



DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town
CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building

17739 Main Street, Suite 200

Dumfries, Virginia 22026

Tel: 703-221-3400/Fax: 703-221-3544

www.dumfriesva.gov

Planning Commission Agenda

Regular Meeting

Monday, September 14, 2020

VIA Zoom

<https://zoom.us/j/2553115773?pwd=L21ybERxT2piMitPMUJQS1pMV1M2QT09>

PLANNING COMMISSION REGULAR MEETING 7:00 PM

- I. **Call to Order**
- II. **Roll Call**
- III. **Approval of Minutes from August 10, 2020, PC Regular Meeting**
- IV. **Action Item (s)**
 - a. Zoning Text Amendment Application, ZTA2020-001 (Equestres, Inc) (Recommendation)
 - b. Zoning Text Amendment Application, ZTA2020-002 (Grace Church) (Recommendation)
- V. **Open Forum**
- VI. **Adjournment**

Planning Commission Meeting Minutes

Date: August 10, 2020

Call to Order Time: The Planning Commission meeting was called to order by Chairperson Webb at 7:00 PM

Roll Call:

1. John Webb- Present
2. Tyrone Brown -Present
3. Diana Knez - Present
4. Anita Gray- Present
5. Sherri Stewart – Not Present
6. Lawrence Nickerson- Present
7. Gary West- Present
8. Kelvin Noye- Present

Quorum: YES OR NO

Approval of Minutes from Previous Meeting: Chairperson Webb introduced the approval of the meeting minutes from the July 27, 2020 Planning Commission meeting. Commissioner West made a motion for the Planning Commission to approve the meeting minutes from the previous meeting. The motion was seconded by Commissioner Noye. The motion carried 7 to 0.

ITEM I:

1. There were no action or introductory items for the 8/10/2020 regular Planning Commission meeting.

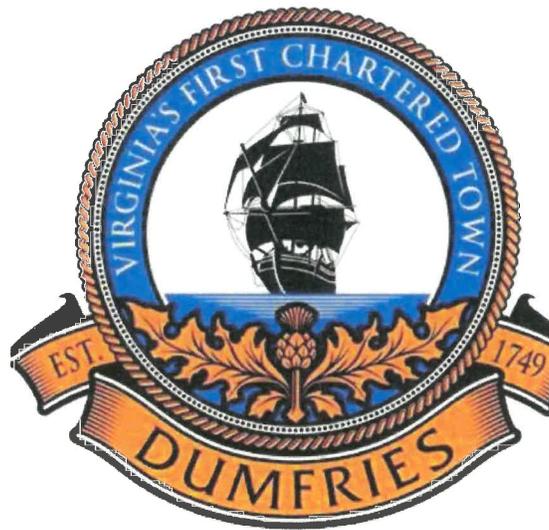
Open Forum:

1. The Commissioners provided general comments during the Open Forum period.

Adjournment: Commissioner Knez made a motion to adjourn the meeting, which was seconded by Commissioner Gray. The motion carried 7to 0. The Planning Commission meeting adjourned at 7:15 pm

APPLICATION FOR A ZONING ORDINANCE TEXT AMENDMENT

ZTA2020.001



**TOWN OF DUMFRIES, VIRGINIA
17739 MAIN STREET
DUMFRIES, VIRGINIA 22026
703-221-3400 Ext. 115
Fax: 703-221-3544 Fax: 703-221-3544**

ZONING ORDINANCE TEXT AMENDMENT

TO THE TOWN COUNCIL OF THE TOWN OF DUMFRIES, VIRGINIA

The undersigned, being all of the owner(s), contract purchasers or the respective duly authorized agents thereof, do hereby petition to amend the Zoning Ordinance of the Town of Dumfries as described below: (Attach additional pages if necessary).

Section #	Description of Change
<u>70-282</u>	<u>Request for a convenience store with gasoline sales in the B-2, Neighborhood Business zoning district.</u>
_____	_____
_____	_____
_____	_____

Property Location: (Describe the location of the property by distance, in feet or portion of a mile, and direction from an intersection of two (2) public roads or streets.

Property is located approximately 37 feet east from the center point of the intersection of White Haven Drive and Main Street.

The name(s), mailing address(es), and telephone number(s) of owner(s) and contract purchaser, lessee, and/or authorized agent(s), as applicable are: (Attach additional pages if necessary)

OWNER OF PROPERTY:

Name: Equestres, Inc. Phone #: 703-221-8890

Mailing Address: 18005 Dumfries Shopping Plaza Dumfries, VA 22026

CONTRACT PURCHASER/LESSEE:

Name: _____ Phone #: _____

Mailing Address: _____

AUTHORIZED AGENT(S):

Name: Sherman Patrick, Jr. Phone #: 703-565-5134

Mailing Address: 12701 Marblestone Drive, Suite 350 Woodbridge, VA 22192

Signed this 10th day of June 2020.

Signature of Contract Purchaser/Lessee

Christopher E. Ryan
Signature of Owner/Agent Equestres Inc

Page 2

Describe briefly the type of use and improvements proposed. State whether new buildings are to be constructed, existing structures are to be used or removed, or additions made to existing buildings:

Equestres Incorporated proposes a convenience store with gasoline sales on its property at 17961 Main Street. The property is zoned B-2. The zoning ordinance does not specifically allow convenience store with gasoline sales as a use by-right or as a conditional use in the B-2. However, the intent of the B-2 is provided for convenience business uses at a neighborhood level. Convenience stores by definition are less than 5,000 square feet, and provide limited household and food items. Gasoline sales, when provided, are an additional product that is attractive to convenience store consumers because of the collocation of the gasoline sales with household and food items also needed. The business would include a store building, gasoline fueling positions and a canopy providing shelter to customers purchasing gasoline. The applicant will construct new buildings to accommodate the convenience store and the retail fuel pumps.

Why does applicant believe the location of the use in question on the particular property is essential or desirable for the public convenience or welfare and will not be detrimental to the immediate neighborhood?

The applicant's property abuts commercial properties on each side and the rights-of-way of Main Street and Dr. David Cline Lane along the front and rear property lines. The success and frequency of use of convenience stores, particularly with the collocation of gasoline sales, demonstrate the need to the community. These uses are particularly beneficial in a neighborhood commercial setting. This use will be part of a mixed-use area to maximize the best and highest uses in areas prime for development and redevelopment to ensure the Town remains economically self-sufficient.

Describe how the proposed use and improvements are to be designed and arranged to fit into the development of adjacent property and the neighborhood:

The applicant's proposal will provide a new commercial use that will comply with the minimum design and construction standards of the community. The products and services will meet the needs of the community by providing a location where food, household items and motor fuel will be available at one location that is convenient to the residents of Dumfries.

Furnish plat showing boundaries and dimensions of property, width of boundary streets, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping and the like. Architect's sketches showing elevations of proposed buildings and complete plans are also desirable and if available should be filed with the application:

Since the proposed zoning text amendment will allow convenience retail stores, with or without gasoline sales, throughout the B-2, the boundaries and dimensions of the applicant's property are not specifically relevant in the requested amendment. The appearance and configuration anticipated would be similar to existing convenience store operations. Building elevations and architectural plans specific to the applicant's property will not be prepared until and unless the requested zoning text amendment is approved. This will help to avoid devising plans for the property before the Town has determined the design criteria and approval process. Since the proposed zoning text amendment will allow convenience retail stores, with or without gasoline sales throughout the B-2, the building architecture of the applicant's property are not specifically relevant in the requested amendment.

Page 3

Is the request consistent with the relevant components of the Comprehensive Plan? Yes.

