



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ AGENDA ~

Robert B. Weir,  
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100  
Haymarket, VA 20169

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Monday, January 13, 2014

7:00 PM

Council Chambers

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### **1. Call to Order**

### **2. Announcements**

### **3. Citizens Time**

### **4. Minutes Approval**

a. Planning Commission - Regular Meeting - Dec 9, 2013 7:00 PM

### **5. ARB and Council Update**

### **6. New Business**

### **7. Town Planner Report**

### **8. Old Business**

- a. By Laws - Revision
- b. Parking Ordinance Review
- c. Comprehensive Plan Update

### **9. Discussion Items**

### **10. Adjournment**



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ MINUTES ~

Robert B. Weir,  
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100  
Haymarket, VA 20169

Monday, December 9, 2013

7:00 PM

Council Chambers

A Regular Meeting of the Planning Commission of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Chair Robert B. Weir called the meeting to order.

### 1. Call to Order

Chair Robert B. Weir: Present, Councilwoman Rebecca Bare: Present, Ed Robinson: Absent, Commissioner Ralph Ring: Present, Commissioner Christopher Johnson: Absent.

### 2. Public Hearing

#### a. Historic District Overlay Boundary Amendments

Town Planner gives a synopsis of how the changing of the Historic District Overlay came about. In the Fall of 2012 liaison for ARB inquired about Certified Local Government status. Was it worth the exercise into shrinking to a more core district? More recently February 2013 Town Council directed to have a Joint Public Hearing in April. Town Council sent it back to Planning Commission, to create a smaller district but include corridors into district. All 4 major corridors. Excludes most residential properties. We have notified the Town per State code requirements. The Town Council will hold a separate hearing and decide whether to amend the district.

Chair Weir asks for any one to come forward to speak.

Pam Swinford. 6852 Jockey Club Lane. Was on one of the boards for one of the other Public Hearing. This costs \$500 every time there is a Public Hearing. My tax money is being spent every time we have a Public Hearing. No difference in this proposal than when she was here, and before that. Is this the 4th one? There are concerns there is too much work for ARB. She's never seen that it causes extra work. Minimum things go to ARB. We are only one square mile. That's not much. Why spend money to change it? She is against changing the Historic Overlay District and always has been. Not sure about the strip of land behind Greenhill Crossing. What about Madison Street? Don't want to see a 5 story purple house. HOA's can dissolve at any time. Any community can abolish HOAs. Then there are no rules. Seems to be same issue, different day. Why does this continue to come up and spend tax payers money in having these hearings.

Susan Edwards: 6938 Little John Court. Against changing the Historic District. Has been against it. Businesses over time have complied to the ARB rules. Residents have complied. Over the years there's been maybe 2 or 3 complaints. The Guidelines are not outrageous. We spend so much money. Residents don't want this change. Leave it as is. Protect our rights. We don't want to be another Gainesville.

Natasha Sikorsky - 6811 Jefferson Street. The biggest issue are the properties that do not have HOA's. It impacts her. Behind her house there is an empty lot owned by developer. Potentially if developed, there would be no guidelines to follow. All houses on Madison Street/Court, do not have an HOA. At minimal, needs to be expanded if no HOA's. Absolutely need to be governed by ARB. What rules do they follow?

2nd call for anyone to speak.

3rd call for anyone to speak.

Close the Public Hearing.

Close the Public Hearing.

Minutes Acceptance: Minutes of Dec 9, 2013 7:00 PM (Minutes Approval)

<b>RESULT:</b>	<b>CLOSED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert B. Weir, Chair
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Robert B. Weir, Rebecca Bare, Ralph Ring
<b>ABSENT:</b>	Ed Robinson, Christopher Johnson

### 3. Announcements

No announcements.

### 4. Citizens Time

No Citizens spoke.

### 5. Minutes Approval

### 6. ARB and Council Update

No updates.

