

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
JANUARY 29, 2009**

*The Fauquier County Planning Commission held its regular meeting on Thursday, January 29, 2009, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Jim Stone, Chairman; Mr. John Meadows, Vice-Chairman; Ms. Adrienne Garreau, Secretary; Ms. Ann McCarty and Mr. Ken Alm. Also present at the meeting were Mr. Kevin Burke, Mr. Frederick Carr, Mrs. Susan Eddy, Mrs. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mrs. Melissa Dargis, Ms. Kristen Slawter, Mr. Andrew Hushour, and Mrs. Rebecca Kellert.*

<p><i>Regular Meeting 6:30 P.M. Warren Green Meeting Room Warren Green Building</i></p>
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Mrs. Susan Eddy opened the meeting and initiated the election of officers.

1. **ELECTION OF OFFICERS**

a. Chairman

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to elect Mr. Stone as Chairman.

The motion carried unanimously.

b. Vice-Chairman

On motion made by Ms. McCarty and seconded by Mr. Stone, it was moved to elect Mr. Meadows as Vice-Chairman.

The motion carried unanimously.

c. Secretary

On motion made by Mr. Stone and seconded by Mr. Meadows, it was moved to elect Ms. Garreau as Secretary.

The motion carried unanimously.

2. **CONSIDERATION OF BYLAWS**

On motion made by Mr. Meadows and seconded by Mr. Stone, it was moved to retain the current Bylaws as written.

The motion carried unanimously.

3. **COMMITTEE ASSIGNMENTS**

- a. Adaptive Use Special Committee – Ms. McCarty & Mr. Alm
- b. Architectural Review Board – Mr. Alm
- c. Facilities Planning Subcommittee – Mr. Stone
- d. Pedestrian Bicycle and Greenway Advisory Committee – Ms. Garreau
- e. Transportation Committee – Ms. Garreau

4. **APPROVAL OF MINUTES** – December 10, 2008

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to approve the December 10, 2008 minutes.

The motion carried unanimously.

5. **PRELIMINARY PLAT**

- **PPLT07-MA-012 & WVRP09-MA-005 – Ali Moshari (Owner)/Paul MacMahon (Applicant) – Tiffany Subdivision** – Applicant wishes to subdivide approximately 6.51 acres into six (6) lots. Applicant is also requesting a waiver of Subdivision Ordinance Section 4-11.A.1 to waive the requirement to provide central water. The property is located on the west side of Rectortown Road (Route 710), Marshall District. (PIN #6060-51-9615-000) (Bonnie Bogert, Staff)

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

On motion made by Ms. McCarty and seconded by Mr. Meadows, it was moved to forward this application to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

6. **ZONING ORDINANCE WAIVER**

- **WVRP09-CR-011 – James L. & Elsie M. Browning (Owners/Applicants)** – Applicants wish to obtain a waiver of Zoning Ordinance Section 7.302.1.A.2 to allow for a private street that does not connect directly to a State maintained road. The properties are located off a private road extension of Eskridges Lane (Route 748) and south of Elk Run Road (Route 806), Cedar Run District. (PIN #7828-69-9862-000 and 7828-79-6337-000) (Kristen Slawter, Staff)

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

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

The motion carried unanimously.

7. **BOARD OF ZONING APPEALS AGENDA**

No comment.

8. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

***Public Hearings***

***7:00 P.M.***

***Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia***

9. **THE PLEDGE OF ALLEGIANCE**

10. **ANNOUNCEMENTS**

Mr. Stone stated that citizens may speak for three (3) minutes. He also stated that Fauquier County would present Bivouacs & Battlefields, which is a free one day symposium, on Saturday, March 28, 2009 from 8:00 a.m. to 5:30 p.m. at the Fauquier High School Auditorium.

11. **CITIZENS' TIME**

Mr. Todd Benson, Piedmont Environmental Council, introduced Ms. Natalie Henson who will be an intern working with Dr. Kitty Smith.

12. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES, THE FAUQUIER COUNTY CODE AND THE COMPREHENSIVE PLAN**

- a. Zoning Ordinance Text Amendments to Article 5, Article 13, and Article 14 regarding Planning Commission and Board of Zoning Appeals Procedures and Application Requirements (Andrew Hushour, Staff)

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

Mr. Stone opened the public hearing.

