

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
JANUARY 23, 2003**

The Fauquier County Planning Commission held its regular meeting on Thursday, January 23, 2003, beginning at 3:00 P.M. in the 4th Floor Conference Room of The Fauquier County Courthouse, 40 Culpeper Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; Mr. Bob Sinclair; and Mr. Jim Stone. Also present at the meeting were Mr. Rick Carr, Mr. Robert Counts, Mrs. Elizabeth Cook, Ms. Deirdre Clark, Mrs. Carolyn Bowen, and Ms. Beckie Williams.

1. **ELECTION OF OFFICERS**

a. Chairman

Mr. Guerra, seconded by Mrs. McCarty, moved to nominate Mr. Robison as Chairman.

The nomination carried unanimously.

b. Vice Chairman

Mr. Robison, seconded by Mr. Sinclair, moved to nominate Mrs. McCarty as Vice Chairman.

The nomination carried unanimously.

c. Secretary

Mr. Robison, seconded by Mrs. McCarty, moved to nominate Mr. Stone as Secretary.

The nomination carried unanimously.

2. **CONSIDERATION OF BY-LAWS**

Mr. Guerra, seconded by Mr. Robison, moved to schedule the Consideration of By-Laws for the February 27, 2003 meeting with proposed changes to the By-Laws to include provisions for the Commission to change the day, time and location of its meetings.

The motion carried unanimously.

3. **COMMITTEE ASSIGNMENTS**

- a. Architectural Review Board – Richard Robison
- b. Capital Improvements Plan – Richard Robison
- c. Fiscal Impact Modeling Advisory Committee – Jim Stone
- d. Transportation Committee – Ann McCarty
- e. Affordable Housing Committee – Jim Stone

4. **APPROVAL OF MINUTES** – October 24, 2002 & December 19, 2002

Mr. Robison, seconded by Mr. Guerra, moved to postpone action on the October and December minutes until the 7:00 meeting.

The motion carried unanimously.

5. **CAPITAL IMPROVEMENTS PLAN FY2004-2008**

In accordance with Section 15.2-2239 of the Code of Virginia, the Planning Commission is reviewing the proposed Fauquier County Capital Improvements Plan (CIP) for Fiscal Years 2004-2008. The CIP is the County's statement of intent regarding programming of its public facilities, such as schools, libraries, parks and recreation facilities, over the next six fiscal years. Prior to forwarding this plan to the Board of Supervisors, the Commission will hold a public hearing to receive citizen comments on the plan.

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

Mr. Guerra, seconded by Mr. Robison, moved to recommend removal of any reference for the Cedar Lee Auditorium, under the Construction – Debt subsection, from the CIP since there is no public funding planned or considered for this project.

The motion carried unanimously.

Mrs. McCarty, seconded by Mr. Sinclair, moved to recommend an annual reservation of \$60,000 to be included as part of the CIP for a groundwater study/survey.

Mr. Sinclair commented that Parks & Recreation was basing its figures on 1991 cost estimates. He recommended that Parks and Recreation be provided engineering / consultant assistance to keep current with actual costs, and upgrade project cost estimates accordingly within the CIP review process.

Mr. Robison stated he had several comments, which are attached to and made part of these official minutes.

Mr. Guerra recommended the removal of the library from New Baltimore. He stated that the Commission did not have sufficient time to review the information he has provided. He hopes the Board will review this information.

Mrs. McCarty stated that at this moment she does not have any reservations concerning the library's location.

Mr. Stone stated he saw no need for further review.

Mr. Sinclair stated that it was the consensus of New Baltimore Planning Committee, approximately five to six years ago that New Baltimore should have a public library and he continues to support that consensus.

Mr. Robison commented on the size of the New Baltimore Library. He stated that the Bealeton Library is much smaller than the New Baltimore Library. Mr. Robison recommended the size be more comparable to the Bealeton Library.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to forward the CIP to the Board of Supervisors, including commission recommendation and members' comments.

The motion carried unanimously.

