

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
June 26, 2014**

<p>Work Session 10:30 a.m. Warren Green Building, Second Floor Conference Room 10 Hotel Street, Warrenton, Virginia</p>
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The Fauquier County Planning Commission held a Work Session on Thursday, June 26, 2014, beginning at 10:30 a.m., in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. Bob Lee, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Ken Alm, Secretary; Mr. John Meadows and Mr. Dell Ennis. Also present were Ms. Mary Catherine Sheridan, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Don Del Rosso, Mr. Adam Shellenberger, Ms. Wendy Wheatcraft, Mr. Rob Walton, Ms. Heather Jenkins and Ms. Marie Scheetz.

JOURNEY THROUGH HALLOWED GROUND DISCUSSION

Ms. Meade introduced Carol Truppi, Journey Through Hallowed Ground Partnership, who led the presentation.

The Planning Commission adjourned for lunch.

SPECIAL EXCEPTION – SPEX-14-001111, JAMES W. & EDEL M. KUNKEL (OWNERS)/EDEL M. KUNKEL (APPLICANT) – MOUNTAINSIDE MONTESSORI SCHOOL (JOHN BARTON PAYNE ROAD)

Mr. Don Del Rosso reviewed the application.

CLOSED MEETING:

On motion made by Mr. Ken Alm 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 pertaining to specific legal matters requiring the provision of legal advice by counsel relating to SPEX-14-001111 – James W. & Edel M. Kunkel (Owners)/Edel M. Kunkel (Applicant) – Mountainside Montessori School (John Barton Payne Road).

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. Ken Alm and seconded by Ms. Adrienne Garreau.

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

REZONING – REZN-14-000820, CHRISTOPHER & KIERNAN SLATER PATUSKY (OWNERS/APPLICANTS) – SLATER RUN VINEYARDS/UPPERVILLE STONE HOUSE

Ms. Holly Meade reviewed the application.

ZONING ORDINANCE TEXT AMENDMENT – ZOTA14-XX-010 – 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.

PRELIMINARY PLAT – PREP-14-000603, DWIGHT S. POLAND & FRANK C. POLAND, INC. (OWNERS)/FRANK C. POLAND (APPLICANT) – MILLER WOODS WEST

Mr. Chuck Floyd reviewed the application.

PRELIMINARY PLAT – PREP-14-000751, JOSEPH K. (JR.) & JANICE S. ALLEN (OWNERS/APPLICANTS) – ALLEN DIVISION

Mr. Chuck Floyd reviewed the application.

PRELIMINARY PLAT – PREP-14-000812, D. R. HORTON, INC. (OWNER/APPLICANT) – AMBLER VALE SUBDIVISION (LOT 7R)

Mr. Chuck Floyd reviewed the application.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-14-000438 – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 related to the Commercial Village (CV) zoning district, the uses allowed within the Commercial Village (CV) zoning district and the approval standards for uses within the Commercial Village (CV) District.

Mr. Chuck Floyd reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-14-001153 – A Zoning Ordinance Text Amendment to Article 8 to remove the requirement that freestanding sign faces must be parallel to avoid counting both sides as sign area.

Mr. Chuck Floyd reviewed the proposed amendment.

SPECIAL EXCEPTION – SPEX-14-000800, MILL RUN CONDOMINIUM I, LLC (OWNER)/LANA SMITH, ERIKA WAIT, PIA EHN-HARDY & CINDY RHODES (APPLICANTS) – THE JUMPING JUNCTION/MILL RUN BUSINESS PARK

Mr. Adam Shellenberger reviewed the application.

PLANNING COMMISSIONERS' TIME

Planning Commission members discussed the site visit schedule for July 2, 2014.

Planning Commission members discussed the upcoming training schedule.

Planning Commission members discussed changing the Planning Commission meeting schedule beginning in 2015 to move the meeting to the third Thursday of the month.

APPROVAL OF MINUTES – May 29, 2014 and June 4, 2014

Planning Commissioners discussed the minutes.

TRANSPORTATION COMMITTEE AGENDA

Planning Commissioners discussed the agenda.

