

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
DECEMBER 4, 2013**

**Work Session
9:30 a.m.
Warren Green Meeting Room
First Floor, 10 Hotel Street
Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Wednesday, December 4, 2013, beginning at 9:30 a.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 Ms. Tracy Gallehr, Ms. Kimberley Fogle, Mrs. Susan Eddy, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Adam Shellenberger, Ms. Wendy Wheatcraft, Mr. Don Del Rosso, Mr. Harvey Clark and Mr. David Ek.

CORRAL FARM LANDFILL EXPANSION SPECIAL EXCEPTION INTRODUCTION

Mr. David Ek introduced the application.

**ZONING ORDINANCE TEXT AMENDMENT TO ARTICLES 5 AND 7 AND A
SUBDIVISION ORDINANCE TEXT AMENDMENT TO SECTIONS 2 AND 4 TO
CLARIFY AND AMEND REQUIREMENTS FOR PUBLIC AND CENTRAL WATER**

Ms. Kimberley Johnson reviewed the proposed amendments.

OPAL SERVICE DISTRICT COMPREHENSIVE PLAN AMENDMENT

Mrs. Susan Eddy reviewed the proposed amendment.

**SPECIAL EXCEPTION AMENDMENT – SEAM14-MA-002 – SBA TOWERS IV, LLC
(OWNER)/SBA COMMUNICATIONS CORPORATION, INC. (APPLICANT) – SPRINT –
DETTRA/LOVERS LANE** – An application for a Category 20 Special Exception Amendment to install one (1) microwave dish on an existing tower. The property is located at 6546 Lovers Lane, Marshall District. (PIN 6983-60-1777-000) (Wendy Wheatcraft, Staff)

Ms. Wendy Wheatcraft reviewed the application.

SPECIAL EXCEPTION AMENDMENT – SEAM14-LE-003 – TOW3/ROBERT TED CRABTREE/MICHAEL R. ZUPAN (OWNERS)/SBA COMMUNICATIONS CORPORATION, INC. (APPLICANT) – SPRINT/OPAL ROAD – An application for a Category 20 Special Exception Amendment to install two (2) microwave dishes on an existing tower. The property is located at 7203 Opal Road, Lee District. (PIN 6980-18-5425-000 and 6980-18-3105-000) (Wendy Wheatcraft, Staff)

Ms. Wendy Wheatcraft reviewed the application.

SPECIAL EXCEPTION AMENDMENT – SEAM14-LE-004 – LUCK STONE CORPORATION (OWNER)/SBA COMMUNICATIONS CORPORATION, INC. (APPLICANT) – SPRINT – BEALETON/LUCK STONE – An application for a Category 20 Special Exception Amendment to install one (1) microwave dish on an existing tower. The property is located at 6319 Cedar Ridge Road, Lee District. (PIN 6898-27-5594-000) (Wendy Wheatcraft, Staff)

Ms. Wendy Wheatcraft reviewed the application.

INITIATION OF 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 initiation.

INITIATION OF A SUBDIVISION ORDINANCE TEXT AMENDMENT TO SECTION 3-2 RELATED TO THE REQUIREMENTS FOR A FAMILY SUBDIVISION

Mr. Harvey Clark reviewed the initiation.

ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 11 AUTHORIZING ZONING ADMINISTRATOR APPROVAL OF CERTAIN CHANGES TO EXISTING TELECOMMUNICATION FACILITIES

Ms. Kimberley Johnson reviewed the amendment.

ZONING ORDINANCE TEXT AMENDMENT TO ARTICLES 3 AND 5 ALLOWING EXISTING SINGLE-FAMILY DETACHED RESIDENCES IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS AS A BY-RIGHT USE

Ms. Kimberley Johnson reviewed the amendment.

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

Ms. Kimberley Johnson reviewed the amendment.

ZONING ORDINANCE TEXT AMENDMENT TO ARTICLES 3 AND 5 TO PERMIT VETERINARY CLINICS AND TO MODIFY THE APPROVAL REQUIREMENTS FOR MOTOR FREIGHT TERMINALS IN THE INDUSTRIAL DISTRICTS

Mr. Chuck Floyd reviewed the amendment.

SPECIAL EXCEPTION/REZONING – SPEX14-SC-008 & REZN14-SC-003 – VINT HILL INVESTMENTS, LLC (OWNER)/PEOPLE INCORPORATED OF VIRGINIA (APPLICANT) – VINT HILL APARTMENTS – An application for a Special Exception to allow affordable housing in the Planned Commercial Industrial Development (PCID) district at Vint Hill; and an amendment to a previously approved Rezoning to alter the Concept Development Plan by permitting residential uses. The property is located south of Bludau Drive (private street), Lot 9, Scott District. (PIN 7915-63-2639-000) (Holly Meade, Staff)

Ms. Holly Meade reviewed the application.

