

STAFFORD COUNTY PLANNING COMMISSION MINUTES
April 10, 2013

The meeting of the Stafford County Planning Commission of Wednesday, April 10, 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: Harvey, McClendon, Zuraf, Blackburn, Narvaez, and Stinnette

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes asked if there were any Declarations of Disqualification.

Dr. Schwartz stated on item 8 he had an opportunity to meet with the applicant and engineer on the project.

Mr. English stated he took a site visit to Whitson Woods.

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

PUBLIC PRESENTATIONS

Paul Waldowski stated he owned property in the Griffis-Widewater District. He stated there were only 265 days for some on the Commission members on their term, and this was an election year. He stated going through the budget process it was very interesting to see under the general government funds that the Board of Supervisors now requested \$612,860. There was nothing there for Planning Commissioners because everyone knew they all got a stipend. He stated obviously our government was too big and there were too many as Commissioners, there were too many on the Board of Supervisors, and getting into public hearing he would bring up some other aspects. He stated he would stick basically to planning. He stated it took 22 years for the Comprehensive Plan to finally get passed for a county with 280 square miles, 55 of those were Quantico, so there was only 225 square miles and if fifty per cent was kept as open space that would be just over a hundred square miles. He stated everyone just took the pledge of allegiance and he was looking for justice for all. Sometime you just say that statement and you don't realize that it was for common citizens. One of the key recommendations he would make to the Planning Commission, especially for the Comprehensive Plan, it would be real simple to put an amendment with one page that could be a matrix. He stated he keeps hearing from the Board of Supervisors that there are 50,000 households in Stafford County. He asked how you would know that. He stated he knows there are 131,000 residents here because that was published in 2011 and the Census said 128,961. He just found out there are 32,365 accounts for Utilities Department. He stated he keeps wondering why there are hundreds of people who want justice for all, who are common citizens, who want good drinking water and sewer systems and why they don't get a county water bill. One of the other key things that came up was there are 107,000 vehicles. He asked how many roads, how many storm ponds, how many hotels, how many businesses were in the county. He stated these were all measurements that planners should have on a yearly basis.

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Mr. Rhodes asked if there were any other speakers. With no one else coming forward he closed the public presentation portion and moved on to public hearings. He stated if there was no objection, staff has asked items 1 and 2 would have a combined presentation.

PUBLIC HEARINGS

1. COM1100211; Comprehensive Plan Amendment – Whitson Woods - A proposal to amend the Comprehensive Plan 2010-2030 document, a component of the Comprehensive Plan in accordance with Section 15.2-2229 of the Code of Virginia (1950), as amended. The proposed amendment would change the land use recommendations for areas designated Suburban on the Land Use Plan, specifically to add the development of townhouse and multi-family residential dwelling units as an allowable use, where compatible with existing development patterns and where visual impacts from lower density residential uses or other incompatible uses are appropriately mitigated. This proposal would apply to multiple areas in the County, but also, is requested to specifically apply to Assessor's Parcel 20-125, located on the south side of Highpointe Boulevard, approximately 2,000 feet west of Mine Road, within the Garrisonville Election District. **(Time Limit: June 9, 2013)**

2. RC1100212; Reclassification – Whitson Woods Rezoning - A proposed reclassification from R-1, Suburban Residential to R-3, Urban Residential Zoning District to allow townhouse dwelling units on Assessor's Parcel 20-125, consisting of 17.6 acres, located on the south side of Highpointe Boulevard, approximately 2,000 feet west of Mine Road in the Garrisonville Election District. **(Time Limit: July 9, 2013)**

Mr. Zuraf gave the staff presentation, stating these items were a combination of concurring applications submitted by one applicant. The first item was a Comprehensive Plan Amendment and the second item was a zoning reclassification associated with the Whitson Woods project. He stated the first item, the Comprehensive Plan Amendment, being requested would be to amend the text to the Comprehensive Plan 2010-2030 document. He stated the specific amendments being requested were two sections being amended, one to encourage infill development in appropriate areas within the Urban Services Area, and changing the Suburban Land Use recommendation text by allowing townhomes, apartments, and condominiums as infill development. He stated what the current Comprehensive Plan recommended, there were different land use categories within the Urban Development Area Land Use category which was one area on the Comprehensive Plan that recommended and supported townhouse and multi-family types of residential dwellings. The Urban Development Areas themselves recommended a higher density of development overall. He stated the other large land use designation was the Suburban Area. He stated there were two large suburban areas designated in the Comprehensive Plan that basically encompassed much of the already developed areas in the northern part of the County along Garrisonville Road and Route 1, and in the southern part of the County along US Route 17 and around the City of Fredericksburg. He stated within the Suburban Areas in the Land Use Plan, the plan only recommended single-family detached housing. He stated there were different types of residential dwelling units that exist within the Suburban Land Use designation. Mr. Zuraf stated that in staff's evaluation of this requested amendment, they looked at several different factors that may be affected by this change. He stated the proposed criteria would not permit higher density development from occurring on every single property in the Suburban Land Use Area. He stated the predominant dwelling type in Suburban Areas was generally single-family detached housing. Infill development sites surrounded by single-family detached housing would not be consistent with the proposed Comp Plan criteria. He stated considering design, in this proposal any request would be required to be compatible with the current pattern of development and appropriately

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mitigate visual impacts from any uses that might be of lower intensity. Generally the typical pattern of townhouse and multi-family unit in the County were 2- to 3-story buildings. He stated new proposals that would come in would require a zoning reclassification and they would be measured against the recently adopted Architectural Design Guidelines that would give the County some control over the appearance of the units. He stated this change would promote some of the County's growth management policies. He stated allowing a higher density of development to occur in the Urban Services Area may further achieve this goal as opposed to allowing a lower density product in the Urban Services Area. It would increase the ultimate potential build-out within the County. He stated the other factors with fiscal impacts, staff would note that the townhouse units may have more of a negative fiscal impact than other types of housing units. He stated there was a fiscal study conducted back in 2010 when the Comprehensive Plan was first being developed that looked at different types of residential units and that study did find that townhomes would have more of a negative impact fiscally on the need for services compared to the amount of money that would be brought in in tax income, compared to single-family detached homes and apartments. There would also be a demand for County services that would likely exceed revenues as a result of this change. He stated with housing, the change would be consistent with Comprehensive Plan goals that do promote housing options and affordable housing. He stated the positives and negatives, and also stated that staff would recommend approval of the Comprehensive Plan Amendment.

