

STAFFORD COUNTY PLANNING COMMISSION
SPECIAL WORK SESSION
Stafford Town Station
October 11, 2007

The Special Work Session of the Stafford County Planning Commission of Thursday, October 11, 2007, was called to order at 7:00 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the County Administrative Center.

Members Present: Cook, Kirby, Pitzel, Rhodes, Mitchell, Carlone, and Di Peppe

Staff Present: Harvey, Judy, Stepowany, Woolfenden, Forestier, and Hamock

Members Absent: None

1. Comprehensive Plan Amendment - Stafford Town Station – A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel's 38-29, 38-29A, 38-121, 38-121A, 38-122, 38-122A and 38-124 from Light Industrial, Rural Residential, and Resource Protection to Urban Commercial, Urban Residential, and Resource Protection Land Use and extend the Urban Services Area to comprise the above referenced parcels. The proposed amendment would be for the purpose of developing a P-TND, Planned Traditional Neighborhood Development. **(Time Limit: November 13, 2007) (Deferred to October 11, 2007 Work Session)**

2. RC2700296; Reclassification - Stafford Town Station - A proposed reclassification from A-1, Agricultural Zoning District and B-1, Convenience Commercial Zoning District to P-TND, Planned Traditional Neighborhood Development Zoning District on Assessor's Parcels 38-29, 38-29A, 38-121, 38-121A, 38-122, 38-122A and 38-124 consisting of 562.58 acres, located on the east side of Jefferson Davis Highway approximately 300 feet south of American Legion Road and Eskimo Hill Road within the Aquia Election District. The Comprehensive Plan recommends the property for Light Industrial use which would allow a variety of industrial manufacturing and office uses. The Rural Residential designation would allow development of three (3) acre lots for single family residential use. The Resource Protection designation would require stream protection buffers along all streams that exhibit perennial flow characteristics. See Section 28-35 of the Zoning Ordinance for a complete listing of permitted uses in the P-TND Zoning District. **(Time Limit: November 13, 2007) (Deferred to October 11, 2007 Work Session)**

Mr. Cook explained the purpose of the meeting was strictly to discuss Stafford Town Station revisions to proffers and Generalized Development Plan (GDP) with the applicants, staff and the Planning Commission.

Mr. Harvey stated staff would give a brief overview of the application and then turn the presentation over to the applicant.

Ms. Woolfenden stated this meeting was the second meeting for Stafford Town Station which includes a Comprehensive Plan Amendment and reclassification. She stated the applicant was Clark Leming. She stated the property consisted of 562 acres and the existing conditions include: power line easement and only 3 units on the entire property. She stated the request was to amend the future land use plan from Urban Commercial, Light Industrial, Rural Residential, and Resource Protection to Urban

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Commercial, Urban Residential, and Resource Protection and reclassify to the Planned – Traditional Neighborhood Development (P-TND) designation. She stated the proposed uses include 1,740 homes which have mixed types, 750,000 square feet of commercial, active and passive recreation, civic uses, and an elementary school. She stated the Planning Commission held a public hearing on August 15, 2007, and the first work session was held on September 6, 2007. She stated at the last work session there was a presentation from Scott Horan regarding School and Eric Vogel with Virginia Department of Transportation (VDOT) regarding roads. She stated the applicant had provided a revised GDP, a revised Regulating Plan (RP), and proffers. She stated staff had heard for the airport authority since the last meeting and the commissioners received a letter in the packets. She stated staff had received a revised Fiscal Impact Statement Analysis and staff had provided a review of those documents. She stated since the last work session staff and the applicant met with VDOT and some of the proffers were changed in response to that meeting and Eric Vogel sent a response letter that was included in the packet.

Clark Leming, Leming and Healy, stated he would like the Commissioners to review amendments to the proffers since the last work session. He stated Debrarae Karnes would explain each change listed.

