

**Blackthorne Inn &
Restaurant 10082 Gazebo
Lane
Upperville, Virginia**

Date: **February 16th, 2018**

Project Name: Blackthorne Inn &

Restaurant Property Owner: Easton Porter Group,

LLC Applicant: Dean Porter Andrews --

Principal

Location: John S. Mosby Highway (Route 50) approximately 1.25 miles east of Winchester Road (Route 17) and approximately 1.8 miles west of Trappe Road (Route 619)

District: Marshall

PINS: 6044-67-8620 6044-67-0476-000
6044-67-0871-000
6044-57-6929-000 6044-57-5196-000

Acreage: 67.8 acres

Zoning: Rural Agricultural/Rural Conservation

Comp Plan: Rural Agricultural

Request: Adaptive Use of Historic Structure pursuant to Section 3-307.1 and 5-700 Operation of a Resort pursuant to Section 3-309.5 and 5-900 and Class C Events pursuant to Section 3-309.16 and 5-900 of the Fauquier County Zoning Ordinance. Water Standards 3-320.3, 5-2001, 5-2002, Sewage 3-320.7

Proposal: Special Exception for the following uses: (1) Category 7 Adaptive Re-use of a historic structure for restaurant, (2) Category 9 for a Resort, (3) Category 9 for Class C events, (4) Category 20 for an above ground water and sewer pumping storage facilities, and (5) Category 20 for a sewage treatment system.

Project & Topic Description

The resort business which will be rebranded, but for now will be referred to its current name Blackthorne Inn & Restaurant, formerly 1763 Inn, is seeking approval of a Category 7 Special Exception for an adaptive use to continue operation of the restaurant, and two Category 9 Special Exceptions to continue operation of the resort and to be able to hold events such as weddings and private parties on a 67.8 acre tract zoned RA, Rural Agricultural. A restaurant and resort have been in use on this property since the mid to late 1980s, previously operated as the 1763 Inn.

The property is located on the south side of John S. Mosby Highway (Route 50) approximately midway between Upperville and Paris. The property is bordered on the north by John S. Mosby Highway, and on the south, east and west by other rural properties. The property is rolling, well drained and well suited for the use. We have completed detailed water and soil engineering studies, and have confirmed the specifications for our wells and proposed water treatment equalization options.

[See Appendix XIV - Blackthorne Inn - Scale & Operations Scope](#)

Economic Benefit ~ County and State Taxes

The Easton Porter investment of \$12 million represents a significant tax basis for the County. This will be enhanced by our commitment to buying local farm products. Our accountants have calculated the potential tax benefit of \$522,000 in our first full year alone. Between 2019 and 2022, the projected taxes to Fauquier County are \$1.6 million in incremental gain. A further \$1.3 million in Commonwealth taxes over the four years, for a total of \$2.9 million.

[Appendix IV - Economic Overview](#)

Comprehensive Plan

The long-range vision of Fauquier County seeks to preserve the County's cultural, ecological and environmental resources to ensure the continued quality of life within the County for its residents and visitors. This project directly supports the commitment to promote the identification, evaluation, registration and protection of heritage/historic resources, as well as the business opportunities presented by their rehabilitation and reuse. Protecting the environmental, cultural and visual resources of the land is critical to the viability of the Blackthorne project. The Blackthorne Inn is already zoned as non-agricultural use in this agricultural zone of Fauquier County. The proposed scope and use of the new plans minimize environmental impact. The plans will not negatively affect the surrounding farmlands.

The very nature of this project requires it to be designed to fit into the area landscape; not stand out in it. We will meet all required codes, engineering, planning and zoning requirements. In fact, we are going above and beyond to exceed those requirements when possible. Examples of where we are exceeding requirements include but are not limited to: hydrological impact study, water quality of effluent, green building standards, Dark Sky lighting for our landscape lighting

to eliminate light pollution, and noise pollution control with limited outdoor night events. Land density development represents 3% of the entire site.

We are conducting environmental studies and engineering to protect the natural resources. Our engineering addresses the current sewage treatment shortcomings and provides state-of-the-art systems. The historic renovation will include the County Historic Preservation office in review of our plans for the building exterior materials and finishes.

The Blackthorne Inn will specialize in agritourism which will have significant economic impact on the farming and agricultural community in Fauquier County. The focus will be on farm-to-table culinary programs with hotel packages based on connecting guests to local farmers and our onsite Kitchen Gardens. Experiences will emphasize the slow-food movement, local sourcing, sustainable farm practices, and regional food history and education.

[Appendix VIII - Comp Plan Response](#)

Community Feedback

We have proactively sought feedback on our proposal with neighbors and community members. We have made significant reductions and modifications to our plans based on the input. We remain transparent about our project and its scale and benefits, and have made concerted efforts to address all community concerns. We have emphasized that we are not developers, we are long-term owner-operators invested in preserving the rural landscape. We share the community's commitment to preserving the natural beauty and investing sustainably in projects that support the County's theme of "Progress with Reverence for Heritage."

