

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
OCTOBER 31, 2013**

**Work Session
12:30 p.m.
Warren Green Meeting Room
First Floor, 10 Hotel Street
Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, October 31, 2013, beginning at 12:30 p.m., in the Warren Green Meeting Room, First Floor, 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 Mr. Kevin Burke, Ms. Kimberley Fogle, Mrs. Susan Eddy, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Adam Shellenberger, Mr. Don Del Rosso and Mr. Rick Klinc.

INFORMATION TECHNOLOGY UPDATE

Mr. Rick Klinc briefed the Commissioners on email use.

SPECIAL EXCEPTION AMENDMENT & SPECIAL EXCEPTION – SEAM14-LE-001 & SPEX14-LE-007 – WAVERLY STATION AT BEALETON, LLC (OWNER/APPLICANT) – WAVERLY STATION AT BEALETON – An application to amend previously approved conditions of Special Exception SEA01-L-01 and to replace seventy-two (72) future apartment units with fifty-five (55) townhome style condominium units, and a Category 29 Special Exception to allow for a waiver of the public street requirement. The properties are located at 6175, 6177, and 6181 Willow Place, Lee District. (PIN 6899-42-0928-000, 6899-32-8843-000, and 6899-33-8004-000) (Adam Shellenberger, Staff)

Mr. Shellenberger reviewed the application.

PRELIMINARY PLAT – PPLT13-MA-001 – GROVE LANE, LLC (OWNER/APPLICANT) – WINDY HILL – An application to subdivide a 7.70-acre portion of a 122.8574-acre parcel into thirty (30) lots with three (3) open space parcels totaling 4.71 acres. The property is located on the north side of Grove Lane and west of Salem Avenue, Marshall District. (PIN 6969-39-3028-000) (Chuck Floyd, Staff)

Mr. Floyd reviewed the application.

COMPREHENSIVE PLAN AMENDMENT/REZONING/SPECIAL PERMITS/SPECIAL EXCEPTIONS – CPAM13-MA-005, REZN13-MA-004, SPPT13-MA-020, SPPT13-MA-021, SPPT14-MA-007, SPEX13-MA-023 & SPEX13-MA-024 – MIDDLEBURG HUMANE FOUNDATION (OWNER)/GROVE LANE, LLC (APPLICANT) – MIDDLEBURG HUMANE FOUNDATION – Applications for a Comprehensive Plan Amendment to permit an agricultural use within the Marshall Service District; to rezone approximately 23.0763 acres from Residential District, 2 Dwelling Units/Acre (R-2)/Residential District, 4 Dwelling Units/Acre (R-4) to Rural Agriculture (RA); a Category 11 Special Permit to allow an animal shelter; a Category 13 Special Permit to allow an animal shelter; a Category 13 Special Permit to allow a veterinary clinic; a Category 1 Special Exception to allow a residential duplex; and a Category 31 Special Exception to waive the public/central water requirement. The property is located on a private access road to the north of the intersection of Free State Road (Route 721), Grove Lane (Route F185) and West Main Street (Route 55), Marshall District. (PIN 6969-38-9463-000) (Susan Eddy, Staff)

Mrs. Eddy reviewed the application.

CATLETT RETAIL REZONING INTRODUCTION

Ms. Holly Meade introduced the application.

ORLEAN VOLUNTEER FIRE COMPANY

Mr. Adam Shellenberger reviewed the request.

PEOPLE INC. INTRODUCTION

Ms. Holly Meade introduced the application.

INITIATION OF A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 15-300 CREATING A DEFINITION FOR “FIRING RANGE, SKEET OR TRAPSHOOTING”

Mr. Chuck Floyd reviewed the initiation.

APPROVAL OF MINUTES

Planning Commissioners discussed the September 26, 2013 and October 22, 2013 minutes.

BOARD OF ZONING APPEALS AGENDA

No comment.

TRANSPORTATION COMMITTEE AGENDA

No comment.

OPAL SERVICE DISTRICT PLAN

Mrs. Susan Eddy introduced the draft Opal Service District Plan.

SPECIAL EXCEPTION – SPEX14-CR-006 – HUNTER BENNETT TEATES, TRUSTEE – BRYAN W. TEATES REVOCABLE LIVING TRUST (OWNER/APPLICANT) – TEATES PROJECT – An application for a Category 26 Special Exception to allow a decrease in the non-common open space requirement. The property is located on Beach Road, Cedar Run District. (PIN 6992-60-8836-000) (Don Del Rosso, Staff)

Mr. Del Rosso reviewed the application.

PLANNING COMMISSIONERS' TIME

No comment.

The meeting was adjourned at 5:15 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, October 31, 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. Bob Lee and Mr. Ken Alm. Also present were Mr. Kevin Burke, Ms. Kimberley Fogle, Mrs. Susan Eddy, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Adam Shellenberger, and Mr. Don Del Rosso.

