

***STAFFORD COUNTY PLANNING COMMISSION***  
***March 3, 2010***

The meeting of the Stafford County Planning Commission of Wednesday, March 3, 2010, was called to order at 6:30 p.m. by Chairman Gordon Howard in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Howard, Fields, Rhodes, Hazard, Mitchell, Kirkman and Hiron

MEMBERS ABSENT:

STAFF PRESENT: Harvey, Roberts, Stinnette, Zuraf, Johnson, Ennis and Baral

DECLARATIONS OF DISQUALIFICATION

Mr. Howard: Are there any declarations of disqualification for any items on today's agenda? Hearing none, we will move right into the agenda item 1 under Unfinished Business is Boswell's Corner and Courthouse Road Redevelopment Areas. And we have a presentation by Mr. Brad Johnson who is from the Department of Economic Development. Mr. Johnson, good evening and welcome.

UNFINISHED BUSINESS

1. Boswell's Corner and Courthouse Road Redevelopment Areas - Presentation by Brad Johnson, Department of Economic Development

Mr. Johnson: Good evening Mr. Chairman; thank you very much. I am Brad Johnson, Redevelopment Administrator. On February 2 the Board of Supervisors reviewed the Redevelopment Plan and they asked us to bring forward to you the plans for Boswell's Corner and Courthouse for your consideration and inclusion in the Comprehensive Plan. Tonight I am going to make a brief presentation to you on Boswell's Corner and the Courthouse Area and I hope the technology is working for me tonight.

Mr. Zuraf: Computer please.

Mr. Johnson: My comments tonight, I'm going to start out with a background report on how we got to where we are and a progress report on where we've been through to get here tonight. I wanted to share with you the guiding principles that we've kept in mind as we've gone through this process; that will be followed by the key findings and recommendations of the Redevelopment Plan which is actually the heart of the Redevelopment Plan. And then finally we will present staff recommendations for how we proceed. As you may recall, the redevelopment program started in 2006. It was part of the Economic Development Plan that was completed at that time. The Economic Development Plan identified two areas, Boswell's Corner and the Courthouse. When the Economic Development Plan was presented to the Board of Supervisors in October of that year, the Board added two additional areas, Falmouth and Southern Gateway. One of the first things that we did was we put together a core team of senior staff from the County to help us go through this process. We had representation from Code Administration, from Economic Development, from Fire and Rescue, from GIS, from Planning and Zoning, from Transportation and from Utilities. The next few slides have got a lot of information on them; I'm just going to skip through them. It's not that they're unimportant, but the message that we wanted to bring tonight is that this Plan has been in front of the public... it's probably one of the more visible plans that we've ever conducted... in a period of roughly thirty months. We reached out to the public approximately twenty-eight times. That was almost once a month. This included specific meetings in

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each of the four redevelopment areas. Those meetings were, we believe, fairly well-attended. We averaged around fifty people at each meeting. It was active, it was hands-on, the public was encouraged to offer comments on what they were seeing and what they thought we ought to do in the future. And, although not everybody's wishes and desires were met, like any planning exercise, we did try to respond to the most frequent and most common questions. As I mentioned, on February 2<sup>nd</sup> the Board forwarded the first two pieces. I'm happy to report that yesterday the Board agreed to forward the remaining two pieces for Falmouth and Southern Gateway onto you and I guess I will be making a presentation on that at a future meeting. The guiding principles have been a little difficult. Over the past three years we have had a lot of things in flux in the County. I mean, normally we would go through this exercise by looking at what's in the Land Use Plan and the rest of the Comp Plan elements, and we did that. One of the charges to our consulting team was to look up all of the eighteen elements of the Comp Plan and assess how they fit in with redevelopment. We have recommendations at the end for some issues that we might like to see included the next time those elements are updated. But in order to move forward we had to pick some ideas that we could move forward with. One of those, the general theme of discussion in the County was the concept of focusing future growth in certain areas. And we took that as a guide because we did create a Transfer of Development Rights Program and we have had a lot of discussion on Urban Development Areas. So we thought the theme seemed to be let's talk about focusing the growth. Secondly, there is a planning hierarchy in the documents, as you all know, and what we kept in mind was that the Land Use Plan was going to establish land use. That's not the role of the Redevelopment Plan. We wanted the Redevelopment Plan to be a tool we could use in helping to implement that Land Use Plan. And we present one set of futures that we could realize. It is an Economic Development Plan though, it is not from the Planning Department. And the last thing we tried to keep in mind was, since it is an Economic Development Plan, our focus is on facilitating private sector reinvestment in the County. Boswell's Corner; we have some good news. If we don't do anything at all, if we just continue to course, BRAC is coming. They are still online to be here by September 15, 2011. We believe that the infrastructure is generally adequate to accommodate over the next five years demand for up to an additional 400,000 square feet of additional office, 190 hotel rooms, around 112,000 square feet of retain, and other associated mixed use opportunities. The not so good news is, as we know, we have some environmental and cultural resource challenges in the area. On this exhibit, on the right-hand side, is one possible future layout of land uses. It highlights the existing flood hazard area adjacent to Jefferson Davis Highway. It would be transformed into an environmentally friendly linear signature park element. The central core becomes largely defined by commercial and mixed use opportunities to support the offices and new homes needed to support BRAC. The open space plan features open spaces, pedestrian friendly environments and streetscape improvements to define a grid street system. Interaction between the uses reinforces the linear park signature element and defines the County's Northern Gateway. We have a couple of street views here of what it might look like. This top view is Jefferson Davis Highway looking south; it is roughly two blocks north of the intersection with Telegraph Road. On the right extreme edge of the screen is sort of the end where this linear park would be. That specific location is, of course, subject to change. As you know, that feature does continue under Telegraph Road and down Route 1 even further south. So, what exactly would happen is something that is subject to future discussion. The bottom picture is a picture across Telegraph Road looking southwest across the intersection with Route 1. The round circular building is generally in the vicinity of where the Boswell property is right now. We also put together some streetscape recommendations for Boswell's Corner. The top picture and the bottom picture are before and after views of what Route 1 north of Telegraph Road might look like. We also looked at where should we start our activities, and what we call that is the core redevelopment area. And as you might suspect, it is focused predominantly on the intersection of Telegraph Road and Route 1. It supports the Quantico Growth Management Committee's priority project to improve Route 1 between Telegraph Road and Joplin

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Road in Prince William County. It fosters commercial and housing opportunities to support BRAC redeployments which would occur primarily west on Telegraph Road just past the Interstate at the new building that they are building on base. The key recommendations and findings, which as I said are the heart of the Redevelopment Plan, the number one recommendation as we look at and implement form based code. That is something new to the County and we are working with the Planning office to work on what's the best way to proceed with that. Other recommendations include creating a linear park along Route 1 that we talked about, initiating infrastructure upgrades, primarily Hilldrup and Aquia Creek pump stations, and a couple of the gravity sewer lines. We also recommend installing streetscape improvements, coordinating with Quantico Corporate Center, establishing a commuter link to the VRE station in the Town of Quantico, and developing a pedestrian circulation plan. Any questions on Boswell before I proceed with Courthouse?

Mr. Fields: When you are talking about housing opportunities in response to BRAC, are you talking about simply the configuration of land that is already existing, that is already zoned, for residential uses? Or are you talking about having to rezone land for residential uses? And, if so, are you talking about then adding to the overall build-out numbers in the County in that process?

Mr. Johnson: My answer is going to be a little vague and it doesn't intend to be. We will certainly take out lead from what the Land Use Plan ends up recommending for Boswell's Corner. That may entail some additional rezoning of land up there. It may be something that we role into the form based code recommendation. We have options on how we might want to proceed with that, but the point was is that what we know is that slightly less than 3,000 employees will be relocating for BRAC. We don't really have a good handle on what that means for dependents and associated business enterprises that would be in conjunction with that. And what we found was that there is not really enough housing in that area up there to support that and we would like to encourage compact growth. So it would be nice to get that housing close to the activity center.

Mr. Howard: Yes Mr. Fields.

Mr. Fields: Okay, so you're saying the existing inventory of housing is not adequate to support. Are you anticipating that those jobs will all bring people living in Stafford with them? I thought some of those were jobs that were already in the Washington Metropolitan area where people would maybe stay and reverse commute to Fairfax.

Mr. Johnson: That's true. And the information that we have been receiving from the BRAC group is somewhat vague and I think it's probably because they don't know yet. I know that the environmental impact statement that was done suggested that two-thirds of the traffic involved in the relocation would be coming from the south. Whether or not they move... and when they said south, that was south. Pretty much everything from here back down to Richmond or wherever else was studied. We just don't know a firm number on that yet but we are following that very closely.

Mr. Fields: In the study area, how many total parcels, actual parcels, of land is that? And how many different owners of those parcels are in what you were showing us?

Mr. Johnson: I don't have that information with me but I do have that and I would be happy to forward that onto the Planning Commission.

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Mr. Fields: These are great ideas, don't get me wrong, but I think, if I'm looking at this resolution right, we are sort of tasked now... that is probably why we are getting this information right... the Planning Commission is going to be tasked with rolling this into the Comprehensive Plan.

Mr. Johnson: That's what we're asking.

Mr. Fields: So, to some degree, the viability of that plan depends, you have to look at the certain of those factors. Thank you.

Mr. Johnson: I will be happy to bring that.

Mr. Howard: Thank you Mr. Fields. Any other questions from the Planning Commissioners?

Mr. Hirons: Well, I do because Mr. Fields kind of triggered something in me. I was just trying to find out real quick, you had some information in there about the redevelopment plan including open and usable space. Does it get down specific enough to talk about future parks within this redevelopment plan the need for parks and rec, that type of thing?

Mr. Johnson: We do explore more open space as opposed to parks, assuming that parks would mean something that the County would develop or some specific entity would create as an entity. But we do try to include open space to add to the character and the flavor of the community. And we did try to set aside sufficient land in each one of the areas to establish that. As far as specifically what would go where in each area, no, we didn't get to that level of detail.

Mr. Hirons: Thank you.

Mr. Howard: Mrs. Hazard?

Mrs. Hazard: With regard to your last, I guess it was the last slide, when you talked about the implement the form based code. Could you just sort of give me an idea of where staff is going with that or sort of just a little more meat to that of what that means?

Mr. Johnson: I would be happy to. Mr. Harvey may want to help jump in on this. He knows more about it than I do. But, generally speaking, it's a land use regulation tool similar to a second generation of zoning, if you will. It more focuses on the form as opposed to specific uses. For example, in the Zoning Ordinance, when we get into three dimensional uses, you start running into issues with the Zoning Ordinance, whereas a form based code gives us a little more flexibility. It's a tool that can be applied countywide or it can be applied on a parcel by parcel basis. There are a series of levels that you go through in putting it together, the highest level being what is called a regulatory plan. And one of the things staff is thinking about is perhaps even the Redevelopment Plan itself could serve as that document. But then you sort of drill down after that. Mr. Harvey, anything else?

Mr. Harvey: Yes, I guess to help with the visualization a little bit, Brad is absolutely right. Current zoning looks at separating uses. A form based code looks at how do you want the buildings to look, how big should they be, how much space should there be between them, what's the architectural style. And from there you determine, within that construct, what types of mixes do you want. Generally it is going to be a mixed use type of development. You may or may not have multiple uses within the same building but you set up the framework on how intense you want to have certain parts of the development to be. And often times, as Brad was mentioning, with the regulating plan you will have a

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denser core and then it will get less dense the further away from that urban core that you go. And you will set up a series of street networks and also take a look at the visual line of the landscaping along the street and other key features on how you want the community to look. So it's taking it more from a visual physical environment how you want it to look rather than separate uses.

Mr. Fields: Weren't they trying to do something like that with the Belmont Development in Prince William? Do you know? I remember speaking to the developer about it at some meeting sometime, someplace, and I remember him saying they were trying in that development to try to develop the shape and texture and style of the development and let the uses sort of fall into logical spaces. Do you know anything about that development?

Mr. Harvey: I'm not familiar with the specifics. Brad may know more.

Mr. Johnson: I know a little bit about it. It approaches form based code but I think they still used underlying zoning and underlying proffers to put it together.

