

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
January 30, 2014**

**Work Session
9:30 a.m.
Warren Green Building
Second Floor Conference Room
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, January 30, 2014, beginning at 9:30 a.m., in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Dell Ennis, Secretary; Mr. Bob Lee, and Mr. Ken Alm. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Ms. Wendy Wheatcraft, Mr. David Ek, Mr. Adam Shellenberger, Mr. Chris Pettit, Mr. Don Del Rosso and Ms. Erin Kozanecki.

SPECIAL EXCEPTION AMENDMENT – SEAM14-CR-005 – FAUQUIER COUNTY BOARD OF SUPERVISORS (OWNER)/PAUL S. MCCULLA, COUNTY ADMINISTRATOR (APPLICANT) – CORRAL FARM RECYCLING & LANDFILL IMPROVEMENTS

Mr. David Ek reviewed the application.

INITIATION OF A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF APPROXIMATELY 80.13 ACRES OF LAND FROM RURAL TO INDUSTRIAL. THE THREE PROPERTIES ARE LOCATED ON THE EAST SIDE OF ROUTE 15/29 (JAMES MADISON HIGHWAY), ADJACENT TO THE COUNTY LANDFILL, SOUTH OF THE WARRENTON SERVICE DISTRICT

Planning Commissioners discussed the proposed amendment.

PRELIMINARY PLAT – PPLT14-CR-001, RINGWOOD FARM, LLC (OWNER)/BOHLER ENGINEERING (APPLICANT) – RINGWOOD SUBDIVISION

Mr. Chuck Floyd reviewed the application.

PRELIMINARY PLAT – PPLT14-SC-003 – FERNGATE INVESTMENTS, LLC (OWNER/APPLICANT) – OLD BUST HEAD MANOR

Mr. Chuck Floyd reviewed the application.

ZONING ORDINANCE TEXT AMENDMENT – A Zoning Ordinance Text Amendment to Section 5-003 to eliminate the ability to seek a variance to the standards for Administrative Permits, Special Permits and Special Exceptions.

Mr. Chuck Floyd reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 creating a new use category for outdoor recreation uses.

Ms. Kimberley Johnson reviewed the proposed amendment.

SUBDIVISION ORDINANCE TEXT AMENDMENT – A Subdivision Ordinance Text Amendment to Section 3-2 related to the requirements for a Family Subdivision.

Mr. Harvey Clark reviewed the amendment.

COMPREHENSIVE PLAN AMENDMENT – CPAM14-XX-001 – A Comprehensive Plan Amendment to Chapter 3 – Population Analyses & Projections

Mr. Chris Pettit reviewed the proposed amendment.

COMMITTEE ASSIGNMENTS

Ms. Holly Meade reviewed the Committee Assignments.

SPECIAL EXCEPTION – SPEX14-SC-012 – BUNKER ROOT BEER STAND, LLC (OWNER)/HGS, LLC d/b/a ANGLER ENVIRONMENTAL (APPLICANT) – ANGLER DEVELOPMENT AUTO REPAIR GARAGE

Mr. Chris Pettit reviewed the application.

REZONING – REZN12-CR-001 – WARRENTON MANAGEMENT ASSOCIATES, INC. & THE DREW CORPORATION (OWNERS)/WALTER A. HITCHCOCK, JR. (APPLICANT) – MILLFIELD PHASES IV, V, & VI

Ms. Holly Meade reviewed the application.

TELECOMMUNICATION SPECIAL EXCEPTION – TWSE14-MA-001 – PHILLIP SWING THOMAS TRUST, PHILLIP SWING THOMAS, TRUSTEE (OWNER)/VERIZON WIRELESS (APPLICANT) – VERIZON WIRELESS – PARIS/THOMAS PROPERTY

Ms. Wendy Wheatcraft reviewed the application.

SPECIAL EXCEPTIONS – SPEX14-LE-010 & SPEX14-LE-011 – JAMES W. OTT (OWNER)/MARIA M. RODRIGUEZ (APPLICANT) – OTT/RODRIGUEZ PROJECT

Mr. Adam Shellenberger reviewed the application.

COMPREHENSIVE PLAN AMENDMENT – CPAM13-CR-001 – A Comprehensive Plan Amendment to Chapter 6 – Bealeton, Opal and Remington Service District Plan to update sections related to Opal.

Ms. Kimberley Fogle reviewed the proposed amendment.

CAPITAL IMPROVEMENTS PROGRAM (CIP)

Ms. Erin Kozanecki reviewed the proposal.

SPECIAL EXCEPTION/SPECIAL PERMIT – SPEX14-MA-014 & SPPT14-MA-013 – STEPHEN MILLS (OWNER)/STEPHEN MILLS & PHILIP CARTER STROTHER (APPLICANTS) – THE INN AT VINEYARDS CROSSING, LLC

Mr. Don Del Rosso reviewed the application.

ADOPTION OF 2014 MEETING SCHEDULE

Ms. Holly Meade reviewed the proposed 2014 meeting schedule.

CONSIDERATION OF BYLAWS

Ms. Holly Meade reviewed the current Bylaws.

**REZONING – REZN14-LE-004 – MINTBROOK DEVELOPERS, LLC
(OWNER)/HUMANITIES FOUNDATION (APPLICANT) – MINTBROOK BLOCK 5**

Mr. Adam Shellenberger reviewed the application.

