

Town Council Meeting: 11 November 2025
Approved Minutes

Call to Order: Mayor Joe Whited opened the meeting at 7:00 p.m. Council members Jean Goodine, Patrick O'Connell, Fred Catlin, Drew Beard, and Deb Harris were present. Town Clerk Barbara Batson was also present. Brad Schneider was absent.

Approval of Agenda: Mr. Catlin **moved** to approve the agenda as presented. Mr. Beard **seconded** the motion.

Mayor Whited stated that he would give the public an opportunity to comment on the presentation from Black Kettle.

The motion to approve the agenda passed unanimously (6-0).

Approval of Minutes: Ms. Harris **moved** to approve the minutes of September 8, 2025 and October 13, 2025 as presented. Mr. Catlin **seconded** the motion, which passed unanimously (6-0).

Mayor's Report: Mayor Whited welcomed the new treasurer, Deb Harris, and thanked her for agreeing to serve, as well as for her past service on the Architectural Review Board.

He stated that planning continued for the Christmas parade, set for December 7, and this would be its 20th year apart from an interruption during the pandemic. He said the Town holiday party would take place the Sunday following, and he would be asking for volunteers to bring dishes.

Treasurer's Report: Ms. Batson said the report before the Council covered budget versus actuals, and the Town was running as projected for that time of year. She stated that the only line item running high was water repair and maintenance, due to a couple of line leaks, and everything else was on schedule. She said the sewer bond payment had been made in November and would not come due again for six months.

Infrastructure Report: Ms. Batson stated that the additional corrosion control system at the well house had been completed, and the engineer would be out on Friday and would submit the report to the Virginia Department of Health. She stated that she had also been in discussions with RACI Engineering, which was close to completing its work and should be finished by the end of the year.

Mayor Whited noted that the corrosion control was intended to prevent erosion of pipes in home service lines that could release heavy metals, and there were no heavy-metal pipes on the Town side of the water system; the measures were being taken to ensure older pipes in residents' homes did not erode. He stated that the equalization tank project was to expand the Town's capacity to process wastewater routinely and represented forward planning for capacity.

Town Attorney's Report: Mr. Crim stated that APM Construction had caused \$15,000 in damage to the Town's water system, and the Town had filed suit in general district court, with a return date in about a month. He also reported that regarding the trash collection contract, the Town had terminated its contract with Updike Industries, which asserted that it had a contract with the Town that could not be terminated. He said the contract Updike had sent was not signed by anyone on behalf of the Town but by people on behalf of the fire station, and the Town would send a letter stating that it did not owe anything.

Mayor Whited thanked Mr. Crim and said the Town was still maintaining free trash service at the fire department, having only switched vendors.

Planning and Zoning Director's Report: Mayor Whited stated that Mr. Gyurisin's report was in the Council packet, as he was still recovering from surgery, but he looked forward to attending the next month and possibly the next Planning Commission meeting.

Planning Commission Report: Ms. Anstey said the Planning Commission had met on October 27 to discuss the submission by Rush River Commons for a special use permit (SUP) for a planned unit development (PUD). She stated that SUPs fell directly within the Commission's remit, and after considerable discussion, the Commission had voted 3-0 not to recommend adoption of the permit, with one abstention. She said her colleague Jeanne Kauffmann had circulated comments she had made at the meeting. She stated that the Commission was tremendously appreciative of everything the Akres had done, but that a gift had to fit the recipient.

Ms. Anstey reported that the Commission had rejected the application for three reasons: First, there was no clear sense of the use and it did not appear to be in accordance with the comprehensive plan, with no demonstrated need for a 9,000-square-foot office building and community center when community centers existed elsewhere. Second, the project was too big; the comprehensive plan treated the outskirts of Town as an important entryway that should blend with the rest of the Town, and the design as submitted did not. Third, the PUD had been created for Rush River 1 and approved because it allowed housing density, whereas this was a different parcel on which housing was prohibited.

