council Member Hudson, the idea was that, The idea was to break up the bulk and massing of them and also to control for smaller data centers versus larger data centers.

[00:04:32] So, for example, a smaller data center, I believe it's less than 100 feet in length, at least 30% of that length has to have some kind of facade change to be a window, change in color, change in architectural fenestration. Within that ordinance, there's also potential for someone, if an applicant came forward with enhanced landscaping to cover the facade so you don't see it, that's certainly another way to get that.

[00:04:54] But ultimately, the idea was that as someone is driving by, walking by, it's not as oppressive on them. So, that's the idea. And within that, is there a set of color standards, or is it just variation of design?

[00:05:11] It's variation of design, and we cannot set color standards. I mean, at your warden's standards today, you get a 75-foot tall, not just data centers, industrial use. said is a very big box there's no requirements for breaking up the massing or adding windows or otherwise so this really closes not just a potential issue you could have in the future with data centers but with any of these really large industrial buildings i guess uh you know if you think about the like data centers are getting longer and longer like

they used to be kind of one segment now there'd be two or three connected all at once and you see you know loud

[00:05:47] County Parkway, a wildly extensive looking building. So I think, you know, as I guess, I don't know how much say we'll have as they come before the city. But, you know, when I drive down Wellington and I see the more glass features, that's a lot more appealing and just nice looking buildings compared to some of the really large scale ones you're seeing in other places.

[00:06:13] And that was negotiated voluntarily between the staff, myself and the Economic Development department and the Amazon data services. So that was something we did voluntarily. We were fortunate that they were receptive. It's our gateway corridor, but I could never promise you that every data center or industrial user would be that open to staff's feedback. So that's one of the reasons we want to clarify.

[00:06:37] This is the one with access to creditors. Anyway, I appreciate the updates and the improvements and the changes I think we're headed in the right direction.

[00:06:56] We may be always there, but given the subject of data settings and the unknowns Looking at the NOAA study, obviously you're concerned and addressed the question that residents have raised about NOAA's.

[00:07:12] What we don't know is when does NOAA's either subside or increase in data centers because we haven't had data centers in our history. So I appreciate, I don't know, we're on the item NOAA standards in section 136-1 where you talk about NOAA standards and meet the requirements of chapter 58 and so forth.

[00:07:37] so forth. And on the item two, you talk about the study, and B, item B is what, sub B, is what I'm just quite sure to remind. That is a post-construction NOAA study shall be submitted within 30 days after the use of equipment, and so forth. Great. Do we need to consider now, or what about 30 months, five years, two years after? Will we be asking them, will

[00:08:13] someone be returning to the NOAA study thing to see this get worse. So overall it's tied back to your noise ordinance. So chapter 58 article one is actually the city's noise ordinance and you recall council two about two years ago tightened up the standards already so I would say to go beyond that kind of 30-day post evaluation which is very specific we had a couple data sets in the county remember post construction had real issues with the ventilation systems and they had to go back and retrofit so that's why we wanted that 30 days post but I'd say longer term council would probably want to look at its noise ordinance and take a deeper dive and see if there's something else we needed to address and how that ordinance is designed

[00:08:52] the counties I don't know if they've adopted but they've written a much more complicated detailed noise ordinance that gets into different types of sound and stuff like that that they're starting to look at regulating our noise ordinance isn't nearly that complicated but that would be something council we might want to follow up in the future and see if there's other changes in our overall noise code that we need to I'm sure there's some number of noise I'll

[00:09:21] get used to like my HVAC guy told me I don't know what they said as the motors get over as the quickly whatever so as long as we were aware of a plan to particular revisit at some point and say what's the noise coming out that that was my concern thank you ma'am that it would be revisited after later right some some way of monitoring

[00:09:56] notice i was not first and some of the questions here along the way i had a the last shall be first you're right on that um so thank you mayor um so first of all um

[00:10:15] Going to the noise, I think that there's, from what I've been able to observe, the two things that residents, no matter where they live, data centers are being placed, most concerned about is one, the noise, and two, our setbacks.

[00:10:40] So let's talk about that a little further. I appreciate Councilman Smith bringing up about the noise. My position would be that revisiting the noise ordinance should be a sooner rather than a later.

[00:10:58] So, A, we stay ahead of whatever is coming out, but also as we know that that has just been a real source of, I understand why, concern.

[00:11:15] It's not your air conditioner going off in the backyard and then it shuts off and then goes back on and shuts off. Or if you're in, like I am, a townhouse community, one neighbor's goes on, shuts off, mine goes on, shuts off, and so forth and so on.

[00:11:32] It's rare that they're all going, and they're not all going at the same time, necessarily. But that's not the case with data centers. So I would encourage staff to put that on an expedited case.

[00:11:50] Maybe nothing needs to be changed in what we have, but to be absolutely sure. So staff, the Planning Commission, and ultimately this council can have an opportunity to look at that to be sure that, and give our residents a chance to weigh in as well along the way here.

[00:12:11] So talking about, I'm looking at the actual ordinance with the red lines, and I'm seeing these setbacks, which are also for light manufacturing and warehousing and all that, but data centers, which is where I'm focused on.

[00:12:31] So it says here, structures that exceed 25 feet and height. So help me as a layman, how many stories is 25 feet? Two stories. Two-story buildings, 25 feet. So roughly we're saying anything taller than two stories.

[00:12:48] And the brickyard is how many stories? Stories in height are, you know, there's... How many feet then? I don't know off the top of my head, but it's more than 25 feet, significantly more. Okay, and the ones being built on Dean Drive, same thing?

[00:13:05] Yeah. All right, along the way here. And it talks about an additional setback of two and a half feet for every foot of height above 25 feet here. So the current setback for a 25-foot tall building is what?

[00:13:21] If you're up against a residential district, it would be 25 feet. If it's up against an industrial district, it's actually zero feet in our current. So it's 25 feet in a residential. If it's up against a residential...

[00:13:38] Industrial, abutting, residential, it requires automatically a 25-foot landscaped buffer. So that's how our current code is written. This would, once you go up at 25 foot, which most of these big buildings do, will require 2 ½ feet for every additional foot.

[00:13:53] It basically maxes you out at 125 feet. If you exercise the city's height limit and industrial 75 feet, you'd end up at 125 foot setback. So let's hypothetically take a data center that's being built, and it's 25 feet, and then at a later time, Don't ask me how this happens, but at a later time, a residential neighborhood is built next to it.

[00:14:29] We're not going to get into how it was zoned and what happens, but it happens to whom is the appropriate setback fall upon. Does it fall on the new development that they have the appropriate setback from the data?

[00:14:51] This guy's my example of a data center, or what? It renders the existing data center non-conforming because they do not have the required 25 feet. In your scenario, council is also actively approving a rezone, which means we would want to counsel planning commission staff would want to probably have the residential developer do something on their side because we wouldn't be able to, as a grandfather property, we can't go back and retroactively force the data center or big building to provide that offer.

[00:15:20] So that would be a very tricky rezoning, and we have a lot of things, council, staff, and a lot of questions about how you appropriately mitigate against the industrial user. Okay. So I'm thinking of where, for instance, you have an airport, and then all of a sudden, you know, subdivisions start getting built up around it, and then there are the complaints about the noise and smog or, you know, whatever along the way, and I'm just trying to figure out to whom the onus on.

[00:15:52] it falls upon irregardless of how we got to that point here okay so up to 125 feet okay well I feel a lot better because I do think again setbacks are important that's the other thing where people have complained that data centers are much too close to residential areas in particular but I can see also offices or you know something of that that sort it's not in

[00:16:22] The other question I had, and it goes to the attached PowerPoint, let me find it, I'm sorry, yes, you know, the PowerPoint, and there is one, two, three, four, this, yes, explain that to me.

