

**STAFFORD COUNTY PLANNING COMMISSION MINUTES**  
**December 11, 2013**

The meeting of the Stafford County Planning Commission of Wednesday, December 11, 2013, was called to order at 6:31 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Rhodes, Hiron, Apicella, Coen, English, Boswell, and Gibbons

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, McClendon, Stinnette, Blackburn, Zuraf, Ehly, Harbin, Doolittle, and Narvaez

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes: Are there any declarations of disqualification on any item on the agenda this evening? Okay. Hearing none we will move onto the Public Presentations. We'll first start with an opportunity for any member of the public to speak on any item that is not listed for public hearing. So that means, on any topic or any item other than item number 1 of the agenda, you can come forward and speak to it. When you do come forward, you will be addressing the Planning Commission as a whole. You'll have 3 minutes. We would ask that you first state your name and then your address, and then a light will come on, a green light will come on indicating the 3 minutes have started, a yellow light when there's one minute, and then a red light when that comes on the time has expired and we would ask that you wrap up your comments. So again, if there's anyone who would like to come forward and speak on any item other than item number 1 may come forward and do so at this time.

PUBLIC PRESENTATIONS

Mr. Waldowski: Paul Waldowski. I lost my voice. Welcome to the last lame duck session of the iteration of the Planning Commission, Sam-I-am. I do not like green eggs and ham. I do not like them, Sam-I-am. I do not like the County Administrator who removed the Word of the Month. I do not like them, Sam-I-am. I do not like it that Stafford County Utilities Department does not provide 209 owners according to Resolution 82-341 in the Stafford Meadows Subdivision with a monthly water and sewer bill. I do not like them, Sam-I-am. I do not like that there are 7 lame duck Stafford County Utility Commissioners in place as unnecessary overhead, while the other 94 counties of the Commonwealth do not have any Utility Commissioners. I do not like them, Sam-I-am. I do not like that the lame duck Utility Commissioners failed to get the Stafford Meadows Subdivision as a Capital Improvement Program. I do not like them, Sam-I-am. I do not like the tearing down of the \$38 million Stafford High School and destroying its playing fields, gymnasium, and making it a parking lot. I do not like them, Sam-I-am. I do not like the taxpayer expense for a Conditional Use Permit so Stafford High School can be 65 feet high. I do not like them, Sam-I-am. I do not like the build-out on Courthouse Road, closed during the winter storm--so glad VDOT is here--and Shelton Shop Road creating extra traffic congestion because there are no shoulders. I do not like them, Sam-I-am. I do not like that renovated horizontal paved commuter parking lots do not result in a vertical parking garage that would generate County revenue. I do not like them, Sam-I-am. I do not like that \$7.6 million to straighten out Mountain View Road, State Road 627 by the way, so an unexperienced high school driver can use excessive speed in a residential neighborhood that will eventually lead to accidents and possibly another fatality. I do not like them, Sam-I-am. I do not like sidewalks to nowhere. I do not like them, Sam-I-am. I do not like that

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Walmart and other big box stores do not pay a BPOL tax to assist in the funding of the education system versus just providing second jobs for our teachers. I do not like them, Sam-I-am. I do not like that there are 7 elected School Board members collecting a \$12,000 annual stipend and there are only 5 high schools. I do not like them, Sam-I-am. I do not like that the UDAs that are now optional in the Commonwealth, yet they are still in the Stafford County Comprehensive Plan. I do not like them, Sam-I-am. I *do* like the TDRs did not pass. Oh, I do like them, Sam-I-am. And since I'm addressing the whole Commission, I brought you all because you've been naughty this year a bag of coal. And I do not like that a Planning Commissioner can be a member of the BZA. I do not like them, Sam-I-am.

Mr. Larowe: My name is Donald Larowe. And just recently I noticed behind my home, I have a multi-million dollar home, and behind it I noticed there's some surveying going on. So I called the surveyor back and found out what was going on. And he explained to me that they were doing a cluster subdivision, first one to be done in Stafford on agricultural land. I'm going to be the most impacted from this. There's going to be 5 lots behind my home which I called the people who are developing, or trying to develop it with you guys. They were gracious enough to come out and sit down with me, go over the plats, what they planned to do, and I just want to say I look at what Stefaniga Farms turned into. That beautiful property is now all spread out. It's about time Stafford County started using less land, put less development and all that. You need... I'm all for this. I think it's great, because how much green area is going to be leftover from this. It's about time. I'm born and raised in Stafford. I bleed blue. And I probably lived here longer than most of you guys. I've seen the development. I remember when 610 was like Mountain View Road. I know this. It's about time the Planning Commission says we don't need to develop all this land. If the one acre lot, acre and a half lot will handle a septic field and a well and a house, that's less development, it's more greener, it's great. Go up to Clifton. Look how they did it. Beautiful properties up there. That's what Stafford needs to be doing. You all are moving in the right direction. I feel you should approve this Stafford Landing. And you can go on Google and look at my home. They are not going to build the homes my home is. I know that. No one does. I was stupid to build my home as big as I did. But, I think this is a good thing. It's setting a precedence. You're not losing farms like Stefaniga Farms and all that to these big developers. Let them... I guess you call it urban sprawl or something like that or whatever... make it a tinier area, make them give for future parks or whatever. I just wanted to say I'm all for it. So please look at Stafford Landing and approve this thing. I mean, I'm going to be the most impacted. My two other neighbors... I've already talked to Bob; he couldn't come tonight, he's in Germany. He'll only be impacted by one lot. And Mr. Thomas is only 2 lots and you won't see any of the homes from his because he's got an acre of woods behind his house. So, I just wanted to say my peace.

Mr. Rhodes: Thank you sir; appreciate it.

Mr. Larowe: Oh, Sam-I-am.

Mr. Rhodes: That is the requirement tonight.

Mr. Gent: I'm Freddy Gent. I am here to speak on the Hartwood Landing Cluster Subdivision. I am in favor of the subdivision... of the cluster subdivision because it preserves 60 acres of open space. The open space creates a better situation for the wildlife. I further like the 60 acres of open space because it backs up to spaces adjoining properties of other subdivisions. Thank you for your time and please keep up the good work with the cluster program. Thank you.

Mr. Rhodes: Thank you sir.

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Mr. Murrin: My name is Dan Murrin. Let me start by thanking you all for listening. I, as well, am in favor of the 121 Hartwood Landing cluster home development proposal. I believe for the same reasons the people came before me that we are saving approximately 60 acres of that property that won't have homes on it. A majority of that property is wetlands. It backs and is very close and adjacent to our park, Curtis Park. And I've talked to the developer when I heard it was going to be developed and he's been very cooperative. I've got a set of the drawings that I've reviewed over and over which I thought were very well done. I've listened to other people that have come in there and wanted to develop it into 3-acre tracts. You know, if that happens, I mean, it's just like houses backing the park all the way around. And I just think this is a great opportunity to do the cluster development. And again, thank you for listening.

Mr. Rhodes: Sir, thank you very much. Anyone else?

Mr. Wireman: Hello sir, my name is Dudley Wireman. I'm in part of the Park Ridge development. Thank you for this opportunity. Last month I spoke about the roads that were going to be part of the business development that wants to go in at 610. I reviewed the recent documents that were filed and the road is still there. I, again, come to you and say, we really don't want that road. It's going to add congestion, only 4% according to their documents. But I took a minor in statistics when I was a kid going to college and one of the things about statistics is, you know, a statistician has drowned in an average foot of water, but when you talk about 4% of something, we really don't know what that really is going to lead to until we actually get it. So the reality is, even though we've studied it, we don't know what the impacts are truly going to be until we actually build the spine road in there. We don't want the spine road. It doesn't add anything to the community itself. It's a quiet community. We like the peace and quiet, the tranquility we have there. I'd ask that, for the purposes of that spine road, that that part of it be rejected. Thank you.

Mr. Rhodes: Thank you, Sir. Anyone else?

Ms. Freeman: Kathy Freeman, about the Park Ridge. I oppose it. I'd also like to say before I forget it, that I hope that this is not going to be carried over any other days, that really I feel like we've hashed out a lot of stuff and that we really need to make a decision. The main things, I don't think that it is going to accommodate 610 as it looks today, that it should wait. What they're offering to put in there offers really no value of the things that are already there, that we don't need in our community. And again, I just, I oppose this for all the reasons that we've been discussing for months now.

Mr. Rhodes: Very good. Thank you very much ma'am.

Mr. Valvo: Hi, I'm John Valvo, and I want to talk about the Park Ridge development. Developing this parcel must be done in a way that can (inaudible) both the County and the citizens. At past meetings, the Planning Board has found much of the plan to be questionable. You have identified problems with the plan and with the studies. It breaches the Comprehensive Plan in many ways. For example, it doesn't meet the transportation guidelines and will degrade the Level of Service from D to E and F. F is very low speeds, long delays and so on. That degrades our quality of life. It is well known that 610 will be inadequate to accommodate the plan. Also, VDOT recommendations have been circumvented and the plan does not meet fire and safety recommendations. It is obtrusive to the community, it changes the character of the development, and also creates dangerous new safety hazards for vehicles and pedestrians. In return for those problems, the County would receive some revenue, the amounts of which are speculative. With better timing and planning, we can still capture that revenue. Since we know about all these problems, why would we rush and recommend such a deeply flawed plan? The massive 761

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opposition signatures and the overwhelming negative public comments, because it's clear that this doesn't make sense. These are problems that can't be solved by adding landscaping, money proffering, or deals or tradeoffs. The problems of more vacant properties and reduplicating the same businesses can be solved by landing businesses or facilities that we need. That would actually add more revenue, rather than poaching from the existing tax base. Many suggestions have been submitted for uses that would enhance Stafford as a place to live and work. Now regarding obtrusive developing such as neighborhood traffic, pedestrian hazards, school crossing issues, large trucks, vehicle cut-throughs, noise, litter, and potential crime, the simple remedy is to remove the access entrance off of Parkway Boulevard. Allow access only from Garrisonville Road. The only real solution to traffic merges and the grade of traffic failures is to prohibit the development until 610 is widened. Prohibit. Developing this parcel at the right time in the future will change... with changes that correct these problems will reflect smart growth and planning and it shouldn't be recommended until that time. Thank you. I have another full petition page. This one is from crossing guards on Parkway Boulevard and employees and teachers at the Park Ridge Elementary School, so you can add that to the last petitions.

Mr. Rhodes: Thank you, Sir.

Mr. Valvo: Thank you.

Ms. Davis: I'm here to speak in support of the 610 Park Ridge development. My name is Darlene Davis and I am one of the property owners of the Garrisonville property. I've come tonight to give you a brief history of the property and to address any questions you have. In the early 1920s my great grandfather Mason Raines bought this piece of property, originally 10 acres, fronting on Garrisonville Road. At that time the road was just a hard dirt track. Later in the 1950s the road was widened and part of the beautiful, gently sloping bank in front of the house was desecrated. It became a sharp incline that was extremely hard to mow, but was manageable. In the early 1990s VDOT started plans to widen 610 to 4 lanes. The original plans had the bank in front of the house sloped and the right-of-way came through the front porch of the house. This would require the house to be torn down and my elderly grandparents and my mother, who was still living with her parents and was their primary caregiver, to find another suitable home. My mother had mobility issues because of the polio she contracted earlier in her life and the old house was much better suited for her needs. My grandfather's physical health was declining and my grandmother was losing her battle with dementia. After several meetings with the Highway Department representatives they agreed to install the retaining wall and the 6 foot chain-link fence. This was certainly not a perfect solution, but it satisfied my grandfather's desire to be able to walk around his house on the outside as long as he lived. And VDOT avoided the PR nightmare that would occur as they displaced this family with roots going back in Stafford for generations. After the death of my grandparents and mother we held on to the property for years without plan to sell. The only cost was the taxes and we could afford to pay those. In 2008 Stafford County reassessed properties and the value of the land went from \$356,000 to \$2,002,000 and the taxes on our home place, zoned agricultural, increased from \$3,000 a year to over \$12,000. I met with the Commissioner and one of the Assessors and was told that the best use of the property was no longer agricultural but business commercial and that was how it had to be assessed. We could raise pigs on it, but we would still have the higher assessment and therefore higher taxes. I attended the public hearing held by the Board of Supervisors to speak regarding the assessment and I told the Board of Supervisors at that meeting that I would be glad to sell it to them for a park for the assessed value, but there was no takers. My aunts are now elderly and not in the best of health and I'm getting ready to retire. We can't afford the taxes on this land and have had to make the difficult decision to sell the home place. I know that this is a pretty piece of green land in the middle of the suburban sprawl of North Stafford, but it will not stay that way. The tax costs are such that the only way to pay them is by

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developing the property. If the family has to continue to dip into their savings in order to meet this responsibility, we will have no recourse but to sell the timber in order to help offset these costs while looking for other options. If you have any questions regarding the property or its history, I'll be glad to answer those. Thank you.

Mr. Rhodes: Thank you, ma'am. Anyone else like to speak on any item other than item number 1? Okay, I will close the public comment portion of public presentations and now we will move onto the VDOT presentation. Mr. Harvey?

Mr. Harvey: Thank you, Mr. Chairman. The Planning Commission earlier this year requested a presentation from VDOT regarding traffic impact studies. Tonight we have with us Craig Van Dussen and Adam Campbell from VDOT for the presentation.

Mr. Rhodes: Wonderful. Thank you. Thank you, gentlemen.

Mr. Van Dussen: Good evening. My name is Craig Van Dussen. I'm the Fredericksburg District Planning Manager and with me is Adam Campbell. He's a transportation planner on my staff. As Jeff said, he called me and asked me to come and... us to come and give a little presentation on TIAs and what we do, how we do it, and how we can better work together, you know, as the process goes on. If I can get this to go now.

Mr. Harvey: Computer please. Thank you.

Mr. Van Dussen: Okay. From a background perspective, roads are very valuable to everybody and they are very expensive not only to build, but to maintain and we've got to maintain the infrastructure that we put together. Every time a project comes down the line it has some kind of an impact on a road system, a transportation system and it could be a safety, it could be congestion and those costs are important and high in both those categories, particularly in delays. In response to that we've looked at, you know, we get involved with Comprehensive Plans, we get involved with Site Plans, we get involved with rezonings and anything else that impacts our system. The message I would be sending is, the earlier we see these things, the better off everybody is, because we can work together from the get-go. What is a Traffic Impact Analysis? Basically it's a study that predicts the impacts of a development proposal on the efficient operation on a highway. It's about as simple as I can put it. I looked around for some different definitions and I think that one said it the best. The graphic shows kind of mass chaos on the left and a little better organized effort on the right. The study assesses the adequacy of that facility on both existing and future infrastructure and shows the ability of that infrastructure to carry the project that's being presented. TIAs are a tool. We offer them, we do the analysis, and they're a tool for the decision making process. We don't try to control the land use. We don't judge a project. We just make our comments, review and make our comments and the comments are strictly advisory. We have often said, have you approved this TIA, and, well, we don't approve them, we advise. What we like about the 527, which we'll talk about in a minute, the state is the... we asked our consultants to follow that process, because it offers a consistent and uniform methodology which we feel is necessary across the board when we analyze traffic impacts. They're going to vary in complexity. As you know every project that comes in front of you is different. The boundaries are different, the topography is different, the soils are different, and lastly the traffic is different too. And it's going to vary on the intensity on the project, where it's located, how big it is, and so on. We look at this, we want to maintain the Level of Service that the infrastructure offers and we want to make sure that that infrastructure moves efficiently. And it allows us to look at traffic transportation impacts weighted against other benefits to the community. It could be

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certain projects will bring access to an office park or something like that, that offers jobs, and so anyway, it has to be worked out, but in a comparison sense. What we do like about it also, is it helps us coordinate plans as projects move along. If we have a project on a road and a project comes in and puts in turn lanes or signals and then we come along a year later and widen the road and eliminate the work that was already done, well, that's not very efficient and we like to do a little bit better job on that. What's happening now is more... the projects we're seeing... it's kind of a trend, is the mixed use projects and with a higher density. And what they do is, they become, instead of a traffic impact analysis, which is just vehicular impacts, transportation impact analysis now includes multi-modal impacts, such as transit and bikes and pedestrians. The highway capacity manual has even, when it was revised in 2010, even now addresses Levels of Service in those categories of bike, ped, and transit in these mixed use communities. What types of TIAs are there? There's 527 which is a product of the General Assembly back in 2006. It was recently, December 31<sup>st</sup>, 2011, modified. That has the TIA regulations. There's a non-527 which is basically below the thresholds of a 527 and then you all have your own TIA. The 527, we get the total package given to us. If it's a rezoning, we get all the applications, we get proffers, we get site plans, GDPs, anything that helps us assess the project. The TIA presents, again, a comprehensive methodology that we use and we like to use that across the board, as I said. The source of this is not something that we can drive and are forcing you to look at it. This was put together with the assistance of private consultants and local government, engineers, so it's a compilation of thoughts that went into it this. It's just not VDOT itself. The trip generations who have been established for the 527s generally at 5,000 vehicles a day. This is the big change in December of 2011. Again I'm doing kind of a high level list. There is an exception if the zoning proposed is going to give you less traffic than what it's zoned for, you don't necessarily have to do a TIA; however, if a community or locality asks us to do that, we will do it anyways. Pretty much, we see every TIA that Stafford is presented with... comes to us. Again, it can be requested by the community and we will look at it. Everything we do is by request. Again, it's whatever we come up with and what product we provide the county is used in the decision making process which can also be interpreted as proffers too. If certain impacts need to be mitigated and this project, whatever it is, is causing that to be done, then the proffers can be negotiated to resolve the issues. Again, advisory in nature. The non-527s, they're very simply the thresholds are way below the 527. Stafford has its own thresholds. Who's going to do this, the non-527s, we pretty much do ourselves with in-house staff. If it's a 527, depending upon our schedule and the complexity of the project, we can either do it or we get our on-calls to do it. And, again, we follow the format of the 527 request. We request all of our consultants to follow that format for consistency and it helps us. And if it is a non-527 there's some things that are not required, like the check, which is everybody's interest. In your packet I passed out an example of a pre-scoping form. Now the process starts with a pre-scoping form which sets the perimeters of the process. We've had TIAs come in that don't go through this process and, as a result, they may get down the line and find out things have to be changed dramatically. So we encourage everybody again to get your information to us as quickly as possible. As we put this together, I have a blank one, we had one, you know, just as an example so you can see generally what's included in the TIA. We get into the project... and I'm just going to go through this quickly because it's in there... project description, the ITE codes. If you look at the back portion of the back, there's a couple of examples of ITE codes and we're just having to pick the ones that... one of our favorite's is the...Wawa or a Sheetz might go after... you can see where we circled the impacts on a per pump basis and this is how important these ITE codes are, that one is fairly low at 162 trips per pump and the other one is 542. So, depending upon the code you use can be very important on how the traffic's generated. The study period in years, for instance, if somebody says it's a 2014 to 2020 project, we'll ask the question, do you have plans, permits in hand and if you don't is 2014 really a realistic timeframe to get started. So we want these to be as realistic as possible. The study area is just that, the area of impact with all the intersections noted. Growth rates are important. Sometimes we get... somebody will come up and say, well the last 5 years we've had no growth. So my

