



TOWN OF HAYMARKET PLANNING COMMISSION

REGULAR MEETING ~ AGENDA ~

Matt Caudle, Councilman
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100
Haymarket, VA 20169

Wednesday, July 6, 2016

7:00 PM

Council Chambers

1. Call to Order

2. Pledge of Allegiance

3. Moment of Silence

4. Minutes Approval

- a. Planning Commission - Regular Meeting - Jun 1, 2016 7:00 PM

5. Citizens Time

6. Announcements

7. ARB & Town Council Update

8. New Business

- a. Elect a Chair for the Commission
- b. Elect a Vice Chair for the Commission
- c. Business Investment Strategic Zone
- d. 6680 Fayette Street Rezoning - Marchant Schneider
- e. Town Center Master Plan waiver
- f. ARB Liaison Appointment

9. Old Business

- a. Zoning Ordinance Rewrite
- b. Sign Ordinance Update
- c. Comprehensive Plan

10. Town Planner Update

11. Adjournment



TOWN OF HAYMARKET PLANNING COMMISSION

REGULAR MEETING ~ MINUTES ~

Matt Caudle, Councilman
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100
Haymarket, VA 20169

Wednesday, June 1, 2016

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

Chairman Matt Caudle called the meeting to order.

1. Call to Order

Chairman Matt Caudle: Present, James Carroll: Present, Maureen Carroll: Present, Commissioner Connor Leake: Late, Commissioner Cathy Pasanello: Present, Madhusudan Panthi: Present.

2. Pledge of Allegiance

3. Moment of Silence

4. Minutes Approval

a. Planning Commission - Regular Meeting - May 4, 2016 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	James Carroll
SECONDER:	Madhusudan Panthi
AYES:	Caudle, Carroll, Carroll, Leake, Pasanello, Panthi

5. Citizens Time

No citizens spoke.

6. Announcements

Caudle reminds everyone that next Monday, June 6th, there will be a Joint Public Hearing with Town Council.

Mr. Carroll asks how the Farmers Market is doing? Last time we saw it was well attended. Tried to move it to Harrover but it's back here now.

Is the extended use path on the other side of Old Carolina Bridge going to be developed? From Robinson's Paradise to Heathcote? It is the County's responsibility. North of Jordan Lane there is a Hospital coming soon. Only when the developments happen, they are to provide sidewalks and a trail access. Spoke with Supervisor Candland. We can approach the County to expedite.

7. ARB & Town Council Update

ARB: May 18th meeting, Copper Cricket got approval for materials for signage. Cookies and Cream in the QBE park came and asked for approval for a pergola and deck. Painting as well. Soft opening scheduled for June 6th. Also for Sgt Dandria, on June 11th will be doing a Community outreach day. Asking everyone who can to come out and help with the new house being built, with landscaping and shrubbery. The night before there will be a fundraising event at QBE for him and Homes for our Troops. Will send out an email as to where you can buy tickets. Restaurants will be donating food.

Town Council: Police are in their new facility. Maybe an Open House during the Health & Fitness event. Copper Cricket coming into 15026 Washington Street.

PUT ON THE TOWN'S WEBSITE about the event.

Minutes Acceptance: Minutes of Jun 1, 2016 7:00 PM (Minutes Approval)

8. New Business

a. Capital Improvement Plan

Need to forward to Town Council with recommendation of approval. Council needs to act on June 6th.

Town Manager has put together for the Commission a carryover of previous Capital Improvement Projects. Priority being the Harrover project. Asked to move forward with your blessing so we can meet the Budget meeting on June 14th.

Need to clearly delineate that Harrover is a park. Needs beefed up with specifics on Harrover.

Proposed completed date? Don't believe we have a hard date. Looking to move sheds before the end of the Fiscal Year. Finish grading. Benches purchased. Received five proposals for construction. Then site plan come forward for review. Then prioritize which projects to do. Do we build a pavilion first, or playground, or sidewalks and curb and gutter, etc.

Oak Ridge submitted bond and will put in 10' buffer between the new houses and Harrover property.

Food Pantry lease runs out end of calendar year. Plan to remove back to original footprint per the master plan.

Will have a site plan by the end of the year.

Town admin part, Police Dept already there. Updated audio/video as done as well.

Under Police Dept, propose installation radar speed signs on Jefferson. Are they ordered? No they have not been ordered. Variable message board, is this the one we have? Or another one? This would be for an additional one. One has been purchased to date.

Museum deck is done.

Text will be amended. Numbers are correct.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Carroll
SECONDER:	Madhusudan Panthi
AYES:	Caudle, Carroll, Carroll, Leake, Pasanello, Panthi

9. Old Business

a. Zoning Ordinance Rewrite

Last month we reviewed the use list and asked Commissioners to provide feedback. The Consultant has incorporated those into a full draft. Staff will be looking at this within a month. Then it will come back to PC for review and recommendation. Coming back and hitting highlights hopefully within the next month or so.

b. Sign Ordinance Update

There has been some recent legislation that would incorporate more changes. Will come back when these changes are implemented.

c. Comprehensive Plan

Last edit was to the Planned Land Use Map to re-designate properties on Washington Street. Consultant will come back.

10. Town Planner Update

Chick-fil-A moving along. Sign permit approved. Striping of parking. We will have to let the public know it will be painful when opened until the new turn lanes are provided on Washington Street. It will be a problem at first. Targeting July for opening.

Get information on the Diverging Diamond construction for the next PC Meeting.

2nd ice rink under way.

Sheetz is waiting on a gas line.

Fairgrounds we are meeting next week. Lidl grocery is still wanting to move in. Still reviewing, getting comments. Continuous sidewalks are a requirement. Downgraded from 200 to 125 residential. Hotel site behind. No hotel name yet.

Bleight drive, two houses are already constructed.

Cookies and Cream Ice Cream shop moving along and to open soon.

Old Carolina Bridge, Pedestrian path, painting of block on bridge. Lighting coming in and additional fencing.

Blight Ordinance, Town Manager put forward a plan of action with the Building Official. Send letters first. Inspection to determine if structure to be condemned.

Did approve a Zoning Permit for a non profit for group home on Fayette, next to the Church. Young single mothers. Permitted use in the R1. They will do a lot of outreach and assistance. How many women can be housed? Don't know yet. Only a 3 bedroom house. Limited to use of bedrooms.

Got Rezoning application for property behind Giuseppe's on Fayette Street to go to B1. This will be a Doggie Daycare.

Panthi asks when is Old Carolina and Jefferson street getting a sidewalk? There is no immediate project pending for this. There are sidewalks on the right. As properties are developed they will have to incorporate sidewalks.

We need to have sidewalks. Being a walking town we spend a lot of time on. Need to walk to not be in danger.

Priority right now is Washington Street.

Pasanello asks if the former proposal in favor of VRE is going to Town Council?

Maybe at the work session before next month's meeting will make an outline to discuss.

We can do a work session as part of the meeting. Make an agenda item.

11. Adjournment

Leake motions to adjourn the meeting.

Mrs. Carroll seconds.

Ayes: 6

Meeting adjourned 8:11pm



TO: Town of Haymarket Planning Commission
SUBJECT: Elect a Chair for the Commission
DATE: 07/06/16

The Planning Commissioners at the first meeting in July must elect a new Chair to serve for the next year.



TO: Town of Haymarket Planning Commission
SUBJECT: Elect a Vice Chair for the Commission
DATE: 07/06/16

The Planning Commissioners at the first meeting in July must elect a new Vice Chair to serve for the next year.