6. **SIGNAGE DESIGN PACKAGE**

Vint Hill Economic Development Authority, owner – applicant has submitted its proposed *Signage Design Package* for approval under Section 8-1600 of the Fauquier County Zoning Ordinance. The property is located between Routes 215, 793, 652, and 602 in the Cedar Run Magisterial District. (former PIN's 7915-88-6141-000 and 7915-75-9953-000)

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

Mr. Guerra, seconded by Mr. Stone, moved to approve this request.

Mr. Robison stated he received the revised approval conditions, however, items of questions still exist. Therefore, he cannot support this approval.

The motion carried 4 to 1, with Mr. Robison in opposition.

7. **PRELIMINARY PLATS**

- a. **#PP02-C-04 - Academy Hill Development, LLC, owner/applicant** - applicant wishes to subdivide 87.808 acres into sixty-one (61) lots. The property is zoned Residential-1 (R-1) and is located on the south side of Academy Hill Road (Route 605) at its intersection with Millfield Drive, Center District. (PIN's #6984-93-2775-000 and #6984-83-4176-000) (Postponed November 21, 2002, until January 23, 2003, at the request of the applicant.)
- b. **#PP02-S-12 - Llewellyn J. Evans, Jr., owner and Airlie Estates, LLC, applicant - Airlie Estates** - applicant wishes to obtain preliminary plat approval to subdivide approximately 4.6 acres into twenty-four (24) lots. The property is zoned Residential-1 (R-1), and is located on the northeast side of Airlie Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and 6995-15-2925-000) (Postponed until January 23, 2003, at the request of the applicant.)
- c. **#PP02-S-13 - Lillie E. Smith Estate, owner, and Robert H. Rogers, III, applicant - Smithridge Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 16.7 acres into fourteen (14) lots. The property is zoned Residential-1 (R-1), and is located on the southeast side of Routes 15/29, Lee District. (PIN #6888-32-5186-000) (Postponed December 19, 2002 until January 23, 2003, at the request of the applicant.)

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

Mr. Guerra, seconded by Mr. Robison, moved to postpone action for 30 days, at the applicant's request.

The motion carried unanimously.

- d. **#PP03-L -14 – E.C. Investors, LLC owner /applicant – Sterling Valley Subdivision** – applicant wishes to subdivide approximately 184.9 acres into six (6) lots, with one (1) future Administrative lot proposed. The property is zoned Rural Agricultural (RA) and is located on the southwest side of Dumfries Road (Route 605), east of its intersection with Mount Sterling Farm Road, Center District. (PIN #7904-66-2671-000)

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

Mr. Robison, seconded by Mr. Stone, moved to postpone action for 30 days, at the applicant's request.

The motion carried unanimously.

- e. **#PP03-C-05 – Marliece Williams, David W. Sanasack, owners and STBI – Warrenton, LLC, applicant – Warrenton Hunt** – applicant wishes to obtain preliminary plat approval to subdivide approximately 153 acres into (eighty-five) 85 single family residential lots. The property is zoned Residential-1 (R-1) and is located on the north side of Duhollow Road (Route 672) at its intersection with Frytown Road (Route 674), Center District. (PIN # 6994-02-8294-000, #6994-13-8021-000 and #6984-92-6454-000) (Postponed until January 23, 2003, at the request of the applicant.)
- f. **#PP03-M-06 – Progress Homes, LLC, owner/applicant – Ada Mews Phase 2 Lot 3** – applicant wishes to obtain preliminary plat approval to subdivide approximately 2.6 acres into (2) lots. The property is zoned Village (V), and is located on the north side of Elihu Hill Road, Marshall District. (PIN #6948-92-084-000, former) (Postponed November 21, 2002, until January 23, 2003, at the request of the applicant.)
- g. **#PP03-C-09 – Auburn Hills, LLC, owner/applicant – The Hills at Old Auburn** – applicant wishes to obtain preliminary plat approval to subdivide approximately 151.5783 acres into six (6) lots. The property is zoned Rural Agriculture (RA), and is located on the west side of Lunsford Road (Route 674), at its intersection with Old Auburn Road (Route 670), Center District. (PIN #6993-35-8981-000) (Postponed December 19, 2002 until January 23, 2003, at the request of the applicant.)