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

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to forward this text amendment to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- b. Subdivision Ordinance Text Amendment to Section 4-1 to require plats not under subdivision control to be submitted to the Subdivision Agent for verification that the plat is not a subdivision (Susan Eddy, Staff)

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

Mr. Stone opened the public hearing.

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

On motion made by Ms. Garreau and seconded by Mr. Stone, it was moved to forward this text amendment to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Section 2-406 to require 100-year floodplain and steep slopes to be placed within common open space in residential developments where common open space is required (Andrew Hushour, Staff)

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

Mr. Stone opened the public hearing.

Ms. Madge Eicher, Marshall District, stated that she is opposed. She stated that this proposed text amendment would reduce the value of her property and there would be restrictions to building a house on steep slopes.

Ms. Betty Wheaton, Marshall District, stated that she is opposed. She stated that this proposed text amendment would diminish property owners' rights to their own land.

Mr. Jack Queen, Marshall District, stated that he is opposed. He stated that this proposed text amendment would take away property owners' building rights. He agrees with making regulations, but does not agree with restricting a property owner's right to build on his own land.

Ms. Hope Porter, Marshall District, stated that she is in favor.

Mr. Todd Benson, Piedmont Environmental Council, stated that he is in favor.

Dr. Kitty Smith, Marshall District, stated that she is in favor. She stated that the proposed text amendment would help protect the environment.

Mr. Chuck Medvitz, Scott District, stated that this proposed text amendment would reduce contamination and pollution.

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

On motion made by Mr. Stone and seconded by Ms. Garreau, it was moved to forward this application to the Board of Supervisors with a recommendation of approval.

After discussion, the motion carried 4 to 1, as follows:

AYES: Mr. Stone, Ms. McCarty, Ms. Garreau, Mr. Alm

NAYS: Mr. Meadows

ABSTENTION: None

ABSENT: None

- d. Zoning Ordinance Text Amendment to Section 5-1812 to allow Farmer's Markets with approval of a Special Exception (Andrew Hushour, Staff)

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

Mr. Stone opened the public hearing.

In that there were no speakers, Mr. Stone adjourned the public hearing.

On motion made by Ms. Garreau and seconded by Mr. Stone, it was moved to postpone action on this item for up to 60 days, with the public hearing left open.

The motion carried unanimously.

- e. Zoning Ordinance Text Amendment to Article 2, General Regulations, and Article 6, Accessory Uses, regarding the height and location requirements for accessory windmills (Andrew Hushour, Staff)

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

Mr. Stone opened the public hearing.

In that there were no speakers, Mr. Stone adjourned the public hearing.

On motion made by Mr. Stone and seconded by Ms. Garreau, it was moved to postpone action on this item for up to 60 days, with the public hearing left open.

The motion carried unanimously.

- f. Subdivision Ordinance Text Amendment to Sections 9-3 and 9-4 to change the filing dates for preliminary subdivision plats from forty (40) days to sixty (60) days prior to the Planning Commission meeting (Susan Eddy, Staff)

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

Mr. Stone opened the public hearing.

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

On motion made by Mr. Meadows and seconded by Mr. Stone, it was moved to forward this text amendment to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- g. Zoning Ordinance Text Amendment to Section 2-406 to restructure and clarify existing provisions related to non-common open space (Kimberley Johnson, Staff)

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

Mr. Stone opened the public hearing.

Ms. Betty Wheaton, Marshall District, stated that she is opposed. She stated that the proposed text amendment would take away the rights of property owners.

Ms. Hope Porter, Marshall District, stated that she is in favor.

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

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to forward this application to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- h. Zoning Ordinance Text Amendment to Sections 3-305 and 5-500 to allow technical schools in the I-2/Industrial Zoning District with Special Exception approval (Kimberley Johnson, Staff)

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

Mr. Stone opened the public hearing.

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

On motion made by Ms. Garreau and seconded by Mr. Stone, it was moved to forward this application to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- i. Zoning Ordinance Text Amendment to Article 4 to amend the Planned Residential Development (PRD) district provisions (Douglas E. Darling, Applicant; Kimberley Johnson, Staff)

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

Mr. Stone opened the public hearing.

Mr. Douglas E. Darling, applicant, expressed agreement with the revised language proposed by staff.

Dr. Kitty Smith, Marshall District, stated that the development community should not be rewriting the Zoning Ordinance. She stated that if they want to make changes, they should make recommendations to the Planning staff.

