

***STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
November 15, 2006***

The work session of the Stafford County Planning Commission of Wednesday, November 15, 2006, was called to order at 5:30 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the County Administrative Center.

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

Members Absent:

Staff Present: Harvey, Judy, Stepowany, Baker and Gregori

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. RC2600334; Reclassification; Yusufi Property - A proposed reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District for office/retail on Assessor's Parcel 19-24 consisting of 0.62 acres, located on the south side of Garrisonville Road approximately 1,100 feet west of Shelton Shop Road within the Rock Hill Election District. The Comprehensive Plan recommends the property for Urban Commercial use, which would allow development of commercial retail and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: December 5, 2006) (Deferred to November 15, 2006 Work Session)**

Mrs. Baker stated a new Generalized Development Plan (GDP) and architectural rendering was provided to the Planning Commission. She stated the first rendering showed all brick building and the second rendering had brick at the bottom.

The Planning Commission stated they liked the all brick rendering.

Mrs. Kirby made a motion to send Item 1 to the full Commission recommending approval. Mr. Di Peppe seconded.

Mr. Rhodes stated there would be a sidewalk along Route 610 and an entrance on Route 610.

Mrs. Kirby stated her motion for approval was for the all brick elevation.

Mr. Harvey asked the Planning Commission if they were going to request the applicant proffer the all brick elevation.

Mr. Cook stated the applicant would need to proffer the all brick elevation.

The motion passed 7-0.

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2. RC2600390; Reclassification – Bird/Cooke Property - A proposed reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District for an office and retail shopping center on Assessor's Parcel 44-62 consisting of 26.12 acres, located on the north side of Warrenton Road approximately 800 feet north of Cardinal Forest Drive across from Village Parkway within the Hartwood Election District. The Comprehensive Plan recommends the property for Urban Commercial uses which would allow development of commercial retail and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: January 15, 2007)(Deferred to November 15, 2006 Work Session)**

Steve Klebanoff, applicant, stated the building would be brick, stone, precast accent pieces or stucco. He stated the site would include a bank, sit-down restaurants, and two mixed use buildings. He stated pitched roofs could be integrated into the site. He stated parapets and cornice were used to change the roof details and create more interest. He stated there were a variety of ways to use different materials and roofing.

Mrs. Kirby stated she wanted to know exactly what the buildings would look like. She asked what CMU base was.

Mr. Klebanoff stated CMU base was a split face block at the base of the building.

Mrs. Kirby stated she could not tell the color of the brick.

Mrs. Carlone stated the design may become dated quickly. She stated the Planning Commission has an idealized look for Route 17. She asked how far back the first row of buildings was from Route 17.

Mr. Klebanoff stated there was a through lane, a right turn lane, and a sidewalk in the right of way area. He stated there was a twenty-five foot buffer off of the right of way line.

Mr. Harvey stated there would be eighty feet from the property line to the front of the building.

Mr. Kirby stated she wanted to see the elevations and the color of the brick.

Mr. Klebanoff stated the style and uses would depend on the tenants.

Mrs. Kirby stated in the past restaurants and commercial sites have worked with the Planning Commission to meet design standards. She stated the proffers read "the subject property shall be in substantial conformance." She stated substantial conformance was not acceptable. She stated she would like to see a GDP she could count on.

Mr. Di Peppe stated he echoed Mrs. Kirby's concerns. He stated the Planning Commission wanted to know exactly what the building would look like. He stated he was concerned about the slopes on the property.

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Mr. Mitchell stated he thought the building with the glass in the front on sheet 12 was a nice looking building. He stated he was concerned about bright colors.

Mrs. Carlone made a motion to retain Item 2 in Committee.

Mr. Cook stated the time limit was January 15, 2007. He stated the work sessions for December 6, 2006 and January 3, 2007 were full. He stated the applicant would have to give the Planning Commission a written extension to discuss the project at the January 17, 2006 work session.

Mr. Klebanoff stated he had an obligation to the owners.

Mr. Cook stated right now it seemed the Planning Commission was not ready to pass the project. He stated unless an extension was granted it would probably be voted down.

Mr. Klebanoff stated if the demand on the table was a commitment on the tenants, than nothing was going to change.

