

STAFFORD COUNTY PLANNING COMMISSION MINUTES
June 11, 2014

The meeting of the Stafford County Planning Commission of Wednesday, June 11, 2014, was called to order at 6:30 p.m. by Vice-Chairman Steven Apicella in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

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

MEMBERS ABSENT: Rhodes and Coen

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

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Are there any declarations or disqualifications concerning any agenda item? Mr. Gibbons?

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

Mr. Apicella: Thank you. Anyone else? Okay, that's not an issue of disqualification but I appreciate you letting everyone know. In the absence of Mr. Coen, our secretary, I'm going to call the roll. I believe we have 5 members and that's a quorum. I would ask Mr. Harvey, if you could just help us understand what the ground rules are when we have 5, instead of 7.

Mr. Harvey: Mr. Chairman, it's just like you have with 7. For your vote on an action it's the majority that rules.

Mr. Apicella: So in this case it would take 3 votes to approve something?

Mr. Harvey: Correct.

Mr. Apicella: Or more. Thank you.

Mr. Gibbons: I thought that was a good explanation. Same as 5, right; 5 is same as 7.

PUBLIC PRESENTATIONS

Mr. Apicella: Yes sir. Before we start the public presentations I just want everyone to know that tonight, regarding item 4, if anyone's here for that specific issue, the applicant is offering to provide the Planning Commission with an extension of time. We would still need to approve that, but if it does get approved, we will probably not be voting on that matter tonight; nonetheless, if folks have comments on it, they're welcome to provide those. With that being said, it's now the public presentation portion of tonight's meeting. This an opportunity for any member of the public to speak on any item or topic, other than the items listed for public hearing on tonight's agenda, and there is only one item for a public hearing. There will be an opportunity to address that public hearing item later tonight, during that portion of the meeting. When you come forward for public presentation, please address your comments to the Planning Commission as a whole, not to any specific member. You have 3 minutes to speak. Please state your name and address when the green light comes on. A yellow light will come on when there is one minute remaining and a red light will come on when there's no more time. We ask that you

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quickly wrap up your comments when you see the red light. So if anyone would like to come forward to speak on any item, again, other than a public hearing item, I invite you to do so at this time.

Mr. Waldowski: Paul Waldowski. Yeah, next decade we will only have five Planning Commissioners. I announced, re-announced yesterday that in 2019 my 5-year plan is to not run for School Board member, but to run as one of the Board of Supervisors. I'm going to run in three districts, Rock Hill, Griffis-Whitewater, and I'm going to rent an apartment in George Washington, just like the Commonwealth Attorney did. I won't get into specifics of gerrymandering, you can watch channel 18 to catch up. Tonight I'm going to fill in some date history because we've been on this big kick of Stafford County 350 years and, if you noticed above the fold in the Free Lance-Star... I don't think it was the Free Lance-Star; it's the free paper... that GEICO is going to give us 350 more employees. So you should put that in a time capsule so someone can read about that in 50 years. Much more important is this is the 2 year anniversary of the National Anthem, 75 years ago was RCA TV, the Wizard of Oz and Gone With the Wind. Golly... can you believe that?! Sixty years ago was Elvis' first single while he was studying to be an electrician after getting his PhD... you know, that's his Plain High School Diploma. He didn't get a Parents High School Diploma like some of the kids get today. You know, his parents didn't do his homework. And in honor of Father's Day, 60 years ago was Father Knows Best. There's a 50 year anniversary of Wawa. And, if you all know the Sheetz gas station was approved even though there's a traffic impact analysis off Furnace Road. I got published by saying, Ho-ly Sheetz... can you believe that got approved in this County. It's just amazing! But they do have a great orange creamsicle. Fiddler on the Roof, the Supremes, Mary Poppins, Goldfinger, Gilligan's Islands, and even the 1964 boomers... you know, that's the last year, that's the 50 year anniversary. And who could forget the Beatles, you know... there's only 73 million viewers, just slightly more than that parade of 350 year anniversary. Hmmm. Forty years ago were Happy Days. Snow White used to say to the Seven Dwarfs, not all of you are Happy. Forty years ago for Fonzie and Pottsie. You've seen what Ron Howard has done since Opie. And the Piano Man, Billy Joel, was 40 years ago. ABBA also. Thirty years ago was Ghost Busters. Twenty-five years ago Paul Milde became a Stafford resident, along with the Simpsons, Bart and Lisa. They have their PhDs too; that's a Public High School Diploma. Forrest Gump was 20 years ago. GEICO I left 20 years ago and to leave the podium, Donald Trump 10 years ago picked The Apprentice.

Mr. Apicella: Thank you. Is there anyone else?

Mr. Scharpenberg: Members of the Planning Commission, Hank Scharpenberg. I am also Chairman of the Airport Authority. The vote you're taking under consideration on the Oakenwold rezoning request will have tremendous impact on future business growth in Stafford County. If this request is approved by you, the adverse effects on the future economic potential of the Stafford Airport will be severe and long term. After investing more than \$55 million in a process that started in 1976, any decision that permits high density residential development in the airport operations zone will send an unmistakable message to federal and state aviation officials to rethink future investment at Stafford Airport, particularly with regards to the approximately \$12 million runway extension now in its official phases. Aviation related businesses will likely elsewhere to avoid the inevitable noise complaints that will most assuredly result from residents living underneath aviation traffic patterns. As early as 1987, the combined economic potential of the Centreport exchange in the Stafford Airport area were recognized and incorporated into County economic planning. Planners recognized this combination could maximize job creation and generate tax revenues without the significant demands high density residential development make upon public schools, County infrastructure, and services. Other uses of that land, such as commercial or light industrial, would not require a similar burden from County taxpayers. Approval of this rezoning request will undoubtedly derail future economic growth at

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Stafford's Regional Reliever Airport that serves this County, our neighbors in Prince William County, and the City of Fredericksburg. A vote to deny the rezoning request will reaffirm the vision of County and regional leaders throughout the past 48 years. It will expend tremendous efforts to realize the airport's creation, as well as the commitment of more than \$55 million in federal, state, and local funds to build and improve its facilities. To continue the ongoing investment by the Federal Aviation Administration and the Virginia Department of Aviation, and to send an unmistakable message to the aviation business community that Stafford County welcomes their jobs and investment, I urge you to deny this zoning... rezoning request. As a point of information, the topic of aviation noise was discussed at length last meeting. We did a little research and you should know that decibels are a logarithmic measurement. So, an increase in decibels from 65 to 75 decibels in essence doubles the intensity of the sound. And even though you may be able to soundproof some buildings, people outside will still experience detriment to quality of life based on transient noise from aviation operations. Thank you for your consideration.

Mr. Apicella: Thank you. Is there anyone else?

Mr. Hornung: Mr. Chairman and members of the Planning Commission, my name is Phil Hornung. I was the former Chairman of the Joint Planning Commission/Board of Supervisors Airport Committee in 1986 to 89. I'm here this evening to speak in opposition to the rezoning request. In 1986 the Joint Airport Committee recommended the construction of the Stafford Regional Airport to promote light industrial development and commerce in central Stafford County to be constructed, owned, and operated by Regional Airport Authority. Prior to making this recommendation, the Joint Committee received a caution from operators of successful general aviation airport managers around the Commonwealth that the County should not go forward with this airport unless it was committed to taking the necessary steps to insulate the airport from residential rezonings which could result in a gradual death sentence to the airport. One of the first recommendations of this Joint Airport Committee in 1986 was that "the County should immediately begin a comprehensive review of both new ordinances and a comprehensive plan for the purpose of establishing special conservation zones, buffering, etcetera, so that any subsequent airport investments and the citizens of the County shall be protected." These standards have been yet to be developed. Since then the FAA, Virginia Department of Aviation, and Stafford Regional Airport have invested approximately \$60 million to construct and improve the airport. Plans are underway for a 1,000 foot extension to the current runway, estimated between \$9 and \$12 million dollars to accommodate coast to coast, nonstop and international flights to and from Stafford County. On November 7th, 2013 the Virginia Department of Aviation stated in writing to the Stafford Regional Airport Authority its opposition to the Oakenwold residential rezoning, citing that this residential development with the existing airport traffic flight patterns was an incompatible use, which may lead to complaints from future residents, and advised that the rezoning was a violation of the airport's commitment to protect the Commonwealth's investment in this airport and securing previous funding and may result in the loss of future funding. I did not realize the joint airport committee's most critical recommendation had never been acted upon, until this residential zoning request was filed with the County. I have 6, 7 questions I would like to read, if it's alright. My time is up.

Mr. Apicella: Sir, I appreciate that you have question, but in all fairness to the other folks who may want to come up, I think we need to...if you want to present them in writing.

Mr. Hornung: I have.

Mr. Apicella: Thank you.

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Mr. Hornung: But I think they're critical. Thank you so much.

Mr. Apicella: Okay.

Ms. Callander: Good evening. I'm Elaine Callander. I was concerned that you all would be voting on Oakenwold today. I'm glad there is a delay on that. I do believe when the citizens of Stafford wanted UDAs in the central part of the County, I don't think they were thinking about the airport. I mean right there, I don't believe that's an appropriate place for residential development. In reading the paper and so forth, I know there is concern by the developer about fairness and I do believe that though our Comp Plan says that area should be an urban development area, that the developer has known for some time that that type of development is under consideration there. We may not be doing UDAs and since we have the option and they have been aware that we would continue to discuss the appropriateness of UDAs, I think your responsibility is to the residents of the County, where it's appropriate to put residential development. I think as planners you have a responsibility to the future residents who may decide to buy in that location and then find out how loud it is and not a very nice place to live. So that was just one comment I had for tonight. I also wanted to mention, today I was in Fredericksburg having lunch with a friend and I commented about this beautiful church across the way and she said in Fredericksburg we have churches everywhere. And of course they are of beautiful architecture and some date way back. The reason I'm bringing this up is, in Stafford we have churches in strip malls and I think that that is due to a lack of planning. Something that you all should be thinking about when new developments go in, there should be a place reserved for community buildings of some kind, whether they're churches or another type of community building, but this is ridiculous that churches have to go into strip malls. Thank you very much.

