

TOWN OF HAYMARKET PLANNING COMMISSION

REGULAR MEETING ~ AGENDA ~

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

15000 Washington Street, Suite 100 Haymarket, VA 20169

Monday, August 12, 2013

7:00 PM

Council Chambers

- 1. Call to Order
- 2. Announcements
- 3. Citizens Time
- 4. Minutes Approval
 - a. Planning Commission Regular Meeting Jun 17, 2013 7:00 PM
 - b. Planning Commission Regular Meeting Jul 8, 2013 7:00 PM
- 5. ARB and Council Update
- 6. Town Planner Report
 - a. Zoning Permits for Approval Update
- 7. Old Business
 - a. Historic District Overlay Revision
 - b. Comp Plan/ZTA's
- 8. New Business
 - a. Appoint Chair/Vice Chair/ARB Liaison
- 9. 1 Mile Notice
 - a. John Marshall Commons
- 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, June 17, 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

called the meeting to order.

1. Call to Order

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

2. Public Hearings

a. Haymarket Baptist Church - Final Site Plan

Held over from February. Pending final approval from VDOT and sanitation authority. Received those approvals. And from town engineer. 2 parts. Final Site Plan and associated buffer and waiver of parking lot landscaping.

Have a Draft motion. Ready for action by Planning Commission.

Weir invites those to speak in regards to this item, for or against. No one speaks.

Close the Public Hearing.

RESULT: CLOSED [UNANIMOUS]
MOVER: Robert B. Weir, Chair

SECONDER: Rebecca Bare, Councilwoman

AYES: Robert B. Weir, Rebecca Bare, Ralph Ring, Christopher Johnson

ABSENT: Ed Robinson

b. Haymarket District Overlay Revision Still pending language for it.

Will carry over.

c. Haymarket Self Storage Zoning Text Amendment

Ready to go. Want review of proposed definition. Request to separate motorized from non-motorized. Outdoor storage area to be paved.

Up to 10 months to take action.

Invite those to come forward for or against to speak.

No one spoke.

Close the Public Hearing.

RESULT: CLOSED [UNANIMOUS]
MOVER: Robert B. Weir, Chair

SECONDER: Rebecca Bare, Councilwoman

AYES: Robert B. Weir, Rebecca Bare, Ralph Ring, Christopher Johnson

ABSENT: Ed Robinson

3. Citizens Time

No one spoke.

4. Minutes Approval

a. Planning Commission - Regular Meeting - May 13, 2013 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]

MOVER: Rebecca Bare, Councilwoman

SECONDER: Ralph Ring, Commissioner

AYES: Robert B. Weir, Rebecca Bare, Ralph Ring, Christopher Johnson

ABSENT: Ed Robinson

5. Zoning Permit Applications

a. 6750 Fayette Street - St. Paul's Sign - Schedule PH

Signs for churches in the R1 Zone must have a Special Use Permit. That requires a Public Hearing joint with Council.

Chair Weir instructs staff to advertise a Public Hearing to be held at Planning Commissions July 8th meeting.

Defer action until that point.

RESULT: TABLED [UNANIMOUS] MOVER: Robert B. Weir, Chair

SECONDER: Rebecca Bare, Councilwoman

AYES: Robert B. Weir, Rebecca Bare, Ralph Ring, Christopher Johnson

ABSENT: Ed Robinson

b. 14550 John Marshall Highway - Rezoning

Council considered Boundary Line Adjustment from Dr. Landry to bring in balance of PACE West school. Council concerned with it being a

business zoned vs a residential zoned property. Instructed applicant to submit a rezoning from R1 to B1. Preclude residential development. By right use under R1.

Proffers would better define continued use of the park. Allow QBE to take entirety of building for Headquarters. They did submit it. Schneider passes out Proffer statement.

Made available in the exhibit A. Exhibit B is graphic outlines area that is ball fields. If that lease terms that after one year if no takers of agreement, will move forward with by right development.

2nd one refines site plan improvements. 3rd one hasn't changed. ZTA for church use will be pulled by the applicant.

