

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
JULY 21, 2016**

**Work Session
10:00 a.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, July 21, 2016, beginning at 10:00 a.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm, and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Andrew Hopewell, Mr. Rob Walton, Mr. Adam Shellenberger and Ms. Marie Pham.

SPECIAL EXCEPTION – SPEX-16-005184 – HOWARD LESLIE KELLY, RAFAEL A. & ANNA B. ANTUNA AND RENNY H. & LENA B. BARNES (OWNERS)/HOWARD LESLIE KELLY AND RENNY H. & LENA B. BARNES (APPLICANTS) – THE MEADOWS AT KELLY FARM

Ms. Marie Pham reviewed the application.

SPECIAL EXCEPTION – SPEX-16-005221 – LUCK STONE CORPORATION (OWNER)/NEIL SELBY & LESLIE CARTER (APPLICANTS) – SHADY GROVE SPORTING CLAYS COURSE

Mr. Adam Shellenberger reviewed the application.

SPECIAL EXCEPTION – SPEX-16-005186 – JOSEPH K. & SHERRI L. COLEMAN AND CARSON N. WEAVER HEIRS – CARSON F. WEAVER (OWNERS/APPLICANTS) – WEAVERS HAUNTED WOODS

Mr. Andrew Hopewell reviewed the application.

A PUBLIC HEARING TO CONSIDER A DROUGHT RESPONSE AND CONTINGENCY PLAN (TEXT-16-005329)

Mr. Andrew Hopewell reviewed the proposed plan.

ZONING ORDINANCE TEXT AMENDMENT – Initiation of a Zoning Ordinance Text Amendment to Sections 5-207 and 6-102 to bring Family Day Home provisions into compliance with the *Code of Virginia*.

Ms. Kimberley Johnson reviewed the initiation.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005202 – R. HOLDER TRUMBO, JR. (APPLICANT) – A Zoning Ordinance Text Amendment to add a Vehicle Storage, Indoor Use to the C-1, C-2, C-3, and I-1 zoning districts; add additional standards for the use to Section 5-1401.1; update the Use Chart in Section 3-314, and to add a definition for Vehicle Storage, Indoor to Section 15-300.

Mr. Rob Walton reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005285 – A Zoning Ordinance Text Amendment to Article 11 to change the telecommunications threshold height limitations related to Special Exception standards.

Ms. Kimberley Johnson reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005287 – A Zoning Ordinance Text Amendment to Sections 3-332 and 5-3200 to allow limited commercial uses in residential districts for properties that have historically been utilized for commercial uses.

Ms. Kimberley Johnson reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005288 – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 to add events as an allowed use in the Commercial Neighborhood (C-1) zoning district.

Ms. Kimberley Johnson reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005289 – A Zoning Ordinance Text Amendment to Section 13-202 regarding applications for residential rezonings.

Ms. Kimberley Johnson reviewed the proposed amendment.

APPROVAL OF MINUTES – JUNE 16, 2016

Planning Commission members discussed the minutes.

PLANNING COMMISSIONERS' TIME

Planning Commission members discussed upcoming site visits.

The meeting was adjourned at 1:00 p.m.

*Regular Meeting
6:30 p.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia*

The Fauquier County Planning Commission held its regular meeting on Thursday, July 21, 2016, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm, and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr, Ms. Holly Meade, Ms. Kimberley Johnson, Mr. Rob Walton, Mr. Adam Shellenberger and Ms. Marie Pham.

1. **APPROVAL OF MINUTES** – June 16, 2016

On motion made by Mr. Ken Alm and seconded by Mr. John Meadows, it was moved to approve the June 16, 2016 minutes.

The motion carried unanimously.

2. **ZONING ORDINANCE TEXT AMENDMENT** – Initiation of a Zoning Ordinance Text Amendment to Sections 5-207 and 6-102 to bring Family Day Home provisions into compliance with the *Code of Virginia*. (Kim Johnson, Staff)

Ms. Kimberley Johnson reviewed the initiation, a copy of which is attached to and made part of these official minutes.

