

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
December 3, 2014**

**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, December 3, 2014, beginning at 12:30 p.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 Mr. Paul McCulla, Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Andrew Hopewell, Mr. Don Del Rosso, Mr. Adam Shellenberger, Ms. Wendy Wheatcraft, Mr. David Ek, Ms. Heather Jenkins, and Mr. Ben Holt.

COMPREHENSIVE PLAN – CHAPTER 1, VISION DISCUSSION

Mr. Andrew Hopewell reviewed the proposed amendment.

UPDATE FROM WATER SUMMIT

Mr. Paul McCulla provided an update.

COMPREHENSIVE PLAN – CHAPTER 2, NATURAL RESOURCES DISCUSSION

Mr. David Ek led the discussion.

COMPREHENSIVE PLAN – CHAPTER 2, HERITAGE RESOURCES DISCUSSION

Ms. Wendy Wheatcraft led the discussion.

ZONING ORDINANCE TEXT AMENDMENT – Initiation of a Zoning Ordinance Text Amendment to Section 5-2600 to modify the standards for approving a decrease in non-common open space.

Ms. Kimberley Johnson reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – Initiation of a Zoning Ordinance Text Amendment to Sections 3-318 and 5-1812 to allow adaptive reuse of historic buildings on non-common open space with approval of a Special Exception.

Ms. Kimberley Johnson reviewed the proposed amendment.

SPECIAL EXCEPTION – SPEX-14-002012, SANDRA A. VON-ELTEN (OWNER)/CWS VII, LLC & VERIZON WIRELESS (APPLICANTS) – CWS WARRENTON SOUTH TELECOMMUNICATIONS FACILITY

Ms. Wendy Wheatcraft reviewed the application.

SPECIAL EXCEPTIONS – SPEX13-CR-014, SPEX13-CR-015, SPEX13-CR-016 – JUNIPER TREE PROPERTIES, LC, A/K/A JUNIPER TREE PROPERTIES, LLC – OPAL GATEWAY DRIVE-THROUGHS

Mr. Adam Shellenberger reviewed the application.

PRELIMINARY PLAT – PREP-14-001383 – STEPHEN J. FRINK (OWNER/APPLICANT) – FRINK PROPERTY

Ms. Heather Jenkins reviewed the application.

PRELIMINARY PLAT – PREP-14-001539 – CHRISTOPHER & KELLY M. BAUMGARTNER (OWNERS/APPLICANTS) – STONE’S THROW MEADOW

Ms. Heather Jenkins reviewed the application.

APPROVAL OF MINUTES – OCTOBER 30, 2014 & NOVEMBER 5, 2014

Planning Commissioners discussed the minutes.

PLANNING COMMISSIONERS’ TIME

Planning Commission members discussed the upcoming site visit schedule and determined that no site visits were needed.

Mr. Bob Lee distributed an article to Commissioners and staff.

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 Wednesday, December 3, 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. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Andrew Hopewell, Mr. Adam Shellenberger, Ms. Wendy Wheatcraft, Ms. Heather Jenkins and Mr. Ben Holt.

1. **APPROVAL OF MINUTES** – October 30, 2014 and November 5, 2014

On motion made by Mr. John Meadows and seconded by Ms. Adrienne Garreau, it was moved to approve the October 30, 2014 and November 5, 2014 minutes.

The motion carried unanimously.

2. **PRELIMINARY PLAT – PREP-14-001383 – STEPHEN J. FRINK (OWNER/APPLICANT) – FRINK PROPERTY** – An application to subdivide approximately 45.7998 acres into two (2) lots. The property is located at 6305 Georgetown Road, Scott District. (PIN 7906-27-5042-000) (Heather Jenkins, Staff)

Ms. Heather Jenkins 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. Dell Ennis, it was moved to approve this item subject to the following conditions:

FRINK PROPERTY
PREP-14-001383

1. The Final Plat shall be in conformance with the Frink Property Preliminary Plat/Final Construction Plan entitled “Preliminary Plat/Construction Plan of the Division of the Property of James C. Frink, Trustee and Lakie S. Frink, Trustee” dated, signed and sealed by Michael L. Flynn L.S. on October 20, 2014.
2. The following statements shall be included on the Final Plat:

- *‘An official letter of Jurisdictional Determination by the United States Army Corps of Engineers (USACE) and a plan showing the survey-located extents of all wetland and stream channel resources shall be provided prior to issuance of a land disturbing and/or building permit.’*
- *‘It shall be agreed that all drainfield areas are to be surrounded by safety fencing and no construction traffic shall cross nor shall land disturbance occur in these areas. The fencing of these areas is to be verified by County staff before the issuance of the land disturbing and/or building permit.’*
- *‘An Agreement in Lieu of Stormwater Management Plan shall be signed by the owner prior to issuance of a land disturbing and/or building permit.’*
- *‘Prior to building permit approval, any proposed culverts will require proof of MS-19 adequacy, furnished along with the VDOT entrance permit.’*

The motion carried unanimously.

3. **PRELIMINARY PLAT – PREP-14-001539 – CHRISTOPHER & KELLY M. BAUMGARTNER (OWNERS/APPLICANTS) – STONE’S THROW MEADOW** – An application to subdivide approximately 3.77 acres into three (3) lots. The property is located on the east side of Grays Mill Road, Scott District. (PIN 6995-93-4853-000) (Heather Jenkins, Staff)

Ms. Heather Jenkins 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. John Meadows, it was moved to postpone action on this item, until the plan is ready to move forward.

The motion carried unanimously.