Applicant asks for continued use of the school. Limited use for church and for their offices. B1 not necessarily a district that would complete that vision. But with proffers retain the park and preclude residential development on property.

SUP runs with the Rezoning.

Church and school use submitted. Will be approved administratively. They meet the use.

Weir we have within last week, approved an R1 use for a property that now has a rezoning application, that will make those uses non compliant with that ultimate zoning.

June 17, 2013

Parks/school use already nonconforming uses on the property. Allowed to continue regardless of zoning.

Church non confirming when property rezoned B1. If council does not allow to rezone, continue as by-right in the R1.

Weir hard time wrapping hands around our ability to do a rezoning same time allowing a use that's incompatible. Sets a dangerous precedent.

Needs to be addressed at Rezoning. Has this been addressed in new text?

No, B1 not appropriate district to meet the planned land use designation. Full commercial use not use envisioned by the plan. By right use meets that designation.

Bare only issue is the school, ours say Daycare and not K-5.. Church use has already been addressed, and could be a permitable use in B1.

Weir says this is not compatible with the towns actions of last 18 months. Concerned that as a result of doing it this way, a conflict could come back in another fashion. Granting a use that at the same time a rezoning is being considered. That will make that use incompatible. He has a real problem with that.

Schneider says with the church, how does comport with previous actions of 18 months. More problematic than letting go under rights currently allowed under. 15.2-2285 Amendments to Zoning Ordinance and Map. 2204 more concerned with. Public Hearing requirements. Has a hard time justifying date of Joint Public Hearing. Weir concerned the rezoning needs to be done by the book so there can be no challenge to any aspect of it.

We have done adjacent landowner notices. Run the ad in the paper. Couple of options. Don't have to take action on 7/8. Hold separate hearing on it. There are various options. Timeline for rezoning 365 days. Direction of Council was to process the zoning as part of Boundary Line Adjustment. Part of nexus for expediting. Can do more research.

Weir is very uncomfortable with the procedure.

Defer further action until 7/8. Per Weir on rezoning.

Town Council joint hearing on 6/27 for rezoning. Planning Commission to be there. No problem scheduling both on the 8th.

Schedule PH for both on 7/8. Special Use Permit and Rezoning. That way there will be no issue. Defer further action until then.

c. 14550 John Marshall Highway - Special Use Permit

Discussed with section b above.

6. ARB and Council Update

Ring: Journey Thru Hallowed Ground representative came and spoke with the ARB and gave a presentation.

No plan right now do any cooperative effort with them in terms of signage. It was a good presentation.

Bare: Nothing extra to report.

7. New Business

Nothing to report.

8. Town Planner Report

Marchant Schneider updates:

Meeting with working group for Master plan. Presenting to Town Council on 7/1.

3 options for development.

Give council ideas, elements from each plan.

Council deferring line item because of Streetscape funding.

Processing 2nd Ice Rink.

Rose building still reviewing site plan, parking, improvements.

Streetscape - Holly says expects to start late July early August.

The Town Council has officially designated Marchant Schneider as the Zoning Administrator. Will provide reports to Council. This ensures in-house expediting. Will still goes thru the ARB if applicable. Planning Commission still reviews site plans, SUP's, etc.

9. Old Business

a. Haymarket Baptist Church - Flnal Site Plan

Holly signed off. Draft motion to move forward to Town Council.

Roll call: Ring yes Bare yes Weir yes Johnson yes

RESULT: ADOPTED [UNANIMOUS]

MOVER: Rebecca Bare, Councilwoman

SECONDER: Christopher Johnson, Commissioner

AYES: Robert B. Weir, Rebecca Bare, Ralph Ring, Christopher Johnson

ABSENT: Ed Robinson

b. Haymarket Self Storage - Zoning Text Amendment

Materials are in the packet.

If recommend approval. Required to submit an SUP and Site plan for both uses.

Defer to Town Council for initiation.

