



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING ~ AGENDA ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, October 3, 2016

7:00 PM

Council Chambers

1. Call to Order

2. Invocation - James Matchette, New Life Church

3. Pledge of Allegiance

4. Citizen's Time

5. Public Hearing

- A. Special Use Permit - 14830 Jordan Lane, SUP# 2016-002

6. Minutes Acceptance

- A. Mayor and Council - Continuation Meeting - Sep 22, 2016 7:00 PM

7. Department Reports

- A. Building Official's Report - Joe Barbeau, Jr.
- B. Engineer's Report - Holly Montague
- C. Town Planner's Report - Marchant Schneider
- D. Police Report - Chief Eric Noble
- E. Business & Community Relations Report - Denise Andrews

8. Agenda Items

- A. Breast Cancer Awareness Month
- B. Farms and Acreage, Inc. - Fairgrounds Property
- C. Special Use Permit - 14830 Jordan Lane, SUP#2016-002
- D. A Dog's Day Out Haymarket LLC. - Rezoning Application Marchant Schneider - Town Planner
- E. E&S and Landscaping Bond Release - Sherwood Forest Holly Montague PE Town Engineer

9. Councilmember Time

- A. John Cole
- B. Susan Edwards
- C. Steve Aitken
- D. Chris Morris
- E. Joe Pasanello
- F. Connor Leake
- G. David Leake

10. Closed Session

- A. Closed Session
- B. Certification of the Closed Session

11. Adjournment



TO: Town of Haymarket Town Council
SUBJECT: Special Use Permit - 14830 Jordan Lane, SUP# 2016-002
DATE: 10/03/16



TOWN OF HAYMARKET TOWN COUNCIL

CONTINUATION MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Thursday, September 22, 2016

7:00 PM

Council Chambers

A Continuation Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

Councilman John Cole: Present, Councilman Chris Morris: Present, Vice Mayor Joe Pasanello: Present, Councilwoman Susan Edwards: Present, Councilman Connor Leake: Present, Councilman Steve Aitken: Present, Mayor David Leake: Present.

2. Agenda Items

A. Suicide Prevention Awareness Month - September 2016

Mayor David Leake recognizes the month of September as National Suicide Prevention Month. Mayor David Leake reads facts, figures, and information regarding suicide awareness and its prevention.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Susan Edwards, Councilwoman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

B. Suicide Prevention Awareness Proclamation

Councilman Leake reads the following Proclamation:

Whereas, suicide is the 10th leading cause of death for Americans; and

Whereas, on average there are 117 suicides every day in the United States, or over 42,000 suicide deaths a year; and

Whereas, nearly 1,000,000 attempted suicide every year and 90% of the people who do die by suicide have a diagnosable and treatable psychiatric disorder at the time of their death; and

Whereas, public awareness of the warning signs and the networks available for at-risk individuals are essential to continue lowering the rates of suicide; and

Whereas, organizations, such as the American Foundation for Suicide Prevention offer resources and support for individuals affected by suicide, including people who have contemplated or attempted suicide, or know someone who committed suicide; and

Whereas, community organizations and grass-roots support are vital to continuing the fight against suicide and the loss of young lives; and

Whereas, reducing the stigma by discussing suicide and increasing the awareness of available resources for those suffering from suicidal thoughts is an important prevention effort;

NOW, THEREFORE, BE IT RESOLVED that the Town of Haymarket, Virginia does hereby proclaim on the 22nd of September, 2016 as Suicide Prevention Month.

Minutes Acceptance: Minutes of Sep 22, 2016 7:00 PM (Minutes Acceptance)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Steve Aitken, Councilman
SECONDER: Susan Edwards, Councilwoman
AYES: Cole, Morris, Pasanello, Edwards, Leake, Aitken

C. Appointments - Mayor David Leake

Appointment of Town Clerk

Mayor Leake ask for a motion for the appointment of Town Clerk.

I move the Haymarket Town Council appoint Denise Andrews as the Interim Town Clerk until such a time that the Town Council makes a permanent appointment to the position.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joe Pasanello, Vice Mayor
SECONDER: Connor Leake, Councilman
AYES: Cole, Morris, Pasanello, Edwards, Leake, Aitken

Appointments - Mayor David Leake

Appointment of Town Treasurer

Mayor Leake ask for a motion for the appointment of Town Treasurer.

I move the Haymarket Town Council appoint Donna Beahm as the Interim Town Treasurer until such a time that the Town Council makes a permanent appointment to the position.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joe Pasanello, Vice Mayor
SECONDER: Connor Leake, Councilman
AYES: Cole, Morris, Pasanello, Edwards, Leake, Aitken

Appointments - Mayor David Leake

Appointment of Chief of Police

Mayor Leake ask for a motion for the appointment of Chief of Police.

I move the Haymarket Town Council appoint Eric Noble as the Chief of Police.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Susan Edwards, Councilwoman
SECONDER: Joe Pasanello, Vice Mayor
AYES: Cole, Morris, Pasanello, Edwards, Leake, Aitken

Appointments - Mayor David Leake

Appointment of Interim Town Manager

Mayor Leake ask for a motion for the appointment of Interim Town Manager.

I move the Haymarket Town Council appoint Jerry Schiro as the Interim Town Manager until such a time that a permanent appointment is made to the position.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joe Pasanello, Vice Mayor
SECONDER: Chris Morris, Councilman
AYES: Cole, Morris, Pasanello, Edwards, Leake, Aitken

Appointments - Mayor David Leake

Appointment of FOIA Officer

Mayor Leake ask for a motion for the appointment of FOIA Officer.

I move the Haymarket Town Council appoint Jerry Schiro as the FOIA Officer for the Town.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

D. Public Announcement

Mayor David Leake reads the following public announcement:

As required by section 15.2-1510.1 of the Code of Virginia, it is publicly announced that the Town of Haymarket is providing Jennifer Preli as a severance package in the amount of \$10,278.67 in addition to paying for her health coverage thru December 31, 2016.

E. Enter into Closed Session

Move to enter into closed session pursuant to 2.2-3711 A-1 and 2.2-3711 A-3

1. Discussion of assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of the Town of Haymarket specifically personnel matters involving **appointments of Town Officers** and publicly held real property in specific **Town Leases**.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

F. Certification of the Closed Session

Move to Certify:

That to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

G. Directive

Council directs the Jerry Schiro, Interim Town Manager to come back to the October 3rd meeting with a letter of intent for the leased space as discussed in the closed session.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

3. Councilmember Time

A. Chris Morris

- Councilman Morris commends Denise and staff for the wonderful job on Haymarket Day. All of the comments that he has received all around was this was the best celebration of Haymarket Day to date.
- He asks that the Council reconsider the lease agreement and the date the Food Pantry should vacate from the Harrover property. Morris also, ask that Council allow the Food Pantry the opportunity to provide Council with a more solid plan. He also, does not support the December 2017 vacating date. Morris would like to add the Food Pantry lease agreement to the agenda as a voting item.

B. Connor Leake

- Councilman Leake thanked sponsors, staff, and volunteers for the hard work and dedication to making Haymarket Day a huge success.

C. Susan Edwards

- Councilwoman Edwards commends everyone on a great Haymarket Day and would like to start the preparations for next year.

D. John Cole

- Councilman Cole commends the Town of the clean up after Haymarket Day.
- He also echoes the sentiments of Councilman Morris on the Food Pantry.

E. Steve Aitken

- Councilman Aitken believed the weather on Haymarket Day was beautiful. It was one of the better ones he had attended.
- He would also like the Council to reconsider the lease agreement with the Haymarket Food Pantry. Councilman Aitken would like to have more details by the next Council meeting.

F. Joe Pasanello

- Vice Mayor Pasanello would like to commend contributions of the Denise, Staff, volunteers, and Police Department on a very successful Haymarket Day. Overall Pasanello said it was a positive day. However recruiting more volunteers for next year will be imperative.
- He reminds Council that Harrover property was discussed last year and there was clear direction on how the Council would proceed. At this time Vice Mayor Pasanello will reserve his right to comment on the issue.

G. David Leake

- Mayor Leake echoes all of the sentiments on Haymarket Day. He commends the organization of the event, its leadership, and turnout.
- The TANV meeting was cancelled for this week. It is possible meeting may be scheduled for November.

4. Adjournment

A. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Susan Edwards, Councilwoman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

Submitted:

Approved:

Denise Andrews, Interim Town Clerk

David Leake, Mayor

Minutes Acceptance: Minutes of Sep 22, 2016 7:00 PM (Minutes Acceptance)



TO: Town of Haymarket Town Council
SUBJECT: Building Official's Report - Joe Barbeau, Jr.
DATE: 10/03/16

ATTACHMENTS:

- 10-2016 Building Official's Report (PDF)

Permits Issued

- Permits have been issued for sub-contracting work supporting the construction of an addition at 6852 Jockey Club Lane.

Certificates of Occupancy Issued

- Certificates of Occupancy for the Single Family Homes located at lots 51 and 52 respectively have been issued.