1. Planning Commission - Regular Meeting - Nov 12, 2013 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Ralph Ring, Commissioner
<b>AYES:</b>	Robert B. Weir, Rebecca Bare, Ralph Ring
<b>ABSENT:</b>	Ed Robinson, Christopher Johnson

### 7. New Business

#### a. By Laws - Revision

Town Planner speaks. Both the Town Manager and Town Attorney made additional suggestions. It's at PC's discretion to adopt those. Effective today rather than last month.

Weir says we will leave it open for 30 days for comments. Will follow up with the Town Attorney. It would be safe to wait 30 days. Will discuss again at the 1/13/2014 meeting.

Directs the Clerk to have copy for the Public. Set for the January meeting for adoption.

#### b. Parking Ordinance Review

Last month considered amendments to the parking ordinance. Came to Town Council last week, and they directed PC to review the parking ordinance in its entirety and bring back revised for Council's March 2014 meeting. There is a couple of challenges. The new Hospital. Properties up for sale. Potential development. Biggest challenge is parking. Under parked in restaurant use. Service use is about even with the industry. Over parked in office uses.

We don't have on street parking or Municipal parking. People have to park off street. That is incompatible with the walking town we're trying to achieve. We could get a consultant to come in and review. Do a survey on the amount of land undeveloped.

Bare: We can review the parking ordinance, but if we don't have municipal parking, what's the point? People are held to a standard can't do if no other options. Looked at as a whole. Need to recommend to hire a consultant.

Ring says that is an aggressive time frame.

Weir: Didn't put much stock in the Graduates survey. We are paying the price for the impact of shared parking ordinance. Contemplate serious changes in how address parking issue in future. Limited in what we can and can't do. This came up years ago. A reality in an automotive driven economy, Parking a block away not an option for a lot of people. Who wants to walk a block to get to the bank? You want to park next to it. Nothing to drive it. We would

Minutes Acceptance: Minutes of Dec 9, 2013 7:00 PM (Minutes Approval)

have to justify a municipal lot, which would be hard to do. If consultant might be the best way, all for it. They could come back and say no change is the change you need. Is an RFI needed? May need to start there.

The Firehouse site has sold. Will be a Wine bar and bakery. No timeline yet, but that's the goal. It will be a parking challenge. Property across the street is up for sale. There are limitations. The largest lot left in Town is the fairgrounds property.

Weir: In that case, no objection. Tasks the Town Planner to put together a draft, for RFI or RFP. Work with the Town Manager. Then we will deliver it to Council. Take it from there. There will be some expenditure of funds for it. We need a 3rd party's professional opinion in writing.

The Town Planner will take that direction and work with the Town Manager.

## 8. Town Planner Report

No additional items to report.

## 9. Old Business

### a. Historic District Overlay Boundary Amendments

Had for year and a half now. Planning Commission sent forward. Council sent it back with majority in favor of shrinking.

Keep having Public Hearing to tweak here and there. Motion from the April Council meeting and send to Planning Commission to draft a formal resolution. Weirs issues are the entrance corridors, and frontage properties on 55.

Bare: Changes from the original proposal are minimal. Has the same opinion that a smaller district is appropriate.

Ring: Agrees. Smaller district appropriate. Not a significant change. Includes a small percentage of properties in HOA.

Weir: The issue that drove this from the beginning was when the Certified Local Government came up. It's a matter of enforceability.

Town Planner: Our district is legal as it stands today. Would it meet today's State Code? Unlikely. Once it is shrunk, it would be hard to get properties back in. Non conforming district. So many non contributing resources in the district would create a challenge. Once out they are gone.

Weir: HOA's are generally impossible to dissolve.

Bare: Town requires HOA's because of Storm Water Management issues. Town has legal on it's side.

Weir: Changes largely do not effect the businesses. Only business impacted are those in I1 area. Torn on Madison street. It's control vs property rights. Those houses existed long before the ordinance did.