For purposes of good zoning practice, convenience, as well as public general welfare, on motion made by Ms. Adrienne Garreau and seconded by Mr. John Meadows, it was moved to initiate this item.

The motion carried unanimously.

Public Hearings
6:30 p.m.
Warren Green Meeting Room, First Floor, 10 Hotel Street
Warrenton, Virginia

1. **CITIZENS' TIME**

No one spoke.

2. **ANNOUNCEMENTS**

None.

3. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005202 – R. HOLDER TRUMBO, JR. (APPLICANT)** – A Zoning Ordinance Text Amendment to add a Vehicle Storage, Indoor Use to the C-1, C-2, C-3, and I-1 zoning districts; add additional standards for the use to Section 5-1401.1; update the Use Chart in Section 3-314, and to add a definition for Vehicle Storage, Indoor to Section 15-300. (Rob Walton, Staff)

Mr. Rob Walton reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

Merle Fallon, Esquire, applicant's representative, highlighted the beneficial impacts this business would have on the Marshall area. He noted that the applicant has support from local businesses and respectfully requested the ordinance be adopted as revised with the intent of adding further specificity to the window requirement along the side of the building.

In that there were no further speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Ms. Adrienne Garreau and seconded by Mr. Matthew Smith, it was moved to forward this item to the Board of Supervisors with a recommendation of approval as revised.

The motion carried unanimously.

4. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005285** – A Zoning Ordinance Text Amendment to Article 11 to change the telecommunications threshold height limitations related to Special Exception standards. (Kim Johnson, Staff)

Ms. Kimberley Johnson reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau closed the public hearing.

Mr. Matthew Smith expressed his support for increasing the height threshold.

Ms. Adrienne Garreau indicated that the new telecommunication ordinance may conflict with this amendment and she feels it is inappropriate at this time.

On motion made by Mr. Matthew Smith and seconded by Mr. John Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried 4 – 1, as follows:

AYES: Mr. John Meadows, Mr. Bob Lee, Mr. Matthew Smith and Mr. Ken Alm

NAYS: Ms. Adrienne Garreau

ABSTENTION: None

ABSENT: None

5. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005287** – A Zoning Ordinance Text Amendment to Sections 3-332 and 5-3200 to allow limited commercial uses in residential districts for properties that have historically been utilized for commercial uses. (Kim Johnson, Staff)

Ms. Kimberley Johnson reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau adjourned the public hearing.

On motion made by Mr. Matthew Smith and seconded by Mr. John Meadows, it was moved to postpone this item for thirty (30) days, with the public hearing left open.

The motion carried unanimously.

6. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005288** – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 to add events as an allowed use in the Commercial Neighborhood (C-1) zoning district. (Kim Johnson, Staff)

Ms. Kimberley Johnson reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Mr. Bob Lee and seconded by Ms. Adrienne Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

7. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-16-005289** – A Zoning Ordinance Text Amendment to Section 13-202 regarding applications for residential rezonings. (Kim Johnson, Staff)

Ms. Kimberley Johnson reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Ms. Adrienne Garreau and seconded by Mr. Ken Alm, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

8. **A PUBLIC HEARING TO CONSIDER A DROUGHT RESPONSE AND CONTINGENCY PLAN (TEXT-16-005329)** – The plan and ordinance amendments have been prepared to satisfy Virginia Administrative Code (9VAC25-780-120) due to Fauquier County’s volume of groundwater usage. The Drought Plan would replace ‘Section V.B – Drought Response & Contingency Plan’ of the Fauquier County Regional Water Supply Plan. (Andrew Hopewell, Staff)

Ms. Holly Meade reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Mr. Ken Alm and seconded by Ms. Adrienne Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

9. **SPECIAL EXCEPTION – SPEX-16-005186 – JOSEPH K. & SHERRIL COLEMAN AND CARSON N. WEAVER HEIRS – CARSON F. WEAVER (OWNERS/APPLICANTS) – WEAVERS HAUNTED WOODS** – An application for a Category 9 Special Exception to hold Class C Spectator and Non-Spectator Field Events and Activities. The properties are located at 10694 and 10720 Weaversville Road, Lee District. (PIN 6889-47-4775-000 and 6889-47-8357-000) (Andrew Hopewell, Staff)

Ms. Holly Meade reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

Mr. Thomas Wotton, Lee District resident and adjoining property owner, spoke in opposition and described how disruptive and noisy the haunted woods trail is during the fall.

