

STAFFORD COUNTY PLANNING COMMISSION MINUTES
January 13, 2016

The meeting of the Stafford County Planning Commission of Wednesday, January 13, 2016, was called to order at 6:30 p.m. by Planning Director Jeffrey Harvey in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Apicella, Coen, Bailey, Rhodes, English, Boswell, and Vanuch

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, McClendon, Stinnette, and Baker

ELECTION OF OFFICERS

A. Election of Chairman

Mr. Harvey: The floor will be open for nominations for the office of Chairman. We will take the nominations as they are presented before the Commission. There is no need for a specific second to a nomination. But again, we will take them in order. Once a Chairman has been selected, then the Chairman will take over the proceedings of the meeting and continue on with the election of the Vice-Chairman and Secretary. So I'll open the floor for any nominations for Chairman.

Mr. Coen: Mr. Harvey, I nominate Steven Apicella.

Mr. Harvey: Thank you Mr. Coen. Are there any other nominations? So, by acclamation, is the Commission selecting Mr. Coen as the Chairman? Excuse me, Mr. Apicella following Mr. Coen's nomination. Yes, thank you very much. So, Mr. Chairman, this is now your meeting.

B. Election of Vice-Chairman

Mr. Apicella: Thank you Mr. Harvey. Okay, we'll proceed on to the nomination for election of Vice=Chairman. Are there any nominations?

Mr. English: I'd like to nominate Tom Coen as Vice-Chair.

Mr. Apicella: Okay. Are there any other nominations? Okay, seeing no other nominations, all those in favor of Mr. Coen as Vice-Chairman signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Bailey: Aye.

Mr. Coen: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mrs. Vanuch: Aye.

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Mr. Apicella: Aye. All opposed? Okay. Mr. Coen, you're now Vice-Chairman. Thank you very much. Moving forward for the election of Secretary, are there any nominations?

C. Election of Secretary

Mr. Coen: Mr. Chairman, I nominate Mrs. Vanuch.

Mr. Apicella: Okay, thank you. Are there any other nominations for Secretary?

Mr. English: I would like to nominate Mrs. Bailey.

Mr. Apicella: Okay. So, seeing that we have... are there any other nominations? Okay, seeing that there are no other nominations we'll take it in the order that it was presented, starting with Mrs. Vanuch. All those in favor of Mrs. Vanuch signify by saying aye.

Mr. Coen: Aye.

Mr. Apicella: Aye. Okay. All those in favor of Mrs. Bailey signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Bailey: Aye.

Mr. Coen: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mrs. Vanuch: Aye.

Mr. Apicella: Aye. I presume that I can vote a second time since Mrs. Vanuch didn't make it as Secretary, so that's 7 in favor of Mrs. Bailey. Congratulations Mrs. Bailey. Okay, what I'd like to do is call for a quick recess to basically realign the chairs to folks' preferences.

Recess: 6:33 p.m. to 6:36 p.m.

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: I'll call this meeting back into order and start by asking if there are any Declarations of Disqualification?

Mr. English: Mr. Chairman, I just want to let you know that I met with the folks with Stafford Commons this week with reference to their issues on the table.

Mr. Apicella: Anyone else? Okay, just to reiterate, it's not required that members indicate when they've had contact with folks. But certainly, if you feel necessary, that's appreciated. Thank you Mr. English. Okay, are there any changes to the agenda?

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Mr. English: I do Mr. Chairman. I'm asking that we, in reference to Stafford Commons, RC15150498 and also CUP15150499, I ask that we defer this until the next meeting in January.

Mr. Apicella: Okay, is that a motion Mr. English?

Mr. English: Yes it is, I'm sorry, yes sir.

Mr. Boswell: Second.

Mr. Apicella: Is there a second... okay. So there's a motion to defer items 2 and 3. Anything else Mr. English?

Mr. English: No sir.

Mr. Apicella: Mr. Boswell?

Mr. Boswell: No.

Mr. Apicella: Okay, all those in favor of deferring items 2 and 3 signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Bailey: Aye.

Mr. Coen: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mrs. Vanuch: Aye.

Mr. Apicella: Aye. All opposed? Okay, the motion passes 7-0. So, the first item that we have up are Public Presentations. This is an opportunity for the public to speak on any matter except a matter on the agenda for a Public Hearing. The public will have a separate opportunity to comment on any public hearing item as it comes up. We do have one continuing public hearing item; that's the Counting House. If you'd like to speak to the Commission, please address your comments to the Commission as a whole and not to any specific member. You start by identifying your name and address. When the green light comes on, you have 3 minutes to speak. When the yellow light comes on, you have 1 minute left. And when the red light comes on, you need to wrap up your comments. So, with that in mind, is there anyone who would like to come up and address the Commission? Again, on any item but the public hearing item tonight.

Inaudible from audience.

Mr. Apicella: Yes, you'll have an opportunity just after this to speak on the Counting House. So, seeing no one rushing... ma'am, would you like...? Yes, you'll have an opportunity to speak at the... on the next item. Okay, with no one coming... ma'am. So, the way this works is we allow folks to provide comments on any matter except a public hearing item, because we have a separate opportunity as each public hearing item comes up for you to address comments on that item.

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PUBLIC PRESENTATIONS

(Citizen): Yeah, I have a hearing problem so sometimes I have to get up close to hear.

Mr. Apicella: Okay. So you will have an opportunity...

(Citizen): (Inaudible) until this opens up, right?

Mr. Apicella: Yes ma'am.

(Citizen): Got it!

Mr. Apicella: Thank you. So, we're going to recess for an hour and then we'll let you come back.

(Laughter)

Mr. Apicella: So, with no one coming forward, I'll close the public comment portion of the meeting tonight and I would start, Mr. Harvey, with the public hearing on the Counting House reclassification.