REZONING – REZN14-LE-001 – SOUTH COAST INVESTMENTS, LLC/SOUTH COAST ENTERPRISES, INC. (OWNERS/APPLICANTS) – SOUTH COAST INVESTMENTS, LLC – An application to rezone approximately 2.216 acres from Rural Agriculture (RA) to Industrial – Park (I-1) to allow commercial, industrial or retail uses. The property is located at 7030 Merrymount Lane, Lee District. (PIN 6980-46-9756-000) (Adam Shellenberger, Staff)

Mr. Adam Shellenberger 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 (Susan Eddy, Staff)

Mrs. Susan Eddy reviewed the initiation.

SPECIAL EXCEPTIONS – SPEX14-MA-003, SPEX14-MA-004, & SPEX14-MA-005 – STONE CREEK GROUP, LLC (OWNER)/SHANE O’CONNOR (APPLICANT) – BLACKTHORNE INN & RESTAURANT – An application for a Category 7 Special Exception for an adaptive use to continue the operation of a restaurant; a Category 9 Special Exception to continue the operation of a resort; and a Category 9 Special Exception to hold Class “C” events.

The property is located at 10087 John S. Mosby Highway, Marshall District. (PIN 6044-67-8620-000) (Holly Meade, Staff)

Ms. Holly Meade reviewed the application.

APPROVAL OF MINUTES

Planning Commissioners discussed the October 31, 2013; November 12, 2013; and November 20, 2013 minutes.

BOARD OF ZONING APPEALS AGENDA

No comment.

TRANSPORTATION COMMITTEE AGENDA

No comment.

REZONING – REZN14-CR-002 – MARVIN & LOIS MAST (OWNERS)/JR LEX, LLC (APPLICANT) – CATLETT RETAIL REZONING – An application to rezone approximately 2.67 acres from Residential District – 1 Dwelling Unit/Acre (R-1) to Commercial – Neighborhood (C-1) to allow retail uses. The property is located at 9279 Old Dumfries Road, Cedar Run District. (PIN 7922-83-3400-000) (Holly Meade, Staff)

Ms. Holly Meade reviewed the application.

PLANNING COMMISSIONERS' TIME

No comment.

The meeting was adjourned at 5:00 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 4, 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 Ms. Tracy Gallehr, Mrs. Susan Eddy, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Adam Shellenberger, Ms. Wendy Wheatcraft and Mr. Don Del Rosso.

1. **APPROVAL OF MINUTES** – October 31, 2013; November 12, 2013; and November 20, 2013

On motion made by Mr. Lee and seconded by Mr. Alm, it was moved to approve the October 31, 2013; November 12, 2013; and November 20, 2013 minutes.

The motion carried unanimously.

2. **COMPREHENSIVE PLAN AMENDMENT** – Initiation of a Comprehensive Plan Amendment to Chapter 10 – Transportation, The Fauquier County Connections Plan, Sections related to the Opal Service District. (Susan Eddy, Staff)

Mrs. Eddy 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 initiate this item.

The motion carried unanimously.

3. **ZONING ORDINANCE TEXT AMENDMENT** – Initiation of 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.

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

The motion carried unanimously.

4. **SUBDIVISION ORDINANCE TEXT AMENDMENT** – Initiation of a Subdivision Ordinance Text Amendment to Section 3-2 related to the requirements for a Family Subdivision. (Harvey Clark, 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 Ms. Garreau and seconded by Mr. Meadows, it was moved to initiate this item.

The motion carried unanimously.

5. **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 route 15/29 (James Madison Highway), adjacent to the county landfill, south of the Warrenton service district (Susan Eddy, staff)

Mr. Ennis postponed the initiation until the next meeting.

6. **BOARD OF ZONING APPEALS AGENDA**

No comment.

7. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

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

1. **ANNOUNCEMENTS**

None.

2. **CITIZENS' TIME**

No one spoke.

3. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Article 11 authorizing Zoning Administrator approval of certain changes to existing telecommunication facilities. (Kimberley Johnson, Staff)

Ms. Johnson 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 Mr. Lee 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.

4. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Articles 3 and 5 allowing existing single-family detached residences in the Commercial and Industrial Districts as a by-right use. (Kimberley Johnson, Staff)

Ms. Johnson 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 Mr. Ennis 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.

5. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 15-300 Creating a Definition for “Firing Range, Skeet or Trapshooting.” (Kimberley Johnson, Staff)

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

Ms. Garreau opened the public hearing.