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property to be used in conjunction with the amendment: (Attach additional pages if necessary)

Name: UNITED STATES POSTAL SERVICE Property Address: 17949 MAIN ST DUMFRIES, VA 22026

Mailing Address: PO BOX 701 COLUMBIA, MD 21045

GPIN #: 8189-70-5309

Name: RAMIN LLC Property Address: 17970 FRALEY BLVD DUMFRIES, VA 22026

Mailing Address: 8094 PAPER BIRCH DR LORTON, VA 22079

GPIN #: 8189-70-7905

Name: MGB PROPERTIES VII LLC Property Address: 17975 MAIN ST DUMFRIES, VA 22026

Mailing Address: 11165 FAIRFAX BLVD FAIRFAX, VA 22030

GPIN #: 8188-79-4485

Name: COSTELLO BRADLEY B & JEFFREY S COSTELLO Property Address: 17964 MAIN ST DUMFRIES, VA 22026

Mailing Address: PO BOX 624 DUMFRIES, VA 22026

GPIN #: 8189-70-1409

Name: Ownership data currently not available for this parcel. Property Address: 17962 MAIN ST DUMFRIES, VA 22026

Mailing Address: Ownership data currently not available for this parcel.

GPIN #: 8189-70-1813

Name: MGB PROPERTIES XIII LLC Property Address: 17944 MAIN ST DUMFRIES, VA 22026

Mailing Address: 11165 FAIRFAX BLVD FAIRFAX, VA 22030

GPIN #: 8189-70-2425

Name: _____ Property Address: _____

Mailing Address: _____

GPIN #: _____

Other comments or information: _____

TO THE GOVERNING BODY OF THE TOWN OF DUMFRIES:

This petition for a text amendment to the Zoning Ordinance of the Town of Dumfries was received on _____, a public hearing was held on _____, and the Planning Commission wishes to make the following recommendations to the Town Council:

By: _____

Chairman, Planning Commission

ACTION OF THE TOWN COUNCIL:

On _____ the Town of Dumfries Town Council took the following action
on the attached petition for a text amendment to the Zoning Ordinance:

FILING FEE:

Permit # _____

Amount Paid \$ _____

Date Paid _____

NOTICE

The Town of Dumfries does not discriminate-against religions or on the basis of sex, age, race, national origin, or a disability. If you believe that you have been discriminated against or that the Religious Land Use & Institutionalized Persons Act ("RLUIPA") has been violated, please ask for a complaint form.

Under the laws of the United States and the Commonwealth of Virginia, no government may discriminate against religions or on the basis of sex, age, race, national origin, or a disability - in its planning and land use processes.

Under RLUIPA, no government may apply its zoning or land use laws, or its policies and procedures in a manner that unjustifiably imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution.

RLUIPA also provides that no government may apply its zoning or land use laws in a manner that treats a religious assembly or institution on less than equal terms that a non-religious institution or assembly.

Finally, RLUIPA provides that no government may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

The Town of Dumfries does not discriminate against religions in its planning and land use processes. If you believe that you have been discriminated against or that the Religious Land Use & Institutionalized Persons Act ("RLUIPA") has been violated, please ask for a complaint form.

INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA,
COUNTY OF PRINCE WILLIAM

This 10th day of June, 2020,

I, Christopher K. Brown, Pres Equestres, Inc (Owner), hereby make oath that no member of the Town Council of the Town of Dumfries, Virginia, nor the Planning Commission of the Town of Dumfries, Virginia, has interest in such property, either individually, by ownership of stock in a corporation owning such land, or partnership, or as holder of ten (10) percent or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly, by such member or members of his immediate household, except as follows:

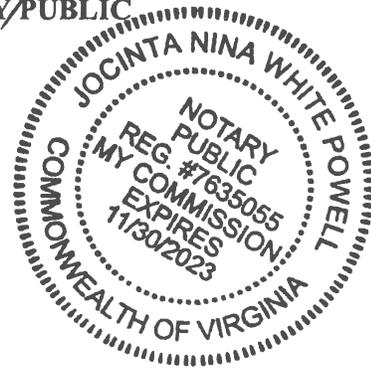
Christopher K Brown Pres Equestres, Inc
 Owner / Contract Purchaser / Authorized Agent
(circle one)

COMMONWEALTH OF VIRGINIA:
County of Prince William

Subscribed and sworn to before me this 10 day of June, 2020 in my County and State aforesaid, by the aforementioned Principal Jocinta White Powell

NOTARY PUBLIC

My Commission Expires: 30 November 2023



CONCURRENT PROCESSING AFFIDAVIT

STATE OF VIRGINIA,
COUNTY OF PRINCE WILLIAM

This 10th day of June, 2020

I, Christopher Brown, Pres Genetras Inc (Owner) hereby notify the Town of Dumfries that my application requesting a Zoning Ordinance Text Amendment will be processed concurrently with the site development plan. I understand that the site development plan cannot be approved by the Town Council of the Town of Dumfries until final action has been taken on my text amendment application. Furthermore, I understand that the review of the site development plan may need to be revised to meet the conditions associated with the text amendment application. I also understand that approval of the site plan will not grant development rights if the uses shown thereon are not approved by the Town Council when it takes action on the text amendment application.

I hereby knowingly waive any claim that the expenditure of funds used in preparation of the site development plan will provide me and my successors or assigns any rights to the approval of said text amendment application. If the text amendment application is denied by the Town Council, I understand that the site development plan will become null and void, the site development plan file closed, and no review fees refunded.

Christopher Brown, Pres Genetras Inc

Owner/Contract Purchaser/Authorized Agent
(circle one)

COMMONWEALTH OF VIRGINIA:
County of Prince William

Subscribed and sworn to before me this 10 day of June, 2020 in my County an State aforesaid, by the aforementioned Principal.

Jocinta White Powell

NOTARY PUBLIC

My Commission Expires: 30 November 2023



William Capers III., PTP

From: William Capers III., PTP
Sent: Tuesday, February 11, 2020 10:01 AM
To: Jim Uvena
Subject: RE: Meeting

Good morning Mr. Uvena:

As mentioned in our previous meeting, given that there was a staff error in the processing of your previous request for a zoning text amendment I will authorize a waiver of the fee to process a new application. Please retain this email and present to the customer service division with your submission. Please feel free to contact me if you have any additional questions/concerns.

Thanks,

Will

William Capers III., PTP
Director of Planning & Community Development
Town of Dumfries, VA
17739 Main Street, Suite 200
Dumfries, Virginia 22026
wcapers@dumfriesva.gov
Direct (703) 221-3400, 115
Mobile (571) 220-3034





COMPTON & DULING
Attorneys At Law

June 15, 2020

(703) 565-5134
sp@comptonduling.com

VIA HAND DELIVERY

William Capers III, PTP
Director of Planning & Community Development
Town of Dumfries
17739 Main Street, Suite 200
Dumfries, VA 22026

Re: Zoning Ordinance Text Amendment Request

Dear Mr. Capers:

On behalf of our client, Equestres Incorporated, attached please find a request for an amendment to the text of the Zoning Ordinance for the Town of Dumfries. This application is filed pursuant to Zoning Ordinance section 70-11 (a) "*Uses not provided for*". Equestres Incorporated is the owner of the property known as 17961 Main Street. The property consists of 1.09 acres and is currently zoned Business, Neighborhood District B-2.

Our client wishes to develop a Convenience Store including Gasoline Sales on the above referenced property. The requested zoning ordinance text amendment, if adopted, will specifically allow convenience stores with gasoline sales in the Business, Neighborhood District B-2. The Zoning Ordinance defines the term *Convenience store (with or without gasoline sales)*, but does not specifically allow for such use in the Business, General District B-1 or in the Business, Neighborhood District B-2 (zoning ordinance sections 70-247, and, 70-282, respectively).

