

STAFFORD COUNTY PLANNING COMMISSION MINUTES
January 23, 2013

The meeting of the Stafford County Planning Commission of Wednesday, January 23, 2013, 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, Hiron, Boswell, English, Gibbons, Apicella and Schwartz

MEMBERS ABSENT: None

STAFF PRESENT: McClendon, Zuraf, Blackburn, Baker and Knighting

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes asked if there were any Declarations of Disqualification. Hearing none he moved on to public presentations.

PUBLIC PRESENTATIONS

Paul Waldowski stated the County's word of the month was courage. He said his word of the month was retreat. He noted that the Planning Commission considered having retreats, and he was concerned with the County paying for retreats. He also said he read the Planning Commission's annual report and that the County needs to work on topology, broken up into quadrants. He said there were 280 square miles in the County, and 640 acres to square mile, and what doesn't show up in comp plan is that there are 100 square miles in Quantico. He also stated there are seven representatives in the County, including seven School Board members, yet there are only five high schools, which means that three districts don't have representation.

With no one else coming forward, Mr. Rhodes closed the public presentations. He noted that Item 3 has been deferred to the second meeting in February.

Mr. Gibbons made a motion to add Resolution R13-37, which was referred by the Board, to New Business. Mr. English seconded the motion, and the motion passed 7-0.

PUBLIC HEARINGS

1. RC1100079; Reclassification – Leonard Chhuoy Property - A proposed reclassification from B-1, Convenience Commercial and R-1, Suburban Residential Zoning Districts to B-2, Urban Commercial Zoning District, to allow commercial uses on Assessor's Parcels 21-112B, 21-112E, and 21-112F. The property consists of 2.5 acres, located on the east side of Jefferson Davis Highway approximately 1600 feet north of Acadia Street in the Griffis-Widewater Election District. **(Time Limit: April 23, 2013)**

Kathy Baker gave the staff presentation and stated that the Planning Commission was to consider a reclassification of the property from R-1 and B-1 to B-2, on Assessor's Parcels 21-112B, 112E and 112F. The total site area is 2.5 acres and the applicant is Leonard Chhuoy. Ms. Baker showed an aerial view of the property and described the existing features. Ms. Baker stated that Parcel 112B was rezoned from R-1 to B-1 in 1982, and existing proffers limit use of the property to a child care center. The proffers also specify that no changes can occur to the exterior of the building, and that the property

would revert back to the R-1 zoning category when it was no longer used for child care. The former child care center operated until 2009. Ms. Baker stated that the proposal is to rezone for commercial or office use, and no specific use was identified yet. The applicant indicated there were no immediate changes planned for the property, except to meet current codes. The proposed proffers would limit the use of the property to certain uses. Ms. Baker showed a zoning exhibit submitted by the applicant. She indicated that a Transportation Impact Determination Form was submitted, and that no VDOT review was required. The form anticipates 336 Vehicles per Day at the highest use, which is a child care center, and that there would be no increase in traffic from the current allowed use. The existing entrance would be utilized, and although VDOT was not required to review the plan, the applicant met with them on site. VDOT recommended upgrades and repairs to entrance to enhance site distance and broken curbing. Ms. Baker reviewed the proposed proffers, which limit access to the one existing entrance and required the repair of broken curb; and required the following: dedication of right-of-way along Route 1, removal of vegetation at the entrance for sight distance; addition of pavement striping for parking and fire lanes; approval of a site plan and an occupancy permit; limitation on new parking outside the Resource Protection Area; utilization of cut-off lighting, directed away from residential uses; prohibition of outdoor storage and free-standing signage; maintenance of existing vegetation and buffering to adjacent residences; and an upgrade to the fire detection system. Ms. Baker stated that the future Land Use Plan recommendation was Suburban with a Commercial Corridor, and Resource Protection. She said Staff recommends approval, as the application is in conformance with the comprehensive plan, is consistent with development patterns in the vicinity, and would have limited impacts. Ms. Baker asked if the Planning Commission had any questions.

