

STAFFORD COUNTY PLANNING COMMISSION MINUTES
JANUARY 4, 2006

The regular meeting of the Stafford County Planning Commission of Wednesday, January 4, 2006, was called to order at 7:30 p.m. by Chairman William Cook in the Board of Supervisors Chamber of the Stafford County Administration Center.

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

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, Knighting, Baker, Stepowany, Kaminsky, Marsnick and Turner

ELECTION OF OFFICERS: Ms. Kirby, Chairman of Nominating Committee stated the following were nominated by the Committee, Mr. Cook for Chairman, Ms. Kirby for Vice Chairman, and Mr. Pitzel for Secretary.

After discussion by the Commission Mr. Cook was voted Chairman 7-0, Ms. Kirby was voted Vice Chair 7-0, and Mr. Pitzel was voted Secretary 7-0.

PUBLIC PRESENTATIONS:

Kathy Beard stated she would like to acknowledge the work and the commitment of the Commission members. She stated she hopes the new members will respect each others opinions.

PUBLIC HEARINGS:

1. CUP2501389; Conditional Use Permit – Leeland Station Minnieland- A request for a Conditional Use Permit to allow a child care center in a PD-1, Planned Development 1 Zoning District on Assessor's Parcel 46-93H and 46-48, consisting of 1.83 acres, located on the south side of Layhill Road west of Leeland Road within the Falmouth Election District. Time Limit: March 5, 2006.

Ms. Marsnick presented the staff report. She stated the child care center would be a one story building with 11,215 square feet with a six foot high fence around the play area. She stated a transportation study was completed with Leeland Station. She stated staff recommends approval of this application.

Ms. Carlone stated she would like to see some shade trees on the property.

Ms. Marsnick stated that would be something to discuss with the applicant.

Ms. Kirby asked if potentially could be removed from the proffers.

Ms. Marsnick stated that would be something to discuss with the applicant.

Mr. Di Peppe stated the new interchange should be considered in determining the traffic amount.

Ms. Marsnick stated the traffic study was presented with the Leeland Station.

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Mr. Mitchell stated in his opinion that item # 10 of the proffers should state a valid license from the Commonwealth of Virginia Department Social Services instead of just Social Services.

Clark Leming, representing the applicant, stated Minnieland was one of the leading child care facilities in the county. He stated the standard hours of operation would be limited to 5:30 A.M. to 7:00 P.M. Monday through Friday. On Saturdays and Sundays the hours would be limited to 8:00 A.M. to 5:00 P.M. for administrative staff and maintenance, or occasionally an Open House.

Mr. Leopold, the applicant, stated he had no objection to planting trees on the play ground.

Mr. Di Peppe stated he would like to provide some flexibility in planting trees at the child care center. He suggested at least five trees should be planted with safety considered.

Ms. Kirby stated she did not see a need to be open on Sunday.

Mr. Pitzel asked if consideration has been given to night time day care.

Mr. Leopold stated that normally one parent would be available at night.

Mr. Michell stated he was in support of the project.

Ms. Kirby stated she would like the word general taken out of # 8 of the proffers. She asked about the location of the interparcel connector.

Mr. Harvey explained since there was an elementary school on one side and homes on two sides of the property, an interparcel connector was not required.

The Public Hearing was opened.

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

Mr. Di Peppe made a motion for approval with corrections. Mr. Mitchell seconded. The motion passed 7-0.

2. Index of Official Road Names – Amend the Addressing Ordinance as follows:

<u>Location</u>	<u>Current Road name</u>	<u>New Road Name</u>
Mountain View Road from the south side of Centreport Pkwy to the intersection with Enon Road	Mountain View Road	Pine View Drive

Mr. Stepowany presented the staff report. He stated this was an amendment to change a portion of Mountain View Road to Pine View Drive. He showed on the map the location and explained how the portion of road was affected by Centreport Parkway. He stated staff recommends approval.

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Mr. Mitchell stated in his opinion, Pine View Drive was a generic name. He stated he has concerns about emergency fire and rescue units being confused with other streets in the county.

