

STAFFORD COUNTY PLANNING COMMISSION MINUTES
September 19, 2012

The meeting of the Stafford County Planning Commission of Wednesday, September 19, 2012, was called to order at 6:30 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, and Knighting

DECLARATIONS OF DISQUALIFICATION

Mr. Hirons stated six members were present and Mrs. Hazard would be late.

Dr. Schwartz stated he was disqualifying himself on item 9. He stated he felt he could make an impartial judgment but the appearance may look improper.

Mr. Gibbons stated he met with the applicant in reference to item number 11. Mr. Boswell, Mr. Apicella, Mr. Hirons, and Dr. Schwartz stated they did the same.

Mr. Rhodes stated item number 10 was postponed.

UNFINISHED BUSINESS

1. 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 July 11, 2012 to August 15, 2012) (Deferred August 15, 2012 to September 5, 2012) (Deferred September 5, 2012 to September 19, 2012)**

Kathy Baker stated this item had been discussed at the last few meetings and at the last meeting the Planning Commission, at the request of Dr. Schwartz, asked if a public meeting could be held on order to discuss the traffic safety issues at the entrance for the proposed Walgreens. She stated VDOT was not able to meet in the timeframe suggested, therefore Dr. Schwartz had asked to meet individually with VDOT and a meeting was held yesterday. She stated the general discussion from the meeting was around the entrance and the need for a traffic signal at the intersection of the main entrance which was across from Northside Drive. She presented a slide which showed the GDP and pointed out the location of the primary entrance across from Northside Drive and the secondary entrance which was a right in/right out access. She stated the applicant had revised the proffers to indicate they would supply money for a future traffic signal at that intersection. She stated the proffer was worded to say that within 90 days of the rezoning the applicant would put into an escrow account the amount for the installation of a signal. She stated this would be subject to a warrant study being completed by the applicant and VDOT accepting the study and understanding that a traffic signal would be required at that intersection. She stated she would be happy to answer any questions.

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Dr. Schwartz stated this was the first time he had read the revised proffer statement and noted there was no dollar figure listed and the applicant was proffering that within six months of the date of rezoning they would deposit the funds for a traffic light. Mrs. Baker stated that was correct. Mr. Rhodes stated just to clarify, within 90 days the applicant would deposit money in an escrow account for the light and within 6 months they would provide the information to support the warrant study. Mrs. Baker stated that was correct. She stated the amount of the signal would be based upon an amount estimated by VDOT. She stated she would have to defer to the applicant if they had officially received that estimated amount from VDOT. Dr. Schwartz asked if VDOT determined a traffic light was not warranted at that location, would there be no escrow. Mrs. Baker stated the escrow would still be held for the original cost determined by VDOT. Dr. Schwartz asked even if VDOT holds to their current position, which was there was no need for a light at that location. He asked if the money would still be held in escrow account for the amount of the light. Mrs. Baker stated yes and that amount of money could be used for other transportation improvements. Mr. Gibbons asked if the original one had 100,000 in it. Mr. Rhodes stated it did but in the discussion with Dr. Schwartz, VDOT and staff, it was determined the cost would be significantly higher, but that cost has not been determined as of yet. Mr. Gibbons asked if the greater amount did not get used would it go back to the County. Mr. Rhodes stated yes, it would go back to the county for other improvements. Dr. Schwartz stated the county would now get the full cost of the light even if the light did not go in. He stated there was some initial confusion as far as his request for a town hall meeting. He stated the initial response he received was that VDOT was not willing to participate in a town hall meeting with the residents of the area but they were willing to meet with me. Dr. Schwartz stated for the record he found that a bit distasteful. He stated VDOT was state employees and the residents were paying state taxes. He stated if VDOT did not wish to participate, that left a bad taste in the resident's mouth and he was displeased to hear that. Dr. Schwartz stated VDOT was very much of a closed mind that this was a perfect ingress/egress to this parcel of land. He stated this parcel was the gateway to White Oak and his question was what the ingress/egress would be if the zoning request was denied and the M-1 zoning remained and the owner would put an M-1 by-right use there. Dr. Schwartz stated VDOT's response was it would remain as is. He stated nothing would change for the ingress/egress for this property, Debruen Lane was rejected and the light was the compromise. He stated he was still torn about this because in talking with the residents of Northside Drive they are adamantly against a traffic light there because of the noise. He stated for the residents in the area in general, he felt it was a great safety benefit if Debruen Lane was not feasible; at least there was a traffic light. He stated again he was torn between the people immediately affected and by the traffic light verses the general population in that region.

Mr. Rhodes asked if any of the Commission members had any questions. Hearing none he asked the applicant to come forward.

Clark Leming, Leming and Healy, representing the applicant, stated as Dr. Schwartz indicated there was a meeting held yesterday with VDOT and Mr. Thomas the Supervisor from the district attended the meeting also. He stated most of the discussion centered around the proposed traffic signal. He stated what he had done originally was set up a proffer that indicated the applicant would make an effort to get the warrants approved and also take care of any departure from design standards that were necessary for the signal. He stated the idea was to continually do this through the 3 year period, but it was pointed out by the County Attorney that was not clear within the proffer. He stated in the meantime talks continued with Dr. Schwartz and the main issue raised was the willingness to give all of the money in an escrow account in the event the signal does not become warranted. Mr. Leming stated Walgreens would like to see the signal there, they feel it would be beneficial to the business as well as the traffic in the area. He stated the proffer was reworked

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showing VDOT was the one who decides what the amount that went into the escrow account. He stated the way the proffers were set up now, there were certain triggers, a trigger for the escrow account, a trigger for the provision for the submission of the warrant study to VDOT and then any departure from standards or a waiver that may be necessary. He stated if VDOT does not authorize the signal, the escrow funds would then be released to the County. The County then has the authority to use the entire amount within the escrow account for other traffic improvements within the area. He stated that was the result of additional discussions with Dr. Schwartz. That was the only change to the proffers. He stated he would be happy to answer any questions the Commission may have. Hearing no other questions Mr. Rhodes thanked Mr. Leming and stated he felt Dr. Schwartz had made a lot of progress with his deliberate efforts.

Dr. Schwartz made a motion to accept the new information provided. Mr. Gibbons seconded. The motion passed 6-0 (Mrs. Hazard was absent).