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answer to that is, well the previous 5 years to that it went through the ceiling. So, what's really realistic? And we work with consultants in trying to come up with a growth rate that's reasonable. If you're along or near I-95 you can pretty well bet, that it's going north in the morning and coming south in the afternoon and if you have a school nearby where parents drop off kids, we know the traffic's going to get routed up that way too. And again, we work with the consultants on coming up with reasonable distributions. Our traffic engineering section looks at the signalization and the turn lanes. And, by the way, when these come in to us, they go to 5 or 6 different departments that we have and so everybody takes a... it's a pretty comprehensive look when we do these. The other group that comes in, although it's a little early, is the TLU, the Transportation Land Use section, and they look at, you know, want to remind the applicants of the access management, the SSAR rules. It's not that we're approving those things, but we, again, we want to get involved early on, so at least the applicant is aware of the things coming down the pike. How do we do this? It's a real simple process. The candidate or applicant gives the package to the County. They give it to us. We review it and call for a scoping meeting. Every line, when we sit down, is gone through on this form. We leave, the consultant takes it, comes back, gives us the information as we revise and agree upon. When it is all agreed upon, everybody signs it and off we go with the analysis of the TIA. Adam actually does the analysis, so with that portion of it, that's generally how we approach it up to the analysis standpoint. Would you like to...

Mr. Campbell: Thank you, Craig. And thank you.

Mr. Rhodes: Thank you.

Mr. Campbell: First of all, involving the TIA review process, one important point to make is this is a process, so each step builds on the previous portion of what the TIA is looking for. So, TIAs will vary in scope and elements of the study to a degree. Each TIA is unique. One of the first steps we look at, and as Craig iterated, that an important aspect of the TIA is the pre-scoping meeting. That's where all the perimeters are set up, such as the ITE codes, annual background growth rates. Again, I'm hitting sort of the highlights here. In looking at the pre-scope form, some of the elements we look at is, do there need to be additions to the required elements within the TIA. Do we need a signal warrant analysis to be completed? These are sort of setting up the perimeters for the TIA. Was anything else missed? That's generally what we're looking for. I'll go through here and show you individual steps of the TIA process. The important thing here to note is each step builds on the previous one, so as you go through the process, the previous step has to be completed before you can move to the next step. Before you can get started with the analysis you have to come up with why is the TIA needed, what's the rationale for doing the study. And this is covered in the executive summary portion of the TIA. As an example I will illustrate, this is an example of the TIA. This portion is the main portion of the document. This is all the supporting documentation that you would need. So, as you can see, most of the report is analysis files that could include sync row software printouts and the like. Before the analysis can be done, you need to have the background information and this information includes proposed but unbuilt transportation improvements. Other items may include a map of the site location, description of parcels, terrain features, and the like. Another important element that Craig had mentioned is, is this consistent with the current Comp Plan and are the current and proposed zoning classifications for the property... can this be accomplished with the existing zoning or does it have to be rezoned. Other elements in the background information include the limits of the study area, you know, one mile, two miles, how far out does the study area go. You also have a scope as far as time. How many years do you go out? For a smaller project you might have something along the lines of 5 years out to 10 years out, so 2020; but as you go out further with larger developments such as UDAs and like, you might need something along the lines of 2035/2040. Other elements you may have included with the submission for review, GDP or site plan, support for the

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analysis, so you're looking for consistency. Does the GDP match up with the study intersections in the analysis? As I had mentioned, you might have a map or diagram of land uses and zonings in the study area, as well as existing roadways. And then a description of the proposed improvements, and this can include ones that are by the developer or VDOT or the locality. So once you have all your perimeter set up, you can actually start the analysis portion of the TIA. This includes daily and peak hour traffic volumes. One important question to ask is did the counts capture the peak hour of the roads the proposed site will access. So if counts were collected from say 7 to 9 p.m., but the true peak hour of the road is 6 to 8, you're missing one of those hours. It also includes Level of Service outputs and delay as well. You have analysis of bicycle and pedestrian facilities. Craig had mentioned we're not just looking at traffic impact analysis strictly, we're also looking at transportation. So that might include bicycle and pedestrian facilities and the like.

Mr. Rhodes: Mr. Campbell, could you describe a little bit of the Level of Service calculation. I know there are different determinations for different sections and intersections and turning, but can you just describe a little bit about what Level of Service represents for the road ways.

Mr. Campbell: Sure. Level of Service is an A through F scale that is a simplified version of a calculation for delay. So if you have the number of seconds of delay for a particular intersection, that can be converted over into an A, a B, a C and so it sort of assigns it, if you will, a grade for a particular amount of delay that you may have.

Mr. Rhodes: Could you... I'm not trying to get too specific... but could you give an example? What is the delay associated for an intersection I'm waiting to get through and make a turning move for B or C and what would it be for E or F.

Mr. Campbell: Example for...I don't have the specific breakpoints, but, you know, once you get over a minute of delay you're really into some severe Level of Service conditions. But, generally speaking, if you're under 10 seconds, you're looking at an A condition as far as delay goes.

Mr. Rhodes: So under 10 is about an A on a turning move and a minute plus is probably getting into the E/F.

Mr. Campbell: Yes.

Mr. Rhodes: Thank you.

Mr. Campbell: So, moving on to the analysis of the background conditions, when you start out with the analysis, you look at the existing condition and so you have...that's your baseline if you will. As you move into the background condition, the important point here is, what is the background condition? Well the background condition is without the proposed development. This can include descriptions of the future traffic forecast volumes. So you'll have portions that will show how much delay are you calculating, as you had mentioned, without the proposed development. So you sort of have your future analysis, but you also have your background condition. Moving on, you have your intersection and roadway analysis identified in the pre-scope form, so this is basically similar to the existing condition, except, again, you have your... this is for the future condition without the development. And these background numbers are based on historic traffic growth rates and other improved but unbuilt development traffic. Again, you'll see this, since we're transportation oriented, this will include bicycle and pedestrian facilities and/or bus rides. So then you come to the portion of the traffic analysis where

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you're looking at the individual development, the proposed site. In doing that, you look at the trip generation for the proposed development and the question you ask is, how much traffic does the proposed development produce? This can be broken up into 2 portions with multi-phase developments. You might have several phases that come online at different times and each phase you'd have a certain threshold or a certain level of trip generation that occurs then. With mixed use developments you can also have internal capture and pass-by reductions. That's traffic that's already on the existing roadway network that are actually pulled into the... to the site for the pass-by reduction. For internal capture you might have certain synergies that occur between developments, internal developments, so they may not access these public road networks therefore is not a true addition to the number of trips generated by the proposed development. So the next step in the process is deciding where the traffic goes. This is covered by the site trip distribution. In this level, the traffic study dictates what is the methodology used to distribute trips. Craig had mentioned, northbound in the morning, southbound in the evenings. That's a good example of the site trip distribution. Then you have your description for the direction of the site trip generated. When you have your traffic assignment, you assign it to the specific roadway network. So from that point you can determine how many left turns, how many right turns you have out of your development. So after you've finished with your portion of the trip generation, you move to, what is the impact of the total condition. This is with the proposed development, with all the traffic accounted for. This is based on the background future traffic volumes and then the proposed site traffic on top of that. Again, you look at the intersections and roadways and then you go into your delay and Level of Service calculations for each intersection, and again, with this being a Transportation Impact Analysis you have your bicycle and pedestrian facilities Level of Service calculation. So in the end, with the TIA review process, the real question is, do the improvements mitigate the proposed site impacts. And in order to determine this, you look at your total traffic analysis and then you subtract out your background traffic analysis and that determines your site impacts. With this you have the proposed improvements which can be recommended for the analysis. If you're seeing excessive queue lengths in a particular direction you may recommend dual left turn lanes. Then you have a description of the methodology used to calculate the facts of the proposed traffic. So these can include travel demand management measures such as van pools, other ride share to get single occupant vehicles off of the road and encourage multi-person vehicles. And then you have your analysis of all proposed and modified intersections. So at that point you're looking at, did the transportation impacts improve or at least remain the same. And again, this is the Transportation Impact Analysis portion. And with that, I'll turn it back over to Craig.

Mr. Van Dussen: Thanks. One of the more difficult things to do is to take all that Adam does and put it in English. We had several conversations with our central offices to how to describe some of these things, so that you all would understand him. It's easy for him, because he works with it day in and day out and so it is a tough job. End conclusion, again, we are advisory upon your request. We look what the impacts are going to have on our transportation system. We offer the recommendation and how these mitigations and impacts can be handled and avoided. We provide information on our requirements and standards upfront. Our goals then are to protect the traffic flow. We want it to keep remaining as efficient as we can. We are safety conscious. That's our number one goal and we're going to prevent crashes at all cost. We're going to support the economic development. What a lot of people don't understand, that's part of our job. You know, if you can't get to work, or if goods and people can't get through our district to their resultant destinations, then we haven't done our job. So with that, I want to thank you for the opportunity and if you have any further questions...

Mr. Rhodes: Yes, please, Mr. English.

Mr. English: How long does one of these studies take? How long do you stay in one area to do this?

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Mr. Van Dussen: Oh, we have a 45 day period that we try and address them. We don't really have a problem getting most of ours done within that timeframe. If it's a 527, the major TIAs, we have that 45 day limitation, but then, if we want to call a meeting because of the complexity of the project, we can get it extended to 120 days.

Mr. Rhodes: So that's 45 days from when you get it from the County or the applicant.

Mr. Van Dussen: That's correct. And then, I always say, people drop... their jaws drop to the table when I say we have 120 days, but we very seldom, I don't think we even come close to the 120 days.

Mr. English: It's kind of a threshold which you use.

Mr. Van Dussen: If it's a little more complex, we need a little more time. Some of our other departments need to look at it.

Mr. English: When you do these things, do you take into consideration, do you go back and look and see whether there's been accidents in this area?

Mr. Van Dussen: Oh absolutely.

Mr. English: So you do. I guess you meet with the state and locals and just get that information.

Mr. Van Dussen: We have all the crash data ourselves that we can pull.

Mr. English: Before you start the study right?

Mr. Van Dussen: Yes, when they turn it in we'll be checking the State Planning System, the SPS that you may hear is our database of all these. Every road has got multiple levels of information on it, including crash data.

Mr. English: Okay.

Mr. Rhodes: Thank you. Other questions? Yes, Mr. Hirons.

Mr. Hirons: My question is, how do you take into account and how do the studies possibly interact with each other for developments that are very close in proximity and about the same timeframe? You know, here in Stafford County we never had this happen, but say a Wawa is on this corner going through the application process, gets approved, a 7-Eleven on this corner, and a CVS just down the road.

Mr. Van Dussen: In the pre-scoping form we ask, one of the questions you'll see in there, are other developments in the immediate area that will impact what we're doing? When I say "we", the applicant is going to be doing what we're reviewing. And one of the things that we found is the more definitive that portion is, if you take your development and then these are all the other developments in the area, that are impacting it, it helps certainly with the growth rates because the growth rate takes into account all the background traffic. But you've accounted for these projects, then that growth rate can actually be lower because they've already accounted for them. So we count them all. We kind of know what's going on. The county staff is very helpful in providing us the data that we need, and plus we keep all that stuff too in our records and we're able to utilize it, you know, for future. One of the points that I made earlier on

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was that it helps us coordinate our proposed improvements with the County's proposed improvements and all these applications that come in to you, that's important data that we use and we keep track of.

Mr. Hirons: Okay, thanks.

Mr. Rhodes: Okay, Mr. Apicella.

Mr. Apicella: Mr. Chairman, first I want to thank our guest. I asked for this brief because I thought it would be useful to understand how the process works and I appreciate all the hard work that you all do and coming here tonight and filling us in on your efforts and the timeline and what goes into it. One the issues that comes up, and maybe it's part of a TIA or maybe not, but we, in terms of specific projects, often struggle with trying to get a stop sign, or a stop light. What kind of things... I guess from a planner's perspective, it may not rise to the level of being a TIA... what kind of things should we be looking at as planners to make sure that a project mitigates the traffic impacts, especially where a TIA is not necessarily required, and where other things like a stop sign, or traffic signal, or traffic calming measures might be useful, or additional lanes, or a left turn or a right turn...

Mr. Van Dussen: There's 2 areas that we really... there's an opportunity to look at this. One of them is the rezonings in which you will get the TIA and the other is the entrance permits where the applicant and his consultants will bring in their project and they have to show that the intersection's going to work. We don't have a defined... like you can't say you're going 500 feet on each side of an intersection, or anything like that. We look at just the intersection, because that's just the way the rules are written. But that's your second opportunity as things come down the pike, you know, in the permitting process to look at what works. And they have to justify what happens and they have to prove that their mitigation is going to work.

Mr. Rhodes: Thanks. I didn't think to ask you before, Mr. Campbell, but I was just curious, so you were showing for example the portion that is, I think, more of the verbiage of the TIAs and then all the calculations and charts and diagrams. Are those just a national basis, I mean they're all kind of standard calculations you apply to different uses in different scenarios and situations, are those nationally based or are those regional calculations?

Mr. Campbell: The calculations...

Mr. Rhodes: I'm sorry, if we could... I apologize. Thank you.

Mr. Campbell: The calculations are based on each individual development. So for instance, at the beginning of the review portion of the presentation I mentioned that each TIA is sort of unique to a particular area. The calculations are from the Institute of Transportation Engineers, so that would be where you would gather the trip generation...

Mr. Rhodes: Trip generation for a certain type of use...

Mr. Campbell: Correct. And those were averages of multiple studies conducted nationally.

Mr. Rhodes: Are they regionally? Nationally!

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Mr. Campbell: Yes.

Mr. Rhodes: So they're a standard one they apply across the nation.

Mr. Campbell: Correct.

Mr. Rhodes: Okay, I just had never thought to ask about that. And the one other one, and I probably can get this from staff, I'm sorry, but the conversation just generated the question. I've heard the comments there, that the more specificity you know about a development, the better you can apply the types of uses and therefore the factors, etcetera, which makes perfect sense, but many times a development will come up where they don't know exactly what the end use of a certain pad, a commercial pad, might be. Typically I've noticed that applicants tend to, and their transportation impact consultants, whoever they bring aboard to do the studies, will typically defer to generally the higher uses, the more intense uses. Is that a typical standard that's applied when you don't know exactly what the use is going to be? You just go to the higher end of the potential uses?

Mr. Campbell: Yes. Often if you use the higher of the uses, you can... say a less intense use comes in opposed to that higher intensity, the same traffic impact analysis is valid for that. However, if you use a less intense figure, you won't have... the applicability of the Traffic Impact Analysis can't be extended to the higher intense use. Yes.

Mr. Harvey: Mr. Chairman?

Mr. Rhodes: Yes, please Mr. Harvey.

Mr. Harvey: Our local standard stipulates that if you have a specific proffered use you can use that for your calculations. However, if it's unproffered, you have to assume the maximum potential traffic generator.

Mr. Rhodes: Very good. Other questions for our guests from VDOT? Okay, Mr. Van Dussen, Mr. Campbell, thank you very much. We really appreciate your time. We know it's late into your evening, so thank you very much for your time and for the information. It was very helpful. So, thank you for that. Okay, with that, we're going to move on to the public hearing item number 1, the Amendment to the Zoning Ordinance, proposed Ordinance O13-58. Mr. Harvey?

PUBLIC HEARINGS

1. Amendment to the Zoning Ordinance - Proposed Ordinance O13-58 would amend Stafford County Code, Section 28-35, "Table 3.1, District Uses and Standards," to repeal Ordinance O13-09, which permits generating facilities as a by-right use in the A-1, Agricultural and M-2, Heavy Industrial Zoning Districts, when such facilities are located on land owned by Stafford County, the Commonwealth of Virginia, or another county, city, or political subdivision. The proposed Ordinance would reinstate generating facilities as a conditional use in the A-1, Agricultural and M-2, Heavy Industrial Zoning Districts (**Time Limit: January 13, 2014**)

Mr. Harvey: Thank you, Mr. Chairman. Please recognize Susan Blackburn for the presentation.

