

STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
May 21, 2008

The work session of the Stafford County Planning Commission of Wednesday, May 21, 2008, was called to order at 5:36 p.m. by Chairman Peter Fields in the Board of Supervisors Chambers of the County Administrative Center.

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

Members Absent:

Staff Present: Harvey, Judy, Stinnette, Stepowany, Zuraf, Schulte, Hess, Ansong and Carter

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. 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 7, 2008)**
(Deferred to May 21, 2008 Work Session at applicant's request)

Mr. Judy stated the main reason this was deferred was because of the five (5) day rule as the applicant had revised the plat and it had to be available for the public to review for five (5) days.

Mr. Fields asked if all the technical aspects of this application were in order and everything was as it should be all the timelines and deadlines.

Ms. Schulte stated yes, the signature set was received by the Department of Planning and Zoning on May 12, 2008 which fulfills 22-59, the five (5) day rule. She stated in addition a letter was received from the Health Department giving their approval of the eight (8) lot change.

Mrs. Carlone made a motion to send this to the evening meeting. Mr. Di Peppe seconded. The motion passed 4-0 (Mr. Rhodes, Mr. Mitchell and Ms. Kirkman were absent).

Ms. Kirkman arrived at 5:39 p.m.

COMPREHENSIVE PLAN COMMITTEE

2. Meeting Update

Joey Hess updated the Planning Commission on the Comprehensive Plan committee. He stated on Monday they reviewed the Levels of Service document which he provided to the Commission. He discussed the hand-out in detail and stated they went by the population projection provided to them by GWRC. He stated the future population projections in green were Virginia Employment Commission (VEC) projections. Page three discussed schools and provided background information regarding the existing facilities. He stated he would provide standards that were followed by the schools such as minimum acreage required to build a school, minimum building size and the size in which schools

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were built, and stated the costs were from Fiscal Year 2009. There was a total design capacity for Elementary, Middle and High School and the enrollment amount. He discussed the future dwelling unit projections and stated schools were unique because they do not always have children in them, there was a Student Generation Factor (SGF), each housing unit generated different amounts of students that have impacts on the schools. He stated the combination of all units showed an average of three (3) people per housing unit.

Mrs. Carlone asked if the three (3) people per dwelling unit was children or adults.

Mr. Hess stated that was a combination of the adults and children per dwelling unit. He stated there was a breakdown of the total units by townhome, single family and multi-family. He stated in Stafford County approximately 75 percent of the units were single family units, and approximately 12 percent and 13 percent for townhouses and multi-family.

Mr. Fields asked what assumption or methodology was used to generate a fluctuating range of numbers for years as far out as 2020 and 2030.

Mr. Hess referred to the handout and stated VEC provided projections for each of the five years, he took a five year span and spread it out linearly, which had the same percentage going across, the first five between 2010 and 2015 would increase 2.85 percent, the next five years would increase at 2.49 percent, the next five years would be 2.27 percent and the next five years would be 2.04 percent. He stated this was a restart every five years which was why there was a drop and then an increase.

Mr. Fields asked how staff was portioning out estimated single-family, townhouse and multi-family numbers.

Mr. Hess stated the percentage would stay the same and could change over time.

Ms. Kirkman stated VEC breaks the population growth projections down by age group and may be a more accurate way to get the school enrollments; for example there may be a faster younger population than mature population and since VEC was used for the base numbers for the planning, she felt it would be useful to go back and look at the projected population growth by age groups and tie that to the school enrollment figures.

Mr. Mitchell arrived at 5:49 P.M.

Mr. Howard stated under 2006 and 2007 there was no dwelling units added per year and asked the reasoning. He asked if there was any historical data used for projection provided today.

Mr. Hess stated the percentages were historical data with the dwelling units on the ground.

Mr. Howard asked if the dwelling units remained constant the first three years.

Mr. Hess stated yes they remain constant.

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Mr. Howard asked how many dwelling units were added in 2006 and 2007 and did staff think about going back any further from a historical prospective. He stated the bell curve started decreasing in terms of housing starts in 2006 and starting seeing less new homes being built.

Mr. Hess stated the most recent population estimate data was used as of July 1, 2207. He stated from the 2000 census to the 2007 census was where the 40,241 number was generated and staff made the assumption using VEC population projections divided by the increase per year by three, which was the approximate number of dwelling units per year.