Ms. Anstey stated that the Commission would gladly consider a SUP but not for a PUD, as this area was zoned for a maximum of 1,000 square feet of commercial building while the applicant sought 12,000 square feet for the community center and 9,000 for the office building. She said the Commission had asked for the project to be scaled down and was disappointed that it had not been, but the Town was a small neighborhood and appreciative of Mr. Akre's generosity.

Architectural Review Board: Ms. Harris said the Architectural Review Board had a new chair, Wes Kerr, and Dwight McNeill had also joined the board and had served at his first meeting the previous week. She noted that the RAAC extension was on the November docket.

Mayor Whited said the Town would be seeking another volunteer to appoint to the ARB and would accept applications through the end of November.

Ms. Batson stated that applications should be in hand by December 2.

Mayor Whited said anyone interested in serving should provide their name and a brief statement of interest to Ms. Batson for distribution to the Council. He stated that Mr. Crim had advised that no special meeting was required to announce applicants, and the matter would be handled at the December meeting.

Old Business:

SUP/PUD – Rush River Commons Phase 2 (Warren Avenue/Lee Highway): Mayor Whited stated that Council would consider the request for an SUP to overlay the existing village commercial zoning with a PUD for Phase 2 of the Rush River Commons project, on approximately four vacant acres at the corner of Warren Avenue and Lee Highway. He then invited the Black Kettle team to present.

Mr. Steve Plescow, project engineer, thanked the mayor and Council and said the team's ownership and design team members were present to answer questions. He stated that the project vision presented in 2021 had not changed and had three phases, with Phase 2 had always intending to include a community center function and an office function. He said the team could not legally seek approvals for Phase 2 when Phase 1 was presented because the property had not yet been annexed into the Town, and a two-year annexation effort had followed. He stated that the applications were submitted in July 2025, after annexation was approved, and the SUP process had been reviewed with the Town zoning administrator and the Town attorney before the application proceeded.

Mr. Plescow stated that the project package included SUP conditions and a general development plan (GDP), and the conditions were comprehensive, specific, and enforceable. He stated that the GDP set out what would be provided at the site-plan stage: building locations, setbacks, sizes, parking, utilities, and stormwater management, and landscaping detail added in response to Planning Commission comments. He said the SUP conditions document was long because those for Phase 1 had been left intact, with conditions specific only to Phase 2 added.

Mr. Plescow explained that Condition 31 provided a specific definition of “community center” that the Village Commercial Zoning Ordinance had not supplied, and noted that similar uses—civic, fraternal, and patriotic lodges, clubs, restaurants, museums, public libraries, and amphitheaters—were permitted under an SUP. He stated that Condition 32 limited the community center to 12,000 square feet and the office component to 9,000 square feet and carried over the Phase 1 building heights, so no taller buildings were being requested. He said Condition 33 committed the applicant voluntarily to ARB review, as in Phase 1, because the team wanted them involved in the building application design. He stated that Condition 34

added specificity on the types of signage allowed, and the signage package would be brought to the ARB for review and approval. He said Condition 35 responded to the Planning Commission's question about landscaping and provided for landscaping in two phases.

Mr. Plescow reported that the first phase of landscaping would be perimeter buffers, supported by engineered cross-sections, cut at five locations around the site, and a self-imposed design goal was to avoid any visual impact on the adjacent roads and the Town viewshed. He said from Warren Avenue and Lee Highway, they are trying to screen the site fully. He said they would not cut down the existing trees in the VDOT right-of-way and would preserve trees on their own property, along with new evergreen buffers around the perimeter to fill in gaps in the existing tree cover, all of which would effectively screen the project from both roads and protect the viewshed. He stated that the buildings would not be visible except from the front driveway, and the cross-sections also showed significant setbacks from the roads, which the mass model illustrated by comparison with distances within Town. He said the second phase of landscaping would cover the areas around the buildings and the interior of the site, which had not yet been designed because the buildings would not be designed until the approval was granted, and the landscaping would be well coordinated with the building designs and included in the building construction permit packages submitted to the County and copied to the Town.

