

STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
February 20, 2008

The work session of the Stafford County Planning Commission of Wednesday, February 20, 2008, was called to order at 5:30 p.m. by Chairman Peter Fields in the Board of Supervisors Chambers of the County Administrative Center.

Members Present: Fields, Di Peppe, Mitchell, Rhodes, Carlone and Kirkman

Members Absent: Howard

Staff Present: Harvey, Judy, Baker, Wheatcraft, Zuraf, Stepowany and Hamock

Declarations of Disqualification

None

UNIFINISHED BUSINESS:

1. COM2700669; Comprehensive Plan Amendment – Stafford County Courthouse Redevelopment Area - A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed Amendment would redesignate Assessor's Parcels 29-92A, 92B, 93A, 93C and 93D; 29A-1-1, 2, 4, 7, 8, 8A, 8B, 10A, 11, 12, 13 and 14; 30-53, 53E, 53F, 53G, 54 and 54A; 38-73, 74A, 76, 76A, 76B, 76C, 76D, 76E, 76F, 76G, 76H, 76J, 77, 80, 80A, 81, 81A, 82, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 86L, 84, 84A, 85, 85A, 86A, 86B, 86C, 87, 92, 92A, 92B, 93, 93A, 94C, 95, and 96; 39-1, 2, 3, 4, 4A, 8, 9, 10, 16, 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16J, 16K, 16L, 56A, 56B, 56C, 56D, 56E, 57, 57A, 57B, 57C, 57D, 57E, 57F, 62, 62A, 63, 64, 64A, 66, 66A, 68A, 71 and 71A from Light Industrial and Heavy Industrial to Urban Commercial. The affected properties are all located in the general vicinity of the Stafford County Courthouse, in an area bound from the south by Accokeek Creek, to the north by Courthouse Road, to the west by interstate 95, and the east by Stafford Middle School. The proposed amendment would be for the purpose of courthouse area redevelopment and construction of future county courthouse projects. **(Time Limit: April 6, 2008) (Referred back to Planning Commission by the Board of Supervisors)**

2. RC2700668; Reclassification – Stafford County Courthouse Redevelopment Area - A proposed Reclassification from R-1, Suburban Residential Zoning to B-2, Urban Commercial Zoning District on Assessor's Parcels 30-50 and 53 and M-1, Light Industrial Zoning to B-2, Urban Commercial Zoning District on Assessor's Parcels 29-93A, 93C, 93D, 30-56, 38-77, 80, 80A, 81, 81A, 82, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 83L, 86A, 86B, 86C, 92 (portion), 92A, 39-1 (portion), 4, 4A, 16, 16H, 16L and 56D and M-2, Heavy Industrial Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcels 29-92A, 92B, 29A-1-9A, 38-84, 85 and 85A and M-1, Light Industrial and B-1, Convenience Commercial to B-2, Urban Commercial Zoning District on Assessor's Parcels 38-95 and 96 and M-1, Light Industrial M-2, Heavy Industrial Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcel 38-83A with all properties within an area in close proximity of the Stafford County Courthouse, bound to the south by Accokeek Creek (property containing the creek), to the north by Courthouse Road, to the west by Interstate 95, and to the east by Stafford Middle School. These properties include industrial zoned properties on either side of Wyche Road and along Jefferson Davis Highway. The purpose of

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the proposed reclassification is to allow for the Courthouse area redevelopment and construction of future county Courthouse projects consisting of approximately 489 acres, located on the south side of Courthouse Road within the Aquia Election District. The Comprehensive Plan recommends the properties for Urban Commercial, Office, Light and Heavy Industrial and Resource Protection uses. The Urban Commercial designation would allow development of commercial retail and office uses. The Office designation would allow the development of professional offices and office parks. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Heavy Industrial designation would allow warehouses and the development of industrial parks. The Resource Protection designation would allow open space and conservation. See Section 28-35 of the Zoning Ordinance for a full listing of permitted used in the B-2 Zoning District. **(Time Limit: April 6, 2008) (Referred back to Planning Commission by the Board of Supervisors)**

Mr. Harvey stated the Board of Supervisors made a motion at the February 19, 2008 evening meeting to rescind Resolution R08-110 referred to the Planning Commission for 60 days which would allow the Commission to comment on the items and would go before the Board on March 18, 2008. He stated the Commission could debate the issue at this meeting as well as the March 5, 2008 meeting. He stated the Board would consider the B-2 zone but would also look at zones that may be less intensive.

Mr. Fields asked how that would be presented for public hearing if there were more than one zone category.

Mr. Harvey stated the Board would consider the B-2 zoning category and may change to urban commercial which may be an option after the public hearing.