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

Mr. Robison, seconded by Mr. Stone, moved to approve this request subject to the attached conditions.

The motion carried unanimously.

- h. **#PP03-M-11 – The California House Investment Co, owner / applicant – Fenny Hill Subdivision** – applicant wishes to obtain preliminary plat approval to subdivide approximately 18.9 acres into five (5) lots. The property is located on the northeast side of Fenny Hill Road (Route 816), Marshall District. (PIN #6031-60-1727-000)

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

Mrs. McCarty, seconded by Mr. Robison, moved to postpone action for 30 days, at the applicant's request.

The motion carried unanimously.

- i. **#PP03-CR-12 – John F. Myers, Jr., owner / applicant – Myers Subdivision** – applicant wishes to obtain preliminary plat approval to subdivide approximately 10.9 acres into four (4) lots. The property is zoned Rural Residential 2 (RR-2) and is located on the west side of Beach Road (Route 616), south of its intersection with Routes 15/29/17, Cedar Run District. (PIN #6982-58-2353-000)

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

Mr. Stone, seconded by Mr. Robison, moved to postpone action for 30 days, at the applicant's request.

The motion carried unanimously.

- j. **#PP03-M-18 – Brian L. & Denise A. Stroud, owners / applicants – Stroud Subdivision** – applicants wish to obtain preliminary plat approval to subdivide approximately 11.2 acres into two (2) lots. The property is zoned Rural Agriculture (RA), and is located on the west side of Leeds Manor Road (Route 688), north of its intersection with Wheatley School Road (Route 742), Marshall District. (PIN #6944-25-8717-000)

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

Mrs. McCarty, seconded by Mr. Guerra, moved to approve this request, subject to the attached conditions.

The motion carried unanimously.

- k. **#PP03-CR-20 – William K. Ames, owner / applicant – Leighigh Subdivision** – applicant wishes to obtain preliminary plat approval to subdivide approximately 45.2 acres into three (3) lots. The property is zoned Rural Agriculture (RA), and is located on the south side of Kennedy Road (Route 652), east of its intersection with Greenwich Road (Route 603), Cedar Run District. (PIN #7924-38-0226-000)

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

Mr. Stone, seconded by Mr. Robison, moved to approve this request, subject to the attached conditions.

The motion carried unanimously.

8. **SPECIAL EXCEPTIONS**

- a. **#SE02-S-22 and #SE02-S-23 - Llewellyn J. Evans, Jr., owner, and Airlie Estates, applicant** - applicant wishes to obtain special exception approval under Category 29 which would allow for a waiver of the public street requirements and Category 31 which would allow for a waiver of the public/central water requirement. The property contains 47.56 acres, is zoned Residential-1 (R-1), and is located on Airlie Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and #6995-15-2925-000) (Postponed until January 23, 2003, at the request of the applicant.)
- b. **#SE03-C-04 and SE03-C-05 – Marliece Williams and David W. Sanasack, owners and STBI-Warrenton, LLC, applicant - Warrenton Hunt** – applicant wishes to obtain special exception approval under Category 30, which would allow for a waiver of the public/central sewer requirement and Category 31 which would allow for a waiver of the public/central water requirement. The property contains approximately 153 acres, is zoned Residential – 1 (R-1), and is located on the north side Meetze Road (Route 643), the north side of Duhollow Road (Route 672) and the west side of Frytown Road (Route 674), Center District. (PINs #6984-92-6454-000, 6994-02-8294-000, and 6994-13-8021-000) (Postponed until January 23, 2003, at the request of the applicant.)
- c. **#SE02-CR-29 - William A. Hamp, III, owner, and Karen Coleman/Eastern Clearing Inc., applicant** - applicant wishes to obtain special exception approval under Category 20 of the Zoning Ordinance, which would allow for an expansion of the wastewater system. The property contains ± 10 acres, is zoned Industrial-Park (I-1), and is located on the northeast side of Barton Road (Route 805), Cedar Run District. (PIN #6899-75-8606-000) (Postponed until January 23, 2003, at the request of the applicant.)

