

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
FEBRUARY 16, 2017**

**Work Session
10:30 a.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, February 16, 2017, beginning at 10:30 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 Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Andrew Hopewell, Mr. Rob Walton, Mr. Adam Shellenberger, Ms. Wendy Wheatcraft and Mr. Myles Busching.

COMMUNITY CONVERSATIONS

Ms. Kimberley Fogle provided an update of the Community Conversations process and draft document.

**REZONING/SPECIAL EXCEPTION – REZN-16-005320 & SPEX-16-005322 –
MINTBROOK DEVELOPERS, LLC (OWNER/APPLICANT) – MINTBROOK
COMMERCIAL VILLAGE CENTER**

Mr. Adam Shellenberger discussed the updated application and Planning Commission members discussed the changes.

**SPECIAL EXCEPTION – SPEX-16-005344 – FAUQUIER COUNTY BOARD OF
SUPERVISORS (OWNER)/WARRENTON – FAUQUIER AIRPORT (APPLICANT) –
WARRENTON – FAUQUIER AIRPORT MASTER PLAN**

Ms. Holly Meade reviewed the application.

**REZONING – REZN-16-006277 – NORTH FORTY ASPEN, LP & NORTH FORTY ASPEN
PLUS, LP (OWNERS/APPLICANTS) – ASPEN CLUB**

Mr. Adam Shellenberger reviewed the application.

PLAN OF DEVELOPMENT – PLOD-17-006514 – 17/66, LLC (OWNER/APPLICANT) – 17/66 INDUSTRIAL PARK

Mr. Rob Walton reviewed the application.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-17-006450 – A Zoning Ordinance Text Amendment to Article 4 Part 6 to require a Special Exception for a Data Center not utilizing underground utilities and for an Electrical Substation

Ms. Kimberley Johnson reviewed the proposed amendment.

APPROVAL OF MINUTES – JANUARY 19, 2017

Planning Commission members discussed the minutes.

COMPREHENSIVE PLAN AMENDMENT – Initiation of a Comprehensive Plan Amendment to update Chapter 10 of the Comprehensive Plan – Transportation

Mr. Andrew Hopewell led the discussion.

COMPREHENSIVE PLAN AMENDMENT – Chapter 7 of the Comprehensive Plan – Village Plans

Mr. Andrew Hopewell and Mr. Myles Busching led the discussion.

TRADITIONAL NEIGHBORHOOD DESIGN INCENTIVE OVERLAY DISTRICT

Ms. Kimberley Johnson led the discussion.

MARSHALL CODE

Ms. Kimberley Johnson provided an update on the proposed Marshall Code and a potential upcoming Marshall Community meeting.

COMMISSIONERS' TIME

Ms. Tracy Gallehr noted that the W-2 and 1095 forms are available on the County's e-portal.

Planning Commission members further discussed the Aspen Club application.

Mr. Ken Alm commented that we may want to look into getting another screen for presentations. He also stated that it might be worthwhile to look at Mintbrook and see if there are any “lessons learned”; things the Planning Commission and Board of Supervisors should have done different.

Mr. Matthew Smith stated he supports Transfer of Development Rights.

Ms. Holly Meade made the following announcements:

- March work session will be held in the second floor conference room.
- IPads will most likely be available for next month’s meeting.
- In March there will be a text amendment to review the duties of the Planning Commission as it relates to the Capital Improvements Program.
- Discussed scheduling the joint work sessions with Prince William County and the Town of Warrenton. Commissioners and Staff decided to hold the joint work session with the Town of Warrenton on March 16, 2017.
- Broadband briefing from Supervisor Rick Gerhardt has been scheduled for the upcoming Planning Commission work session.
- Notified the Commission of the upcoming Howling Hill Kennels and the Blackthorne Inn applications.

The meeting was adjourned at 3:40 p.m.

<p><i>Regular Meeting</i> <i>6:30 p.m.</i> <i>Warren Green Meeting Room</i> <i>10 Hotel Street, Warrenton, Virginia</i></p>

The Fauquier County Planning Commission held its regular meeting on Thursday, February 16, 2017, 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. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Andrew Hopewell, Mr. Rob Walton and Mr. Adam Shellenberger.