PUBLIC HEARINGS

1. RC15150923; Reclassification - Counting House - A proposed reclassification from the R-1, Suburban Residential Zoning District to the B-2, Urban Commercial Zoning District, to allow an office use on Tax Map Parcel No. 53D-1-36, owned by Stafford County. The property consists of 0.41 acre, located on the west side of Gordon Street, north of King Street, within the George Washington Election District. **(Time Limit: February 16, 2016) (History: November 18, 2015 Public Hearing Continued to January 13, 2016)**

Mr. Harvey: Thank you Mr. Chairman. Please recognize Kathy Baker for the presentation.

Ms. Baker: May I have the computer please? Good evening Mr. Chairman, members of the Commission. Welcome to our new Planning Commissioner as well. I'll be presenting the continued public hearing for the Counting House. I'm basically going to represent what was presented in December since it is a continued public hearing and there may be new viewers looking, because we did send out property... notices to property owners. So, it won't be a lengthy presentation but I'll go through to brief everyone. This is a rezoning application for 0.41 acres from R-1, Suburban Residential, to B-2, Urban Commercial, to allow for an office use. This property is located at the intersection of Gordon Street and King Street in the Falmouth Historic District. And Stafford County is the owner as well as the applicant for this rezoning. This is an aerial view of the property; you can see highlighted in red. It fronts on King Street and Gordon Street in the Historic District. To the left side of the property, you see that is the Falmouth Bridge which actually sits higher in elevation than the property. To the south of the property is the Historic Port of Falmouth Park and, as you can see the sidewalk area, that is the Belmont-Ferry Farm Trail that runs through the park. You'll see additional historic properties located to the north, the east, and the west of the site. And this is the existing Counting House which was constructed approximately 1840. You'll see the photos to the right, the front elevation, which faces Gordon Street, and then the rear elevation. The structure is approximately 1,200 square feet in size. It was originally a small warehouse and converted to residential sometime in the early 1900's I believe. It has been vacant for several year and, as you can see, the condition is deteriorating. These are just some additional views. The side view facing from King Street and then to the right is the view of the side yard of the property looking towards the Falmouth Bridge. You can see Falmouth Bridge in the

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background. The County did purchase the property in 2006. There have been some studies done; one, an architectural survey completed by Dovetail Cultural Resources Group in 2006 and then a building condition survey in 2007. The Board's Community and Economic Development Committee started looking at options for rehabilitating the structure. In 2013 there were other efforts trying to find people that were interested in the property. The costs were a little bit prohibitive so looked at going with a private party in exchange for a transfer of the property to that private party. So, currently the County has identified a potential owner and a use, as I said as an office. The Board authorized us to rezone this property in September and the rezoning would accommodate the proposed office use. Staff is currently working with the owner to draft a Memorandum of Understanding and that would include conditions of rehabilitation of the structure consistent with the Federal Department of Interior Standards for Rehabilitation. The Dovetail Group, as well as the County's Architectural Review Board, would oversee rehabilitation of the structure. At the December 9th public hearing, the Planning Commission did continue to further discuss, particularly for issues that were raised, number one being limitations on the property to ensure that the historic nature is protected. There was also a question about compliance with the study that was presented to the Board's Community and Economic Development Committee. There was also concern about pedestrian access to the property. And also concern that perhaps we didn't reach out to Falmouth residents and notify them of this project. So, I'll talk about each of these points. Regarding the development limitations, the Memorandum of Understanding will reference restrictive covenants. Both of these documents are currently being drafted by the County to take into consideration of what restrictions may be placed on the... right now when the owner will be rehabbing the structure as well as in the future if the property were to eventually change hands again. We haven't... I know at the December 9th meeting we indicated that a draft MOU might be ready at this time, but it's still in progress. Supervisor Thomas has been involved in the process and we're looking to have input from him before we go further with the MOU itself. And then the restrictive covenants, we were looking at the input from the Planning Commission perhaps at this meeting to see if there are any additional items that we should include in those covenants. I will note that the buildable area of the parcel, which I stated is .41 acres in size, is approximately 4,100 square feet. And this is taken into consideration open space requirements on the property, setbacks, and such. So the buildable area, which would include the structure itself, any parking areas, entrances, sidewalks, travelways, those necessary infrastructure to support a use such as an office use, all of that would need to be placed within approximately 4,100 square feet of the property. In comparison, I know there were concerns from the public, as well as the Commission, possibly a convenience store or something like that being able to be constructed on the site. We did do some comparisons to convenience stores, as well as drive-through facilities, which are some of our higher intensity uses in the B-2 zoning district which is proposed here. And just to give you an idea of the area that would be required for a property of that nature, we took a look at some of the existing more recently approved site plans. We had, for instance, a Wawa, and for a 4,300 square-foot building is what was constructed on this particular site, the necessary buildable area was 31,000 square feet. There was also a Sheetz recently done, similarly 29,000 square feet was needed to incorporate a building, the parking areas, the drive aisles, entrances. In addition to that, there is open space requirements. So, really on that particular property, you're looking at a need for 1.27 acres in order to construct that particular use. A couple of the drive-through facilities -- there's a Sonic in the County. The required area for your building and parking, etcetera, is approximately 11,000 square feet. Total area with open space requirements would be more around 24,000 square feet, or a little over half an acre, .55 acre. A Dunkin Donuts, a building size of 2,000 square feet needed a buildable area of 16,000... or developable area of 16,190 square feet; with the open space, a total area required of 34,000 square feet or .79 acres. So, I guess what I'm trying to show here is that a .41-acre property really isn't going to be large enough to support those higher intensity uses just because of the required amount of parking that you need to support those. Next, as far as limitations, we touched on this a little bit last time, but the Architectural Review Board is required to approve any exterior changes to a structure or

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construction of a new structure onsite, and the ARB does follow the Federal guidelines that I mentioned for rehabilitation fairly strict as far as adhering to those guidelines.

Mr. Apicella: Mr. Coen?

Mr. Coen: Yes. Kathy, just quickly. If for some reason they had to rebuild a building there -- for example, I discussed with somebody that down at the Sherwood property when they actually got into the building they found that it needed a lot more work than they had initially thought -- are they limited to the square footage and whatnot? I mean, in theory, if either now or down the road, 10, 30, 50 years, can they just at that point tear it down and put something else that could be on a bigger footprint or fit into any of those other categories?

