

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
JULY 16, 2015**

**Work Session  
12:30 p.m.  
Warren Green Building  
Second Floor Conference Room  
10 Hotel Street, Warrenton, Virginia**

*The Fauquier County Planning Commission held a Work Session on Thursday, July 16, 2015, beginning at 12:30 p.m., in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. Ken Alm, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. John Meadows and Mr. Dell Ennis. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Andrew Hopewell, Mr. Adam Shellenberger, Mr. Don Del Rosso, Ms. Wendy Wheatcraft, Mr. David Ek, Ms. Heather Jenkins, Mr. Ben Holt, Ms. Janelle Downes and Dr. Christie Wolfe.*

**CLOSED MEETING:**

On motion made by Mr. Dell Ennis and seconded by Ms. Adrienne Garreau, it was moved to go into a closed meeting, pursuant to *Code of Virginia* Section 2.2-3711(A)(7) for the purpose of consultation with legal counsel regarding specific legal matters related to recent state code revisions.

The motion carried 5 – 0, as follows:

AYES: Mr. John Meadows, Mr. Bob Lee, Mr. Dell Ennis, Ms. Adrienne Garreau and Mr. Ken Alm

NAYS: None

ABSTENTION: None

ABSENT: None

Upon reconvening from the closed meeting, Mr. Ken Alm read the following Certification of Closed Meeting:

The Fauquier County Planning Commission, having adjourned into a closed meeting this day for the purposes stated in the resolution authorizing such meeting, does hereby certify that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and

2. Only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered in the closed meeting.

This certification shall be recorded in the minutes of the Planning Commission on motion of Mr. Dell Ennis and seconded by Mr. Ken Alm.

The motion carried 5 – 0, as follows:

AYES: Mr. John Meadows, Mr. Bob Lee, Mr. Dell Ennis, Ms. Adrienne Garreau and Mr. Ken Alm

NAYS: None

ABSTENTION: None

ABSENT: None

**A WORK SESSION ON ORGANIZATION OF MEETINGS**

Ms. Holly Meade led the discussion.

**HUMAN RESOURCES TRAINING**

Ms. Janelle Downes and Dr. Christie Wolfe provided training to Planning Commission members and staff.

**SPECIAL EXCEPTION – SPEX-15-003035 – PRIVILEGE, INC. (OWNER)/WAKEFIELD SCHOOL (APPLICANT) – WAKEFIELD SCHOOL SQUASH COURTS**

Mr. Adam Shellenberger reviewed the application.

**SPECIAL EXCEPTION – SPEX-15-003203 – BELVOIR RIDGE OF VIRGINIA, LLC, ALLIED PLYWOOD CORPORATION (A/K/A A&M SUPPLY CORPORATION), MORGAN OIL CORPORATION (OWNERS/APPLICANTS) – BELVOIR RIDGE**

Ms. Holly Meade reviewed the application.

**ZONING ORDINANCE TEXT AMENDMENT – A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 13-502 TO INCREASE THE THRESHOLD FOR REQUIREMENT OF A ZONING PERMIT**

Ms. Kimberley Johnson reviewed the proposed amendment.

**ZONING ORDINANCE TEXT AMENDMENT – A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 3-316 AND 15-300 TO ADD COTTAGE INDUSTRY AS AN ALLOWED USE IN THE COMMERCIAL VILLAGE DISTRICT**

Ms. Kimberley Johnson reviewed the proposed amendment.

**ZONING ORDINANCE TEXT AMENDMENT – A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 5-702 AND 15-300 TO ADD SCHOLARLY RESEARCH CENTER**

Ms. Kimberley Johnson reviewed the proposed amendment.

**REZONING/WAIVER – REZN-15-002817 & WAIV-15-003260, GRACE LIM AND JAMES LIM (A/K/A IN SEOK LIM) (OWNERS/APPLICANTS) – BEALETON GATEWAY CENTER**

Ms. Holly Meade reviewed the application.

**COMPREHENSIVE PLAN – CHAPTER 2, NATURAL RESOURCES**

Mr. David Ek reviewed the proposed amendment.

**APPROVAL OF MINUTES – JUNE 18, 2015 AND JULY 7, 2015**

Planning Commission members discussed the minutes.

The meeting was adjourned at 5:00 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 16, 2015, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. Ken Alm, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. John Meadows and Mr. Dell Ennis. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Andrew Hopewell and Mr. Adam Shellenberger.***

1. **APPROVAL OF MINUTES** – June 18, 2015 and July 7, 2015

On motion made by Ms. Adrienne Garreau and seconded by Mr. Bob Lee, it was moved to approve the June 18, 2015 and July 7, 2015 minutes.