Mr. Harvey stated the Planning Commission could make a recommendation to the applicant that the buildings be in general compliance with examples on the sheets provided.

Mrs. Kirby stated she wanted to see what the exact building would look like.

Mr. Klebanoff asked Mrs. Kirby to be more specific. He asked what color the Planning Commission would like to see on the building.

Mrs. Kirby stated earth tones would be acceptable. She asked Mr. Klebanoff if he was familiar with the design of Stafford Market Place.

Mr. Klebanoff asked if the range of materials, colors, and cast stones used at Stafford Market Place would be acceptable.

Mrs. Kirby stated, in her opinion that would be acceptable. She stated she still wanted to see exactly what the building would look like.

Mr. Klebanoff stated he was not at a point where he could say which restaurants would locate at the site. He asked the Planning Commission how he could address this particular issue, based on the fact that he did not have that commitment today. He asked if the Planning Commission wanted to have architectural design approval at the time of building permit.

Mrs. Kirby asked Mr. Klebanoff to show the Planning Commission a design which would fit in Stafford County.

Mr. Cook stated Item 2 could be discussed at the January 3, 2007 Planning Commission Regular Meeting under unfinished business.

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Mr. Di Peppe stated he thought Mr. Klebanoff was getting ready to make an offer before being interrupted.

Mr. Klebanoff stated the property was large with multiple tenants. He stated restaurants have a general theme they like to keep.

Mr. Di Peppe stated even national chains have worked with the Planning Commission. He stated the applicant could ask the tenants to conform to the site.

Mr. Klebanoff asked if there was language or guidance he could go by. He stated there has to be some flexibility in the process.

Mr. Cook stated the proffers needed to be straightened out before the project moves forward.

Mr. Harvey suggested creating a sub-committee with Mrs. Kirby and Mrs. Carlone to meet with Mr. Klebanoff to discuss the GDP, architectural renderings and the proffers.

Mr. Cook asked Mrs. Kirby and Mrs. Carlone to serve on the sub-committee.

Mrs. Carlone made a motion to form a sub-committee. Mr. Pitzel seconded. The motion passed 7-0.

Mr. Cook stated Item 2 would be discussed at the January 3, 2007 Planning Commission Regular Meeting under unfinished business.

3. CUP2600130; Conditional Use Permit – Suh Gas Station - A request for a conditional use permit to allow vehicle fuel sales in a B-2 Zoning District on Assessor's Parcels 29-90A and 96 consisting of 3.2 acres, located on the north side of Courthouse Road at the intersection with Wyche Road within the Aquia Election District. **(Time Limit: December 19, 2006)(Deferred to November 15, 2006 Work Session)**

Mr. Cook stated the Planning Commission did not receive the GDP in time to review them prior to the work session. He stated he was not ready to discuss Item 3.

The applicant stated could they attend the December 6, 2006 work session.

Mr. Cook stated the applicant would have to grant the Planning Commission an extension because the December 6, 2006 and January 3, 2007 Work Sessions were full.

The applicant stated he would provide Mr. Harvey with a written extension for January 17, 2007. He stated there were major changes to the plans. He apologized for not providing the revised GDP to the Planning Commission earlier.

Mrs. Kirby made a motion to accept the extension. Mr. Mitchell seconded. The motion passed 7-0.

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ADJOURNMENT

With no further business to discuss the meeting was adjourned at 6:30 p.m.

William Cook, Chairman

STAFFORD COUNTY PLANNING COMMISSION MINUTES

November 15, 2006

The regular meeting of the Stafford County Planning Commission of Wednesday, November 15, 2006, was called to order at 7:30 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the Stafford County Administration Center.

MEMBERS PRESENT: Cook, Kirby, Pitzel, Mitchell, Carlone, Di Peppe, and Rhodes

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, Baker, Judy, Stepowany, Hornung, Ennis and Gregori

PUBLIC PRESENTATIONS: None

PUBLIC HEARINGS:

1. RC2600707; Reclassification; Sydney Hastings Commons 7-11 - A proposed amendment to proffered conditions to revise the entrance requirements on Assessor's Parcels 45-92, 45-92B, 45-92C, 45-92D and 45-93, zoned B-2, consisting of 24.76 acres, located on the north side of Warrenton Road at Melchers Drive within the Falmouth Election. **(Time Limit: February 13, 2006)**
2. CUP2501638; Conditional Use Permit; Sydney Hastings Commons 7-11 - A request for a Conditional Use Permit to allow a convenience store with vehicle fuel sales in the Highway Corridor Overlay Zoning District on Assessor's Parcel 45-92C consisting of 2.42 acres, located on the northwest corner of Warrenton Road and Melchers Drive within the Falmouth Election District. **(Time Limit: February 13, 2006)**

Mr. Harvey requested that Items 1 and 2 be combined into one presentation since they were related.