Mr. Logan: Good evening. Mike Logan. Everybody's brought up a lot of good arguments to vote against the rezoning of the land and a few people have actually come up and passed with arguments for the development. But all the arguments for the development are, I feel that it should be a good thing, it would be a good thing for the County. The arguments against it really stand out. You know, you look at the sound. Last time it was mentioned, good weather, pilots are going to be flying, people are going to be outside trying to barbeque, they're going to be calling the airport saying, hey, these planes are flying right over my head, making too much noise. That's one of the arguments. The biggest argument that I feel we have is that right now the schools are at or above capacity and that doesn't count the 3 or 4 developments that are going in place right now, that are huge from what I've seen. I drive by them every day going to work and these guys, when they brought up the information about the school, they had no plans for what they're going to do to mitigate the problem with the over-crowding. And everybody talks about, the development's good for the County and you got to think about why they're doing the development. There's one reason, they want to put money in their pockets. Thank you.

Mr. Apicella: Thank you. Is there anyone else?

Mr. Gant: Good evening. My name is Travis Gant. Last time I came before you, I was speaking from a pilot's point of view. Today I'm going to come and speak to you as a concerned tax payer. From my research Stafford Airport has accepted roughly \$41 million in federal grant to build and improve on the airport. The airport sponsors agree to certain terms and conditions when accepting this money. FAA airport compliance program documents state: when airports receive federal assistance, their owners or sponsors, that would be you guys, accept certain obligations and conditions which may be incurred by contract or by restrictive conveniences and property deeds. This generally involves the following: grant agreements or grant assurances. The contract states under the duration and application airport development, the term, conditions and insurance of this grant agreement shall remain in full force and

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effect throughout the useful life of this facility, development or equipment acquired for an airport development or noise compatibility program project or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed 20 years from date of acceptance. Sponsor certification: the sponsor assures and certifies with respect to this grant that it will comply with all applicable federal laws, regulations, executive orders, policies, guidelines and requirements as they are related to the application. Acceptance and use of federal funds for this project including but not limited to the following. And under major obligation there is an obligation called compatible land uses on the FAA website. It will take appropriate action to extend reasonable, including the adoption of zoning laws to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and propose compatible with normal airport operations, including landing and takeoff of aircraft. It would not cause or permit any change in land use within its jurisdiction that will reduce its compatibility with respect to the airport or the noise compatibility program measures upon which federal funds have been expended. FAA definitions of incompatible land uses. Incompatible land uses around GA airports, Stafford Airport, jeopardize the safety and efficiency of flying activities and the quality of life for the community's residence. Incompatible airport land uses include residential development, schools, health and safety community centers and libraries, hospitals and buildings using religious services and tall structures, smoke, electrical signal generators, landfills and other bird attracting businesses. Thank you for your time.

Mr. Apicella: Thank you. Is there anyone else? No? Seeing no one else, I'm going to close the public comments portion of this meeting and move on to agenda item number 1. Mr. Harvey?

PUBLIC HEARINGS

1. CUP1400145; Conditional Use Permit – Falls Run Industrial Park Auto Sales - A request for a Conditional Use Permit to allow motor vehicle sales within the M-1, Light Industrial Zoning District, on Assessor's Parcels 44-120P and 44-121J, consisting of 2.01 acres, located on the south side of Nelms Circle, approximately 700 feet east of Falls Run Drive, within the George Washington Election District. **(Time Limit: September 13, 2014)**

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

Ms. Ehly: Good evening, Mr. Chair, members of the Planning Commission. The first item is an application for a Conditional Use. The applicant is requesting a Conditional Use Permit to allow motor vehicle sales within the M-1, Light Industrial Zoning District. The proposed contains two parcels totaling just over 2 acres, located within the George Washington Election District and includes one of the several remaining vacant lots within the Falls Run Industrial Park. The property is located on the south side of Nelms Circle approximately 700 feet north-west of Falls Run Drive. The surrounding parcels are all within the M-1, light industrial zoning district, with specific uses including a gymnastics center program by Stafford County Parks, Recreation and Community Facilities to the north, a federal facility to the south, manufacturing to the east and warehouse, motor vehicle sales and service to the west. The southern parcel contains an existing 7,300 square foot building which holds three service bays and approximately 2,400 square feet of office use. The northern parcel is currently undeveloped. The applicant proposes to construct a 6,075 square foot building to contain three additional service bays and approximately 2,000 square feet of office use. The applicant has proposed that the new building would be similar in design to the existing structure on the southern parcel. The Generalized Development Plan (GDP) depicts the existing layout of the site and the proposed design and location of the additional structure and site. The applicant has chosen not to vacate the parcel line between the two parcels and so the parcels were reviewed individually for parking, loading and landscaping. Access to

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the southern parcel is provided by two existing driveways on Nelms Circle. The northern parcel will utilize a shared access with the southern parcel and an additional, proposed access. Conditions have been included so that the inter parcel connection shall be maintained at all times and that the proposed new access point shall meet all VDOT and County access requirements at the time of site plan review and shall be located a safe distance from the adjacent driveway on the parcel to the west. Currently the distance between those two driveways is approximately 57 feet. Parking requirements for the various existing and proposed uses onsite are accommodated as shown on the GDP. The open space area is shaded and reflects the 20 percent requirement within the M-1 Zoning District. The GDP shows loading and unloading areas on each parcel that are located away from the public right-of-way. A condition has been added by staff to require that all loading and unloading shall occur in locations away from the public right-of-way. The Comprehensive Plan identifies this site as being within the Southern Gateway Urban Development Area (UDA) future land use designation. Staff has identified that the proposed form of development is not consistent with the goals of the UDA, which anticipate future uses to be a mix of commercial and residential multifamily and townhome. However it should be noted that in order to develop this site and the surrounding industrial park in a manner consistent with the UDA, a full scale redevelopment of the park and change in existing uses would be required. The site is also located within the Southern Gateway Redevelopment Area. The proposal is generally consistent with the redevelopment plan as the plan identifies industrial park as strength and the development helps to mitigate a challenge identified in the plan of underutilized industrial development. Staff is proposing several conditions to minimize impacts to adjacent property and traffic circulation, including, the new access points should be located a safe distance from the adjacent driveway, locations for outdoor storage of vehicles for sales and/or service and areas for vehicle display shall be limited to the areas as identified on the GDP. All loading and unloading of vehicles being delivered to and transported from the site shall occur in designated locations on this site and away from the public right-of-way. The inter-parcel connection shall be maintained at all times, as shown on the GDP. Staff is recommending the removal of condition number 3, because the applicant has revised the GDP to show the location of outdoor storage, vehicle storage in areas that do not require screening. They are now located along parcel lines with parcels that have similar uses. Staff recommends approval of the CUP with the proposed conditions to include the removal of condition number 3, as the application meets the requirements of the Code. Standards for issuance of a CUP is consistent with the established development pattern in the vicinity, is generally consistent with the redevelopment plan and is in agreement with the Comprehensive Plan as a whole. The applicant and the property owner are here this evening and I would be happy to answer any questions that you may have.

Mr. Apicella: Any questions for staff?

Mr. Gibbons: Mr. Chairman, in the staff report that I have here it had one negative, and that's been removed.

Mr. Apicella: Right. Number 3?

Mr. Gibbons: It has 4 positives and 1 negative in the report I had here. Did somebody take it out?

Mr. Apicella: I'm sorry, I'm trying to understand your question, Mr. Gibbons.

Mr. Gibbons: It says: Negative; the proposal is not in conformance with the UDA Land Use Recommendations in the Comprehensive Plan.

Mr. Apicella: Right. Staff?

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Mr. Gibbons: Why isn't it in the report tonight?

Mr. Apicella: I thought I did read it in the report that it was not in compliance with the plan, the Comprehensive Plan, but the reality is, that it's an industrial park and it's unlikely...I'm just reading between the lines here, but it's very unlikely that other types of development might fit into what's currently there. Am I paraphrasing what's in the report?

Ms. Ehly: Mr. Chair, yes. The report and also...I think I did point out, maybe not clearly enough, that the proposal is not consistent with the UDA or the future land use designation of the Southern Gateway Urban Development Area, because that area is anticipating all future development to be commercial or multi-family or townhome residential development. So this proposal isn't consistent with that, but it is supported by the redevelopment area plan, which is also part of the Comprehensive Plan and other policies, goals, objectives and policies in the Comprehensive Plan. So, I hope that answers your question.

Mr. Apicella: Mr. English, did you have a question? So, with your recommendation to remove item number 3, I assume because there's been a change to the GDP? Or how are you going to get assurance that the condition that you would have otherwise recommended under 3, will actually happen?

Ms. Ehly: Mr. Chair, the condition called out that the screening required would be an 8 foot, board on board fence, site-type fence. That is required if you have outdoor storage, vehicle for sales or service along property lines or public right-of-way. The GDP version before this one did have the vehicle storage, outdoor storage to the south on the southern parcel.

Mr. Harvey: Can we have the computer please?

Ms. Ehly: As you can see, the GDP shows on parcel A-2 along that southern property line with the federal facility property, there had been outdoor storage for vehicle sales. That would have required an 8 foot, board on board fence between those two parcels, because the federal facility is not a similar use. So those had been relocated and now that 8 foot fence is not required.