The definitions section of the Dumfries Zoning Ordinance describes a Convenience Store as "*A retail establishment with less than 5,000 square feet in floor area selling food products, beverages, and a limited selection of household items to customers who purchase only a few items (and possibly gasoline, if pumps are provided). Does not include or offer any motor vehicle repair services.*"

Zoning ordinance section 70-281 establishes the intent of the Neighborhood District B-2 as providing for “*a limited range of retail, commercial and convenience business uses to serve public need at the neighborhood level. This district is intended to create an environment to encourage a mix of living and working areas that is comfortable for pedestrians and bicyclists as well as automobiles, that contains uses that might not always require a trip by automobile, and to create a sense of community character as the heart of the historic Town of Dumfries*”[emphasis added].

The proposal to add convenience stores and convenience stores with gasoline sales to the Neighborhood District is consistent with the intent of the B-2 zoning district. The Applicant’s property is within walking distance of single-family detached homes west of Main Street (less than 1/10 mile) and the Williamstown townhome community east of Fraley Boulevard (approximately 1/4 mile). The site also has frontage on two public rights-of-ways that will provide ample vehicular access.

According to a 2019 study by National Association of Convenience Stores (NACS), approximately 80% of motor fuel in the United States was sold at convenience stores. NACS describes typical Convenience Store items as including newspapers, freshly brewed coffee, daily-made donuts, bakery items, snacks and candy, packaged beverages, hot and cold prepared foods, breakfast items, dairy items, fresh fruits, and light meals including ready-to-go and freshly made sandwiches and wraps, soups and salads. Stores typically also often have automated teller machines (ATMs), and public restrooms.

In 2019 there were 152,720 convenience stores operating in the US and 80% of those stores sold motor fuel. Convenience stores employed 2.46 million people in the US during 2019.

Convenience stores can range in size and impacts. The Institute of Traffic Engineers (ITE) has surveyed Convenience Stores nationally and found that stores that are less than 2,000 square feet generate the lowest number of average daily trips, and stores of over 3,000 square feet and have more than 10 gasoline fueling positions generate average daily trips at a higher rate than smaller stores. Therefore, ITE estimates for traffic generation at Convenience Stores, use the combination convenience store floor area and the number of fueling positions to determine the probable impacts of the use:

Store Area (in square feet)	Fueling positions
less than 2,000	variable
2,000 and above	Less than 10
2,000 to 3,000	10 or more
3,000 and above	More than 10

Zoning Text Amendment
Equestres Inc.
June 15, 2020

The Applicants request is that the Planning Commission and the Town Council consider amending Zoning Ordinance section 70-282 to permit convenience store with gasoline sales as *Allowable Uses* (subsection A) or *Uses allowable pursuant to a conditional use permit* (subsection B).

Please review this application as quickly as possible and advise me if there is any additional information that is needed, or if you have any questions or concerns about the proposal. Thank you for your attention to this matter.

Sincerely,

COMPTON AND DULING, L.C.

Handwritten signature of Sherman Patrick, Jr. in cursive, with the initials "S.P." written below it.

Sherman Patrick, Jr., A.I.C.P.
Director of Zoning & Entitlements

cc: Equestres Incorporated

Attachments:

Completed Zoning Text Amendment Application
Email Correspondence Waiving Application Fee
Receipt of Fee Payment

2/1/20

TOWN OF DUMFRIES
17755 MAIN STREET
DUMFRIES, VA 22026-
(703)221-3400

P A Y M E N T

Date: 10/29/2018
Time: 3:49 PM

EQUESTRES INC.
18005 DUMFRIES PLAZA
ZTA FEE CK# 1168

Cash:	\$0.00
Check:	\$1,000.00
Charge:	\$0.00
MoneyOrder:	\$0.00
Total Fee:	\$1,000.00
TOTAL PAID:	\$1,000.00
Change Due:	\$0.00

1 OTHER OTHER \$1,000.00

Operator: 4
Receipt#: 35399

T H A N K Y O U !

A



DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town

CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building

17739 Main Street, Suite 200

Dumfries, Virginia 22026

Tel: 703-221-3400/Fax: 703-221-3544

www.dumfriesva.gov

Staff Report

Zoning Text Amendment ZTA 2020-001: To amend Chapter 70, Division 7, Sections 70-282 (A) or 70-282 (B) to permit the use of a Convenience Store with Gasoline Sales in the Neighborhood Business, B-2 Zoning District, either by right or with a conditional use permit.

To: Town of Dumfries Town Council
From: William Capers III, PTP, Director of Planning and Community Development
Date: September 15, 2020

APPLICANT

Equestres, Inc.
180005 Dumfries Shopping Plaza
Dumfries, VA 22026

PURPOSE

To approve a Zoning Text Amendment (ZTA) to permit the use of a Convenience Store with Gasoline Sales in the B-2 Zoning District either by right or with a conditional use permit (CUP).

STAFF RECOMMENDATION

Staff recommends that the Town Council approve ZTA 2019-004-01 to permit the use of a Convenience Store with Gasoline Sales in the B-2 zoning district as an allowable use pursuant to a CUP in the Neighborhood Business, B-2 Zoning District.

This report reflects the analysis and recommendations of staff; it does not reflect the position of the Council.

ZONING ORDINANCE PROVISIONS

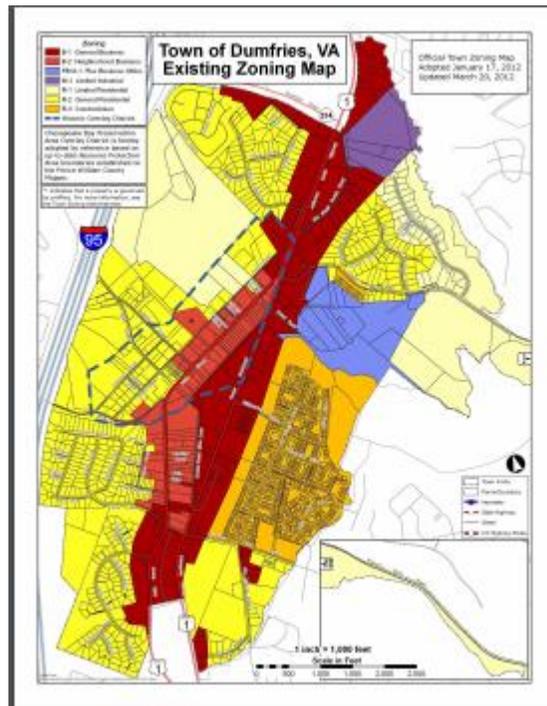
The Town of Dumfries Zoning Ordinance, Sec. 70-1 (Definitions) currently defines "Convenience Store" as "*a retail establishment with less than 5,000 square feet (SF) in floor area selling food products, beverages, and a limited selection of household items (and*

Staff report: ZTA 2020-001

possibly gasoline, if pumps are provided. Does not include or offer any motor vehicle repair services.” In this definition, the Zoning Ordinance establishes the parameters and intent in developing a Convenience Store use in the Town of Dumfries which includes establishments that provide the sale of gasoline where pumps are made available.

Furthermore, the Town of Dumfries Zoning Ordinance states that the intent of the B-2 Zoning District “is to provide a limited range of retail, commercial and convenience business uses to serve the public need at the neighborhood level... and to create a sense of community character....” As shown in Figure 1, properties zoned within the B-2 District are generally situated along southbound Rt. 1 (Main Street), which is bounded by residential zoned districts immediately to the north, east and west. A Convenience Store with Gasoline Sales is a neighborhood scale retail use which is compatible in nature and will contribute to the mix variety of neighborhood retail services currently provided in the B-2 District. The Convenience Store with Gasoline Sales use will further contribute to the diverse retail options within the Town by providing additional food and beverage options to the neighboring residential communities adjacent to the B-2 District.

Figure 1



Allowable Uses by Right- Development projects that are permitted uses “by right” are considered without a discretionary review process through the Planning Commission and/or Town Council as long as the standards outlined in the Zoning Ordinance are met. Uses that are allowable “by right” can be administratively permitted and processed and do not require a recommendation from the Planning Commission or approval from the Town Council.