Dr. Dan Gisselquist, Scott District, spoke in opposition of the proposed definition for a firing range and stated that the mention of recreational use could imply a playground. He stated that it seems redundant to explain what an accessory use is.

In that there were no further speakers, Ms. Garreau 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 as revised during the work session.

After discussion, on motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to amend the original motion, to strike the wording “archery and or,” add a period after trapshooting, and strike “other recreational uses” from the definition.

The motion to amend carried unanimously.

Thereafter, the original motion as amended carried 4-1, as follows:

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

NAYS: Mr. Alm

ABSTENTION: None

ABSENT: None

6. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Articles 3 and 5 to Permit Veterinary Clinics and to Modify the Approval Requirements for Motor Freight Terminals in the Industrial Districts. (Chuck Floyd, Staff)

Mr. Floyd 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. Robert Sturgeon, Lee District and owner of RCS Trucking, stated that he would like to expand without going through the Special Exception process, but does not want to impact other businesses in a negative way. Mr. Sturgeon explained that his motor freight company is not a distribution center that generates excessive traffic; however, because he has administrative offices, there should not be different standards applied to him.

In that there were no further speakers, Ms. Garreau 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.

Mr. Ennis stated that he would prefer that Mr. Sturgeon applied for a Special Exception so the Planning Commission could make a recommendation based on the circumstances of his company. He further noted that this text amendment will apply to I-1 properties throughout the county. Mr. Ennis explained that he will support the amendment based on Mr. Sturgeon's argument.

Mr. Lee stated that he does not want the second part to this text amendment regarding the veterinary clinics to be forgotten as part of the motion.

Mr. Meadows explained he would prefer that a motor freight terminal would need to obtain a Special Permit and not an Administrative Permit.

After discussion, on motion made by Mr. Meadows and seconded by Mr. Ennis, it was moved to amend the original motion, permitting veterinary clinics as presented and motor freight terminals to obtain a Special Permit.

The motion as amended failed 2-3, as follows:

AYES: Mr. Meadows and Mr. Ennis

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

ABSTENTION: None

ABSENT: None

Thereafter, the original motion failed 2-3, as follows:

AYES: Mr. Meadows and Mr. Ennis

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 the amendment pertaining to the veterinary clinic as a permitted use to the Board of Supervisors with a recommendation of approval and the amendment pertaining to motor freight terminals to continue to require a Special Exception.

The motion carried 3-2, as follows:

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

NAYS: Mr. Meadows and Mr. Ennis

ABSTENTION: None

ABSENT: None

7. **SPECIAL EXCEPTIONS – SPEX14-MA-003, SPEX14-MA-004, & SPEX14-MA-005 – STONE CREEK GROUP, LLC (OWNER)/SHANE O’CONNOR (APPLICANT) – BLACKTHORNE INN & RESTAURANT** – An application for a Category 7 Special Exception for an adaptive use to continue the operation of a restaurant; a Category 9 Special Exception to continue the operation of a resort; and a Category 9 Special Exception to hold Class “C” events. The property is located at 10087 John S. Mosby Highway, Marshall District. (PIN 6044-67-8620-000) (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.

Ms. Amy Pritchard, representative, assured the Planning Commission that the applicant has resolved outstanding issues. Ms. Pritchard expressed her appreciation for staff time and for the Planning Commission’s consideration.

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

On motion made by Mr. Lee 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 as revised:

**Blackthorne Inn & Restaurant
SPEX14-MA-003, SPEX14-MA-004, & SPEX14-MA-005**

1. The Special Exception is granted for the purposes(s), structure(s), and/or uses indicated on the Special Exception Plat prepared by Carson Ashley titled “Category 7 & 9 Special Exception Blackthorne Inn” dated July 15, 2013 and the “Entrance Exhibit” dated November 6, 2013, except as specifically modified by the conditions below or as may be necessary to meet Zoning Ordinance and engineering requirements.
2. The transportation improvements shown on the “Entrance Exhibit” prepared by Carson Ashley dated November 6, 2013 shall be completed within six months of site plan approval.