Mr. Howard stated the numbers provided were not really the numbers dwelling units, there was no hard number provided.

Mr. Hess stated that was estimation. He stated there were currently approximately 2800 seats available in the county. He stated there was a projection that showed when new schools would need to built within the county, assuming the schools would be built for 950 students per school. He stated there was a total cost for elementary schools which was \$466 million approximately divided by the numbers of dwelling units projected out from population, which was approximately 2,800 units and equaled the 16,724 number per unit per elementary student.

Mr. Fields asked if there was inflation within the estimation.

Mr. Hess stated yes, inflation was involved and calculated at an eight percent increase per year.

Mr. Fields asked if that was reflecting the cost of materials and not Consumer Price Index (CPI).

Mr. Hess stated it was reflecting cost and materials.

Mr. Fields asked if the \$466 million was calculated with the inflation rate.

Mr. Hess stated that number was a cumulative addition of six costs listed.

Ms. Kirkman asked how staff came up with the eight percent figure.

Mr. Hess stated for schools and other facilities, he spoke with the Chief Facilities Officer with the schools, who was the source of information regarding the eight percent figure. He had emails and a report published in March 2008 called the AGE Construction Inflation Alert. He stated the report stated since December 2003 to January 2008 the producer price index (PPI) for inputs to construction industries rose at a cumulative rate of 30.2 percent compared to the 14.5 percent for the CPI.

Ms. Kirkman stated she thought the eight percent was low and asked how he reached that figure.

Mr. Hess stated he did not know all the numbers and was providing figures for the last five years.

Mr. Zuraf stated thirty percent was not an annual increase, but over a five year period.

Mr. Hess stated the schools and the Chief Facilities Office both use the eight percent rates when putting together Capital Improvement Plans (CIP's) and estimating the cost of a school.

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Mr. Fields asked if the proffers escalate using the Marshall Swift Index and if that was similar to eight percent.

Mr. Hess stated he thought that was 4.5 percent.

Mr. Howard asked if the 2008 school capacity level rate was projected or a number received the schools.

Mr. Zuraf stated the enrollment was factual and was provided from the school board student accommodation plan to provide the figures.

Mr. Howard stated the summary notes 828 students per school and staff used the projected 950 students per schools, which was a big difference.

Mr. Fields stated in looking at current elementary capacity there were older elementary schools not at 950 students. He stated projecting 950 in the future would be pretty logical.

Mr. Zuraf stated the newer schools would be at that standard.

Mr. Howard stated the current average enrollment was 663 and if schools were built to accommodate 950, he did not understand the need for additional schools based on the population growth.

Mr. Zuraf stated 663 was not a number that was ever taken into account the projection was based on 950.

Mr. Howard stated it was well below capacity and there may only be three or four schools that would be at capacity. He stated he still did not understand how the number was reached for projected schools.

Mr. Hess stated he used the current standards and the projected numbers could rise in the future.

Mr. Howard stated, in his opinion, there may be a proposal of too many schools based on the population chart.

Mr. Hess stated each year there would be a fluctuation of number because the population would change each year.

Mr. Fields stated there was always a big disparity between the current enrollment numbers and future projections, each year the schools were off by several hundred.

Ms. Kirkman stated part of the discussion at the Comprehensive Plan Committee was that the Levels of Service (LOS) would reflect the current levels and what the ideal levels should be. She stated if schools should be built to accommodate 1000 or 1100 students, now would be the time to discuss that in terms of the calculations.

Mr. Howard stated currently there were several elementary schools in the county below capacity, which needed to be staffed and would create higher numbers of students per class.

Ms. Kirkman asked with moving forward with the levels of service, the Comprehensive Plan committee should look to build elementary schools to accommodate 1100 or 1200 students.

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Mr. Howard stated if 950 students was the standard established, the county was well below that standard. He stated he did not understand the proposal for six additional schools and asked if that was what the county should be building.

Ms. Kirkman stated to determine the right number of schools the county would need to determine the right size. She stated Mr. Howard was suggesting there be fewer schools that serve a larger number of elementary students.

Mr. Howard stated if there was a standard of 950 students that was what should be used, and the county was currently well below that number. He stated he did not understand the projection of six new elementary schools, because it did not mathematically make sense.

Ms. Kirkman asked Mr. Howard if he was advocating fewer, larger schools.