Mr. Chuck Medvitz, Scott District, stated that he encourages a delay of action for at least 30 days in order to further review the proposed text amendment.

In that there were no further speakers, Mr. Stone adjourned the public hearing.

On motion made by Mr. Stone and seconded by Ms. McCarty, it was moved to postpone action on this item for up to 60 days, with the public hearing left open.

The motion carried unanimously.

### 13. **SPECIAL EXCEPTION AMENDMENTS**

- a. **SEAM09-CR-001 – Fauquier County Board of Supervisors (Owner/Applicant) – Warrenton-Fauquier Airport** – Applicant wishes to amend the conditions of a previously approved Special Exception which allowed for the construction and operation of a wastewater treatment disposal system. The property is located at 5053 Airport Road and Area “A” west of Midland Road (Route 610), Cedar Run District. (PIN #7900-51-6351-000 and 7809-78-6301-000) (Holly Meade, Staff)

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

Mr. Stone opened the public hearing.

In that there were no speakers, Mr. Stone adjourned the public hearing.

On motion made by Mr. Stone and seconded by Ms. Garreau, it was moved to postpone action on this item for up to 60 days, with the public hearing left open.

The motion carried unanimously.

- b. **SEAM09-CR-002 – Fauquier County School Board (Owner/Applicant) – Kettle Run High School** – Applicant wishes to amend a previously approved Special Exception to allow for the relocation of one athletic field as well as the addition of one athletic field. Applicant also wishes to construct an emergency access road. The property is located 7389 Academic Avenue, Cedar Run District (PIN #7914-89-0204-000) (Melissa Dargis, Staff)

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

Mr. Stone opened the public hearing.

Ms. Della Lester Swope, Cedar Run District, stated that she lives directly across from the proposed emergency access road and feels this road should exit at another location.

Mr. Warren Darrell, Construction Manager, stated that he is in favor of this application.

Mr. Larry Potter, Cedar Run District, stated that he is in favor.

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

On motion made by Mr. Stone and seconded by Ms. Garreau, it was moved to forward this application to the Board of Supervisors with a recommendation of approval with revised conditions.

The motion carried unanimously.

14. **SPECIAL EXCEPTION AMENDMENT/SPECIAL PERMIT**

- **SEAM09-CR-003 & SPPT09-CR-014 – Jesse Jones, Jr. & Beverly J. Grantham Jones, Trustees (Owners)/Jeffrey Wickert (Applicant) – Fauquier Christian Church** – Applicant wishes to amend a previously approved Special Exception for an open space reduction, to change the authorized use. Applicant also wishes to obtain Special Permit approval to allow for the construction of a place of worship. The property is located at 5524 Catlett Road, Cedar Run District (PIN #7900-02-6993-000) (Melissa Dargis, Staff)

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

Mr. Stone opened the public hearing.

Mr. Jeffery Wickert, applicant, stated that he is in favor.

Mr. Jason Ritchie, Lee District, stated that he is in favor. He stated that he is a member of this church and feels this will be a great addition to the County.

Ms. Donna Andes, Cedar Run District, stated that she is in favor.

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

On motion made by Mr. Stone and seconded by Ms. McCarty, it was moved to forward this application to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

15. **SPECIAL EXCEPTIONS**

- a. **SPEX08-MA-017 & SPEX08-MA-020 – Peter Petronzio & Katherine Ellsworth (Owners/Applicants)** – Applicants wish to obtain a Category 20 Special Exception in order to remediate or repair an existing failed septic system and a Category 23 Special Exception to allow for structures associated with the septic system to be installed in the FEMA 100-year floodplain. The property is located on Springs Road (Route 802) at its intersection with Opal Road (Route 687), Marshall District. (PIN #6962-30-1310-000) (Melissa Dargis, Staff)

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

Mr. Stone opened the public hearing.

Ms. Madge Eicher, Marshall District, stated that she is in favor. She stated that she lives near the subject property and knows of the historical buildings on this property.

Mr. Peter Petronzio, applicant, stated that he would like to save this house on this property so that he and his family can live there.

In that there were no further speakers, Mr. Stone adjourned the public hearing.

On motion made by Ms. McCarty and seconded by Mr. Meadows, it was moved to postpone action on this item for up to 60 days at the applicants' request, with the public hearing left open.

The motion carried unanimously.