Mrs. Baker stated the memo provided to the Commission with comments was information staff had researched after the January 23, 2008 meeting. She stated transportation impact assessment stated the intersection of Wyche Road and Courthouse Road operated at a level of service E/F which was poor or failing. She gave a summary of the traffic trips per day in the area. She stated Commercial would be greater for traffic generation and the concern with truck traffic. She stated staff looked at the three (3) current sites plans under review in the Courthouse Area and the generation they may have on traffic. She stated Panel Systems had a site plan that showed 18,000 square feet of manufacturing use and 4,800 square feet of office use, there was parking designated for automobile use. She stated the GDP site plan was an 11,000 square foot garage use with six indoor truck bays and additional 6,000 square feet of office use with four (4) acres of fleet parking and a definition was provided to the Commission. She stated the Wyche Road industrial Park showed 92,000 square feet of Flex and Industrial Office use. She stated it may be difficult to determine the amount of truck traffic up front and summarized the plan that had been submitted to the Planning and Zoning Office. She stated she spoke with VDOT regarding the impact of traffic based on the applications and there would be no way to provide an analysis without a traffic impact analysis completed.

Mr. Mitchell arrived at 5:37.

Mrs. Carlone stated she spoke with Paul Balderson at VDOT who provided a figure of 16,000 Average Daily Trips on Courthouse Road that cross from Interstate 95 to Route 1. She stated

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terminal and truck terminal were different because trucking terminals have a lot of contract trucking. She asked if there was a traffic count for the buildings.

Mrs. Baker stated it would be based on the transportation manual which provided information regarding the average trip generation specific to use and the comparison used was based on square footage because all of the use having different reasons for generating.

Ms. Kirkman stated she pulled a traffic impact analysis on a large project recently done in the county and for general office using the ITE manual had a rough estimate of about 100 vehicle trips per day per 1,000 square feet of space. She state the best case scenario if the Board rezoned to office use instead of getting 4.5 vehicle trips per day per 1,000 square feet on Industrial instead there would be roughly 100 vehicle trips be day per 1,000 square feet of office which would be about a 25 percent fold increase in traffic. She stated if the area was reclassified to Commercial it would be 165 vehicle trips be day per 1,000 square feet instead of 4.5 vehicle trips per day per 1,000 square feet which would be roughly a 40 percent fold increase in traffic

Mrs. Baker stated those figures should be taken lightly because there were certain uses not included and nothing to calculate how much fleet parking may be in a use.

Mr. Fields stated the ITE was a broad average and the Transportation Demand model would be trying to localize Stafford specific trip generation.

Mr. Harvey stated the demand model would take input from existing on the ground and future land use on the Comprehensive Plan and project out in the future based on existing and proposed developments.

Mr. Fields asked if that would be more data specific to Stafford.

Mr. Harvey stated yes and as a follow up to comments received by staff regarding proffers, Mrs. Baker had done an analysis and would explain.

Mrs. Baker stated there were a handful of sites that had current proffers which were completed in the late 1980's and 1990's. She stated there were no monetary proffers or road improvements proffers. She stated the proffers were minimal but would provide to the Commission with a copy of the Ordinance.

Mr. Fields stated due to the revised action from the Board he asked the Commission if the items should be moved to the Regular Meeting or held for one more meeting.

Ms. Kirkman stated when the request to the Board was made for an extension; it was due to the scale and scope of the project. She started reclassifying 500 acres and revising the Comprehensive Plan should be done in a thorough manner and cannot see that happening in one or two nights. She made a motion to move the Comprehensive Plan Amendment to the Regular Meeting to vote on the item. Mr. Di Peppe seconded.

Mr. Di Peppe stated he was extremely disappointed that the Board bypassed the Planning Commissions recommendation.

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Mr. Mitchell stated this item was in the Aquia District and would like to make the motion.

Ms. Kirkman withdrew her motion.

Mr. Di Peppe withdrew his second.

Mr. Mitchell made a motion to move to the regular meeting. Mr. Di Peppe seconded. The motion passed 5-0 (Mr. Howard and Mr. Rhodes were absent).

ORDINANCE COMMITTEE

Mr. Di Peppe stated item 2 and 3 would be moved to the top of the agenda to be heard first.

2 – Heritage Preservation Zoning District

Ms. Wheatcraft stated staff recommended the removal of docks and piers.

Mr. Harvey stated due to Ordinance construction typically docks and piers were accessory structures and not listed in the zoning ordinance as a separate permitted use.

Mr. Fields stated this would allow a Heritage Protection Zone go through the process and was regulated by the Wetlands Board and state authority.

Ms. Wheatcraft discussed outdoor lighting standards and made corrections to the wording as requested by the Commission. She stated height of the lighting was 35 feet and it could be lowered if needed. She stated the foot-candles were the standard for zoning categories and appropriate for Historic sites.

Mrs. Carlone stated an applicant could request for light to be lowered if the applicant felt necessary.

Mr. Mitchell stated he would be concerned with regulating the height of a street light. He stated it could limit an outdoor lighting company because there would be limitations on the lighting.

Ms. Wheatcraft stated a definition regarding historical integrity was added on page 3.

Rebecca Wood stated Ferry Farm was partially zoned A-1 which was a hold over from its long farming history and B-2 from the Samuel Warner ownership of the property. She stated the current owners of the property were the George Washington Fredericksburg Foundation and ready to embark upon sensitive improvements to Ferry Farm that would better interpret the story of George Washington's formative years. She stated some of the improvements include a new visitor center, discover yard to interpret 1800 century farm life, reconstruction of the Augusta and Washington Farm Complex, interpretive slave cabin and a functional replica of the 1800 century ferry operated on the river. She stated the National Park Service would watch over every detail of reconstruction they would be ensured the historic integrity of the site would not be diminished. She stated neither A-1 nor B-2 were appropriate zoning categories for the property. She stated the Heritage Protection Zoning District would benefit all historic sites, as well as Ferry Farm.

