

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
OCTOBER 17, 2019**

**Work Session
9:00 a.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, October 17, 2019, beginning at 9:00 a.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. Matthew Smith and Ms. Diane Roteman. Also present were Ms. Tracy Gallehr, Ms. Holly Meade, Mr. Adam Shellenberger, Ms. Amy Rogers, Ms. Heather Jenkins, Mr. Josh Frederick and Ms. Kara Krantz.

COMMISSIONERS' TIME

Ms. Holly Meade announced the upcoming agenda items scheduled for next month's Planning Commission meeting.

Ms. Adrienne Garreau inquired about the Broad Run site visit. Commission members decided to visit the site on November 13, 2019 at 8:00 a.m.

SPECIAL EXCEPTION – SPEX-19-011217 – BRIAN C. & SHARON L. ROEDER (OWNERS/APPLICANTS) – THE SANCTUARY AT BARREL OAK

Mr. Adam Shellenberger reviewed the application.

SPECIAL EXCEPTION – SPEX-19-011706 – FARM STATION LLC (OWNER)/SHAWNA J. SHAW (APPLICANT) – VINT HILL RETAIL BOUTIQUE

Ms. Kara Krantz reviewed the application.

SPECIAL EXCEPTION – SPEX-19-011551 – WARRENTON CHURCH OF CHRIST TRUSTEES (OWNER)/MMI ATLANTIC, LLC (APPLICANT) – US-VA-FAUQ-1 ILA COMPOUND

Mr. Josh Frederick reviewed the application.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-18-009429 – ECHELON RESOURCES, INC. (OWNER/APPLICANT)

Ms. Holly Meade reviewed the proposed amendment.

APPROVAL OF MINUTES – SEPTEMBER 19, 2019

Planning Commission members discussed the minutes.

PRELIMINARY PLAT AMENDMENT – PREP-19-010875 – OLD SALEM COMMUNITY DEVELOPMENT II, LLC, BOARD OF SUPERVISORS OF FAUQUIER COUNTY & GROVE LANE, LLC (OWNERS)/OLD SALEM COMMUNITY DEVELOPMENT II, LLC (APPLICANT) – CUNNINGHAM FARM SUBDIVISION

Mr. Josh Frederick reviewed the application.

BOARD OF ZONING APPEALS AGENDA

Planning Commission members discussed the agenda.

In that there was no further business, the meeting was adjourned at 10:35 a.m.

<p style="text-align: center;"><i>Regular Meeting</i> 6:30 p.m. <i>Warren Green Meeting Room, First Floor</i> <i>10 Hotel Street, Warrenton, Virginia</i></p>

The Fauquier County Planning Commission held its Regular Meeting on Thursday, October 17, 2019, beginning at 6:30 p.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. Matthew Smith and Ms. Diane Roteman. Also present were Ms. Tracy Gallehr, Ms. Holly Meade, Mr. Adam Shellenberger, Ms. Amy Rogers, Ms. Kara Krantz, Mr. Josh Frederick and Mrs. Meredith Meixner.

1. **ADOPTION OF THE AGENDA**

Planning Commission members unanimously voted to adopt the agenda.

2. **CITIZENS' TIME**

None.

3. **APPROVAL OF MINUTES** – September 19, 2019

On motion made by Ms. Diane Roteman and seconded by Ms. Adrienne Garreau, it was moved to approve the September 19, 2019 minutes.

The motion carried unanimously.

4. **PRELIMINARY PLAT AMENDMENT – PREP-19-010875 – OLD SALEM COMMUNITY DEVELOPMENT II, LLC, BOARD OF SUPERVISORS OF FAUQUIER COUNTY & GROVE LANE, LLC (OWNERS)/OLD SALEM COMMUNITY DEVELOPMENT II, LLC (APPLICANT) – CUNNINGHAM FARM SUBDIVISION** – An application to amend the Preliminary Plat for the Cunningham Farm Subdivision, previously approved on May 9, 2014 (PPLT14-MA-002). The properties are located adjacent to Grove Lane and Clifton Street, Marshall District. (PIN 6969-59-3597-000, 6969-38-3778-000 and 6969-39-1347-000) (Josh Frederick, Staff)

Mr. Josh Frederick reviewed the staff report.

On motion made by Mr. Bob Lee and seconded by Ms. Adrienne Garreau, it was moved to approve this item.

The motion carried unanimously.

5. **BOARD OF ZONING APPEALS AGENDA** – November 7, 2019

No comments.

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

1. **ANNOUNCEMENTS**

None.