Inspections

- August 29:
 - Completed Final Inspections at Lots 51 and 52 of Blight Avenue, this work was approved.
 - Performed the Final Deck Inspection at 14984 Cheyenne Way, this work was approved.
- September 2:
 - Performed Final Deck Inspection at 6762 Sycamore Drive, the work was approved.
- September 7:
 - Performed Framing Inspection for 6852 Jockey Club Lane, work approved.
 - Performed inspection of the location and use of a smoker bbq device exterior of Frontier Kitchen facility at 14604 Washington Street; it was determined that this use would be located far enough from both combustibles and paths of egress to not present a hazardous condition.
- September 8:
 - Performed Footing Inspection at the 15175 Washington Street, Century Stair facility to place reinforced concrete footings to support structural steel installations; this work was approved.
 - Performed Insulation Inspection for floor assembly at 6852 Jockey Club Lane, work approved.
- September 15:
 - Performed Framing Inspection at 15175 Washington Street, Century Stair facility, this work was approved.
 - Performed Final Deck Inspection at 14920 Greenhill Crossing Drive, this work was approved.

Document Review

- Document review concerning issues that were raised regarding Fire Prevention systems (by PWC Fire Marshall's Office) at the IcePlex have been submitted from our Third Party Reviewer without additional comments or additional compliance requirements.

Actions

- No actions are underway at this time; though we are attempting to work cooperatively with the owner of Payne' Lane, to avoid having to take an Official Action against this property. The Council will be kept informed.
- An investigation into a complaint regarding a dangerous situation at the IcePlex was conducted on 9/13/2016, after a complaint from a citizen regarding the contractor working above the locker rooms was received. An inspection of the site conditions determined that the concrete sub-contractor was a fault for this. I have spoken with the Site Super-intendant, the Manager of the IcePlex, and the Sub-Contractor to ensure no such instances will occur in the future. Unfortunately the Sub-Contractor was unaware of the active use of this space below their work area (locker rooms) at that time. I have insisted upon better communications by all parties to prevent a re-occurrence of such a condition. The locker room area is now protected by the installation of the second level concrete decking, removing this hazard.

Recommendations

Currently we lack a solid relationship with the County regarding Fire Services. While they handle the calls in our town, the Permit Review and Inspections processes are a mixed bag of Third Party, County, and

myself stepping in to cover the missing elements. We are meeting with Chief Smalsky the PWC Fire Marshall to determine if this can be improved. I recommend that as we move forward the Council gives consideration to drafting new or improved MOU's to allow PWC to handle all Plan Reviews, Hot Work and Fire Systems Permitting, and Fire Prevention Installation and Periodic Inspections. This is not only their function, but I fear that without such cooperation some element of this essential work might fall through the cracks, allowing for a potential danger to our citizens. We need to look at this as an inter-operability issue, where the functions of the town and the county work cooperatively for the greater good. The Council's support in this effort, along with that of the County Supervisor's is essential to the well-being of our community.

Other

I realize the Council would appreciate a different format for my reports. I have not had the time to generate this format as yet, although I did promise to do so for this month. I apologize for this, and will try to get this accomplished prior to my next month's submission.



TO: Town of Haymarket Town Council
SUBJECT: Engineer's Report - Holly Montague
DATE: 10/03/16

ATTACHMENTS:

- 10-2016 Engineers Report - 02 (PDF)



TO: Town of Haymarket Town Council
SUBJECT: Town Planner's Report - Marchant Schneider
DATE: 10/03/16

ATTACHMENTS:

- 10-2016 Planner Report (PDF)



TO: MAYOR AND TOWN COUNCIL
FROM: MARCHANT SCHNEIDER, TOWN PLANNER / ZONING ADMINISTRATOR
SUBJECT: PLANNER REPORT
DATE: 09-27-16
CC: STAFF

Ongoing Projects

- Village of Haymarket Phase II. Installation of landscaping along the southern and eastern boundaries of the Harrover property is to begin within the month. No time table has been given for construction of the remaining lots. Street lights are pending. Lot 51 and 52 have not yet sold.

Development Review

- Zoning Permits. Approved zoning permits for residential decks, fences, and sheds.

Transition Plan

- The new planner (Susannah Smith) started September 26th. I will be transitioning the position through the end of October / early November as necessary.



TO: Town of Haymarket Town Council
SUBJECT: Police Report - Chief Eric Noble
DATE: 10/03/16

ATTACHMENTS:

- 10-2016 Police Department Report (PDF)



Haymarket Police Department

Monthly Town Council Report

October, 2016



Significant Incidents

Suspicious Event – On August 9 at 4:40 AM, officers were dispatched to a suspicious event on Track Court. On arrival, it was reported to officers that three males, 15 to 17 years of age, were acting suspiciously. While a search of the area proved negative, the investigation is on-going.

Sobriety Checkpoint – On August 12 from 10:00 PM to 2:00 AM, members of the Haymarket Police Department, Prince William County Sheriff's Office and the Virginia State Police conducted a sobriety checkpoint in the area of Washington Street and Greenhill Crossing Drive. 451 vehicles were stopped with 13 of those flagged for further screening. Of the 13 screened, 1 was subsequently arrested for DUI while an additional 4 summons were issued.

Abduction | Domestic Assault | Strangulation. On Tuesday, August 23, 2016 at 2:15 AM, officers from the Haymarket and Prince William police departments responded to the 6000 block of Madison Street in Haymarket for a report of a domestic assault. Prior to arriving at the scene, officers met with the victim at the Haymarket Sheetz and determined that she had been assaulted, strangled and held against her will by her cohabitating boyfriend, Trevor Davidson.

On arriving at the scene, units established a perimeter and attempted to make contact with Mr. Davidson. After multiple attempts proved unsuccessful, warrants were obtained from the Magistrates Office and officers from both agencies again responded during the late afternoon. Once a perimeter was re-established, a brief standoff occurred during which time Mr. Davidson audibly manipulated a firearm. As officers reassessed, several family members were contacted and they ultimately convinced Mr. Davidson to exit the residence and surrender. He was subsequently taken into custody, transported to the Adult Detention Center and charged with **Abduction, Strangulation and Domestic Assault and Battery**. A .40 caliber Smith & Wesson pistol was recovered at the scene.

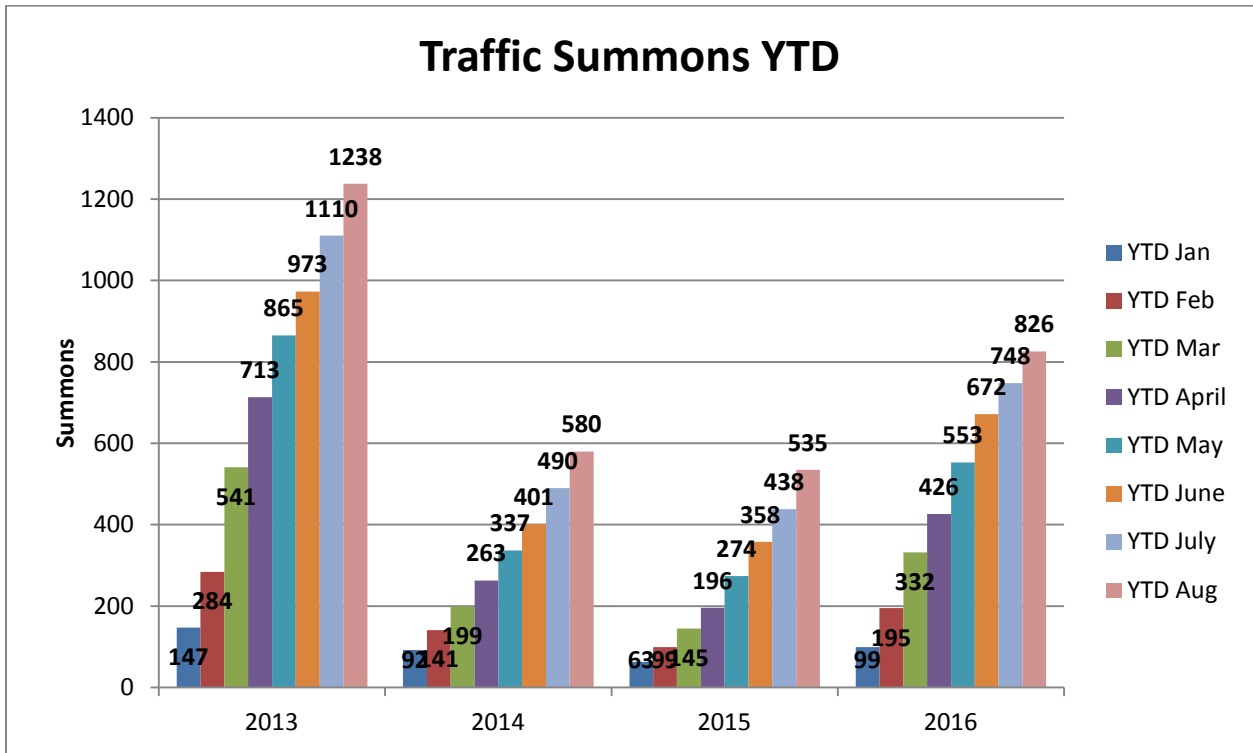
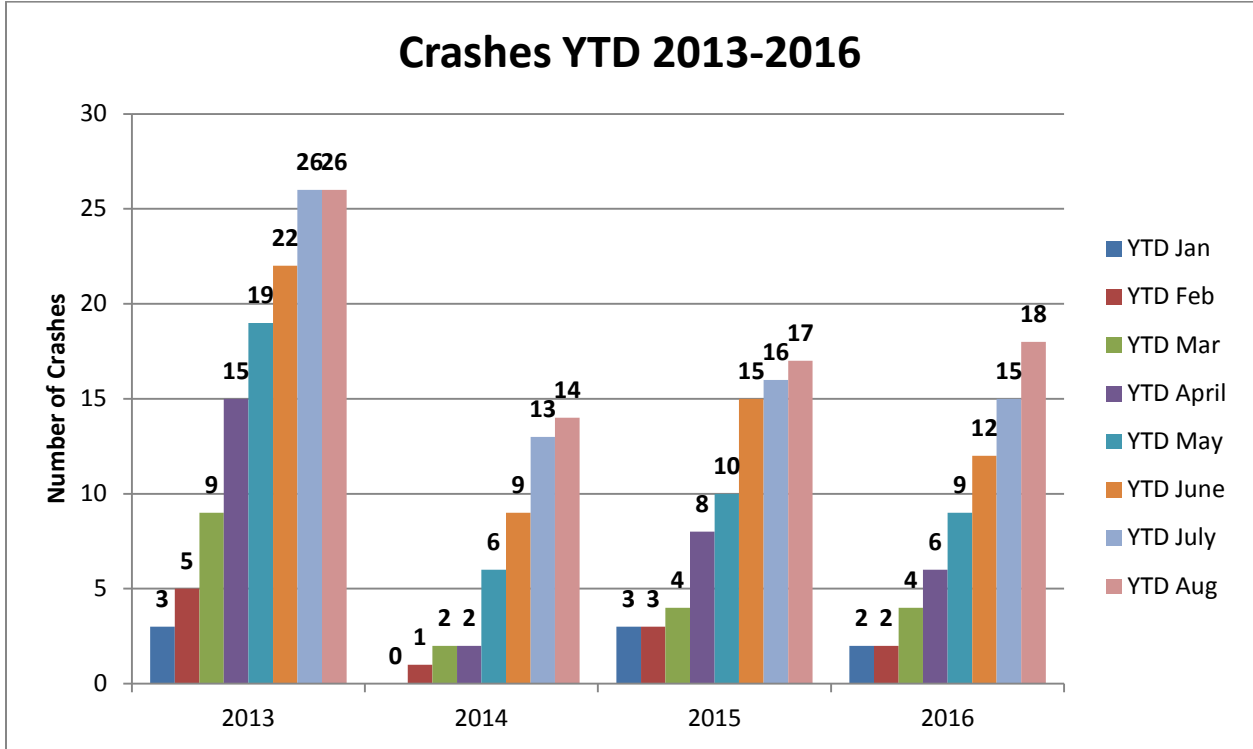
Possess Marijuana. On Sunday, August 28, 2016 at 3:17 AM, officers stopped a vehicle traveling at 90 mph on I-66. On approach to the vehicle, the officer detected a strong odor of marijuana. A subsequent search located a small baggie of marijuana and the driver was released on a summons for possession of marijuana.