- b. **SPEX08-CR-021 – Donna Andes (Owner/Applicant) – Bethel Lighthouse High School (Formerly Midland Extension School)** – Applicant wishes to obtain a Category 5 Special Exception to allow for a private Christian High School. The property is located on the northeast side of Germantown Road (Route 649) east of its intersection with Balls Mill Road (Route 663), Cedar Run District. (PIN #6990-88-0850-000) (Melissa Dargis, Staff)

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

Mr. Stone opened the public hearing.

Ms. Donna Andes, applicant, stated that polls taken show the negative influences in schools today and she wants to create a school based on positive aspects.

Mr. Kent Logan, Center District, stated that he is in favor. He stated that he has been a teacher in several counties in the area and he believes the proposed school would be able to reach young people in a positive way.

Ms. Madge Eicher, Marshall District, stated that she welcomes the proposed school to the area.

Mr. Jeffery Wickert, Cedar Run District, stated that he is in favor and supports a Christian education.

Mr. Larry Potter, Cedar Run District, stated that he is opposed. He stated that he stores explosives on his property and is concerned that students will trespass on his property. He is also concerned that the value of his property will go down if the school is built.

Ms. Tammy Potter, Cedar Run District, stated that she is opposed. She stated that she likes her privacy and is concerned about her two dogs that go outside.

Mr. Jay Markanin, stated that he is in favor and all of his children have benefited from a private education.

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

On motion made by Mr. Stone and seconded by Ms. Garreau, it was moved to forward this application to the Board of Supervisors with a recommendation of denial as the site is not suitable for a school.

The motion carried unanimously.

- c. **SPEX08-LE-010 – Laura V. Gouldthorpe, John W. Gouldthorpe and Others (Owners/Applicants) – Kline Property** – Applicants wish to obtain a Category 26 Special Exception to allow for a reduction in the non-common open space requirement. The property is located on the east side of Morgansburg Road (Route 653), Lee District. (PIN #6898-91-5914-000) (Holly Meade, Staff)

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

Mr. Stone opened the public hearing.

Mr. Gabriel Jenkins, owner, stated that he is in favor.

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

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

The motion carried unanimously.

- d. *SPEX09-MA-008 & SPEX09-MA-009 – Sharon M. Hicks (Owner)/Vanessa Vergnetti, ND (Applicant) – Sagebrush, LLC* – Applicant wishes to obtain a Category 6 Special Exception to allow for a major medical care facility (residential drug and alcohol rehabilitation facility). Applicant also wishes to obtain a Category 20 Special Exception to allow for a private commercial sewerage system. The property is located at 9125 Lake Daniel Road west of Crest Hill Road (Route 647), Marshall District. (PIN #6959-95-2421-000) (Melissa Dargis, Staff)

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

Mr. Stone opened the public hearing.

Mr. Charles Floyd, representative of the applicant, stated that he will note any issues brought up this evening and try to address them.

Mr. Marvin Mitchell, Marshall District, stated that he is opposed. He stated that he commends the applicant but does not feel there is a need for this type of facility in Fauquier County.

Mr. Duke Bland, Marshall District, stated that he is not opposed to a facility of this type, but he is opposed to the location for this proposed use. He is also concerned about the amount of traffic this type of facility would bring to the area.

Mr. Mike Manning, Marshall District, stated that while he supports small businesses in the area, he does not support this proposed use, which does not comply with the Zoning Ordinance.

Ms. Josephine Carter, Marshall District, stated that she is opposed. She stated that she would be concerned about the safety of small children in the area.

Ms. Andrea Gaines, Marshall District, stated that she is a mother of small children and expressed concern for their safety.

Mr. David Evans, Marshall District, stated that he is opposed and feels that this would be an invasion of their community.

Mr. Warren Showalter, Marshall District, stated that he is opposed and concerned about the existing water issue in the area.

Mr. Daniel Beatty, Marshall District, stated that he and his family moved here from Alexandria last year. He stated that he would be concerned for his family's safety and does not feel that this would be an environmentally friendly facility.

Ms. Laura Carter, Marshall District, stated that she was born and raised in Marshall. She stated that the local fire department would not be able to handle this type of a facility since there is no water tower in Marshall.

Mr. Cliff Grimsley, Marshall District, stated that the applicant should be given an opportunity.

Mr. Ron Gray, Marshall District, stated that he would be concerned for his safety and the traffic increase.

Mr. Todd Benson, Piedmont Environmental Council, stated that he is opposed. He stated that the project is too big for the proposed location.