TO: Town of Haymarket Planning Commission
SUBJECT: Business Investment Strategic Zone
DATE: 07/06/16

At the June 6, 2016 Town Council Meeting, the Town Manager gave the background on what this Zone would entail, which is to encourage economic development within the Town. The Town Council recommended forwarding this to the Planning Commission for their review and recommendations.

Attached is what was presented to Town Council.

ATTACHMENTS:

- Business Investment Strategic Zone (PDF)



TO: Town of Haymarket Town Council
 SUBJECT: Business Investment Strategic Zone
 DATE: 06/06/16

BACKGROUND:

- The Code of Virginia, Title 58.1 Taxation Chapter 38. Miscellaneous Taxes allows the Creation of local tourism zones.
- This language allows any city, county or town to establish, by ordinance, one or more tourism zones. Each locality may grant tax incentives and provide certain regulatory flexibility in a tourism zone.
- The tax incentives may be provided for up to 20 years and may include, but not be limited to (i) reduction of permit fees, (ii) reduction of users fees, and (iii) reduction of any type of gross receipts tax.
- The governing body may also provide for regulatory flexibility in such zone that may include, but not be limited to (i) special zoning for the district, (ii) permit process reform, (iii) exemption from ordinances, excluding ordinances or provisions of ordinances adopted pursuant to the requirements of the Chesapeake Bay Preservation Act, the Erosion and Sediment Control Law, or the Virginia Stormwater Management Act and any other incentive adopted by ordinance, which shall be binding upon the locality for a period of up to 10 years.

DISCUSSION:

- The adoption of this ordinance allows the Town to incentivize economic development by encouraging new investment or re-development in return for tax incentives or business performance within the Town.
- At this time, the Council would refer to the Draft ordinance to the Town's Planning Commission to make a recommendation on its merits and use within the Town.
- The process would require a Zoning Ordinance Amendment and the overall district should be identified within the Comprehensive Plan and it the official Zoning Map.

TOWN MANAGER'S COMMENTS: (April 19, 2016)

- I would recommend that you forward the draft ordinance to the Town's PC for immediate review and recommendation.

Additional Comments: (May 26, 2016)

- I had the opportunity to speak with Charles Rapp, Director of Community Development for the Town of Culpeper and we discussed the program.
- To date they have only had three property owners take advantage of the program, but most property owners would be more interested if there was a low interest low program associated with the program.
- Through research, both of us agreed that seems the winning combination around the state.
- They have heard from small businesses that cannot meet the investment threshold and the program seemingly only benefits larger, more established businesses that have capital to invest in order to take advantage of the tax incentive program.
- Culpeper's tax incentives are based on the real estate tax assessment upon the improvements and they defer the value of the real estate assessed values as the incentive to the property owner. Essentially the improvements that the property owner makes increases the value of their property and the Town yields the gain in value of the tax assessment.
- Culpeper developed this program to also address blight as well.
- Mr. Rapp referred me also to the City of Fredericksburg's program which is similar, but has

- yielded more success in the program.
- In general, we should not associate this with zoning, but think of the locations in Town we wish to encourage economic re-development.

POTENTIAL QUESTIONS:

- Can we adopt this outside the Town's Zoning Ordinance?
- What is the next step?
- What is required of the Council at this time?
- How would the ordinance be applied?

Budget Impact:

The Town would be negotiating tax incentives or other incentives that could have a small impact on the fiscal General Fund Budget, however the more businesses created, the better and the benefit to the Town's overall fiscal health.

RECOMMENDATION:

Staff recommends the Council referring the Draft Ordinance to the Town's Planning Commission or if desired, have the Town Attorney to draft this as a separate ordinance for the Town Code.

MOTION:

Motion of Approval:

I move the following:

- A. to forward the Draft Business Investment Strategic Zone Ordinance to the Town's Planning Commission immediate review and recommendation

or

- B. Direct the Town Attorney to draft the Business Investment Strategic Zone as an ordinance within the Town Code.

Motion of Denial:

I move to ...

ATTACHMENTS:

- Chapter 58 Article XVII (PDF)

ARTICLE XVII- Business Investment Strategic Zone

Sec. 58-750. – Purpose and creation of business investment strategic zone.

Code of Virginia, §58.1-3851, authorizes Virginia localities to establish, by ordinance, one (1) or more tourism zones for the purpose of granting tax incentives to qualified businesses. As part of its ongoing need to continue updating the Town’s Comprehensive Plan, the town has identified business areas that are showing signs of deterioration, underutilization, or in need of redevelopment. These areas along with the downtown area impact the town’s ability to attract tourists and visitors to the Town of Haymarket. The town hereby established a tourism zone entitled, “business investment strategic zone”, which consists of all the area designated as business investment zone on the map entitled “Town of Haymarket Business Investment Strategic Zone, “ attached hereto and incorporated herein. The purpose of this overlay district is to provide economic incentives for eligible business entities to encourage them to attract visitors to the Town of Haymarket, make substantial investment, and/or create new jobs within the town. The new and expanded businesses that participate in this zone will enhance the revitalization efforts in all of the Town of Haymarket including the downtown core of Haymarket and encourage tourism.

Sec. 58-751. – Administration.

The administrator of the Town of Haymarket Business Investment Strategic Zone shall be the town manager or designee. The administrator, in consultation with the Town Planner and Main Street Coordinator, shall determine and publish the criteria and procedures for obtaining the benefits created by this article and for the administration of this article.

The administrator shall be the single point-of-contact for qualified business owners to take advantage of the business investment strategic zone incentives. The administrator is authorized to negotiate performance agreements with potential new or expanding businesses. However, the Town Council shall have final approval authority for performance agreement that deviate from the established eligibility criteria.

Sec. 58-752 – Eligibility requirements.

- a.) Economic incentives may be made available to any new, expanded or significantly upgraded business which seeks to attract customers to the Town of Haymarket. The business must advance the town’s goals identified in the town’s comprehensive plan.
- b.) The business must commit to a performance agreement based upon investment, jobs, sales revenues, historic preservation, or other significant criteria. Eligible businesses include all uses permitted under the town’s zoning ordinance for the district in which the business is located.
- c.) An existing business must make a capital investment of at least fifty thousand dollars (\$50,000.00) or create and sustain at least two (2) new full time jobs in order to be eligible for economic incentives.

- d.) A new business must make a capital investment of at least one hundred thousand dollars (\$100,000.00) or create and sustain at least four (4) new full time jobs in order to be eligible for economic incentives.
- e.) A new or existing business that reinvests in a historic structure in the historic district and within the business investment strategic zone that saves it from demolition may be eligible for economic incentives as well.
- f.) Economic incentives may be provided for up to five (5) years through the performance agreement. In the case of multi-year incentives, the business shall establish its qualification for the incentives on an annual basis.

Business Investment Strategic Zone Ordinance Incentive Guidelines Document

Purpose

The purpose of the Business Investment Strategic Zone Ordinance is to provide economic incentives and regulatory flexibility for eligible business entities which will attract visitors to the Town of Haymarket, make a substantial investment and create new jobs within the Town. The Investment Areas eligible for incentives are generally defined as developed areas showing signs of deterioration, under utilization, or areas in need of redevelopment. These areas in need of reinvestment impact the Town's ability to attract tourist and visitors to the Town.

The implementation of the Business Investment Strategic Zone Ordinance will be guided by the following criteria and guidelines. This document is designed to give both the Town and perspective developers a sense of what will be required to apply and successfully participate in the incentive program. It includes:

- 1) Business Investment Area Zone Map
- 2) Eligibility Criteria
- 3) Incentive Options
- 4) Performance Agreement Application

The end product of negotiations garnered from following these guidelines will be a win/win Performance Agreement that stipulates the benefit to the Town, measured by dollar level of investment, number of jobs created and resulting tax revenues by the project improvement by incentives that are commensurate with the level of benefits to the Town.

