

STAFFORD COUNTY PLANNING COMMISSION
MINUTES
August 15, 2012

The meeting of the Stafford County Planning Commission of Wednesday, August 15, 2012, was called to order at 6:31 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Rhodes, Hirons, Apicella, Boswell, Hazard, Gibbons, and Schwartz

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, McClendon, Baker, Blackburn, Zuraf, Ansong, Narvaez and Knighting

Mrs. Hazard stated all seven members were present.

DECLARATIONS OF DISQUALIFICATION

Dr. Schwartz stated he was a personal friend of the current owner of the property, Mr. Adams, for item number 7 but it would not play a role in his decisions.

Mr. Boswell stated that he owns an automobile business.

Mr. Gibbons stated he visited the site and had a discussion with the developer of item number 7.

UNFINISHED BUSINESS

1. Urban Development Areas - Discussion of Urban Development Areas to study the future applicability of Urban Development Areas in the County and identify any recommendations that should be considered for amending the Comprehensive Plan. **(Time Limit: October 4, 2012)**

Mike Zuraf gave a brief presentation to the Commission. He stated this item was last discussed at the July 11th Planning Commission meeting. The Commission continued discussion of the future applicability of Urban Development Areas in the County and consideration of amendments to the Comprehensive Plan. He stated that at the last meeting the Commission reviewed information provided by staff and several questions arose from that discussion. He stated staff provided the Commissioners with an add-on item at their seats, with building permit and population data from 2010 to the current time. He stated the first issue raised at the last meeting was concern with the amended population projections developed for the George Washington Regional Commission, specifically, that the population projections were only a few thousand people less than the original VEC projections, which were developed in 2007. To address the Commission's concerns, staff has invited Kevin Byrnes, Director of Regional Planning and Regional Demographer for GWRC to attend the meeting and discuss the projections.

Kevin Byrnes gave an overview of the projections. He stated the last plan had a base year of 2006 for the 2035 Horizon Plan. So, in updating the plan for 2040, the 2012 Census was selected as the base year. At that time there were expectations that the VEC projections would not be updated until sometime this year or next year, so they would not be available in time to support the update Long-Range Plan so they had to consider a reasonable alternative. Mr. Byrnes gave a presentation of the projections. Included in the packages is a full report that serves as a basis for the projections.

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Mr. Gibbons asked why Caroline County was not included in the study. Mr. Byrnes stated that the Washington Council of Governments had not yet added Caroline to their Long-Range travel demand model.

Mr. Apicella expressed his concerns that Mr. Byrnes may not be working with the right information based on the current economic climate. He stated the numbers did not seem realistic. He asked what timeframe and sources should the Commission use to come up with a more accurate reflection of population growth. Mr. Byrnes stated that part of the process that he was familiar with was the Regional Scenario Planning Process that was an attempt to better integrate local land use planning with regional transportation planning. The Scenario Planning Model basically took the County's Parcel Level Data, the County's Zoning Maps, the County's Comprehensive Plan, and tried to capture all of that in the computer model and then using the guidance of the County's Development and Control Ordinances, then allocate growth where the County Policy advocates where growth should or should not go, and allocate population and employment growth around the County in areas zoned for it. They would then see if there was enough land already approved under the Zoning Ordinance to accommodate the growth envision by the plan to accommodate growth beyond what the zoning currently accounts for and years to come. Mr. Apicella asked what base number should be used to accommodate the levels of growth. Mr. Byrnes stated it would be of interest to the Commission to have a presentation on the Scenario Planning Process in the future. Mr. Apicella asked what would be the risk of the Commission waiting to get the 2013 projections and then make a discussion. Mr. Zuraf stated that would be an issue for the Planning Commission to discuss with the Board of Supervisors because they have set a specific October timeframe to get information back.

Mr. Rhodes asked if there were prescriptive sources of population growth that they had to use. Mr. Harvey stated that was correct, they had to use either Virginia Employment Commission or the GWRC numbers. Mr. Rhodes asked if there were any other prescriptive requirements associated outside the UDAs. Mr. Harvey stated for the Comprehensive Plan he did not recall specific requirements to use certain data sets, but the Commission did have to plan out for a specified period of time, typically 20 years.

Mr. Zuraf continued with the presentation and gave an overview of the items. He stated the time limit set to have information back to the Board was October 4th. He asked the Planning Commission for direction as to how staff should proceed. Mr. Rhodes suggested a discussion with the Board to see about the receptivity for additional time and possibly the ability to delay the project to get some other projections just to see how those were forming while the Commission better determines what it was they are really trying to consider. Mr. Apicella made a motion to draft a communication to the Board for an extension or deferral until the first or second quarter of next year. Mr. Gibbons seconded the motion. The motion passed 7 to 0.

