

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
MAY 25, 2006**

The Fauquier County Planning Commission held its regular meeting on Thursday, May 25, 2006, beginning at 4:00 P.M. in the 2nd Floor Conference Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Jim Stone, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. John Meadows, Secretary; Mr. Larry Kovalik; and Mr. Holder Trumbo. Also present at the meeting were Mr. Rick Carr, Mrs. Elizabeth Cook, Mrs. Kimberly Johnson, Mr. Kevin Burke, Ms. Holly Meade, Mrs. Bonnie Bogert, and Miss Carissa Blevins.

Mr. Stone, seconded by Mr. Trumbo, motioned to amend the Agenda to add item 2.b. Initiation of A Proposed Zoning Ordinance Text Amendment to Section 15-300 to Amend the Definition of Park Facilities (Governmental), Nonathletic and to add item 2.c. Initiation of A Proposed Zoning Ordinance Text Amendment to Section 15-300 to add a Definition of Fairgrounds.

The motion carried unanimously.

1. **APPROVAL OF MINUTES** – April 27, 2006

Mr. Meadows seconded by Mr. Trumbo, moved to approve the minutes as amended.

The motion carried unanimously.

2. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES**

- a. Initiation of Zoning Ordinance Text Amendment to Section 4-603 to allow Primary Schools and Secondary Schools in the PCID Overlay Zone as a Use by Right

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

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mrs. McCarty, moved to initiate a Zoning Ordinance Text Amendment to Sections 4-603 to allow Primary Schools and Secondary Schools in the PCID Overlay Zone as a Use by Right and to schedule a public hearing for the Planning Commission's June 29, 2006 meeting.

The motion carried unanimously.

- b. Initiation of A Proposed Zoning Ordinance Text Amendment to Section 15-300 to Amend the Definition of Park Facilities (Governmental), Nonathletic

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

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mr. Trumbo, moved to initiate a Zoning Ordinance Text Amendment to Sections 15-300 to Amend the Definition of Park Facilities (Governmental), Nonathletic and to schedule a public hearing for the Planning Commission's June 29, 2006 meeting.

The motion carried unanimously.

3. **ZONING ORDINANCE WAIVER**

- a. **#WVRP06-MA-032 – Thomas J. & Cheryl Blicharz, owners and applicants** – applicants wish to obtain a Waiver of Section 7-302.1.C of the Zoning Ordinance, to allow for a right-of-way width that is less than fifty (50) feet. The property is located on Cherryhill Road (Route 638) at its intersection with Mt. Paran Church Road (Route 833), Marshall District. (PIN 6000-82-5511-000)

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

Mrs. McCarty, seconded by Mr. Stone, moved to forward to the Board of Supervisors with a recommendation of approval, subject to the following condition:

- 1. The residue parcel may not be further subdivided.

The motion carried unanimously.

- b. **#WVRP06-MA-035 – Deborah Cannon and Ida & Paul Carey, owners and applicants** – applicants wish to obtain a Waiver of Section 7-302.1.B of the Zoning Ordinance to allow for a private street off of an existing private street. The property is located on Walsingham Lane northwest of Crest Hill Road (Route 647), Marshall District. (PIN 6959-03-7291-000)

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

Mrs. McCarty, seconded by Mr. Stone, moved to forward to the Board of Supervisors with a recommendation of denial.

The motion carried unanimously.

- c. **#WVRP06-MA-037 – Mehrmah Payandeh, owner and applicant** – applicant wishes to obtain a Waiver of Section 7-302.1.B of the Zoning Ordinance to allow for a private street off of an existing private street. The property is located east of Leeds Manor Road (Route 688) south of its intersection with Winchester Road (Route 17), Marshall District. (PIN 6032-17-7831-000, 6022-94-5679-000, 6022-86-6327-000, and 6022-98-3780-000)

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

Mrs. McCarty, seconded by Mr. Stone, moved to postpone action until the June 29, 2006 meeting, at the request of the applicant.

The motion carried unanimously.

4. **PRELIMINARY PLATS**

- a. **#PPLT03-LE-007 – Janja Zobundija, owner and applicant – Remington Business Park** – applicant wishes to subdivide approximately 65.72 acres into twelve (12) lots. The property is zoned Industrial-1 (I-1), and is located on the east side of Lucky Hill Road, south of its intersection with James Madison Street (Route 15/29 Business), Lee District. (PIN 6888-37-4051-000)

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

Mr. Meadows, seconded by Mr. Stone, moved to postpone action until the June 29, 2006 meeting, at the request of the applicant.

The motion carried unanimously.

- b. **#PPLT05-LE-017 – Margaret L. Dyson, owner and applicant – Dyson Subdivision** – applicant wishes to subdivide approximately 16.0 acres into five (5) lots. The property is located on the northwest side of Courtney's Corner Road (Route 634), Lee District. (PIN 7816-26-1092-000)

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

Mr. Meadows, seconded by Mrs. McCarty, moved to approve this application, subject to the following conditions:

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled “Margaret L. Dyson Property” dated September 24, 2004 last revised March 29, 2006, signed by Marvin Hinchey on April 24, 2006 and received in this office on April 25, 2006, except as modified by these conditions. This approval is for a maximum of five (5) residential lots. The following items shall be addressed on the Preliminary Plat prior to scheduling for Board of Supervisors action:
 - a. Dedication of right-of-way shall be required to make Morrisville Road 25 feet wide from the centerline to the subdivision property line.
 - b. Move note “Basements are not recommended in mapping units 10B, 13B, 16B, 50C, 413C, 434B, and 434C....” to sheet 4.
 - c. All references on the Preliminary Plat to non-common open space shall be removed. This area shall be noted as deed restricted from further division.
 - d. The area of the residue parcel to be deed restricted shall be better depicted on the Preliminary Plat; possibly the addition of cross-hatching would clarify the specific area that is to be deed restricted.
2. Houses shall not be placed in swales and shall not be above the 10-year water surface elevation.
3. When submitting the Final Construction Plans, a complete landscape plan shall be provided pursuant to Article 7-603.2 of the Zoning Ordinance.
4. The County recommends that no below grade basements be constructed on soils with high water table due to wetness unless the foundation drainage system of the structure is designed by a licensed professional engineer to assure a dry basement and preclude wet yards and recirculation of pumped or collected water. Where possible, all exterior foundation drainage systems shall be designed to gravity daylight without assistance from mechanical means. All discharged water (mechanical or gravity) must be conveyed to an adequate channel. Drainage easements, where necessary, shall be placed on the Final Plat. A note shall be placed on the Final Plat stating that “Basements are not recommended in mapping units 10B, 13B, 16B, 50B, 50C, 413B, 434B, and 434B. Basements in these mapping units are subject to flooding due to high seasonal water tables. Sump systems may run continuously, leading to possible premature pump failure.”
5. A Virginia Certified Professional Soil Scientist (CPSS) needs to adjust the preliminary soil map onto the Final Construction Plan. This shall be done in the field and checked for any additional soils information to be added to the Final Construction Plan.
6. A signature block shall be placed on this plat for the CPSS to sign which states:

Preliminary Soils Information Provided by Frazier Consultants via a Preliminary Soils Report (1"=100') Dated?