**APPROVAL OF MINUTES – DECEMBER 4, 2013; JANUARY 14, 2014 (SITE VISITS);
JANUARY 14, 2014 (WORK SESSION) AND JANUARY 21, 2014 (SITE VISIT)**

Postponed.

BOARD OF ZONING APPEALS AGENDA

Planning Commissioners discussed the agenda.

TRANSPORTATION COMMITTEE AGENDA

Planning Commissioners discussed the agenda.

ELECTION OF OFFICERS

Ms. Holly Meade reviewed the procedure for the election of officers.

The meeting was adjourned at 4:45 p.m.

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

The Fauquier County Planning Commission held its regular meeting on Thursday, January 30, 2014, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. Bob Lee, Chairperson Elect; Ms. Adrienne Garreau, Vice-Chairperson Elect; Mr. Ken Alm, Secretary Elect; Mr. John Meadows and Mr. Dell Ennis. Also present were Ms. Mary Catherine Sheridan, Ms. Kimberley Fogle, Ms. Holly

Meade, Mr. Chuck Floyd, Ms. Wendy Wheatcraft, Mr. Adam Shellenberger, Mr. Don Del Rosso, Mr. David Ek, Mr. Chris Pettit and Mr. Harvey Clark.

1. **APPROVAL OF MINUTES** – December 4, 2013; January 14, 2014; and January 21, 2014

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to postpone consideration of the December 4, 2013; January 14, 2014; and January 21, 2014 minutes.

The motion carried unanimously.

2. **ELECTION OF OFFICERS**

Ms. Holly Meade opened the meeting and initiated the election of officers.

a. **Chairperson**

On motion made by Ms. Garreau and seconded by Mr. Alm, it was moved to elect Mr. Lee as Chairperson.

The motion carried unanimously.

Mr. Bob Lee took over as Chairperson.

b. **Vice-Chairperson**

On motion made by Mr. Alm and seconded by Mr. Meadows, it was moved to elect Ms. Garreau as Vice-Chairperson.

The motion carried unanimously.

c. **Secretary**

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to elect Mr. Alm as Secretary.

The motion carried unanimously.

3. **CONSIDERATION OF BYLAWS**

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to retain the current Bylaws as written.

The motion carried unanimously.

4. **COMMITTEE ASSIGNMENTS**

- a. Architectural Review Board – Mr. Lee
- b. Pedestrian Bicycle and Greenway Advisory Committee – Mr. Alm
- c. Transportation Committee – Ms. Garreau

5. **ADOPTION OF 2014 MEETING SCHEDULE**

On motion made by Ms. Garreau and seconded by Mr. Ennis, it was moved to adopt the 2014 meeting schedule.

The motion carried unanimously.

6. **COMPREHENSIVE PLAN AMENDMENT** – Initiation of a Comprehensive Plan Amendment to change the land use designation of approximately 80.13 acres of land from Rural to Industrial. The three properties are located on the east side of James Madison Highway (Route 15/29), adjacent to the County landfill, south of the Warrenton Service District. (Kimberley Fogle, Staff)

Mr. Ennis reviewed the initiation.

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to initiate this item.

Mr. Meadows commented that he would like the Planning Commission to do their due diligence and support the initiation which will provide the property owners an opportunity to speak regarding this item at the public hearing.

Mr. Lee noted that citizens have the opportunity twice a year to file a Comprehensive Plan Amendment on their own; therefore, he does not support the motion.

Mr. Alm stated that in his opinion, changing the zoning to industrial would not be the best decision and would prefer buying development rights so the properties would not be further developed.

The motion failed 2-3, as follows:

AYES: Mr. Meadows and Mr. Ennis

NAYS: Mr. Alm, Mr. Lee and Ms. Garreau

ABSTENTION: None

ABSENT: None

7. **PRELIMINARY PLAT – PPLT14-CR-001, RINGWOOD FARM, LLC (OWNER)/BOHLER ENGINEERING (APPLICANT) – RINGWOOD SUBDIVISION** – An application to subdivide approximately 74.847 acres into forty-six (46) lots. The property is located on the east side of Rogues Road (Route 602) and the north side of Ringwood Road (Route 669), Cedar Run District. (PIN 7914-48-1668-000, 7914-48-0205-000, and 7914-48-5907-000) (Chuck Floyd, Staff)

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

On motion made by Mr. Ennis and seconded by Ms. Garreau, it was moved to postpone action on this item per the applicant's request.

The motion carried unanimously.

8. **PRELIMINARY PLAT – PPLT14-SC-003 – FERNGATE INVESTMENTS, LLC (OWNER/APPLICANT) – OLD BUST HEAD MANOR** – An application to subdivide approximately 9.53900 acres into four (4) lots. The property is located on the south side of Old Bust Head Road, Scott District. (PIN 6996-86-8312-000) (Chuck Floyd, Staff)

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

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to postpone action on this item up to sixty days.

The motion carried unanimously.

9. **BOARD OF ZONING APPEALS AGENDA**

No comment.

10. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

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

1. **ANNOUNCEMENTS**

None.

2. **CITIZENS' TIME**

No one spoke.

3. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 5-003 to eliminate the ability to seek a variance to the standards for Administrative Permits, Special Permits and Special Exceptions. (Chuck Floyd, Staff)

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

Mr. Lee opened the public hearing.