Debrarae Karnes, Leming and Healy, stated she would go over the proffers in detail but would summarize the changes first. She stated the first change was to the regulating plan, the application called for the applicant to construct a recreational facility and gave the county a choice of an aquatic center or athletic center, subsequently the athletic complex was deleted and now reinstated the option of an athletic complex. She stated the RP was changed to reflect that change in the T-2 transect zone. She stated the applicant revised the Neighborhood Design Standards (NDS) which are dated October 11, 2007. She stated after the last work session the applicant met with Eric Vogel from VDOT and made subsequent change to the proffers regarding that meeting. She stated the applicant felt VDOT was satisfied with the proposal and can identify changes in detail. She stated Commissioner Di Peppe asked the applicant to work with Nan Rollison to protect and enhance the wildlife corridor on site and protection was provided for an additional ten acres. She stated, in her opinion, the cumulative impact of the changes made this application a better product and more responsive to the commissioners. She asked Mr. Cook how much detail was needed when going through the changes of the proffers.

Mr. Cook stated Mr. Karnes could just go through the changes and if there were questions they could be addressed at that time.

Mr. Karnes discussed the changes in detail, noting the page numbers and item.

Mrs. Kirby stated she had a question on page 5, regarding Signalization, if warranted at the intersection serving the north and south, she asked when and stated if the build out was in 10 - 12 years when at that point would signalization come into effect.

Mr. Karnes stated all of the improvements on page 5 would occur no later then the issuance of the building permit for the four hundredth house. She stated the, if warranted phrase, refers that VDOT has to warrant any construction.

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Mrs. Carlone stated in items 1 – 10, everything was predicated on a building permit for the four hundredth house, which comes out to approximately 1100 people. She stated, in her opinion, that seems a little late for some of the improvements.

Mr. Karnes stated the traffic engineer was available for detailed questions. She stated the applicant asked the traffic consultant to take a look at the level of additional traffic that could be handled before improvements could be done and the traffic engineer agrees this was the appropriate timing.

Mr. Judy clarified the statement: before the improvements could be done, and asked if that was VDOT response or did VDOT mean before the improvements were necessary.

Rob Gollahan stated the improvements would be made by the four hundredth house. He stated the applicant could go further before VDOT would require both entrances for the amount of traffic.

Mr. Judy stated he did not think VDOT would let you build before the four hundredth house.

Mrs. Carlone stated there would be seven to ten trips per day depending on housing and was concerned with the number of trips on one road daily until the four hundredth house was built.

Mr. Gollahan stated we are ahead of the traffic analysis and completing the road ahead of the traffic analysis.

Mrs. Karnes stated this was at the request of Eric Vogel at VDOT.

Mr. Leming stated the Commissioners should have a copy of the email with responses from VDOT and summarizing points that had been raised by the Planning Commission and VDOT.

Mrs. Karnes continued with the changes.

Mrs. Carlone stated at the bottom of page 7 the applicant removed “the applicant will fund establishment of the bus service” and asked if the applicant would still fund the bus service.

Ms. Karnes read from the proffer “the applicant agrees to provide a shuttle bus service”.

Mrs. Carlone asked if the shuttle bus would be provided and financed.

Ms. Karnes stated yes.

Mrs. Carlone stated the word “financed” needs to be added.

Mr. Leming stated the applicant would add “provide and fund the shuttle service”.

Mr. Di Peppe asked if part “A” was skipped over referencing the traffic study.

Ms. Karnes stated language would be taken out stating “all the transportation improvements indicated in the traffic study would be done”. She stated at that point the clause seemed superfluous.

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Mr. Di Peppe stated it was a nice clause stating the applicant would do what they stated and thinks it should be left in the proffer.

Mr. Gollahan stated it would happen ahead of the traffic study so it would not match.

Mr. Leming stated he sees no harm in stating, at a minimum that the traffic infrastructure improvements indicated by the traffic study. He stated it was confusing because the study and what VDOT wanted were not on the same track.

Ms. Kirby stated when a proffer was made there something set aside showing how much goes to libraries or schools. She stated when and if the county would be allowed to take money up front and apply to something else, then the schools and library would not get there share. She stated the proffer system was set up by the Board of Supervisors understanding that schools and libraries need a set amount of money. She stated she was also concerned about the idea of the aquatic center since the county residents had already turned that idea down.

Mr. Judy asked to go back to the “advanced payment”.

Mr. Leming stated that was not the case and like the advance payment, it would be optional. He stated the applicant would be giving the county a menu of uses for the cash proffers.

Mr. Judy stated he has concerns when money was proffered and how it would be delivered. He asked if the Board elects to receive the 25 million then the approval of the preliminary plan would start the process.

