

STAFFORD COUNTY PLANNING COMMISSION MINUTES
January 29, 2014

The meeting of the Stafford County Planning Commission of Wednesday, January 29, 2014, was called to order at 6:30 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Rhodes, Apicella, Bailey, Boswell, and Gibbons

MEMBERS ABSENT: Coen and English

STAFF PRESENT: Harvey, McClendon, Stinnette, Zuraf, and Ehly

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes: I would ask if there are any Declarations of Disqualification this evening? Hearing none, we will now move on to the Public Presentations portion. As we get ready to start onto the Public Presentations, I will just comment I apologize for any difficulty that the postponing of the January 22nd meeting caused for any individual. It was something it felt was necessary; I wasn't sure about the conditions and didn't want anybody to hazard to be able to come out to the meeting. We had another weather issue obviously tonight but felt that the roads were a little better and would not be too hazardous to come out. But I apologize for any difficulty that the postponement did cause to any individual. I know it did impact a couple of our Commissioners even. With that I will open up to Public Presentations. Anyone that would like to speak on any item except for the two items that are scheduled for public hearing may come forward and speak at this time. Mike? Scott? Scott? No, okay. Debrarae? No? Okay, I will close the Public Presentation portion and we'll move onto the Public Hearings. We'll move onto item number 1, COM1200116, Comprehensive Plan Amendment, Stafford County Schools. Mr. Harvey.

PUBLIC PRESENTATIONS

PUBLIC HEARINGS

1. COM1200116; Comprehensive Plan Amendment – Stafford County Schools, Anne E. Moncure Elementary School (new site) - A proposed amendment to the Comprehensive Plan to change the land use designation on the Future Land Use Map from Agricultural/Rural to Suburban for Assessor's Parcels 20-66B, 20-66C, 21-15, and 21-16 ("the Property") and to expand the Urban Services Area boundary to include the Property. The Property is located on the east side of Juggins Road, approximately 1,600 feet north of Doc Stone Road, within the Griffis-Widewater Election District. (Time Limit: January 31, 2014)

Mr. Harvey: Thank you Mr. Chairman. Please recognize Mike Zuraf for the presentation.

Mr. Rhodes: Thanks for picking up the portfolio Mike.

Mr. Zuraf: No problem. Good evening Mr. Chairman, members of the Commission; Mike Zuraf with the Planning and Zoning Department. If I could have the computer please. This item is a proposal to amend the Comprehensive Plan. The application itself is called the Moncure Elementary School. The proposal for the amendment to the Comprehensive Plan is specifically to amend the Future Land Use

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Map, and the Land Use Map designation on specific properties from Agricultural/Rural to Suburban, and, in addition, to expand the Urban Services Area. There are four properties that are affected and those properties cover 23.7 acres. Here is a vicinity map with the site highlighted in red. The property is in North Stafford on the north and east side of Juggins Road, and also to the north of the existing Perry Farms Subdivision. For some background, the requested land use change would specifically allow for the relocation and reconstruction of the existing Anne E. Moncure Elementary School. This current school site was built in 1968. It has a capacity of 700 students. And as you all may be aware of the location, it's right on Garrisonville Road. This proposed site would allow for a larger school that would have a capacity of 950 students. As mentioned, the location is three quarters of a mile to the north of the current school and on a site that is currently outside of the Urban Services Area. The Capital Improvements Program identifies the reconstruction of this school within it.

Mr. Rhodes: And, Mike, just for clarity, while this would facilitate and allow for... this change would allow for the ability for the school to be constructed there, this is not necessarily an approval process associated with constructing the school. That will go, and the decisions to build and the other decisions on design and other things, those will happen at separate later stages, correct?

Mr. Zuraf: Correct. There's still site plan review and approval and other permitting processes through other agencies as well that still are required.

Mr. Rhodes: Okay, thank you.

Mr. Zuraf: And also additional background, the school's division conducted a feasibility study to identify a site for reconstruction of Moncure Elementary School, and in this are there is limited availability of land. And in order to keep the school within the same attendance zone they identified this site as the best potential site. In March of 2012, the Board authorized a Memorandum of Agreement between the Board and the School Board to proceed with this process. And that Memorandum of Agreement does authorize the Land Use Plan Amendment for this effort. Again, here's just a map to highlight the comparison of the two site locations; the current site at the bottom of the image along Garrisonville Road and along Moncure Lane, and then the new site to the north. Through the staff report, you notice that...

Mr. Gibbons: Can I ask a quick question?

Mr. Rhodes: Yes, please Mr. Gibbons.

Mr. Gibbons: Back up one. On the property around it now, when you go in the urban district, it's going to be awful hard to stop any zoning coming in on that, isn't it?

Mr. Zuraf: Well the... and I'll get to the map that shows the proposed limits... but the Urban Service Area limit would be limited to this site. So the Urban Service Area boundary... somebody would have to come back in with a follow-up request to amend the Comp Plan.

Mr. Gibbons: Thank you.

Mr. Apicella: Mr. Chairman?

Mr. Rhodes: Yes, please Mr. Apicella.

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Mr. Apicella: Since we're on this slide, I'm just trying to understand the parameters of the request and what might happen down the road in terms of additional review by staff, the Planning Commission, or the Board of Supervisors. In particular, since I don't think a CUP is required, how will we make sure, because it abuts a residential subdivision or is fairly close to one, how will we make sure that any impacts might be mitigated since I don't think it's ultimately going to come to us or the Board of Supervisors down the road unless I think, for example, there's a height issue or something that would trigger a review by the Planning Commission.

Mr. Zuraf: Yeah, the one means would be through if the school itself exceeded the height requirement which is the height limitation is 35 feet in this zoning district. But otherwise, the remainder of the process is generally a by-right process through the Planning and Zoning Department. So, as far as requesting enhanced buffers, that would be more of through a process of really just making a request.

Mr. Apicella: The staff making a request to the school system, is that what you're saying?

Mr. Zuraf: Yes.

Mr. Apicella: Okay. And generally you work fairly collegiately with the staff there, right, in terms of those kind of issues?

Mr. Zuraf: Right. But we can't guarantee that that necessarily would be... you know, it wouldn't be a mandate like you would get through a conditional use permit process or that might be requested through proffers.

Mr. Apicella: Okay, thank you.

Mr. Zuraf: So, in our staff report we evaluated this change against different factors regarding land use, noise and visual impacts, impacts on infrastructure, community facilities and natural resources. And I'll go through those things. Regarding land use, the current use of the property, there's one older boarded up kind of residential dwelling right along Juggins Road in this location, the southern portion of the property. The remainder of the property is undeveloped. You can see it's forested with a mix of deciduous and coniferous trees. The site itself is generally rolling; it slopes from the west towards down to the east. You can kind of see the stream channels and that's the general direction and the drop of the terrain as it goes from the west to the east. The existing zoning is A-1, Agricultural. That's the same zoning that you have on many of the surrounding properties with the exception of properties to the south in the Perry Farms Subdivision; those are R-1, Suburban Residential zoned properties in that area. Now to kind of go over future land uses and development potential I'm going to go to the next few slides which show the proposed change to the Comp Plan map. Here's the current Comp Plan map and the site is highlighted. The light green is the Agricultural and Rural recommended land use and the bright yellow is the Suburban Land Use.

Mr. Rhodes: So, 66 and 66A, those are undeveloped and those would be well and...