Mr. Zuraf stated item 2, the reclassification, was a request to reclassify property from the R-1, Suburban Residential Zoning District, to the R-3, Urban Residential-High Density Zoning District, specifically to allow for 55 townhouse development lots. He stated surrounding the property on three sides was existing R-3 zoning where there were already existing townhouse units. He stated back in February of 2003 cluster subdivision and preliminary subdivision plans were approved on this property for 22 single-family detached homes. It was later revalidated in September of 2004, and no other approvals exist on this property at this time. He stated the site was undeveloped, and included a lot of steep slopes and a perennial stream. He stated the Transportation Impact Analysis Determination Form found that this type and size of development would generate 320 vehicle trips per day. This level did not require the applicant to submit a Traffic Impact Analysis.

Mr. Rhodes asked what the calculation per unit used for townhomes was.

Mr. Zuraf stated he believed it was generally 7. He stated there were several public and private improvements being proposed by the applicant and showed an illustration. There were several proffers proposed to minimize RPA and other environmental impacts. He stated the applicant had proffered architectural design of the units. The applicant was proposing to construct the townhomes to come with two optional roof forms. There were several different color schemes of varying earth tones that would be required of the different units to provide variety from one unit to the next. Staff noted that proposed architectural renderings conformed with the County's Architectural Design Guidelines regarding the incorporation of various building materials and details. He stated the design did not conform with the guidelines regarding parking which does encourage on-street parallel parking or parking to the rear of the units. He stated this layout was consistent with the layout and general pattern of the existing homes that were surrounding this site. He discussed the monetary proffers and the contributions being offered in the proffers.

Mr. Apicella asked that based on the current proffers in place today, they were offering about a fourth of what the County would normally expect under the circumstances.

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Mr. Zuraf stated the new proffer guidelines had not been adopted, so until then the current proffer guidance should apply. He stated also that proffers generally should mitigate public impacts. Credit was being requested for the 22 by-right dwelling units that were already approved through the preliminary plan with the payment beginning on the 23rd unit, and staff noted that the proffer guidelines did not currently allow a credit for already approved density that might be in place. He stated currently the site was R-1 without proffers. Mr. Zuraf stated the proposal was inconsistent with the Comprehensive Plan at this time which would support single-family detached dwelling units. He stated the proposed Comp Plan amendments did attempt to bring the project into compliance with the Comp Plan.

Mr. Rhodes stated based on the logic that was presented for the rationale for the proposed proffers, there was a value placed to the other off-site improvements, and asked how that value was determined.

Mr. Zuraf stated it was determined based on the cost estimate for constructing sidewalks and the paving improvements. He stated they provided that estimate in their impact statement and they did not get into all the details of how they came up with the numbers.

Mr. Rhodes asked if these were an updated cost valuation.

Mr. Zuraf stated he would have to defer to the applicant. He stated they were proffering to do the work regardless of the value. Staff recommended denial of the request based on the current status of the Comprehensive Plan, but should the Comp Plan be amended, he stated staff would recommend approval of O13-26 with the proposed proffers.

Mr. Gibbons stated the recommendation did not track with what staff originally said.

Mr. Harvey clarified that from a staff perspective, if the Comp Plan amendment to prove the only negative they were seeing at this point in time was that the proffers did not match the guidelines, then from a staff perspective that was not necessarily a reason, solely on its own, to recommend denial. There would have to be other reasons for recommending denial.

Mr. Gibbons asked if staff could have a sole reason.

Mr. Harvey stated they could but that case law indicated that if you turn somebody down on a rezoning just because they did not give you enough money, that was not a valid enough reason.

Mr. Rhodes asked what the current proffer guidelines were on single-family detached homes.

Mr. Zuraf stated \$45,000, and on single-family attached it was \$39,000.

Mr. Gibbons asked if staff agreed with the waiver of the first 22.

Mr. Harvey stated they acknowledged that did not meet the guidelines but looking at the overall proposal to put townhomes in that location, from a land use perspective, staff believed that that was appropriate.

Mr. Gibbons asked if he found the exemption of 22 inappropriate.

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Mr. Harvey stated right now it was not compliant with the guidelines, so there were pluses and minuses and they would have to weigh those things out. On the whole, he thought it was compliant with the land use of the surrounding area if the Comp Plan was changed.

Mr. Apicella asked if there was a reason why that specific area was designated as suburban by some other designation.

Mr. Zuraf stated when the Comp Plan was amended back in 2010, the whole area was designated suburban and they kind of generalized the land use recommendations.

Mr. Rhodes stated if you looked at the south half of the property, it would make sense.

Mr. Zuraf stated the previous version of the Comprehensive Plan, the Land Use Plan, had a lot more different land use designations.

Mr. Apicella asked if there were not some other option available to the County and to the applicant if they were so predisposed to authorize that use short of modifying the Comp Plan in the way it had been suggested.

Mr. Zuraf stated it would be difficult, that the only possible option might be to designate it an Urban Development Area. He stated the way the Urban Development Area language was written, it really called for a mix of uses and he did not think designating this site an Urban Development Area would be appropriate.

Mr. Apicella stated he was just trying to see if there were some other options available to the County and to the applicant if townhomes appeared to make sense in this particular location.

Mr. Zuraf stated the only way would be for staff to look into whether an Urban Development Area would be appropriate, but he did not believe so.

Mr. Harvey stated the rezoning could be approved without amending the Comprehensive Plan; it was not a requirement that they amend the Comprehensive Plan. He stated this was one way to make their project consistent with the plan.

Mr. Rhodes asked if there was a way to make a determination or indication to where all would this now change circumstances and conditions throughout the rest of the County, and what other impacts of this change would occur throughout the County.

Mr. Apicella stated in addition he would like to see it shown on the map. He also asked that if townhomes were what was desired, the language was broader than that in terms of the Comp Plan change and also includes apartments and condos, then why were they adding those again if the specific driver in this instance was townhomes.

Mr. Zuraf stated because this change would end up affecting sites beyond this site alone. He stated this change proposed to go ahead and try to tackle those other sites where a property might be surrounded entirely by apartments and they may want to propose an apartment in that location.

Mr. Apicella stated when it came to clusters, there was a big brouhaha about adding additional lot yield. He stated if they were to allow this on a countywide basis, at the end of the day, this could

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significantly increase lot yield in the County. He also stated he certainly understood the objective that they were trying to promote infill development, and that may be somewhere they would want to go, but by the same token they were increasing the overall build-out in the County.

Mr. Zuraf stated yes it did and that staff made note of that in the report.