Mr. Leming stated there were three items that start the process, the approval of the preliminary subdivision plan, the construction plan, and approval of the water and sewer application. He stated those three items are necessary to move ahead with development. He stated he was trying to protect the developer from not being able to proceed with development after the payment had been made.

Mr. Judy stated the proffer would be designed to protect the developer.

Mr. Leming stated the proffer had been designed to protect the developer from having to make an advanced payment before being able to move forward with development.

Mr. Judy stated he was trying to understand how the applicant thought the process would work and making sure the Planning Commission understands the process would work.

Mr. Mitchell stated the Parks and Recreation Commission had seven citizen members and they wanted the Aquatic Center. He stated the bond referendum was a different issue from voting on the Aquatic Center.

Mr. Leming stated that was a good point because the Aquatic Center in the referendum was 35 million and the current anticipation was around 12 million and scaled back tremendously.

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Mr. Cook stated on another question raised about what happens to the advance payment, he stated the one way to solve the issued would be to state the advance payment must be spent in accordance with what was outlined on page 10 and state what it must be used for.

Mr. Leming stated it was considerably broader then the cash proffer categories. He stated if the county goes back to the cash proffer category it may defeat the purpose of advanced payment. He stated on page 12, it was stated was the advance payment could be made for “some may be utilized for the county with purposes consistent with proffer guidelines in place of the zoning”. He stated there could be different amounts going to different categories and started “the county may elect to utilize to use the advance payment to purchase property for any active or passive recreational use or to purchase density rights for property located within the county provided the county had established a program consistent with state law”.

Mrs. Carlone stated on page 12 “this sum may be utilized” was telling the county what the money could be used for and if this was normal procedure. She stated Mr. Leming gave a summarization of what could be done with the cash proffers but it seemed like the applicant was not asking the county but telling the county what it could be used for.

Mrs. Kirby asked Mr. Judy if the county had the Purchase of Development Rights (PDR) program to do that.

Mr. Judy replied yes the PDR Ordinance was set 6 or 7 months ago.

Mrs. Kirby stated if the money were to come in the county could take care of.

Mr. Judy stated that was assuming there were voluntary land owners who wish to give up their rights.

Mr. Johnson stated in reference to the Aquatic Center and bond referendum, the source of funding was different for the Aquatic Center then the bond referendum. He stated the source of funding was developer proffer participation. He stated the funding was considerably lower and when the amount was 35 million dollars it was bonding to debt service. He stated in the current situation there was no debt service to the county.

Mr. Kirby stated there would be no write off for the Aquatic Center.

Mr. Johnson stated no, it would be a credit to a recreational proffer.

Mr. Kirby confirmed the county taxpayers would pay.

Mr. Johnson stated that was correct.

Mr. Karnes stated on page 15 the option had been brought back to have the Aquatic center or not and take the cash proffer money. She stated the change on page 18 the clubhouse was changed to include a meeting space used by the community.

Mr. Pitzel asked about the capacity.

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Ms. Karnes stated 150 with movable walls to increase or decrease in size.

Mr. Pitzel stated he would like to have the capacity included in the proffers

Mr. Di Peppe stated a platform stage would also need to be included.

Mr. Leming stated it would be included.

Mr. Di Peppe stated it could be used for civic uses.

Mr. Leming stated they would add stage and clarify the size.

Mrs. Kirby asked if this was just for the community or outside public as well.

Mr. Gollahan stated it would be for the community and invited guests.

Mr. Di Peppe stated the HOA could rent it out, but the primary use would be for the community.

Mr. Pitzel stated the community would have first priority.

Ms. Karnes stated on page 23 there was a provision for the additional protection of wildlife.

Mr. Di Peppe stated Nan Rollison was the citizen who mentioned the protection.

Ms. Karnes stated wildlife needs space to live and travel in the county. She stated there would be 10 acres of the property protected for wildlife located where the road crosses the Resource Protection Area (RPA) and immediately east of the athletic center. She stated this would increase protection within the wildlife corridor and within as well as outside the development.

Mr. Gollahan stated an additional 10 acres would stay as is.

Ms. Karnes stated 10 acres was going to be protected in addition to the 42% open space already protected.

Mr. Di Peppe asked how far the fence goes across the eastern portion.

Mr. Leming stated the fence stops before the stream.