1. **APPROVAL OF MINUTES** – September 26, 2013 and October 22, 2013

On motion made by Mr. Meadows and seconded by Mr. Ennis, it was moved to approve the September 26, 2013 and October 22, 2013 minutes.

The motion carried unanimously.

2. **VERIFICATION THAT THE ORLEAN VOLUNTEER FIRE COMPANY'S LOCATION AND CONSTRUCTION OF THE NEW FACILITY AND THE PLACEMENT OF A CONSERVATION EASEMENT OVER A PORTION OF THE PROPERTY IS CONSISTENT WITH THE COMPREHENSIVE PLAN** – (PIN 6935-58-4087-000, Marshall District) (Adam Shellenberger, Staff)

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

The motion carried unanimously.

3. **INITIATION OF A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 15-300 CREATING A DEFINITION FOR "FIRING RANGE, SKEET OR TRAPSHOOTING"** (Kimberley A. Johnson, Staff)

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

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

The motion carried unanimously.

4. **PRELIMINARY PLAT – PPLT13-MA-001 – GROVE LANE, LLC (OWNER/APPLICANT) – WINDY HILL** – An application to subdivide a 7.70-acre portion of a 122.8574-acre parcel into thirty (30) lots with three (3) open space parcels totaling 4.71 acres. The property is located on the north side of Grove Lane and west of Salem Avenue, Marshall District. (PIN 6969-39-3028-000) (Chuck Floyd, Staff)

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

After discussion, on motion made by Mr. Lee and seconded by Ms. Garreau, it was moved to adjourn this item and reconvene the meeting on November 12, 2013.

The motion carried 3-2, as follows:

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

NAYS: Mr. Ennis and Mr. Meadows

ABSTENTION: None

ABSENT: None

5. **BOARD OF ZONING APPEALS AGENDA**

No comment.

6. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

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

1. **ANNOUNCEMENTS**

Ms. Adrienne Garreau announced that there are new brochures available which focus on aspects of what the County does and how to do business in the County. Ms. Garreau noted they may be obtained in the Department of Community Development or may be downloaded online.

Mr. Bob Lee recommended a book by Lee Gallagher titled, “The End of Suburbs” for anyone with an interest in the American dream and the future trends of our settlement patterns.

2. **CITIZENS’ TIME**

No one spoke.

3. **SPECIAL EXCEPTION – SPEX14-CR-006 – HUNTER BENNETT TEATES, TRUSTEE – BRYAN W. TEATES REVOCABLE LIVING TRUST (OWNER/APPLICANT) – TEATES PROJECT** – An application for a Category 26 Special Exception to allow a decrease in the non-common open space requirement. The property is located on Beach Road, Cedar Run District. (PIN 6992-60-8836-000) (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.

Mr. Bennett Teates, owner, respectfully requested a recommendation of approval. Mr. Teates noted he would prefer they remove the condition that requires each parcel to share an entrance and instead, allow each parcel to have separate access to Beach Road.

In that there were no further speakers, Ms. Garreau closed 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 with the following conditions:

**TEATES PROJECT
SPEX14-CR-006**

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 titled "Concept Plan Plat of the Property of Hunter Bennett Teates Trustee, & Bryan W. Teates, Revocable Living Trust," dated June 26, 2013 and revised July 29, 2013, and approved with the application, except as modified by these development conditions.
2. The two (2) proposed approximately 29-acre lots shall be deed restricted from further subdivision. The deed restriction shall be noted on the subdivision plat and recorded with the plat.
3. A shared entrance on Beach Road (Route 616) shall be required to serve Lot 1A and Lot 1B.
4. Deeds of non-common open space for both lots shall be recorded with the subdivision plat.

The motion carried 3-2, as follows:

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

NAYS: Ms. Garreau and Mr. Alm

ABSTENTION: None

ABSENT: None

4. **SPECIAL EXCEPTION AMENDMENT & SPECIAL EXCEPTION – SEAM14-LE-001 & SPEX14-LE-007 – WAVERLY STATION AT BEALETON, LLC (OWNER/APPLICANT) – WAVERLY STATION AT BEALETON** – An application to amend previously approved conditions of Special Exception SEA01-L-01 and to replace seventy-two (72) future apartment units with fifty-five (55) townhome style condominium units, and a Category 29 Special Exception to allow for a waiver of the public street requirement. The properties are located at 6175, 6177, and 6181 Willow Place, Lee

District. (PIN 6899-42-0928-000, 6899-32-8843-000, and 6899-33-8004-000) (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. John Thillmann, owner, spoke in support of the application, thanked staff for their hard work and stated that he agrees with the staff recommendations.