Roll call vote: Ring: yes Bare yes Weir yes Johnson yes

RESULT: ADOPTED [UNANIMOUS]

MOVER: Christopher Johnson, Commissioner

SECONDER: Ralph Ring, Commissioner

AYES: Robert B. Weir, Rebecca Bare, Ralph Ring, Christopher Johnson

ABSENT: Ed Robinson

c. 15161 Washington Street - UHaul Business

Impacted by ordinance. Any trucks cannot be store there. Council has a year to act on the amendment.

Bare motions to deny permit application now as is.

Does meet requirements of 58-258 and 58-260, requirement for SUP. Site Plan/SWM/asphalt and concrete.

Nothing on the property is paved. Needs to be dealt with per Marchant. Direct staff to work with applicant to come into compliance.

RESULT: DEFEATED [UNANIMOUS]
MOVER: Rebecca Bare, Councilwoman
SECONDER: Ralph Ring, Commissioner

AYES: Robert B. Weir, Rebecca Bare, Ralph Ring, Christopher Johnson

ABSENT: Ed Robinson

d. Historic District Overlay Revision

Marchant asks to move to next months meeting. Talking with Town Attorney

e. Comp Plan/ZTA's

Defer until next month.

10. 1 Mile Notices

a. Park Valley Church Expansion

Expansion on facade you can see from 15. Does not impact Town. Beyond the 1 mile radius.

John Marshall commons. Apartment complex. Adjacent to PACE WEST.

440 Multi family units. Other side of commercial complex, on the east side is 256 Town House units

A-1 zone. County still in development review. They're split. Staff said No. Very close to town line. We need to submit comments.

11. Adjournment

Bare motions to adjourn.

Johnson seconds.

Ayes: 4 Absent: 1

Meeting adjourned.



TOWN OF HAYMARKET PLANNING COMMISSION

REGULAR MEETING ~ MINUTES ~

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

15000 Washington Street, Suite 100 Haymarket, VA 20169

Monday, July 8, 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

called the meeting to order.

1. Call to Order

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

2. Public Hearings

a. 6750 Fayette Street - St. Pauls Church Signage

This is in the R1 district. Requires churches to go thru a Public Hearing, similar to SUP to vet signs. Offsite sign not shown.

Vice Chair Bare asks if there is anyone that would like to speak for or against, please come forward. 2nd call.

3rd call.

No one came forward.

RESULT: CLOSED [UNANIMOUS]

MOVER: Rebecca Bare, Councilwoman

SECONDER: Ralph Ring, Commissioner

AYES: Rebecca Bare, Ed Robinson, Ralph Ring, Christopher Johnson

ABSENT: Robert B. Weir

b. 14550 John Marshall Highway - Rezoning

This is a follow up to the Joint Public Hearing on June 27th. To Rezone from R1 to B1.

Includes entirety of the property as it comes in under the Boundary Line Adjustment. This has been sent to PWC Board of Supervisors.

Packet has not changed since the Public Hearing, except for the proffer statement.

Mike Marsden, Shawn Landry, and Keith Lowery are present and speaks on behalf of the rezoning.

They are still working on one proffer. Trying to get them all pulled together.

One other to tender later. It deals with the sunset clause associated with the church, Living Hope and St Paul's school.

Under park preservation, they have worked to maintain the spirit of the original proposal. To maintain public use of fields.

Asks that this body consider, if we fall upon a dire set of circumstances, we have to have ability to sell the property.

We have a long term arrangement with Parks & Rec, a 10 year lease. It does consider the fact there could be a sale at some point.

Not signed off on yet by Parks & Rec. They want to follow the same path. We're entering into agreement with Parks & Rec that costs us money. To pass that to another owner, has no value. If we had to sell we would ask Planning Commission to understand. To try to trade it for value. Refers to Proffer statement handed out.

Page 2, minor changes with wording on Site Plan.

Town Council also asked to reintroduce the language of effective date of zoning in concurrent with the Boundary Line Adjustment. Item # 3.

The Lease is completed with Parks & Rec. Waiting for comments. Going forward to PWC Board of Supervisors. To schedule their Public Hearing.

Ring asks when will we see the final set of documents? Revised proffer. Eliminating the ZTA. Revised lease etc.

