

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
March 28, 2013**

**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, March 28, 2013, beginning at 12:30 p.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, Mrs. Susan Eddy, Ms. Holly Meade, Mr. Rob Walton, Mr. Adam Shellenberger and Mr. Don Del Rosso.

SPECIAL EXCEPTION – SPEX13-MA-013 – JAMES W. & EDEL M. KUNKEL (OWNERS)/EDEL M. KUNKEL (APPLICANT) – MOUNTAINSIDE MONTESSORI SCHOOL (JOHN BARTON PAYNE ROAD)

Mr. Del Rosso reviewed the application.

ZONING ORDINANCE TEXT AMENDMENT – A Zoning Ordinance Text Amendment to Sections 4-600 and 15-300 to allow affordable housing, supportive housing and transitional family housing facilities in the Planned Commercial Industrial Development (PCID) District with Special Exception approval, as well as establishing a definition for supportive housing.

Mr. Walton reviewed the proposed text amendment.

SPECIAL EXCEPTION – SPEX13-SC-006 – VICTORIA R. & WILLIAM FRIEL EDMANDS (OWNERS/APPLICANTS) – VINTAGE RIDGE VINEYARD

Ms. Meade reviewed the application.

SPECIAL EXCEPTION – SPEX13-LE-012 – R. CARL & CAROLYN G. FALLER, ET AL (OWNER/APPLICANT) – FALLER PROPERTY

Mr. Shellenberger reviewed the application.

ZONING ORDINANCE TEXT AMENDMENT – A Zoning Ordinance Text Amendment to Section 5-700 Regarding the Adaptive Use of Public and Quasi-Public Buildings.

Mr. Walton reviewed the proposed text amendment.

COMPREHENSIVE PLAN AMENDMENT – A Comprehensive Plan Amendment to Chapter 9 related to Public Facilities and Utilities

Ms. Fogle reviewed.

SPECIAL EXCEPTION – SPEX13-LE-011 – BEALTON FINANCIAL, LLC (OWNER)/FAUQUIER H&R RE, LLC (APPLICANT) – BEALETON HEALTH & REHABILITATION CENTER

Mr. Shellenberger reviewed the application.

TED'S TACK SHOP INTRODUCTION

Mr. Shellenberger reviewed.

APPROVAL OF MINUTES – FEBRUARY 28, 2013

Planning Commissioners discussed the February 28, 2013 minutes.

BOARD OF ZONING APPEALS AGENDA

Planning Commissioners discussed the agenda.

TRANSPORTATION COMMITTEE AGENDA

Planning Commissioners discussed the agenda.

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, March 28, 2013, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Dell Ennis, Secretary; Mr. Ken Alm and Mr. Bob Lee. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Mrs. Susan Eddy, Ms. Holly Meade, Mr. Rob Walton, Mr. Adam Shellenberger and Mr. Don Del Rosso.

1. **APPROVAL OF MINUTES** – February 28, 2013

On motion made by Mr. Ennis and seconded by Mr. Lee, it was moved to approve the February 28, 2013 minutes.

The motion carried unanimously.

2. **COMPREHENSIVE PLAN AMENDMENT** – A Comprehensive Plan Amendment to Chapter 9 related to Public Facilities and Utilities. (Kimberley Fogle, Staff)

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

The motion carried unanimously.

3. **BOARD OF ZONING APPEALS AGENDA**

No comment.

4. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

5. **COMPREHENSIVE PLAN AMENDMENT** – An Initiation of a Comprehensive Plan Amendment to change the designation of certain properties in the Bealeton Service District.

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

Mr. William Shelton, Lee District, spoke in support of this initiation.

The motion carried 4-1, as follows:

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

NAYS: Mr. Ennis

ABSTENTION: None

ABSENT: None

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

1. **ANNOUNCEMENTS**

Ms. Garreau announced that public hearing item #5 for the Warrenton Airpark was withdrawn.

2. **CITIZENS' TIME**

None.

3. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Sections 4-600 and 15-300 to allow affordable housing, supportive housing and transitional family housing facilities in the Planned Commercial Industrial Development (PCID) District with Special Exception approval, as well as establishing a definition for supportive housing. (Kimberley Johnson, Staff)

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

Ms. Garreau opened the public hearing.

In that there were no speakers, Ms. Garreau adjourned the public hearing.

On motion made by Ms. Garreau and seconded by Mr. Ennis, it was moved to postpone action on this item for 30 days, with the public hearing left open.

The motion carried unanimously.

4. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 5-700 Regarding the Adaptive Use of Public and Quasi-Public Buildings. (Kimberley Johnson, Staff)

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

Ms. Garreau opened the public hearing.

In that there were no speakers, Ms. Garreau adjourned the public hearing.

On motion made by Ms. Garreau and seconded by Mr. Lee, it was moved to postpone action on this item for 30 days, with the public hearing left open.

The motion carried unanimously.

5. **SPECIAL EXCEPTION – SPEX12-CR-012 – THOMAS J. RICHARDS (OWNER/APPLICANT) – WARRENTON AIRPARK** – An application for a Category 21 Special Exception to allow for the continued expansion of an airpark. The property is located at 11111 S. Road, Cedar Run District. (PIN 6982-61-7627-000) (Holly Meade, Staff)

6. **SPECIAL EXCEPTION – SPEX13-SC-006 – VICTORIA R. & WILLIAM FRIEL EDMANDS (OWNERS/APPLICANTS) – VINTAGE RIDGE VINEYARD**– An application for a Category 18 Special Exception to allow farm winery special events. The property is located at 8517 Maidstone Road, Scott District. (PIN 6061-36-4829-000) (Holly Meade, Staff)

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

Ms. Garreau opened the public hearing.

In that there were no speakers, Ms. Garreau 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 revised conditions:

**VINTAGE RIDGE VINEYARD
SPEX13-SC-006**

1. The Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the submission materials, provided that additional agricultural structures may be constructed without further amendment to this Special Exception, except as modified by these conditions.
2. Special Events, as defined in Article 15-300 of the Zoning Ordinance under Farm Winery Definitions, shall be limited to 18 per calendar year, with a maximum of 100 attendees at

any one event. No more than two (2) Special Events shall be allowed in any one calendar month.

3. No activities or events (including wine tasting and Special Events) shall result in more than the authorized occupancy limits under the Health Department septic permit. The applicants shall provide a copy of the approved Health Department septic permit to the Department of Community Development.
4. ~~The closing time for any Special Event shall be no later than 9:00 p.m., Monday through Thursday; 11:00 p.m., Friday and Saturday; and 10:00 p.m. Sunday.~~ Customers or guests for any Special Event shall be required to leave the property no later than 9:00 p.m. regardless of the day of the week.
5. The Special Exception shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten (10) days following such transfer.
6. With the exception of minor maintenance, the applicants shall retain the existing vegetation between the event area, all parking areas, and the applicable adjoining property lines.
7. ~~The existing gravel entrance shall be maintained at a width that safely accommodates two vehicles at the access point off Maidstone Road (Route 713).~~ Any change to the existing entrance shall require approval from the Virginia Department of Transportation.
8. All signage shall require approval from the Zoning Office.
9. The applicants shall monitor water usage daily. ~~for one year.~~ Results shall be reported to the Zoning Administrator and Health Department quarterly for the first year, and annually thereafter. Should an exceedence be observed, the applicants shall begin quarterly reporting for the duration of this Special Exception.
10. The applicants shall provide evidence reasonably satisfactory to the Zoning Administrator of adequate security, emergency services and traffic control for all Special Events.
11. Employees serving wine to the general public shall participate in a bona fide server training program designed to educate servers on how to address potentially intoxicated patrons from a list of approved programs published from time to time by the Zoning Administrator.
12. The Special Exception shall be granted for a period of three (3) years from the date of Board of Supervisors' approval.