Ms. Baker: Certainly a new building could be constructed onsite. They, as I think I alluded to, last time the Counting House, as it currently sits, does not meet setbacks. It's I forget how close to that road but it wouldn't meet setback requirements today. So a new structure would have to be built to meet those new setbacks. The recommendations in the Architectural Review Board's guidelines, as well as the Secretary of Interior Standards, talk about scale size massing of a structure to tie in with the rest of the Historic District. So, those are some of the things they take into consideration when reviewing a proposed structure and ensuring that materials and such would comply with what's recommended and what's existing in the rest of the Historic District. I'm not sure if that quite answered your question.

Mr. Coen: Well, and just to make sure, so that if this went down you wouldn't get some new fangled Sheetz or, you know, some type of neon lights and whatever because that wouldn't fit with what the Architectural Review Board says. So it would have to fall under those auspices as well.

Ms. Baker: That's correct. Moving on to the Board Committee item, this item that was discussed at their November meeting, this is the Community and Economic Development Committee, this was a conceptual layout that was presented by a property owner who owns the Dunbar Kitchen. Just in reference here for the location, you see Gordon Street and Falmouth Bridge with the Counting House sitting in between in the lower right-hand corner of the screen. If you look to the far left of the screen, fronting on Carter Street is the Dunbar Kitchen which is a historic building. The property owner had come in with just a conceptual proposal if they were to rezone the property, maintain the existing Dunbar Kitchen and then potentially build new structures on the site and provide parking areas, and also tie in three other properties including Delegate Howell's office building which is on the corner of Gordon Street and Carter Street, and then two other properties that front along Gordon Street. And the yellow that you see there is sidewalk that would be provided along Gordon Street to provide pedestrian access from the Dunbar Kitchen property down to basically the bottom of the hill. And so that's just something that the Dunbar Kitchen owner has been looking to do with his property in trying to tie in the vision of the Falmouth Plan itself, and providing more of a walkable community down in the historic area. And with regard to pedestrian access overall, this is just kind of a shot of our Belmont-Ferry Farm Trail Plan which eventually will run from Belmont all the way down to Ferry Farm. We're in Phase 4 of the project right now. The phases have been under construction for several years. If you see in the orange to the left of the property, that was new sidewalk that was upgraded and/or provided connectivity along Washington and West Cambridge Street basically from the corner of Ingleside Drive and Washington then all the way down under the bridge and connecting to the yellow which is more of a trail, a multi-use trail; it's wider to accommodate bicycles which runs through the Historic Port of Falmouth, Brooks Park, and continuing onto Pratt Park. The next phase, which is now getting close to being ready to construct, is going to continue on to connect to the Chatham Bridge, so you'll have a link there to historic sites as well as to additional crossings into Fredericksburg. And you'll see some red which is proposed sidewalk for a future planned pedestrian access as well. So, right there where you see

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the intersection of King and Gordon Street, there is planned sidewalk. And the purple that you see are proposed parking areas, additional parking areas, to support Falmouth in general. So there is a vision for connectivity and walkability in the Historic District. And that's in keeping with the plans, the Redevelopment Plan as well as the numerous plans that have been done for Falmouth over the years. And this was the proposed parking plan that I showed last time. And, just to point out, that those hatched areas are the proposed sidewalk connections that would provide connectivity to the Belmont-Ferry Farm Trail; just a closer view of the overview that I just showed. And with regard to getting more public input, we did send out letters just a week after your public hearing in December to property owners along Washington, West Cambridge, Gordon Street, Carter Street, Rowser Road, and King Street; so basically the core of the Historic District. We sent out the letters which I believe is attached in your memorandum this month, just explaining the property and inviting them to this public hearing if they wanted to provide further input. I'll also note that Supervisors Bohmke and Thomas have now scheduled a town hall meeting to discuss several items relative to Falmouth. It's scheduled for January 26 at seven o'clock at the Falmouth Fire Station. So the public is also invited to attend that meeting if they have thoughts on Falmouth in general. So, I'm going to stop there and see if there are questions.

Mr. Apicella: Thank you Ms. Baker. Any more questions for staff? Mr. Coen.

Mr. Coen: Yeah, and I'll keep it quick since we still have the public hearing. But you mentioned certain items that couldn't be put there because of space. And I appreciate the listing that you gave us of the B-2, and then if you look at B-2 technically it says anything that's approved in B-1. So that was really helpful and appreciative. Would staff be okay if to go back and look at items that couldn't be put in because of the amount of parking and etcetera and eliminating them from the list as well? Because if they're not feasible, why have them on the list? Is that something that you'd be open to doing?

Ms. Baker: We actually attempted to do that with this list. If you all received this, we handed it out this evening, the items that are struck through are ones that we felt were going to be a higher intensity or just really would not logistically...

Mr. Coen: I'm just looking at the list for the B-1. For example, it says club, lodge, fraternal organization. I would think that that would be... really wouldn't fit into that amount of parking.

Ms. Baker: It just depends on the size of the membership.

Mr. Coen: Yeah. Or dance studio because if you have a dance studio, you'll have recitals, you have recitals you have cars. So, I'm just wondering if and since we received this tonight if when this comes back if we looked through the list and found others, staff is amenable to (inaudible).

Ms. Baker: We are certainly open to any further suggestions.

Mr. Coen: Thank you.

Mr. Apicella: So, in that being what document, what measure would be put in place to ensure that those specific uses that are called out aren't able to be constructed?

Ms. Baker: Those would be actually restrictive covenants that would accompany the Memorandum of Understanding. They would really go hand in hand. The MOU is tied to the owner, the proposed owner of the property that is going to do the rehabilitation. It's going to be subject to a certain time period, so it's going to spell out what his limitations are on rehabilitating the property. The covenants would then

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be something that would be recorded that would be in the land records and would spell out use restrictions, as well as potential historic restrictions on what the building might look like.

