PRINCE WILLIAM COUNTY

Department of Development Services
Zoning Administration Division

October 30, 2026

SENT BY FIRST CLASS & CERTIFIED MAIL

Steven Schuhwerk
Seyon Group Acquisitions, LLC
800 Boylston Street Unit 1010
Boston, MA 02199

Living Faith Bible Church
10266 Battleview Parkway
Manassas, VA 20109

Re: Proffer Determination Case #ZNR2027-00064
(Determination of Rezoning #REZ1985-0042 & #REZ1988-0030, Battlefield Business Park)
Property Address: 10200 Battleview Parkway, Manassas, VA 20109; (the "Property")
Acreage: 3.8798; **GPIN:** 7697-48-5791
Zoning District: PBD, Planned Business District

To Whom It May Concern:

This is in response to the zoning and proffer determination application that you filed on August 19, 2026, requesting a zoning use determination for the above referenced property as a perspective purchaser of the Property. More specifically, you have requested confirmation of whether four specific uses would be by-right uses permitted on the Property: Wholesale, Warehousing, Small Scale Fulfilment/Distribution (under 80,000 square feet), or Assembly. Additionally, you asked the following questions: (1) if those uses are not permitted by right, could those uses be permitted as part of a special use permit; (2) if those uses are not permitted by right, could those uses be permitted as accessory uses to a permitted by right use; (3) If there is a possible pathway to rezoning this land bay to a M-2, Light Industrial designation; (4) Which zoning ordinance governs this parcel; and (5) Does the proffered "Mixed Use" land bay designation come with a defined list of permitted uses?

Background

The above referenced parcel is currently zoned PBD, Planned Business District and is located within a Land Bay designated as "Mixed Use" on the Battlefield Business Park Master PBD Zoning Plan, last revised in May 1999. The Property is subject to the proffered conditions approved by the Prince William County Board of Supervisors on July 1, 1986, as part of rezoning case #REZ1985-0042, and proffered conditions approved by the Prince William County Board of Supervisors on January 9, 1990, as part of proffer amendment case #REZ1988-0030 (Attachment A and B). The Property is located within and subject to the Data Center Opportunity Overlay District, E-Commerce Overlay District, partially in the Environmental Resource Protection Overlay District, and is also regulated by Part 404 of the Prince William County Zoning Ordinance that was in effect at the time of the original rezoning #REZ1985-0042 on July 1, 1986 (Attachment C).

Proposed Use

You have provided a description of the activities of the identified four uses from paragraph 1 above.

Wholesale - A business-to-business supplier that stores goods on site and sells to contractors and trade accounts rather than to the general public. Physically, this is racked storage with a small sales counter and office area. Traffic consists of contractor pickup trucks and box trucks during standard business hours, with periodic inventory replenishment by tractor trailer.

This is consistent with the County's definition of wholesaling.

Warehousing - Storage of goods with no on-site retail sales and minimal public visitation by the general public. This is the lowest-traffic use of the four – a handful of employees and deliveries measured in trucks per day, not per hour.

This is consistent with the County's definition of warehousing.

Small-Scale Fulfillment (under 80,000 SF) - We are asking about a single tenant occupying space within a building of approximately 27,300 SF and shipping its own product by parcel carrier. Daily activity consists principally of UPS and FedEx vans traffic with a limited number of inbound trailer deliveries, an operational profile closer to a supply house than a logistics building.

This use could fall under warehousing or distribution and fulfillment center. The distinction is addressed below.

Assembly - Light assembly of finished goods from purchased components, with no primary manufacturing, no heavy machinery, and no outdoor processing. Representative operators include electrical contractors operating panel shop assembling switchgear, audiovisual integrator racking and testing equipment prior to installation, millwork and cabinet shop, and medical device companies performing sterile kitting. This work is performed at benches using hand tools and forklifts, with the same power and ventilation profile as any flex tenant.

This use could fall under assembly, contractor tradesman shop (limited), and contractor tradesman shop (unlimited). The distinction is addressed below.

Definitions & Applicable Sections of Zoning Ordinance

Part 100 of the Prince William County Zoning Ordinance contains defined terms. The Zoning Administrator shall strictly construe the terms and definitions. In the event a term is not defined in this section, the Administrator shall refer to other chapters of the Prince William County Code and to the building code for guidance. If ambiguity remains, the Zoning Administrator shall then rely upon the conventional, recognized meaning of the word or phrase (e.g., current edition, Merriam-Webster's Dictionary).

None of the above uses are defined in the zoning ordinance at the time of the rezoning so therefore we utilize the definitions in the current zoning ordinance.

Assembly shall mean the piecing together of various, separate, manufactured components and mechanical parts to construct a finished product.

Contractor or tradesman shall mean building or service industry contractors, including but not limited to plumbing, heating, air conditioning, carpentry, electrical, masonry, and metal working.

Contractor or tradesman's shop (limited) shall mean a shop that does not involve millwork, operation of heavy equipment, furnaces or heating pots, or the dipping of furniture. Cabinetmaking, floor work, duct work, framing and other similar light work on or off-site is permitted.