Allowable Uses Pursuant to a CUP- Development allowable with a CUP allows the Town Council to impose certain conditions that make the use no more intrusive than a use by right in the same district. The intent of a CUP is to provide the Town the flexibility to condition certain requirements in order to mitigate site- related effects generated by a use that may cause undue impacts to existing and proposed facilities and infrastructure. Such impacts, as they relate to this ZTA application, may include, but are not limited to, traffic congestion, safety and operations.

ADDITIONAL ANALYSIS

The applicant asserts that 80% of motor fuel in the United States was sold at convenience stores in 2019, citing a study by the National Association of Stores (NACS) which showed that in 2019 there were 152,720 convenience stores operating in the United States of which 122,176 (or 80%) of those stores sold motor fuel.

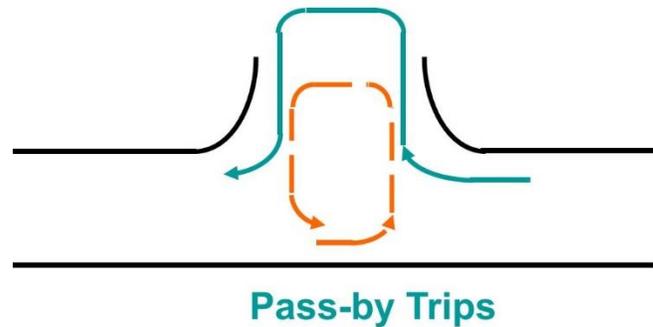
In regards to traffic operations, the applicant indicates that the Institute of Transportation Engineers (ITE) showed a correlation between the size of the Convenience Store and the amount of trips that are generally generated with such use. The applicant asserts that the ITE data shows low average daily trips with Convenience stores 2,000 SF and less, and demonstrates that a higher rate of daily trips is typically generated with Convenience stores that are 3,000 SF or more. This assumption infers that the higher number of trips generated by stores greater than 3,000 SF or more, is attributed to the ability for stores with larger square footage to increase the number of fueling positions on site. As shown in Figure 2, the number of allowable gasolines fueling positions increases as the SF of the store increases.

Figure 2

Store Area (in square feet)	Fueling positions
less than 2,000	variable
2,000 and above	Less than 10
2,000 to 3,000	10 or more
3,000 and above	More than 10

Staff believes that any new vehicular trips generated by a Convenience Store with Gasoline Sales will be largely made by residents that live within the Town limits, and that new daily trips will be largely attributed to the convenience store component of this use. Trips made by the fueling stations component of the use will be largely “pass-by” trips, which are existing trips that are already on the network that will make a stop without making a major route diversion. The concept of pass-by trips is generally depicted in Figure 3.

Figure 3



COMPREHENSIVE PLAN

The Town of Dumfries Comprehensive Plan 2014, Commercial goals (Page 95) “*encourages commercial development that meets the needs of the community.*” The Convenience Store with Gasoline Sales use is unique to the current uses permitted within the B-2 district but implements the Plan goals in providing neighborhood scale retail goods and services that will meet the needs of the Town residents.

SUMMARY & RECOMMENDATION

Approval of ZTA 2020-001 will allow the development of Convenience Store with Gasoline Sales establishments to be a permitted use in the Neighborhood Business District either by right or with approval by the Town Council pursuant to a CUP.

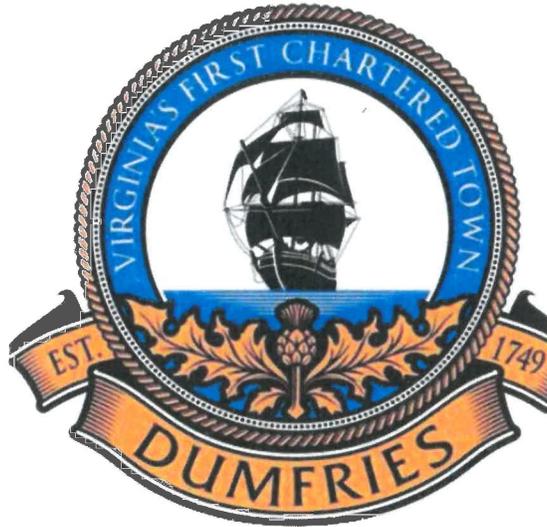
The parameters and intent of a Convenience Store with Gasoline Sales use is currently established and defined in Sec. 70-1 of the Town Zoning Ordinance. The proposed change to the Zoning Ordinance to allow the use of a Convenience Store with Gasoline Sales meets the intent of the B-2 Zoning District by providing a compatible use that contributes to the mix variety of neighborhood scale retail uses in that district. The proposed change to the B-2 Zoning District is in harmony with the Comprehensive Plan in fostering neighborhood scale retail options that meet the needs of the community.

Given the nature of the proposed use and the potential effects that this use will have on existing facilities, staff recommends that Convenience Store with Gasoline Sales uses should be pursuant to a CUP so that there is detailed staff and Planning Commission review of the specific development, and the Town Council can impose conditions that ensure that the demand of the use will not have significant impacts to the site and the neighboring land uses. Staff recommends that the Town Council approve ZTA 2020-001 subject to the provision to allow the proposed use to be permitted pursuant to a CUP.

STAFF CONTACT: William Capers III, Director of Planning and Community Development- 703-221-3400 x 115.

ZTA2020.002

APPLICATION FOR A ZONING ORDINANCE TEXT AMENDMENT



**TOWN OF DUMFRIES, VIRGINIA
17739 MAIN STREET
DUMFRIES, VIRGINIA 22026
703-221-3400 Ext. 115
Fax: 703-221-3544 Fax: 703-221-3544**

ZONING ORDINANCE TEXT AMENDMENT

TO THE TOWN COUNCIL OF THE TOWN OF DUMFRIES, VIRGINIA

The undersigned, being all of the owner(s), contract purchasers or the respective duly authorized agents thereof, do hereby petition to amend the Zoning Ordinance of the Town of Dumfries as described below: (Attach additional pages if necessary).

Section #	Description of Change
<u>70-1</u>	<u>Add the definition of a Homeless Facility to Chapter 70, Sec. 70-1</u>
	<u>"Homeless shelter shall mean a facility providing temporary housing primarily to indigent, needy, homeless or transient persons; may also provide secondary services such as counseling, vocational training, etc."</u>

Property Location: (Describe the location of the property by distance, in feet or portion of a mile, and direction from an intersection of two (2) public roads or streets.

The property is located at the northeast quadrant of Williamstown Drive and U.S. Route 1 in the Town of Dumfries, VA.

The name(s), mailing address(es), and telephone number(s) of owner(s) and contract purchaser, lessee, and/or authorized agent(s), as applicable are: (Attach additional pages if necessary)

OWNER OF PROPERTY:

Name: Grace Church Phone #: _____

Mailing Address: 1006 Williamstown Drive, Dumfries, VA 22026

CONTRACT PURCHASER/LESSEE:

Name: _____ Phone #: _____

Mailing Address: _____

AUTHORIZED AGENT(S):

Name: Arthur Stewart Phone #: (703) 981-0642

Mailing Address: 9 Center St. Stafford, VA 22554

Signed this _____ day of _____, 200__.

Signature of Contract Purchaser/Lessee

Signature of Owner/Agent

Page 2

Describe briefly the type of use and improvements proposed. State whether new buildings are to be constructed, existing structures are to be used or removed, or additions made to existing buildings:

The existing building has a B-1 designation and is used as a church. The contract purchaser intends to use the facility to provide human services and operate a homeless shelter. The existing building will be used and the only structure that will be added is a fence along the rear property line. 12 showers and additional bathrooms will be added inside the facility.

Why does applicant believe the location of the use in question on the particular property is essential or desirable for the public convenience or welfare and will not be detrimental to the immediate neighborhood?

The existing location will provide a state-of-the-art facility where human services can be provided to residents from the Town of Dumfries and Prince William County community and shelter can be provided for persons who are homeless. The existing facility and plan to add a fence on the property line will create a physical barrier between the property and adjacent neighborhood, thereby reducing any negative and detrimental impacts. See attached Zoning Text Amendment Justification Statement.