Mr. Zuraf: Well and septic, yes. The development potential under this current development scenario, the site could have up to 7 single-family detached lots, large 3-acre lot sizes. Also, staff does note under the A-1 Zoning District a school would be allowed but the issue is the extension of public utilities to it.

Mr. Gibbons: Mike, you can extend water and sewer there without it becoming Urban?

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Mr. Zuraf: That or getting a Comprehensive Plan Compliance Review; those are the two options.

Mr. Apicella: So, if I understand it from a previous package that we reviewed about a Comp Plan Compliance Review, the reason we have to do this is because the facility is not currently in the Comp Plan. In order to put a public facility and get public water and sewer, the Comp Plan has to be amended to recognize it as a public facility in the Comp Plan. Is that...?

Mr. Zuraf: Correct.

Mr. Apicella: Okay.

Mr. Zuraf: To follow the guidelines in the Comp Plan...

Mr. Apicella: And that's a statutory requirement, right, I think.

Mr. Zuraf: Right. So, the proposed...

Mr. Gibbons: You still didn't answer. You can't run water and sewer to an institutional piece of land?

Mr. Zuraf: Well, as the Comp Plan says, you cannot run water and sewer outside of the Urban Service Area for any use.

Mr. Gibbons: For any use.

Mr. Zuraf: Right. That's why we get them commonly for residential subdivisions where we get the Comp Plan Compliance Review requests.

Mr. Apicella: Yeah, and as I recall, the only rationale in the Comp Plan for extending water and sewer outside the Urban Services Area is if there is a demonstrated or documented issue of health and safety. And again, I don't see that being the case here. It certainly hasn't been brought up, so the only other mechanism is, again, to modify the Comp Plan.

Mr. Zuraf: Correct.

Mr. Rhodes: And bring it in the USA.

Mr. Zuraf: Yes. So this slide then shows what the Comp Plan would look like should the plan be amended to identify those properties as Suburban with the Urban Service Area surrounding those properties. If the property was actually to be developed residential, which is the common use under Suburban, there would be the potential for 69 single-family detached dwelling units. A school could also go within the Suburban Land Use.

Mr. Gibbons: What prevents it... say that it doesn't get built on, what's to prevent the school system selling it for residential?

Mr. Zuraf: There's nothing.

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Mr. Harvey: Mr. Gibbons, the property is currently owned by the Board of Supervisors and the agreement would give the land to the School Board once the school is built. So currently right now the Board of Supervisors controls the ownership of the property.

Mr. Gibbons: So, if they don't do anything it reverts back to the Board?

Mr. Harvey: Well the Board has the ownership right now.

Mr. Gibbons: I understand. And it'll only be transferred when the school is under construction?

Mr. Harvey: When the new school is built and the occupancy permits have been issued.

Mr. Gibbons: I'd like to see that sometime if you could send it.

Mr. Zuraf: Okay, now looking at some visual and noise impacts with this site, there would be some site-generated noise and visual impacts. With noise, assuming that the site gets developed as a school, there would be just typical noise from vehicle traffic, bus traffic, and outdoor playgrounds that might have an effect on adjacent properties. As far as visual impacts, as I mentioned before, the maximum height in the A-1 Zoning District that this is currently zoned as would be 35 feet so that no school could go taller than 35 feet. Should the future plans require buildings higher than 35 feet on the site, a conditional use permit would be needed. The County would have some control over determining the impacts there.

Mr. Apicella: Mr. Chairman?

Mr. Rhodes: Yes, please Mr. Apicella.

Mr. Apicella: Sorry. So, there was a letter from Quantico, the Base, raising concerns about the school being sited there but because it's going to be in Noise Zone 1 I think... and just to clarify, the existing school is in Noise Zone 1 as well?

Mr. Zuraf: Yes, correct.

Mr. Apicella: So, as I understand it, the school system and the County work towards finding an amenable property to satisfy their needs. So basically anywhere that they might put this school would kind of go against what the desire is of the base. There'd be no other realistic options I guess I'm trying to say.

Mr. Zuraf: In this attendance zone, correct.

Mr. Apicella: Okay, thank you.

Mr. Zuraf: And to expand on that, as mentioned, also in addition to the visual impacts there would be some potential lighting impacts. With a school site you're going to have pack lighting that would be on buildings and other parking lot lighting which may have impacts. Lighting for the parking lots though would be dark sky compliant which would have lesser of an impact maybe on adjacent properties than you might have had in the past. Then with the offsite impacts that may affect this property, from Quantico this, as mentioned, is in Noise Zone 1 which is an area identified around demolition training areas on the base. There is a Range Compatibility Use Zone Study that identifies this; it's recognized in

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our Comprehensive Plan. And that Range Compatibility Use Zone Study identifies uses that would be appropriate in the different zones. And the Zone 1 is a lesser intensity impact and that's the red shaded area in the image; Zones 2 and 3 in blue and green are the more intense impact areas. There are some policies in the Comp Plan that relate to this. Objective 4.8 recommends minimizing noise and vibration impacts from Marine Corps Base Quantico. There is a recent Joint Land Use Study effort between the County, the Base, Prince William, and Fauquier Counties, and through this process there are going to be recommended land use suggestions. One of those would recommend development of sound attenuation standards or guidelines for new construction of schools and other public buildings that are within designated Military Influenced Zones. The development of these standards would be a follow-up action that would need to occur after adoption of the JLUS report. This is just being finalized and scheduled to go to the Board in February. School Board staff is aware of these potential impacts. They've been notified by Quantico about this. They do note that there have not been prior issues identified at the current school site though. And staff does note a lot of the Quantico comments are concerned with potential higher density residential which is not the intent on this property. In looking at infrastructure, the site is located along Juggins Road, which is a 2-lane undivided road. The entire frontage of this site is gravel in this area. The vehicles per day in the area of the site is 140 vehicle trips per day. As you go down Juggins Road across from Perry Farms Subdivision down towards Garrisonville Road there's a higher traffic volume from that subdivision; 1,500 vehicle trips per day. Now what would be potentially generated from traffic at the current school, the estimate is that the current school would generate or does generate 903 vehicle trips per day. The proposed school, being larger and having greater capacity, would go up to 1,226 vehicle trips per day. Now if the site was to remain Agricultural and Rural and be developed as Rural Residential with 7 homes, there would only be 70 vehicle trips per day. If it was to actually be developed under Suburban as a Suburban Residential use it would be 690 vehicle trips per day. The assessment submitted with this request does identify mitigation recommendations which does recommend improving Juggins Road to current VDOT standards with a full 2-lane paved section of roadway with 12 foot lanes and adding a sidewalk to the adjacent Perry Farms Subdivision. And then additional mitigation that would likely be needed would be right turn lanes at the entrances off of Juggins Road into the school site. And also other improvements might be needed as we get through the more specific details at site plan review.

Mrs. Bailey: Mr. Zuraf? With the traffic impact, did they look at Doc Stone Road, any improvements that would be needed there?

Mr. Zuraf: There were no recommendations for any improvements needed at Doc Stone Road.

Mrs. Bailey: Have they determined a distinct traffic pattern for the school busses and the additional car travel? Are they anticipating mainly Juggins Road or...?

Mr. Zuraf: Well, it would definitely... most of the traffic would feed out then to Doc Stone and then go out to 610. I don't know if there's...

Mr. Rhodes: The one plus that will occur is that the new commuter lot will get a road through there so you can get straight through to Staffordborough which will be a new capability; it hasn't existed to date.

Mr. Zuraf: Which will serve portions of the attendance zone too.