BOARD OF ZONING APPEALS AGENDA

Planning Commissioners discussed the agenda.

A WORK SESSION ON TELECOMMUNICATIONS

Ms. Kimberley Johnson led the discussion.

The meeting was adjourned at 4:30 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, June 26, 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; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Ken Alm, Secretary; Mr. John Meadows and Mr. Dell Ennis. Also present were Ms. Mary Catherine Sheridan, Ms. Kimberley Fogle, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Don Del Rosso and Mr. Adam Shellenberger.

1. **APPROVAL OF MINUTES** – May 29, 2014 and June 4, 2014

On motion made by Ms. Adrienne Garreau and seconded by Mr. Ken Alm, it was moved to approve the May 29, 2014 and June 4, 2014 minutes.

The motion carried unanimously.

2. **PRELIMINARY PLAT – PREP-14-000603, DWIGHT S. POLAND & FRANK C. POLAND, INC. (OWNERS)/FRANK C. POLAND (APPLICANT) – MILLER WOODS WEST** – An application to subdivide approximately 8.8197 acres into three (3) lots. The property is located on the north side of Oak Shade Road, Lee District. (PIN 6889-25-8957-000) (Chuck Floyd, Staff)

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

On motion made by Mr. John Meadows and seconded by Mr. Dell Ennis, it was moved to approve this item, subject to the following conditions:

**MILLER WOODS WEST
PREP-14-000603**

1. The Final Plat shall be in conformance with the Miller Woods West Preliminary Plat/Final Construction entitled “Preliminary Plan & Final Construction Plan, Miller Woods – West” dated January 17, 2014, last revised on May 6, 2014, and signed and sealed by Marvin T. Hinchey, P.E. on June 10, 2014 except as noted in the following:
 - a. A Tree Canopy Preservation Easement shall be recorded prior to or concurrently with the Final Plat. The easement shall ensure protection of the existing and proposed trees used toward the Zoning Ordinance tree canopy and street tree requirements.
 - b. Access from Route 15/29 (James Madison Highway) is prohibited. Access to the lots shall be provided from a private ingress/egress easement located to the rear of the lots.

The motion carried unanimously.

3. **PRELIMINARY PLAT – PREP-14-000751, JOSEPH K. (JR.) & JANICE S. ALLEN (OWNERS/APPLICANTS) – ALLEN DIVISION** – An application to subdivide approximately 4.436 acres into two (2) lots. The property is located on the east side of Springs Road, Marshall District. (PIN 6962-41-0577-000) (Harvey Clark, Staff)

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

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

**ALLEN DIVISION
PREP-14-000751**

1. The final plat shall be in general conformance with the “Preliminary/Final Construction Plan on the Allen Division” sealed and dated by James R. Ashley on March 28, 2014, except as noted in the following conditions.
2. At the time of Building Permit application, the individual lot owner is responsible for preparing an Erosion and Sediment Control Plan for review or applying for an Agreement-in-Lieu-of-a-Plan at the discretion of the County prior to any land disturbing activities beyond what is shown on the Approved Final Construction Plan.
3. A note shall be added to the Final Plat stating that the lots are prohibited from future subdivision. Additionally, a note shall be placed in the Deed of Subdivision prohibiting future subdivision of the parcels.

The motion carried unanimously.

4. **PRELIMINARY PLAT – PREP-14-000812, D. R. HORTON, INC. (OWNER/APPLICANT) – AMBLER VALE SUBDIVISION (LOT 7R)** – An application to subdivide approximately 5.46 acres into two (2) lots. The properties are located on the east side of Gray’s Mill Road, Scott District. (PIN 7905-28-6145-000 and 7905-28-8368-000) (Chuck Floyd, Staff)

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

On motion made by Ms. Adrienne Garreau and seconded by Mr. Ken Alm, it was moved to approve this item, subject to the following conditions:

**AMBLER VALE SUBDIVISION (LOT 7R)
PREP-14-000812**

1. The Final Plat shall be in conformance with the Ambler Vale Lot 7R Preliminary Plat/Final Construction entitled “Preliminary Plan & Final Construction Plan, Ambler Vale Lot 7R” dated March 26, 2014 and signed and sealed by Robert A. Polins, P.E. on June 10, 2014 except as noted in the following:
 - a. A Tree Canopy Preservation Easement shall be recorded prior to or concurrently with the Final Plat. The easement shall ensure protection of the existing and

proposed trees used toward the Zoning Ordinance tree canopy and street tree requirements.