This Virginia Certified Professional Soil Scientist has field reviewed and adjusted the preliminary soil information onto the final plat (1"=?') and certifies that this is the Best Available Soils Information to Date for Lots 1-?.

Va. Certified Professional Soil Scientist
CPSS #3401-_____

DATE

7. Interpretive information from the Type I soil report for each mapping unit shown on the above Final Construction Plan shall be placed on the same sheet as the soil map. Also a Symbols Legend shall be placed on the Final Construction Plan to identify spot symbols.
8. This final soil map shall be filed in the Building Department to be used exclusively for obtaining soils information for this proposed subdivision.
9. Two (2) copies of this final soil map with CPSS signature shall be submitted to the Soil Scientist Office before Final Plat approval is made.
10. The final signature sets shall require original CPSS signature.
11. The type of primary and reserve drainfield area shall be stated for each lot.
12. The number of bedrooms for the proposed houses that will be served by each drainfield shall be listed on the Final Construction Plans.
13. The following statements under Home Sites and Road Construction shall be placed on the same sheet as the Final Soils Map:
 - a. Due to landscape position (drainageways) and high seasonal water tables the following statement needs to be placed on the Final Construction Plan to be placed in the front office of Community Development: "The County recommends that no below grade basements be constructed on soil mapping units 10B, 13B, 16B, 50B, 50C, 413B, 416B, 434B, and 434C due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer. The foundation drainlines should be daylighted for gravity flow on all structures."
 - b. The following statement shall be included on final soils map and E & S plans: "PRIOR TO FINAL CONSTRUCTION PLAN APPROVAL, IT

SHALL BE AGREED THAT ALL DRAINFIELD AREAS ARE TO BE SURROUNDED BY SAFETY FENCING AND NO CONSTRUCTION TRAFFIC SHALL CROSS NOR SHALL LAND DISTURBANCE OCCUR IN THESE AREAS. THE FENCING OF THESE AREAS IS TO BE VERIFIED BY COUNTY STAFF BEFORE THE ISSUANCE OF THE LAND DISTURBING PERMIT.”

14. The following statement shall be placed on the Final Construction Plan:
“Foundations placed in soil mapping units that show a moderate, high, or very high shrink-swell potential in the most recent *Interpretive Guide to the Soils of Fauquier County, Virginia* will require a geotechnical evaluation in order to determine proper design.”
15. All proposed well sites shall be shown on Final Construction Plans; wells shall not be placed in ground swales (Fauquier County Code 19-11(b)). The well on Lot 2 shall be relocated.
16. Trees shall not be located in the shared driveways.
17. The distance from the centerline of Route 835 to the existing property line shall be dimensioned.
18. Driveway culverts shall be a minimum size of 15 inches X 30 feet.

The motion carried unanimously.

- c. **#PPLT05-LE-025 – VCA, LLC, owner and Kustom Kastles, applicant – Laurenwood Estates (formerly Powe Property)** – applicant wishes to subdivide approximately 137.89 acres into eighty-nine (89) lots. The property is located on the southeast side of Remington Road (Route 656), Lee District. (PIN 6888-41-5000-000 and 6888-50-4476-000)

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

Mr. Meadows, seconded by Mr. Stone, moved to approve this application, subject to the following revised conditions:

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled “Laurenwood Estates” dated December 2, 2005, last revised February 27, 2006 and received in this office February 28, 2006 and as modified by these conditions. This approval is for a maximum of eighty-nine (89) single-family residential lots.
2. The ultimate typical section for Echomont Drive shall be eighty-one (81) feet of right-of-way, four-lane divided, curb and gutter, sixteen (16) foot median, five (5) foot sidewalk on one side, eight (8) foot planting strip between right-of-way and

- power easement, ten (10) foot paved trail on edge of power easement outside of right-of-way.
3. Interim build-out for Echomont Drive shall include eight-one (81) feet of right-of-way, two lane roadway, curb and gutter on the “development side”, five (5) foot sidewalk on “development side”, eight (8) foot shoulder with four (4) feet paved and four (4) foot gravel shoulder on far side, twelve (12) foot graded grass shoulder to accommodate future left turn lane and eight (8) foot planting strip (outside of right-of-way) between right-of-way and power easement. A minimum of 250’ right turn lane including the deceleration lane and taper are to be constructed at both entrances off of Echomont Drive.
 4. The developer shall contribute \$5,000 per lot toward the ultimate alignment to cross the railroad tracks as shown in the Comprehensive Plan or for the Bealeton Connector. This fee shall be in lieu of any impact fee that may be imposed. Fifty percent (50%) of this fee shall be paid at Final Plat approval and the remaining \$2,500 per lot shall be paid when the zoning permit is submitted for each lot.
 5. The width of Laurenwood Drive and Boxwood Drive shall be determined based on the ultimate traffic counts of these roads.
 6. Jay Street shall be 24 feet in width from its intersection with Boxwood Drive to the Meadows of Remington property line as shown on the plan view of the Preliminary Plat.
 7. A 40-foot radius shall be required for all intersections.
 8. Phased development of subdivision streets shall be subject to the criteria set forth in the 2005 Subdivision Street Requirement Manual 24VAC 30-91-70, and may require an agreement prior to street acceptance.
 9. Echomont Drive shall be designed for the ultimate vertical alignment to cross the railroad tracks as shown in the Comprehensive Plan. The Applicant shall dedicate the right-of-way at final plat for the extension of Echomont Drive from its intersection with the proposed Laurenwood Drive to the Norfolk Southern tracks. The developer shall construct the road to the limits as shown on the preliminary plan and shall adjust the lots as necessary to ensure the ultimate alignment can be constructed.
 10. No building permits shall be issued for Laurenwood Estates until Echomont Drive is dedicated to public use and constructed to a dustless surface through the Meadows of Remington to the common property line. The applicant shall be responsible to bring Echomont Drive from Lucky Hill Road into their development into the State System Highways if the Meadows of Remington subdivision has not received Final Construction Plan approval and bonded the improvements.