- ~~3. No more than one principal residence is permitted on the 44.5250 acre parcel.~~
- ~~4. The two apartment units on site associated with the resort shall be limited to one bedroom, one person occupancy.~~
5. Class C events are limited to a maximum of 30 events per year with a maximum of 120 guests. Events shall be limited to arts and crafts shows; family reunions; wedding ceremonies and receptions and similar receptions; picnics, barbecues, and other similar activities such as corporate retreats; education seminars; and community-related arts, cultural and educational activities.
6. The hours of operation for all Class “C” events shall be limited to the hours of 9:00 a.m. to 11:00 p.m. Class “C” events which start on December 31st shall be permitted to operate until 1:00 a.m. January 1st. All activities relating to the Class “C” events, including event preparation and breakdowns, shall cease one (1) hour after the scheduled end of the event.
7. Related to Class “C” events, music associated or other amplified sound shall be allowed from 10:00 a.m. until the end of the event. Sound from any event, including events with music (amplified and non-amplified), shall not exceed sixty (60) dB at any property line.
8. All music related to the restaurant and pub shall be acoustic and shall be performed indoors.
- ~~9. The capacity of the restaurant shall not exceed 150 seats, or as amended by the Department of Health Restaurant Permit.~~
10. The total number of guests on site at any one time shall not exceed 200.
11. No activities or events shall result in more than the authorized occupancy limits under the Health Department septic permit. The applicant shall provide a copy of the approved upgraded Health Department septic permit for the restaurant and events to the Department of Community Development.
12. The applicant shall maintain at all times occupancy permits for all dwelling and guest units, Health Department approvals, and proof that State fire codes are met.
13. The applicant shall submit to the Health Department and the Department of Community Development the results of quarterly water testing as required by the State for bed and breakfast and full food service restaurants.
14. Applicant shall provide for the shielding of lighting located at the property entrance along Route 50 to mitigate off-site impacts. All lighting on site shall conform to the Fauquier County Zoning Ordinance.

15. Flowering shrubs shall be planted between the existing rock wall and parking lot. All parking lot landscaping shall be maintained, which requires replacement in the result of damage or death.
16. All signage, including temporary signs, shall require appropriate permits from the Department of Community Development.
17. As stated in the Fauquier County Zoning Ordinance 5-916(6), the Zoning Administrator shall be notified no less than 30 days prior to any Class “C” event. This notice shall include the date, time, and type of event and copies of any required permits or licenses from the Sheriff’s Office, VDOT, Emergency Services Office, and Health Department. Should the existing Zoning Ordinance be amended, this provision shall conform to the amended Zoning Ordinance.
18. In the event of a fire or other property-related casualty affecting the historic structure for which adaptive use is granted hereunder, the structure must be substantially restored to its condition prior to the casualty in order for the adaptive use to remain legally permissible. If such restoration is not completed within two years of the occurrence of such casualty, then the adaptive use permitted hereunder shall no longer be allowed and the Special Exception therefore shall be null and void.
19. All commercial activities permitted hereunder, and the structure or structures in which they are conducted, shall be subject to all applicable building code regulations, as well as applicable regulations promulgated by the Virginia Departments of Health and Transportation.
20. All alterations and additions to existing historic structures, all additional accessory structures, including signs, shall be designed and constructed in a manner that conforms to the United States Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
- ~~21. The Special Exceptions are granted for a period of five years, with an Administrative renewal that could be granted in perpetuity in accord with Section 5-012 of the Zoning Ordinance.~~

The motion carried unanimously.

8. **SPECIAL EXCEPTION/REZONING – SPEX14-SC-008 & REZN14-SC-003 – VINT HILL INVESTMENTS, LLC (OWNER)/PEOPLE INCORPORATED OF VIRGINIA (APPLICANT) – VINT HILL APARTMENTS** – An application for a Special Exception to allow affordable housing in the Planned Commercial Industrial Development (PCID) district at Vint Hill; and an amendment to a previously approved Rezoning to alter the Concept Development Plan by permitting residential uses. The property is located south of Bludau Drive (private street), Lot 9, Scott District. (PIN 7915-63-2639-000) (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.

Mr. Sam Morris, Scott District, spoke in opposition to this application and expressed his concerns that this would negatively impact the current families that reside in Vint Hill, the property values, traffic and public services. Mr. Morris asked if the applicant has a long term management plan and requested that the Planning Commission postpone action in order to address the impacts.

Ms. Denise Wilcox, Scott District, spoke against approving this request and commented that the existing projects by People, Inc. are close to grocery stores, hospitals and public transportation, where Vint Hill does not provide those services.

Mr. Beau Bensley, Scott District, shared his concern that the housing values will plummet and his frustration that the amenities promised to the community have not been implemented. Mr. Bensley explained that from his experience as a fire fighter he has seen how this type of development brings in police and unwanted activity and further requested a denial of this application.

Mr. James Ventre, Scott District, agreed with the previous speakers and requested a denial of this project.

Mr. Mike Pinsker, Scott District, spoke in opposition, echoing the previous speakers concerns related to lower housing values. He stated the residents are tired of the promises that have not happened.