Eligible Area

The Investment Areas eligible for incentives are generally defined as developed areas showing signs of deterioration, under utilization, or areas in need of redevelopment. These areas in need of reinvestment impact the Town's ability to attract tourist and visitors to the Town of Haymarket.

Eligibility Criteria

- a) Economic incentives and regulatory flexibility may be made available to any new, expanded or significantly upgraded business which seeks to attract customers to the Town of Haymarket. The businesses must advance the Town's goals identified in the Economic Development and Investment Areas Chapters of the Town's Comprehensive Plan or the redevelopment goals adopted in the Community Design Plan
- b) The business must commit to a performance agreement based upon investment, jobs, sales revenues, historic preservation, or other significant criteria. All permitted commercial uses allowed in the Zoning Ordinance are eligible. Examples of eligible businesses include but are not limited to retail trade establishments, gourmet restaurants and cafes, a farmer's market, bookstores and coffee shops, antique stores, galleries, a movie theater and a performance center, hotels, financial services, professional and personal services, museums, bed and breakfasts, cultural art centers, health clubs/fitness centers, conference centers, commercial parking garages, and commercial recreation facilities.
- c) An existing business must make a capital investment of a least \$50,000 or create and sustain at least two (2) new full jobs in order to be eligible for economic incentives or regulatory flexibility.

- d) A new business must make a capital investment of at least \$100,000 or create and sustain at least five (5) new full time jobs in order to be eligible for economic incentives or regulatory flexibility.
- e) A new or existing business that reinvests in an historic structure in the Historic District and within the Business Investment Area Zone that saves it from demolition may also be eligible for economic incentives and regulatory flexibility.
- f) Economic incentives may be provided for up to five years through the performance agreement. In the case of multi-year incentives, the business shall establish its qualification for the incentives on an annual basis.

Incentive Options

The incentive are designed to provide inducements for developers and commercial property owners to reinvest in developed areas showing signs of deterioration, under utilization, or areas in need of redevelopment. The levels of incentives, while negotiable, are generally provided in proportion to the level of investment and long term benefit to the Town. The Performance Agreement for those businesses making a small investment of dollars, generating a minor increase in tax revenues and creating only a few jobs could be substantially different than a business making major renovations, generating significant new tax revenues and creating numerous jobs. Incentive terms also may vary from 1 to 5 years depending on the project and its benefit to the Town.

- a) **Percent reduction of Property Taxes** – A reduction in the increase in Property Taxes resulting from the investment is an option that can be negotiated in the Performance Agreement as long as not prohibited by any other action of the Town Council or State of Virginia. Tax reductions, from 30% up to 100% of the increase in taxes will be negotiated on a sliding scale depending on the projects overall benefit to the Town. For example, a project providing the minimum investment required would likely receive a 30% reduction in Property Taxes. (This incentive option would require Council to make an annual appropriation to the incentive program and reimburse eligible businesses from that fund)
- b) **Deferment of Reimbursement of Taxes on Increased Value of Real Estate due to Reinvestment** - One reason business owners give for not renovating or otherwise improving their commercial structure is the improvements result in higher real estate taxes. The option for relief from increased real estate taxes from 1 to 5 years can be negotiated in the Performance Agreement. Those providing the minimum required investment can expect a potential one year deferral while those investing substantially more may receive proportionately more years of relief. (This incentive option would require Council to make an annual appropriation to the incentive program and reimburse eligible business from that fund unless a deferment is used)

Note: A reinvestment project that saves a certified historic structure from demolition is also eligible for all of the above incentives.

Application Process

Developers and Commercial Business owners interested in participation in the incentive program may make application by completing the required information on the Business Investment Strategic Zone Application from attached to and herein made part of this Incentives Guidelines Document. Applicants' property must be in the Business Investment Area Zone and the applicant must provide the minimum investment and or other required benefits criteria stated above.

Business Investment Strategic Zone
Performance Agreement Application
Town of Haymarket, Virginia

Applicant/Company Information:

Contact/Title: _____
Mailing Address: _____
Phone: _____
Email: _____

Project Information

Physical Address: _____

Description of Business: _____

General Project Description: _____

Eligibility Criteria:

In order to be eligible for Economic Investment, the Applicant is required to meet the minimum eligibility requirements as listed in the Business Incentive Area Zone Ordinance, Incentive Guidelines Document. Applicant shall describe the proposed improvements below demonstrating they will meet or exceed these requirements:

1. Complete interior and exterior renovations and improvements to the building in substantial compliance with the application for an economic incentive, at a cost of at least \$_____ by June 30, 20__:
2. Employ the equivalent of _____ (____) additional full-time employees throughout the year:
3. Generate increased annual combined local meals and sales tax revenues of at least _____ thousand dollars (\$_____) over calendar year _____.
"Meals taxes" are those local taxes attribute to a Restaurant, paid on time to the Town of Haymarket. "Local sales taxes" are the 1% of the state sales tax revenue returned to the Town by the Commonwealth of Virginia, not including the ½% sales tax revenue for education. Penalty and interest paid on delinquent taxes are not counted in these terms:
4. Provide at least _____ square feet of wall space in the restaurant for year-round, rotating exhibits of local artists at no cost to the artist:

Attachment: Business Investment Strategic Zone (2867 : Business Investment Strategic Zone)

5. Provide a general description of improvements proposed as part of this program:

Applicant agrees to file with the Town Manager an annual Performance Report containing sufficient documentation to establish compliance with incentive program criteria.

Applicant's Signature: _____

Applicant's Name: _____

Date: _____

Business Investment Strategic Zone
Performance Agreement
Town of Haymarket, Virginia
AND

THIS PERFORMANCE AGREEMENT (the "Agreement") is entered into on _____,
20____, by _____
("_____" or "Company") the TOWN OF HAYMARKET, a Virginia municipal corporation (the
"Town"), and the

RECITALS:

- A. Article XII of Chapter 23 of the Town Code created a Business Investment Area Zone (BIA Zone) in the Town for the promotion of tourism in Haymarket. The BIA Zone provides economic incentives for eligible business entities that agree to make substantial investment in the Town, and/or create new jobs within the Town.
- B. This Agreement serves the public interest by increasing tourism in the Town and thereby promoting commerce. The Economic Development and Investment Chapters of the Town's Comprehensive Plan as well as the Community Design Plan identify goals that include the redevelopment of the downtown and gateway areas of the Town and to preserve a sense of place, promote economic strength, and ensure the Town's continuing appeal to residents, business people, and visitors. The Comprehensive Plan includes a policy to encourage redevelopment and infill of the downtown area and other designated areas of the Town and to pursue innovative financing strategies to encourage and facilitate these goals including the establishment of a tourism zone called the Business Investment Areas.
- C. The map entitled "Town of Haymarket Business Investment Areas Zone" dated ____ identifies the Business Investment Areas Zone as an area for economic development incentives. A central goal of the Business Investment Areas is to increase retail presence and other businesses that will attract residents, business people, and visitors to the Town.
- D. (Describe Company and proposed plans)
- E. The Town Council authorized the Town Manager to enter into this Agreement at its regular meeting on _____, 20_____.