- b. A Landscaping Easement for the street trees shall be recorded with the Final Plat.
- c. A SWM/BMP Maintenance Agreement must be recorded for each lot stipulating their maintenance responsibilities for the existing stormwater management facilities located within Ambler Vale.
- d. Access from Ambler Vale Drive shall be prohibited.

The motion carried unanimously.

5. BOARD OF ZONING APPEALS AGENDA

No comment.

6. TRANSPORTATION COMMITTEE AGENDA

No comment.

<p><i>Public Hearings</i> <i>6:30 p.m.</i> <i>Warren Green Meeting Room, First Floor, 10 Hotel Street</i> <i>Warrenton, Virginia</i></p>
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1. CITIZENS' TIME

No one spoke.

2. ANNOUNCEMENTS

None.

- 3. ZONING ORDINANCE TEXT AMENDMENT – ZOTA14-XX-010** – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 creating a new use category for outdoor recreation uses. (Kimberley Johnson, Staff)

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

Mr. Bob Lee opened the public hearing.

Mr. Mike Bridges, Cedar Run District, expressed his appreciation to the Planning Commission members for coming on a site visit to the all-terrain vehicle park in Prince William County. Mr. Bridges stated he would like to have the opportunity to provide this sport to the children and families of Fauquier County, including racing and camping on a limited basis.

Mr. Thom Quackenbush, Vice-President of the Family Off-Road Riders of Prince William County, spoke on behalf of the club in support of this text amendment. Mr. Quackenbush stated that off-road riding is wholesome family recreation that teaches responsibility and with five hundred members in the club it would be an economic benefit to the County.

Mr. Roger Layton, Center District, spoke in support of the text amendment and explained it is a struggle to find activities for the whole family in the County. Mr. Layton stated that motorcycling is something his family likes to do together and respectfully requested a recommendation of approval.

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

Mr. Dell Ennis explained that if approved, this text amendment would open up this use to 90% of the County where the main desire is a quiet, rural area.

After discussion, 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 denial.

The motion carried 3-2, as follows:

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

NAYS: Mr. Ken Alm and Mr. John Meadows

ABSTENSION: None

ABSENT: None

4. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-14-000438** – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 related to the Commercial Village (CV) zoning district, the uses allowed within the Commercial Village (CV) zoning district and the approval standards for uses within the Commercial Village (CV) District. (Chuck Floyd, Staff)

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

Mr. Bob Lee opened the public hearing.

Ms. Lisa Gisselquist, Scott District, spoke in opposition and stated that this amendment confuses the ordinance and needs to be simplified.

Dr. Dan Gisselquist, Scott District, spoke in opposition and expressed his concern for added government intrusion into his life. Dr. Gisselquist added that this text amendment is complicated and that Special Exceptions should not be required in the Commercial Village zoning.

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

After discussion, 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 3-2, as follows:

AYES: Mr. Dell Ennis, Mr. Bob Lee and Mr. John Meadows

NAYS: Mr. Ken Alm and Ms. Adrienne Garreau

ABSTENSION: None

ABSENT: None

5. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-14-001153** – A Zoning Ordinance Text Amendment to Article 8 to remove the requirement that freestanding sign faces must be parallel to avoid counting both sides as sign area. (Chuck Floyd, Staff)

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

Mr. Bob Lee opened the public hearing.

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

On motion made by Mr. Dell Ennis 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.