Ms. Alisa Hilliard, Scott District, stated that she is not opposed to low income housing, but is against this location. Ms. Hilliard noted that these residents would need jobs and public transportation.

Mr. Troy Marshall, Scott District, expressed his concern for the impacts this development would have on the crowded schools. Mr. Marshall read from a recent Fauquier County School Board report that indicated most schools are projected to exceed capacity in the near future and also noted that building permits have increased in the Scott District. Mr. Marshall requested a denial of this project.

Ms. Christina Sweeny, Scott District, explained that she moved from Prince William County to Fauquier County because her children were attending class in trailers. Ms. Sweeny stated that the Vint Hill HOA has donated money towards a park and it has not happened.

Mr. Tim Hoffman, Scott District, said he recently moved to Vint Hill to escape from this type of housing and noted the current infrastructure is decaying. Mr. Hoffman shared his deep concerns and requested a postponement in order for the residents to meet with the applicant.

Ms. Mary-Margaret Chavez, Scott District, stated that she has worked for twenty-three years in affordable housing and recommended that the applicant provide a breakdown of their occupancy standards and room ratios to help inform the residents.

Ms. Kelleen Casey, Scott District, voiced concern for having vacant buildings next to where this housing project will be.

Mr. Franco Traverso, Scott District, explained that he moved his family from Prince William County because his child was being bullied in a gang ridden school. Mr. Traverso further explained that as a realtor selling homes in Vint Hill, he is worried he will lose the trust of his clients.

Mr. Jim Mills, Scott District, stated that after twenty years in the military he decided to move to Vint Hill and indicated there is no comprehensive plan for Vint Hill. Mr. Mills further stated that there will be approximately 4,000 more people based on the approved developments in the area which will worsen an already increasing crime rate. He concluded by requesting denial of this project and noted the community has put together a petition with approximately 300 signatures.

Mr. Robert Goldsmith, applicant, explained that he would like to clear up some misconceptions. He stated that People, Inc. has been a nonprofit agency for fifty years and is the designated Community Action Agency for Fauquier County. Mr. Goldsmith clarified that this project is work-force housing that relies on rent to cover the operating expenses.

Mr. Brian Phipps, applicant, stated that this is a low income housing development that will be funded with affordable housing tax credits to incentivize developers which will in turn enable them to charge less to the residents. He commented on the concern for more development, and stated this development is no different from the other proposed houses and future town center.

Ms. Sheila Falsone, Scott District, expressed her concerns that the housing values will go down and that she is a middle-class teacher in Fauquier County who works very hard to live in Vint Hill. Ms. Falsone stated that this is not the place for this type of project.

Mr. Chuck Riddle, Scott District, expressed his displeasure in hearing the applicant state that he does not care if there is a comprehensive plan for Vint Hill and assured that the current residents care very much.

Mr. Marc Gonzalez, Scott District, shared his concerns for the impacts to their property values and noted they do not have public facilities for this type of development.

Mr. William Dekraker, Scott District, stated he is very concerned about hearing that the applicant does not care about the comprehensive plan and that Brookside representatives have not spoken to the issue of affordable housing.

Mr. Brian Green, Scott District, and a resident of Vint Hill since 2004, stated that he is upset that the amenities promised initially have not happened and if low income housing is

approved, then the lower socioeconomic factors will play a role in the education of the students. Mr. Green further stated that he understands the need for low income housing but feels this is not the right location for it.

Mr. William Ball, Scott District, stated that there are 300 houses in Vint Hill and if their property value falls by \$100,000 a piece then that is thirty million dollars of lost equity and property taxes.

Ms. Tasha Magrum, Scott District, explained that she is a real estate agent who has worked with low income housing and verified that they rely on public transportation and access to shopping. Ms. Magrum requested that this application be delayed for 90 – 120 days.

Ms. Mariela Dekraker, Scott District, expressed that as a mother and educator, she is concerned for overcrowding the schools as she has seen in the county she teaches in. Ms. Dekraker stated that she was told there would be parks and retail in Vint Hill and she is very disappointed.

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

Ms. Garreau expressed concern related to density and provisions for water and sewer.

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

The motion carried unanimously.