Water

The main well has been tested and has a proven demonstrated ability to supply water to the resort without affecting neighboring properties. It alone is sufficient to supply the planned resort. We have a total of five wells on the property and will spread the water withdrawal as best engineered to conserve aquifer health. Additional hydrogeologic testing is being planned in consultation with VDH-ODW and the Fauquier County Soil Scientist to ensure the proper and most efficient usage of these 5 wells. The proposed system allows for 97% of water used to be returned to the aquifer.

[See Appendix V - Wastewater](#)

Traffic

The proposed SPEX for the Blackthorne Inn and Resort does not significantly change local traffic operations in the study area, and can be accommodated with the provision of eastbound right turn lane improvements and westbound left turn lane improvements on US Route 50 (John Mosby Highway) at Snake Den Road/Gazebo Lane. Widening of Gazebo Lane and Valynmar Lane is also recommended.

All access requirements in the VDOT R-O-W are required at initial development. The report reviews overall intersection performance with and without the site. The site impacts for

weekday operations do not exceed 15% at any intersection. Site impacts for Saturday operations are greater by percentage of projected operational volume; however, Saturday operating volumes remain below the projected operational volumes for weekday operations. No network or facility failures have been identified in any of the analyses presented in this report. [See Appendix IV](#)

Scope of Special Exception Requests

The Special Exception is proposed for (1) Category 7 Adaptive Re-use of a historic structure for restaurant, (2) Category 9 for a Resort, (3) Category 9 for Class C events, (4) Category 20 for an above ground water and sewer pumping storage facilities, and (5) Category 20 for a sewage treatment system.

Request 1: Category 7 Adaptive Re-use of a historic structure for restaurant

1. Adaptive Re-use - Design

- a. Greystone Farm (DRH 030-0029; 053-6087-0074), a two-story Georgian-style stone dwelling with multiple 20th century improvements is eligible for listing and is a contributing structure to the Unison Battlefield Historic District. The 20th century improvements are in character with exterior appearance of Greystone House. As depicted in the submitted drawings, a portion of the 20th century expansion will be demolished and replaced by a public bar and dining room, two private dining rooms, new restrooms and a new kitchen. Electrical, plumbing and HVAC systems will be upgraded. Existing historic windows will be repaired, caulked, painted, and made to be operable. The existing stone walls and chimneys will be repointed where required. The proportions of the new expansion are scaled to complement the size of the existing stone structure. The new roof pitches and gable widths will be of similar size and pitch of the existing structure. New materials will be selected to complement the historic structure. The applied exterior panels and batting will be replaced with traditional wood siding and the existing metal roof will be replaced with a new standing seam metal roof of similar profile. An accessible entrance and an elevator will be part of the new expansion. A new terrace will provide outdoor dining space with views to the east and of the pond. The expansion will be residential in character and traditional in style to complement the existing stone house and to reflect southern hospitality and vernacular architecture of Virginia.
- b. The drawing package that has been submitted for the Special Exception intends to address building area, layout, massing, demolition scope and materials. Our intent is to provide details, color palettes and material samples demonstrating compliance. The applicant has invited a member of the Fauquier county Historic Preservation Staff to play an active role in the renovation process.
- c. All alterations and additions to existing historic structures, all additional accessory structures, including signs, will be designed and constructed in a

manner that conforms to the United States Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

2. Adaptive Re-use - Replacement/Repair
 - a. In the event of a fire or other property-related casualty affecting the historic structure for which adaptive use is granted hereunder, the structure will be substantially restored to its condition prior to the casualty

Request 2: Category 9 for a Resort

1. Resort Use - Description
 - a. Lodging Rooms
 - i. 38-Rooms located in 24 Cabins
 - ii. Single story historic cabins reconstructed on site 4 existing cabins renovated and 20 new cabins
 - iii. Rooms per cabin: 14 single & 10 double bedroom
 - iv. The number of rooms was selected as the minimum number for the resort to function as a year round business
 - b. Spa & Fitness Center
 - i. Facility total of 2,400-square foot
 - ii. Six (6) Spa Treatment Rooms
 - iii. Pool and Cabana
 - iv. When weddings or private events have booked the resort the number of treatment rooms reduces to two for non-resort guests
 - v. Landscaped pool replacing currently abandoned pool is same approximate location
 - c. Stone House Pub
 - i. 32 seat maximum with outside seasonal seating maximum of 24
 - ii. All music related to the restaurant and pub shall be acoustic or shall be performed indoors.
 - iii. Casual local dining option for neighbours
 - d. Stone House Restaurant
 - i. Public Restaurant - 50 seats maximum
 - ii. Two Private Dining Rooms - 50 seats maximum
 - iii. Wine Cellar - 15 guests maximum
 - iv. Private dining will be for a mix of in-house guests and local social private dinners and cooking classes in addition to culinary resort packages.
 - v. Maximum concurrent use of the restaurant not to exceed 100 guests.