Mr. Gibbons asked for staff to clarify the need for a Transportation Impact Analysis based on trip generation, and that the day care use is the highest use. Ms. Baker indicated that the traffic threshold for submittal to VDOT was 1,000 vehicles per day, and the day care was shown in the transportation determination form to be 336 vehicles per day.

Mr. Apicella asked if the vegetation between the facility and the homes to the back of the property would be maintained. Ms. Baker indicated it was open space designated as a common area within Widewater Village. Mr. Apicella asked if the staff had any concerns for buffer impact if a building were built to the back of the property. Ms. Baker stated that the applicant would still need to comply with buffer requirements established in the Zoning Ordinance.

Mr. Apicella asked how many structures could be built on B-2 property as opposed to B-1 property. Ms. Baker said that the zoning does not limit the number of structures, but they have to meet a floor area ratio of 0.70. Development of the property would be somewhat limited by the Resource Protection Area on the front portion of the lot.

Mr. Gibbons asked again what the traffic estimate would be for the child care center, and if that traffic limit could be proffered. Ms. Baker said it could be proffered if the applicant was willing.

Mr. Rhodes stated that the most intense use of those proffered would be the child care center.

Mr. Gibbons stated the most intense use would be a medical facility.

Mr. Rhodes asked if there were any more questions, and hearing none, asked the applicant to come forward.

Debrarae Karnes of Leming and Healy, representing Mr. Chuoy, addressed the Planning Commission. She stated Mr. Chuoy is a small, well respected business owner in Stafford. She reiterated that any future use on the property would be small. She also said that the traffic factor is based on combination

of the use and size of the structure, in this case 2,600 square feet. Based on the ITE manual, this was the most intense use. The site is constrained by the RPA, and the way the proffers have been drafted, a new use would need to go through additional site plan reviews. Although VDOT did not require the review, the applicant met with them on site to determine if the existing entrance was adequate. Ms. Karnes stated that the discussion with VDOT indicated that a bank with a drive through would generate higher traffic, so they asked to have the drive through eliminated. Ms. Karnes said any of the uses listed in the proffers would not have an impact on the transportation system, and the applicant could look for a variety of uses to go in the site. The applicant is looking to use the existing building. Regarding parking, in the event a new use goes in, the applicant has proffered to present a parking tabulation on site sufficient to meet the zoning requirements. There are sufficient spaces there to meet any uses identified in the proffers. Ms. Karnes asked for the Planning Commission to move forward with a recommendation this evening, and she would answer any questions.

Mr. Gibbons asked for clarification on the traffic generation, and wanted to know if the generation was based on the building size. Ms. Karnes said yes. Mr. Gibbons said that a 5,000 square foot building, for example, would generate a higher volume than the 336 vehicles indicated in the study. Ms. Karnes answered yes, but a building of that size would not likely occur on the site due to the RPA limitations.

Dr. Schwartz asked if the applicant was proposing any free-standing signage on the road front. Ms. Karnes said no. Dr. Schwartz asked if there was any existing signage, and Ms. Karnes said she was not aware of any.

Mr. Rhodes asked if the applicant knew how many square feet could be built. Ms. Karnes stated she did not know. Mr. Rhodes asked staff to please note what the developable portion is, and to determine the traffic numbers based on the ITE manual.

Mr. Apicella asked the applicant if they had notified adjacent owners, and had they received any negative response. Ms. Karnes said no. Mr. Apicella asked if there was a reason the applicant wanted to push for B-2 instead of B-1. Ms. Karnes said that since the rezoning was necessary anyway, it made more sense to go with the B-2.

Dr. Schwartz asked Ms. Karnes about her statement that this may become part of a larger complex down the road. Ms. Karnes said she just thought this could happen, but not what the applicant is proposing. She stated her belief was that a larger development would be based on the aggregate of additional properties. Dr. Schwartz asked if they would have to acquire adjacent properties, and Ms. Karnes said that is correct.

Mr. Rhodes asked staff if they notify individual property owners or an HOA for a project like this, and Ms. Baker stated the HOA.

Mr. Gibbons asked staff, since this backs up to residential area, if they considered lighting impacts and hours of operation. Ms. Baker said that the applicant proffered lighting to be directed away from adjacent properties, and that no hours of operation were specified since the use had not yet been determined.