Mr. Plescow said Condition 35 pledges to coordinate with the Town if a gateway concept were developed, given the amount of frontage the site had at the entrance to Town. He stated that Condition 38.2 committed the project to dark sky compliance, with a photometric plan brought to the ARB as in Phase 1, and the team hoped to work again with the Rappahannock League of Environmental Protection. He said the exhibits and mass model were intended to show how the site related to its environment and how it conformed to the vision that had been laid out since 2021. He then turned the presentation over to the project architect, Duncan Lyons.

Mr. Duncan Lyons stated that the GDPs included conceptual elevations of the Phase 2 buildings, and the sketches, models, and elevations showed this phase was not a single building but a cluster of buildings. He stated that the team looked forward to working with the ARB on the building detail, materials, and articulation. He said the team had studied in depth the Town's architecture and found it to be eclectic—with no predominant style—and therefore decided to draw on the agricultural vernacular of farmhouses, barns, outbuildings, and silos, which fit nicely into the landscape due to their aesthetic and functional nature.

Mr. Lyons stated that the main community hall was expressed as a barn, with a steep roof, overhanging porches on either side, a cupola, and dormer windows to bring natural light into the space, in a simple form related to barns in and around the Town and County. He stated that the community entrance lobby was an open, glassy loggia with a drop-off in front at the entrance level, from which visitors would see through to the landscape and down the hill into the stream valley and beyond—with importance placed on the connection between the

buildings and surrounding greenspace. He said the lobby would also serve as pre-function space and perhaps an art gallery, with a multi-purpose wing as a third component, with administrative space and a variety of meeting rooms to support gatherings of many sizes. He said the intent was a stone base on all buildings with vertical and horizontal siding in two shades of neutral gray rather than the white of Phase 1, darker on the barn and lighter on the support wing.

Mr. Lyons said the office building sat lower on the hill, with two full stories and a broken-up roof form with a lower wing on one side and a proposed silo on the other, which would house the elevator required to reach the second floor. He stated that the façades were broken up to reduce the apparent scale, with a stone base, horizontal siding at the ground floor, vertical board-and-batten siding at the second floor, and a bridge connecting to the silo. He said the buildings would be designed in compliance with County building code and ADA accessibility. He stated that as in Phase 1, the buildings would be designed as green buildings, with solar panels on the roofs and geothermal wells below, reducing energy usage and heating and cooling costs; the same approach is planned for Phase 2. He concluded by stating that the team was excited about the project, the spaces would be functional and support community functions not available elsewhere in the Town, and there would be emphasis on a harmonious relationship between the community spaces, office spaces, and the outdoor space. He then introduced the project landscape architect, Jessica Fegley.

Ms. Jessica Fegley said she worked with Michael Vergason, and the firm had been part of the project since the master planning phase. She stated that the stream restoration along the edge of Phase 1, carried out with Ecosystem Services, was nearing completion—with the stream bank stabilized, the boardwalks installed, and plantings to go in over the following months for completion in the spring. She said the stream corridor was the center of an integrated campus and would become centralized greenspace. She stated that the pedestrian connections were designed to tie Phase 1 to Phase 2, with the central connection fully ADA accessible and requiring no stairs or ramps. She said the pedestrian network was intended to complement downtown rather than replicate it, with more open, spacious, and winding paths.

Ms. Fegley stated that densely planted buffers and the placement of the parking lots would set the buildings farther back, so that as the vegetation matured little of the project would be visible from the road, protecting the viewsheds. She said the planting plan would be coordinated with Gensler and would emphasize native and locally adapted plants, with their drawing to be submitted as part of the architectural set to ensure integration. She stated that the team had worked with Bowman, the project's civil engineer, on innovative stormwater design centered on a large bioretention basin, heavily planted with native meadowgrasses to protect the wetlands and provide a consistent stream of water, cleanly fed back into the stream bank hydrology. She said Phase 2 was more than 50% open space, available to the community.