Dr. Schwartz made a motion to recommend approval of RC1200061 the Board of Supervisors. Mr. Gibbons seconded. Dr. Schwartz stated this had been a long hard fought battle. The safety in that area has been a primary concern. This was a prime piece of property and there had been a compromise. He stated he still felt Debruen Lane would have been ideal and highly used. But no matter how much he pushed it was not approved, to his disappointment. He stated the best that could be done was a traffic light which would increase the safety. He stated he was greatly concerned by the noise that would be coming from the traffic light to the residents of Northside Drive. He stated he felt the Board of Supervisors would hear from those residents. Mr. Rhodes stated in his opinion the light may not decrease any quick speeding up and rear ending type of accidents; it certainly would preclude the broad siding type of accidents. He stated he also felt it would enhance the marketability of the second spot to be developed. He stated he felt there was motivation on all sides to push for the warrant study. He called for the vote. The motion passed 6-0 (Mrs. Hazard was absent).

Mr. Harvey asked for clarification for staff. He stated in the motion to approve the proffers stipulate the proffers are subject to the rezoning to either B-1 or B-2. He asked if the Commission had a preference to which zoning category. Mr. Rhodes stated in his opinion it would be B-1. Dr. Schwartz stated it was B-1. Mr. Rhodes asked the applicant if there was any confusion and asked Ms. McClendon if the motion needed to be modified. Ms. McClendon stated the motion did not need to be modified because it was a recommendation.

Dr. Schwartz stated just for the record he would like to put forth a motion for this parcel to be rezoned to B-1. Mr. Rhodes stated there was a motion to clarify and confirm that the intent for the property was B-1 for the Reclassification request RC1200061. Mr. Gibbons seconded. The motion passed 6-0 (Mrs. Hazard was absent).

Mr. Rhodes moved on to items 2 and 3, Hilldrup Transfer and Storage.

2. RC1200128; Reclassification – Hilldrup Transfer and Storage – A proposed reclassification from R-1, Suburban Residential to M-1, Light Industrial Zoning District to allow a storage warehouse and other related uses on Assessor's Parcels 13-1 and 13-2, consisting of 4.29 acres, located on the south side of George Mason Road, 1,900 feet east of Jefferson Davis Highway, within the Griffis-Widewater Election District. **(Time Limit: December 5, 2012) (Deferred September 5, 2012 to September 19, 2012)**

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3. RC1200130; Reclassification – Hilldrup Transfer and Storage – A proposed amendment to proffered conditions to remove a height barrier restriction and establish limitations for rollback, tow, and tractor trailer trucks to access the property and use of George Mason Road, on a portion of Assessor's Parcel 13-9, zoned M-1, Light Industrial, consisting of 5.19 acres, located on the east side of Jefferson Davis Highway, and north side of George Mason Road, within the Griffis-Widewater Election District. **(Time Limit: December 5, 2012) (Deferred September 5, 2012 to September 19, 2012)**

Mike Zuraf stated items 2 and 3 were a Reclassification and Proffer Amendment for Hilldrup Transfer and Storage. He stated a public hearing was held on these items on September 5, 2012 and there were several concerns regarding tractor trailer traffic on George Mason Road. Specifically the narrow width of the road and potential conflicts with school buses and pedestrians who use the road and potential deterioration of the road caused by the heavy trucks. In response to those concerns the applicant modified the proffers. He stated the Commission had received the modified proffers for both items and the applicant had added a statement to proffer 2B which stated there would be a directive to all trucks accessing George Mason Road that travel between the current and proposed facility would be prohibited until all oncoming traffic was past the access point to the current facility. Mr. Zuraf stated the Commission received the draft Ordinance and Resolution in the packages also. He stated the Commission did receive add on information tonight concerning the VEPCO easement information from Dominion Virginia Power that showed permitted and prohibited encroachments allowed in their easements. He stated he would be happy to answer any questions. With no questions from the Commission members, Mr. Rhodes called the applicant forward.

Austin Harris, of Leming and Healy, representing the applicant, stated new language was added to proffer 2B in both applications and the applicant would prepare an internal notice which states all trucks entering George Mason Road would yield to oncoming traffic to or from Assessor's Parcels 13-1, 13-2 and 13-9. He stated this was the only new information to come before the Planning Commission and he would like to request the Planning Commission recommend approval for both applications. He stated the new information was due to discussion by the Commission at the previous meeting. Mr. Rhodes stated he would like to clarify the question concerning the parking area in the easement based on the information provided and asked where in the information, would that be found. Mr. Harris stated the document provided that was titled Right-of-Way Encroachments had two lists, with the first one titled what may be allowed. He stated you would see there was information regarding parking lots as long as the vehicles to not exceed a height of 13 feet 6 inches. He stated Mr. Dodson had confirmed that none of his fleet would exceed that height restriction. With no questions for the applicant, Mr. Rhodes brought the items back to the Planning Commission.

Mr. Boswell made a motion to recommend approval of application RC1200128. Mr. Gibbons seconded the motion. The motion passed 6-0 (Mrs. Hazard was absent).

Mr. Boswell made a motion to recommend approval of application RC1200130. Mr. Gibbons seconded the motion. The motion passed 6-0 (Mrs. Hazard was absent).

Mr. Rhodes moved on to item 4.

4. 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 April 18, 2012 to May 2, 2012) (Deferred**

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**May 2, 2012 to May 16, 2012) (Deferred May 16, 2012 to June 6, 2012) (Deferred June 6, 2012 to June 20, 2012) (Deferred June 20, 2012 to July 11, 2012) (Deferred July 11, 2012 to August 15, 2012) (Deferred August 15, 2012 to September 5, 2012) (Deferred September 5, 2012 to September 19, 2012)
(Authorize for Public Hearing by: September 5, 2012)
(Potential Public Hearing Date: October 10, 2012)**

Mike Zuraf stated a draft of the Neighborhood Development Standards Plan was presented to the Planning Commission at the September 5th meeting. At that meeting, the Commission requested several modifications to the Plan. The Commissioners were provided with a modified version of the Plan, with the latest modifications highlighted in yellow. Four of the main subject changes included street design standards, images, small area plans, and electronic signs. On pages 13 to 15, staff amended text to clarify the meaning of T-6 and SC transect zones as they relate to the P-TND zoning district and modified language so the guidelines were more general and not limited to the P-TND district. On page 22, staff added a statement to clarify that the images in the Architectural Design Guidelines were intended to be general representations of the guidelines and were not intended to control the appearance of future buildings. On page 22, staff added a statement to provide reference to other small area plans that may provide more specific guidance. On page 32, staff added a guideline to ensure electronic signage was closely evaluated and would take into account the characteristics of the surrounding environment and frequency of this type of signage. The Commission also requested an extension of the deadline from October 5th to the first meeting in November. This issue was scheduled for the Board of Supervisor's October 2nd meeting.