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Mr. Di Peppe asked if Ms. Wood would like to discuss the height of the lighting.

Mr. Judy stated the lighting would include liability issue for the patrons visiting the site and would need to be taken into consideration.

Mr. Rhodes arrived at 6:05.

Ms. Wood stated she would like to see the Ordinance written broadly enough that the county considers human safety and general enough which would allow the applicant to choose appropriate lighting that would not impact the historic integrity of the site. She stated normally heritage protection sites would normally be closed after dark. She stated the National Park Service requested the visitor center did not visually impact the sacred historic core which was the site of the Augusta Washington Farm Complex. She stated with the occasional events in the evening, there would be extra lighting provided for the safety of the visitors.

Mr. Fields made a motion to move this to the evening session. Ms. Kirkman seconded. The motion passed 6-0 (Mr. Howard was absent).

3 – Stone and Mulch Sales

Mr. Stepowany read the Ordinance and discussed the revisions with the Commission.

Mr. Fields made a motion to move this to the evening session. Mr. Rhodes seconded. The motion passed 6-0. (Mr. Howard was absent.)

1 – RPA Setbacks

Mrs. Baker stated the RPA setback was authorized for public hearing to go the Planning Commission at the February 5, 2008 Board of Supervisors meeting. She stated the Board requested the Commission work with the Commissioner of Revenues office to determine impact to property values as part of the review of the Ordinance. She stated staff had discussions with the Commissioner of Revenue who stated there was no clear indication of how to determine property values and may end up with larger lots or less land area. She stated the cost for notification in 2006 was approximately \$11,000 because the county had to notify approximately 27,000 residents. She stated there was an option for a Variance within the Ordinance in the event of a hardship. She stated it would take some time to prepare an updated list from the Commissioner of Revenues office and would suggest approximately 30 day to advertise the public hearing.

Mrs. Carlone stated she can not see how the Ordinance would be a detriment to county residents which would allow residents to have more buildable area on there properties.

Mr. Fields asked in the R-1, R-2 and R-3 exclude the idea that an RPA would be on a lot.

Mr. Harvey stated no. he stated typically the RPA would be in a common open space area, but not in all cases. He stated for the agricultural zones there was no density calculation involved as the minimum lot size and typically have the RPA on individual lots.

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Mr. Fields asked if it was possible on R-1, R-2 and R-3 there could be a 45,000 square foot lot with RPA.

Mr. Harvey stated there could be.

Ms. Kirkman stated in working with real estate records, it would be approximately 15 minutes to pull a list of mailing addresses of all the property owners in Stafford County and did not understand why it would take 30 days to generate the list.

Mrs. Baker stated the list would exclude properties under 11,000 square feet according to the ordinance. She stated staff would need to remove all duplications and multiple property owners. She stated the letters would need to go the printer and wanted to advise the Commission of all the timeframes. She stated the Commissioner of Revenues office would need time to pull all the addresses in the middle of reassessment notices for county residents.

Mr. Harvey stated the first meeting in April would allow staff to get everything completed.

Mr. Fields stated a slight misstep could cause a technical flaw in the ordinance and could result in court.

Mr. Di Peppe stated giving staff an extra two weeks to would allow for no mistakes.

Ms. Kirkman stated from a logistical stand point, if it took more then a day to create a list of properties then there was some inefficiency in the system.

Mr. Rhodes stated there were previous discussions and asked how the Commission came up with 35 feet.

Mr. Di Peppe stated there were plans that showed the RPA almost directly touching the back of a dwelling and no deck would be allowed. He stated 35 feet was a little more then 10 yards which would allow a resident the option to put a deck on the back of a home.

Mrs. Carlone stated the Commission had quite a few discussions to come up the 35 feet. She stated that would allow residents to have a decent size deck.

Mr. Stepowany stated at the time four options were provided to the Commission and in the A-1 and A-2 the rear yard setback was 35 feet which was the desire of the Commission.

Mr. Judy stated the language in the Ordinance stated, "Recorded on or after the effective date of the Ordinance" and stated "on" would need to be stricken.

Mr. Carlone made a motion to send forward to the evening meeting to set for a public hearing with the amendment from Mr. Judy. Mr. Rhodes seconded. The motion passed 6-0 (Mr. Howard was absent).

4 – Potomac River Resource Overlay District

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Mrs. Baker gave a brief overview of the Ordinance. She stated the request for the Ordinance was requested by Mr. Woodson and Ms. Kirkman. She stated the strikethroughs in the document were a result of staff meeting with Ms. Kirkman. Mrs. Baker discussed the Ordinance and the changes to the Ordinance.

Ms. Kirkman provided a presentation for staff with pictures and discussed in great detail the background history in environmentally sensitive areas of the county.

Mr. Rhodes stated the proposal was limited to a certain section and asked if there were other areas affected, he asked why the Ordinance would be limited to the Potomac River Area.

Mr. Harvey stated the primary focus was issue associated with the Potomac River. He stated it would be up to the Commission to decide what boundaries to put on the overlay.