Mr. Apicella: So, in your mind, that serves the same purpose as a proffer, the covenant restrictions?

Ms. Baker: That's the intent.

Mr. Apicella: Okay. Any other questions for staff? Okay, seeing none, we're going to reopen the public hearing. As before, you have 3 minutes to speak. Please state your name and address, and when the green light comes on you have 3 minutes. When the yellow light comes on you have 1 minute left, and when the red light comes on you need to quickly wrap up your comments. So, sir, thank you.

Mr. Myer: Good evening Mr. Chairman, members of the Commission; my name is Victor Myer. I own property on Rowser Road in Falmouth. I live in Fredericksburg. I've owned that property for 44 years now and been through many trials and tribulations with it. I was surprised to hear, and this is the first time I've seen that presentation, that mention of the floodplain. It didn't come into mention but it's my understanding, and you are experts, I'm just a property owner down there, but from past experience with flooding that you have what's there is there on a grandfathered basis. But if you were building new, you have to build in compliance with floodplain regulations, federal regulations. And so, in fact you had some planning letters out several years ago on that subject and I'm just putting that out there because it kind of protects the building as it is or with whatever Architectural Review Board measures are approved. So, that's consideration, but I'm here to support the project. I love the place down there. I've been a... oh, I don't know, we picked up trash down there for years with the Boy Scouts. We actually built the first running trails through there for the cross country teams and the bridges in the park... I was Chairman of the Park Commission at the time. And it's a great place. So it's an asset to the County and I'm glad to see that actually with private enterprise because it's always been... the issue has always been how do you pay for it. When I was the Chairman of the Park/Rec, you know, we were trying to get the state to pay for it and they finally came up with the money, on the bicycle trail we called it at the time, but it turns out to be a walking/bicycle trail. So I've been involved down there in a lot of ways and I'm fully supportive of the effort. I think it's the right way to go because it's a bootstrap effort which you probably get some help from the state. I would say that when you get ready to put the parking in that I use oyster shells to give it a, rather than macadam or blacktop, because it gives you that impression of the thing, of the historic nature. And I guess that's probably all I want to say. I'm standing by to help. I'd like to see the overall riverfront plan implemented. That's a bigger project; I don't know whether that was phase 3, that's another subject. But I'm certainly supportive of that. That property I own has got three lots on Rowser Road and one of them has got a house on it; that's three-quarters of an acre. So I've always thought that maybe that park, floods being it what they are, the park would be a blessing to that whole area. So I appreciate your interest in this and I encourage you to approve it and I'm hoping that the thing gets funded and is successful. Thank you.

Mr. Apicella: Thank you sir. Anyone else?

Ms. Clifton: Good evening Mr. Chairman, ladies and gentlemen of the Board; my name is Irma Clifton. I live in beautiful downtown Falmouth. First of all, the Falmouth Redevelopment Area Overlay District is only at the conceptual level right now. I understand that it's going to be presented to the joint task... whatever that is... that we're having on the 26th, town hall meeting. It's going to be presented there for comments by people in the area. So, I think this, again, this might be a little too soon to do something because we haven't had the feedback. Also, although Kathy says they're in the works, there's no deed of restrictive covenant on this property at this time. There's also... it's in draft form, a Memorandum of Understanding, but that has not been completed yet either. And another thing that bothers me is there

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still hasn't been a traffic study. Now, I live of course right in that area and travel that area all the time. King Street and River Road is still a cut-through even though we have that wonderful intersection now. But that's still a cut-through for people zipping through there. Now, I don't know, I don't think... there's something up here... anyway, if you're coming west on King Street and you make a turn onto Gordon, you have to make an immediate left turn to go into this facility. And that's just an accident waiting to happen. So if something is going to go in at the Counting House, the entrance should definitely be off of King Street, or River Road, because when people... people are sitting there waiting to come out or that car that's coming eastbound is not going to be able... westbound is not going to be able to make that turn. And they're going to have to stop right in the middle of King Street. And people are not geared to looking at people stopping on that street. They want to keep moving there. So that's a problem that I see in the future down the road. There's no sidewalks. There's going to be some problems with traffic, parking, especially during the summer with the Falmouth Beach parking. It's going to be a real headache there. Also, I wanted just to mention very quickly, and I'll try not to run over here, but there's enabling legislation that was passed by the General Assembly about maybe four or five years ago which gave jurisdictions a great opportunity to develop public property, for people to develop it on their own. And it's basically what you're doing now... just one minute... basically what you're doing now but, what happens with this enabling legislation is you retain the ownership. Stafford County would retain the ownership and it would be renewable at a certain period of time; 30 years is usually what they do. But people take these properties and redo them and they don't pay any rent and they don't pay any taxes on them. But...

Mr. Apicella: Ma'am, I need you to wrap up (inaudible).

Ms. Clifton: Yeah, I know. That's probably the killer, no taxes. Okay, thank you very, very much.

Mr. Apicella: Thank you. Is there anyone else who'd like to speak on this matter? Okay, seeing no one else, I'm going to close the public hearing. Ms. Baker, since we really don't have an applicant per se... the County is the applicant and I guess I should clarify... do you have any other thoughts or comments in response to what you just heard?

Ms. Baker: I can add just a few things. With regard to the floodplain, that was definitely something of a lot of discussion between County staff, and we are aware of the requirements if they were to rebuild. The parking, as far as using oyster shells, we are not proposing what the parking plan that was approved to pave it so it would be either gravel or some other form; oyster shells is always something that's used in Historic Districts. So we would be looking at that. With regard to the Overlay District that Ms. Clifton referenced, that is something that is looking at what uses might be allowed in the Falmouth District. It's been to the Board's Community and Economic Development Committee. Jeff, do you have any more information on that that you want to share as far as where that is in the process?

Mr. Harvey: Yes, thank you. As discussed, it's a conceptual level idea where we'd allow some more flexibility of uses within the Falmouth Redevelopment Area. And right now the discussion has been using the Redevelopment Area as a potential boundary of the Overlay District. Part of the thought process is that Supervisor Thomas wanted to get some more public input before moving forward with that concept in more detail. Ultimately, if it goes forward, it would require public hearings and notification to affected landowners.