2. RC1200061: Reclassification – Walgreens at Cool Spring Road – A proposed reclassification from M-1, Light Industrial to B-2, Urban Commercial Zoning District to allow a pharmacy and other retail uses on a portion of Assessor's Parcel 54-48, consisting of 4.27 acres, located on the south side of White Oak Road east of Cool Spring Road in the George Washington Election District. **(Time Limit: October 9, 2012) (History - Deferred at July 11, 2012 to August 15, 2012)**

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Kathy Baker gave the presentation and stated the public hearing for reclassification, RC1200061, was previously held on July 11th and the Commission raised several concerns at that meeting. She stated the first issue discussed was the architecture of the building design. The applicant submitted a revised rendering that was more in keeping with the colonial style. It was red brick with one corner feature where the entrance would be located. She stated that the architectural renderings were proffered as part of the Commission's new proffer submission. She mentioned the other issue that was discussed, was the potential for proffering out more intense uses on the property, specifically for the second building. She stated that the applicant submitted revised proffers to limit the use of the future second building within the B-2 district. She stated there were issues regarding transportation, particularly with the entrances along White Oak Road. She gave a brief overview of the modifications to the revised GDP that was submitted to the Commission. She mentioned the other issue that was raised was the tax revenue generation, and the applicant would be addressing the issue. She stated the Commission was provided a letter of concern from nearby residents. An additional change was made to proffer number 7, Adjacent Wells, in regards to an issue that came up after the Planning Commission's meeting, about the residents' concerns of grading across the street potentially impacting wells.

Mr. Gibbons asked if the applicant was considering B-1 or B-2. Mrs. Baker stated it was the Commission's decision to consider either B-1 or B-2. She stated there had been discussion as whether B-1 would be feasible, and the applicant would address that issue. The application as it stands has been advertised as B-2. The current zoning is M-1.

Mr. Rhodes suggested continuing with the presentation and then proceeding to the public comment portion.

Mr. Clark Leming gave a brief overview of the presentation to the Commission. He stated there were two sets of proffers and the only difference between them was the architectural rendering that was referenced at proffer number 3. One of them shows the date of August 7th and one shows the date of August 8th. He stated the applicant added a preliminary sentence to proffer 3 that defines what was going to be done initially with the property. He addressed the B-1 zoning issue and stated that proffering out the uses or limiting the uses to be more acceptable was a perfectly credible way of restricting what could be done within a particular zoning district. The initial intent was simply to restrict the uses. He stated that based on their conversations with Dr. Schwartz and additional engineering by examining FAR and open space, the applicant has decided that both buildings could also be accommodated in the B-1 district. He stated in the event that commercial zoning, B-1 or B-2, was not approved, then the described proffers are withdrawn and/or are null and void. He stated if the property was approved B-2, the uses were still restricted in the B-2 district so the proffer still exists but it was only applicable if it was zoned B-2. If it was rezoned B-1, the Ordinance would govern the more limited uses that would be permitted within the B-1 zoning district.

Mr. Gibbons stated the proffers were not limited to just the two structures. Mr. Leming stated they would not have a problem limiting the proffer to two structures because it was inherent to the property, if the Planning Commission so wished.

Mr. Leming stated there are significant differences between B-1 and B-2. B-2 is more a desirable zoning from a market standpoint. They are accepting of the concerns that have been expressed and are willing to go with the B-1 zoning. Mr. Apicella expressed his concerns of why the applicant would not be willing to be zoned B-1 with the same uses. Mr. Leming stated because B-2 is more valuable zoning. Mr. Apicella expressed his concern of the second building being restricted to the listed uses that have

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been proffered and the applicant not being acceptable of B-1 zoning. Mr. Leming explained that they are willing to accept B-1 zoning, but their preference is B-2. Mr. Leming suggested removing the B-2 reference in proffer number 5 to state the applicant agrees that the use of the second building shall be limited to the following. Mr. Leming explained proffer number 7. He stated he was unsure if the applicant was considering taking field dirt from across the street, but it is a possibility. He it has been proffered so that in the event that occurs and there is contamination or damage to a well, the well would be either reestablished or there would be a connection made on behalf of that property owner to public water. He stated there is a process by which this occurs and continued with an overview of the process for proffer number 5. He suggested removing the first clause at proffer number 5 and adding a provision that states there would be no more than 2 buildings on the property.

Mr. Hirons asked where the monument sign would be placed and asked if there would be only 1 sign or 1 sign at each entrance. Mr. Leming stated there would be 2 signs, 1 at the entrance and 1 on the corner of Cool Spring Road. Mr. Hirons expressed his concerns of the signage for the Walgreens location. Mr. Leming stated that the reader board would be at the far left side of the property facing the direction of traffic.

Dr. Schwartz stated his concern with the potential conflict with vehicles exiting the western right-in/right-out entrance and vehicles making a U-turn at Northside Drive. He stated it could be a potential public safety issue. He asked if Debruen Lane could be used an additional access point. Mrs. Baker stated that in her discussion with VDOT they could not give a definitive answer based on the information provided, it would likely require revisions to the Traffic Impact Analysis and there are typographic considerations as well as the existing storm water pond could potentially impacted by the road. Mr. Leming stated there was a railroad crossing that would cause major issues if Debruen Lane was used as the main entrance. Mr. Leming asked if they knew why VDOT wanted the striping. Mr. Weaver stated VDOT wanted the striping in case they ever wanted to make that a continuous lane.

Dr. Schwartz recommended deferring the discussion for future study on Debruen Lane, the traffic, and the Board of Supervisors decision on Road Impact Fees. Dr. Schwartz suggested considering the building elevations dated August 7, which shows an all brick frontage.

Mr. Rhodes suggested continuing the discussion after public presentations.