Mr. Gibbons made a motion to approve the item for public hearing. Dr. Schwartz seconded the motion.

Mr. Rhodes gave thanks to staff for their efforts to build the template and make the adjustments from the previous conversation.

The motion passed 6 to 0 (Mrs. Hazard was absent). Mr. Harvey stated the item would be potentially held for public hearing at the October 24th Planning Commission meeting.

5. 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)**

Mr. Harvey stated at the meeting held yesterday, the Board of Supervisors considered the Commission's request for additional time with regard to Urban Development Areas and the Commission's view on the future of those areas within the Comprehensive Plan. The Board of Supervisors granted the Commission 90 additional days to discuss the issues. The Board acknowledged the fact that the data requested by the Commission would not be provided by the State until possibly February or March, however the Board felt it was still important for the Commission to have a dialogue and discuss the future growth patterns of the County.

Mr. Hirons voiced his concern about changing the way the minutes were recorded. He stated he felt the Board members did not fully understand the concerns Mr. Apicella previously had and a few of the Board members expressed to him that they preferred the minutes in verbatim format. He suggested the Commission give it a little thought.

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Mr. Gibbons asked about the date. Mr. Harvey stated 90 days from the October 4th deadline, possibly January 2nd.

Mr. Rhodes asked if there were any Planning Commission members interested in a subcommittee. He suggested the Commission discuss the characteristics of the 7 UDAs and which characteristics best compliment the intent and focus of an Urban Development Area. Mr. Gibbons suggested a meeting start at 6 p.m. to dedicate an hour to this topic of discussion. Mr. Rhodes asked if the Commission could schedule the discussion before the start of a normal Planning Commission meeting. Mr. Harvey stated certainly. Mr. Rhodes recommended the Commission schedule the October 10th meeting to hold a work session at 5:30 p.m. for discussion of Urban Development Areas.

NEW BUSINESS

6. Amendment to Zoning Ordinance - Proposed Ordinance O12-02 would amend the Stafford County Code by, among other things, creating new definitions, modifying permitted uses and creating new zoning regulations to establish a Transfer of Development Rights (TDR) program. The purpose of the TDR program is to provide a mechanism by which a property owner can voluntarily transfer residential density from sending areas to receiving areas and/or to a transferee without relation to any particular property through a process intended to permanently conserve agricultural and forestry uses of lands, reduce development densities on those and other lands, and preserve rural open spaces and natural and scenic resources. The TDR program is intended to complement and supplement County land use regulations, resource protection efforts, and open space acquisition programs. The TDR program is also intended to encourage increased densities in one designated receiving area that can better accommodate this growth. **(Time Limit: November 18, 2012)**
(Authorize for Public Hearing by: October 10, 2012)
(Potential Public Hearing Date: November 14, 2012)

7. Amendment to the Stafford County Comprehensive Plan (“Plan”) - A proposal to amend the Plan dated January 17, 2012 in accordance with Virginia Code Section 15.2-2229 regarding Transfer of Development Rights (TDR). The proposed amendment would modify Chapter 3 of the Plan to incorporate amendments to the textual document and adopt a new map entitled Figure 3.8, Transfer of Development Rights Sending and Receiving Areas. The map generally depicts the area south of Aquia Creek, east of the CSX Rail Line and north of Potomac Creek that are designated as Agricultural/Rural and Park on the Plan Land Use Map as a sending area for Transfer of Development Rights and the lands designated as the Courthouse Urban Development Area as a receiving area for Transfer of Development Rights. **(Time Limit: November 18, 2012)**
(Authorize for Public Hearing by: October 10, 2012)
(Potential Public Hearing Date: November 14, 2012)

Mr. Harvey stated he would like to discuss both items 6 and 7 together, as they both pertain to the Transfer of Development Rights. He stated the Planning Commission developed a program for Transfer of Development Rights. The Board of Supervisors considered that and created a committee to discuss it in further detail. The Board refined it and referred it back to the Commission. He gave an overview of the amended map, which showed potentially eligible A-1 and A-2 properties greater than 20 acres in size in the sending area. The sending and receiving area map had not changed from previous maps the Commission had previously seen. He gave an overview of differences the Commission previously recommended versus what was proposed. The Board asked

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the Commission for clarifying language regarding residual rights and the ability to add accessory buildings to properties that have severed development rights. The Commission had asked the Board to consider a Sunset Clause that would put a limitation on how long people could potentially sever development rights from the sending area. The Commission previously recommended 5 years, but the Board recommended the Sunset Clause be deleted. The Commission had proposed a 55 percent rule, where no more than 55 percent of the total dwelling units in a development project could be comprised of units that are transferred from the sending area to one of the receiving properties. When adding the A-1 zoned property over 92 percent of the units would have to be comprised of transfer of development rights in order to meet the threshold numbers for the sending area and receiving area to balance, as far as the number of dwelling units.

Mrs. Hazard arrived at 7:13 p.m.

Mr. Harvey stated the Board recommended removing limitations on the percentage of development rights that can be used for a development in a receiving area. They indicated that replacement of any existing building would not count against the ability to add accessory buildings. The Board asked for clarification that existing lots with plat restrictions requiring use of public sewer and water utilities would be eligible to sever development rights and such lots would be eligible for severing at least one development right. He stated the Board asked that the Planning Commission review the TDR program, and also recommended changing the density in the A-1 zoning district in the receiving area to 5 dwelling units per acre and to allow for the of partial development rights for tax abatement purposes only. Due to the nature and extent of the changes to the Planning Commission's recommendations, an additional public hearing would be required by the Planning Commission. The deadline for Planning Commission action was November 18, 2012. The Planning Commission should authorize a public hearing by October 10, 2012 in order to schedule a hearing by November 14, 2012.

Mr. Rhodes asked if the Commission had to authorize the particular language amended. Mr. Harvey stated the Commission must hold a public hearing on what the Board referred.