9. **COMPREHENSIVE PLAN AMENDMENTS**

- **#CPA03-S-02 - Beights Development Corporation, owner/applicant** - applicant wishes to obtain a Comprehensive Plan Amendment to change the Comprehensive Plan land use designation from Low Density Residential to Industrial. The property contains 3.2981 acres, is zoned R-1 (Residential), and is located on the southeast side of Routes 15/29 east of its intersection with Telephone Road in the New Baltimore Service District, Scott District. (PIN #7906-21-3527-000) (Postponed November 21, 2002, until January 23, 2003, at the request of the applicant)

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

Mr. Sinclair, seconded by Mr. Robison, moved to postpone action for 60 days, at the applicant's request.

The motion carried unanimously.

10. **BOARD OF ZONING APPEALS AGENDA**

Mr. Robison asked if there were any comments before staff forwards them onto the Board of Zoning Appeals.

No comments were stated.

The Fauquier County Planning Commission reconvened its Public Hearing on Thursday, January 23, 2003, beginning at 7:00 P.M. in The Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; and Mr. Bob Sinclair. Also present at the meeting were Mr. Rick Carr, Mrs. Elizabeth Cook, Mr. Robert Counts and Ms. Beckie Williams, Administrative Secretary.

11. **THE PLEDGE OF ALLEGIANCE**

Mr. Robison led the Commission and public in the Pledge of Allegiance.

12. **CITIZENS TIME**

Mr. Carr presented a brief presentation in honor of Mr. Guerra.

Mr. Robison stated that he will miss Mr. Guerra. He stated that he has worked with Mr. Guerra for four years. Mr. Robison said that Mr. Guerra was the only one who knew he would be a member of the Commission. Mr. Robison expressed that he has enjoyed working with Mr. Guerra and has learned much from him.

Mr. Sinclair echoed Mr. Robison's comments. He affirmed that Mr. Guerra is not only a fellow Commissioner, he is also a friend. Mr. Sinclair stated that they might not have always agreed, but Mr. Guerra always understood his side.

Mrs. McCarty stated that Mr. Guerra has taught her to be brave, even if you are the only one on your side. He taught her to voice your opinion no matter what the odds are.

Mr. Stone stated that Mr. Guerra was always a gentleman. Mr. Stone added that while he and Mr. Guerra did not always agree, both times they did were a real pleasure.

13. **PROPOSED SUBDIVISION AND ZONING ORDINANCE TEXT AMENDMENTS**

- a. Zoning Ordinance Text Amendment to Section 5-015 (Revocation of a Special Permit or Special Exception) to bring into conformance with the Code of Virginia.

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

Mr. Robison opened the public hearing.

In that no one spoke for or against this request, Mr. Robison closed the public hearing.

Mr. Robison, seconded by Mr. Guerra, moved to approve this request.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Section 15-300 (Definitions) regarding inoperable vehicles.

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

Mr. Robison opened the public hearing.

In that no one spoke for or against this request, Mr. Robison closed the public hearing.

Mr. Robison, seconded by Mr. Stone, moved to approve this request.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Section 15-300 (Definitions) regarding definition of agriculture as it pertains to forestry products.

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

Mr. Robison opened the public hearing.

In that no one spoke for or against this request, Mr. Robison closed the public hearing.

On motion made by Mr. Robison and seconded by Mr. Guerra, it was moved to approve this request.

The motion carried unanimously.

- d. Zoning Ordinance Text Amendment to add Section 3-309.19 (Paintball Recreation Fields) and Section 5-919 (Additional Standards for Paintball Recreation Fields.)

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

Mr. Robison opened the public hearing.