Mr. Plescow thanked the consultants and said the SUP process allowed site-specific planning. He stated that the team had spent considerable effort preparing a detailed package so that there would be no surprises, and said he was happy to answer questions.

Mayor Whited opened the public forum and said that comments were not limited to the Black Kettle proposal.

Ms. Kay Wilson stated that she lived outside of Town, and she wished to comment on two matters. She stated that she and her husband had enjoyed the Inn's hospitality many times since moving to the area in 1992, but the swimming pool fence and its "pyramid follies" on Gay Street were offensive and were viewed by most residents as vulgar, ostentatious, and out of proportion with the historic Trinity Church, where she had been a parishioner for many years. She said the wall was a desecration of the viewshed on Gay Street and was disrespectful to the Inn's neighbors, and she called on Mr. O'Connell to tear it down. She said on the second matter, it astonished her that the gift was being looked in the mouth, stalled, second-guessed, and micromanaged, and she had been impressed by the professionals presenting that evening. She said unlike the swimming pool approval that served only a few, Rush River Commons was a benefit to the entire Rappahannock community at vast expense and incredible philanthropy. She urged the Council to quit stalling and approve Rush River.

Ms. Kulipa Sarma said she lived in Town, and the community badly needed a community center. She stated that the library served that purpose to some extent but was incredibly cramped and had not been expanded or moved. She said there were at least 11 children living in the Town and a real need for a place for them to gather and hold activities, which the library did not have room for. She said while the proposed building size was in question, it could house many services such as medical offices or the library. She expressed frustration that a bargain had been made by the Council and the Board of Supervisors to prohibit housing to expand the Town boundaries and allow Rush River to be built, with a judge signing off on it, and reversing it would require time and the agreement of all three entities. Ms. Sarma stated that the Town was part of a larger County and needed to serve countywide needs—rather than being just a beautiful set piece. She said she loved the Town and had served on the Planning Commission, urging Council to move forward with this proposal to benefit all citizens.

Ms. Kathi Dutilh said she had served on the Rappahannock County Department of Social Services Board for three years, and she read a statement from Gail Crooks, the DSS director, who could not attend this meeting: "My agency has been a tenant of Rush River Commons Phase I since November 13, 2024. Moving from our prior location on Gay Street to the office at Rush River Commons has elevated the ability of the agency to engage more meaningfully with our clients and our community partners. Reflecting how far our own agency has come in these connections only encourages me and others about what opportunities Phase 2 of Rush River Commons may create. One of the most consistent themes we work towards here at DSS is

fostering connections. Through connections, families are stronger, communities are stronger, the children and the vulnerable are safer. But fostering genuine and resilient connections within the community relies on reliable access to ready and appropriate resources, such as spaces for events, classes, and gatherings. And while there are locations that are willing to provide space on an as-needed basis for one-time events, I'm not aware of any such space for the ongoing programming of a variety of events for a broad spectrum of audiences that could be a foundation for building connections. I believe that is what is the potential of Phase 2 Rush River Commons, and I hope the Council supports its advancement through the issuance of a special use permit. Thanks.”

[46:04 Rappahannock County Food Pantry Board member] Ms. Kendra Hahn said the organization supported the Rush River Commons Phase 2 plans for a community center, stating that the community had requested and needed a center that reflects the diverse interests of the County. She said in addition, many nonprofits and other organizations needed a large area for community events, which a bigger venue would allow, with greater participation. She stated that Phase 1 had created the opportunity to meet community needs by offering the County food pantry a site for a new building, and the large, central location had proved a success in meeting the food security needs of local families. She said that the Council should be conscious of how present decisions would affect those who followed and should not close doors on future generations.