(Discussion continued after public presentations)

3. Architectural Design Standards – Amend the Traditional Neighborhood Development Plan, an element of the Comprehensive Plan, to incorporate Architectural Design Standards. **(Time Limit: October 5, 2012) (Deferred at April 18, 2012 to May 2, 2012) (Deferred at May 2, 2012 to May 16, 2012) (Deferred at May 16, 2012 to June 6, 2012) (Deferred at June 6, 2012 to June 20, 2012) (Deferred at June 20, 2012 to July 11, 2012) (Deferred at July 11, 2012 to August 15, 2012)**
(Authorize for Public Hearing by: August 15, 2012)
(Potential Public Hearing Date: September 19, 2012)

(Discussed after public hearings)

4. Amendment to Zoning Ordinance – A proposed Ordinance to amend and reordain Stafford County Code regarding sign regulations for uses such as places of worship, community centers, marinas,

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golf courses, nursing homes, schools, and other similar uses permitted by conditional use permit in various zoning districts but do not permit signs in that district for that use. The regulations are to allow for signage that is compatible with the other uses within the zoning district and community and shall include on-premise and off-premise signs. **(Time Limit: November 7, 2012) (History - Deferred at July 11, 2012 to August 15, 2012)**
(Authorize for Public Hearing by: September 19, 2012)
(Potential Public Hearing Date: October 17, 2012)

(Discussed after public hearings)

5. By-laws Update – Proposed changes to order of business, meeting dates and times. **(History - Deferred at June 20, 2012 to August 15, 2012)**

(Discussed after public hearings)

NEW BUSINESS

None

7:30 P.M.

PUBLIC PRESENTATIONS

Harold Bell of Northside Drive stated he was there to discuss the Walgreens of Cool Spring Road. He stated he owns three properties on Northside Drive that were potentially impacted by the development. He gave thanks to the Commission members for their work and their intention of insuring the logical and safe growth in the County. He stated he received two emails from other property owners that had concerns about the new development. He stated he would like to see proper zoning for the site and he supports the B-1 zoning and limitations that were presented. He requested the Commission consider the materials that were submitted and properly protect the community and residents in the area. He stated B-1 was in line with the rest of the zoning around the area and it was more amenable to this particular property. He stated that B-2 zoning was typically found along highways and major arteries in the County. He stated that in the recent research study about proffers he discovered that when proffers were accepted they were typically used to benefit the community and the communities concerns, but it could also limit your ability to be able to go back and do something in the future. It really helps the land owner to be the only person that can go back and request rezoning of that property. He asked the Commission to consider that as they consider the proffers. He stated the concerns the residents had impressed upon him were their concern of the noise, the traffic, and the safety of the community and people that travel White Oak Road. He stated now that they have installed the new 218 at the intersection of Deacon and Cool Spring, it seems as if there was an accident every week there now and before the road was created that was not the case. He stated that many people in the community asked him about the setbacks. He stated it does concern him and the residents in Ridge Point that back up to the property that was across the street. He stated when you go to a B type zoning for this particular property the setbacks on the back side end up being 25 feet, but under M-1 it was about 40 feet. So when the property owners rezone to B type zoning they are going to gain about 15 feet of the residents property within the perimeter that they would not otherwise have been able to use.

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Rob Grogan of Northside Drive stated his property was very historic and the Commissioners should be aware of the history in that area. He stated the residents were sensitive to what was developed in that area. He stated that he agreed with everything Mr. Bell previously stated both the gratitude to the Commission and the concerns. He stated his biggest concern was the danger and hazards of driving in and out of Northside Drive. He mentioned that Dr. Schwartz could not have emphasized it enough and he greatly appreciates it. He stated it was brutal during rush hours and busy shopping days. He stated in his opinion all of the new traffic would only make it worse for both ends of Northside Drive. He stated he recently taught his daughter how to drive and asked her what in the whole experience had been the most difficult. She replied getting off of their street and he replied that was the same experience he had and he had been driving for 43 years. He stated he cannot emphasize enough his concern for safety in that area.

Mike Lavery of Ridge Point stated that his property backs up to the clearing that was part of the rezoning. He stated he agreed with everything everyone had previously stated. He stated his biggest concern was the traffic because coming out of Ridge Point you play chicken and the entrance looks even closer than the Ridge Point exit. He asked the Commission to stay diligent on where those entrances were and how people come in and out.

Francis Okeson of Northside Drive stated he lived directly across from the new development. He stated he was very concerned about the lights, the noise, the trash, and the horrible traffic. He stated he picks up the trash up and down Northside Drive for VDOT and he cannot blame McDonalds or anybody else because it was the people who throw the trash out. He stated whatever business goes in the back, if it was a fast food place, trash was going to be out on the road. He stated he does not give much trust to VDOT because they told him lies when they were going to put 218 through there and everything that they said was going to happen did not. He stated when you come out of Northside Drive you cannot see the traffic going east on 218. He stated the thought about going out at the top of Northside Drive was even worse than coming out at the bottom side. He stated the Commission should be careful with VDOT because he does not trust them.

With no one else coming forward, Mr. Rhodes closed the public presentation and proceeded to item number 2.

