

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
AUGUST 31, 2006**

The Fauquier County Planning Commission held its regular meeting on Thursday, August 31, 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 Mrs. Elizabeth Cook, Mr. Todd Benson, Mrs. Kimberly Fogle, Mr. Kevin Burke, Ms. Holly Meade, and Miss Carissa Blevins.

1. **APPROVAL OF MINUTES** – June 29, 2006 and July 27, 2006

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

The motion carried unanimously.

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

- a. Initiation of a Zoning Ordinance Text Amendment to Section 2-310 to Allow an Owner to Reserve or Allocate One Family Division or Administrative Parcel of Five (5) Acres or Less by Deed and Plat Notation on a Single Large Lot of Over 100 Acres on an Otherwise Eligible Parcel From Which No Previous Parcels Have Been Created

Mr. Benson 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, Mrs. McCarty, seconded by Mr. Stone, moved to initiate a Zoning Ordinance Text Amendment to Section 2-310 to allow an owner to reserve or allocate one family division or administrative parcel of five (5) acres or less by deed and plat notation on a single large lot of over 100 acres on an otherwise eligible parcel from which no previous parcels have been created and to schedule a public hearing for the Planning Commission's September 28, 2006 meeting.

The motion carried unanimously.

- b. Initiation of a Zoning Ordinance Text Amendment to Section 7-302 to Allow the Board of Supervisors to Modify Certain Private Street Requirements for Streets Serving Lots Created by Large Lot Subdivision

Mr. Benson 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 for 30 days.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Section 5-105 to Change the Square Footage of Accessory Family Dwelling Units and to Define Such Units to be Occupied by Family Members

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

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

The motion carried unanimously.

- d. Initiation of a Zoning Ordinance Text Amendment to add a new Section 5-2003, Special Exception for Community Wastewater Treatment System in Rural Remediation Area for Village, Settlement or Rural Cluster Development and amend Section 7-502, Public Sewer Requirements, to permit the designation of a Rural Remediation Area in the Comprehensive Plan that would allow community waste water treatment in certain circumstances.

Mr. Stone stated that the Planning Commission would not initiate nor take action on this Zoning Ordinance Text Amendment.

3. **COMPREHENSIVE PLAN AMENDMENTS**

- New Baltimore Service District – Consider Proposed Amendments to the Comprehensive Plan Chapter 6 – New Baltimore Service District

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

Mr. Trumbo, seconded by Mr. Meadows, moved to postpone action for 30 days to allow for a public hearing.

The motion carried unanimously.

4. **PRELIMINARY PLATS**

- a. **#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 December meeting, at the request of the applicant.

The motion carried unanimously.

- b. **#PPLT06-LE-025 – Pricilla A. Craig, owner and Christopher Consultants, applicant – Craig Property** – applicant wishes to subdivide approximately 13.09 acres into twenty-six (26) lots. The property is located at 6658 Catlett Road (Route 28) across from Edgewood Drive (Route 1120), Lee District. (PIN 6889-63-5498-000)

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 for up to 90 days, at the request of the applicant.

The motion carried unanimously.

- c. **#PPLT06-MA-026 – David E. Couk, owner and Cannon Properties, Ltd., applicant – Stonecrest Drive** – applicant wishes to subdivide approximately 10.26 acres into eighteen (18) lots. The applicant also wishes to request a waiver (WVRP06-MA-044) of Subdivision Ordinance Section 5-8 for a cul-de-sac length of 870 feet. The property is located north east of Old Waterloo Road (Route 678) east of its intersection with Admiral Nelson Drive, Marshall District. (PIN 6974-66-4890-000)

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 postpone action for up to 90 days, at the request of the applicant.

The motion carried unanimously.

- d. **#PPLT07-LE-002 – Angler Development, owner and applicant – Willow Creek Phase 1 & 2** – applicant wishes to subdivide approximately 165.60

acres into seventy (70) lots. The property is located east of James Madison Highway (Route 15, 17, and 29), Lee District. (PIN 6981-27-6354-000 and 6981-44-4079-000)

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

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

The motion carried unanimously.

5. **PRELIMINARY PLAT RENEWALS & EXTENSIONS**

- a. **#PPLT03-SC-035 – James R. & Margaret L. Hendricks, Trustees, owners and applicants – Misty Run Estates Phase 3** – applicants wish to renew a previously approved Preliminary Plat to subdivide approximately 10.5 acres into six (6) lots. The property is located off of Grays Mill Road (Route 674) southwest of its intersection with Newberry Street, Scott District. (PIN 6995-94-1740-000)

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

Mr. Trumbo, seconded by Mr. Meadows, moved to postpone action for 30 days.