Mr. Rhodes: Very good. We're dancing up here.

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Ms. Blackburn: Good evening, Mr. Chairman, Planning Commissioners, I'm Susan Blackburn with the Planning Department. And item number 1 is an amendment to the Zoning Ordinance concerning power generating facilities. The Planning Commission is to consider Proposed Ordinance 13-58 to amend the Stafford County Code, Section 28-35, "Table 3.1, District Uses and Standards," to repeal power generating facilities as a by-right use in the A-1, Agricultural and M-2, Heavy Industrial Zoning Districts, when such facilities are located on land owned by Stafford County, the Commonwealth of Virginia, or another county, city, or political subdivision and reinstate power generating facilities as a conditional in the A-1, Agricultural and M-2, Heavy Industrial Zoning Districts. In March 2013, the Board of Supervisors adopted Ordinance O13-09 to allow power generating facilities located on government owned land to be a by-right use in the A-1, Agricultural and M-2, Heavy Industrial Zoning Districts. This action was the result of The Rappahannock Regional Solid Waste Management Board, the R-Board, having discussions with a private company to construct and operate a solid waste to energy production facility at the Regional Landfill. The company constructing and operating the energy production facility would lease land at the Regional Landfill. With the adoption of O13-09, the Board did add a caveat that they would revisit the issue of this use in October 2013, if necessary. Well, it was necessary. Since adoption of the Ordinance, citizens have voiced concerns of allowing such a use as a by-right. Consequently on October 15, 2013, the Board adopted Resolution R13-352 to repeal Ordinance O13-09 and re-establish the requirement for a conditional use permit for a power generating facility by as a... excuse me... conditional use permit for a power generating facility by proposing a new Ordinance which is the Ordinance before you tonight, Ordinance O13-58. This Ordinance would revise the language in Section 28-35, Table 3.1 of the County Code to require a conditional use permit for such a facility. In requiring a conditional use permit for this use, the process would include the review and recommendation of the Planning Commission and the review and determination of the Board. The determination by the Board could include conditions of approval deemed necessary for the use to be approved. Both of these reviews would be conducted through the public hearing process which would provide the citizens of the County the ability to voice their opinions. Staff recommends adoption of proposed Ordinance O13-58, and the deadline for the Planning Commission to act is January 13, 2014.

Mr. Rhodes: Thank you very much. Questions for staff? No? No? No? Okay. Very good. I'll now open up to public comment on the amendment to the Zoning Ordinance. If there's any member of the public that would like to speak on this item, you may come forward and do so at this time. I just would ask that you state your name and your address, then you'll have 3 minutes to speak. Seeing no one moving at all, we will close the public comment portion of the public hearing and bring it back to the Commission.

Mr. Gibbons: Mr. Chairman, I propose Ordinance O13-58.

Mr. Coen: Second.

Mr. Rhodes: So that's a motion to recommend approval of proposed Ordinance O13-58 by Mr. Gibbons; a second by Mr. Coen.

Mr. Coen: Yes, thank you.

Mr. Rhodes: Further comments Mr. Gibbons?

Mr. Gibbons: No, Sir.

Mr. Rhodes: Any further comments Mr. Coen?

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Mr. Coen: Just that I'm really pleased that this came back after being appointed to the Board and quite honestly love the idea of having a process where there's some checks and balances and where the public has more input into it. And so I'm very thrilled to be in favor of this.

Mr. Rhodes: Very good. Any other member? Comments? Okay, I'll call for the vote. All those in favor of the motion to recommend approval of proposed Ordinance O13-58 signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Hirons: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposes; passes 7-0. Thank you very much. We will now move onto the unfinished business. I think, Mr. Harvey, you're going to do items 2 and 3 together?

UNFINISHED BUSINESS

2. RC1300001; Reclassification – 610 Park Ridge - A proposed reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District to allow for the development of a commercial retail, service, and office complex on Assessor's Parcel 20-20A, consisting of 9.24 acres, located on the south side of Garrisonville Road and east side of Parkway Boulevard, within the Garrisonville Election District. **(Time Limit: December 11, 2013) (History: Deferred on August 28, 2013 to September 11, 2013) (Deferred on September 11, 2013 to October 23, 2013) (Deferred on October 9, 2013 to November 13, 2013) (Deferred on November 13, 2013 to December 11, 2013)**
  
3. CUP1300002; Conditional Use Permit – 610 Park Ridge - A request for a Conditional Use Permit to allow (1) motor vehicle fuel sales in a B-2, Urban Commercial Zoning, within the Highway Corridor Overlay Zoning District, (2) an automobile service facility in a B-2, Urban Commercial Zoning, within the Highway Corridor Overlay Zoning District, (3) a convenience store within the Highway Corridor Overlay Zoning District, and (4) three drive-through facilities within the Highway Corridor Overlay Zoning District. The drive-through facilities are for a proposed bank, pharmacy, and gas station with convenience store. The site is on Assessor's Parcel 20-20A, consisting of 9.24 acres, and located on the south side of Garrisonville Road and east side of Parkway Boulevard, within the Garrisonville Election District. **(Time Limit: December 11, 2013) (History: Deferred on August 28, 2013 to September 11, 2013) (Deferred on September 11, 2013 to October 23, 2013) (Deferred on October 9, 2013 to November 13, 2013) (Deferred on November 13, 2013 to December 11, 2013)**

Mr. Harvey: Yes, Mr. Chairman, please recognize Mike Zuraf for the discussion on items 2 and 3.

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Mr. Rhodes: Thank you.

Mr. Zuraf: Good evening Mr. Chairman, members of the Planning Commission, Mike Zuraf with the Planning and Zoning Department. If I could have the computer please. Items 2 and 3 are a combination of 2 requests for one project, the 610 Park Ridge project. Item 2 is a zoning reclassification and item 3 is a conditional use permit request. For the viewing audience who might not be familiar with this project, the site is located at the corner of Garrisonville Road and Parkway Boulevard, highlighted in red. And the request, specifically for the zoning reclassification, is to go from A-1, Agricultural to B-2, Urban Commercial zoning. The conditional use permits requested for this site have been modified since your last meeting. The applicant has removed from the request motor vehicle fuel sales and convenience store, and also the automobile service facility. If you recall, the motor vehicle fuel sales was in this location, auto service facility in this location. That's been removed, so the request now is basically for three drive-through facilities, one associated with the pharmacy in this location, one associated with the bank, and then on this site a drive-through facility associated with a restaurant that might be located within this general area. And since it's new, I'll point out the location of the drive-through on this new pad site. It generally wraps around the back and side of the building in that location. So, the applicant, in place of the vehicle fuel sales, has a commercial pad site, multi-tenant pad site, and then a new commercial pad in the back which they mentioned maybe an office most likely. So, also, just pointing out other features with the request, the applicant has proffered some enhanced buffering to include a 50% amount of evergreen trees and that would be located generally in this location along Parkway Boulevard and then across the back in this location. Going back to the issues that were raised by the Planning Commission at the previous meetings, there was a request for the applicant to determine how the anticipated traffic demands might be mitigated. The main thing that the applicant did do was the removal of the vehicle fuel sales and convenience store.

Mr. Rhodes: That was the most intense use that was identified for the site?

Mr. Zuraf: Yes it was, and replacing that with the multi-tenant commercial building and office use lowered the intensity of the project. The applicant submitted a revised TIA that showed an overall reduction in trips generated from these uses, and reductions in the morning and afternoon peak hour trips. And the applicant is here; they're going to present some more of the details of their findings. And also, the applicant, in line with that, they have amended proffer number 3 to remove one improvement that was previously proffered and add 3 new improvements. The one item being removed would have been the construction of the right turn lane on Hampton Park Road at the intersection with Parkway Boulevard. So that improvement is removed, but they are adding in a proffer to agree to be included in the Garrisonville Road Transportation Service District should the Board amend the district to include this property with the district. The Board does have to take action to include it. The second addition would be to construct a pedestrian pathway along the east side of Parkway Boulevard 600 feet to the south to connect to an existing trail that ends. Or, if for some reason that construction cannot happen for reasons such as right-of-way issues or other factors, they would contribute \$50,000 to the County in lieu of doing the actual construction. And then, also the third improvement then would be to contribute \$10,000 to the Park Ridge Homeowners Association for the purpose of enhancing improvements to their open space parcel for the subdivision, Parcel A, which is this parcel where they have their subdivision entrance feature.

Mr. Gibbons: Is that going to remain, Mr. Chairman?

Mr. Rhodes: Is what going to remain?

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Mr. Gibbons: The two...

Mr. Rhodes: The entrance feature? Yeah, that's Park Ridge property and I think the thought behind that proffer is rather than making the assumption that the landscaping done on the commercial property would be fully complementary or satisfactory to the entrance, because that's a nice looking entrance piece that they've got there for the Park Ridge property. This would provide assets so that they could make any other supplemental complementary enhancements to their property to better mix in and better complement the entrance so as to have the least amount of impact on it.

Mr. Zuraf: And another change, the applicant is making a change to the architectural design for the buildings on the site. The applicant has submitted new architectural renderings of what the appearance of the buildings would follow on the site. If you'll recall previously, the General Development Plan included the last page had sample pictures, photographs, of uses and they did kind of have different looks to them. This would bring one consistent look/appearance to the different buildings on the site. So the latest change to the proffers which you received at your desk tonight makes an adjustment to proffer 2 to reference these illustrations for the buildings on the site.

Mr. Rhodes: Very good.

Mr. Zuraf: And at that, we also went through the Resolution for the conditional use permit and made several adjustments to the conditions since the use is being requested changed. And those are included in your package and I will answer any questions at this time.

Mr. Rhodes: Could you go back about 2 slides? I just want to confirm. I mean, this is the way I've understood it on past GDPs. The development is supposed to be in general conformance with the GDP and so that would include the landscaping as well, correct, so that where there is... I know there's a bit of it that's referenced in the proffer but I just want to reconfirm. So, it would be in general conformance with these identified locations as well, correct?

Mr. Zuraf: Yes. You know, there may end up being some adjustment to specific tree locations because of meeting site distance requirement, but they do in the GDP specify where the evergreen... they have symbols that identify where these evergreens are going to be located.

Mr. Rhodes: Yeah, I just wanted to confirm that. And the other thing I just want to confirm this point because I know I asked this specific question and I think a few others did too. So, if there were ever a desire in the future to revisit a gas station or a convenience store, that could not be accomplished under any of these approvals here. That would have to start the process over with another CUP application, another set of renderings, another set of 2 series of public hearings, etcetera, to go through that process, correct?

Mr. Zuraf: Right. Those uses would not be prohibited... they're not being prohibited through the proffers, but that would require a separate request that that would have to come under.

Mr. Rhodes: Please, Mr. Gibbons?

Mr. Gibbons: That's the question I was going to give you. If you're not going to have the fuel sales, why don't you just put it under the proffer. Unless you reserve the right at some time to change your mind.

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Mr. Rhodes: And that certainly would be a good one to ask the applicant.

Mr. Gibbons: Well, I'm asking you because you've been in it from the beginning,

Mr. Rhodes: I don't know, I was going to leave that for the applicant. Just to confirm, my assumption is, you know, who knows what happens in the future over a lifetime and so it's keeping your options open to what best meets the needs of the County in 10, 20, 30 years redevelopment rather than having to go forward with these things. Mr. Apicella.

Mr. Apicella: Mr. Chairman, to that end, I'm looking at my cheat sheet on District Uses and Standards, B-2, Urban Commercial, and I see where vehicle fuel sales is under the CUP options. However, I see that a convenience center is under the by-right list. So, my concern is in the absence of proffering out convenience center, they could still do it without doing a CUP unless the list that I have here is incorrect. So, in line with Mr. Gibbons and I think some other fellow Commissioner's concerns about if they're not going to do it, maybe proffering out might be the smart way ahead.

Mr. Rhodes: Sure. Mr. Zuraf?

Mr. Zuraf: Yes, Mr. Chairman, that gets captured in the Highway Corridor Overlay District standards that requires a conditional use permit for convenience stores. And this site is within a Highway Corridor Overlay District.

Mr. Apicella: Okay.

Mr. Rhodes: So you're both right. That would trump it, so it would still require a CUP which gives us control. Okay, other questions? Please Mr. Coen.

Mr. Coen: Just a quick question. In reading it, is there a specific definition for a pedestrian pathway? I'm just curious. Is that definitively a sidewalk or is there something else that could fall under the legal definition thereof? Page 3, letter I, underneath transportation.

Mr. Zuraf: There's... maybe ask the applicant's engineer to kind of clarify, but I believe it's going to be a certain width requirement that, you know, to meet ADA standards and I believe it might be at least 5 feet. I don't know if they have an intention on building anything wider. I need to defer that to the applicant as to what they...

Mr. Rhodes: There's also a network of asphalt pathways there for the schools.

Mr. Zuraf: But this language is not specific to the type of the width and material.

Mr. Coen: Thank you.

Mr. Rhodes: Okay. Other questions for staff? Please Mr. Apicella.

Mr. Apicella: Mr. Chairman, if you wouldn't mind pulling up the, I think it was slide number 3...

Mr. Rhodes: Computer please.

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Mr. Apicella: Again, just for frames of reference, maybe you can speak to... I'm looking at proposed development on the right-hand side and I see some existing development on the left-hand side. Can you tell me what that is on the left-hand side? Are some of those homes? Is there a community center at the top? What is there currently?

Mr. Rhodes: It's real estate.

Mr. Zuraf: It's a real estate office here. These are residences in this location.

Mr. Apicella: And beyond those residences, how far back are additional residences? Where would the next section of residences be?

Mr. Zuraf: They are, I believe, right here. And then that continues on a little bit until you get to the elementary school.

Mr. Apicella: And in terms of the development that's already beyond just the Park Ridge entrance, what is there and what's proposed? Can you kind of give us a refresher of what's in the...

Mr. Rhodes: You mean surrounding areas like to the west and to the...?

Mr. Apicella: Right.

Mr. Zuraf: This was a recent rezoning for a recreation facility and then it had several pad sites along the front of Garrisonville Road in that location. That basically then, the next property over from that is North Stafford High School to the west.

Mr. Apicella: And, I'm sorry, across the street, what is there currently?

Mr. Zuraf: That is an undeveloped piece of property. It has a single residence on it and there are no development plans on that property.

Mr. Apicella: Is it in the Comp Plan for commercial?

Mr. Zuraf: I don't believe so. I think that's a pocket where it's remaining agricultural and rural.

Mr. Rhodes: Though the frontage is all part of the commercial corridor on both sides, isn't it?

Mr. Harvey: Yes, up to the intersection, Mr. Chairman. I do know that the owner of the property across the street has been pursuing a conservation easement.

Mr. Gibbons: I think the tree has just about passed away, hasn't it?

Mr. Rhodes: Yeah, it's a pretty tree.

Mr. Apicella: I'm sorry, I've got one more question. So, with the changes that have been proposed, are there any CUP conditions that you would recommend changing or adding? Have you taken another look at the... I mean, there are some significant changes.

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Mr. Zuraf: Well, we removed any of the conditions that had to do with the gas station and convenience store and from the auto service facility. And so, really, the conditions we already had in there regarding the drive-through facilities apply to this one drive-through for this site. So there was no need to make any additional changes.

Mr. Apicella: Okay. I just wanted to be clear, thank you.

Mr. Rhodes: Thank you. Other questions for staff before we have the applicant come forward? Okay, very good. Thank you very much Mr. Zuraf. Applicant please.

Mr. Payne: Mr. Chairman, other members of the Planning Commission, my name is Charlie Payne with the law firm Hirschler Fleischer and I represent the applicant. I also have here with me our transportation engineer, John Riley with Bowman, to answer any questions you may have. And we do have a power point I believe to go through, again, as a reminder of the transportation improvements we've made and also what the revised TIA determination is. But before we get to that point, I just also want to remind the Commission we did submit a Fiscal Impact Analysis by Dr. Stephen Fuller to further support the position that we have taken regarding this project that it will be an economic benefit to the County which obviously will not only generate tax revenue but it will also generate about \$12.2 million in new construction, about 136 full time jobs after construction, about \$4.35 million in annual payroll, and about \$8.7 million annually in investment in merchandise and equipment. So you don't only get tax revenue with this project but you also get another economic ripple effect which is very positive for the County. I know we've heard many citizens talk about in the past regarding their concerns about the uses. We listened to them, we heard what they had to say, we went back to the drawing board, we removed the more higher intense use, and we think we have created a very friendly, neighborhood friendly commercial center accessible from the community to our site. We thought the walking path would add that additional component to that and also give them some additional funds to help improve, if they so desire, their entrance location which they're very proud of. We also took into consideration obviously listening to the community the buffering requirements and concerns to our south. And, as you can see, also to our south is a location on the other side of our property that owned by the Rock Hill Fire Department, that particular area there will remain trees and vegetation within the RPA. So, again, I think all of those components are extremely important for purposes of this project and I just wanted to pass on that reminder. With that, I think, unless you have some specific questions from me, I'm going to ask Mr. Riley to come forward and just refresh you on the transportation improvements we are making. And in addition to that, we are volunteering to be within the Garrisonville Service District which would add an additional fee requirement to every property on that site regarding transportation improvements to 610. So, with that, Mr. Riley, if you could please go through your power point.