Describe how the proposed use and improvements are to be designed and arranged to fit into the development of adjacent property and the neighborhood:

The proposed building use and any improvements (added fencing) will be consistent with how the current facility use fits into the adjacent property and neighborhood. The building will provide shelter for persons who are homeless (not to exceed 100 beds). On site client services will be provided including counseling, employment assistance, behavioral health services, service planning, case management services, public benefit eligibility determinations, basic medical evaluations, and housing assistance.

Furnish plat showing boundaries and dimensions of property, width of boundary streets, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping and the like. Architect's sketches showing elevations of proposed buildings and complete plans are also desirable and if available should be filed with the application:

Is the request consistent with the relevant components of the Comprehensive Plan? Yes

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property to be used in conjunction with the amendment: (Attach additional pages if necessary)

By: _____

Chairman, Planning Commission

ACTION OF THE TOWN COUNCIL:

On _____ the Town of Dumfries Town Council took the following action on the attached petition for a text amendment to the Zoning Ordinance:

FILING FEE:

Permit # _____

Amount Paid \$ _____

Date Paid _____

INTEREST DISCLOSURE AFFIDAVIT

**STATE OF VIRGINIA,
COUNTY OF PRINCE WILLIAM**

This _____ day of _____, 200 _____,

I, _____ (Owner), hereby make oath that no member of the Town Council of the Town of Dumfries, Virginia, nor the Planning Commission of the Town of Dumfries, Virginia, has interest in such property, either individually, by ownership of stock in a corporation owning such land, or partnership, or as holder of ten (10) percent or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly, by such member or members of his immediate household, except as follows:

Owner/Contract Purchaser/Authorized Agent
(circle one)

**COMMONWEALTH OF VIRGINIA:
County of Prince William**

Subscribed and sworn to before me this _____ day of _____, 200 _____ in my County and State aforesaid, by the aforementioned Principal.

NOTARY PUBLIC

My Commission Expires: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

**STATE OF VIRGINIA,
COUNTY OF PRINCE WILLIAM**

This _____ day of _____, 200_____,
I, _____ (Owner/contract purchaser) of
_____ (geographical parcel identification number) hereby make,
constitute, and appoint _____, my
true and lawful attorney-in-fact, and in my name, place and stead giving unto said
_____ full power and authority to do and perform
all acts and make all representation necessary, without any limitation whatsoever, to make application for
said Zoning Ordinance Text Amendment.

The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force
and effect on _____ 200_____, and shall remain in full force and effect thereafter
until actual notice, by certified mail, return receipt requested is received by the Zoning office of the Town of
Dumfries stating that the terms of this power have been revoked or modified.

Owner/Contract Purchaser

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NOTARY PUBLIC

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Sec. 70-247(B). - Uses allowable pursuant to a conditional use permit.

Structures to be erected or land to be used for one of the following uses may be allowed subject to a conditional use permit in accordance with section 70-10 of the zoning ordinance. Only one main structure and its accessory building shall be erected on any lot or parcel of land in this district.

- (1) Amusement parlors.
- (2) Child care or adult day care center.
- (3) Convenience stores and service establishments such as, but not limited to, automatic self-service laundries.
- (4) Cultural arts and entertainment centers.
- (5) Garages and public parking.
- (6) Homeless Shelter
- ~~(6-7)~~ Household appliance sales and service store.
- ~~(7-8)~~ Live theaters, live entertainment centers.
- ~~(8-9)~~ Miniature golf courses and golf driving ranges.
- ~~(9-10)~~ Movie theaters and assembly halls.
- ~~(10-11)~~ Off-premises sales of beer and wine.
- ~~(11-12)~~ Pet shops.
- ~~(12-13)~~ Residential, limited to multifamily dwellings, located above a commercial, retail or office use on the ground floor or located on the ground floor only if the residences do not face on Main Street, Fraley Boulevard, Route 234, Graham Park Road, or, if the building fronts on multiple streets, the residences must not face on the public street with the highest functional class as determined by the public works department.
- ~~(13-14)~~ School, K-12.
- ~~(14-15)~~ Uses otherwise permitted under section 70-247(A) above with a drive-through window.
- ~~(15-16)~~ Wholesale businesses, with parking to the rear of the building.

(Ord. No. O-2011-013, § 1, 9-20-2011; Ord. No. O-2013-009, § 1, 7-9-2013; Ord. No. O-2014-011, § 1, 11-5-2014; Ord. No. O-2017-004, 6-6-2017; Ord. No. O-2018-002, 1-3-2018)



GRACE CHURCH

REACHING EMPOWERING ASSIMILATING LEADING

Bishop
Dr. Derek Grier, M.Ed., D.Min

Pastor
Yeromitou Grier

July 31, 2020

Town of Dumfries
17399 Main St.
Dumfries, VA 22026

Zoning Text Amendment Justification Statement – Grace Church

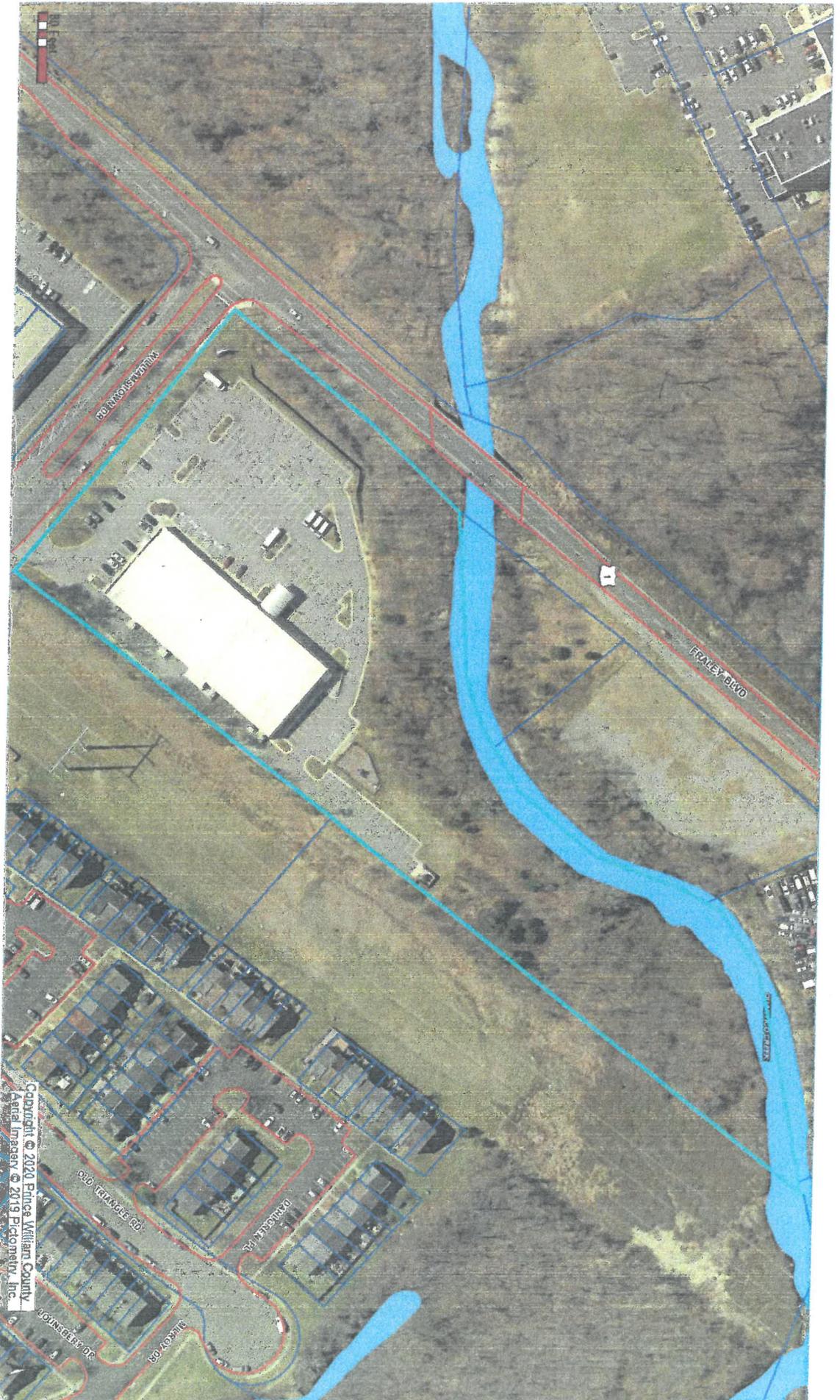
The current property located at 1006 Williamstown Drive, Dumfries, VA is owned by Grace Church, and is located in the B-1 zoning district. The Prince William Board of County Supervisors (BOCS) is interested in purchasing the Grace Church property and intends to use the facility to provide human services and a shelter for persons who are homeless in the Town of Dumfries and Prince William County community. Except for adding a fence (board-on-board style) to create a physical barrier and buffer along the back side of the property, no modifications or renovations to the existing site plan will occur. Plans for interior renovations include the addition of 12 to 16 showers and expansion of the existing warming kitchen.