Mr. Rhodes opened the public hearing and explained the process.

William Tucker, 5117 Great Oak Circle, Fredericksburg, stated he was an adjacent owner. He indicated he had no problem with the project. He thinks the area is blighted, and he would welcome the change.

Paul Waldowski, 8 Picket Lane, stated that when you have an RPA, you would have a floodplain, and people are more affected by building in a floodplain. He indicated that house was built in 1982, and the use has not been there since 2009, and that this area should be B-2. He was also concerned with poor planning and traffic impacts at bank properties.

With no other speakers coming forward, Mr. Rhodes closed the public hearing. He asked for any further discussion.

Mr. Boswell motioned for approval, and Mr. Hirons seconded. Mr. Boswell restated the positive features, and the limited impacts, and the area is blighted, so he thought it was a good proposal.

Mr. Apicella said he had one concern regarding hours of operation, specifically a lodge or fraternal organization. He asked if staff could consider a proffer. Ms. Baker said they did not consider a proffer, but the applicant may want to address the issue. She stated that she did not believe that the hours of operation could be set at a later date, that this would be the time to ask for it. Ms. Karnes said the applicant would be willing to consider a proffer for a fraternal use and asked the Planning Commission if they had a time.

Mr. Apicella said 11:00 P.M.

Mr. Rhodes asked Ms. McClendon if they could restrict the time on one use. Ms. McClendon stated it would be allowable. Mr. Rhodes stated he thought there would be an issue with all uses, and asked if that would be acceptable to the applicant. Ms. Karnes said the applicant was amenable. Mr. Rhodes asked for a friendly amendment to the motion.

Ms. McClendon stated it would be a good idea to get the proffer change in writing, and that the Planning Commission would need to amend their by-laws to accept the change.

Mr. Rhodes asked to have the motion rescinded until this issue was put in writing.

Ms. Karnes read the revised proffer to say the hours of operation would be limited from 6:00 AM to 12 midnight. She asked for clarification about the proffers if a new rezoning came along. Mr. Rhodes said that would be addressed with a future rezoning or proffer amendment.

Mr. Apicella made a motion to accept the new information, and Mr. Gibbons seconded. The motion passed 7-0.

Mr. Boswell made a motion to approve the application with the amended proffers and Mr. Hirons seconded. The motion passed 7-0.

2. CUP1200352; Conditional Use Permit – Insurance Auto Auctions, Inc. - A request for a Conditional Use Permit to allow motor vehicle sales in an M-1, Light Industrial Zoning District specifically to allow expansion of the vehicle storage area onto Assessor's Parcel 44-98F. The property consists of 5.0 acres, located on the west side of Le Way Drive, approximately 1,300 feet south of McWhirt Loop within the Hartwood Election District. **(Time Limit: April 23, 2013)**

Mike Zuraf gave the staff presentation and stated that the Planning Commission was to consider a request for a Conditional Use Permit to allow motor vehicle sales in an M-1 zoning district on Assessor's Parcel 44-98F. The total area of the site is 5 acres and the applicant is Michael Madden of Insurance Auto Auctions, and the agent is Gloria Freye of McGuire Woods. Mr. Zuraf showed an

aerial view of the site, and a conceptual layout plan. Mr. Zuraf stated staff had proposed several conditions with the application including: vehicles may be on site no more than 60 days; no auctions shall be conducted on the property; lighting shall be directed downward and inward on the property; access is limited to Le Way Drive; standards will be established to avoid fluid leaks; a requirement for weekly trash and debris collection; the dismantling of vehicles or storage of vehicle parts on the property is prohibited; evidence of a master environmental insurance policy is required; water connections shall be provided should any wells be contaminated within 1,000 feet of the property; the applicant would employ the use of water truck to minimize dust; prohibit parking or unloading of vehicles on Le Way Drive; future buildings are required to have fire protection and a fire hydrant will be installed along the street for adequate fire and rescue access; provide travelways, travel lane identification, fire lanes and a knox box on any access gates; require removal of old structures from the site; and install a 20 foot transitional buffer along the rear property line. Mr. Zuraf said that the Land Use Plan recommendation was for Business and Industry, and Southern Gateway RDA. He indicated the use is appropriate for the site, and that staff recommends approval with the proposed conditions as depicted in resolution R13-34. The proposal is in conformance with the standards of issuance of a CUP, is consistent with adjacent uses and the established development pattern, and conditions intend to mitigate any negative impacts. Mr. Zuraf asked if there were any questions.