Kathy Gregerson, Center District, stated her child plays paintball. He and his friends have never been injured while playing. She stated that they are fully protected, and the most serious injury is welts from the paintballs. She stated that she loves the idea that they could play somewhere safe and structured that would not be far away.

Mrs. McCarty asked Ms. Gregerson where some of these Paintball Recreation Fields are located.

Ms. Gregerson answered Richmond and Culpeper.

Ms. Gregerson stated that these fields have referees who monitor the players.

Mr. Guerra said he was concerned about injuries. He asked what type of injury could occur while playing.

Chris Pauls answered that an eye injury could occur if a player took off their mask.

Mr. Stone asked if the players received training and / or instructions at the paintball facilities.

Ms. Gregerson stated the players sit through a class prior to playing.

Mr. Sinclair asked if the players are under supervision at all times (referee within vision).

Kevin Wyn, Center District, briefly outlined the structure of a game. He said that the players meet in the office, break into two teams, attended a class, are assigned a referee, and then begin play. He informed the Commission that if there are any problems on the field, the player is first

given a warning and if the problem happens again the player is taken out of the game.

Mr. Sinclair inquired if there is a minimum age requirement.

Mr. Wyn stated that the insurance company has a policy of 10 years or older, however, size and strength really isn't a factor in the game.

Mr. Wyn stated that there are two types of playing fields, wooded and cleared. If a player is out of the game, he or she is placed into a netted zone (safe zone).

Mr. Guerra asked the range of the pellets.

Mr. Wyn replied approximately 50 feet.

Lloyd Hostban, Rankins Hardware, stated that his store sells paintballs and he plays the game as well. He declared that when kids play around the house, the guns are more dangerous than in a field with supervision.

Chris Pauls stated paintball is safer than ballet and golf.

Logan Wyn stated paintball is fun.

Mike Gergerson said that it does not hurt when you get hit, it just feels like a pinch.

Robert Anderson, stated that his friends play around various properties and a lot of them would like a field in the area.

Tether Wyn stated he plays almost every day.

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

Mr. Robison stated that there were a number of concerns that the Commission will be working on. The Commission will be reviewing other jurisdictions ordinances for paintball facilities.

Mr. Sinclair thanked the boys for speaking.

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to postpone action for 30 days, for further review.

The motion carried unanimously.

- e. Zoning Ordinance Text Amendment to add Section 10-206, Village Substandard Subdivisions; Section 7-301 3. to add Village Substandard Subdivisions; Sections 3-402, 3-403, and 3-405 to add maximum lot size, minimum lot width for cluster subdivisions; and minimum side and rear yard requirements for cluster subdivisions in the Village zoning district.

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

Mr. Robison opened the public hearing.

Mr. Henry Day, attorney, represents Mrs. Mildred Fletcher Slater Trustee, owner of Fletcherville Subdivision. Mr. Day stated that the Planning Commission approved the 45 houses of Fletcherville Subdivision in 1950. However, this subdivision was not developed as designed and has not been brought up to standards. Mr. Day stated that there are no substandard subdivision guidelines for Village zoning. The language for this amendment has been taken from Section 10-205 of the Zoning Ordinance. He advised that he and Mr. Fletcher were happy with this proposed amendment, as it shows that they are making a valid attempt to meet zoning requirements.

Mr. Keith Fletcher, Marshall District, stated that Mr. Day covered everything and because of financing there is no other way to handle this.

Mr. Sinclair asked how long the sewer and water issue had been going on.

Mr. Fletcher answered since about 1997.

Mr. Sinclair asked if this amendment is not approved would the applicant have no other collateral with which to undertake the necessary improvements?

Mr. Fletcher confirmed this as correct.

Ms. Kitty Smith, Marshall District, announced that she has known of the Fletcherville Subdivision for a while. She reiterated that the applicant is aware he needs to fix his problem and has been working on it for some time now. Ms. Smith voiced her concern with lumping non-common open-space and common open-space in one category. She asked if the application would be better suited through the special exception process.