AGREEMENT

IN CONSIDERATION of mutual covenants, benefits and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties for themselves, their successors and assigns agree as follows:

- 1. **Recitals incorporated.** The foregoing Recitals are incorporated by reference.
- 2. **Eligibility criteria and performance monitoring.** In order to be eligible for the Economic Incentives described below, the Company shall (i) make a one-time capital investment of at least

Attachment: Business Investment Strategic Zone (2867 : Business Investment Strategic Zone)

\$100,000 or (ii) create and sustain at least four (4) new full time jobs. In addition, the Company shall:

- 2.1 (Provide at least ____ square feet of wall space in the restaurant for year round, rotating exhibits of local artists at no cost to the artist;)
 - 2.2 File with the Town Manager an annual Performance Report containing sufficient documentation to establish compliance with these criteria. Company shall submit the Performance Report annually on or before the anniversary of this Agreement's effective date. The Town will verify the Company's eligibility prior to approving an economic incentive.
 - 2.3 As evidenced by the signature below, Company agrees to the release by the Town of otherwise confidential tax information as required for the administration of this Agreement, including the amount of any performance grant paid hereunder and information sufficient to establish eligibility for the economic incentives. Company agrees that Town of Haymarket Town Treasurer may release to the Town Manager confidential gross receipts, real estate, property and sales tax information as required for the administration of this Agreement.
3. **(Economic Incentive – Sales Tax Reimbursement:** Beginning _____, if _____ meets the eligibility criteria, then the IDA shall make an annual performance grant of _____ percent (____%) of the sales tax paid to the Town (over the course of the year 20____) up to two hundred fifty dollars (\$250.00) per year for five years) (Note: The Town only receives 20% of the total sales tax paid by each business so the effective reimbursement is only ____%)
4. **(Economic Incentive – Real Estate and Property Tax Reimbursement:** In addition to the sales tax reduction, beginning July 1, 2016 through June 30, 2017, if _____ meets the eligibility criteria, then it shall receive an annual performance grant from the IDA in an amount of _____ percent (____%) of the Property taxes and a 100% deferment of payment for increased property taxes (over 2014) generated by the improvement for a period of ____ Years(Five Year Maximum)
- 4.1 **(As a grant to the IDA to enhance the economic development of the Town,** the Town agrees to appropriate to the IDA and amount equal to the performance grant for each year in which _____ meets the eligibility criteria. **The Town's obligation under this subsection shall be subject to annual appropriation by the governing body and shall not be deemed to be a general obligation or debt of the Town.)**
- 4.2 (The IDA's obligation to pay _____ the annual performance grant shall be subject to the appropriation of the performance grant amount by the Town Council.)
5. **Maximum total incentive.** The maximum total incentive to be paid to Company is _____ dollars (\$_____) over the term of the Agreement.
6. **Term.** This is a _____ year agreement, beginning _____, 20____. Its effective date is the date when the last party to sign executes it, which date shall also be entered in the header paragraph of this Agreement.

7. Termination for non-performance. If Company fails to fulfill its obligations under this Agreement, the Town may give notice to its default. Company may give the Town a plan to cure its default within a reasonable time not to exceed 60 days. The Town may, in its sole and absolute discretion, accept such cure plan, or the Company fails to perform as required by the cure plan, then the Town may give notice of termination, which shall be effective immediately. The Town will not make any incentives available after any default notice is given, unless and until the Town rescinds the default notice.

8. Miscellaneous provisions. The following provisions shall apply to this Agreement:

8.1 Complete Understanding. This Agreement represents the complete understanding between the parties hereto, and supersedes all prior negotiations, representations or agreements, whether written or oral, as to the matters described herein, and no prior or contemporaneous oral or written statement may be used to alter, vary or contradict its provisions.

8.2 Binding Agreement. This Agreement is binding upon and shall inure to the benefit of the parties and their respective heirs, devisees, legal and personal representatives, permitted assigns, and successors in interest.

8.3 Assignment. This Agreement may not be assigned without the prior, express consent of the other party. Any purported assignment without such consent shall terminate this Agreement.

8.4 No Waiver. The failure or delay of a party to insist upon the strict performance of any provisions of this Agreement, or the failure or delay of a party to exercise any right, option or remedy hereby reserved shall not be construed as a waiver of any such provision, right, option or remedy or as a waiver of a subsequent breach thereof. No provision of this Agreement shall be deemed to have been waived unless such waiver shall be in writing signed by both parties.

8.5 Governing Law. This Agreement shall be governed, controlled, enforced, interpreted and construed in accordance with the laws of the Commonwealth of Virginia without giving effect to any choice or conflict of law provisions or rule that would cause the application of the laws of any jurisdiction other than the Commonwealth of Virginia. The parties hereto hereby agree to submit to the jurisdiction and venue of the Circuit Court and/or General District Court of Prince William County, Virginia, in any action or proceeding arising out of, or relating to, this Agreement. The parties to this Agreement expressly consent to submit to the jurisdiction of such court and waive any personal jurisdiction or venue defenses concerning said forum.

8.6 Construction. The language of this Agreement shall be in all cases construed simply according to its fair meaning and not strictly against the party who drafted such language.

8.7 Headings. The headings, subheadings and captions are used in this Agreement for convenience and reference only, and shall not be used in interpreting, construing or enforcing any of the provisions of this Agreement. The neuter singular pronoun shall be deemed to include the masculine, the feminine, and the plural.

8.8 Corporate Party. The person executing this Agreement on behalf of the Company hereby covenant, represent and warrant that the party is a duly incorporated or a duly qualified (if a foreign corporation) corporation; is authorized to do business in Virginia; that the person or persons executing this Agreement on behalf of the Company is an officer or are officers of the Company; and that he/she or they as such officers were duly authorized to sign and execute this Agreement. Upon request, the Company shall deliver to the Town documentation satisfactorily to evidencing compliance with the provisions of this paragraph

8.9 Severability. It is the intention of the parties that the provisions of this Agreement shall be enforceable to the fullest extent permissible under law. If any clause or provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, then the remainder of this Agreement shall not be affected thereby, and in lieu of each clause or provision of this Agreement which is illegal, invalid or unenforceable, there shall be added, as a part of this Agreement, a clause or provision as similar in terms to such illegal, invalid or unenforceable clause or provision as may be possible and as may be legal, valid and enforceable.

8.10 Force Majeure. If, by reason of force majeure, either party hereto shall be rendered unable, in whole or in part, to carry out its obligations under this Agreement, and if such party shall give notice and full details in writing of such force majeure to the other party within a reasonable time after the occurrence of the event or cause relied on, then the obligations of the party giving such notice, so far as it is affected by such force majeure shall be suspended during the continuance of the inability then claimed, but for no longer period, and such party shall endeavor to remove or overcome such inability with all reasonable dispatch. The term "force majeure", as employed herein, shall mean acts of public enemy, orders of any kind of the government of the United States or the Commonwealth of Virginia or any civil or military authority, insurrections, riots, arrests, civil disturbances, labor unrest or strikes, machinery failure, inability to obtain any necessary supplies, utilities or services, earthquakes, floods, fires, storms and any serious weather-related casualty.

8.11 Attorney's Fees and Costs. In the event of any litigation or preparation for or in response to threat of litigation relating to this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs.

The signatures of the authorized representatives of the parties are set out below in acknowledgement of this Agreement.

[Name of Company or Individual]

President [or other title]

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to wit:

I, _____, a Notary Public for the Commonwealth aforesaid, hereby certify that _____, whose name is signed to the writing above has acknowledged the same before me in my county or city aforesaid.

Given under my hand and official seal this ____ day of _____, 20__.