Mr. Rhodes asked for any questions for staff.

Mr. Hirons asked if the adjacent owners had been notified, including the Celebrate VA folks, and if there were any comments from them. Mr. Zuraf said they were notified, and they had not received any comments.

Mr. Gibbons asked how the land was taxed, and Mr. Zuraf answered he did not know.

Mr. Rhodes asked for applicant to come forward.

Gloria Freye, on behalf of Insurance Auto Auction, addressed the Planning Commission, and introduced Michael Madden of Insurance Auto Auctions and Bill Pyle, who was the engineer. Ms. Freye stated this Conditional Use Permit for Insurance Auto Auction was for motor vehicle storage as explained by Mr. Zuraf. She said this was the third expansion since 1987, and the use will now operate on 33 acres. There would be no new land disturbance, and the use would remain as is except for removing trailers and a pole barn. She stated the applicant was in agreement with the conditions, and that the proposal was consistent with land use, and in character with surrounding industrial uses. She said there were no responses from land owners, and they had not heard of any opposition. She indicated that the hours of operation are from 8:30 AM to 5:00 PM. She also stated that Perry Sisson is the property owner that Mr. Rhodes previously questioned.

Mr. Gibbons asked how they get taxed on the raw land. Ms. Freye said she did not know but it is based on the value of land.

Mr. Rhodes opened the public hearing.

Chris Hornung, Vice President of Silver Companies, said he was notified of the project, and that the user has been a good neighbor. He stated the proposal is far enough away from their project, so he does not anticipate any impacts.

With no other speakers coming forward, Mr. Rhodes closed the public hearing.

Mr. English made a motion to approve the application, and Mr. Hirons seconded. Mr. English noted that the applicant is doing what staff asked of them, and are installing buffers, so he recommends approval.

Mr. Apicella asked if the motion meant with the conditions, since he did not reference the resolution.

Mr. Rhodes said it should be as proposed in Resolution R13-34.

The motion to approve passed 7-0.

3. CUP1200391; Conditional Use Permit – Washington Square Murphy Oil Service Station – A request for a Conditional Use Permit to allow motor vehicle fuel sales in a B-2, Urban Commercial Zoning District and within the Highway Corridor Overlay Zoning District on a portion of Assessor's Parcel 58-9E. The property consists of 1.86 acres, located on the south side of Kings Highway, approximately 200 feet east of the entrance to Washington Square Plaza within the George Washington Election District. **(Time Limit: April, 23, 2013)**

Mr. Rhodes stated that the applicant requested deferral of this item, so the public hearing would be held at a later date, possibly the second meeting in February.

4. Amendment to the Zoning Ordinance – Proposed Ordinance O13-04 would amend Stafford County Code, Section 28-35, Table 3.1 "District Uses and Standards," to eliminate the minimum lot area of 1 lot per acre when on public water and sewer for cluster subdivisions in an A-1, Agricultural Zoning District, thereby establishing a uniform minimum lot size of 1 lot per acre with an average density of 1 lot per 1.5 acres for cluster subdivisions within an A-1 Zoning District. Proposed Ordinance O13-04 would also eliminate the density bonus maximum of 2.25 dwelling units per acre permitted by a conditional use permit in an R-1, Suburban Residential Zoning District. **(Time Limit: February 2, 2013)**