Mr. Harvey stated that was based on future rezonings and that was something they could continue to monitor.

Mr. Apicella stated that staff mentioned that townhomes cost more in terms of county services than they bring in in terms of revenues. He asked what would the financial impact be on county residents in townhomes were approved.

Mr. Zuraf stated that the information that was identified in this study did show that townhouses would result in a per unit effect of -\$1,368 per unit on an annual basis for services.

Mr. Apicella stated this would be a cost impact in this particular case and potentially countywide versus Urban Development Areas which try to make it somewhat cost neutral.

Mr. Hirons asked if they kept moving forward with the Comp Plan language amendments, what would the definition of adjacent be in this language; would it be shared boundary.

Mr. Zuraf stated he thought that was how staff would look at it. They would look at it at a case by case basis.

Mr. Hirons stated that was his concern and asked if the language could be played with a little bit to tighten it up to get specific to this particular area.

Mr. Zuraf stated the domino effect could happen.

Mr. Hirons stated that was why he would like to see something done, to take the language and adjust it to try to specify that particular area.

Mr. Zuraf stated staff would look into that.

Mr. Rhodes asked if there were any other questions. He then asked the applicant to come forward.

Debrarae Karnes stated she would be presenting the two cases for Whitson Woods. She stated their one sentence position was that this property was better with townhomes. It had a townhouse community on 3 sides and environmental resources on the other side serving as a natural buffer to the single-family houses. She stated they submitted the language for the proposed Comp Plan amendment, it had been tweaked a little by staff, but basically they wrote it in an attempt to very narrowly define when infill development would be appropriate. She stated she would be willing to work with the Planning Commission if they wanted to further fine tune this language. Ms. Karnes stated to the Chairman she would rather address some specific points raised after giving a little history of the project, and she proceeded with the history. She stated there were a lot of questions on how they calculated the proffers. Ms. Karnes stated she took a look at the proposal that was before the Planning Commission for revised proffers. The existing County proffers had not been updated in some time, and they had increased in terms of cost of living, but some of the factors used such as number of

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school children, such as cost of land, had not been updated since 2005. She stated it made more sense to her to use the suggested proffers that had not yet been adopted. She stated she did use the 2011 approved proffer for transportation because the Planning Commission committee had not looked at that yet. Ms. Karnes stated there was something else about the new proffer policy being considered by the Planning Commission; it would give credit for existing approved units. She stated Spotsylvania County allowed credit and would encourage the Planning Commission to look at that. She thought it was a fairer calculation. She stated their proffers commit to doing the improvements; they were not limited by cost. Ms. Karnes stated the retaining walls would be approximately 10 feet. There were some substantially failing slopes in two places and it would need some work. Mr. Gibbons asked if a fence could be put there because of the height. Mr. Rhodes asked where the retaining walls would be. Ms. Karnes asked for the slide for Liberty Place and showed them.

Mr. Harvey stated that the Building Code required that there be protective railing on retaining walls above a certain height. He did not recall what the standard was.

Ms. Karnes stated that staff referred to negative fiscal impacts from townhouses and that was based, she believed, on a 2006 study by Steven Fuller. She would suggest that perhaps that may be outdated because she attended the Board's Economic and Community Committee meeting and they reported the recent findings of some population projections, including the fact that the number of school kids had decreased dramatically. She stated in looking at the fiscal impact, she thought it was great to be evaluating the desirability of units by fiscal impact, but they also had to balance it on the importance to have diversified housing units, especially those that were likely to be more affordable perhaps to the workforce community.

Mr. Rhodes asked if anyone had questions for the applicant.

Mr. Gibbons stated years ago they were not allowed to take off-site proffers and asked if the applicant would consider that.

Mr. Harvey stated the County changed its Zoning Ordinance to adopt an option under State Code where they could accept off-site proffers.

Mr. English asked if after the applicant fixed the roads in Liberty Place, were they going to adopt them to help keep them maintained after the property was built.

Ms. Karnes stated that was not on the table.

Mr. Hirons asked what the increased proffer contribution due to the project be if they were figured on the approved proffer guidelines as opposed to the proposed proffer guidelines. He asked if the project would be able to continue to move forward.

Ms. Karnes stated she could not speak with certainty for the developer, but she thought if he was looking at much more of a proffer increase, he would have to go back to the drawing board and re-evaluate whether it would make more sense to develop 22 single-family detached units with zero proffers, including no improvements at Liberty Place.

Mr. Hirons asked if the applicant was at 22 by-right townhomes when they started this project 3 years ago.

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Ms. Karnes stated that was what was approved and when they originally submitted the application, it was submitted with no cash proffers at all.

Mr. Apicella asked the applicant to take another look at what they could do to truly help the County mitigate the impacts of this proposed development, if 55 units were approved.

Ms. Karnes asked if she could split one tiny hair; they gave the entire transportation amount approved by the County even though they could have gone with the Transportation Impact Fee which was 50 per cent less.

Mr. Apicella stated that by the time this would get done the Transportation Impact Fee might be adopted, so they might have to pay that regardless. He stated he thought it would be helpful to relook at what the applicant was offering in terms of proffers to help mitigate the impacts.

Mr. Rhodes asked if there were any other questions for the applicant. Hearing none, he opened the public comment portion of the public hearing.

Robert Hefterich stated the lawyer for the applicant mentioned Liberty Place HOA being all aboard for this project and he thought that was neat. In his line of work he believed that accountability was a very important thing. He stated he was in the military and as far as accountability would go, he wanted to say a little note about the HOA. He stated DR Horton had apparently put in the application that they would do road improvements for an area that had an HOA. He stated they were going to build these houses and make road improvements for an area that should be able to already compensate and account for itself had that HOA account for its own road improvements. Now that the HOA cannot account for that, the applicant said they would go ahead and give them more property that they would not be accountable for and it did not make sense to him. He stated he would like to hit on everybody's emotional side. He asked them to imagine going out of the back of the house and there was a yellow sign stating there would be a board meeting. You investigate that meeting and come to find out there would be a road. He stated he bought the house because it was pretty well secluded and he knew all of his neighbors. When he saw the sign and followed up on it and found out there would be a road, he stated that was where his kids would no longer be allowed to play. He stated they already had traffic issues there now and it would only get worst.