Ms. Baker: And with regard to the MOU, just for the actual rezoning to go forward, that's not going to cause the transfer of the property. The MOU is still going to have to go through the Board of Supervisors and have their input and feedback as well before that gets finalized. So, while the two are tied together, the rezoning itself isn't going to specifically incorporate the MOU. If that makes sense.

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The traffic study for this particular property, no traffic study was done just because of the negligible increase based on existing residential use as far as traffic generation... there was not a lot of difference going from that use to an office use, again, based on the size. About the entrance being off King Street, when the parking lot plan went through, VDOT was actually requiring the entrance to be off of Gordon Street mainly because of the site distance into the property from the curve, among other things. The sidewalk, while I know there isn't any on the property, it is something that would be constructed at some point with the development and rehabilitation of the property. And the parking issues, we are aware of that. There are other plans for future parking in the Falmouth area to accommodate users and visitors. And we'll certainly look at the curator and residents state code enabling legislation that Ms. Clifton was referring to. So, with that, I'll...

Mr. Apicella: Thank you Ms. Baker. Any other questions? Okay I'll bring this back to the Commission for further consideration. Mr. Coen, this is in your district.

Mr. Coen: Yes sir. I'd like to make a motion to defer this to our first meeting in February. Tentatively, that would be the February 10th meeting.

Mr. Apicella: Okay, there's a motion to defer until the February 10th meeting; is there a second?

Mrs. Vanuch: I'll second.

Mr. Apicella: Okay, Mrs. Vanuch seconds. Any further comments Mr. Coen?

Mr. Coen: Yes. I appreciate Kathy and Jeff; staff did an excellent job of providing us some more information. I know that Mr. Thomas had a meeting scheduled today on this topic and there's the town hall meeting which has been alluded to. And since our next meeting is tentatively for the 27th of January and the town hall meeting is the 26th, that would give really not much time for any input that comes forward at the town hall meeting to actually be used. So that's why I go for the first meeting in February. I appreciate staff coming up with a list of items; I would encourage other members and I know I will and I'm going to ask the public to look at these as well and just see if there's any other uses that might be such that they would cause more traffic in the area than necessary that particular parcel could handle. As I said, a dance studio, which in theory you wouldn't think of much, but then if you think it through, they'd have a recital and then you'd have to have a lot of traffic. So that type of input. And Kathy, very nicely, Ms. Baker pointed out that she wanted our input on that. So, by deferring it, we have some more time to get some input from the public. And I think that what we're hearing from the public is they like the idea, they love the idea of having something that's historic, keeping the historic nature of the Falmouth District. What's sort of engrained in the people in the Falmouth District is that they're not just looking for this applicant, but what may happen 10, 20 years down the road which I think is what makes them special in this area. And so that gives us time to give that consideration. Thank you.

Mr. Apicella: Thank you Mr. Coen. Any comments Mrs. Vanuch? Anyone else? Okay, there's a motion to defer until the February 10 meeting. All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Bailey: Aye.

Mr. Coen: Aye.

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Mr. English: Aye.

Mr. Boswell: Aye.

Mrs. Vanuch: Aye.

Mr. Apicella: Aye. All opposed? Okay, the motion passes 7-0. We've deferred items 2 and 3, so we're going to move on to item 4. Mr. Harvey?

UNFINISHED BUSINESS

2. RC15150498; Reclassification - Stafford Commons Retail Center - A request for a reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District, to allow for the development of a commercial complex including a bank, restaurant, and retail building on Tax Map Parcel No. 39-13. The property consists of 0.50 acres, located on the west side of Jefferson Davis Highway, approximately 1,100 feet south of Hospital Center Boulevard, within the Hartwood Election District. **(Time Limit: January 13, 2016) (History: Deferred on June 10, 2015 to July 22, 2015) (Deferred on July 22, 2015 to August 26, 2015) (Deferred on August 26, 2015, 2015 to November 18, 2015) (Deferred on November 18, 2015 to January 13, 2016)**
3. CUP15150499; Conditional Use Permit - Stafford Commons Retail Center - A request for a Conditional Use Permit (CUP) to permit up to three drive-through facilities within the HC, Highway Corridor Overlay Zoning District. The drive-through facilities are proposed for a bank, restaurant, and retail building. The site is on Tax Map Parcel Nos. 39-12 and 39-14, which are zoned B-2, Urban Commercial, and Tax Map Parcel No. 39-13, which is the subject of a concurrent rezoning request from the A-1, Agricultural to the B-2 Zoning District. The site consists of 10.45 acres, located on the west side of Jefferson Davis Highway, approximately 1,100 feet south of Hospital Center Boulevard, within the Hartwood Election District. **(Time Limit: January 13, 2016) (History: Deferred on June 10, 2015 to July 22, 2015) (Deferred on July 22, 2015 to August 26, 2015) (Deferred on August 26, 2015, 2015 to November 18, 2015) (Deferred on November 18, 2015 to January 13, 2016)**
4. Amendment to the Zoning Ordinance - Proposed Ordinance O15-02 would amend the Zoning Ordinance, Stafford County Code Sec. 28-35, Table 3.1, "District uses and standards," and Sec. 28-39, "Special Regulations," to allow outdoor activities for uses listed in the M-1, Light Industrial Zoning District with approval of a Conditional Use Permit (CUP). It would also allow commercial kennels with outdoor runs and railroad sidings as a by-right use if the runs and railroad sidings are more than 500 feet from a residence. **(Time Limit: March 14, 2016) (History: Deferred on November 18, 2015 to December 9, 2015) (Deferred to January 13, 2016)**

Mr. Harvey: Yes, Mr. Chairman, item 4 was deferred at your December meeting. And at that point in time the Commission had a deadline on which to act. The Commission had authorized a public hearing for tonight's meeting with two alternatives. At the time the Commission had requested additional time from the Board of Supervisors which has subsequently been granted, the Commission's instruction to staff was if the Board granted the additional time, the item should be taken off of the public hearing agenda and put back on as Unfinished Business. Unfortunately I erred when I took the item off the public hearing list I didn't add it back to Unfinished Business. But it is on your agenda. We have provided the Commission with the previous two versions of the ordinance at your desk. The one version

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was proposed by a proponent of the Crucible; another version was an alternative provided by the Westlake Development. And this deals with outdoor activities associated in the M-1 zoning category. I'd be happy to continue the discussion if the Commission would like. Or, if you want to defer it to the next meeting, I'll be prepared to also discuss then.