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

On motion made by Mr. Meadows and seconded by Mr. Ennis, 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 Articles 3, 5 and 15 creating a new use category for outdoor recreation uses. (Kimberley Johnson, Staff)

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

Mr. Lee opened the public hearing.

Mr. Mike Bridges, Cedar Run District, stated he supports motocross as a recognized activity in Fauquier County and that his goal is to open a commercial location within one to two years on approximately fifty to one hundred and fifty acres of land.

In that there were no further speakers, Mr. Lee adjourned the public hearing.

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

The motion carried unanimously.

5. **SUBDIVISION ORDINANCE TEXT AMENDMENT** – A Subdivision Ordinance Text Amendment to Section 3-2 related to the requirements for a Family Subdivision. (Harvey Clark, Staff)

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

Mr. Lee opened the public hearing.

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

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

The motion carried unanimously.

6. **SPECIAL EXCEPTIONS – SPEX14-LE-010 & SPEX14-LE-011 – JAMES W. OTT (OWNER)/MARIA M. RODRIGUEZ (APPLICANT) – OTT/RODRIGUEZ PROJECT** – An application for a Category 9 Special Exception to allow Class “C” events; and a Category 23 Special Exception to allow for uses within the floodplain. The properties are located at 7407, 7417, and 7375 Sumerduck Road, Lee District. (PIN 6887-22-2605-000, 6887-23-0002-000, 6887-31-0926-000, 6887-33-5544-000, and 6887-42-6830-000) (Adam Shellenberger, Staff)

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

Mr. Lee opened the public hearing.

Ms. Maria Rodriguez, owner, thanked the Planning Commission for coming out to visit the farm and explained how important horse training is to her. She further explained that she is a Remington native and described how she and the neighboring farms rely on each other.

Mr. Michael Georgia, Lee District, stated that the Rodriguez family has been good neighbors for approximately seventeen years and he has not experienced problems with the horse training operations.

Ms. Foria Younis, Lee District, indicated she has three lots across from the turf farm, supports the horse training and attends the functions herself. Ms. Younis stated that these events are a great opportunity for the community to gather.

Mr. Jaime Flores, Marshall District, spoke in support of approving this request and stated that it is fun to ride horses there.

Mr. Neil Selby, Lee District, explained that he owns Shady Grove Kennel and expressed his support for Ms. Rodriguez's operations. Mr. Selby stated that it is good for the County and maintaining its agricultural ways.

Mr. Chris Johnson, Culpeper County, explained he owns property on Newby Shop Road and that he does not have a problem with the riding, but he does have a problem with the loud music that is directed toward his property.

Ms. Cynthia Woodward, Lee District, stated that she owns property adjacent to the Rodriguez farm and across the river. Ms. Woodward remarked that she does not have a problem with the music and spoke in support of these applications.

Mr. Omar Jimenez, Marshall District, spoke in favor of approving these applications and explained that as a young man he has learned discipline from training horses and respect for the animals. Mr. Jimenez added that this is a positive place for kids his age to go.

Ms. Sonia Cruz, Lee District, stated that she attends the events and supports approval of this request. Ms. Cruz further stated that she boards her own horses there and feels it is a good, family environment with clean stables.

Mr. Matt Grimsley, Culpeper County, explained that he currently lives across the river on Newby Shop Road, but previously lived in the Remington area for about twenty years. Mr. Grimsley shared his concerns regarding the stairs leading down to the river on Ms. Rodriguez's property, the impacts of littering in the river, and the loud noise.

Ms. Daneira Vega, Cedar Run District, spoke in favor of allowing the horse training to continue. Ms. Vega explained that her family attends the events and take their own horses to the Rodriguez's property. She added that this is good for the community and fun.

Mr. Christer Carshult, representative, noted that Ms. Rodriguez is a responsible applicant, providing a specialized equine business to the community. He stated she has been amenable to moving the riding ring to the internal section of the property as requested. Mr. Carshult respectfully requested support for a recommendation of approval.

Ms. Irma Whitlock, Culpeper County, commented that some of the loud music might actually be coming from the shop behind the market where she works in Remington.

Mr. Jesus Vega, Cedar Run District, spoke in support of approving the application. Mr. Vega stated that he started riding there last year and since then has learned discipline. He added that this is a family oriented facility and a good place to go.

Mr. R. Carl Faller, Lee District, spoke in favor of approval and urged the Planning Commission to not stifle Ms. Rodriguez's operation. Mr. Faller added that he owns property across the street from the farm and his tenants have had no issues.

Mr. Barry Catts, Center District, stated that is speaking on behalf of Virginia Tractor and spoke in support of the Rodriguez's request because they are an agricultural business.

Mr. Jamie Craig, Culpeper County, explained that he owns property with a cabin directly across the river and spoke in opposition because of the amplified music, not the rodeo. He further explained that the Latino music they play has very low bass which can be heard inside his cabin over eight hundred feet away. Mr. Craig also commented on the issue of noise enforcement based on his conversations with the Fauquier County Sheriff's Department.