Mr. Apicella: And it's been relocated again by virtue of the GDP?

Ms. Ehly: Yes, it is identified on the GDP, all those outdoor storage spaces and the other parking areas.

Mr. Harvey: Ms. Ehly, would you please use the cursor to identify the area.

Ms. Ehly: Well actually, the outdoor storage spaces to the south along that property line have been completely removed. They haven't been relocated actually. Here are the storage spaces identified on parcel A-2. Yes, this is the existing building. This parcel here has the same use, so there's no screening required along this property line.

Mr. English: To the left, is that the federal building?

Ms. Ehly: The federal building is to the south, right here.

Mr. English: Okay, so what's that building right there to the left, is that just storages?

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Ms. Ehly: That's warehouse, auto sales and service uses. There's like multiple uses on the parcel here to the west. Because they have the same uses, then screening is not required, along this entire property line. These two parcels, that are contained in the application, both obviously are going to have the same use, so there's no screening required between the two parcels. There's no storage spaces that are located, as the GDP depicts, along the public right-of-way. All the storage spaces are located to the interior of the parcels, so the only area, which we were calling out, that would need screening, would be this southern property line and so those storage places have been removed. They were labeled as auto storage down to the south. So since that location has been removed, staff felt that maybe that condition was not required at this time. But we do have a condition that identifies the fact that those locations called out on the GDP, those that will be the locations for vehicular storage, outdoor storage.

Mr. Apicella: So this is an issue with me and it will be for another project that we will be talking about tonight. There, again, without a condition that says that the site will be developed in accordance with the GDP dated, whatever specific date, I assume it's today, if it's been revised, or sometime in the recent future, again, how would we have assurance that the changes that are reflected on the GDP as revised, will actually occur.

Mr. Harvey: Mr. Apicella, on condition 4 it speaks to the storage of vehicles for sale and service as identified on the GDP. So that aspect of the General Development Plan has been committed to in the proffers, so that's where the storage has to go. Also the display areas for vehicle sales are also tied into the General Development Plan as well as the inter-parcel connection. So there's components but not the entire plan that are committed to the General Development Plan.

Mr. Apicella: Again, but the General Development Plan has been revised, so how does that get incorporated into this document?

Ms. Ehly: Mr. Chair, the General Development Plan that you received and that was in the Power Point that is the General Development Plan that has been revised. So you've seen the final version.

Mr. Apicella: So the condition was recommended prior to the staff package being put together, or is part of the staff package, but I was just trying to understand the timing here, so that we're all on the same page that this is the GDP the applicant will be working with.

Ms. Ehly: Yes, Mr. Chair, the GDP that you reviewed and that the Commission reviewed is the GDP, that's the final version that's been revised. The conditions and the submission of the GDP occurred within a day or two of each other.

Mr. Harvey: Mr. Chairman, if it would be helpful, we could clarify the condition by stipulating the date on the General Development Plan.

Mr. Apicella: I agree, Mr. Harvey, that would be helpful to add the date.

Mr. Gibbons: I thought on the Conditional Use Permit you could require the GDP to be proffered. Is that correct?

Mr. Apicella: If someone makes a motion to that effect and it's accepted as part of the approval. In terms of the auto sales, is it going to be new and/or used cars?

Ms. Ehly: Mr. Chair, it's going to be...the applicant has stated it could be both, either one.

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Mr. Apicella: And for lack of a better term, will there be junk cars sold on the property and where would those be stored if that's the case?

Mr. Gibbons: We got a resident expert here.

Mr. Apicella: And is there a maximum number of vehicles they can have on the property at any given time?

Ms. Ehly: Mr. Chair, the GDP does identify the areas for display. So those are...there can be no more display sites. Sorry, can we have the computer please. Because the parking requirements are directly related to the number of displayed vehicles, so you can see here are the areas for display. And that corresponds to the County Code which requires 120 square feet of parking per vehicle displayed. So that's also identified on this GDP, so they are directly related, the parking requirements and the number of vehicles displayed and the reference to, in the condition, that the areas for vehicles display shall be as depicted on the GDP, does limit the amount of vehicles that they can put on site. The only area that would not be limited would be the storage areas, because there is no requirement in the Code to pave or stripe vehicular outdoor storage areas for sales. So that might be the only area where you might have any number of vehicles at any time.

Mr. Apicella: Thank you. Any other questions?

Mr. English: Yes, Erica, on the aerial location site, the site picture, that one, is that just a mud hole there, or what is that right there? Is that...do you know?

Ms. Ehly: Yes, Mr. Chair, Mr. English, ...

Mr. Shalaby: Good evening, Mr. Chairman and the members of the Planning Commission, my name is Samer Shalaby, I'm a development consulting service and I'm kind of helping representing the client, or the owner. I guess you're referring to the spot looks like water sitting there. That is basically just a low area that after a rain storm it just collects a little bit water, but it drains out. That's pretty much what it is. I do want to make a couple of quick clarifications. The side that you were concerned about against the federal building and there is an existing 6 foot board-on-board fence there already that basically borders the whole property, so even though it's not required, or the requirement that they might have taken off, there is a fence that's there and we plan on keeping that, the owner plans on keeping that. And also on the back side, basically behind the existing building, the same thing likewise, there is a 6 foot board-on-board fence which he plans on keeping also. So that will not be removed. The only area, which is the, let me see if I can...the only area is along this side here, that's the one we're talking about, that there will not be a fence and mainly because it's the same use. All the cars you see there, are actually cars for sale, because this building, which is existing right here, this building does have used car sales and new car sales. And just again for reference point, the owner of these two properties actually is currently leasing this space in this building. He has been there for about 14 years and over the years he basically had a used car and a service for repair, and over the years he's kind of watched this building. About 4 years ago, 5 years ago he purchased the property in hope that one day he will be able to do his own building and his own property and I guess the time has come and now he's in that position to do that. So he's basically going to be relocating from this building he's currently in into the building across the street, he also still right now uses for just repair. He wants to be able to do sales also and in the future add a building on the empty parcel.

Mr. English: Is he planning on having any kind of signage or anything up there, Sir?

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Mr. Shalaby: Nothing beyond what's on the building. I don't think he's even planning a monument at this point. He just wants it on the building, that's it.

Mr. English: And what kind of hours of operations is he looking for.

Mr. Shalaby: Typically they work 9 to 5 and on the weekends 10 to 2, well basically Saturday only. They really don't work Sunday.

Mr. English: Right.

Mr. Apicella: Any other questions for the applicant?

Mr. Gibbons: Would you be...would you proffer that you leave the 8 foot fence and then maintain it.

Mr. Shalaby: The current fence that's there. Yes, it's 6 foot right now. Yes, we can proffer them in. We'll leave it and maintain it. That'll be fine.

Mr. Gibbons: Okay, thank you.

Mrs. Bailey: Now is that for the existing fence, Mr. Gibbons?

Mr. Gibbons: Yes, Sir, I mean yes, Ma'am. Because there's nothing required, I want to make sure they maintain it.

Mrs. Bailey: No, that was my question.

Mr. Shalaby: No, that's fine. We plan on leaving it, so yes, I'm sure they can maintain it. It's fine.

Mr. Harvey: Mr. Chairman, if that's the Commission's desire we would need to include that as a new condition for the permit.

Mr. Apicella: Thank you. Are there any other questions?

Mr. Harvey: And just to clarify, Mr. Chairman, is that fence located on the applicant's property or is it off site? Do you know Mr. Shalaby?

Mr. Shalaby: It's currently on the applicant's property, because the federal building has, I think, a chain-link fence behind it, you know, and then the other side, there's nothing else.

Mr. Apicella: Alright, if there are no other questions for the applicant, I'm going to open the public hearing on this item. This is an opportunity for members of the public to address this particular issue. Please direct your comments to the Planning Commission as a whole, not to any specific member. You have up to 3 minutes to speak. Please state your name and address when the green light comes on. The yellow light will come on when there is one minute remaining and when the red light comes on, please quickly wrap up your comments. So if anyone would like to come forward and speak on this matter, you may do so now.

Mr. Logan: Yes, I'm Mike Logan and I spend a lot of time on that circle there. I used to walk around there a lot when my daughter was doing gymnastics and they have cleaned that lot up a lot. It used to be

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an eye sore. There will never be any kind of residential development going in there. No one is going to be that dumb. So I'm for this...for the applicant.

Mr. Apicella: Thank you. Is there anyone else who would like to come up and speak? Okay, seeing no one I'll close the public hearing and bring this back to the Commission for...

Mr. English: Have you talked to Mr. Coen about this at all?

Mr. Apicella: I have talked to Mr. Coen. He is the representative from the George Washington District. He did have some questions. He's obviously not here today and he's asked that we consider deferring the item until the next meeting.

Mr. English: Well, I'll make that motion to defer it to the next meeting.

Mr. Apicella: Okay. Is there any comment to the motion?

Mr. Gibbons: I'd like to include in it that we proffer for the GDP.

Mr. Apicella: Is that something we would have to decide tonight, or just kind of throw it out there to the applicant and it can be taken up at the next meeting?

Mr. Harvey: Mr. Chairman, since this is a Conditional Use Permit these are conditions that County imposes with the issuance of the permit, but normally we try to work with the applicant to ensure that they are not going to be adversely harmed with developing a property. So if that's the Commission's pleasure, staff can put together a revised set of conditions based on discussion tonight about the General Development Plan, as well as retaining the fence, having it remain in place. We can further discuss the GDP issue with the applicant between now and next meeting, to see if that's going to be an acceptable condition to them.