ZTA was redacted. But the rest can get tonight. Proffer statement, this language as proposed plus language about commitment to tenants. This version sent to the Town attorney. Then presented to our Council in August for action.

Commissioners would like to see the Lease Agreement. Marsden will go make copies and bring back tonight.

Vice Chair Bare calls for anyone to come forward and speak for and against? 2nd call.

3rd call.

No one else spoke.

RESULT: CLOSED [UNANIMOUS]

MOVER: Rebecca Bare, Councilwoman

SECONDER: Ralph Ring, Commissioner

AYES: Rebecca Bare, Ed Robinson, Ralph Ring, Christopher Johnson

ABSENT: Robert B. Weir

c. 14550 John Marshall Highway - Special Use Permit

Application for office use within the R1 zoning district. It allows limited office use. This would allow them to move their offices into the building.

Johnson asks what exactly QBE does?

Shawn Landry responds. QBE Global is parent company. Owns other entities. Also owns QBE LLC. A Federal business. Government contracting work for the Army, Pentagon, Secretary of Defense. Headquarters are here in the Fosters Building.

They will both move to the PACE building. It is classified work. IT and business process. Executive level strategy work. High level army strategy work.

Vice Chair Bare calls for anyone to come forward and speak for or against the Special Use Permit. 2nd call.

3rd call.

No one spoke during this time.

RESULT: CLOSED [UNANIMOUS]

MOVER: Rebecca Bare, Councilwoman

SECONDER: Ralph Ring, Commissioner

AYES: Rebecca Bare, Ed Robinson, Ralph Ring, Christopher Johnson

ABSENT: Robert B. Weir

d. Haymarket District Overlay Revision

Schneider speaks on this topic. There was a joint Public Hearing earlier in the year. Planning Commission Chair kept the meeting open for those to come to provide comment. Was for public only. He is currently working on the revised language and Map.

Vice Chair Bare calls for anyone to come forward to speak for or against the Haymarket District Overlay Revision.

2nd call.

3rd call.

No one spoke.

Closes all Public Hearings.

RESULT: CLOSED [UNANIMOUS]

MOVER: Rebecca Bare, Councilwoman

SECONDER: Ralph Ring, Commissioner

AYES: Rebecca Bare, Ed Robinson, Ralph Ring, Christopher Johnson

ABSENT: Robert B. Weir

3. Citizens Time

No citizens spoke.

4. Minutes Approval

a. Minutes from June 17 Meeting

Defer to August 12th meeting.

5. Zoning Permit Application

a. 6750 Fayette Street - Signage

Ready for recommendation. Application is for both signs.

Corner sign is not going to be approve. The other 2 freestanding can be.

Bare motions to approve Zoning Permit # ZP20130604 in accordance with town code section 58-346 (1) for 2 freestanding signs at the Rectory and parking lot entrance. Ring seconds.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Rebecca Bare, Councilwoman

SECONDER: Ed Robinson

AYES: Rebecca Bare, Ed Robinson, Ralph Ring, Christopher Johnson

ABSENT: Robert B. Weir

b. 14550 John Marshall Highway - Rezoning

Marsden and Landry spoke during the Public Hearing. Asks if there are any more questions.

Bare asks how much input do we have for proffer language. How much authority do we have? Marchant says Yes entirety of application. Ultimate recommendation to send to the Town Council. They can support or not.

Robinson would like to see this move forward.

Marsden said he can go get copies from upstairs. Bare will move onto the next item until he returns.

Marsden brings copies to PC members of the Lease. Members review.

Johnson asks question/concern Under section 3 c of lease. Can they terminate the lease at any time at their discretion for any reason?

At will. Not their intentions but has a concern. Only terminate if sold property as a whole.

Marsden. We could always modify language so specific to sale of property. That's only thing we need to protect against.

July 8, 2013

Johnson - Option 1 on proffer statement. Love to see it stay that way. Business is business. If up to him preserve as is forever.

Marsden - Feels it's worth making the point again, intent is to come to an agreement around an asset we agreed on a price for. We want to maintain the fields for the kids. Tenants that are coming in today will use it for what its intended for. Already talked with Parks & Rec for scheduling. He hears the concerns.