2. *RC1200061: Reclassification – Walgreen’s at Cool Spring Road* – *A proposed reclassification from M-1, Light Industrial to B-2, Urban Commercial Zoning District to allow a pharmacy and other retail uses on a portion of Assessor’s Parcel 54-48, consisting of 4.27 acres, located on the south side of White Oak Road east of Cool Spring Road in the George Washington Election District. (Time Limit: October 9, 2012) (History - Deferred at July 11, 2012 to August 15, 2012)*

Mrs. Hazard stated she would like to have more insight in making sure that as VDOT does any further analysis that the Commission was aware of the exact location of the sign.

Mr. Rhodes clarified that there was the reference to a limitation of only two structures on the developed property. He stated if it was acceptable to the Commissioners to go ahead and modify all of the proffers to the B-1 discussion and get clarity on the signage. The strong points from a safety perspective were particularly the access to Debruen Lane which pulls some of the demand off of the other two entrances and allows you access to Cool Spring, which does have a lighted intersection and the concerns of the right-in/right-out entrance and Road Impact Fees. Dr. Schwartz stated the Commission had also come to an agreement on the Architectural Rendering of the August 7th version. He made a motion to defer the

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decision on the Reclassification RC1200061 until the next meeting and to further address the items discussed. Mr. Gibbons seconded the motion. The motion passed 7 to 0.

Mr. Rhodes proceeded to item number 6.

PUBLIC HEARINGS

6. Amendment to Zoning Ordinance – Proposed Ordinance O012-16 to amend and reordain Stafford County Code, Section, 28-25. “Definitions of specific terms;”, Section 28-35, Table 3.1 “Table of Uses and Standards;” and Table 7.1, “Required Parking Spaces” to define data centers, list them as a principal permitted use in the zoning ordinance and provide a parking standard for such use as an economic development strategy in order to attract data centers to the County. **(Time Limit: September 18, 2012)**

Susan Blackburn, Zoning Administrator, gave an update for the adoption of Ordinance O12-16, to amend the Stafford County Code for “Definitions of specific terms,” “Table of Uses and Standards,” and “Required Parking Spaces” for data and computer service centers. She stated the Board of Supervisors had addressed a request from the Department of Economic Development. That they wanted to bring data centers into the County as a strategy to promote business in the County. In March, Economic Development requested that staff do the research on the subject and present the findings to the Committee. She stated the Community and Economic Development Committee listened to the presentation and agreed to send it to the Board of Supervisors. The Board then instructed the Planning Commission to review the subject and draft an ordinance. She stated computer and data service centers normal needs were usually structures with large square footage, they operate 24 hours a day with multiple shifts, they have small number of employees on each shift, they have no contact with the general public other than servicing, and the parking requirements were normally proportionally small compared to the square footage of the building. She stated the elements of the proposed Ordinance deal with the definition and for staff to define the computer and data service centers, the Board felt that this was important because it would show that the County understood the use and was more than willing for them to come to the County. Staff also listed data and computer service centers in the various Zoning Districts, which was B-2, Urban Commercial; RBC, Recreational Business Campus; M-1, Light Industrial; and M-2, Heavy Industrial because of their large box general design. She stated staff also made suggestions for the Ordinance in parking standards, requiring 1.5 parking spaces per the number of employees on a maximum shift. She explained the definition staff devised was a use where the majority of the space was occupied by computers and/or related equipment and where information was processed, transferred and/or stored. Data and computer service centers may contain data technology centers, internet service providers, network operations centers, web hosting facilities and other similar establishments primarily engaged in providing direct access through telecommunications networks to computer-held information. She stated the definition may change as technology changes. She gave the Commissioners a PowerPoint presentation with visual demonstrations. She stated staff supports adoption of proposed Ordinance O12-16 as it would provide a definition for data and computer service centers along with a specific parking standard. She stated this would be part of a proactive approach to attracting such economic endeavors to the County.

Mr. Hirons asked if Economic Development provide the Commissioners with any information on what they found as far as the economic potential. Mrs. Blackburn stated they did not. Mr. Hirons asked if they had the information or were still working on it. Mrs. Blackburn stated staff could ask and provide that information to the Commissioners. Mr. Hirons stated that information would be useful before the

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Commission takes action. He asked if the data center does not work out, what would be the alternative uses for that type of building and what would be their parking requirements. Mrs. Blackburn stated staff would ask Economic Development if they had any information on the economic impact. Mr. Hirons stated he would also prefer to have information on other jurisdictions that have gone through the process of having data centers and how they have progressed economically.

Mr. Apicella asked if the staff of Economic Development or the EDA had thought about any incentives to encourage data centers. He suggested staff ask the EDA and Economic Development staff to take another look at the information to see if it was the proper language and measures being used to develop a successful data center.

Mr. Rhodes opened the public comment portion. With no one coming forward, Mr. Rhodes closed the public comment portion of the public hearing and brought it back to the Commission.

Mr. Hirons made a motion to defer action on this item until the next Planning Commission meeting to allow staff time to coordinate with Economic Development for more information. Mrs. Hazard seconded the motion. Mr. Hirons stated he believes this project could be a good economic boom for the County. The motion passed 7 to 0.