Notary Public

Attachment: Business Investment Strategic Zone (2867 : Business Investment Strategic Zone)

My commission expires: _____

My registration number: _____

TOWN OF HAYMARKET

By: _____(SEAL)

Town Manager

Attest:

Town Clerk

Approved as to form:

Town Attorney

Review Process

Each application will be reviewed by the Town Manager in consultation with the Town Planner and Main Street Coordinator, guided by the stated incentives guidelines, the Town representatives will meet with applicant and negotiate the level if any of incentives warranted and number of years those incentives will be in place as well as any regulatory flexibility that is warranted. If determined appropriate, a Performance Agreement will be drafted will be drafted and the resulting Performance Agreement will then be forwarded to the Town Attorney for review and then on to the applicant for their review and approval. The Performance Agreement will stipulate all of the investment commitments by the applicant, the incentives being provided by the Town and length incentives will be in place.

Once the agreement is approved by the Applicant, the Town Manager will execute the final agreement. However, Performance Agreements not in keeping with the Eligibility Requirements will require review and approval by the Town Council.

Note: In order to be eligible for the Economics Incentives described above, the Company shall meet these eligibility criteria for the term of the Performance Agreement. The company's failure to meet eligibility standards for one year of this Agreement does not terminate the Agreement. If Company fails to meet the eligibility standards for two years in a row, then the Town may terminate this Agreement on written notice to the Company.

Approved:

Town Manager

Date: _____

Attachment: Business Investment Strategic Zone (2867 : Business Investment Strategic Zone)



TO: Town of Haymarket Planning Commission
 SUBJECT: 6680 Fayette Street Rezoning
 DATE: 07/06/16

Andrea and Jim Payne have submitted an application to rezone .97 acres from the Residential R-1 zoning district to the Town Center District B-1 zoning district. The property is located at 6680 Fayette Street (bordering the rear property line of Remax / Giuseppe's). The Applicant intends to develop a "Dog Beauty Salon" (see attached narrative and rezoning plat).

Section 58-429 of the Zoning Ordinance states amendments shall be considered with reasonable consideration of matters such as existing uses and the character of the area, suitability of the property for various uses, trends of growth or change, and consistency with the Comprehensive Plan.

The subject property is designated by the Comprehensive Plan as Transitional Commercial. The Comprehensive Plan's guidance regarding the development of these planned areas is as follows (*excerpt from Chapter 3.4, Land Use Plan*):

"Continued scattered commercial development in the Town, with resultant problems such as parking, traffic congestion and noise, should be discouraged. To accommodate future commercial development the plan recommends that major commercial growth be limited to those areas designated as the Neighborhood/Town Center, Transitional Commercial and the Planned Interchange Park. These areas are located primarily along Washington Street which should be promoted as the Town's "main street". Consideration should be given to the addition of a restricted commercial district zone along Washington Street east of the Town Center to create a more cohesive mix of low intensity commercial uses either in existing historic structures or new structures consistent with styles that reflect a post-Civil War era.

Transitional Commercial - The Plan calls for low-intensity commercial uses to serve as a distinct transition between low and moderate density residential areas and high intensity commercial uses within the neighborhood/Town Center and Planned Interchange Park. Conversions of existing residential structures to commercial uses are encouraged and should continue the open, small town atmosphere and sense of place. New structures or additions to existing structures should be permitted under the guidance of the Architectural Review Board and should take into account the impact of parking, lighting, and screening requirements of commercial uses when adjacent to planned residential areas..."

RECOMMENDATION

Staff supports the proposal based on the above criteria and recommends that the Planning Commission and Town Council adopt the following motions, in their respective order.

SUGGESTED MOTIONS

Planning Commission

1. I move that the Planning Commission forward ZTA# 20160602, Application to Amend the Zoning Map - 6680 Fayette Street / A Dog's Day Out, to the Town Council with a recommendation of approval.

OR,

2. I move an alternate motion.

Town Council

1. I move that the Town Council approve ZTA# 20160602, Application to Amend the Zoning Map - 6680 Fayette Street / A Dog's Day Out.

OR,

2. I move an alternate motion

ATTACHMENTS:

- ADDO Haymarket (PDF)
- 2 - 6680 Fayette St Rezoning_for July TC Packet (PDF)
- Citizen Shannon - Rezoning of 6680 Fayette Street, Haymarket, VA 20169 (PDF)
- Ito Comments on Rezoning (PDF)

A Dog's Day Out Haymarket

Prepared for:
Town of Haymarket Planning Commission
July 6, 2016
Prepared by: Jim & Andrea Payne
Applicants for Rezoning 6680 Fayette Street



Why: A Dog's Day Out (ADDO) in Haymarket?

- Cage-Free Dog Daycare, Boarding, & Certified Grooming
ADDO's Internal cage-free atmosphere promotes socialization, affection, health, well-being, and longevity for the dogs in our care in our community.
 - Needed service in the town.
 - Lightest footprint on traffic patterns as dogs do not drive.
 - Further the walking town concept. Clients in town can walk to obtain the services.
 - Creation of 10-15 new jobs.
 - Generation of revenue for the Town of Haymarket.
 - We are looking to blend in the with setting and surrounding community.

ARTICLE V. - TOWN CENTER DISTRICT B-1

- Sec. 58-176. - Intent.
 - The town center district B-1 provides primarily for retail shopping and **personal services** uses to be developed either as a unit or in individual parcels oriented to attracting pedestrian shoppers, tourism and local convenience. Recognizing the economic value of the existing historical area, it shall further be the intent of the district to encourage the retention and rehabilitation of structures and uses in the district that have historic and/or architectural significance. The range, size, hours of operation, lighting, signs and other developmental aspects of permitted uses may be limited in order to enhance the general character and historic nature of its compatibility with its residential surroundings.

- – Sec. 58-177. - Use regulations
 - 10) Pet shops or dog beauty parlors, provided that any workrooms, cages or pens are maintained within a completely enclosed, soundproof building.

Issues and Concerns voiced 7/5/16

- Traffic
- Noise
 - Inside Facility
 - Outdoors
- Sidewalks
- Parking
- Families with children walking on Fayette Street
- Views from Adjacent Properties
- Allergens
- B1 Rezoning – Future use

Traffic

- Concern: Increased Traffic on Fayette Street without the ability to add traffic signals to support traffic. Not enough room for clients to turn around in parking lot and in turn would drive into Community and increase traffic in neighborhood. Traffic turning left onto Washington Street
- Mitigation: ADDO has a brief rush hour in the early AM and late PM. Creating a circular drive on property to allow for traffic pattern to circle building and exit without further use past 6680 Fayette Street. Morning traffic patterns would suggest majority of customers would be heading towards 15/66 to commute to work. Evening traffic patterns would be post rush hour pick up.

Noise Ordinance Sec. 18-36. - Noise from animals.

- A) It shall be unlawful for any person to allow within the town prolonged or intense barking or other harsh or excessive noises to be made by any animal under his ownership or control, at any time, so as to disturb the quiet, comfort or repose of one or more members of the community.
- B) For the purpose of this section, a harsh or excessive animal noise is one which disturbs the quiet, comfort or repose of a reasonable person with normal sensitivities.
- C) For the purpose of this section, a person shall be deemed to have "allowed" his animal to bark or create other harsh or excessive noises, if he has once been put on notice by the town police department or the animal warden, upon the complaints of two persons who are not members of the same household, unless there are no more than five households within one-quarter mile of the noise source, that the animal is disturbing one or more members of the community and he thereafter fails to confine such animal inside his dwelling unit or other enclosed structure or take similar action calculated to terminate such disturbance. It shall not be necessary for the police department or animal warden to issue a new notice for each repeated occurrence.

Noise: Mitigation and Compliance

Indoors:

- K-13 (Sound Insulation) would be applied to the indoor facility.
- Excessive noise is reduced with the application of K-13 while greatly improving ambient sound quality in a wide variety of building projects including auditoriums, sports facilities, detention facilities, television and sound studios, convention centers and parking garages.