Ms. Joyce Wenger of Flint Hill stated that she had come into Washington almost every day as president of Rappahannock at Home. She stated that she agreed with the earlier comments about the need for the facility and that her organization had trouble finding enough space for the activities it provided for the community. She said that when Phase 1 was under construction the pantry had looked big and imposing, but that with the landscaping completed it was a beautiful space. Ms. Wenger stated that the Akre family's own properties were lovely and that she had full faith the project would be a beautiful and positive contribution to the community, both for its need and for the way it looked, and she encouraged the Council to support it.

Ms. Nancy Bunton said she is a Town resident and had attended the Planning Commission hearing, where the desire for more housing was cited repeatedly as a reason for the recommendation. She stated that the agreement prohibiting housing was binding, and reversing it would take two or three years, even if the new Board of Supervisors could be relied on to accept it. She said she had seen the presentation many times, and the project was big, but she had faith in Black Kettle to make it fit, and she hoped the Council would approve the permit.

Mr. John Fox Sullivan, a resident of the Town, said he was delighted to see so many friends participating. He stated that what the Akres had done was great and was a gift to the Town, but the project was big in his view. He said there had been a great deal of discussion about screening the buildings through landscaping and preserved trees—which called into question

why it shouldn't be seen—and he challenged the Council to say a few years after completion that the project could not be seen when entering Town and hasn't impacted the gateway. Mr. Sullivan stated that his second point concerned the project purpose: Most people liked the idea of a community center, but he did not understand the point of a 9,000-square-foot office building, for which there appeared to be little demand. He said he had no question about the talent and intent of Chuck Akre and his family, but the project was too big and too much. He stated that if the library were to move into the space instead of raising money for a separate community center, he would not care how big it was, because the need would be real and understandable. He said he wished he were not opposing his good friend and they would remain friends, and he urged Council would think about the result of this two or three years on.

Ms. Terri Sutton stated that she lived in the Piedmont District and served on the board of Rappahannock at Home. She stated that the new space had produced remarkable changes in only a few months, including the ability to wrap services around seniors with special needs. She said the property belonged to Mr. Akre and that it was not the Council's business to tell him what he could do with his property or what the best use of his money was, and if he built the project and could not rent it, that was his risk rather than the Town's problem.

Ms. Linda Taylor said she was with [Marsh, P.C.] and represented Colonel Peter R. Sinner, who provided the following letter that she read into the record: "Here is a letter of support for tonight's meeting. Unfortunately, I will not be able to attend since we will be celebrating the 250th Marine Corps birthday. I would like to support the building of the community center in Phase 2 of Rush River Commons. We believe a community center could be a focal point for the County and bring more events to Town and create a larger sense of community. The County currently has no large venue available to support fundraising events for the many nonprofit organizations. What venues are available are in isolated locations and lack adequate kitchen, restrooms, and climate control to accommodate large gatherings. A community center would offer space for important County meetings and hearings that are now restricted to the existing courthouse. A community center would offer a venue for town hall meetings for local, state, and federal elected officials to meet with their constituents. Additionally, a community center could become a focal point for activities for children and teens, to give them a greater opportunity to bond. I had a community center in my hometown which was used for many different activities, which brought different age groups together and enhanced a sense of community. This center would cost the Town and County nothing to build and we believe it would be a mistake not to take advantage of this generous opportunity. Thank you."

Ms. Sheila Kressinger said she first wished to address the affordable housing question. She stated that a plot of nine parcels had become available—two of them in the Town and seven outside it—and the buyer had indicated an interest in affordable housing at a Board of Supervisors information session, which might present an opportunity for clustered housing proposed to the County. She said the plans presented this evening had evolved from an open

house at which residents from across the County described what they needed. She stated that the architectural renderings as presented have revealed the beauty of what is there, and the landscaping was incorporated so that the viewshed would not be ruined. She said Rush River 1 offered concrete evidence of the applicant's vision, as the extensive landscaping already installed meant that drivers saw substantial trees rather than raw buildings. She stated that the project was a significant enhancement and a need for the community, and Council had a responsibility to move it forward. She said that as in the film *Field of Dreams*, if the buildings were built people would come, and the economic strength the County needed would follow.