Mr. Fields: Prince William still really doesn't have it.

Mr. Johnson: Correct.

Mr. Fields: But if you have a large project, I mean, we approach it occasionally right, if you have a large enough project and you set up a very elaborate set of proffers and design standards and stuff like that, is that maybe the best example we can get to where we get a taste of it a little bit? I'm thinking of some large projects we've done, let's say Embrey Mill, where we've had, I guess it's technically not form based code. But even if your underlying zoning is sort of a discreet thing, if you get a big enough project where you can control enough of the build-out, you can kind of create that currently even with the underlying zoning? Or is this just a lot farther down the road than even that?

Mr. Harvey: You can try to attempt it with underlying zoning. The problem with the current zoning scheme we have, in most cases it's not very flexible.

Mr. Fields: Each parcel still kind of has to be something, right?

Mr. Harvey: Yes. And there are certain rigid setbacks whereas with form based code the setbacks may be less rigid as long as you still meet the overall size and look and configuration of the buildings.

Mr. Fields: Thank you.

Mr. Howard: Mr. Johnson... go ahead Mr. Mitchell.

Mr. Mitchell: In the findings and recommendations I was reading, they were talking about installing the streetscape improvements. Even though they look so beautiful, is there a funding mechanism involved around or does each unit that goes in perform their own streetscaping or is it built in sections or is it built with private money, County money, state money, federal money or who knows, we'll have another stimulus here before long.

Mr. Johnson: The answer to your question is all of the above. And as we have indicated to the Board on a couple of occasions, we wouldn't be bringing forth a project for County funding unless, first of all, it was something we felt was critical and, secondly, we had exhausted all other possible avenues

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for funding. In the case of the streetscape, as I will mention when we get to the Courthouse, we actually have funding for that... some of it... through a grant from VDOT. Other ways to implement it might be in the case of the Quantico Growth Management Committees priority project on Route 1, we would endeavor to get that included in that project as it moves forward with its design. It's still very conceptual and they haven't even worked out the number of lanes yet. It's something that that committee has just recently put together. But we would be looking for any opportunity other than County general fund money to be used to implement this. So it would be implement as money was available.

Mr. Howard: Thank you Mr. Johnson. How did you think about the levels of service? As you travel down Route 1, whether it's north or south, and recognizing there will be reverse commuting taking place to Mr. Fields' point, how did that factor into the design elements of what you presented?

Mr. Johnson: What we tried to do is we had some reasonably good information from the BRAC environmental impact statement, and we were involved in the review of that document when it went through. We also looked at the current Transportation Plan and tried to stay within those limits. What we are trying to do, though, is we are trying to create a grid street network that would help split that traffic up and disperse it into the network at other than just a couple of locations, because a lot of times it's the intersections that are giving you the problems. The sections of road between the intersections may be operating fine but because of traffic signals and other bottlenecks, that's where a lot of your congestion comes from. So, what our goal was and what we asked our consulting team to do, was look at whether or not the grid street system proposed in the 2006 Vision Plans, whether that made sense and whether we would need all of those streets or some of those streets. And we do have some recommendations on that that we will pass along to the Transportation Plan when that goes into the process.

Mr. Howard: Thank you. Do you know what the current level of service is from Joplin all the way down to 610?

Mr. Johnson: Not specifically, but I know it's better than Level of Service C most of the time.

Mr. Howard: Okay.

Mr. Johnson: Level of Service can either be an hourly measurement or it can be a daily measurement. And depending on what you're doing depends on what numbers you are looking for.

Mr. Howard: Right. And then if you go just north of the Stafford border into Prince William, really right at one of the entrances to Quantico on Joplin, do you have any intelligence on what exactly Prince William is doing because they obviously removed all of those businesses from both sides of Route 1.

Mr. Johnson: What Prince William County is doing is they are implementing a corridor study that was conducted for them several years ago. And I believe that study ran all the way from the Fairfax County line down to the Stafford County line. And, in fact, the recommendation that Quantico Growth Management Committee is bringing forward is that that study be extended down to Telegraph Road. That stretch of road, as memory serves me, will be a six-lane road and I believe the intersection at Route 1 and Joplin, Prince William is talking about installing a traffic circle at that location. I haven't seen the plans but that is my understanding.

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Mr. Howard: I did hear that it would be six lanes and then I guess that was my curiosity. Have we thought through that in the proposed redevelopment of Boswell's Corner from our County line basically to whether it's Telegraph or even further, because it does seem if you travel it today and it's closer to the weekend, obviously it's not a level C. It's probably more like an F. And you're exactly right about the intersections; that's what causes the back-up.

Mr. Johnson: And that is essentially what the Quantico Growth Management Committee is suggesting that they do, is continue that study on down at least to Telegraph Road; it would have to go a little bit past Telegraph Road to include it. And a lot of the traffic problems that come out of our roads also happen on weekends, which is generally not something that is studied through the normal planning process.

Mr. Howard: Right. It's all those people from up north coming south.

Mr. Johnson: And then going home. But during an average day during an average week, the traffic studies say it's normally C or better.

Mr. Howard: Twice a year, right?

Mr. Johnson: Twice a year.

Mr. Howard: Thank you.

Mr. Johnson: Certainly. Okay, computer? In the Courthouse area, again, if we do nothing at all, we find that the infrastructure is generally adequate for a five-year market demand up to an additional 90,000 square feet of office, 120,000 square feet of retail and other associated mixed use opportunities. And, again, the not so good news is we do have some transportation issues, some environmental issues and some cultural resource issues in the area. This exhibit again, on the right-hand side, is one possible future land use layout for the Courthouse area. A grid street system is featured to optimize pedestrian and vehicle circulation. Mixed use blocks with enclosed parking foster residential and office uses over first floor commercial to support a growing medical community. The northern part features buildings for cultural and commercial uses, along with a rejuvenated wayside park; or at least the southern end of it. That was something that came out at one of our public meetings and initial conversations with VDOT have been positive. We haven't talked about any details but we are very excited about that. The Open Space and Circulation Plan features open spaces and pedestrian friendly environments and streetscaping improvements to define the grid street system. Implementation of squares and plazas throughout the area foster recreational exchanges with others and places to have lunch or just relax. These two street views, the one on top is looking across Jefferson Davis Highway, generally looking northwest, and just left of the center you can see the Aquia Realty building. The lower picture is looking east along Courthouse Road across the intersection with Route 1. And this might be a good time, Mike, to show... we have a short animation we would like to show you of what this area might look like. And it runs I think just a little bit less than two minutes.

Showed short animation.

Mr. Johnson: As I mentioned earlier, we have developed some streetscaping concepts. In the Courthouse area we've received a little bit more than a million dollars of a VDOT grant, an enhancement grant, and we are right now in the process of hiring a design firm to put together the engineering design work. Although the study area that we submitted to VDOT does include

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Courthouse Road, as well as Route 1, due to the uncertainties about Courthouse Road right now and the interchange, we are going to start with Route 1 and we would be looking at the area from Hope Road down to the hospital. The core redevelopment area for the Courthouse area would be as you would expect, centered at the intersection of Courthouse Road and Route 1. It's defined by mixed use retail, office and hotel uses with a mix of new and existing homes to foster a vibrant pedestrian friendly community. The term that came up often during the public workshops was create a Town of Stafford. Also mixed uses would reduce external trips and attract new commerce from I-95 via the reconstructed interchange. Due to existing lot configurations, and this gets back to the zoning, and to help create a walkable setting, we're suggesting that we look at a parking deck in the area. Some of these lots in the Courthouse area are very narrow and under the zoning code, if you start putting parking on these lots as well as a use, you don't have much room left to put a use. So, as we move to the recommendations, in addition to implementing form based code, we're suggesting that we initiate infrastructure permits. Those would include sewer upgrades, extending Jason Mooney Drive down to Route 1 or to a connector road that VDOT would use to get over to the interstate, and to investigate this parking deck. That is one of the issues that we find in talking with those who come to the area looking to invest in the area is, if you look at some of these lot configurations and the existing Zoning Ordinance, that makes it very, very tough to try and do something. We also recommend installing all of the streetscape improvements, rejuvenating wayside park, and developing a pedestrian circulation plan. The next steps, as we mentioned at the beginning, is we suggesting that the Planning Commission consider this for inclusion into the Comprehensive Plan and in talking with the planning staff, we're suggesting it be added as small areas plans. Each one would focus on each one of the areas. That's the end of my presentation and I would be happy to answer any questions.

Mr. Howard: Thank you Mr. Johnson. Any questions from the Planning Commission? Mr. Hiron.

Mr. Hiron: Both of these plans, and I know the Falmouth plan as well, talk a lot about the streetscapes and, as you mentioned, you have some money to do that, in particular, in the Courthouse area. I guess what I'm getting at is, is there any connection between the two? Because my concern is you are going to have these great beautiful streetscaped areas that go to divided four lanes and then in the areas where it's not within this redevelopment area, it's going to go back down to undivided four lanes. And I'm just wondering if this might be a question that Mr. Harvey gets tomorrow night; should we address this or is there a mechanism to maybe address this somehow within the Comprehensive Plan describing our ultimate vision for the entire Route 1 corridor, not just these redevelopment areas, but kind of incorporate these elements as well throughout the entire Route 1 corridor?

Mr. Harvey: Yes, Mr. Chairman and Mr. Hiron, certainly that is something to be dealt with in the Comprehensive Plan. Right now our transportation element of the Comprehensive Plan calls for all of Route 1 to be a six-lane divided facility, but it doesn't speak to how that will look. So, if you feel like that's an important issue to have discussed for the community in the long range plan for the County, it's certainly something that should go into the Comprehensive Plan.

Mr. Hiron: A separate topic. Are these animations that have been built and these nice pictures, are they currently used in any of the County advertising?

Mr. Johnson: Not yet.

Mr. Hiron: Waiting on us probably.

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Mr. Johnson: We pretty much wanted to make sure that we were at least on the right track. And we've only done an animation for the Courthouse area right now. That came about pretty late in the process and was an add-on task and we wanted to see what the thoughts were and opinions. Did that help visualize what we were talking about more than the pictures? So, if you have thoughts on that, we'd love to hear it.

Mr. Hirons: It does help visualize it. The cars might be a little dated if we wait too long; it looked great though.

Mr. Howard: Mr. Fields?

Mr. Fields: Yes, a couple questions. And this is stuff to deal with later but, as we work through all of the information, the concept is great. Of course it looks fabulous. The Courthouse area couldn't look much worse so any improvement we make is way, way up. Have we talked about in this... with the six-lane Route 1, we've sort of had this issue. It's kind of tough to decide; maybe it points to a question, is Route 1 going to be a broad six-lane sort of urban boulevard or is it going to be an alternative highway to move traffic through and around the County? I am questioning how it can be both. If we can build a six-lane highway to move traffic to help with the congestion of 95, etcetera, etcetera, and then suddenly it comes into this village, it's no longer a highway. And then it becomes a highway as it leaves the village again. I know your scope has been this, and I don't want to put you on the spot but I'm just sort of asking in general, Mr. Harvey or Mr. Johnson, did that kind of raise itself in the process, kind of talking about how you are going to negotiate that?

Mr. Johnson: Yes it did, and in fact it was particularly in the Courthouse area. Our goal, and we're not bashful about sharing it with anybody, our goal from the beginning in the Courthouse area is Route 1 stays four lanes; possibly divided, possibly not. We have enough significant cultural resources in the area where doing something like Prince William did up just north of the line is just not practical. As part of the streetscape grant, we had a number of meetings with VDOT and, like I say, we are getting ready to do the engineering work right now and although we can't engineer the road as part of this grant, we are somewhat limited to streetscaping. VDOT has agreed to let us have maximum flexibility in looking at this particular stretch of road, basically the piece from Hope Road down to the hospital. We have talked with them on such things as reducing the speed limit to 25 through the area which gives us more flexibility from a design standpoint. We have also talked with them about adjusting the centerline to straighten out the kink, there's a kink in the road through here. What we're trying to do is as we go into the design process, we will try to miss as many cultural resources as we possibly can. Right now it looks like the two most significant that we have to deal with are the well out in front of the Courthouse building and the brick buildings on the opposite side of Route 1 where the attorney is and it used to be a bank. That window is very, very narrow. Right now County policy in general is we look for 120 of right-of-way along Route 1; we've gotten VDOT to agree to let us go down as far as ninety feet to look at that to see if that will work. In order to make that work we need to have that grid street system that we talk about. We need to connect up Jason Mooney Drive over to Route 1. We need to, in essence, form a bypass around that intersection so that local traffic doesn't have to go through that intersection. So, it's been very key. It has been one of the major topics that we've looked at as we've gone through it. If we bring growth here, how do we do that without destroying that intersection out there which is, in essence, the heart of the Courthouse?