Mr. Apicella: Thank you, Mr. Harvey. Any other comments? Okay. Take a vote on the motion. All in favor say aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Apicella: All opposed? We'll defer the matter to the next meeting. Thank you.

Mr. English: Mr. Chairman, I would like to move, if it's possible, item number 4 up in reference to the letter we got for an extension till our meeting in July.

Mr. Apicella: Do we need to take a vote on that or can we just do it by consensus?

Ms. McClendon: Yes, you need to vote to modify the agenda.

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Mr. Apicella: Okay, there's been a motion to move agenda item 4 up and there's been a second. Any comments? All those in favor say aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Apicella: All opposed? Okay. We'll move the agenda item up. So Mr. Harvey.

UNFINISHED BUSINESS

2. RC1300290; Reclassification – McWhirt Loop Commercial - A proposed reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District, with proffered conditions, to allow for the development of commercial retail, service, and/or restaurant uses on Assessor's Parcel 44-120B, consisting of 2.92 acres, located on the south side of Warrenton Road at the intersection of McWhirt Loop, within the Hartwood Election District. **(Time Limit: August 12, 2014) (History: Deferred on May 14, 2014 to June 11, 2014)**

3. CUP1300291; Conditional Use Permit – McWhirt Loop Commercial - A request for a Conditional Use Permit (CUP) to allow two (2) drive-through facilities within the HC, Highway Corridor Overlay Zoning District. The drive-through facilities are for a proposed fast food restaurant and coffee shop. The site is on Assessor's Parcel 44-120B and is the subject of a concurrent reclassification request from the A-1, Agricultural to the B-2, Urban Commercial Zoning District. The property consists of 2.92 acres, located on the south side of Warrenton Road at the intersection of McWhirt Loop, within the Hartwood Election District. **(Time Limit: August 12, 2014) (History: Deferred on May 14, 2014 to June 11, 2014)**

Discussed after item 4.

4. RC1300324; Reclassification – Oakenwold - A proposed reclassification from the A-1, Agricultural Zoning District to the P-TND, Planned Traditional Neighborhood Development Zoning District, with proffered conditions, to allow a planned community, including up to 695 residential units and up to 250,000 square feet of commercial floor area, on Assessor's Parcel 37-80. The property consists of 231.6 acres, and is located on the south side of Centerport Parkway and east side of Mountain View Road, within the Hartwood Election District. **(Time Limit: June 24, 2014) (History: March 26, 2014 Public Hearing Continued to April 23, 2014) (Deferred on April 23, 2014 to May 19, 2014 Work Session) (Deferred on May 19, 2014 to June 11, 2014)**

Mr. Harvey: Thank you, Mr. Chairman. Mr. Zuraf will give an update for this application.

Mr. Zuraf: Good evening, Mr. Chairman, members of the Planning Commission. This item is a Reclassification for Oakenwold, a project known as Oakenwold. This project originally had a public hearing on March 26th. That public hearing was continued to April 23rd. Since that time the Commission held a special meeting on May 19th to discuss the issue some more and at the meeting

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several issues were discussed, that included a request for additional information and led to modifications to the proposal by the applicant. We've provided to you a memorandum that includes additional information provided by the applicant, additional information provided by other staff and also some new maps. First item is kind of the modifications to the proposal, provided by the applicant. The applicant submitted a letter. They did include some enhanced residential building construction standards, details from their noise consultant that talked about design standards that help to reduce noise levels and what those standards are and what affect that has on noise inside buildings. They also included some modified version of the General Development Plan and Regulating Plan. We have some images. Some of the specific amendments modified the Regulating Plan. The transect zones remain the same. There were some modifications though to the one element of the Regulating Plan regarding vista determination and commercial frontages, as you're aware some prior adjustments pushed more of the commercial development up to Centreport Parkway and established a setback so that required a modification to this element of the Regulating Plan and that's the modification you see. And then the applicant also then adjusted the General Development Plan and incorporated a 500 foot setback and that 500 foot setback line is incorporated into the General Development Plan and that 500 foot setback line prohibits any residential development from occurring within 500 feet of Centreport Parkway, so that line is established through this latest change. Then also the applicant did include a modified proffer statement with some of the adjustments adding additional, commercial phasing and proffer to increasing the residential setback to the 500 feet that you see, requiring a noise reduction construction standard for all residential units on the site in proffer 2B, sub-section 2 and then adding a new proffer, adding a 330 foot setback for any residential or commercial buildings from any active Eagle's Nest. That was a new proffer in response to some earlier staff comments. Then some of the additional information provided by staff. There was a request for staff to look into what uses, what commercial uses that might otherwise be permitted by-right, what uses might be appropriate to prohibit, given this type of development and uses that may not be appropriate. We provided you a list of uses that we identified that may not be appropriate in this project. We forwarded that list on to the applicant and they did make a further modification which was, I believe I emailed to you yesterday. The applicant is proffering...I'll read out those commercial uses that they're proffering to prohibit on the site. Those include: Building Material sale and storage yard and mulch sale, funeral home, lumber/building/electrical/plumbing supply with covered storage, machinery sale and service, plant and tree nursery/greenhouse, printing, publishing, engraving, an outdoor pavilion greater than 5,000 square feet size, conference center greater than 10,000 square feet size and an exhibition center greater than 5,000 square feet in size. Those are most of the by-right uses that staff had suggested to the applicant.

Mr. Apicella: Mike, can you tell us which ones where not accepted.

Mr. Zuraf: The convention center was not accepted and center for the arts was not accepted.

Mr. Apicella: Mike, I had to jump in. I'm looking at the table of uses under P-TND and B-2, wondering if some of the ones I might mention you might want to reconsider or perhaps they just aren't allowable in these circumstances, but I'm just going to throw them out there and get your reaction. So under P-TND, other than the B-2, is the remaining use that I saw that, in my mind, might not fit with automobile repair. Did you think about that one? It's a CUP item, but nonetheless.

Mr. Zuraf: That would not be permitted, yes, that would not be permitted because that's in the SD-C transect zone and that's not on this site. So that's not allowable. Their commercial development is limited to the T-6 sub-zone. I did go through that issue in response to your email and did identify the Conditional Use Permit uses that might not fit in in this site including vehicle fuel sales and use that

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requires a drive-thru. Those are the two uses that we identified and we've not shared that with the applicant yet. That was just something we determined, looked at today.

Mr. Apicella: Alright, thank you.

Mr. Zuraf: Okay, in the memo also we did include upon request comments that were provided to us from the School Division. Their comments, just to paraphrase, due to the location of the development adjacent near the Stafford Regional Airport, they would not be requesting any school site as part of this project. And then also their review of the calculations of the student growth, they appear to be acceptable for them and they also felt that the cash proffers with this project appeared acceptable as well. There was also a request to include a comparison of the proffered cash contributions being offered as part of this proposal with the guidelines that were being proposed by the Planning Commission under the recent efforts and then also the current guidelines. So those, you received these, I'm not going to go through all the details, but you received this in your memo, this comparison. Then also there were some questions as to why a general question as to why the fire marshal requests some specific standards and improvements for residential and commercial instruction, specifically fire sprinklers in residential and standpipe systems in commercial development. I received email correspondence from fire marshal staff as to the reason to why they typically you'll see those requests being made by them and the benefits they feel that there's additional improvement to provide.

Mr. Gibbons: Mr. Chairman, why don't they take that to the Board of Supervisors and modify the Ordinance? I mean, they come in all the time requesting it and there's nothing requiring. I mean, it's good to have, I would like to have it, but why can't they take it forward to the Board?

Mr. Harvey: Mr. Chairman and Mr. Gibbons, these types of requirements are things that are either 1) in the fire prevention code or 2) in the international building code. Currently in Virginia those are not requirements in either one of the codes, that's why they ask for them to be considered as proffers, because they go above and beyond code requirements.

Mr. Gibbons: Well, why don't we make that part of our annual legislative package then, if they...

Mr. Harvey: The Board certainly could do that, yes.

Mr. Gibbons: Thank you.

Mr. Zuraf: Okay. In addition there was a discussion at the last meeting regarding the conditions of the soils on the site. The applicant had already previously prepared a geotechnical analysis of the site and that analysis is included and provided to you.

Mr. Apicella: And what's your perspective on that analysis? Does it alleviate the concern that was raised by the public about acid sulfate soils, specifically in the area that is going to be developed?

Mr. Zuraf: Yes, the report does state that the acid sulfate soils...it discusses kind of a range, a pH range and the range is kind of such that the chance of the acid sulfate soils are minimal, but there still is a chance I believe on this site of that occurring, but not as great as maybe it was anticipated.

Mr. English: Mike, did you say you got a letter from the schools in reference to the impact in the schools?

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Mr. Zuraf: No, it was just email correspondence comments.

Mr. English: And they said they were okay with this?

Mr. Zuraf: They were okay with the proffers provided and the estimation of the number of students that would be generated. Also there was request for information and commentary from the Parks & Rec staff regarding the offer to dedicate the southern portion of the site to the County as a passive park to kind of paraphrase the comments from Parks & Recreation, they did note that additional, passive park land is not currently a priority. They do note that there's a higher priority to increase the amenities in the current park inventory which would increase the level of service and customer satisfaction, so the passive park land would interfere the ability to address current needs with limited resources.

Mr. Apicella: That being said, what I understand the case to be, if the County chooses not to effectively purchase the open space, it would still be left in an natural state.

Mr. Zuraf: Yes.

Mr. Apicella: There was some discussion at a prior meeting about providing at least residents some access to that side of the parcel. Was that...did the applicant address that at all?