Contractor or tradesman's shop (unlimited) shall mean contracting or trade operations involving millwork with industrial lathe, heavy equipment, furnaces or heating pots, automated tools, or the dipping or refinishing of furniture, or similar processes.

Distribution and fulfillment center shall mean a facility where goods or products are stored on-site temporarily, for the purpose of delivery to a neighborhood retail and fulfillment center or residential property. Such facilities may include automated systems, office space, and a pick and pack area to be used by employees for sorting and packaging goods and products for delivery from available, on-site inventory. Distribution and fulfillment center may include Warehousing and is not defined as Retail uses with an accessory delivery component.

Warehousing shall mean an operation from a structure, or part of a structure, for storing goods, wares, commodities, and merchandise, whether for the owner thereof or for others, and whether it is a public or private warehousing operation but excluding self-storage centers. Warehousing shall include shipping to non-residential uses.

Wholesaling shall mean the business of selling merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers.

Proposed Use Analysis

As your description of warehousing and wholesaling are consistent with the zoning ordinances definitions, the analysis in this section will only look at your descriptions of small-scale fulfillment (under 80,000 SF) and assembly.

Small-Scale Fulfillment (under 80,000 SF) depending on the details of the operation, could be considered either warehousing or distribution and fulfillment center. The core distinction is who receives the product. Warehousing is designated for business-to-business operations. Distribution and fulfillment center is intended for end customers. All the representative operators described in your letter would be considered warehousing except for "direct to consumer brands preforming their own pick and pack." That operation would be considered a distribution and fulfillment center.

Your description of assembly could fall under three separate definitions. This distinction is tied to extent of the work and industry the work is categorized with. The operations tied to packaging finished products on site like electrical contractor's panel shop building switchgear, an audiovisual integrator racking and testing equipment before installation, or medical device companies performing sterile kitting would be assembly. Cabinet shops and other service industries would be considered contractor tradesmen's shop (limited). However, millwork or work with automated machinery like CNC machines would be considered contractor tradesman shop (unlimited).

Proffer Analysis

The #REZ1985-0042 Master Zoning Plan designates the property as "Mixed Use". Proffer 13A states that "Mixed Use – shall allow all uses permitted in the PBD District;". Therefore, the proffers of the Property do not impact the requested uses.

Use Determination

Based on the above referenced background information, relevant sections of the applicable Zoning Ordinance, and proffered documents associated with Rezoning #REZ1985-0042, and proffer amendment #REZ1988-0030, the following proposed uses would be permitted by-right uses on the Property, subject to compliance with all applicable regulations, including but not limited to site plan approval, and compliance with the referenced proffered conditions: 1) electronic equipment and components, manufacturing, assembly, processing and distribution; 2) warehousing (excluding hazardous substances); and 3) wholesaling (except petroleum products, explosives, chemicals, insulation materials, and similar products).

The following uses: 1) assembly (non-electronic equipment); 2) contractor tradesman shop (limited); 3) contractor tradesman shop (unlimited); and 4) distribution and fulfillment center are not explicitly permitted on the Property.

However, the last use permitted in the PBD, Planned Business District, is other light manufacturing, but only if approved by the Zoning Administrator after submission of appropriate materials specified by Sec. 200.51 of the 1986 Zoning Ordinance.

1) Assembly (non-electronic equipment); 2) contractor tradesman shop (limited); 3) and distribution and fulfillment center may be permitted, if approved by the Zoning Administrator prior to site plan submission, provided such use meets all requirements.

Contractor tradesman shop (unlimited) would not be permitted on the Property, and would not be eligible for Zoning Administrator approval.

Additional Questions

(1) if those uses are not permitted by right, could those uses be permitted as part of a special use permit approval?

> Contractor tradesman shop (unlimited) cannot be permitted on the property through a special use permit approval.

(2) if those uses are not permitted by right, could those uses be permitted as accessory uses to a permitted by right use?

Contractor tradesman shop (unlimited) cannot be permitted on the Property as an accessory use.

(3) If there is a possible pathway to rezoning this land bay to an M-2, Light Industrial designation?

Rezonings are not the responsibility of the Zoning Administrator. All new entitlement questions should be directed to our Office of Planning at (703) 792-7615 or planning@pwcgov.org.

(4) Which zoning ordinance governs this parcel?

The Zoning Ordinance that was in effect at the time of the original rezoning #REZ1985-0042 on July 1, 1986.

(5) Does the proffered "Mixed Use" land bay designation come with a defined list of permitted uses?

The PBD, Planned Business District has a defined list of permitted uses found in 32-404.16 included in the attached zoning ordinance. Proffer 13A entitled the property to all PBD uses allowed at the time of the rezoning.

This determination is based on regulations that are in effect on the date of this letter, which are subject to change. Should you have any questions, please feel free to contact this office. State law mandates the following paragraph to be included in all determinations rendered by the Zoning Administrator.