Haymarket Police Department



Crash/Enforcement YTD



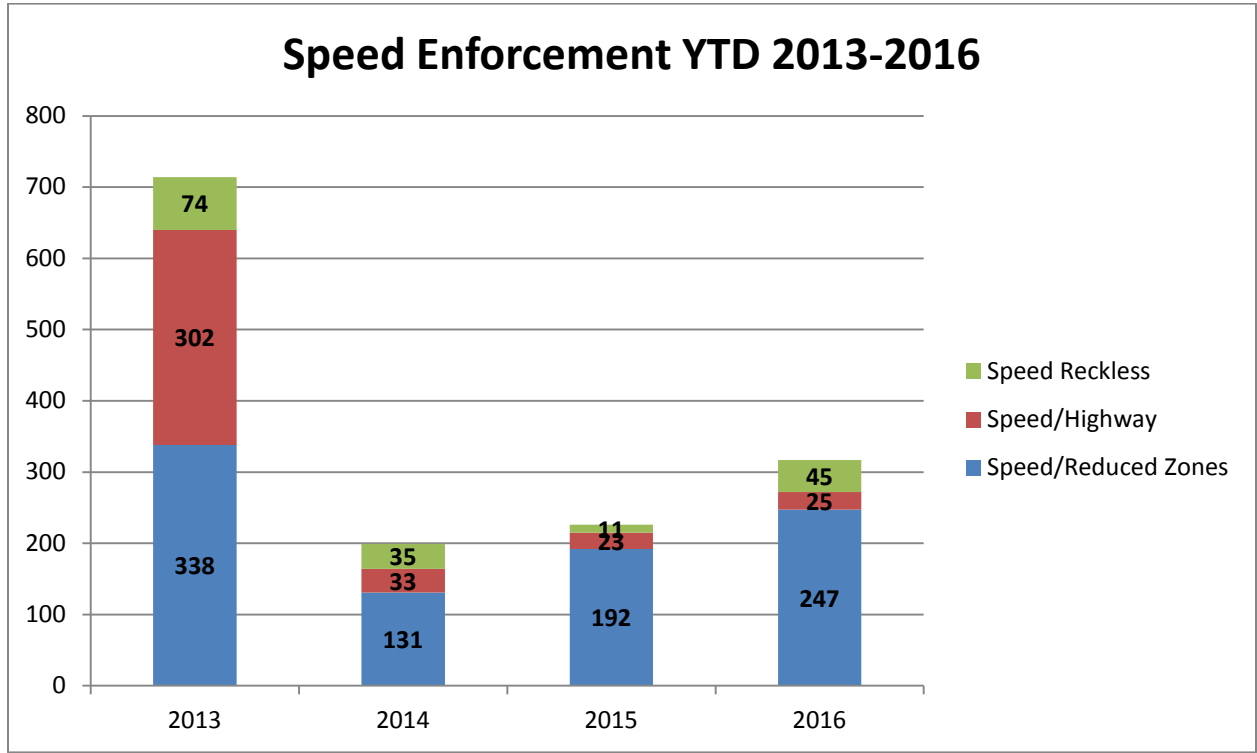
Attachment: 10-2016 Police Department Report (2959 : Police Report - Chief Eric Noble)



Haymarket Police Department



Crash/Enforcement YTD



Attachment: 10-2016 Police Department Report (2959 : Police Report - Chief Eric Noble)



Haymarket Police Department



Other Issues of Note

Community Relations

- National Night Out was held August 2nd with a tremendous turn-out of citizens and public safety personnel.
- A Sobriety Checkpoint was conducted on August 12th as noted previously.
- The agency received two awards for occupant restraint safety during DMV's Grant Workshop on August 23rd.
- The agency participated in the Grand Opening of Chick fil A on August 4th.
- The Chief participated in a listening tour with the Department of Criminal Justice Services and Secretary Moran on August 29th.

Current Initiatives

- Spoke with Ford and we are in the process of analyzing the costs associated with leasing as opposed to purchasing cruisers. Options typically include a period of three to five years with no balloon at the end of the lease.



TO: Town of Haymarket Town Council
SUBJECT: Business & Community Relations Report - Denise Andrews
DATE: 10/03/16

ATTACHMENTS:

- 10-2016 Business & Community Relations Report (PDF)



INTEROFFICE MEMORANDUM

TO: TOWN COUNCIL
FROM: DENISE ANDREWS
SUBJECT: BUSINESS & COMMUNITY RELATIONS REPORT – OCTOBER 2016
DATE: 09/21/2016

Please see the October 2016 Business & Community Relations Report attached.

Museum Lighting Ceremony

On Monday, October 3rd to commemorate Breast Cancer Awareness Month the Haymarket Museum will be lit “Pink” for the entire month of October. In partnership with Novant Health UVA Health System we are encouraging individuals to take the steps to have a plan to detect the disease in its early stages and encourage others to do the same. This month we are asking to raise awareness of breast cancer by lighting the outside of your homes and businesses “pink”.

Town of Haymarket Farmers’ Market

Every Saturday from 8 am until 2 pm you can visit the Haymarket's Farmers' Market. All of our vendors are required to sell Virginia Grown products.

Due to an overwhelming response by visitors, the Farmer’s Market would like to extend their market until the end of December. Vendors that sell the following would continue are:

- French pastries
- Locally grown beef, poultry, and eggs
- Homemade pies and cakes
- Virginia grown plants and flowers including holiday wreaths in November and December

Haymarket... A Town In Transition

Starting August 27th through October 2nd, the Haymarket Museum will tell the story of our Town. Haymarket’s history spans more than two hundred and twenty years. The exhibit will take you to different time periods in that history through a pictorial and artifact display. Rotating within this 6 week exhibit we’ll explore:

- The history of buildings and homes
- Specific people and families who have contributed to the life of the Haymarket community through the years
- Haymarket today

2016 Haymarket Day

Our 2016 Haymarket Day was held on Saturday, September 17th. The event kicked off with our Haymarket Day Parade and ended with a great performance by Zale And The ZDubs.

- It is estimated that there was over 25,000 in attendance.
- 256 vendors
- \$35,655 collected in vendor booth fees
- \$23,000 in sponsorship funds
- \$23,469 in expenditures (plus Law Enforcement and Staff overtime)

2016 Haymarket Day comments include:

ImagiNation Learning Center – Gina Davis, Director of Operations

I just want to thank you for inviting us (at an HGBA meeting) to participate in the 2016 Haymarket Day. It was an extraordinary event. Great communication and very well organized. We had a great time, and are already planning for our involvement next year.