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

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to forward SPEX14-LE-010 to the Board of Supervisors with a recommendation of approval, subject to the following conditions as revised:

**OTT/RODRIGUEZ PROJECT
SPEX14-LE-010**

Category 9 Outdoor Recreation for Class "C" Events

1. This Special Exception is granted for and runs with the land indicated in this application as PIN 6887-31-0926-000, 6887-42-6830-000, 6887-23-0002-000, 6887-22-2605-000, and 6887-33-5544-000.
2. The Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat dated November 22, 2013, revised on January 6, 2014, and received in the Planning Office on January 6, 2014, as approved with this application, as qualified or as modified by the associated Conditions and as required by the Fauquier County Zoning Ordinance.
3. All events shall comply with the appropriate local, state and federal regulatory agencies permit requirements.
4. The Applicant shall be limited to a total of twenty-four (24) Class "C" group horse training events per year. The training activities shall be limited to roping, sorting, barrel racing, and other equestrian related activities, and may include live and/or recorded music. No events shall include "horse tripping."

5. No event shall exceed three (3) days in length.
6. No more than one (1) event per week shall occur on the property.
7. All events shall primarily occur on weekends, with general hours of operation being noon to 9:00 p.m.
8. Cumulative attendance at the events shall not exceed 300 participants, family members, and public spectators, except that up to ~~four (4)~~ten (10) events per year may have a maximum of 500 attendees.
9. The existing arena, as indicated on the Special Exception Plat, shall not be used in conjunction with any event held on the property.
10. Except briefly for sound testing purposes, no sound system including live and/or recorded music, may be activated prior to noon, or remain after the permitted event has ended. In no case shall a sound system be active after 9:00 p.m.
11. All requirements of the Fauquier County Code, including the Zoning Ordinance, which pertain to limitations and prohibitions on noise in the applicable zoning districts shall be complied with by the holder of the Special Exception.
12. All events shall be approved in advance by the Office of Emergency Services, Health Department, Sheriff's Office and VDOT in compliance with Section 5-916.6 of the Zoning Ordinance. In its submittal to the Zoning Administrator, the applicant shall specify the type and number of rescue equipment, public safety personnel, traffic control, security and on-site sanitary and refreshment facilities required for each event to ensure that adequate services are maintained on site at all times.
13. The applicant shall comply with all requirements of the Fauquier County Health Department.
14. Any retail sales conducted on the property shall either be: (a) accessory and incidental to the permitted activity; or (b) conducted by and for the benefit of nonprofit, tax exempt organizations whose principal offices are located within the County. At least thirty (30) days prior to holding an 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.
15. No structure which lies closer than 100' to the project's boundary shall be used in conjunction with any event.
16. The grassed parking area shall be maintained in a vegetated state to prevent erosion and degradation of surface water quality. If the turf does not withstand the traffic pressure or rutting and erosion occur, the applicant shall install turf-protecting geotextile grids or other low impact methods for surfacing the parking area. Alternatively, if the applicant

chooses to use a gravel or asphalt parking area, a stormwater management plan that addresses run-off from the parking lot shall be required.

17. This Special Exception is issued for a period of ~~five (5)~~ten (10) years commencing with the month in which the Board of Supervisors approves it and ending at the end of that same month five (5) years hence, and henceforth shall then be subject to one five (5) year administrative renewal by the Zoning Administrator. If, during the administrative renewal process, the Zoning Administrator finds that practices have changed character and there are new impacts, the Special Exception shall be required to go back to the Board of Supervisors for approval.

The motion carried unanimously.

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to forward SPEX14-LE-011 to the Board of Supervisors with a recommendation of approval, subject to the following conditions as revised:

**OTT/RODRIGUEZ PROJECT
SPEX14-LE-011**

Category 23 Floodplain Uses

1. This Special Exception is granted for and runs with the land indicated in this application as PIN 6887-31-0926-000, 6887-42-6830-000, 6887-23-0002-000, 6887-22-2605-000, and 6887-33-5544-000.
2. The Special Exception is granted only for the purpose(s), structure(s) and/or uses, which includes a 30' x 100' agriculture barn, an agricultural well, two small outbuildings (shed and frame building), ~~an equestrian arena~~, and a set of stairs which provide access to the Rappahannock River, as indicated on the Special Exception Plat dated November 22, 2013, revised on January 6, 2014, and received in the Planning Office on January 6, 2014, as approved with this application, as qualified or as modified by the associated Conditions and as required by the Fauquier County Zoning Ordinance.
3. All applicable building and zoning permits shall be applied for within 90 days and obtained within one year of approval of this Special Exception or the structures shall be removed.
4. All of the permitted structures shall remain as an accessory to the agricultural use on the property. At no time shall these structures be used for residential or event purposes.
5. None of the approved structures shall cause an increase in the level of flooding or velocity of flood waters off-site.
6. All of the structures shall be maintained in a manner in which they will not create a potential hazard of debris subject to movement by flood waters which might cause damage downstream.

7. The agricultural well shall not be used as potable water or for human consumption.
8. The casing on the agricultural well near the barn shall be extended so that it is a minimum of 42 inches above the adjacent ground surface.
9. No materials or equipment which are buoyant, flammable or explosive shall be stored in the floodplain.

The motion carried unanimously.

7. **SPECIAL EXCEPTION – SPEX14-SC-012 – BUNKER ROOT BEER STAND, LLC (OWNER)/HGS, LLC d/b/a ANGLER ENVIRONMENTAL (APPLICANT) – ANGLER DEVELOPMENT AUTO REPAIR GARAGE** – An application for a Category 14 Special Exception to operate an automobile repair garage. The property is located at 5367 Telephone Road, Scott District. (PIN 7906-10-3203-000) (Chris Pettit, Staff)

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

Mr. Lee opened the public hearing.

Mr. Lee Goodwin, applicant, thanked the Planning Commission for their consideration.