Ms. Carol Arnold, Lee District, stated that she is in favor. She stated that the patients would not be allowed to have visitors and does not feel traffic would be an issue.

Mr. Mike Greer, Marshall District, stated that he is opposed. He stated that this is not the right area for this type of facility and is concerned about the existing water issue in the area.

Ms. Darlene Grant, Marshall District, stated that she is opposed. She expressed concerns about safety and traffic issues.

Mr. Bill Grant, Marshall District, stated that this facility is a good idea but this is not the right location.

Ms. Michelle Getman, Marshall District, stated that she is opposed. She noted concerns about security and traffic issues.

Ms. Pam Greer, Marshall District, stated that she is opposed and concerned about the safety of her family and as well as the existing water issue in the area.

Ms. Betty Anderson, Marshall District, stated that she is opposed and concerned about her safety.

Mr. Dean Nelson, Marshall District, stated that he is opposed. He stated that this proposal is inconsistent and incompatible with the plans for Marshall.

Mr. Chris Robinson, Marshall District, stated that he is in favor. He stated that this would be a first class facility, which would meet the needs of substance abusers.

Mr. Michael Hays, Marshall District, stated that he is in favor and this facility would address the area's drug problem.

Mr. Robert Gaines, Marshall District, stated that he is concerned about his land value and existing water issues.

Ms. Mary Joe Showalter, Marshall District, stated that she is concerned for her safety.

Ms. Sylvia Worrall, Marshall District, stated that this type of facility is needed, but this is not the right location.

Mr. Eugene Nelson, Marshall District, stated that he is concerned about the existing water and sewer issues in the area.

Dr. Vanessa Vergnetti, applicant, stated that security would not be an issue. She stated that she has children and would feel safe enough to bring them to the facility. She stated that patients would be accounted for around the clock. She stated that this facility would bring jobs to the area and there should be more discussion on this proposal.

Ms. Cheryl Polk, Marshall District, spoke in opposition to the approval of this application. Ms. Polk stated she was previously married to a drug abuser who was a resident of a drug rehabilitation facility. She stated that he and some of the other residents left the facility and broke into a house to get money for drugs.

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

Ms. McCarty stated her recommendation as follows:

A RESOLUTION OF THE  
PLANNING COMMISSION OF THE COUNTY OF FAUQUIER  
SPECIAL EXCEPTION APPLICATIONS SPEX09-MA-008 & SPEX09-MA-009  
SAGEBRUSH, LLC

BE IT RESOLVED by the Planning Commission of Fauquier County that, in the matter of the Special Exceptions SPEX09-MA-008 & SPEX09-MA-009, said Commission hereby makes the following affirmative findings and recommendation:

1. That the provisions of the Zoning Ordinance for a Special Exception are not met in these applications, the Planning Commission finding that said applications will negatively impact the public health, safety, and welfare of the residents of Fauquier County.
2. The proposed use will hinder and discourage the appropriate development and use of adjacent land and buildings and impair the value of adjacent land and buildings in violation of Section 5-006 of the Zoning Ordinance.

3. That the proposed use will be incompatible with existing or planned development in the general area, as set forth in Section 5-006 of said Zoning Ordinance, and will be incompatible with the general area and the Comprehensive Plan.
4. That the proposed use fails to comply with and is not in conformity with all the applicable standards of Article 5 of said Zoning Ordinance and all other applicable requirements of said Zoning Ordinance.
5. That the location of the proposed project in Rural Residential and Rural Conservation zoned land does not meet the standards set forth in Section 3-200 of said Zoning Ordinance to demonstrate that the emphasis in said districts be on conservation and minimizing potential adverse environmental impacts; agriculture and forestry are the predominant uses and there is limited low density residential development.
6. That the traffic generated by the proposed facility will approximately double current traffic levels on Lake Daniel Road, which is a narrow tar and chip roadway not defined as a major collector in the Comprehensive Plan.
7. That the proposed use does not warrant a waiver of the requirement of Section 5-605 of the Zoning Ordinance that the use be located on a Major Collector.

NOW, THEREFORE, Be it resolved by the Planning Commission of the County of Fauquier, Virginia that the subject applications be forwarded to the Board of Supervisors of Fauquier County with a recommendation of denial.

On motion made by Ms. McCarty and seconded by Ms. Garreau, it was moved to forward this application to the Board of Supervisors with a recommendation of denial.