The property owner, Grace Church, is submitting a zoning text amendment (ZTA), conditional use permit (CUP), and public facility review (PFR) application on behalf and in support of the perspective buyer. The purpose of the ZTA, CUP, and PFR is three-fold: 1) to add the following definition of a Homeless Facility to Chapter 70, Sec. 70-1 (definitions) of the Town zoning code [Homeless shelter shall mean a facility providing temporary housing primarily to indigent, needy, homeless or transient persons; may also provide secondary services such as counseling, vocational training, etc.] 2) permit the use of a Homeless Facility with a conditional use permit (CUP) to Chapter 70, Sec. 70-247 (B), and 3) conduct a PFR to solicit public input in accordance with the Town and State code requirements.

Purchase and transfer of property ownership from Grace Church to the Prince William BOCS is contingent upon approval of the ZTA, PFR, and CUP by the Dumfries Town Council.


Pastor Kenneth T. McLeon
Chief of Staff - Grace Church

1006 Williamstown Road



The information contained on this page is not to be construed or used as a legal description. Map information is believed to be accurate but accuracy is not guaranteed. Any errors or omissions should be reported to the Prince William County Geographic Information Systems Division of the Department of Information Technology. In no event will Prince William County be liable for any damages, including loss of data, lost profits, business interruption, loss of business information or other pecuniary loss that might arise from the use of this map or the information it contains.

Selected Feature Information

Parcels (1 record identified)

GPIN: 8189-91-2623

Owner: GRACE CHRISTIAN CHURCH INC
1006 WILLIAMSTOWN DR
DUMFRIES, VA 22026

Instrument No.: 201112200104283

Parcel Address: 1006 WILLIAMSTOWN DR
DUMFRIES, VA 22026

Acreage: 6.4082

Lot Number: 0096A

1006 Williamstown Road Adjacent Parcels



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Selected Feature Information

Parcels (21 records identified)

- | | | |
|-----------|--|--|
| | GPIN: 8189-80-7566.01 | Parcel Address: 17889 FRALEY BLVD
DUMFRIES, VA 22026 |
| 1. | Owner: MISION EVANGELICA DEL ESPIRITU SANTO
12781 CARA DR
WOODBIDGE, VA 22192

Instrument No.: 201703210021421
Lot Number: 09CU
GPIN: 8189-80-7868.01 | Acreage: 0

Subdivision: DUMFRIES COMMERCE CENTER CONDO |
| 2. | Owner: SCHIMMER LLC
15259 CHINCOTEAGUE CT
WOODBIDGE, VA 22193

Instrument No.: 201404100022438
Lot Number: 08CU
GPIN: 8189-80-8070.01 | Parcel Address: 17885 FRALEY BLVD
DUMFRIES, VA 22026

Acreage: 0

Subdivision: DUMFRIES COMMERCE CENTER CONDO |
| 3. | Owner: COGNITO PROPERTIES LLC
8310 RICHLAWN TER
FAIRFAX STATION, VA 22039

Instrument No.: 200708230096728
Lot Number: 07CU
GPIN: 8189-80-8173.01 | Parcel Address: 17881 FRALEY BLVD
DUMFRIES, VA 22026

Acreage: 0

Subdivision: DUMFRIES COMMERCE CENTER CONDO |
| 4. | Owner: COGNITO PROPERTIES LLC
8310 RICHLAWN TER
FAIRFAX STATION, VA 22039

Instrument No.: 200708230096728
Lot Number: 06CU
GPIN: 8189-80-8293 | Parcel Address: 17877 FRALEY BLVD
DUMFRIES, VA 22026

Acreage: 0

Subdivision: DUMFRIES COMMERCE CENTER CONDO |
| 5. | Owner: UNIT OWNERS DUMFRIES COMMERCE CENTER CONDO
17855 FRALEY BLVD
DUMFRIES, VA 22026

Instrument No.: 200511290203796
Lot Number: COMMON
GPIN: 8189-80-8375.01 | Acreage: 2.9463

Subdivision: DUMFRIES COMMERCE CENTER CONDO |
| 6. | Owner: LJDJ PROPERTY MANAGEMENT LLC
PO BOX 14391
MYRTLE BEACH, SC 29587

Instrument No.: 201008160070413
Lot Number: 05CU
GPIN: 8189-80-8577.01 | Parcel Address: 17873 FRALEY BLVD
DUMFRIES, VA 22026

Acreage: 0

Subdivision: DUMFRIES COMMERCE CENTER CONDO |
| 7. | Owner: JABS CONSTRUCTION INC
17869 FRALEY BLVD
DUMFRIES, VA 22026

Instrument No.: 200601190009644
Lot Number: 04CU
GPIN: 8189-80-8780.01 | Parcel Address: 17869 FRALEY BLVD
DUMFRIES, VA 22026

Acreage: 0

Subdivision: DUMFRIES COMMERCE CENTER CONDO |
| | GPIN: 8189-80-8780.01 | Parcel Address: 17865 FRALEY BLVD
DUMFRIES, VA 22026 |