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

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

**ANGLER DEVELOPMENT AUTO REPAIR GARAGE
SPEX14-SC-012**

1. 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 Plat dated October 7, 2013 prepared by Angler Environmental, except as modified by these development conditions.

The applicant must meet either Condition 2 or Condition 3a-3b as follows:

2. The applicant shall hook up to FCWSA central sewer and provide written confirmation from FCWSA to the Department of Community Development prior to the release of the Site Plan.

OR

- 3a. The applicant shall obtain written confirmation from the Health Department stating that the septic system is adequate for the use prior to the approval of the site plan. A copy of the written confirmation shall be provided to the Department of Community Development prior to the release of the Site Plan.
- 3b. No activities shall exceed the limits of the Virginia Department of Health septic permit.
4. The use shall be limited to the existing shop building and future four bay shop building addition as indicated on the Special Exception Plat dated October 7, 2013.
5. An amendment to the Special Exception is required for any changes in the use that necessitate increased water and/or sewage capacity.
6. Vehicle storage associated with Streamline Service Center shall be limited to the existing covered parking areas located at the rear of the Existing 1 Story Masonry Building (Main Office) as indicated on the Special Exception Plat dated October 7, 2013 and shall be screened.
7. The proposed four bay shop building addition shall utilize similar building materials, colors, and building style as the existing shop building in order to minimize the visual impact of the addition.
8. The proposed four bay shop building addition shall include floor drains connected to an oil water separator.
9. Any fluids that are removed from vehicles for repair shall be properly disposed of in accordance with all applicable Virginia Department of Environmental Quality and U.S. Environmental Protection Agency guidelines.
10. The hours of operation are limited to 7:00 a.m. to 6:00 p.m. Monday-Friday as specified in the applicant's Statement of Justification.
11. All signs on-site shall conform to Article 8 of the Fauquier County Zoning Ordinance.
12. All lighting on-site shall conform to Article 9 of the Fauquier County Zoning Ordinance.
13. The Special Exception shall be issued for a period of five (5) years.
14. A Site Plan shall be required for this use.

The motion carried unanimously.

8. **SPECIAL EXCEPTION/SPECIAL PERMIT – SPEX14-MA-014 & SPPT14-MA-013 – STEPHEN MILLS (OWNER)/STEPHEN MILLS & PHILIP CARTER STROTHER (APPLICANTS) – THE INN AT VINEYARDS CROSSING, LLC** – An application for a Category 7 Special Exception for the adaptive use of the historic Inn in order to hold receptions; and an amendment to a Category 3 Special Permit for a bed and breakfast. The properties are located at 5024 Leeds Manor Road, Marshall District. (PIN 6928-56-3623-000 and 6928-56-1720-000) (Don Del Rosso, Staff)

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

Mr. Lee opened the public hearing.

Mr. Jarrod Thomas, representative, explained the goals of the B&B. He stated that the receptions are designed in order to rent rooms to the attending guests as well as serve meals to the B&B guests. Mr. Thomas noted that the applicant has addressed the conditions.

Mr. Philip Strother, owner, stated that he is proud of the project and described the history of Barbee Tavern in Hume. Mr. Strother explained that there is small profit in restoring a historic property and the requested events will help to break even.

Ms. Virginia Wright, Marshall District, stated that she lives across the street from the parking area for the B&B and highlighted her family history within Hume. Ms. Wright spoke against increased activities but in favor of the B&B. She shared her concerns for the impact the receptions will have on the adjacent park, where many community events take place, and traffic impacts on the curvy roads used by cyclists and motorcycles.

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

Mr. Ennis noted he was not able to support a recommendation of approval due to safety and traffic impacts.

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

**THE INN AT VINEYARDS CROSSING
SPEX14-MA-014 & SPPT14-MA-013**

1. The Special Exception and Special Permit are granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the Exhibit received by the Fauquier County Department of Community Development on November 26, 2013, except as modified by these conditions.

2. The bed and breakfast shall be limited to five (5) guest rooms in the main structure plus one (1) room above the existing pool house. The maximum occupancy of the bed and breakfast shall be limited to 12 people.
3. **The bed and breakfast shall be limited to serving meals only to guests.**
4. Receptions, as defined in Section 15-300 of the Zoning Ordinance, shall be limited to 50 per calendar year, with a maximum of 50 attendees. The total number of attendees shall include the bed and breakfast guests. No more than two (2) receptions shall be allowed per weekend, defined as Friday, Saturday and Sunday. Receptions shall be allowed only on the adaptive re-use parcel (PIN 6928-56-3623-000).
5. All receptions shall end no later than 9:00 p.m., with one hour permitted for clean-up.
6. There shall be no amplified music or sound permitted at any time. All sound shall comply with the applicable standard set forth in Article 9 of the Fauquier County Zoning Ordinance.
7. The entrance on Hume Road (Route 635) shall meet all Virginia Department of Transportation (VDOT) requirements (PIN 6928-56-1720-000). All improvements shall be in place prior to the hosting of any reception.
8. Vehicular traffic associated with receptions shall only access the parking area (PIN 6928-56-1720-000) via the entrance on Hume Road (Route 635).
9. **All parking associated with the uses shall be prohibited on Hume Road (Route 635) and Leeds Manor Road (Route 688).**
10. Food for all events shall be provided by an outside caterer.
11. No activities or receptions shall result in more than the authorized limits under the Health Department well and septic permits.
12. No activity shall exceed the occupancy limits listed on the required Certificate of Occupancy.
13. Provisions for adequate well and septic shall be furnished prior to release of the site plan.
14. All commercial activities associated with the uses and the structures in which they occur shall satisfy all applicable building code regulations as well as all Health Department and VDOT requirements.
15. The events parking area (PIN 6928-56-1720-000) contains an existing, unused well, encircled by a stone wall. The applicants shall install a wooden fence around the stone wall of the well site. The fence shall be a minimum of four (4) feet in height and a minimum of five (5) feet from the edge of the stone wall. This improvement shall be in place prior to the hosting of any reception.