[00:16:57] So, when I was doing my presentation at the December 8th meeting, I, you know, I started off, I'll back you up one slide. So, this doesn't have the zoning. This is the western side of the city's western and eastern industrial areas are very different from a land use perspective.

[00:17:13] The western side along Nostle Road, Goblin Drive, is what we call a large campus style. Generally, large lots is where your Micron is. That's where your Lockheed Martin campus is. There's a natural buffer with the railroad and Winters Branch, Dean Park, it keeps this area separated.

[00:17:28] from Wellington and other residential neighborhoods. And so we've been largely successful with our voluntary mitigation to get these sites about as well-sighted as you can for a larger building. So even two that are under construction on Technology Drive, when you go down Noakesville Road, even with the leaves off the trees, you've really got to crane your neck and notice that they're back there.

[00:17:47] So it's about as good as you can do with an as-it-right site development. I cannot guarantee on the eastern end of the city, where you can see that brown at the bottom, that is Battery Heights, right up against I-2 heavy industrial, and data centers are getting smaller. You know, they're looking for less land.

[00:18:05] They're looking for any land they can. So on the opposite side, you can see it's abutting our mobile home communities. You could have some real problems out here with a by-right data center, and if we couldn't successfully negotiate voluntarily, you really could have an issue with industrial right up against residential.

[00:18:22] And I don't want to be a Loudoun County where you go into parts of Loudoun County and you see a department building up against a data center. So we have an opportunity, since we have nothing

active on this side, to fix our code and close some of these potential goals. I do appreciate that. As you started the talk and came back to me here, that that was all last year here.

[00:18:42] But I do appreciate the foresight in doing that along the way here to explain that. So, Mayor, I appreciate the chance to ask. That's all I got. So, yeah, a couple.

[00:19:02] Back to that map, so when you say fix the code for those regions, the landowners, how do they get notice that this is going to affect the use of their land? The use is not changing.

[00:19:20] These uses... It's just standards are going to be in place. The standards are more restrictive. How do they get notice of that? The public hearing process that you went through. In the public hearing. Well, I mean, first you have the Zorks, so they had a couple public meetings, so it's a series of public meetings, and then the two advertised public hearings, first for the planning commission and then the work.

[00:19:36] Okay, so just a general public meeting. It's not noticed, not noticed to it's property. Text amendments, we do a lot of meeting publicity, but we don't notify a specific problem. So I know you have the one map on here of existing data centers that we are looking for.

[00:19:58] Then I'm assuming this land, I'm confused, I know at one time we talked about where we could put data centers in the city when there was a lot of discussion about this. And there weren't a lot. But now it seems like there's more. So we're taking away the 1A for the airport.

[00:20:18] Has that become, that's now prohibited? That would become a prohibited use. And the city of Manassas owns all 1A zone property. With the exception of the AWS property that you sold. Okay. Airport zone.

[00:20:34] I guess the question, there's a couple things. It looks like they looked at facade, noise, and setback. three there were three things they looked at did they look at like electric current monitoring at all is there anything in place to see how that will I don't know the data on that I haven't done any research but the generally the way our development codes work is that is separately so any development when it comes in is going to have to work with both our water sewer department with our electric department to provide all the data on their expected loads or expected usage and then the pipes and the wires that serve them they are required as the

[00:21:10] developer to upsize accordingly and then they also for one consumer they have to pay significant availability charges depending on how so two data centers are leave work north of four million dollars in availability fees that go into your capital projects so we have a lot of built-in stuff on the utility side okay so what about like the electric monitoring environmentally and the impact of people's health is there anything in place in any of the jurisdictions that are looking at any of that yet okay um our green space recommendations for the

[00:21:46] city since we're just 10 square miles where are we with that um i know that in the past because i'm a business owner i've seen businesses that were ready to build to capacity and then we changed our green space requirements in the city this is back 30 years and then they could not build in in certain parcels because of the green space.

[00:22:11] So I'm assuming that we do have recommendations for green space in our city, and if so, where are we with that? - So your recommendations in your comprehensive plan for parkland, and we are still

out of deficit based on the standards that you've set in your comprehensive plan, that's public parkland, and then within your ordinances, you have requirements for both open space and really tree canopy.

[00:22:32] So even industrial sites have a requirement for a minimum of 10% tree canopy. upon completion and the trees can grow in. So on industrial land, it's really those tree canopy, those setback requirements is how you get your green space. Overall, you know, it's probably a separate conversation, but we are still at a deficit per your plan, and whether it's the Marsteller property or Amber, we're still actively looking for opportunities to acquire new parks for those available opportunities.

[00:23:01] So I guess there's two different things. Green space is parks, and open space is public space. Is that what you're saying? So every site is required to maintain. Any site, private or public, is required to maintain some sort of open space or green space requirement by zoning.

[00:23:19] But then we also have separate goals to enhance and expand the size of our park system to better serve the existing public. So based on the 43,000, give or take, we're underserved by public parks. And that's where the comprehensive plan sets the goal of acquiring sites or when we have on it.

[00:23:40] I'm just wondering if we can look at requiring so much open space on these lots to try to respect, like you were saying, if it's industrial, they have no setback between the two, just to have a better, maybe a better landscape.

[00:23:59] That's just something I was thinking of. Very good tree canopy and a very good landscape ordinance on this. You're going to get a lot of that on an industrial property, and then there's a different conversation about how much industrial plan from a tax base you want to eat up with landscaping.

[00:24:15] There's other parts of it that are beyond zoning, but you go too far, you're on an industrial property, that's a rateable, and you go too far, and you're eating up industrial property that can be developed. So there's a balance there between your 10% tree canopy and your landscape buffers along the streets and sides.

[00:24:32] You get a decent amount of open space even on it, especially under this code, if they max out the height, you're going to actually be well beyond that 10% minimum. maybe we can talk about that the retreat you know because you start to say i understand the tax base believe me but you're also looking at the landscape of the city you know like you're never going to get that back it's gone so the more we can create buffers to make it look better

[00:25:00] that's just fine some of the conversation has uh answered my questions but just um to make sure for me so we are are going to remove it um the data centers from uh ia zones which we pretty much own but the one that is already there is going to be by right because they already own the land and they already have a right to build it it'll become legally non-conforming so it's a grand

[00:25:42] they already do it but yeah i understand i believe that what i wanted to also um bring even though there's new standards i think staff has been very successful and we already talked about how some you know our city looks better you know you know then oh at least what what is coming up it looks a lot better than other locations which i appreciate it and i believe the new standards as a summarize are going to show that uh it's all about quality of life you know what

[00:26:17] other than the changes um my concern the only one we haven't talked about it it comes up and and I remembered about the whisper, like overnight whisper. And I know it's different and technology is

getting better. I'm concerned about the water because at my last, one of my board meetings, they were talking about that as in there's going back to regular water because it was the best place for them to cool up.

[00:26:43] But I believe we're going to, we don't have that many, so it might not be the impact, like it will be in other localities. But the whisper, I do worry about how that, and maybe this is no, what we have is going to be good enough guard rails, but if that comes up and we don't have anything on it, how can we resolve it?

[00:27:13] At least for the one that we have on the floor there. You mean the overnight noise? Yes. So, I mean, to date, we've done, we've required voluntarily and been successful. We've gotten noise studies on the Brickyard site and the three sites that are wrapping up construction.

[00:27:30] And we spend a lot of time with the data center noise consultants, really focused a lot on that nighttime sound noise. So at night, you have a lot of it is ventilation systems, and then it's the emergency generators. They test our emergency generators monthly. And so we've spent a lot of time.