11. A sign shall be posted at the end of each temporary turn-around indicating the road is a through street and shall be extended in the future.
12. The County recommends that no below grade basements be constructed on soils with high water table due to wetness unless the foundation drainage system of the structure is designed by a licensed professional engineer to assure a dry basement and preclude wet yards and recirculation of pumped or collected water. Where possible, all exterior foundation drainage systems shall be designed to gravity daylight without assistance from mechanical means. All discharged water (mechanical or gravity) must be conveyed to the subdivision stormwater collection system and discharged through the stormwater management facilities. Drainage easements, where necessary, shall be placed on the final plat. A note shall be placed on the final plat stating that "Basements are not recommended in mapping units 62B, 63B, 74B, 78A, and 79A. Basements in these mapping units are subject to flooding due to high seasonal water tables. Sump systems may run continuously, leading to possible premature pump failure."
13. All ponds and outfall structures shall be kept 25 feet from the property lines. Trees, shrubs, and any other woody plants are not to be planted on the embankment or adjacent areas extending at least 25 feet beyond the embankment toe and abutment contacts. This area shall be within a maintenance easement. Tree save areas and landscaping cannot be in these areas.
14. No stormwater runoff generated from new development shall be discharged into a jurisdictional wetland without adequate treatment.
15. An overlot grading plan shall be provided as part of the Final Construction Plans.
16. Proof of provisions for adequate fire flow shall be required with the first submission of the Final Construction Plans.
17. All applicable State and Federal permits shall be filed with the first submission of the Final Construction Plans. This includes the COE/DEQ permits for disturbance of wetlands.
18. In areas where the roads are to be installed over soils with low bearing capacity and/or high shrink/swell potential, underdrains or other stabilizing material may be required.
19. The SWM/BMP pond shall have an emergency spillway.
20. Natural drainage swales shall be protected. Houses are not to be in swales on Lots 54, 71, 72, 79, 80, 61, 28, and 29.
21. BMP conservation credit shall be used for floodplain and protected jurisdictional wetlands only.

final construction plan to be placed in the front office of Community Development: "The County recommends that no below grade basements be constructed on soil mapping units 63A, 74B, 78A, and 79A due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer. The foundation drainlines should be daylighted for gravity flow on all structures."

- ii. Roads built on 62B, 63A, 74B, 78A, and 79A will need to be designed to overcome the right-of-way bearing when wet.
- iii. The following statement needs to be placed on the Final Construction Plan: "Foundations placed in soil mapping units that show a moderate, high, or very high shrink-swell potential in the most recent *Interpretive Guide to the Soils of Fauquier County, Virginia* will require a geotechnical evaluation in order to determine proper design."
- iv. Soil mapping units 60B and 62B are usually shallow to bedrock. The following statement needs to be placed on the Final Construction Plan: "The County recommends that before road or home construction begins in soil mapping units 60B and 62B, a site specific evaluation be conducted so that shallow to bedrock areas are identified. These areas generally are rippable if deep cuts or excavation is done."
- v. Areas of steep slopes should be avoided at all cost due to high erosion hazard. Proper erosion and sedimentation practices need to be installed before construction begins. Soil mapping units 20D&E should be left in their natural state.

The motion carried unanimously.

- d. **#PPLT06-LE-006 – Property Management Associates, LLC and Larry R. & Frances H. Williams, owners and Monument Development – 14, LC, applicant – Revere Woods** – applicant wishes to subdivide approximately 11.04 acres into twenty-one (21) lots. The property is located at the end of Piney Ridge Road (Route 820) and connects to Pine Lane, Lee District. (PIN 6887-46-8038-000 and 6887-46-2019-000)

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

Mr. Meadows stated that he would like to thank the applicant for the donation of \$4,500 per lot towards the Bealeton Connector and said that that shows a good neighbor.

Mr. Meadows, seconded by Mrs. McCarty, moved to approve this application, subject to the following conditions:

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled "Revere Woods" dated January 16, 2006, last revised April 12, 2006 and received in this office on April 14, 2006. This approval is for a maximum of twenty-one (21) single-family residential lots, including the cul-de-sac length waiver.
2. A Special Exception shall be approved for the above ground water storage tank prior to Final Construction Plan submittal.
3. The developer shall contribute \$4,500 per lot toward the Bealeton Connector or similar transportation improvements in the area. This fee shall be in lieu of any impact fee that may be imposed. This fee shall be paid when the zoning permit is submitted for each lot
4. All pond embankments and outfall structures shall be 25 feet from the property line. Trees, shrubs, and any other woody plants shall not to be planted on the embankment or adjacent areas extending at least 25 feet beyond the embankment toe and abutment contacts. This area shall be within a maintenance easement. Tree save areas and landscaping cannot be in these areas.
5. The County recommends that no below grade basements be constructed on soils with high water table due to wetness unless the foundation drainage system of the structure is designed by a licensed professional engineer to assure a dry basement and preclude wet yards and recirculation of pumped or collected water. Unless, in the opinion of the County Engineer, the topography of the lot in relation to the overlot grading plan precludes grading the site to drain the basement to daylight, all basements shall be designed to gravity daylight without assistance from mechanical means. All discharged water (mechanical or gravity) must be conveyed to the subdivision stormwater collection system and discharged through the stormwater management facilities. Drainage easements, where necessary, shall be placed on the Final Plat. A note shall be placed on the Final Plat stating, "Basements are not recommended in mapping units 67A, 68B, and 68C. Basements in these mapping units are subject to flooding due to high seasonal water tables. Sump systems may run continuously, leading to possible premature pump failure."
6. An overlot grading plan shall be provided as part of the Final Construction Plans. It shall show downspout discharges and sump pump discharges.
7. Proof of provisions for adequate fire flow shall be required with the first submission of the Final Construction Plans. It shall be based on the guidelines issued by the Office of Emergency Services.
8. The intersection of Revere Way to Piney Lane shall meet the County's IL-1 standard for intersection landings.

19. This final soil map will be filed in the Building Department to be used exclusively for obtaining soils information for this proposed subdivision.
20. Two (2) copies of this final soil map with CPSS signature need to be submitted to the Soil Scientist Office before Final Plat approval is made.
21. The final signature sets will require original CPSS signature.
22. The type of primary and reserve drainfield area shall be stated for each lot.
23. The following statements shall be placed on the same sheet as the final soils map:
 - a. Due high seasonal water tables the following statement needs to be placed on the Final Construction Plan to be placed in the front office of Community Development: "The County recommends that no below grade basements be constructed on soil mapping units 67A, 68B, and 68C due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer. The foundation drainlines should be daylighted for gravity flow on all structures."
 - b. The following statement shall be included on final soils map and E & S plans: "PRIOR TO FINAL CONSTRUCTION PLAN APPROVAL, IT SHALL BE AGREED THAT ALL DRAINFIELD AREAS ARE TO BE SURROUNDED BY SAFETY FENCING AND NO CONSTRUCTION TRAFFIC SHALL CROSS NOR SHALL LAND DISTURBANCE OCCUR IN THESE AREAS. THE FENCING OF THESE AREAS IS TO BE VERIFIED BY COUNTY STAFF BEFORE THE ISSUANCE OF THE LAND DISTURBING PERMIT."
 - c. Roads built on 67A, 68B, and 68C mapping units will need to be designed to overcome the low bearing capacity.
 - d. The following statement needs to be placed on the Final Construction Plan: "Foundations placed in soil mapping units that show a moderate, high, or very high shrink-swell potential in the most recent Interpretive Guide to the Soils of Fauquier County, Virginia will require a geotechnical evaluation in order to determine proper design."

The motion carried unanimously.