Kenneth Graue stated he did not support this project. His kids' safety was number one and with this new project it would be a dangerous environment for his kids. He stated there would be more traffic, congestion, and crime. He stated it would be too dangerous to allow his kids to just play and ride bikes outside with the reason being the road entrance that DR Horton was proposing was where his kids play. He stated that was what his neighbor stated also. He stated they would basically have to take the kids to a park. He stated the traffic and speeding problem on Highpointe was very bad, and more traffic issues would arise. Every day Stafford County Sheriffs were on Highpointe because people would be going 25-30 mph over the speed limit. He stated with more townhomes it would create more cars, more traffic. He stated he purchased his home because of location and the woods in the backdrop. But now the woods in his back yard would be gone. He stated privacy would be gone. And the parking in the neighborhood was extremely chaotic. He stated there were roughly 2 cars per household and the parking would be out of control. Also, he was worried about the noise. He stated he believed that on Highpointe Boulevard every road and sidewalk that they currently had was fine. He stated he was considering selling their townhome because of this, and to please consider this.

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Paul Waldowski stated he objected to the citizens' loss of 3 minute time because you combined both of these aspects. There was a comment that the cart was in front of the horse and this was a perfect example of why they have this big government. He stated maybe they should build some townhouses where the gas stations are empty in the Aquia District. Or go down to Falmouth and infill there. He stated he rode through there and down Truslow and it was kind of an interesting enlightenment. He stated most developers did not do what this developer was doing. He stated there were sidewalks to nowhere and they were going to fix it. He stated he looked up the Virginia BAH rates with dependents in the Quantico/Woodbridge arena. He stated it was appalling to him that the County was all so concerned about passing these 95 single-family houses and gaining proffers but there was no one on active duty that could afford \$450,000 to \$550,000 houses unless you're up here as 06 or 07 on the pay rate. He stated there were only 2 suburban areas in this county period. He stated the County would have to do infill and logically and economically the only townhouse he could afford in 1990 cost \$110,000. It took him 22 years to finally recoup his return on investment. He stated there were no street lights, and the HOAs were never going to be able to substantiate the pavement and the parking lot and the erosion problems. He stated the people he sold his townhouse to were still maintaining the storm pond in the Whitson Ridge because of the decisions that were being made from the Planning Commission and the Board of Supervisors in this County. He stated Settler's Landing was a perfect example of the worst community ever built probably in the United States. He stated there were no sidewalks, there were no streets, there were no aspects to go on. He stated townhouses were a viable means economically for people to finally move into single-family houses. Unfortunately he had to get into his early 40's to finally afford something. He stated he knew his time would expire but was wondering if he could get an extra minute.

Mr. Rhodes stated since there was no one else, that was fine.

Mr. Waldowski stated most of the time he was the only one that would come to these public hearings and he was the only one who kept track of what was going on. He stated he knew they all needed proffers to make things for justice for all. He stated you couldn't keep going after the developer and not realize that they need progress. He stated he kept harping on the County about the Comp Plan because they were going to need to make amendments like this. Just listening to the discussion, if you listened to his first speech today, two other aspects they could add to that matrix that was needed in the Comp Plan was number of school children. He stated there were 30 schools and if you looked at the CIP, it was just amazing how much money they were going to throw in the ground. He stated the last thing he would share was something he shared with the Board because it was really worth sharing. He was a true baby boomer so he had a different set of leadership aspects than some of the Planning Commissioners did. He stated 23 million young adults would be coming of age in the years 2013 to 2020, and they would need some kind of aspects of helping them. And the Planning Commission would only help them by approving aspects that would improve their way of living. He stated as planners, they needed to use metrics to watch what was going on in this decade that would help us build out up to 2030.

Mr. Rhodes closed the public comment portion of the public hearing. He asked staff if the proffered design criteria would require that each of the townhomes would have a garage.

Mr. Zuraf stated it was not specific to that. They would have to provide 2 parking spaces per unit.

Mr. Rhodes asked if the applicant would like to comment.

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Ms. Karnes stated she wanted to clarify that the Liberty Place HOA was working with them but they had not approved anything yet. Much of the parking lot problem appeared to be the fault of the previous developer.

Mr. Rhodes asked if the applicant had looked at other tot lot designs.

Ms. Karnes stated the location of the tot lot was not proffered and could change.

Mr. Apicella stated he was curious how the Liberty Place situation occurred.

Mr. Harvey stated there were multiple developers at different times within that project, issues with bonds not being sufficient to cover improvements, and issues where bonds were not posted when required.

Mr. Hirons stated to the applicant that it would be helpful if there were any meeting minutes or resolutions from the HOA to signify that they approved and supported this.

Mr. Rhodes presented some notes he had taken down for staff to look into. He made a motion to defer to the next meeting in the 24th for staff to come back with additional information.

Mr. Apicella seconded and stated he registered a concern to the other Commissioners about process. He stated he thought 90 days to approve a rezoning was a short amount of time and, at the same time, to look at a policy change. He was concerned with the time constraint. He stated he thought they should look at the policy changes that were being recommended before looking at the actual zoning request, and the policy changes should stand on their own merits.

Mr. Hirons stated this was part of their work session.

Mr. Gibbons asked was it required.

Mr. Harvey stated the State Code required the Planning Commission to act within 60 days of receiving a Comp Plan amendment.

Mr. Hirons stated the motion was to defer items 1 and 2, and the motion 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: July 9, 2013)**

Robert Narvaez gave the staff presentation for a Conditional Use Permit for Washington Square Murphy Oil Service Station. He presented the location and zoning maps, aerial photographs, and the conceptual layout and elevations of the property for reference.

Mr. Rhodes asked what material the cornice was made out of.

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Mr. Narvaez stated he would refer that to the applicant and then proceeded with the conditions. He stated the Comprehensive Plan called this area a commercial node within the suburban area, and that commercial activities were located where there were adequate transportation facilities to accommodate proposed uses. The proposed development was consistent with the recommended future land use and it was also located within the Urban Service Area. He stated staff recommended approval of the CUP.

Mr. Gibbons stated they've done a lot of initiatives up in North Stafford and to make sure they would get the brick and lighting, and if you looked at the Wawa's and 7-Eleven's they did not look like this. He wondered if there were different standards when you go south.

Dr. Schwartz stated it was very similar to the Sheetz that was right across from the entrance. He asked if it was in the historical district closer to Ferry Farm.

Mr. Narvaez stated no.

Dr. Schwartz stated he had no problem with the architectural.

Mr. English asked if this was going to be a 24-hour gas station.

Mr. Narvaez deferred to the applicant.

Mr. Rhodes asked the applicant to come forward.