Ms. Karnes stated there was a proffer not contained within the document on universal design and would like to share with the Commissioners for possible inclusion which read "the applicant shall require all residential builders to provide the buyers options incorporating the principles of universal design including 42 inches entrances in hallways to enable people and accommodate wheelchair used and costly retrofitting of the property later".

Mr. Di Peppe stated it would just be an option for people who are looking to buy.

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Mrs. Kirby stated her concern with grab bars.

Mr. Johnson stated that was one item of 12 listed provided from Mr. Di Peppe.

Mrs. Kirby stated that would be provided as an option and asked why it can not just be standard.

Mr. Johnson stated some people do not want to have larger hallways.

Mr. Di Peppe asked in the age restricted housing if 10% could be required. He stated he would like to see in the proffer that all homes have 42 inch doorways and hallways.

Mr. Johnson stated it would become standard.

Mr. Leming stated on page 26 there were red line proffers resulting from discussions with the R-Board.

Mrs. Carlone questioned number 17 on page 25 where the applicant changed wording to say "Construct and lease back to the county".

Mr. Leming stated the intent was always to build and lease back the school.

Mrs. Carlone stated the county would then pay the applicant.

Mr. Leming stated if the school was built then that would be correct. He stated there were several options for that to happen but it was never the applicant's intent to build the school and give to the county.

Mr. Harvey stated Scott Horan was available from the School Board.

Mr. Cook stated he would call on Mr. Horan and stated Amber Forestier was available for environmental.

Mr. Harvey stated Andrew Mikel was also available from the Landfill.

Andrew Mikel, Rappahannock Regional Landfill, stated he met with Clark Leming and was not going to endorse or not endorse the project. He wanted to clarify the environmental concerns regarding the landfill. He stated upon meeting with the developer it seems all concerns were addressed in the proffers.

Mrs. Carlone stated she spoke with the Department of Environmental Quality (DEQ) regarding the methane mitigation and leaching, and the representative stated they are recommending the 200 foot setback from the fence line.

Mr. Mikel stated he had addressed the same issue and the setback was not referencing the boundary line but where the trash was placed. He stated the landfill had asked for 500 feet from the boundary.

Mrs. Carlone asked what the setback was currently.

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Mr. Mikel stated it was approximately 480 feet from waste mass.

Mr. Di Peppe asked about the watershed and how it drains. He asked how the water flows.

Mr. Mikel stated the water runs parallel to Eskimo Hill Road and north of the Eskimo Hill Road runs in a northwest direction. He stated water on the property flows northeast of the development and the storm water run off would be regularly inspected, there are sediments ponds that contain run off from the landfill.

Mr. Di Peppe asked if there would be a leaching problem if the property was not lined.

Mr. Mikel stated he could not answer that and stated the landfill was acquired before the EPA regulations required lining of the landfill. He stated they have a bed of clay under the trash mass and there was a groundwater monitoring network.

Mr. Di Peppe asked if there were any complaining neighbors.

Mr. Mikel stated no, the landfill caps are built to certain permeability and the majority of storm water just runs off the slopes, it does not come in contact with the trash. He stated there was some erosion in place which was why there are sediments ponds to protect the water sheds. He stated leaches percolates through the trash, collects water at the bottom of the land fill then pumped out and was put into the sanitary sewer and was processed through the waste water treatment plant.

Mrs. Carlone asked if Mr. Mikel felt the alarm system and no basements would be sufficient for methane mitigation.

Mr. Mikel stated the gas mitigation was unpredictable. He stated the landfill has a state of art monitoring system but there had been problems on a 36 acre portion where it was necessary to check with monitoring systems for any high concentration of methane gas. He stated currently there are no issues but he can not predict the future. He stated there was a quarterly gas monitoring event and at the boundary line cannot have more then a 5% concentration.

Mrs. Carlone asked about 40 to 100 trucks that travel the road daily.

Mr. Mikel stated the landfill was only open from 8-12 on Saturdays and normally the weekends are when citizens come to dump trash. He stated with the opening of the new facility in Fredericksburg, which had lessened traffic.

Mrs. Carlone asked how many cars carry trash on weekends.

Mr. Mikel stated anywhere from 200 to 500 cars.

Mr. Pitzel asked about the odor and how it is controlled.