Freeze Bullying for Payton – Kim Freeze

It was a fantastic day for Payton's Project. We were very excited to have talked with over 1000 people and touched so many with our cause! Thank you so much for fitting us in at the last minute!

Three Ways Beautiful Salon and Spa – Mercedes Jacobs

This was our first time participating since we are a new. It was so well organized and everything went so smoothly! You have some wonderful volunteers that were very helpful! Thank you so much for having us! We were able to raise money for Childhood Cancer Awareness and for that we thank you!

Classics by Cindy – Cindy Shafer

This was my first year participating and I have to say it was fabulous! What a wonderful, warm community. We had a blast and will definitely be back next year!

Classic Baby Victoria – Victoria Higdon

What a fantastic parade, with the memorable Marshal and his family and the two international dancing groups from Nepal and Peru! What an inspiration!!! I loved my space (211) and the people were awesome. I will definitely be back for my 4th year of participating in your town's celebration next September.

Really Awesome Toys – Larry Robertson

Thank you for having us at Haymarket Day. We always enjoy the residents and visitors. This year was significantly busier! I am particularly appreciative of your quick response after we realized what a major reorganization of the vendors spaces had occurred.

Group Therapy Associates, LLC – Esther Boykin, CEO

Thank you both for an amazing event. I haven't done Haymarket Day since the town took it over a few years ago and I just want you to know how much I enjoyed it again. You and all the volunteers did a wonderful job.

Professional Touch – Florencio Patino

I would like to sign up for next year and if possible get the same spot we were assigned this year. Also, I would like to know if there is any discount for signing up earlier.

Haymarket Church - Marian Ludlow, Volunteer

Ladies, I am glad I had the chance to volunteer representing the Haymarket UMC. It was very well organized and just several comments from those at the Old Pace Building: "I sure like the way it is organized this year for drop off"; many were impressed with the helpful large map so they could find their specific group. I believe this also helped with the load of questions for Jennifer and the other volunteers in the Parade Staging area.

Pizzarama – Eli Bawab

Haymarket Day was awesome! I have been in business here for over 9 years. I think the Town should consider something similar to Haymarket Day on a much smaller scale once a month!

Staff – lunch at El Vaquero

I had lunch today (9/20/16) at El Vaquero and Baldo, the mgr, was praising HM Day, they were so very busy and he liked the layout of the vendors. He stated the customers came in praising the event and the town as well and were happy with the mixture of vendors. He stated quite a few comments was that "Haymarket" is improving. Baldo also stated a personal comment how happy he was that the parade dance the ethical group Tinkus San Simon attended and it makes the town diversified.



TO: Town of Haymarket Town Council
SUBJECT: Breast Cancer Awareness Month
DATE: 10/03/16



TO: Town of Haymarket Town Council
SUBJECT: Farms and Acreage, Inc. - Fairgrounds Property
DATE: 10/03/16



TO: Town of Haymarket Town Council
SUBJECT: Special Use Permit - 14830 Jordan Lane, SUP#2016-002
DATE: 10/03/16

ATTACHMENTS:

- Special Use Permit - 14830 Jordan Lane (PDF)

TO: Haymarket Town Council

SUBJECT: Public Hearing, SUP# 2016-002, Home Occupation, 14830 Jordan Lane

A request for a special use permit (home occupation) at 14830 Jordan Lane.

BACKGROUND:

Mr. and Mrs. Kholi have applied to the Town for a special use permit, #SUP 2016-002, for permission to operate an in-home occupation within a residence located at the above mentioned address. The subject property is zoned R-1 and is designated Low Density Residential by the Town's Comprehensive Plan. Home occupations are permitted as a special use in the R-1 district; "Sec. 58-53 (6) Home occupations, in the main building of the lot". Home occupations are also subject to the development standards of Section 58-16 of the Zoning Ordinance.

RECOMMENDATION: It is recommended that the Town Council receive public input on this application. It is further recommended that the Town Council approve this application for special use for an in-home business to be located at 14830 Jordan Lane.

DRAFT MOTION(S):

1.a. I move that the Town Council approve SUP# 2016-001, Zeuppy, LLC for an in-home occupation at 14830 Jordan Lane as described on the special use permit application dated June 17, 2016, pursuant to Section 58-53 (6) of the Zoning Ordinance, and subject to the development standards of Section 58-16, Home occupations;

AND

1.b. I further move that the SUP shall remain in effect for a period of one year, to renew automatically for additional periods of one year, BUT EXPRESSLY CONDITIONED UPON THE FOLLOWING: Council may require, upon a majority vote, after notice to the applicant, for the applicant (or present property owner) to submit a new application for an SUP, which shall be treated in all respects as a new and different application, subject to approval or disapproval, in accordance with general principles of law for a new application. If such notice is given to the applicant or present property owner, this SUP shall terminate automatically and without further notice or action by the Council 60 days from the giving of such notice.

OR,

2. I move an alternate motion.



RECEIVED

JUN 17 2016

SUP# 2016 002

SPECIAL USE PERMIT APPLICATION

NOTE: This application must be filled out completely and all submission requirements must be met before the application can be accepted and scheduled for review/Public Hearing.

NAME OF BUSINESS/APPLICANT: Zeuppy LLC.

SITE ADDRESS: 14830 Jordan lane

ZONING DISTRICT: R-1 R-2 B-1 B-2 I-1 C-1 SITE PLAN PROPOSED: Yes No

PROPOSED USE(S): In-home business CODE SECTION(S) #: _____

BRIEF DESCRIPTION OF ACTIVITY: In the space below or in an attached narrative, please describe in detail the proposed activity including size and type of proposed/existing structures, hours of operation, type of clientele, number of vehicles anticipated to visit the site during an average workday and any other changes that will affect the nature or appearance of the structure(s) or site.

Manufacture dog treats.

Supporting Documentation (attached): Narrative (addressing criteria of Section 58-9(d)) Plan/Plat

ADDITIONAL INFORMATION FOR HOME OCCUPATIONS (SUBJECT TO SECTION 58-16):

TYPE OF STRUCTURE: SFD TH TOTAL FLOOR AREA OF MAIN STRUCTURE: 2600 (sq. ft.)

FLOOR AREA DEVOTED TO HOME OCCUPATION: 2150 450 (sq. ft.)

NUMBER / TYPE OF VEHICLES: 0

NUMBER / TYPE OF EQUIPMENT AND METHOD OF STORAGE (i.e. garage, accessory storage, etc.):

Freezer & a dehydrator.

OFF-STREET PARKING SPACES PROVIDED: 3 NO. OF EMPLOYEES WORKING FROM SITE: 0

FEE: \$500 Residential \$200 Residential In-Home Business \$350 Commercial (no land disturbance) \$1,500 Commercial (land disturbance) **PAID JUN 17 2016**

APPLICANT/PERMIT HOLDER INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Mraad Kholi / Ashley Kholi</u>	Name: <u>Same</u>
Address: <u>14830 Jordan lane</u>	Address: _____
City: <u>Haymarket</u> State: <u>VA</u> Zip: <u>20169</u>	City: _____ State: _____ Zip: _____
Phone#(s): <u>316 644 0503</u>	Phone#(s): <u>704 602 4886</u>
Email Address: <u>mkholi@hotmail.com</u>	Email Address: <u>ashbrankem@hotmail.com</u>



TOWN OF HAYMARKET
SPECIAL USE PERMIT APPLICATION

SUP# 2016-002

APPLICANT / PROPERTY OWNER CONSENT

*****REQUIRED*****

I, as owner or authorized agent for the above-referenced parcel, do hereby certify that I have the authority to make the foregoing application and that the information provided herein or attached hereto is correct and a true representation of the activity and method of operation described. Construction of any improvements described herein and as shown on the attached plat, plan and/or specifications will comply with the ordinances of the Town of Haymarket, any additional restrictions and/or conditions prescribed by the Planning Commission or the Town Council, and all other applicable laws.

[Signature]
Applicant Signature

[Signature]
Property Owner Signature

6-17-16
Date

6-17-16
Date

OFFICE USE ONLY

DATE FILED: 6-17-16 FEE AMOUNT: 200 DATE PAID: 6-17-16

DATE TO ZONING ADMINISTRATOR: 6/17/16 STAFF REVIEW COMPLETE: _____

APPLICABLE ZONING ORDINANCE SECTION(S) / RECOMMENDED CONDITIONS:
CONTINGENT UPON PC AND TC APPROVAL AND SUBJECT TO
STANDARDS OF 58-16 AND ATTACHED NARRATIVE

[Signature]
ZONING ADMINISTRATOR

8/17/16
DATE

DATE TO PLANNING COMMISSION: _____ PUBLIC HEARING DATE: _____

RECOMMEND APPROVAL RECOMMEND DENIAL NO RECOMMENDATION

RECOMMENDED CONDITIONS:

CHAIRMAN

DATE

DATE TO TOWN COUNCIL: _____ PUBLIC HEARING DATE: _____

APPROVED DENIED

CONDITIONS:

Zeuppy L.L.C.

14830 Jordan Lane, Haymarket, VA 20169

Business Plan & Narrative in Support of Business License Request

This business plan and narrative is composed and provided to the Town of Haymarket in support of our request for a business license to operate our small business, Zeuppy L.L.C., out of our house located at 14830 Jordan Lane, Haymarket, VA 20169

Business Plan

Nature of Business

Zeuppy L.L.C. is a disabled veteran-owned small business planned to start out of our residence (14830 Jordan Lane, Haymarket, VA 20169) and moved to a dedicated business location at a later date.