Mr. Rhodes: Yep.

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Mr. Zuraf: With water and sewer, there is existing 12 inch water main along Juggins Road that they could tie into, and sewer lines are located within Perry Farms Subdivision to the south to tie in. Through the assessment provided with the request, it's anticipated that the school would have a demand for 4,100 gallons per day for water and sewer. Looking at school impacts, if the site was to develop as Suburban Residential with 69 homes, that would add potentially 43 to 90 students. With only 7 single-family homes under the current land use, that is estimated to only generate 4 to 9 students. But, as mentioned, the development of the school would remove any potential for additional students on the property. And also the new school does increase capacity and allow for a modern school that is designed to meet the current educational needs. With Parks and Recreation, same thing; an increase of 7 up to 69 homes would increase park demands. But if the site is developed as a school, this would provide likely additional playing fields which would help to meet existing needs for Parks and Recreation uses. Then with cultural resources, there was a study conducted with the request that I did identify some high probability areas of Native American occupation and remains of a house site. The Historic Commission reviewed this and did recommend a Phase 1 study occur over these areas and that would occur during site plan review. Then looking at natural resources and land cover, I've gone over that. It's a wooded site, some general rolling terrain going from west to east. There are some intermittent streams on the property, no perennial RPA streams. There are some wetlands, ¼ of an acre of wetlands is identified along some of the intermittent stream channels. The site was evaluated for the presence of federal and state endangered small whorled pogonia or Harperella. No species of this type were identified on the study area but there were some moderately favorable and highly favorable habitat for these specimens. The study then recommended avoidance of the favorable habitat areas during the development of the site. Then with land use, the higher impacts of this change would potentially have some impacts on the natural resources on the site. It of course would cause some larger grading of the site compared to development of the site as an Agricultural/Rural subdivision. So, staff does note that the design of the site should take into account the environmental resources that were noted with the wetlands and potential habitat for endangered species. Also, the site does drain down to Smith Lake Reservoir, one of the water supply reservoirs for the County, so staff does note the connection to sewer in this location is preferred over use of septic drainfields as that helps to avoid certain pollutants that might run into the reservoir. And with a school with the design of any stormwater management, it's recommended that the School Board work with the Utilities Department in any design to ensure water quality issues are taken into consideration. Staff does believe the amendment to be appropriate. It does allow for the relocation of the school to a site that will allow for a larger school building located away from the commercial corridor, and also the site is preferred given the limited availability of land within the school attendance zone and the Urban Service Area. Also note that January 31st is the deadline for the Planning Commission to make a recommendation on this request.

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

Mr. Apicella: It's not so much a question as a comment. We were going to take this up a week ago and then we had a January 31 deadline. I'm just kind of curious how we ran up against the clock on this one, and just, again, a concern that I've raised before that on anything we need to have sufficient time to properly understand and deliberate on these kind of things. So I'm not sure what triggered the start date but essentially we had a couple weeks to really deal with this.

Mr. Rhodes: I think it was a bit self-induced. We kind of set the deferral date, didn't we? We were waiting through the JLUS study as part of it, and waiting to get some results from it, but we also set the date knowing kind of when the suspense was.

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Mr. Harvey: That's correct Mr. Chairman. The Memorandum of Agreement between the Board of Supervisors and the School Board sets out the timeframe for completing the Comp Plan revision. Also, as you noted, the JLUS process has taken quite a while to work through. We've gotten a draft report from that process. That process took longer than initially anticipated so there's been a couple of extensions already granted for this overall effort as Mr. Zuraf indicated. The discussions about this started in 2012, so that's basically how we got to where we're at today.

Mr. Apicella: Respectfully I appreciate that. I'm just saying that, again, I assume the Board ultimately decided that it would be January 31st, not the Planning Commission.

Mr. Rhodes: But we could have picked the first session in January to have held our public hearing; we had that opportunity. We chose the second one.

Mr. Harvey: That's correct.

Mr. Rhodes: There's a bit which we put ourselves up against this little hard wall; it's just (inaudible).

Mr. Apicella: I understand. I'm just asking for us, and the Board of Supervisors again, to be mindful of timeframes to give us sufficient time to look at things.

Mr. Rhodes: I couldn't agree more.

Mr. Apicella: This one, you know, isn't as complicated as other projects that we would otherwise look at.

Mr. Rhodes: Mr. Zuraf or Mr. Harvey, I'm just curious, from your understanding of all the background going into this, I wasn't sure, do you know what the... so the intent is, it's County property and at the time that it's built it'll be turned over to the School Board. Then the old property will be, as I understand it, turned back over to the County?

Mr. Harvey: Correct.

Mr. Rhodes: Has there been communicated what the disposition of the old property is? I'm just curious if it's been identified.

Mr. Harvey: I think ultimately that will be up to the Board of Supervisors once the Board takes possession of the property.

Mr. Rhodes: Okay.

Mr. Harvey: There's been some notional discussion of what might happen to it, but it'll ultimately be up to a future Board once the new school is built and the land is exchanged.

Mr. Rhodes: It's right along the commercial corridor so it seems like a lot of potential.

Mr. Gibbons: Mr. Chairman, could I follow-up on that?

Mr. Rhodes: Yes Mr. Gibbons, please.

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Mr. Gibbons: If this is in the CIP to be remodeled, so is that being deferred until we look at the new school?

Mr. Zuraf: I understand it's in the CIP for reconstruction... for the construction of this new site.

Mr. Gibbons: Right.

Mr. Zuraf: Not a remodel of the current.

Mr. Gibbons: I thought there was an upgrade? No upgrades scheduled for this?

Mr. Horan (from the audience): No sir.

Mr. Rhodes: The only other questions I had for staff actually is more specifically towards the schools. So maybe, Mr. Horan, you could speak to it. In traditional... I'm just trying to figure out what 23.7 acres allows. So, for example, Hampton Oaks Elementary... how many acres is that? I'm just trying to get a picture of what it would accommodate.

Mr. Horan: Well, typically 20 acres is what we shoot for, 20 buildable acres for an elementary school site. And it includes currently right now the prototype that we use, the single-story prototype, is about 88,000 square feet of facility space.

Mr. Rhodes: Would you say that Hampton Oaks is a prototype?

Mr. Horan: It's smaller. It's a tad smaller. Its capacity at Hampton Oaks is I think 800 and some change.

Mr. Rhodes: And how many acres is Hampton Oaks on, do you know?

Mr. Horan: I have it in my book if you me to pull it up.

Mr. Rhodes: Yeah, I'm just trying to get perspective. If it's almost the same, if it's only half or two-thirds.

Mr. Horan: Eighteen acres.

Mr. Rhodes: So this will be about a third larger, almost...

Mr. Horan: Five more acres.

Mr. Rhodes: Okay. And that I think has one or two ball fields with it.

Mr. Horan: Correct. We typically will have a rectangular field, as well as another space that in the past has been a diamond area, but we could go to two rectangulars.

Mr. Rhodes: Now, I'm sure you're doing deliberate planning assuming hoped for success out of all these endeavors. Are you looking at any modifications to design associated with this one given it's I know it's still within that Zone 1 of the Noise Zones.

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Mr. Horan: Absolutely. We're going to pursue to the recommendation for the JLUS. Absolutely.

Mr. Rhodes: Okay. Great.

Mr. Horan: We'll look at that and mitigate sound attenuation inside the buildings.

Mr. Rhodes: Alright. Any other question of...? Please Mr. Apicella.