- e. **#PPLT06-CT-010 – Revels M. and Mike T. Cayton, owners and Winchester Homes, Inc., applicant – Eastwood Farm** – applicant wishes to subdivide approximately 18.51 acres into six (6) lots. The property is located on the north side of Old Auburn Road (Route 670), Center District. (PIN 6993-38-5354-000)

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

Mr. Kovalik, seconded by Mr. Stone, moved to postpone action until the June 29, 2006 meeting, at the request of the applicant.

The motion carried unanimously.

- f. **#PPLT06-CT-018 – J & R Land Investments, owner and applicant – Cedar Mill** - applicant wishes to subdivide approximately 79.52 acres into forty-four (44) lots. The property is located at the intersection of Atlee Road and Frytown Road (Route 674), Center District. (PIN #6994-27-7561-000)

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

Mr. Kovalik, seconded by Mr. Stone, moved to approve this application, subject to the following conditions:

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled “Cedar Mill” dated February 13, 2006, and received in this office February 17, 2006 as amended based on these conditions. This approval is for a maximum of forty-three (43) single-family residential lots. The following items must be addressed before the Preliminary Plat can be forwarded to the Board of Supervisors:
 - a. The word “discontinued” shall be removed from the street name on Academy Hill Road.
 - b. Information along Frytown Road on Sheet 2 shall be shown more clearly; it is difficult to read with the way the trees have been shown.
 - c. Millwood Drive shall be labeled as Route 1440.
 - d. A note shall be added to the Preliminary Plat that states “Final design of these road improvements will be finalized during the Final Construction Plan phase”.
 - e. Add north arrow to Sheet 3.
 - f. Note 11 on Sheet 1 shall be corrected; the area is within a floodplain.
 - g. Soil units 16B, 48B, and 97C shall be added to the Interpretive Guide section.
 - h. The following lots have houses that are in drainageways: 20, 25, 29, 35, 38 and 42. The proposed houses on these lots shall be moved out of the drainage areas.
 - i. On Route 674 in the area of the Zimmer property, the plan is only showing 48 feet of right-of-way; verify that this is correct.

2. The improvements associated with Route 674 and 678 shall be in conformance with the developer's agreement and conditions outlined in the approved application CCRV06-CT-001. These improvements shall be built or bonded before a final plat is recorded.
3. Proposed Oakland Drive shall be moved a minimum of twenty-five (25) feet west from the centerline of the observed existing drainage corridor. Notwithstanding this minimum, the applicant shall use its best engineering efforts to move the corridor thirty (30) feet west from centerline where practicable. This minimum distance may be reduced further based on final construction design in order to preserve the thalweg and cross sectional area of the field located drainage corridor.

The cross sectional area of the natural drainage corridor features that should be protected (excluding driveway/culvert crossing) shall be defined as that which is defined by the post-developed 10-year runoff discharge to be conveyed within it. An improved drainage corridor in its existing location, cleared of debris/obstructions and protected against erosion, may be considered. This shall be achieved where possible as determined by the Director of Community Development.

4. The access points to the subdivision shall be established before construction begins.
5. If the property is constructed in phases as shown, a temporary turn around shall be shown on the construction plans at the end of Oakland Drive at the phasing line.
6. Entrances shall be in conformance with the Minimum Standard of Entrances to State Highways, and shall include a 30-foot width with 50-foot tapers.
7. The width of the existing roadway on Route 674 shall be dimensioned on the Final Construction Plans.
8. Centerline curve data shall be required on the Final Construction Plans and shall be 50 feet..
9. The County recommends that no below grade basements be constructed on soils with high water table due to wetness unless the foundation drainage system of the structure is designed by a licensed professional engineer to assure a dry basement and preclude wet yards and recirculation of pumped or collected water. Unless, in the opinion of the County Engineer, the topography of the lot in relation to the overlot-grading plan precludes grading the site to drain the basement to daylight, all basements shall be designed to gravity daylight without assistance from mechanical means. All discharged water (mechanical or gravity) must be conveyed to the subdivision stormwater collection system and discharged through the stormwater management facilities. Drainage easements, where necessary,

- shall be placed on the final plat. A note shall be placed on the final plat stating, “Basements are not recommended in mapping units 4A, 15B, 17B, 17C, 48A, 48B, 16B, 93B, 415B, and 416B. Basements in these mapping units are subject to flooding due to high seasonal water tables. Sump systems may run continuously, leading to possible premature pump failure.”
10. All ponds and outfall structures shall be kept 25 feet from the property lines. Trees, shrubs, and any other woody plants shall not to be planted on the embankment or adjacent areas extending at least 25 feet beyond the embankment toe and abutment contacts. This area is to be within a maintenance easement. Tree save areas and landscaping cannot be in these areas.
 11. No stormwater runoff generated from new development shall be discharged into a jurisdictional wetland without adequate treatment.
 12. An overlot grading plan shall be provided as part of the Final Construction Plans.
 13. Proof of provisions for adequate fire flow as outlined by the Office of Emergency Services shall be required with the first submission of the Final Construction Plans.
 14. All applicable State and Federal permits shall be filed with the first submission of the Final Construction Plans. This includes the COE/DEQ permits for disturbance of wetlands.
 15. In the BMP calculations, no more than 20% credit is given for offsite properties draining to the facility. This project shall meet the requirements of the Fauquier County Design Facilities Manual.
 16. All houses shall be located above the 10-year water surface elevation of adjacent swales.
 17. A separate emergency spillway shall be provided for ponds. The emergency spillway shall pass no less than the 100-year storm.
 18. In areas where the roads are to be installed over soils with low bearing capacity and/or high shrink/swell potential, underdrains or other stabilizing material may be required.
 19. The “c”, Tc and other pre-condition assumptions will be evaluated with the Final Construction Plans based on values from the Fauquier County Design Standards Manual.
 20. Extended detention ponds shall not be located in high water table soils because they do not stay dry year round. Ponds 1, 2, 3, and 5 may not be appropriate as

dry ponds in the proposed soils. If the drainage area exceeds 50 acres, a wet pond is appropriate.

21. The telephone easement requiring relocation shall be vacated and relocated if necessary prior to Final Construction Plan approval.
22. Open space shall be in conformance with Zoning Ordinance Section 2-406.2.
23. Trees on-site shall be saved to the maximum extent possible as required by Zoning Ordinance Section 7-603.
24. The applicant agrees to locate a trail along Academy Hill Road if practicable.
25. Dedication shall be required if the Virginia Department of Transportation right-of-way is less than 50 feet in width. Atlee Road is a major collector in the Comprehensive Plan and shall be a minimum of 60 feet in width; therefore, the necessary right-of-way shall be dedicated.
26. The following information shall be added to the Final Soils Map:
 - a. A Virginia Certified Professional Soil Scientist (CPSS) needs to adjust the preliminary soil map onto the final construction plan. This needs to be done in the field and checked for any additional soils information to be added to the Final Construction Plan.
 - b. A signature block shall be placed on this plat for the CPSS to sign which states:

Preliminary Soils Information Provided by a Type I Soils Report (1" = 400') Dated December 17, 2001.	
This Virginia Certified Professional Soil Scientist has field reviewed and adjusted the preliminary soil information onto the final plat (1"=___') and certifies that this is the Best Available Soils Information to Date for Lots 1-_____.	
_____	_____
Va. Certified Professional Soil Scientist CPSS #3401-_____	DATE

- c. Interpretive information from the Type I soil report for each mapping unit shown on the above Final Construction Plan shall be placed on the same sheet as the soil map. Also a Symbols Legend shall be placed on the Final Construction Plan to identify spot symbols.