Kevin Primmer stated he represented the applicant and he was the civil engineer for the project. He stated Mr. Narvaez did an excellent job of representing what they were trying to do. He stated it was basically simple; it was a fueling station with six bays, two of which would sell diesel fuel, and a 1,200 square foot convenience store that was not typically open 24-hours but they would like to reserve the right to be able to be open 24-hours should the need be there. He stated the material on the cornice he believed the entire canopy was metal.

Mr. Gibbons asked what type of lighting would be put in.

Mr. Primmer stated LED, 25 foot height and fully shielded.

Mr. Gibbons asked if it was restricted to 5 ton.

Mr. Primmer stated yes, they were not servicing semi's or larger vehicles.

Mr. Gibbons stated he did not like the design.

Dr. Schwartz stated as far as the appearance was concerned, this almost matched very closely the Sheetz that was already there.

Mr. Rhodes asked what the required landscaping was and if there were any minimum code requirements.

Mr. Harvey stated yes and since it was located along Kings Highway, there would be a requirement for a street buffer. He stated a berm was not required since there was not parking within the front setback.

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Mr. English asked if there were one or two entrances. Mr. Primmer stated there was an existing entrance that serviced the Northern Virginia Supply which they currently had an inter-parcel access agreement to utilize that entrance. In addition, there was an inter-parcel access agreement that would allow access in the back where the trucks would run to fill the tanks.

Mr. English asked if there was any opposition from the Tylerton Subdivision.

Mr. Primmer stated he believed staff made them aware of certain concerns regarding noise. He stated the project was 600 feet from residential development. He felt what they were proposing was in harmony with the adjacent uses.

Dr. Schwartz asked if a berm could be put in the proffers.

Mr. Harvey stated the County could impose it as a condition. They would have to see if that would be something that would be viable based on the width of the landscaping area. He stated he would have to defer to the engineer to see if that would be a possibility on this site.

Mr. Primmer stated they had done some preliminary grading and there were some minor challenges with grades in the area. He stated it would be difficult to put in a berm. They could probably do a more enhanced hedgerow and that they would make the best effort.

Dr. Schwartz stated they would be looking for a 3-foot berm and asked Mr. Harvey if that was typical.

Mr. Harvey stated typically most people would do a 2 to 3-foot berm so you could still see the building but it would provide screening for the headlights for cars that would travel along that section of the road. He stated he understood the site would be below the street grade and asked how low.

Mr. Primmer stated he could not recollect but he thought maybe 2 to 3 feet.

Mr. Rhodes opened the public comment portion of the public hearing. With no one coming forward, he closed the public comment portion of the public hearing. He stated he heard some discussion about possibly modifying the proffer and asked if that was a desire.

Dr. Schwartz he was very much in favor of this but would like that last little issue tied together. He recommended deferral of the CUP to the next meeting on the 24th. Mr. Gibbons seconded. The motion passed 7-0.

4. Amendment to the Zoning Ordinance - Proposed Ordinance O13-11 would amend Stafford County Code Section 28-183, "Building Permits," to remove the language granting authority to issue building permits by the Zoning Administrator and the procedure for such action and clarify the language to ensure review of a building permit for compliance with the Zoning Ordinance. **(Time Limit: April 28, 2013)**
5. Amendment to the Zoning Ordinance - Proposed Ordinance O13-12 would amend Stafford County Code Section 28-184, "Certificates of Occupancy," to remove the language granting authority to issue a certificate of occupancy by the Zoning Administrator, and the procedure for such action, and to clarify the language to ensure that reviews of certificates of occupancy are in compliance with the Zoning Ordinance. **(Time Limit: April 28, 2013)**

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6. Amendment to the Zoning Ordinance - Proposed Ordinance O13-13 would amend Stafford County Code Section 28-39(c)(1), "Lawful Location of Manufactured Homes," to remove the width requirement of nineteen feet (19'), and the word "conventional" from the Zoning Ordinance. **(Time Limit: April 28, 2013)**

Mr. Rhodes stated 4, 5, and 6 would be discussed together.

Susan Blackburn gave the staff presentation and stated these items had been combined because they were general housekeeping amendments to the Zoning Ordinance. She stated proposed Ordinance O13-11 was an amendment to remove the language granting authority to issue building permits by the Zoning Administrator. Proposed Ordinance O13-12 was also an amendment to remove the language granting authority to issue a certificate of occupancy by the Zoning Administrator. Proposed Ordinance O13-13 was an amendment to remove the width requirement of 19 feet and the word conventional from the Zoning Ordinance. She stated due to inquiries of staff and researching these inquiries, staff found out that there were inconsistencies between the Zoning Ordinance, the Virginia Administrative Code, and the State Code regarding these subjects. Ms. Blackburn stated that these items were discussed at the December 18, 2012 meeting of the Community and Economic Development Committee, and they voted to forward these proposed amendments to the Board for its consideration. The Board approved Resolutions requesting the Planning Commission review and make recommendations concerning the proposed ordinance amendments. She stated concerning the building permits and the certificates of occupancy, the Zoning Ordinance currently stated that the Zoning Administrator issue building permits and certificates of occupancy, which was outlined in the County Code. Ms. Blackburn stated this was in conflict with the Virginia Administrative Code that stated that the building officials shall perform these duties. She stated these amendments would be removing those items from the Code and, also, the procedures for approving building permits would also be removed. This stated the timeframe for review and interchanges the terms building and zoning when discussing permits. Ms. Blackburn stated the building official would do the determination for the need for a building permit and the issuance of a building permit, and also for a certificate of occupancy. Once it would be determined that either document would be required, it would be reviewed by the Zoning Administrator or designee to ensure compliance with the Zoning Code. She stated they would just like the Zoning Ordinance to reflect this and that the building official was in complete agreement with these amendments concerning certificates of occupancy and building permits. Ms. Blackburn stated staff discovered the inconsistency within the Zoning Code involving manufactured homes because a citizen had called inquiring where a manufactured home could be placed and what size. Staff found that the County Code stated that a manufactured home may be placed on property zoned A-1, Agricultural, and A-2, Rural Residential, if it was a minimum of 19 feet in width. She stated the definition in the Ordinance was the same as the State Code which stated it could be eight feet wide. She stated after reviewing the code, the 19 feet and the word "conventional" were removed in 1995 from the State Code. This was nothing more than having the County's Zoning Ordinance come in compliance with the State Code regulations. Ms. Blackburn stated staff recommended approval of the proposed Ordinances.

Mr. Rhodes asked if there were any questions for staff. He opened the public comment portion of the public hearing. With no one coming forward, Mr. Rhodes closed the public comment portion of the public hearing.