Susan Blackburn gave the staff presentation and stated the Planning Commission was to consider Cluster Provisions for lot area in the A-1, Agricultural Zoning District, and Bonus Density in the R-1, Suburban Residential Zoning District, as specified in proposed ordinance O13-04. She said the Board of Supervisors adopt new cluster provisions with ordinance O12-17 in June, 2012, and the provisions provided lot size reduction from 1.5 acres to 1 acre in the A-1 district if property was served by public water and sewer. The provisions also provided for a density increase from 1.5 to 2.25 lots per acre in the R-1 district if a conditional use permit is approved by Board of Supervisors. The Board was concerned about potential increase in development yield, and requested information concerning the increase in lot yield, which was a 30% increase in lots if all A-1 land in county developed as cluster subdivision with public water and sewer, and a 10% increase in the number of lots if all A-1 land in the USA was developed as a cluster subdivision with public water and sewer. The increased percentages are a rough estimate and a worst case scenario, as there was no accounting for soil conditions for septic fields or wells, steep slopes, etc. On December 4, 2012, the Board referred the ordinance to the Planning Commission for review and recommendations. On December 12, 2012, the Planning Commission discussed the proposed ordinance and recommended removing all density bonuses from cluster provisions. Ms. Blackburn stated that the Comprehensive Plan recommends concentration of development within the USA and preservation of open space in the rural parts of the county. Cluster development can reduce development pressures in rural parts of the county, reduce the cost of infrastructure improvements, and preserve open space in rural areas. She indicated that staff's recommendation was to utilize the most effective provisions within the Zoning Ordinance to accomplish the goals of the Comprehensive Plan, and asked for any questions.

Mr. Rhodes asked if there were any questions for staff.

Mr. Apicella said he remembered that Board members were concerned with additional yield as a result of the density bonus. He said he did not remember the actual number, but thought it was around 1,000 or 1,100 units for the A-1 zone. Mr. Rhodes asked if that was just the development density in R-1, and Mr. Apicella said no, it was for the A-1. He said he did not want to get bogged down by the numbers. He also said he recalled the Board's discussion that builders said they would like to have cluster available, because it can save on development costs, and would do so without bonus density. He asked Ms. Blackburn if that was true. Ms. Blackburn said that is the theory. Typically in clusters, you would have less roads, and if you are in R-1 you can group lots closer together, you would have less water and sewer lines, and this would allow for less infrastructure costs. Mr. Apicella said he thought that the Planning Commission's discussion was that if you eliminate the density bonus for A-1, it makes sense to eliminate in R-1, and asked Ms. Blackburn if that is what she recalled. Ms. Blackburn said yes.

Mr. Hirons said he recalled the discussion of not removing the bonus density because there is the option of requesting a CUP. He recalled the Planning Commission discussing it at length last year and came up with plan to include the CUP. He asked when the Planning Commission discussed eliminating it. Ms. Blackburn stated that at the last meeting in December, they asked for the lot size of R-1 not to be reduced, and the density reduction be discussed.

With no further questions for staff, Mr. Rhodes opened public hearing.

Paul Waldowski said that he looked up in the encyclopedia regarding zoning in the United States, and there are complex requirements for floor area ratio regulations, air rights and density needs in neighborhoods. By segregating uses you are getting into socialism. Reading the comprehensive plan, page 3-56, he said the agriculture/ rural areas have 77,293 acres, federal land is inaccurate and should be remeasured. He gave an example of 25 houses built in 2005, bringing in revenue of \$13.8 million, so he said not to feel sorry for developers, that is a profit of 40%. In concluding, the best thing to say is to quit amending something that is not broken, and don't be the traffic cop for uniform minimum lot sizes because you do not know if the soils, or if there are wells.

With no other speakers coming forward, Mr. Rhodes closed the public hearing.

Mr. Apicella made a motion to recommend approval of O13-04, and the motion was seconded by Mr. Gibbons.

Mr. Apicella stated that the subcommittee and the Planning Commission worked on this ordinance based on comments from the public including the development industry. He thought bonus density was a carrot for developers, but we would have to see if they build in the absence of bonus density. If it is important to the Board, and he thought they were looking for a win-win solution. He indicated they should push for preservation of open space.

Mr. Hirons asked if the motion maker and the seconder would accept a friendly amendment to approve the ordinance except for the R-1 change and leave the CUP for bonus density in place.