Products

At the beginning stages, Zeuppy will make all natural and healthy dog treats and dog treats only. All the products will be in full compliance with FDA, VA Department of Agriculture, AAFCO, and all other relevant laws and regulations. We have identified 6 products Zeuppy will make during the initial stages and throughout the entire time the business is operating out of our residence:

- **Chicken Jerky:** This product is made from human-grade chicken, cooked (at 167 degrees for 4 hours) in a small home dehydrator, and packed in small bags (8 Oz and 12 Oz.)
- **Beef Jerky:** This product is made from human-grade beef, cooked (at 167 degrees for 4 hours) in a small home dehydrator, and packed in small bags (8 Oz and 12 Oz.)
- **Venison Jerky:** This product is made from human-grade venison, cooked (at 167 degrees for 4 hours) in a small home dehydrator, and packed in small bags (8 Oz and 12 Oz.)
- **Pumpkin Cookies:** This product is made from human-grade ingredients, cooked in our home oven, and packed in small bags (8 Oz and 12 Oz.)
- **Mint Cookies:** This product is made from human-grade ingredients, cooked in our home oven, and packed in small bags (8 Oz and 12 Oz.)
- **Chia Cookies:** This product is made from human-grade ingredients, cooked in our home oven, and packed in small bags (8 Oz and 12 Oz.)

Advertisement

At the beginning stages, and until Zeuppy is relocated to a dedicated business facility, NO business signs will be posted at the residence.

Employees

At the beginning stages, and until Zeuppy is relocated to a dedicated business facility, NO employees will be working at the current address except for the owners.

Storage & Deliveries

At the beginning stages, and until Zeuppy is relocated to a dedicated business facility, Zeuppy will NOT have any outside storage on the property. Additionally, NO more than one delivery and/or pick-ups, per day, of supplies associated with the business will take place. All deliveries and pick-ups of supplies associated with the business will be conducted within town-approved business hours.

Operational Area

The entire area devoted to the business will be 450 sf out of a total of 2600 sf available gross floor area (less than 25%.)

Usage

The use of will be conducted as an accessory use entirely within the single-family detached dwelling unit and will not change the character of the dwelling unit nor have any exterior evidence of its use.

Hours of Operations

Zeuppy's hours of operations will be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, 9:00 a.m. to 7:00 p.m. Saturday and Sunday.

Point of Sale (PoS)

At the beginning stages, and until Zeuppy is relocated to a dedicated business facility, all Zeuppy's products will be sold online. NO retail sales will be conducted at the residence at any time.

Beginning of Operations

The business will not begin operating until business license is secured, an application for a home employment, and certificate of occupancy are obtained.

Acknowledgement

We hereby acknowledge that the business license is subject to revocation should the boards not approve the special use permit application for a home employment, and certificate of occupancy.

Signature

Musaad Kholi



Marchant Schneider - Town Planner

TO: Town of Haymarket Town Council
SUBJECT: A Dog's Day Out Haymarket LLC. - Rezoning Application
DATE: 10/03/16

ATTACHMENTS:

- 1. Staff cover memo - 6680 Fayette Street Rezoning_final (PDF)
- 2. Rezoning Application Revised Narrative for Oct 3 2016 (PDF)
- 3. REZONING PLAT (PDF)
- 4. CONCEPTUAL LAYOUT (PDF)
- 5. EXHIBIT-Layout1 Arial View (PDF)
- 6. Otwell Letter(PDF)
- 7. ADDO Proffer Statement (PDF)

TO: Haymarket Town Council

SUBJECT: Application to Amend the Zoning Map – 6680 Fayette Street

Andrea and Jim Payne / A Dog's Day Out Haymarket, LLC 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). A detailed description of the proposal is included in the enclosed attachments.

BACKGROUND:

The Town Council and Planning Commission held a joint public hearing regarding the Applicant's proposal on July 5, 2016. On August 31, 2016, the Planning Commission forwarded the application to the Town Council with a recommendation of approval.

The subject property is currently zoned R-1 and designated Transition Commercial by the Town's Comprehensive Plan. 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 Applicant intends to develop the property as a Dog Beauty Salon, a permitted use in the B-1 zoning district. As noted in the attached narrative and proffer statement, the Applicant has proffered to limit uses on the property and to a conceptual layout to address citizen comment on the application as well as meet the intent of the Transitional Commercial land use designation.

DRAFT MOTION(S):

1.a. I move that the Town Council approve ZTA# 20160602, Application to Amend the Zoning Map – 6680 Fayette Street, subject to the proffer statement dated September 25, 2016.

OR,

2. I move an alternate motion.

September 28, 2016

Haymarket Town Council
15000 Washington Street
Haymarket, VA 20169

RE: Rezoning Application Narrative for the 6680 Fayette Street, Haymarket, VA

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 currently zoned R-1, Residential District. We are 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. We are requesting this rezoning because a Dog Beauty Salon is permitted by-right in B1.

Applicants Jim and Andrea Payne would like to include the following remarks to a revised Narrative on the rezoning application dated June 2016.

The Rezoning Public Hearing was held Tuesday, July 5, 2016 and a number of residents from Fayette Street and Sherwood Forrest were present to have the opportunity to voice their comments regarding the rezoning of the subject property from R1 (Future use Commercial B-1) to B-1. The following concerns were heard during the Public Hearing and the applicants presented at the follow up meeting July 6, 2016 to address the concerns raised during the Public Hearing.

Traffic: The concern was that traffic backs up at Fayette Street & Washington Street at the Stop Sign several cars deep and ADDO would only add to that backup in the morning rush. 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. Discussions will occur with adjacent property developer do determine if there is an opportunity for an exit throughway from the back side of the property.

A Dog's Day out is busiest when kids are out of school and parents take vacations. That is good in that ADDO is not in conflict with school busses. Summer months are the busiest months. In addition, Spring break, Memorial Day, July 4, Labor Day, Columbus Day, Thanksgiving and Christmas. Daily busiest hours are when dogs are dropped off morning (7:00 to 9:30 am); and picked up in afternoon (3:30 to 7:00 pm). Owners drop off dogs enroute to work and pick them up on their way home.

Noise: *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: ADDO has modified its plan to accommodate suggestions of the Planning Commission to place the covered and partially enclosed outdoor area to be located along the property buffer to JBL III and Giuseppe's. This allows for a greater separation to the neighboring residents. Our building materials will include weather resistant acoustic panels to aid in outdoor noise mitigation. ADDO would limit the dogs in the Outdoor covered area to fifteen at a time during the hours of 9AM to 4PM.

Sidewalks: 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.

Parking: We have allotted for 12+ parking spaces for our approximately 6,000 sq. ft. planned facility. There will not be a need for street parking to support the customer base. Applicants have provided video of the largest ADDO facility located in Vienna VA to show parking lot and drop off/pick up scenarios.

Families with children walking on Fayette Street: 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 proposed on the front of the building to further mitigate contact with pedestrian traffic.

Views from Adjacent Properties: 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: We will comply with all VA State Health and Safety Regulations. We will have an Air Handler with appropriate filters that are cleaned/replaced on a continuous basis. This facility is 100% Air Conditioned.

B1 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).