Mr. Cook stated that would be okay.

Mrs. Baker presented the staff report. She stated the entire property was rezoned in 2000, and the request before the Commission was to amend the proffered conditions. She stated Proffer 2 of Ordinance O00-18 stated any new access points off of Entrance "A" would maintain a minimum 200 foot throat length from Warrenton Road. She stated the applicant was requesting the reference to the 200 foot throat length be eliminated to allow for better entrance alignment. She stated the Virginia Department of Transportation (VDOT) has indicated 180 foot throat length would be sufficient. She stated staff supports the revision to the proffers. She stated a request for a Conditional Use Permit (CUP) for a 7-Eleven store has been submitted for a portion of the property, along the frontage of Warrenton Road, between Solomon Drive and Samson Street. She stated the CUP was to allow a convenience store with vehicle fuel sales. She stated the Generalized Development Plan (GDP) shows a 3,132 square foot convenience store, with vehicle fuel pumps and canopy located in the front. She stated the site would not have direct access to Warrenton Road. She stated the CUP could not be approved unless the proffer amendment application was approved. She stated the architectural renderings show that the store's façade would be constructed of brick, and the hip roof would be standing seam metal. She stated the fuel canopy would also be constructed with brick columns. She stated staff recommends approval of the CUP.

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Mr. Pitzel asked what the rationale was for requesting a shorter throat length.

Mrs. Kirby stated that was a VDOT standard. She asked if part of the site was zoned R-1.

Mrs. Baker stated the subject property was B-2.

Mr. Harvey stated the GDP from the 2000 rezoning was included in the Planning Commission packets.

Mr. Rhodes asked if the turn in was 180 feet from Warrenton Road.

Mrs. Baker stated entrance "A" was 180 feet.

Mr. Rhodes stated the application read the signal would be constructed by others.

Mrs. Baker stated the signal was already in place. She stated it would be modified once the road was complete.

Mrs. Kirby asked who would build the road.

Mrs. Baker stated the applicant of the proffer amendment.

Mr. Cook asked for the applicant to come forward.

Debrae Karnes, Leming & Healy, representing the applicant, stated they were proffering the 180 foot throat length which would help with access control and preventing odd turns. She stated her client would be constructing Solomon Drive.

Mr. Pitzel asked if it would be possible to proffer 180 feet.

Mrs. Karnes answered yes.

Mrs. Kirby asked what Ms. Karnes meant by saying she would like additional information in the off site to be guided by the proffers.

Ms. Karnes stated if there were questions about what the proffers required and based on VDOT request, interpretation should be based on proffer language. She stated your proposal was consistent with the proffers but violated the CUP conditions.

Mr. Cook stated the applicant wants to make sure the conditions of the CUP do not conflict with the proffer amendments.

Mr. Rhodes asked if the Planning Commission needed to know what the language would be.

Mr. Cook stated the proffer language would be incorporated into the CUP.

Mr. Di Peppe asked what would happen if there was a problem with the CUP.

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Mr. Rhodes stated the proffer amendment language would be placed in the CUP, therefore not effecting the proffer amendment.

Mr. Cook opened the public hearing.

Dan Wallace, owner of Arby's on Warrenton Road, stated it seemed like the throat length into Arby's was not discussed or shown on original plan. He stated Solomon Road would be constructed by others.

With no one further coming forward, Mr. Cook closed the public hearing.

Ms. Karnes stated the applicant was only asking for one change.

Mrs. Kirby asked what was meant by new signalized intersection.

Ms. Karnes stated the redesign of Melchers Drive would put the signal in front of Solomon Drive. She stated 7-Eleven would be responsible for moving the signal.

Mrs. Kirby asked what if the Planning Commission denied the CUP.