7. CUP1200273; Radley Management LLC – A request for a Conditional Use Permit to allow automobile repair and motor vehicle rental in a B-2, Urban Commercial and HC, Highway Corridor Overlay zoning district on a portion of Assessor's Parcel 38-25N. The property consists of 2.78 acres located on the south side of Perchwood Drive east of Tyler Von Way within the Falmouth Election District. **(Time Limit: November 13, 2012)**

Kathy Baker gave the presentation and stated the site was location to the west of Jeff Davis Highway and to the north of Perchwood Drive. There was a secondary access road called Tyler Von Way. Most on the parcels on the map were part of Crane's Corner Industrial Park. The existing feature of the site on Perchwood Drive was a cul-de-sac. Tyler Von Way is a private road that does serve other uses in the industrial park. There was an existing building on site that was previously developed and used most recently for Webb equipment. There were two flex office buildings that were on the property, with the primary use of that being the church and an associated daycare with the church. She stated the actual proposal was to utilize the existing building as an automobile repair which was proposed as Radley Collision Center. Radley currently operates a similar business in Spotsylvania. She stated there would be on-site vehicle rental and an insurance business for collision customers. The actual vehicle rental was currently proposed not to have the rental vehicles on-site. The building was approximately 4,800 square feet which would be the office and the remaining 16,000 square feet was for the service space. The applicant was not planning any changes to the site infrastructure. The rear of the site would be used for parking of the vehicles being serviced. There was not a Traffic Impact Analysis required based on the volume of traffic anticipated at 154 vehicles per day, 33 vehicles per hour at its highest level. The applicant indicated that 70 percent of the vehicles would be the drive in repairs and 30 percent would be vehicles that may be towed to the site. She stated there would be an average of 52 vehicles on site, with 20 within the building. She gave a brief overview of the conditions that staff proposed to help offset any potential impacts of the new use. Staff recommends approval with the proposed conditions, except for the striking of the one condition on the general advertising signs. She stated the application was in conformance with the Comprehensive Plan, consistent with the development patterns in the area and would have minimum impact.

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Mr. Hirons asked for more in depth details of the no general advertising signs and the conflict with the existing proffer. Mrs. Baker stated the existing proffer stated that the site itself, which includes the original 20 acres, was zoned B-2. She stated when the property was originally zoned there were 40 acres that were zones M-1, 20 acres were subsequently zoned to B-2 and the proffers associated with that indicated one general advertising sign for the industrial park, so the County Attorney thought that by having the limitation with no general advertising signs it was specific to this property but it still could be considered a conflict with the overall proffers. Mr. Hirons asked if they could just apply proffers that make it more restrictive. Ms. McClendon stated the problem was staff was considering a CUP, which was the County's opposing conditions and the proffers were part of that underlying zoning, so they are looking to amend the underlying zoning, which was a conflict.

Mr. Gibbons asked if there was any history of the property violating the original proffers. Mrs. Baker stated not to her knowledge. She stated the majority of the conditions were standard conditions that have been applied to other uses of a similar CUP.

Mr. Apicella asked if there was a difference between inoperable and totaled vehicles. Mrs. Baker stated from staffs perspective they were looking at inoperable as a vehicle that does not have a license, but the applicant would address that issue. Mr. Apicella stated that his concern was the site being a temporary dumping ground for totaled vehicles compared to what the site was previously used for. He asked for clarification on the position of the church on the proposed CUP. Mrs. Baker stated the church did send a letter of support and it was included in the Commissioners packets as attachment 11. Mr. Apicella asked if the applicant was amiable to the entire list of proposed conditions with the one exception that staff recommended. Mrs. Baker stated the applicant indicated to her that they were, but he could ask them when they come forward. Mr. Rhodes called for the applicant to come forward.

Sherman Patrick, with Compton and Dueling in Prince William County, gave the presentation. He stated the building was essentially staying the same, but wanted to give the Commission an overview of how the site would look with a different sign on that elevation. He stated the location was certified by Geico and there would be two Geico staff members on site, so they could quickly do estimates as a convenience to the customers and identify any automobiles that could be totaled. He stated the site was previously used for heavy equipment sales and repairs, but now they would be managing much smaller objects and it would be a much cleaner facility. He stated the surrounding uses included a lot of auto repair uses and used car sales on Route 1. He stated that directly across the street from this site was a transmission repair facility and an excavating contractor. He gave a brief overview of the site map and noted that Germanna Community College was opening a facility on the west side of Route 1 that would be a vocational technical training facility for auto repair. He stated the abutting properties to the northwest and southwest were B-2, Urban Commercial, but they were occupied by used car dealerships and similar uses and construction type of operations. He presented the Commission with a slide presentation of the existing building. He stated that Radley would be changing the sign and the color on the portico roofing. He stated the site was set back 150 feet from Route 1, so the site was not very visible on Route 1. He stated Radley thought it would be best to locate the vehicles in the rear of the property, using the typography as a natural screen, which would put them 20 feet below the road. As for the interior of the building, there would be offices. He stated that the car rental aspect was really a part of Radley's goal of creating a memorable experience for the customer and providing them a one stop opportunity to have their car repaired with the least amount of pain. He stated common repairs in most facilities were bumper repairs. The National Highway Traffic Safety statistics stated that 30 percent of all accidents were rear-end collisions. He stated the new facility would have lifts to raise the vehicle. The majority of the vehicles that would be on site would actually be inside of the facility. He mentioned that the facility will have 2

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paint booths inside the building. The site would consist of 74 parking spaces and a 47 foot wide delivery driveway entrance and a 40 foot wide drive aisle around the building. He presented an envisioned drawing of the site to the Commission. He stated the vehicles that were brought in to be repaired were drive-ins, and if it was a non-drive it would be taken by truck to the delivery drive-way entrance and come through the site. He stated this site was a \$3.5 million per year business that creates 15 jobs just for the Radley employees, with an additional benefit of the 2 or 3 jobs that would be created for enterprise leasing as well as for Geico. He stated the applicant was in agreement with the conditions that were proposed by staff.