Mr. Rhodes asked Ms. McClendon if that would make it more expansive and subject to a new public hearing.

Ms. McClendon said no, it would not require a new public hearing if you remove the removal of bonus density.

Mr. Apicella said he respected Mr. Hiron's views, but he thought that if they eliminate the bonus density for one district, they should eliminate it for all districts.

Mr. Hiron stated, in that case, he would like to make a substitute motion to approved ordinance 13-04 as presented except for not striking bonus density for residential. Hearing no second, the motion failed.

Mr. Rhodes stated the original motion stood and asked for further comments.

Mr. Hiron said they were dealing with two zoning categories differently by sheer nature. He said when the Planning Commission dealt with this, they brought up the concept of a CUP, and that helps in residential areas because they have more input and ability to work with developers to make sure they don't have impacts. Without a CUP, subdivisions come through for technical review, but unless it doesn't meet the ordinance, the Planning Commission can't say no, and it doesn't go to the Board of Supervisors. He stated it was important to retain the CUP, but he appeared to be in the minority. He stated he would ultimately support the motion because of agriculture and the intent was good, but he wanted his Board member to know where he stood.

With no further discussion, the motion was approved 7-0.

UNFINISHED BUSINESS

5. Amendment to the Zoning Ordinance – Proposed Ordinance O13-03 would amend Stafford County Code to add multi-family dwellings as a by-right use in the Recreational Business Campus (RBC) Zoning District, and establish intensity, height standards, and performance standards for multi-family dwellings. **(Time Limit: March 12, 2013) (History – Deferred December 12, 2012 to January 9, 2013)(Deferred January 9, 2013 to January 23, 2013)**
(Authorize for Public Hearing by: January 23, 2013)
(Potential Public Hearing Date: February 13, 2013)

Mike Zuraf gave a staff summary. This item is a continuation from the January 9th meeting. At that meeting, the commission deferred action and requested additional information from staff, including drafting a second ordinance. Staff modified the definition of "dormitory" which was provided to the Commission on the evening of the last meeting. The modification to the definition removes references to the different types of schools that are defined in the County Code, simplifying the definition to apply to any school, and removes conflicts that existed in the two prior definitions regarding whether or not different types of schools are allowed or not. The new definition of Dormitory is a building or part of building in which dwelling units are provided as living quarters for participants in the education or instruction at any school. Staff also created two optional draft ordinances. Ordinance O13-01 allows both multi-family dwelling and dormitory as uses permitted by right. Ordinance O13-16 allows both multi-family dwelling and dormitory as uses requiring a conditional use permit. Both ordinances propose deleting "school" as a use permitted by-right. Mr. Zuraf noted that the "school" use should have been deleted when amendments to the district were made in 2007 and school was added as a use requiring a conditional use permit. He noted that the Planning Commission's time limit to act is March 12, 2013. A public hearing should be conducted by February 27, 2013, with authorization for a public hearing by January 23, 2013.

Mr. Rhodes said providing these options allow flexibility for the Board to choose the best option.

Mr. English made a motion to advertise for public hearing, which was seconded by Mr. Boswell. The motion passed 7-0. Mr. Rhodes asked which date this would be advertised, and Ms. Baker stated February 27th.

6. Discussion of Public Notification Requirements. **(Deferred to February 13, 2013)**

Mr. Rhodes stated this item was deferred to the next meeting.

NEW BUSINESS

7. Resolution R13-37, Power Generating Facilities.

This item was added to the agenda at the beginning of the meeting. Ms. Baker handed out information, including the resolution, draft ordinance, and Board report. Mr. Rhodes noted the Planning Commission does not have the flexibility to change the ordinance, so they would need to advertise the ordinance as presented. He said he would entertain a vote to accept new information in order to act on this item. Mr. Gibbons made a motion to accept the new information tonight, and Mr. Boswell seconded. The motion was approved 7-0.

Mr. Gibbons made a motion to authorize a public hearing on the ordinance, which was seconded by Mr. Boswell.

Mr. Apicella stated that the Commission just received this information, and he would like more information before moving forward.