Mr. Riley: Thank you Mr. Payne. John Riley with Bowman Consulting; again, glad to be here. Mr. Chair and members of the Planning Commission and staff, just again to reiterate this is a very brief presentation. It's similar to what you saw I think a couple months ago from us but it highlights some of the changes to traffic based on the changes in our land use plan. Again, what you see here is an overall image of the site. And to reiterate which I had talked about last time, we are focusing our improvements at the areas of greatest impact nearest our site adjacent to our site. The top arrow focuses on the 610 corridor, Garrisonville Road, and the improvements that we're proposing there. And the lower arrow speaks to the potential for a pedestrian connection to finish the pedestrian connectivity along Parkway Boulevard. Next page please... and I may need some help here, thank you. We have 7 improvements at or adjacent to the site that we are proffering. And they go in a counterclockwise manner. Number 1, the left turn lane extension on Garrisonville Road - we're extending and connecting the existing turn lane to

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the two-way left turn lane to the east and basically tripling the amount of storage for that movement. We are constructing a significant amount of new capacity for the future along eastbound Garrisonville Road; that's our thru-lane, number 2 there, our thru-lane and a turn lane with sidewalks along our frontage on 610. There's been a significant amount of discussion about the need to widen 610 and I'm of the opinion that it needs to be looked at and talked about and planned for. You heard VDOT talk about these studies are intended to help us plan well for the future. This study that we have done looks out to year 2021 and levels of traffic are creeping up towards the point that 6-laning is going to be needed. You've seen it coming from the interchange west; we're building our fair share here across the frontage and helping literally pave the way for that widening in the future. The dedication of widening that's needed, that's number 3, that's also part of our package. The pedestrian crosswalk, number 4, down near South Hampton Court, that is intended to again enhance the pedestrian connectivity, give greater safety to pedestrians who want to come back and forth to our site from the west side of the street. The two-way left turn lane extension, number 5, that's a very simple but effective approach to better managed turning movements in and out of the South Hampton and our site. It gives people some additional refuge in the middle of Parkway as they're trying to turn left there. Number 6, the right turn taper, that's basically a standard right turn decel taper to help folks get into our site. And the spine road with sidewalks, I don't want to underestimate the importance of this. I think a lot of the discussion on this new road through our site has steered towards cut-through traffic. I think we all understand the importance of preserving the green space in the corner of 610 and Parkway and, in effect, rather than widening the northbound approach there, what we are doing with this spine road, we're providing access to the site, vehicular and pedestrian, but we're also essentially conducting... constructing a new northbound right turn lane to basically provide additional capacity to get to Route 610 and head east. So, that's the way we view that spine road. It's a mitigation for traffic. It's something that will help actually mitigate and alleviate the trips that are going through the signal. Next slide. Lastly, and this is a re-oriented view so just bear with me; the north arrow has now shifted to the left. You see Garrisonville down there on the left here and this is this additional proffer to build a sidewalk or a pathway connection from our entrance which... whoops, go back to the previous page. Okay, I'm sorry, next page. Will this work on a PDF? Okay. Let me go, let's see... down one, okay. So what we're doing is connecting our site to the nearest adjacent pathway. And basically I've highlighted this large area of residential that I think is within walking or jogging or biking distance by way of this path. We did a quick tally. There's probably about 160 townhomes and 150 single-family dwelling units that would now have continuous walking paths all the way up to our site. Personally I happen to live in a neighborhood very similar to this and the commercial near our neighborhood is on the other side of our equivalent of Garrisonville Road. It's tougher to get to but people walk and use these paths, and we're very confident that if that pathway can be constructed it will be a safety amenity, it will get people out of their cars, they'll be coming on foot to the site, and it will be a nice final connecting piece for this road and this development.

Mr. Apicella: To that end, I don't mean to take you back to the other slide, but we talked about pedestrian accommodation I guess I would say. If you could go back to the other slide. So, let's say someone's at, for the lack of a better term, Pad A and they want to go to Pad D all the way at the other end and they're walking. What's going to facilitate their ability to walk around the site and not have to fight traffic as they try to do that?

Mr. Riley: So, the spine road has sidewalks on both sides and I think you can make your way from one pad to another and then I believe will have some ADA ramps there where you can cross the street at appropriate locations.

Mr. Apicella: Okay great, thanks.

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Mr. Riley: Sure.

Mr. Rhodes: Other questions? Please proceed.

Mr. Riley: Okay, so concluding slide - number 1, I mentioned earlier the widening of Garrisonville Road. You could justify it today; I'll tell you right now it works well as it is. But like I said earlier, it's approaching a level where it needs to be widened. That threshold is between 30 to 40,000 vehicles a day. We're a little bit over 30,000 today. And the emphasis of this point is it's time to start planning and doing something about it. The County has a project, if I'm not mistaken, that I'm not sure to what extent it's funded but it looks like the widening out to this point by year 2021 which happens to coincide with our build-out horizon. We are building and actively participating in that by building the frontage lanes on our site and helping prepare for that needed widening. Our site, as it's been analyzed, consists mostly or, or significantly of, pass-by type uses. Close to 50% of our trips are trips that are already going to be out there on the road; they'll be visiting as they pass by. With the changes and the removal of the gas convenience and removal of that most intense use and replacement with some lesser intense commercial uses, we've actually reduced our net impact out on Garrisonville of that future eventually 40,000 cars a day that may be out there. We've gone from 5% to 4% of that, so we've come down on our projected impacts to mitigate our contribution. I think it's very important to note Level of Service C is achieved now with the changed land uses at each of our access points. Those are the points where we have the most control over Level of Service. Both our access points to Garrisonville and Parkway under 2021 conditions the turning movements there will operate at Level of Service C. And in 2021, if everything can come together with a widened Garrisonville Road, the Garrisonville/Parkway Boulevard, which just 2 years from now with our project will be a Level of Service C, that intersection will remain at Level of Service D which is a very good Level of Service by VDOT's standards on a very active and busy roadway. It will be a Level of Service D in 2021 with the widening. So that actually got better as well. That was at an E, it came down to a D with our reduction in intensities, so that's another mitigation benefit. Again, we provide what we believe to be 50% of the capacity needs where we have control in front of our site by the widening that we're proffering and the right-of-way dedications. We now have enhanced pedestrian connectivity as I described or at least either we'll construct it or we'll proffer cash towards that sidewalk pedestrian connection. And the, I guess the sum of the parts we believe provides a significant transportation infrastructure investment to offset our impacts, notwithstanding of course in addition to the contributions from the service district.

Mr. Rhodes: So, what are the new total vehicle demand associated with this development, both for pass-by and for specifically because of the site?

Mr. Riley: Bear with me a moment.

Mr. Rhodes: Sure, no problem, thanks. I apologize, I was looking at one, I did not look at the other but I just want to confirm the vehicle trips associated with it and this configuration and previously.

Mr. Riley: Well, this configuration I believe we're at about 7,000 total trips per day, but only about 4,000 net new. So, it's over 3,000 for pass-by.

Mr. Rhodes: And then what was it previously?

Mr. Riley: It was about 500 more.

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Mr. Rhodes: Okay.

Mr. Riley: So we'd come down about 500...

Mr. Rhodes: Yeah, about 8 or 9%. Okay, thanks. Other questions on traffic impact? Please, Mr. Gibbons.

Mr. Gibbons: On bullet number 6, you say you provide 50% of 610 widening. Is the other 50% on the other side or are you 100%?

Mr. Riley: We're widening 100% of our side.

Mr. Gibbons: Well why wouldn't you put that on your side then? That looks good rather than 50%.

Mr. Riley: I'll take that into account the next go round.

Mr. Gibbons: I wouldn't take it into account; I'd put it in there, because otherwise it's kind of misleading you're only providing 50% when really you're doing 100.

Mr. Riley: Sure. That's absolutely correct; full 100% on our side.

Mr. Rhodes: Okay, please Mr. Coen.

Mr. Coen: Just a logistics question if I can get this. Most likely the 18-wheelers for the pharmacy, the restaurant, whatever commercials that you get, will come up Garrisonville from 95 most likely, go to Parkway, take the left, go down there and then enter into this across from the homes to get in there. I mean, unless they happen to be coming up from Fauquier County and come down Garrisonville, they can make the sloping right-hand turn right off of Garrisonville Road but anything else would logistically come in from that way and go across from the homes.

Mr. Riley: I think that's a reasonable statement. It could be off peak too, or even in the evenings in terms of their arrival times.

Mr. Payne: Typically, a national brand pharmacy that's open 24 hours a day and on this site for what we've got proposed, the only incident where you have a large vehicle would be for the pharmacy that we've proposed. They would come in at off-peak time when there's not a lot of traffic. The rest of our development, office space, the bank, and the retail, you wouldn't have those kind of impacts.

Mr. Rhodes: Mr. Apicella?

Mr. Apicella: Back on the last slide, can you speak to... I think it was number 3... so you're providing 100% per Mr. Gibbons view of the improvements and the net impact is 4% on the daily traffic count?

Mr. Riley: That's correct. Our contribution in the future years of the total traffic is only 4% of what's projected.

Mr. Apicella: Okay, thank you.

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Mr. Riley: Sure.

Mr. Gibbons: Mr. Chairman, can I ask...?

Mr. Rhodes: Yes, please Mr. Gibbons.

Mr. Gibbons: Where on your... you said you're going to join the Garrisonville District?

Mr. Payne: Yes sir, Mr. Gibbons.

Mr. Gibbons: Where is that...?

Mr. Payne: It's in our proffer.

Mr. Rhodes: Yeah, this is just the TIA presentations recap, these are not their proffers?

Mr. Payne: It's 3 (k) as in Kellogg.

Mr. Gibbons: So you'll join at permit time?

Mr. Payne: Yes sir, Mr. Gibbons. The original ordinance identified several parcels, our parcel was not included along that Garrisonville Road area. So, in order for us to be part of that service district, one we'd have to volunteer to do it and the Board would have to approve it.

Mr. Gibbons: So, you're going to do it at occupancy or permit time? If your build-out isn't until 21, we ought to be getting some relief. True?

Mr. Payne: We're going to very likely do it. It'll likely... it'll be up to the Board actually, be up to the Board of Supervisors as to when they will include us in it.

Mr. Rhodes: So, Mr. Harvey, in this situation when the Board... if the Board takes action, does that apply immediately? How does it work, do you know? Or Ms. McClendon?

Mr. Harvey: Mr. Chairman, the Board would have to hold a separate hearing on the boundary and applicability of the taxing district to add this parcel in. That could run potentially at the same time as this application comes before the Board for its public hearing for rezoning.

Mr. Rhodes: But should they do that, which is their choice to do, and to proceed with, should they do that and take affirmative action, then does it apply upon affirmative action or apply upon the first construction being completed?

Mr. Harvey: Currently, the ordinance, as it's written, it applies upon the effective date of the ordinance. So when the ordinance is adopted then the new tax rate would apply.

Mr. Rhodes: Alright, okay.

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Mr. Payne: And we'd prefer it... certainly we don't want to tell the Board what it can and cannot do... but we'd prefer it, you know, once we make the initial investment obviously and have our first occupancy permit issued.

Mr. Rhodes: But that's really not your choice, that's dependent upon Board action.

Mr. Payne: That's right.

Mr. Rhodes: Okay.

Mr. Gibbons: We still don't have the answers on our question, your famous question Mr. Chairman.

Mr. Rhodes: Right. I figure he's got more... do you have more presentation or are you ready for just questions?

Mr. Payne: I think that's it on the transportation.

Mr. Rhodes: Okay.

Mr. Payne: Other than I would add that we remove the right-turn lane at Hampton Park Road or Court, one of the two. Citizen concern... I recall a couple of citizens talking about it encouraging cut-through from other areas so we removed it for that purpose.

Mr. Rhodes: And just applied those funds towards the sidewalk?

Mr. Payne: Correct.

Mr. Rhodes: Okay. There were a couple of questions regarding consideration of proffering out the convenience store/gas station usage. Was there a particular consideration there?

Mr. Payne: Well, we didn't include it because it would require another approval process if the developer or property owner in the future with the road widening decided to come forward and change that use. I highly doubt that would occur; but if it did, they would still have to have your approval, obviously your recommendation and then a Board of Supervisors approval. So, in our mind, it wasn't necessarily something that was, you know, necessary if you will to remove. In addition to that, you know, it could be a viable use in the future with the road improvements. So we certainly didn't want to take something off the table, not only for us but for some other future property owner if that was an opportunity. So that's the reason why it was not proffered out. Now with that, I know my client wouldn't have an issue restricting any sort of process, if you will, for a convenience store with a gasoline station, if you will, until the road widening occurred that's planned for 2021. I don't think we'd have an issue with that at all. Because, again, the convenience store piece was a piece that was driving the more intensity for the transportation issues. So, again, we addressed that downsizing intensity, proffered out a bunch of other uses that would not be consistent with what we think is best for the development in that particular area. But, again, you know, in our minds, you guys would have the final call on that anyways. So that's why it wasn't proffered out, just so you know what our thinking was.

Mr. Rhodes: Okay. Please, Mr. Apicella.

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Mr. Apicella: To that end about division that you currently have on the parcel, there have been some changes. I know you can't absolutely commit to anything because you're in negotiations, but maybe you can kind of summarize where you think you're potentially headed if those negotiations come to fruition.

Mr. Payne: For purposes of particular uses, you know, we were certainly actively soliciting a brand, a national brand pharmacy, certainly working with a bank, we are certainly soliciting and believe we're making lots of progress with two physicians for the 8,000 square foot office buildings. And for purposes of the retail area, we are aggressively soliciting a particular use we think that a lot of folks, including the neighborhood, would be very content with and that would obviously be a coffee shop and sit down restaurant, etcetera. So, we're making very good progress on those fronts. And we listened to the community and we've responded.

Mr. Rhodes: And just to confirm, I guess this is probably more for staff but, so the drive-through, any approvals that might come associated with drive-through, they're only for those three particular uses, right, just to confirm/clarify?

Mr. Zuraf: Yes, that was specified in the conditions.

Mr. Rhodes: Okay, I just wanted to confirm it. Other questions for the applicant?

Mr. Gibbons: Mr. Chairman...

Mr. Rhodes: Yes, please Mr. Gibbons.

Mr. Gibbons: ... I sure would like to have a timeframe on that (inaudible) widening the road because if that's an incentive he will be out there tomorrow widening the road.

Mr. Rhodes: It'll be VDOT widening, but...

Mr. Gibbons: Well, I mean, if he's in the service district, we're the ones that initiate it.

Mr. Rhodes: You mean timeframe for Board action?

Mr. Gibbons: I would say from the day that Board approves this for a minimum say of 10 years then it would not be pursued. That would give time to growth and the widening of the road and probably all the way from...

Mr. Rhodes: Oh, I think what I'm hearing is a time restricted partial proffering out of a use.

Mr. Gibbons: Yeah, the CUP cannot be addressed for a minimum of 10 years for that.

Mr. Rhodes: Or cannot be requested for convenience or gas.

Mr. Gibbons: Right. And give a timeframe.

Mr. Rhodes: Is that something that can be proffered out, Ms. McClendon? It's a unique one.

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Ms. McClendon: Mr. Chairman, I believe this really just comes down to the wording of what would be included in the proffer itself.

Mr. Payne: If we agree to it.

Mr. Rhodes: Yeah.

Mr. Payne: Again, I certainly have a lot of respect for Mr. Gibbons and I'm not trying to be disagreeable, I just think there's a process that you control as a Planning Commission. You can say no if (inaudible).

Mr. Rhodes: There's no requirement to approve it.

Mr. Payne: Right. Absolutely. And I'd just hate to create disincentive for something down the future that may be a very viable use once the road is expanded.

Mr. Rhodes: Well, especially since... it'd be easier to disapprove, quite frankly, in the near term especially since the change of the GDP was all in response to the fact that it was too intense before and so to go in reverse that would be an interesting one.

Mr. Gibbons: So I gather your comment is no?

Mr. Payne: Respectfully no. But, again, I think the Planning Commission and Board of Supervisors has absolute control over that.

Mr. Rhodes: Other questions for the applicant?

Mr. Gibbons: I think my... no, I think that's discussion. I'll discuss it later. Thank you.

Mr. Rhodes: I did have a couple more questions for staff, if I could.

Mr. Payne: Thank you Mr. Chairman, thank you Planning Commission.

Mr. Rhodes: Thank you. What I meant to ask earlier and I apologize... so now with that reduced 8 or 9% in total vehicle traffic demand, as I thought I understood it before on the VDOT comments, they at one point said it was kind of borderline but they felt like it might be beneficial to try and do two left turn lanes if they could figure out right-of-way issues. Where is it now at this level of impact?

Mr. Zuraf: We have not gotten any input from VDOT on whether this is...

Mr. Rhodes: Whether the 500 foot and down the 8% changes it. Okay.

Mr. Zuraf: I don't have an answer on that.

Mr. Rhodes: Okay. And the other question, there's been a couple comments in some public comment and other times, commentary, about the spine road, just its existence itself. It would exist inside whether or not it connected to Garrisonville Road, it'd have to connect inside the development just for the transit among the development. As I've understood it, typically VDOT has strongly encouraged those types of alternate entrances off the main roads, off of 610, to preclude the additional traffic having to go through

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an existing intersection to preclude it on there, you know, U-turns, other things. What is staff's position on that?

Mr. Zuraf: Generally, it's better to have multiple access points into a development just to... it kind of disbursts traffic and lessens the impact overall on the primary highway, this being Garrisonville Road.