Mr. Howard stated he was advocating that the right number of schools be built based on the population and to use the schools at 80 to 90 percent capacity, so the teachers/student ratio would not impact the quality of education in the future.

Ms. Kirkman stated this was a critical point and this would happen around a number of facilities that the Commission would review.

Mr. Howard asked how staff thought about that when the projection was made.

Mr. Hess stated he did not use the existing schools and enrollment and divide by 663, he used a calculation of past schools built at 950, using the population projections and dwelling units, staff assumed by the year 2017 there would be enough new students generated from new residential construction to have a number over 950 students.

Mr. Zuraf stated it was based on students per dwelling and type of dwelling previously established. He stated there were a possibility that in 2010 when the census was completed the numbers may decrease and the need for a schools may move out further and the projections may be higher then the projections. He stated staff was currently using the numbers provided by VEC.

Ms. Kirkman stated looking at the VEC growth projections broken down by age group might be helpful.

Mr. Mitchell stated looking at the cumulative student relationship to capacity, elementary schools were roughly 2,800 in 2008, with roughly 2,000 for middle schools and 290 for high school. Adding those numbers together was roughly 5000 in the negative. He stated looking at the eight percent inflation rate, there may be an assumption that there may not be a recession, according to the projections over the next 22 years there would be an eight percent inflation growth.

Mr. Hess stated he was using the real numbers that he was provided and if in 2015 or 2020 the inflation rates go down, the numbers could be adjusted. He stated with the numbers provided there were a lot of factors that could cause the numbers to decrease or increase.

Mr. Harvey stated he had a Marshall Swift Index which reflected a dip in the index between 2005/2006 to 2006/2007, for this exercise and comprehensive plan projection staff would need to do a linear projection. He stated in 2005/2006 the Marshall Swift Index showed an 11 percent increase and

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2006/2007 dropped to 1.6 percent increase, partly due to a slow down in construction in the industry. He stated from staff prospective the eight percent would be a good percentage to use based on the historical trends for construction on actual projects staff had worked on.

Mr. Rhodes arrived at 6:15 P.M.

Mr. Di Peppe stated the Commission should keep in mind the numbers were projected over the next 20 years and whatever numbers staff provided, the Commission could make the same arguments. He stated starting with eight percent was a good number and moving forward the Commission would receive the true numbers; the numbers could be adjusted if there was a recession as mention by Mr. Mitchell. He stated the projections were based on what the staff believes the population metric to be.

Mr. Fields asked if the Middle Schools and High Schools were a reiteration of the same formula.

Mr. Hess stated yes. He stated he would move on the summary which summarized the elementary, middle and high school numbers and in which year new schools would be needed.

Mr. Fields thanked Mr. Hess for accommodating the Commissions many questions.

Mr. Hess moved onto Fire and Rescue, he stated there was an inventory list of all the fire and rescue facilities and the type of facility. He stated the focus on Fire and Rescue was on square footage and providing future facility needs. He stated according to July 1, 2007 population estimate there was provided square footage per capita, which include square footage, building cost per capita and acres. He stated the Commission was provided the breakdown at current cost. He stated the cost per capita was \$944 times three, which was approximately \$2,800.00 per dwelling unit.

Mr. Fields asked if the total capita cost was for a total up and running Fire and Rescue Station.

Mr. Hess stated the figure used came from using the Fire Stations 14 and 15, which were used in the projected growth model.

Mr. Fields asked if the total were general averages.

Mr. Hess stated yes.

Ms. Kirkman stated in the first review of the fire station, there was a discussion to bring the other fire station up to the level of service and asked if that was included in the projections.

Mr. Zuraf stated no, staff was using impact fees which were applied to a future need of a future population. He stated staff was going on the assumption that existing stations would serve existing population and could not apply an impact fee to a new resident to pay for an old facility.

Ms. Kirkman stated staff was assuming because a facility exists, it could provide the same level of service as another facility that had a different level of square footage and equipment, which was a problem. She stated presumably there was some relationship between infrastructure and the ability to serve.

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Mr. Harvey stated at the committee there was a discussion of possibly having a separate appendix identifying shortfalls in the existing infrastructure. He stated that could be accounted for in the future CIP planning.