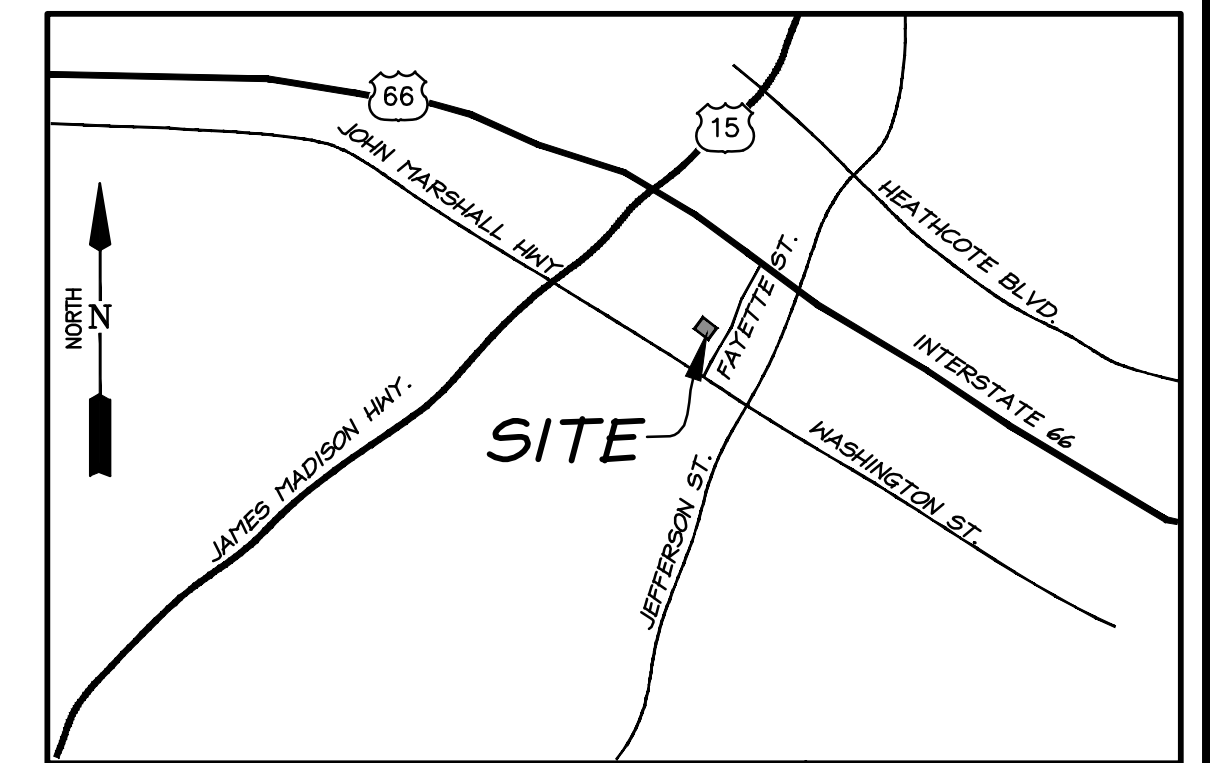
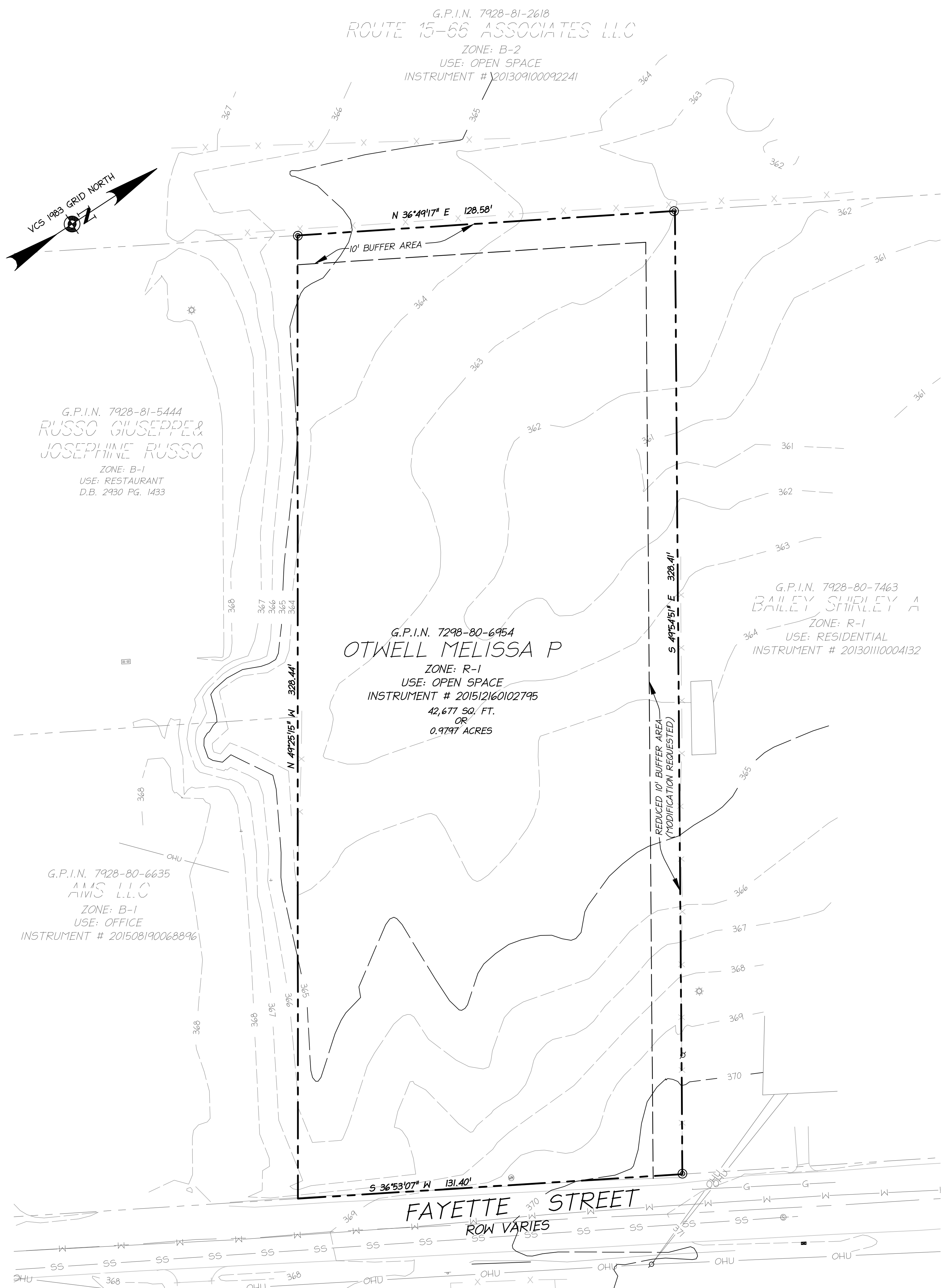
NOTE: Typical Development project for a 1 acre parcel of land would build a facility more than or two or three times the size that we are planning. It would require more parking, traffic, etc.

OBSERVATIONS:

On the afternoon of Sunday, July 10, 2016: Applicants traveled down Fayette Street to observe street conditions and any on street parking. It was observed at that time, there were 2 vehicles on the street parked. The first was a commercial White Pick-up truck with an attached trailer and personal vehicle. This was on the left hand side of the road and right before Sherwood Forrest and was the only instance that this notion was observed.

On the afternoon of Wednesday, July 13, 2016: Applicants met their Engineering team and Architect at the subject property to discuss potential changes to the proposed building location. At that time we observed a large trash truck coming down Fayette Street to perform trash collection. A car driving towards Washington Street was able to pass the trash truck which provides evidence that the road is wide enough to accommodate two-way traffic.

On the morning of Friday, July 29, 2016: Applicants had their car parked in JBL III Parking lot to observe traffic patterns that were mentioned during the July 5th Public Hearing. The time of observance was 6:55AM to 7:25AM. During that time, there was no vehicular traffic observed.



LEGEND

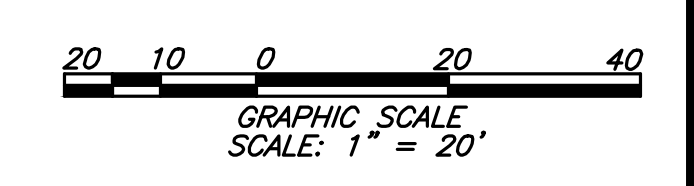
- EX. STREET CENTER LINE
- - - EX. BOUNDARY
- - - SS EX. SANITARY SEWER
- W - EX. WATER LINE
- OHE - EX. ELECTRIC LINE
- ⊗ EX. WATER METER
- X - EX. FENCE

MODIFICATION REQUEST:

PURSUANT TO SECTION 58-699(C) WE REQUEST TO MODIFY SECTION 58-702 OF THE TOWN OF HAYMARKET CODE TO ALLOW A REDUCTION IN THE BUFFER WIDTH FROM 25' TO 10' ALONG THE NORTH BOUNDARY LINE SHARED WITH R-1 ZONING PROPERTY. REQUIRED PLANTING WILL BE PROVIDED IN AND AROUND THE SITE.

GENERAL NOTES:

1. THE PURPOSE OF THIS PLAT IS FOR REZONING THE SUBJECT PROPERTY FROM ZONING R-1 TO ZONING B-1.
2. THIS PROPERTY IS ON THE PRINCE WILLIAM COUNTY GEOGRAPHIC IDENTIFICATION PARCEL NUMBER (G.P.I.N.) 7298-80-6954.
3. PROPERTY ADDRESS: 6680 FAYETTE STREET, HAYMARKET, VIRGINIA 20169.
4. OWNER: MELISSA P. OTWELL
14422 LIGHTNER RD
HAYMARKET, VIRGINIA 20169
5. APPLICANT: JIM & ANDREA PAYNE
15073 VALHALLA CT.
HAYMARKET, VIRGINIA 20169
6. THE BOUNDARY AND PHYSICAL IMPROVEMENTS SHOWN HEREON ARE BASED UPON A FIELD SURVEY DONE BY CHRISTOPHER CONSULTANTS BETWEEN THE DATES OF MAY 4 AND MAY 6, 2016.
 - A.) HORIZONTAL DATUM SHOWN HEREON IS REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83) - NORTH AS ESTABLISHED FROM A CURRENT GPS SURVEY.
 - B.) THE VERTICAL DATUM SHOWN HEREON IS REFERENCED TO THE NORTH AMERICAN DATUM OF 1988 (NAD 88) AS ESTABLISHED FROM A CURRENT GPS SURVEY.
7. THE AREA SHOWN HEREON IS LOCATED ON THE FLOOD INSURANCE RATE MAPS (FIRM), COMMUNITY PANEL No. 51153C0059 D, WITH AN EFFECTIVE DATE OF JANUARY 5, 1995. BY GRAPHICAL DEPICTION ONLY, THE PROPERTY SHOWN HEREON AS SHOWN IN FLOOD ZONE "X" (OTHER AREAS) DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.



christopher consultants
 engineering · surveying · land planning
 9417 innovation drive manassas va. 20110
 703.393.9887 · fax 703.393.9076

REZONING PLAT

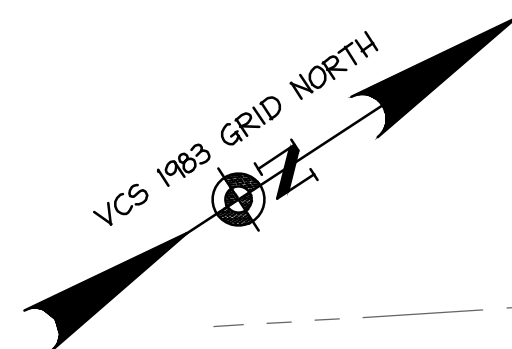
A DOG'S DAY OUT
TOWN OF HAYMARKET
PRINCE WILLIAM COUNTY, VA

PROJECT NO: 16045.001.00
 SCALE: 1" = 20'
 DATE: 04/20/16
 DESIGN: MC
 DRAWN: MC
 CHECKED: ES
 SHEET No.