Ms. Karnes stated in the 2000 approval there was a pad site for retail uses in the area. She stated the 180 foot throat length would continue to prevail.

Mr. Di Peppe stated he was not sure that Mr. Wallace's concerns were addressed.

Mr. Wallace stated he did not hear anything about the throat length going into the Arby's. He stated the 2000 drawings were slightly different than the 2005 drawings.

Mrs. Kirby stated Arby's would not be cut off.

Mr. Harvey stated that was correct. He stated Melchers Drive on Route 17 would be disconnected but there would be a slot entrance onto Solomon Drive into Arby's.

Mrs. Baker stated that proffer would not be changing.

Mr. Pitzel stated the distance of the Arby's entrance looked less than 180 feet.

Ms. Karnes stated that was a copy of the 2000 plan.

Mr. Cook stated both the entrance into Arby's and 7-Eleven were 180 feet.

Mr. Di Peppe made a motion for approval of the amendment to the proffers for RC2600707. Mr. Mitchell seconded. The motion passed 7-0.

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Maynard Sipe, representing 7-Eleven, stated that in the very front there was a wide area on the plan for landscaping. He stated the site entrances were set back 180 feet from Warrenton Road, and the drive in would be between the store and the canopy. He stated he was aware that this was a Highway Corridor Overlay District and 7-Eleven would be bringing in an attractive site. He stated 7-Eleven designs the lighting to be completely shielded to minimize glare. He stated 7-Eleven would not be against a condition which would require conforming to the landscape plan.

Mr. Di Peppe stated there were six gas stations clustered very close together, and unfortunately this area was not eligible for the Historic Resource Overlay District. He stated the Planning Commission could ask for certain conditions with the CUP, and stated in his opinion the Planning Commission would need to exercise their control to preserve the Falmouth area. He stated there would be eight offices buildings behind the site, and stated he would like the site to be shifted away from Warrenton Road with the gas pumps at the rear.

Mr. Sipe stated reversing the design of the site was not possible. He stated 7-Eleven looks at each site individually, and tries to be flexible. He stated the 7-Eleven site at Coachman Circle was the exception because of its proximity to Aquia Church, and the shared access with the hotel.

Mr. Rhodes asked if there would be sidewalks along Warrenton Road.

Mr. Sipe stated yes.

Mr. Rhodes asked if there would be sidewalks along Solomon Drive.

Mr. Stepowany stated the site was within the Highway Corridor Overlay District and would be required to have sidewalks.

Mrs. Kirby stated there were two signs along Warrenton Road.

Mr. Sipe stated his plan shows one sign near the second entrance. He stated it would be a monument style sign with logo and gas prices. He stated the second sign could be an existing sign on the site.

Mrs. Kirby stated she would like to see brick on the building, and the orange, red, and green striping would need to be removed. She stated she could not support the CUP unless the site was reversed.

Mr. Pitzel asked if the Arby's entrance would be aligned opposite the 7-Eleven site entrance.

Mr. Sipe stated yes.

Mr. Pitzel stated the drawing does not show the correct Arby's location.

Mr. Sipe stated he had a late version of the site. He stated the CUP and conditions applied to it would only affect the 7-Eleven sites.

Mrs. Carlone stated she would like to see the cement block removed from the site.

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Mr. Sipe stated the applicant had no problem with going to brick all around the building, and would amend the conditions.

Mrs. Carlone stated she was concerned about glare from cars. She stated she would like evergreens incorporated into the landscape.

Mr. Sipe stated a landscape plan was included.

Mrs. Carlone stated the Sheriff's Department would like to have a view of the site from the road.

Mr. Sipe stated safety was why 7-Eleven liked this site. He stated he would be happy to do a low evergreen shrub.

Mr. Cook opened the Public Hearing.

With no one coming forward, the Public Hearing was closed.

Mr. Cook stated in his opinion the site could be reversed. He stated the stripes could easily be removed.

Mr. Di Peppe made a motion to put Item 2 in committee. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Cook stated Item 2 would be discussed at the January 17, 2007 Work Session.