Mr. Apicella: So, just to clarify Mr. Harvey, we don't need to take a vote to cancel the public hearing; we can just proceed forward?

Mr. Harvey: Correct Mr. Chairman. That was taken care of at your December 9th meeting. With the Board's time extension, the Commission has up to March the 14th to advertise a public hearing and make a recommendation.

Mr. Apicella: So, we could make a decision on the language on March 14th and then schedule a public hearing? Or we would have to have that language decided on by March 14?

Mr. Harvey: Decided on Mr. Chairman.

Mr. Apicella: So, technically, we really just have a month, right? Because we would need 30 days to...?

Mr. Harvey: The Commission would need to authorize a public hearing by your second meeting in February.

Mr. Apicella: Okay, thank you. Are there any thoughts about a way to proceed forward on this? Mr. English?

Mr. English: Yeah, Mr. Chairman, I would recommend that we have a small committee to look into this before we do anything.

Mr. Apicella: Okay, I think that's a great idea. Any other thoughts? So, when I look at the great visual graph that staff provided, it seems to me that the M-1 uses are primarily in the George Washington and in the Hartwood Districts. Would Mr. Coen and Mr. English be willing to serve on that subcommittee, recognizing it's got a short fuse and we would need to have something in front of us very quickly?

Mr. English: Absolutely.

Mr. Coen: Yes sir. Anything for Mr. English.

Mr. English: Oh right.

Mr. Apicella: Okay, do we need to take a vote on that Mr. Harvey? Or can we just proceed forward with the establishment of the subcommittee?

Mr. Harvey: Well, Mr. Chairman, it's at the Chairman's discretion as to who's on a committee. If there is a committee, we will have to notice that meeting.

Mr. Apicella: Or meetings; there may be more.

Mr. Harvey: We'd need to coordinate that in advance.

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Mr. Apicella: Okay. So, just to kind of look around the dais here, is anyone opposed to the subcommittee approach?

Mr. Boswell: I'd like to serve on it as well.

Mr. Apicella: Okay. So, I've got three people willing to serve; Mr. Coen, Mr. English, and Mr. Boswell. So I hereby appoint you to this esteemed subcommittee. I'd ask you to maybe reach out to various constituents who are interested in this topic. I think there's some divergent views and opinions on the language, and try to work towards getting us something as soon as possible to take a look at. So, with that in mind, can we proceed forward Mr. Chairman? I'm sorry... Mr. Harvey? I'm so used to saying Mr. Chairman.

Mr. Harvey: Mr. Chairman, would you be requesting that this item be deferred to your next meeting?

Mr. Apicella: I would say probably yes, a couple meetings. So, probably to the first meeting in February with the subcommittee working in the interim? What I heard is that would only give us one opportunity to actually talk about it, to have something to decide on for publication. But we could take a relook at it if we're not ready to go by the first meeting in February to the following meeting, but I think it would be kind of helpful if we pushed it forward if possible.

Mr. English: That's fine.

Mr. Harvey: Mr. Chairman? Ms. McClendon was advising me on the calendar, the way the meeting schedule lines up, the Commission would have to authorize your public hearing by the first meeting in February to meet the essentially the first meeting in March for the public hearing decision.

Mr. Apicella: Okay. So, I... we'll still go with the first meeting in February. I would just ask the subcommittee members if they could work as diligently as possible and try to find us something as early as you can. So, there's... would someone make a motion to defer it then? To that meeting?

Mr. English: I'll make a motion to defer to the first February meeting.

Mr. Apicella: There's a motion to defer this matter until the first meeting in February. It's been seconded by Mr. Boswell I think. All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Bailey: Aye.

Mr. Coen: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mrs. Vanuch: Aye.

Mr. Apicella: Aye. All opposed? The motion passes 7-0. Okay, the next item is New Business. There's nothing on the agenda for new business. Does anybody have any new business that they would propose?

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NEW BUSINESS

NONE

Mr. Coen: Mr. Chairman, I do have one thing that I don't necessarily wish for us to discuss or call to any action tonight; I just wanted to bring it to people's attention with the idea that maybe at our next meeting we sort of discuss it. And that is a program that the County has called YES, which is the Youth Engaged in Stafford. And what that program is, it has high school students be present on Boards, not being able to vote but being able to discuss or ask questions or deal with things. Last year I had a student that served on the Utilities Commission and found it very helpful. He was very much interested in local government and now he's talking about going to college to be a Planning Director. Congratulations Mr. Harvey. And so, I'm not certain; we haven't had one on this body since I've been here. And before I started trying to advertise it to individuals, I wanted to see the feeling of the Commission as to how much they wanted to have any individual do as far as having participation. So the idea would be that at our next meeting, maybe Mr. Harvey explains the program, sends it out to the members, and that way people would have an idea of how much input and activity. Granted, by the time we pick somebody, that they'd have February, March, April, May, and maybe they'd come in June. And they usually are Juniors or Seniors that participate in this program. And it's very useful and a really good program, but it's not as advertised inside the classrooms as it could well be. And before I start advertising for our body, I just wanted to get a sense from the body how they felt on it. Thank you.

Mr. Apicella: Any thoughts? Concerns? So, what I'm hearing, what Mr. Coen suggests is that we'll schedule it for the next meeting and some information will be provided as part of that meeting. Ms. McClendon, will you take a look at that too and see if there's any legal concerns that you might have about having an additional person serving? I'm not sure if they're serving or advising, consulting...