Ms. Diane Wotton, Lee District resident and adjoining property owner, agreed with the previous speaker that the haunted trail can be heard clearly and is disruptive.

Mr. Miklos Takacs, Jr., Lee District resident and adjoining property owner, echoed the previous speakers' comments in that every weekend in October you can hear people being scared and screaming. Mr. Takacs also expressed concern for the impact this will have on property values.

In that there were no further speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Mr. John Meadows and seconded by Ms. Adrienne Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following revised conditions:

**WEAVERS HAUNTED WOODS
SPEX-16-005186**

1. The Special Exception is granted for PINs 6889-47-8357-000 and 6889-47-4775-000, runs with the land as indicated in the application, and shall not be transferable to other land.
2. The Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the Special Exception exhibit and Statement of Justification stamped received in the Department of Community Development on May 20, 2016 approved with the application, as qualified by these development conditions.
3. A Site Plan shall be required.
4. Events shall be held on Friday and Saturday nights in the month of October only.
5. All events shall begin no earlier than 6:30 p.m. and conclude no later than 11:00 p.m.
6. Temporary structures associated with the activity shall meet the required 100 foot setback from the outer perimeter of the two parcels. All permanent structures associated with the

Special Exception shall meet the 100 foot setback from both perimeter property lines as well as the shared internal property line.

7. Prior to the next event, the following shall be required and shall be maintained for all events thereafter **by providing annual documentation to the Zoning Administrator of their compliance:**
 - a. An electrical permit;
 - b. The “roof” shall be removed at least every fifty (50) feet to prevent smoke accumulation;
 - c. No smoking signage shall be added in the parking area and in the vicinity of the trail entrance indicating that smoking is prohibited on the entire site;
 - d. An emergency plan shall be in place which shall include employees directing guests to exits, and training all employees on the plan **and shall be approved by the Department of Fire and Rescue Emergency Management and the Building Official annually;**
 - e. Fire extinguishers 2A:10BC minimum size shall be provided at/near each exit and employees shall be ~~familiar with their use~~ **able to operate;**
 - f. Emergency and Exit lighting or a flood light capable of lighting the entire **event** area during an emergency (with employee instructions to turn on in emergency event) shall be provided;
 - g. Exits shall be located every 50 feet within the “walls.”
 - h. **Temporary barricades with reflective tape shall be situated so as to protect the edges of the culvert at the driveway entrance.**
8. The area shall be cleaned of all debris and trash at all times. This includes vegetative debris like leaves.
9. All lighting shall be in conformance with the Fauquier County Zoning Ordinance and be positioned downward, inward and shielded to eliminate glare to all adjacent properties.
10. At least two portable toilets shall be available for all events and appropriate permits obtained from the Fauquier County Health Department in accord with Health Department regulations.
11. During events with outdoor music or amplified sound, the maximum permitted sound noise levels shall not exceed sixty (60) db at the perimeter property lines.
12. All parking shall be provided on-site. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of vehicle and field fires.
13. At least two parking attendants shall assist in parking for every event.
14. At no time shall there be more than one hundred (100) people on-site for any Class “C” event.
15. All signage shall be permitted in accordance with Article 8 of the Fauquier County Zoning Ordinance.
16. Signage shall only be displayed during the months of September and October.