Mr. Harvey: Mr. Chairman, I did speak with Mr. Van Dussen before tonight's meeting about that very issue. He felt that it was desirable to have an entrance on Parkway Boulevard and on Garrisonville Road. He felt that both access points would add to the better operation of that intersection. He indicated if there was only entrance on Garrisonville Road, there would be concerns about significant U-turn movements which would potentially back traffic further up on Garrisonville Road because U-turns typically take longer to maneuver than left turns.

Mr. Rhodes: Okay. I just knew those were comments and I had meant to ask that of staff. Alright. Is there anyone else that has any other final questions for staff at this point?

Mr. Payne: Mr. Chairman, if I could real quick; I'm sorry, I don't mean to interrupt you. I just want to respond real quickly to Mr. Gibbons' request. My client and I convened and we would agree to a 10 year limitation from rezoning approval of developing a convenience (inaudible).

Mr. Gibbons: I didn't hear.

Mr. Rhodes: He would agree to a 10 year limit on any submission of a CUP associated with convenience and gas stations.

Mr. Payne: We agree to that, yes sir.

Mr. Gibbons: Thank you very much. It's amazing how it changed from a respectful no to a polite yes.

Mr. Payne: My client's a lot smarter than me.

Mr. Rhodes: If we were to proceed on this then, just to confirm Ms. McClendon, we'd need to confirm that language for the proffer?

Ms. McClendon: That's correct Mr. Chairman.

Mr. Rhodes: Okay. And then secondly, there was some additional information that was here. Is any of this... I thought one of them had a modification or a clarification to a proffer so we would have to accept some new information?

Ms. McClendon: That's correct. You would have to accept the information and generally they all can be encompassed in the one proffer that's submitted with the new language written by Mr. Payne.

Mr. Rhodes: Okay. Yes please Mr. Apicella.

Mr. Apicella: Mr. Chairman, in the latest proffer submission, I think there's an error. Fleet parking is mentioned twice so I think we need to fix that. I don't know if they...

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Mr. Rhodes: Could you say that again, I'm sorry.

Mr. Apicella: Under prohibited uses, number 5, fleet parking is mentioned twice. There were some in an earlier version that had the same use identified more than once, so I think that's just perhaps a typo that we just can fix as part of this process.

Mr. Rhodes: Alright, any other thoughts or comments?

Mr. Coen: If I could, just a couple concerns. And over the course of many long years of working, I've done a lot of retail including smaller things. I do have a concern about the 18-wheelers. There will be 18-wheelers even if it's a coffee shop or small restaurant. And I understand the dilemma between keeping the trees and having it come in across from the realtors' office versus coming in across from homes, but I think that certainly is something to be problematic about 18-wheelers going in. And unfortunately, it didn't really sell it saying that they'd come in at non-peak hours, meaning that the people who are living there are going to have 18-wheelers come by their house at later hours of the evening. However, there are a lot of things that have been addressed that people had brought up at the last several meetings. It's nice to see those things addressed but I did want to at least mention those that was a concern.

Mr. Rhodes: Okay, very good. Any other comments or question on this action before...? I would... if I'm inclined to make a motion on this, handing over the gavel, we would need the modified proffer statement though first, right, since we did talk about some things that they would agree to.

Ms. McClendon: Yes, Mr. Chairman. I think it would be good to get the exact language for the record prior.

Mr. Gibbons: Why can't we take up the next issue...

Mr. Rhodes: I would like to then ask that the applicant work to develop some language on what you had modified, or have you already gotten there?

Mr. Zuraf: Got it.

Mr. Rhodes: Good Lord you guys are fast. Okay. Would you please read, and has the applicant initialed on this?

Mr. Zuraf: Yes.

Mr. Rhodes: Okay, so could you please read it.

Mr. Zuraf: Yes. In proffer 5, prohibited uses... well, first, sub-use (r) the second fleet parking has been deleted and it has already been deleted.

Mr. Rhodes: Just one second. I got on the wrong page, I apologize. I just want to follow along with you. Okay.

Mr. Zuraf: Page 4 I believe. Okay. The second reference to fleet parking has been deleted. And so at the very end, the applicants added convenience store for 10 year period following zoning approval.

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Mr. Rhodes: So that would be, whatever the appropriate letter is, so that would be... if (t) is gone, that would be a new (v).

Mr. Zuraf: A new (t) because...

Mr. Rhodes: Oh, you just put it in, replace the (t). And so could you say that again?

Mr. Zuraf: Yes. So there's a new (t)...

Mr. Gibbons: Mr. Chairman, what I really meant was two now. One was a convenience store. (Inaudible) a 10 year would be not to submit a CUP for the gas station in the same block. So, in other words, you wouldn't have a convenience store...

Mr. Rhodes: Convenience store and gas station.

Mr. Gibbons: Yeah.

Mr. Rhodes: Okay. So, could you just try and reword that. Thanks.

Mr. Zuraf: A new (t), convenience store and gas station, for a 10 year period following rezoning approval.

Mr. Rhodes: Okay, would that be acceptable Ms. McClendon?

Mr. Coen: Don't you need an and/or, rather than just and?

Ms. McClendon: I would suggest using the language that's actually in the Zoning Ordinance, so vehicle fuel sales instead of gas station. But outside of that I think it's acceptable.

Mr. Rhodes: Okay. Keep initialing. Yes. And/or. So, for the record sir?

Mr. Zuraf: Convenience store and/or vehicle fuel sales, for a 10 year period following rezoning approval.

Mr. Rhodes: And that's acceptable Ms. McClendon.

Ms. McClendon: Yes Mr. Chairman, it is.

Mr. Rhodes: Okay, thank you. I would like to add... I'd first like to, I mean is it the Chair's role to make the motion to accept new information?

Ms. McClendon: Mr. Chairman, one more quick note. I believe that there was also another change from the proffers that were online. I believe it was proffer 2. Mr. Zuraf, would you make sure that's read for the record as well?

Mr. Rhodes: Oh, okay. That's the new information that was handed here tonight.

Ms. McClendon: I believe that's with regards to the architectural design, accepting.

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Mr. Rhodes: Yeah, and that's part of the package we've got here in our hands.

Mr. Zuraf: Do I need to re-read the new proffer number 2?

Mr. Rhodes: Sure, we're on a roll.

Mr. Zuraf: Alright. Architecture materials. The architecture and design of the building for purposes of this rezoning will be in general accordance with attached rendering exhibit, Architectural Design Exhibit. In addition, all frontal façades on buildings located on the property will consist of brick, metal panel and metal sun louvers, glass, and/or other similar materials normally used for commercial related construction uses. The attached renderings are general in nature only and depict the general design, materials, and standards for the project. In addition, applicant agrees that all trash area enclosures will be constructed of similar materials and colors as the principle buildings, as applicable, within the development.

Mr. Rhodes: Okay, thank you very much. So, Ms. McClendon, just to get order of discussion, the first would be to accept the new information as presented and discussed tonight?

Ms. McClendon: That's correct.

Mr. Rhodes: Okay. I'd like to then make a motion that we accept the new information as presented and discussed tonight.

Mr. Gibbons: Second.

Mr. Hirons: A motion made to accept the new proffers as presented and also initialed off by the applicant's representative, and seconded. Is there discussion Mr. Rhodes?

Mr. Rhodes: Not at this point; I will in a moment.

Mr. Hirons: Mr. Gibbons, any discussion? Any other members, any discussion on this motion? Those in favor please indicate by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Rhodes: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Hirons: Aye. Any opposed? The motion passes 7 to 0.

Mr. Rhodes: Thank you. Mr. Chair, I'd like to make a motion to recommend approval of the reclassification, RC1300001, 610 Park Ridge.

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Mr. Gibbons: Second.

Mr. Hirons: Motion made for approval of RC1300001, 610 Park Ridge, and seconded. Any comments Mr. Rhodes?

Mr. Rhodes: Yes, please, thank you very much for the opportunity. First, I'd just like to... this has had great community commentary and I know not everything has satisfied everyone that's been involved thus far, but the comments have been tremendously helpful. I'd also like to thank the applicant. I mean, they took some deliberate time in response and made a number of adjustments, as many as I've seen with... more than I've seen on many of the applications that we have come before us trying to address it. Particularly, the sensitivities to the finding ways to reduce the transportation impact and the traffic impact, and taken out that intense use. I think that was very helpful. I think that's also much more complementary, quite frankly, to the, even though it's a commercial corridor, to the neighbors that are in the area of the residential community, certainly both in the design criteria and guidelines that you have now proffered in, but also in just the appearance and the approach of a convenience store and a gas station is just very different than everything else that's going to be there. So I think it's much more complementary. But I appreciate those efforts. I certainly appreciate the efforts to buffer the area while the fire department land to the south is there right now and it provides a tremendous buffer. Who knows what could happen to that in the future. So, beefing up on that landscaping is, I think, very beneficial and complementary to the community and certainly trying to find a more flexible way to do improvements in the area and not necessarily concern anyone with the Hampton Road 4-way stop... excuse me, Hampton Boulevard 4-way stop there is appreciated. I understand and heard from several of the commentary associated with the spine road but I also know from a planning perspective that it's much more preferable to have that alternative entrance, alternatives in there from a safety perspective, from a flow perspective. I think the benefits outweigh the concern side of that development. All that said, there's another opportunity with the second set of public hearings that will occur with the Board of Supervisors should this be, regardless however this is recommended forward, so there's more opportunities there to discuss and refine and improve. But I appreciate the continued energy of the community to enhance the proposal. I appreciate the flexibility of the applicant to make modifications and to be willing to do that. And I think it's a reasonable balance between the commercial corridor that exists there and the neighboring interests. Thank you.

Mr. Hirons: Thank you Mr. Rhodes. Mr. Gibbons?

Mr. Gibbons: Yes sir. Backup with the Chairman's comments, I agree. And the applicant is a very high quality developer and his integrity has never been questioned. Thank you.

Mr. Hirons: Any other discussion from any other members? I'll call the vote. Those in favor of the motion to recommend approval for the reclassification, 610 Park Ridge, please signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Rhodes: Aye.

Mr. English: Aye.

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Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Hirons: Aye. Any opposed? The motion passes 7 to 0.

Mr. Gibbons: We've got the CUP.

Mr. Rhodes: I make a motion to recommend approval of the Conditional Use Permit, CUP1300002, 610 Park Ridge.

Mr. Gibbons: Second.

Mr. Hirons: Motion to approve the CUP associated with 610 Park Ridge and seconded. Mr. Rhodes, any comments?

Mr. Rhodes: My only further comments is I think what is significant here is, at the end of the day, any more intense uses are within the control of the County and I think we're in an even better position should we not desire to go forward with those because the applicant has already indicated their willingness to go with the less intense uses. But that does remain within our control and I think it is important to me the fact that the current conditional use permit and the current drive-through associated is only with those 3 specific uses that are as cited; they don't apply to any others so, for that reason, I'm comfortable with the conditional use permit. Thank you.

Mr. Hirons: Mr. Gibbons, any further comments?

Mr. Gibbons: No sir.

Mr. Hirons: Any further comments by any other members? Those in favor please signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Rhodes: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Hirons: Aye. Any opposed? The motion passes 7 to 0.

Mr. Rhodes: Thank you very much.

Mr. Hirons: And I didn't break your gavel.

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Mr. Rhodes: We will move onto item number 4, reclassification dealing with Shelton Knolls.

4. RC1300364; Reclassification - Shelton Knolls - A proposed reclassification from A-1, Agricultural to R-1, Suburban Residential Zoning District, to allow single-family detached residential units to be developed at a greater density on Assessor's Parcel 28-128A. The property consists of 47.63 acres, located on the west side of Shelton Shop Road, approximately 950 feet north of Courthouse Road, within the Rock Hill Election District. **(Time Limit: February 11, 2014) (History: Deferred on November 13, 2013 to December 11, 2013)**
  
5. CUP1300365; Conditional Use Permit - Shelton Knolls - A request for a Conditional Use Permit to allow a cluster subdivision of up to 2.25 dwelling units per acre on Assessor's Parcel 28-128A, which is concurrently under consideration for reclassification from A-1, Agricultural Zoning District and to R-1, Suburban Residential Zoning District. The property consists of 47.63 acres, located on the west side of Shelton Shop Road, approximately 950 feet north of Courthouse Road, within the Rock Hill Election District. **(Time Limit: February 11, 2014) (History: Deferred on November 13, 2013 to December 11, 2013)**

Mr. Harvey: Thank you Mr. Chairman. Mr. Harbin will be giving a staff update for items 4 and 5.

Mr. Rhodes: Thank you.

Mr. Harbin: Good evening Mr. Chairman and Planning Commissioners, my name is John Harbin with Stafford County Planning and Zoning. This is items number 4 and 5, reclassification and conditional use permit for Shelton Knolls. Computer please? And could I actually have the December 11<sup>th</sup> presentation?

Mr. Rhodes: I'm always a little behind, that's okay.

Mr. Harbin: There it is. Okay. Just a brief background to refresh your memory. This is a reclassification from A-1 to R-1 Zoning District and a Conditional Use Permit to allow a cluster subdivision up to 2.25 dwelling units an acre. It's on Assessor's Parcel 28-128A, about 47 and a half acres, and this originally went to public hearing on November 13<sup>th</sup> and was deferred until this meeting. And at that November meeting, the Planning Commission made a couple requests to the applicant. We'll run through these briefly. They're also included in the memo provided to you all. The first one was being an amendment to the proffer statement to address two main issues; one being the reallocation of proffered funds if they're not used within 10 years, and appropriate buffer and access to the existing cemetery onsite. Both of those issues were addressed with the proffer statement and are satisfactory in staff's opinion. Another request was to have the Public Schools comment on this project and they did have that opportunity. We received comments but there have been no changes to the project that staff is aware of at this point, to those comments. Those comments were also included as Attachment 2 in your staff package. Another issue was to address and respond to any VDOT comments. The applicant received those comments and they did submit a revised GDP with an additional inter-parcel connection going into a parcel to the east of the site. That was a comment provided by VDOT but most of the comments that they did provide were advisory in nature as...

Mr. Gibbons: Can you point that out?

Mr. Harbin: The inter-parcel? I will when we get to the GDP, if that's okay. And, the last issue was to address and arrange the open space to be more accessible if possible. And with this revised GDP, there is

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additional open space of just under 1 acre in size. There is also CRPA on this site which may increase the designated open space by a marginal amount as well. So this is the revised GDP which was submitted today, so a motion does need to be made to accept this as new information. I'll point out some of the changes. As you can see, though, largely it's relatively unchanged. The new inter-parcel is in this vicinity here, known as Edmond Drive, which hooks into the Fitzhugh parcel to the east there. It is the same number of total lots; a slight rearrangement of lots because of that inter-parcel connection there. And the open space is largely in the same areas with this revised GDP.

Mr. Rhodes: Yes please, Mr. Gibbons.

Mr. Gibbons: This completes the connection to the one we just approved.

Mr. Harbin: Well, there was actually already...

Mr. Rhodes: The one on the bottom did.

Mr. Harbin: ... a connection there. That's this inter-parcel, the connection right there, to Shelton Woods to the south. So this is just an additional inter-parcel that they have provided.

Mr. Gibbons: And where's it going to connect to?

Mr. Harbin: Right now it's undeveloped. But in the future, it could be developed.

Mr. Rhodes: It just gives the potential.

Mr. Gibbons: Well, then it takes care of what the young man from Hartwood wanted. That'd be an ideal place to put the walkway, if you're going back to toward Amyclae, wouldn't it? No? Okay.

Mr. Harbin: I'm not familiar with that. There are sidewalks provided throughout the plan and there is a pathway along Shelton Shop here, as you can see here. Unfortunately, it does not... the outparcel there prevents it from being continuous. That's pretty much it at this point.

Mr. Apicella: You mentioned there was an additional acre of open space? Where is that at?

Mr. Harbin: Approximately... it's 0.87 acres. That's in this vicinity down here as a result of the modified layout of lots. I think it went from about 14 and a half acres to just over 15 acres of open space.

Mr. Rhodes: Okay. Any other questions for staff?

Mr. Apicella: Regarding the school's letter to effectively revise the proffer amount to increase the dedication or earmark for schools... I think it was an additional hundred thousand dollars...

Mr. Harbin: Correct.

Mr. Apicella: Has the applicant provided any feedback on whether they would be willing to make that kind of modification? I guess plus-up the school earmark and reduce the earmark for the other proposed uses?

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Mr. Harbin: I did have that conversation with the applicant and he'll probably better address that when he has a chance to speak. But I think they decided just to leave the proffers as is despite the School Board's comment.

Mr. Apicella: Thanks.

Mr. Rhodes: Please Mr. Coen.

Mr. Coen: Yeah, just a quick question. I noticed in Attachment 1, and it may be different now that we received more information. But again it had a \$1.2 million and a \$450,000, and on page 4 of it, (a) said for a schools \$1.2 million and saying the 750 goes for the fields or for something. And then (b) was Parks and Recs received \$800,000 for fields. And I just was curious, has the amount gone up? I asked the same question a month ago and was told it was a typo and I'm just trying to make sure if it's the same typo or are we actually getting, you know, \$800,000 that goes to Parks and Recs that's supposed to go for fields plus the school system gets \$1.2 million, or, you know, what is it we're getting?

Mr. Harbin: It's my understanding that it will, as you described, \$1.2 million will go to the schools and then \$800,000 will go to the Parks and Recreation for the fields at Mountain View. Perhaps the applicant can clarify that additionally, but there are no typos.