The motion carried unanimously.

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

1. **CITIZENS' TIME**

None.

2. **ANNOUNCEMENTS**

Mr. Ken Alm announced that the Fauquier County Fair would be held the upcoming weekend.

3. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 13-502 to increase the threshold for requirement of a Zoning Permit. (Kimberley Johnson, Staff)

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

Mr. Ken Alm opened the public hearing.

In that there were no speakers, Mr. Ken Alm closed the public hearing.

On motion made by Mr. Ken Alm 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 unanimously.

4. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Sections 3-316 and 15-300 to add Cottage Industry as an allowed use in the Commercial Village District. (Kimberley Johnson, Staff)

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

Mr. Ken Alm opened the public hearing.

In that there were no speakers, Mr. Ken Alm closed the public hearing.

On motion made by Mr. Dell Ennis 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.

5. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Sections 5-702 and 15-300 to add Scholarly Research Center. (Kimberley Johnson, Staff)

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

Mr. Ken Alm opened the public hearing.

In that there were no speakers, Mr. Ken Alm closed the public hearing.

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

The motion carried unanimously.

6. **SPECIAL EXCEPTION – SPEX-15-003035 – PRIVILEGE, INC. (OWNER)/WAKEFIELD SCHOOL (APPLICANT) – WAKEFIELD SCHOOL SQUASH COURTS** – An application for a Category 9 Special Exception to allow the use of an existing agricultural building as a recreational facility. The property is located at 2734 Windcrest Lane, The Plains, Scott District. (PIN 7001-99-1604-000) (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 stated that there are additional changes to the proposed conditions.

**Planning Commission revised conditions for the Board of Supervisors' consideration as follows:**

1. The Special Exception is granted for PIN 7001-99-1604-000, 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 submitted to the Fauquier County Department of Community Development on May 15, 2015, as approved with the application, and as further qualified by these development conditions.
3. All applicable building and zoning permits for the use and the structure shall be obtained prior to commencement of the use.

4. The use of the squash facility shall be limited to **a maximum of 36 days between** November 1 ~~through~~ **and** March 31, and be further limited to a practice facility for use by the Wakefield School Squash teams. ~~A maximum of two (2) competitions/matches per calendar year may be held at the facility.~~
5. The hours of operation shall be ~~generally~~ limited to between 3:30 p.m. and 6:00 p.m. on Mondays, Wednesdays, and Fridays; and between 2:00 p.m. and 6:00 p.m. Tuesdays and Thursdays.
6. All activities associated with the Squash Court facility shall occur indoors within the existing structure.
7. The facility shall not be open to the general public or used for commercial purposes.
8. ~~Other than the two (2) permitted competitions/matches per year,~~ **The** facility's use shall be limited to a maximum of twelve (12) students, two (2) coaches and adult assistants at any one time.
9. Parking shall only occur in the area indicated on the Special Exception Exhibit, and at no time should the parking of vehicles restrict access along Windcrest Lane.
10. **Access to and parking** ~~Parking~~ for the facility shall be limited to ~~a maximum of six (6) automobiles and two (2)~~ one (1) small school buses/large passenger vans at any one time.
11. The on-site parking spaces shall be buffered from view with landscaping from the adjoining parcels.
12. ~~A maximum of two (2) non-profit fundraisers may be held per calendar year. The events shall obtain an administrative permit from Fauquier County and meet the standards set forth in Section 6-102.28 and Section 6-102.29 of the Zoning Ordinance.~~
12. The Applicant shall be responsible for the maintenance of Windcrest Lane, to a condition which is easily passible by emergency vehicles, during times when the facility is in regular use.
13. This Special Exception shall be valid until ~~December 31, 2020~~ **February 28, 2016 2017**. Should the Applicant wish to continue the use after the expiration of this approval, an amendment of this Special Exception or new Special Exception shall be approved by the Fauquier County Board of Supervisors.
14. **The Applicant shall not be eligible to use the squash court facilities for practices in the 2015-16 season unless or until a building permit has been applied for on the Wakefield School Property.**

Mr. Ken Alm opened the public hearing.

Merle Fallon, Esq., the representative, stated that it is Wakefield's intent to move the squash program onto school campus and they have received a sizable contribution towards a new facility. Mr. Fallon explained how the program evolved at the current location and agreed to

the deadline of February 2016 to have the building permit application filed for the new location. In addition, the school proposes to maintain the private road this coming winter if allowed to continue use at the current location for one more season. Mr. Fallon requested a recommendation of approval.