17. Any retail use, including food sales, shall be accessory and incidental to the permitted activity or conducted for the benefit of a non-profit, tax-exempt organization. At least thirty (30) days prior to holding a Class C event the holder of the Special Exception for the property upon which the event will be held shall provide to the Zoning Administrator the name, address and a contact person for each individual, group, association, partnership or corporation which is expected to conduct retail sales at the event. Any food sales shall be in accordance with all applicable Health Department regulations.
18. All applicable Health Department permits related to food sales shall be provided to the Zoning Administrator at least thirty (30) days prior to holding a Class C event by the holder of the Special Exception for the property upon which the event will be held.
19. All Class C events shall be approved in advance by the Fauquier County Department of Fire and Emergency Management (DFREM), Sheriff's Office, Health Department, **Building Official** and VDOT in compliance with Sections 5-914.6, 5-915.6, and 5-916.6 of the Zoning Ordinance. In its submittal to the Zoning Administrator, the applicant shall specify the type and number of security personnel, rescue or safety equipment and personnel, traffic control, and on-site sanitary and refreshment facilities required for each event to ensure that adequate services are maintained on-site at all times.
20. This Special Exception shall be granted for a period of three (3) years from the date of Board of Supervisors' approval and the applicants shall also be allowed to apply for unlimited three (3) year renewals by the Zoning Administrator. If, during the administrative renewal process, the Zoning Administrator finds that practices have changed character and/or there are new impacts, the Special Exception shall be required to go back to the Board of Supervisors for approval.

The motion carried unanimously.

10. **SPECIAL EXCEPTION – SPEX-16-005221 – LUCK STONE CORPORATION (OWNER)/NEIL SELBY & LESLIE CARTER (APPLICANTS) – SHADY GROVE SPORTING CLAYS COURSE** – An application for a Category 9 Special Exception to allow an outdoor sporting clays course. The properties are located on Lucky Hill Road, Lee District. (PIN 6888-95-3841-000, 6888-95-5281-000, and 6888-86-8224-000) (Adam Shellenberger, Staff)

Mr. Adam Shellenberger reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

Mr. Neil Selby, applicant, thanked the Planning Commission and requested a recommendation of approval.

Ms. Ann McCarty, Marshall District resident, spoke in favor of the application and stated that it complies with the Comprehensive Plan.

Mr. Robert G. Ridgell, Cedar Run District resident, stated that he is excited to hear there is a shooting clay's course in Fauquier. Mr. Ridgell explained that he is an avid shooter and usually clubs like Shady Grove are very generous to the community.

In that there were no further speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Mr. John Meadows and seconded by Ms. Adrienne Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following revised conditions:

**SHADY GROVE SPORTING CLAYS COURSE
SPEX-16-005221**

1. The Special Exception is granted for PINs 6888-95-3841-000, 6888-95-5281-000, and 6888-86-8224-000, runs with the land as indicated in the application, and shall not be transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated in the "Shady Grove Sporting Clays Course" application materials received in the Planning Office on May 27, 2016, as approved with this application, as qualified by these development conditions.
3. All on-site facilities and operations shall be in accordance with all applicable state and local regulations at all times.
4. Use of the sporting clay facility shall be generally limited to a maximum of 25 shooters at any one time, and a maximum of six (6) cars parked on the property at any one time. Except that a maximum of 12 times per year the facility may be used for a private shooting event, which shall be limited to 100 attendees per event.
5. Use of the sporting clay facility shall be **limited to** between ~~the hours of 8:00~~ **7:00** a.m. and ~~8:00 p.m.~~ **30 minutes before sunset**. ~~Activities shall generally be limited to Thursdays through Sundays, with additional day(s) permitted by appointment only.~~
6. The Applicants shall incorporate the following Safety Measures:
 - a. A 100-yard buffer zone for safety shall be provided and maintained around the perimeter of the designated shooting area.
 - b. All activities shall be limited to this designated shooting area.
 - c. The entire border between the Sporting Clays course and the buffer area shall be adequately designated and secured with single strand wire fencing. This fencing shall be appropriately marked with bright yellow outward facing warning signs. The signs shall be posted a minimum of one every 100 yards.
 - d. An employee of the facility shall be on-site at all times when the course is in use.
 - e. The entrance to the property shall include a locked gate which will be closed during hours of which the facility is not in operation.