[00:27:46] The noise study provision should, and I think we've been successful if we haven't had any direct complaints about Brickyard to date, But we really focused on making sure that the AC system, so you have a nighttime threshold set in your noise ordinance, making sure that the AC ventilation systems of these buildings are not breaching that.

[00:28:02] And so Brickyard, as an example, has special louver panels on their ventilation system and their HVAC so that it further mitigates the noise. And then we've also done some noise baffling on the emergency generators based off of what they're providing us in their noise studies. So the noise studies should help us to address the nighttime noise.

[00:28:19] And again, I think as Council Member Smith indicated and echoed by Council Member Ossina, we may need to revisit our overall noise ordinance at some point to better address some of that nighttime noise level. And that's a separate code from zoning ordinance, but it's probably worth taking a look at some point and really see what PwC, the county, does on their bigger noise ordinance updated.

[00:28:40] There's some good ideas that we could incorporate into our own codes. Thank you. A lot of times we know, and I appreciate the conversation, and I know sometimes it seems like it's the same question. But sometimes we have been at this for a while, but we have heard it, and I just want to make sure that our residents, or the public, or the customers, like they were talking now, they all understand that, you know, not only that we care about quality of life or what's happening, but the staff has, even without the requirement, has been proactively working on it to make it better.

[00:29:18] So you won January 26th for first reading, then.

[00:29:40] so accessory dwelling unit ordinance for you has been a product of three years of work by the planning commission they started this back in 2022 at the council's direction back then to take a look at it and so i'm just going to go through why we're here go through the ordinance and then go through potential options for the ordinance and the reality of AD development. So as we're all

[00:30:17] aware, housing attainability is a still significant issue in the city in that shifts in demographics are basically having younger members of families as well as elderly family members staying at the same home. So you're getting this concept of generational housing. And so the idea here is to create housing

opportunities without significantly redeveloping throughout the city. So finding those smaller opportunities to have some infill without creating negative impact throughout the city. Recently, the General Assembly at their last session amended Dakota, Virginia to require ADUs be addressed in comprehensive plans. And so now, we luckily had already

[00:30:54] done that five years prior, so we're ahead of the curve there. But it's definitely caught the attention of the General Assembly that ADUs are a product they'd like to see. Our comprehensive plan strategy recommends that the council explore an ADU ordinance to provide missing middle housing type to provide housing for younger elderly family members and then recently the with the 2045 update a recommendation was added to consider rentals to smaller households so when we think of an accessory dwelling unit this is what the commission had

[00:31:29] in mind typically those either the small detached units that are just in the backyard or often based in the backyard in different configurations, as well as the loft over the garage or the basement unit. So the idea is to create a variety of housing types within the ADU ordinance to allow for some flexibility for those that may not have a large backyard, for example.

[00:31:55] So what the ordinance draft before you is requested is effectively that it would be permitted on for properties with one single family detached unit that's already there on one lot in residential areas that one adu would be permitted per lot subject to ownership requirements parking requirements design and facility requirements and just to be clear it wouldn't be that you would get a detached adu and then basement adu you get one you could put it inside or you put it outside subject to the requirements if it's a detached adu we cannot exceed 800 square feet and it's subject to a minimum 10 foot setback from any structure

[00:32:32] And in the accessory structure, that includes on adjacent property. So ignoring the property lines, if there's a structure nearby, you have to have that 10-foot setback. And that's driven by fire code. That's a fire code minimum for fire safety. Attached ADUs excluding basements. So, for example, you're over the garage or if you add a part to your house off to the side, shall not exceed 30% of the single-family detached gross square footage.

[00:32:56] So if you have 1,000 square feet, you can go no larger than 300 square feet. And then basements were ultimately excluded by, recommended to be excluded by the Planning Commission because when you get into trying to divvy up a basement for an ADU, from a building code perspective, it gets very difficult to do.

[00:33:14] So it's better just to fill the entire basement. So that's why they had recommended that not be excluded. And then another price ordinance is addressing existing non-conforming accessory structures. So the Planning Commission recommended allowing those conversions to be built to an ADU.

[00:33:32] subject to the non-conforming structure requirements. And what those really, what those non-conforming structure requirements are saying is, so let's say you have a small garage in the back and you wanna add an ADU within that garage. The non-conformity would be, hey, it's actually seven feet from the property line instead of 10, you can still do it, but you're not gonna get to expand it in the future.

[00:33:52] You get your footprint and that's basically it. The draft itself, there are two items that the Planning Commission looked at addressing, but decided not to in the end. was minimum lot size um they went quite a bit we had a couple meetings just on minimum lot size and what they found was that while

you could do that they recommended not doing so because it would limit feasibility which i'll cover in the next slide um effectively adding a minimum lot size when you combine it with the kind of those hurdles to get an edu renders them basically

[00:34:26] undeveloped secondly was a limit on the number of inhabitants so the planning commission went back and forth on a set number, but ultimately what they felt comfortable was that deferring to the building code, because the building code has set standards for occupancy, so you could mathematically figure out what's an appropriate occupancy for that unit.

[00:34:46] That said, a limit of two persons was discussed at the planning commission level, but ultimately deferred to the building code. That is certainly something that could be added to address concerns about neighborhood impacts. The reality of ADU development, it does create a new supply option, but the overall numbers really expect to be quite small. They're very expensive to do. So an average unit, it's about indoor or outdoor, typically indoor about \$120,000 to up to \$400,000 for an outdoor unit. So it depends on if it's detached, if it's detached, and local building conditions such as price of

[00:35:24] construction, price of labor, whatnot. They're challenging to finance. You typically can't get a 30-year mortgage on an 80-year house. You have to get a construction loan. You have to have home equity personal savings some kind of other funding source to finance this and then from an infrastructure standpoint they're difficult to implement they're subject to the same building water and sewer fees that a single-family home is subject to so that whoever is doing is going to have to pay those fees again building code can be challenging for attach units so let's say you have a historic house and you're going to add a vendor historic house to add an edu there are building code requirements there it's not just cut and dry that you

[00:36:02] have to deal with when you're adding to an old building. So there's that. And then every site itself has its own unique challenge. So drainage is one. So you can't just plop it down and expect the rainwater to just go to your neighbors. You have to deal with that. That could be with green swales in the ground or other means to deal with that. That's not cheap at all. You also have to hook them up to utilities. So water, sewer, power, you're doing it just the same as a regular house effectively. You're metering it just the same. So there's all of that to consider. So as I the committee met for three years held 12 meetings on the subject planning Commission recommended approval on November the 5th of last year the

[00:36:40] earliest meeting that this could come back to if the council wanted this to come back would be on February 16th but again that's up to the council what date they want that to come back and so that is my presentation I stand for questions thank you

[00:37:02] Well, let me get to my red line, and I'll do some explaining, and then I'll shout out.

[00:37:21] I appreciate this, because I've already on deck to talk, so that means I can hold back. I have a tremendous amount of unreadiness. Subject matter, one that we all swear to, was addressing national housing, affordable housing, accessible housing, tangible housing.

[00:37:42] By nature, to address these issues requires some form of a mandate of each other.

[00:37:59] This one for me, though, draws the line, red line. Tastes the fact that I think this particular one, the nature of it, this particular one, really having us create a razor blade-laden band-aid.

[00:38:25] I say that because it does address a problem and an unintended consequence. Razor blade, I refer to that in this.

[00:38:40] First off, in truth, we have ADU, deregulated, go and all that. The house borrowed, John, served as a bathroom.

[00:39:02] We have investors back at our house because the trend now is to rent each bedroom out. They first convert a three-bedroom house to a five-bedroom house, rent out each bedroom, and now we want to give them another one.