Ms. Kirkman stated the tributaries and the Potomac River had been identified as impaired waters category 5 and with the focus to one area the Commission and staff could take an incremental approach.

Mr. Fields stated the Ordinance would be a good start and would be the controllable part of the tidal portion for the Potomac that was in Stafford. He stated he would like to add a southern boundary along Potomac Creek and would state "the southern boundary district shall be the southern most point of the property line and all the parcels east of Brooke Road that have frontage on Potomac Creek".

Mr. Rhodes asked why would it go all the way to Route 1.

Ms. Kirkman stated to capture more tributaries.

Mr. Rhodes asked given the density of Aquia, what the implication would be on the existing homes.

Ms. Kirkman stated there would no impact.

Mr. Judy stated existing homes would be exempt and assumed future modifications could be allowed.

Ms. Kirkman stated in Aquia Harbour most of the properties were right on the RPA line and structures are within the RPA.

Mr. Rhodes stated he wanted to fully understand the implications to the homeowners.

Mrs. Baker stated in the Ordinance on page 4, under Development Standards, it states all applications for reclassifications, Conditional Use Permits, Subdivisions and Site Plans would be subject to the development criteria. She stated it was not the intent for existing properties.

Mr. Rhodes asked what the common criteria would be for setting the boundaries.

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Mr. Mitchell stated in reading the boundaries this boundary would take in the entire Aquia Harbour Subdivision and 80 percent of Green Ridge and stated he was concerned for residents that may request modifications within the boundary of the overlay district. He stated he agreed with Mr. Rhodes and asked if the extra protection was needed.

Mr. Di Peppe stated the overlay district would not affect current properties and would only affect new development.

Mr. Judy stated if there was a request that did not require a site plan; the ordinance would not apply. He stated as discussed by Ms. Kirkman, there were already homes that were non-conforming because they sit in designated RPA and would have to comply with the Chesapeake Bay Act Ordinance. He stated he questioned whether an additional Ordinance would be needed as opposed to making the Chesapeake Bay Ordinance and the Erosion and Sediment Control Ordinance better. He stated the issue would be adequate erosion and sediment control and adding additional buffers. He stated the issues may be resolved without creating an additional overlay district.

Ms. Kirkman stated in research of Ordinances from other localities that had placed buffers around intermittent streams or highly erodible soils, almost all had been done through overlay districts and suggested keeping the Ordinance already proposed.

Mr. Fields stated the ides of the overlay would be to focus on critically and realized these were tough standards in critical areas. He stated the overlay was applicable and would allow the county to focus on the most critical areas.

Mr. Di Peppe stated he agreed with this Ordinance.

Ms. Kirkman made a motion to move this item to the evening session to set a public hearing with the amended language on page 4 that Mr. Fields suggested. Mr. Carlone seconded.

Mr. Judy stated he had a question regarding page 5, 1d, made reference to the North Carolina Division of Water Quality Identification methods and asked where that came from and what it was based on.

Mr. Harvey stated that was an accepted practice by Chesapeake Bay local systems department to determine Resource Protection Areas. He stated that method was accepted by the Commonwealth and staff requested a complimentary amendment to the Comprehensive Plan that would help support the Ordinance with an amendment to the current Land Use Plan to highlight that.

Mr. Di Peppe stated there was a motion on the floor.

The motion passed 4-2. (Mr. Rhodes and Mr. Mitchell were opposed) (Mr. Howard was absent)
ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:05 p.m

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Peter Fields, Chairman

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The regular meeting of the Stafford County Planning Commission of Wednesday, February 20, 2008, was called to order at 7:30 p.m. by Chairman Peter Fields in the Board of Supervisors Chambers of the Stafford County Administration Center.

MEMBERS PRESENT: Fields, Di Peppe, Mitchell, Rhodes, Carlone and Kirkman

MEMBERS ABSENT: Howard

STAFF PRESENT: Harvey, Judy, and Hamock

Mr. Fields stated Mr. Rhodes and Mr. Mitchell were late for the work session and Mr. Howard was delayed in Rhode Island and sent his apologies to the Commission and the public.

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

None

Presentation by Virginia Department of Conservation and Recreation: Widewater State Park

Mrs. Baker presented Mr. Munson from the Virginia Department of Conservation and Recreation and was heading the development of the Widewater State Park master planning process. She stated there would be a public information meeting on March 13, 2008.

Bob Munson, Virginia Department of Conservation and Recreation (DCR), stated he was going to explain the proposal and highlight concerns. He stated there were five (5) different parcels with approximately 1,100 acres with frontage on the Potomac River and Aquia Creek. He stated there were some limitations including the soil not perking well, lofted wetlands and lots of habitat, which was ideal for a state park. He stated a major focus of the park was environmental education and found enough developable land to accommodate a stated program. He stated there would be great day use programs, which were included in phase I, such as bank fishing, pier fishing, boating, trails, interpretative and educational centers, camping, cabins, environmental education center, picnic areas, and biking, hiking and equestrian use. He stated discussed the program for the stated park and the planning process used was set forth in the Virginia State Code with an appointed advisory committee made up of citizen, local government officers, conservation organization, school board members and anyone interested in the idea of a park. He stated all state parks had rangers that live and manage the parks which would be located in area III. He stated there would be a public information meeting on March 13, 2008 and another public meeting in September. He stated phase there were four phases in which the park would be completed with approximately 5 years between phases. He stated staff would live on site from the very beginning to manage the area and supervise construction. He stated DCR would like to re-route Brent's Point Road to straighten out the road and bring the road out of the RPA. He discussed the phases in detail for the Commission

Mr. Mitchell asked why the rangers would be so far apart on the property.