Mr. Apicella: Mr. Chairman, I'm just curious if the school system, in trying to be a good neighbor when it builds its school, has criteria policy in trying to mitigate the impacts on the surrounding neighborhood. Again, it looks to me like it's very close to a series of houses. And also to ensure security of the school so that people aren't walking onto the campus essentially.

Mr. Horan: As a general note, we certainly view schools as the hub or center of a community, and so we certainly want to be embedded in that community. And we're going to embrace the residents when we go through the planning process and the design. As soon as the sale was executed by the County and folks found out that it was a future, potential future school site, they started contacting the school division. And we've made those connections with some of those folks and said, as soon as we go into the development phase and start to design it, we'll bring them in, we'll talk to them, and we're certainly open to extended buffers, you know, those type things to blend in with the community that's there now.

Mr. Apicella: And at this point in time I know it's still in the planning horizon, I'm not sure if I read when it was actually going to be built, but are you anticipating a one-story or two-story?

Mr. Horan: Well, good question. I don't know what the School Board is going to pursue. We certainly have the single-story prototype and we've fitted on the site to make sure that it fits with several real rough concepts. So, that's doable. I'm not sure if they're going to want to pursue something different than a one-story. So I don't know that at this time, but it could be a possibility and obviously if they do,, we'd have to come back in for a height variation.

Mr. Rhodes: Okay, any other questions? Okay, thank you very much.

Mr. Horan: Thank you.

Mr. Rhodes: Okay. So with that I will open up for the public comment portion of the public hearing. If there is any member of the public that would like to speak on this item, item number 1, the Comprehensive Plan Amendment for Stafford County Schools, Anne E. Moncure Elementary School (new site), may come forward and do so at this time. If you would state your name and your address; once you do so, a green light will come on that will indicate there are 3 minutes to speak. A yellow light will come on when there is 1 minute remaining, and then a red light will come on and we would ask that you wrap up your comments at that time. So please.

Steve Hundley: Mr. Chairman, members of the Commission, my name is Steve Hundley; I am the Community Plans and Liaison Officer for Quantico Marine Base. And on behalf of the Base Commander, Colonel Maxwell, I want to thank you for, or thank the County for delaying the review of the this until the Joint Land Use Study was near completion, and also for considering the issues that the Base brought up in our earlier letter and considered that in the staff report. We feel more comfortable now with the Joint Land Use Study recommendations for noise attenuation in the building. And

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referring to the design, the citizens being permitted to be part of the design review, we ask that the base also be considered for that. And my main purpose here is to answer any questions that you might have in relation to the issues brought up by the Base.

Mr. Rhodes: Okay sir. Thank you very much. Obviously, if there's directed questions, we'll pull that out afterwards because we wouldn't do that during the public comment portion. But thank you very much.

Mr. Hundley: Okay.

Mr. Rhodes: Appreciate it. Any other member would like to come forward and speak at this time? Okay, I'll close the public comment portion of the public hearing and bring it back to the Planning Commission. Certainly if there are questions... and that was fair, I should have raised that... if there are questions the Planning Commissioners would like to direct towards the Base representative, Mr. Hundley, we did have the 5 pages there of Attachment 6 associated with them and we've been working closely with Quantico for a long time on many issues trying to work forward on the Comp Plan in other areas. But we could do that or if there's anything else that needs directed towards staff or school representatives, we can do that, or whatever else might be the will of the Commission.

Mr. Apicella: Mr. Chairman, in the absence of questions, I would recommend approval of COM1200116, Comprehensive Plan Amendment for Moncure Elementary School and to expand the USA to include the subject parcels.

Mr. Rhodes: So this is a motion to recommend approval of Comprehensive Plan Amendment COM1200116. Is there a second?

Mr. Boswell: I'll second.

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

Mr. Apicella: Mr. Chairman, it seems like it's a necessary process that we have to go to today.

Mr. Gibbons: I have a question: since it was in his district, he didn't get a chance to make the motion.

Mr. Apicella: I apologize; I'll withdraw the motion if you'd like.

Mr. Gibbons: It would be good if you... should.

Mr. Rhodes: Actually, I'm sorry, I was asleep at the switch too. I should have helped guide that. My apologies. Okay, so we're going to withdraw the motion, we're going to withdraw the second. We're going to flip flop here. Mr. Boswell, I'm sorry, this is in the Griffis-Widewater Election District. That was my fault, I did not lead that.

Mr. Boswell: That's okay.

Mr. Rhodes: I apologize. I'm still cold. I'm just still cold.

Mr. Boswell: That's okay. I'd like to recommend approval of COM1200116.

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Mr. Rhodes: Thank you very much Mr. Boswell, and again, my apologies. So a motion to recommend approval of Comprehensive Plan Amendment COM1200116 by Mr. Boswell; is there a second?

Mr. Apicella: There is a second, but again, I just want to be clear because I think we also have to make sure that we're extending the USA for the subject parcels. Maybe it's...

Mr. Rhodes: Yeah, I think that's included in the proposal of COM1200116?

Mr. Harvey: Yes Mr. Chairman, that is the application.

Mr. Rhodes: Yeah, okay. But thank you Mr. Apicella. And so a second by Mr. Apicella. And Mr. Boswell, any further comment?

Mr. Boswell: No.

Mr. Rhodes: Mr. Apicella, any further comment?

Mr. Apicella: My apologies to Mr. Boswell.

Mr. Rhodes: Okay, any other member? I would just like to highlight there are sensitivities and they're reasonable sensitivities dealing with encroachment, dealing with other issues with our tremendous partner at Quantico, and the County has tried to work hard in many steps along the way to find the best way to find an appropriate means to meet the needs of the citizens of the County and meet the requirements of the County, and also partner as best we can with our good neighbor. And I think they've done a good job in this. I've read the Joint Land Use Study, the confirmation that we're looking forward in the design criteria to look how to further mitigate there, and so I appreciate those efforts. I think it's also important to highlight that there are more opportunities for inputs with the community and others as we go through the design (inaudible). There will be more approval processes to go through for the road improvements and other things that are happening. But this is the important first step to ensure that it's properly sited and in a proper alignment so that it can get the water and sewer that is necessary and appropriate for the school. So with all that, I will call for the vote. All those in favor of the motion which is to recommend approval of Comprehensive Plan Amendment COM1200116 signify by saying aye.

Mr. Apicella: Aye.

Mrs. Bailey: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Are there any opposed? None opposed; it passes and goes forward 5-0. Thank you all very much. With that we'll move onto item number 3, adoption of the new proffer guideline policies. Mr. Harvey?

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2. RC1300325; Reclassification – Quantico Corporate Center Proffer Amendment - A proposal to amend proffered conditions on Assessor's Parcels 12-1 (portion), 13C-D1 (portion), zoned B-2, Urban Commercial, consisting of 2.45 acres. The Property is located on the north side of Telegraph Road and Accessory Road, Interstate 95, within the Griffis-Widewater Election District. (Time Limit: April 29, 2014)
3. Adoption of New Proffer Guideline Policies - Proposed Resolution R14-13 would establish new Proffer Guidelines (Guidelines) for proffer statements submitted as part of a zoning reclassification or proffer amendment application.

Mr. Harvey: Thank you Mr. Chairman. Please recognize Erica Ehly for the presentation.

