



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ AGENDA ~

Shelley M. Kozlowski, Clerk of Council  
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100  
Haymarket, VA 20169

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Monday, December 18, 2017

7:00 PM

Council Chambers

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### **I. Call to Order**

### **II. Pledge of Allegiance**

### **III. Moment of Silence**

### **IV. Minutes Approval**

1. Planning Commission - Regular Meeting - Nov 1, 2017 7:00 PM

### **V. Citizens' Time**

### **VI. New Business**

1. Planning Commission Appointment to the Architectural Review Board

### **VII. Old Business**

1. A Dog's Day Out, Previous Meetings Informational Report

### **VIII. Town Council Update**

### **IX. Architectural Review Board**

### **X. Town Planner Update**

### **XI. Adjournment**



# TOWN OF HAYMARKET PLANNING COMMISSION

## REGULAR MEETING ~ MINUTES ~

Shelley M. Kozlowski, Clerk of Council  
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100  
Haymarket, VA 20169

Wednesday, November 1, 2017

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.

### I. Call to Order

Chairman Matt Caudle: Present, Commissioner James Carroll: Present, Commissioner Maureen Carroll: Present, Commissioner Cathy Pasanello: Present, Commissioner Madhusudan Panthi: Present, Commissioner Steve Shannon: Present, Councilwoman Susan Edwards: Present.

### II. Pledge of Allegiance

### III. Moment of Silence

### IV. Minutes Approval

1. Planning Commission - Regular Meeting - Oct 4, 2017 7:00 PM  
Councilwoman Edwards moved to approve minutes with aforementioned revisions concerning the absence of Councilman Connor Leake.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Edwards, Councilwoman
<b>SECONDER:</b>	James Carroll, Commissioner
<b>AYES:</b>	Caudle, Carroll, Carroll, Pasanello, Panthi, Shannon, Edwards

### V. Citizens' Time

No public comments.

### VI. New Business

#### 1. Potential New Town Business, Informational Session to Introduce Business

Town Planner, Emily Lockhart, introduced Miguel Pires, owner of Zandras Taqueria in Old Town Manassas. She stated that he wanted to introduce himself to the Planning Commission and share with them the possibility of opening up a restaurant in Haymarket. She informed the Commission that there was a brief description of the proposed project as well as pictures included in the Planning Commission packet.

Mr. Pires shared with the Commission his interest in possibly opening a restaurant location in the town of Haymarket. He stated that he had been looking for quite sometime and is interested in converting the BB&T bank building at 14931 Washington Street into a restaurant with an outdoor patio. He stated that it is in a "study period". He said that they are looking to convert the former bank drive thru into a patio space and to continue the brick facade on the left side of the building down to provide screening so not to effect the residents on Madison Street. He stated that they would raise the concrete around the former drive thru and improve the curbing and landscaping. He provided a picture of the patio at his restaurant in Manassas and provided a little history of the current restaurant stating that they opened the restaurant 3 years ago. He said that they serve over 22-24 different types of gourmet tacos. He stated that they turned an old alley way into a patio with colorful tables and incorporated sails and it is now a temporary 5 month out of the year dining space. He concluded that he would love to incorporate that in Haymarket and is certainly open to suggestions and ideas for colors and materials to stay within the historic look.

Minutes Acceptance: Minutes of Nov 1, 2017 7:00 PM (Minutes Approval)

## VII. Old Business

### 1. #SP2017-003 Haymarket Town Center Redevelopment Final Site Plan

A motion was made to approve the parking waiver for SP2017-003, Haymarket Town Center Redevelopment Final Site Plan, and the landscaping waiver for SP2017-003 Haymarket Town Center Redevelopment Final Site Plan with the recommendation that the parking lot trees are changed to Red Maple and the street trees are changed to Red Maple.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Carroll, Commissioner
<b>SECONDER:</b>	Steve Shannon, Commissioner
<b>AYES:</b>	Caudle, Carroll, Carroll, Pasanello, Panthi, Shannon, Edwards

### 2. A Dog's Day Out Discussion

Andrea and Jim Payne, applicants for A Dog's Day Out, expressed their disappointment that they were not made aware of the last meeting in which their application was to be discussed. The applicants felt that the information given to the Commission was a misrepresentation of their business. They felt that they have been truthful from the beginning about the uses in which they wish to offer at the new business. The applicants explained that the uses offered will be; dog daycare, grooming services and overnight stays. The applicant addressed the apartment use within the building. Andrea stated that the apartment will be located on the second floor following iteration's of architectural plans that were discussed and approved by the Architectural Review Board. She stated that the upstairs will be part of A Dog's Day Out business and that a caretaker will be staying there as a resident full time carrying for the dogs.