The Zoning Ordinance allows that anyone aggrieved by a proffer determination of the Zoning Administrator may appeal the decision to the Board of County Supervisors (BOCS). An appeal must be filed within 30 days of receipt of this letter with the clerk to the Board and the Zoning Administrator. The BOCS will schedule and advertise a public hearing to consider an appeal within 30 days unless there is no regular meeting scheduled, in which case the BOCS shall act at its next regular meeting. The determination contained within this letter shall be final if an appeal is not filed within 30 days of receipt of this letter. The application fee for the appeal will be in accordance with the fee schedule in effect at the time of filing the appeal application, currently $986.90. Additional information regarding the filing of an appeal may be obtained at (703)792-3340 or by email to zoningadministration@pwcva.gov. The appeal form and fee schedule is available on our web page at the following link: https://www.pwcva.gov/assets/2021-06/Application%20for%20an%20Appeal.pdf

Sincerely,

Alexander Stanley, CZA
Principal Planner | Zoning Administration

Attachment A: Proffers #REZ1985-0042
Attachment B: Proffers #REZ1988-0030
Attachment C: 1986 Zoning Ordinance
cc: Joyce Fadeley, Department of Development Services, Land Development Division Chief
Alex Venagas, Planning Office, Land Use Review Assistant Director

PROFFER STATEMENT

RE: Rezoning File No. 85-42: Battlefield Business Park ("Park")
Applicant: Manassas Business Associates, a Virginia Limited Partnership; and Battlefield Associates, a Virginia Limited Partnership
Date: [illegible] 20, 1986

We hereby proffer that the use and development of this property shall be in strict accordance with the following conditions and shall supercede all other proffers made prior hereto. In the event the above-referenced zoning is not granted as applied for by Applicant, then the below-described proffers shall be deemed withdrawn and null and void.

Reference is hereby made to that Exhibit made by Bengston, DeBell, Elkin & Titus dated September, 1985 and identified as "Suggested Improvements for Route #234 and Route #66 East", said Exhibit filed with said Application, incorporated herein by reference and hereinafter referred to as Exhibit A.

1. Applicant does hereby agree to construct the improvements as reflected on said Exhibit A and so designated to be constructed by Applicant. Applicant agrees that such improvements so designated to be constructed by Applicant will be reflected on the first site plan filed in connection with the development of the Battlefield Business Park ("Park") and will be bonded and permitted prior to the issuance of the first building permit. Applicant further agrees that such improvements will be completed prior to the issuance of a building permit which would allow for the construction of greater than 500,000 square feet in the Park.

2. Reference is hereby made to that Master Plan made by Bengston, DeBell, Elkin & Titus, dated 12/85, revised 4-15-86, and identified as "Master Plan, Battlefield Business Park", filed with said Application, incorporated herein by reference, and hereinafter referred to as "Master Plan". Applicant agrees that the development of the on-site transportation system shall be in substantial accordance with the Master Plan. Traffic generated from the existing Holiday Inn and as it is proposed to be expanded in accordance with that Special Use Permit request SU#86-29 shall access Sudley Road (Route 234) via Hotel Access Road and Battleview Parkway and shall not have direct access to Vandor Lane. Applicant does reserve the right, however, for traffic from the existing Holiday Inn to access Sudley via Vandor Lane pending the issuance of the special use permit and completion of the addition to the existing hotel and the construction of the improvements necessary to provide access. The Hotel Access Road shall be completed prior to occupancy of the Holiday Inn expansion.

3. Prior to the issuance of an occupancy permit which allows for occupancy greater than 500,000 square feet in the Park, Battleview Parkway shall be extended and connected to Vandor Lane in substantial accordance with the Master Plan.

4. Applicant agrees that there shall be no direct access to Vandor Lane from that portion of the property which fronts Vandor Lane but rather access shall be provided to Battleview Parkway via Infantry Ridge Drive as is reflected on said Master Plan.

5. Applicant agrees to contribute one-half (1/2) of the expenses necessary for the signalization at the intersection of Battleview Parkway and Sudley Road at such time that VDH&T has determined that the necessary warrants have been met and that VDH&T is committed to the placement of the signalization.

6. a. Applicant agrees to contribute Two Hundred Ten Thousand and No/100 Dollars ($210,000) toward the improvements of the Route 234/Route 66 interchange with the issuance of the occupancy permit which allows for occupancy of greater than 500,000 square feet in the Park.

b. Applicant, however, reserves the right to make a portion of the improvements as shown on Exhibit A and identified as to be done by others prior to the contribution of said sum, and in such event the cost of such improvements provided by the Applicant will be credited toward the amount to be contributed in accordance with this proffer. Further, in the event Applicant chooses to provide such construction after donating said sum, Applicant shall have the right to have a portion of said sum or said sum in its entirety returned in an amount equivalent to the cost of the improvements provided by Applicant.

c. Upon the mutual agreement of Prince William County and Applicant, Applicant shall receive credit against that sum due in accordance with this proffer for sums of money or equipment contributed for the establishment or improvement of public transportation systems. By way of example, if Applicant provided to Prince William County a refurbished bus at the cost of $60,000 to be used to provide transportation from Applicant's property to a Metro stop and back on a scheduled basis, Applicant would receive a credit for this $60,000 against the total sum due in accordance with this proffer.