The motion carried unanimously.

- b. **#PPLT04-CR-014 – Maxene Galkin, Trustee, owner and applicant – Galkin’s Estates** – applicant wishes to extend a previously approved Preliminary Plat to subdivide approximately 20 acres into three (3) lots. The property is located northeast of Goldmine Road (Route 634), Cedar Run District. (PIN 7816-86-9623-000)

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

Mr. Stone, seconded by Mr. Meadows, moved to approve.

The motion carried unanimously.

6. **BOARD OF ZONING APPEALS AGENDA**

No Comments.

*Public Hearings
7:00 P.M.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia*

7. **THE PLEDGE OF ALLEGIANCE**

8. **ANNOUNCEMENTS**

None

9. **CITIZENS' TIME**

No one spoke.

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

- a. Zoning Ordinance Text Amendment to Section 12-606 to Allow Certain Driveways to be Ten (10) Feet in Width and Composed of Any Surface

Mr. Benson 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.

- b. Zoning Ordinance Text Amendment to Article 4, Part 4 of the Fauquier County Zoning Ordinance and Sections 15-300, and 3-323 Pertaining to Floodplain Overlay Districts

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

Mr. Stone opened the public hearing.

Ms. Mimi Moore, Marshall District, speaking on behalf of Citizens for Fauquier County, stated that they support this Text Amendment particularly because it is attempting to address the occasional differences in FEMA maps with the actual conditions of the land. She continued the

floodplain studies required by the Zoning Administrator will ensure that the actual floodplains are respected and not overlooked. Ms. Moore stated that it is important that the County oversees this process to maintain these wetlands as a natural resource and help ensure the environment is protected.

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

Mr. Stone, seconded by Mrs. McCarty, moved to postpone action for 30 days to allow for a work session in September.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Sections 3-310, 4-603, and 15-300 and adding a New Section 5-1003 to Permit Indoor Sports/Activity Centers in Commercial and Industrial Zoning Districts and PCID Overlay Districts.

Mr. Benson 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 postpone action for 30 days to allow for a work session in September.

The motion carried unanimously.

11. **SPECIAL EXCEPTION AMENDMENT**

- a. **#SEAM07-SC-001 – Suffield Meadows, LLC, owner and applicant – Suffield Meadows** – applicant wishes to obtain Special Exception Amendments to SE02-S-13 and SE02-S-14 under Category 6 to amend Condition #5, in order to increase the number of assisted living beds from forty (40) to sixty (60), and Condition #6 to delete “...begin prior to the issuance of the 85th residential building permit.” and insert “...be completed.” The property is located on Lee Highway (Route 29) and the intersection of Suffield Lane. (PIN 6995-89-2285-000)

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

Mr. Greg Dodge, Scott District, stated that he is an adjacent property owner and that this property owner should be held to maintaining the number of residences previously approved, and further believes that the legality of changing the number is questionable.

Gary Hill, applicant, stated that the residents of the Suffield Meadows subdivision desire a place where they can continue to live out the rest of their lives even as their needs change. He stated that with the number of assisted living homes decreasing in Fauquier County there has become a need for a facility like this. When first designed, the rooms were going to be much larger than in most other facilities of this nature, but after doing some careful consideration it was decided that more rooms were needed to accommodate more residents.

Kitty Smith, Marshall District, stated that she was opposed to this facility in the beginning and is still against this. She continued that she does not agree with expanding this facility because it will create another fifty trips on and off of Route 29. She stated that if the Planning Commission and Board of Supervisors wish to expand this facility then the bond estimate needs to be reevaluated to decide whether or not this is enough money to build this complex. Dr. Smith continued to say that if Suffield Meadows wants to increase the number of residents at the assisted living facility, they should reduce the number of residential houses to make up for the increase of assisted living beds.

Jim Bolton, Scott District, stated that he is also a resident at Suffield Meadows and he moved to the community because of the concept of having the assisted living site there. He continued that he has spoken with the project engineers and they have assessed that there is plenty of water and sewer available to accommodate the development and the assisted living facility even with the increase of residents. Mr. Bolton added that this community and assisted living facility is a good financial asset to the county due to the fact that the residents pay the same amount of taxes as everyone else, but due to their age, most of the resources, like schools and libraries, are not used.