3. Amendment to Subdivision Ordinance - Amendment to Section 22-67, Technical Changes to Approved Preliminary Plans, of the Subdivision Ordinance, pursuant to O06-87. The amendment establishes a requirement that, except for technical changes, may be approved by the Director of Planning, any change to an approved preliminary plan for subdivisions, or accompanying data sheets, shall require review of the plan under the procedures of the Subdivision Ordinance for original review and approval by the Planning Commission. Technical changes are changes which comply with the provisions of the Subdivision Ordinance in effect at the time of preliminary plan approval and do not alter the basic design or layout of the subdivision, do not change the functional interrelationship of the individual features of the subdivision to each and surrounding properties, and do not change the traffic patterns or increase the traffic volumes of the subdivision or surrounding properties. The amendment provides examples of allowable technical changes. A request for approval of a technical change shall be made in writing to the Director of Planning. The request shall fully describe the change and provide reasonable justification for granting the change. The Director of Planning shall either approve or disapprove the change within ten (10) working days of receipt of the request.

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Mr. Stepowany presented the staff report. He stated any changes that would add lots or streets would require a new preliminary subdivision plan. He stated the subdivision ordinance does not state that changes to an approved preliminary subdivision plan may require a new plan. He stated the Board desires that the Subdivision Ordinance have a regulation stating all subsequent plans of an approved preliminary subdivision plan should match the approved plan or require submission of a new preliminary subdivision plan. He stated the Board recognizes that some changes were a result of technical engineering and request that the Ordinance provide a list of technical changes that would not require submission of a new preliminary subdivision plan. He stated the amendment establishes a requirement that, except for technical changes approved by the Director of Planning upon request, any changes to an approved preliminary plan for subdivisions or accompanying data sheets shall require review of the plan under the procedures of the Subdivision Ordinance for original review and approval by the Planning Commission. He stated a request for approval of technical changes shall be made in writing to the Director of Planning. The Director of Planning shall either approve or disapprove the changes within ten (10) working days of the request. He stated staff recommends approval of Ordinance O06-87.

Mrs. Kirby asked how many times this issue has arisen in the Planning Department.

Mr. Stepowany stated about once every three months.

Mr. Cook opened the Public Hearing.

With no one coming forward, the Public hearing was closed.

Mr. Di Peppe made a motion for approval. Mrs. Kirby seconded. The motion passed 7-0.

4. Amendments to Subdivision Ordinance - Repeal Section 22-44, Revisions to Approved Plats; and amendments to Section 22-89.1, Revisions to Approved Plats; and Section 22-106, Vacation of Boundary Lines, of the Subdivision Ordinance, pursuant to Ordinance O06-88. The amendment repeals Section 22-44, Revision to Approved Plats and relocates the section as Section 22-89.1 of Division 4 for Final Plats. The amendment provides the provisions for revising a recorded final plat. For clarity purposes, the amendment is situated after Section 22-89, Review and approval, for final plats. The amendment also revises Section 22-106 to reference Section 22-89.1 instead of Section 22-44.

Mr. Stepowany presented the staff report. He stated the amendment would repeal Section 22-44, Revision to Approved Plats and relocate the section as Section 22-89.1, after the regulations on the review, approval and recording of the final plat. He stated the amendment provides the criteria to approve minor revisions, alterations, or adjustments to a recorded final plat as a revision and not require a new application for a final plat. He stated the amendment requires the revision to be prepared in accordance with Section 22-87, no longer requiring the submittal to be in accordance with the A.P.E.L.S.L.A Board of the Commonwealth of Virginia. He stated the amendment requires the agent to take action within ten (10) working days after the application is eligible for revision. He stated staff recommends approval.

Mrs. Kirby asked who recommended the amendment be relocated.

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Mr. Stepowany stated the County Attorney's office in conjunction with staff.

Mr. Cook opened the Public Hearing.

With no one coming forward the Public Hearing was closed.

Mr. Di Peppe made a motion for approval. Mrs. Kirby seconded. The motion passed 7-0.

5. Amendment to Subdivision Ordinance - Amendment to Section 22-76, Submission of Plans, of the Subdivision Ordinance, pursuant to Ordinance O06-89. The amendment establishes a purpose for Construction plans which is to show the proposed improvements and construction of the public roads and facilities of an approved preliminary subdivision plan, or a single section if the subdivision development is phased. The improvements and construction measures shown on the construction plans shall include, but not limited to, water supply and sewage disposal, streets, drainage, soil erosion and sediment control, stormwater management plans, and specifications as required by the Stafford County Code. The construction plan shall be in compliance with the approved preliminary plan except for technical changes as described in Section 22-67. The amendment repeals Section 22-76(e) which requires Construction plans for Private Access Easements (PAE).