[00:39:18] Without code and borrowing, and I wanted to further comment to the next people, the councilwoman and others. It's one thing you said, and I appreciate you addressing the issue, limits on occupancy.

[00:39:37] My seven and my half in three days on the council. I've been told that we really can't enforce limitation of our occupancy. For political, personal policy, whatever reason, we are now having 11, 12 residents in the houses.

[00:39:59] 12, 14 cars. I'm aware of one that was pointed out to me actually over the weekend that I'll go look at just for knowledge. They've added a garage. There's a four-color garage. One slide is operated in one of the used car, I mean a repair facility, and I did observe that.

[00:40:23] It's a six-car, so we have allowed the driveway to expand. So there's a six-car driveway, four-car garage, and allegedly seven cars on the street for that one house. And I know if I call this area, they'll pay attention and try to do something.

[00:40:40] But in reality, what are they going to do? So, again, this just adds to an existing problem. we can drive down many streets, drive down Williams, and you'll see all types of variety of constructions. Your expense point is well taken.

[00:40:58] However, what do we do about the Do It Yourself? Do it yourself. We have people doing things, building things without permission. Anyway, I violated my own rule. I passed. Thank you. Ms. Ola. Yeah, a couple questions.

[00:41:15] Why did they decide to not have minimal lot sizes? Sure. We did a lot of back and forth on that, and we even had maps showing up to two times the minimum lot size.

[00:41:31] And what they found was that the number of units, obviously, available properties that this would work would get smaller. So the reasoning of the commission was that given the difficulty in developing these, the cost, all those hurdles, if you added an additional hurdle, that it would render them undevelopable, that you would have a small group of, let's say, two times the lot size.

[00:41:55] you have roughly 750 properties that can do that. And so of those 750 properties, the commission asked, well, how many of them would have the money to build it, would have the infrastructure to be able to connect and then deal with drainage, et cetera. So in their mind, it was, well, there's already all of these hurdles.

[00:42:13] Another one would make them undevelopable. So in other words, why go through the trouble of writing an ordinance if you're going to put regulations that make the ordinance not effective? You're looking to address supply, and that's the reason we're having this conversation as an option. It's not been scheduled for public care for the council, so we could have these conversations.

[00:42:29] But again, the more of these additional restrictions you put on it, then why even have the ordinance to begin with? So the commission said lot size was one that they could probably do without to at least make the ordinance have some viability. So based on when you did look at the lot size, how many would have qualified based on what they were looking at as a record?

[00:42:53] I have the maps. I can show you. Is it like 100 or 750? No, let's take a look. Sure. Could you pull that up from here? Yes. Zoom in a little bit. So this one, for example, properties that meet the minimum lot size for the zone, and this is for R1, R2, and R2S, would be 4,375 properties.

[00:43:19] So, for example, in R2S, I believe the minimum lot size is 10,000 square feet. So it's hard to see from here, but roughly for R2S, 2,777 properties would be eligible for that.

[00:43:36] And I can certainly show one more. Yeah, so if we went to 1.25 times law size, you can see it reduces significantly. So we would be to 1,522 R1, R2, and R2S properties. And as you can see, those numbers get cut down quite a bit.

[00:43:54] For example, R2 is cut down from 560 to 146. And if we go to 1.5 times, it cuts down even more to 665 properties. And then when we get to 1.75, 355 properties.

[00:44:11] And then at two times, there would only be 216 properties in the city that would be eligible under the ordinance if this was required. So when they saw this data, what they felt was, well, if we're adding this hurdle or layer to this, then we're effectively making it undevelopable with their reasoning on.

[00:44:31] So what are the challenges that they could not develop them? What would be the challenges? I think, go ahead. Cost is the main one, and financing is what most run into.

[00:44:47] So in studies that I've looked at, that's the number one issue, is that they're expensive to do and they're hard to finance. So either you have cash in your bank account ready to go, or you have some kind of construction loan or some line of credit to do it. And so typically something like a HELOC is not going to cut it.

[00:45:06] It's going to have to be some kind of really large loan to do it. So if you had like a half an acre, you couldn't really put anything in the backyard. It's like too small right under the ordinate I'm sorry what's the maximum size of adu going back did you say 800 okay I'm just looking at the sizes like I actually think it's kind of an interesting idea to look at um Ralph Smith was saying we already have it happening in the city

[00:45:42] you know there's already 80s in the city some are grandfathered in some are illegally happening So how would this benefit us? I think what worries me is when you're looking at the studies of minimum rock sizes for these lots, which I thought would be included, and it's not worth doing because we don't have enough, you know, for the impact to really warrant doing all this work, it's like we're kind of going backwards a little bit.

[00:46:17] Like we should have looked at what would qualify first and then start looking at this. There's nothing, again, we didn't advertise it for a reason. If council wants to add additional revisions back in, that's why we included it in this conversation. If you wanted to move forward with it, there are definitely, I mean, from my perspective, the occupancy limit is something that council should strongly consider adding back in.

[00:46:41] Again, this is another one, but again, as you knock down the lots, you're going to defeat, if you go back to kind of the goal of the comprehensive plan, you might just basically insert a poison pill that renders all this work poisonous. So based on studies, what is the housing deficit that we have in the city?

[00:46:58] Is there a figure for that? Like you were saying, we could get 4,375 ADUs if we had a certain size lot requirement. I would be careful using that. That would be, that's before you apply all the other layers of setback and home structure.

[00:47:17] That would be misleading to say you get, this would generate 4,375 units. That's just one piece of the puzzle before you apply all the other site constraints to the property that's kind of a yeah it would be a high very high number so this would be strictly monitored for compliance to see if they even qualify even though it's not a lot we have to go through the full zoning and building permit review which is where those costs really start to pile up very quickly everything from utilities to stormwater compliance to building code it one of the reasons you legalize it in other jurisdictions that look at legalizing is because it allows it to be regulated easier.

[00:47:56] So right now we do it on the code enforcement basis. We go back into the property, we site the property owner, we evict folks for being in multiple bedrooms. We do all of that. It's a constant exercise on the code enforcement side. But one of the reasons you legalize is that at least the unit has met the building code for egress.

[00:48:16] It's got the right size and it's set back 10 feet from the property line, so it means fire separation. So we would have some more compliant dwellings. I'm sorry, I had a bunch of questions. The tax structure, so this would be two separate tax bills, right?

[00:48:36] I don't know the answer. It would be common ownership as the way the ordinance is structured, so it would be probably an increase in your residential, the property would see an increase in the residential assessment because you added another structure to the property. And they would have a separate mailing address if you had something in your garage?

[00:48:54] We would assign what's called a secondary address in this situation, so an A or a B, since it's only one. And it would be a required separate metering of utilities. It can be done both ways. We would work with our utility department to figure that out, but almost likely it's a separate metering.

[00:49:17] Madam Mayor, yeah, you're right, I'm sorry. So the things that you don't see, they also apply, or maybe my bad, but I don't see the restrictions on HOA.

[00:49:42] We have a lot of HOA, and I don't believe that an HOA may allow you to change it, even if the city allows you to change it. And that will restrict it even more. So, and also, you know, you have downhomes that they won't be able to do that.

[00:49:58] Even if they already have an HRA, but let's say they were independent and they wouldn't be allowed to do that. I believe the place, most of the places where we have parking issues, except, you know, at least in the north part where we have the parking issues, it's pretty much because this already has been done and we already have an issue.

[00:50:21] So I do like that this will bring in compliance when it comes to the fire. We will bring in compliance because we'll be able to review it and make sure that it happens. I do know, you know, a couple of houses where the prior owner had that.

[00:50:38] And in order to sell it, they could. But when the owner came over, they could see it. And it wasn't used for that, but it was there. So I do understand how they have been working or they have used them. And I believe that it's necessary for us, not only to assess it, but to bring in compliance.