2. **SPECIAL EXCEPTION – SPEX-19-011551 – WARRENTON CHURCH OF CHRIST TRUSTEES (OWNER)/MMI ATLANTIC, LLC (APPLICANT) – US-VA-FAUO-1 ILA COMPOUND** – An application for a Category 20 Special Exception to install a fiber optic facilities compound. The property is located at 6398 Lee Highway Access Drive, Center District. (PIN 6985-90-4299-000) (Josh Frederick, Staff)

Mr. Josh Frederick reviewed the staff report.

Mr. John Meadows opened the public hearing.

Mr. John Tucker, applicant, commented that he is available for any questions.

In that there were no further speakers, Mr. John Meadows closed the public hearing.

On motion made by Ms. Diane Roteman 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 conditions:

**US-VA-FAUQ-1 ILA COMPOUND
SPEX-19-011551**

1. This Special Exception is granted for and runs with the land indicated in the application as PIN 6985-90-4299-000. This Special Exception is not transferable to other land.
2. This 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 application materials received by the Department of Community Development, as approved with the application, as qualified or as modified by the associated conditions, and as required by the Fauquier County Zoning Ordinance.
3. Existing healthy trees around the site shall be maintained, as practicable.
4. The use shall be screened from view by use of a solid fence and by use of evergreen plantings located between the fence and the perimeter of the site.
5. Maintenance of the fencing and landscaping shall be required as long as the facility is standing. Should any required plant materials die, they shall be replaced with new material of the same species which is at least equal to the size of the material at the time of initial planting.
6. All equipment related to the use shall be within the enclosed building or shall be effectively screened.
7. A Site Plan shall be required.

The motion carried unanimously.

3. **SPECIAL EXCEPTION – SPEX-19-011706 – FARM STATION LLC (OWNER)/SHAWNA J. SHAW (APPLICANT) – VINT HILL RETAIL BOUTIQUE** – An application for a Special Exception for a Retail Business in the Planned Commercial Industrial

Development (PCID) District. The property is located at 7162 Lineweaver Road, Scott District. (PIN 7915-74-8663-000) (Kara Krantz, Staff)

Ms. Kara Krantz reviewed the staff report.

Mr. John Meadows opened the public hearing.

Ms. Shawna Shaw, applicant, expressed agreement with the staff report. She stated that there are no proposed changes to the building and that the boutique fits the need for the community.

In that there were no further speakers, Mr. John Meadows 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, subject to the following conditions:

**VINT HILL RETAIL BOUTIQUE
SPEX-19-011706**

1. The Special Exception is granted only for PIN 7915-74-8663-000, runs with the land as indicated in the application, and shall not be transferred to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Vint Hill Retail Boutique Special Exception Exhibit received by Community Development August 16, 2019, except as qualified by these development conditions.
3. All signage shall be in compliance with Article 8 of the Zoning Ordinance.
4. The Applicant shall demonstrate there is adequate parking for the proposed use, as well as the other nearby uses that share the parking area, as part of the Site Plan application.
5. A Site Plan shall be required prior to the establishment of the use.

The motion carried unanimously.

4. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-18-009429 – ECHELON RESOURCES, INC. (OWNER/APPLICANT)** – A Zoning Ordinance Text Amendment to Article 4-605 to allow attached residential uses with approval of a Special Exception when conducting rehabilitation on an existing building through state and/or federal Historic Rehabilitation Tax Credit Programs. (Holly Meade, Staff)

Ms. Holly Meade reviewed the staff report.

Mr. John Meadows opened the public hearing.

Mr. Edwin Gaskin, applicant, expressed support for the staff report.

Mr. Tim Hoffman, Scott District resident and President of the Vint Hill Homeowners' Association, spoke in strong support for restoring this old building. He commented that it should not have impacts to traffic, schools or emergency services.

Mr. Jim Mills, Scott District resident, indicated he has a different perspective and that the PCID needs further review with a look at the Comprehensive Plan as a whole. He expressed concern for the parking lot size, as well as impacts to traffic, water and sewer in the area.

Mr. Ike Broaddus, Scott District resident and Vint Hill business owner, spoke in favor of the amendment and explained that while he was on the Vint Hill Economic Development Authority, they tried to find a suitable candidate to rehabilitate these buildings. He commented that this applicant is a perfect fit and this will provide housing opportunities for many.

In that there were no further speakers, Mr. John Meadows closed the public hearing.

Ms. Adrienne Garreau indicated that there will be more opportunities for the public to provide input as the applicant goes through the special exception process. She commended the applicant for requesting this change in the ordinance so that the process may begin and expressed her hopes that this will be a win-win for the applicant and Vint Hill.

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

The motion carried unanimously.