Ms. Ehly: Good evening Mr. Chair and members of the Planning Commission. I'm Erica Ehly with the Department of Planning and Zoning. If I could have the computer please? This evening staff is requesting a recommendation for Resolution R14-13, adopting new proffer guidelines associated with zoning reclassifications. The current guidelines have not been changed since 2005. The process to update the guidelines began in the winter of 2012. And the proposed changes are the result of a concerted effort between the Board, the Commission, a joint committee composed of members of each, staff, and involved research analysis and an extensive discussion. In summary, the proposed guidelines will provide increased specificity regarding the form, submittal timelines, and applicability of both capital and monetary proffers to help provide guidance to applicants and to meet public notice deadlines. The proposed guidelines will update the methodology for cash proffers in accordance with the Code of Virginia to utilize projects and cost estimates from the current CIP. The guidelines will also remove the transportation category as a result of the adoption of impact fees by the Board. They'll drive student generation rates per dwelling unit from the newly constructed neighborhoods rather than a countywide average. The proposed guidelines will also set a maximum proffer contribution at 75% of the total recommended value, provide potential credits towards school facilities for age-restricted units, and toward one or more public facilities as approved by the Board for affordable housing dwelling units. And, finally, the guidelines will be updated annually to reflect the most current adopted CIP and the revised Marshall and Swift Building Cost Index. This slide shows the breakdown for the proposed guidelines. As you can see, there is a significant reduction from the current guidelines, although this figure includes transportation category. Also, the value at 75% is closer to the amounts that have been historically committed to compared to the recommended value calculated at 500%.

Mr. Rhodes: And just for the record, the amount of the countywide transportation is how much?

Ms. Ehly: Mr. Chair, I believe that's \$2,600 per unit?

Mr. Harvey: It's \$2,999.

Ms. Ehly: Oh, okay; I apologize.

Mr. Harvey: For each residential dwelling unit regardless of dwelling unit type.

Mr. Rhodes: Regardless of type. So the proposed 75% column, to make it comparable to the columns to the right, would be add \$2,999 to them, correct?

Mr. Harvey: Yes.

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Mr. Rhodes: Okay, thank you.

Ms. Ehly: And staff...

Mr. Apicella: Mr. Chairman, I'm sorry...

Mr. Rhodes: Yes please Mr. Apicella.

Mr. Apicella: I didn't mean to jump in but that's applicable to all new development, not just rezonings, right? That fee?

Mr. Rhodes: The \$2,999.

Mr. Apicella: Right. So it's not just on rezoned parcels.

Mr. Rhodes: Correct, right?

Mr. Harvey: That's correct, yes.

Mr. Rhodes: Alright, thank you.

Ms. Ehly: And staff is recommending approval of the resolution because the proposed guidelines provide clear submittal expectations, the methodology is consistent with the Code of Virginia, and they implement the direction of the Commission. And I'd be happy to answer any questions.

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

Mr. Apicella: Mr. Chairman, one of the things that I had requested is just kind of an understanding of the pros and cons of by-right development versus rezonings. I'm kind of hoping staff or Mr. Harvey can kind of speak to that in terms of how we can help better steer and manage growth under either scenario.

Mr. Harvey: Yes, thank you Mr. Apicella. Ms. Ehly has prepared a slide and it describes what we've talked about in previous meetings.

Mr. Rhodes: Computer please.

Mr. Harvey: If you look at by-right development, the pros to it are you can readily determine what our build-out potential is. Larger lots tend to yield higher value homes. Smaller lots are considered more affordable. By-right development is typically outside your Urban Services Area but doesn't necessarily have to be. And also, on a con, there's no mechanism available to offset the impacts. With regard to rezoned properties, pros and cons, promotes targeted growth in areas with infrastructure, it protects the future growth potential of the County, and also we get more public input regarding the overall development in form of the project as it occurs, rather than by-right you're dictated strictly to what the ordinance allows and what the developer proposes with minimal input from citizenry or the Planning Commission. And also with rezonings, there are often times additional impacts to natural resources and public facilities, but they can be mitigated through proffers.

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Mr. Apicella: Also, as I recall from previous discussions on this topic, the vast majority of growth in Stafford County has been as a result of by-right development, not necessarily rezoned parcels...

Mr. Harvey: That's correct.

Mr. Apicella: ... where we get basically zero in terms of proffers to mitigate that impact.

Mr. Harvey: Yes.

Mr. Apicella: Thank you.

Mr. Rhodes: Mr. Harvey, I know there was previously a query on this; I just want to confirm. So, if and whenever proffer guidelines are changed and we have another approach that's out there, whatever form or structure it takes, how hard will it be for you to be able to track the impact of those new proffer guidelines to see what results and how many rezonings occur and the amount collected from those versus comparing to the old proffer guidelines? Is that complicated? Will that be easy to track? Just so that we can see it over time and be able to assess, if we want to, reassess how we approach it; you know, we're going to look at these every year. If we want to reassess how we approach that historical information I think, seeing the implications will be useful.

Mr. Harvey: Mr. Chairman, that information can be tracked and disaggregated. Over time... I should say developments occur over time, so often a rezoning may take place in one year and it may be 3 years, 5 years, 10 years before that house is actually built that was subject to the proffer. For each residential building permit, we calculate what the dollar value of that proffer is as it's due at the time that they get the occupancy permit for that dwelling. Often times proffers, as mentioned by Ms. Ehly, have an escalator due to a construction cost index or a consumer price index. So that's why we calculate it and it varies from year to year based on inflation. So, one, we can track the dollar amount; two, we can track what rezoning it was tied to and what the base calculation was at the time that that rezoning occurred. So we can kind of lump different projects into what categories of types of proffer system we had as far as calculating the base amount.

Mr. Rhodes: Lumping... that's a technical planning term? I'm sorry, okay. Other questions for staff? Yes Mr. Gibbons, please.

Mr. Gibbons: As a follow-up to Mr. Apicella's question, I'd like to know... we've got approximately 45,000 dwellings now right?

Mr. Harvey: In the County, yes.

Mr. Gibbons: I'd like to know how many of those are by-right when you get a chance.

Mr. Rhodes: Just for general information?

Mr. Gibbons: If we've got 45,000 dwellings that 20,000 have proffers, 10,000...

Mr. Rhodes: Yeah, that'd be good to know. Okay, thanks. Please, Mr. Apicella.

Mr. Harvey: Mr. Chairman?

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Mr. Rhodes: Oh, Mr. Harvey.

Mr. Harvey: I can't give you a specific number today, but Ms. Ehly has prepared a spreadsheet that kind of tracks some of our more recent in the last 10 years rezoning applications and also looked at building permits over that same time period. If we can have the computer please? If you look at the right-hand side of the graphic, we look at the years 2004 through 2013 in this column here. And you can see the number of building permits that were issued in that given year; also, the ones that paid proffers. In the far right you get a sense of the percentage of what units paid proffers during that timeframe. And it's fairly low. The peak was in 2005 where 20% of the permits issued in that year had proffers associated with them. The low was the following year... excuse me, 2007 was the low at 8%. So, it varies but it's fairly low. As Mr. Apicella was saying, the vast majority of our development that's occurred has been by-right units.

Mr. Gibbons: (Inaudible) in the package?

Mr. Harvey: No sir, this is an update we did to another chart that we had given the Commission previously.

Mr. Gibbons: So can you send a soft copy of it?

Mr. Harvey: Yes sir.

Mr. Apicella: I wonder just to beg the Commission's indulgence if there are any other slides that might be worth since the public is here although not that many people are here to talk about this topic apparently. If we just kind of blow through them real quick, I think we stopped on 9. Maybe there's some other information that might be useful.