After further discussion with the applicants and the Commission, Ms. Lockhart recommended that the applicant research surrounding jurisdictions to determine what type of zoning districts other A Dog's Day Out facilities are located in and the definitions of those uses. Ms. Lockhart also recommended that the applicant schedule a time to meet with her to discuss the changes to the zoning text amendment that they would like to have done. She asked that the applicants bring in a draft of the text amendments for the meeting.

Chairman Caudle directs Town Planner to research the previous meetings, minutes and files to compile a report on the A Dog's Day Out case.

## VIII. Town Council Update

Councilwoman Edwards welcomed the new Clerk of Council, Shelley Kozlowski and welcomed back Business Manager, Jerry Schiro. She stated that the Town Christmas and Holiday Celebration is December 2nd. She added that the Town will be selling s'mores kits and the proceeds will benefit Serve our Willing Warriors. She also stated that they will be collecting for the Haymarket Regional Food Pantry. She concluded by stating that the Town's Staff and Boards Christmas Party will be December 15 at her home.

## IX. Architectural Review Board Update

Commissioner Steve Shannon stated that the Architectural Review Board is looking at different bike racks. He also stated that they are reviewing new town signs for the Town.

## X. Town Planner Update

Ms. Lockhart reported that she has had some meetings with potential business owners. She is also actively working on a few zoning violation issues.

Commissioner M. Carroll asked if there were any updates on the Fairground property. Ms. Lockhart stated that Guy Gravett, representing BM Smith, spoke at the October Town Council meeting stating that they have someone interested in purchasing the property. She concluded by stating that they are interested in picking up the old site plan and continuing with that including the residential and hotel.

Commissioner J. Carroll asked about the status of the property across the street from Town Hall.

Ms. Lockhart stated that she had been in touch with the gentleman that was working with Stan Smith

about a month earlier but has not heard from him recently.

Commissioner M. Carroll suggested to postpone the walking tour. Chairman Caudle stated that he would talk with Ms. Lockhart about arranging another time.

Commissioner J. Carroll asked the Chairman if they could postpone the December 6<sup>th</sup> meeting. After discussion, the board decided to change the meeting to December 18<sup>th</sup>.

## XI. Adjournment

### 1. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Edwards, Councilwoman
<b>SECONDER:</b>	Steve Shannon, Commissioner
<b>AYES:</b>	Caudle, Carroll, Carroll, Pasanello, Panthi, Shannon, Edwards

Submitted:

Approved:

\_\_\_\_\_  
Shelley Kozlowski, Clerk of the Council

\_\_\_\_\_  
Matt Caudle, Chairman

Minutes Acceptance: Minutes of Nov 1, 2017 7:00 PM (Minutes Approval)



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

**Emily Lockhart**  
TOWN PLANNER

## MEMORANDUM

TO: Planning Commission  
FROM: Emily Lockhart, Town Planner  
DATE: December 14, 2017  
SUBJECT: Planning Commission Appointment to the Architectural Review Board

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Sample Motion: *I move the Planning Commission appoint -insert Commissioner's name-- to the Architectural Review Board as the Liaison from the Planning Commission"*

*Or Alternate Motion*



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

**Emily Lockhart**  
TOWN PLANNER

## MEMORANDUM

TO: Planning Commission  
FROM: Emily Lockhart, Town Planner  
DATE: November 16, 2017  
SUBJECT: A Dog's Day Out, 6680 Fayette Street

Summary of the A Dog's Day Out video recordings:

### July 5 & 6, 2016 Meeting Summary

- Andrea "doggy day care or dog grooming services"
- ADDO defined as Cage free dog daycare, boarding and certified grooming
- Andrea discusses the variety of issues and concerns raised by the Town residents the night before
- Noise Ordinance Sec 18-36 Noise from animals – Applicant offers to mitigate the noise via indoor sound installation. Outdoors the applicants would be in compliance with the excessive barking ordinance and remove any dog from the outdoor facility if they are barking/misbehaving
- 44:17 Andrea mentions the apartment for someone who will be a resident, full time in the facility for overnight
- 44:30 Andrea talks about customers being able to leave their dogs for overnight when they go on vacation -- "we call those kennel dogs"
- Matt Caudle – do these other ADDO facilities have outdoor walks? Andrea – Yes 1 other facility located in Alexandria, VA. She says all others are located in warehouse districts
- James Carroll asks if any others are located in the residential areas, Andrea says no all others are located in building parks or warehouse districts
- Maximum capacity 100 dogs a day
- Two services: grooming and half day of daycare, half day daycare, full day daycare, boarding for the night when the customers cannot pick their dog up or they are out of town
- Andrea says not more than 50 dogs outside at a time, if dogs excessive bark they will be taken inside
- Matt Caudle asks what is determined to be "excessive" barking. Excessive can mean different things to different people.
- Busy times are the Holidays, residents outside during the Holidays create concerns for loud barking.

## August 2016 Meeting Summary

- PC assembled at 6:00 pm to do a site visit and address traffic concerns. Site visit was not recorded as it was in the field.
- Old Business:
  - The site visit was discussed in depth regarding the traffic concerns.
  - Connor Leake (19:50) looking at I-1 the uses for veterinary clinic and kennels are zoned industrial
  - Marchant mentions Healthy Paws located in the B-1 zoning districts, he states that the clinic provides kenneling services, but adds that kenneling is not the primary service offered. He also states that the “dog beauty salon” was the most closely aligned use in the zoning ordinance to meet the intended use of the building. Doggy Daycare is an upcoming term...the way the applicant has defined their business dog beauty salon is the most closely related use.
  - Traffic and Noise the two major concerns
  - Maureen Carrol: changing the zoning 2 steps to B-1 is a concern, need to do our due diligence
  - Other concerns addressed: Allergens, Views from adjacent properties, Walkers with children/other dogs, parking. Decided other concerns can be mitigated for.
  - Steve Shannon: No more than 15 dogs at a time outside
  - Marchant: Ultimately the burden is on Marchant to make the determination whether it meets the ordinance or not, Marchant finds that the use most closely aligns with the dog parlor use.
  - Connor Leake: The dogs do stay there overnight if they want? If three or more dogs are staying there overnight...
  - Marchant: Kennel service is viewed as an accessory use.
  - Connor Leake: The use still has the overnight accessory use.
  - Marchant: We have set a precedent in Town by allowing the Healthy Paws veterinary clinic to have kenneling services. That is why the determination was made.
  - Connor Leake: Rebuttal - That business sits on main street
  - Steve Shannon: How many are you prepared to keep overnight at anyone one time.
  - Andrea: Could keep 75 dogs overnight if needed to, that would happen maybe 2 weeks a year. Checked with the county, there is no limitation.
  - Maureen Carroll: Visited the Ashburn location, no dogs outside, in the industrial area however, shocked at how quiet it was
  - Marchant: Part of the zoning ordinance rewrite was accommodating this use. If there is an issue with not having the accessory kennel use specifically defined this can be provided as part of the recommendation to the Town Council
  - Matt Caudle: Noise issue is the outside component
  - Matt Caudle: If you came back with no dogs outside could you run your business?

- o Andrea: two areas outside for dogs; 1 was a dog park, large fenced in area along backside of property, and covered area for dogs to have fresh air. NOW only asking for covered area.
- o Noise Abatement outside: hanging noise panels absorb the barking and other noises, weather resistant
- o Steve Shannon: If you have a dog constantly barking outside would you bring the dog back inside? Andrea: Would bring the dog inside the facility, specific room for time outs.
- o Marchant: Narrowing the discussion to issues of outdoor noise.
- o Matt Caudle: How many other ADDO facilities are in the area? Andrea: 5 Matt Caudle: Can they provide projections for the peak times? Andrea: I can see that in the financials Matt Caudle: Would like to see projections for peak times, find it helpful for traffic component Andrea: Peak times spring break, July, winter
- o Steve Shannon: asks for Peak Times for average day
- o Planning Commission agrees to reconvene