Mr. Fields: Sure. Now, in this... maybe Mr. Harvey can speak to this... in this request to incorporate this in the Comprehensive Plan, and maybe, Mr. Chairman, you have the information on this, I mean, are we being requested to simply take the document that we have here and say it's now part of the

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Comp Plan? Or are we being asked to look at this and make suggestions that ultimately will create a modification of this document? Do we know?

Mr. Harvey: Mr. Chairman, Mr. Fields... I don't believe that's been explicit as far as the instructions from the Board. There may be some limitations on what changes we can make to the document due to technological issues and Brad could probably better answer that. I know there were recent additions to be added to it based on the I guess most recent discussion at the Board meeting yesterday?

Mr. Johnson: Yes. We discussed with the Board yesterday on the specifically on the Falmouth and Southern Gateway. There was some question about how does this work with the Land Use Plan and which takes the lead and we don't want to set ourselves up for confusion down the road. So we put together a brief disclaimer statement that the Board liked and we are going to get that included in a final printing of this document. In essence, that's all it is. It's a paragraph or two that just basically says "this plan is secondary to the Land Use Plan". To get to your other question, I think as we were going through this process, we thought this might go through the same process as the Economic Development Plan did when that came to you. As Mr. Harvey pointed out, we have some staff limitations. One of the reasons we hired an outside firm is they brought a team to bear that had experts in Economic Research Analysis, it was ERA Associates out of Northern Virginia. The lead was CMSS Architects out of Virginia Beach who were the ones who developed the Rockets Landing Project down in Richmond and they also developed Oyster Point down in Virginia Beach. We had Urban Engineering look at the civil and the infrastructure engineering work and we had Wells and Associates look at the traffic work. They are all recognized experts in their field and one of the reasons we went outside is we did not have that expertise in-house. That's not to say we can't do other things but I think we sort of wanted to hear from the Planning Commission on what your thoughts were and how you might want us to proceed.

Mr. Fields: Mr. Chairman, I have another question if I might.

Mr. Howard: Sure Mr. Fields.

Mr. Fields: Does Prince William have a Redevelopment Authority?

Mr. Johnson: Not that I know of.

Mr. Fields: Not a constituted authority. Their government, though, I know over the years even when I was on the Board we were talking about it, they have acted sometimes as a de facto right? The County has actually purchased property and redeveloped or actually been an agent in the purchasing and moving of property?

Mr. Johnson: That's my understanding but I don't have any definite facts on that. I know they are looking at redeveloping the area around Triangle. It's going through, I don't want to say it's a similar process because it was done for different reasons, but they have looked at redevelopment. They have what they call the Potomac Communities Plan that they have been working on for several years. But specifically, whether or not the County has purchased property to redevelop, I can't speak to that.

Mr. Fields: Of course, it's way beyond the scope of the Planning Commission, ever since even back before the early days of my tenure on the Board of Supervisors, I have always thought... that's a complicated thing to do... but I've always been concerned that without the ability and entity, a governmental or a public entity that can purchase and hold property and can consolidate parcels as an

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intermediary between the current status quo and the future that we envision, I'm always concerned that simply waiting randomly for private investment to convert this hundreds of parcels one at a time into something this cohesive is problematic because just the way things work. Not because of anybody doing anything wrong, just because of the way things work. So, has that been in discussion on the Board level at all about a Redevelopment Authority?

Mr. Johnson: Not that I have been a party to. I can tell you that the firm we used, CMSS Architects out of Virginia Beach, used the Virginia Beach Town Center as an example for discussion in looking at densities and such. And I know in Virginia Beach their Economic Development Authority was sort of the role that you were talking about.

Mr. Fields: Of course, it's easier for cities. They are more compact and their tax revenue is widely more diverse, kind of like Arlington County. But I know when you look, at least when I've talked to people about some of the things that I've seen across the Commonwealth that are really nice projects, downtown Charlottesville or a lot of work in Arlington, the government has taken an active financial role in purchasing property and funding things as a bridge between point A and point B.

Mr. Johnson: That's correct.

Mr. Fields: That's very tough for large counties to do, particularly suburban counties. At least as we go on the discussion, I think some mention of that reality has to be part of the dialogue or else I'm afraid that we can be talking about something that is so... it is beautiful but it is practically unrealistic under current conditions.

Mr. Howard: Yeah, I think it would be very difficult to execute the plan. It's a great plan; the renderings looked terrific, well thought out. You mentioned the Oyster Point one in the Tidewater Area. I think the difference between the two examples you gave, in my mind anyway, are the volume of traffic through those redevelopment areas is not even close to what we are going to have in Courthouse and Route 1 as an example.

Mr. Johnson: Correct. The Rockets was sort of at the other end of that continuum.

Mr. Howard: They both came out beautiful and they looked very similar to what was proposed but, to Mr. Fields' point, without having a way to acquire the land and hold it until such time as we go for the redevelopment, and also mitigating the traffic issues, it's kind of a gravity issue because it is what it is and there isn't too much we can do about it other than try to accommodate it as best we can.

Mr. Johnson: Exactly.

Mr. Howard: So, I think the grids make sense in terms of giving alternative mechanisms to the pedestrian paths and other businesses that may want to leverage that. You mentioned Jason Mooney Drive and I think what people need to know is that starts our on Courthouse currently today, by the new fire station, and will wrap around to Route 1 at some point and intersect right at the hospital. So, essentially what you're saying is it's a half a loop around the intersection so you could continue to travel east if you wanted on Courthouse or kind of circle back somehow to get back to Route 1 if you wanted. Did you explore any other options to complete the loop on the, I guess the north side, the northwest to northeast side?

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Mr. Johnson: We did. It's certainly not an engineering study and I wouldn't convey it as such, but we did look at aerial photography and some of the existing land use patterns. We looked at options of extending the road north from Hospital Center Boulevard and linking up to Hope Road; those are in the exhibits that are in the book. There is also one possible connection where we could go from Hope Road threading the needle and either coming out on Red Oak itself south of the church... there's a major wetland through there so we did not do the engineering work... but we think without having to take any homes or businesses there *might* be a way we could look at that. But that was certainly something that we would want to have discussed further when we get into the Transportation Plan update. It's crucial that we establish alternative pass in the Courthouse area to keep that intersection at a reasonable level of traffic.

Mr. Howard: Right. So, I think that to do, if I'm not mistaken Mr. Harvey, what you're asking us, and it's more directional today. I'm sure we're not ready to move forward with anything. But first we'd like to see the Southern Gateway Redevelopment Plan; that would be great to get that in front of us. Second, it sounds like you're asking about the form based code which is the question Mrs. Hazard asked in terms of what actually is that and how does that apply to this. And how would that apply in the Comprehensive Plan as well; what does that mean in terms of definition. What do we have to do to incorporate that type of thinking into the overall Plan? And then it also sounds like Mr. Johnson is asking that we designate, in the Comprehensive Plan, whether it's through the Land Use Map or it's just the redevelopment areas, we designate small area plans in the Comp Plan that would be these renderings or these versions, if you will, of these redevelopment areas. Is that right?

Mr. Harvey: Yes. And Mr. Chairman, if you would like, as you said we can talk about the Southern Gateway and Falmouth Plans next meeting and we could also bring back to the Commission the approved plans for Aquia Town Center. That is a form based code type of zoning that was created and just to bring everybody up to speed with what was done there; it's not built so we really don't have a good example to look at here in the County.

Mr. Howard: Well, we could look through the rendering; that would be helpful. That will be great. We'll see you next meeting. Thank you Mr. Johnson.

Mr. Johnson: Thank you very much.

2. Groundwater Management Ordinance (**Deferred to March 3, 2010**)

Mr. Howard: The next item on the agenda if the Groundwater Management Ordinance which we deferred to today. I'm pretty sure in ten minutes we are not going to be able to get through that but, Rishi, you can get started. We are going to take a break... not a break but we are going to stop where we're at and then open the meeting up for public commentary, and then we do have a public hearing tonight that we'll hear right after the public comments. And then we'll bring you back up. Is that good?

Mr. Baral: That's good.

Mr. Howard: Thank you.

Mr. Baral: You're welcome. And good evening. Mr. Chairman and members of the Planning Commission, I'm going to present two things today. The first part will be the overview of the report the consultant prepared for Groundwater Management. And then the second part will be what we have

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in our draft ordinance. And the last slide I will provide a comparison between what we have completed and what we have tried to accomplish. Computer please. This is the cover page of the report. I'm going to present a synopsis of that. The first part of the report is the introduction and methodology. The plan was drawn up in response to the drought of 2001 through 2004 and it gathers several strategies. The strategy would be to protect both quality and quantity of groundwater resources, two items. And it also does a well log creation. There are several lots in the County, wells in the County, and logging of those wells, validation, geo-referencing as to where the logs are located; that was done in the report. And the background of the report is the groundwater demand estimate is 4.4 to 7.5 million gallons per day. That is an estimated number for 2012. And the groundwater aquifers in the County do have enough water; they are capable of producing 40 million gallons. Depending on where the water is withdrawn from, large withdrawals in the Piedmont is documented to affect surrounding wells. Whereas, the other point is future drought conditions could affect the production of the shallow or fracture wells. And future high withdrawals in the proximity could affect Coastal Plain wells. I will go into detail about what is Piedmont, what location of Coastal Plain in the following slides. Stafford County has three distinct geologic features. The first one is Piedmont Bedrock System, the second is Coastal Plain Aquifer Recharge System or the Fall Zone, which is very close to I-95, and the third one is east of that, the Coastal Plain. The Piedmont Bedrock System is along the west of I-95. It contains numerous fracture zones and groundwater production, yield and recharge depends on the fracture in this area. Any well in the Piedmont Bedrock area, they are outside of the fracture zone and susceptible to drought conditions; those in the fractures are not. The middle one, Coastal Plain, this is along I-95 and the third one, Coastal Plain, is to the east of I-95. The current and future use is in the report. The wells groundwater use is largely residential in nature in the County. Current residential use is 1.75 million gallons per day and among those, there are twenty agricultural wells. Each well withdraws 40,000 gallons per day. According to a conservative estimate, 31 to 43 million gallons per day are available in the Coastal Plain and Piedmont System. I think I have noted it before; the 2012 estimate is 4.43 to 7.5 million gallons per day. The current and projected demand is significantly less than the capacity we had in Stafford County in terms of groundwater. When it comes to groundwater uses, the nature and depth of well is a major factor. The wells in the Coastal Plains are susceptible to surface impacts but unthreatened by deep pumping. Piedmont wells are less susceptible to surface impacts but are vulnerable to deep pumping and drought. As of now, Stafford County has two reservoirs and the third reservoir is under construction. Protecting wells further away from water lines is a priority because where there is a water line available, people will use water from the water line and groundwater doesn't need to be used. That's why in those areas preserving groundwater may be a little less of a priority. The wellhead protection zone is a good tool for existing community wells. And the recommendation of the report was a Conditional Use Permit is recommended within the Fall Zone. And also a Conditional Use Permit is recommended within the prescribed radius of a well; any community well, existing or proposed, certain activities would be limited or allowed only with a Conditional Use Permit. For larger withdrawals, larger wells, the performance of hydrogeologic testing was recommended.

Ms. Kirkman arrived at 7:25 p.m.

Mr. Baral: I have prepared on this slide as to what was recommended and what is proposed. There are three items that are recommended, a Conditional Use Permit for all land uses within the Fall Zone. That is proposed in the ordinance. The second one was a Conditional Use Permit within a certain radius of a community well. That is also proposed in the ordinance. And the third was recommended for a hydrogeologic testing for 300,000 gallon per day wells. That is also accomplished. In addition to that, hydrogeologic testing guidelines also are included in the ordinance. And as it is proposed in the draft ordinance, it has been proposed to be a part of the Zoning Ordinance and I can go over a list of...