Mr. Hirons asked if the applicant would be acceptable to add a condition that would limit the number of rental cars that would be on the property at any time to 15. Mr. Patrick stated the applicant suggested that 20 spaces would give him a buffer margin. Mr. Hirons stated that would be acceptable. Tom Blalock, representing Radley, stated that the car rentals would only be for Radley customers.

Mr. Apicella asked if the applicant would be willing to consider an additional condition that would limit the amount of days that a totaled car would remain on the property. Mr. Harvey stated staff attempted to address that issue in condition 6, which stated that any outside parking of inoperable vehicles shall be limited on the site to a maximum of 30 days. Mr. Apicella suggested adding the term "totaled" to condition 6.

Mrs. Hazard asked if there were any handicapped parking spaces required for the site. Michael Adams stated that the handicapped parking was located in the front of the building and also a separate section in the back.

Mr. Rhodes gave clarification of the modified conditions. Condition number 6 would read any outside parking of inoperable or totaled vehicles shall be limited on site to a maximum 30 days, and prohibited from parking on Perchwood Drive and Tyler Von Way. Condition number 8 would read only passenger vehicles (which included pick-up trucks and SUVs) shall be rented at the proposed location. No more than 20 spaces can be used for these rental vehicles. Mr. Hirons made a motion to accept the modified proffers as amended and striking condition number 11. Dr. Schwartz seconded the motion. Mr. Hirons made a motion to recommend approval of CUP 1200273. Mr. Apicella seconded the motion. The motion passed 7 to 0.

8. COM1200245; Comprehensive Plan Compliance Review, Jumping Branch Farm, LLC - A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the extension of water and sewer outside of the Urban Services Area, to serve up to 158 lots on Assessor's Parcel 36-67A, located on the north side of Truslow Road, approximately 1,900 feet west of Berea Church Road within the Hartwood Election District. **(Time Limit: October 14, 2012)**

Amy Ansong gave the presentation and stated the parcel was 36-67A located on the north side of Truslow Road approximately 1,900 feet west of Berea Church Road and the subject area was 317 acres. She stated the Comprehensive Plan request for Jumping Branch Farm, LLC was a request for extension of public utilities. She gave a demonstration of the aerial photograph and land use map of parcel 36-67A and stated the parcel was zoned, A-1 Agricultural. She stated this proposal for the Comprehensive Plan Compliance for Jumping Branch Farm was a request to connect to public utilities outside of the County's designated Urban Services Area and the applicant was proposing to have a maximum of 158 homes as a cluster development. She gave the Commission a demonstration of the three alternative sewer lines and stated

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staff looked at the Comprehensive Plan to determine whether or not this particular property would have access to public water and sewer. She explained that by looking at Objective 1.4 of the Comprehensive Plan, Policies 1.4.1 and 1.4.2 state that areas outside of the USA would be characterized by large lot residential subdivisions, agricultural activities, and open land. These rural areas would have limited public services, utilities and facilities. Water and/or sewer should not be extended beyond the current boundaries of the USA for residential projects, with the following exception: allow for the extension of public sewer utilities outside of the USA only where there has been documented risk to public health and where application of the current pump and haul policy would be financially excessive to county utility rate payers. She stated based on those objectives stated in the Comprehensive Plan, staff was recommending denial of the Comp Plan Compliance, 1200245, due to the lack of risk to public health.

Mrs. Hazard asked if the application was a request to extend the USA boundary. Ms. Ansong stated no it was not.

Mr. Apicella asked if public water and sewer was necessary to cluster in an A-1 district. Ms. Ansong stated no it was not. Mr. Apicella asked if the applicant wanted to cluster they could do so in the absence of having public water and sewer authorized. Ms. Ansong stated that was correct. Mr. Apicella asked for clarification that the Commission would only offer bonus density for A-1 property where public water and sewer was already in place. Ms. McClendon stated staff was looking at the A-1 standard and currently under conventional zoning it was 1 unit per 3 acres. Under the Cluster for conventional zoning, you have 1 acre minimum with a 1.5 average, so that changes it from conventional to cluster without public water and sewer. Mr. Rhodes asked the applicant to come forward.