[00:50:56] I will be looking a bit, you know, if this is approved by the council, I will be looking into another person to building code enforcement for compliance because we already have, you know, heard there is a need.

[00:51:12] And for me, that will be a priority. But I don't think there will be a lot of opportunities where this can be built. Not only because of the challenges of the money, I mean, the whole point of building this is because it's cheaper than buying a new home or buying a new place or a new one.

[00:51:31] So I do believe it makes it better and it takes us closer to the goal and I wait for everybody else, for all the body, you know, point of view. And also, you know, to see if we come back to this, I believe it's positive for health and safety, not only for the people who have been doing it, but also for the residents across.

[00:52:01] But I would like to see in the future at least one more person to help in the compliance on this. I had one question, which was, if you bring it, and then you come back, and then you already have the structures, and a few structures, if that structure has been there for many years, and it is no in compliance, I think I understood that they have to bring it to COVID, but they don't have to remove it.

[00:52:34] So I'm wondering about that. When it comes to like a unit above the garage or a unit above the, not the garage, but the shade, a unit in the shade, which, you know, you'll think it doesn't happen.

[00:52:54] I think I read it on the red lines, and it was on page three, but I just want to make sure that we understand how that is there going to be no change, show no change that comes for me, the status of the structure C1, and I don't want to get too deep into that because it has been already developed, but I just want to make sure that I'm able to explain it to residents.

[00:53:25] Yeah, I can walk through that. So the idea is that if someone had, let's say, a non-conforming garage, so the garage is not conforming because maybe it doesn't need setbacks, right? So it's a little close to the property line. So the idea here is that you could add a convert part of that into an accessory dwelling in it, but it doesn't change the non-conformity of the structure. So what this ordinance is saying, yes, go ahead and put the unit in if you meet the standards, but your structure is still not conforming. You're still too close to the setback or in the setback.

[00:53:55] So the idea there was to give flexibility to existing structures that were already in place because many of these properties, particularly the older sides of town, have challenges with setbacks. That was the Planning Commission's idea. You'll see a lot of that, especially closer to the downtown, where you'll see the second story unit.

[00:54:14] Some of them are known and legal, and then there's others where we periodically have forced people to move out of them because it doesn't meet building code safety requirements. So the non-conforming provision would allow us, first off, not in here, but so everyone understands, especially in the public, building code always applies regardless of what the zoning code says.

[00:54:32] So the first thing that's going to happen is it's going to have to be the building code requirements. That's your minimum safety. And then the zoning gets layered on top of that. Zoning just

lets you not, you can't move your garage back an additional foot to hit the 10 feet. You can still put the structure. That's what I want.

[00:54:51] So, thank you, Mayor. so remind me what what are the requirements for when i say occupancy um how do for for a single family home how many what's what's the the requirements for how many people can be in a in a in the in the dwelling and i think it's basically square footage but whatever give me give me

[00:55:24] enlighten me again so the the first for a bedroom the first person is a minimum of 70 square feet when you go to two persons it's 50 square feet per person per person so one of my concerns with the ordinances graphic and why we put in the slide about putting the occupancy and let it back in is you get a modern master bedroom we hear this all the time it's my spiel on occupancy a modern master bedroom 200 square feet and sleep four people so it's based off of that 50 square foot number what you owe of one person, which is why I think from my perspective and from the

[00:56:04] coding enforcement side of the shop, although we're in the same shop, I think the two, the inclusions of some sorts is reasonable for this, especially when you're, if you move forward and you're trying, you know, you're putting something we haven't done before into play, you want to have some additional restrictions probably with your first draft. Maybe it can be adjusted in the future after we see how it works, but yeah, I think it's 50 per person in the bedroom that number you to cross to and must these people be related not as drafted no

[00:56:37] so this would allow definition yeah so you have not not for the accessory dwelling unit we have and remember there's very there's different definitions of family but this would allow your main unit which has all of its iterations of family and then allow two additional individuals in the accessory dwelling unit so your you know the idea here is of course your your child and their not yet married significant other could live together in that unit that's that's where the example goes but it could be two right now it could be unlimited as drafted but you know

[00:57:13] i still encourage you to think about that two cap but it's not necessarily part of the family unit and the the adu must be owned by the property owner i mean i can understand if you're adding on like the garage but a separate building that must be owned by the by the property owner as well Right, yes. So the idea there was that if someone tried to subdivide it, that wouldn't happen.

[00:57:44] Or if someone tried to condo it up, which is something you could potentially see having a condo of an ADU, they couldn't do that either. Effectively, you would have to have one owner. So they can't just divide it off and sell it.

[00:57:59] Right. And requirements on automobiles, if there's, let's say it's not in a parking district, are there any requirements on the number of vehicles? Yes. So one additional parking space is required for an ADU.

[00:58:21] So typically, a typical house has two in the garage, two in the driveway, and the requirement's 2.5, so they could have one space on the existing driveway for that. What's that? Two, sorry. It's only two for... So yeah, so two in the garage, and then you have the two in the driveway.

[00:58:38] One of those could be for the ADU. So they have to find a spot on the property. It puts you to a minimum of three, and then council, again, that's drafted stuff. Council wants to take another look at needing more parking. That's something you can consider in your draft.

[00:58:55] Okay, but street parking plays no part in this. Not counting against zoning, no. Well, I do think that, as you say at the beginning of your PowerPoint there, shift in demographics for younger family members remaining at home is very true.

[00:59:17] I will say that in my neighborhood walks and talks, I have run across that numerous times with folks that their kids are still living at home, at least as a for instance there, or elderly family members.

[00:59:40] but also we are seeing multi-generations. Certainly I see that in my neighborhood, which we do not have 80 years permitted along the way here, but we're seeing that sort of thing.

[00:59:59] It's more common than I'm assuming one might think along the way here. So in that sense. So I tend to be in favor. Certainly this sounds like it needs some tweaking along the way here in terms of, you know, we've thought of some things.

[01:00:22] The process, if I understand, is that my writing and saying that you're going to go, you, Mr. City Manager, you're going to see what the mayor, you're going to see what the general consensus is of whether to move forward or not.

[01:00:40] And then say the earliest it could be in February, but it's not set in stone that it could still go. And the February date is more for a public hearing, is that what you're saying? Yes, it would be the next available public hearing based on noticing.

[01:00:56] And I would recommend before you advertise that if there are certain provisions you want in there, like we've talked about the occupancy limit, the council direct staff to insert that into the draft so when you get to the public hearing it's not something that the public is confused about that a unit could have five people living in it.

[01:01:12] So that's kind of the guidance we're going to need. We can tweak the draft before we advertise for public hearing. just i know the answer but i'm gonna so it's on there has this been discussed by the housing advisory committee um it's been brought up um but we haven't this presentation has not been done before it's on like a full going through the ordinance like this but it has been discussed they were notified of it i know you were there but for everyone's benefit but on the other hand

[01:01:46] And I'm thinking, and I'm really thinking aloud, that this may be, I mean, we have asked some, you know, established committee or subject matter experts, so to speak, no more than, you know, we do something at the airport without involving the airport commission in some fashion or utilities or, you know, we can go down the list of some other groups.

[01:02:07] That might be an appropriate place. and at the same time give this a little bit more airing to our residents. I do appreciate the fact that the Zork committee worked on it, but I've been to Zork committee meetings, and nobody from the public, or rarely anyone from the public, is there.

[01:02:29] It is a pretty specialized group and that sort of thing. I would like to be sure that this gets a chance to have some more publicity, so to speak. So I would recommend that they go to the Housing Advisory Committee, notwithstanding whatever else directions we get, and any other groups where we might be able to elicit comments along the way, whether that's a survey kind of thing where we've done that sort, or we've asked people to weigh in.