Mr. Stepowany presented the staff report. He stated during the review of the construction plan there were usually changes to the layout of the plan which may differ from that of the preliminary plan. He stated the purpose of the Ordinance was to recognize there may be a change in the construction plan and unless it was a technical change that construction plan would require a new preliminary plan. He stated the Ordinance did not state the construction plan had to match the approved preliminary plan or that if it does not match then a new preliminary plan approval was needed. He stated the second part of the Ordinance addressed the provisions for regulating the construction of a Private Access Easement (PAE). He stated when the Rural Additions Ordinance was approved; PAE's would not be subject to construction plans. He stated a PAE could only be for two lots. He stated the Ordinance would clarify and remove the section which stipulated a PAE was subject to the vertical and horizontal requirements set forth by VDOT. He stated staff recommends approval.

Mr. Cook opened the Public Hearing.

With no one coming forward, the Public Hearing was closed.

Mr. Di Peppe made a motion for approval. Mrs. Carlone seconded. The motion passed 7-0.

UNFINISHED BUSINESS:

6. RC2600390; Reclassification – Bird/Cooke Property - A proposed reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District for an office and retail shopping center on Assessor's Parcel 44-62 consisting of 26.12 acres, located on the north side of Warrenton Road approximately 800 feet north of Cardinal Forest Drive across from Village Parkway within the Hartwood Election District. The Comprehensive Plan recommends the property for Urban Commercial uses which would allow development of commercial retail and office uses. See Section 28-35 of the Zoning Ordinance for a full

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listing of permitted uses. **(Time Limit: January 15, 2007)(Deferred to November 15, 2006 Work Session)**

Mr. Cook stated Item 6 was discussed at the work session and deferred to the January 3, 2007 Regular Meeting under unfinished business.

7. SUB2501328; Ellison Estates Section 2, Preliminary Subdivision Plan - A preliminary subdivision plan for 7 single family residential lots, zoned A-2, consisting of 9.97 acres, located at the north end of proposed Ellison Court and approximately 1,100 feet west of Jefferson Davis Highway and 1,300 feet north of American Legion Road on Assessor's Parcel 38-45H, within the Aquia Election District. **(Time Limit: May 24, 2006) (Deferred to December 6, 2006 at applicant's request)**

Mr. Cook stated Item 7 was deferred to December 6, 2006 at the applicant's request.

8. Amendment to Subdivision Ordinance - Amendment to Section 22-153, Lots for Water and Sewer Mains, of the Subdivision Ordinance, pursuant to O06-62. The proposed amendment would require all water and sewer easements, in their entirety, serving water and/or sewer mains between lots in a residential subdivision to be located on lots conveyed to and maintained by a homeowners association. The width of the easement shall be in accordance with Chapter 25 and Chapter 26.2 of the Stafford County Code. **(Deferred at Staff's Request)**

Mr. Cook stated Item 8 was deferred.

9. RC2600334; Reclassification; Yusufi Property - A proposed reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District for office/retail on Assessor's Parcel 19-24 consisting of 0.62 acres, located on the south side of Garrisonville Road approximately 1,100 feet west of Shelton Shop Road within the Rock Hill Election District. The Comprehensive Plan recommends the property for Urban Commercial use, which would allow development of commercial retail and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: December 5, 2006) (Deferred to November 15, 2006 Work Session)**

Mr. Cook stated Item 9 was discussed at the work session and was sent to the full commission with a recommendation for approval.

Mr. Harvey stated the approval was contingent on the proffers. He stated the applicant did not bring in the signed proffers.

Mrs. Kirby stated they would have to keep it in committee.

Mr. Rhodes stated the time limit was December 5, 2006.

The Planning Commission discussed the situation.

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Mr. Harvey stated he could send a staff member to contact Mr. Yusufi to retrieve the signed proffers and return them to the commission before the end of the meeting. He stated after contacting Mr. Yusufi, the initialed proffers would be faxed in.