P:\Projects\16045\16045-001\16045-001-REZONING PLAT\REZONING PLAT.dwg, 6/13/2016 9:40:54 AM, mstuckas, 1:1, christopher consultants, ltd.

Attachment: 3. REZONING PLAT (2956 - A Dog's Day Out Haymarket LLC. - Rezoning Application Marchant Schneider - Town Planner)

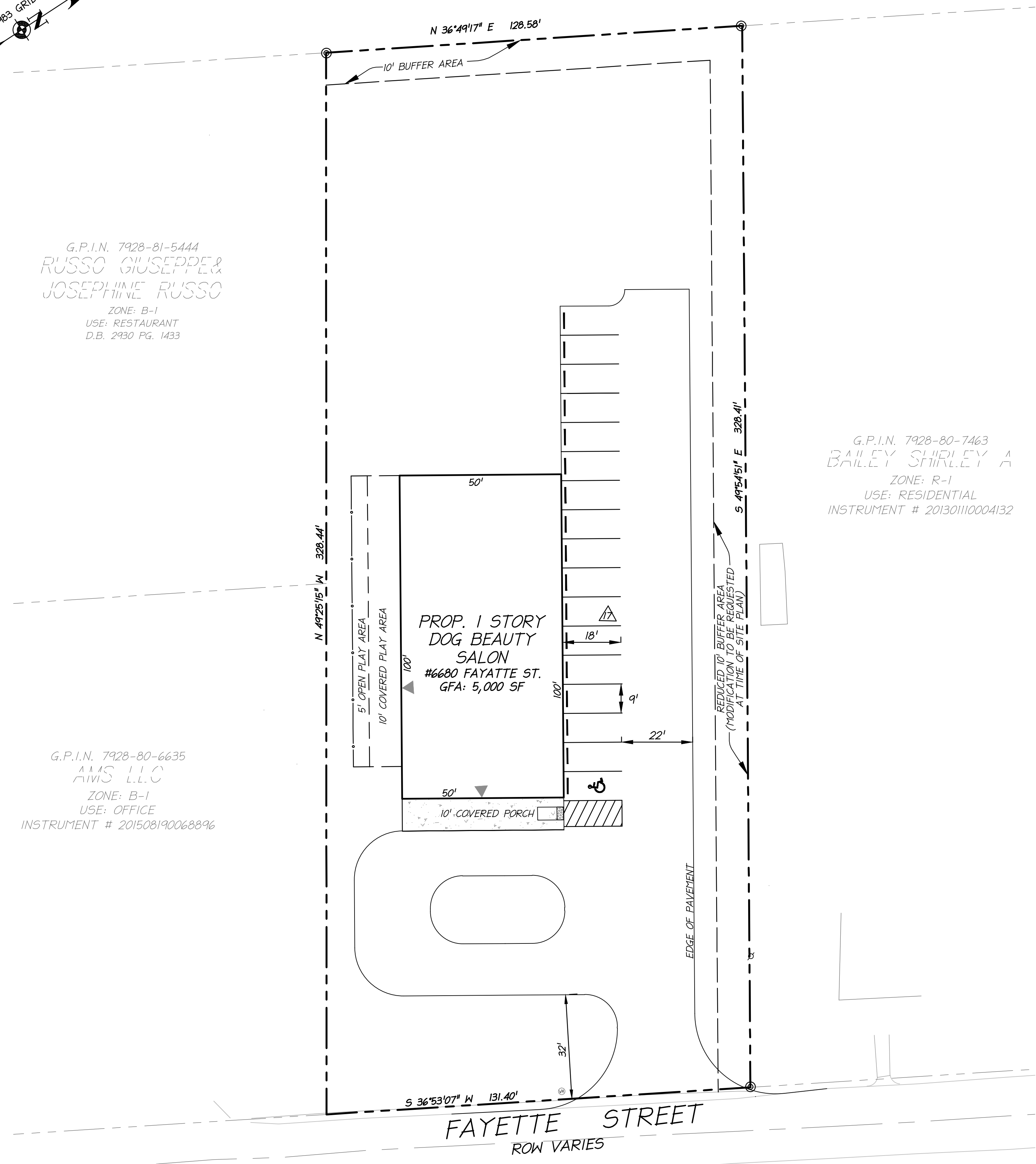
G.P.I.N. 7928-81-2618
ROUTE 15-66 ASSOCIATES L.L.C.
ZONE: B-2
USE: OPEN SPACE
INSTRUMENT # 201309100092241



G.P.I.N. 7928-81-5444
RUSSO GIUSEPPE &
JOSEPHINE RUSSO
ZONE: B-1
USE: RESTAURANT
D.B. 2930 PG. 1433

G.P.I.N. 7928-80-7463
BAILEY SHIRLEY A
ZONE: R-1
USE: RESIDENTIAL
INSTRUMENT # 201301110004132

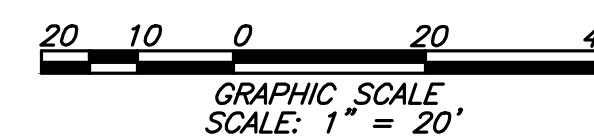
G.P.I.N. 7928-80-6635
AMS L.L.C.
ZONE: B-1
USE: OFFICE
INSTRUMENT # 201508190068896



MODIFICATION TO BE REQUESTED AT TIME OF SITE PLAN:

PURSUANT TO SECTION 58-699(C) WE REQUEST TO MODIFY SECTION 58-702 OF THE TOWN OF HAYMARKET CODE TO ALLOW A REDUCTION IN THE BUFFER WIDTH FROM 25' TO 10' ALONG THE NORTH BOUNDARY LINE SHARED WITH R-1 ZONING PROPERTY. REQUIRED PLANTING WILL BE PROVIDED IN AND AROUND THE SITE.

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

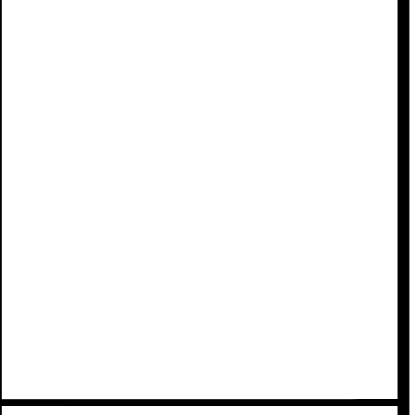


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CONCEPTUAL LAYOUT

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

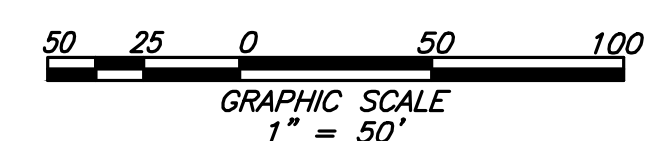
PROJECT NO: 16045.001.00
SCALE: 1" = 20'
DATE: 04/20/16
DESIGN: MC
DRAWN: MC
CHECKED: ES
SHEET No. 2 OF 2



EXHIBIT

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

PROJECT NO: 16045.001.00
 SCALE: 1"=50'
 DATE: 08/02/16
 DESIGN: MC
 DRAWN: MC
 CHECKED: TET
 SHEET No.



THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

AUG 29 2016

TOWN OF HAYMARKET

Planning Commission, Town of Haymarket

RE: Proposed Rezoning of 6680 Fayette Street by Andrea and Jim Payne

FROM: Melissa Otwell, owner of 6680 Fayette Street

Date: 8/26/2016

My name is Melissa Otwell, and I have owned 6680 Fayette since my husband purchased this lot back in 2004. My husband was a civil engineer, who was involved in land development in Northern Virginia since the late 80's, and he held onto this land for many years, understanding its potential use that is consistent with the Town Plan. After his passing in November of 2015, I was approached by the Payne's to sell it to them. Concurrently, I had the property appraised for probate purposes, and the Town's plan for Transitional Commercial Use helped support my decision in selling this property to the Payne's, placing its value and offer in line with this Transitional Commercial Use plan. I was also approached with the idea of a school or church, which *BY RIGHT* would work with the current R-1 zoning. I chose to go with the Payne's rezoning efforts for multiple reasons, but primarily because I felt their proposed use would have LESS impact on the traffic flow for Fayette Street than a school, even though I knew there would be some hurdles in place to get the rezoning approved. But as a resident of Haymarket for 15 years, I liked the idea of bringing this type of small, locally owned business into the Town and I accepted their offer.

I know the Payne's have gone above and beyond normal efforts to get this use recommended in order to address the concerns of those living on Fayette Street and the Sherwood Forrest Community. A good number of these items are above any actions for a rezoning application approval.