Mr. Rhodes: Were there other backup slides that you had felt that...?

Mr. Harvey: We have a variety of slides available in anticipation of questions. That's how we set it up so we don't have any alternative presentation to make.

Mr. Gibbons: But this is not going to be stump the briefer, right?

Mr. Apicella: Well, let me ask a couple of additional questions, Mr. Chairman, if you don't mind.

Mr. Rhodes: Please.

Mr. Apicella: So, we have about 45,000 dwelling units currently in Stafford County. We have some number, and that's kind of the question I'm asking is how many, roughly speaking, by-right development units are there still out there that can be built upon in Stafford?

Mr. Harvey: Ms. Ehly has another slide I think that will address that question.

Mr. Gibbons: Why don't you call out your slides Steven? Why don't we let Steven get up and make the presentation.

Mr. Rhodes: He's got it; okay, please.

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Mr. Harvey: If you look at this slide, the information on the left slide talks about our Comprehensive Plan. By year 2030 the state's projected population estimate was roughly 218,000 people. That equated to 29,000 future dwelling units. At full build-out, based on our existing zoning today, if every landowner chose to subdivide their property and develop it out to their maximum potential, it would equate to another 33,000 dwelling units. So that would exceed what our projected growth is for the next 20 year planning horizon which ends in 2030. The one concern with that is that once you do that, there is no room for future growth unless you start tearing down houses and building more density on that same area of land. Based on our subdivision list, we have roughly 9,000 buildable lots left available, based on approved plans. And that would roughly equate to 10 years' worth of growth depending upon how quickly we grow. But 10 years is pretty reasonable given the past history.

Mr. Apicella: So bottom line is, post 10 years we won't have development units for folks to build new homes unless we start tearing down existing homes or...

Mr. Harvey: Or if people come in with additional subdivision plans which haven't been filed with the County yet or they come in for a rezoning for more dense development.

Mr. Apicella: Got it.

Mr. Rhodes: Okay. Other questions? Okay, very good. Thank you. I'll now open this to the public comment portion of the public hearing. If there's any member of the public that would like to speak on this item, they may come forward and do so at this time. I just ask that you state your name and your address. Once you do so, a green light will come on indicating 3 minutes to speak; a yellow light will come on highlight when it's down to 1 minute, and then when the red light comes on we would just ask that you wrap up your comments. Please.

Mr. Reese: Thank you. Mr. Chairman, members of the Commission, my name is Bruce Reese. I'm here representing the Fredericksburg Area Builders Association. I'm the Chairman of the Legislative Committee.

Mr. Gibbons: I can hardly hear; he's taller than the microphone.

Mr. Reese: Is that helping any?

Mr. Gibbons: He gets 5 minutes too, Mr. Chairman?

Mr. Reese: I hope I don't need 5. I'll try to get this done as quickly as I can.

Mr. Rhodes: Oh, that is pretty cool! I never knew that would do that. I was going to tell you to stoop down.

Mr. Reese: I like that. The Fredericksburg Area Builders Association represents 70 builders and developers, a multitude of trades that are needed to create the homes that we live in. Our association's members employ thousands of people. We understand the concept of paying our fair share of the cost for the development and the need for the housing of our communities, and we will continue to support that concept. We do, however, have some concerns with the proposal for you this evening for the new proffer guideline policy. An email was forwarded to you earlier this week which outlined those concerns in detail. We respectfully request that the Planning Commission take additional time to

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evaluate the suggested fees and make appropriate reductions to make the proffer contributions fair to new home purchasers in Stafford County. Among the issues that we think need to be evaluated include parks. We question why undeveloped land is needed when calculating the parks proffer when there is a significant undeveloped park land area already set aside. Schools... we believe the proffer should reflect the countywide average number of students rather than only the select neighborhoods chosen. Children go to school for only 12 years and a home lasts for decades, and yet continues to pay for taxes for schools long after those children have left the home. There's no credit given for debt service amounting to double taxation. Families paying proffers for capital improvements are again required to pay the same cost in their property taxes. The proffer guidelines on page 10 of 12 indicate that the goal is to encourage zoning changes. Yet in preparing the methodology of which the proffer number is established, the assumptions seem geared toward producing a higher number. This is counterproductive to the goal of the County which is to establish for managing growth and be able to discourage rezoning efforts, forcing growth out of the areas that the County has identified as desirable for growth and reducing the amount of revenue coming out of the County from proffers. An addition, we think there is several proffer policy issues that should be evaluated. No credit for land donations seems harsh. If the County wants to acquire a piece of land through the proffer system, the developer should receive credit for that value. A requirement for offsite easements to be obtained in advance of the proffer statement is going to be very difficult. In many cases, obtaining those easements is extremely difficult and expensive and would not be done unless the rezoning was approved. The policy requiring those landowners to incur potentially significant expense when the easements may not be needed if the rezoning is not approved. Credit for by-right lots has been eliminated as part of the March 2012 staff report and partial credits in the May and June 2013 staff reports, we believe that should be restored. Credit for early payment of proffers was eliminated from the March 2012 staff report; believe that credit should be restored. And by the way, just for information, the March 2012 proffer guidelines showed single-family detached at just over \$20,000, as opposed to the \$31,000 that's being proposed now. Large recommended cash proffers promote sprawl. Why not channel that inevitable growth to a location that has utilities, roads, and services in place by setting a proffer contribution that encourages rezonings. The October 2013 staff report stated that the Chesterfield County Board of Supervisors set a maximum proffer amount significantly below those being contemplated to "incentivize developers to apply for rezonings to higher density development rather than proceeding with lower density by-right development." Growth is inevitable and just as significant, it is needed. The County counts on more houses and businesses assessed at higher values to pay taxes and bring in more revenue. Why not encourage that growth to occur in appropriate locations by encouraging that development with suggested proffer contributions that encourages growth. Creating additional loss does not increase the growth rate; growth is driven by location, not the number of available lots. So long as the lots are available, by-right or rezoned, development will occur in an area where there is a market demand. We believe proffers need to be fair in order to support the planning goals of the County, calculating proffers in a manner that generates a higher amount and encourages sprawl because it discourages the rezoning and proffer in the growth areas. We would again ask that you take the necessary time to establish a guideline that promotes the Comprehensive Plan and sound growth management policies. And I'd be happy to answer any questions.

Mr. Rhodes: Sir, thank you very much. Is there any other member that would like to speak? Now we've got to go back down.