Mr. Harvey stated staff has researched the new street name of Pine View Drive and found the name was different from other street names in the county, which should not cause confusion.

The Public Hearing was opened.

Michael Phillippe stated he would like to keep the name Mountain View Road because his parents have lived there since 1946 and were the only resident on that street. He stated the address change would affect 10 homes. He stated there was one house in the cul-de-sac that should have the address of Pine View Road.

Mr. Harvey stated he was aware of one house in the cul-de-sac and it would be addressed off of Pine View Road.

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

3. RC2501622; Reclassification - Stafford Fire Station 2 – A proposed reclassification from R-1, Suburban Residential, to B-2, Urban Commercial, Zoning District on Assessor's Parcel 30-69A consisting of 1.00 acres, located on the east side of Jefferson Davis Highway approximately 500 feet south of Courthouse Road within the Aquia Election District. The Comprehensive Plan recommends the property for Office use. The Office designation would allow the development of professional offices and office parks.

Ms. Baker presented the staff report. She stated the applicant was Stafford County and the request was a reclassification from R-1, Suburban Residential, to B-2, Urban Commercial, Zoning District on Assessor's Parcel 30-69A located on the east side of Jefferson Davis Highway. She stated the new fire station would be approximately 15,000 square feet in size with access to the site continuing to be from Jefferson Davis Highway. She stated there would be no Proffers associated with the application and the zoning designation was compatible with the existing zoning pattern in that area. She stated staff recommends approval of the application request.

Charlie Robertson, representing the Fire Department, stated it was a lot of negotiating still going on. He stated within a month the Fire Department would be moving into the old boat center behind the present facilities. He stated there will be no loss in service coverage during the moving process. He stated the sirens should not present a problem to the surrounding residents.

Ms. Kirby stated concerns with traffic stopping in front of the Fire Station blocking the entrance. She asked if a red light could be installed to blink when emergency equipment was leaving the station.

Mr. Robertson stated a traffic signal has been requested to be installed on Route 1 and a device attached to the apparatus which would trigger the signal when emergency equipment is approaching the street. He stated the request for the traffic light should be funded this year.

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Mr. Di Peppe asked Mr. Robertson in his opinion, how much more space was needed in the building.

Mr. Robertson stated in his opinion, there was a need for an activity room, training and study rooms, good sleeping facilities, shower room, a lunch room and appropriate room for the fire department apparatus.

The Public Hearing was opened.

Cecelia Kirkman stated she supports this application and encourages that the usage would be limited to Fire and Rescue Station and not for commercial use.

With no one else to speak, the Public Hearing was closed.

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

4. RC2501349; Reclassification - Frank Moncure Masonic Lodge - A proposed reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcel 39-3A consisting of 1.08 acres, located on the west side of Jefferson Davis Highway approximately 3,000 feet south of Courthouse Road within the Aquia Election District. The Comprehensive Plan recommends the property for Urban Commercial use. The Urban Commercial designation would allow development of commercial, retail and office uses.

Ms. Baker presented the staff report. She stated the application was to request to reclassify from A-1 to B-2 on Assessor's Parcel 39-3A for the Frank Moncure Masonic Lodge #279. She presented a power point presentation showing the location of the property and the Generalized Development Plan. She stated staff recommends approval of the application request.

Mr. Di Peppe asked if the trees would be retained in the back of the property and if the large drainage swale in the center of the property would be graded.

Ms. Baker stated the drainage swale would be engineered at the time an application submitted.

Ms. Carlone asked about the landscaping.

Mr. Stepowany stated the new Landscaping Ordinance had been adopted and the applicant would have to follow the Ordinance.

Mr. Leming, representing the applicant, stated the Lodge has owned this property since 1990. He stated the owners have not been able to secure an entrance permit from VDOT. He stated the rezoning application was submitted in August and the applicant would like to move forward on this project. He stated the Masonic Lodge has spent \$65,000 so far and has not even started construction. He stated the building would be one story with a basement.