Mr. Paul Sipes, Wakefield Athletic Director, spoke in favor of the Special Exception request and indicated that Wakefield School strives to be a good neighbor in many ways. Mr. Sipes stated that having a squash team is a benefit for a small school and noted that Wakefield Alumni have been successful at continuing playing this rare sport.

Mr. John Fairfield, Wakefield Board of Trustees, spoke in favor of this application and confirmed receipt of funds for the construction of a new facility on the school campus.

Mr. Jim Rich, adjoining property owner, spoke in opposition of allowing the private courts to be used by Wakefield School another season. Mr. Rich commended the ordinances of Fauquier County and shared his concerns for the impacts to property values, the private road and the neighbors.

Ms. Veronica O'Donnell, adjoining property owner, spoke against this request and raised concern for allowing this use in an Agricultural and Forestal District, as well as concerns for the increased traffic, buses and last minute agreements.

Mr. Mark O'Donnell, adjoining property owner, stated that he supports Wakefield School; however, he does not support this Special Exception request. Mr. O'Donnell expressed concern for the conflicting costs of a new facility that have been discussed.

Mr. Matthew Rich, Wakefield student, spoke in favor of the application and strongly urged the Planning Commission to allow the team to continue playing on Windcrest Lane for another season until the new facility is usable.

Mr. Robert Gurtler, Mayor of The Plains, spoke in support of the request. Mayor Gurtler stated that Wakefield School is an asset to Fauquier County and is a great neighbor.

Dr. Sylvia Vitozkova, Marshall District resident, spoke in favor of approving this Special Exception request and stressed the importance of team sports, such as squash, for the students' development.

Mr. James Houston, Marshall District resident, voiced his support for the application and indicated that there is no impact to the community or Windcrest Lane where he rides and drives horses.

Ms. Lourdes Peralta, owner, spoke in support of Wakefield's application and continued use of her property where the squash court is located.

In that there were no further speakers, Mr. Ken Alm closed the public hearing.

After discussion, on motion made by Ms. Adrienne Garreau and seconded by Mr. Dell Ennis, it was moved to forward this item and the revised conditions to the Board of Supervisors with a recommendation of denial.

The motion carried 4 – 1, as follows:

AYES: Mr. Bob Lee, Mr. Ken Alm, Mr. Dell Ennis and Ms. Adrienne Garreau

NAYS: Mr. John Meadows

ABSTENSION: None

ABSENT: None

7. **SPECIAL EXCEPTION – SPEX-15-003203 – BELVOIR RIDGE OF VIRGINIA, LLC, ALLIED PLYWOOD CORPORATION (A/K/A A&M SUPPLY CORPORATION), MORGAN OIL CORPORATION (OWNERS/APPLICANTS) – BELVOIR RIDGE** – Applicants wish to amend conditions of a previously approved Category 23 Special Exception (SPEX10-SC-007) to allow for the crossing of a floodplain to access all of the industrially zoned portions of their parcels. The properties are located at Belvoir Road (Route 709) and Whiting Road (Route 622), Scott District. (PIN 6979-57-4795-000, 6979-37-9906-000, and 6979-48-0644-000) (Holly Meade, Staff)

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

Mr. Ken Alm opened the public hearing.

In that there were no speakers, Mr. Ken Alm closed the public hearing.

On motion made by Ms. Adrienne Garreau 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 unanimously.

8. **REZONING/WAIVER – REZN-15-002817 & WAIV-15-003260, GRACE LIM AND JAMES LIM (A/K/A IN SEOK LIM) (OWNERS/APPLICANTS) – BEALETON GATEWAY CENTER** – An application to amend previously approved Proffers and Concept Development Plan (REZN12-LE-006) to allow flexibility in design and to seek approval of an access waiver. The properties are located at the intersection of Route 17 and Route 28, Bealeton, Lee District. (PIN 6899-16-6236-000 and 6899-16-9374-000) (Holly Meade, Staff)

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

Mr. Ken Alm opened the public hearing.

Mr. Rob Seidel, applicant’s representative, indicated that Sunoco is an interested tenant and remarked that town centers do not work in smaller rural areas. Mr. Seidel requested a recommendation of approval and added that this is the right use for this location that makes the most economic sense.

Ms. Bonnie Kidwell, Bealeton resident, spoke in opposition to the amendment request and asked the Commission members to consider what is best for the community. Ms. Kidwell expressed her hopes for a sit down restaurant and other uses that would enhance the growing community and not another gas station on the corner.

In that there were no further speakers, Mr. Ken Alm 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.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 8:25 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***