Mr. English: My question, I don't know if you can help me answer this on Shelton Shop Road, when is there going to be any road improvements on that? Is there a date on that?

Mr. Harbin: I believe it's set for capital funding to begin in 2021 and construction to begin in 2024.

Mr. English: And what about Courthouse Road?

Mr. Harbin: Phase 1 of Courthouse Road is under design right now and Phase 2 is set out... maybe Mr. Harvey can...

Mr. Coen: (Inaudible - microphone not on).

Mr. Rhodes: No, I think that's Phase 1, up to Ramoth Church and then the Phase 2 is about the same timeframe of the Shelton Shop as I recall.

Mr. English: Okay.

Mr. Rhodes: Other questions for staff before the applicant comes forward? Okay, thank you very much. Applicant please.

Mr. Payne: Thank you Mr. Chairman, other members of the Planning Commission. My name -- 10 years I've been here and I didn't know it came down like this... John's a little bit taller than me. Thank you John, you've done a good job.

Mr. Rhodes: We kept that secret on purpose.

Mr. Payne: Mr. Chairman, other members of the Planning Commission, my name is Charlie Payne with the law firm Hirschler Fleischer. I represent the applicant and thank you again for your due diligence on

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this matter; thank staff. Just to answer real quickly a couple of questions, the school cash contribution numbers are correct; \$1.2 million in regards to the improvements at Mountain View High School and \$450,000 for capacity expansion and the \$800,000 for Parks and Rec for the Mountain View recreational fields. We did review the comments from the school system; we didn't simply ignore them. We did go to the Supervisor in that district and asked him whether that was his desire as well. His position was that he wanted to keep it as it is and that he would address any sort of fluctuation in those dollars at a future time if that were the case. I also want to note that Mr. Hirons had requested that we include some sort of safety net language if these dollars would not be applied to these particular uses or earmarked. And we did do that; we put in a certain period of time that if those dollars were not used for those improvements that we have earmarked that they would be caught, if you will, and utilized for the attendance zone for the particular school and for the Rock Hill District for Parks and Rec and transportation. So we did include that language as requested. Mr. Apicella did ask us to do our best to try to find more contiguous open space. We did take a hard look at it. Again, the transportation buffer from Shelton Shop along with the right-of-way, and the constraints of the site due to the RPA has made it very difficult for us to open up the middle which I think was a desire. We did the best we could, but we still have 35% open space which I think is rather good. So, with that I'm happy to answer any other questions you may have.

Mr. Hirons: Any questions for the applicant?

Mr. English: If this is approved or whatever, when is development going to start? I mean, when do you perceive this (inaudible)?

Mr. Payne: Typically the build-out phasing is the next 3 to 5 years, you know, market dependent obviously.

Mr. English: Okay.

Mr. Payne: Same as Shelton Woods.

Mr. English: Okay, 3 to 5 years?

Mr. Payne: Yes sir. And just a reminder in regards to we are proffering cash for the future widening of Courthouse Road, 800-plus thousand dollars. And, in addition to that, we are putting in a left-turn lane; although it's not in our proffers, it's required for the development... a left-turn lane off of Shelton Shop and a right-turn lane off of Shelton Shop as well into the site.

Mr. Gibbons: Mr. Chairman, I'll move for RC1300364.

Mr. Rhodes: Okay, so that's a motion to recommend approval of... well, first we would have to accept the new information as presented tonight, correct? If we're at that point?

Ms. McClendon: I believe that's correct Mr. Chairman.

Mr. Gibbons: I'll change my motion to the new information.

Mr. Rhodes: So, a motion to accept the new information that has been presented tonight by Mr. Gibbons. Is there a second?

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Mr. Rhodes: I can second, right?

Mr. Boswell: I'll second.

Mr. Rhodes: Okay, second by Mr. Boswell for the purpose of discussion. Any further comment Mr. Gibbons?

Mr. Gibbons: No sir.

Mr. Rhodes: Any further comment Mr. Boswell? Any other member? Okay. All those in favor of the motion to accept new information signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Hirons: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; passes 7-0. Now we can address item number 4. Mr. Gibbons?

Mr. Gibbons: RC1300364.

Mr. Rhodes: Motion to recommend approval...

Mr. Gibbons: Yes sir.

Mr. Rhodes: ... of RC1300364, Reclassification of Shelton Knolls. Is there a second?

Mr. Apicella: I'll second.

Mr. Rhodes: Second by Mr. Apicella. Further comment Mr. Gibbons?

Mr. Gibbons: No sir.

Mr. Rhodes: Any further comment Mr. Apicella?

Mr. Apicella: Mr. Chairman, I'm going to support the reclassification portion of the request. I think it's a fairly good proposal. One of the things that I think really makes this a very viable proposal is the amount of proffers which is in line with what we're going to talk about later on. And, again, it's far in excess of some of the proffers that we've gotten in the past for similar kinds of rezonings. So, those are among the

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reasons why I think this is a good proposal and why I'm supporting the reclassification. I am, however, not going to support the CUP and I'll explain why when that comes up.

Mr. Rhodes: I will certainly echo your comments dealing with the precedent that it's putting us in the right realm associated with the proffers. Other comments... Mr. Coen?

Mr. Coen: With all due respect, conceptually there's a lot to be in favor of – putting growth in our growth area, trying to do a cluster development to preserve open space, taking care of the cemetery, and then the concept of getting loads of proffer money for roads and schools, etcetera. My problem is with the details and, quite honestly, I have a problem with the theory behind a cluster development is to condense the footprint on a parcel of land to preserve space. And I'm not really seeing that. I mean, it did increase it up a little bit but it doesn't really go to the concept of a cluster division as we've seen by other proposals that we're getting down the pike. So I just don't feel that it's in the spirit of it. Last month it was brought up that it's in the letter of the ordinance or the letter of the law. Maybe it's from dealing with too many courses in government but I'm always a little queasy when that's the fallback measure is that you're following a letter. Even with the new plan that we have, the preservation of the cemetery, the path still goes behind 4 peoples' lots which we don't know how many people have been visiting this cemetery or will continue to visit the cemetery, but teenagers will probably use that path to go back and forth. And so I'm a little leery of just having a path that goes that way. And it may not, to people who are older, be something that you realize, but having to deal with teenagers on a daily basis, it is something. The proffer concept... this goes back to what I said last month. I'm not naïve to think that we will get 100% for proffers. However, we set a barrier, a desire, and then we come in below. The idea of the proffers is to pay for the impact of development that that development does to our community. There's nothing for libraries. There's nothing for the rescue. For fire there's nothing. The request for sprinklers... you know, the only thing that the fire asked for was sprinklers and it's willing to be as an option. The money for roads, while a nice chunk of money and it's going to go to fix Courthouse Road isn't going to help the road that these people are going to come out on, which is Shelton Shop. In having to make an effort to drive down Shelton Shop over the last month, especially at rush hour, in talking to people who live on that road there's a concern there. And that is a road that as point out last month is not going to start being worked on till 2024. So there's a concern. And then I have a problem with the proffers for the schools. In the past, it has been up to the school system to decide where they would like to use the money and they're having very little say. My interpretation of what Mr. Hirons asked for, and what I asked for, was that the money for the proffer should go to the school district which will be impacted by these homes and these students. And the language that we received was it goes to an election district in the attendance zone, and to me it should go to the attendance zone. As a member of the CIP Committee, I know that the whole issue of turf fields came up, and when it came up, but it was only brought to the CIP Committee last May at which time we were told to look at it as something that was in the out-years, way at the far end of the CIP, not something that we're worrying about within a couple years from now. And so the impact is going to be in the classroom. And unless we're going to put trailers on these fields, it's not going to be helping with the impact into the classrooms. And just as a general rule, this will go to the next motion as well, I'm just concerned with the precedent we set. We are setting the precedent for future developers to say we can carve out little chunks, call it a cluster, and it will be acceptable. And they will come before us and say, on December 11<sup>th</sup> you approved this and so that's the precedent you have set up. We'll set up the premise that a person or a couple people can discuss with the developer where they would like to spend the money for the proffers for the school system and the school system doesn't really have a pre-emptive role in this discussion. And I'm also concerned that if the... either the \$750/\$850 - whatever the amount is... used for those 4 fields, the precedent will be that the rest of the money, whether it's \$450 or

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\$350, will then be able to be used for fields or dugouts and not be used where the impact will be. And so, for a lot of reasons, I just cannot see a reason to be in support of this proposal as it is written. Thank you.

Mr. Rhodes: Okay, thank you very much. Other comments? Yes Mr. English?

Mr. English: I'm going to kind of chime in with what Mr. Coen says also. I'm concerned too, with Shelton Shop Road with the impact, traffic impact it's going to have and then Courthouse Road too. So I can't support this.

Mr. Rhodes: Okay, very good. Any other comments? Okay, all those in favor of the motion which is to recommend approval of RC1300364, Reclassification, Shelton Knolls, signify by saying aye.

Mr. Apicella: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. All those opposed signify by saying nay.

Mr. Coen: Nay.

Mr. Hiron: Nay.

Mr. English: Nay.

Mr. Boswell: Nay.

Mr. Rhodes: Was that 4? One, two, three, four? You were a nay as well... okay. And you were an aye Mr. Apicella?

Mr. Apicella: Yes.

Mr. Rhodes: Okay, it goes forward as... it doesn't pass so then is it by default a recommendation forward not to approve the reclassification? Or is that a separate motion?

Ms. McClendon: I would suggest an actual motion on that.

Mr. Rhodes: So the motion did not pass so we will take another motion associated with this item.

Mr. Coen: I'll move to recommend...

Mr. Rhodes: Recommend disapproval? So a motion by Mr. Coen to recommend disapproval of RC1300364, Reclassification, Shelton Knolls; is there a second?

Mr. English: I'll second.

Mr. Rhodes: Second by Mr. English. Any further comment Mr. Coen?

Mr. Coen: No, I think I talked enough on it.

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Mr. Rhodes: Okay, very good. Mr. English? Any other member? Yes, Mr. Hiron?

Mr. Hiron: Can I just really chime in real quick here? Actually the vote probably went a little different than I thought it would. But, I'm just not supportive of this and it's probably a result of my transitioning to the School Board. And I agree with a lot of what Mr. Coen stated. But actually I would applaud the applicant. I think the package that was put forward was really fairly good and worked well with the folks here. My concern is the County is just not ready for this growth in that area and the impact on the schools in that area, and so that's why I just can't support this at this time.

Mr. Rhodes: Okay, any other further comments? All those in favor of the motion to recommend disapproval of RC1300364, Reclassification, Shelton Knolls, signify by saying aye.

Mr. Coen: Aye.

Mr. Hiron: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Rhodes: That was 4, right, okay. And all those opposed say nay.

Mr. Apicella: Nay.

Mr. Gibbons: Nay.

Mr. Rhodes: Nay. So it passes 4 to 3 and that will move onto the Board. And now we have item number 5, CUP1300...

Mr. Gibbons: That's null if it doesn't get approved...

Mr. Rhodes: Oh, that's right... we don't even address that, right?

Ms. McClendon: No you don't need to vote on the CUP.

Mr. Rhodes: Okay, there we go. I'd like to, Mr. Harvey, on item number 6, is that just... that's just in-house, right? That's just staff; there's not external individuals discussing on that one?

6. Proffer Guidelines - Discuss proposed amendments to the County's proffer guidelines for zoning reclassifications. **(History: Deferred on May 8, 2013 to June 26, 2013) (Deferred on June 26, 2013 to July 10, 2013) (Deferred on July 10, 2013 to August 28, 2013) (Deferred on August 28, 2013 to September 11, 2013) (Deferred on September 11, 2013 to September 25, 2013) (Deferred on September 25, 2013 to October 23, 2013) (Deferred on October 23, 2013 to November 13, 2013) (Deferred on November 13, 2013 to December 11, 2013)**

Mr. Harvey: Well, Mr. Chairman, on item 6, staff would request the Commission authorize a public hearing.

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Mr. Rhodes: Okay. But that will just be a little bit of staff discussion and us. I was thinking about entertaining a motion, if we could, to modify the agenda to jump to the ones that people are still waiting for, 9 and 10, and then come back to 6.

Mr. Harvey: That'd be fine.

Mr. Rhodes: Would that be acceptable?

Mr. Harvey: Yes sir.

Mr. Rhodes: Okay, I'd entertain a motion...

Mr. Apicella: So moved Mr. Chairman.

Mr. Rhodes: Okay, thank you Mr. Apicella. Is there a second?

Mr. Coen: Second.

Mr. Rhodes: Second, thank you very much Mr. Coen. Any other comment Mr. Apicella? Mr. Coen? Any other member? I just want to be able to get those who are waiting and then we can come back to our Proffer Guideline discussion. All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Hirons: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Anyone opposed? None opposed; so we'll move onto New Business. Mr. Harvey, item number 9.

*Continued after item 10.*

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

*Discussed after items 9, 10, and 6 below.*

8. Discussion of Public Notification Requirements **(History: Deferred on February 13, 2013 until further information from staff)**

*Discussed after items 9, 10, 6, and 7 below.*

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NEW BUSINESS

9. SUB1300031; Forest View Estates, Preliminary Subdivision Plan - A preliminary subdivision plan to create 14 residential lots on Assessor's Parcel 16-1A, zoned A-1, Agricultural, consisting of 55.44 acres located at the end of Greenbriar Drive, adjacent to the Grouse Point Subdivision, within the Hartwood Election District. **(Time Limit: March 5, 2014)**

Mr. Harvey: Thank you Mr. Chairman. For item number 9, if you'd please recognize Natalie Doolittle for the presentation.

Mr. Rhodes: So recognized. You know, you can lower that thing.

Mrs. Doolittle: Good evening Mr. Chairman and members of the Planning Commission. Item number 9 is Forest View Estates... computer please. Thank you. Item number 9 is Forest View Estates, Preliminary Subdivision Plan, SUB1300031. The proposed subdivision is located on Assessor's Parcel 16-1A, located at the end of Greenbriar Drive, adjacent to the Grouse Point Subdivision. The site is 55.44 acres, zoned A-1, Agricultural, within the Hartwood Election District. And the plan proposes 14 single-family lots. Here is a map showing the location of the site. And you can see the site is located at the end of Greenbriar Drive, which goes through Grouse Point Subdivision, which this is Grouse Point. And here is an aerial map of the parcel. The site is entirely wooded, with 2 existing ponds. Here is the proposed preliminary plan. And primary access will be provided from the extension of Greenbriar Drive from Grouse Point Subdivision. Greenbriar Drive is proposed to intersect with Honeysuckle Way and Hornbeam Court, each ending in a temporary cul-de-sac. Each road may be extended in the future to provide inter-parcel connection to the adjacent properties. The Critical Resource Protection Area is located on the rear of lots 1 thru 3 and will remain undisturbed. Lot 2 will have an access road and fire department access easement to one of the existing ponds at the rear of the lot to access a dry hydrant for fire protection. All lots will be served by private well and septic systems. And stormwater management will be achieved by utilizing LID methods such as bio-filters and vegetative buffers, and those will be placed within easements and maintained by the homeowners association. Staff recommends approval of the Forest View Estates Preliminary Subdivision Plan. And I'd be happy to answer any questions.

Mr. Rhodes: Questions for staff? Mr. Apicella?

Mr. Apicella: Ms. Doolittle, I have a question about the cul-de-sacs on lots 7 and 8, and 10 and 11. When I look at the lot lines, the cul-de-sacs actually seem to go into what are the lot lines. So, my question is, I think it's, for example, lot 7... I don't know if I have the right number... all the way at the top of the plan. Is that 3.01 acres after the cul-de-sac... I'm just using that as an example... after the cul-de-sac is taken into consideration?

Mrs. Doolittle: The cul-de-sac should be temporary so it would not include the cul-de-sac area.

Mr. Apicella: What do you mean that the cul-de-sac is temporary?

Mrs. Doolittle: It would just be a temporary turnaround easement, and then it would be null and void at the time that it is extended.

Mr. Rhodes: Ultimately it would be an inter-parcel connector, so it'd be straightened out.

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Mr. Apicella: Okay. And what about the southern end, the same?

Mrs. Doolittle: The same thing, yes.

Mr. Apicella: Okay, thanks.

Mr. Coen: Mr. Chair?

Mr. Rhodes: Yes, please.

Mr. Coen: Just a question. I asked staff earlier but what's the current status of the build-out for Grouse Point and then also the other parcels that you're talking about having to bump-out, actually connect to. Thank you.

Mrs. Doolittle: Grouse Point, I believe the entire subdivision has been platted, Sections 1 and 2. And I believe there have been building permits pulled for Section 1. And just today for our Technical Review Committee meeting, we had Beach Property which would connect at Honeysuckle Way. So, it's to the east. And I believe the property to the north is vacant and does not have any plans in.

Mr. Coen: Thank you.

Mr. Rhodes: Other questions for staff? Okay. Applicant please?

Mr. Pyle: Good evening Planning Commission members, Bill Pyle with Bowman Consulting, the engineer on the project.

Mr. M. Stonehill: Hi, how you doing? I'm Mike Stonehill with Hour Homes.

Mr. Rhodes: Great.

Mr. J. Stonehill: Justin Stonehill with Hour Homes.

Mr. Rhodes: Wonderful.

Mr. Pyle: We don't have a presentation but (inaudible).

Mr. Rhodes: And that's absolutely fine. Particular questions for the applicant? Mr. English, please.

Mr. English: The houses that you're putting in there, what are the price range and what are they going to (inaudible)?