Mr. Gibbons made a motion to recommend approval of Ordinance O13-11. Mr. English seconded. The motion passed 7-0.

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Mr. Gibbons made a motion to recommend approval of Ordinance O13-12. Mr. English seconded. The motion passed 7-0.

Mr. Gibbons made a motion to recommend approval of Ordinance O13-13. Mr. English seconded. The motion passed 7-0.

7. Amendment to the Zoning Ordinance - Proposed Ordinance O13-14 would amend Stafford County Code Section 28-35, Table 3.1, "Districts Uses and Standards," to include the use of home occupations as a use permitted by-right in the Recreational Business Campus Zoning District. **(Time Limit: May 28, 2013)**

Susan Blackburn gave the staff presentation and stated this item was to consider recommending adoption of O13-14. She stated due to inquiries, staff realized that home occupations in developments zoned within the RBC did not have the option of having home occupations. After researching this in the Zoning Ordinance, it was discovered that they had been left out.

Mr. Rhodes asked if there were any other zoning district that permitted dwellings that did not allow home occupations.

Ms. Blackburn stated this was the only one. She stated the RBC Zoning District allowed for diverse uses, light manufacturing, high intensity commercial retail, parks, playgrounds, and executive style dwellings, but did not list home occupations as a permitted use. She also stated a home occupation would not conflict with these uses listed in this zoning. Ms. Blackburn stated allowing this use in this district would provide the same opportunities as allowed in other districts that permitted dwellings. She stated staff recommended approval of proposed O13-14.

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

Mr. Hirons stated a lot of times HOAs would adopt covenants that preclude home businesses, and asked if this would still allow an HOA to adopt that type of covenant.

Ms. Blackburn stated it was her understanding they could, and she deferred it to Ms. McClendon.

Ms. McClendon stated this zoning provision would not prevent an HOA from still adopting that particular covenant.

Mr. Rhodes opened the public comment portion of the public hearing. With no one coming forward, he closed the public comment portion of the public hearing.

Mr. Gibbons made a motion to recommend approval of Ordinance O13-14. Mr. English seconded. The motion passed 7-0.

UNFINISHED BUSINESS

8. CUP1200415 Conditional Use Permit – Brooke Village - A request for a Conditional Use Permit to allow a Cluster Subdivision with a maximum density of 2.25 dwelling units per acre on Assessor's Parcels 54C-1-26 and 54C-1-27, zoned R-1, Suburban Residential Zoning District. The property consists of 9.54 acres, located on the south side of Little Whim Road,

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approximately 250 feet west of Brooke Road within the George Washington Election District.
(Time limit: June 25, 2013) (History: Deferred at March 27, 2013 to April 10, 2013)

Robert Narvaez gave the staff update, stating he left a revised Resolution for the change of the proposed conditions and also an updated GDP. He stated a new condition was added regarding the open space and trail, along with upgrading water and sewer facilities, with the developer contributing \$80,000 toward the upgrades.

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

Dr. Schwartz stated with his discussions with the applicant, they spoke about applying to VDOT for a waiver on the inter-parcel connector. He asked if that had been done.

Mr. Narvaez stated he did not know but defer to the engineer.

Dr. Schwartz asked if the \$80,000 contribution was the low end of the price.

Mr. Narvaez stated he tried to contact the Department of Utilities to get a ballpark of how much it would cost to upgrade the system but they have not yet responded.

Dr. Schwartz asked about the \$80,000 or proportionate amount.

Mr. Harvey stated they were not sure what all the required improvements were, that was partly why the condition was worded \$80,000 or the proportionate share. This was a relatively small project and from what he understood the situation was that if you add more homes on the existing system, it would need to be upgraded. He stated often time utilities would design the system to accommodate all the planned growth in an area, so this may only represent a portion of that planned growth. That was part of the reasoning behind the wording of the condition, that it would capture \$80,000 or whatever the proportionate share of this project's cost towards that improvement.

Dr. Schwartz asked if they had calculated the further growth that would be using that station.

Mr. Harvey stated he would have to consult with the Utilities Department, and he believed it was the low water mark.

Mr. Apicella asked how much of the property, or the area that was in open space, would be in open space regardless because of the RPA.

Mr. Narvaez stated that would be approximately 1.9 acres that would already be in the RPA.

Mr. Gibbons asked what the difference between what was required and what was here.

Dr. Schwartz stated the requirement was 30 per cent.

Mr. Narvaez stated it was approximately 3 ½ acres they were providing in open space from the total 9.5 acres of gross area.

Mr. Gibbons stated they were getting a tremendous bonus and asked what the County was getting in exchange.

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Mr. Narvaez stated the required open space was 30% of the 9.5 acres.

Mr. Rhodes stated it was 2.85 acres.

Mr. Gibbons asked what were the wetlands on the property.

Mr. Narvaez stated 1.9.

Mr. Rhodes asked how much total open space was on this development.

Mr. Narvaez stated 3.5 acres, minus approximately 2, so 1 ½ extra.

Mr. Apicella stated they were getting seven additional units by giving 1 ½ acres.

Mr. Gibbons questioned whether this was a good use of this application. Mr. Rhodes asked the applicant to come forward.

Dr. Schwartz asked about applying for a waiver from VDOT for the inter-parcel connector and moving the road closer to the property line.

Dan Webb stated they would be more than willing to do that, that he did not have time to make the application. He stated he did not think he would be able to push the road all the way over to the property line like he thought. He still needed a buffer to be able to grade and slope up and down, and he could not make that happen because of the 50 foot right-of-way and sidewalk would push them right to the property line. He stated that was why he still left a little buffer there. He knew it was what they had talked about but he tried to put a buffer behind the lots and leave a little buffer where they could do the grading of the road.

Dr. Schwartz asked Mr. Harvey if later on some of those adjacent parcels would be developed and they were looking for the inter-parcel connector, would they be allowed to go three feet onto this property to hit an inter-parcel connector.

Mr. Harvey stated the property would be owned by a Homeowner's Association, so the future developer would have to negotiate the sale of that strip of land that would be wide enough to accommodate the road connection in order to make that happen.

Dr. Schwartz asked if they could require that a future connector would be made somewhere along that line.

Mr. Harvey stated they could.

Mr. Webb asked if they could make it right-of-way. He did not know if they needed that open space. He was not sure if VDOT would approve it. He said they would be willing to do that.

Mr. Harvey stated he recalled in similar situations where the developer made the whole area between one edge of the right-of-way on the far side of the street all the way to the property line as all right-of-way, so it would be wider than the 50 feet for a certain stretch. So the right-of-way could go to the property line in that particular situation. He stated the tradeoff would be they would lose open space so could they still meet the minimum.