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Mr. Fields: Can I ask a couple questions?

Mr. Howard: Yes Mr. Fields.

Mr. Fields: I am assuming that you are talking about 300,000 gallons per day, not per minute?

Mr. Baral: Yes, gallons per day.

Mr. Fields: This is gpm; it's gpd, not gpm. Also, if you can go back to the previous slide, you said the Draper Aden Report recommended hydrogeologic testing also in subdivisions greater than twenty-five units. That didn't make it to staff recommendations?

Mr. Baral: It is in the staff recommendation also. What we have in the ordinance is more than fifteen lots. In one location of the report it said twenty and the other location of the report it said fifteen. And we went to the more conservative one. That is accomplished also.

Mr. Fields: Okay, thank you.

Mr. Howard: Any other questions from the Planning Commission? Okay, Rishi, I have a couple but I don't want to go over the time. So, what we will do now is ask you to take a break for a minute and I will open the meeting up to the public comments in just a minute. If we can have the record reflect that Ms. Kirkman is now in attendance... thank you Rishi, I appreciate it... at the start of the public hearing.

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**7:30 P.M.**

**PUBLIC PRESENTATIONS**

Mr. Howard: Just as a quick reminder... public comments first and then we'll have the public hearing... when you come up to speak, we don't answer the questions directly to the public. We do absolutely take some notes. We appreciate your comments and attendance and we try to answer anything we can from a more global perspective on the dais here, if we can. If we cannot, we typically don't offer a response. And it's not that we're rude, just how the public comments work in this type of a meeting. So, at this time, I will open up the meeting for public comments. When you step forward, you may just come up to the podium. You state your name, your address, you have exactly three minutes. These neat little lights on the podium; green means you're good to go, yellow means you only have a few seconds left, I think thirty seconds or so, and then the red is when your comments should come to a conclusion. So, I will now open up the Planning Commission meeting for any public comments. And, again, the public comments should not have anything to do with the public hearing that is scheduled right after the public comments. So, anyone wishing to address the Planning Commission may do so and step up to the podium.

Mr. Waldowski: You all know me; I'm Paul Waldowski. Today it was very exciting to come last night to see how important it was to pick three alternates when we have seven districts. It was pretty interesting logic. But I'm here to talk about those seven districts. And one of the things I think we need to realize while the budget is coming up is I think the citizens want to know what revenue is being generated in each district; not just the County, each district. There are certain amounts of residential in the Falmouth District, the Aquia District, the Rock Hill District, and there is also a set of expenses associated with each district. Now, we all know that all seven districts make the County and we have some common entities like we use 610, we use 627, we use 630, but there are also just some

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unique aspects of each district. Now, when we all got our nice little assessments from the County, you see, someone told Jonas Beales that we only went down twenty-three percent. Well, I own several properties and I can tell you nine years ago I purchased this one piece of property and no it's assessed \$400 less than what I purchased it for. So that's not even close to twenty-three percent. And another property, I think it increased... I bought it for \$110 and it's now assessed at \$130. So, what I am trying to say to the Planning Commission, you are planners, you should know these numbers so when in the year 2020 we should know in each district where we are in 2010, where we are going by 2020, and I don't see us using those numbers. And this leads me to my favorite topic, storm ponds, because I am an owner of another storm pond. And, I think it's illegal to make twenty-five people take care of a storm pond just because Vista Woods does not have an HOA. And yet their stormwater pours into my storm pond and I'm going to talk this over with some attorneys. I think this is an interesting thing that we need to look at because, for twenty years, I have owned this storm pond in Cabin Creekwood and those thirty-three houses in Shenandoah before there have been pouring their stormwater in there, and Mr. Meadows Farms is pouring it in there, and so is Woodson Ridge. So I'm just giving you some thoughts that we need to look at the seven of you as individual entities and sometimes we might have to help another district because we don't have the revenue for that. If you listened yesterday, there are some revenue problems like the school systems, and when some people are making \$200,000 a year and they are teaching, there is something wrong with the program. Thank you.

Mr. Howard: Thank you Mr. Waldowski. Anyone else wishing to address the Planning Commission during the public comments may do so now. Seeing no one advancing towards the podium, I will close the public comments and, I get to use the gavel, open up the public hearing. And tonight's public hearing is on the agenda, it's item number 9, it's RC2900006; it's a reclassification and Mr. Zuraf will take us through the details.

PUBLIC HEARINGS

9. RC2900006; Reclassification - J.D.H., LLC - A proposed reclassification from the R-1, Suburban Residential Zoning District to the B-2, Urban Commercial Zoning District to allow commercial development on Assessor's Parcel 13-18 consisting of 14.47 acres, located on the west side of Jefferson Davis Highway approximately 200 feet north of George Mason Road within the Griffis-Widewater Election District. **(Time Limit: March 17, 2010)**

Mr. Zuraf: Can I have the computer please. Good evening Mr. Chairman and members of the Planning Commission. I am Mike Zuraf, Principal Planning with the Planning and Zoning Department. I am here to talk to you about item 9 which is a Reclassification for J.D.H., LLC. The applicant for this case is Stephen Elms who is the representative of 3953 JDH, LLC. The property in question is Assessor's Parcel 13-18, up in the Boswell's Corner area of the County. The parcel size is 14.47 acres. This request is to rezone the property from R-1, Suburban Residential, to B-2, Commercial. Currently on the site there is a home business. For some zoning history on this, in October of 1997 a Special Exception for a home business was granted by the Board of Zoning Appeals specifically for the assembly and engraving of military medals, ribbons and plaques was the specific business. The location of this site is on the west side of Jefferson Davis Highway 200 feet north of George Mason Road. This is the zoning map of the subject property and surrounding properties. The subject property is highlighted with the red boundary. Currently yellow signifies R-1 zoning. Surrounding the property, to the north you have B-2 zoned properties. Currently there are some businesses along Jefferson Davis Highway and sorry to orient you, Jefferson Davis Highway runs along this alignment. George Mason Road, a more localized road, is in this location off of Jefferson Davis Highway. So you have B-2 zoned properties to the north, in addition to M-1 Light Industrial zoned properties that surround the property to the north and to the west. This area to the north and west is the Quantico Corporate Center property where larger scale office buildings are located and proposed. To the south of the property are more M-1 Light Industrial zoned properties. You have

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more industrial oriented uses in this location and there is an access drive that runs along this southern property. Across Route 1, Jefferson Davis Highway, from this site is B-1 Convenience Commercial property where there is an automobile sales use. Currently on this site there is one residential structure that exists; this is a two-story 5,000 square foot structure. Regarding the access to the site, currently there are mainly three driveway entrances that enter this site from Route 1 into this lot. Also, as I mentioned, you have a private road that parallels this site along the south property line that mainly leads to adjacent industrial uses. Looking at the land cover of the site, the front of the site where the existing building is located, forward of that between the building and US Route 1 is mainly open lawn area. And to the rear of the site, over a majority of the site, is wooded. The terrain itself, the land slopes upward from Route 1 towards the back of the property to the west. It is generally a gradual slope; you have some steeper slopes along the way that range from fifteen to twenty percent. There are some sensitive resources on the property as well. Right up towards the front of the property along Jefferson Davis Highway there is a tributary to Chopawamsic Creek. It is a perennial stream with Critical Resource Protection Area along it, as well as 100-year floodplain. There are some intermittent drainage channels that run through the site; staff did determine that these were intermittent in nature. This is an aerial photograph of the site. You can see, again, Route 1 in this location. This is the location of the existing building and you can see the open area in the front of the building and kind of surrounding the site. And then you can see all the wooded area that covers the majority of the remainder of the site. And then you can get an idea of the proximity of the uses in the development and the Quantico Corporate Center to the site, the industrial properties to the south and other surrounding uses. This is a photograph of the site from a few weeks ago. This is looking across Route 1; Route 1 is in the foreground. This is a picture taken from George Mason Road looking across this one property over to the structure that is on this property. This is zooming in on that same building. The proposal that was provided to staff on the General Development Plan identifies only use of the existing dwelling. The applicant has not proposed any further use of the site at this time, so the proposal basically then is proposing to convert the existing dwelling to commercial use. Also, the General Development Plan proposes to consolidate all the access points down to one single commercial access point with parking that would be located in front of the building, between the building and Route 1. And, as I noted, the build-out of the remainder of the site has not been identified. This is the General Development Plan that was submitted. Looking at the overall site you can see that this, it's kind of faded, but this is the existing structure. And you can see where the access point would be located off of Jefferson Davis Highway into the parking area and service entrances around the way. And then the remainder of the site with the topographic lines showing the land remaining as is. This also does give you an idea of where the sensitive resources are. You have the tributary to Chopawamsic Creek in this location and you have Critical Resource Protection Area that surrounds that stream and 100-year floodplain that crosses the front of the property. This zooms in in that same area. Staff did express some concern to the applicant with not providing a full development scenario on the GDP. The typical course of action is for when you have a rezoning or a conditional use permit to see the full potential build-out of a site, and that was not provided. Typically, the full development of this fourteen and a half acre site would have some impact on the transportation network. Likely, there would be the need for a Traffic Impact Assessment and along with that associated improvements that would be needed to Route 1 likely. In response to the staff concerns, the applicant did revise proffers to limit the business on the site within the existing building. Thus, as proposed then, no traffic impact assessment or impact statements were required of the applicant. And the way the proffers are being crafted, if there is a more intense use of the site to come along in the future, a proffer amendment would be required and this Planning Commission would get a shot at looking at the full development scenarios and what impacts those might pose on the site and the surrounding properties. Getting to the specifics of the proffers that are being provided and offered by the applicant, in addition to the limiting of the use to the existing building, the applicant has also

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prohibited out more intense uses that would likely have a higher traffic demand on the area; also a proffer to preserve the Critical Resource Protection Area buffer. They have proffered right-of-way dedication along Jefferson Davis Highway consistent with the Transportation Plan and also proffered to construct just that one single access point to improve access along Route 1, and also to terminate any residential use within two years of rezoning approval. There are specific proffers to deal with visual appearance by proffering to locate refuse containers to the rear of the site, prohibit carnival style flags, banners, balloons and those types of items and to require any signage to be a coordinated color and design. Also they would proffer to provide a Traffic Impact Assessment if any future proffer amendment was required. Looking at the transportation issues with the application, the applicant submitted Traffic Impact Assessment Determination Form. This identified that there would be fifty-nine vehicles per day and this information was based on a general office use which is not the highest intensity use that could occur on this site, even with the proffer restrictions that they imposed. Staff identified that the maximum intensity with the proffer restrictions could go up to 225 vehicle trips per day. This would be under a lower intensity retail use which still could occur. Even with this higher traffic level, a Traffic Impact Assessment would not be required because the traffic generation would have to get over 500 vehicle trips per day. The Transportation Plan does recommend a six-lane improvement along Route 1 in this area. That would correspond with a desire to have a full right-of-way of 160 feet or 80 feet from centerline. The applicant has proffered to dedicate the 80 feet from centerline consistent with the Transportation Plan. Staff would note that Corporate Drive, which runs through Quantico Corporate Center, does end at the rear of the property and there would be a potential if that road was extended to create a loop road through this site and through Quantico Corporate Center. Staff did recommend the applicant consider proffering right-of-way dedication to extend this road but that was not proffered at this time by the applicant. Looking at the environmental issues, I have kind of gone over some of the sensitive resources that we have on site. The tributary to Chopawamsic Creek in this location is really far from in a natural condition. It basically parallels Route 1; a lot of the stream is piped and there is not really much of a 100 foot RPA buffer to speak of along the majority of the site. And so staff would note that really also with the desire to widen Route 1 in the future, likely future road improvements to Route 1 would require some sort of re-engineering to this stream to properly manage floodplain and stormwater runoff in this area. With Fire and Rescue issues, staff from the Fire and Rescue did request a proffer to include an automatic sprinkler system within the building and any future buildings on the site, and the applicant has not proffered that at this time either. Looking at the Land Use recommendations, the site again is highlighted in red. The site is mainly recommended for Urban Commercial use, that's the orange designation, which also is recommended on other properties along Route 1. The properties to the rear and Quantico Corporate Center are designated as office use, and the light blue strip, which also kind of bisects a portion of the front of the property, corresponds with the tributary stream which I have discussed. This Land Use designation of Urban Commercial is consistent with what zoning is being requested by the applicant. And also the proposal is consistent with the established zoning and development pattern in this area. Again, adjacent uses that you have: you have the office complex to the back, you have some other industrial uses, and then commercial service uses surrounding this property. Staff would also note that this property is located within the proposed Boswell's Corner Redevelopment Area and this plan in this area does recommend a mix of commercial office and retail uses and a variety of residential uses and a more pedestrian-friendly environment. More specific to this site, the plan recommends a mix of residential and commercial uses, but then also does set aside some open space along Route 1 in the area of the stream to deal with that stormwater issue. In looking at the overall evaluation of this proposal, again it is consistent with the current Land Use Plan, it's consistent with the established commercial development pattern, the proffers do limit the overall intensity of the development, and then also minimize visual impacts that might result from a commercial use. Some negative features are that this proposal really does not illustrate the full development potential on this property and then