#### August 31, 2016

- Brian Garcia: Citizens' Time – in favor of the property and business use
- Chief Noble: No enforceable action to quiet barking dogs at this time (08-2016)
- Steve Shannon: Addresses traffic, noise and other concerns
- Cathy Pasanello: Complements the efforts the Payne's have put into the process
- Marchant (read by Matt Caudle): Offers the following; traffic counts cannot be done by current equipment, amend the application to request TC zoning, requires amendment to TC definition, designation as dog beauty salon – as zoning administrator Marchant has made the determination that the uses most closely align with the dog beauty salon use. Suggests that the PC recommendation includes conclusions and/or references to the commitments outlined in the application materials
- Motion: I make a motion to forward the ADDOs rezoning application to the Town Council for approval with said comments from Zoning Administrator. Pasanello, Caudle, Carroll, Carroll, Shannon – all vote yes

#### Town Council Meeting October 3, 2016

- John Cole concerned that the zone is transitional commercial, applicant requesting B-1
- Mayor David Leake: Asks would a kennel be allowed? Marchant: Not by the definition as we currently define it. Leake: What is the difference if a pet were to stay overnight vs. kennel. Marchant: Made a judgement call as a Zoning Administrator this is more an operation as a personal service use, may be limited instances of boarding more a service use as defined by a dog parlor. Does not have any breeding, or sale. Does not require a kennel permit. More closely aligned with dog parlor
- John Cole: Dogs that stay overnight are indoors
- Mayor: More similar to a vet clinic?



- Marchant: Provides a comparison to daycare.
- Would that use ever be monitored or inspected? Marchant: Zoning enforcement done in response to complaints
- Joe Pasanello: Concern about the windows.
- Andrea: We do not have a fill plan of the structure at this point, we only have a conceptual design. Windows will be as soundproof as we can get
- Joe Pasanello: Outdoor play area on the Giuseppe's side of the property, no dogs allowed outside between the hours of 5:00pm and 9:00am Andrea nods head in agreement
- Joe Pasanello: How many employees will you have working at the facility?
- Andrea: depending on the season, times during the calendar year will require more employees, between 7 and 12
- Joe Pasanello: Shuttle pickup?
- Andrea: Other locations do a dog taxi service if the dog is already a client, based on the traffic in our area some customers cannot make it by the time we close at 7 pm. That service will be offered however more like a small school bus. Personal vehicles used at first
- Joe Pasanello: Expectations on deliveries
- Andrea: Types of deliveries we will receive are dog food and cleaning supplies probably on a monthly basis
- Chris Morris: What happens when one of these other neighbors wants to change their use?
- Mayor: Yes, for example if Brian Garcia would like to rezone his property
- Marchant: Apply the same evaluation, what are the self-imposed limits on the land, what is the condition of the traffic and road at the time, what is the character of the area. If you're concerned in terms of precedence having these limitations run with the land will require a similar evaluation for other properties in the future. Expects that the Planning Commission and Town Council would take into account the same process
- Chris Morris: Does not put the Council in a good position if we set that bad precedence from the get go, it is our responsibility to protect ourselves.
- Marchant: it is up to the council to take into account what has been done in the process and determine if it is sufficient
- Mayor: Would like to ask the attorney
- Additional Discussions of the process, precedence and future applications continues.
- Rezoning Application Approved

March 1, 2017

- Preliminary Site Plan submitted for ADDO
- Town Planner and Engineer recommend an approval with conditions
- Preliminary Site Plan approved with conditions; comments need to be addressed, buffer modification requested for approval later, all ARB requirements are met
- Motion passes, preliminary site plan is approved

May 10, 2017

- ADDO Buffer Modification Request

July 5, 2017

- Final Site Plan approved

October 4, 2017

- Emily Lockhart updates the Planning Commission on A Dog's Day Out, discusses the zoning use issues.

November 1, 2017

- Payne's discuss their disappointment with Staff that they were not made aware of the meeting last month
- Express that they have been honest the entire time and the story has not changed since the beginning of the process.
- Planning Commission asks Planner to prepare a report documenting that past meetings

As documented above the applicants have expressed the details of the plan in depth since July 2016.