Mr. Gibbons asked if there were any restrictions for adjustment of lot sizes. Mr. Harvey stated the Ordinance allowed people to have contiguous parcels and connect them for eligibility as a sending property.

Mr. Gibbons made a motion to schedule the item for public hearing on October 24th. Dr. Schwartz seconded the motion. The motion passed 7 to 0.

Mrs. Hazard recommended staff provide the Commission with clarification of how deed restrictions were handled.

8. Amendment to Zoning Ordinance – A proposed Ordinance to amend and reordain Stafford County Code, Section 28-35, Table 3.1 “Table of Uses and Standards” to reinstate the lot width requirement for residential lots in the A-1, Agriculture District. **(Time Limit: November 4, 2012)**
(Authorize for Public Hearing by: September 19, 2012)
(Potential Public Hearing Date: October 10, 2012)

Susan Blackburn gave the presentation and stated this amendment was for the Zoning Ordinance to reinstate the lot width requirement for lots in the A-1, Agricultural District. In June 2012, the Board adopted Ordinance O12-17, which amended the Zoning and Subdivision Ordinances to include Cluster Provisions in various zoning districts. During the internal review, an editorial revision

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accidentally removed the lot width requirement for lots zoned A-1, Agricultural, in a non-cluster subdivision. After consulting with the County Attorney, it was determined that the revision was of a substantive nature and therefore an amendment to the Zoning Ordinance would be needed to reinstate the lot width requirement. At the August 21, 2012 meeting, the Board of Supervisors adopted Resolution R12-253, which referred proposed Ordinance O12-29, Lot width in the Agricultural District, to the Planning Commission to conduct a public hearing and make recommendations to the Board. Staff supports adoption of proposed Ordinance O12-29 for it will reinstate the lot width requirement for lots created in the Agricultural District in a non-cluster designed subdivision. The time limit for Planning Commission action was October 10, 2012.

Mr. Gibbons made a motion to forward this item to public hearing. Mrs. Hazard seconded the motion. The motion passed 7 to 0.

9. Amendment to Zoning Ordinance – A proposed Ordinance to amend and reordain Stafford County Code, Article III, Section 28-35, “Table 3.1. Districts Uses and Standards,” to allow medical and dental clinics as a conditional use in the M-1, Light Industrial and M-2, Heavy Industrial zoning districts. **(Time Limit: November 5, 2012)**
(Authorize for Public Hearing by: October 10, 2012)
(Potential Public Hearing Date: November 14, 2012)

Susan Blackburn stated this was an amendment to the Zoning Ordinance to include Medical and Dental Clinics in the Industrial Zoned Districts as a Conditional Use Permit. This proposal was a result of an inquiry made to the Department of Planning and Zoning to establish a medical clinic on an industrial zoned property. Currently, it was not a permitted use. Staff presented this possibility to the Community and Economic Development Committee at the August, 2012 meeting. After discussion, the Committee proposed that, after a Conditional Use permit approval, Medical and Dental clinics be permitted in the Industrial Zoning Districts and forwarded the proposal to the Board of Supervisors. At the September 4, 2012 meeting, the Board of Supervisors discussed the proposal and decided a Medical or Dental Clinic could be an appropriate use in certain areas zoned M-1, Light Industrial, or M-2, Heavy Industrial, but a review of the individual situation would need to be done to make that determination. The Planning Commission’s deadline to take action was November 14, 2012.

Mr. Gibbons made a motion to forward this item to public hearing. Mr. Boswell seconded the motion. The motion passed 6 to 0 (Dr. Schwartz abstained).

7:30 P.M.

PUBLIC PRESENTATIONS

Mr. Rhodes opened the public comment portion.

With no one coming forward, Mr. Rhodes closed the public comment portion.

PUBLIC HEARINGS

10. COM1200116; Comprehensive Plan Amendment – Stafford County Schools, Anne F. Moncure Elementary School – A proposed amendment to the Comprehensive Plan to change the recommended land use from the current use of Agricultural/Rural to

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Suburban and expand the Urban Services Area, to include Assessor's Parcels 20-66B, 20-66C, 21-15, and 21-16, located on the east side of Juggins Road, approximately 1,600 feet north of Doc Stone Road, within the Griffis-Widewater Election District. **(Time Limit: November 18, 2012)**

11. RC1100261; Reclassification – Celebrate Virginia North Apartments - A proposal to (1) amend proffered conditions on a portion of Assessor's Parcel 52-1, zoned RBC, Recreational Business Campus Zoning District, consisting of 36.79 acres, located on the south side of Scotts Ford Lane, 650 feet west of Celebrate Virginia Parkway and (2) reclassify from M-2, Heavy Industrial to RBC, Recreational Business Campus Zoning District Assessor's Parcels 44-90 (portion), 44W-2 (portion), 44W-2A, 44W-2B, and 44W-5E, consisting of 91.56 acres, located on both sides of Celebrate Virginia Parkway, 1,100 feet south of Banks Ford Parkway. The combined parcels, subject to the proffer amendment and reclassification, consist of 128.35 acres and are within the Hartwood Election District. **(Time Limit: December 18, 2012)**

Mike Zuraf gave the presentation and stated item 11 was a reclassification for Celebrate Virginia North Apartments. The application covered two areas of Celebrate Virginia, the first part was to amend proffered conditions on a portion of Assessor's Parcel 52-1, zoned RBC, Recreational Business Campus Zoning District, consisting of 36.79 acres, and the second part was to reclassify from M-2, Heavy Industrial to RBC, Recreational Business Campus Zoning District portion of Assessor's Parcels 44-90, portion of 44W-2, 44W-2A, 44W-2B, and 44W-5E, which consisted of 91.56 acres. The applicant was Silver Companies. He stated the specific proposal was for two multi-family dwelling unit projects. Accompanying the request, were two additional requests, one was a proposed Ordinance Amendment to allow multi-family dwelling units in the RBC Zoning District as a by-right use, and a Land Use Concept Plan that would be presented to the Planning Commission at a later date. He stated this was a unique feature within the RBC District, which was a requirement of the land in the RBC District where a Land Use Concept Plan had to be adopted by the Planning Commission. There was a concept in place for Celebrate Virginia that would need amended, but that would not occur until after the rezoning was approved. To address the Rezoning Reclassification Request being considered in advance of the Ordinance Amendment, staff discussed the issues with legal staff and it was permissible for staff to consider it before the Zoning Ordinance was presented to the Planning Commission. The rezoning approval would need to be conditioned on the adoption of the Ordinance Amendment occurring and the application was at a point where no further charges were made. The applicant wanted to proceed with the likelihood that the Ordinance would get to the Planning Commission prior to them forwarding to the case to the Board, anticipating the case would likely be deferred.