Mr. M. Stonehill: The price range is going to be anywhere from, like we said earlier, about \$420,000 all the way up to about \$520,000, obviously depending on options and if the market goes up or down between now and then.

Mr. English: Okay. I understand.

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Mr. J. Stonehill: Grouse Point, by the way... you asked the question earlier about Grouse Point... we're pretty much sold out. We have 7 lots left in the whole subdivision that are buildable; 7 out of 52. So that's where we're at to answer your earlier question.

Mr. Gibbons: That's a tremendous traffic problem at Grouse Point.

Mr. Coen: Mr. Gibbons, I'd love to hear that aspect because that was one of my questions about traffic. I think, from the drawings it looks as though there's sidewalks in that area or is it not?

Mr. Pyle: No, no sidewalks.

Mr. Coen: So, any students will have to have buses roaming around there and making U-turns and whatnot.

Mr. Pyle: Correct. That's what the previously mentioned temporary turnaround cul-de-sacs are for, for bus access.

Mr. Rhodes: Okay. Other questions for the applicant? Okay, thank you very much. I'll bring it back in to the Planning Commission; it's in the Hartwood District. Mr. English?

Mr. English: Yes sir, I would like to make a motion to accept this.

Mr. Rhodes: Motion to approve the preliminary subdivision plan...

Mr. Apicella: Second.

Mr. Rhodes: ... SUB1300031. Motion by Mr. English, second by Mr. Apicella. Any further comment Mr. English?

Mr. English: No sir.

Mr. Rhodes: Any further comment Mr. Apicella?

Mr. Apicella: No sir.

Mr. Rhodes: Any other member? Yes, please Mr. Coen.

Mr. Coen: Just two things. I'm (a) curious from Mr. Gibbons comment about traffic with Grouse Point. I know this isn't a great number of homes but I'm just curious of his take on that aspect. And then just from a general standpoint, I know that that's one of the things that the County has been trying to do is put in sidewalks to deal with things, especially if it's a nice even small environment for walking and whatnot, so that's something that would be nice. But I'm really interested in what Mr. Gibbons could add to this.

Mr. Gibbons: What I was saying, it's in my backyard. It's right on Rock Hill/Hartwood District. It's a fine subdivision; it's quality and it's been a good builder. The only problem we have is we have the whole 616 corridor there, with all the homes going up it's very narrow country road. But I mean as far as the quality of the subdivision and the homes, they're correct.

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Mr. Rhodes: Alright. That being the case I'll call for the vote dealing with the recommendation to approve the preliminary subdivision plan, SUB1300031, Forest View Estates. All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Hirons: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; passes 7-0. Good luck. Now we're on to item number 10, Hartwood Landing. Mr. Harvey?

10. SUB1300404; Hartwood Landing, Preliminary Subdivision Plan - A preliminary subdivision plan to create 36 residential lots on Assessor's Parcel 26-22, zoned A-1, Agricultural, consisting of 121.33 acres located on Hartwood Road approximately one mile north of the intersection of Warrenton Road and Hartwood Road, within the Hartwood Election District. **(Time Limit: March 5, 2014)**

Mr. Harvey: Thank you Mr. Chairman. Robert Narvaez will be giving this presentation. And, Mr. Chairman, unfortunately for staff, this will be Robert's last presentation. He has been a great asset to our department and he is moving onto bigger and better things. He is going to be involved in park planning for Prince William County.

Mr. Rhodes: That's not bigger and better but it's another great challenge. That's a wonderful thing.

Mr. Hirons: Anybody who has to go to Prince William County though you have to do a song and dance at your last meeting.

Mr. Narvaez: Uh, I didn't sign up for that one. So, let's just get started. Mr. Chairman, Planning Commission, this is item number 10, a preliminary subdivision plan SUB1300004, Hartwood Landing. It's located on Assessor's Parcel 26-22 located off of Hartwood Road, approximately 1 mile north of the intersection of Warrenton Road and Hartwood Road. The size of the parcel of about 121 acres, zoned A-1, Agricultural. They are proposing 36 single-family lots and it's located in the Hartwood Election District. Here is an aerial view of the property. You can see that it does come off of Hartwood Road here, but there will also be another connection off of Estates... or is it Bronco Lane? Bronco Lane, yeah; that's it right there. So there'll be 2 connection points into the property. As you can see, the adjacent properties area also zoned A-1, so that's A-1 all around it. The lots will have individual access from internal streets. There will be no access... any new access off of Hartwood Road. And there is a perennial stream that does run through the northern part of the property. We'll go through that a little bit more but you'll see it through here and also up in through here. And this stream is also protected by the RPA 100 foot buffer. And stormwater management will be achieved by bio-retention ponds onsite above

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and below. This was provided by the applicant showing the adjacent open space parcels in conjunction with their proposed open space. So we have Oakley Farms to the east and we have Curtis Memorial Park and other Stafford County owned property to the north. Also the Royal... I think it's Royal Hills?

Mr. English: Royal Oaks.

Mr. Narvaez: Royal Oaks open space also to the north. So you see, they all are connected to each other.

Mr. Apicella: Is there a conservation easement on Oakley Farms or it's just a working farm?

Mr. Narvaez: That's correct. It is not... at one point it was a farm but there is a conservation easement on it.

Mr. Apicella: Ah, that's great.

Mr. Narvaez: So a little bit of background... the cluster concept plan was approved on September 13<sup>th</sup> of this year and staff recommends approval of the Hartwood Preliminary Subdivision Plan.

Mr. Rhodes: Questions for staff? Mr. Apicella.

Mr. Apicella: Robert, so the cluster subdivision proposal or aspect was administratively approved per our ordinance, right?

Mr. Narvaez: Correct.

Mr. Apicella: I just want to clarify, because I saw that some of the lots were actually less than 1.5 acres. It says in the description that cluster regulations allow minimum lot size of 1.5. I think it's minimum lot size of 1 with the average of 1.5. Is that correct?

Mr. Narvaez: That's correct. During... this cluster plan was approved prior to the current change of the minimum lot size of 1 and a half acres, so it has the density of 1 and a half acres. So you'll see a few lots that are under 1 and a half, but I think none of them go bigger than over 2, slightly over 2.

Mr. Apicella: Okay, thank you.

Mr. Rhodes: Other questions of staff before the applicant comes forward? Okay, thank you. Applicant please.

Ms. Karnes: Good evening Planning Commissioners and staff, my name is Debrarae Karnes and I represent the applicant on this presentation. Staff has done a very good job of explaining this proposal. Thirty-six lots in the A-1 zoning district on a cluster design. I'll be glad to answer more details, but I think the big news here is that it is a cluster plan. But I think conforming to the spirit of Stafford County's review of cluster ordinance, it provides no additional density above and beyond what is allowed by-right. And even though it was approved under the former cluster ordinance that allowed a minimum of 1-acre lot size with, as Mr. Apicella said, a requirement of an average lot size of 1.5, there is still the applicant is not getting any more density than would be allowed under the new cluster plan. So either by-right or by the old cluster plan or the new cluster plan, the applicant would be theoretically allowed 40 lots. He is building 36 lots. Can we see the computer please?

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Mr. Rhodes: Computer please.

Ms. Karnes: But the most noteworthy thing is the arrangement of the cluster open space. The majority of the land is located in one parcel which is contiguous, as staff noted, to other open space land. You will see it's contiguous to Oakley Farms, which was noted is in a conservation easement, as well as the Royal Oaks open space, as well as Curtis Memorial Park and the other Stafford County property. I submit to the Planning Commission that this design is truly what the County was trying to get to; quality open space that benefits wildlife and the environment. And small lots which do not exceed the number of lots allowed by-right. I guess my final comment is, when the Planning Commission was discussing cluster, someone said I'd even be interested in seeing smaller lots if, in fact, the density was not increased. And I think the applicant has done that. And I'm here, as well as the engineer, to answer any other specific questions concerning this proposal. But I ask that the Planning Commission consider it and adopt a favorable recommendation tonight.

Mr. Rhodes: Questions for the applicant? Mr. English?

Mr. English: Yeah, I've got a couple. In reference to will this subdivision be served by dry hydrant?

Ms. Karnes: It will sir.

Mr. English: And has that been worked out where you're locating at with the other subdivision... feeding off another subdivision?

Ms. Karnes: No. The location hasn't been worked out yet. And applicant is committed to a dry hydrant. It will be located either on the property or on an adjoining parcel. And the Fire Marshall is okay with this solution. The Fire Marshall, in fact, prefers the location on the adjoining parcel.

Mr. English: And is there adequate turn radius for the fire trucks to come in there the way you've got it set up?

Ms. Karnes: Yes. The cul-de-sacs meet the requirement. The cul-de-sacs are 45 feet and that provides the fire trucks a 55 foot turning radius.

Mr. Rhodes: Other questions for the applicant? Yes, Mr. Gibbons.

Mr. Gibbons: I've got one for Hartwood. If you've got a dry hydrant, I hope it's not going to be dry. What are you going to pull it off of, a well?

Mr. English: No, it comes out of a pond, right? Out of the pond?

Ms. Karnes: Correct. It comes out of an existing pond and it allows the...

Mr. Gibbons: Which one?

Ms. Karnes: Well, if the dry hydrant is on the existing property, it's going to come out of the existing pond on the site. If not, it will come out of a dry hydrant that will be improved on an adjoining parcel.

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Mr. Gibbons: I started that program, Mr. Chairman, years ago and out in that area, dry hydrants saves us. And the Fire Department, God Bless the Chief, they pump them every month to make sure that they're adequate and they don't fill up. So it's very, very important in the rural area.

Mr. Rhodes: Great. Okay. Other questions for the applicant? Thank you very much. I'll bring it into the Planning Commission; it's in the Hartwood District.

Mr. English: I make a motion that we accept SUB1300404.

Mr. Apicella: Second.

Mr. Rhodes: Motion to approve and seconded. Any further comment Mr. English?

Mr. English: No sir.

Mr. Rhodes: Further comment Mr. Apicella?

Mr. Apicella: Mr. Chairman, I applaud the applicant and their agent on this proposal. I think it is exactly what we're asking for when we talk about cluster subdivisions and trying to get contiguous open space. And, in addition, they didn't have to but they did not increase the density and I think that's another win for the County. So this is really a great proposal and I hope that it's a sign of proposals that we might get in the future and hopefully developers who are thinking about cluster subdivisions will look at this one as a model because it's more likely to get uprooted than not, certainly from my vantage point.

Mr. Rhodes: Very good. Any other comment by any other member? Please, Mr. Coen.

Mr. Coen: Mr. Chairman, just to echo that, the spirit of the law, not just the letter, is excellent... the planning. Since I (inaudible) at the people with only 14 homes I'll say sidewalks again just to be consistent. But I just think this is excellent; this is exactly what the County is looking for, as well as having the neighbors come in who would be adjacent to it being in support. So, hooray.

Mr. Rhodes: Very good... awesome. No other comments? All those in favor of the motion to approve the Preliminary Subdivision Plan SUB1300404, Hartwood Landing, signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Hirons: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; passes 7-0. Good luck. And now we will move back to item number 6, Proffer Guidelines. Mr. Harvey?

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6. Proffer Guidelines - Continued

Mr. Harvey: Thank you Mr. Chairman. The Commission has been discussing proffer guidelines for...

Mr. Gibbons: Could I ask one thing I forgot?

Mr. Rhodes: Yes, please.

Mr. Gibbons: Could you send the comments of the Planning Commission to the County Administrator on Robert's performance?

Mr. Rhodes: Oh, that's right... Robert! Yeah... I mean, this is good stuff. This is what life is about. It's about getting different experiences, different perspectives. That's what makes you better at any profession, any career, and so it's going to be a great thing for ya. We will miss you. We appreciate the tremendous support you have provided. We hope you'll look back fondly on these years and actually, more importantly, we hope you'll come back because that's the way you do it. You go out, you get other experiences perspective, and then we steal your butt right back from Prince William County. But best of luck to you.

Mr. Narvaez: I echo the same sentiments. I've seen quite a few Planning Commissions come and go but this Planning Commission has seen a lot of growth and I've seen a lot of learning, and I really appreciate that kind of understanding about planning concepts and how it all relates to how we live and work and play. So, I appreciate the opportunity I've had with all of you and, you know, you might see me somewhere else. I might come back. I appreciate it.

Mr. Rhodes: Best of luck to you, thank you.

Mr. Narvaez: Thank you.

Mr. Rhodes: And I'm sure we'll get some appropriate commentary to the County Administrator. Thank you. Okay, Mr. Harvey, I'm sorry for the interruption. Please, item 6.

Mr. Harvey: Not a problem Mr. Chairman. If I can have the computer please. The Planning Commission has been working on proffer guidelines for a number of months and has done a very extensive study. The latest outcome of the study proposed a maximum proffer dollar amount which I have shown on the screen in front of us. For single-family homes it would be roughly \$31,000; townhomes \$17,000; and then multi-family homes almost \$16,000. This is...

Mr. Apicella: That does not include the Transportation Impact Fee which would go on top of that.

Mr. Harvey: That's correct. In May of 2014, if the County will have adopted a Transportation Impact Fee that would affect any future development project that has not already received a construction plan approval, that current impact fee is set at \$2,999. So that would be in addition to the guidelines for this rezoning type of situation. The guidelines are based, and the work of the Planning Commission is based on contribution amounts from actual capital costs associated with construction of Fire and Rescue, general government, library, parks, and schools facilities. That varies from the current guidelines which the current guidelines are based on the Comprehensive Plan projected needs from future growth, as well as projected costs for those facilities; whereas, this guideline is based on existing costs that have been

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projected in the CIP. Staff feels this is closer to the State Code in what it recommends for proffers. Also, this guideline is more up-to-date than the current in that it utilizes student generation rates from actual attendance out of new neighborhoods. That was a discussion that the Commission has had. Countywide versus new neighborhoods, you find a totally different outcome. And new neighborhoods are what we are dealing with with rezonings so new neighborhoods would I believe give us a better take on the actual impact to schools.

Mr. Rhodes: And so to just restate what would stay there and based on the discussion last session, this provides a very deliberate, very clear methodology transparent approach to how we've calculated. And then it adds to it a policy consideration for the Board that might... which is the last bullet there... more historically pay what might be a more likely to be achievable on a consistent, very deliberate basis to hold strong and hard to which the Board can consider how they want to go with it. But it gives them something strong and solid and quantitative to base on and then adjust from there.

Mr. Harvey: Yes. And Mr. Chairman, in your packet and which was also posted online, we have the full policy as it's written. It covers a lot more detail than the current policy does. The current policy is more oriented towards the money aspect. The proposed policy would handle the money as well as the administrative procedure and add some uniformity to proffers in the process, so the Commission has a better grip on individual applications and how to work your way through them. Also, just for the Commissions' information, these new guidelines are anticipated that they be updated every year with the budget process. The current policy was adopted in 2005 and it is modified every year based on the Marshall and Swift Building Cost Index. So, the numbers you saw last year were approximately \$45,000 per home for a single-family dwelling that, based on inflation, has increased to close to \$47,000.

Mr. Rhodes: Without transportation.

Mr. Harvey: Without transportation, that's correct.

Mr. Apicella: So \$50,000 with transportation.

Mr. Harvey: Yes. So, again, the Commission looked at the new proposal as being more fair and more in line with what people are willing to provide to the County. Also, your rezonings are a means to implement your Comprehensive Plan and the Commission has seen a desire to want to direct growth in the manner that we want to see it in our plan. And this could potentially help that. Staff would ask the Commission to consider authorizing a public hearing for this policy.

Mr. Rhodes: Okay, questions for staff or motion to authorize for public hearing?

Mr. Apicella: Mr. Chairman, I would motion to move this proposal forward to public hearing.

Mr. English: Second.

Mr. Rhodes: Okay. Motion by Mr. Apicella, seconded by Mr. English. Any further comment Mr. Apicella?

Mr. Apicella: Mr. Chairman, we've been at this a long time and we've had a lot of discussion to debate about it. I think again that this proposal would go a long way towards incentivizing rezonings and us capturing more money toward that end than we're currently getting. So, there are a lot of reasons why I

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think this is a good proposal. We've talked about it already; I'm not going to reiterate those. And again I think this would be a smart way ahead for us to try to, again, try to recoup some of the costs associated with growth where we wouldn't otherwise get it.

Mr. Rhodes: Very good. Any other comments from any other member? I would just... I certainly echo your comments Mr. Apicella, and would just submit that this becomes a, hopefully a tool that could be used more beneficially, significantly, and all to the betterment of the County. And lastly would just add I appreciate the great work of staff. They went back and forth many times. We didn't help them always in it because we kind of rethought things, which is how a process works, it's how a deliberate of process works and we reconsidered and rethought many things. But they, as they always do, went back and worked it very solidly and gave us a great proposal. So I thank staff for that. With that I'd call for the vote on the motion to move this forward for public hearing, item number 6, the Proffer Guidelines...

Mr. Gibbons: Could I ask one question?

Mr. Rhodes: Yes, please Mr. Gibbons.

Mr. Gibbons: I had to go out and make a phone call. How would, Steven, Shelton Knolls, that would have fit into this?

Mr. Apicella: I think it's very close. I think that would have been a little bit below because it didn't capture, I think it was about \$32,000 that they offered in proffers including transportation...

Mr. Rhodes: Thirty plus \$2,000 in kind.

Mr. Apicella: ... and it didn't go across all the categories. But, again, I think it's fairly close to what they came up with.

Mr. Rhodes: It would have been about the same aggregate but a little different on the breakdown.