16. The applicants shall install a lighted, pedestrian path that connects the parcel containing the bed and breakfast (PIN 6928-56-3623-000) and the receptions parking area (PIN 6928-56-1720-000). Lighting for the path shall comply with the standards set forth in Section 9-900 of the Fauquier County Zoning Ordinance. These improvements shall be in place prior to the hosting of any reception.
17. Should the requirement for a dustless surface be waived during the site plan review process, the receptions parking area (PIN 6928-56-1720-000) shall be surfaced with gravel. This improvement shall be in place prior to the hosting of any reception.
18. Landscaping shall be installed and maintained to screen vehicles and headlights on the events parking area (PIN 6928-56-1720-000) from adjoining properties and Hume Road (Route 635).
19. All landscaping and screening of the reception parking area shall be consistent with the historic character of Hume.
20. All signs shall comply with the standards set forth in Article 8 of the Fauquier County Zoning Ordinance.
21. The applicants shall obtain the required permit from the Zoning Office for the use of tents during events.
22. All signs, permanent and temporary, shall require applicable permits from the Zoning Office. Temporary signs shall be removed after each event.
23. All lighting shall comply with the standards set forth in Section 9-900 of the Fauquier County Zoning Ordinance.
24. An approved site plan shall be required for the proposed uses.
25. The Special Exception (SPEX14-MA-014) and Special Permit (SPPT14-MA-013) shall be granted for a period of five (5) years from the date of the Board of Supervisors' approval.

The motion carried 4-1, as follows:

AYES: Mr. Alm, Mr. Lee, Ms. Garreau and Mr. Meadows

NAYS: Mr. Ennis

ABSTENTION: None

ABSENT: None

9. **SPECIAL EXCEPTION AMENDMENT – SEAM14-CR-005 – FAUQUIER COUNTY BOARD OF SUPERVISORS (OWNER)/PAUL S. MCCULLA, COUNTY ADMINISTRATOR (APPLICANT) – CORRAL FARM RECYCLING & LANDFILL IMPROVEMENTS** – An application to amend a previously approved Category 11 Special Exception to expand the existing landfill waste disposal area and capacity; and redesign and relocate landfill infrastructure, including roads, leachate ponds, berms, groundwater monitoring wells, and stormwater and operational facilities. The properties are located at 8499 Bingham Road and 8790 Green Road, Cedar Run District. (PIN 6982-79-9565-000, 6983-81-0145-000, and 6982-97-6871-000). (David Ek, Staff)

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

Mr. Lee opened the public hearing.

Mr. Mike Dorsey, Department of Environmental Services, promoted recycling and its impact to reducing the landfill size.

In that there were no further speakers, Mr. Lee adjourned the public hearing.

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to postpone action on this item for thirty days, with the public hearing left open.

The motion carried unanimously.

10. **TELECOMMUNICATION SPECIAL EXCEPTION – TWSE14-MA-001 – PHILLIP SWING THOMAS TRUST, PHILLIP SWING THOMAS, TRUSTEE (OWNER)/VERIZON WIRELESS (APPLICANT) – VERIZON WIRELESS – PARIS/THOMAS PROPERTY** – An application for a Category 20 Special Exception to construct an 80’ concealment pine tree telecommunications facility with associated equipment. The property is located off John S. Mosby Highway, Paris, Marshall District. (PIN 6034-99-3619-000 and 6035-90-5473-000 (Wendy Wheatcraft, Staff)

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

Mr. Lee opened the public hearing.

Mr. Frank Sterns, applicant, stated that Verizon thoroughly researched a proper site that covers the need for service and the design will be minimally impactful with no adverse effect to the Crooked Run Historic District. Mr. Sterns agreed that the conditions as amended today are acceptable.

Warren Stein, Esq., attorney representing adjacent property owner Robert Beckner, contended that this tower will affect the character of this historic area and expressed Mr. Beckner’s concern for possible lighting on the tower and other regulations of the FCC or

FAA. Mr. Stein stated that Mr. Beckner should be placed on record as being in opposition to this Special Exception.

Mr. Tim Skinner, Marshall District, stated he is the manager of Sky Meadows State Park and is proud to be a part of the Crooked Run Valley Historic District and to be protecting the rural heritage of these resources. Mr. Skinner commented that the current ordinances concerning concealment of towers like these are well thought out and should be enforced. He stated the staff report does a good job in considering ways to minimize the impacts and the recommendations should be carried forward. In addition, Mr. Skinner would like the Planning Commission to consider the recent comments from the telecommunication consultant's report to determine if this site meets the County's needs; therefore, he does not support the application at this time.

Ms. Barb Pivec, representative of the applicant, voiced her appreciation for the community's desire to preserve its rural nature and that Verizon is investing in the community with the best design.