Outdoors:

- Compliance on excessive barking. ADDO would be responsible for taking inside any dog that displays behavior of excessive barking. Those dogs that are repeat offenders would not be allowed future outside play time.

Sidewalks

- Concern: There are no sidewalks for pedestrian traffic walking up and down Fayette Street.
- Mitigation: ADDO Haymarket will comply with Site Plan regulations and will provide funding for sidewalks now or in the future should the town or other future businesses fund this feature.
- NOTE: ADDO is willing to work with the Town and the developers of the fairground project to create a pedestrian walkway. This would allow for resident use as well as the future use townhomes to walk their dogs to our facility to reduce vehicular traffic.

Parking

- Concern: There will not be enough parking for the number of dogs that the ADDO facility will care for each day.
- Mitigation: We have allotted for 12+ parking spaces for our 6,000 sq. ft. facility. There will not be a need for street parking to support the customer base.
 - ADDO's oldest/ largest facility located in Vienna, VA has been in business 11.5 years, averages 100 dogs a day on Holiday's and all summer long, in a roughly 9,000 sq. ft. facility, and has NEVER needed more than the 6 client parking spaces up along our main entrance wall of the building that we have allocated for our clients.
 - Dogs Don't drive, so the client's cars will leave with their driver once they are successfully dropped off.

Families with children walking on Fayette St.

- Concern: Families walking children on Fayette are more at risk because there are dogs entering and exiting the building.
- Mitigation: The dogs are contained and do not run free. There is a leash policy and the turnover of the dog to our facility is done inside building. Drop off is on side of the building to further mitigate contact with pedestrian traffic.

Views from Adjacent Properties

- Concern: Some residents have a view into the current property from their property and they do not wish to see Dogs roaming the property.
- Mitigation: A substantial buffer will be put in place so the residents will see Trees/landscaping versus Dogs.
 - The lot is abutted on the south by parking lots and on the east by a future retail/residential complex. The part of this retail/residential project abutting the site is planned for parking. ADDO, as a low density commercial development, will help buffer the residences at the end of Fayette from these more intensive commercial uses.

Allergens

- Concern: Allergens will be in the air because of the concentration of dogs.
- Mitigation: We will comply with all VA State Health and Safety Regulations. We will have a Air Handler with appropriate filters that are cleaned/replaced on a continuous basis. This facility is 100% Air Conditioned.

B-1 Rezoning – Future Use?

- Concern: Allowing for R-1 to B-1 to occur and what if the business fails? It's been rezoned for any other B-1 Business to come in afterwards without Public Hearing.
- Mitigation: Willing to present Proffers to limit other in the future for the following items as the location is not suitable for any of these uses, and is unlikely to become so in the future. In addition to any business requiring a drive thru (Pharmacy, Fast Food Restaurant, Bank)
 - Items 6 (dry cleaners)
 - Item 14 (shoe repair shops)
 - Item 15 (service stations)
 - Item 16 (appliances and repair)
 - Item 22 (Farmers Markets).
- NOTE: Typical Development project for a 1 acre parcel of land would build a facility more than or two or three times the size that we are planning. It would require more parking, traffic, etc.

Attachment: ADDO Haymarket (2868 : 6680 Fayette Street Rezoning)

Ashburn ADDO Landlord Letter

Guilford Drive Properties

6421 Ashby Grove Loop
Haymarket, VA 20169
Phone: 703-4-5-3627
E-Mail: bneff61@att.net

5/27/15

To Whom It May Concern:

This letter is to verify that ADDO has been a very good tenant at the building located at 44642 Guilford Drive, Ashburn, VA. We have had no complaints from other tenants regarding either noise or odor. They are excellent tenants who are respectful to the building and its surrounding areas.

Sincerely,



Barry Neff
President, Barry Neff Inc. and Guilford Drive Properties

Alexandria ADDO Landlord Letter

STONEBRIDGE CARRAS
MANAGEMENT

May 29, 2015

To Whom It May Concern

RE: A Dog's Day Out

This letter is written on behalf of our tenant, A Dog's Day Out, which has been located at 403 Swann Avenue in Alexandria Virginia since 2009. Our experience with this tenant has been favorable and they are current on their rent payments. We have also been made aware that the residential community in the area is very appreciative of have the services provided by ADDO and like having in their neighborhood.

Sincerely,

Douglas M. Firstenberg
Principal
StonebridgeCarras Management

Vienna ADDO Landlord Letter

Giles Group LC
6621 Brawner St.
McLean, VA 22101
Tel/Fax: 703-847-0433

April 7, 2015

To Whom It May Concern:

Re: A Dog's Day Out

A Dog's Day Out has been a tenant in our building since November of 2004. They have always paid their rent on time and have never been a disruption to the other tenants. They have taken preemptive measures within their space to prevent the transfer of any intrusive noise and odors to their neighbors. They routinely police the parking lot and grounds adjacent to their bay to keep it neat and orderly. The Richardson family runs an excellent business that is an asset to our property. I highly recommend them as a potential tenant.