- d. This final soil map will be filed in the Building Department to be used exclusively for obtaining soils information for this proposed subdivision.
- e. Two copies of this final soil map with CPSS signature need to be submitted to the Soil Scientist Office before final plat approval is made.
- f. The final signature sets will require original CPSS signature.
- g. The following statements shall be placed on the same sheet as the final soils map:
 - i. Due to landscape position (drainageways) and high seasonal water tables the following statement needs to be placed on the final construction plan to be placed in the front office of Community Development: "The County recommends that no below grade basements be constructed on soil mapping units 4A, 15B, 16B, 17B, 17C, 48A, 93B415B, and 416B due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer. The foundation drainlines should be daylighted for gravity flow on all structures."
 - ii. Roads built on 4A, 16B, 17B, 17C, and 93B will need to be designed to overcome low bearing capacity when wet.
 - iii. The following statement needs to be placed on the final construction plan: "Foundations placed in soil mapping units that show a moderate, high, or very high shrink-swell potential in the most recent *Interpretive Guide to the Soils of Fauquier County*, Virginia will require a geotechnical evaluation in order to determine proper design."
 - iv. Soil mapping units 33C, 33D, 33E, 40B, 47D, 140B, 140D, 240B and 240D are usually shallow to bedrock. The following statement needs to be placed on the final construction plan: "The County recommends that before road or home construction begins in soil mapping units 33C, 33D, 33E, 40B, 47D, 140B, 140D, 240B and 240D, a site specific evaluation be conducted so that shallow to bedrock areas are identified. These areas generally are rippable if deep cuts or excavation is done."
 - v. Areas of steep slopes should be avoided due to high erosion hazard. Proper erosion and sedimentation practices need to be installed before construction begins. Soil mapping units 33D&E should be left in their natural state.

The motion carried unanimously.

- g. #PPLT06-LE-019 – Remland, LLC, owner and applicant – The Meadows of Remington – applicant wishes to revise a previously

approved preliminary plat to subdivide approximately 221.25 acres into one hundred forty-eight (148) lots. The property is located on the north side of Lucky Hill Road (Route 655), Lee District. (PIN 6887-68-2679-000)

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

Mr. Meadows stated that the applicant's needs to diligently work on this application before the next meeting.

Mr. Meadows, seconded by Mr. Stone, moved to postpone action until the June 29, 2006 meeting, at the request of the applicant.

The motion carried unanimously.

- h. **#PPLT06-LE-021 – Smithridge, LLC and Laura L. Smith, owners and applicants – Smithridge of Remington** – applicant wishes to subdivide approximately 11 acres into twenty-three (23) lots. This property is located off Remington Road (Route 656) northeast of its intersection with Main Street and Tinpot Run Lane (Route 651), Lee District. (PIN #6888-32-5186-000, 6888-41-1988-000, and 6888-31-7419-000)

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

Mr. Meadows, seconded by Mr. Stone, moved to postpone action until the June 29, 2006 meeting at the applicant's request.

The motion carried unanimously.

- i. **#PPLT06-MA-022 – Joseph Camarda, owner and applicant – Chattin's Run South** – applicant wishes to subdivide approximately 186.12 acres into seven (7) lots. The property is located on the west side of Lost Corner Road (Route 624) south of Maidstone Road (Route 713), Marshall District. (PIN 6061-05-8596-000)

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

Mrs. McCarty, seconded by Mr. Trumbo, moved to postpone action until the June 29, 2006 meeting at the applicant's request.

The motion carried unanimously.

- j. **#PPLT06-MA-023 and WVRP06-MA-031 – Joseph Camarda, owner and applicant – Chattin’s Run North** – applicant wishes to subdivide approximately 98.32 acres into six (6) lots. The applicant also wishes to obtain a waiver of Section 5-8 of the Subdivision Ordinance regarding cul-de-sac length. The property is located on the south side of Maidstone Road (Route 713) east of Long View Lane, Marshall District. (PIN 6061-07-6619-000)

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

Mrs. McCarty, seconded by Mr. Stone, moved to approve this application, subject to the following conditions:

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled “Chattins Run North”, dated April 1, 2006 and received in this office May 2, 2006. This approval is for a maximum of six (6) single-family residential lots including the residual non-common open space lot and cul-de-sac length waiver.
2. The Lot 4 house is located in a swale and in a soils type as characterized as having an intermittent high water table. This house shall be relocated and the natural swale shall be protected.
3. A Jurisdictional Determination by the U.S. Army Corp of Engineers shall be required with the first submission of the Final Construction Plan.
4. The proposed entrance is shown as being on an adjacent parcel. Evidence that the adjacent property owner will allow the boundary line adjustment (sheet 2) shall be required prior to Final Construction Plan approval.
5. It appears that a culvert will be required at station 16+50; if this is the case, it shall be required.
6. The intersection of Chattins Run Lane and Maidstone Road shall meet the County’s IL-1 standard in the Subdivision Ordinance.
8. A Virginia Certified Professional Soil Scientist (CPSS) (needs to adjust the Type I Soil Map soil lines) or (needs to adjust the preliminary soil map with revisions) onto the Final Construction Plan. This shall be done in the field and checked for any additional soils information to be added to the Final Construction Plan.
9. A signature block shall be placed on this plat for the CPSS to sign which states:

Preliminary Soils Information Provided by the Fauquier County Soil Scientist Office via a Type I Soil Map (1"=400') Dated _____.
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<p>This Virginia Certified Professional Soil Scientist has field reviewed and adjusted the preliminary soil information onto the final plat (1"=___') and certifies that this is the Best Available Soils Information to Date for Lots 1-_____.</p>		
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;"> <p>_____ Va. Certified Professional Soil Scientist CPSS #3401-_____</p> </td> <td style="width: 40%; border: none; text-align: right;"> <p>DATE</p> </td> </tr> </table>	<p>_____ Va. Certified Professional Soil Scientist CPSS #3401-_____</p>	<p>DATE</p>
<p>_____ Va. Certified Professional Soil Scientist CPSS #3401-_____</p>	<p>DATE</p>	