9. **SPECIAL EXCEPTION AMENDMENT – SEAM14-MA-002 – SBA TOWERS IV, LLC (OWNER)/SBA COMMUNICATIONS CORPORATION, INC. (APPLICANT) – SPRINT – DETTRA/LOVERS LANE** – An application for a Category 20 Special Exception Amendment to install one (1) microwave dish on an existing tower. The property is located at 6546 Lovers Lane, Marshall District. (PIN 6983-60-1777-000) (Wendy Wheatcraft, Staff)

Ms. Wheatcraft 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 Mr. Lee 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:

**DETTRA/LOVERS LANE TOWER
SEAM14-MA-002**

1. This Special Exception Amendment 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 "Sprint Washington DC Dettra Site Plan, Site Number WA54XC452," dated August 6, 2013, and approved with the application, except as modified by the following conditions of development.
2. Space on the top of the tower shall be reserved for Fauquier County Sheriff's Department and Emergency Services.
3. The Special Exception is limited to the existing tower.
4. ~~A structural analysis, performed by a qualified engineering firm, shall be completed to verify structural integrity of the tower and presented to the Office of Zoning prior to Site Plan approval.~~
5. ~~Radio Frequency energy exposure methods shall be made after the antenna array is installed and appropriate enclosure fencing and warning/hazard signage shall be installed on the enclosed fence. No general advertising signs shall be installed on the fence. A mix of evergreen and hardwood trees shall be shown on the Site Plan Amendment to be located along the east and south sides of the property to create a vegetative buffer.~~ **No commercial advertising or signs shall be permitted on the tower or associated structures.**
6. With the exception of minor maintenance, the applicant shall retain the existing landscaping around the tower compound to maintain a vegetative screen from public view.
7. Any wireless communications system operator shall take all necessary steps to resolve any radio frequency interference between a wireless communications system on the tower and any present or future County public safety wireless communications system.
8. The microwave dish shall be of a material or color that matches the exterior of the existing telecommunications tower.
9. The height of the tower shall not exceed 320 feet.
10. The applicant shall provide proof that the tower meets the structural requirements established in the *Structural Standard for Antenna Supporting Structures and Antennas, ANSI/TIA-222-G* prior to approval of the site plan.
11. Signals, lights or illumination shall not be permitted on the tower or any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.

12. Annual Report. The owner of each antenna or tower shall submit a report to the Zoning Administrator once a year, no later than July 1. The report shall state the current user status of the tower.
13. Removal of the facility is subject to the terms identified in ~~Section 11-107.2~~ of the Zoning Ordinance. The site shall be restored as closely as possible to its original condition.
14. ~~Future replacement or addition of by right antennas and associated equipment, which do not require Special Exception approval, shall be processed administratively.~~

The motion carried unanimously.

10. **SPECIAL EXCEPTION AMENDMENT – SEAM14-LE-003 – TOW3/ROBERT TED CRABTREE/MICHAEL R. ZUPAN (OWNERS)/SBA COMMUNICATIONS CORPORATION, INC. (APPLICANT) – SPRINT/OPAL ROAD** – An application for a Category 20 Special Exception Amendment to install two (2) microwave dishes on an existing tower. The property is located at 7203 Opal Road, Lee District. (PIN 6980-18-5425-000 and 6980-18-3105-000) (Wendy Wheatcraft, Staff)

Ms. Wheatcraft 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 Mr. Meadows 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:

**OPAL ROAD TOWER
SEAM14-LE-003**

1. This Special Exception Amendment 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 “Sprint Washington DC NCT-Opal-P2 Site Plan, Site Number WA33XC032,” dated August 29, 2013, and approved with the application, except as modified by the following conditions of development.
2. ~~The use shall comply with all FAA requirements at all times.~~ The tower shall conform to all Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) regulations.
3. ~~The tower shall be lighted only to meet FAA requirements with no additional lighting permitted.~~ Signals, lights or illumination shall not be permitted on the tower or any

antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.

4. The height of the tower shall not exceed 199 feet.
5. The tower structure of this special exception telecommunications request shall be a monopole type construction.
6. The tower shall be painted appropriately so as to minimize visual impact as permitted by FAA regulations.
7. ~~A landscaping plan will be submitted with the site plan.~~ With the exception of minor maintenance, existing landscaping shall be retained around the tower compound.
8. The tower shall be located in the interior of the property.
9. ~~Prior to the issuance of a zoning permit, three (3) telecommunication providers shall have executed leases with the applicant. The applicant shall make reasonable efforts to permit co location by any additional telecommunication users. The applicant shall provide written documentation to the Fauquier County Zoning Administrator in the event that any future co location cannot be accommodated.~~ Reasonable efforts shall be made to encourage other carriers to collocate on the tower.
10. ~~The applicant shall provide to~~ Space for collocation shall be provided to the County public service agencies, at no cost to the locality, on the tower and necessary space in the equipment room.
11. Annual Report. The owner of each antenna or tower shall submit a report to the Zoning Administrator once a year, no later than July 1. The report shall state the current user status of the tower.
12. ~~Should the tower be taken out of use, be abandoned or discontinued for a period of two (2) years or more, the tower and accessory uses shall be removed by the owner of the property at the owner's expense.~~ Removal of the facility is subject to the terms identified in ~~Section 11-107.2~~ of the Zoning Ordinance. The site shall be restored as closely as possible to its original condition.
13. No commercial advertising or signs shall be permitted on the tower or associated structures.
14. The microwave dishes shall be of a material or color that matches the exterior of the telecommunications tower.
15. The applicant shall provide proof that the tower meets the structural requirements established in the Structural Standard for Antenna Supporting Structures and Antennas, ANSI/TIA-222-G prior to approval of the site plan.