Mr. Coen: Right, and just basically, for example, the individual that was on the Utilities Commission felt comfortable that their Commission allowed them to ask questions or give comments during debate or deliberation. But, of course, they wouldn't have any active voting role because that position was sort of a participant, but not necessarily a voter.

Mr. Apicella: Okay, thank you Mr. Coen. Any other new business? Seeing none, moving on to Planning Director's Report; Mr. Harvey.

PLANNING DIRECTOR'S REPORT

❖ 2016 Planning Commission Meeting Schedule

Mr. Harvey: Thank you Mr. Chairman. At your desk you have a paper copy of the Planning Commission's Meeting Schedule. The Commission will need to take a look at the schedule and see if it's satisfactory and make a decision as to whether this will be the actual schedule for the year. I will note that on November 23rd, that is the day before Thanksgiving. In the past, the Commission has foregone the second meeting in November where there's been a conflict with Thanksgiving.

Mr. Apicella: Thank you Mr. Harvey. Mr. Rhodes was kind enough to send out some thoughts and potential meeting dates, as well as some that we might want to drop off the calendar because they coincide either with public holiday or our normal practice of only holding one meeting in August and one meeting in July. So, with that in mind, are there any thoughts about the proposed schedule and any dates that folks would like to take off the agenda?

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Mr. Rhodes: Mr. Chairman?

Mr. Apicella: Yes Mr. Rhodes.

Mr. Rhodes: I would suggest we modify... my proposal would be to modify the agenda certainly to take off the second meeting in November and the second meeting in December. I don't know who we'll catch right between Christmas and New Year's; that's always a difficult time. And then for the summer, given the way things lay out, I would actually propose a couple back to back meetings that actually gets less of a gap oddly; the July 27th and the August 10th. If you do that, you do have one 6-week gap. But if you take the first meeting in July and the first meeting in August, you actually end up with a 5-week and a 4-week gap, so you actually end up spacing things out oddly a bit more. So, what I would suggest would be the last meeting dropped and the first meeting in August, and that gives an opportunity for staff and others to get their vacations and things in with the least disruption I believe. And then the second meeting in November and December being dropped. That would be my proposal and motion.

Mr. Apicella: Was a motion Mr. Rhodes?

Mr. Rhodes: Yes sir.

Mr. English: I'll second that motion.

Mr. Apicella: Okay, there's a motion and second to drop from the proposed calendar the July 27th meeting, the August 10th meeting, the November 23rd meeting, and the December 28th meeting. Any further comments Mr. Rhodes?

Mr. Rhodes: Not other than the fact that, as we all know, we can always add back meetings and make notice for them, so it certainly doesn't handcuff us in any way, if that's the case. That's all Mr. Chairman.

Mr. Apicella: Thank you Mr. Rhodes; Mr. English?

Mr. English: No.

Mr. Apicella: Okay, all those in favor of the motion to eliminate the proposed meeting dates July 27, August 10, November 23rd, and December 28th from the proposed calendar signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Bailey: Aye.

Mr. Coen: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mrs. Vanuch: Aye.

Mr. Apicella: Aye. All opposed? The motion carries 7-0. Mr. Harvey, anything else?

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❖ 2015 Annual Report

Mr. Harvey: Yes Mr. Chairman. Staff has prepared a draft of the Annual Report for 2015. I'll note that at the time the iPad agenda was put together, we didn't have the full figures for the attendance for Mr. Boswell on the Parks and Rec Commission. We now have confirmed that he attended 9 meetings for that Commission. So, staff would welcome any comments, criticisms, or redirects on the Annual Report. And just a reminder, State Code requires the Planning Commission to report annually to the Board of Supervisors about your activities.

Mr. Apicella: Thank you Mr. Harvey. I would recommend, since this is the first time we're seeing it, that we might forestall any action, and if anyone has any comments, to send them to Mr. Harvey in the interim and we'll take it back up at the next meeting. Does that work for everybody? Okay. County Attorney's Report.

COUNTY ATTORNEY'S REPORT

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

Mr. Apicella: I'm shocked. Committee Reports; Mr. Coen?

COMMITTEE REPORTS

❖ Comprehensive Plan Update

Mr. Coen: Yes sir. Really the subcommittee to talk about is the Comp Plan Subcommittee. Mr. Zuraf and I discussed certain things so he very nicely provided everyone and Stacie nicely put at everybody's desk, or put into the agenda, an update of information. A couple things first up: we have a vacancy on the Committee. We had Mr. Gibbons serving and with his now moving onto the BZA, we now have a vacancy of our committee. If memory serves people, we have three voting members. And then, what we have tried to do, and it has worked rather successfully if I may say, is invite every Commissioner to come to our meetings so that they can participate and we try to do things by consensus so that we are not violating anything. But the benefit of that is (a) we get input from everybody, and (b) when anything would come to the full Commission, we would have items that people have already looked at, discussed, and have an opinion therefore in support of. And so that would be the first thing before I get into the rest of it. And I don't know if you want to take that up first Mr. Chairman or wait.

Mr. Apicella: Thanks Mr. Coen. So, Mr. Gibbons was representing the Rock Hill District. I would like to appoint Mrs. Vanuch; I think this would be a good opportunity to take a deep dive because I think the Comprehensive Plan is a great way to learn about Planning and Zoning in Stafford County.

Mr. Rhodes: Why do you not like her?

(Laughter)

Mr. Apicella: So, considered yourself appointed. Anything else Mr. Coen?