Mr. Zuraf: That has not been addressed.

Mr. Apicella: Thank you.

Mr. Zuraf: And then just noted some other general comments that were made, suggestions that the monetary contributions were to low and then the issue that you've raised about the access to the park area, or open space area. Also additional information that was requested, that we provided to you and got to you yesterday included information on the dam break inundation zone that had been noted early on in the staff report and on this map we overlayed the dam break inundation zone on to the General Development Plan. The dam break inundation zone, it kind of surrounds the Potomac Creek. It's the red line that is offset from Potomac Creek and you can see the affect that the dam break inundation zone would have on the site. And then there was a request for information regarding how utility upgrade process may work. We anticipate getting additional information from the utility department in the next few days. We can share that with you in the next update if this case continues. Then the other request was for a map that would kind of combine different overlays that we have. This map combines the airport overlay which is the multi-color area to the south and east. Here's the airport overlay zones and the other overlay is the Quantico overlay and that is generally...these areas are the noise zones and the area in this location is the operation zone where you may have some aircraft overflight over the County. That is associated with the operations that occur on Quantico.

Mr. Apicella: Mike, just for clarification, the areas that are in blue and in green, those are the more intensive noise levels?

Mr. Zuraf: Yes, those are the most intense noise zones. I think noise zones 1 and 2 are within the green area and noise zone 3 is the blue. That is the...it basically encroaches into some of the County off of the Base and then the red area is a, I believe a 3 or 5 mile buffer that is around that outer noise zone. And we also included the proposed Ordinance and Resolutions if the Commission chooses to act this evening. We will note it has been mentioned already that you did receive a letter from the applicant. The applicant has requested a deferral to the July 9th Planning Commission meeting and at the same time

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they did waive the Commission's 90 day time limit for a decision to that July meeting and I'll take any questions at this time.

Mr. Apicella: Any questions for staff?

Ms. Bailey: Mr. Chairman, I just want to make sure that I understand that getting back to the fire marshal and his email with recommendations, because we do have the building code that has the minimum standards. The standpipes in the commercial buildings and then the residential sprinklers would have to be a part of a proffer? Is that correct?

Mr. Zuraf: Correct.

Mrs. Bailey: Okay. The dam break zone, so just to make sure that I understand, so if there is ever an issue with the...

Mr. Apicella: Can we pull that back up?

Mrs. Bailey: So that's just basically the zone where the water would flow through should there be mitigation to the dam?

Mr. Zuraf: Right, the areas that would be affected by failure of the dam upstream.

Mr. Apicella: Thank you. Any other questions? Mike, there was a revised neighborhood design standards submission. Can you tell us what changed?

Mr. Zuraf: That was in effect just an adjustment to the limits of the T-6 zones and commercial areas that kind of are reflective of the changes that you saw on the General Development Plan that we went over.

Mr. Apicella: If there are no other questions for staff, if the applicant wants to come up?

Mr. Gibbons: If we're postponing this, how come... I don't understand why we're taking time at this moment to go ahead with it when the proper way would be the evening that it wants to be discussed.

Mr. Apicella: I just thought the applicant might want a chance to kind of summarize the changes that they've made thus far, but if it's the will of the Commission to... Did you have anything you wanted to speak to?

Ms. Karnes: Well, I'll just be really short. I'm confirming that we are asking for an extension to the first meeting in July. We think it's going to be better. We've been working with individual Commissioners but we were unable to meet with Commissioner Chairman Rhodes and Commissioner Coen because they were out of town. In addition, we're continuing to meet and to work with the Planning Commission subcommittee on the airport and to work with new compatibility standards. We have submitted new materials and I think Mr. Zuraf ably described those. There also will be a new economic analysis coming, but we are anxious to continue working with the Commission. This is a remarkable plan featuring significant historical preservation, significant preservation of open space, and a very, I think, outstanding commitment to build at least 150,000 square feet of commercial space. That's all I have.

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Mr. Apicella: Thank you. So, I'm assuming there's no questions for the applicant. We've been presented a request to consider extending the timeframe until July 9th. Does someone want to make a motion on that?

Mr. English: I make a motion to extend it to July 9th.

Mr. Gibbons: I'll second it.

Mr. Apicella: Okay, any other comment? Seeing none, all those in favor say aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Apicella: Aye. All those opposed? Okay, it passes. Thank you. Moving onto agenda item 2 and 3.

Mr. Gibbons: Mr. Chairman, I'd like to take (inaudible).

Mr. English: We just did, Bob. We just did 4.

Mr. Apicella: Mr. Gibbons, number 5 is deferred until June 25th.

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

Mr. Harvey: Yes, Mr. Chairman, Mr. Gibbons is announcing that the applicant is modifying their zoning application. So instead of appearing as unfinished business on the 25th it'll show up as a public hearing.

Mr. Apicella: Okay, so I'm not quite clear what we need to do on that.

Mr. Harvey: Nothing, Sir. Mr. Gibbons is making a general announcement for the benefit of the Commission.

Mr. Apicella: Okay, thank you, Mr. Gibbons.

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

Mr. Apicella: Okay, thank you, Mr. Gibbons. Okay, again, I'd like to move forward with agenda item 2 and 3. I assume we can take them both up at the same time as we did previously?

Mr. Gibbons: I got a question. On item number 5, who signs the permission to re-advertise? Is that the Chairman who does that? I mean, you don't just come off the street and say "I want to have a public hearing".

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Mr. Harvey: Yes, Sir. I sign the advertisements on behalf of the Planning Commission for public hearings.

Mr. Gibbons: You already did?

Mr. Harvey: Yes, Sir.

Mr. Gibbons: Okay. Thank you.

2. *RC1300290; Reclassification – McWhirt Loop Commercial*

3. *CUP1300291; Conditional Use Permit – McWhirt Loop Commercial*

Mr. Apicella: John?

Mr. Harbin: Good evening Mr. Chairman and Planning Commissioners, my name is John Harbin. These are items 2 and 3, McWhirt Loop Commercial Reclassification and conditional use request. This is a reclassification request going from A-1 to B-2 and a conditional use for two drive-through facilities in the Highway Corridor Overlay District. To give you some background, this went to public hearing at the May 14th Planning Commission meeting and was deferred until tonight. And, at that public hearing, several issues were brought up regarding this project. Staff met with the applicant and other associated people with this application, along with Mr. English to address some of those issues. So we'll go through that at this time. The applicant has submitted a revised Generalized Development Plan. It addresses two main issues that were stated at the last public hearing, the first one being the location of the loading spaces. In the original GDP, those were shown at the rear of the property, kind of in this vicinity. Those have now been moved up closer to the proposed buildings in hopes that delivery trucks will actually make use of those loading spaces. They're a bit more functional where they've been placed at in this GDP. Additionally, the applicant has moved the full access point along McWhirt Loop further to the west to its current location here. This addresses a couple of the main issues stated, one of them being the proposed drive-throughs and the layout of those. Now when the cars enter and exit this site from this access point, you won't be entering and headed straight into the drive-through located here at building B and also building C. In addition, the location of this access point kind of facilitates the movement and flow throughout this site a bit better than where it was originally proposed. The location of this access point also helps with the existing uses along McWhirt Loop, namely the CVS entrance there which is located in this general vicinity, putting it further away from that access point. The applicant has also submitted revised proffers. To highlight some of those changes with these revised proffers, they have restricted delivery times for building A, which is the largest building without a drive-through, so that no deliveries shall take place during the peak a.m. and peak p.m. times to help alleviate the congestion of the site. They will also erect directional signs to use Banks Ford Parkway to reach U.S. 17 North. And to show you where that's planned, there's actually a little dot there... that's where that directional sign is planned. And the hopes there is that traffic exiting this property through that access point will make a right onto McWhirt Loop, reach Banks Ford Parkway and make a right and then an eventual left to get back onto Route 17 North. That will help direct some of the traffic away from the already congested Warrenton Road/McWhirt Loop/Lichfield Boulevard intersection and help alleviate some of the backup that does occur along McWhirt Loop at that light. They've also added a few other materials to the fencing that will be screened around the dumpsters. One of the other issues that was stated for this project were the site distances coming out of both the access point to this property and the access point to the CVS. As part of this project... well, as part of the VDOT project for the widening of the road, they will be grading back a significant area within the site distance easement that will alleviate any sort of obstruction including trees or the actual grade of the land in that site

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distance easement. And I'll show you where that is on this slide here. It's hard to see but this line here is the site distance easement that continues back as well a good ways. Also, as part of the proffered receiving and turn lane, additional area will have to be graded to accommodate that turn lane. This is just a Google view of that steep embankment that has been referenced a few times here and that sharp curve on McWhirt Loop. But, as I've mentioned, between the VDOT project and what's proposed in this project and then what's proffered in this project, that embankment will be graded back significantly and I think will actually improve the site distance and the safety of this turn right here.

Mr. Apicella: John, I'm not trying to be flipping, but when was this picture taken?

Mr. Harbin: October 2012.

Mr. Apicella: Because it's far more overgrown at this point in time than I see in this picture. And while not necessarily a condition, I guess I would, as a matter of good faith, ask the applicant if they would be willing to just cut down the brush once they take ownership of the property. So again, in the interim, before VDOT does whatever it's going to do, at least that would help mitigate some of the site distance issues that I see in that area.