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also the fire safety issues have not been addressed. Staff does recommend approval of the application with the proffers. I do want to point out that there were some follow-up concerns expressed by Ms. Kirkman following review of the staff report. There were concerns that even with the very strict proffer restrictions that have been placed on the site by the applicant, there is still potential that the property could be used for infrastructure open space that would be associated with some development that could occur on the adjacent properties, on the Quantico Corporate Center and on other properties that the applicant owns. The applicant could build a commercial property on the adjacent, there could be an office building placed on the adjacent property and they could use this site for parking or open space to count towards that. There is nothing in our regulations that could restrict that. And also there are concerns with potential traffic impacts of uses that could be more intense than general office. So, in response to that, some additional revisions to proffer 3 was recommended and two additional proffers were recommended. You did receive those tonight; new proffers that are dated March 3<sup>rd</sup> and I have highlighted the changes; the change to proffer 3 and new proffers 11 and 12 which would act to address this issue to really ensure that development of this site would be handled in a future amendment. The applicant has agreed to this and the applicant's representative, Bob Goodall, is present and he is in the process of seeing if the landowner is fully agreed or disagreed with these changes and he can speak to that. And at this point I will take any questions.

Mr. Howard: Are there any question from the Planning Commission for staff? Mr. Fields.

Mr. Fields: Acknowledging that just having that presentation on the Boswell Redevelopment Area and acknowledging that, was there any discussion to have a proffer that future development would acknowledge, address or be consistent with that development plan?

Mr. Zuraf: No.

Mr. Fields: Getting to the first point we were making all along, we just had a presentation on the Redevelopment Plan and this is a parcel in that area.

Mr. Zuraf: Yeah, that was relayed. That information of all the redevelopment efforts was relayed to the applicant and I think the fact that the full development of this site is going to require a proffer amendment, there is going to be a lot more discussion of the future development of this site in the future with whoever owns this property.

Mr. Fields: Okay.

Mr. Howard: Mr. Zuraf, was there any discussion with the applicant in changing the word... some of the wording anyway... on the proffer from "future intense development" to "any future development"? So, in other words, I know the intent of that was to limit them to the building, but does the language actually do that?

Mr. Zuraf: Which proffer are you referencing?

Mr. Howard: The language in the proffer, the original proffer that you showed us. I took it off one of the slides; I forget which slide you had it on but it referenced that this proffer was limited to these certain criteria and then the word intense development was on there.

Mr. Zuraf: That is not a specific word in the proffers. It was just basically to portray that if there is a higher intensity use that comes in and is proposed on the site, that...

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Mr. Howard: What is the actual wording then, in the actual proffer?

Mr. Zuraf: That is not discussed in the proffers. That is more implied of what would happen.

Mr. Howard: So number 11 says a proffer amendment shall be required for the use of the property that supports the development of adjacent parcels... that's not it.

Ms. Kirkman: Mr. Howard, if you look at number 3...

Mr. Howard: Number 3? Without a future proffer amendment, all area outside the existing and proposed improvements identified on the GDP shall remain in undisturbed open space with the exception of encroachment needed for the conversion of the existing building to commercial. So, if they wanted to go to a 10,000 square foot building, it's 5,000 today which is probably 2,500 of it... or did you just give me the ground...?

Mr. Zuraf: Well, if they wanted to increase the size of that building at all they would have to actually come in for a proffer amendment because the proffer 1 limits any business on the property to the 5,000 square foot building.

Mr. Howard: Okay, good. I guess that's what I was looking for. Thank you. The other question, what is the proposed use?

Mr. Zuraf: It's open.

Mr. Howard: Open use?

Mr. Zuraf: Well, not open. There's a potential that it could be office use, it could be retail...

Mr. Howard: So how do we revalidate or understand the parking requirement?

Mr. Zuraf: By looking at the highest potential...

Mr. Howard: So, let's say it was that retail that you described; the 225 people a day and there are twelve parking spaces. How does that actually work?

Mr. Zuraf: I would have to refer to what the requirement is. It's going to depend on the intensity of that retail.

Mr. Howard: I understand that. And that's why you said retail at that square footage, the potential could be 225...

Mr. Zuraf: Vehicles per day, that's the traffic generation. That doesn't correspond with parking spaces.

Mr. Howard: I understand that, but there are only twelve parking spaces. Let's say that was the use, and let's say you are only half right; there are 100 people a day. I'm just wondering how that actually works.

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Mr. Zuraf: They would have to limit the use of the building then to whatever the proper amount of parking that they can get on the site.

Mr. Harvey: Mr. Chairman, just maybe to help out a little bit. In our Zoning Ordinance, low intensity commercial retail, as well as office, requires a minimum of three spaces per thousand square feet. So they would have to have a minimum of fifteen spaces on the site. If they went to a medium or high intensity commercial retail, that parking requirement would go up according to whatever factor it is based on the square foot.

Mr. Howard: Does that include handicapped parking spaces?

Mr. Harvey: That does include handicap, so handicapped spaces count towards your total.

Mr. Howard: So, maybe I counted it wrong but I thought it said twelve? Maybe it was twelve in the front and two on the side. But we can open it up again.

Mr. Harvey: In any case, when they come in with the site plan, Mr. Chairman, they will have to address that.

Mr. Howard: I could be wrong with the number. Okay, those were my questions. Are there any other questions from the Planning Commission? Mrs. Hazard.

Mrs. Hazard: I have one. Going back to that proffer 1, it does say limited to the 5,088 square foot building and existing outbuildings. I assume there is not much more square footage on the outbuildings; that we are really looking at a 5,000 or...

Ms. Kirkman: Related to that, Mike, I couldn't find any outbuildings.

Mr. Zuraf: I know; I didn't either. And that is proffered, but I didn't see any outbuildings on the site or on the GDP.

Mrs. Hazard: I didn't see them either, I was just curious since we are talking numbers. I just wanted to make sure we weren't missing some building out there because I didn't see it either. Thank you.

Mr. Howard: Okay, hearing no other questions, we will open up the public hearing and invite...

Ms. Kirkman: The applicant.

Mr. Howard: Oh, would the applicant like to come forward, I'm sorry, and either address our concerns or also speak obviously on what you are proposing here. And then we will open the public hearing.

Mr. Goodall: Good evening, I'm Bob Goodall. I am counsel for the applicant. This is a request to reclassify for a general office or low intensity retail use. To answer one of the last questions, when we began this process, I think what Mr. Elms particularly had in mind, was a real estate office but in the course of time with the economy, there may be no tenant to fill that kind of use. So, it's simply general office or low intensity retail. I want to take a minute and commend Mr. Zuraf and Ms. Woolfenden. The staff was very helpful in walking us through this process. And they made what concerns were very clear and of course the staff has recommended it for the reasons Mr. Zuraf has said; it is consistent with the Comprehensive Plan, with the surrounding zoning, it will actually lower, since we

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are changing from residential to commercial, lower impact on schools, and the proffers have been designed to address concerns. We proffered out uses... I hope you have the full set of proffers... but we did in two ways after communicating with the staff. We picked types of uses that were deemed unsuitable for the Boswell's Corner Redevelopment Area and we picked uses that were associated with higher traffic generation within this zone. And those were all within proffer two. So I think we had addressed everything and then Ms. Kirkman on seeing it had some additional concerns which were could it be used as infrastructure for adjoining parcels. There was one also about traffic; if the vehicle trips per day would increase by a change in use than we're proffering, then we will make any necessary improvements whether it be based on the VDOT standard at time. And then the third was the proffer three that unless there is a future proffer amendment then everything outside the existing and proposed improvements would remain undisturbed open space. So those really are just immediately surrounding the building and to the front where the parking and the new entrance would be to consolidate it into one place. Mr. Zuraf was very quick to, I think, respond to that and give us suggested language and it has just been adopted verbatim into the proposed proffers. So, for the record, yes we agree and I actually sent Mr. Zuraf an e-mail saying that. I would happy to give him a printed one out and I would be happy to put in the record and as soon as Mr. Elms gets back from Florida he will sign it and we will be glad to proceed with that. Are there any questions or concerns that I can address?

Mr. Howard: Yeah, sure; Mr. Fields and then... Ms. Kirkman, did you have questions for the applicant?

Ms. Kirkman: Thank you for working on the offer so quickly. We do need to clean up the language in number one and just to put "existing" in front of 5,000 and then strike "outbuildings" because there are none.

Mr. Goodall: Alright. I don't know if there are any small sheds or something; if there are, they are so small they don't show up on the aerial.

Ms. Kirkman: Yeah.

Mr. Howard: Thank you Ms. Kirkman. Mr. Fields.

Mr. Fields: I'm just sort of perplexed with this. I would just like to hear your explanation of why you want to rezone the property at this time. That is not clear to me from anything we have seen.

Mr. Goodall: The use, up to this point, Mr. Elms had an adjoining business; he may still have it called Officers Equipment Company, that makes all the Marine Corps officer not just the plaques but the badges, insignias, all those things on an adjoining site. So this use which has been going, on it's residentially zoned but had a special exception basically to carry on that kind of trade within this building. And that just seems no longer appropriate for what is going on here. So he wanted just a tiny incremental change here; let's have it a conforming zone for commercial use but a very low intensity. To be honest this property was under contract at one point with the folks who did the Quantico Development Center next door. The contract fell through and it may be a long, long time before they, in the sense, absorb the need for large-scale office buildings in the area. So we would like to have a conforming ability to do low intensity commercial retail uses there, is what is going on. And when he began the process, as I said, it was intended to be a real estate office. Whether that tenant is even still available or exists anymore, in this economy, I rather doubt it to be honest. But that is the thrust of it. And he is very willing... I know it seems like a tiny incremental step but he has been very

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willing to say and that's all we'll do. And so this proffer three has now been added and basically says "and nothing more". It will just remain undisturbed open space. Anybody who wants to do more is going to have to come back to you with a proffer amendment.

Mr. Fields: I guess I am still... I understand that, that sounds fine. I'm still just a little perplexed because it is a really expensive thing to rezone a property.

Mr. Goodall: Yes it is.

Mr. Fields: I mean, rezoning it just to keep doing what you're doing on it doesn't seem logical to me.

Mr. Goodall: I agree it's an expensive step.

Mr. Fields: Right. So, but that's all you had to say on it. Okay, thank you.

Mr. Howard: Any other questions from the Planning Commission for the applicant? Hearing none, now I will open up the public hearing, thank you. All those who wish to speak on this matter which is the public hearing for the reclassification of this property may do so by stepping up to the podium. And, again, you have three minutes to address the Planning Commission. There is the green light that says go, the yellow light gives you about thirty seconds, and the red light is when your comments should come to a close. So anyone wishing to address the Planning Commission may do so now.