Weir makes motion: Resolution # RES20131209

A RESOLUTION RECOMMENDING AMENDMENTS TO THE CODE OF HAYMARKET, VIRGINIA, CHAPTER 58, ARTICLE XIV, OLD AND HISTORIC HAYMARKET DISTRICT OVERLAY

WHEREAS, the Town of Haymarket, Virginia, in order to preserve the unique cultural heritage of the town, has established an overlay district known as the "Old and Historic Town of Haymarket," which includes all that area which lies within the corporate limits of the town, § Sec. 58-553; and

WHEREAS, the Town has enacted Article XIV, Old and Historic Haymarket District Overlay, pursuant to Code of Virginia, § 15.2-2306, as amended, for the purpose of imposing

special requirements in addition to the requirements pertaining to the underlying zoning in the town, in order to protect and perpetuate those areas or structures which are of historic, architectural or cultural interest, § Sec. 58-552(a); and

WHEREAS, the regulations imposed in this district are intended to protect against destruction of, or encroachment upon, such historic resources, to encourage uses which will continue to preserve them and to prevent the creation of adverse environmental influences, § Sec. 58-552(b); and

WHEREAS, in its administration of the Ordinance, the Planning Commission has concluded that the Old and Historic Haymarket District Overlay includes areas or structures which are not of historic, architectural or cultural interest to the town; and

WHEREAS, a majority of those areas or structures which have been determined not to be of historic, architectural or cultural interest to the town are either subject to restrictive covenants of a Homeowners Association (HOA) or are not otherwise contiguous to an arterial street within the town (Washington Street and Jefferson Street); and

WHEREAS, amending the boundary of the Old and Historic Haymarket District Overlay to exclude areas or structures which have been determined not to be of historic, architectural or cultural interest to the town will reduce the number of Certificate of Appropriateness (COA) applications required to erect, reconstruct, alter, restore or raze a building within the Old and Historic Haymarket District Overlay, § Sec. 58-554; and

WHEREAS, reducing the number of Certificate of Appropriateness (COA) applications will result in a cost savings to the Town through a reduction in staff time and resources required to process such applications as well as reduce a duplicative layer of regulation imposed on homeowners subject to an HOA; and,

WHEREAS, the Planning Commission, pursuant to § Sec. 58-425, held a public hearing on December 9, 2013, and has recommended that the Old and Historic Haymarket District Overlay boundary be amended; and

WHEREAS, the public necessity, convenience, general welfare and good zoning practice are served by amending Old and Historic Haymarket District Overlay;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby recommend an amendment to the text § Sec. 58-553 as outlined in the attached text and amended Old and Historic Haymarket District Overlay map, dated December 9, 2013.

Done this 9<sup>th</sup> day of December, 2013

Roll Call Vote:  
Ring: Yes  
Bare: Yes  
Weir: Yes

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert B. Weir, Chair
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Robert B. Weir, Rebecca Bare, Ralph Ring
<b>ABSENT:</b>	Ed Robinson, Christopher Johnson

**b. Comprehensive Plan Update**

Put in a holding pattern. Looking at the Historic District.  
Was there edits to the first section? Yes the Town Planner has them.  
Will get to Planning Commission. Divided work amongst the staff. Holly working on the transportation section.

Minutes Acceptance: Minutes of Dec 9, 2013 7:00 PM (Minutes Approval)

Jennifer working on the charts. Denise on the List of Historic Houses. Bulk of the work is in the text.

## 10. Discussion Items

No additional items to discuss.

## 11. Adjournment

Bare motions to adjourn the meeting.

Ring seconds.

Meeting adjourned.



TO: Town of Haymarket Planning Commission  
SUBJECT: By Laws - Revision  
DATE: 01/13/14

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There were some suggestions from the Town Manager and Town Attorney, after the Planning Commission approved the By-Laws in November. Those Revisions were available to the PC Members in the December 9, 2013 Meeting, to review for approval.



TO: Town of Haymarket Planning Commission  
SUBJECT: Parking Ordinance Review  
DATE: 01/13/14

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In the December 2013 Planning Commission Meeting, The Commission tasked the Town Planner to put together a draft for an RFI or RFP, by working with the Town Manager. Bring back to the January 2014 PC Meeting to review. It would then be presented to the Town Council.





TO: Town of Haymarket Planning Commission  
SUBJECT: Comprehensive Plan Update  
DATE: 01/13/14

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The Town Planner will update on this.