Mrs. Kirby made a motion for approval with the amended proffers with the signature of the applicant. Mrs. Carlone seconded. The motion passed 7-0.

10. CUP2600130; Conditional Use Permit – Suh Gas Station - A request for a conditional use permit to allow vehicle fuel sales in a B-2 Zoning District on Assessor's Parcels 29-90A and 96 consisting of 3.2 acres, located on the north side of Courthouse Road at the intersection with Wyche Road within the Aquia Election District. **(Time Limit: December 19, 2006)(Deferred to the November 15, 2006 Work Session)**

Mr. Cook stated Item 10 was deferred.

11. RC2501249; Reclassification – Onville Estates - A proposed reclassification from A-2, Rural Residential Zoning District to R-1, Suburban Residential Zoning District on Assessor's Parcel 20-49J consisting of 59.13 acres, located on the west side of Onville Road approximately 300 feet north of Ebenezer Church Road within the Griffis-Widewater Election District. The Comprehensive Plan recommends the property for Rural Residential use. The Rural Residential designation would allow residential development at a maximum density of one dwelling unit per three acres. This request would allow single family detached or duplex dwellings at a maximum density of three dwelling units per acre. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses in the R-1 zoning district. **(Time Limit: January 31, 2007)(Deferred to January 3, 2007 Work Session)**

Mr. Cook stated Item 11 was deferred.

NEW BUSINESS:

12. SUB2600635; Celebrate Virginia North Retirement Sec 1, 2, 4C, 5A, and 8A Revised Preliminary Subdivision Plan - A revision of an approved subdivision preliminary plan (ref SUB240908) to revise and relocate some internal roads within Sections 1, 2, 4C, 5A and 8A of Celebrate Virginia North Del Webb Retirement Community located south of the Celebrate Virginia Parkway outside of the Conservation Easements, zoned RBC, Recreational Business Campus, consisting of 53.7 acres located on the south side of Warrenton Road east of Celebrate Virginia Parkway on Assessor's Parcel 44W-A within the Hartwood Election District. **(Time Limit: February 7, 2007)**

Mrs. Ennis presented the staff report. She stated the original subdivision was approved in 2005 for 1286 residential units. She stated the applicant was proposing to revise approximately 154 lots. She stated private roads were created with a text amendment to the RBC, approved by the Board of Supervisors and a waiver granted by the Planning Commission. She stated the conservation easements and the benefits of the easements were being held by Northern Virginia Conservation Trusts. She stated the construction plans for Sections 1, 2, 3, and 4 were approved and the plats for Sections 1, 2, 3, and 4 were currently under review as was the recreation center. She stated the revisions to the approved preliminary plan required a resubmission because of changes to the roads. She stated the applicant was creating a

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new point of access in Section 5. She stated additional right of way was provided along Sanford Drive. She stated the applicant increased several roads to fifty feet of right of way. She stated there was a proffer which required the recreation center to be built by the issuance of the 375 occupancy permit. She stated the recreation center and the roads would be constructed simultaneously. She stated staff recommends approval.

Mrs. Carlone asked if there would be a modular home used for the sales office.

Mrs. Ennis stated Del Webb would use their sales office across the street.

Mr. Pitzel asked how many units were in the original plan.

Mrs. Ennis stated 1286 in the original, and the new plan has 1256.

Mr. Pitzel stated 120 units were affected.

Mrs. Ennis stated approximately 154 lots were affected by the road widening.

Mr. Di Peppe asked why one road did not meet the fifty feet of right of way.

Mrs. Ennis stated it was a private road.

Mrs. Carlone made a motion for approval. Mr. Mitchell seconded. The motion passed 7-0.

13. PAE2600591; Westergren Subdivision, Private Access Easement – Two private access easements, each to serve 2 lots on 12.34 acres located on the north side of Poplar Road approximately 2,640 feet west of Tacketts Mill Road on Assessor's Parcel 17-31C, zoned A-1, Agricultural, within the Hartwood Election District. **(Time Limit: February 7, 2007)**

Mrs. Ennis presented the staff report. She stated the first Private Access Easement (PAE) was 620 feet and the second PAE was 500 feet. She stated the applicant received a request from VDOT to make the PAE on the left 20 feet and the one on the right 30 feet to catch the storm drainage easement. She stated staff recommends approval.