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

Mrs. McCarty stated that the Commission has worked on this request diligently, and she feels more secure now these text amendments will only pertain to the Fletcherville development.

Mrs. McCarty, seconded by Mr. Guerra, moved to approve this request as revised by staff.

The motion carried unanimously.

14. **SPECIAL EXCEPTIONS**

- a. **#SER03-S-01 – Meadow Outdoors Foundation, Inc., owner / applicant – Great Meadows Field Events Center** – applicant wishes to obtain special exception renewal for application SE95-S-01 under Category 9, which would allow for the continuation of equestrian and other family oriented events. The property is located on the east side of James Madison Highway (Route 17), Scott District. (PIN #6978-95-2610-000)

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

Mr. Robison opened the public hearing.

Leslie VanSant, Meadows Outdoors Foundation, Inc., thanked the Commission for including her during the morning worksession. She stated that she enjoys being at Great Meadows and looks forward to continuing. Ms. VanSant congratulated Mr. Guerra on his retirement from the Commission.

Colin Cantrell, Scott District, stated his support for the Meadows Outdoors Foundation. He declared that this is one of the few places that offers people an opportunity to see the way of life of Fauquier County residents. Mr. Cantrell recommended the Commission grant the Meadows a variance so they will not have to come back every time their special exception expires.

Kathy Gallagher, Scott District, asked the Commission to repeat the second condition. She stated that the renewal process is important because of the impact Great Meadows makes to the community. Mrs. Gallagher said it appears that the Meadows Foundation has a good relationship with everyone.

Mrs. McCarty asked if 2500 people are a reasonable starting point for requiring that traffic control be provided by the Sheriff's Department.

Mrs. Gallagher said she would defer to the Commission's judgement.

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

Mr. Sinclair stated he was concerned about the neighbor's feelings towards Great Meadows. He contacted these neighbors and now feels secure with everything because of their responses.

Mr. Sinclair, seconded by Mr. Robison, moved to approve this request, subject to the additional conditions.

The motion carried unanimously.

- b. **#SE03-M-19 – Douglas E. Darling, owner / applicant – Cannon Ridge Subdivision** – applicant wishes to obtain special exception approval under Category 27, which would allow for a variance in the common open space requirement. The property is located on the southeast side of Routes 55 and 17, Marshall District. (PIN #6969-47-7043-000 and 6969-47-3414-000)
- c. **#SEA03-L-01 - Luckstone Corporation, owner and Fauquier County Board of Supervisors, applicant** – applicant wishes to amend a special exception condition to allow the use of a private road for the construction and maintenance of the Old Dominion Electric Cooperative Facility. The property is located on the southwest side of -Route 17 and Energy Road, Lee District. (PIN #6898-27-5158-000)

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

Mr. Robison opened the public hearing.

Mary Root, resident of Remington, stated that this road had never been approved by VDOT and that it crosses floodplain and wetlands. Ms. Root recommended that this road not be paved. She stated that the roads in Remington were not built for heavy trucks. She further stated that everyone could take advantage of the road if the gate is left open. Ms. Root recommended that this gate be kept closed and when the construction of the Old Dominion Electric Cooperative Facility is done, the road should be closed.

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

Mr. Guerra thanked Ms. Root for her comments. He agreed that heavy trucks are too dangerous for the roads in Remington. Mr. Guerra stated

that it was his understanding that the roads will be closed after the construction of ODEC.

Mr. Stone advised that he understands Ms. Root's point about having unrelated traffic use this road. He stated he hoped that a way would be found to control this. Mr. Stone stated that he would vote with Mr. Guerra.

Mrs. McCarty agreed with the above-mentioned points. She asked if the paving of the road has been addressed?

Mr. Carr stated it would not be paved and it would only be used for construction purposes.

Mr. Guerra, seconded by Mr. Robison, moved to approve this request.

The motion carried unanimously.