Robinson - feel same way as Johnson. Proffer is a binding document for the lease? Wants the fields to stay. Would like to know which is the binding lease?

Marsden says proffers run with the land. Whatever we decide for proffers, goes to the new owner if sold.

Ring talks about Fair market value. There really is no comparable space in Haymarket. Not a good gauge.

Bare - on proffer statement, option #1. Opinions on option 1 or 2? She not comfortable with proffers expiring indicated on Option 1.

Marsden - something else could be reviewed by attorney? Paragraph above says 10 years anyways.

Johnson - Is there a way to amend the text, if applicant sells within 10 years can it be reviewed?

Has our Town Attorney Reviewed the options? No, waiting for Planning Commissions input. Bare would like Town Attorneys input on option 1. Regarding the sale of property. Would like our questions to go to Town Attorney for comments. All commissioners agree. Defer to 8/12 meeting.

Marsden says our intent was to offer those as stand alone options. Option 2 solves one problem for us. Happy for commercially viable lease. To convey onto next owner. To convey to a future owner something costing money, makes no sense to us. Option 2 solves most of the problems. Can eliminate options 1 to save everyone's time. Johnson still wants his question asked to attorney.

*****Bare motions Recommend forward rezoning #20130528 to Town Council with recommendation of approval subject to the proffer statement dated 7/8 with noted changes eliminating option 1 and proffer 1 be removed from proffer statement, and pending review by the Town Attorney of entire proffer and effect of 3c Parks lease agreement in relation to proffer statement as a whole.

Ring asks about the sales contract? We have lease/proffer. Sales contract is 5 years. No intention to change to 10? No. This is the final just to purchase the property. Lease exceeds that requirement. Lease super cedes purchase contract.

Does it meet the Comp Plan? Mix of uses. Page 2 of memorandum.

Bare amends the motion to include "Subject to and approval based upon compliance with the Town's Comp Plan and Planned Land use". Johnson seconds the amendment.

Roll call vote. Ring: yes Bare: yes Robinson yes Johnson yes

RESULT: ADOPTED [UNANIMOUS] MOVER: Rebecca Bare. Councilwoman SECONDER: Christopher Johnson, Commissioner

AYES: Rebecca Bare, Ed Robinson, Ralph Ring, Christopher Johnson

ABSENT: Robert B. Weir

6. Special Use Permit Application

a. 14550 John Marshall Highway - Special Use Permit

This is a use within R1 and is subject to a Special Use Permit. Code section 58-53 7.

Currently wont rezone R1 property. To allow office use, have to have an SUP because rezoning has not happened yet.

Town Council sent Boundary Line Adjustment recommendation to Board Of County Supervisors.

Parking plan shown. If expand the parking, need to submit a site plan. If frontage improvements, etc.

Will be re-striping. Condition of by right use. Basket Ball hoops up? Yes will try. Allowing Parks & Rec to use entrance and exit.

Parking lots should never be full because businesses use at alternating hours.

Bare motions to forward the Special Use Permit to Town Council with recommendation of approval in accordance with town code section 58-53 (7).

RESULT: ADOPTED [UNANIMOUS] MOVER: Rebecca Bare, Councilwoman SECONDER: Christopher Johnson, Commissioner

AYES: Rebecca Bare, Ed Robinson, Ralph Ring, Christopher Johnson

ABSENT: Robert B. Weir

7. ARB and Council Update

ARB: Ring nothing to report. Special projects on hold.

Up to date on Council.

8. New Business

No new business.

9. Town Planner Report

Schneider: Town Center Master Plan final draft presented to Town Council. Three options to redevelop site as a whole. Develop a working group to move forward. It is not funded specifically in the budget.

Has had an ongoing conversation with McDonalds. Easement language that governs the entrance. Problems have been with backing up onto Washington Street. Received a letter from Leaberry to have council weigh in on. Also 2nd drive thru lane stalled for awhile. Coming back, May require an ordinance amendment. Maximum of 6 stacking. Most require minimum of 6. Council will deal with that in the next month or so.