Sincerely,

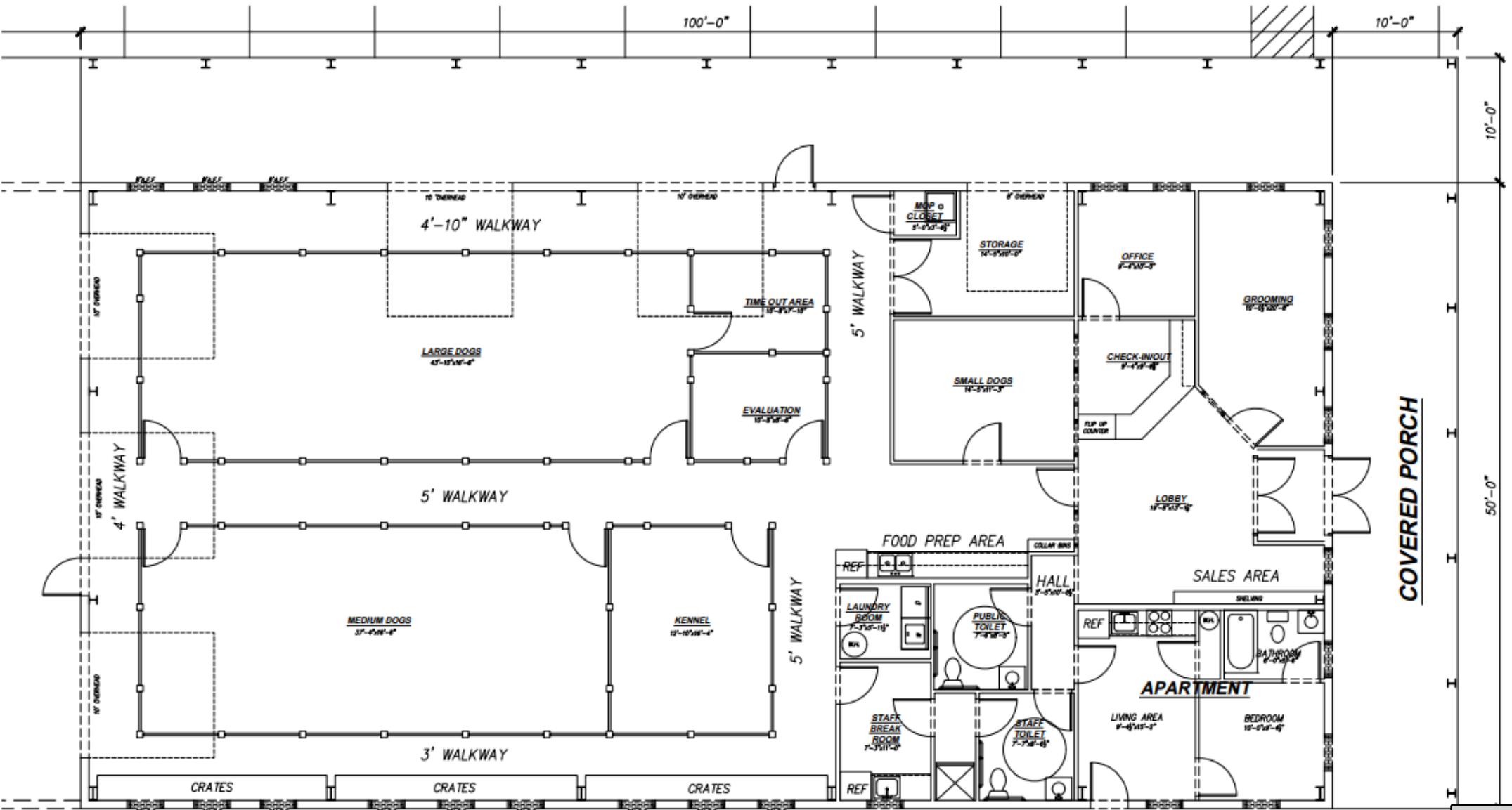
Jeff Johnson
Giles Group LC
Manager

Conceptual Building – Will comply with ARB



Attachment: ADDO Haymarket (2868 : 6680 Fayette Street Rezoning)

DRAFT Internal Building Layout



OVERALL FLOOR PLAN
SCALE: 1/8"=1'-0"

Attachment: ADDO Haymarket (2868 : 6680 Fayette Street Rezoning)

JUSTIFICATION FOR REZONING

A DOG'S DAY OUT

Record Owner: Melissa P. Otwell

Applicant: Andrea Payne and Jim Payne

Prince William County GPIN 7298-80-6954 ("Property")

(Approximately 0.9797 acres)

May 25, 2016

The Property subject to this rezoning application consists of GPIN 7298-80-6954, having an area of approximately 0.9782 acres, as shown on the rezoning plat submitted with this application. The Property is located at 6680 Fayette Street.

The Property is zoned R-1, Residential District. The Applicant is requesting a rezoning to B-1, Town Center District. The adjoining Parcels GPIN 7298-80-6635 and GPIN 7298-80-5444 are zoned B-1. According to the Town of Haymarket Comprehensive Plan this site is zoned Transitional Commercial which is compatible with our request.

The applicant is requesting this rezoning because a Dog Beauty Salon is permitted by-right in B-1. With this rezoning a landscaping buffer (10' width) will be provided to mitigate any negative impacts.

In summary, the Applicant is requesting this rezoning to consistently zone the Dog Beauty Salon to B1 zone.

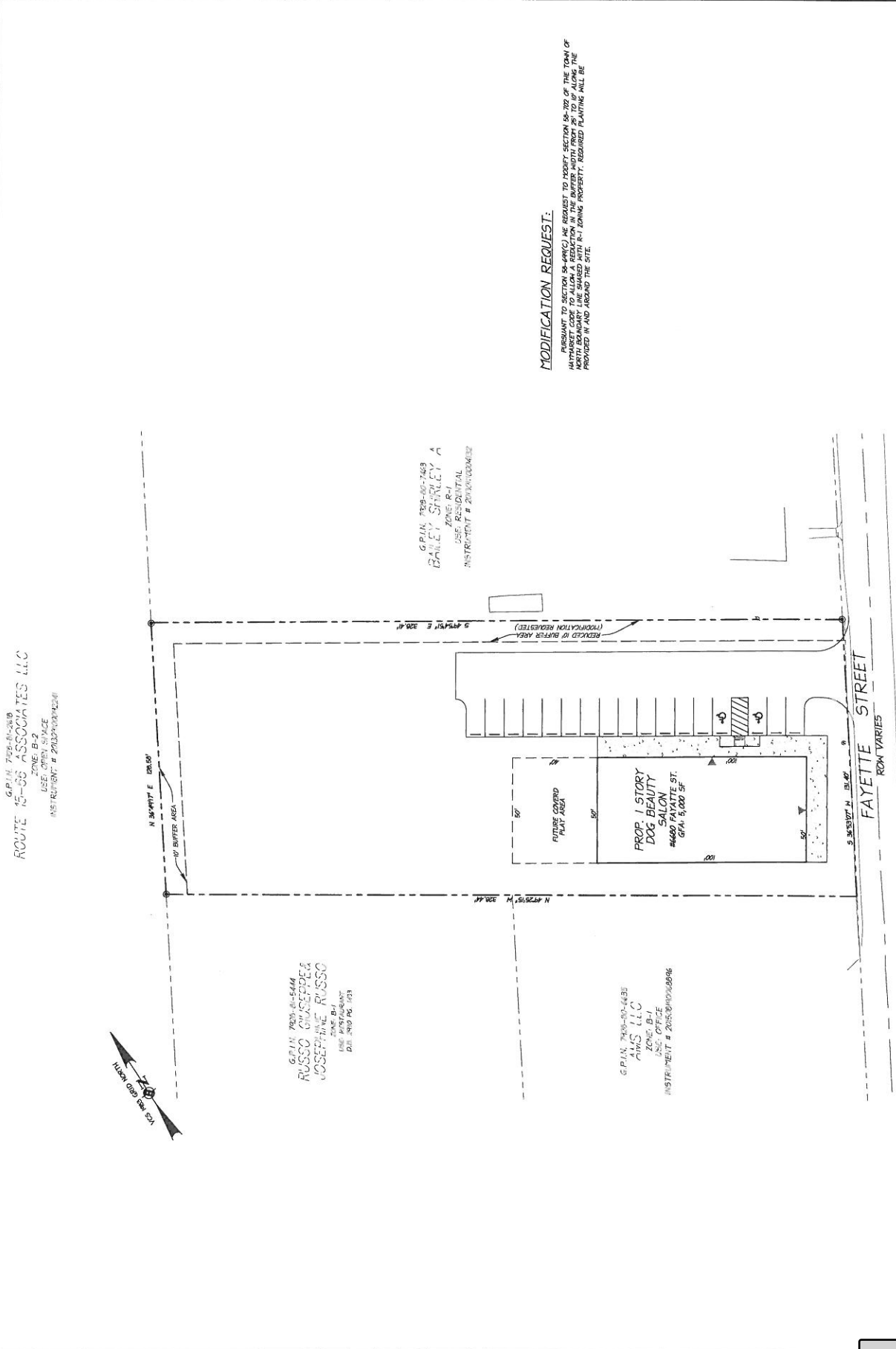
christopher consultants
engineering - surveying - land planning
703 998 9887 • fax 703 281 8078
8417 RIVINGTON DRIVE • RICHMOND, VA 20110



CONCEPTUAL
LAYOUT

REZONING PLAN
A DOG'S DAY OUT
TOWN OF HAYMARKET
PRINCE WILLIAM COUNTY, VA

PROJECT NO:	NA0406.001.00
SCALE:	1"=50'
DATE:	04/20/16
DESIGNER:	HC
CHECKER:	ES
SHEET NO.:	2 OF 2



G.P.L.N. 7808-00-6438
ROUTE 15-66 ASSOCIATES LLC
ZONE: B-2
USE: OFFICE
INSTRUMENT # 20150101028240

G.P.L.N. 7808-00-6444
RUSSO CHASE/DOER
JOSEPHINE RUSSO
ZONE: B-1
USE: RESIDENTIAL
D.U. 1910 PLS. 1031

G.P.L.N. 7808-00-7463
BAILEY SHARLEY A
RESIDENTIAL
USE: RESIDENTIAL
INSTRUMENT # 20150101028240

G.P.L.N. 7808-00-6435
AHS LLC
ZONE: B-1
USE: OFFICE
INSTRUMENT # 20150101028240

MODIFICATION REQUEST:
PURSUANT TO SECTION 54-64(C) HE REQUEST TO MODIFY SECTION 54-70 OF THE TOWN OF HAYMARKET CODE TO ALLOW A REDUCTION IN THE BUFFER WIDTH FROM 20' TO 10' ALONG THE WESTERN BOUNDARY AND 5' ALONG THE NORTHERN BOUNDARY. THE ZONING PROPERTY, REQUIRED PLANNING WILL BE PROVIDED IN AND AROUND THE SITE.