15. **REZONING**

- **#RZ03-C-04 – Margaret A. Hufnagel & Others, owners, and Landmark Property Development, LLC, applicant – Raymond Farm** – applicant wishes to rezone approximately 64.0 acres from Residential – 1 (R-1) to Planned Residential Development (PRD). The property is located on the southeast quadrant of Routes 15/29 and Dumfries Road, Center District. (PIN #6995-21-1875-000) (Postponed November 21, 2002, until January 23, 2003, at the applicant's request.)

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

Mr. Robison opened the public hearing.

Mr. Thillmann gave a brief presentation outlining the changes made to the plan since the last hearing at the October 24, 2002 Planning Commission meeting. The changes took place to preserve the front of the site.

Mr. Stone asked how accurate the present survey was. He questioned if the current design would be the same in the Preliminary Plat stage.

Mr. Thillmann responded that it was.

Mr. Guerra asked if 25% of PRD Zoning could be commercial.

Mr. Carr answered that PRD gives the applicant the choice to have commercial property.

Mr. Guerra asked Mr. Thillmann if they intended to have any commercial property in the future.

Mr. Thilman responded no.

Mr. Carr stated that if they applicant does not ask for commercial property during the rezoning process then they cannot have it later.

Mr. Roger Miller, Center District, spoke again regarding this application. He stated that he is overall impressed with this plan; however, he does have some concerns. Mr. Miller reread the handout outlining his concerns (passed out at the October 24, 2002 meeting.) He stated that most of his concerns have been addressed, but two of his major concerns are still an issue. These issues included Parcel B and the trail. He stated that he would like a proffer stating that nothing will be built in Parcel B. This parcel abuts his property. Mr. Miller voiced his concern with the trail. He stated that this would be nice for the community; however, there will be no way to keep the public out.

Mrs. McCarty asked the distance from Mr. Miller's property to Parcel B.

Mr. Thillmann stated approximately 300 feet.

Mr. Stone asked what was the existing vegetation.

Mr. Thillmann responded that the land is covered with brush.

Mr. Guerra asked if the property is on water and sewer.

Mr. Miller stated that they are on public water and septic.

Mr. Guerra stated that with the number of homes he foresees a lot of children and he believes that these children will be playing on Parcel B.

Mr. Stone asked Mr. Miller if he knew what could happen to the land if it is not rezoned to PRD.

Mr. Miller replied he did and that is why he is asking to keep Parcel B clear. He further stated, that he is not against the plan but he wanted to make sure the Commission is aware of the adjacent property owners concerns.

Mr. Thillmann stated that the intent of the proffer was to prevent building in Parcel B; however, it was not written in that manner.

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

Mr. Robison stated that he has worked with Mr. Thillmann regarding this application and he believes this is a better project than was originally submitted. He said that he hoped the applicant gets water and sewer so the front part of the land can be given to Fauquier County.

Mr. Guerra stated he was bothered by having traditional cul-de-sacs, but the applicant has made a step in the right direction by changing that. However, he affirmed that during his years on the Commission he has learned to stay away from 11th hour situations, and he hopes the Commission will postpone this request to take into consideration Mr. Miller's concerns.

Mr. Stone stated that he felt the best interest of the County and the neighbors was for this application to move forward to accommodate the dealings with the Town of Warrenton regarding water and sewer. He stated that he believed the prohibition of building Parcel B had been adequately addressed in the proffers.

Mr. Guerra stated that he does not disapprove of this plan, but he is backed up against a wall.

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to approve this request.

The motion carried 4 to 1, with Mr. Guerra in opposition.

APPROVAL OF MINUTES – October 24, 2002 & December 19, 2002

Mr. Robison, seconded by Mr. Stone, moved to approve the minutes of October 24, 2002, as amended.

The motion carried unanimously.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to postpone action on the minutes of December 19, 2002, until the February 27, 2003 Planning Commission meeting.

The motion carried unanimously.

There being no further business the meeting was adjourned at 9:05 P.M.

A tape recording of the meeting is on file in the Department of Community Development, 40 Culpeper Street, Warrenton, Virginia, for a period of one year.