[01:03:06] Maybe we want to wait a little bit until that committee has looked at it and then see what comes along. A bunch of different thoughts, and just since this is a work session, I'm just brainstorming a lot. And

Council Member, I would add, we actually did a survey three years ago on ADUs, and it's been a while, but the consensus at the time is that there was support for it, but that it was very much split between attached and detached.

[01:03:33] So you had, roughly, yeah, people said, yes, we like ADUs, but then when they came down to what kind of ADU, it was very divided. And the division was? 50-50, roughly, in one way or the other. So some people wanted, 50% wanted attached, 50% wanted detached. But all the data wasn't there, like you had now, but my cost.

[01:03:53] Right, none of that was provided. Right, so I think now it's quite different. And then, you know, to add to that situation, I'll say attitudes change a little bit, even in three years' time. You know, economics, housing, you know, pressures and stuff like that may be along the way.

[01:04:14] Concerns, as Ralph has brought up, also out there, and who knows. So I would be reluctant to say, let's go public hearing, but I would like to see some tweaks and also some more chances for more eyes to see.

[01:04:33] Your Honor. I'm sorry. I should mention one. I'm sorry. Go ahead. One other item we haven't really talked about is Richmond, and there is definitely legislation, potential local preemption out there as the housing issue gets discussed at the state level. One of the reasons, and it reminded me, because one of the reasons the Planning Commission has worked on this for so long is they took a pause in the last session because there was a bill moving through that would have preempted and set these standards for the city.

[01:04:58] So regardless of the work, even if we don't ultimately take this up now, the zoning ordinance will be ready if something changes at the state level. But it wouldn't hurt to keep an eye on what's happening in the legislative session because that could change your final draft before you adopt. setbacks you mentioned 10 feet from another structure and I see B2 just as heightened setbacks see a difference is that is that line where it mean where it describes the setback from the property line because I feel like we

[01:05:33] didn't just like discuss that yeah so we have a specific setback or on site or the 10 feet just flat yeah and then there's the additional ones that are in 130 57 for accessory structure and that's yeah like when you have a shed it has to be a certain but that's what that is right and all of that right so rather than having the height here we pointed at to that right and any additional setbacks beyond that okay and then um oh i just

[01:06:06] wanted to say i think it would be good to limit occupancy to two people no i'm going ahead okay no you go first no you go first do we have a map overlay showing the communities that are HOAs at all. Do we have any numbers of how many homes are not in an HOA?

[01:06:33] We certainly don't. We don't have a percentage. We know the neighborhoods. We know the HOAs. We could generate it. We haven't for a variety of reasons. The other thing is because we don't enforce covenants, we really don't get into neighborhood covenants. The second part of that would be which neighborhoods have the restrictive covenant.

[01:06:52] I know many, but again, the city very deliberately tries to stay out of HOA's businesses to give the impression that we're enforcing their covenants. As a general statement, I would think most of the communities have HOA's will and IELTS. And most have a restriction. Yeah, very restriction. And so when

you're looking at that, that really brings down a number of homes that would be able to do this. Did the Planning Commission look at that at all?

[01:07:23] I think it was talked about briefly, but very much similar to what we're saying. They didn't know the number of units that were in an HOA, only that there was potential that they could restrict them if they wanted to. So if someone came in for a building permit and got a building permit for one, they would still be sued civilly by their HOA to stop the construction.

[01:07:43] I would say most of the founding files and charters that were set up when they were built. They almost all have. Most of the townhouse communities do as well. Right. Yeah, I think we're not going to have a percentage of homes that could...

[01:08:00] Council Member Smith, that's the neighborhoods that are north of the downtown. Like Old Town Manassas, there's a few in the Wellington. We use the Deer Park neighborhoods that are neighborhoods that are... Well, Oakenshaw doesn't have... Right. A lot of the answers.

[01:08:25] Say, or did you mean to imply that person, people in the ADU, that we related to the homeowner or to the... There's nothing there on that. Every service that the city provides is used by every person that provides.

[01:08:48] I have no animosity towards investors, but we are talking houses with 15. Only two, or the only investors paying their taxes, the entire houses and services. I say this only to, as I know we're talking about this, it's going to be a few houses and limited and all of that, but we're not making decisions just for the next two years.

[01:09:16] Things may change. Your music has changed, so I like to think at least sometime, maybe five years beyond a five-year plan. But anyway, I would like to see some study or some statement put forward, positive, negative, or a no-impact statement.

[01:09:36] I'll give you an example of an issue that I brought to the attention of the school board. There's an individual, unlike some babies with eight, I don't know how many clients, but eight children. She's confirmed to me that six of the eight parents live in Warren County, Falkyrie County, some other place, not Manassas City.

[01:10:02] Every morning, about 6 o'clock, between 6 and 7.30, those parents bring their kids to her house. But then the next hour or two, she walks them to the bus stop. They're going to Manassas City Schools. Four people may be up in the whole city, just that one lady.

[01:10:20] She tells them, when you enroll your child, use my home address. Therefore, they are seen to be without oversight or with you residents of the city.

[01:10:37] Now, I'll see every harm we try out from here to the end of the United States border. But we do have, then, four kids now. In addition to the school may think it's serving what the official records show. The city of Monassas may think we're serving 40,000 people.

[01:10:55] We just might have 5,000 that we don't notice here. So our student units might well even start off here more than few. So if we can have some projection as to the impact on city services and so forth, again, it's not a far-fetch for an investor who's already converted the dining room into three bedrooms, into their rooms.

[01:11:24] So he has 11 people. I counted 18 cars. Would love to have another bedroom. There's two more people. Now he's got 20. And we're going to tax him on what? A two-share in the house. But what he has is a motel.

[01:11:42] Thank you, ma'am. I do think I agree with Councilman Olsen that we have to have some of this heavy lifting that we need done, that we're talking about, research and all of that.

[01:12:08] That's what they're there for. And them being new, they're hungry to get going. So for me, it's about utilizing them to sort of move us forward in discussions and see where we go. My two cents on certainly not something out of the realm of possibility here in the city.

[01:12:33] just think for me not now um i understand the minimal amount of people it would affect and or would be able to do it but i just think it's it's something for later and i know the need is there right now we're trying to do the affordable you know attainable housing and all of that so i just think yeah letting the housing advisory board do their thing rely on them see what they come back with see how well they what they you know come up with so that's um those are my thoughts on it so but thank you all for your input would so the housing

[01:13:13] advisory board which is set up temporarily will complete a final report in September October and present that to council would it be the sense of council that you want them to take the work that's been done to date take a look at it from a housing perspective and include that in their final report as a action and then council can revisit it after you receive the full housing report from the board potential next step from my standpoint i was seeing this moving along a little bit faster than than that that that's what may may happen but i i saw this just getting done maybe

[01:13:51] by the summertime recognizing that you know what the the the housing advisory committee's review of this and input and noodling. Be clear about what you're saying. You're right. So if giving it to them delays, I'm just the opposite.

[01:14:10] I'd like to see them have it. Duly noted. Touché. Comments on this? Well, thank you all. Thank you again for all the work.

[01:14:26] Okay. Next on the agenda, item 1.3 is outdoor dining design guidelines. Thank you, Your Honor. So this is a project that we have had on our longer-to-do list for quite some time.

[01:14:46] So as the council is aware, the city licenses the outdoor dining areas on your public sidewalks in the downtown. That's governed by a license that you issue each time a new restaurant gets set up. It contains, and I included that in your packet, what the current license looks like.