- 8.** Owner: J AMBERGER ENTERPRISES LLC
4022 BONNIE BRAE CT
FREDERICKSBURG, VA 22407
Instrument No.: 200512020206305
Lot Number: 03CU
GPIN: 8189-80-8982.01
Acreage: 0
Subdivision: DUMFRIES COMMERCE CENTER CONDO
Parcel Address: 17861 FRALEY BLVD
DUMFRIES, VA 22026
- 9.** Owner: J AMBERGER ENTERPRISES LLC
4022 BONNIE BRAE CT
FREDERICKSBURG, VA 22407
Instrument No.: 201812050086698
Lot Number: 02CU
GPIN: 8189-80-9184.01
Acreage: 0
Subdivision: DUMFRIES COMMERCE CENTER CONDO
Parcel Address: 17857 FRALEY BLVD
DUMFRIES, VA 22026
- 10.** Owner: COMMERCE CENTER LLC
15824 SHEADS MOUNTAIN RD
RIXEYVILLE, VA 22737
Subdivision: DUMFRIES COMMERCE CENTER CONDO
GPIN: 8189-80-9342
Acreage: 0
Lot Number: 01CU
Parcel Address: 1553 FORT SUMTER CT
DUMFRIES, VA 22026
- 11.** Owner: WILLIAMSTOWN HOMEOWNERS ASSOC INC
PO BOX 370
DUMFRIES, VA 22026
DB: 0894 DP: 0184
Lot Number: 0000A1
GPIN: 8189-81-5212
Acreage: 5.9646
Subdivision: WILLIAMSTOWN Section 1
Parcel Address: 17870 FRALEY BLVD
DUMFRIES, VA 22026
- 12.** Owner: APARTMENTS AT DUMFRIES II LLC
448 DEPOT ST
CHRISTIANSBURG, VA 24073
Instrument No.: 201601080001442
GPIN: 8189-81-6650
Acreage: 6.1236
Lot Number: 0063
Parcel Address: 17749 MAIN ST
DUMFRIES, VA 22026
- 13.** Owner: TOWN OF DUMFRIES
17755 MAIN ST
DUMFRIES, VA 22026
DB: 1018 DP: 0135
GPIN: 8189-90-3795
Acreage: 3.3505
Lot Number: 0065
Parcel Address: 3672 STEWART LN
DUMFRIES, VA 22026
- 14.** Owner: SOUTH COVE HOMEOWNERS ASSOC
3615 CHAIN BRIDGE RD
FAIRFAX, VA 22030
DB: 1587 DP: 1829
Lot Number: 0000C1
GPIN: 8189-91-1574
Acreage: 3.6642
Subdivision: WILLIAMSTOWN Section 3
Parcel Address: 17740 FRALEY BLVD
DUMFRIES, VA 22026
- 15.** Owner: DUMFRIES DEVELOPMENT GROUP LLC
3600 POINTE CENTER CT #100
DUMFRIES, VA 22026
Instrument No.: 201804300030002
GPIN: 8189-91-2342
Acreage: 3.3581
Lot Number: 0095
Parcel Address: 17785 FRALEY BLVD
DUMFRIES, VA 22026
- 16.** Owner: CORTEZ DOUGLAS VLADIMIR & DANILA
JANNETTE GONZALEZ
1601 MAURICE DR
WOODBIDGE, VA 22191
Instrument No.: 201507080055184
GPIN: 8189-91-2623
Acreage: 0.5173
Lot Number: 0095A1
Parcel Address: 1006 WILLIAMSTOWN DR
DUMFRIES, VA 22026

SUBJECT PROPERTY

- 17.** Owner: GRACE CHRISTIAN CHURCH INC
1006 WILLIAMSTOWN DR
DUMFRIES, VA 22026
Instrument No.: 201112200104283
GPIN: 8189-91-3958
Acreage: 6.4082
Lot Number: 0096A
Parcel Address: 17755 FRALEY BLVD
DUMFRIES, VA 22026
- 18.** Owner: CASTRO ESCOBAR ARMANDO & EFREN T-C
16259 GAYLE CT
TRIANGLE, VA 22172
Instrument No.: 201609220076820
GPIN: 8189-91-6384
Acreage: 1.3564
Lot Number: 0095A
Parcel Address: 17735 FRALEY BLVD
DUMFRIES, VA 22026
- 19.** Owner: MOUNTJOY WILLARD L & BETTY B SURV
18314 CANDICE DR
TRIANGLE, VA 22172
DB: 1321 DP: 1510
GPIN: 8289-01-1147
Acreage: 1.46
Lot Number: 0095B
Parcel Address: 17550 OLD TRIANGLE RD
DUMFRIES, VA 22026
- 20.** Owner: SOUTH COVE HOMEOWNERS ASSOC
3615 CHAIN BRIDGE RD
FAIRFAX, VA 22030
DB: 1587 DP: 1834
Lot Number: 0000C2
GPIN: 8289-01-6420
Acreage: 8.9279
Subdivision: WILLIAMSTOWN Section 3
Parcel Address: 3439 CANAL RD
DUMFRIES, VA 22026
- 21.** Owner: CAMPBELL HERBERT H TR
18340 POSSUM POINT RD
DUMFRIES, VA 22026
Instrument No.: 200908180081072
Acreage: 2
Lot Number: 0191L



DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town

CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building

17739 Main Street, Suite 200

Dumfries, Virginia 22026

Tel: 703-221-3400/Fax: 703-221-3544

www.dumfriesva.gov

Staff Report

Zoning Text Amendment ZTA 2020-002: To amend Chapter 70, Sec. 70-1, to add the definition of a Homeless Shelter to the Town Zoning Ordinance, and to Division 6, Section 70-247 (B) to permit the use of a Homeless Shelter in the B-1 Zoning District with a conditional use permit.

To: Town of Dumfries Town Council
From: William Capers III, PTP, Director of Planning and Community Development
Date: September 15, 2020

APPLICANTS

Grace Church
1006 Williamstown Drive
Dumfries, VA 22026

Prince William County Board of Supervisors
1 County Complex Ct
Woodbridge, VA 22192

PURPOSE

To approve a Zoning Text Amendment (ZTA) to add the definition of Homeless Shelter to Sec. 70-1 of the Town Zoning Ordinance and to permit the use of a Homeless Shelter in the B-1 Zoning District with a conditional use permit (CUP).

STAFF RECOMMENDATION

Staff recommends that the Town Council approve ZTA 2020-002, to add the definition of Homeless Shelter to the Definition section of the Zoning Ordinance, and to permit the use of a Homeless Shelter as an allowable use pursuant to a CUP in the General Business, B-1 Zoning District.

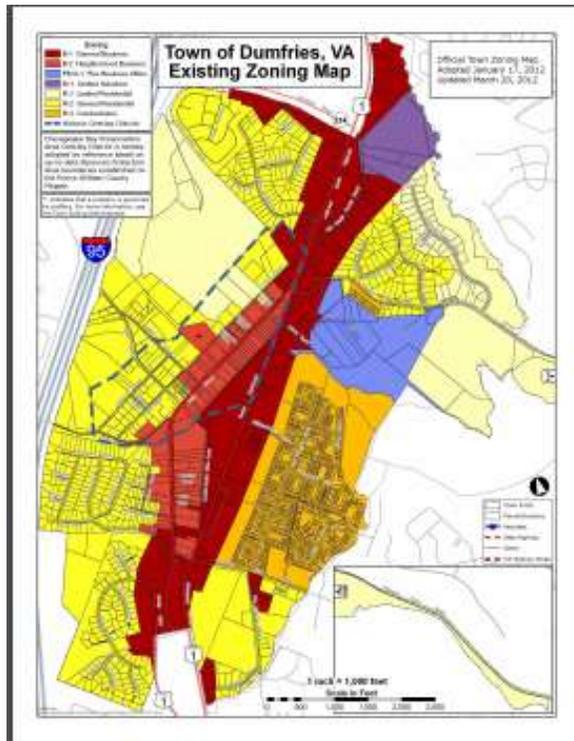
This report reflects the analysis and recommendations of staff; it does not reflect the position of the Council.

Staff report: ZTA 2020-002

ZONING ORDINANCE PROVISIONS

The intent of the General Business, B-1 Zoning District, is to incorporate a wide variety of commercial businesses and service activities to serve a large segment of the community and surrounding County. Zoning Ordinance Sec. 70-246, states that *“This district is intended to provide sufficient space in appropriate locations for a wide variety of commercial and miscellaneous service activities, generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial and service activity now exists.”* A Homeless Shelter is a public facility that offers temporary housing and other secondary human services to displaced families and residents. A homeless shelter use is compatible with other public utilities and civic uses that are currently permitted in the B-1 zoning district, and meets the intent of the district in providing a mix of public facilities and service activities in an area accessible to a major roadway. As shown in Figure 1, the General Business, B-1 Zoning District is generally situated along northbound Rt. 1.

Figure 1



Allowable Uses Pursuant to a CUP- Development allowable with a CUP allows the Town Council to impose certain conditions that make the use no more intrusive than a use by right in the same district. The intent of a CUP is to provide the Town the flexibility to condition certain requirements in order to mitigate site- related effects generated by a use that may cause undue impacts to existing and proposed facilities and infrastructure. Such impacts, as they relate to the ZTA application, may include, but are not limited to, general operations, screening from non-commercial businesses, and traffic congestion.