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Mr. Webb stated to answer the open space concern, what was required was 2.86 and what they were providing was about 3.5, almost 3.6 acres.

Mr. Gibbons stated they were getting a bonus for seven more homes in exchange for 1 ½ acres and did not know if this was a good application to use the cluster division.

Mr. Apicella agreed. He stated this was the first R-1 related cluster subdivision under the new ordinance that they were considering, and he would like to know what their options were.

Mr. Webb stated one thing he would like to point out, they were talking about one of the conditions for water and sewer upgrades. It was a pump station that services an existing subdivision and it had a tendency to overflow and it was out of capacity. He stated they would be upgrading that station to bring it so that it functions and handles what was going there now, and would handle all the sewer that they would be putting there. Mr. Webb stated the way the condition was written, the intent was they were going to do whatever it took to upgrade that station with the \$80,000 being the minimum. If it did not run that much, he did not know if they could make a cash contribution with the CUP but they would be willing to do what they could.

Dr. Schwartz stated they were the ones who gave the seven bonuses in writing the cluster ordinance and maybe this would be a lesson learned. He stated maybe they would want to revisit that cluster ordinance if they didn't like the way they wrote the rules.

Mr. Rhodes stated he heard a couple questions: how one might go about modifications, whether it would be the CUP or just in the proposal in general to make the strip of land right-of-way to have the flexibility associated with an inter-parcel connector anywhere along that stretch; what would the authority of the Planning Commission be to approve or disapprove, just for clarity; and he thought there was a little bit of refinement on the wording associated with the \$80,000 and how that would be applied. He asked if there were other open questions.

Dr. Schwartz stated they also talked about the trail, because a lot of the open space was located behind lots 19, 20, and 21, and the residents of this community had no way to access the open space.

Mr. Rhodes stated the comeback items would be whatever tweaking to the new proffer number 4 dealing with contribution for the cost of upgrades; a bit of information back from legal counsel, since this was the first one out, what were the bases of approval or disapproval; and then the last one was whatever modifications, whether as a CUP condition or some other manner necessary to make the whole strip right-of-way so that there would be flexibility for where the inter-parcel connector would go.

Mr. Apicella stated to him they may be meeting the bare minimum requirements under the ordinance. He would ask them to potentially look at the development and see how it might become more attractive to us in terms of providing additional open space. He stated you could not put anything in the open space anyhow and it was part of the 1.5 additional acres beyond what would not be buildable anyhow. He stated it was not much of what they were hoping for in a cluster subdivision, and it made it very hard to like what he saw in front of him.

Dr. Schwartz stated with this lesson learned about taking a shoehorn to a cluster subdivision, maybe at the retreat in June they might want to discuss this further, the reworking of the cluster subdivision ordinance and pass it on to the Board of Supervisors.

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Mr. Hiron stated they actually passed onto the Board recommending removing the bonus density for R-1 and A-1.

Mr. Apicella stated he talked to his Board member and he was surprised; he thought they did in fact remove all bonus density. He stated he was not sure what got lost in translation but this was definitely a learning experience for everybody. It was something he thought they definitely wanted to take a look at whether or not this one would go through as an example of what may happen in the future.

Dr. Schwartz stated under the previous cluster subdivision ordinance, the applicant had less than 21 lots. He asked Mr. Webb how many lots he had under the old ordinance.

Mr. Webb stated 19. Dr. Schwartz stated by reworking it, they gave an additional two lots.

Dr. Schwartz made a motion to defer to the next meeting. Mr. Gibbons seconded. The motion passed 7-0.

Mr. Rhodes stated they would now move on to item 9. He stated Mr. Zuraf had sent out some information today. Staff was asked to develop and concept and scope and approach to get some input prior to the June retreat.

9. Comprehensive Plan Amendment; Urban Development Areas - Amend the Comprehensive Plan recommendations for Urban Development Areas and targeted growth areas in the County. **(Deferred at February 27, 2013 until further information from staff) (History: Deferred at March 27, 2013 to April 10, 2013)**

Mr. Zuraf stated he emailed to the Commission and a copy was provided at your desk tonight, a two sided one page sheet that summarizes the process to move forward to receive comments on the UDA/Targeted Growth Area issue. Given the comments and direction provided at the last Planning Commission meeting on how staff should proceed, staff has outlined the overall purpose so the Commission can proceed with making changes. He stated he was not going to go through items one by one, but it was generally getting input on how other believe we should target growth and collect input so the future land use plan can be amended and to do away with the Urban Development Areas as they are currently stated and revise the plan with Targeted Growth Areas. And then determine what is needed to make the plan viable and incentives and dis-incentives might be out there that could help make this all work.

Mr. Rhodes stated there were five questions with the branch questions. And then you would have a group or audience that you would engage by trying to get a questionnaire out and back within the month so you would have input for the Commission for the June meeting.

Mr. Zuraf stated yes. Staff identified several different types of groups, but based on past input we included the Fredericksburg Area Builders Association and other developers, potentially commercial and residential Real Estate Brokers or lending institutions who fund these types of development project, transportation professionals and agencies, HOA representatives who might speak for a larger group of citizens, environmental or historical groups and schools and park and recreation interest. He stated some of the groups may not have answers to all the questions but they may provide insight as to where they see targeted growth. He stated staff noted it might be beneficial to put a survey out on the web to receive some feedback. Just sending the questionnaires out to individuals may be the best way, given the time, to get the most response.

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Mr. Rhodes asked if there was the capability of asking optionally just what group they represent, not who they are.

Mr. Zuraf stated that could be added as a question.

Mr. Rhodes stated not a required answer, but just if they desire.

Mr. Zuraf stated yes. He stated in the past they have asked people who respond if they were citizens of the county, if they own land or a business.

Mr. Apicella stated they could provide identification information if we wanted to follow up with them.

Mr. Zuraf stated yes.

Mr. English asked if we could include how long they have lived in the county.

Mr. Zuraf stated that could be added as well.

Mr. Rhodes stated he thought this was a great outline and asked the Commission members if they had questions or suggestions.

Mr. Hirons stated under potential groups, under the line that includes real estate brokers, there is EDA and asked if that was Economic Development Authority.

Mr. Zuraf stated yes.

Mr. Hirons asked if that would capture the county's Economic Development Department.

Mr. Zuraf stated not necessarily.

Mr. Hirons stated he thought it may be interesting to have their perspective as well. He also suggested the Chamber of Commerce.