Mr. Rhodes asked if the reason the request would go forward and acted upon would be because it was a conditional action. Mr. Zuraf stated that was correct and any decision by the Planning Commission was not a final decision. Mr. Rhodes asked if there should be a favorable affirmation it would be conditional and that was why the Commission could act on it although the Ordinance had not been modified. Mr. Zuraf stated right, and the Ordinance would be based on the Board's decision. The Board would be considering the issue at their meeting on October 2nd as far as initiating it and forwarding the Ordinance to the Planning Commission. Looking at some of the zoning history of the Proffer Amendment area, the area to the west was zoned A-1. That was the portion where the Water Treatment Plant was being constructed in relation to Rocky Pen Run Reservoir. The RBC zoning occurred in 1999, when it was rezoned from A-1 to RBC. The area did not have any proffers on it, so the required step would be to do a proffer amendment to establish proffers for the specific use that was requested. The area subject to the proffer amendment was

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undeveloped. Most of the site was open meadow with the remaining land to the west forested with deciduous trees. The eastern half of the site was generally level. The land sloped downward to the Rappahannock River. Intermittent tributary streams were located within conservation easements established with the overall approval of the Celebrate Virginia North development. The rezoned area was zoned M-2. The area to the west of the site was a mixture of A-1 and A-2 zoned property. In addition to the property, there was a planned subdivision in this location that was undeveloped. To the north, were commercial areas of Celebrate Virginia and to the east was other industrial land. The area subject to the rezoning was undeveloped and included several pad sites. Some pad sites had previously been graded and were open meadow areas, and other areas were still forested. The area consisted of rolling terrain. England Run, a tributary to the Rappahannock River, ran along the southern portion of the site. England Run and other intermittent stream channels were located within conservation easements established with the overall approval of the Celebrate Virginia North development. The Generalized Development Plan depicted the general layout of the two subject areas. The proffer amendment area identified a potential layout of a 480 unit garden-style apartment complex. One access street was shown off of Scotts Ford Lane, with two entrances off of the street. To the east of the site, a community park and public parking lot was identified with a proposed trail from the park to existing trails along the Rappahannock River. Staff noted the area was not large enough to accommodate the recommended 480 dwelling units at the proposed maximum density of 7 dwelling units per acre. To accommodate 480 units, the subject area would need to be expanded or the proposed maximum density increased to at least 13.04 dwelling units per acre. The area proposed for rezoning identified the location of the proposed secure housing development, in addition to several office buildings on the other portions of the area to be rezoned. The secure housing consisted of the 196 dwelling units within several garden style apartment buildings that surround a central courtyard and community building. Surface parking lots surround the office buildings. Most of the access points onto Celebrate Virginia Parkway were located at established median breaks in the road. Staff noted the area was not large enough to accommodate the recommended 196 dwelling units at the proposed maximum density of 7 dwelling units per acre. To accommodate 196 units, the subject area would need to be expanded or the proposed maximum density increased to at least 16.0 dwelling units per acre. He gave an overview of the proposed proffers. The Traffic Impact Analysis evaluated the impact on several intersections that may be impacted by this proposal, which included Celebrate Virginia Parkway, Law Enforcement Training Site Entrance, Celebrate Virginia Parkway, Scotts Ford Lane within Celebrate Virginia North, and Greenbank Road, Sanford Drive outside of the project. The TIA assumed that more than half of the trips generated from the 480 unit apartment complex would utilize Greenbank Road and Sanford Drive as opposed to Celebrate Virginia Parkway. This would increase the daily trips on Greenbank Road from 576 to 4,116, but would not reduce levels of service. The study determined that in 2017, all intersections, except Celebrate Virginia Parkway and Banks Ford Parkway would operate at a level of service of "C". Celebrate Virginia Parkway and Banks Ford Parkway would experience significant delays with the current two-way stop control on Banks Ford Parkway, so the installation of a traffic signal would allow the intersection to operate at acceptable levels of service. The applicant submitted a Fiscal Impact Study with the project. The applicant's impact statement estimated that the proposed zoning would generate approximately 1.6 million more in net real estate tax revenue annually than under the current zoning. This included residential generating an estimated \$700,000 of this total with the secure housing and \$593,000 with non-secure housing. The County's Monetary Proffer Guidelines recommend \$23,823 per multi-family unit to offset capital facility needs. Applying this amount to the proposed 672 multi-family units would result in a capital facility impact equivalent to \$16,009,056. For the 192 units next to the training facility, the applicant was proposing to contribute \$3,679 if the units were converted to market rate rental apartments, for a total of \$706,368. The \$3,679 dollar amount was based on a capital cost analysis conducted by the applicant. The secure housing was estimated only to generate capital impacts

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should the units become market rate rentals. The 480 unit apartment complex was estimated to not require any capital contribution. The analysis estimated that the 480 unit apartment complex would generate a capital impact of \$8,713 per unit, estimating lower capital impacts for each sub-category than County estimated. In one instance, credit against the completed transportation improvements reduced the transportation amount to \$0. Staff noted the County's monetary proffer guidelines did not currently allow for a credit from real estate tax revenues. The Future Land Use Plan recommended the proffer amendment area for Suburban use. Suburban land use was recommended as primarily residential in nature but would be complimented by neighborhood and community oriented activity centers. Development densities should not exceed 3 dwelling units per acre and a floor area ratio of 0.4 for non-residential development. Single Family detached dwelling unit types were recommended, unless approval already exists for other dwelling unit types. The proposed multi-family dwellings were not consistent with the recommendations in the Comprehensive Plan for Suburban areas. In addition, the multi-family dwelling use was not consistent with the established or planned development pattern in this area. The proposed dwellings were proposed at a density up to 7 dwelling units per acre, exceeding the recommended 3.0 density. The Future Land Use Plan recommended the rezoning area for Business and Industry Land Use. The Business and Industry use encourage large scale business and industry activities. Activities included, but are not limited to: retail, wholesale, corporate and professional offices, and research and development uses. Buildings would be large in nature with extensive setbacks and in proximity to major transportation facilities. The secure student housing for the adjacent training facility would be considered an appropriate use for a Business and Industry area, as it was accessory to the adjacent training facility. However, there was no guarantee that the housing would not be converted to long term housing. Mr. Zuraf stated staff believed the negative aspects outweighed the positive aspects and recommend denial of the application, pursuant to Resolution R12-302. Staff noted that should the Commission recommend approval of the request, it should be contingent on approval of the separate RBC zoning ordinance amendment and resolution of the density issues noted with the residential developments.