Ms. Kirby asked if the project would have well and septic.

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Mr. Leming stated county water and sewer was available for the parcel.

Mr. King, engineer for the project, stated Mr. Kim, owner of the adjoining property, was going to build the entrance to his property and this property.

The Public Hearing was opened.

Patricia Kurpiel stated she has no objection to the proposal. She asked about the applicant proffering the GDP, and what would happen if a creek was found within 10 feet of the building and the GDP was proffered.

Nan Rollison stated in her opinion the GDP needs to be more detailed in terms of the environmental aspects.

Cecelia Kirkman stated she supports this application.

Charlie Robinson stated in his opinion this application would be an improvement to the county.

Mr. Leming stated the proffers have been changed to include the GDP and state the applicant agrees to developed the property in conformance with Generalized Development Plan dated March 2005 prepared by Greenhorne & O'Mara, Inc.

Mr. Di Peppe asked if the application would require RPA work.

Ms. Baker stated the staff reviewed the application and did not feel it was necessary at this time.

Mr. Mitchell made a motion for approval with the GDP included. Ms. Kirby seconded. The motion was approved 7-0.

5. Amendment to Subdivision Ordinance – Proposed amendment to Section 22-58, of the Stafford County Subdivision Ordinance; pursuant to Ordinance O06-07. The amendment will require an approval from the Department of Health for preliminary subdivision plans that will require on-site sewage disposal systems for all or some of the lots. The Department of Health's approval will be based on certification from an Authorized On-Site Soil Evaluator (AOSE) that the soils are adequate for all of the lots within the subdivision that will require an on-site sewage disposal system.

Mr. Stepowany presented the staff report. He stated Ordinance O06-07 would require approval from the Department of Health for preliminary subdivision plans that require on-site sewage disposal systems for all or some of the lots. He stated staff recommends approval.

The Public Hearing was opened.

Ray Freeland asked the purpose of this Ordinance. He stated if the purpose was to insure homeowners have a good drain-field when purchasing a parcel, preliminary plans was not the time to determine that. He stated a homeowner does not purchase parcels from a Preliminary

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Plan but from a Subdivision Plat. He stated the percentage of failed drain-fields was very low. He asked about the Preliminary Plans that have already been submitted. He stated in his opinion the system we have now seems to work.

Craig Johnson asked what problem this Ordinance was resolving. He stated there are two other levels of review, construction plans and plat approval. He stated preliminary plans should be eliminated if this Ordinance is approved. He stated in his opinion any plans already submitted should be considered under the old Ordinance.

Hamilton Palmer stated the purpose of this Ordinance was for better lot yield projections. He stated in his opinion there are better ideas or options.

Ruth Johnson stated in her opinion the Health Department would become overloaded if this Ordinance was approved. She stated the AOSE was currently booked three to four months out due to the backup of Subdivisions packages. She stated this Ordinance would be adding additional steps which are already covered in other applications.

Nan Rollison stated in her opinion, during construction, the soils have to be adequate for sewerage capacity. She stated the water quality has to be sufficient ahead of time instead of finding out later, after the project has begun.

Harvey Gold stated he was in opposition of the proposed Ordinance due to all the reasons stated before. He stated the new Ordinance may increase construction charges due to changes made after the preliminary plans being presented. He recommended that the Planning Commission not approve this Ordinance.

Spencer Hudson stated AOSE and the Health Department each have to review the preliminary plans, which seems to be a duplication of efforts. He stated in his opinion this Ordinance was an over kill and not good business practice.

Robert Burner stated he agrees with everyone that has spoken. He stated in his opinion there was nothing broken so there was no need to fix anything. He stated he would like this Ordinance denied.

Patricia Kurpiel stated she supports the Ordinance and asked the Commission for approval.

Cecelia Kirkman asked for approval of the Ordinance. She stated this Ordinance was very critical and long overdue. She stated the preliminary plans need to be in compliance with the regulation regarding sewage disposal and asked the Commission to please pass the Ordinance tonight.