Clark Leming, representing Jumping Branch, LLC, presented the Commission with a Comprehensive Plan Compliance review pursuant to Section 15.22232 of the State Code. He stated he spoke with the Director of Utilities, Mr. Harry Critzer, and there was an Ordinance that makes water connections mandatory if the cost of bringing off site water to a property was below a certain amount. He stated Mr. Critzer confirmed that in this case, mandatory water connection would be required. He explained the reason for that being water was already on Truslow Road, the offsite connection would cost approximately \$15,000 to \$20,000. Even though the focus had been on sewer, the presentation was couched in terms of utilities. He stated there are a couple of ways that water connections were made mandatory under State Code. One was the cost of the offsite connection and it was a formula that basically comes down to a certain dollar amount per unit that would go on the property. That figure using the by-right density number would be approximately \$250,000. He stated in the Code you were also required to connect to water if you were within 300 feet of an existing water line, but it was unclear whether that pertains to the whole property or just the first couple of lots. He stated this was ultimately intended to be an application that was brought pursuant to the County's new Cluster Provision. He stated this was step one but there were three steps that the applicant would follow in order to follow through on the cluster plan. He gave a brief overview of the necessary steps in the process. He stated staff indicated that the Comprehensive Plan specifically encourages clustering in the agricultural areas in Policy 1.6.5 of the Comprehensive Plan. He stated the Commission had just adopted an Ordinance that implements that policy to permit clustering within the agricultural areas. He stated the Comprehensive Plan's Action List includes a step to bring the Zoning Ordinances into conformance with State Code. He stated the Comprehensive Plan by State Law was intended to be general in nature; it was not a Zoning Ordinance. He suggested the Commission balance the different provisions of the Comprehensive Plan, encouraging the clustering and balancing with the Comprehensive Plan. He stated there was a provision under the Ordinance that states you can cluster 1.5 acre lots in an agricultural district without having sewer. He stated there are three options that the owner of an agricultural property now has. He stated there was a

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time, it was consistent with Chesapeake Bay, to have a conventional primary drain field and alternative reserve system, but the Ordinance does not permit that. He mentioned that the alternative systems are extremely expensive, in some cases cost prohibitive or at least points the developer in the direction going conventional and using the larger lots where they can fit 2 conventional drain fields. He presented a map that shows the develop areas with the Urban Service Area surrounding it. Mr. Leming continued with a slide presentation of photos that demonstrated different alternative connections lines for the property.

Mrs. Hazard stated she believes this was more of sewer extension issue much more than a cluster subdivision issue. She asked Mr. Harvey if he had any additional information. Mr. Harvey stated he did not have the liberty to speak to Mr. Critzer this evening but would get with him to confirm everything that was discussed.

Mr. Rhodes opened the public comment portion. With no one coming forward, Mr. Rhodes closed the public comment portion of the public hearing and brought it back to the Commission. He stated one point that was raised was to better understand the implications associated with what the Utilities Department's position may be on this item and how that applies.

Mrs. Hazard stated it was of concern to her not knowing exactly how the applicant was going to connect the sewer lines. She stated she was trying to make sure the Commission does not set a president of opening the door too far while balancing the things within the Comp Plan. She stated whether the Commission approved or denied the application, they should have a written record going forward of what the Commissioners are saying and under what circumstances would they approve the application. That would provide the Commission with guidance going forward when perhaps the applicant starts to build in 10 or 15 years.

Mr. Rhodes stated he was interested in the information that Mr. Harvey and staff would gather from the Utilities Department. He stated in the past 6 years, there have been a few similar applications that previously came before the Commission and it was always very difficult to make a decision. He mentioned that in the past, the Commission had taken a fairly conservative interpretation where the lines were even though the Comp Plan was for general use and understanding.

Mr. Apicella stated he agreed this was not an issue of clustering, but it was an issue of whether or not water and sewer should be extended to the property. He stated that every parcel contiguous to the USA boundary could argue that they are close enough and therefore should have water and sewer extended to them, which would create another issue. He stated he did not see a conflict or inconsistency between the Comp Plan and the Cluster Ordinance. He stated the Commission consciously made a decision not to provide bonus density in A-1 parcels because increasing the lot yield in A-1 seemed to be counterproductive because there was not infrastructure. He stated he was undecided on whether or not the extension would be appropriate.

Mrs. Hazard made a motion to defer until the next Planning Commission meeting and to receive additional information. Mr. Apicella seconded the motion. The motion passed 7 to 0. Mr. Rhodes proceeded to item number 3.

3. ***Architectural Design Standards*** – Amend the Traditional Neighborhood Development Plan, an element of the Comprehensive Plan, to incorporate Architectural Design Standards. ***(Time Limit: October 5, 2012) (Deferred at April 18, 2012 to May 2, 2012) (Deferred at May 2, 2012 to May 16, 2012) (Deferred at May 16, 2012 to June 6, 2012) (Deferred at June 6, 2012 to June 20,***

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***2012) (Deferred at June 20, 2012 to July 11, 2012) (Deferred at July 11, 2012 to August 15, 2012)
(Authorize for Public Hearing by: August 15, 2012)
(Potential Public Hearing Date: September 19, 2012)***

Mr. Rhodes asked for the date that the Planning Commission has to address this item. Mr. Harvey stated the Commission had requested an extension to the Board of Supervisors. Mr. Rhodes asked if staff had heard from the Board of Supervisors in reference to this item. Mr. Harvey stated due to the summer meeting schedule, they had not met since the Planning Commissions previous meeting, but they are scheduled to meet next week on the 21st. Mr. Rhodes asked if staff had chosen to go into noncompliance. Mr. Harvey stated the Board had not given a specific amendment.