Mr. Gibbons asked how far the apartments were from the water treatment plant. Mr. Zuraf showed the general area of the water treatment plant and the apartments, but stated he was not certain of the distance. Mr. Gibbons asked if staff took buffering into consideration. Mr. Zuraf stated there would be basic buffering requirements in the apartment complex, but there were no enhanced buffers proposed with this project.

Mrs. Hazard asked how notice would be provided to the public about a potential public hearing for RBC. Mr. Harvey stated where Amendments to the County Code, like this proposed Zoning Text Amendment, general notice would be placed in the newspaper as well as the County website. Mr. Rhodes asked the applicant to come forward.

Chris Hornung, Vice President of Planning and Engineering, Silver Companies, gave a presentation and stated Silver Companies was the owner of the two entities and the applicants for this proposal. The concept that was developed was that the existing building on Celebrate Virginia Parkway on the left-hand side of the road was Law Enforcement Training Facility and the idea was proposed was to expand that into a training campus. He stated only classified sensitive training was performed in the building, with the exception of firearm training. The project had been active since 1998. The property was ready for office development since 2005 and within that time period, only 1 building was developed. This project had the same development team working on it that developed Quantico Corporate Center, which had great success. Over the last year, the applicant met with as many people as possible to try and alleviate their concerns. By changing all of the land to RBC, it would help to eliminate potential obnoxious uses that were currently allowed in there, such as heavy industrial uses and warehousing. This would allow the applicant to create a mixed

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use campus that would house trainees in a secure housing environment where they could walk to the training facilities nearby. 192 units were proposed, each having 2 bedrooms within a gated community. This would be a big opportunity for the County because this project would help bring other agencies and recognition to southern Stafford County that the County was unable to get. The building at the end of the road brought up the most concerns. It would be the first piece that you get to that was not currently zoned for office use. The land between Dell Web all the way down to the golf course was zoned RBC, and there were concern that converting that land to residential would hurt the County's ability to attract offices in the future. He showed the Commission a slide presentation of the site and aerial photos. The company provided a Specific Use Restriction Manual to each apartment. The maintenance director of the facility would have a 24-hour number that would be posted on the outside of the building and also provided to the County. If any resident had an issue with the facility they could contact the Director 24/7. The Fiscal Analysis was reviewed by Dr. Stephen Fuller. Over the next 15 years the Fiscal Analysis projected that adding the 2 complexes with their associated office training component, would add an additional \$7.4 million in tax revenue over what would be allowed under the current zoning. He stated \$ 50,400 was the daily per diem for an estimated 900 trainees daily that would be in that facility. That would be \$50,400 a day that could be spent at the shops that were struggling at the front of the project. \$700,698 was essentially the net annual tax surplus that the analysis showed for this project. 12,067 would be the number of new residents that would be shopping and dining in Stafford County. After meeting with the Dell Web Homeowners Group, they brought a number of what they felt were safety concerns on the road. The road study did not recommend any significant road improvements necessary. A document was prepared by Bowman Consultants that basically went through the parkway and viewed sight distance, stop signs, need for future signals that the company were proffering to make the improvements recommended.

Mr. Rhodes opened the public comment portion of the public hearing.

Robert Alton stated he believed this proposal for the apartment complex on the southern end of the development was a terrible idea. It was not complementary to anything that was pre-existing in the overall development. The traffic on Route 17 in that corridor was horrendous and the thousands of vehicles that use that area on a daily basis were not helping the commercial businesses in that area, the apartment complexes would not make a difference. What they would do was put a strain on the schools, fire department, and EMS. He stated previously, one of the Commissioners asked how close it was to the Rocky Pen Reservoir. He stated they were right next to one another. So, the project was a bad idea and terrible for the community.

Steve Saphos stated he was present to request that the Commission honor staff's recommendation to deny this reclassification. He stated the 480 units, would equal 72 three bedroom apartments, 242 two bedroom units, and 168 one bedroom units. So, if the Commission did the math of 2 children per bedroom not to include the parents' bedroom, which equals 768 children, which was more than 1 elementary school. These units were compared to the Havens in Celebrate VA South and the geographical areas were completely different. You do not have the proximity to a major medical complex, which was increasing around the Mary Washington Hospital. The applicant showed pictures of buildings that included parking garages or covered parking that were not shown in the Generalized Development Plan. In the Generalized Development Plan, one building faced either Scotts Ford or Celebrate VA Parkway. So, the proffer of 30 percent brick or stone basically was meaningless. So, what was being presented was a 3 bedroom unit, with no elevators, walkups which preclude seniors and families with young children. He suggested the Commission consider the England Run Apartments and look at the census of their school children and the economics for those units would give the Commission a good approximation to the economics of this proposed

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project. The second part which would create a smaller amount of units would create the same problem. If it was not secure housing it would become market based apartments. There was nothing that suggested there was a need for this project going forward. The community was aware that the Federal budgets were being cut and they know from reports in the Washington Post that there was excess property being developed in the Greater Washington Metropolitan Area. The community was also aware that the Department of Homeland Security had the major federal law enforcement training responsibility for 81 agents. They have training facilities in Georgia, Arizona, South Carolina, and Maryland. Those facilities all have dormitory style housing and a meal facility, none of which were shown on the plans. He stated he would fax staff a copy of his remarks that he planned to make but did not get mention.