7. Applicant shall provide a connection from Battleview Parkway to the existing commuter parking lot located on that property owned by the Commonwealth of Virginia - Northern Virginia Community College and Applicant shall close the existing entrance to such commuter lot located on Route #234.

8. Storm Water Runoff Quality Control (Best Management Practices) will be provided with any development of this site in accordance with the Design and Construction Manual.

9. Each lot will have a minimum of 20% open space, as required by ordinance, while the total open space in the overall Park will be 25%, provided that any flood plain, lake or pond areas as well as buffer areas are to be included in this computation.

10. Applicant shall maintain a fifty-foot (50') buffer along the eastern boundary line of the Applicant's property.

11. Open off street parking areas with more than forty (40) spaces shall contain interior planting strips or islands comprising at least two (2%) percent of the total parking area.

12. Applicant shall develop the subject property in such a manner so as to project a quality development and shall make every reasonable effort to accomplish this objective with the use of such design techniques as follows:

a. Applicant agrees that the elevation of any structures to be constructed within the Research/Office/Retail/High Rise designation on the Master Plan shall consist of such materials as brick veneer, precast stone or concrete, glass, or such other comparable materials.

b. Whenever practical, dumpsters shall be placed internally and, in any event, screened.

c. Signs shall be relational in style and design, although the style and design of said signs may differ in different sections of the Park. Applicant agrees that there shall be no "locational" signs located on the subject property. "Locational" hereby being defined as that type of sign which would provide direction to a use or location of business not located on the property which is the subject of this Applicant. Notwithstanding this, however, Applicant reserves the right to have locational signs on the subject property for the Holiday Inn site. Applicant further agrees to the use of a suitable monument or similar type sign at or near its entrance at the intersection of Battleview Parkway and Route #234.

13. With reference to the use designations as shown on the Master Plan, the following definitions shall apply to said designations:

a. Mixed Use - shall allow all uses permitted in the PBD District;

b. Research/Office/Retail - shall allow all uses permitted in the PBD District, with the exception of warehousing and wholesaling, but shall not exclude incidental warehousing or wholesale activities associated with an authorized use;

c. The term High Rise as reflected and used on the Master Plan shall be interpreted to mean that the primary structure located on any lot created from the parcels with such designations shall be at least five (5) stories in height.

d. Notwithstanding #13a and #13b as set forth above, the following uses shall not be allowed in connection with the development of the subject property: commercial car washes, funeral home.

14. Pedestrian access between lots within the Park will be provided with individual site plans.

15. Applicant reserves the right to create lots within the various areas designated on said Master Plan. The exact location of the area and use designations on the Master Plan may vary upon preliminary and final site plan submissions due to final field engineering.

16. Applicant shall have a phased grading program which allows grading only in those areas in which Applicant contemplates development at the time.

17. Applicant will reimburse Prince William County for the establishment of one (1) geodetic control on or near the designated Property. This monument shall be placed in an area mutually agreed upon by and between Prince William County and the Applicant and shall be in such an area which will allow future access to the monument by surveyors and/or County employees. The cost to the Applicant shall not exceed Nine Hundred Dollars ($900.00). Payment shall be made by the Applicant after the monument has been placed. This monument shall consist of a bronze marker embedded in the top of a concrete post. The

concrete post shall be 8" x 8" and sunk 24" to 36" into the ground with the top of the monument at ground surface level.

18. The Applicant acknowledges that the need for the construction of proffered public road improvement(s) may exist or arise in advance of the Applicant's development schedule. Accordingly, the Applicant agrees that, in the event any or all of the proffered public road improvements are completed by either the County or VDH&T using public funds, it or its assigns shall reimburse the appropriate public body the costs of such construction, including, without limitation, costs of right-of-way, design, and other professional fees, and actual construction, (a) in the amount set forth in this proffer, or (b) in an amount agreed upon by the Applicant and the appropriate public agency in advance of the award of a construction contract. Payment of the agreed sum shall be a precondition to the issuance of the first occupancy permit on the subject property. In the event a proffer statement dictates phased construction of such improvements or payment of monetary sums, the timing of payment shall be as set forth in said proffer statement.