7. The existing entrance shall be updated to a Low Volume Commercial Entrance, in accordance with Virginia Department of Transportation's (VDOT) commercial entrance design standards and the Department. A VDOT Land Use Permit is required for upgrading the existing entrance. All improvements shall be completed prior to the first event.
8. The parking area shall be maintained in a manicured vegetated state. If the turf does not withstand the traffic pressure or rutting and erosion occur, the Applicants shall install turf-protecting geotextile grids or other low impact methods for surfacing the parking area. Alternatively, if the Applicants choose to use a gravel or asphalt parking area, a stormwater management plan that addresses run-off from the parking lot shall be required.
9. The term of this Special Exception shall be valid for ~~five (5)~~ **ten (10)** years from approval by the Board of Supervisors. **Following the initial term**, five (5) year administrative renewals may be granted by the Zoning Administrator, provided that all conditions herein have been adhered to. If, during the administrative renewal process, the Zoning Administrator finds that practices have changed character and/or there are new impacts, the Special Exception shall be required to go back to the Board of Supervisors for approval.

The motion carried unanimously.

11. **SPECIAL EXCEPTION – SPEX-16-005184 – HOWARD LESLIE KELLY, RAFAEL A. & ANNA B. ANTUNA AND RENNY H. & LENA B. BARNES (OWNERS)/HOWARD LESLIE KELLY AND RENNY H. & LENA B. BARNES (APPLICANTS) – THE MEADOWS AT KELLY FARM** – An application to amend a previously approved Category 29 Special Exception (SPEX-14-001333) to waive the public street requirement. The properties are located on Kelly Meadows Lane, Cedar Run District. (PIN 7903-27-1455-000, 7903-36-7799-000 and 7903-46-0693-000) (Marie Pham, Staff)

Ms. Marie Pham reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

Mr. Jim Carson, applicant's representative, pointed out that the typical section of the road was never discussed during the original Special Exception approval and the applicant proposes to maintain the current width. Mr. Carson indicated that the applicant will improve the condition of the road and that it is adequate for homes and EMS vehicles.

Mr. Les Kelly, applicant, stated that he is sensitive to the concerns expressed; however, the width was not a controversy with the previous approval and 2 foot shoulders would be a problem at this location. Mr. Kelly expressed that he wants to make the road right and will widen the back section.

Mr. Robert G. Ridgell, Cedar Run District resident, spoke in support and stated that as a professional engineer he has concerns that increasing the width would also increase water drainage; would not make it safer; would be an economic waste; and that there are no dangerous curves.

Mr. William Pittard, Cedar Run District resident, spoke in opposition and said that he was the first paid paramedic in Fauquier County. Mr. Pittard commented that there would be an issue with tankers passing on this narrow road and that the road should be constructed to standards that are appropriate for fire and rescue needs.

Mr. John Schied, Cedar Run District resident, expressed his concerns about granting special exceptions that cause harm to neighbors and impacts on water. Mr. Schied stated that less is more.

Mr. Kenneth Neam, Cedar Run District resident, commented that he has been a fireman for ten years and agreed that tankers need more room and that large homes require more water. Mr. Neam urged the Planning Commission to recommend widening the road to 18 feet with at least 1 foot on each shoulder.

Mr. David Kelly, Cedar Run District resident, noted that the 16 foot width with flexible shoulders is adequate and suggested adding sight markers to assist emergency vehicles in the snow. Mr. Kelly also commented that it would be economically wasteful to widen this road.

Mr. Roger Gray, Cedar Run District resident, indicated he believes the road started as a violation. Mr. Gray stated that he drives a hazmat truck for a propane company that measures 10 feet, mirror to mirror, and that the road should be wide for safety.

Ms. Carol Neam, Cedar Run District resident, spoke against this request and noted there is confusion between her driveway and the second turnaround for the subdivision. Ms. Neam stated that she wants the road to be safe for everyone and added that the culverts are supposed to have 5-7 inch stone per the previously approved conditions.

Mr. Justin Wallace, Cedar Run District resident, spoke in support for the applicant and remarked that the road looks fine as is.

Ms. Suzette Pittard, Cedar Run District resident, spoke in opposition and echoed that the road and drainage need to be constructed correctly.

Mr. Ronnie Sheetz, Cedar Run District resident, commented that the drainage pipes are at the wrong angle and have never been fixed, and that his property continues to flood.