Mark Lurch stated he previously had a discussion with Chris and Silver Companies about this proposal and he constantly had an uncomfortable feeling. He thought the idea of rezoning from M-2 to RBC was an okay. He liked the idea of getting some commercial properties in the area. His issue was the housing unit that sits between 3 warehouses. If the lease, was a long-term lease then he would feel a little more comfortable about it, but the leases were from 3 to 5 years. He asked if it went to a market rate apartment, what was going to happen, would someone move into an apartment complex that was between 3 warehouses. He was unsure if that was a sustainable plan without any long-term commitment. He mentioned he did not see how the apartments were going to sell. The company did reference other apartments in the area but in his words, it was 3 miles from civilization and he would not look to rent an apartment in that particular place because it was so far away from any services. He saw the businesses along Route 17 struggling and many of them that were there originally were gone and he did not want that to continue happening. In his opinion this project should be carefully thought out. The key word was sustainability. He asked what would happen if the Silver Companies decided to sell the property, if it becomes a market rate, or if the company could not get the premium rents that they would like. He asked that the Commission think about the possibilities of what could happen.

Gary Shaw stated he was present fearing for his life a little because he operates the Cannon Ridge golf course and was very dependent upon locals playing at the golf course. Also present were members, employees, and potential golfers at Cannon Ridge. He stated he was going to speak in favor of the project because he believes it had a lot of merit. His company built, owned, and operated golf courses around the country, primarily on the east coast. In the session heard tonight was not unlike a lot of the previous sessions in different municipalities where someone wanted more or less entitlement and the golf course, homes, and businesses were in the middle. He never saw things not work out through compromises and sacrifices and no one in this deal would get everything they wanted. He worked with the Silver Company since 2000 and they have had some issues. They were on the 5th Amendment of their contract and they were always able to work the issues out. When his company talked to the Silver Company about building golf courses, the original intent was to build 5, his company demonstrated that they could only build 3, but was thankful that they only built 1 in today's economy. The golf industry was much like housing and automobiles, it has been very slow. His company was told and believed there would be a lot of activity on the thousands of acres, such as housing, businesses, and a corporate campus. Through nobody's fault, mainly the recession, most of that did not happen. The community was crying out for business and he believed this new project was probably the best thing that could happen for the golf course. It was not sustainable to experience what every other golf course was experiencing in the state. His company would like to have children participate because they have golf academies underwritten by the First Tee Program, which was a program that built golf and life skills with children. He was aware that this would create some problems but he would find retirees that would

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be willing to work for his company, children that would like to learn how to play golf and develop life skills. He and his company were very supportive of this project.

Kirk Horton stated since the gentleman before him spoke about children, he would first discuss the children. He stated Mrs. Hazard pointed out Rocky Run School just got the children out of the hallways and into proper classrooms. There was no plan that he was aware of to build more schools to house the 126 children that Silver Companies proposed would come with this housing development. Therefore, without planning for the schools to house the children, was not proper planning. This project was not consistent with the Comprehensive Plan. The Comprehensive Plan was modified over the last 2 years and Silver's Plan for this project was built in and now the Comprehensive Plan was the way. The Commission was bound by the people that voted for the Board of Supervisors that appointed the members of the Planning Commission. Also, the Comprehensive Plan and the plan that Silver Companies built, when he bought his home and the 50 homeowners that live there looked at the plan and said they could live with the plan and the costs of the Parent Homeowners Association, but currently they were moving the goal posts and change the plan. Silver Companies seemed to be proposing 2 completely different sets of housing. One with a certain specific design toward the government, with no guarantee of a long-term lease and one set of parameters. Then a housing set that was combined. Despite the requests and suggestions that the company split the two proposals, the company refused to do so. It would behoove the Commission to ask Silver Companies why they did not split the two proposals. Also, Silver Companies proposed that they would maintain any public areas that they proposed building as proffers for the agreement of the community. He stated if you go down Celebrate VA Parkway at night you would find that at least half of the lights do not work and joggers were running in the dark. He stated if Silver Companies were not currently keeping their promises, why would the community expect them to keep their promises in the future with an extra burden.

David Martin stated he was the former Executive Vice President of Pennsylvania Builders Association and served 16 years with the National Association of Realtors. He stated he would explain his opposition of this plan and the change in zoning. The Land Use Plan was designated as a suburban area for a reason. For Silver Companies to tell the community that there was not an oversight, but it was mentioned on page 3-51 of the plan. The development densities were placed there for a reason. You also have further 700 single family homes being developed off of Route 17. Capacity at Rocky Run needed improvement. He opposed the new project because traffic would be added to adverse conditions. The area was not properly planned. Next to the Domino's on Route 17 was an apartment complex. So, the new apartments should be moved forward or separated from this project. In his opinion the new development was not good for the community, it would only be good for the Silver Companies.

Laura Rosenthal stated she was not in favor of this proposal and was concerned that because of the style of the apartments and the location, it would tend to attract criminal activity, which would make the community she resided in more vulnerable to crime. The maintenance costs associated with the proffers that were discussed would likely be paid by the POA, which meant increasing the maintenance cost of the residents. Some of the proffers were not beneficial the current residents and therefore would not support the proposal.

Leon Rose stated if you look at all the magazines, when they talk about the best places to live, one thing that came out was single-family homeownership, they never talk about apartments. It was always the homeownership that helped the community grow and develop. The residents of apartment complexes would be temporary people, but the community needed permanent residents. Route 17 was a nightmare and VDOT had no solution, so adding 1,000 vehicles to the 5 mile

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backup everyday would not help growth along the highway. He asked where the temporary residents would go for lunch. All the community had to offer were wall-to-wall gas stations, fast food restaurants, and car dealers. Unless, the community got permanent residents who would bring pressure on the State, the conditions would never change.

Vince Cornell stated the point about the long term lease for the training facility was very important. There were many hotels on Route 17, so if this was such a great revenue how was the company not able to crack the code on what the security requirement was at all of the hotels and Spotsylvania can. He asked if the training classes were held for 46 continuous weeks. It seemed like the applicant was not asking for enough apartments to accommodate for the other 3 buildings that he wanted to build. He agreed there were traffic problems due to the apartments on the lower area. Silver Companies confessed that they were going to institute a maintenance plan that they have never instituted before in any property that they currently own. All of the demographics in Stafford would be changing due to the HOV being completed within the next 2 years. There would be an increase in the commuter population in the area. Individuals that commute into the city would not want to come to Stafford County to get an apartment. He stated was also a commuter.

Maggie McGrane stated it did not make sense that this project would be a good thing for anyone in the community. She stated she did not have any specific points but she opposed the project based on what she heard about it, and it did not make sense to her.