Manassas Business Associates, a
Virginia Limited Partnership

BY: _____

Title: Vice President of Holladay Partners, Inc.
General Partner

Battlefield Associates, a Virginia
Limited Partnership

BY: _____

Title: General Partner

blf:profi
Battlefield Associates Proffer Statement

LAND USE AND ZONING

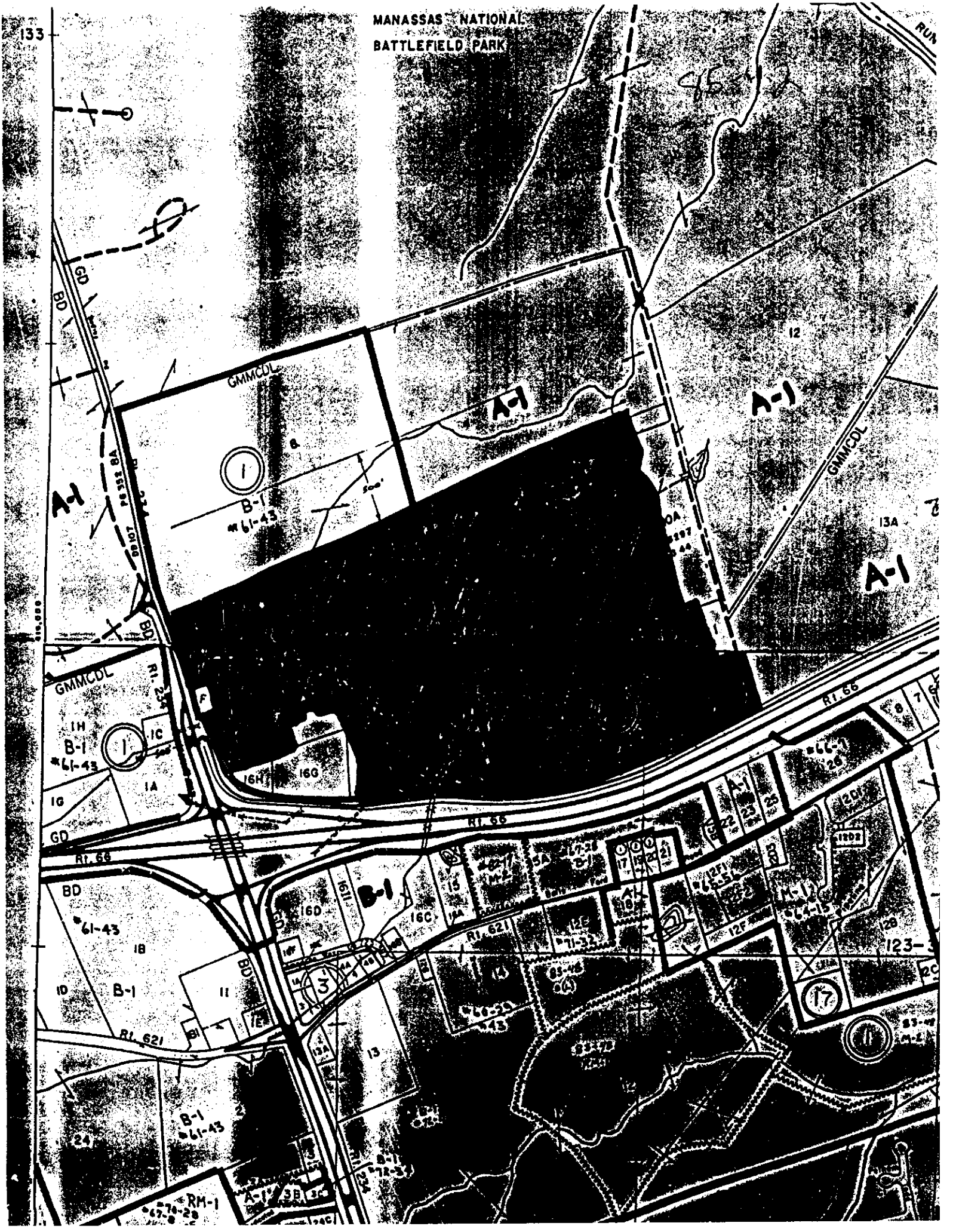
REZONING No. 85-42

SPECIAL USE PERMIT NO. 85-45



PARCEL No.	SIZE (ACRES)	EXISTING ZONING	EXISTING USE
1A	5.1	B-1	VACANT
1C	0.8	B-1	VACANT
1F	0.6	B-1	SERVICE STATION
1H	49.1	B-1	VACANT
8	100.0	R-1 & B-1	COMMUNITY COLLEGE
10A	8.2	R-1	PARK
11	2.6	R-1	RESIDENTIAL
12	70.0	R-1	PARK
13A	71.5	R-1	PARK
16C	4.0	B-1	HOTEL

PARCEL No.	SIZE (ACRES)	EXISTING ZONING	EXISTING USE
16H	0.6	B-1	COMMERCIAL
16G	0.6	B-1	COMMERCIAL


MANASSAS NATIONAL BATTLEFIELD PARK
133
GMMCDL
A-1
B-1
*61-43
GD
BD
Rt. 234 Bus
Rt. 234
Rt. 66
Rt. 621
RM-1
M-1
M-2
1H
1C
1A
1G
16H
16G
16D
16C
16E
18
10
11
13
13A
24
12
12F
12G
12D
12D2
123-
17
21
22
23
25
26
7
8

APPROVED
PROFFER/DEVELOPMENT PLAN
Katherine L. Tucker
Signed
January 10, 1990
Date
OFFICE OF PLANNING