Mr. Munson stated there would be a possibility there would be one ranger that may live in the Widewater area while the other two rangers residence at the park and would be separated to have access to all parts of the state park. He stated the families come with the rangers and prefer to have homes to live in.

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Mr. Mitchell stated if all three rangers stations were close together there may be saving in money or supplies for construction.

Mr. Fields thanked Mr. Munson for giving an informative presentation.

PUBLIC HEARINGS:

1. Amendment to Zoning Ordinance - Amendment to the Code of Stafford County, Section 28-273, Nonconforming Structure, of the Zoning Ordinance and establishment of Section 28-276, Discontinuance; and, Section 28-277, Abandoned Nonconforming Signs, of the Zoning Ordinance, pursuant to proposed Ordinance O08-20. The amendment would exempt general advertising signs from complying with Section 28-273 since those signs are regulated by state code. The amendment also establishes Section 28-276, Discontinuance, by providing that any nonconforming parcel, building, or structure and the use thereof may be continued only so long as the then existing use, or a more restricted use, continues and has not been discontinued for more than two (2) years. The amendment establishes Section 28-277, Abandoned, Nonconforming Signs with the following provisions:
 - a. A nonconforming sign shall be considered abandoned if the business for which the sign was erected has not been in operation for a period of at least two (2) years.
 - b. Upon notification by the County, an abandoned, nonconforming sign shall be removed by the owner of the property on which the sign is located within sixty (60) days of the date of the notification.
 - c. If the County, despite reasonable attempts, is unable to locate and/or notify the owner; or if the owner fails to remove an abandoned, nonconforming sign within sixty (60) days of being notified, the County, through its agents or employees, may enter the property upon which the sign is located and remove said sign.
 - d. If the County removes an abandoned, nonconforming sign pursuant to paragraph (c) above, the cost of such removal shall be chargeable to the owner of the property.

Mr. Stepowany presented the staff report and gave the Commission background concerning the proposed ordinance. He stated a key component of the ordinance was the two year period. If the property was vacant for more than two years, the nonconforming use cannot be continued. He stated this section was referring to nonconforming signs which have not been removed within a two year period of the abandonment. He stated this ordinance would allow the county to remove the sign. He stated he would be happy to answer any questions the Commission may have.

Mrs. Carlone asked for clarification concerning the removal of a sign and the ability of the county to seek restitution for the cost of removal.

Mr. Harvey stated currently we do not have a program in place. He stated it would be reviewed on a case by case basis.

Mr. Fields opened the public hearing.

With no one coming forward to speak, Mr. Fields closed the public hearing.

Mr. Di Peppe made a motion to recommend approval of Ordinance O08-20. Mrs. Carlone seconded. The motion passed 6-0 (Mr. Howard was absent).

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2. Amendment to Subdivision Ordinance - Amendment to the Code of Stafford County, Section 22-151, Reverse Frontage; and Section 22-217, Shared Driveways, of the Subdivision Ordinance, pursuant to proposed Ordinance O08-21. The amendment requires reverse frontage for all proposed lots of any development of a residential subdivision adjacent to a public street classified by Virginia Department of Transportation (VDOT) as a secondary, primary, collector, or arterial road except in cases where the subdivision agent has determined that the lots have a specific disadvantage based on lot orientation or topography; provided, however, that adequate emergency service access from the collector or arterial road into the subdivision shall be accommodated and all lots fronting on the secondary, primary, collector, or arterial roads provide shared driveways for every two (2) lots. The determination by the agent shall be in writing and in response to a written request submitted by the subdivider. The amendment modifies the provision for the design and construction standards for shared driveways. Design Standards are to be shown on the construction plans for a major subdivision or on the plans for the first house permit in a minor subdivision. A note on the plat of a minor subdivision must state that the plans for the first house building permit with a shared driveway shall comply with the design and construction standards for a shared driveway as established by VDOT to serve two (2) or more properties.

Mr. Stepowany presented the staff report. He gave a brief description of the road classifications according to VDOT standards and stated secondary roads were removed from the proposed ordinance. He stated all lots fronting on a primary, collector, or arterial roads would be required to provide shared driveways for every two (2) lots. He stated he would be happy to answer any questions.

Mr. Mitchell stated he was unaware shared driveway were encouraged. He asked if a shared driveway was also a pipe stem.

Mr. Stepowany stated no, both lots would have street frontage with one (1) driveway entrance. He stated a pipe stem has narrow frontage and the lots in the back.

Mr. Mitchell asked if there was a maintenance agreement between property owners.

Mr. Stepowany stated the main concern of a shared driveway was the actual access point and explained the culvert pipe would be required to be 32 foot instead of 16 foot.