1. **APPROVAL OF MINUTES** – January 19, 2017

On motion made by Mr. Matthew Smith and seconded by Mr. John Meadows, it was moved to approve the January 19, 2017 minutes.

The motion carried unanimously.

2. **PLAN OF DEVELOPMENT – PLOD-17-006514 – 17/66, LLC (OWNER/APPLICANT) – 17/66 INDUSTRIAL PARK** – An application to obtain approval of a Plan of Development to subdivide approximately 121.52 acres into 10 non-residential lots for industrial/commercial development, a future public street and additional lots for the protection of existing environmental features and conceptual stormwater management facilities. Portions of the properties are subject to the Proffers associated with REZN90-M-05. The properties are located in the northeast quadrant of the Interstate 66/Winchester Road intersection, Marshall District and Scott District. (PIN 6979-18-2007-000 and 6979-17-6059-000) (Rob Walton, Staff)

On motion made by Ms. Adrienne Garreau and seconded by Mr. John Meadows, it was moved to approve this item, with the following revised conditions:

17/66 INDUSTRIAL PARK
PLOD-17-006514

1. Subdivision of the property shall be in general conformance as shown on the plat titled “Plan of Development – 17/66 Industrial Park”, dated January 27, 2017, prepared by Carson Land Consultants and as modified by the Conditions below or as may be necessary to meet Zoning Ordinance and engineering requirements.
2. **The Board of Supervisors has initiated a Zoning Ordinance Text Amendment which, if approved, may impact buffering requirements along Interstate 66 to be reviewed during the site plan application.**

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**

Ms. Adrienne Garreau announced that the agenda will be revised to discuss item 7. Aspen Club prior to item 6. Mintbrook Commercial Village Center.

3. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-17-006450** – A Zoning Ordinance Text Amendment to Article 4 Part 6 to require a Special Exception for a Data Center not utilizing underground utilities and for an Electrical Substation (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.

Mr. Tom Daily, Scott District and Vint Hill Manor resident, spoke in support of data centers using recycled water and underground wiring; however, he is opposed to the option for obtaining a Special Exception to use aboveground wiring.

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.

After discussion regarding language for Section 4-605(b) and due to unanimous consent, the motion was withdrawn.

On motion made by Ms. Adrienne Garreau and seconded by Mr. Bob Lee, it was moved to postpone action on this item for thirty (30) days, with the public hearing closed.

The motion carried unanimously.

4. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-17-006476** – A Zoning Ordinance Text Amendment to Article 4 to create a Traditional Neighborhood Development Incentive (TND) 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 adjourned the public hearing.

On motion made by Ms. Adrienne Garreau and seconded by Mr. John Meadows, it was moved to postpone action on this item for up to ninety (90) days, with the public hearing left open.

The motion carried unanimously.

5. **SPECIAL EXCEPTION – SPEX-16-005344 – FAUQUIER COUNTY BOARD OF SUPERVISORS (OWNER)/WARRENTON – FAUQUIER AIRPORT (APPLICANT) – WARRENTON – FAUQUIER AIRPORT MASTER PLAN** – An application for a Category 21 Special Exception to allow for development as proposed in the Warrenton - Fauquier Airport Master Plan and a Category 20 Special Exception for an aboveground water storage tank. The properties are located at 5075 Airport Road, Cedar Run District. (PIN 7809-78-6301-000, 7809-95-2820-000, 7809-95-4740-000, 7819-14-0300-000, 7819-05-2089-000, 7809-86-8607-000, 7819-04-3611-000, 7809-95-1226-000, 7819-04-1889-000, 7900-40-8840-000, and 7809-97-0982-000) (Holly Meade, 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. Louis Ray, Cedar Run District resident, stated that a community meeting was held where concerns about the proposal were addressed. Since there are still unanswered questions, they will conduct another meeting where the Airport engineer can share further details once they have been determined.

Mr. Leo Schefer, Marshall District resident and Airport Advisory Committee member, spoke in support for a recommendation of approval. Mr. Schefer noted that the airport will not be a burden to the area and the need for a water tank is a safety factor. The County wants to attract clean, modern, environmentally sensitive employers that need modern facilities that operate their own company aircraft.

Mr. David Darrah, applicant and Airport Manager, concurred with the proposed conditions and requested a recommendation of approval.