10. Interpretive information from the Type I soil report for each mapping unit shown on the above Final Construction Plan shall be placed on the same sheet as the soil map. Also a Symbols Legend shall be placed on the Final Construction Plan to identify spot symbols.
11. This final soil map shall be filed in the Building Department to be used exclusively for obtaining soils information for this proposed subdivision.
12. One copy of this final soil map with CPSS signature shall be submitted to the Soil Scientist Office before Final Plat approval is made.
13. The final signature sets shall contain original CPSS signature.
14. The type of primary and reserve drainfield area shall be stated for each lot on the Final Construction Plan.
15. The following notes shall be on the Final Construction Plans under "Home Sites and Road Construction":
 - a. Due to landscape position (drainage ways) and high seasonal water tables the following statement needs to be placed on the final construction plan to be placed in the front office of Community Development: "The County recommends that no below grade basements be constructed on soil mapping units 15B and 416B due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer. The foundation drainlines should be daylighted for gravity flow on all structures."
 - b. The following statement shall be included on final soils map and E & S plans: "PRIOR TO FINAL CONSTRUCTION PLAN APPROVAL, IT SHALL BE AGREED THAT ALL DRAINFIELD AREAS ARE TO BE SURROUNDED BY SAFETY FENCING AND NO CONSTRUCTION TRAFFIC SHALL CROSS NOR SHALL LAND DISTURBANCE OCCUR IN THESE AREAS. THE FENCING OF THESE AREAS IS TO BE VERIFIED BY COUNTY STAFF BEFORE THE ISSUANCE OF THE LAND DISTURBING PERMIT."

- c. The following statement needs to be placed on the Final Construction Plan: “Foundations placed in soil mapping units that show a moderate, high, or very high shrink-swell potential in the most recent *Interpretive Guide to the Soils of Fauquier County*, Virginia will require a geotechnical evaluation in order to determine proper design.”
 - d. Soil mapping units 19F, 20C, 20D, 220B, 220C, 220D, and 200E are usually shallow to bedrock. The following statement needs to be placed on the Final Construction Plan: “The County recommends that before road or home construction begins in soil mapping units 19F, 20C, 20D, 220B, 220C, 220D, and 200E a site specific evaluation be conducted so that shallow to bedrock areas are identified. These areas may require blasting if deep cuts or excavation is done.”
 - e. Areas of steep slopes should be avoided at all cost due to high erosion hazard. Proper erosion and sedimentation practices need to be installed before construction begins. Soil mapping units 19F, 20D, 131D, 220D, and 220E should be left in their natural state.
16. Dedication shall be made, twenty-five feet from centerline along all road frontage of the proposed subdivision.
17. Indicate on the Final Construction Plan that the driveway entrances shall be constructed in accordance with the PE-1 standard in the Road and Bridge Standards.
18. Chattins Run Lane at the intersection of Route 713 shall be 30 feet wide with 50-foot tapers in accordance with the Minimum Standards of Entrances to State Highways.

The motion carried unanimously.

5. **SPECIAL EXCEPTIONS**

- a. **#SE99-CR-39 – Rodney I. Smith, owner, and Crown Castle Atlantic, LLC, and Bell Atlantic Mobile, Inc., applicants** – applicants wish to obtain Special Exception approval under Category 20, which would allow for an unmanned telecommunications facility. The property is located on the south side of Catlett Road (Route 28), Cedar Run District. (PIN 7900-75-7589-000) (From postponed agenda)

Mrs. Dargis reviewed the staff memorandum for items 5.a-e, item 6 and item 7 and stated that item 7 had been withdrawn prior to today’s meeting, a copy of which is attached to and made part of these official minutes.

Mr. Stone, seconded by Mr. Meadows, moved to postpone action on items 5.a-e and 6 until the June 29, 2006 meeting.

The motion carried unanimously.

- b. **#SE03-M-27 – Judith A. Almquist, owner, and AT & T Wireless Services, Inc., applicant** – applicant has filed a Special Exception application under Category 20, which would allow for construction of an 80-foot monopole, antennas, and related equipment. The property is located at 9309 Belle Haven Lane, Marshall District. (PIN 6050-50-3466-000) (From postponed agenda)

See Agenda Item 5.a.

- c. **#SPEX05-CR-025 – General Lee White, Jr., owner and applicant** – applicant wishes to obtain Special Exception approval under Category 20, which would allow for the construction of an experimental drainfield supporting a single-family home. The property is located on Midland Road (Route 610) north of its intersection with Elk Run Road (Route 806), Cedar Run District. (PIN 7819-62-6396-000) (From postponed agenda)

See Agenda Item 5.a.

- d. **#SPEX05-MA-028 – Learning Tree Farms, LLC, owner and applicant – Learning Tree Farms** – applicant wishes to amend a previously approved Special Exception (#SE02-M-08) to allow for changes to the months of the year, daily hours of operation, and the allowable capacities for events. The property is located at 3876 Learning Tree Lane south of Carrington Road (Route 729) in Delaplane, Marshall District. (PIN 6939-47-9679-000) (Postponed on May 26, 2005 for up to 90 days with the public hearing left open, at the request of the applicant)

See Agenda Item 5.a.

- e. **#SPEX06-MA-004 – Arthur McKenny, owner and applicant** – applicant wishes to obtain Special Exception approval under Category 14 to allow for auto repair and recreational vehicle storage in an I-2 zoning district. In addition, the applicant wishes to obtain Special Exception approval under Category 31 to remove the requirement to develop the property using public water as stipulated by Section 7-501 of the Fauquier County Zoning Ordinance. The property is located on the west side of Whiting Road (Route 622) south of its intersection with John Marshall Highway (Route 55), Marshall District. (PIN 6979-29-9361-000) (From postponed agenda)

See Agenda Item 5.a.

6. **REZONINGS**

- a. **#REZN05-LE-005 – Levern L. and Dorothy K. Ziegler and Lynette M. Podolsky, owners and U.S. Homes Corporation, applicant – Remington Heights** – applicant wishes to rezone approximately 165.58 acres of three of the parcels from Residential-1 (R-1) to Residential-3 (R-3) with a Planned Residential Development (PRD) overlay on the entirety of the properties to permit a mixed use development consisting of 293 single-family detached dwelling units and two (2) commercial sites. The property is located at the intersection of Strodes Mill Road (Route 654) and Lucky Hill Road (Route 655), Lee District. (PIN 6887-78-2050-000, 6887-77-4090-000, 6887-76-8441-000 and 6887-88-9080-000) (From postponed agenda)

See Agenda Item 5.a.

7. **COMPREHENSIVE PLAN CONFORMANCE DETERMINATION (#CPD00-CR-02) AND REZONING REQUEST (#RZ00-CR-01) - RODNEY I. SMITH, OWNER, AND CROWN CASTLE ATLANTIC, LLC, AND BELL ATLANTIC MOBILE, INC., APPLICANTS** - applicants have requested County determination as to whether the location of a telecommunications facility associated with #SE99-CR-39 is in accord with the Code of Virginia, Section 15.2-2232. Applicants also wish to amend the proffered conditions of a previously approved rezoning to allow telecommunications facilities on the property. The property contains 3.3 acres, is zoned Industrial-2 (I-2), and is located on the south side of Catlett Road (Route 28), Cedar Run District. (PIN 7900-75-7589-000) (From postponed agenda)

See Agenda Item 5.a.