Mr. Judy stated he thought Mr. Mitchell asked if there was a requirement for a maintenance agreement.

Mr. Stepowany stated there was no written maintenance agreement for shared driveways.

Ms. Kirkman asked if the ordinance could be modified to include a written maintenance agreement.

Mr. Judy stated the Commission can recommend there be a provision for a recorded maintenance agreement.

Mr. Fields opened the public hearing.

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Tom Cropp stated in his opinion, there are good points and bad points. He stated reverse frontage on a primary road was a good idea, but on a secondary road it would depend on the property. He stated he does not feel the Commission should mandate shared driveways.

Alex McAllister stated he was a small builder/developer and has concerns with the reverse frontage. He stated he purchased a 230 acre parcel and studied the Ordinances to learn the process. He stated his parcel was currently A-1 which would allow 3 acre lots. He stated his property was on a dead end road with a small amount of traffic. He stated he could have developed 60 or 70 lots, but chose to develop 19 lots and would be using the existing road frontage. He stated he understands the reverse frontage on major highways, but not in rural areas. He asked the Commission to give consideration to applications that are already in the process.

With no one else coming forward, Mr. Fields closed the public hearing.

Mr. Di Peppe made a motion to recommend approval of Ordinance O08-21. Ms. Kirkman seconded with a friendly amendment to include a recommendation to the Board that there be a provision added regarding shared maintenance.

Mr. Di Peppe stated he agreed to the amendment.

Mrs. Carlone stated you never know what road will become a major road in the future.

Mr. Di Peppe stated no matter when an Ordinance comes up there was always someone with an application that would be affected.

Mr. Fields stated there are many secondary roads with a minefield of multiple entrances. He stated, in his opinion, the reverse frontage issue needs to move forward.

The motion passed 6-0 (Mr. Howard was absent).

9. FY2009 to FY2014 Secondary Road 6 Year Plan (SSYP) – A public comment session and recommendation to the Board of Supervisors regarding future funding of secondary roads in the county.

Mr. Fields stated this item could be moved forward on the agenda. He opened the public input session.

Dana Brown stated she lived in the St. Georges Estate subdivision and asked the Commission to reprioritize the Joshua Road and Route 610 widening project. She stated this project was in the Rockhill District and does not feel this project was critical or a safety issue for the residents. She stated this was on the SSYP for a while now and was voted down on the failed bond referendum last year. She stated she felt it was voted down because it was not a high priority and not addressing critical needs first. She stated she attended several Board meeting and was apparent that projects picked were not based on immediate need. She stated total cost of the project was 8.5 million and the state has yet to allocate the final 3.3 million for FY2009. She stated the money received this year should be spent on critical projects such as Mountain View Road, Shelton Shop Road, Courthouse Road, or Onville Road. She stated this project was not designated as a hot spot on the

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Youth Drivers Task Force report and was not listed on the Hazardous Road and Fatality report. She stated the section of Route 610 adjacent to the project all the way to Fauquier County line was on the designated hot spot report with no plans to fix that issue and felt this project was ill thought out because when the lanes were widened, there would be a 16 foot widen raised median divider installed from Tech Parkway to Joshua Road. She stated there were two subdivisions with entrances along this half mile stretch affected and according to VDOT there would be cutouts for residents to enter there subdivisions and would travel further west, past the subdivision, and make a U-turn to travel east then turn into the subdivision.

With no one else coming forward, Mr. Fields closed the public input session.

Mr. Fields stated there was a meeting of the Transportation Committee on Monday, February 18, 2008 and would discuss issues and make recommendations. He stated there were a lot of things to think about and the county was in the process of creating a Transportation Demand Model that would provide a sophisticated tool for measuring capacity. He stated next years process would be much more data and informed driven process and look at cumulative safety impacts.

UNFINISHED BUSINESS:

3. SUB2600625; Williams Subdivision, Preliminary Subdivision Plan - A preliminary subdivision plan for 13 single family residential lots, zoned A-2, Rural Residential, consisting of 14.55 acres located on the north side of Enon Road approximately 1,500 feet west of Wyatt Lane on Assessor's Parcels 45-125 and 45-125B within the Hartwood Election District. **(Time Limit: February 28, 2007) (Deferred to February 20, 2008 Regular Meeting at the applicant's request)**

Mr. Harvey stated the applicant had submitted a request to extend the time limit to March 19, 2008.

Mr. Di Peppe made a motion to extend the time limit for Williams Subdivision. Mrs. Carlone seconded. The motion passed 6-0 (Mr. Howard was absent).

4. SUB2700649; Poplar Hills Section 5, Preliminary Subdivision Plan - A revalidation of an approved preliminary subdivision plan (220331) for 39 single family residential lots on well and septic, zoned A-1 and A-2 consisting of 182.99 acres, located on the north side of Brooke Road approximately 100 feet west of Marlborough Point Road on Assessor's Parcel 40-57 within the Aquia Election District. **(Time Limit: April 14, 2008) (Deferred to March 5, 2008 Work Session)**

Mr. Fields stated item 4 was deferred to March 5, 2008.