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Mr. Mikel stated there had not been an odor complaint in 3 years. He stated there was a very active monitoring system. He stated the one thing that smells all the time would be the 2 to 4 truck loads of sludge they receive from the waste water plant.

Mr. Di Peppe asked where the sludge was placed in regard to the development and the location in relation to the property.

Mr. Mikel stated the 36 acres that was in discussion was closed and they are working due east and never in the same place. The landfill is slowly moving east where the trash haulers lay there trash.

Mr. Di Peppe asked how far the trash was currently being buried.

Scott Horan, School Board, stated on Tuesday, October 9, 2007 the School Board held a meeting and provided most of the literature related to the rezoning application. He stated the School Board was privy to the letter form the Airport Authority and directed staff to continue pursuing the school site at the location identified. He stated there were sections of the proffer to comment on, first if the section referencing Boots Housing, the school board would like the word "maximum stricken form the proffer and just identify 5 lots versus the language "a maximum of 5 lots" and would like some type of schedule associated with those lots. He stated he would like to know at what time during development the lots would be turned over.

Mr. Gollahan stated there was a schedule that would be in place, one lot would be given at the end of building each 250 lots section.

Mr. Di Peppe asked if the Boots Housing was dedeed to the County or the foundation.

Mr. Horan stated the lots would be dedeed to the foundation.

Mr. Di Peppe asked if it would be 1 house per year.

Mr. Horan stated yes the foundation was agreed to receive a lot would be 1 for every 250 units. He stated the second issue was the public school site and due to the need of an elementary school site there was no need for that language in the proffer agreement.

Mr. Leming confirmed everything taken out up to "the same site" and reword to state "the 17 acres site to be conveyed.

Mr. Horan stated the School Board would like to have the school site included in all archeological and environmental permitting action for the development so it does not have to be pursued separately. Mr. Leming stated that had already been done.

Mr. Horan asked for the storm water management to be included in the site.

Mr. Leming stated that had already been done.

Mr. Horan asked for some type of schedule to know when the site would be available to the school.

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Mr. Leming asked when the site was needed.

Mr. Horan stated he was not sure when the School Board needs the site or when the project would begin. He asked if it was tied to a house and percentage of development, then when it be available to the School Board. He stated by the time a third of the community was done, the site would be cleared and road access, would be ideal.

Mr. Horan stated since the school site would be at the front of the development, it should not be a problem.

Mr. Di Peppe stated commercial does not produce kids, houses produce kids.

Mr. Cook stated he thought the idea of the developer was to build the commercial and the homes behind it on the north side of the development.

Mr. Gollahan asked if there was an ability to tie the school to the 400th unit.

Mr. Leming stated the school may not be need by that time and confirmed it should be the 400th unit or such later date as requested by the School Board.

Mr. Di Peppe stated as along as the need was determined by the School Board.

Mr. Leming stated no earlier then the 400th unit.

Mrs. Carlone asked Mr. Horan if the school site would be only for Stafford Town Station or off site children as well.

Mr. Horan stated offsite children could be an option but the School Board discussed schools of the future. He stated if there was a smaller school then there would be a potential of only children from the Stafford Town Station Community but if the school was larger there was a potential for children off site to be brought in.

Mrs. Carlone stated Mr. Horan mention before he might like the school in a different location.

Mr. Horan stated in the correspondence provided to the School Board stated if they had an option they would not like to have the school within the development because of the three issues raised the proximity to the detention center, proximity to the landfill, and the proximity to the airport.

Mrs. Carlone asked if the School Board had looked at the leasing cost.

Mr. Horan stated no. He stated another item to address was the title of the school being a “public education facility” because the School Board in the future may structure elementary schools to include 6th, 7th, and 8th grade depending on how the School Board.

Mr. Leming stated the applicant would be fine with that.

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Mrs. Kirby stated, in her opinion, the proffers should be back where they are supposed to be so the schools would get money.

Mr. Leming stated the Board of Supervisors would have discretion of where the money goes.

Mr. Cook stated it would be an option.

Mr. Leming stated the Board could say they would like to apply a portion of advance payment to Falmouth.

Mr. Leming stated the applicant was going above and beyond to provide a 17 acre school site at the 400th unit that was worth 6 million dollars.