Mr. Coen: Oh yeah. So, now we move to our subcommittee is meeting this Saturday at 9:00 a.m. in the ABC Room. What we have done in part, because we new we were getting a new member on this body - - which we welcome nicely -- is that we targeted for this meeting two specific topics. One is the Industrial/Business Park concept that Mr. Hornung had proposed to us last year and that some members

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of the Board asked us to look into. And so he will have some time to talk and then the Commission... the committee and any other member of the Commission we will hash out and think and decide and deliberate on that topic. And then the other topic for deliberation on Saturday is the Airport Overlay District. Mr. Zuraf has been communicating with the Airport Authority for them to have a short window to discuss their ideas or future growth of the airport. But then the primary point of it is for staff to give us input as to the various options that are available to try to address that issue. And so those are the two focused for this Saturday's meeting. We also would need to, and I certainly would ask this Commission for their input either at Saturday's meeting or prior to it, one of the topics is what do we do about land use and looking at the maps. And that would be a separate meeting. Quite honestly, we felt it'd be more appropriate to have that be another meeting so that our new member would have even more time before she dove, to look into it. And our idea was, we had asked the Supervisors in October for their input as to how much growth did they want to put into our new TGAs. And we have yet to hear from them. The thought, and Mr. Harvey can certainly let me know if I'm in the wrong track on this, but that they will be discussing that at their retreat. And they have scheduled their retreat for sometime in early February.

Mr. Harvey: Yes Mr. Chairman, the... excuse me, Mr. Coen... the agenda has not been set yet for that meeting but that's something that's a possibility for that meeting.

Mr. Coen: Thank you sir. And then so the thought would be, we have two tracks. We're meeting on the 16th of January; we could meet later in the month, move forward with the land use, etcetera, or we could wait until after the Board has their retreat and they give us some input and then we meet one of the first or probably the second week of February to deal with that topic. That is going to be a lengthy topic, and so that's why we sort of steered it to its own date to discuss. And so, we don't necessarily have to do... make a decision tonight Mr. Chairman. I just wanted to let everyone know so that they could give the members of the subcommittee and/or come Saturday with an idea in their head of which avenue they would like to take on that part. If you look at the information that Mr. Zuraf gave you, many of the maps that were presented in the public sessions that were created have been put online. If I understand Mr. Zuraf correctly, there has been some more communication with people who were at those sessions to say these different maps are online so if you want to, if your group thought X and there's something else in a different map that you would say, oh wow, we didn't think of that, they could give further input. The staff is still putting together to work up a list of stakeholder interviews and ever watchful of sort of the calendar. Which brings us to the Supervisors next week, if I'm correct Mr. Harvey, the Supervisors at their January 19th meeting are to... are slated to consider our giving us more time. We had asked them this earlier but, because of the timeframe, it would not fit into their... getting onto their agenda as earlier than this date. Technically, our timeline is the end, January 31st, and so quite honestly it would logically be that they'd have to give us more time. But we sent that, oh, beginning of December I think...

Mr. Harvey: Yes, that's correct.

Mr. Coen: ... that memo to them. And so we'll get that input between now and our next meeting, and shortly after our subcommittee meeting so that way we can move forward from there.

Mr. Apicella: Mr. Coen, just as a reminder, what's the date that we're looking for at this point in time from the Board of Supervisors?

Mr. Coen: I believe, if memory serves me, it is the end of June. Correct? I believe it's the end of June that we sent in the memo?

Mr. Harvey: That is the current request, yes.

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Mr. Coen: Yes, so that we would have ample time for us to do our work, send it for VDOT to give their feedback with all their due diligence... if many of us remember when we were on the first time dealing with the rewrite of the Comp Plan, I believe we voted on something and we were still waiting for VDOT to give us information. So, we will send it to them to get their input with the idea of timing ourselves to get everything back, done, public hearings, etcetera, by the end of June.

Mr. Apicella: And for the thousands of people watching Stafford television right at this moment, can you just remind us what the time is for the meeting on Saturday and it's here?

Mr. Coen: It is here in the ABC Room at 9:00 a.m., and generally we like to keep them targeted for only a couple hours so that we do not have erroneous conversations and delay things. So it's usually 9 to 11; and part of the reason for that is listening. When they had meetings in the past, they made them very early and the public was not happy. This allows people who work in D.C. to sleep a little late on a Saturday morning and yet still get to contribute to the future of Stafford County.

Mr. Apicella: Thank you Mr. Coen. I'm going to take this under Committee Reports, just to kind of refresh my memory. We have people... we have one person serving on the ARB, one person serving on the Parks and Rec Commission; we don't need to reappoint them, they continue to serve?

Mr. Harvey: Yes Mr. Chairman, unless they're inclined to give up their seat to another Commissioner.

Mr. Apicella: I hope not. Mrs. Bailey, you still good for the ARB? Thank you. Mr. Boswell? Thank you. Okay. Anything to report since I... no? Okay, moving onto the next item, Chairman's Report. I'll just be real brief. I want to wish everybody a Happy New Year. Thank you for your confidence in me. I hope I do as half a good a job as Mr. Rhodes has done. He's been an outstanding Chairman for the past 4 years and has big shoes to fill. I want to welcome Mrs. Vanuch to our esteemed panel. I think we do important stuff and I think you're going to be a great addition to the team. And I want to thank everybody for their service and commitment to the County. And especially a big thanks to Mr. Harvey and his tremendous team who just provide invaluable service and great information to us. So thank you. That's all I have. I want to move onto Other Business. TRC information? Does anyone have their TRC for the January 27 meeting?

CHAIRMAN'S REPORT

OTHER BUSINESS

5. TRC Information - January 27, 2016
 - ❖ TBD

Mr. Harvey: Mr. Chairman, we don't have any information for that meeting as of yet.

Mr. Apicella: Okay. Next item on the agenda is the approval of minutes for November 18.

APPROVAL OF MINUTES

November 18, 2015

Mr. Rhodes: Motion to approve.

Mr. Apicella: Motion to approve; a second?

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Mrs. Bailey: Second.

Mr. Apicella: Okay, there's a motion to approve and a second. All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Bailey: Aye.

Mr. Coen: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mrs. Vanuch: Aye.

Mr. Apicella: Aye. All opposed? The motion passes. And so, with that in mind, I'll entertain a motion for adjournment.

Mrs. Bailey: So moved.

Mr. Coen: So moved. Second.

Mr. Apicella: Thank you. Meeting closed.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:34 p.m.