Mr. Ralph Antuna, Cedar Run District resident, stated that he lives on Lot 3A and his in-laws live on lot 3B, and he feels the road is safe the way it is.

Mr. Maurice D. Butler, Cedar Run District resident, stated that he owns Lot 3 and intends to build a home there in the future. Mr. Butler noted he is a former firefighter and is satisfied with the way the road is now.

Mr. John Sanders, Cedar Run District resident, explained that his home is being constructed on Lot 2 and said the road is fine as is.

Mr. Ray Geyer, home builder, spoke in support for the applicant and stated that Mr. Kelly is not a big developer. Mr. Geyer explained that adding 2 foot shoulders with contouring is a big issue and asked that a reasonable recommendation be made.

In that there were no further speakers, Ms. Adrienne Garreau closed the public hearing.

Mr. Matthew Smith stated that it was clear from the beginning what was expected and the County has shown some flexibility with the agreed upon, revised conditions.

Mr. Bob Lee clarified that the conditions were revised earlier in the day to require an 18 foot road with 1 foot shoulders.

Mr. Ken Alm suggested pull-offs like those used in Europe and also expressed his concern for continued water problems.

Ms. Adrienne Garreau mentioned that the County has held other applicants with small developments to a consistent standard of an 18 foot road with 2 foot shoulders; therefore, she supports the motion with revised conditions.

On motion made by Mr. Matthew Smith and seconded by Ms. Adrienne Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following revised conditions:

**THE MEADOWS AT KELLY FARM
SPEX-16-005184**

1. These Special Exceptions and the street length limitation waiver are granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the Special Exception **Amendment** Plat prepared by Carson/Ashley, dated ~~June 23, 2014-May 19, 2016, last revised August 7, 2014~~ **June 1, 2016, and approved with the application,** except as modified by these development conditions.
2. The Category 23 Special Exception allows the floodplain crossing on Kelly Meadows Lane to access a fourth lot identified as ~~Residue 3 Revised Lot 3A and 3B~~, as shown on the Special Exception **Amendment** Plat (Sheet 4 of 4).
3. Prior to approval of the ~~Preliminary Plat~~/Final Construction Plan for Lot 3A and ~~Residue 3 Revised Lot 3B~~, the applicant shall install stone of five (5) to seven (7) inches in diameter at a depth of 7.5 to 10.5 inches to stabilize the banks on the downstream side of the existing floodplain crossing.
4. The proposed open space parcel, Residue 2 **Revised**, as shown on the Special Exception **Amendment** Plat (Sheet 3 of 4), shall be deed restricted from further subdivision. The deed restriction shall be noted on the ~~Preliminary Plat~~/Final Construction Plan and the required non-common open space easement shall be recorded.
5. Lot 3A and ~~Residue 3 Revised Lot 3B~~, as identified in the Special Exception **Amendment** Plat (Sheet 4 of 4), shall be deed restricted from further subdivision. The deed restriction

shall be noted on the ~~Preliminary Plat~~/Final Construction Plan and recorded with the deed of subdivision.