Request 3: Category 9 for Class C events

1. Class "C" Events - Description:
 - a. Class "C" events are limited to a maximum of 24 "Large Events" events per year with a maximum of 250 guests and Maximum of 28 "Small Events" per year with a maximum of 145 Guests. Total Event per year shall not exceed 52.
 - b. Events shall be limited to arts and crafts shows; family reunions; wedding ceremonies and receptions and similar receptions; picnics, barbecues, and other

similar activities such as corporate retreats; education seminars; and community-related arts, cultural and educational activities.

- c. "Large Events" will be required to purchase all sleeping rooms the day of their event.
 - d. "Large Events" will be required to use pre-arranges buses for all non-resort guests.
 - i. VDOT Scope does not take these into account to show the maximum number of cars for the use.
 - e. Events shall be private or resort hosted pre-ticketed. Resort hosted seasonal events shall not exceed 150 people or take place on the same day as another event over 125 people.
 - f. Example of resort hosted event include: Horse Show Reception, Charitable Events, Summer Solstice Virginia Wine Event parties in tents.
 - g. Prohibited Events Example: Music festivals, Fireworks, Rifle range or any shooting
 - h. See: [Appendix X - Color Vignette: Event Barn](#) for a rendering for the proposed structure.
2. Class "C" Events - Hour of Operation
 - a. The hours of operation for all Class "C" events shall be limited to the hours of 9:00 a.m. to 11:00 p.m. Class "C" events
 - b. All activities relating to the Class "C" events, including event preparation and breakdowns, shall cease one (1) hour after the scheduled end of the event.
 3. Class "C" Events - Music and Noise
 - a. Related to Class "C" events, music associated or other amplified sound shall be allowed from 10:00 a.m. until the end of the event. Sound from any event, including events with music (amplified and non-amplified), shall not exceed sixty (60) dB at any property line.
 - b. All music related to events will be acoustic or performed indoors.
 4. Class "C" Events - Notification
 - a. As stated in the Fauquier County Zoning Ordinance 5-916(6), the Zoning Administrator shall be notified no less than 30 days prior to any Class "C" event. This notice shall include the date, time, and type of event and copies of any required permits or licenses from the Sheriff's Office, VDOT, Emergency Services Office, and Health Department. Should the existing Zoning Ordinance be amended, this provision shall conform to the amended Zoning Ordinance.

Request 4: Category 20 for an above ground water and sewer pumping storage facilities

1. All tanks and storage facilities would be screened from public view and underground when possible
2. See [Appendix V - Blackthorne Inn Septic and Well Feasibility Report](#)

Request 5: Category 20 for a sewage treatment system

1. The alternative system using bioretention gardens allows for less disruption in the rural landscape
2. 97% of all water used is returned to the aquifer after the denitrification process
3. Alternative wastewater systems that treat the water to above state VDH and VADEQ standards
4. See [Appendix V - Blackthorne Inn Septic and Well Feasibility Report](#)

Total Property Covenants:

1. The total number of guests on-site at any one time shall not exceed 400.
2. No activities or events shall result in more than the authorized occupancy limits under the Health Department septic permit. The applicant shall provide a copy of the approved upgraded Health Department septic permit for the restaurant and events to the Department of Community Development.
3. The applicant commits to maintain at all times occupancy permits for all dwelling and guest units, Health Department approvals, and proof that State fire codes are met.
4. The applicant commits to submit to the Health Department and the Department of Community Development the results of quarterly water testing as required by the State for bed and breakfast and full food service restaurants.
5. Applicant will provide for the shielding of lighting located at the property borders mitigate off-site impacts. All lighting on-site shall conform to the Fauquier County Zoning Ordinance.
6. All commercial activities requested hereunder, and the structure or structures in which they are conducted, shall be subject to all applicable building code regulations, as well as applicable regulations promulgated by the Virginia Departments of Health and Transportation.
7. All signage, including temporary signs, shall require appropriate permits from the Department of Community Development.

Appendices

[Appendix I - Illustrative Site Plan - Bushman Dreyfus Architects](#)

[Appendix II - Conceptual Development Plan - Bushman Dreyfus Architects](#)

[Appendix III - Vicinity Plan - Bushman Dreyfus Architects](#)

[Appendix IV - Fauquier County Tax Economics](#)

[Appendix V - Blackthorne Inn Septic and Well Feasibility Report](#)

[Appendix VI - Traffic Pennoni](#)

[Appendix VII - Busing Model](#)

[Appendix VIII - Comp Plan Response](#)

[Appendix IX - SOJ Response](#)

[Appendix X - Color Vignette: Event Barn](#)

[Appendix XI - Color Vignette: Pavilion](#)

[Appendix XII - Color Vignette: Landscaped Parking](#)

[Appendix XIII - Color Vignette: Stone House](#)

[Appendix XIV - Blackthorne Inn - Scale & Operations Scope](#)