Mr. Ralph Bates said he seconded the previous comments. He stated that a vision limited to whether the project would look too big and too noticeable within the next two years was too short a vision, and the Council should consider how the space would look and be used in 10 or 15 years. He said the space might not be fully used at the outset, but its use would continue to grow. He stated that the question of whether the library should be funded for its own purpose as a community center raised tradeoffs the Council should weigh over a number of years rather than only the next few.

Mayor Whited closed the public comment portion and invited input from Council.

Mr. Catlin said there had been references to the comprehensive plan, which he had helped author, grew out of Town meetings held in October 2016 with residents of the Town and County, and facilitated by [Milton Hertz]. He said those meetings identified this property as a gateway into the Town and raised the idea of a cluster with multiple attractions, support for meetings and conferences, programming for visitors and events, and a visitor center with a chamber of commerce serving the aging population. He said Page 17 of the comprehensive plan identified the Town's role as a cultural and entertainment center for the County as one of three key elements supporting its economy, and the buildings would help attract people to both the Town and the County.

Mr. Catlin stated that two nonprofits had already told him of their need and desire to be in the space, and two large community spaces in the greater community might close in the near future, so a large space was needed. He said nonprofits holding fundraising events have had to limit attendance and could have raised more money with a larger venue. He stated that as others have said, this project was a way to bring outside groups into the greater community. He asked rhetorically what counted as "too big," noting that the Planning Commission and the Council had approved large buildings in Town.

Mr. Catlin said the comprehensive plan's proposed action steps called for maintaining the original streets and lots while allowing more flexibility in areas visually separate from the townscape, which this site was. He stated that the developer's track record on Rush River 1 was extraordinary, and the developer had been responsive. He said he wished residential use had been possible and had discussed it with Mr. Akre when he was mayor, but their previous "deal

with the devil” had prohibited housing and would take multiple years to change if it even could be changed at all. He stated that the offices would provide more employment, also a goal of the comprehensive plan, and in his view the application met the criteria of the comprehensive plan and would benefit both the Town and the County. He emphasized that Mr. Akre had shown a repeated commitment to the community, and he thanked him.

Ms. Harris said she had heard many comments about the use of the community center and the need for it, and she did not disagree, but she had heard less about the need for the office space as well as some of the other aspects of the SUP. She stated that she had some concern about the breadth of uses listed in Clause 8 and about the office building. She said there was no doubt in her mind that the community center was needed, as this evening's comments and her eight years of attending benefits in the community showed, and this would be a lovely addition. She reiterated that she had not heard much about the need for the office building, as there was vacant office space around the County, and she kept track of it because she worked from home. She said she would welcome an explanation of a large need for office space, and if the Council moved forward, she would like to focus on the need for a community center and examine the other listed uses, such as coffee shops and farmers markets.

Ms. Goodine said she had been about to make the same point as Ms. Harris, because the comments and common sense indicated that the community center was needed and would be welcomed, but that she was less convinced about the office space, and she asked whether people had in fact spoken about using it.

Mr. Plescow said Phase 1 was filled apart from one small retail space. He stated that Rappahannock at Home and DSS had no place to go, and when he served on the Planning Commission in Middleburg, a proposal for a 15,000-square-foot modern office building had been thought unfillable. He said office space in Middleburg consisted largely of converted houses, which suited small businesses, but growing businesses—which the comprehensive plan encouraged—needed modern office space with parking, accessibility, restrooms, and internet. He stated that the Phase 1 tenants would have left the Town or gone elsewhere in the County without it, that the team saw a niche for Phase 2, and there was interest from prospective tenants that could not be advanced until approval was granted.