Ms. Karnes: I'll stand on my toes. Cool. Mr. Chairman, Commissioners, and staff, my name is Debrae Karnes and I am an attorney and land use planner working here in Stafford and living in the Aquia Magisterial District. I'd like to take just a short time to give you my impressions on the cash

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proffers. In Stafford, we value our history. And the history of the last few years have shown that proffers do not work. What proffers have done over the last 20, 30 years have encourages development in the rural area of by-right uses and that have encouraged sprawl. You heard our Planning Director tonight tell you the vast majority of development has occurred by-right and is not proffered. The development community does not like proffers. Cash proffers in most part are seen to be too high and do not have appropriate linkages and relationships to the needs of their development. The goal of proffers is to calculate and mitigate for the impact of the development and no more. Proffers are not supposed to pay for capital improvements needed for the approved by-right development. Now, some would also say that cash proffers distort the analysis of land use planning because it focuses on the amount of the proffer and not the desirability of the proposed community, or whether it's consistent with the Comp Plan. In the event that cash proffers are deemed a requirement, we suggest that it would be far better to require the development community to make the needed improvements as part of their development plan as proposed in the UDA strategies. Finally, and you heard the prior speaker analyze this quite succinctly, there are methodological problems with the calculations of these proffers and they result in the proffer amounts being too high. So I'm going to try to tick these off in 40 seconds. Okay, first of all, we calculate the average cost per citizen even though some of that cost is based on current needs and not the needs of future development. If we're going to do that, we should use citizenry numbers over 30 years or at least the current population. We're using the calculations based on 2010 population. Okay, so I have 4 seconds. The other problems are we're not allocating the proffers between business needs, commercial needs, and residential needs. We're not giving debt service credits. We are using the wrong student generation sample for schools. We've got the technology to geocode the location of every student. Prince William County does it. Why can't we? The proffer calculations are not transparent. All in all, these disproportionately increase the proffer amounts. I, too, urge that the Planning Commission take a little extra time, take a look at some of these issues, take a look at geocoding for schools, and finally, let's at least use the 2040... I'm sorry, the 2014 population that was published this week by the Weldon Cooper Institute. I'll be happy to answer any questions.

Mr. Rhodes: Thank you very much. Anyone else would like to speak? Okay, I will close the public comment portion of the public hearing and bring it back to the Planning Commission.

Mr. Gibbons: Mr. Chairman, I have a quick question.

Mr. Rhodes: Please Mr. Gibbons.

Mr. Gibbons: I thought we had the industry working with us when we started this? Didn't we have members of the builders in the committee?

Mr. Harvey: No sir, Mr. Gibbons. The committee that was referred to in the presentation was a Joint Planning Commission and Board Committee.

Mr. Gibbons: But the building industry was not part of that process?

Mr. Harvey: That's correct.

Mr. Gibbons: Thank you.

Mr. Rhodes: Okay, thank you. Other comments? Thoughts? Folks? Mr. Apicella?

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Mr. Apicella: Mr. Chairman, I'm going back to a handout that we got from staff back in the summer comparing Stafford's current proffer guidelines to guidelines in other jurisdictions like Spotsylvania and Prince William. We were certainly, at that point in time, much higher than several surrounding jurisdictions, or at least close to those jurisdictions. I don't know if one of the slides that you have still has that information, a comparison, but it seems to me that the proposal that we have in front of us tonight in many cases is lower than our surrounding jurisdictions by comparison.

Mr. Harvey: Mr. Apicella, we do not have that slide available tonight. We do have a slide that shows some of the jurisdictions that we looked at in the study, but not necessarily the dollar amounts with their proffers.

Mr. Apicella: Well, this is a comparison that I'm looking at; again, the handout that we were given. Spotsylvania's single-family detached was \$33,285, townhouse was \$24,088, and multi-family was \$11,539. Prince Williams' \$37, almost \$38,000 for single-family, townhouse is \$32,000, and a multi-family is \$20,000. Again, there's some other information that we have but I think, again, by comparison the numbers that we're proposing now are lower than those jurisdictions... just as a point of information.

Mr. Rhodes: Okay. Thoughts? Anyone want to go forward?

Mr. Gibbons: Well, Mr. Chairman, I'll make... I got this letter in this week so I read it and anytime you're putting a requirement on an industry and an industry comes back and questions it, I don't see why it would hurt to take time to sit down with the industry and see where the biggest disagreements are and then come back to the Commission as a whole. I mean, we're affecting an industry and we want to get the growth in the target areas. So if we're not on target to target the growth area then I think... I'm concerned about that. But I know that there's a lot of thought process and I believe in what the staff did. But sometimes another pair of eyes and ears doesn't hurt to take a look at it.

Mr. Rhodes: Mr. Harvey, please remind on the history; there is no specific deadline on this one, correct?

Mr. Harvey: No sir.

Mr. Rhodes: Okay, we just had a requirement and tasking to look forward on some different recommendations. It has gone back and forth a couple times and now the public hearing was to get other comments and input and then we now can work forward at whatever schedule we desire to get a final recommendation forward to the Board, correct?

Mr. Harvey: Yes.

Mr. Rhodes: Okay, thank you. So, Mr. Gibbons, is your motion that we just now defer action on this for a period of time until we can get some more inputs and have another further discussion on it?

Mr. Gibbons: I agree on that Mr. Chairman, but I think appointing a committee to sit down with staff and the industry and then bring it back to the Commission as a whole.

Mr. Rhodes: Okay. Would you like to participate as part of that?

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Mr. Gibbons: Would I like to what?

Mr. Rhodes: As part of a committee?

Mr. Gibbons: Yeah, I'd work as part of the committee.

Mr. Rhodes: Any other members interested? Okay, well I'll check with Mr. Coen and Mr. English when they're able to as well. Okay, so that's a motion to defer this, maybe bring it back at our second session in February possibly. Do you think it's enough... does that sound reasonable on your calendar Mr. Harvey?

Mr. Harvey: Mr. Chairman, we'll check to see if we can coordinate everyone's schedules to meet that.

Mr. Rhodes: Okay. Well, we'll see how that works. So, defer this and I guess tentatively we'll bring it back... we'll just get a status report if nothing else at the second session in February?

Mr. Gibbons: Yes sir.

Mr. Rhodes: A motion to defer till the second session in February. Is there a second?

Mr. Boswell: Second.

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

Mr. Gibbons: No sir.

Mr. Rhodes: Further comment Mr. Boswell? Other members?

Mr. Apicella: Mr. Chairman, I have no objection to deferring it, I just would point out we've been at this for 18 months and there've been many opportunities and public sessions where anybody could have provided input. I would ask due consideration and not drag this on too much longer. I'm not sure about putting it into a committee. I think again if the community, those who were for or against whatever's being proposed, would provide specific changes rather than just talking points or concerns, would be probably more helpful going forward. And hopefully by the next meeting when this comes we can take some... put an action on it. Again, I think we owe the Board a recommendation; it's been put off for a really long time and the longer we put it off the less impact, or it will jeopardize the potential positive impacts that it could have.

Mr. Rhodes: Very good. Any other comments?

Mr. Gibbons: I'll bring it back the second meeting and we'll set it up. Because what concerns me, it's just a very sore spot where the legislature is and we've got to take our time and do it right otherwise we're going to be paying (inaudible).

Mr. Rhodes: Those are fair comments. My observations just would be there are probably as many ways to approach the proffer guidelines as there are citizens of this County, if not more. It will never make everybody happy. What I will just share that was reasonable to me in the approach we developed was it was deliberate and clear and transparent. You knew how we calculated. You didn't have to like it; you

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could poke at it, you could challenge different pieces of it. So I think that's a principal we ought to stay consistent with, whatever end result we have; that it's very clear and transparent. And that was a distinct methodology that everyone knew how we got to there. And then there's the component of ours that I thought was fair and reasonable and the Board could do whatever they wanted to with, and that was kind of a policy call that we still felt that there needed to be an adjustment on that. In looking in context of everything else, the impact and many of the comments that were said here tonight, and I think that that is also a reasonable approach. Have a clear methodology, that everyone knows how it got there and then certainly make whatever policy call adjustment. But certainly a little more time to try and see if there's not other elements to consider in this is reasonable and worthwhile and hopefully we can move this forward because we have been working on it a long time. So with that, so there's a motion to defer to the... and we'll get a status report or maybe move forward... to the second session in February and the motion was seconded. All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mrs. Bailey: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None, so we will bring it back in a couple sessions and we'll see how we can coordinate, and I'll check with Mr. English and Mr. Coen as well, and get some other inputs and some other input to staff and see whether we just go forward with this proposal or if there are some other suggestive modifications in a few weeks. Okay, thank you all very much. Thank you for your time; appreciate it. With that we'll move onto item number 5 of New Business which is the 2013 Draft Annual Report. Mr. Harvey.