Mr. Rhodes stated this was a proposal based on a request from the Rappahannock Regional Solid Waste Management Board (R-Board) proposing a use that is only allowed by Conditional Use Permit for a power generating facility. The R-Board would like to have this use allowed on County property by-right.

Mr. Apicella asked why the Commission needed to rush on this. Mr. Gibbons said there is a need for this facility, and it should go forward as soon as possible. Mr. Rhodes stated that the Commission does not have the option to change the ordinance, so by the time it comes to public hearing, there would be time to review the information.

Mr. Apicella stated that the Commission can decide not to refer at all if that is the desire.

Dr. Schwartz asked whether this can advance to the Board with a recommendation for denial, and Mr. Rhodes stated yes.

Mr. Rhodes asked what the deadline is for action. Ms. Baker stated the deadline was April 23rd, with action by April 10, so if the Commission authorizes public hearing for February 27th, there would be time to discuss at a couple of meetings.

Mr. Apicella stated he wants to understand the changes before moving ahead.

Dr. Schwartz asked who the company was proposing the facility. Ms. Baker said she was not certain, but could get that information.

Mr. Apicella asked if the proposal is just to eliminate the requirement for CUP, and allow the use by-right. Mr. Rhodes said yes.

With no further discussion, Mr. Rhodes said there was a motion on the table to authorize for public hearing on February 27th. The motion passed 7-0.

8. Planning Commission Annual Report

Mr. Rhodes stated staff provided the annual report, in the same manner as last year. If the Commission is comfortable with it, it can move forward, or we can take time to review and bring back.

Mr. Apicella asked about a session that was held to discuss planning issues, and recommended it be added to the report. Mr. Rhodes said additional information could be added, such as the TRC and DRM meetings, and the retreat that was held in ABC Conference Room. He stated we can defer for action on February 13.

9. Discussion of Planning Commission 2013 Annual Work Plan

Mr. Zuraf came forward and stated that the information provided is last year's plan, and staff is requesting recommendations from the Commission for this year's plan. He provided a mid-year report of the status of last year's plan. He also noted that the Comprehensive Plan Implementation Plan was included for information. Mr. Zuraf said staff needs to coordinate with other departments to see where the priorities now lie regarding the implementation plan.

Mr. Rhodes said that in his experience, work plans include a large list of items, many of which aren't accomplished. He suggested reducing the list for the most impactful items. Mr. Apicella agreed, and stated it sets an expectation of the public that the Commission will get to all the items on the list, so he recommended choosing the top 10, or some other number, to hone in on.

Mr. Zuraf stated that staff will work on the plan and bring back to the next meeting.

PLANNING DIRECTOR'S REPORT

Ms. Baker stated that the Board referred several items to the Planning Commission at its last meeting, including Resolution R13-37, Power Generating Facilities; R13-11, Technical changes to preliminary plans; R13-25, Off-street parking; and R13-28, Time limits for action on appeals. These items will be placed on the next Planning Commission agenda.

Dr. Scwhartz asked why the Board had a meeting last night. Ms. Baker stated the Board changed their January meeting schedule since January 1st was a holiday.

COUNTY ATTORNEY'S REPORT

Ms. McClendon stated she had no report.

COMMITTEE REPORTS

10. Proffer Guidelines

Mr. Rhodes said no meeting has been conducted so no new information was available.

CHAIRMAN'S REPORT

11. Discuss Planning Commission Retreat

Mr. Rhodes stated that the Commission may want to consider their meeting schedules since some meetings were on or near holidays, and to consider summer vacations.

Mr. Apicella made a motion to drop the July 24, August 14, November 27 and December 25 meetings, and it was seconded by Mr. English. The motion passed 7-0. Mr. Rhodes noted that meetings could be added as necessary.

Mr. Rhodes stated that the Commission should think of ideas for the annual retreat, and staff would do the same. This can be further discussed at the February meeting.

OTHER BUSINESS

12. TRC Information – Meeting February 13, 2013

Mr. Zuraf handed out TRC information for the February 13th meeting, for Tyler Estates in the Hartwood district.

APPROVAL OF MINUTES

None

ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

Michael Rhodes, Chairman
Planning Commission