David Brumbaugh stated he would be speaking in opposition to the plan. There was not much that he could add to what had already been said, but would like to emphasize that the staff report did indicate a traffic growth of a factor of 8 on a road that was 3 to 4 miles long and was really the only developed road that went into the complex. The development that was referred to as POD-H, which had 72 three bedroom apartments and 216 two bedroom apartments, would generate more traffic and another elementary school would need to be developed. That issue was not addressed. He was unsure what the accurate number of trainees would be for POD-I. The amenities that were presented in Silver Companies presentation were very interesting. He suggested the Commission oppose this proposal.

John Alexion stated when he signed for his home in 2005 he was assured that the best reason for buying a home here would be that there were only two residential communities within Celebrate Virginia Parkway and that would eventually increase the value of his home. If the Commission approved this proposal, the value of his home would be decreased.

Phillip Smith stated he was a federal employee and worked for a Federal Law Enforcement Agency. The plan proposed this evening was also proposed for other areas, specifically the Federal Law Enforcement Training Facility located in Glenco, GA. He stated he would not consider the information that was proposed to be incorrect, however it was not complete and he had great concerns that it was being presented as this would be the proposal to meet some of the needs of the ailing facilities currently located in Quantico. He was aware there were other projects that were under consideration besides the one located at Celebrate Virginia. As a resident that resides closer to the lower apartment proposal, he was in opposition of that due to traffic concerns and other general law enforcement concerns. The community experienced an increase in drag racing, young adults use the area to involve themselves various types of mischief, so bringing apartment complexes to that area would increase that type of activity. There was nothing for the children to do or recreation to get involved in. A playground would be nice, but it would not be sufficient enough to take of the needs of the community and all of the children that would be involved. He stated he had young children who currently attend Rocky Run, and noted there was no room for additional

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capacity for more children, unless there was something specific to address that there would be major issues for the future education of their children and he did not want to see that.

Joe Daley stated there was already a plan that was initially proposed when this development was processed, so there was no reason to change it. According to Mr. Snelling, there was additional space for apartments on the other side of Wal-Mart in the original plan. There was a lot of housing available in Aquia. Lawyers should review the proposal for the new development.

Al Matera stated he would speak in opposition of this plan. He retired from the Federal Government after a long career and lived in Fairfax County most of his life. He and his wife upsized to a nice home here in Stafford and this was not what he signed up for. Everyone had concerns about housing values and money lost on the resident's homes and this new development would not improve anything for the community.

Mrs. Hazard asked since there was such a large public interest in the project could the public hearing be kept open to allow additional comments from the public on another night. Mr. Rhodes asked Ms. McClendon if a motion was required. Ms. McClendon stated the Commission could just leave the public hearing open. Mr. Rhodes stated the public comment portion of the public hearing would remain open, but the Commission would move forward. He asked Mr. Hornung if he would like to comment on some of the things said by citizen.

Mr. Hornung stated Celebrate Virginia Parkway was designed to carry 76,000 vehicles a day at the entrance, currently there were 3,500. The ultimate development of the project, if not apartments would be something. The land uses that were allowed by-right generate on average 3 to 5 times more traffic than apartments. Offices generate a tremendous amount of peak traffic volume, that was why the ramp was built into the project and goes underneath the road. Comparison of today's traffic and the traffic that would include the residents of the apartments, the traffic would be increased, but comparing apartments to what ultimately could be in that location was actually less. The traffic study that Mr. Zuraf previously mentioned showed this development would reduce traffic ultimately at build out by 25 percent. The numbers that were given on traffic on Greenbank Road were projections for 2017 and 2022 for build out of the project, not directly of what would be coming from this development. The 4,000 trips would not be from the apartments it would be 4,000 from the continued development of Dell Web and the remainder of the project. Rocky Pen Run was over 1,000 feet and the treatment facility was over 1,000 feet on the other side of an existing tree buffer, but an additional buffer could be added on that side. He stated the majority of individuals that reside in Celebrate Virginia South, commute to northern VA to DC. Route 17 and I-95 would be accessible faster from this site than from Celebrate Virginia South. He stated the company was trying to generate more new businesses throughout the front development for shopping purposes. If the Comp Plan was recommending the southern half of the property for suburban residential single family, then the County should rezone the entire southern part of the project from office and industrial to 3 acre lot suburban residential. The Comp Plan was not in compliance with the Zoning Map or the decisions that were made in the past, so that either was an oversight or there should be action to try to rectify the issue.

After a lengthy discussion, Mrs. Hazard requested Dr. Stephen Fuller, the individual that prepared the Fiscal Impact Analysis, as well as the Commissioner of the Revenue and the Finance Director, attend the next meeting. She made a request for data information on the average market apartment rental rates in the County and a request of the design and program capacity data information at Rocky Run Elementary School and Gayle Middle School, the schools that would serve this project.

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She also made a request for information explaining how property owner's association costs would be affected in the future.

Mrs. Hazard made a motion to keep the public hearing open and defer action on this reclassification request to the next meeting. Dr. Schwartz seconded the motion. The motion passed 7 to 0.

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated his report would be brief. The format for posting the agenda on the web for the iPads was changed, so staff would like some input from the Commissioners on whether they prefer the previous format versus the new format. Staff thought there was some advantages to the new format which would allow the Commissioners to have easier access to the items. Mr. Hirons stated he preferred the format from the July 11th version. Mr. Rhodes suggested Mr. Hirons test the July 11th format and the new format and inform staff of his preference. Mr. Harvey stated the Board approved the Radley Collision Center's application last night and the Board gave the Commission additional time for UDAs.

COUNTY ATTORNEY'S REPORT

Ms. McClendon stated she had no report at the time.

COMMITTEE REPORTS

12. **Proffer Guidelines**

Mr. Harvey stated the committee date was not set yet. Mr. Hirons stated the Members of the Planning Commission responded with their preferred dates, but the Members of the Board had not.

CHAIRMAN'S REPORT

Mr. Rhodes stated at 5:30 p.m. the Commission would hold a committee work session at the start of the next meeting. The Commission would begin framing how they would proceed on the UDA project for the next 90 days. At 6:30 the public comment portion of the meeting would begin.

OTHER BUSINESS

13. **TRC Information – Meeting September 20, 2012 Cancelled
Meeting October 10, 2012**

Mr. Harvey stated there were questions about what items would be scheduled for that meeting, but staff did not have any further details.

APPROVAL OF MINUTES

None

ADJOURNMENT

With no further business to discuss the meeting was adjourned at 10:04 p.m.