5. **SPECIAL EXCEPTION – SPEX-19-011217 – BRIAN C. & SHARON L. ROEDER (OWNERS/APPLICANTS) – THE SANCTUARY AT BARREL OAK** – An application for two Category 9 Special Exceptions to operate a Resort and host Class C Events, and two Category 20 Special Exceptions to allow for a belowground sewage treatment facility and aboveground water and storage treatment facilities. The property is located at 3677 Grove Lane, Marshall District. (PIN 6050-34-9946-000) (Adam Shellenberger, Staff)

Mr. Adam Shellenberger reviewed the staff report.

Mr. John Meadows opened the public hearing.

Mr. Brian Roeder, applicant, showed a map identifying the neighbors in support and addressed citizens' comments, noting that he held a community meeting in June to answer questions. He stated that agritourism supports farmers in the County and clarified that this is a farm resort with authentic farm experiences, along with charming rooms and buildings. Mr. Roeder commented that the resort is a perfect fit for the community and will bring in significant dollars to support neighboring businesses. He explained that the anticipated water usage estimated by Racey Engineering will be approximately 9,900 gallons per day (gpd) and he understands a

hydrogeological approval is still needed. In closing, Mr. Roeder asked for a recommendation of approval for this project that will provide fifty jobs, bring money into the County and will be a community resource.

Mr. John (Jeb) Hannum, Marshall District resident, stated that he is a representative of Fauquier Countryside Preservation Group (FCPG) which was formed in June to oppose this project. He stated that this hotel is inconsistent with the County's Comprehensive Plan and a threat to the rural area. It should be located within the Marshall Service District and sets a terrible precedent for other farms. Mr. Hannum raised concerns for water and noise pollution and urged the Commissioners to reject this proposal.

Ms. Lori Keenan McGuinness, Marshall District resident and representative for Goose Creek Association, stated that Barrel Oak is in the Goose Creek watershed and needs protection. She noted that this incomplete application lacks a preliminary soils investigation, hydrogeological study and an up-to-date traffic impact analysis. Ms. McGuinness indicated that there are noise impacts from Barrel Oak's amplified music and more events would bring further disturbance to the neighborhood. She added that the proposal is not consistent with the neighboring rural properties.

Mr. Mike Washer, Marshall District resident, spoke in opposition and explained that he owns eighty-three acres south of Barrel Oak Winery. He stated that the use is not compatible with the area and we should not bend the rules for rural properties when Warrenton and Airlie already have hotels. Mr. Washer requested that they recommend denial and said he does not want Fauquier to become like Loudoun County.

Ms. Patricia Ewing, Marshall District resident and Land Trust of Virginia Board member, spoke against the application and pointed out that Lost Corner Road is already impacted by the wineries. She expressed concern with further impacts from additional events and that a hotel should be placed within a service district. Ms. Ewing indicated that there are properties adjacent that are in open space easements to preserve open-space and scenic values and if allowed, this project would take away from those protected properties.

Mr. William T. Semple, Central District resident and Marshall District property owner, spoke in opposition and said that his nearby family farm was placed in a conservation easement to preserve the scenic beauty of Fauquier. He commented that he feels double crossed by Barrel Oak which makes a profit by ruining the rural landscape and desecrated John Marshall's home. Mr. Semple advised the Commissioners not to open Pandora's Box.

Mr. Kevin Ramundo, Marshall District resident, member of FCPG and Citizens for Fauquier County (CFFC), spoke against the proposal and provided a traffic accident report describing fourteen accidents on Grove Lane between March 2017 and September 2019. He suggested that the existing wineries add to this traffic and that the proposed sanctuary needs to be located on a major collector road and that commercial uses should be in a service district. Mr. Ramundo concluded that based on the data provided, the Commissioners should not waive the requirement and stated that it is not consistent with the Rural Lands Plan.

Mr. Matthew Weeden, Marshall District resident, spoke against the application. He expressed concerns over impacts from traffic and noise, as well as to water and the view-shed. Mr. Weeden added that we rely on the Comprehensive Plan to keep development at bay.

Ms. Jennifer Moore, Marshall District resident and President of the Mosby Heritage Association, spoke in opposition and stated that Fauquier County has a strong reputation for protecting rural areas and heritage tourism. She further stated that the application is not compatible with the rural character and urged the Commissioners to leave the Rural Agriculture (RA) zoned land open and pristine.

Mr. Jon Nuckles, Marshall District resident, spoke in opposition. He echoed previous speakers' comments in regards to the application conflicting with the Comprehensive Plan, protecting the rural landscape and impacts to the surrounding land. Mr. Nuckles stated that this will not improve their quality of life and requested a recommendation for denial.