6. The applicant shall record the Boundary Line Adjustment as shown on the Special Exception Plat, with the deed of non-common open space prior to any subdivision on Lot 2 or 3.
7. The Meadows at Kelly Farm Deed of Easement and Declaration of Road Maintenance Covenants shall be amended to include Lot 2A, Residue 2 Revised, Lot 3A and ~~Residue 3 Revised~~ Lot 3B, as shown on the Special Exception Amendment Plat (Sheets 3 and 4 of 4). The Covenants shall also be amended to require the maintenance of the Kelly Meadows Lane sign and the proposed stop sign at the intersection of Kelly Meadows Lane and Old Auburn Road (Rt. 670). The amended Covenants shall be recorded prior to the release of the plat.
8. The applicant shall install a stop sign on-site at the intersection of Kelly Meadows Lane and Old Auburn Road (Rt. 670) prior to the issuance of the Certificate of Occupancy for Lot 2A, Residue 2 Revised, Lot 3A or ~~Residue 3 Revised~~ Lot 3B.
9. The applicant shall vacate the existing cul-de-sac on Kelly Meadows Lane to allow the lengthening of the private road in order to serve ~~Residue 3 Revised~~ Lot 3B as shown on the Special Exception Amendment Plat (Sheet 4 of 4).
10. A two (2) foot wide shoulder shall be included on each side of Kelly Meadows Lane for the section of road extending south from Old Auburn Road (Route 670) to the southeast corner of Lot 2A as shown on the Special Exception Amendment Plat dated May 19, 2016, last revised June 1, 2016. This must be in place prior to the issuance of the Certificate of Occupancy for Lot 2A, ~~Lot 3A or Residue 3 Revised~~. The shoulders shall be designed according to the *Virginia Statewide Fire Prevention Code*.
11. From the southeast corner of Lot 2A to the cul-de-sac serving Lots 3A and 3B, Kelly Meadows Lane shall consist of an 18-foot minimum width gravel road with one-foot shoulders on each side of the road ~~variable width shoulders on either or both sides~~ for a total minimum clear zone of 20 feet. This must be constructed prior to the issuance of the Certificate of Occupancy for Lots 3A and 3B. The road and shoulders shall be designed to accommodate emergency vehicles as specified in the *Virginia Statewide Fire Prevention Code*, capable of supporting 75,000 pounds minimum, with a vertical clearance of at least 13 feet six (6) inches throughout and all-weather driving capabilities.
12. ~~11.~~ The applicant shall install two (2) turnaround areas on Kelly Meadows Lane to accommodate fire apparatus prior to the issuance of the Certificate of Occupancy for Lot 3A, Residue 2 Revised, or Lot 3B ~~Residue 3 Revised~~. A turnaround area shall be installed at the end of Kelly Meadows Lane. The location of a second turnaround area shall be determined during Final Construction Plan review. The turnaround areas shall be designed according to the *Virginia Statewide Fire Prevention Code*.
13. A Final Construction Plan Amendment shall be required.

- ~~12. The Meadows at Kelly Farm Deed of Easement and Declaration of Road Maintenance Covenants shall be amended to include Lot 3A and Residue 3 Revised, as shown on the Special Exception Plat (Sheets 3 and 4 of 4). The Covenants shall also be amended to require the maintenance of the Kelly Meadows Lane sign and the proposed stop sign at the intersection of Kelly Meadows Lane and Old Auburn Road (Rt. 670). The amended Covenants shall be recorded prior to the release of the plat.~~
- ~~13. The applicant shall install a stop sign on site at the intersection of Kelly Meadows Lane and Old Auburn Road (Rt. 670) prior to the issuance of the Certificate of Occupancy for Lot 2A, Residue 2, Lot 3A or Residue 3 Revised.~~
- ~~14. The applicant shall vacate the existing cul-de-sac on Kelly Meadows Lane to allow the lengthening of the private road in order to serve Residue 3 Revised as shown on the Special Exception Plat (Sheet 4 of 4).~~
- ~~15. A two (2) foot wide shoulder shall be included on each side of Kelly Meadows Lane prior to the issuance of the Certificate of Occupancy for Lot 2A, Lot 3A or Residue 3 Revised. The shoulders shall be designed according to the Virginia Statewide Fire Prevention Code.~~
- ~~16. The applicant shall install two (2) turnaround areas on Kelly Meadows Lane to accommodate fire apparatus prior to the issuance of the Certificate of Occupancy for Lot 3A, Residue 2, or Residue 3 Revised. A turnaround area shall be installed at the end of Kelly Meadows Lane. The location of a second turnaround area shall be determined during Final Construction Plan review. The turnaround areas shall be designed according to the Virginia Statewide Fire Prevention Code.~~

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 8:18 p.m.

A tape recording of the meeting, as well as the associated staff reports and attachments for each agenda item, are retained on file in the Department of Community Development's Planning Office, 10 Hotel Street, Third Floor, Warrenton, Virginia, for a period of one year.

**THE AGENDA MAY BE MODIFIED ON ADOPTION BY THE PLANNING
COMMISSION IN THE FORM OF ADDITIONS, DELETIONS OR REVISIONS**