Kathy Beard stated she was a very concerned citizen. She feels this will not control growth in the community by approving this Ordinance.

With no one else to speak, the Public Hearing was closed.

Mr. Pitzel stated he would support this Ordinance.

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Ms. Kirby stated she checked with the Health Department and Tri County Soil, and they would be happy for this Ordinance to be approved. She stated she would support this Ordinance.

Mr. Di Peppe stated that the Commission was here to protect the public and therefore he supports this Ordinance.

Mr. Mitchell stated he does not support this Ordinance.

Mr. Rhodes asked for clarification of the status of the applications already submitted.

Mr. Harvey stated if the Ordinance was adopted it would go into effect when the Board of Supervisors approves it.

Mr. Cook stated he agrees with Mr. Di Peppe, Ms. Kirby, and Mr. Pitzel, for approval of this Ordinance.

Mr. Di Peppe made a motion for approval. Mr. Pitzel seconded the motion.

Mr. Mitchell stated it is not fair to the applications already in review. He feels that it should be a voice vote.

Mr. Pitzel called the roll.

Ms. Carlone	Yes
Ms. Kirby	Yes
Mr. Cook	Yes
Mr. DiPeppe	Yes
Mr. Mitchell	No
Mr. Rhodes	Yes
Mr. Pitzel	Yes

The motion for approval passed 6-1. Mr. Mitchell voted no.

UNFINISHED BUSINESS:

6. RC2500919; Reclassification – Central Stafford Commerce Center – A proposed reclassification from A-1, Agricultural to M-1, Light Industrial Zoning District on Assessor's Parcels 38-102, 38-102A, 38-102B, 38-102C, 38-102D and 38-104 consisting of 80.70 acres, located on the east side of Big Springs Lane approximately 1,000 feet from the intersection with Eskimo Hill Road within the Aquia Election District. The Comprehensive Plan recommends the property for Light Industrial and Rural Residential uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. Rural Residential use allows single family residential development at a density of one (1) dwelling unit per three (3) acres. **(Time Limit: December 6, 2005) (Deferred to January 25, 2006 Work Session at applicants request)**

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Mr. Harvey stated item 6 was deferred to the January 25, 2006 work session at the applicant's request.

7. RC230334; Reclassification; Brentsmill, LLC – Proposed reclassification of Assessor's Parcels 21-145, 22-20A, 20B, 21 and 22 from R-2, Urban Residential-Medium Density and A-1, Agricultural, to PD-1, Planned Development-1, Zoning District, consisting of 425.34 acres, located on the east side of Telegraph Road, approximately 500 feet south of Denrich Road and on the south side of Flippo Road at its western terminus, within the Griffis-Widewater Election District. The Comprehensive Plan recommends Suburban Residential and Rural Residential uses, which would allow up to three single family detached or duplex dwellings per acre and one dwelling per three acres respectively. This request would allow various dwelling types at a maximum density of seven dwelling units per acre and low and medium intensity commercial retail and office uses. **(Deferred by the Board of Supervisors)**

Mr. Harvey stated item 7 was deferred by the Board of Supervisors.

8. SUB220851; St. Andrews on the Potomac, Preliminary Subdivision Plan - A preliminary subdivision plan for 124 single family residential lots, zoned A-1, consisting of 267.65 acres, located on the north side of Widewater Road at the end of Johnathan Way, on Assessor's Parcels 23-1 and 23-4 within the Griffis-Widewater Election District. (formerly known as HAMLETS OF WIDEWATER SEC 2/changed 1/14/05) **(Deferred to January 25, 2006 Work Session) (Time Limit: February 5, 2006)**

Mr. Harvey stated item 8 was deferred to the January 25, 2006 work session.