Mr. David Konick, attorney speaking on behalf of Rutledge, LLC and George Thompson, stated that the Zoning Ordinance clearly defines a hotel and questioned classifying this request as a Category 9 for a resort. He indicated that the application should not have been accepted and is not permitted in the RA zone, nor is it compatible with the Zoning Ordinance, Comprehensive Plan or the Rural Lands Plan. Mr. Konick said that the proposal does not maintain the hard edge between the service district and rural lands and will increase the traffic by 25%. It will also have impacts to public safety, property values, the aquifer and neighboring wells. He pointed out that the Comprehensive Plan's goal is not to produce tax revenue, but to protect the properties. It was also stated that the applicant has not demonstrated that the traffic concerns are not valid and the water usage has not been vetted.

Mr. Robert M. Grouge, Center District resident, spoke in favor for the proposed sanctuary and explained that he is an employee of Barrel Oak Winery. He stated that in his experience, he has not seen the accidents and does not believe they are accurate. Mr. Grouge remarked that they have only received five calls complaining about noise and contended that one experience was likely due to the festival held at the nearby Boneta property in Paris. He added that the project will only add to an existing building and requested a recommendation of approval.

Ms. Julie Bolthouse, representative of Piedmont Environmental Council, spoke in opposition and agreed that a hotel with this level of intensity belongs in a service district where there are benefits of shared prosperity. Ms. Bolthouse noted that it is inconsistent with the Comprehensive Plan and that the use is not secondary to an agricultural use. She requested a recommendation of denial.

Ms. Patricia Vos, Marshall District resident, spoke against approving the application. She explained that her home is two miles away and is impacted daily by the traffic, noise and lights generated by the two wineries. Ms. Vos urged the Commissioners not to make a bad situation worse and recommend denial.

Ms. Barbara Tourtelot, Marshall District resident, spoke in opposition and stated that she uses Grove Lane daily. She already has concerns for the traffic from Barrel Oak and is against the commercial businesses creeping into the rural area.

Ms. Victoria Lewis, Marshall District resident, spoke against the application and stated that she objects to the creeping development. Ms. Lewis said that she is already bothered by the noise coming across the fields.

Ms. Melissa Messick, Marshall District resident, spoke in opposition and said that she is in direct eyesight and earshot to Barrel Oak Winery. Ms. Messick explained that she witnessed an accident on Grove Lane and her client who was a cyclist was killed. She described Blue Valley and Barrel Oak as a wild haven zoo for Northern Virginia and it is critical to her family that this is denied.

Ms. Lauren White, Marshall District resident, indicated that she is also in direct eyesight and earshot to both wineries from her property on Cobbler Mountain Road. Ms. White remarked that she does not have an issue with Barrel Oak, but at times Blue Valley. She voiced concern for safety with the heavy duty lumber trucks and cyclists on Grove Lane and said she would support having a place nearby to stay instead of the winery patrons having to drive far.

Mr. Chris Cloud, Marshall District resident, spoke in opposition and described the vineyards as a romantic idea that leads to creeping normalcy. He said the area is attractive because of the absence of what this application proposes. Mr. Cloud questioned what the ancillary activities would be and commented that this opens the door for others.

Ms. Kay Hayes, Marshall District resident, spoke against the proposal and highlighted that over many years citizens have worked hard to preserve Fauquier, which is the crown jewel of the Piedmont. She complimented the extraordinary Rural Lands Plan and agreed with previous speakers' concerns.

Dr. Paul Anikis, Marshall District resident, spoke in opposition and explained that he hears the noise at his home, 2 ½ miles away. As a large animal veterinarian, he travels to local farms and has had bad experiences on Grove Lane with party buses and stretch limousines.

Ms. Mary Thompson, Marshall District resident, spoke in opposition and said she approves of businesses in the proper location. Ms. Thompson mentioned the narrow bridge to the wineries and said that locals know to stop, but the out-of-towners are unfamiliar. She added that if there is an accident on Interstate 66, then traffic is redirected onto Grove Lane which causes more issues.

Ms. Betty Ann Tribble, Marshall District resident, spoke against the application and said that she is directly across from Barrel Oak. She stated that her view is gone for cars, tents and add-on sheds and raised concern for property values. Ms. Tribble inquired if there will be double events if approved and if water for laundry was part of the applicant's calculations.

In that there were no further speakers, Mr. John Meadows closed the public hearing.

Mr. Bob Lee indicated that he has found the concerns raised by the speakers very compelling. He added that the Rural Lands Plan has become a living document, which took a long time to articulate the vision, and is pleased so many referenced it.

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 denial.

The motion carried 3-2, as follows:

AYES: Mr. Bob Lee, Mr. Matthew Smith and Ms. Adrienne Garreau

NAYS: Mr. John Meadows and Ms. Diane Roteman

ABSTENTION: None

ABSENT: None

In that there was no further business, the meeting was adjourned at 8:17 p.m.

A 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