Mr. Waldowski: Paul Waldowski. This is a perfect example of what I talked about earlier. We have a piece of land, it's worth something to the County, and now we're going to rezone it so we're going to have some kind of expense. So it's worth something to the Griffis-Widewater District. Now, the question is what is the revenue that the property currently brings in from a tax standpoint? And when we rezone this, which it looks logical to me to rezone it, what will it bring in so we know what the delta is. This is the kind of stuff that is going on. You are creating expenses but you're not looking at what is the difference in the revenue. And yet you have time to try to spend nickels and dimes on combining public hearings and other aspects. So I will just drop it at that that this is a definitely looks to me very logical thing to do. I hope it stays as green space but, if it does get developed, you need to think about it. There is a floodplain there for a reason; there will be a hundred year flood. It will happen. I don't care how good you engineers are; one of my great geography professors, Dr. Vietech, told me whenever I buy property, look at that floodplain. And you know my views of stormwater management. Thank you.

Mr. Howard: Thank you Mr. Waldowski. Anybody else wishing to address the Planning Commission may do so now. Seeing no one else advancing from the audience, I will close the public hearing and bring it back to the Planning Commission. And, just as matter of fact, the applicant is the one that is paying the fees for the rezoning. It is not costing the County anything other than the normal course of business. Mr. Zuraf?

Mr. Zuraf: Just to answer one of your questions from before, there are three parking spaces to the side of the building, so there are 15 parking spaces.

Mr. Howard: Great, thank you. I feel so much better now about that. The other question I would ask is why wouldn't the handicapped spaces be by the front door but I guess that is for another day. I'll bring it back to the Planning Commission. It is in Ms. Kirkman's... Mr. Harvey?

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Mr. Harvey: Mr. Chairman, staff would like to point out a procedural issue. The discussed proffers were first passed out tonight. The bylaws specify that if the Commission is going to consider new material that was not in your packet, that you would have to accept it by a two-thirds majority vote.

Mr. Howard: Thank you for pointing that out; I did not actually realize that.

Mr. Harvey: It generally applies in cases of proffers so that the Commission has ample time to consider them.

Mr. Howard: Okay. Thank you Mr. Harvey, I appreciate that. I will still bring it back to Ms. Kirkman to understand from her perspective since obviously it is in her area of responsibility.

Mr. Fields: Well, it sounds like we need a motion to accept this, right? Is that what you are implying?

Mr. Harvey: Yes sir.

Mr. Howard: Before we continue or...?

Mr. Harvey: If you are willing to accept this revised proffers in your consideration of the case.

Ms. Kirkman: Alright, so I will start by making a motion to accept the revised proffers and as amended tonight regarding number one.

Mr. Rhodes: Second.

Mr. Howard: Any discussion on the matter? Okay, we will have a vote. All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hiron: Aye.

Mr. Howard: Aye. Those opposed same nay. The vote passes 7-0 which is a super majority. Okay.

Ms. Kirkman: I make a motion to approve RC2900006 with revised proffers as amended.

Mr. Rhodes: Second.

Mr. Howard: Any discussion on the matter? Hearing none, we will call for the vote. All those in favor signify by saying aye.

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Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Those opposed please signify by saying nay. Motion carries 7-0. Thank you very much. Rishi, if you want to come back up and just take up where we left off. Thank you Ms. Kirkman.

Ms. Kirkman departed at 8:09 p.m.

2. Groundwater Management Ordinance (**Deferred to March 3, 2010**) - *Continued*

Mr. Baral: Basically, my presentation was concluded and I would be willing to answer any questions you may have.

Mr. Howard: I do. You said that you logged all of the wellheads in the County?

Mr. Baral: Actually, the consultant did.

Mr. Howard: How many are there?

Mr. Baral: I can look. In figure 3 of the report, towards the bottom, it has community water system, non-transient community water system and I am talking about community wells only. It has identified three community wells; two are in mobile home parks and the other is in Marian Manor.

Mr. Howard: And the reason I'm asking is really not for the number because my next question is did you do any assessment in terms of, if this is enacted, what is the impact to the existing land use as an example because obviously there are three main areas of impact, or three definitions, where the areas are impacted. And what would future build-out look like and have you done any study in terms of that? What would this actually impact in terms of the land use today?

Mr. Baral: What type of impact will this ordinance have?

Mr. Howard: Yes. So, in other words, how many people would have to come before us for a CUP or existing homeowners, how would they be impacted? Did we look at that? Did we not look at that?

Mr. Baral: I don't think existing homeowners or existing wells will be impacted. What will be impacted is if a new development is proposed, those new proposed developments will be impacted. Either they will be required to go through a Conditional Use Permit or, depending on the proposed type of development, they will be prohibited.

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Mr. Howard: Right, I understand. If it's for future subdivisions I guess is one of the terms I saw in here. What I didn't see is what about existing homes, existing subdivisions where you may want to alter your property. You may have ten acres today and you may decide to put up a second home on your property. How does that impact this? Do we know or... I'm not sure if you know, I was just curious. If you knew the number of wells, we probably know the location of the wells?

Mr. Baral: The number of wells it covers, we know the location of the community wells and it doesn't affect small wells.

Mr. Howard: So, it doesn't impact any individual homeowners because they are on well on their property.

Mr. Baral: That's correct.

Mr. Harvey: Mr. Chairman, to get partly to the answer of that question, if you look at on page 5 of the draft ordinance, subsection 3, it speaks to uses and activities that would require a Conditional Use Permit in both the wellhead protection zone which is the area surrounding those community wells and also the Coastal Plain Aquifer Recharge Zone. Flipping back to the map you can see the Coastal Plain Aquifer Recharge Zone is basically the area between the blue line and the yellow line. That stipulates that any septic system, household fuel storage system, commercial or industrial fuel storage tanks, vehicle fuel sales, or other uses would require a Conditional Use Permit. So, in theory, getting to your question, if you had a vacant lot right now that was for residential purposes and you needed to put a septic system on and you were within either one of those two zones, you would have to apply for a Conditional Use Permit. Likewise, if you wanted to establish any one of these uses in that area, you would have to come forward for a Conditional Use Permit.

Mr. Howard: Well, that was going to be the follow-up to the number of wells is, as you looked at the Piedmont or the Coastal Plain Recharge Area and the Coastal Plain System, which is what Mr. Harvey just pointed out on the map, did we look and evaluate how many parcels or homes or...

Mr. Harvey: No sir. We haven't gotten to that level of evaluation yet.

Mr. Howard: Because it looks pretty substantial, and I am only asking really to understand. I think conceptually it certainly makes sense that you want to protect the groundwater.

Mr. Harvey: Mr. Chairman, we can do some research to see how many...

Mr. Howard: Well, you would have to at some point to notify homeowners of a change in the zoning ordinance; we would have to notify them in the future.

Mr. Harvey: Yes. Potentially, yes, because we are requiring a Conditional Use Permit which may or may not be approved. That is potentially imposing more standards, so we would have to notify people in that zone. But as far as trying to determine how many vacant residential or agricultural lots may be on future septic systems, we can try to get an estimate within the Coastal Plain Recharge Area if you would like.

Mr. Howard: Or, is there a way maybe to map it to, because in the Urban Service Area obviously will have water and Rishi clearly pointed out that those particular areas are not impacted at all because you are on public water, right?

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Mr. Harvey: Correct.

Mr. Fields: The Urban Service Area...

Mr. Howard: It may be the whole thing, that's why I'm asking.

Mr. Fields: If you look at this map, it's virtually...

Mr. Harvey: That's why I say those properties that would be on a public sewer system would not be impacted because they wouldn't have a septic system.

Mr. Howard: You're right. There could be homes on public water with a septic. That's true.

Mr. Harvey: Correct. But the way this is written, those other specific uses, whether inside or outside the Urban Service Area, would still require a Conditional Use Permit. And that's mainly because of the potential for impacting the groundwater infiltration. For instance, a junkyard tends to have vehicles scattered over a large area that also intends to have a large amount of the site that is disturbed and paved over in gravel. So you have a large area with limited infiltration capabilities, plus there are also concerns about potential contaminants. So, there is a twofold approach; one is what is the impact to potential water wells and two, what is the potential impact to quantity and quality of water infiltrating into the groundwater system.

Mr. Howard: I completely agree and understand that. You could even argue that if there was a nursery or some property heavily using some type of pesticides or some other type of material, you would want to understand that as well. Or it could be impacted in terms of requiring a CUP for future use of someone else's property or land. But I was wondering if we looked at that just because I was just curious of those unintended consequences of trying to do something positive.

Mr. Harvey: We haven't gotten to that level of detailed study yet. We basically reacted to the last discussion that the Commission had with trying to put the ordinance in a more complete format based on the Draper Aden Study and put it in a Zoning Ordinance configuration.

Mr. Howard: I actually think staff has done a very good job. Rishi, I know we have been talking about this for a little while and having read through it over the weekend, I don't have a lot of questions in terms of the terminology or the restrictions; it was more what's the impact. So, I guess maybe the next to do, Mr. Harvey, and we can see what the will of the Planning Commission is, but have we checked with every other area in Stafford County in terms of either other departments or have you advanced this kind of through the filter, if you will, internally here to see what other concerns or things that we're not thinking about or don't have purview to that would give everybody a chance to look at this and then we could advance this forward once we are sure about that.

Mr. Harvey: Basically we've had our department and County Attorney's office look at this. It has not been through other County agencies. Also it has not been through the State Health Department yet to see if they have any other ideas or concerns with it. Staff would like to have the opportunity to be able to do that. But also, if the Commission wants, we can try to do some analysis to see what existing residential lots may be impacted, if that's a concern, or what existing businesses may be impacted based on the numbers of prohibited uses, and also new conditional uses.

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Mr. Howard: I'm not sure that's the priority now. Again, I will defer to the will here but the priority might be to advance this forward internally here and certainly to the Health Department to understand from their perspective did we get this right. And then we can do the assessment I think later on. It certainly makes sense that we would want to do this. Is that the will?

Mr. Fields: That makes sense. I think obviously we need to see where this goes as it has to be taken to its logical conclusion. Good job though by staff.

Mr. Howard: Yeah, it really came out very well.

Mr. Baral: Thank you.

Mr. Howard: We're asking I guess at this point, without a motion... I don't think that we need one... but to continue to work on it, get some input from the other agencies locally here in Stafford, we well as the State Health Department, in particular, as Mr. Harvey mentioned to understand did we get it right, did we think through this clearly and is there any other implications or are there other things we should be thinking through before we advance this to the Board of Supervisors.

Mr. Harvey: Mr. Chairman, we'll work to get this back to the Commission in the next thirty to forty-five days.

Mr. Howard: Great. Thank you. Good job. Okay, the next item is item 3, right, which I don't think we have to do anything at the moment. Item 4 is also a work in progress. Item 5 has been deferred. Item 6 is deferred. Boy, we have moved quickly. So we are up to New Business which is item number 7 which is PAE1000028, Eastern Land Company Private Access Easement.

3. Reservoir Protection Overlay District (**Time Limit: January 29, 2010**) (**Deferred to May 19, 2010**)
4. Amendments to the Comprehensive Plan (**Time Limit: June 1, 2010**) (**In Comp Plan Committee**)
5. Elimination of the Preliminary Subdivision Plan Process (**Deferred for legal analysis**)
6. Rappahannock River Overlay District (Deferred to subcommittee - Peter Fields, Ruth Carlone, Friends of the Rappahannock and Rappahannock River Basin Commission) (Request sent to Board of Supervisors for indefinite postponement)

NEW BUSINESS

7. PAE1000028; Eastern Land Company Private Access Easement - A request for a Private Access Easement to serve 2 lots located on the east side of Poplar Road approximately 210 feet north of Truslow Road located on Assessor's Parcel 36-21A within the Hartwood Election District. (**Time Limit: June 1, 2010**)

LeAnn Ennis: Computer please. Thank you. Mr. Chairman, members of the Planning Commission, I'm presenting item number 7 for a private access easement for Eastern Land Company. It's located on the east side of Poplar Road north of Truslow Road. The applicant is Mr. McAllister. It's on Assessor's Parcel 36-21A and what they're doing is they are subdividing a lot here in the rear of this

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acreage here. And the private access easement is proposing to go all the way up through here to access this property in the rear. The private access easement is proposing to serve two lots, the one to the rear and the one that it goes through. It is approximately 1,483 feet in length; it's proposing to be fifty feet in width and it's in agriculturally zoned property. There are no wetlands or stream channels that will be affected by this access easement. The proposed access easement meets all the requirements stated in the Subdivision Ordinance 22-176. Staff recommends approval of this private access easement as shown. Any questions?