Mr. Harbin: Okay. The Commission also requested that we provide crash data for the intersection of Warrenton Road and McWhirt Loop. We did obtain VDOT crash data from the years 2010, 2011, and 2012, in which there were 35 reported crashes within a 500 foot radius of that intersection. Most of those were rear-end collisions during the peak travel times. As you know, traffic backs up there. None of the reported crashes were associated with that CVS access point along McWhirt Loop. Another issue that was stated was just kind of the overall intensity of this development and so I'll just run through a couple facts and figures here and then some examples of other development within the County. For the B-2 zone, you are allowed a maximum of 0.7 Floor Area Ratio and you must have a minimum 25% open space. This proposal... or this GDP actually shows a far less Floor Area Ratio; it's just actually 0.08 and is providing, actually that should be 33% open space in the GDP. They are exceeding minimum parking requirements at this time, but these details could be flushed out at site plan stage as well. Just to go through some other development that's of similar nature...

Mr. Gibbons: Can you back up to that one?

Mr. Harbin: Yes sir.

Mr. Gibbons: Okay, do you think that there, as a staff, do you think that this is too much for this area with the way 17 is being reconfigured and any changes? Sometime you're trying to shoehorn everything into something and it just can't happen. And I don't know how you're going to handle the traffic here.

Mr. English: I think he's got some answers to your questions.

Mr. Gibbons: Oh, he does?

Mr. English: Yeah, with some pictures.

Mr. Harbin: I will address that Mr. Gibbons.

Mr. Gibbons: We spent all that money to widen 17 and now it's going to be filled up. It looks like the New Jersey Turnpike.

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Mr. Harbin: So, this is along Garrisonville Road. You have a Chik-Fil-A with a drive-through and adjacent to that a multi-tenant building with about 3 or 4 tenants in it. That's about 14,000 square feet and that's on 1.86 acres site along a very busy road. You have the newly built...

Mr. Gibbons: I mean, that's a bad one to use because it's a mess and we had to make them go around in the drive-in. So, are you going to do the same thing over there to that property that you did to Chik-Fil-A? I mean, that is a complete mess out there. You can't even get in and out of the shopping center at lunchtime.

Mr. Harbin: Right. That's a much tighter site than what we're dealing with and a higher level of building. That has 14,000 square feet and in their GDP they have about 10,000 square feet and a larger site. But just to look at a couple other examples, you have the Panera Bread along 17 and a future multi-tenant building as well that has one drive-through, also about 14,000 square feet on 2.7 acres. So that's about a comparable size to the size we're dealing with tonight. Just down the road from this site, you have... this is actually the CVS and you have McWhirt Loop right here... you have a bank, a McDonald's and a multi-tenant building about 10,000 or so square feet or 12 or so, and two drive-throughs on 2.3 acres of land. I'm not saying that this isn't a high level of development for the site, but there's certainly a precedence that has been established for this kind of use. The applicant...

Mr. Gibbons: Yeah, but you can't use Chik-Fil-A on 610 as an example because the traffic does not go through there. All you've got is... you've got Staples and the nursery and now you've got Mary Washington, but you don't have the traffic flow that you do at McWhirt Loop. I mean, there's no comparison.

Mrs. Bailey: (Inaudible) echo of Mr. Gibbons, there's no direct access right off of Garrisonville Road either to those pads.

Mr. Harbin: That is true. Yes, you have to enter (inaudible).

Mr. English: (Inaudible - microphone not on) from 17 on both sides of the McDonald's and the...

Mr. Harbin: You do have an access point here and then an exit there.

Mr. English: Right. Plus you've got something on the backside.

Mr. Harbin: Yes. You have an access point for each parcel. Now this is a little bit different as each of these buildings is on its own parcel, as opposed to three buildings on one larger parcel. The advantages to that, well there are disadvantages and advantages to it, mainly for the owner if they wanted to sell the property, it's already been subdivided so they could easily do that. I believe the owners here are looking to lease the property, so that's not as much of an issue.

Mr. Apicella: I'm just going to echo what Mr. Gibbons has said because the difference is the direction the traffic is going at this site and the intensity of that traffic at any point in the day as compared to the intensity of traffic on the other side which, in the evening, is a madhouse and it's bumper to bumper traffic. And again, the only access points are either back onto McWhirt Loop or onto 17 which is chockablocked. Bob, you might be able to help because... I mean, I come at a certain time around 6:30-ish and again, it's bumper to bumper traffic. I imagine that's, you know, from four o'clock on until maybe seven o'clock. So, again, folks visiting that other parcel, if there's three intense... two especially intense uses... again, my concern is traffic trying to get back onto 17. But, I'm just kind of throwing

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that out there. I think it's fair to ask the question whether these are representative type projects and that's I think what we were asking for is the amount of uses on that specific parcel given the traffic that abuts it, is there anything like that in the County and I'm not quite sure that the circumstances are similar. Just my perspective as somebody who lives in that area.

Mr. English: I think the similar is going to be your McDonald's compared to that I think. And with the 17 widening, that's going to alleviate a whole lot too up there, won't it? As far as...

Mr. Harbin: Alleviate... well, it will add additional capacity. And then this is the proposed site. Like I said, 2.86 acres, about 10,000 square feet with two drive-throughs.

Mr. Apicella: John, can you remind us what's going to happen with the parcel immediately to the west of this site?

Mr. Harbin: I can. This is the GDP for that adjacent property. It was rezoned, I believe, in the late 2000's for general commercial, retail, and I believe some M-1, Light Industrial, as well.

Mr. Apicella: So the bottom line is, if this gets approved, both these parcels will definitely have an impact on 17 and McWhirt Loop collectively, if and when this actually comes through fruition.

Mr. Harbin: Correct. Are there any other questions that the Commission has at this point?

Mr. Apicella: Any questions of staff? Again, I have the same question I asked for an earlier project, and you've mentioned it a couple times. The GDP indicates a certain amount of Floor Area Ratio but, in the absence of the GDP being proffered, how do we know that that's what we're going to get? Again, in this case, we've got entrances that have changed, the configuration within the site has been modified, but I'm not quite sure how we get the assurance that, at the end of the day, that's what it's going to turn out to be.

Mr. Harbin: Right. To speak directly to the access point on McWhirt Loop, that is proffered in the general location as to how it's shown on this GDP. And they did update that in their revised proffers. But you're right; in terms of the amount of construction the square footage of the Floor Area Ratio, that is not proffered. They have proffered the vehicle trips per day which we recommended that they do to set the maximum limit for the use of that site. That's what the TIA was based on and what they're proposed mitigations of that impact are.

Mr. Apicella: Any other questions to staff? No, okay. Will the applicant please come up?

Ms. Karnes: Good evening Commissioners and staff. My name is Debrarae Karnes; I am an attorney and land use planner with Leming and Healy. We were here before and we generally discussed the project, and I'm not going to waste your time getting into most of those details. We did discuss the fact that this is both a request for a rezoning from A-1 to B-2, as well as a request for a conditional use permit for the two drive-throughs. And we talked about the fact that the change of zoning is overall consistent with the Comp Plan and compatible with the neighborhood. And the big issues from last time were transportation and the internal site circulation from the two uses. We'd like to thank Commissioner English for meeting with us and allowing us to work through the problems. What we did was to relocate the access, the full service access, on McWhirt Loop approximately a hundred feet further away from the Route 17 intersection, which does a couple of things. It improves circulation on McWhirt Loop; it improves internal site circulation as staff requested to get the vehicle traffic through

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the two drive-through uses. By the way, access, as staff said, is proffered. We did a couple of other things. We redesigned some of the internal aspects of the site, and this included relocating the parking for deliveries and also moved around some of the parking at the rear of the site in order to provide a more of a, I guess, an efficient and safe circulation period. And provided for the directional sign for the rear exit. I want to talk about transportation for a minute. I think this site, this project, is innovative. I talked about this a little bit before. Instead of normally focusing on the maximum amount of square footage for the site, instead we proffer to restrict uses as stipulated in the proffers, and also to ensure that the uses generate no more than the maximum amount of traffic that our traffic study says will be allowed on the... that can be handled efficiently at the site. And so, you'll see that in proffer 3, and it says, the combined uses constructed and/or operated on the property shall not result in more than 4,117 average vehicle trips per day. And I'm not going to read the whole thing, but we even go in to specify that we won't exceed the maximum traffic our traffic study shows at both a.m. and p.m. peak periods because our client, the applicant, it's important that his site can handle the traffic generated from Route 17; which, by the way, is being expanded and the engineers have designed traffic improvements that mesh with the improvements to be done by VDOT. And so you will see proffered an additional through lane onto McWhirt from Route 17. You'll also see, in advance of even approval, additional dedication of right-of-way to streamline VDOTs drainage construction for their ongoing plan. Someone also raised the issue of site distance. And, as staff reported, this project will be built with safe site distance. It will be done in combination with VDOTs project and with the installation of this through lane. Additional grading will be done and there is actually a site easement reflected on the GDP. I think there was a request that the applicant cut back the existing growth, I'll call it, along the property and, on behalf of the owner of the property, we are willing to promise some good faith to cut that back now. The last issue, I think, is the level of development on the site. I think you heard staff say it's comparable to other buildings in the County but also I submit to you that this site has been engineered to handle the traffic generated from this development. A question came up before about proffering the GDP. We're proffering key components. We're proffering the transportation improvements. We're proffering the inter-parcel access to the adjoining site. And most importantly, we're proffering the relocated access. Again, I think it's more important, instead of making sure the exact buildings are built exactly as shown, that the extent of traffic generated from the site is proffered and will not exceed a maximum level. I think there was one question before, well how are you going to measure that? But indeed, the proffer does go ahead and at each time a new occupant comes in, they must present to staff the calculation of the amount of vehicles that will be engendered by that use in accordance with the ITE manual. I've never seen this type of proffer before. I can't say it's never been done but staff recommended it and it seemed to be directly responsive to the concern about traffic. I think this is a good use. We've tried to work with the Commissions' concern. I will be happy to answer any questions you have, but I ask for a vote for approval tonight.