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY






Fairfax County Times • Loudoun Times-Mirror
 Fauquier Times-Democrat & Fauquier Times-Democrat Weekend
 Gainesville Times • Culpeper Times • Rappahannock News

I authorize this advertisement to appear in the products on the scheduled dates listed herein. X _____ Date _____

TOWN OF HAYMARKET 15000 WASHINGTON ST STE 100 HAYMARKET VA 20169 (703)753-2600 jpreli@townofhaymarket.org		Account: 309099 Ad Number: 4574700 Size: 3 X 4.5 Sales Rep: JCLG Words: 219 Lines: 120
Cost of Ad 226.00	Payments 0.00	Total Due 226.00
Class: LGS LEGALS	SubClass: 492	PUBLIC NOTICES
Description: zoning 1 acr		
GVTC and PWTC Class	Jun 22,29	
Web Ads Class	Jun 22,29	
Market Place Classified	Jun 22,29	

AD MAKEUP NOTES



**NOTICE OF PUBLIC HEARING
 AND INTENT TO ADOPT
 ORDINANCE CHANGES TO THE
 ZONING MAP TO REZONE
 1.0 ACRE FROM THE RESIDENTIAL
 DISTRICT R-1 TO THE TOWN
 CENTER DISTRICT B-1**

KINDLY TAKE NOTICE that the Town Council & Planning Commission of Haymarket, Virginia, will hold a public hearing on Tuesday, July 5, 2016, 7:00 p.m. at the Town Hall of Haymarket, 15000 Washington Street, Suite 100, Haymarket, Virginia to receive public input on a rezoning application filed by Jim & Andrea Payne as contract purchasers of 6680 Fayette Street, Haymarket, Virginia to rezone 1.0 acre identified as GPIN 7298-80-6954, from the Residential District R-1 to the Town Center District B-1.

A complete copy of the application for rezoning is available for public inspection during normal business hours at the Clerk's Office of the Town of Haymarket, 15000 Washington Street, Suite 100, Haymarket, Virginia 20169 immediately upon the advertising of this notice. All are invited to attend the public hearing at the time and place aforesaid and present their views. The hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility to the facility should contact the Town Clerk at the above address or by telephone at (703) 753-2600.

TOWN COUNCIL & PLANNING COMMISSION,
 TOWN OF HAYMARKET, VIRGINIA

Attachment: 2 - 6680 Fayette St Rezoning_for July TC Packet (2868 : 6680 Fayette Street Rezoning)

From: [Shannon Castaneda](#)
To: [Jennifer Preli](#); [Joseph Castaneda](#)
Subject: Rezoning of 6680 Fayette Street, Haymarket, VA 20169
Date: Friday, June 24, 2016 5:28:00 PM

To whom it may concern,

Thank you for giving us the opportunity to comment on the rezoning of 6680 Fayette Street from Residential 1 to Business 1. We would like to take this opportunity to raise two concerns about this rezoning. First, Fayette Street intersects Washington at a stop sign. It is my understanding that no additional traffic control can occur at the Fayette Street intersection because of its proximity to the traffic signal at Washington and Jefferson. Washington Street has periods of significant traffic where entering from Fayette Street is already quite difficult. Has attention been given to any additional traffic the new commercial area will bring to this intersection? Additionally, while 6680 is adjacent to business property to its South, it is adjacent to residential properties to the North. Will the rezoning impact how much noise can emanate from the property? Thank you for your time and attention to these considerations.

Shannon & Joseph Castañeda
15001 Gossom Manor Place

Tuesday, June 28, 2016

Satoshi Eto
6610 Fayette St
Haymarket, VA 20169
(703) 489-9471
seto@vt.edu

Haymarket Town Hall
Attn: Ms. Jennifer Preli, Town Clerk
15000 Washington St, Ste 100
Haymarket, VA 20169

RE: Notice of Public Hearing, Rezoning Application, 6680 Fayette St

Ms. Preli,

Thank you for sending the Notification of Rezoning letter in regards to the application received for the proposed rezoning of 6680 Fayette St. My current work schedule will not permit me to attend the public hearing on July 5th, however I appreciate the opportunity to provide you my written comments and questions.

I see that 6680 Fayette St is shown on the Town's *Planned Use Map* as a Transitional Commercial parcel; however the application is proposing rezoning to Business 1. I read the general intent of the Transitional Commercial District to serve as a low-impact buffer between residential districts and commercial districts (58-136) and the permitted uses and interior floor space restrictions for this district (58-137 & 138) support this intent.

I have some concerns with the proposed rezoning of this parcel to Business 1;

Unlike the Transitional Commercial District, Business 1 districts allow for private clubs/lodges/meeting halls, restaurants, and service stations with fewer restrictions on floor place (58-177). I am concerned that if the parcel is rezoned to allow for these uses that they could bring increased noise, disruption, odors (ex; food preparation, food waste, etc) and pedestrian/vehicular traffic within proximity of my residence as to become a nuisance, affecting quality of life and property value.

I feel that the Giuseppe's and El Vaquero West restaurants are excellent businesses and I am glad they operate in town, however I feel that their placement along Washington St frontage is necessary to provide residents with a buffer from the disruptions associated with these businesses. Giuseppe's occasionally hosts live music on a semi-open patio with a bar area. I have never experienced any disruptions from this business but I am concerned that if a similar establishment were to open at 6680 Fayette St that I would be negatively impacted.

I would like to ask Town representatives to consider the reasons that this parcel was designated as a Transitional Commercial District during development of the *Planned Use Map* and further consider that any rezoning of this parcel be made consistent with that plan.

Has the Town received a proposed plan of development from the applicant? If so what are the intents and may I view a copy?

Thank you for taking the time to read my comments,
Sincerely,



Attachment: Ito Comments on Rezoning (2868 : 6680 Fayette Street Rezoning)



TO: Town of Haymarket Planning Commission
SUBJECT: Town Center Master Plan waiver
DATE: 07/06/16

To forward to Town Council with the Planning Commission's recommendation.



TO: Town of Haymarket Planning Commission
SUBJECT: ARB Liaison Appointment
DATE: 07/06/16

The Commissioners need to appoint a liaison tonight to the ARB.



TO: Town of Haymarket Planning Commission
SUBJECT: Zoning Ordinance Rewrite
DATE: 07/06/16

The Zoning Administrator will update on this item.



TO: Town of Haymarket Planning Commission
SUBJECT: Sign Ordinance Update
DATE: 07/06/16

The Zoning Administrator will update on this item.



TO: Town of Haymarket Planning Commission
SUBJECT: Comprehensive Plan
DATE: 07/06/16

The Zoning Administrator will update on this item.