Ms. Harris asked whether there was interest in the retail space in Phase 1, since retail was also an option for Phase 2 under the permit.

Mr. Plescow said the space had been marketed for some time and that the team was waiting for the right tenant and was close to a possibility it could not yet discuss. He stated that the space was small and unique and the Phase 1 conditions were limiting, which made finding the right tenant difficult—but they would not just place a tenant merely to fill the space.

Mr. Beard said he had shared Mr. Sullivan's concerns about scale with his fellow Planning Commissioners over the year they had discussed the project, but the community center in particular would serve not only the Town but the County as a whole and would support a broader footprint. He stated that the office space required the most trust, because it was not yet built and its use and timing were unknown. He said if anyone other than the Akres were proposing such a building, he would have more concern, but that he believed they would make it an economic and social asset for the Town and the County. He said he still wavered on that point but saw a clear need for a community center and thought it would be a great addition.

Mr. O'Connell said he wouldn't repeat what others had said, noting that the presentation helped many people better understand what to look forward to.

Mayor Whited said he had spent the weekend perusing Maureen Harris' history of the Town, which reminded him that the Council must take a long view. He stated that many residents had lived in the Town for the last 30+ years and had known a quiet Town other than the Inn, but this had not been the case for much of its history—when it had a grocery store, a bank, a 5&10 store, a tavern, and a thriving main street of the kind that faded in the later 20th century. He said Washington was beginning to return to that kind of community and had an opportunity, by further embracing business and structures that supported small-scale development, to sustain that trend. He said he therefore supported the development proposed in Rush River Phase 2.

Mayor Whited said regarding scale, the Council had in the last two years approved a nearly 15,000-square-foot building in the heart of the historic district and the expansion of a building in the historic district that would exceed 11,000 square feet, so the argument about scale seemed weaker. He stated that the buildings were large in the abstract, which was why he had asked the team to prepare the 3D model, but they were not out of scale with what had been approved or was planned in the community, and the site was at the edge of Town. He said he had been alarmed the first time he saw the clearing for Rush River 1 but now passed it without noticing, and it blended in, particularly when entering the community from the street.

Mayor Whited said he was unabashedly pro-business, as he had stated when running for mayor and while serving on the Council, and at a post-election business roundtable he held in this same room, business owners raised the issue of the lack of a facility that would encourage visitors to spend more than one night in Town. He stated that he would describe the new building as a “conference center,” because it offered the ability both to bring the community together and to bring additional commerce to the County, attracting groups from Washington, DC for offsites and overnight stays. He said that was a way to bring additional dollars into the community with low impact, since visitors would spend money, enjoy themselves, and leave, perhaps returning for a longer stay or a dinner.

Mayor Whited said he agreed that the office building raised questions and that he did not know what it would eventually fill up with, but that he earnestly believed it would fill, and he was

certain it would not become an eyesore or derelict because it would be well maintained. He stated that the Council was approving an envelope for two buildings, and although one was referred to as an office building, an agreement to make it a library or a hybrid building before construction finished would be on the table. He said additional reviews by the ARB and other bodies would finalize what was built, and he had every reason to believe the applicant would continue engaging with the community to find good tenants. He stated that taken together, this put him in a position of supporting approval of the request. He said he would walk through the draft conditions to address Ms. Harris' questions about uses, beginning on page two, and would then take up a motion on a maximum size limit for development of the property.

Ms. Harris said that in reviewing the list of uses, some items would be useful in the Town of Washington but could also draw people out of the Town center at a time when the Town had trouble filling spaces there, noting that the one retail space in Rush River 1 remained unfilled. She stated that she understood the need to look for the right tenant, which was true for everyone renting space. She said that in her view, a use such as a coffee shop would be better kept in the center of Town, to maintain walkability, draw tourism, and bring people into the businesses around the Town center, and she proposed amending Item D on the list.