~~16. Future replacement or addition of by-right antennas and associated equipment, which do not require Special Exception approval, shall be processed administratively.~~

The motion carried unanimously.

11. **SPECIAL EXCEPTION AMENDMENT – SEAM14-LE-004 – LUCK STONE CORPORATION (OWNER)/SBA COMMUNICATIONS CORPORATION, INC. (APPLICANT) – SPRINT – BEALETON/LUCK STONE** – An application for a Category 20 Special Exception Amendment to install one (1) microwave dish on an existing tower. The property is located at 6319 Cedar Ridge Road, Lee District. (PIN 6898-27-5594-000) (Wendy Wheatcraft, Staff)

Ms. Wheatcraft 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 Mr. Meadows and seconded by Mr. Alm, it was moved to forward this item to the Board of Supervisors with a recommendation of approval with the following conditions:

**BEALETON/LUCK STONE TOWER
SEAM14-LE-003**

1. This Special Exception Amendment 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 “Sprint Luckstone Tower Site Plan, Site Number WA33XC215,” dated September 18, 2013, and approved with the application, except as modified by the following conditions of development.
2. ~~The use shall comply with all FAA requirements at all times.~~ The tower shall conform to all Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) regulations.
3. ~~The tower shall be lighted only to meet FAA requirements with no additional lighting permitted.~~ Signals, lights or illumination shall not be permitted on the tower or any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
4. The height of the tower shall not exceed 199 feet.
5. ~~The tower structure of this special exception telecommunication facility request shall be of a monopole type construction.~~

6. The tower shall be painted appropriately so as to minimize visual impact as permitted by FAA regulations.
7. ~~A landscaping plan will be submitted with the site plan.~~ **With the exception of minor maintenance, existing landscaping shall be retained around the tower compound.**
8. ~~Prior to the issuance of a zoning permit, three (3) telecommunication providers shall have executed leases with the applicant. The applicant shall make reasonable efforts to permit co-location by any additional telecommunication users. The applicant shall provide written documentation to the Fauquier County Zoning Administrator in the event that any future co-location cannot be accommodated.~~ **Reasonable efforts shall be made to encourage other carriers to collocate on the tower.**
9. ~~The applicant shall provide to~~ **Space for collocation shall be provided** to the County public service agencies, at no cost to the locality, on the tower and necessary space in the equipment room.
10. Annual Report. The owner of each antenna or tower shall submit a report to the Zoning Administrator once a year, no later than July 1. The report shall state the current user status of the tower.
11. ~~Antenna and Tower Removal. Any antenna or tower shall be disassembled and removed from the site within ninety (90) days of the discontinuance of the use of the tower for wireless telecommunications purposes. Removal includes the removal of the antennas, telecommunications towers, fence footers, underground cables and support buildings. The buildings and foundation may remain with the landowner's approval. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.~~ **Removal of the facility is subject to the terms identified in ~~Section 11-107.2~~ of the Zoning Ordinance. The site shall be restored as closely as possible to its original condition.**
12. **The microwave dish shall be of a material or color that matches the exterior of the existing telecommunications tower.**
13. **The applicant shall provide evidence that the tower meets the structural requirements established in the Structural Standard for Antenna Supporting Structures and Antennas, ANSI/TIA-222-G prior to approval of the site plan.**
14. ~~Future replacement or addition of by right antennas and associated equipment, which do not require Special Exception approval, shall be processed administratively.~~

The motion carried unanimously.

12. **REZONING – REZN14-LE-001 – SOUTH COAST INVESTMENTS, LLC/SOUTH COAST ENTERPRISES, INC. (OWNERS/APPLICANTS) – SOUTH COAST INVESTMENTS, LLC** – An application to rezone approximately 2.216 acres from Rural

Agriculture (RA) to Industrial – Park (I-1) to allow commercial, industrial or retail uses. The property is located at 7030 Merrymount Lane, Lee District. (PIN 6980-46-9756-000) (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.