Mr. Meadows stated that since this is the first time this application has had a public hearing, he would like to postpone action.

Mr. Stone stated that he could not see further changes being made and agrees with Ms. McCarty.

Mr. Alm stated that he would like to have seen alternate routes to the proposed facility and more research needs to be done.

Ms. Garreau stated that this application is not in compliance from a land use perspective.

The motion carried unanimously.

16. **REZONING/SPECIAL EXCEPTIONS**

- **REZN08-LE-007, SPEX08-LE-028, SPEX08-LE-029, & SPEX08-LE-030 – James I. & Grace S. Lim and In Seok Lim (Owners/Applicants)** – Applicants wish to rezone 6.7 acres from Rural Agricultural (RA) to Commercial – Highway (C-2) and 1.56 acres from Commercial – Highway (C-2) with proffers to Commercial – Highway (C-2) with revised proffers. Applicants are also requesting three Category 13 Special Exceptions to allow for drive-throughs to accommodate a bank, restaurant, and pharmacy. The property is located at the intersection of Marsh Road (Route 17) and Catlett Road (Route

28), at 10772 Bowers Run Drive, Lee District. (PIN #6899-16-9374-000 and 6899-16-6332-000) (Holly Meade, Staff)

Mrs. Eddy reviewed the staff report, a copy of which is attached to and made part of these official minutes. Mrs. Eddy stated that the applicant has requested a postponement of this item until the next regularly scheduled meeting.

Mr. Stone opened the public hearing.

Ms. Bonnie Kidwell, Lee District, stated that this area needs a community center and not another strip mall.

Mr. Chuck Medvitz, Scott District, requested clarification that comments made at the last meeting would be incorporated into the decision. The Planning Commissioners confirmed that he was correct.

In that there were no further speakers, Mr. Stone adjourned the public hearing.

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to postpone action on this item until the next regularly scheduled meeting, with the public hearing left open.

The motion carried unanimously.

17. **COMPREHENSIVE PLAN AMENDMENTS**

- **CPAM09-LE-001 – David Leroy Hodgson, Terry Lynn Hodgson, Jean Elizabeth Cheatham, & William Wirt Goulding (Owners)/Douglas E. Darling/Bealeton Gateway, LLC (Applicant) – Mintbrook Farm** – Applicant wishes to obtain a Comprehensive Plan Amendment to expand the Bealeton Service District by approximately 125 acres to the north and to allow for a change in land use designation from Medium Density Residential, Residential/No Sewer or Water, Rural (outside of service district), Park/Open Space and SCFRR (School/Church/Fire/Rescue/Parks/Recreation) to Institutional/Office/Mixed Use, Low Density Residential, Park/Open Space and SCFRR (School/Church/Fire/Rescue/Parks/Recreation). The applicant is also proposing text changes to the Bealeton Service District Plan and inclusion in the Bealeton Service District Plan of an Illustrative Development Plan. The properties are located at 6331 Mintbrook Lane and 10633 Bowers Run Drive, Lee District. (PIN #6899-18-3742-000 and 6889-89-6214-000) (Melissa Dargis, Staff)

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

Mr. Stone opened the public hearing.

Ms. Mary Mills Abel-Smith, Scott District, stated she is opposed. She stated that this property is in a floodplain and should not be developed.

Mr. John King, Lee District, stated that he is concerned about the number of homes that will be built and the roads that would be needed to support the increased traffic.

Ms. Mary Root, Lee District, stated she is opposed because there are no existing sewer and water lines.

Mr. Jim Van Luven, Lee District, stated he is opposed. He stated that he is concerned about the increase in traffic.

Dr. Kitty Smith, Marshall District, stated that she is against the building of more homes because of the lack of sewer availability.

Mr. Todd Benson, Piedmont Environmental Council, stated that the Planning Commission should delay this application as long as they legally can.

Mr. Chuck Medvitz, Scott District, stated that traffic could be an issue.

Ms. Bonnie Kidwell, Lee District, stated that the proposed application would have more negative impacts than good.

In that there were no further speakers, Mr. Stone adjourned the public hearing.

On motion made by Mr. Meadows and seconded by Ms. McCarty, it was moved to postpone action on this item until the next regularly scheduled meeting, with the public hearing left open.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 10:05 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, Suite 305, Warrenton, Virginia, for a period of one year.*