Mike Zuraf gave the presentation and stated that staff conducted a survey in preparation of developing Architectural Design Guidelines. He stated the survey was open to the public over a two week period in late July. The survey was developed by Planning staff, special recognition to Robert Narvaez, of Planning and Zoning Department for helping develop the survey. He stated staff administered the survey in person at two public meetings, made the survey available online, and in the Planning and Zoning Department.

Mr. Apicella asked if it was possible for someone to go into the system multiple times and complete the survey and provide results more than once. Mr. Zuraf stated that could be done if they went through different accounts.

Mr. Zuraf stated staff had 131 participants but only 106 people were able to complete the survey. There were 8 participants at the in-person meetings and the remaining 123 participants utilized the online survey. The survey was divided into different categories based on the type of development, parking, open space, and public amenities. The participants were asked to rate individual images and at the end of each category they were to identify their most and least favorite images. He gave the Commission a brief overview of the most liked and least liked images. He stated for all of the categories staff would pull out the comments the participants provided and use them to work towards developing the overall Architectural Design Guidelines. He stated staff would try to get the guidelines to the Commission at the September 5th meeting with the intent of possibly a public hearing in October if the Planning Commission so wished. That concluded Mr. Zuraf's presentation. Mr. Rhodes proceeded to item number 4.

4. ***Amendment to Zoning Ordinance – A proposed Ordinance to amend and reordain Stafford County Code regarding sign regulations for uses such as places of worship, community centers, marinas, golf courses, nursing homes, schools, and other similar uses permitted by conditional use permit in various zoning districts but do not permit signs in that district for that use. The regulations are to allow for signage that is compatible with the other uses with in the zoning district and community and shall include on-premise and off-premise signs. (Time Limit: November 7, 2012)
(History - Deferred at July 11, 2012 to August 15, 2012)
(Authorize for Public Hearing by: September 19, 2012)
(Potential Public Hearing Date: October 17, 2012)***

Susan Blackburn gave the Commission an update stating this item was deferred from the July meeting allowing staff more time to provide the Commission with a draft Ordinance. She stated the request was a result of an inquiry by a pastor of a local church to relocate an existing non-conforming sign. It was later discovered that a sign for a church was not permitted in the district where the church was located. She

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stated staff found that a Place of Worship was allowed in the Residential District with an approved Conditional Use Permit, but there were no provisions for signs in those districts for that use. She explained that she took the existing sign regulations for schools and spread them out throughout the district that did allow for signage that were not commercial districts, basically in the R districts and A districts. In the existing agricultural zoning a 50 square foot sign for businesses was allowed. The Board also wanted to include off-premise directional signs in this amendment. The regulations for the off-premise general advertising signs required compliance with the yard measurements. She stated in recent research, she discovered off- premise signs allowed one sign per street which were 3 square feet in area and 5 feet in height.

Mr. Gibbons made a motion to defer the item until the next meeting. Mr. Hirons seconded the motion. The motion passed 7 to 0.

5. ***By-laws Update – Proposed changes to order of business, meeting dates and times. (History - Deferred at June 20, 2012 to August 15, 2012)***

Mr. Rhodes asked if there was anyone that had any concerns with the modifications.

Mr. Apicella made a motion for approval of the proposed bylaws with the start date being the 2nd Wednesday of October. Mr. Boswell seconded the motion. The motion passed 7 to 0.

COMMITTEE REPORTS

9. ***Proffer Guidelines***

Mr. Hirons stated the Commissioners were provided the Proffer Guidelines in their packets. He stated the Committee would be having at least one joint meeting with members of the Board of Supervisors to review and discuss the guidelines in more detail. He stated at this point the Committee would not have any additional presentation discussion until after that joint meeting occurred. Mr. Harvey stated that was correct, the next step would be to have the Committee come to a consensus on the final document and then bring it back to the Commission to authorize a public hearing.

PLANNING DIRECTOR’S REPORT

Mr. Harvey stated tonight staff had iPads for the Commission members and he would give a more detailed discussion about that after the meeting.

COUNTY ATTORNEY’S REPORT

Ms. McClendon stated she had no report.

COMMITTEE REPORTS

9. ***Proffer Guidelines***

(Discussed after public hearings)

CHAIRMAN’S REPORT

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Mr. Rhodes stated he had no report.

OTHER BUSINESS

10. TRC Information – Meeting Cancelled August 22, 2012

APPROVAL OF MINUTES

June 20, 2012

Mr. Gibbons made a motion to approve the June 20, 2012 minutes. Mr. Hirons seconded. The motion passed 7-0.

July 11, 2012

Mr. Gibbons made a motion to approve the July 11, 2012 minutes. Mr. Hirons stated he would second the motion with one correction. He stated on page 1 of 24, line number 19, after SBL add Board or Directors. So the sentence should read “He stated he was a member of the SBL Board of Directors...” Mr. Gibbons agreed to the correction. Mr. Rhodes stated he would abstain because he was not present at the July 11, 2012 meeting. The motion passed 6-0-1 (Mr. Rhodes abstained).

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 10:37 p.m.

Michael Rhodes, Chairman
Planning Commission