Mr. Harvey: Mr. Chairman, do you want an update on item 4?

Mr. Rhodes: Oh, I'm sorry. With that we'll move to item number 4 and an update on it under Unfinished Business.

UNFINISHED BUSINESS

4. 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)**

Mr. Harvey: Mr. Chairman, the Board of Supervisors at their January 14th meeting had a retreat and part of their discussion at the retreat was the information that the Planning Commission has developed so far with regard to the Comp Plan update. I made a presentation to the Board. There is an item scheduled for their meeting for next week to give the Planning Commission some additional direction with regard to Urban Development Areas. Until the Resolution from the Board is passed, I can't give you specific direction. However, the general flavor was that they felt that we shouldn't totally abandon the UDA concept; maybe the name and maybe some of the features of it as far as the strict density requirements. There was some suggestion that those could be now termed Targeted Growth Areas, but the boundary should be relatively intact. Also, there was some suggestion that we consider making the UDAs and the

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RDAs congruent because right now in our current plan, the boundaries are not congruent. And there was also some discussion about maybe some of the UDAs were identified by the Planning Commission as being low priority could be ones maybe eliminated in the future. So, I just wanted to let the Commission know that staff doesn't have a specific presentation tonight but we do know that there will probably new direction coming from the Board.

Mr. Rhodes: Okay. It doesn't... on the surface and not knowing what their resolution or discussion would develop, in the broadest sense it doesn't seem terribly far field of what we had sent forward to them talking about targeted growth areas and other approaches. So, I mean, we'll just have to wait and see but it doesn't sound terribly off. But you never know. Okay, thank you very much Mr. Harvey. Any other questions for Mr. Harvey on that one? Now maybe item number 5. I haven't missed one, have I? There's nothing between 4 and 5, is there?

Mr. Harvey: No sir.

Mr. Rhodes: Okay, item number 5, 2013 Draft Annual Report please.

NEW BUSINESS

5. 2013 Draft Annual Report

Mr. Harvey: Thank you. At your desk there's a revised draft of the Annual Report which varies a little bit from what you saw in your online packet. In particular, after talking to the Chairman I added an introductory paragraph that talked about some of the differences between the year 2012 and 2013. There's also an attached chart behind that annual report which has a column by column comparison of the activity between 2012 and 2013. 2013 was a very busy year. There was an overall increase in the number of actionable items that the Planning Commission considered, as well as the number of meetings the Planning Commission conducted. We could see that there's a lot of substantive discussion on land use issues, ordinances, and Comp Plan amendments. There was an increase in just about every type of matter that the Planning Commission considers except for overall amendments to the Comprehensive Plan; there was a slight reduction in 2013 from 2012. But overall the Commission conducted many meetings, accomplished a lot, and I'll ask for any comments from the Commission on the draft report that we have prepared; if there's any adjustments to be made. As a reminder, State Code requires the Commission to prepare an annual report and then forward it to the Board of Supervisors.

Mr. Rhodes: Other edits or suggestions or comments for Mr. Harvey concerning the latest draft of the annual report? Mr. Apicella?

Mr. Apicella: Mr. Chairman, I just have a general comment. I just want to commend my fellow Commissioners and, more importantly, the staff for all their hard work. This is definitely an even bigger lift in 2013 than in 2012 and I think again the staff always does a great job and does the County and the Commission and Board of Supervisors justice in presenting these matters and helping us deliberate properly on these things.

Mr. Rhodes: Thank you Mr. Apicella. In fact, as I was listening to Mr. Harvey comment about the increases in work for the Planning Commission, or referencing the activity, increase in activity of the Planning Commission, what obviously is behind all that is the huge increase in work that represents that the staff performs so well. Any other comments or edits or suggested modifications for the annual

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report? Very good. I think... we don't have to vote on this, do we? We can concur or do we need to actually have a motion?

Mr. Harvey: Mr. Chairman, I would recommend the Commission have a motion to accept the annual report.

Mr. Rhodes: Okay, very good. I'll entertain a motion to accept the annual report, the modified version, as has been presented tonight?

Mr. Apicella: So moved Mr. Chairman.

Mr. Rhodes: Motion by Mr. Apicella; is there a second?

Mr. Boswell: Second.

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

Mr. Apicella: No sir.

Mr. Rhodes: Mr. Boswell? Any other member? Okay, all those in favor of the motion to recommend acceptance and approval of the annual report as was presented... the version presented tonight signify by saying aye.

Mr. Apicella: Aye.

Mrs. Bailey: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None. Thank you very much for the work on this, Mr. Harvey, and for the work of the staff throughout the year as is reflected in here. Great.

Mr. Gibbons: Mr. Chairman, I've got one since it's the Planning Director's area.

Mr. Rhodes: Please Mr. Gibbons.

Mr. Gibbons: With the Weldon Cooper figures that just came out, I'd be curious to see were you on track in the Comp Plan for what we had at that given time.

Mr. Harvey: Yes, Mr. Gibbons, we can take a look at the most recent estimate in relation to where we were with the Comp Plan and get back to the Commission and talk about where the variable was. We knew that when the Comp Plan population estimates were first developed in 2008, they intuitively felt... we felt that the population projections were higher than what we would actually see. We've had the change in economic conditions which had slower growth, so we'll see that the projections in the Comp Plan say versus what the current population projection is.

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Mr. Gibbons: Thank you.

Mr. Rhodes: Wonderful; thank you very much. Okay Mr. Harvey, Planning Director's Report.

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you Mr. Chairman. Staff is continuing to work on an alternative for backup materials for the Commission for land use cases and other matters that are before you. We're continuing to work on the concept of working on the bookshelf as being your means as to go back and resource all those past documents. We haven't come to conclusions yet but we're coordinating with IT on that.

Mr. Rhodes: Okay, very good. Is that it?

Mr. Harvey: Yes.

Mr. Rhodes: Thank you. County Attorney's Report?

COUNTY ATTORNEY'S REPORT

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

Mr. Rhodes: Thank you very much. There are no Committee Reports. Chairman's Report, we do need to confirm identifying appointment of a Planning Commissioner to the Architectural Review Board. Mrs. Bailey has agreed to take that appointment so thank you very much for taking that. So, Mr. Harvey, if you could make sure to appropriately notify that Mrs. Bailey will be the required Planning Commission representative to the Architectural Review Board. With that, we've got the approval of minutes. I'll entertain a motion for the approval of the January 8th minutes.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

Appointment to the Architectural Review Board (ARB)

OTHER BUSINESS

APPROVAL OF MINUTES

January 8, 2014

Mr. Boswell: So moved.

Mr. Rhodes: Motion by Mr. Boswell; is there a second?

Mrs. Bailey: Second.

Mr. Rhodes: Second by Mrs. Bailey. Any further comment Mr. Boswell? Mrs. Bailey? Any other member? All those in favor of approving the minutes of January 8, 2014, signify by saying aye.

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Mr. Apicella: Aye.

Mrs. Bailey: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; passes 5-0. Anything I missed? Because I've missed things all night. Okay. No lies in alibis. Okay, very good. Thank you all very much, we are adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:53 p.m.