Mayor Whited clarified for the Black Kettle team that Ms. Harris' proposal was to strike Item D on Page 2 as a potential use.

Mr. Plescow said that provision came from the Phase 1 conditions, and the land uses for Phase 2 appeared in the second half of the document, beginning on Page 9.

Ms. Harris commented that in that case, a coffee shop would fall under food service—which listed coffee shops, cafes, sandwich shops, bakeries, and restaurants. She stated that a catering kitchen was reasonable given the purpose of the building, but that she preferred such businesses to be located in Town.

Mayor Whited said the concern was not a catering kitchen but a permanent food service facility, and the Council's preference was for a permanent bakery or coffee shop to remain on Main Street. He added that Council was comfortable with a commercial kitchen.

Mr. Plescow noted that language had been added between the first and second submissions, specifying that food service was designed for consumption onsite rather than as a takeout business, oriented toward serving people at the community center.

Ms. Harris said that was acceptable as long as the specification was included.

Mr. Plescow said it was Item 7, at the bottom of Page 11, which provided for immediate consumption onsite.

Mayor Whited asked for other thoughts on potential amendments. He stated that the total construction requested was approximately 21,000 square feet, and the buildings he had listed

as previously approved in Town did not exceed 20,000 square feet. He said there was a fair question whether the Council wished to set a red line, or at least a precedent, that buildings or complexes of any kind should not exceed roughly 20,000 square feet.

Mr. Catlin said such a standard felt artificial, recalling that Philadelphia in the 1970s had barred buildings taller than the statue of William Penn atop City Hall.

Ms. Harris said that standard was not artificial to someone from Philadelphia.

Mr. Catlin said that once the height limit was lifted, Philadelphia, then a struggling city, thrived and gained many taller buildings.

Mayor Whited said that was his only concern, and limiting height near the Washington Monument had served the capital well. He stated that it was a matter for the Council to consider, and he found it hard to imagine a building in Town exceeding that size short of a small factory or a return of the apple-packing business, and such a limit took into account the concerns residents in and out of the Town had raised about the size of development.

Mayor Whited **moved** to approve the application for the Rush River Commons Phase 2 SUP subject to the conditions proposed by the applicant and an additional condition that the campus not exceed 20,000 square feet, for the reasons he and other members of the Council had outlined. He stated that as the Planning Commission had noted, the Town's comprehensive plan and zoning ordinance provided guidelines for development of the Rush River Commons 2 site, including maintaining the traditional and historic visual character of the Town's setting, protecting the gateway of the Town because of its critical impact on tourism, building and growing a diverse employment base, integrating the PUD into the surrounding areas, and meeting the ARB's guidelines for new construction. He said that based on those guidelines and the comments from the Planning Commission and the public, a reduction in the size of the overall development was appropriate.

Mr. Catlin said he had noticed a small auxiliary building on the plan and understood the reduction from 21,000 to 20,000 square feet to refer to the two main buildings.

Mayor Whited clarified that he was setting an overall limit—reducing the 21,000 square feet of proposed construction to 20,000 square feet in total—which left the applicant leeway to define how the space was distributed across the campus and to have a full and frank conversation with the ARB about that distribution, while accepting all other conditions proposed by the applicant.

Mr. Catlin **seconded** the motion.

Roll was called, and the motion passed by the following vote: Mayor Whited—yes; Ms. Goodine—yes; Ms. Harris—yes; Mr. Catlin—yes; Mr. Beard—yes; Mr. O'Connell—yes.

Adjournment:

At 8:33 p.m., Mr. Catlin **moved** to adjourn the Town Council meeting. Ms. Harris **seconded** the motion. The motion passed by the following vote: Mayor Whited–yes; Ms. Goodine–yes; Ms. Harris–yes; Mr. Catlin–yes; Mr. Beard–yes; Mr. O’Connell–yes.