REVISED SUBMISSION RECEIVED
DEC 14 '89

These proffered conditions have been amended #98-27
See Rz #99-38

PBD AMENDMENT AND PROFFERED CONDITION A
TO
REZONING #85-42, BATTLEFIELD BUSINES
November 20, 1989

This PBD amendment and proffer amendment requests modification of the PBD Master Plan and proffers submitted in conjunction with Rezoning #85-42, for the development located north of Interstate 66 and east of Route 234, known as Battlefield Business Park. In addition, the amendment proposes the addition to the PBD of the adjacent tax map parcel 132-01-11 (the "Gillin Property"), which is presently the subject of Rezoning #88-30. The requested amendment concerns that portion of the property located east of Battleview Parkway and immediately north of Vandor Lane, which is identified on the Master Plan from Rezoning #85-42 as "Research/Office/Retail-High Rise". As is noted on the plan submitted with this request, and identified as "Gillin Property Added-Master Plan-Battlefield Business Park", prepared by Bengtson, DeBell, Elkin & Titus, and dated December 1985, with a final revision date of August 1989, this area is proposed to be modified to a combination of "Mixed Use", as was defined in Rezoning #85-42, and a new category, identified as "Research/Office/Retail-Mid Rise".

To accommodate the proposed change for the affected portion of the existing PBD, and to accommodate incorporation of the Gillin Property into the existing PBD, a number of modifications to the proffers accepted in conjunction with Rezoning #85-42 are required. First, the property which is subject to the proffers must be

APPROVED
PROFFER/DEVELOPMENT PLAN
Signed
January 10, 1990
Date
OFFICE OF PLANNING

expanded to include the Gillin Property, which is identified as Tax Map Parcel 132-01-11. In addition, portions of the original PBD have been subdivided, resulting in a number of new tax map parcel numbers. Accordingly, the heading of the proffer language would be modified to reflect the current tax map numbers of the parcels contained in the existing PBD, plus the Gillin Property, by adding the following language:

> "Property: Tax Map Parcels 123-01-16, 16J, 29, 30 and 32, and 132-01-9, 9A, 9B, 9C, 11 and 17, Gainesville Magisterial District, Prince William County, Virginia".

That portion of the heading dealing with identification of the Applicant would also be revised to add "Wallace F. Holladay" as an Applicant, since he is the present owner of the Gillin Property.

Second, since a new "Mid Rise" designation is created, a definition must be provided. Accordingly, an additional proffer, which would be proffer paragraph 13.e., would be added as follows:

> "The term <u>Mid Rise</u> as reflected and used on the Master Plan shall be interpreted to mean that the primary structure located on any lot created from the parcel with such designation shall be at least three (3) stories in height."

In addition, the addition of a "Mid Rise" designation requires

Kathleen L. Tucker
January 10, 1990
Date

modification to proffer paragraph 12.a., regarding building materials, to incorporate the "Mid Rise" area within that proffer. Accordingly, Proffer 12.a would be revised to read as follows:

> "Applicant agrees that the elevation of any structures to be constructed within the Research/Office/Retail/High Rise and Research/Office/ Retail/ Mid Rise designation on the Master Plan shall consist of such materials as brick veneer, precast stone or concrete, glass, or such other comparable materials."

Third, since a revised Master Plan is being substituted for the Master Plan originally approved with Rezoning #85-42, the first sentence of proffer paragraph 2 would be amended as follows:

> "Reference is hereby made to that Master Plan made by Bengtson, DeBell, Elkin & Titus, dated December 1985, and bearing a last revision date of August 1989, and identified as "Gillin Property Added-Master Plan-Battlefield Business Park", which is incorporated herein by reference, and hereinafter referred to as "Master Plan"."

To the extent that any of the proffers stated above conflict with the proffers accepted in conjunction with Rezoning #85-42, the proffers herein shall control, and the remaining proffers accepted in conjunction with Rezoning #85-42 shall remain in full force and effect and are hereby reaffirmed.