Mr. Gibbons: Okay, thank you.

Mr. Rhodes: Okay, all those in favor of the motion to vote this forward for public hearing signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mr. Hiron: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

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Mr. Rhodes: Aye. Any opposed? None opposed; passes 7-0. Again, thank you to the staff. Items 7 and/or 8 Mr. Harvey?

7. *Comprehensive Plan Amendment; Urban Development Areas*

Mr. Harvey: Thank you Mr. Chairman.

Mr. Rhodes: Any further update on those?

Mr. Harvey: Mr. Zuraf will give an update on item 7.

Mr. Rhodes: Thank you.

Mr. Zuraf: Good evening again. If I could have the computer please. For item 7, this is the Comprehensive Plan Amendment for the Urban Development Areas. And we've come to you this time with some amendments to provide to you and collect any comments on. Attachment 1 in what you've received tonight includes amendments to Chapter 3, which is the Land Use chapter of the Comprehensive Plan. We've gone ahead and provided you kind of a track change version that includes descriptive land use recommendations that go along with the new land use concepts that were being drafted from our earlier discussions on this topic. We, within those changes, highlighted in yellow several notes pointing out changes and features for you to kind of make note of, kind of highlighting some of the things. One thing that we didn't get into the changes that you received, in Figure 3.1 in Chapter 3, previously what we have currently is just a map of the Urban Service Area, looking to kind of provide a new map in place of that which shows the Urban Service Area in red but then makes an effort at highlighting the targeted growth area that was discussed... that's the pink shading... and then identifies the remaining area as the Suburban Areas inside the Urban Service Area, and then designation of the remaining agricultural and rural lands outside of the Urban Service Area. So, just expanding on that Urban Service Area map in this location. Within the document there's several sections that have new text explaining land uses. Starting on page 3-14 we have several pages of new text that describes the Courthouse Area land use. As we kind of discussed that, it kind of takes the place of Courthouse Urban Development Area. It kind of follows a lot of the same recommendations from that Urban Development Area and highlights the Courthouse Urban Development Area plan; that was the extra effort that we went through and the UD Ordinance that is now in effect and is being utilized in this area. So that was included, and then more description on the new neighborhood center land uses that were included within the targeted growth area. So there's several pages describing what is recommended in those neighborhood center land use areas. One new feature that we're looking to include within the document would be a series of maps that kind of highlight the individual neighborhood centers which would basically just be an overlay of the district boundaries over an aerial photograph so somebody can kind of get a good frame of reference as to where these areas are in relation to existing development. This is an example of the neighborhood center that is proposed kind of around along Walpole Street north of Courthouse Road. So the idea is to have additional maps and description of the other neighborhood centers. And also in Chapter 3 where we've provided some new revised build-out projections, basing it on the FAMPO projections and then also what the build-out would project that would be expected over the 25 year time horizon that was discussed at the last meeting. So, going from 2010 to 2035; so we've provided that new build-out projection. And then looking to add in a summary that describes the already approved development projects, kind of highlighting the bigger projects that are underway or that are going to be developing soon so people have a good idea of what's already approved in addition to what might come along. Attachment 2 in the document is a spreadsheet that pulls out all the references to Urban Development Areas that was mainly within the Chapter 2 Goals

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and Objectives section of the Comp Plan. So, what staff will do there is work to kind of work on a track change version of Chapter 2, delete most of those references to UDAs and then maybe make some adjustments if there are some policies that may reflect the new Land Use Plan that we are working on in this effort. So, at this point, guidance would be requested from the Commission on, you know, whether you have that now or in the future, at a future meeting, any of the existing policies in Chapter 2 that you may want us to go and change. Feel free to provide that input. And we'll work on an amended version of Chapter 2 and have that at the next meeting.

Mr. Rhodes: So what do you see your timelines being Mike?

Mr. Zuraf: Well, at the next meeting we'll look to have continued kind of providing you additional documentation. We hope to have more of Chapter 3 complete. I don't know if we'll have the full build-out analysis done, but that's what we're going to try to shoot for. We'll have the Chapter 2 amendments, but then from that point we're still going to have to work through having a traffic model developed which is going to be working with a separate consultant on that. So, that's going to be a few months to kind of go through that effort.

Mr. Rhodes: Okay.

Mr. Zuraf: But, I definitely want to bring your attention to these changes and make the Commission aware of these things and definitely something you should take a look at closely and provide any comments on this.

Mr. Gibbons: Mike, I asked for that... you were going to get me a copy of the map.

Mr. Zuraf: Yes. Mr. Gibbons requested kind of an overlay. This is the section of the draft plan kind of between Courthouse Road and Ramoth Church Road. I overlaid the existing George Washington Urban Development Area over this draft map; that's the red boundary kind of in the middle of the map.

Mr. Gibbons: Are you going to send it to me, a soft copy?

Mr. Zuraf: I can do that, yes.

Mr. Gibbons: Mr. Chairman, we were meeting over the weekend with the Supervisor and Jeff talked to him. There's some reluctance to get close at an airport in that overlay and how much that they lose there because you've got the Mine Road connector that's got to come through there and connect down to... well we hope that we go all the way to Route 17, but we can't get past the cut-off down by the high school. So, there's some comments... I want to take it by and get his comments and make sure that where we've met a couple of times on that. Thank you.

Mr. Harvey: Yes Mr. Chairman, as you may recall, Mr. Payne, during the last meeting, during presentations by the public, made comments that he has clients looking at pursuing development in accordance to the current Comprehensive Plan which has areas of UDA which has residential and commercial component. However, he was pointing out that there's a conflict between the direction they're going in versus what this draft map shows. The draft map shows part of that area as being converted to business and industry. So, I just wanted to point that out as part of the discussion.

Mr. Rhodes: Okay. Please.

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Mr. Coen: Just one request and... well, I guess technically two requests. One is can you send to me where the other areas are? I know you're talking about having maps but for the neighborhood areas. And then, and I don't need it now, but just an idea the timeline of where things go. I'm sure many of us remember the fun of the first Comp Plan and I just want to wrap my head around what is it we're envisioning. I would assume after the first of the year some other people would want to get an idea of where this is going. Thank you.

Mr. Rhodes: Okay. Other comments.

Mr. Apicella: Mr. Chairman, we've really come a long way from the notion of UDAs and I remember our discussion during our retreat about going down a different path. It has quite evolved since then. I've just got to applaud Mike for his hard work on this and really capturing the vision that I think that we had, loosely talking about where we thought we should be heading. And I think he's done an outstanding job kind of getting us closer to what we were trying to achieve. Again, with no disrespect to what other people are looking at or may have in their plans based on what's in the current Comp Plan, I think in the broader picture what we're trying to achieve here will do justice to what the County should be looking like 15, 20, 25 years from now in the absence of a UDA approach, but focusing on targeting growth back into the Urban Services Area where we want it. And in conjunction with this proffer proposal, I think we'll hopefully get there maybe sooner rather than later. Thank you.

Mr. Zuraf: Thank you.

Mr. Rhodes: Okay. Any other particular comments at this point? And certainly Mr. Zuraf is welcoming other feedback and comments on 3 and then we'll work into 2.

Mr. Zuraf: We'll keep working on this and keep providing you documents as we move along and updates as we move along. Thanks.

Mr. Rhodes: Okay, very good. Thank you. And 8 is still in progress at this point, right Mr. Harvey? Public notification of requirements?

8. *Discussion of Public Notification Requirements*

Mr. Harvey: Well, Mr. Chairman, I guess from a staff perspective we'd like to know if the Commission still would like us to pursue something with that or leave it alone for the time being.

Mr. Rhodes: And this was the one where we had had some discussion about maybe modifying public notification or maybe targeting modification of public notification. I think what the genesis of this was the fact that towers impact more than just the abutting property owners and so we started looking at proximity based. But if we apply that broadly it gets into other complications and I don't think we found a very perfected approach to how we might modify it. Unless people have some specific thoughts, I might suggest we probably take it off the agenda until we're ready to take it up with more specific direction to staff rather than carrying it over into next year, again, unless we have specific thoughts how we want to approach it for staff direction.

Mr. Apicella: We keep putting a lot on staffs' plate; I think for the moment since we really don't have a way ahead on this I think it's probably best for everybody if we just take it off for now and then maybe address it when and if an issue comes up.

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Mr. Rhodes: Is that okay with the will of the Commission? Do we need a motion to pull...? No, we just pull it off the agenda so it's not carried forward. Okay. Very good; so we'll move onto Planning Director's Report. Mr. Harvey.

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you Mr. Chairman. At your request, I provided some information on going forward for the next meeting and we have that listed under the Chairman's Report.

Mr. Rhodes: Very good. When will the next... when will the first Board of Supervisors meeting be in the month of January?

Mr. Coen: The night before our meeting.

Mr. Harvey: Yes.

Mr. Rhodes: So it is the day before though? Okay.

Mr. Harvey: Yes. The Planning Commission meets the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday, the Board meets the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays. Typically, a couple times a year they'll line up to where they're back to back nights.

Mr. Rhodes: Right. But they will have met. Some of us may not exist if they haven't met yet. Okay, very good.

Mr. Gibbons: Mr. Chairman, on the 4<sup>th</sup> of January is our kick-off 350<sup>th</sup> at Marketplace.

Mr. Rhodes: Say again? Oh, the 350<sup>th</sup>!

Mr. Gibbons: Yes. Ice skating, the Hubcaps. I'm going to wing-walk on the plane.

Mr. Rhodes: So, Mr. Harvey, from this then, you'll take lead on the meeting in January until we get through the point of time of getting the first officer elected and, at that point, you'll hand over to them and they'll carry forward the normal course of order.

Mr. Harvey: Correct. Yes, as the new Chairman is elected, at that point in time the new Chairman will take over.

Mr. Rhodes: Just to remind all how the procedures will work for January; it's a little different as whoever here ends up acting.

Mr. English: So our next meeting is January the 8<sup>th</sup>?

Mr. Rhodes: January the 8<sup>th</sup>, yes sir. Okay, other items Mr. Harvey?

Mr. Harvey: Mr. Chairman, thank you. I want to thank the Planning Commission for another great year of work. I know that we've accomplished a lot. I've forwarded the Chairman a list of some of those accomplishments and it exceeded one page for sure, just bullets, and that wasn't inclusive of everything. I will provide the Commission in January of an annual report for your consideration to forward to the

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Board of Supervisors. I also want to thank Mr. Hirons for 4 good years of service. I think you represented your district very well on the Commission, and staff looks forward to working with you in your capacity on the School Board.

Mr. Hirons: Thank you.

Mr. Rhodes: Thank you very much Mr. Harvey. Okay, we're onto the County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. McClendon: I have no report at this time Mr. Chairman.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

*Discussion of Election of Officers*

Mr. Rhodes: Very good. Committee Reports... I don't know that we have anything outstanding there. Chairman's Report, we talked about the procedures for the structure of the next meeting. Mr. Harvey will take lead as it's proceeding. I would like to just... a little different than past but since it is the last meeting of this year, I certainly would like to afford anybody any final comments and especially Mr. Hirons as he will be moving onto truly bigger and better things and take on even larger challenges as an elected member of the School Board.

Mr. Hirons: I'm not sure if it's either bigger or better, but it's different, that's for sure. I do want to say thanks to my fellow Commissioners, both that are seen with me now and have sat with me in the past. I really did learn a lot from each and every one of you that I had the opportunity to serve with. Obviously, you can't leave a position like this without saying thanks to staff because with the staff and the support that you guys give...

Mr. Rhodes: Here, here.

Mr. Hirons: ... we would be very, very ineffective. So a lot of what those supported us say and even Robert said of, you know, a good Planning Commission, it all comes back to good staff. So, Mr. Harvey, you run an outstanding department here with Stafford County so thank you for the work that you do on behalf of the citizens of Stafford County.

Mr. Harvey: Thank you.

Mr. Hirons: Robert, we're both leaving at the same time. Good luck to you! Mike, we spent a lot of time together, a lot of Thursday nights back working on the Comp Plan several years ago.

Mr. Rhodes: It still makes me twitch.

Mr. Hirons: Yes. And so I think we all got to know each other pretty well back then and thank you, it's been a real pleasure of working with you and receiving all these great presentations from you. Rysheda, one of these days you've got to give an Attorney's Report!

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Mr. Rhodes: You know what? No she doesn't; she's going to stay consistent.

Mr. Hiron: In all seriousness, the attorneys we've had have been outstanding. Rysheda, you have served the County extremely well as well and I really appreciate being able to serve with you here on the dais. Stacie, thank you for all the work you do; I really appreciate it.

Mr. Rhodes: Very good.

Mr. Hiron: Thank you.

Mr. Rhodes: Please, go ahead.

Mr. Hiron: That's it.

Mr. Rhodes: Okay. Other members?

Mr. Apicella: Scott, you'll be missed. It's been great working with you over the last couple of years.

Mr. Coen: It's been fun sitting next to you and I'll definitely be able to work with you across the street.

Mr. Rhodes: Anyone else?

Mr. English: Yeah, Scott, it's been nice working with you also. Good luck to the School Board (inaudible - microphone not on).

Mr. Rhodes: Mr. Gibbons?

Mr. Gibbons: I sent him an email from (inaudible - microphone not on).

Mr. Rhodes: Ah, very good. I would just... certainly we are privileged here. I think it is surprising, Mr. Harvey was starting to work the outline for the annual report that he'll submit to us for consideration, or submit to the Planning Commission for consideration in January. It was striking you know. You kind of move along and you work through these actions. You guys just do so much work and it's impressive and I'm sure it all comes down to staff. But I think a lot of people have a lot to be very proud of. When you look at the Comp Plan Amendments there were some significant ones dealing with transportation impact fees; dealing with TDRs, regardless of where that headed there was a lot of work that went into that; replacement of the UDAs with targeted growth areas and that whole concept; 24 different zoning cases that were in there to include the Celebrate Virginia, Embrey Mill, Crucible, Abberly Apartments, 610 Park Ridge. A lot of things that took a lot of dialogue and discussion and ongoing work that was involved. Six different ordinance amendments dealing with the historic churches, the cluster regulations, TDR, micro-breweries; 9 different preliminary subdivision plans that were acted upon; and several other actions to include what we just advertised for public hearing tonight on the proffer guidelines. So, a lot of things have happened over the 22 or so sessions, or 23 I think it was, that we've had this year. So, a lot of good work and certainly all at the end of the day lead by the staff. I've had the distinct privilege of being able to participate with a lot of great people for 8 years on the Planning Commission and even a couple years before that on Youth Drive Task Force and other efforts. And while I am tremendously appreciative and respectful of all the fellow Planning Commission members, at the end of the day, it does come down as has been said to staff. So if you'll indulge me for a moment I just want to say thank you to the

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Planners, Andrea, LeAnn, Natalie, Robert, Mike, Amy, Paul, Brenda, John, Jamie, Stephanie, Ben, Wendy, Mary; the team that I've been able to work with over the last 8 years and on the transportation side there was Joey and Amy and Mike and Angela and Sarah and Fulton. Certainly on the environmental side, Amber and Rishi and Bob and John and Mike and Steve and Elizabeth. Over in zoning is Rachel and Susan. We've had other great members of this County staff, Scott Mayauskey, Maria, just a whole range of folks over in Economic Development, Bob and Dan and Brad and Greg. As Mr. Hirons mentioned, a tremendous fleet of County Attorneys that we have been blessed to be supported by, certainly currently being represented by Rysheda and prior to here there was Alan and Keith and we remember Gail and Sam and Steve. And the administrative support and other staff support, Denise, certainly Stacie for a couple of different go-rounds, back and then gone and then back, Andrekia, Aisha, Stacie, Millie, and Ashley. And then can't truly, cannot say enough about Jeff Harvey and Kathy Baker. And Jeff, as was stated, what I am impressed by, looking at my personal experiences, looking back and leaders and leadership, is the way that you continue to work not only to lead with professionalism and expertise, but also lead with the opportunity for development. I see what you are doing with your staff and with your folks and giving them the opportunities to work through issues, work and grow as professionals, and I think that's a true testament to you as a professional and just the County is very blessed with the staff and the support they have. These are folks that have to not only work to address all the perspectives and issues that we raise, but certainly from the Board of Supervisors which might come from a little different perspective and other county staff and Boards, but also the development community, and also the residents and the community and everybody coming from a different perspective and I think they just do such a tremendous job of representing us. They are the best of what public servants are about. So, as we enter this Holiday season, we wish them, I wish them all well and thank you so much for what you do for all of us. It's not known, it's not seen; it's usually only noticed and found out who you are when something doesn't quite go right in somebody's eyes. The rest of the time it just happens and they're just happy that it happens, but they have no idea how it happens. But we know how much work it takes and so we thank you. And to all we just wish you a very, very Happy Holiday Season and all the best through this time. Thanks. So, let's go on to... we've got a couple last pieces. TRC information... do we have anything to hand out on that? All good? Okay. Approval of minutes. I'd entertain a motion for approval of November 13, 2013 minutes.

OTHER BUSINESS

11. TRC Information – Meeting January 8, 2014

APPROVAL OF MINUTES

November 13, 2013

Mr. Gibbons: Motion to approve.

Mr. Boswell: Second.

Mr. Rhodes: Who was the mover? Bob? And second by Mr. Boswell. Any further comment Mr. Gibbons? Mr. Boswell? Any other member? All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

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Mr. Hirons: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed. Any last items we've forgotten? Folks, happy 2013. Appreciate it.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:47 p.m.