NEW BUSINESS:

9. SUB2500983; Berea Knolls Preliminary Subdivision Plan - A preliminary subdivision plan for 31 single family residential lots, zoned R-1, consisting of 34.28 acres, located on the west side of Berea Church Road approximately 500 feet north of Warrenton Road on Assessor's Parcel 44-108, within the Hartwood Election District. **(Time Limit: February 24, 2006)**

Ms. Kaminsky presented the staff report. She stated the application was a preliminary subdivision plan for 30 single family homes, zoned R-1 with proffers. She stated the property was located on Assessor's Parcel 44-108 in the Harwood Election District. She stated all proffers were included with the Cardinal Forest Subdivision except for \$500 for road improvements on Truslow Road and Berea Church Road, and stated the subdivision would be responsible. She stated stormwater management would be controlled on-site by bio-retention facilities. She stated staff recommends approval.

Mr. Di Peppe stated there are no keys or legends on the map. He recommends that future maps would have keys and legends for better understanding. He stated the RPA was very close to several houses, which would not leave room to build a deck.

Ms. Kirby stated homeowner would be paying \$700,000 for a home and not able to attach a deck.

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Ms. Carlone stated since some of the lots are more than 50% in the RPA, which would not allow the construction of a deck or pool, she suggested a sign needs to be put up to advise the homeowner of the RPA area.

Doug Brown stated this property was part of the Cardinal Forest rezoning and it was not developed. He stated to make this a part of Cardinal Forest community the developer would have to cross the creek which would have been very expensive. He stated being a smaller business, he saw an opportunity to create some lots that would not be apart of Cardinal Forest. He stated he understands the concerns about the RPA but there are no wetlands impacts. He stated the purchaser should have in their deed a conservation easement. He stated it was the purchaser's option to select the smaller lots for less. He stated he would be happy to add additional conservation easement that would appear on the deed to clarify what can be done in the RPA area on the property.

Ms. Kirby stated it was wrong to sell someone a house and the back yard can not be utilized.

Mr. Di Peppe asked the applicant if there were plans to grade the steep slopes.

Mr. Brown stated there would be some grading, but no grading would be done in the RPA area.

Mr. Mitchell asked if lots 18 and 23 would have documentation noting they were non-buildable.

Mr. Brown stated yes.

Ms. Carlone made a motion to send this to the committee for further discussion. Ms. Kirby seconded the motion.

Mr. Mitchell asked if the applicant has met the staff requirements.

Mr. Cook stated yes. The motion to send item 9 to committee passed 6-1. Mr. Mitchell voted no.

Mr. Cook stated this item would be discussed at the January 25, 2006 work session.

10. SUB2500977; Amber Oaks Preliminary Subdivision Plan - A preliminary subdivision plan (previously Richland Forest Section 4) for 28 single family residential lots, zoned A-1 consisting of 98.45 acres, located approximately 2,500 feet south of Warrenton Road east of Marsh Run Estates on Richwood Cove extended on Assessor's Parcels 34-50, within the Hartwood Election District. **(Time Limit: February 24, 2006)**

Mr. Stepowany presented the staff report. He stated this application was previously submitted as Richland Forest, Section 4 on April 14, 2005. He stated the preliminary plan proposes 28 single-family residential lots on a 98.45 acre parcel with a minimum lot size of three (3) acres. He stated the proposed subdivision was located at the end of Snowy Egret Way, approximately 2,500 feet south of Warrenton Road. He stated the lots would be serviced by private well and on-site sewage disposal system. He stated staff recommends approval of the application.

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Mrs. Kirby asked if a Corp permit was required.

Mr. Stepowany stated yes and all permits would be obtained as noted on the plan.

Ms. Pitzel asked if the other properties had been built out and how access would be obtained to this property.

Mr. Stepowany stated the property along Richwood Cove have not been built out. He stated that was depending on this development to finish Marsh Run Estates.

Mr. Di Peppe asked since he only had his plan for 10 minutes, was the 5 day rule being violated.

Mrs. Roberts asked if the plan was available at the Planning office 5 days prior to the meeting.

Mr. Stepowany stated it was not available with the wells drawn in.