6. **SPECIAL EXCEPTION – SPEX-14-000800, MILL RUN CONDOMINIUM I, LLC (OWNER)/LANA SMITH, ERIKA WAIT, PIA EHN-HARDY & CINDY RHODES (APPLICANTS) – THE JUMPING JUNCTION/MILL RUN BUSINESS PARK** – An application for a Category 10 Special Exception to allow an indoor activity center in condominium units within an existing structure. The property is located at 6649 Garland Drive, Scott District. (PIN 7906-20-3223-000) (Adam Shellenberger, Staff)

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

Mr. Bob Lee opened the public hearing.

In that there were no speakers, Mr. Bob Lee 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, subject to the following conditions:

**THE JUMPING JUNCTION/MILL RUN BUSINESS PARK
SPEX-14-000800**

1. The Special Exception is granted for and runs with the land indicated in this application as PIN 7906-20-3223-000, and is not transferable to other land.
2. The Special Exception shall be in general conformance with the information and drawings submitted with the application except as specifically modified by the conditions below or necessary to meet Zoning Ordinance requirements.
3. The use shall not exceed 10,510 square feet, or utilize more than six (6) of the building's condominium units.
4. The use shall be limited to units within the existing building. The units shall be completely enclosed, air-conditioned, and soundproofed.
5. All applicable Building Permits and a Certificate of Occupancy shall be obtained prior to the opening of the facility.
6. The hours of operation shall be generally limited to 9:00 a.m. to 9:00 p.m.; however, a maximum of three (3) times per year there may be an overnight party or special event.
7. The facility may contain a snack bar/refreshment stand which shall be limited to offering only pre-packaged food and drinks which are labeled for individual sale. All other food which is to be served at the facility shall be catered and prepared off the premises.
8. At least one (1) parking space per two (2) persons of maximum occupancy load plus one (1) spot per employee shall be provided.

The motion carried unanimously.

7. **SPECIAL EXCEPTION – SPEX-14-001111, JAMES W. & EDEL M. KUNKEL (OWNERS)/EDEL M. KUNKEL (APPLICANT) – MOUNTAINSIDE MONTESSORI SCHOOL (JOHN BARTON PAYNE ROAD)** – An application to extend the deadline of an existing Category 5 Special Exception (SPEX13-MA-013) for a primary school. The property

is located at 6089 John Barton Payne Road, Marshall District. (PIN 6947-10-9444-000 and 6947-10-8259-000) (Don Del Rosso, Staff)

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

Mr. Bob Lee opened the public hearing.

Ms. Valerie Amster, representative, indicated that construction of the new school is underway and she expressed her appreciation for the Planning Commission's support and patience.

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

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

**MOUNTAINSIDE MONTESSORI SCHOOL (JOHN BARTON PAYNE ROAD)
SPEX-14-001111**

1. The approved Special Exception shall be granted for and run with the land indicated in this 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 Plat, "Mountainside Montessori School" approved with Special Exception (SPEX10-MA-020) on October 14, 2010, as qualified by these development conditions.
3. The term of this Special Exception shall be valid through July 1, ~~2014~~ 2015 or until 30 days after the occupancy certificate for a new location for the primary school is issued, whichever is sooner.
4. **The applicant shall obtain an occupancy certificate for residential use of the school structure within 60 days of the expiration of the Special Exception or within 30 days of the issuance of the occupancy certificate for the new location for the primary school, whichever is sooner.**
5. The applicant shall have the ability to conduct the following uses on the site:
 - primary school for a maximum of 18 children, ages twelve years old or younger at the beginning of the school year.
6. The total school use on the site is limited to a maximum of forty (40) students including the preschool and primary school.

The motion carried unanimously.

8. **REZONING – REZN-14-000820, CHRISTOPHER & KIERNAN SLATER PATUSKY (OWNERS/APPLICANTS) – SLATER RUN VINEYARDS/UPPERVILLE STONE HOUSE** – An application to amend approved proffers to allow additional uses. The property is located at 9030 John S. Mosby Highway, Marshall District. (PIN 6064-05-1029-000) (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. Bob Lee opened the public hearing.

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

On motion made by Mr. Bob Lee 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.

In that there was no further business, the meeting was adjourned at 7:39 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