Mr. Apicella stated he thought it was great work and you might want to end with a catch all question along the lines of, what if any, other general or specific changes would you recommend to promote the viability of targeted growth areas. He stated you have asked very specific questions and give them the option of what else. He asked if we could reach out to the developers or property managers of multi-use developments, in Northern Virginia and Richmond, and kind of get some lessons learned on what did work and what didn't from their vantage point. He stated we are doing away with the UDA designation and attempting to replace it with something else. It is kind of managing expectations, he would be concerned with people thinking we are not going to do this anymore. He stated in his opinion, at the end of the day we are trying to come up with something that is a viable replacement.

Mr. Zuraf stated we just note do away with the UDA terminology.

Mr. Gibbons stated you are talking about a concept.

Mr. Zuraf stated staff would further clarify.

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Mr. Rhodes asked for other input for staff.

Mr. Gibbons stated this was another example of good staff work.

Mr. Rhodes agreed and thanked staff. He stated getting this input would be very valuable for the retreat. He stated item 10 was for public hearing on the 24th. Items 11 and 12 are for public hearing on the 8th. Item 13 is for public hearing on the 22nd. Items 14 and 15 are open carry over items. So we are on to the Planning Director's Report.

10. Comprehensive Plan Amendment for Transfer of Development Rights (TDR) - Amend the Comprehensive Plan by adopting textual amendment to the Comprehensive Plan regarding the Transfer of Development Rights Program, including the Sending and Receiving Area Map. **(Time Limit: May 12, 2013)**
(Scheduled for April 24, 2013 Public Hearing)
11. Amendment to the Zoning Ordinance - Proposed Ordinance O13-07 would amend Stafford County Code to create a definition for public parking lot and modify the definition of public works to include the term public parking lot. Additionally, the proposed ordinance would allow public parking lots as conditional uses in several zoning districts. Public parking lots built by the County or other governmental entity would be a by-right use in most zoning districts. **(Time Limit: May 14, 2013)** **(Schedule discussion with Economic Development staff on March 13, 2013)**
(Scheduled for May 8, 2013 Public Hearing)
12. Amendment to Zoning Ordinance - Amend and reordain Stafford County Code, Section 28-59, "Highway Corridor Overlay District (HC)," to exclude drive through facilities and hotels/motels from the requirement for a Conditional Use Permit in the HC district; and to update and amend the development standards of the HC district. **(Time Limit: June 11, 2013)**
(History: Deferred at March 13, 2013 to March 27, 2013)
(Scheduled for May 8, 2013 Public Hearing)
13. Amendment to Zoning Ordinance - Amend and reordain Stafford County Code, Section 28-39, "Special Regulations," to establish processes that allow for waivers to required Master Plan components and deviations or modifications of the development standards in the UD, Urban Development Zoning District. **(Time Limit: June 11, 2013)** **(History: Deferred at March 13, 2013 to March 27, 2013)**
(Scheduled for May 22, 2013 Public Hearing)
14. Comprehensive Plan Amendment; Anne E. Moncure Elementary School Relocation - Consider an amendment to the Comprehensive Plan to include Assessor's Parcels 20-66B, 20-66C, 21-15, and 21-16 within the Urban Services Area, and change the land use designation from Agricultural to Suburban. The property consists of 23.7 acres and is located on the northeast side of Juggins Road, south of Smith Lake Drive, within the Griffis-Widewater Election District. **(Time Limit: August 31, 2013)**
(Authorize for Public Hearing by: July 10, 2013)
(Potential Public Hearing Date: August 28, 2013)

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15. Discussion of Public Notification Requirements (**History: Deferred at February 5, 2013 to February 13, 2013**) (**Deferred at February 13, 2013 until further direction from Planning Commission**)

NEW BUSINESS

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated he only had one item on his report tonight. As you may or may not know, Amy Ansong had work for the Planning Department for the last 9 years and she has now moved on to work at Quantico in another planning capacity. He stated we are sad to see her go but happy to see her career progress and we wish her well.

Mr. Gibbons asked who she replaced.

Mr. Harvey stated he did not know the particulars.

Mr. Gibbons asked if he could find out. He thought it might be an asset to have here there.

Mr. Harvey stated he would and stated that concludes his report.

Mr. Rhodes stated best wishes to her.

Mr. Gibbons stated he would like to make a recommendation that the Commission go to the Board and ask that she get a proclamation for the outstanding work she did in the past 9 years.

Mr. Rhodes asked Mr. Harvey how that would be done.

Mr. Harvey stated he thought a Board member would have to sponsor that.

Mr. Rhodes stated between a few of the Commissioners, they could reach out to the Board members.

COUNTY ATTORNEY'S REPORT

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

COMMITTEE REPORTS

16. Proffer Guidelines

Mr. Hirons stated the proffer committee was meeting next Wednesday, the 17th. He asked Mr. Harvey for the current draft to be distributed to the entire Board members and the entire Planning Commission.

Mr. Harvey stated he planned on doing that Friday and include the existing proffer guidelines.

Mr. Rhodes stated the Board's members were Supervisor Sterling and Supervisor Schieber. And the Planning Commission members were Commissioner Hirons, Commissioner Gibbons and

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Commissioner Schwartz. He stated based on some of the subsequent discussion, to the degree appropriate, it may be worthwhile to insert into the dialogue the degree to which and how we might get further guidance on more specified proffers. There has been an evolution towards specified uses associated with proffers and he thought it may be helpful if they might have a dialogue on that.

CHAIRMAN'S REPORT

Mr. Rhodes stated the Chair and Vice Chair of the Board asked if he might be available on the 23rd, to talk about some of the proffer guidance issues. He stated he did highlight to them the Proffer Committee was meeting on the 17th and he has not heard anything further. He states he would like to know if there was still an interest or if they wanted the joint committee to report to them.

Mr. Harvey stated he and the County Administrator talked today and he was going to contact the Chair and Vice Chair to discuss it further. He then moved on to TRC.

OTHER BUSINESS

17. TRC Information – Meeting April 24, 2013

Mr. Harvey stated he passed out the information for the next TRC meeting, there was a construction plan in Mr. Hiron's district and also a site plan in Mr. English's district.

Mr. Rhodes stated that was 9 and 10 o'clock.

Mr. Harvey agreed.

Mr. Rhodes stated he did see where Mrs. Baker sent out some information concerning the upcoming public hearings and she indicated she would also send it out in calendar format. He stated that was very helpful.

APPROVAL OF MINUTES

None

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:27 p.m.