5. SUB2600045; Beck Ridge, Preliminary Subdivision Plan - A preliminary subdivision plan for 12 single family residential lots, zoned A-1, Agricultural, consisting of 39.39 acres located on the east side of Richards Ferry Road approximately 4,000 feet southwest of Warrenton Road on Assessor's Parcel 35-16 within the Hartwood Election District. **(Time Limit: May 6, 2008) (Deferred to March 19, 2008 Work Session)**

Mr. Fields stated item 5 was deferred to March 18, 2008.

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6. COM2700669; Comprehensive Plan Amendment – Stafford County Courthouse Redevelopment Area - A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed Amendment would redesignate Assessor's Parcels 29-92A, 92B, 93A, 93C and 93D; 29A-1-1, 2, 4, 7, 8, 8A, 8B, 10A, 11, 12, 13 and 14; 30-53, 53E, 53F, 53G, 54 and 54A; 38-73, 74A, 76, 76A, 76B, 76C, 76D, 76E, 76F, 76G, 76H, 76J, 77, 80, 80A, 81, 81A, 82, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 86L, 84, 84A, 85, 85A, 86A, 86B, 86C, 87, 92, 92A, 92B, 93, 93A, 94C, 95, and 96; 39-1, 2, 3, 4, 4A, 8, 9, 10, 16, 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16J, 16K, 16L, 56A, 56B, 56C, 56D, 56E, 57, 57A, 57B, 57C, 57D, 57E, 57F, 62, 62A, 63, 64, 64A, 66, 66A, 68A, 71 and 71A from Light Industrial and Heavy Industrial to Urban Commercial. The affected properties are all located in the general vicinity of the Stafford County Courthouse, in an area bound from the south by Accokeek Creek, to the north by Courthouse Road, to the west by interstate 95, and the east by Stafford Middle School. The proposed amendment would be for the purpose of courthouse area redevelopment and construction of future county courthouse projects. **(Time Limit: April 6, 2008) (Referred back to Planning Commission by Board of Supervisors)**

Mr. Mitchell made a motion to recommend approval of COM2700669, the amendment to the Comprehensive Plan. Mr. Rhodes seconded.

Ms. Kirkman stated she was saddened and disturbed by the reversal of the extension by the Board of Supervisors. She stated the Comprehensive Plan was currently being worked on and to make a change of this significance with little thought was premature.

Mrs. Carlone stated she agreed with Ms. Kirkman. She stated she was dismayed by the way this was handled, since the Comprehensive Plan was not complete and the magnitude of this project,

Mr. Di Peppe stated he feels the Planning Commission was being cut out of the process for something this significant. He stated in his opinion this was beyond all common sense.

Mr. Mitchell stated there are some unknowns, but feels it needs to be moved forward to the Board.

Mr. Fields stated a rezoning of this scale initiated by the County, does not seem to be a good idea. He stated if a private developer came in to rezone a project of this size, he would doubt the Commission would approve it with no traffic impact analysis, Generalized Development Plans (GDP) or proffers. He stated in his opinion the County has the same responsibility to the future generations of Stafford that are expected of the private developers, which would mitigate the negative impacts. He stated the ultimate goal to redevelop the Courthouse area was laudable, he does not feel this was the correct way to go about it.

Ms. Kirkman stated if a private developer submitted this same request with no traffic impact analysis, no fiscal impact analysis and no proffers, the application would be incomplete, and the Commission would not vote on it because those items are requirements.

The motion failed with a vote of 2-4 (Mr. Fields, Ms. Kirkman, Mrs. Carlone and Mr. Di Peppe voted no) (Mr. Howard was absent).

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Mr. Judy stated the motion to approve was denied, the Commission now needs a motion to deny.

Mr. Di Peppe made a motion to recommend denial of COM2700669. Ms. Kirkman seconded. The motion passed 4-2 (Mr. Mitchell and Mr. Rhodes voted no) (Mr. Howard was absent).

7. RC2700668; Reclassification – Stafford County Courthouse Redevelopment Area - A proposed Reclassification from R-1, Suburban Residential Zoning to B-2, Urban Commercial Zoning District on Assessor's Parcels 30-50 and 53 and M-1, Light Industrial Zoning to B-2, Urban Commercial Zoning District on Assessor's Parcels 29-93A, 93C, 93D, 30-56, 38-77, 80, 80A, 81, 81A, 82, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 83L, 86A, 86B, 86C, 92 (portion), 92A, 39-1 (portion), 4, 4A, 16, 16H, 16L and 56D and M-2, Heavy Industrial Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcels 29-92A, 92B, 29A-1-9A, 38-84, 85 and 85A and M-1, Light Industrial and B-1, Convenience Commercial to B-2, Urban Commercial Zoning District on Assessor's Parcels 38-95 and 96 and M-1, Light Industrial M-2, Heavy Industrial Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcel 38-83A with all properties within an area in close proximity of the Stafford County Courthouse, bound to the south by Accokeek Creek (property containing the creek), to the north by Courthouse Road, to the west by Interstate 95, and to the east by Stafford Middle School. These properties include industrial zoned properties on either side of Wyche Road and along Jefferson Davis Highway. The purpose of the proposed reclassification is to allow for the Courthouse area redevelopment and construction of future county Courthouse projects consisting of approximately 489 acres, located on the south side of Courthouse Road within the Aquia Election District. The Comprehensive Plan recommends the properties for Urban Commercial, Office, Light and Heavy Industrial and Resource Protection uses. The Urban Commercial designation would allow development of commercial retail and office uses. The Office designation would allow the development of professional offices and office parks. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Heavy Industrial designation would allow warehouses and the development of industrial parks. The Resource Protection designation would allow open space and conservation. See Section 28-35 of the Zoning Ordinance for a full listing of permitted used in the B-2 Zoning District. **(Time Limit: April 6, 2008) (Referred back to Planning Commission by Board of Supervisors)**

Mr. Mitchell made a motion to recommend approval of RC2700668. Mr. Rhodes seconded.