Brookes Semple, Scott District, stated that Mr. Gary Hill has done an outstanding job with this project. He pointed out that Mr. Hill has maintained all promises that were made concerning this community and that the additional traffic this community creates on Route 29 should not be an issue since he donated \$40,000 for a traffic light to be installed and that has yet to be done. He continued that increasing the number of residents at the assisted living facility would only increase the volume of cars by about ten per day, and that is hardly enough to make an impact.

Jim Wilson, Scott District, stated that he also supports Mr. Gary Hill and his application to increase the number of allowable residences in the assisted living facility. He stated that he has visited many other facilities similar to this one and none of them were as thoughtfully laid out or as spacious. Mr. Wilson said Suffield Meadows needs to increase the number of residences due to the fact that two other assisted living facilities in Warrenton have recently closed and to solve financial issues. He continued in order to bring in enough revenue to maintain this facility in the way it was intended they need to increase the number of residents. Mr. Wilson stated that he has also spoken to the project engineer and was also assured that that water and sewer availability would not be an issue.

Mr. Dominic Paravano, Scott District, stated that he has lived in Fauquier County for the last thirty years and that the county needs more facilities like this one so that the older residents will be able to stay in the area in which they have always lived. He stated that he has also been assured that the water and sewer will not be an issue.

Ms. Shirley Palme, Scott District, stated that she was a resident of Fairfax County for years and has taken care of two sets of parents and stated that it is very difficult to find a reliable and well maintained assisted living facility. She continued that she does not want to burden her children with this same issue and feels that it is important to have an assisted living facility within the retirement community where she and her husband have chosen to live.

Mr. Clinton Millen, Scott District and resident of Suffield Meadows, stated that this community needs an assisted living facility and with the number of elderly people, it is a necessity to have the number of residences increased to accommodate the need.

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

Mr. Trumbo, seconded by Mr. Meadows, moved to postpone action for up to 90 days, at the request of the applicant.

Mr. Meadows asked if the bond was originally for \$860,000 for forty beds. He stated it should it be increased for the additional twenty (20) beds.

Mr. Stone replied that the bond will need to be reevaluated.

The motion carried unanimously.

- b. **#SEAM07-LE-002 – Fauquier County School Board, owner and applicant – Cedar Lee Middle School** – applicant wishes to request a special exception amendment to construct a new media center and convert an existing media center into four (4) class rooms. The property is located off of Marsh Road (Route 17), Lee District. (PIN 6899-13-9308-000, 6899-13-7703-000, 6899-23-3686-000, 6899-23-6596-000, 6899-23-7352-000, 6899-23-8175-000)

Ms. Abe 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. Warren Darrell, construction manager for the School Division, stated that he is available if there are any questions.

Mr. Stone asked if he had seen a particular memorandum concerning the importance of high performance construction and gave Mr. Darrell a copy of it.

Mr. Meadows asked if a new parking lot would be added to replace the spots that are being taken to construct this addition.

Mr. Darrell replied that they would not be replacing these parking spots due to the fact that most of the back lot is never used. He stated there is plenty of parking elsewhere.

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

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

The motion carried unanimously.

12. **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. The applicant also wishes to obtain a Special Exception under Category 20 to allow for 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)

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. Merle Fallon, representative for Toll Brothers, stated that this project dates back to April 2005, and he would like action made tonight so this project can finally be moved along. He continued that when it was originally filed it was a PUD rezoning and after receiving numerous comments it became clear that it needed to be rezoned as Residential as the adjacent twenty five acres adjacent would not be in the application. He continued that the PUD rezoning would have restricted any type of commercial development from going in. The application was resubmitted in February 2006, and he thought that the clock started again from that date. Mr. Fallon stated that comments were received and addressed by the applicant, and the applicant upgraded their proffer package to match what was offered by Freedom Place. He continued that the Zoning Ordinance states that the Planning Commission needs to act within 180 days and it has been 188 days since this application was filed. Mr. Fallon stated that this application is in compliance with the Comprehensive Plan and hopes that any other problems can be addressed at the construction plan stage.

Dr. Kitty Smith, Marshall District, stated that she disagrees with Mr. Fallon and added that this application needs to have some sort of phasing process and a road improvement plan should be included. She continued to say that staff has worked hard on this application and has done a commendable job.

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

Mr. Meadows, seconded by Mr. Stone, moved to postpone action for 30 days.

The motion carried unanimously.

In that there was no further business the meeting adjourned at 8:14 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.