Ms. Amy Pritchard, representative, stated that this rezoning will be extending the I-1 zoning according to the current and future Comprehensive Plan and that they proffered out the uses that are not compatible with the property. Ms. Pritchard expressed her appreciation for the Planning Commission’s consideration of this application.

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.

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

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 denial.

The motion carried 3-2, as follows:

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

NAYS: Mr. Meadows and Mr. Ennis

ABSTENTION: None

ABSENT: None

13. **REZONING – REZN14-CR-002 – MARVIN & LOIS MAST (OWNERS)/JR LEX, LLC (APPLICANT) – CATLETT RETAIL REZONING** – An application to rezone approximately 2.67 acres from Residential District – 1 Dwelling Unit/Acre (R-1) to

Commercial – Neighborhood (C-1) to allow retail uses. The property is located at 9279 Old Dumfries Road, Cedar Run District. (PIN 7922-83-3400-000) (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.

Mr. Tony Cates, representative, stated that he has worked with staff and VDOT for one and a half years to resolve issues and respectfully requests approval of this application.

In that there were no further speakers, Ms. Garreau 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.

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. (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. Michael Eckert, Marshall District and resident of Edgehill Subdivision, shared his concerns for the impacts to the residents on the west side of Route 29 and their limited access to Warrenton and Bealeton. Mr. Eckert shared further concerns for having light industrial uses within the well lot and for the possibility of increased crime.

Ms. Carol Arnold, Lee District, expressed her concerns for the impacts to the well site and the new traffic patterns. Ms. Arnold also noted that Opal does not need convenience businesses when there are vacant buildings in Warrenton.

Ms. Julie Bolthouse, Piedmont Environmental Council, indicated that they support the new layout and listed their concerns for expanding the service district over the past ten years, having adequate water service at full build out, and that the well would only serve half of the district. Ms. Bolthouse requested that the district not be expanded and for the water capacity to be evaluated.

Mr. Lloyd Hayden Eicher, Marshall District, stated that he assisted with the 1992 Comprehensive Plan for Opal and currently has unanswered questions. Mr. Eicher added that he funded improvements to Route 29 himself and recommended they table the decision.

Mr. Steve Clark, Marshall District, noted that the well is already drilled and that the designation of light industrial was well thought out by the Opal Steering Committee. Mr. Clark remarked that the side roads will alleviate current traffic issues and conflict points.

Mr. Joe Wiltse, Opal Steering Committee member, commented on the water availability and that two wells have been drilled, the Eicher and Butler wells, which yield 1.5 million gallons per day. Mr. Wiltse noted that the domestic wells will not be impacted and that these are drilled, approved and were tested by Emory & Garrett.

Ms. Lorraine Early, Opal Steering Committee member, explained that they were tasked with considering short term, medium term and long term traffic solutions. Ms. Early stressed the importance of the back roads, maintaining the core area and including the well property for the owner's use.

Mr. Don Early, Opal Steering Committee member, explained that the committee addressed the concerns of the residents in the district and that VDOT intends to eventually eliminate access to Route 29 and that back roads are the solution to providing vehicle access to Opal. Mr. Early expressed the need for Opal to have a business friendly environment and bring in the business tax base.

Ms. Madge Eicher, Marshall District, stated that Fauquier County and Opal have grown; the Steering Committee has thought through all the decisions; and strongly urged that we need to make the plan a reality.

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

Mr. Lee commented on the difficulty of budgeting for the big ticket items such as water and that the service districts have not developed the same way. Mr. Lee stated that the committee and staff have done a good job of improving the Opal plan and the Planning Commission needs time to assimilate this. He suggested that the Planning Commission read the draft carefully and not rewrite the plan, but add their comments for the next meeting, keeping the public hearing open.

Ms. Garreau added that the Transportation Committee will also be reviewing and providing comments at its December meeting which could be incorporated into the draft plan.

Mr. Meadows supported Mr. Lee's recommendation of adding their comments. Mr. Meadows commended the Steering Committee's dedication, noting he supports the plan as is and does not think the public hearing should be left open.

Mr. Alm noted that he supports leaving the public hearing open and would also like to see VDOT's comments.

Mr. Ennis supported keeping the public hearing open and incorporating the narratives from the other commissioners before making a recommendation.

Mr. Meadows confirmed that Mr. Lee is recommending forwarding to the Board of Supervisors the Opal Steering Committee's version of the plan, along with any other comments that will be provided by the commissioners separately. Mr. Lee agreed.

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to postpone action until the next meeting with the public hearing left open.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 10:33 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