In that there were no further speakers, Mr. Lee adjourned the public hearing.

After discussion, on motion made by Mr. Lee and seconded by Ms. Garreau, it was moved to postpone action on this item for thirty days, with the public hearing left open.

The motion carried unanimously.

11. **REZONING – REZN12-CR-001 – WARRENTON MANAGEMENT ASSOCIATES, INC. & THE DREW CORPORATION (OWNERS)/WALTER A. HITCHCOCK, JR. (APPLICANT) – MILLFIELD PHASES IV, V, & VI** – An application to amend previously approved proffers and Concept Development Plan (REZN11-CT-001). The properties are located off Millfield Drive, Cedar Run District. (PIN 6984-95-5265-000, 6984-94-1789-000, 6984-94-0516-000, 6984-84-4741-000, and 6984-84-6403-000. (Holly Meade, Staff)

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

Mr. Lee opened the public hearing.

Mr. Patrick Garrett, Cedar Run District, noted that he has lived in Millfield for over three years and enjoys the quiet surroundings. Mr. Garrett expressed his concerns for more construction, because his wife is constrained to the property due to a disability, and what the residents' long term costs would be for the proposed dry ponds. Mr. Garrett added that the developer had agreed to send an arborist to evaluate dead trees on the open space land and that has not happened. In closing, Mr. Garrett stated that the residents would appreciate earlier notification if there will be a community meeting.

Mr. Walter Hitchcock, Jr., applicant, stated that this concept plan was previously approved and described his original intentions for affordable housing. Mr. Hitchcock explained that he will deposit \$20,000 into the Homeowners' Association for their open space, that a tot lot will be cost prohibitive for the homeowners, and the necessity for the trail. He further explained that he has already purchased sixteen water taps and will using them for the final phases of development.

Ms. Holly Burris, Cedar Run District, stated that the community is fine with the tot lot and affordable housing being removed from the proffers. Ms. Burris stated that their main concern is the addition of new homes with the proposed Phases 5 and 6, and they do not have confidence in the developer committing to these amended proffers. She shared another concern for having only one ingress/egress access point to their neighborhood and the impacts construction will have to this access. Ms. Burris requested that the Planning Commission table their decision until some of the issues have been resolved.

Ms. Linda Dick, Cedar Run District, shared her concern for the proffers changing and would appreciate more time for the community to understand the proposed changes. Ms. Dick urged the Planning Commission to postpone their recommendation.

Mr. Greg Slader, Cedar Run District, agreed with the previous speakers' concerns and stressed the need for more outreach to the community in order for everyone to understand the changes.

Ms. Sarah Slader, Cedar Run District, reiterated the community's need to understand the proposed changes and have the opportunity to ask questions and provide comments.

In that there were no further speakers, Mr. Lee adjourned the public hearing.

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

Ms. Garreau stated that she would support postponing action on this item in order for the applicant to provide the community with more information on the additional parcels and amended proffers. Mr. Lee and Mr. Alm agreed with postponing action.

The motion failed 2-3, as follows:

AYES: Mr. Ennis and Mr. Meadows

NAYS: Mr. Alm, Mr. Lee and Ms. Garreau

ABSTENTION: None

ABSENT: None

After discussion, on motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to postpone action on this item, with the public hearing left open.

The motion carried 3-2, as follows:

AYES: Mr. Alm, Mr. Lee and Ms. Garreau

NAYS: Mr. Ennis and Mr. Meadows

ABSTENTION: None

ABSENT: None

12. **REZONING – REZN14-LE-004 – MINTBROOK DEVELOPERS, LLC (OWNER) HUMANITIES FOUNDATION (APPLICANT) – MINTBROOK BLOCK 5** – An application to amend a previously approved Rezoning (REZN11-LE-002) to show uses in Neighborhood A, Block 5, which includes commercial uses and up to one hundred (100) age-restricted multi-family units. The property is located at 6331 Mintbrook Lane, Lee District. (PIN 6889-89-6214-000) (Adam Shellenberger, Staff)

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

Mr. Lee opened the public hearing.

Mr. Russell Marks, owner, complimented the hard work from staff and clarified that the units will be for rent with age and income restrictions allowing senior affordable housing.

Dr. Kitty Smith, on behalf of Citizens for Fauquier County, shared concerns for the increase in density and that Fauquier County needs a definition for active adults in order to clarify the age restriction in the proffers. Dr. Smith expressed further concern that there are no monetary proffers offered with these additional units which will still be utilizing Emergency, Sheriff, Landfill and Library services at a cost to the county.

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

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

The motion carried unanimously.

13. **COMPREHENSIVE PLAN AMENDMENT – CPAM14-XX-001** – A Comprehensive Plan Amendment to Chapter 3 – Population Analyses & Projections (Chris Pettit, Staff)

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

Mr. Lee opened the public hearing.

In that there were no speakers, Mr. Lee adjourned the public hearing.

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to postpone action on this item, with the public hearing left open.

The motion carried unanimously.

14. **COMPREHENSIVE PLAN AMENDMENT – CPAM13-CR-001** – A Comprehensive Plan Amendment to Chapter 6 – Bealeton, Opal and Remington Service District Plan to update sections related to Opal. (Kimberley Fogle, Staff)

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

Mr. Lee opened the public hearing.