8. a. **BOARD OF ZONING APPEALS AGENDA**

No Comments.

- b. **TRANSPORTATION COMMITTEE AGENDA**

No Comments.

<p style="text-align: center;"><i>Public Hearings</i> 7:00 P.M. Warren Green Meeting Room 10 Hotel Street, Warrenton, Virginia</p>
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9. **THE PLEDGE OF ALLEGIANCE**

10. **ANNOUNCEMENTS**

Mr. Stone announced that the next Planning Commission Meeting will be held on June 29, 2006.

Mrs. McCarty announced that some of the Planning Commissioners will be conducting a site visit to the Payandeh property on June 15, 2006.

11. **CITIZENS' TIME**

No one spoke.

12. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES**

- a. Zoning Ordinance Text Amendment to Section 7-604 to Permit the Zoning Administrator to Waive, Reduce and/or Modify Buffer/Landscaping Requirements for Commercial Property Where Such Property Abuts Recorded Open Space

Mrs. Johnson reviewed the staff memorandum, 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.

Mr. Stone, seconded by Mr. Trumbo, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Sections 3-317 and 15-300 and Adding a New Section 5-1706 to Permit Contractor's Office, Shops, and Material Storage Yards in C-1 and C-3 Districts and to Expand Such Uses to Include Landscaping Businesses, Pest Control Businesses, and Other Similar Businesses as Determined by the Zoning Administrator

Mrs. Johnson reviewed the staff memorandum, 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.

Mrs. McCarty, seconded by Mr. Trumbo, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Section 13-601 to Provide Administrative Remedies to the Zoning Administrator to Remove Inoperable Vehicles and Trash, Garbage, Refuse, and Litter

Mrs. Johnson reviewed the staff memorandum, 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.

Mr. Stone, seconded by Mr. Meadows, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- d. Zoning Ordinance Text Amendment to Sections 6-302.16 and 5-202 to Permit as Home Occupations, Party Supply Sales and Rentals and to Enact Certain Standards for Such Uses

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

Mr. Stone opened the public hearing.

Mr. Chuck Medvitz, Scott District, stated that if this item is continued he would like to see the public hearing kept open.

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

Mr. Stone, seconded by Mr. Meadows, moved to postpone action until the June 29, 2006 meeting.

The motion carried unanimously.

- e. Subdivision Ordinance Text Amendment to all Sections of the Ordinance to Correct Code References and Make Similar Edits; Section 2-39 Subdivisions; Section 4 – Plat Preparation Procedure; Section 9 – Preliminary Plats; and Section 10 – Final Plats

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

Mr. Stone opened the public hearing.

Mr. Chuck Medvitz, Scott District, stated that in general this sounds like a great improvement, but he is concerned about the historic properties. He stated that one of the good things about having the Corps of Engineers review the plans is that when they do the wetlands review they also perform historic research on the property as they did on the Bishop's Run Property.

Mr. Stone asked Mrs. Cook if these changes to the Subdivision Ordinance will affect the historic review process.

Mrs. Cook stated that historic review has not been a part of the subdivision review process and maybe this is something that we can look into but probably not at this juncture because we do not want to submit only Industrial Commercial Zoned Properties to this review. She continued to say that staff would need more time to see where else this type of review would need to be inserted.

Mr. Carr stated that we may need to add verbiage elsewhere because this would affect a variety of categories.

Mr. Stone stated that Mr. Medvitz had made a valuable suggestion, but does not necessary belong just here.

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

Mr. Stone, seconded by Mr. Meadows, moved to approve subject to the revised text.

13. **SPECIAL EXCEPTIONS**

- a. **#SPEX06-SC-011 – Richmond American Homes, owner and applicant – Jamison's Farm** – applicant wishes to obtain a Category 23 Special Exception to fill in a floodplain in association with VDOT required improvements to the intersection of Baldwin Street (Route 673) and Route 15/29. The property is located within the Jamison Farm Phase 1A subdivision and adjacent to Baldwin Street (Route 673) and Route 15/29 in Warrenton, Scott District. (PIN 6995-65-2468-000, 6995-76-6411-000, 6995-75-2118-000, and 6995-75-4358-000)

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

Mr. Stone opened the public hearing.

Mr. Paul Gauthier, representing the applicant, stated that he wanted to thank the Planning Commission and staff for all their time and effort concerning this application. He continued to say that the applicant has reviewed the comments from the different agencies and has decided that this application is where it should be. Mr. Gauthier continued to say that the water surface will not be elevated at this site and that the applicant will be making the necessary road improvements. He stated that he would respectively request that the Planning Commission take action on this tonight and forward to the Board of Supervisors with a recommendation of approval.

Ms. Nancy Marks, Scott District, stated that she is speaking on behalf of her neighbors. She continued to say that she and her neighbors are concerned about the right turn lane coming into the subdivision. She stated that this turn lane is not what is needed, but the extension and widening is better than nothing at this time, but she would like to see the developer come up with a better solution in the future.

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

Mr. Trumbo stated that he would like to thank the applicant for giving this due diligence and giving the county a better solution for the Route 29 traffic problems. He would also thank staff for all of their hard work as well.

Mr. Trumbo, seconded by Mr. Meadows, moved to forward to the Board of Supervisors with a recommendation of approval, subject to the following conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat "Floodplain Study Jamison's Farm, Special Exception Application" dated April 20, 2006 and received in the Planning Office on April 20, 2006, as approved with this application, as qualified by these development conditions.
3. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other drainage facilities or system that would increase flood heights and/or velocities, on adjacent properties.

4. Applicant shall submit evidence that applicable permits (DEQ, DCR VMRC, USACOE) have been acquired before any land disturbing activities associated with the Special Exception improvements commence.
5. If the flood elevations change, the appropriate information shall be submitted to FEMA for a Conditional Letter of Map Revision (CLOMR) and evidence for this submission will be given to the County prior to issuance of land disturbing permits for work associated with the construction of Baldwin Street improvements within the current FEMA 100-year floodplain.
6. A copy of the floodplain study, including all calculations, assumptions, etc. shall be submitted to the County. If the study shows a change from the previously revised LOMR (effective date February 20, 2003) a newly revised LOMR shall be required to be prepared by this applicant. This revision shall be submitted to FEMA within 6 months of notification that it is necessary.
7. Final design for Baldwin Street shall be submitted to the Army Corps of Engineers for a wetlands permit prior to issuance of land disturbing permits for any construction of Baldwin Street.
8. Evidence of the Army Corp of Engineers permit and the conditional letter of the FEMA map revision shall be submitted to Community Development prior to the issuance of land disturbing permits for the construction of Baldwin Street.
9. "As built" of the Baldwin Street crossing of the floodplain shall be submitted to FEMA for final map revision after completion of this project.
10. The applicant shall post a bond for the construction of Baldwin Street Drive and repair, if needed, of the bridge in accordance with the requirements of VDOT prior to the issuance of any land disturbing permit for the construction of Baldwin Street.
11. No land disturbing permit for the construction of Baldwin Street shall be issued until evidence of all necessary permits has been furnished to Community Development and the land development bond documents have been approved.
12. If the road location in the floodplain changes materially, as determined by Community Development, from the location shown on the plat dated April 20, 2006, this Special Exception is no longer valid.
13. An initial set of construction plans for Baldwin Street shall be filed within one (1) year after the approval of this Special Exception. No time limit shall be imposed on this Special Exception, provided that such construction plans have been filed within one year of approval of this Special Exception.