Mr. Howard: Any questions of the Planning Commission for staff? Mr. Fields?

Mr. Fields: No. It's straightforward; as long as it has the fifty foot width clear of vegetation, we're good.

Mrs. Ennis: Yes it does.

Mr. Howard: Yes it does. Mrs. Hazard, I think this is in your area of responsibility.

Mrs. Hazard: It is. Therefore, I would move and ask the Planning Commission to approve PAE1000028, Private Access Easement.

Mr. Mitchell: Second.

Mr. Howard: Second by Mr. Mitchell. Any discussion on the item? Hearing none, we will move for a call for the vote. All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. All those opposed say nay. The motion carries 6-0. Thank you.

Mrs. Ennis: Thank you.

Mr. Howard: The next item is New Business and this came up. Mr. Harvey was going to... I'm not sure if it was going to be Mr. Zuraf that he delegated this or if he was going to do some homework on this. But obviously the block length had come up at a prior meeting and Mr. Harvey directed someone to go back and take a look at that and bring this forward tonight for us to look at.

8. Discussion of Block Length and Cul-de-sac Length

Mr. Harvey: Yes, Mrs. Ennis will give the discussion on this issue.

Mr. Howard: Thank you.

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Mrs. Ennis: Computer please. Item number 8 is for the block length and the cul-de-sac length. This was at the request of the Planning Commission. It was directed to our committee since we have the Subdivision Ordinance rewrite. There is a member committee where we are doing the rewrite and we have taken on some of the ordinances and refined them. What I did in my presentation is I gave you all the changes that we were proposing to change and they are scratched out and underlined. And in my presentation I am just going to present what we are proposing. Section 22-4 of the Subdivision Ordinance we had definitions and what we are doing is the committee is proposing to eliminate the definition of block. We are keeping the cul-de-sac the same as it is, as a street with one outlet and having a turnaround area. We have created a new definition of intersection where there are two or more street segments that intersect or where a street segment and a cul-de-sac intersect. The next thing that the committee was proposing was to modify Article VII Division 2 and that was block length. We changed it where we got rid of block and we are changing it to street segment length. And we are having to modify the numbers as we are going through the ordinance. So in a Residential and Planned Development Zoning District, the length of a street segment shall not exceed 1,200 feet. In an Agricultural Zoning District, the length of the street segment shall not exceed 2,500. The length of a street segment shall be measured from the center point of an intersection to the center point of another intersection, regardless if the intersecting street/street segment is located on one or both sides of the street segment that is being measured. Division 3 we are proposing to eliminate block width in Section 22-157 because it is redundant of Section 22-149 which discusses double frontage and 22-151 which discusses reverse frontage. And it also looks at block width. We are also proposing to eliminate block orientation as it is redundant with Section 22-151 which is reverse frontage which was rewritten I think about a year and a half ago. We are proposing to modify the cul-de-sac in Section 22-191 to read kind of like the street segment. "The length of the cul-de-sac shall be measured from the radius point of the cul-de-sac or turnaround area to the center point of the intersection that is nearest to the cul-de-sac, regardless if the intersecting street/street segment is located on one or both sides of the street segment that is being measured." And we don't allow more than 35 lots to be served on a single cul-de-sac. We are proposing to eliminate the table that's in the ordinance now where it gives the length of a cul-de-sac and the number of lots that can be served on a cul-de-sac. We are modifying (b) which is the Agricultural Zoning District, the length of a cul-de-sac shall not exceed 2,500 square feet and in Residential and Planned Zoning Districts, the length of a cul-de-sac shall not exceed 1,200 square feet. Now those are the same numbers that we are using currently, we just modified the language so that it was clearer. We did not change the last thing except we took out "typical". So, when a cul-de-sac is extended, the area of a temporary turnaround shall be reconstructed by the developer as necessary to provide a typical roadway section meeting current standards. And the next page, I just pulled an existing subdivision and I wanted to give you examples of how we measure it. This was just random and there was no meaning to this subdivision; I just pulled one out. But I liked how it worked because there was every type of cul-de-sac and street segment that we could think of. This is how it's measured now, kind of like with the block width, but it's clear because we are calling it street segments. So we would measure from, let me go into the subdivision here, and we would measure from the intersection of this street to the cul-de-sac and that would be a street segment. And because this is R zoned...

Mr. Howard: To the center of that intersection?

Mrs. Ennis: Yes; which is the cul-de-sac. And then that would mean...

Mr. Fields: Excuse me, I just want to ask a question for clarification. Using the word cul-de-sac applies to a street with a turnaround area, not just the turnaround area itself.

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Mrs. Ennis: Right. It is the full... I was going to that one next since it was right there. This is a cul-de-sac...

Mr. Fields: I'm thinking of cul-de-sac as the actual turnaround end but you are saying the street that does not connect... a dead-end street basically.

Mrs. Ennis: Right.

Mr. Fields: It's an upscale version of a dead-end street.

Mrs. Ennis: Yes. So if that street is connected, it is no longer... if that cul-de-sac went through, it's no longer a cul-de-sac and you would have to take into consideration of that R zone or if that's A and it cannot exceed that and if it did they would have to break up the block.

Mr. Fields: I see. Thank you.

Mrs. Ennis: From the cul-de-sac to this intersecting street is a street segment so that could not be any longer than the 1,200 square feet.

Mr. Howard: Well, that's because these are quarter acre lots, right? Because you mentioned in there I think was...

Mrs. Ennis: That it's an R zone, that that's what the zoning allows for that to be 1,200.

Mr. Howard: Thank you.

Mrs. Ennis: I could say that this is not Hampton Oaks and if this was just agriculture zone and happened to have this many streets, which is rare, the same consideration so this segment here could not be longer than 2,500.

Mr. Howard: But in this case that is not longer than 1,200.

Mrs. Ennis: In this case, on this plan, it's not longer than 1,200. But if I took like an agricultural subdivision like we had like last year, Arkendale or something like that, where it was zoned A-1, that segment could not be any longer than 1,200 square feet from this intersection of the cul-de-sac to this street here.

Mr. Fields: Is fifty feet about the typical lot width in an R-1 zone?

Mrs. Ennis: No, it's eighty feet in width.

Mr. Fields: The frontage is eighty feet?

Mrs. Ennis: Yes. Fifty feet is just like the width of a road.

Mr. Fields: Okay. I'm just doing the math on 1,200 feet yields, so you would say divide by 80 to see...

Mrs. Ennis: How many houses.

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Mr. Fields: Fifteen houses on a segment before you...

Mrs. Ennis: Before you break it up again.

Mr. Fields: Each side?

Mrs. Ennis: Yes.

Mr. Fields: So that's thirty houses generally on a segment before it has to be broken up. Was that part of the consideration? How many houses before you break it up?

Mrs. Ennis: It probably was at one time. We didn't challenge the numbers, the length of it, we just modified the words that went in between. But I think that was, since we didn't change the length of a cul-de-sac, where the number of houses could be thirty-five, so we are saying a cul-de-sac would still be thirty-five. So, that's about right in an R zone; thirty.

Mr. Fields: So that length and those numbers, I'm not really challenging anything, I always thought a good part of our process here on the Planning Commission was when... and I think we've been doing a better job of it lately... whenever we have a number, why 1,200; why not 1,000, why not 1,500, why not 1,150.

Mrs. Ennis: I can't give you an answer to that because I don't have one.

Mr. Fields: Okay. Not that I have in intrinsic distrust of the number, I am just wondering why.

Mrs. Ennis: When I looked at several other counties, that was mainly about the same number that everybody used, so I'm not sure if it came from VDOT or what. Maybe Jeff knows, but I don't know exactly where it came from. But other counties do use about the same numbers.

Mr. Fields: Okay.

Mrs. Ennis: Their agricultural zones are a little bit longer in some of the southern counties.

Mr. Fields: Sure. Well, they've got bigger, huge yards.

Mr. Harvey: Mr. Chairman, these figures predate my tenure here at the County. And as Mrs. Ennis is saying, coming back from the last discussion of the Planning Commission, this is our attempt to try to make the ordinances more streamlined and easier to understand and be able to help out in everyone's review.

Mr. Howard: Right, that was definitely the goal. So, can you just describe the little loop? I think we get where you're going with this.

Mrs. Ennis: Okay. I had to confirm with this because I wanted to make sure we were all on the same page. But the street segment here would start here at this street and go up to here, and then it starts again and goes around. So this could not be any longer, from this intersection here to back to its intersection, couldn't be any longer than... shouldn't be any longer than 1,200. We don't have very many looped roads, and I don't know if it's right, but that's what it should have been.

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Mr. Howard: So, in this case, the developer who is designing this could have, where you have that "S" actually, could have put in... well, a pipe stem wouldn't satisfy that, right?

Mrs. Ennis: A pipe stem would not break up the street segment.

Mr. Howard: Right, so one of the things we always need to think about, to Mr. Fields' point, is how can someone take advantage of this the wrong way. But a pipe stem wouldn't have any impact.

Mrs. Ennis: No it would not.

Mr. Howard: It's not defined as a street.

Mrs. Ennis: Exactly.

Mr. Howard: Okay.

Mr. Harvey: Yes, and Mr. Chairman, this would also clarify, in our issue about our current definition of block it says you can have streams, railroad crossings and other things to break up the block but it gets to be very difficult to try to administer that because it's fairly loosely written.

Mr. Howard: Right. And that was the point that you advanced to us I think at the last meeting, where the whole discussion of the block length came up.

Mrs. Ennis: Although I did talk to Richmond/Henrico and they do consider that the same way. I mean, I read their ordinance but then I wanted to talk to somebody. So they actually do use the waterways as a block break-up as well.

Mr. Howard: Okay, thank you.

Mrs. Ennis: You're welcome. Thank you. Any other questions? I didn't know where to go from there. Nobody else has looked at this besides our committee and we are still in the process of viewing it. The other two planners in our department, we did look at this to make sure everybody was on the same page and we had some discussions and modifications to that as well. But no other departments have looked at this to make sure that they would like to see any changes; like fire, if there's a problem with the cul-de-sacs or anything like that. So, I'm not sure how the Commission would like me to proceed with this...

Mr. Howard: I guess let's take a poll on the will of the Commission here. Does anyone have any other questions for staff or any other concerns that we should point out now before they start to move this through the County network?

Mr. Fields: It seems very straightforward to me. It seems like it's making something that had been a little obscure a lot clearer. So, my recommendation is let them vet that to the rest of the County departments to see if anything perks up.

Mr. Howard: Everybody else in agreement?

Mr. Hiron: My only thought was I think Ms. Kirkman was one of the Commissioners who really was fairly intense on this.

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Mr. Howard: She was, but I think in the particular case we were discussing, it was more the ambiguity within the block length. And I think this completely defines that much better than it was defined before. You can argue the length, and I think that was Mr. Fields' point, what's the magic behind the number; it is what it is. It's not really scientific. It's what we've been using and we are putting this now in black and white for all to see.

Mrs. Ennis: And the one thing to clarify, we did have block length and we changed it to street segment. So, no longer is it a block; it is no longer square. The intent was the segment of a street, it wasn't to bring it and make it a full block. That's what the tier is for.

Mr. Howard: So, I guess, Mr. Harvey, the will is to advance this through the normal process that you would, whether it's Fire and Rescue and the Sheriff's Department; certainly our traffic would like to look at this. I don't know if we would bounce this off of any State Codes because that came up as well.

Mr. Harvey: Yes, Mr. Chairman, we actually looked at the VDOT requirements as we were doing this to make sure we weren't doing something contrary to what they require.

Mr. Howard: That's probably a good idea.

Mr. Harvey: They do have street segments as well...

Mrs. Ennis: That's where we got the word.

Mr. Harvey: The lengths aren't specified like we have in our ordinance, but they use the same terminology and everything. One question I would have for the Commission is that do you feel that this is an issue that rises above the need to look at our overall rewrite of the subdivision ordinance which we have been working on? We are hopefully going to have our last internal staff committee meeting tomorrow on that and then we will fan that out to the other agencies.