Mr. Stephen Clark, Marshall District, commented that important parts of the draft plan were drastically changed from the Opal Steering Committee's version, such as removing the additional 100 acres that contains the public well and the addition of sidewalks that the businesses will not be able to afford.

Ms. Madge Eicher, Marshall District, stated that she is upset that the revisions to the Opal Steering Committee's version has derailed what the landowners decided on and questioned why there are changes. Ms. Eicher noted that Opal is not a destination, but a pass through for regional traffic.

Mr. Don Early, Marshall District, stated that he supports the Opal Steering Committee's version of the draft. Mr. Early spoke against having a Community Development Authority at this time and urged that the stakeholders be a part of a water task force. He also spoke against the additional language describing sit down, full-service restaurants and would prefer a variety of restaurants. In closing, Mr. Early suggested adding verbiage that seeks federal money for road funding and reconsider supporting major parts of the Opal Steering Committee's draft plan.

Mr. Joe Wiltse, Scott District, remarked that because Clarkes Road only has one ingress/egress onto Route 17, the long term transportation plan should keep the future northern connection to Lees Mill Road in order to improve safety for the residents.

Ms. Lorraine Early, Marshall District, stated that the Opal Steering Committee was tasked with projecting what would be needed for the future in regard to water and transportation and the members agreed on having a water task force, not a Community Development Authority.

Ms. Sharon Langhans, Marshall District, explained that as a resident of the Edge Hill Subdivision she is concerned about the expansion of the service district on the western side and about increased traffic on Lees Mill Road. Ms. Langhans voiced further concern for the impacts of industrial uses on a well parcel such as noise, lighting, water quality and pollution. Lastly, she thanked the Planning Commission for hearing the residents' concerns and strongly urged the Commission to not expand the Opal Service District.

Mr. Fred Langhans, Marshall District, shared the concerns of the previous speaker and also urged the Planning Commission to keep the well lot out of the Opal Service District.

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

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following amended Resolution (Resolution A):

A RESOLUTION TO APPROVE COMPREHENSIVE PLAN AMENDMENT
(CPAM13-CR-001) TO CHAPTER 6 – BEALETON, OPAL AND REMINGTON
SERVICE DISTRICT PLAN TO UPDATE SECTIONS RELATED TO OPAL

WHEREAS, the Opal Service District Steering Committee, following considerable and thoughtful work over a period of eight months, produced the *Opal Steering Committee Draft Plan October 8, 2013*; and

WHEREAS, the Fauquier County Planning Commission held work sessions to review the draft plan on October 31, 2013, December 4, 2013 and January 14, 2014; and

WHEREAS, the Planning Commission held a public hearing on the draft plan and considered both oral and written testimony; now, therefore, be it

RESOLVED by the Fauquier County Planning Commission this 30th day of January 2014, that its recommendation to the Fauquier County Board of Supervisors is to approve and adopt CPAM13-CR-001 as presented in the *Opal Steering Committee Draft Plan October 8, 2013*; and be it

RESOLVED FURTHER by the Fauquier County Planning Commission, that they recommend approval of the additional changes to remove references within the Bealeton, Opal and Remington Service District Plan that conflict with the above plan.

The motion failed 2-3, as follows:

AYES: Mr. Ennis and Mr. Meadows

NAYS: Mr. Alm, Mr. Lee and Ms. Garreau

ABSTENTION: None

ABSENT: None

After discussion, on motion made by Mr. Lee and seconded by Ms. Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following amended Resolution (Resolution B):

A RESOLUTION TO APPROVE COMPREHENSIVE PLAN AMENDMENT
(CPAM13-CR-001) TO CHAPTER 6 – BEALETON, OPAL AND REMINGTON
SERVICE DISTRICT PLAN TO UPDATE SECTIONS RELATED TO OPAL

WHEREAS, the Opal Service District Steering Committee, following considerable and thoughtful work over a period of eight months, produced the *Opal Steering Committee Draft Plan October 8, 2013*; and

WHEREAS, the Fauquier County Planning Commission held work sessions to review the draft plan on October 31, 2013, December 4, 2013 and January 14, 2014; and

WHEREAS, the Planning Commission drafted a *Planning Commission Report*, dated January 30, 2014, outlining their concerns on a number of elements in the Plan; and

WHEREAS, the Planning Commission prepared edits to the Opal Steering Committee draft as shown in the version of the Plan noted as *Planning Commission and Review Agency Edits January 30, 2014*; and

WHEREAS, comments and edits from the Virginia Department of Transportation and the Fauquier County Transportation Committee are also incorporated in the *Planning Commission and Review Agency Edits January 30, 2014* draft; and

WHEREAS, the Planning Commission held a public hearing on the draft plan and considered both oral and written testimony; now, therefore, be it

RESOLVED by the Fauquier County Planning Commission this 30th day of January 2014, That its recommendation to the Fauquier County Board of Supervisors is to approve and adopt CPAM13-CR-001 as presented in the *Planning Commission and Review Agency Edits January 30, 2014* version of the Plan; and be it

RESOLVED FURTHER by the Fauquier County Planning Commission, That they recommend approval of the additional changes to remove references within the Bealeton, Opal and Remington Service District Plan that conflict with the above plan.

The motion carried 3-2, as follows:

AYES: Mr. Alm, Mr. Lee and Ms. Garreau

NAYS: Mr. Ennis and Mr. Meadows

ABSTENTION: None

ABSENT: None

In that there was no further business, the meeting was adjourned at 11:15 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