APPROVED
PROFFER/DEVELOPMENT PLAN
Signed
Date
OFFICE OF PLANNING

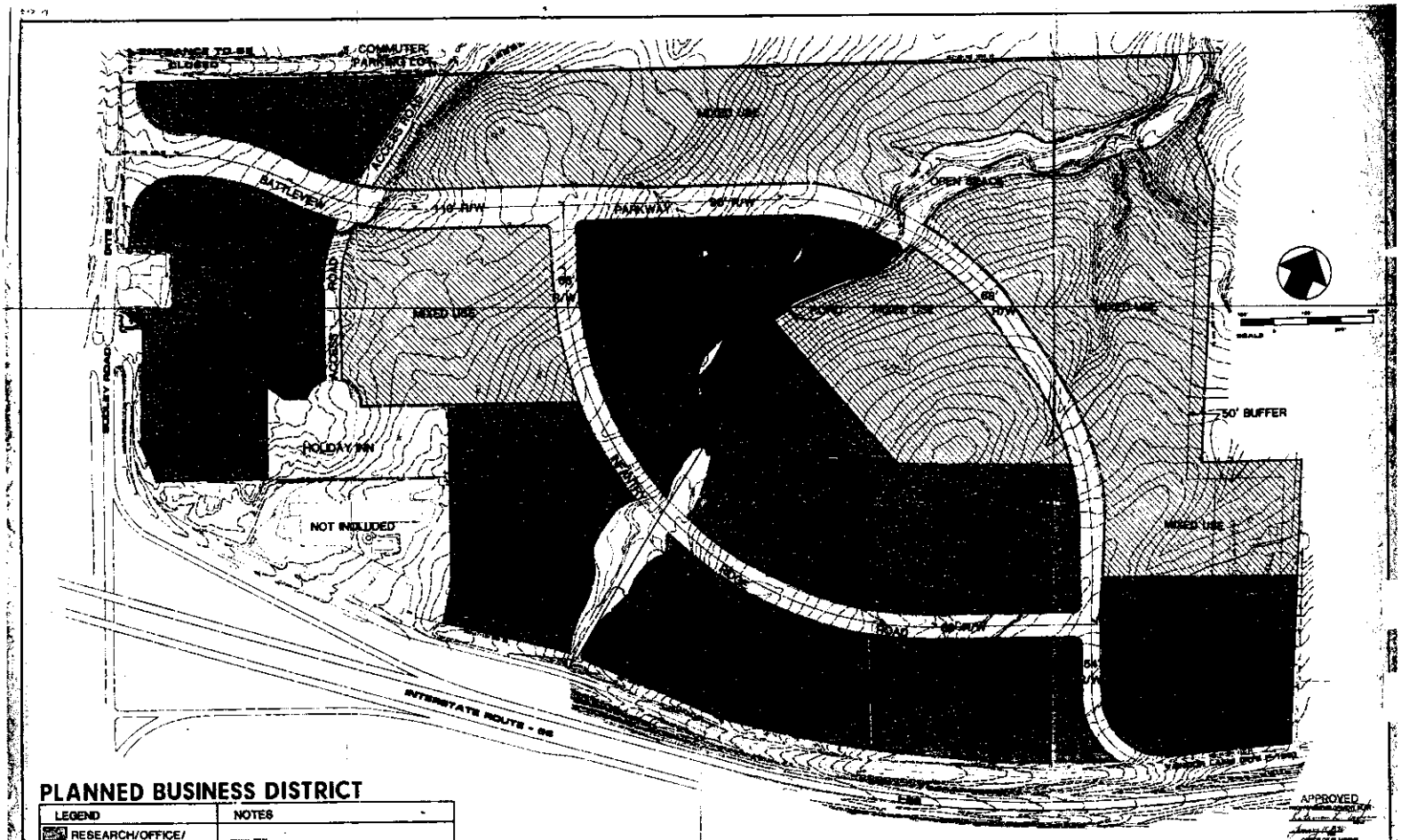
Manassas Business Associates
(Record owner of Tax Map Parcel 123-01-16, which is the only portion of the Property affected by the Proffered Condition Amendment)

By: Holladay Partners, Inc.,
General Partner

By: _____
Donald M. Wolf
Title: _____

_____
Wallace F. Holladay
(Record owner of the Gillin Property)

dld:work
pbdamend.doc



PLANNED BUSINESS DISTRICT

LEGEND	NOTES
RESEARCH/OFFICE/ RETAIL	
MIXED USE	
OPEN SPACE	
POND	

(a) Analysis and description of base of existing conditions and traffic volumes for the external road network serving the site are identified.

(b) Analysis and description of projected conditions based on the land uses within the project. Trip generation rates for morning and evening peak hours of the project shall be prepared, as well as the internal/external trip distribution and intersection analysis.

(c) The analysis shall address the impact of the rezoning. The analyses will demonstrate the adequacy of the project's internal road network and identify off-site access or traffic control measure improvements generated exclusively by the traffic demands of the proposed project.

(d) The analysis shall contain recommended Internal and Off-site Road Improvements. Examples of items which should be included in this section are: (1) typical sections for each project street category; and (2) a phasing plan which delineates the public transportation improvements that will be provided simultaneously with the construction of each development phase.

404.13 Procedure for establishment and amendment

(1) A PBD may be established through the zoning map amendment process set forth in Section 700.00 et seq. of this Chapter. In addition to the requirements set forth in that Section, the applicant shall submit at the time of application a master PBD zoning plan, which shall meet all of the standards of Section 700.21 and Section 404.11 of this Chapter and which shall be considered as the general development plan for the rezoning.

(2) Additional area may be added to an established PBD if it adjoins and forms a logical addition to the approved development. The procedure for an addition shall be the same as if an original application were filed and all requirements shall apply except the minimum acreage requirements of Section 404.18(1).

404.14 Waiver Provision

An applicant may request as part of the application that a waiver of or modification to specific requirements of the Subdivision Ordinance, this Chapter and/or the requirements of the Design and Construction Standards Manual be granted. The applicant must demonstrate that the requested waiver or modification is necessary or justified in the particular case by a demonstration that the public purpose of these Ordinances, as applied to a particular case, would be met to at least an equivalent degree by such modification or waiver, provided, however, the requirements of Section 404.12 and 404.18(1) shall not be waived or modified.

404.15 Procedure for Consideration

(1) Planning Commission Procedures. On application for a Planned Business District, the Commission shall proceed in general as for any other rezoning application, but shall give special consideration to the following matters:

(a) The suitability of the tract proposed for the type of activities proposed in the PBD in terms of its relation to the Comprehensive Plan, physical characteristics of the land, and its relation to the surrounding area.