Mr. Howard: I think you should do it in tandem. There is no need to separate this particular... make it a comprehensive rewrite.

Mr. Harvey: Will do.

Mr. Howard: Okay. It's good though, thank you.

Mrs. Ennis: Thank you very much.

Mr. Howard: We will now move to the Planning Director's Report.

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Mr. Chairman, at the February 16<sup>th</sup> Board meeting, the Board referred an ordinance which was in your packet regarding nonconformities. This is an ordinance that would bring us in conformance with State Code. It mainly deals with situations where we've had a federal disaster declaration due to a natural disaster; a hurricane, tornado or something like that. Under normal nonconforming statutes, if you have damage more than fifty percent to a nonconforming structure, fifty percent of the cost of the structure, it cannot be rebuilt. Under these provisions it could be. This

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would be a benefit to existing property owners in the County. The Board has referred it to the Commission for a public hearing and consideration.

Mr. Howard: I remember this. This came up a few times before; the Planning Commission might have been involved and where people find themselves in a real tough spot after a situation they have no control over.

Mr. Harvey: Similarly, at the meeting yesterday, the Board referred a proposed amendment to the Subdivision Ordinance dealing with family subdivisions and the length of time in which a family has to retain the property before they could subdivide it and also the length of time a family has to hold onto the property before they could sell it to a non-family member. The current requirements follow the guidance in the State Code which says fifteen years in both directions for a total of thirty years. Previously we had in the ordinance that the property owner had to retain the land for five years but there was no time limit on how long you had to own it before you did the family subdivision. So the Board has referred this amendment to the Commission as well for a public hearing and a recommendation.

Mr. Fields: What's the amendment, to go to fifteen and fifteen?

Mr. Harvey: The amendment would go from fifteen and fifteen to five and five.

Mr. Fields: It would reduce by a third; it would allow you to remove the properties in five years?

Mr. Harvey: You would have to have it within your family for five years before you could subdivide and then you would have to keep it within your family for five years before you could sell it to a non-family member.

Mr. Fields: What is our current code?

Mr. Harvey: Fifteen and fifteen.

Mr. Fields: If that's conformance with State Code, how could we go to something different?

Mr. Harvey: Well, the County Attorney has revisited that issue and believes that the fifteen and fifteen requirement in the State Code is not a mandatory timeline, you can vary from it; it's a maximum timeline.

Mr. Howard: So, they are saying we should establish a minimum. The minimum in our case would be the five?

Mr. Harvey: Right now our minimum is the maximum. The Board had requested the Commission look at the five and five.

Mr. Fields: You can always appeal to the Board of Supervisors for a waiver of that.

Mr. Harvey: Correct. The State Code and our local ordinance allows an exception to that time limit for hardship situations.

Mr. Fields: Is that ordinance in our packet?

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Mr. Harvey: It was handed out at your desk.

Mr. Fields: What number is that?

Mr. Harvey: It's the Board of Supervisors agenda item number 9, and that was from yesterday's meeting. So staff would ask for the Commissions' guidance as to whether we want to have a work session to discuss both ordinances or do you feel comfortable enough to schedule them for public hearings.

Mr. Fields: Mr. Chairman, I have a very strong opinion on this subject so I am going to voice it. I can tell you that we went to fifteen and fifteen because of an egregious pattern of abuse of family subdivision as a dodge around just going through commercial development process. And this is what people do; they do it all the time. I'm an ardent supporter of the family subdivision because I believe the families, particularly because I represent the George Washington District and a huge part of my district has people that have been living there, families have been living there for 400 years. I firmly believe in the leniency of the family subdivision as a way to keep people in place in the County, particularly in the rural parts of the County. So I have always been in favor of less restrictive standards for family subdivisions and allowing families any break possible to subdivide their property for their family members. But consistent with that, I also believe that to make the family subdivision... remember that when you are saying family subdivision, we have a separate set of standards for the family subdivision that is far more lenient than if you were developing that property for commercial purposes. By commercial, I mean resale, speculative resale and profit as opposed to simply providing your family with a place to live. We do that for a specific reason, to not create a hardship on rural families in Stafford County; to continue to keep their families in a general geographical area which creates a vast amount of character and what's left of the character of Stafford County. But, because of that leniency, which is the only way you can help out families to do that, the commensurate I think responsible action is then they have to make a commitment that is in need of family subdivisions. We have a waiver process. If you have to sell it because of all kinds of extenuating circumstances, deaths in families and transfers in jobs and changes in family circumstances, I've sat on the Board, as Mr. Mitchell did, and heard plenty of them come in. And I have also sat on this Board and heard compelling heartfelt stories of people getting relief and waivers from family subdivisions and turned around in a month and sold the property for commercial property. It has been abused and abused and abused and abused over the years as a way to dodge around the conventional planning process. And I think opening it up to any more leniency is a disaster. It simply creates the ability to do speculative development in the rural areas which is where we said we don't want growth. It makes it even cheaper... it's already too cheap because of the by-right three acres which is why you get too much growth out there versus the Urban Service Area... so this just makes it cheaper and easier to just carve up the rest of the County in three acre subdivisions and under less stringent circumstances than we already have because they are using the family subdivision as a dodge. So, we can do with it what I want but I would never ever support making that more lenient.

Mr. Howard: Thank you Mr. Fields. Any other comments in terms of the will or thoughts?

Mr. Hirons: I think the question was if we want to have a work session or discussion type thing before moving towards a public hearing. That's what I would prefer, to kind of get some of the history that Mr. Fields and Mr. Mitchell can provide for us. Because it's certainly an issue I can have some sense of but I don't have any real insight on it and I would really appreciate to hear some.

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Mr. Howard: Right. But do you think that's necessary for both? I guess there's a benefit to doing both because we could advertise both for the same hearing date, right?

Mr. Harvey: Correct. That's kind of where I was going; if we track them together we can potentially save money on advertising costs.

Mr. Howard: Okay, why don't we do that. So when would you see this? On the next agenda?

Mr. Harvey: Yes, we could put it on the next agenda for work session discussion.

Mr. Howard: Let's do that.

Mr. Harvey: We'll bring both ordinances so you will have the full benefit of a staff discussion.

Mr. Howard: Mr. Mitchell?

Mr. Mitchell: Just a footnote in reference to what Mr. Fields said. I have to concur with him in that we saw people stand here with tears in their eyes and pleading for help and thirty days later were selling the property. And so it is a way to circumvent our system. But I think we need to take a serious look at it and remember those abuses, because they were abuses.

Mr. Howard: Duly noted, and I think we'll get the history on it and hopefully act appropriately.

Mr. Harvey: And Mr. Chairman, continuing with my report, also on the February 16<sup>th</sup> meeting, the Board had taken up the discussion of the cluster subdivision ordinance with regard to the agricultural zones that the Commission worked on. The Board decided to defer any further discussion on that until after the Comprehensive Plan was done.

Mr. Howard: That makes sense.

Mr. Harvey: Also, at that meeting they approved the Conditional Use Permit for the Garden of Delight Church within the George Washington District. Yesterday the Board of Supervisors dealt with the Stafford Crossing Community Church. As you may recall, last year there was a proffer amendment in the Conditional Use Permit to allow a place of worship on an R-1 zoned property and it had some historic civil war features on that property. The proffers specified that there be a holder for a historic easement to be designated and it would be a holder that the County would agree to. Both the County and the church have attempted to try to find organizations that were qualified non-profit organizations that could hold the easement. They have been unsuccessful at this point in time. So the Board yesterday adopted a resolution recognizing the church as a holder of the easement for the present time.

Mr. Howard: Okay, thank you.

Mr. Harvey: Also, I wanted to let the Commission know we will be sending out an email to the Commissioners regarding the TRC calendar for the remainder of the year. So, hopefully, in sending it to you electronically, you can respond back as to what days you may be interested in attending if we have the meeting. Our next TRC meeting has been cancelled because of the lack of submissions. And finally, in your handouts, you will find a Transportation Plan Map. I would ask that you please replace the one in your binder with this one. In the Planning Commission's Transportation Committee we discovered that the Transportation Map that we were talking about was incorrect and the one in your

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binder is incorrect. It's actually a draft map that was discussed at the Transportation Committee and has not been adopted, so we wanted to make sure that the Planning Commission had the actual adopted plan map. So, if you will please replace that in your binders. And that concludes my report.

Mr. Howard: Thank you Mr. Harvey.

COUNTY ATTORNEY'S REPORT

COMMITTEE REPORTS

CHAIRMAN'S REPORT

Mr. Howard: In terms of the Chairman's Report, one unfinished item is the Architectural Review Board and they meet on a Monday, I forget which one, but they meet on a Monday at three o'clock. And it does make it difficult but we are somehow required to get a Planning Commissioner serve. I know Mr. Fields had expressed interest but...

Mr. Fields: How long are the meetings?

Mr. Harvey: Generally the meetings last from three to five.

Mr. Howard: Do you remember which Monday? Is it the first Monday?

Mr. Harvey: Yes.

Mr. Howard: Okay.

Mr. Fields: Well, okay, I can probably juggle some things around. I have a lot of students on that day but it's becoming almost impossible for me to do other evenings because of performance commitments. I can try to juggle that. So, the first Monday at three?

Mr. Harvey: Yes.

Mr. Fields: Every month? Or some months do they not meet?

Mr. Harvey: It depends on if we have business.

Mr. Fields: Okay. And how far in advance do we know?

Mr. Harvey: It's a regularly scheduled meeting and staff sends out, like you all, a week in advance so we know what will be on the agenda.

Mr. Fields: I mean, if it's going to occur or not occur, how much advance notice?

Mr. Harvey: We try to give as much notice as we can. Usually we know a month in advance whether we have an application to be considered or if there is carryover. So, usually it's at least a month.

Mr. Fields: Alright. I will give it a shot.

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Mr. Howard: And then... actually I should have done the Committee Reports first... but then the other item for me is we appointed a second subcommittee for the Comp Plan which was Mr. Fields, myself and Mr. Hirons to work in tandem with the Board of Supervisors who are selecting three as well. And I will have a date or a few dates I should say at the next Planning Commission meeting to share with the group. And then I don't know if there were any Committee Reports that wanted to report in, Mrs. Hazard, on the first subcommittee.

Mrs. Hazard: I would just say that we are making progress through the document and, as we get more guidance that keeps coming through, we will continue to revise. And as always, staff is ready for those meetings and I really appreciate the help.

Mr. Howard: Okay, thank you. Any other items that anyone wants to advance? Mr. Hirons?

Mr. Hirons: Well, actually, I hope this is the appropriate time. I just have a question. I've heard a lot about, especially during my time here both from here and the Board of Supervisors about the potential impact of BRAC? And I know there are a lot of unknowns, but is there an existing presentation of BRAC's impact on Stafford County?

Mr. Harvey: Mr. Chairman, Mr. Hirons, there is a Environmental Impact Statement that was issued with the study for the BRAC relocation. Stafford and Prince William have a BRAC coordinator, his name is Tom Rumora. If the Commission desires, I can have him attend one of the meetings to give you a briefing.

Mr. Howard: That actually would be a good idea to get an update because, as we get closer to 2011, we should understand that. I think we actually sat through one two years ago, but that would be good.

Mr. Hirons: Alright, I'll make you do it again.

Mr. Howard: No, that's good.

Mr. Fields: I think it's a moving target too. I don't think it's fixed.

Mr. Howard: It's a great point Mr. Hirons.

Mr. Harvey: Mr. Chairman, may I coordinate that presentation through you?

Mr. Howard: That would be great. Thank you. Any other issues or items that anybody wants to reference? So, we will move for approval of the minutes.

OTHER BUSINESS

APPROVAL OF MINUTES

*November 18, 2009*

*December 2, 2009*

*January 6, 2010*

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Mr. Fields: So moved.

Mr. Howard: Second?

Mr. Mitchell: Second.

Mr. Howard: All those in favor signal by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed? The minutes carry 6-0. Actually I said 7-0 before for something. Please note that Ms. Kirkman is not present at this time during this vote. And I think that's it. Mr. Harvey, anything else? We're good?

Mr. Harvey: We're good.

Mr. Howard: The meeting is adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:56 p.m.

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Gordon Howard, Chairman  
Planning Commission