Mrs. Forestier stated she was available for any question the Commissioners may have. She stated the Chesapeake Bay Local Assistance Board approved new guidance determined which non tidal wetlands are associated to perennial streams and require a RPA. She stated the guidance had been change to anything that drains into perennial creek unless there was an intermittent stream channel associated with it. She stated there are many wetlands on this site which drains into perennial streams, and under the Chesapeake Bay requirements stream channels that do not carry water for most of the year or all year round are not required to have the 100 foot buffer for RPA. She stated this site as a lot of stream channels that drain into the perennial stream on site therefore, they are required to have an RPA buffer. She stated in one area it had added approximately 10 acres of RPA in the northeast corner and the biggest impact to the site may be the roads that run parallel to the creek which may need to be slightly realigned.

Mrs. Kirby stated there will be many crossing and asked if the applicant would still need to go through the Army Corps of Engineers (ACOE).

Mrs. Forestier stated yes and the ACOE and DEQ came out with new guidelines earlier this year on how the permitting would be done. She stated previously if there was a subdivision with 3 sections each section was permitted one at a time and now the applicant can get permits all at once.

Mr. Gollahan stated from the original submission, there was about 50 acres of undisturbed on the project.

Mrs. Kirby asked Mr. Gollahan to show the Commission where the 50 acres was. She asked if this was a portion of the connectivity with green space.

Mr. Gollahan stated it was in addition to the green space.

Mrs. Carlone asked if Mrs. Forestier had looked at the sections in the upper northeast corner on the plans.

Mrs. Forestier stated she had not looked at the plans closed since she had received the final determination from the Department of Conservation and Recreation (DCR) last month. She stated most of the road crossings are exempt.

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Mr. Zuraf stated the layout would have to be adjusted with more detailed planning.

Mr. Leming stated one good thing about the TND, there is flexibility to make that correction in transect zones.

Mr. Di Peppe stated on page 13, the section regarding General Housing, he would like to see a commitment to 10% work force housing but the applicant wanted to leave out age restricted housing. He asked if the applicant would still be willing to make the commitment.

Ms. Karnes stated yes.

Mr. Di Peppe stated he would like to have the language added to the proffers.

Ms. Karnes read the suggested language “the applicant agrees that 10% of all non-restricted dwelling units constructed shall be work force housing”.

Mr. Judy asked if the applicant sat down with lenders to see if potential buyers could get loans on two unit condominiums.

Mr. Gollahan stated it would be the same as condominiums.

Mr. Judy stated normally condominiums have a number of owners and in this case there would be 100 to 200 two unit condominiums units.

Mr. Leming stated that was not that unusual.

Mr. Judy asked if it would be possible to get something in writing from the lenders indicating there would be no issue. He stated if the applicant was proffering 10% and there are no loans available for these types of housing then the applicant may want to back out.

Mr. Leming stated legally it would be possible. He stated he was sure the applicant can get something.

Mr. Judy stated if the lender states under the scenario presented where there would be a main house with a work force home attached to it and set up as a two unit condominium that lenders would not look unfavorably.

Mr. Leming stated the applicant would get a letter.

Mr. Di Peppe stated he appreciate Mr. Judy’s question and agreed with his point.

Mr. Mitchell stated he did appreciate Mr. Judy point, in his opinion, he does not understand how we could ask the applicant to guarantee lending.

Mr. Judy stated he did not ask for a guarantee lending, he asked for a letter from lenders stating this was appropriate housing to offer lending.

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Mr. Mitchell stated the Aquatic Center that was voted down in the original bond issue. He stated the applicant is proffered the Board of Supervisors would have a choice of the Aquatic center or Athletic Center. He stated he did not understand the School Board asking for proffers above and beyond what is already given for a school located outside of the parameters. He felt it was unfair that the School Board sent Mr. Horan to ask for proffer above and beyond what was already allotted.

Mr. Pitzel asked the applicant how the utility lines would be run.

Mr. Leming stated the lines do not occupy the entire easement.

Mr. Gollahan stated that area was very limited.

Mr. Pitzel stated the lines are about 150 feet tall. He stated he was trying to visualize the high tension lines and nothing the applicant can do. He stated the applicant allowed open space and park to be under those lines.

Mr. Leming stated that was correct.

Mrs. Carlone stated on page 26 on “the mitigation of landfill impacts for the perimeter fence” would not be done until the 50th unit, she asked if the fence could be done sooner because there would be people there.