- 1) Noise: They've addressed the noise with sound insulation and limited outdoor times and quantity of dogs out at one time. They've accommodated building design by spending engineering and architecture monies to redesign the structure and relocate the outdoor area for their clients.)
- 2) Allergens: There will be AC and a suitable filtration system installed for indoor use and a well maintained property in lieu of an empty field of grass has a far less impact on allergens.
- 3) Traffic: They've done their own traffic count which produced a minimal increase of 60 cars per day, scattered over 2 "rush" hours for their business. I'd like to note that after the interchange at 15/55 finishes up, the flow through town should improve dramatically. They've changed their ingress/egress to address parking /traffic flow by adding more parking, and doing a more expensive traffic circle- all in effort to minimize the impact of the homes on Fayette.
- 4) Future Use Business: They've offered up proffers to remove business types that generate high traffic patterns.

And although I understand the concerns of the neighbors for change on the street, the Town's plan has had Transitional Commercial use in place for this lot and other lots on Fayette since 2008- and those that came in after 2008, had the opportunity to do their due diligence to understand the area where they chose to live. Fighting business to come into areas where the Town realizes business should be, and

is currently approved to be, discourages potential future business owners from approaching the Town of Haymarket to open a business. *Not in My Backyard* has been clearly heard by the Commission for this project, but I'd like the Commission to understand ONLY listening to that and basing their decision on that idea alone devalues my property and keeps business from wanting to make the effort to invest in the Town.

I would like the Planning Commission to consider this project in a bigger light- The Town of Haymarket NEEDS BUSINESS. It is healthy for a small town to have some cars coming to it as a destination, not a pass through. I assume the Town could benefit from the tax revenue coming to it from this light use project, as well as the incidental revenue of those dropping off in the Town, and stopping off to get breakfast, lunch, groceries, gas etc. as a result of coming into the Town to visit this business.

I appreciate the Payne's' efforts to accommodate all the concerns that the neighbors have had with their use, and feel they have sufficiently done so. I hope the Planning Commission will see that this use is a perfect fit for the Town, and vote to approve the Payne's plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa P. Otwell". The signature is fluid and cursive, with the first name being the most prominent.

Melissa P. Otwell

PROFFER STATEMENT

TO: Town of Haymarket

APPLICANT: A Dog's Day Out Haymarket, LLC.

RE: Zoning Map Amendment. Application to rezone property located at 6680 Fayette Street, Haymarket, VA 20169. Parcel ID#: G.P.I.N. 7928-80-6954 ("Property"), +/- 0.9797 acres,
from Residential District R-1 to Commercial B-1

DATE: September 25, 2016

Pursuant to Sections 15.2-2297 and 15.2-2303 of the Code of Virginia, the undersigned hereby proffers that in the event the Application for rezoning the subject Property from Residential District R-1 to the Town Center District B-1 is granted by the Haymarket Town Council, Haymarket, Virginia, as requested, the use and development of the Property shall be in conformance with the below provisions. In the event the above referenced rezoning is not granted as applied for by the Applicant, the Town Council approval of the rezoning, this Proffer Statement and these proffers shall be automatically withdrawn and be null and void. The term "Applicant" as referenced herein shall include with its meaning all future owners and successors in interest.

1.0 USES

1.1 Conformance with Plan. The Property shall be developed in general conformance with attachments titled: Rezoning Plat, Page 1, dated 4/20/16 and Conceptual Layout, Page 2, dated 4/20/16; subject to reasonable adjustments at final engineering.

1.2 Prohibited Uses. Willing to present proffers to limit other uses in the future for the following items as the location is not suitable for any of these uses, and is unlikely to become in the foreseeable 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)

2.0 OPERATION

2.1 Exterior Materials. Our building materials will include weather resistant acoustic panels to aid in outdoor noise mitigation.

3.0 ARCHITECTURAL REVIEW BOARD

3.1 Architectural Review Board. All building and dwelling elevations will be submitted to and approved by the Architectural Review Board prior to issuance of any associated building permit.

Proffer Statement
6680 Fayette Street
September 25, 2016
Page 2 of 2

We hereby proffer on behalf of A Dog’s Day Out Haymarket, LLC that the development and/or use of the subject Property of this application shall be in strict accordance with the conditions set forth in this submission, unless an amendment thereto is mutually agreed upon by the Town Council and the Applicant.

By: _____
James E. Payne
Co-Owner A Dog’s Day Out Haymarket, LLC

By: _____
Andrea B. Payne
Co-Owner A Dog’s Day Out Haymarket, LLC

APPROVED:

Mayor David Leake, Town of Haymarket

Date

Attachment: 7. ADDO Proffer Statement (2956 : A Dog's Day Out Haymarket LLC. - Rezoning Application Marchant Schneider - Town Planner)



TO: Town of Haymarket Town Council
SUBJECT: E&S and Landscaping Bond Release - Sherwood Forest Holly
Montague PE Town Engineer
DATE: 10/03/16

ATTACHMENTS:

- 02 - 09-21-16_Engineer Recommend E&S and Landscaping Bond Release (PDF)
- 03 - Final E&S Inspection 12-02-2015 (PDF)

TO: MAYOR AND TOWN COUNCIL
FROM: HOLLY MONTAGUE, PE TOWN ENGINEER
SUBJECT: E&S AND LANDSCAPING BOND RELEASE – SHERWOOD FOREST
DATE: 10-3-16
CC: STAFF

BACKGROUND

- D.R. Horton posted an Erosion and Sediment Control (E&S) bond in the amount of \$30,711.00 in November 2010 per the approved Sherwood Forest Final Site Plan.
- D.R. Horton posted Landscaping bond in the amount of \$17,290.00 in November 2010 per the approved Sherwood Forest Final Site Plan.
- They have requested the release of the E&S bond and the Landscaping bond.
- They will not request the release of the Construction Performance bond until it passes the VDOT inspection for Street Inspection.

BUDGET IMPACT

The bond releases would not have an impact on the Fiscal Year 2017 Adopted Budget.

STAFF RECOMMENDATION

Staff recommends that the Town Council release the \$30,711.00 Erosion and Sediment Control bond and the \$17,290.00 Landscaping bond, issued by JP Morgan Chase Bank, being held by the Town for the Sherwood Forest Final Site Plan.

DRAFT MOTIONS

1. I move to release the JP Morgan Chase Bank Letter of Credit issued on behalf of D.R. Horton for the benefit of the Town of Haymarket for Erosion and Sediment Control required by Sherwood Forest Final Site Plan in the amount of \$30,711.00. I further move to release the JP Morgan Chase Bank Letter of Credit issued on behalf of D.R. Horton for the benefit of the Town of Haymarket for Landscaping improvements required by Sherwood Forest Final Site Plan in the amount of \$17,290.00.

OR

2. I move to deny.....



CONSULTING ENGINEERS | BUILDING OFFICIALS
 CONSTRUCTION PROFESSIONALS | SOIL SCIENTISTS & GEOLOGISTS

December 2, 2015

Town of Haymarket
 Town Engineer
 15000 Washington Street #100
 Haymarket, Virginia 20169
 703-753-2600

Attention: Ms. Holly Montigue, Town Engineer


Re: Final Report for Erosion and Sediment Control Inspections at
 Sherwood Forest Subdivision
 Town of Haymarket, Virginia

Dear Ms. Montigue;

With this letter, Soil Consultants Engineering (SCE) is pleased to report that a final Virginia Department of Environmental Quality (DEQ) Erosion and Sediment Control Inspection has been performed at Sherwood Forest Subdivision in the Town of Haymarket. The results of this inspection reveals that the contractor DR Horton has constructed in compliance all elements of the Storm Water Protection Plan approved by the Town of Haymarket.

We greatly appreciate the opportunity of this assignment and should you have any questions regarding the contents of this letter please do not hesitate to contact us.

Sincerely,


 Douglas Smith
 E&S Inspector
 Certification # 6018

Attachment: 03 - Final E&S Inspection 12-02-2015 (2957 : E&S and Landscaping Bond Release - Sherwood Forest Holly Montague PE Town



CONSULTING ENGINEERS | BUILDING OFFICIALS
 CONSTRUCTION PROFESSIONALS | SOIL SCIENTISTS & GEOLOGISTS

December 2, 2015

Town of Haymarket
 Town Engineer
 15000 Washington Street #100
 Haymarket, Virginia 20169
 703-753-2600

Attention: Ms. Holly Montigue, Town Engineer

**Re: Final Report for Erosion and Sediment Control Inspections at
 Alexandra's Keep Subdivision
 Town of Haymarket, Virginia**

Dear Ms. Montigue;

With this letter, Soil Consultants Engineering (SCE) is pleased to report that a final Virginia Department of Environmental Quality (DEQ) Erosion and Sediment Control Inspection has been performed at Alexandra's Keep Subdivision in the Town of Haymarket. The results of this inspection reveals that the contractor DR Horton has constructed in compliance all elements of the Storm Water Protection Plan approved by the Town of Haymarket.

We greatly appreciate the opportunity of this assignment and should you have any questions regarding the contents of this letter please do not hesitate to contact us.

Sincerely,

Douglas Smith
 E&S Inspector
 Certification # 6018

Attachment: 03 - Final E&S Inspection 12-02-2015 (2957 : E&S and Landscaping Bond Release - Sherwood Forest Holly Montague PE Town