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

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:

**FAUQUIER AIRPORT MASTER PLAN
SPEX-16-005344**

1. This Special Exception is granted only for the purpose(s), structure(s), and/or uses indicated on the Special Exception Plan approved with this application, as qualified by development of these conditions below or as may be necessary to meet Zoning Ordinance and engineering requirements.

2. New wells shall be constructed in accord with the Office of Drinking Water's public water supply requirements.
3. At such time public water and sewer are available to the property, the Applicant shall connect to the public utilities.
4. The corporate hangars shall not be constructed until the Airport is served by public water and sewer, unless the Applicant can demonstrate adequate utilities are available.
5. If any well on the property is abandoned, it shall be done in accord with the Office of Drinking Water or Virginia Department of Health requirements, whichever is applicable.
6. Adequate lighting for safety purposes shall be provided at the new entrance on Route 610 and along the new access road. Lighting shall be reviewed and approved as part of the Site Plan process.
7. This Special Exception approval does not remove any Site Plan, Administrative Special Permit, Special Permit or Special Exception approval required for specific uses permitted in the I-1, I-2, R-1 or RA zoning districts, pursuant to Article 3 of the Zoning Ordinance. Business or Professional Offices that are not accessory to the airport use shall require approval of a Special Exception.
8. The conference room shall be limited as accessory to the airport and future office uses only.
9. Prior to approval of the Site Plan, the Applicant shall submit a Construction Permit application to the Health Department that includes formal plans prepared by a Professional Engineer containing the following:
 - a. Signed applications by both the applicant and sewage system owner.
 - b. Detailed wastewater characterization analysis that identifies each of the proposed usages (for the terminal building and corporate hangars), the number of persons associated, and the anticipated wastewater strength and volume generated.
 - c. A proposal to modify, replace, or otherwise improve performance of the existing treatment system in order to obtain compliance with effluent limits for Total Nitrogen.
10. With first submission of the Site Plan the Applicant shall provide a copy of the Warrenton-Fauquier Airport Groundwater Monitoring Program – 2016 report to the Department of Community Development and the Virginia Department of Health.
11. T-Hangars shall be relocated so as not to encroach on the existing central forcemain.
12. The Warrenton-Fauquier Airport shall be subject to the standards set forth in the Fauquier County Zoning Ordinance for Airport Area District overlay.
13. Warrenton-Fauquier Airport Rules and Regulations manual shall be available at the airport.

14. The Warrenton-Fauquier Airport shall be maintained and operated for public use in accordance with the Federal Aviation Administration and any other appropriate local, state, and federal agency.
15. Airport staff shall assist the Community Development Department to monitor or review facility designs (within 5 miles) of the airport in order to be in compliance with FAA policies and design guidance (150/5200-33A) which seek to avoid creation of attractants to birds and wildlife that might pose risks to the safe operation of the airport. Stormwater management facilities within these areas must be designed accordingly.
16. Perimeter fencing for security shall be maintained to encompass the Warrenton-Fauquier Airport.
17. The water storage tank shall not exceed 55 feet in height and 50,000 gallons in capacity.
18. The water storage tank shall not be filled from any on-site well.
19. The water storage tank shall be painted a “~~natural~~ muted green” color.

The motion carried unanimously.

6. **REZONING – REZN-16-006277 – NORTH FORTY ASPEN, LP & NORTH FORTY ASPEN PLUS, LP (OWNERS/APPLICANTS) – ASPEN CLUB** – An application to rezone approximately 10.154 acres from Planned Residential Development (PRD) with proffers to Garden Apartment (GA) with proffers. The properties are located at 6337 Village Center Drive and 6206 Aspen Way, Lee District. (PIN 6899-35-6574-000 and a portion of 6899-35-8059-000) (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. Chuck Floyd, applicant’s representative, explained the proposed improvements and noted that a Boundary Line Adjustment will need to be completed prior to scheduling the public hearing with the Board of Supervisors.

Mr. Louis Ray, Cedar Run District resident, commented that he spoke to the Board of Supervisors regarding his concern that the only entrance and exit for this complex is the same for the Middle school and traffic is dangerous. He expressed further concern for increased taxes with adding on new homes that require more services, while previous proffer agreements have not been adhered to.