[01:15:03] It includes a section that has multiple paragraphs that talk about the appearance and how it's supposed to be maintained in the dining area. A year or so ago, more than a year at this point, HMI, as part of their mainstream functions and their design functions, pointed out that that paragraph is extremely thick and difficult to understand.

[01:15:25] It's a lot of words. It's been something that's been an issue for me, obviously, for years because a restaurant owner can really interpret how we want the aesthetic of the downtown to look different ways. So HMI, through its design committee, volunteered to work on the draft guidelines, and they worked with my transportation planner, Chloe, and Ben, our historic district planner, in their subcommittee to come up with the draft guidelines that are there before you.

[01:15:47] It really is a lot of what's in the paragraph, but it's been simple. It's been made more plain English. It has got pictures. It really is attempting to set the standards of what we want the downtown to look like.

[01:16:03] So I wouldn't say it's changed so much as hopefully making it easier for current and future restaurant owners to understand. So they have completed the project. It's ready for council to move forward with. I would like to proceed with working with restaurant owners to amend their existing licenses to add the actual new guidelines to replace that paragraph.

[01:16:28] I included in there, we did notify and provide a full copy of the draft to all the active license holders downtown in November to see if they had any comments. We received no feedback from any of the restaurant owners, and HMI has representatives on there, so I think there was other knowledge that HMI was working on this project.

[01:16:46] But this is really a housekeeping item, but one that will really long-term benefit how we can keep these areas maintained and maintain the appearance and the consistent aesthetic. So that is for your endorsement and for staff to proceed with amending dining licenses to request this evening.

[01:17:04] One other item I put in there, because if there is a need and there are existing outdoor dining areas in the community that could probably use some replacement, you know, things like junky plastic furniture that needs to go, we do an annual inspection and we try to get the property owners to address some of the more serious safety concerns.

[01:17:22] But one option I also wanted to put out there is your facade and landscape grant program, which already exists. You could, starting with a new funding cycle starts up in July 1, do a one-year or a temporary program to offer a mini-grant to the existing restaurants. If they had a need to replace some of these furnishings to come to the standards, you could use your existing program and offer a mini-matching grant as an option to the existing restaurants so that they're not, you know, they get new guidelines, they get concerns, they have all their other costs out there.

[01:17:54] This could give them a little extra help to make the improvements. And that's just a suggestion from staff. But at this point, the request is to endorse the guidelines, let's move forward, and then feedback on whether use of our existing program might be. How many people are on that agency?

[01:18:15] It ebbs and flows. Mr. Porter's the chair of that group, and then there's maybe a half, maybe six or seven, but it changes depending on the meeting. They weren't talking about it for about a year. Mr. Hirsch had a lot to do with some of the draftings as well. We borrowed a lot from Alexandria, and then Simpler, Manassas, a little easier to read.

[01:18:37] First is Alexandria, not Steve. Thank you, Glenn. Yes. Cut me off real quick if this was discussed while I was out, which I apologize for being. The item is a non-exclusive license with Operation Outdoor Dining.

[01:18:54] The one that's a draft that has a lot of yellow and red lines to it. The red line information is just taken out or was it transferred somewhere else? It would be transferred into this. Instead of all those paragraphs, it would be referred to this document with the pictures. Okay.

[01:19:10] The item 10 there, don't snicker. But the sentence ends without a period. Is there another sentence that picked it up or just needs a period added? Is that the existing or the red line? It says, yeah, I'll

go down there to be attractive to mother, gastro, and restaurant to reach your front of vitality.

[01:19:29] And at first, it had a COVID. So, man, it should be a period, I assume. That's the existing master? It's phase two of seven. It's very minor. Trust me, when y'all go to the final doctor, I know you're going to pick up on it. That's your existing template, so, yeah, we can always face it.

[01:19:47] The other question, I can't forgive it, but it's because of my long years with the government. How do you pronounce the acronym? I call it Dism. What do you call it? Design. Huh? Oh, DCSL. Yeah. The Design and Construction Standards Manual. Right. Do you have an acronym name for it?

[01:20:03] We call it DCSL. Okay. Dism. When I was reading, I just like the term Dism. It's a book that's like two feet thick that has all the city defined standards. Thank you, sir.

[01:20:22] uh thank you madam mayor i do get asked about um outside of old town downtown outside of the hmi about outdoor dining is there any or will any of this be available for um for them because i have been asked before in regards to the grant and also to try to do outside of a dining as well so I do worry about Manassas as a whole and different restaurants.

[01:20:56] So my ask will be, you know, if this will apply and if there's any change for anybody else. So the license, the reason you issue a license is actually a public sidewalk. It's publicly on property.

[01:21:12] Outside of the downtown, if you're in a shopping center or out parcel of a shopping center, outdoor dining, there's no restrictions. We did our code update about 10 years ago. we made it clear that it's something we want to see. So there's no zoning restrictions. It's actually something we really encourage new restaurants and businesses to include.

[01:21:30] And if it meets the eligibility requirements for the landscape of the side brand, and someone came to us and wanted to add outdoor dining as part of the application, it would absolutely be eligible if it met the criteria. It's something we always, with businesses outside of the downtown, we're always trying to get those folks to avail themselves of the program, quite honestly.

[01:21:47] But within the downtown, it's really because we have to grant a license because you're on a public sidewalk. Thank you. And the next question for that will be knowing that the comments seem like some business will be impacted or is there a percentage? And I don't mean names. What will be the impact in 2027 when all these take place if they don't take advantage of that grant or if that grant is not true?

[01:22:20] There will be a lot of those using it impacted because the pictures are nice and what I love amongst is showing what we already have which is part of what we're trying to maintain but just for peace of mind what would be the, if it was today, what would be the impact on the.

[01:22:39] There's probably one or two that would have some issues with their existing furniture that we'd want to try to address with them before and if they could avail themselves of a grant all the better. but honestly so we do it every year we we obviously focus on life safety when we do the inspections of the existing it's about a dozen licenses that are active in the downtown so we really focus on a lot of these things each year so if something already is getting egregious and it's out of compliance with all these paragraphs we're going to address it is but there's one or two that I think we would attempt to get some compliance with the pictures and also what honestly

[01:23:17] with the other thing that happens with these is that the furniture wears out so when they replace we have an opportunity to address under the new design guidelines so there's you know there's

certain places we've gotten complaints that we didn't i'll just give you one example we didn't specify awning color and someone used orange awning and i got a lot of phone calls about it existing language didn't use that so we worked with a restaurant owner and said when it comes up for replacement please try to use a different color it'll be a lot clearer now with these guidelines follow the pictures and we've tried to address as many of those things that have come up since the dining program has been in existence to make it a little bit but a lot

[01:23:53] it can occur honestly through just maintenance and where you know just replacement as needed especially when it comes to work i don't want to but i do it like this one this doesn't talk about the temporary what do you call it so is it is there my ask is there a change or remains and i you know i don't understand you know how some are in compliance and some not what will be the

[01:24:26] impact on that. So a tent is a regulated structure separately through the building code and through our zoning and honestly through our HRV if it were something they tried to leave up for a longer period of time. So tents are not permitted on outdoor dining area. You have to do an umbrella and that's been something that we've had to address. It's both a violation of dining guidelines and there's also issues with the fire code and vehicles. You can't have a vehicle close to a tent. You have to have a certain separation. So that's something that's been an ongoing issue.

[01:24:57] Then there's a couple other areas where we've slowly worked with the owners to address post-COVID tents. There is a maximum under the building code of six months that you're supposed to keep a tent up. So we've had to slowly work with the property owners to get those replaced or removed. It doesn't have any direct impact on tents.

[01:25:14] They're kind of regulated under a separate set of rules. So take me back, just to close it out. You mentioned a mini-grant to replace furnishings. That's in place or something we...