Ms. Kirkman stated specific to the rezoning, in her opinion, the Boards reversal of the extension of time was a disservice to the public and affected property owners. She stated the Board created an expectation among the public and the land owners that there would be a longer timeframe to voice their concerns. She stated there has been a lot of talk about change, and talk about tying transportation and land use planning, and now we have a Board that was moving forward with one of the most significant rezoning in the recent history of the County, with no information regarding fiscal impacts, no information on the traffic impacts and no ability to collect proffers to mitigate those impacts. She stated in her opinion it was a very irresponsible way to move forward with land use and planning and makes those a hypocrite that have said they expect the Planning Commission to link transportation and land use decisions.

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The motion failed 2-4 (Mr. Di Peppe, Mrs. Carlone, Ms. Kirkman and Mr. Fields voted no) (Mr. Howard was absent).

Mr. Di Peppe made a motion to recommend denial of RC2700668. Mr. Rhodes seconded. The motion passed 4-2 (Mr. Mitchell and Mr. Rhodes voted no) (Mr. Howard was absent).

NEW BUSINESS:

8. PAE2800001; Norwood Private Access Easement – A private access easement to serve two lots to be subdivided from Assessor's Parcel 16-14, on the east side of Cropp Road approximately 5,400 feet north of Skyline Drive, within the Hartwood Election District. **(Time Limit: May 20, 2008)**

Jon Schultis presented the staff report. He stated the Private Access Easement (PAE) proposed was to serve two lots within a proposed minor subdivision zoned A-1, Agricultural. There were no wetlands or stream channels located within the proposed location of the PAE. He stated the proposed PAE met the requirements stated in 22-176 of the Stafford County Subdivision Ordinance and staff recommended approval of PAE2800001.

Ms. Kirkman clarified there would be no vote for a subdivision plan, just the PAE.

Mr. Schultis stated yes.

Mr. Fields asked if the subdivision plan was previously approved.

Mr. Schultis stated no.

Mr. Fields asked if the subdivision plan was pending.

Mr. Schultis stated if the PAE was approved the subdivision plan would be submitted.

Ms. Kirkman asked if the county had frontage requirements.

Mr. Schultis stated yes and the surveyor provided a cul-de-sac at the end in order to meet frontage requirements of the Zoning Ordinance.

Tom Cropp, applicant, stated he was going to development four lots and needed a PAE to get access on of the lots. He stated this was liquidity for his children and would like the farm to be maintained with the family.

Mrs. Carlone made a motion for approval of PAE2800001. Mr. Rhodes seconded. The motion passed 6-0. (Mr. Howard was absent)

MINUTES:

None

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ORDINANCE COMMITTEE:

James Stepowany stated item 5, Buildable Area, was recommended by Ms. Kirkman and would provide three options for the ordinance. He discussed in detail with the Commission the options recommended.

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the Board of Supervisors authorized a public hearing scheduled for March 18, 2008, to require the Planning Commissioners to be certified within the first year of office and the Commissioners who had previously attended the course would need to provide the certification of attendance. He stated the Board approved the Economic Strategic Plan and deferred the Fair Haven Flood zone Conditional Use Permit to the next meeting and approved the North Stafford Center for Business and Technology with modification to the proffers and GDP. He stated periodically the County was reviewed by bond insurers in New York which has a significant impact on the rate in which the county would spend interest on bonds that were issued for construction projects in the county and the County Administrator stated the county was able to maintain the AA bond rating.

COUNTY ATTORNEY'S REPORT

Mr. Judy stated the Board of Supervisors removed from an Ordinance that the new Planning Commissioners would not have to be certified. He stated the Commissioners would need to be certified within the year.

SECRETARY/TREASURER REPORT

No report

STANDING COMMITTEE REPORTS

Ms. Kirkman stated the first meeting of the Transportation Committee was held on February 18, 2008 and received a longer timeframe to make a recommendation to the Board regarding the Six Year Secondary Road Plan. She stated the Commission would need to have the recommendation to the Board by the first meeting in April. She stated the Board would vote on a public hearing at the second meeting in April and proposed the Commission hold a public hearing on March 19, 2008 with the recommendation of the Commission. She stated the next meeting of the Transportation Committee would be March 3, 2008 at 6:00 PM.

CONSENT AGENDA

No report

SPECIAL COMMITTEE REPORTS

No report

CHAIRMAN'S REPORT

No report

ADJOURNMENT

With no further business the meeting was adjourned at 9:43 pm.

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Peter Fields, Chairman