Mr. Leming stated the R-Board was fine with that number.

Mr. Gollahan stated for the age restricted it would be the fifth unit.

Mr. Carlone stated her concern was people going into the landfill and the possibility of problems.

Mr. Leming stated Mr. Mikel previously stated all his concerns were taken care of in the proffers.

Mr. Cook stated there were changes to make in the proffers.

Mr. Leming stated the applicant could take off the anticipated changes momentarily and get back to staff.

Mr. Harvey stated staff had provided the Fiscal Impact Statement and asked if there were questions. He stated the potential fiscal revenue to be generated by this project would have a wide range of opportunity, depending on how the project builds out He stated as the increase of development on site the project would become more net revenue positive, overall, the if the project was kept with a minimal amount of commercial it would at least break even. He stated the study did not pick up what would be generated from the live work units on the site.

Mr. Leming stated Mr. Phillip Hammer was available to answer questions.

Mrs. Carlone stated the cost analysis notes having big box bring in a certain amount of commercial and asked if that was still the case.

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Mr. Leming stated there was a certain amount of regional commercial that was shown in the commercial section at the southwestern portion of the site and not necessarily connected to the TND because it was regional. He stated there would be some big box commercial associated with that and would be subject to the same architectural guidelines as all of the units are associated with.

Mrs. Carlone stated in the analysis, none of the regional considered big box. Philip Hammer stated the regional retail would be considered from a sales generation viewpoint. He stated retailers would come in at \$300 a square foot, the amount a store requires to come in to a development. He stated at one point this retail was called big box and now called regional retail which would be a mixture of big and specialty retail. He stated for housing he did not estimate the taxes on which each house may have.

Mrs. Carlone stated there would not be a big box on site.

Mr. Hammer stated it would be a mix and big box could include a grocery store.

Mr. Di Peppe stated Nan Rollison mentioned the steep slopes and asked if anything could be done about that. He stated he believed the developer would grade off.

Mrs. Forestier stated there was a proffer dealing with steep slopes.

Mr. Di Peppe asked if there would be any way to preserve those slopes.

Mr. Leming stated he did not see how we could have commercial with no grading.

Mr. Cook asked if the Commission felt a need for another Special Work Session.

Mr. Pitzel stated it could be finished at a 5:30 Work Session.

Mr. Leming summarized the changes made:

- In transportation proffer 3F, page 7 shuttle bus service, adding the word “fund”, the applicant agrees to provide and “fund” shuttle bus service.
- On page 8 the applicant will reinstitute proffer “H” and add language “at a minimum the applicant would make traffic improvements indicated by the traffic study.
- On page 13 the applicant agrees to 10% of the non-age restricted housing being work force housing.
- On page 18 the meeting room would show capacity and provide a temporary platform stage
- On page 23, Boots Program Proffer, the applicant would add a provision to convey the 5 lots at increments of 250 units each.
- On page 25 the language would be change from public elementary site to public education facility site and some of the proffer would be removed. He stated the applicant would include language which stated the facility would convey at the 400th residential unit or when requested by the School Board, which ever comes first.

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Ms. Karnes stated on page 2 the applicant would add the language “the applicant shall require all residential builders to provide as an option the incorporation of principles of Universal Design including 42 inch entrances and hallways.

Mr. Johnson suggested increase the percentage to 25% of the age restricted housing to have those features.

Mr. Di Peppe clarified the builder would be required to build in the option discussed.

Ms. Karnes stated with the language “as an option” deleted.

Mrs. Kirby stated the Commission had a problem with the percentages for both non-age restricted and age restricted.

After a brief discussion the applicant agreed that 25% of the age restricted housing would incorporation of principles of Universal Design including 42 inch entrances and hallways and the remainder 75% would have the option.

Ms. Karnes recommended a phone conversation between the applicant and Mr. Di Peppe to iron out the details.

Mr. Di Peppe state he would be happy to meet face to face to go over the standards.

Mr. Cook asked the applicant if the proffers could be ready by the first meeting in November.

Mr. Mitchell stated he would be of town.

Mr. Cook stated Stafford Town Station would be heard at the next meeting on October 17, 2007.

ADJOURNMENT

With no further discussion the meeting was adjourned at 9:03 PM.