Sheetz is expected to come back in with redeveloped plan. Would like submit ZTA for signage. Something different. Hopefully soon.

They have stalled with the ARB. Will come back. They need to get the site plan underway.

Town Council permitted the Gymnastic business to have a temporary permit under Rose Building. Subject to VDOT requirements for any road improvements. Trip # . Within a year should have the Final Site Plan approved.

Awarded the contract for the Streetscape project. Should be underway soon.

10. Old Business

a. Historic District Overlay Revision

No update

b. Comp Plan/ZTA's

Waiting on the overlay decision.

11. 1 Mile Notice

a. John Marshall Commons

Weir reviewing for his comments. Town House and multifamily. East side of PACE. Big issue is traffic. Police likely fall under first responders.

12. Adjournment

Meeting adjourned.



SUBJECT: Zoning Permits for Approval Update

DATE: 08/12/13

Zoning Permits that were applied for during the month of July 2013.

ATTACHMENTS:

• Zoning Permits For Approval Update (PDF)

Date Received	Zoning Permit #	Description of Use	Name of Applicant	Property Address	Date of Approval	Update
6/7/2013	ZP20130607	Business Sign	Contemporary Music Center	4410 Costello Way		On Hold
6/4/2013	ZP20130604	St. Paul's Church - Signage	St. Paul's Church	6750 Fayette Street		SUP - to TC 8/5/2013
7/10/2013	ZP20130710	Signage	Soundbox Fitness	15125 Washington St., Ste 200	7/17/2013	
7/16/2013	Letter 7/16	Violation - Sign Deterioration letter	Arsel Driving School	14950 Washington Street	Comply by 8/16	Sign removed 7/26/2013
7/16/2013	Letter 7/16	Violation - Sign installed not approved	Café Bonjour	14950 Washington Street	Must fill out ZP	ZP Received 7/22/2013
7/16/2013	Letter 7/16	Violation - AC Enclosure install not approved	Gerry Kennedy	14950 Washington Street	Must fill out ZP	
7/23/2013	ZP20130723	Deck 20 x 23	Prince William Home Imp	14709 Alexandras Keep Lane	7/31/2013	ARB to review 8/21
7/25/2013	ZP20130725	Deck 12 x 12	Ameritech Construction	14986 Gossom Manor Place	7/31/2013	ARB to review 8/21



SUBJECT: Historic District Overlay Revision

DATE: 08/12/13

Town Planner to Update on this item.



SUBJECT: Comp Plan/ZTA's

DATE: 08/12/13

The Town Planner will Update on this item.



SUBJECT: Appointments

DATE: 08/12/13

Ralph Ring's term expired June 30, 2013. The Town staff has advertised the open position and have had one request for consideration. Please find that request attached.

Pursuant to the 2004 Planning Commission By-Laws, it is recommended that the Commission appoint a Chair, Vice Chair, and an ARB liaison.

ATTACHMENTS:

• Ring request for reappointment to PC (PDF)

From: Ralph Ring
To: Jennifer Preli

Subject: Pleas consider this my application to the PC Date: Sunday, August 04, 2013 3:09:10 PM

My family has lived here since 1996; I have a sixteen year investment in Haymarket. I've seen the impact that various residential and commercial developments have had on the landscape and character of the Town. I care about the future of my home and community, and I'd like to make a contribution.

I've been active in the community over the years. I've served on the Planning Commission, Architectural Review Board, and Board of Zoning Appeal. I attended the Virginia Certified Planning Commissioners' Program. I was a member of my community's ARC for several years, drafting policies and procedures. At my own expense, I've taken courses from CAI and NOVA regarding the legal ramifications of the homeowner's governing documents. I've also been involved in charitable work, including awarding scholarships and managing blood donations. My professional career has given me experience with contract negotiations, budgets, human capital allocation and vendor management.

Sincerely,

Ralph Ring 14920 Greenhill Crossing Dr Haymarket, VA 20169 703-926-2675



SUBJECT: John Marshall Commons

DATE: 08/12/13

The Town Planner will update on this item.