4. **ZONING ORDINANCE TEXT AMENDMENT** – Initiation of a Zoning Ordinance Text Amendment to Sections 3-318 and 5-1812 to allow adaptive reuse of historic buildings on non-common open space with approval of a Special Exception. (Kimberley Johnson, Staff)

Mr. Chuck Floyd requested the Planning Commission adopt a resolution to initiate the Zoning Ordinance Text Amendment.

For purposes of good zoning practice, convenience, as well as public general welfare, on motion made by Mr. Dell Ennis and seconded by Ms. Adrienne Garreau, it was moved to initiate this item.

The motion carried unanimously.

5. **ZONING ORDINANCE TEXT AMENDMENT** – Initiation of a Zoning Ordinance Text Amendment to Section 5-2600 to modify the standards for approving a decrease in non-common open space. (Chuck Floyd, Staff)

Mr. Chuck Floyd requested the Planning Commission adopt a resolution to initiate the Zoning Ordinance Text Amendment.

For purposes of good zoning practice, convenience, as well as public general welfare, on motion made by Mr. John Meadows and seconded by Mr. Dell Ennis, it was moved to initiate this item.

The motion carried unanimously.

6. **COMPREHENSIVE PLAN AMENDMENT** – Initiation of a Comprehensive Plan Amendment to Chapter 1. (Andrew Hopewell, Staff)

Mr. Andrew Hopewell requested the Planning Commission adopt a resolution to initiate the Comprehensive Plan Amendment.

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

The motion carried unanimously.

<p style="text-align: center;"><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. **SPECIAL EXCEPTIONS – SPEX13-CR-014, SPEX13-CR-015, SPEX13-CR-016 – JUNIPER TREE PROPERTIES, LC, A/K/A JUNIPER TREE PROPERTIES, LLC – OPAL GATEWAY DRIVE-THROUGHS** – An application for three (3) Category 13 Special Exceptions for drive-throughs associated with a fast food restaurant, a financial institution, and a pharmacy. The property is located at 10171 Marsh Road (Route 17) within the Opal Service District, Cedar Run District. (PIN 6980-49-5324-000) (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.

Mr. Joe Wiltse, applicant’s representative, expressed his thanks to staff for providing a thorough review of the applications’ history. Mr. Wiltse noted that because the applications’ timing is an issue, he offered to include a condition that there will be no site plan filed for the drive-throughs until after the second medical building site plan is filed. Mr. Wiltse respectfully asked for support for these requests.

Mr. Dell Ennis commented that he would support the application as is.

In that there were no further 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 failed 2 – 3, as follows:

AYES: Mr. John Meadows and Mr. Dell Ennis

NAYS: Mr. Bob Lee, Ms. Adrienne Garreau and Mr. Ken Alm

ABSTENTION: None

ABSENT: None

Mr. Ken Alm noted he cannot support the application and expressed his concern that a water source has yet to be determined, therefore, the project is a long way off.

Mr. John Meadows commented that Fauquier County should show we are business friendly and support the request.

Ms. Adrienne Garreau stated that the request is premature.

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

The motion carried 3 – 2, as follows:

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

NAYS: Mr. John Meadows and Mr. Dell Ennis

ABSTENTION: None

ABSENT: None

4. **SPECIAL EXCEPTION – SPEX-14-002012, SANDRA A. VON-ELTEN (OWNER)/CWS VII, LLC & VERIZON WIRELESS (APPLICANTS) – CWS WARRENTON SOUTH TELECOMMUNICATIONS FACILITY** – An application for a Category 20 Special Exception to construct a one hundred forty (140) foot tree pole telecommunications tower and associated equipment. The property is located at 9337 James Madison Highway, Cedar Run District. (PIN 6981-39-8009-000) (Wendy Wheatcraft, Staff)

Ms. Wendy Wheatcraft 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. Brian Phillips, Cedar Run District and adjoining property owner, stated that the placement of the tower affects the view from his property and would prefer a location further into the woods. Mr. Phillips expressed that the tower's close proximity to Route 29 could be affected should VDOT widen Route 29 in the future.

Mr. Frank Stearns, applicant's representative, stated that he sympathizes with Mr. Phillips' concerns and that Verizon has placed tree poles at both Mount Vernon and Montpelier where there is no impact to these historic sites. Mr. Stearns added that the site will not have lighting except above the door to the maintenance building.

Mr. Paul Dugan, applicant's consulting engineer, explained that the tower location is equal distances from the existing Lovers Lane and Opal tower locations. Mr. Dugan further explained that there is an extreme boost in data demands for LTE service.

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

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 approval, subject to the following revised conditions:

**CWS WARRENTON SOUTH TELECOMMUNICATIONS FACILITY
SPEX-14-002012**

1. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat "CWS Site #141–Warrenton South" dated September 2, 2014, and received in the Planning Office on October 3, 2014 as approved with this application and as modified by the associated conditions below.
2. The installation of one security light, no more than 100 watts or equivalent, is permitted on any equipment shelter constructed within the compound in the future. The applicants shall be required to provide the details of the light fixture and a photometric plan with the first submission of the Site Plan application, along with an explanation of how the light meets the requirement of Article 9 of the Zoning Ordinance, Performance Standards for glare.
3. The applicants shall record the access easement prior to release of the Site Plan.
- ~~4. Landscaping required by Sections 11-103.3 and 11-103.2 of the Zoning Ordinance is waived for this project.~~
5. After the installation of the facility and access road, removal of trees within 200 feet of the facility shall not be permitted.
6. Any future collocations shall not diminish the concealed character of the tree pole tower. All future antenna arrays collocated on the tower shall be screened with artificial foliage.
7. Entrances to equipment shelters constructed within the compound, as well as the security lighting, shall be placed on the north side of the buildings.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 7:41 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**