(b) Relation to and improvements of roads, utilities, public facilities and services.

(c) In connection with plans submitted as part of the application, as to the suitability of such plans or the desirability of amendments.

(d) As to desirable specific modification of the zoning, subdivision or other regulations, applicable to the particular case, based on a determination that such modifications are necessary or justified in the particular case where the public purposes of these regulations, as applied to a particular case, would be met to an equivalent degree or greater extent by the application.

(2) The Planning Commission shall recommend approval of the PBD as proposed; include specific modifications of the district or regulations as provided in Section (D) above; or deny the application.

(3) Board of County Supervisors Procedures. The Board shall proceed in general as provided for other rezoning applications. The Board may grant the application as proposed; include specific modifications of the district or regulations as provided in section (d) above; or deny the application.

If the application to the PBD is approved by the Board, the Board shall approve the PBD zoning plan in whole or in part, which shall be binding with respect to final approvals of subdivision and site plans.

404.16 Permitted uses

The following uses shall be permitted by right in any Planned Business District, subject to the requirements and limitations contained herein:

(1) Car wash, self-service only.
(2) Child care facility.
(3) Church.
(4) Financial institution, bank, credit union, savings and loan association.
(5) Office.

(6) Freestanding restaurant, cafeteria, that contains 5,500 square feet or more of net floor area.

(7) Restaurant, cafeteria, of less than 5,500 square feet of net floor area when located in a building of more than 5,500 square feet of net floor area.

(8) Retail store.

~~(9) Indoor theatre, auditorium.~~

(10) Hotel, motel, tourist home.

~~(11) Barber, beautician and shops~~ for similar personal services.

(12) Drug store.

(13) News stand.

(14) Public facilities.

(15) Data processing and computer services.

(16) Funeral home.

(17) Open parking structure.

(18) Commercial parking lots.

(19) Parking structures.

(20) Electronic equipment and components, manufacturing, assembly, processing and distribution.

(21) Publishing and printing facilities.

(22) Research and development establishments, including testing laboratories and prototype manufacturing of non-hazardous substances or products.

(23) Schools for trade, business, and broadcasting.

(24) Telegraph office and message service.

(25) Warehouse operation (excluding hazardous substances).

(26) Wholesaling operation, except petroleum products, explosives, chemicals, insulation materials and similar products.

(27) Cultural centers, museums and similar facilities.

(28) Education institutions of higher learning above the secondary level, both public and private.

(29) Health spa, instructional dancing and gymnastics institution, exercise studio.

(30) Medical and dental clinics.

(31) Business service center, such as copying, typing, reception or other services which are generally used by offices or in an office setting, but which may be provided separately in a PBD.

(32) Other light manufacturing or business uses wherein no external storage is required and wherein the use, in the opinion of the Zoning Administrator, and after submission of appropriate materials as specified by Section 200.51, generally meets the development standards of the PBD.

404.17 Special uses

The following uses shall be permitted in the Planned Business District with a special use permit:

(1) Motor vehicle fuel sales, and other retail sales involving the storage of petroleum products.

(2) Heliports.
(3) Car wash (other than self-serve).
(4) Motor vehicle sales.
(5) Freestanding restaurant, cafeteria that contains, less than 5,500 square feet of net floor area.
(6) Hospitals.
(7) Sports arena.
(8) Veterinary clinic.
(9) Commercial recreation uses.

404.18 Development Standards

(1) Minimum area required for creation of district - 15 acres.
(2) Minimum lot size - none required.
(3) Minimum lot width - none required.
(4) Minimum lot depth - none required.
(5) Maximum lot coverage shall not exceed 80%, with 20% required minimum green area.
(6) Signage shall be in accordance with the regulations for the B-1 district.
(7) The site shall be served by a public sewerage and water supply system.
(8) The maximum height of all structures shall be limited to 45 feet, provided that this maximum height may be increased to 70 feet, provided that all standards found in Section 404.18(9)(a), (b) and (d) are met.
(9) The Board of County Supervisors may increase maximum height of structures up to 100 feet by special use permit for any use, provided the following minimum standards are met. These conditions shall be deemed included in a special use permit:

(a) The site shall be served by a public sewerage and water supply system.

(b) A fire suppression system shall be installed to the specifications of the Director of the County Fire and Rescue Service. The Director of the Fire and Rescue Service shall certify in writing its approval of the plans for such a system before a building permit may be issued.

(c) Any structure above 45 feet in height shall be set back at least two feet for each foot in height above 45 feet from any property line that abuts, or is within 100 feet of, a residential or agricultural district, and shall be set back at least one foot for every foot in height above 45 feet from all other property lines. The governing body may modify this setback provision as a part of the approval of the special use permit, provided any minimum setbacks and yards required elsewhere in this Chapter are met.

(d) Where a structure is proposed to be built to a height that the governing body believes may be hazardous to air traffic, the governing body may require the applicant to provide certification from the Federal Aviation Administration that such structure will not constitute a hazard to air traffic.