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

After the public hearing was closed, Ms. Garreau allowed Ms. Betty Harting, Cedar Run District, to speak in opposition to moving more people in and questioned how the construction would fit with the existing condominiums.

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 with the following conditions:

**WAVERLY STATION AT BEALETON
SEAM14-LE-001 & SPEX14-LE-007**

1. This Special Exception Amendment and Special Exception is granted for and runs with the land indicated in this application as PINs 6899-42-0928-000, 6899-32-8843-000, and 6899-33-8004-000.
2. The Special Exception Amendment and Special Exception are granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception "Waverly Station at Bealeton Special Exception Amendment/Special Exception Plat" dated October 11, 2013, and received in the Planning Office on October 11, 2013, as approved with this application, as qualified or as modified by the associated Conditions and as required by the Fauquier County Zoning Ordinance.
3. The three (3) existing parcels shall be consolidated into one (1) parcel prior to approval of a Site Plan.
4. The final architectural design of the buildings shall be in substantial conformance with the sample building elevation included in the Special Exception Plat.
5. All private streets shall be owned and maintained as part of a Unit Owners Association.
6. An ingress/egress easement for public emergency and maintenance vehicles for the private streets shall be recorded prior to approval and release of the Site Plan. The easement shall be a minimum of 24 feet in width.

7. Driveways which do not provide sufficient area for two (2) parking spaces, a minimum of 9 feet in width and 20 feet in depth, shall be a maximum of twelve (12) feet in width.
8. No building permits shall be issued for the conversion of a garage.
9. The existing pedestrian trail shall be repaired, improved, and extended (along its current alignment) as necessary to meet the Department of Parks and Recreation standards from the terminus of Willow Drive to the property's southwestern corner. Additionally a safety fence, capable of keeping trail users out of the railway, shall be installed, between the trail and the Norfolk – Southern Railway right-of-way, where the trail runs parallel to the railway.

The motion carried unanimously.

5. **COMPREHENSIVE PLAN AMENDMENT/REZONING/SPECIAL PERMITS/SPECIAL EXCEPTIONS – CPAM13-MA-005, REZN13-MA-004, SPPT13-MA-020, SPPT13-MA-021, SPPT14-MA-007, SPEX13-MA-023 & SPEX13-MA-024 – MIDDLEBURG HUMANE FOUNDATION (OWNER)/GROVE LANE, LLC (APPLICANT) – MIDDLEBURG HUMANE FOUNDATION** – Applications for a Comprehensive Plan Amendment to permit an agricultural use within the Marshall Service District; to rezone approximately 23.0763 acres from Residential District, 2 Dwelling Units/Acre (R-2)/Residential District, 4 Dwelling Units/Acre (R-4) to Rural Agriculture (RA); a Category 11 Special Permit to allow an animal shelter; a Category 13 Special Permit to allow an animal shelter; a Category 13 Special Permit to allow a veterinary clinic; a Category 1 Special Exception to allow a residential duplex; and a Category 31 Special Exception to waive the public/central water requirement. The property is located on a private access road to the north of the intersection of Free State Road (Route 721), Grove Lane (Route F185) and West Main Street (Route 55), Marshall District. (PIN 6969-38-9463-000) (Susan Eddy, Staff)

Mrs. Eddy 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. Ben Cooper, Marshall District, expressed his affection for Middleburg Humane Foundation and said they are a class operation. Mr. Cooper stated he has worked with them for twenty years and is thrilled they are upgrading the facility.

Ms. Polly Gault, Marshall District, spoke in support of the application and stated that it will be good for Marshall.

Ms. Hilleary Bogley, applicant, thanked everyone for their hard work and consideration. Ms. Bogley stressed how important it is to keep on track because of the tremendous need for a livestock facility.

Mr. Kenneth Rietz, Marshall District, spoke in favor of approving this request and explained he is very involved with animal rescue and works closely with Middleburg Humane Foundation which is a terrific organization. Mr. Rietz stressed the urgent need of this facility. He wanted it viewed on its own merits, not as a piece of a puzzle.

Ms. Ursula Landsrath, Marshall District, spoke on behalf of the Animal Rescue Board whose members mostly live in Marshall and urged the Planning Commission to please stay on track.

Mr. David Brown, Marshall District, spoke in support for this application and noted he has been working with the organization for approximately twenty years. Mr. Brown indicated that it is not only about animals, but also about the people who need the assistance to care for their animals.

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

After discussion, on motion made by Mr. Lee and seconded by Ms. Garreau, it was moved to adjourn this item with the public hearing closed, and reconvene the meeting on November 12, 2013.

The motion carried 4-1, as follows:

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

NAYS: Mr. Ennis

ABSTENTION: None

ABSENT: None

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