The motion carried unanimously.

7. **SPECIAL EXCEPTION – SPEX13-LE-011 – BEALTON FINANCIAL, LLC (OWNER)/FAUQUIER H&R RE, LLC (APPLICANT) – BEALETON HEALTH & REHABILITATION CENTER** – An application for a Category 6 Special Exception to allow for a continuing care facility. The property is located on the south side of Catlett Road, approximately 1,000 feet west of the intersection of Route 17 and Route 28, Lee District. (PIN 6899-05-7218-000) (Adam Shellenberger, Staff)

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

Ms. Garreau opened the public hearing.

Mr. Bruce Hedrick, representative, spoke in favor of this Special Exception and indicated that he will work with staff and EMS to resolve outstanding issues.

Mr. Carl Faller, Lee District, respectfully requested approval of this application.

In that there were no further speakers, Ms. Garreau closed the public hearing.

Mr. Ennis inquired how much time the applicant would need to prepare revised plans and Mr. Hedrick replied that thirty days would be enough.

On motion made by Mr. Meadows and seconded by Mr. Ennis, it was moved to postpone action on this item for 30 days, with the public hearing closed.

The motion carried 4-1, as follows:

AYES: Mr. Meadows, Mr. Alm, Mr. Ennis and Mr. Lee

NAYS: Ms. Garreau

ABSTENTION: None

ABSENT: None

8. **SPECIAL EXCEPTION – SPEX13-LE-012 – R. CARL & CAROLYN G. FALLER, ET AL (OWNER/APPLICANT) – FALLER PROPERTY** – An application for a Category 30 Special Exception to waive the public sewer requirement. The property is located on the south side of Oak Shade Road between Weaversville Road and Harley Drive, Lee District. (PIN 6889-55-4111-000) (Adam Shellenberger, Staff)

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

Ms. Garreau opened the public hearing.

Mr. Carl Faller, applicant, respectfully requested approval of this Special Exception.

In that there were no further speakers, Ms. Garreau 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 subject to the following conditions:

**FALLER PROPERTY
SPEX13-LE-012**

1. This Special Exception is granted for and runs with the land indicated in this application as PIN 6889-55-4111-000 and as the property may be further subdivided.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat dated January 10, 2013, revised Surveyor's signature dated February 27, 2013, and received in the Planning Office on February 27, 2013, as approved with this application, as qualified by these development conditions.
3. This Special Exception shall be granted for a maximum of three residential lots, which must be served by individual drainfields, as approved by the Virginia Department of Health.
4. A 20' Public Utility Easement, which runs from Oak Shade Road to the property's southern boundary, shall be recorded concurrent to, or prior to the recording of any final subdivision plat for the subject property. The easement shall not run through any environmentally sensitive areas (FEMA Floodplain or Jurisdictional Wetlands). The Public Utility Easement shall be conveyed to Fauquier County Water and Sanitation Authority (FCWSA) subject to their acceptance.

The motion carried 4-1, as follows:

AYES: Mr. Meadows, Mr. Alm, Mr. Ennis and Mr. Lee

NAYS: Ms. Garreau

ABSTENTION: None

ABSENT: None

9. **SPECIAL EXCEPTION – SPEX13-MA-013 – 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 (SEAM12-MA-001) for a primary school. The property is located at 6089 John Barton Payne Road, Marshall District. (PIN 6947-10-9444-000) (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.

Ms. Garreau opened the public hearing.

Ms. Edel Kunkel, applicant, spoke in favor of this Special Exception and confirmed that the new school site is near completion.

In that there were no further speakers, Ms. Garreau closed the public hearing.

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:

**MOUNTAINSIDE MONTESSORI
SPEX13-MA-013**

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, ~~2013~~ 2014 or until 30 days after the occupancy certificate for a new location for the primary school is issued, whichever is sooner.
4. The applicants 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.
5. 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.

OTHER BUSINESS

None.

In that there was no further business, the meeting was adjourned at 7:07 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**