Mr. Apicella: Any questions?

Mr. English: They've come through with everything I've asked them to do when we met with them.

Mr. Apicella: Seeing no other questions, again, I still have concerns about some of the things that you mentioned that are on the GDP but aren't in some way proffered or assured. For example, the parking, the internal site configuration, and circulation. So, while I hear what you're saying about the maximum number of vehicles dumping onto and off of Route 17 and McWhirt Loop, we still have the issues of the site itself and vehicles being able to get around without having any problems. So, again, without the GDP being proffered, I'm not quite sure how to assure myself, much less the community, that what you're suggesting here, what the applicant is suggesting here, is going to come to fruition. We spent a lot of time talking at the last meeting about this, about our concerns, on the site itself. And it's easy to

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say that those things will be done and to see on a GDP that those things will be done, but in the absence of it being part of the package formally, I don't know how we get there from here.

Ms. Karnes: And I only have two comments to respond to you. First of all, we did hear what you were saying and we did sit down to try to see if we could give you any other assurances. I still believe, just for the record, that you're getting greater protection based on the commitment of maximum traffic generation. But I will tell you this, that it's easier to commit to an entire GDP when you've got known users and you're defining... you're designing the GDP and the project for those known users. In this case, we only have one established user, and that's Starbucks. We don't know who the other two will be.

Mr. Apicella: Again, I respect that you need some flexibility and I guess I'm throwing it out there. What other ways can we address my concerns? And, again, I think it wasn't just my concern because it came up from some other members. How are we going to deal with the internal circulation issues and the parking issues and the possibility that there could be some conflicts on the site itself when vehicles are travelling around from one place to another? Hey, someone might want to go to one drive-through and then go to another drive-through. Again, it's not the buildings per se that concern me or necessarily what the ultimate uses are, but the traffic problems that might happen on that site. I appreciate that you've proffered the entrance; I think that's a great thing and moved it. But I'm still concerned about what happens on the site itself. Just throwing it out there... what other measures can we incorporate? And to staff... what can we do to ameliorate at least my concern, if not the concern of other members of this panel?

Mr. Harbin: Mr. Chairman, I will just reiterate the location of this parcel; within the Highway Corridor Overlay District. That, beyond proffers, is probably the most restrictive in terms of the development of a parcel of any zoning district or overlay district the County has. There are twelve development standards within the Highway Corridor Overlay District. The first one being access and internal circulation shall be designed so as to not impede traffic on a public street, and the developer of all parcels or lots within the Highway Corridor shall submit an access and internal circulation plan to the County for approval which addresses access for the project and surrounding area. So, without it being actually proffered, they will have to go through a fairly rigorous site review process, site plan review process when they do submit something to the County beyond the GDP itself. Does that...?

Mr. Apicella: And you're saying the County will continue to work with them and not approve their final plan until you're confident there are not internal circulation issues?

Mr. Harbin: Absolutely. It is subject to County approval.

Mr. Harvey: And Mr. Chairman, conditions 5 and 6 of the proposed CUP speak to that to some degree. It says that condition 5, stacking lanes for drive-through facilities shall be designed as to not impede traffic circulation. So, we have an ordinance requirement that there be specific standoff between drive-through window and how many cars can back up in the stacking lane. We'd also have to ensure that that's not going to have any impact on any of the travel lanes onsite. Also, we have a condition that all drive-through facilities shall include a by-pass lane for vehicles not using the drive-through area. So, that allows again further circulation onsite. Those things certainly will help. But, as Mr. Harbin said, some of it will be more site plan specific kind of review comments.

Mr. Apicella: Thank you. Anything else from...?

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Ms. Karnes: You saw my engineer come up and whisper to me. Those were the exact things he was saying. These are, to some degree, site plan issues and staff is usually extremely diligent in ensuring circulation.

Mr. Apicella: Thank you. Any other questions? Okay, seeing none I'm going to bring it back to the Commission. Mr. English, this is in your district and, just as a matter of order, we would take up the reclassification first and then the CUP.

Mr. English: What I recommend, that we approve RC1300290, Reclassification of McWhirt Loop Commercial.

Mr. Boswell: Second.

Mr. Apicella: Okay, there's been a motion and properly seconded. Any further comment? Okay, seeing none all in favor say aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Apicella: Aye. All opposed? Okay, the motion passes.

Mr. Gibbons: I vote no.

Mr. Apicella: Okay.

Mr. English: Okay.

Mr. Gibbons: (Inaudible - microphone not on). If you're widening 17 now and we don't even have that completed, and you can't move on 17. You can't move on it between Thursday and Sunday afternoon. And to put this amount of intense traffic in that small of... I can't... it's ludicrous. And why we spent all that money to widen 17 without improving it through-put is beyond belief. So, I'm just... sorry.

Mr. Apicella: Okay, so for further clarification, the motion passes 4 to 1.

Mr. English: I'd like to make a motion to approve the Conditional Use Permit, CUP1300291, McWhirt Loop Commercial.

Mr. Boswell: Second.

Mr. Apicella: Okay, any further comments? Okay, all in favor say aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

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Mr. Apicella: Aye. All opposed?

Mr. Gibbons: No.

Mr. Apicella: Okay, the motion passes 4 to 1. Thank you.

5. RC1400095; Reclassification – Quantico Corporate Center Building A-1 - A proposed reclassification from the M-1, Light Industrial Zoning District to the B-2, Urban Commercial Zoning District, with proffered conditions, to allow for the development of a commercial office building with a child care center on a portion of Assessor's Parcel 13C-F, consisting of 3.11 acres, located on the north side of Corporate Drive in Quantico Corporate Center, within the Griffis-Widewater Election District. **(Time Limit: August 12, 2014) (History: Deferred on May 14, 2014 to June 25, 2014)**
6. 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, Mr. Zuraf will lead the staff discussion on item 6.

Mr. Apicella: Thank you Mr. Harvey.

Mr. Zuraf: Mr. Chairman, members of the Commission, this an update on the issue of the Comp Plan Amendments related to the Urban Development Areas. At the June 3rd Board of Supervisors meeting staff presented the Planning Commission's recommended amendments for the UDAs in accordance with directives that the Board previously provided to the Commission. The Board did provide some feedback and specific recommendations. You should have received tonight a one page summary of the commentary provided by the Board and I'll just kind of quickly go through the issues. With issue 1, that had to do with renaming the UDA area as Targeted Growth Areas and the Board is good with that future change. With issue 2, establishing density restrictions that allow for more flexibility, the Board was opposed to increasing the density to up to 20 dwelling units per acre and higher ratio of multi-family dwelling units that was recommended and this was something that was going to be applied to the Courthouse and Southern Gateway Urban Development Areas. Some of the kind of additional commentary relating to that overall issue was that, you know, if the state is no longer mandating the UDAs to accommodate specific growth, then should we worry too much about increasing the density to shift growth into those areas, so that goes along with not supporting the reallocation of units into the areas. With issue 3, that was the correlation of the Urban Development Area limits with the re-development area boundaries. After seeing the changes, the Board did have concern about the RDA being reduced in the Courthouse area. Didn't have necessarily that much of an issue with the UDA expansion that was being proposed. From that what kind of ended in the discussion is that the Board wanted to have maybe more of a discussion on that issue at their Community and Economic Development Committee, that's a sub-committee of the Board where they talk about Economic Development issues and so maybe they just need to get a little more information and have more discussion on the modifications of the RDA boundaries and they're concerned about any of these changes having an effect on what has already been accomplished in the Re-Development Area Plans and not effecting those plans. They did seem okay with the Southern Gateway UDA adjustments. With issue 4, that's the issue of land use compatibility around the airport. There was a comment that the recommendation should be supported by scientific or technical data, identifying noise zones and other factors that go into the recommendations, so it's based on facts and not as subjective. And then with the

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last issue of considering which UDAs to retain with the Brooke Station UDA, there was kind of a question of whether any kind of middle of the road type of land use could be considered, given the location of the VRE station in that area. The recommendation there was that the Brooke Station would just all go to agricultural and rural. And then with the George Washington Village area, there was a feeling that the suggestion to retain the recommendation of directing a business park to the lower end of the George Washington Village UDA, away from the Interchange is opposite of what should be done and we should rely more on the Interchange being a focal point for commercial development and if the recommendation remains, to bring back some examples where you have residential development closer to the Interstate with interstate access rather than commercial development.

Mr. Apicella: Mike?

Mr. Zuraf: Yes.

Mr. Apicella: Was there any discussion about the, or concern about potential residential units close to the airport on the northern part of the Stafford Airport?

Mr. Zuraf: No.

Mr. Apicella: No? So no clarity there.

Mr. Zuraf: No.

Mr. Apicella: Alright. Thanks.

Mr. Zuraf: And basically those were, kind of the summary of the concerns and with these issues that still needed to be worked out, the Board wants the Planning Commission to kind of report back with a modified version of recommendations that may respond to these issues and we have this issue scheduled for the Planning Commission's retreat on June 21st, so these would be some good talking points as we discuss the continued adjustments of these issues.

Mr. Gibbons: What the Board gave back is not the same animal.

Mr. Apicella: Help me out, Mr. Gibbons, what are you seeing?

Mr. Gibbons: If you read what the resolution...

Mr. Apicella: I don't have the resolution in front of me so I'm not quite sure how to make a comparison, but...

Mr. Gibbons: Right here.

Mr. Harvey: Yes, Mr. Chairman, that's an item for the Planning Director's report, it's a different subject matter, but it is related to the Comprehensive Plan.