COMPREHENSIVE PLAN

The Town of Dumfries Comprehensive Plan, Community Facilities Section, indicates that *“the Town’s goal is to assure the public services are provided by both the Town and Prince William County are adequate to meet the needs of its residents”*. The inclusion of a Homeless Shelter use will meet the Plan goal in ensuring that public services are readily available and provided to Town residents. The Homeless Shelter use is unique to the current public service facilities that are provided in the B-1 District but aligns with the Plan goals in providing adequate service activity to meet the needs of residents within the Town.

SUMMARY & RECOMMENDATION

Approval of the ZTA 2020-002 will permit the use of a Homeless Shelter in the General Business, B-1 District, with approval by the Town Council pursuant to a CUP.

The proposed change to the Zoning Ordinance to allow the use of a Homeless Shelter meets the intent of the B-1 Zoning District in providing a mix of public facilities and service activities in that district. The proposed change to the B-1 Zoning District is in harmony with the Comprehensive Plan in providing adequate service activity to meet the needs of residents within the Town.

Staff recommends the Town Council approve ZTA 2020-002 subject to the provision to allow the proposed use to be permitted pursuant to a CUP.

STAFF CONTACT: William Capers III, Director of Planning and Community Development- 703-221-3400 x 115.

The existing building has a B-1 designation and is used as a church. The contract purchaser intends to use the facility to provide human services and operate a homeless shelter. The existing building will be used and the only structure that will be added is a fence along the rear property line. 12 showers and additional bathrooms will be added inside the facility.

Why does applicant believe the location of the use in question on the particular property is essential or desirable for the public convenience or welfare and will not be detrimental to the immediate neighborhood?

The existing location will provide a state-of-the-art facility where human services can be provided to residents from the Town of Dumfries and Prince William County community and shelter can be provided for persons who are homeless. The existing facility and plan to add a fence on the property line will create a physical barrier between the property and adjacent neighborhood, thereby reducing any negative and detrimental impacts. See attached Zoning Text Amendment Justification Statement.

Describe how the proposed use and improvements are to be designed and arranged to fit into the development of adjacent property and the neighborhood:

The proposed building use and any improvements (added fencing) will be consistent with how the current facility use fits into the adjacent property and neighborhood. The building will provide shelter for persons who are homeless (not to exceed 100 beds). On site client services will be provided including counseling, employment assistance, behavioral health services, service planning, case management services, public benefit eligibility determinations, basic medical evaluations, and housing assistance.

Furnish plat showing boundaries and dimensions of property, width of boundary streets, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping and the like. Architect's sketches showing elevations of proposed buildings and complete plans are also desirable and if available should be filed with the application:

Is the request consistent with the relevant components of the Comprehensive Plan? Yes

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property to be used in conjunction with the amendment: (Attach additional pages if necessary)

By: _____

Chairman, Planning Commission

ACTION OF THE TOWN COUNCIL:

On _____ the Town of Dumfries Town Council took the following action on the attached petition for a text amendment to the Zoning Ordinance:

FILING FEE:

Permit # _____

Amount Paid \$ _____

Date Paid _____

INTEREST DISCLOSURE AFFIDAVIT

**STATE OF VIRGINIA,
COUNTY OF PRINCE WILLIAM**

This _____ day of _____, 200 _____,

I, _____ (Owner), hereby make oath that no member of the Town Council of the Town of Dumfries, Virginia, nor the Planning Commission of the Town of Dumfries, Virginia, has interest in such property, either individually, by ownership of stock in a corporation owning such land, or partnership, or as holder of ten (10) percent or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly, by such member or members of his immediate household, except as follows:

Owner/Contract Purchaser/Authorized Agent
(circle one)

**COMMONWEALTH OF VIRGINIA:
County of Prince William**

Subscribed and sworn to before me this _____ day of _____, 200 _____ in my County and State aforesaid, by the aforementioned Principal.

NOTARY PUBLIC

My Commission Expires: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

**STATE OF VIRGINIA,
COUNTY OF PRINCE WILLIAM**

This _____ day of _____, 200_____,
I, _____ (Owner/contract purchaser) of
_____ (geographical parcel identification number) hereby make,
constitute, and appoint _____, my
true and lawful attorney-in-fact, and in my name, place and stead giving unto said
_____ full power and authority to do and perform
all acts and make all representation necessary, without any limitation whatsoever, to make application for
said Zoning Ordinance Text Amendment.

The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force
and effect on _____ 200_____, and shall remain in full force and effect thereafter
until actual notice, by certified mail, return receipt requested is received by the Zoning office of the Town of
Dumfries stating that the terms of this power have been revoked or modified.

Owner/Contract Purchaser

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County of Prince William**

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NOTARY PUBLIC

My Commission Expires: _____

Sec. 70-247(B). - Uses allowable pursuant to a conditional use permit.

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- (3) Convenience stores and service establishments such as, but not limited to, automatic self-service laundries.
- (4) Cultural arts and entertainment centers.
- (5) Garages and public parking.
- (6) Homeless Shelter
- ~~(6-7)~~ Household appliance sales and service store.
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- ~~(10-11)~~ Off-premises sales of beer and wine.
- ~~(11-12)~~ Pet shops.
- ~~(12-13)~~ Residential, limited to multifamily dwellings, located above a commercial, retail or office use on the ground floor or located on the ground floor only if the residences do not face on Main Street, Fraley Boulevard, Route 234, Graham Park Road, or, if the building fronts on multiple streets, the residences must not face on the public street with the highest functional class as determined by the public works department.
- ~~(13-14)~~ School, K-12.
- ~~(14-15)~~ Uses otherwise permitted under section 70-247(A) above with a drive-through window.
- ~~(15-16)~~ Wholesale businesses, with parking to the rear of the building.

(Ord. No. O-2011-013, § 1, 9-20-2011; Ord. No. O-2013-009, § 1, 7-9-2013; Ord. No. O-2014-011, § 1, 11-5-2014; Ord. No. O-2017-004, 6-6-2017; Ord. No. O-2018-002, 1-3-2018)



GRACE CHURCH

REACHING EMPOWERING ASSIMILATING LEADING

Bishop
Dr. Derek Grier, M.Ed., D.Min

Pastor
Yeromitou Grier

July 31, 2020

Town of Dumfries
17399 Main St.
Dumfries, VA 22026

Zoning Text Amendment Justification Statement – Grace Church

The current property located at 1006 Williamstown Drive, Dumfries, VA is owned by Grace Church, and is located in the B-1 zoning district. The Prince William Board of County Supervisors (BOCS) is interested in purchasing the Grace Church property and intends to use the facility to provide human services and a shelter for persons who are homeless in the Town of Dumfries and Prince William County community. Except for adding a fence (board-on-board style) to create a physical barrier and buffer along the back side of the property, no modifications or renovations to the existing site plan will occur. Plans for interior renovations include the addition of 12 to 16 showers and expansion of the existing warming kitchen.

The property owner, Grace Church, is submitting a zoning text amendment (ZTA), conditional use permit (CUP), and public facility review (PFR) application on behalf and in support of the perspective buyer. The purpose of the ZTA, CUP, and PFR is three-fold: 1) to add the following definition of a Homeless Facility to Chapter 70, Sec. 70-1 (definitions) of the Town zoning code [Homeless shelter shall mean a facility providing temporary housing primarily to indigent, needy, homeless or transient persons; may also provide secondary services such as counseling, vocational training, etc.] 2) permit the use of a Homeless Facility with a conditional use permit (CUP) to Chapter 70, Sec. 70-247 (B), and 3) conduct a PFR to solicit public input in accordance with the Town and State code requirements.

Purchase and transfer of property ownership from Grace Church to the Prince William BOCS is contingent upon approval of the ZTA, PFR, and CUP by the Dumfries Town Council.


Pastor Kenneth T. McLeon
Chief of Staff - Grace Church