Mrs. Carlone made a motion to send the application to committee to allow the five days for public review and comment. Mr. Di Peppe seconded. The motion passed 7-0.

Ms. Carlone made a motion to reconsider and send to the regular meeting not to committee. Ms. Kirby seconded. The motion passed 7-0.

Mrs. Carlone made a motion to send item 10 to the January 25, 2006 Commission meeting. Mrs. Kirby seconded. The motion passed 7-0.

MINUTES:

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated for the benefit of the new members, staff has provided copies of the staff report for the Crow's Nest Preliminary Plan. He stated there has been an appeal filed with the Board of Zoning Appeals. He stated the Board of Supervisor approved the Conditional Use Permit for Professional Collision Center and approved a number of street names changes for different parts in the county. He stated the Board deferred Monte Vista and Riverside Center rezoning due to traffic impact concerns. He stated the Board of Supervisors also was looking forward to hearing from the Planning Commission recommendation for Parks & Recreation Commission, ARB and the Old Falmouth Renaissance Commission.

COUNTY ATTORNEY'S REPORT

No Report

SECRETARY/TREASURER REPORT

No Report

STANDING COMMITTEE REPORTS

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SPECIAL COMMITTEE REPORTS

Mr. Cook presented the following recommendations for Committee appointments:

Comp Plan – Steve Pitzel, Chairman
Arch Di Peppe, Vice Chairman
Debrae Karnes, Citizen

Ordinance Committee – Arch Di Peppe, Chairman
Barbara Kirby, Vice Chairman

TRC – Barbara Kirby and Ruth Carlone

ARB – Barbara Kirby

Parks and Recreation Commission - Ken Mitchell

Transportation Commission – Mike Rhodes

Old Falmouth Renaissance Commission – Arch Di Peppe

CHAIRMAN'S REPORT

Mr. Cook asked if any members have any comments to present.

Mr. Di Peppe asked if the Planning Commission meetings would be shown on television and asked about the agenda being available on line. He stated in his opinion the Crow's Nest peninsula should be put in the Historic Overlay District.

Mr. Harvey stated staff was meeting with Information Technology concerning the Planning Commission agendas and staff reports being posted on line, hopefully by the end of the week. He stated he would speak with the County Administrator concerning the meetings being televised.

Mr. Mitchell stated he would like to thank the four (4) former members of the Commission for all their hard work and dedication. He stated all the years the former members had working with the Planning Commission was a credit to the County.

Mr. Rhodes stated he was looking forward to working with everyone.

Ms. Carlone asked if the By-laws could be revised to reflect members of the Planning Commission that do not attend the meetings regularly to receive a letter and if the absence continues the Supervisor would appoint someone else to serve.

Mr. Cook appointed Ms. Carlone to chair the By-Laws Revision Committee and Ms. Kirby to work with her.

Mr. Cook stated a delay was requested in holding the Public Hearing for the Sensitive Resource Overlay Ordinance sent down by the Board. He stated Mr. Fields blocked that in committee and he has been advised to resubmits the request so the Commission could pin down the areas that it would apply to and if it is for new construction only or to existing. He stated with the

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Commission's approval he would request a delay. He stated if the Board refuses the delay, the Public Hearing would be held January 25, 2006.

Ms. Kirby asked if a map would be available that shows which areas involved.

Ms. Baker stated a Preliminary map was available showing some potential areas that could be considered. She stated the Board wanted the Planning Commission to set the boundaries before a final version was submitted.

Mr. Cook stated the Planning Commission would need more time and he would send another letter.

Mr. Cook stated the Board sent back to the Planning Commission the Widewater Plan to schedule another Public Hearing because too much time has elapsed. He recommended that a letter be sent to the Board requesting a delay until the new Comp Plan was put in affect, because the Widewater Plan is part of the Comp Plan.

Mr. Harvey stated he would send a letter to the Board requesting a delay in the Widewater Plan.

ADJOURNMENT

With no further business to discuss the meeting was adjourned at 11:00 p.m.

William Cook
Chairman