14. Soils map unit 2A has a very low bearing capacity and may contain hydric soils inclusions. A wetlands determination shall be performed.
15. Soils map unit 200 is highly variable. A geotechnical evaluation shall be completed.
16. Fill from this project shall not preclude installation of the trail shown on the Phase 1A approved plans.
17. Roads shall be constructed in accordance with VDOT approval of the design subject to the April 11, 2006 project meeting regarding construction criteria and the applicant's April 12, 2006 Memorandum of Meeting Summary.

The motion carried unanimously.

- b. **#SPEX06-SC-023 – Robert M. & Claudia S. Young, owners and applicants** – applicants wish to obtain a Category 26 Special Exception to allow for a reduction in non-common open space. The property is located on the south side of Young Road (Route 708) at 7055 Young Road, Scott District. (PIN 6081-25-7937-000)

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

Mr. Stone opened the public hearing.

Mr. Robert Young, Scott District, stated that his family has a neighbor that bought the property next to him who always said that he wanted more land when the time came, and now is the time. He continued that due to some health and financial issues it is necessary for him to sell a piece of his property and this way it can stay agricultural.

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

Mr. Trumbo, seconded by Mr. McCarty, moved to postpone action until the June 29, 2006 meeting.

The motion carried unanimously.

There being no further business, the meeting adjourned at 7:37 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, Warrenton, Virginia, for a period of one year.

**PLEASE NOTE THAT THE PUBLIC HEARING AGENDA
ENDS AT 10:30 P.M., UNLESS EXTENDED BY THE
PLANNING COMMISSION**

**THE AGENDA MAY BE MODIFIED ON ADOPTION
BY THE PLANNING COMMISSION IN THE FORM OF
ADDITIONS, DELETIONS OR REVISIONS**

POSTPONED APPLICATIONS

(Not to be Discussed at This Meeting)

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

- Zoning Ordinance Text Amendment adding a Public Reservoir Management and Protection Overlay District (Postponed indefinitely on February 21, 2006)

2. **PRELIMINARY PLAT RENEWALS AND REVISIONS**

- **#PPLT06-SC-016 – Pleasants–Oliver, LLC, owner and applicant –
Wooded Run Estates** – applicant wishes to renew a previously approved preliminary plat (PP02-S-17) to subdivide approximately 87.16 acres into fifty–one (51) lots. The property is located on the south east side of Old Bust Head Road (Route 694), Scott District. (PIN 6996-74-7581-000) (Postponed on March 30, 2006 for up to 90 days, at the request of the applicant)

3. **PRELIMINARY PLATS**

- a. **#PPLT06-MA-020 – Jeffrey N. O’Bannon, owner and Paul Hughes,
applicant – O’Bannon Property** – applicant wishes to subdivide approximately 82 acres into two (2) lots. The property is located on the south side of Hume Road (Route 635), Marshall District. (PIN 6938-45-9795-000) (Postponed on March 30, 2006 for up to 90 days, at the request of the applicant)
- b. **#PPLT06-MA-024 – Robin Fetsch, owner and Fetsch Properties, LLC,
applicant – Fetsch Property** – applicant wishes to subdivide approximately 35.5 acres into three (3) lots. The property is located on Fiery Run Road just left of its intersection with Cherry Hill Road (Route 638), Marshall District. (PIN 6010-06-2177-000) (Postponed on April 27, 2006, for up to 90 days, at the request of the applicant)

4. **SPECIAL EXCEPTIONS AND SPECIAL EXCEPTION AMENDMENTS**

- a. **#SPEX05-MA-021 – Charles R. Chamberlain, owner and applicant – Oak Hill** applicant wishes to obtain Special Exception approval under Category 9, in order to hold Class C events. The property is located at 9358 Justice Lane on the east side of Grove Road (Route F-185) in Delaplane, Marshall District. (PIN 6050-37-4078-000) (Postponed for up to 90 days on March 31, 2005 with the public hearing closed)
- b. **#SPEX06-CR-018 Engle Homes, owner and applicant – The Estates at Old Marsh** – applicant wishes to obtain Special Exception approval under Category 31 to allow for a community water well system serving approximately 30 lots on drainfields. The property is located at 10529 Old Marsh Road (Route 837), Cedar Run District. (PIN 6990-13-5554-000) (Postponed on March 30, 2006 for up to 90 days, at the request of the applicant, with the public hearing left open)

5. **REZONING**

- **#REZN05-SC-009 – Belvoir Ridge of Virginia, LLC, owner and Centex Homes, applicant – Belvoir Ridge** – applicant wishes to rezone approximately 58.26 acres of a ±64.93-acre parcel from Industrial Park (I-1), Industrial General (I-2) and Residential-1 (R-1) to Residential-2 (R-2) Cluster to allow for the construction of seventy (70) dwelling units. The property is located on Belvoir Road (Route 709) south of its intersection with John Marshall Highway (Route 55), Scott District. (PIN 6979-57-4795-000)

6. **REZONING AND SPECIAL EXCEPTION**

- **#REZN05-LE-014 and SPEX06-LE-020 – Donald R. Tharpe, Trustee and Toll Land X Limited Partnership, owners and Toll Land X Limited Partnership, applicant – Colonial Crossing** – applicant wishes to rezone approximately sixty (60) acres of an ±85.03-acre parcel from Rural Agricultural (RA) to Residential-4 (R-4) and a ±3.1-acre parcel from Village (V) to R-4 in order to allow for 111 residential units. The applicant also wishes to obtain a Special Exception under Category 20 to allow for a sewer pumping station/s to serve the proposed Colonial Crossing Development. The properties are located east of the intersection of Marsh Road (Route 17) and Old Marsh Road (Route 837) north of Independence Avenue, Lee District. (PIN 6899-29-5691-000 and 6990-10-5075-000) (Postponed on April 27, 2006, for up to 90 days, at the request of the applicant with the public hearing left open)

7. **REZONING AND COMPREHENSIVE PLAN AMENDMENT**

- **#REZN05-MA-018 and #CPAM05-MA-013 – Beights Development Corporation, owner and applicant – Mills Property** – applicant wishes to rezone approximately 1.78 acres from Residential-4 (R-4) to Commercial-2 (C-2) to allow for the construction of a two-story commercial building. The applicant also wishes to obtain a Comprehensive Plan Amendment to change the Land Use category from Low Density Residential: 1-3 units per acre to Mixed Use. The property is located in the southeast quadrant of the intersection of Winchester Road (Route 17) and Route 622, Marshall District. (PIN 6969-87-8431-000)