Mr. Pitzel stated parcel C-3 has PAE's on both sides of it.

Mrs. Ennis stated C-3 only had the right to use one PAE.

Mrs. Carlone made a motion for approval. Mrs. Kirby seconded. The motion passed 7-0.

14. SUB2600158, Woodstream, Section 3, Preliminary Subdivision Plan - A preliminary plan for a planned development of 87 single family attached units on 11.8 acres located on the east side of Staffordboro Boulevard approximately 1,900 feet north of Garrisonville Road on Assessor's Parcels 21-8F and 21N-1, zoned R-2, Urban Residential-Medium Density, within the Aquia Election District. **(Time Limit: February 7, 2007)**

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Mr. Stepowany presented the staff report. He stated there would be eighty-seven dwelling units, and two public roads within Section 3. He stated access would be through Section 1. He stated they were vested to the 1978 Zoning Ordinance, and the density was 7.0 homes per acre. He stated as of 2006 the density was 3.2 dwelling units per acre. He stated all the townhomes were located in the R-2 portion of the site, and the site would be served by Public Utilities. He stated Woodstream would have state roads except for the townhomes. He stated in 1978 there was no protection of the streams. He stated the streams would be protected under the Army Corps of Engineers and the Virginia Department of Environmental Equality.

Mr. Rhodes asked what the vehicle count would be.

Mr. Stepowany stated the vehicle count was based on the 3.2 density for the site.

Mr. Mitchell made a motion for approval with correction to the Magisterial District on GDP. Mrs. Kirby seconded. The motion passed 7-0

MINUTES

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the Board deferred the Comprehensive Plan Amendment for the Ewalt Property. He stated the initialed proffers were received from Mr. Yusufi.

COUNTY ATTORNEY'S REPORT

Mr. Judy stated the Crow's Nest case was before the court. He stated the Judge ruled that the County, by adopting the amendments to the Ordinance which required the drainfield information to be available with the primary plat, made it impossible for developers to know how to deal with it. He stated AOSE can use whichever method was deemed suitable. He stated the court ruled that the County did not have the authority to have a Special Service District for repairing or constructing roads maintained by VDOT.

SECRETARY/TREASURER REPORT

No report

STANDING COMMITTEE REPORTS

Mr. Pitzel stated on November 6, 2006 comments were provided back to the consultant, Peter J. Smith. He stated on November 13, 2006 there was a meeting with the Sheriff, Fire, and Rescue. He stated on November 20, 2006 there would be a mapping exercise and on November 27, 2006 there would be a meeting with the consultant. He stated on November 28, 2006 there would be a presentation by Quantico along with the Disability Resource Center Group and on December 4, 2006 there would be a meeting Rob Gollohan titled "From the Developer's Prospective." He stated December 11, 2006 was a tentative working meeting.

Mrs. Kirby stated she attended the Comprehensive Plan Steering Committee meeting on November 13, 2006. She stated she will no longer sit by and watch anyone insult staff. She stated the gentleman took 35 minutes after being provided only 20 minutes. She stated there were a lot of innuendos which were inappropriate.

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Mr. Cook stated the gentleman should not have been allowed to speak. He stated insults towards staff would not be permitted. He stated he would gavel out individuals who insult staff and if need be he would have them escorted out.

Mr. Di Peppe asked if there could be an Ordinance Committee meeting at the first work session meeting in January to address Reservoir Ordinance and the PD1 Amendment.

Mr. Harvey stated there were items already scheduled for the January 3, 2007 Work Session.

Mr. Cook asked Mr. Harvey to notify Garrett Development that Onville Estates would be discussed at the January 17, 2007.

CONSENT AGENDA

SPECIAL COMMITTEE REPORTS

No Report

CHAIRMAN'S REPORT

Mr. Cook stated on December 6, 2006 he would appoint a nominating committee. He stated at the January 3, 2007 Work Session the nominating committee would be given fifteen minutes.

ADJOURNMENT

With no further business to discuss, Mrs. Kirby made a motion for adjournment. Mrs. Carlone seconded the motion.

The meeting was adjourned at 9:37 p.m.

William Cook, Chairman