[01:25:30] It's something, so the two asks tonight would be obviously to move forward with updating the dining licenses of the existing restaurants, and the second ask would be consideration after July 1 of allowing applications for a mini-grant. I think I suggested some numbers in here.

[01:25:48] I think it was 25, up to 2,500 with a one-to-one match, so not the, Patrick knows the numbers better. If I may, Madam Mayor, the current program is a two-to-one match, so for every \$2 the private sector puts up, we would match for one. So this reduces that requirement to make it more friendly towards them. And the current grants, both FIG and LIG, are exclusive to hardscape or permanent type features of things like really heavy concrete planters or fences

[01:26:23] that are affixed to the sidewalk, but normally wouldn't cover things like awnings or, well, would cover on it would not cover umbrellas tables chairs so it relaxes that restriction so it lets us pay for more things that we otherwise wouldn't pay for and lowers the threshold for the current grant max is out at current grant max is out at \$25,000 and so we're recommending \$2,500 for this with a one-to-one max so we're not looking to put a ton of money but just something you know restaurants have a lot of other things to worry about when it comes to cost so if we're going to

[01:27:00] change the standards i'd at least like to suggest to council we would and it would be it would sunset would be my recommendation i think i have my december 31st so it's not a permanent program we just allow any of these dozen restaurants that they need to make a change at least as a little bit of

assistance so just following on so i understood about the the the \$2,500 for furniture and stuff but there's also earlier recommendation that one-time applications to the facade and

[01:27:33] landscaping grant program be accepted if a restaurant wishes to make upgrades to the outdoor dining area you see that on yes okay at the bottom there so are there two different answers that all one ask it's all and so the way staff would recommend you structure a one-time grant would be six months, 2,500, one-to-one match, sunsets on December 31st.

[01:27:59] Or? Existing license holders, which are about a dozen. To use on? The furnishings or anything they need to do to come into compliance with the outdoor design guide, the new dining guide. Okay, but not on the actual facade or paint?

[01:28:17] We're talking the barrier around the dining area. We're talking the furniture. We're talking the umbrellas, the lighting, and the picture, the planters, you name it. Effectively, we would temporarily shut down the facade grant, place it.

[01:28:33] Okay. And now that you get me thinking, we also probably ought to put a whole harmless provision in there so the \$2,500 isn't deducted from the \$25,000 that the building would otherwise be eligible for. And we can come back to you before we open it with kind of the final guidance.

[01:28:52] Yes. Just wanted to understand. Okay. All right. I'll bring my furniture in. My patio furniture. Don't have to pay to that door. Thank you so much for any other questions, comments.

[01:29:12] All right, thank you. Next item on the agenda is item 1.4, the Prince William County Boys and Girls Club representative. You all have heard that a letter came from the director, I get Nadia, asking if council had any desire to have representation on the board.

[01:29:29] I don't know that anyone had gotten back to them about, or responded in affirmatively, but wanted to put it out there tonight to see if there was anyone interested in reading. They meet first Monday of the, it rotates between the three clubs across Prince William meeting with occasion.

[01:29:56] We have a meeting. But we don't have, our meetings are second and fourth, so it's on the, yeah, the first. But we don't have, I'll do it. i think they're looking for um they're looking for somebody to be on their board of directors okay a lot that goes on with it so you can reach out to them and say so that's all that's just reach out to the board yeah okay you know what you'll want to do now so that's what we'll leave that item there i think sarah's on it so i've been getting fresh up so they're getting a lot of

[01:30:33] Okay, so we're good. Good with that item is Ellisville. Thank you. Next item is the landing at Cannon Branch with the housing meeting, item 1.5. Basically, Matt has a follow-up meeting with the landing folks tomorrow.

[01:30:54] We wanted to give you all an opportunity.

[01:31:21] Just to add to the manager's comments, this will be the third meeting we've done with the neighborhood. Patrick and I, Trinity Walter, our neighborhood coordinator, and Good Housing did a HOA meeting directly to the board to introduce the project again, so that it happened before the holidays. And this will be the third meeting.

[01:31:37] We are using essentially the same presentation we gave counsel so that everyone's seeing the same information, so that'll be the fourth time it's been presented to the neighborhood or publicly. And then this time we will be adding the, and you'll see this again on the 26th, the FAQ of what we've heard

from the neighborhood concerns everything from parking to property values and some of the responses of Goodhouse News and A5.

[01:31:59] They've been very forthcoming. They've provided their parking numbers. They've provided some analysis of all of how they handle things like crime. So we're going to have a very detailed FAQ we can share with the neighborhood, and then that will be part of your PACO on the 26th. So we don't have all the issues that have been raised, whether it was the public hearing comments or the neighborhood comments, so we can hopefully address those when it comes to your vote on.

[01:32:19] More like a coaching, enforcing all the opportunities that were, and even for us to be able to talk about it.

[01:32:38] Sometimes the feedback is because the public don't get to see, everything that we do or that they work, our group of villages, even before it comes, you know, outside of the closed session. So, you know, having the feedback, I believe Councilman Ossina and I believe Councilwoman Hudson have been having conversations with them as well and with the residents there, so they will give them a peace of mind.

[01:33:09] I know it's no part of the agenda, but it's still, you know, my biggest concern is the overall, probably that they feel, not only for us, but that they feel that they promised for the residents there is successful. And I feel part of their feedback, it comes to that.

[01:33:28] I haven't really had a one-to-one, a lot of conversations, but I'm sure that they're looking for food and other things closer to them. And I understand that, and I hope there is not only an opportunity to hear them and for them to learn more, but it shows the intent of this council to hear from the residents.

[01:33:56] And I truly appreciate that you bring in everybody to one table. For me, it was great to see that. Your Honor, I should mention that Council Member Vasquezuna is a really good point. The second half of the meeting is going to be a second presentation from Buchanan.

[01:34:13] One thing that good housing can't solve is the lack of commercial development and what hasn't happened out there. So we have gone to Buchanan and had multiple meetings over the last year, all the way going back to retreat about what would it look like to restart and move the development forward.

[01:34:30] So Buchanan is going to come back and start. council sees it as we do any zoning application they're going to show their ideas for how they might restart the commercial and if that is received favorably by the neighborhood i intend to bring that to you as part of your retreat package so we can potentially move forward with moving some of the pieces around on the master plan hopefully get some more rooftops and get the next piece of commercial going so that's something if you can will be there tomorrow night they will present at the neighborhood any rezoning application in the city actually before council or the commission or even staff sees it. We encourage them to go to the, if it's up against the

[01:35:05] neighborhood, go there first. This is essentially that first step and it's something we've heard from the neighborhood, we've heard from council frustration. So the challenge to be candid is can you, before your contract runs in, can you do better? And we're hoping to see something positive tomorrow night at the starting point.

[01:35:21] Oh no, I'm sorry, he's getting over you.

[01:35:49] Madam Mayor, members of the council, the next item on your agenda is to conduct the regular performance evaluation of one of your direct reports and you can't have that discussion in closed sessions.

[01:36:10] If you gain a closed session, I would recommend your adoption of resolution number R-2026-532, resolution authorizing the closed meeting of City Council.

[01:36:30] Resolution number R-2026-532, authorizing the closed meeting of City Council. Any discussion? Say none, Mr. Smith. Council Member Hudson? Yes. - Council Member Vasquez-Nina?

[01:36:47] - Yes. - Council Member Ellis? - Yes. - Council Member Smith? - Yes. - Council Member Lucina? - Yes. - Motion carried.

[01:37:02] - You didn't tell Mike. - That's up to, well, the school board's no longer in there, so you can stay in here if you want. - Okay, okay. - That's cool. - We can go in here for a second. - And I don't think there's any residents outside of this.



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