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 denial, based on the following motion:

**ASPEN CLUB
REZN-16-006277**

I hereby move that we recommend denial of application REZN-16-006277 to the Board of Supervisors based on the reasoning that:

1. The proposal does not conform to the Comprehensive Plan as it relates to the Bealeton Service District.
2. The proposal is not in conformity with all the applicable standards of Article 13 of the Fauquier County Zoning Ordinance and all other applicable requirements of said Zoning Ordinance.
3. The existing zoning of the property is reasonable.

The motion carried unanimously.

7. **REZONING/SPECIAL EXCEPTION – REZN-16-005320 & SPEX-16-005322 – MINTBROOK DEVELOPERS, LLC (OWNER/APPLICANT) – MINTBROOK COMMERCIAL VILLAGE CENTER** – An application to amend portions of a previously approved Proffer Statement, Concept Development Plan (CDP) and Code of Development (COD); and an application for a Category 1 Special Exception to allow up to 60 townhouse units within the Mixed-Use Bealeton (MU-B) zoned portion of the project. The properties are located within the Bealeton Service District on Marsh Road, Lee District. (PIN 6899-18-3742-000, 6899-17-2503-000, 6899-16-4132-000, 6899-16-3430-000, and a portion of 6889-99-3419-000) (Adam Shellenberger, Staff)

Mr. John Meadows recused himself from any vote and/or discussion on this application.

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.

Ms. Karin Cummings, Lee District and Meadowbrook resident, stated that Bealeton needs more commercial and not more houses. Ms. Cummings expressed concern for schools becoming overpopulated and does not want trailers as classrooms.

Mr. Russell Marks, applicant, highlighted three issues; one is the change from two over two style units to townhomes; two is the request to build 35 residential units earlier than the required commercial occupancy permits; and three is the addition of workforce housing that

would replace some previously approved retail. Additionally, Mintbrook Developers, LLC is offering to fund the installation of a stop light at the entrance to Route 17 and VDOT has stated that they do not meet the criteria at this time. Mr. Marks asked for a recommendation of approval and for the Planning Commission's assistance in promoting support for the installation of the stop light.

Mr. James Cummings, Lee District and Meadowbrook resident, shared his concerns for traffic at Grace Miller Elementary School, overpopulating the area with no amenities and speeding issues.

Ms. Terry Bohuslov, Lee District and Mintbrook resident, spoke in favor of building Phase 3 in order for a stop light to be installed to improve safety; however, she is opposed to apartments replacing commercial.

Ms. Darlene Mullins, Lee District and Meadowbrook resident, expressed concerns that developing more housing will impact already dangerous traffic, water runoff, and well water quality.

Mr. Louis Ray, Cedar Run District resident, shared that he lost his seventeen year old son in an accident located in Opal and voiced opposition to building more houses while there is a lack of infrastructure.

Ms. Dana Jordan, Lee District and Mintbrook resident, spoke in support of the change to townhomes, noting that the layout will be more cohesive, as well as support for installing a stop light. Ms. Jordan explained that her child's school bus cannot cross a four lane highway without a light; therefore, it travels to Opal and around the bypass in order to drop children off at the Mintbrook subdivision. She expressed further support for workforce housing and building Phase 3 in order for more retail to locate there.

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. Ken Alm, it was moved to forward this item to the Board of Supervisors with a recommendation of denial, based on the following motion:

**MINTBROOK VILLAGE COMMERCIAL CENTER
REZN-16-005320 & SPEX-16-005322**

I hereby move that we recommend denial of applications REZN-16-005320 & SPEX-16-005322 to the Board of Supervisors based on the reasoning that:

1. The proposal does not conform to the Comprehensive Plan as it relates to the Bealeton Service District.
2. The proposal is not in compliance with the Fauquier County Zoning Ordinance requirements for the Mixed-Use Bealeton Core District, and its intended development type.

3. The proposal is not in conformity with all the applicable standards of Article 13 of the Fauquier County Zoning Ordinance and all other applicable requirements of said Zoning Ordinance.
4. The impacts of the proposal have not been mitigated.
5. The existing zoning of the property is reasonable.

The motion carried 4-0, with Mr. John Meadows abstaining.

In that there was no further business, the meeting was adjourned at 7:56 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***