Mr. Apicella: So we can make the meeting on the 19th as productive as possible. Will you all be coming to the meeting with some recommendations specific to the modifications and changes that the Board has asked us to move forward with?

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Mr. Zuraf: Yes, we can definitely come in with some ideas to consider alternatives that might address some of their concerns.

Mr. Apicella: Any other comments?

Mr. English: I think it's a good step to where we're going.

Mr. Gibbons: I thought you asked a good question. No discussion at all about the residential and...

Mr. English: At George Washington.

Mr. Gibbons: Or UDA.

Mr. Apicella: Well, I think that gives us the opportunity to raise whatever issues or concerns that we might have or some options for that specific area close to the airport. I mean, one potential item might be that even though you might put the commercial to the north end of that project, maybe there's nothing at the bottom end of that parcel. I don't know, it's just out of the top of my head, but I personally would have some concerns about residential that close to...

Mr. English: Don't we have any stuff on that all, with the sound study for that airport?

Mr. Zuraf: It is somewhat addressed in the airport plans and it does ... I think the noise contours a lot of that is the marked stream noise contours that are closer to the airport and on the airport.

Mr. English: Is that something that the airport has that we can...I don't think we need to go out and get another technical review, I mean, I guess, study on that. If the airport has that, can we go by what they have?

Mr. Zuraf: Yes, it's somewhat limited though to scope. I don't think they have noise contours that expand out to cover the whole impact overlay area, for example.

Mr. English: I guess my question would be then, would we authorize that for that or would the Board of Supervisors authorize for some sort of study to be done like that? A noise study. How would you go about that, Jeff?

Mr. Harvey: Mr. English, I think some of that's going to be addressed in the work that the Joint Committee is doing with the airport and authority and their consultant. I know at that meeting there was discussion about identifying different zones within the airport overlay and maybe having a different standard for uses based on noise and other factors. Because in the approach zones you're going to have the higher noise versus some of the other zones.

Mr. English: So we just go from what they got.

Mr. Gibbons: What's the dead line on this, do you know?

Mr. Zuraf: They did not establish a return date.

Mr. Apicella: I'd be curious when we actually do meet in late June for our retreat here in this building. Just kind of a history of how we've gotten to this point, because we've been at this now, what, 18+

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month? My concern was, and as we've been quite frankly playing ping pong back and forth, and I mean this helps, keeps narrowing the field, but at the end of the day, I think it would be helpful if we can get to the finish line, understanding what the Board really wants from us on this and that we're somewhat in alignment.

Mr. Zuraf: We can add that to the discussion.

Mr. Apicella: Okay, if there's nothing else on this, we'll move on to the next agenda item. So if something's been deferred, we don't need to talk about it. Okay. So, I guess, the next item on the agenda, we have no new business, would be the Planning Director's Report.

7. Zoning and Subdivision Ordinances - Review the definitions of the Zoning and Subdivision Ordinances for consistency with each document and the Virginia Code; and make necessary recommendations to ensure consistency and any changes deemed necessary to ensure the definitions are understood in a clear and concise manner. **(History: Deferred on May 14, 2014 to June 21, 2014 Retreat)**

NEW BUSINESS

PLANNING DIRECTOR'S REPORT

8. TDR Referral

Mr. Harvey: Thank you, Mr. Chairman. Last Tuesday the Board of Supervisors referred to the Commission the issue of Transfer of Development Rights. Several of you...

Mr. Gibbons: Number 3 trip on this.

Mr. Harvey: This has been before the Commission previously, yes. The most recent proposal is slightly different in that the State Code will change effective July 1 to allow localities utilizing Transfer of Development Rights to impose a neighborhood design standard for the receiving area on those TDR developments. That would require us to do a Comprehensive Plan Amendment, because we have the neighborhood design standards element of the Comprehensive Plan, we would have to modify it to specifically say that it's applicable to, not only rezonings and conditional use permit applications, but also be applicable to by-right TDR development in the receiving area for Courthouse area. There were some other modifications to the Code which would allow the Code to be operational and functional. Right now we certain aspects of the County Code that adopt the TDR, but right now there's not an official sending and receiving area and there will also be some other changes to the receiving zones in the receiving area, specifically adding B-3 as a receiving zone.

Mr. Gibbons: Well, it says here "do not reduce the sending areas".

Mr. Harvey: That's correct. That was one of the recommendations from the Board to the Commission.

Mr. Apicella: Jeff, when do you think this will actually come before us?

Mr. Harvey: Well, that would be my question, Mr. Chairman, as to when you'd like us to bring this up as a discussion item for the first time to give a detailed briefing.

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Mr. Apicella: Seems to me...well, again, this is another item that we've gone back and forth on several times. I think we have a lot on our agenda in the next two meetings. Is this something we could take up in August? What? Did they give us a timeframe?

Mr. Harvey: The resolution had an August 19th date, however the Board did grant further extension from that and you have until the date in September. I don't...it says September 30th. Thank you. That may give the Commission some limited amount of time to digest...yes, thank you. We could try to shoot for the July meeting as...

Mr. Apicella: We have one meeting in July though, right? July 9th?

Mr. Harvey: That's correct.

Mr. English: Do we have a lot on the July (inaudible)

Mr. Harvey: We have a number of potential cases in the queue for July, but we have pretty much a number of public hearings scheduled for any of our future meetings right now.

Mr. Apicella: So, again, with the potential that we have a lot on our agenda in July, one meeting, is that something we could ask the Board to give us some more time on this? We could schedule for August. If they don't want to give us more time, we can revisit the time frame? Find out by the next meeting if that would work?

Mr. Harvey: We certainly could send a request forward to the Board for additional time. What time frame would the Commission be interested in?

Mr. Apicella: Yes, I think an additional 30 days would be helpful. Would that give us enough time to come up with a, I guess, legislative package and put it before a public hearing?

Mr. Harvey: Yes, that would mean the Commission could authorize a public hearing in September for an October public hearing.

Mr. Gibbons: You know, Mr. Chairman, you got something on the next agenda meeting that effects this too.

Mr. Apicella: Well, it may be helpful to know what the outcome of that is, before we move forward with this, don't you think? Again, my recommendation would be to try and schedule in August.

Mr. Gibbons: But I mean you got a public hearing on the 25th that affects this.

Mr. Apicella: Right.

Mr. Gibbons: Okay.

Mr. Apicella: Does anyone have a different strategy on this one?

Mr. Gibbons: I so would like to have you just knock it out of the report.

Mr. Apicella: Thanks for your confidence, Mr. Gibbons. Okay.

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Mr. Harvey: Mr. Chairman, continuing on with my report, it was just alluded to a moment ago, the Commission has a scheduled public hearing at your 25th meeting to take on a Comprehensive Plan Compliance Review public hearing. Staff, in processing the application, knew that we were running into a time crunch potentially with the Commission. The submission of the application was made on May 2nd. By statute the Commission has 60 days to hold a hearing and make a decision on a Comp Plan Compliance Review case which would have taken it to July 2nd, which would be essentially meaning your June 25th meeting would be your one and only shot for holding the public hearing and discussing the issue. So staff had taken the initiative to ask the Board of Supervisors for additional time. The Board extended the Commissions time limit on that application to your August meeting, so you can hold the hearing on the 25th and then defer if you need to, to your August meeting.

Mr. Apicella: Thank you.

Mr. Harvey: And that concludes my report.

Mr. Gibbons: Mr. Chairman, I have one question. Jeff, what happened the other day on the hearing over at the Court on the similar case?

Mr. Harvey: There was a discussion and the judge is going to render an opinion within the next 30 days possibly.

Mr. Apicella: What's the case we're talking about?

Mr. Harvey: It was an appeal to a BZA decision regarding a staff determination that a proposed building permit did not comply with the subdivision plat of record for that property.

Mr. Gibbons: Remember, the one where he wanted well and septic in the same area that you're holding the public hearing in. And the public hearing says that the applicant wants to run sewer and water to the same area.

Mr. Apicella: Thank you, Mr. Gibbons and thank you, Mr. Harvey. County Attorney's Report?

COUNTY ATTORNEY'S REPORT

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

Mr. Apicella: Thank you. Committee Reports. No? The Joint Planning Commission Stafford Regional Airport met recently. We had our initial meeting. We got the copy of the consultant's report. It was decided that we need to reach out a little bit further and wider and get some other proposed land use compatibility guidelines from other states and other jurisdictions and kind of dive into that and see what works best for Stafford County circumstances. So we have certainly more work to do and our next meeting is going to be scheduled for June 30th. Alright. Other business, TRC information.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

OTHER BUSINESS

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9. TRC Information - June 25, 2014

Mr. Harvey: Mr. Gibbons has his case.

Mr. Apicella: And I think I saw a package for Mr. Rhodes and you'll make sure he gets that. Approval of the minutes, April 23rd, 2014. Okay, it's been moved. Is there a second?

APPROVAL OF MINUTES

Mr. Boswell: Second.

Mr. Apicella: First and seconded. Any discussion? Seeing none, all those in favor say aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Apicella: Aye. Okay. None opposed? The minutes are approved. Seeing no other business before the Planning Commission...

Mr. Gibbons: When is the work session?

Mr. Apicella: The 19th. Is it 8 to noon? Sorry, the 21st. My fault.

Mr. Harvey: Mr. Chairman, it's Saturday the 21st from 8 to noon in the ABC conference room.

Mr. Apicella: For some reason the 19th keeps sticking in my head. I apologize. So will we get any read-aheads for that, or...

Mr. Harvey: Yes Sir, we will send out information on the iPad.

Mr. Apicella: Okay, I really appreciate everybody's participation in that and again, with no further business, we're adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:30 p.m.