Mr. Hess discussed Parks and Recreation and the inventory of all properties under the Parks and Recreation department listed by facility type. He stated the focus with Parks and Recreation was the 16,000 acres of county park land which did not include State or National Park land. He stated the county set standards, which was 20 acres of county park land per 1,000 residents, cost of \$192,000 to acquire and develop one acre of new county park land. He stated the 16,000 acres was 816 acres below what the county standards. He stated using the eight percent inflation rate from \$192,000, assuming the county acquired and developed park land, the county would need an additional 200 acres at a cost of approximately \$1 billion, with an average of \$32,000 per housing unit. He discussed the library facilities and provided an inventory, which showed the Central Rappahannock Regional Library, Porter Library and the Falls Run Branch. He stated the Regional Library was utilized by the City of Fredericksburg, Stafford and Spotsylvania. He took the July 1, 2007 estimate for all three localities and did a percentage and stated the total square footage of the libraries was 37,500 square feet and times the 46 percent, which was the contribution to Stafford County, the county currently had 40,250 square feet of library.

Ms. Kirkman asked how the percentage based on population compare to the breakdown of users provided by the library.

Mr. Hess stated the library provided the number of approximately 46 percent of the county were cardholders.

Ms. Kirkman asked if staff could ask the library how many cardholders actually go to the library.

Mr. Hess stated he would check on that.

Mr. Fields stated he was on the Library Board for many years and the libraries had very extensive records of how often cardholders attend the library.

Mr. Hess provided the Commission with the calculations of 40,250 based on the population currently, the county was providing one third of a square foot per person. He stated the standard had changed from 0.6 square feet per person to 1 square foot of library per person, which was a state and national standard. He stated the county currently had an 80,000 square foot deficit and the Falls Run Library would be 30,000 square foot, which would be the protocol number for the county in the future at \$5,000 per household.

Mrs. Carlone stated there was a proffered site by Berea that had already been approved.

Mr. Zuraf asked Mrs. Carlone if she was referring to England Run.

Mrs. Carlone stated yes.

Mr. Zuraf stated that site had been approved.

Mr. Hess stated the Falls Run Library should come online in July 2009 then the additional square footage would be added to the bank of square footage for library facilities. He stated by 2009 the

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county would be in a deficit of 92,000 square feet. He discussed government and judicial facilities and provided an inventory of all current and future facilities. He stated the focus of the county facilities were where county staff worked, and stated currently there were two building that were no longer staffed. He stated for Government Building and Facilities was a little over 300,000 square feet and there was no county standard that needed a certain amount per capita. He stated amount per household was \$6,467.

Mr. Rhodes asked if this reflected a cumulative total of 22 years worth of construction of facilities at the future value rate capitalized at eight percent per year.

Mr. Zuraf stated correct.

Mr. Rhodes asked if this was the value of the dollar, whatever the value of the dollar would be in 2030 and reflected cumulative cost between now and 2030 at an inflated rate of eight percent a year.

Mr. Zuraf stated correct.

Mr. Rhodes asked if this was the highest number to come up with at a per capita basis.

Mr. Zuraf stated yes. He stated staff would look at coming up with an annual escalation.

Ms. Kirkman stated the cost was averaged out over 20 years.

Mr. Zuraf stated he provided a handout to the Commission which listed the revised timeline. He discussed the Comprehensive Plan recent accomplishments and discussed the future tasks to be completed.

ORDINANCE COMMITTEE

3. A. Commercial Apartments.

Mr. Stepowany discussed the Ordinance regarding the Commission requests to prohibit Commercial Apartments in the B 1, B-2, B-3, and SC Zoning Districts. He stated this item was struck out from those four districts and with a Conditional Use Permit on the Ordinance. He stated there was a concern at the last meeting regarding some cases in the B-2 Zoning District that may have mini storage warehouses which may constitute a dwelling for the watchman or a care taker. He stated that was a use that would require a Conditional Use Permit.

Mr. Rhodes asked how this was handled in neighboring counties.

Mr. Stepowany stated that would need to be researched.

Mr. Rhodes stated he was referring to completely eliminating the option for a Conditional Use Permit. He stated with a Conditional Use Permit the Commission still has control and asked if there was something the Commission was missing.

Ms. Kirkman stated the problem was this would be a residential use. There would be no proffers associated with a Conditional Use Permit.

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Mr. Rhodes stated he understood that and asked if research had been done for regulations in neighboring counties. He asked was there a reason that commercial apartments were prohibited.

Mr. Stepowany stated he had not researched any other localities.

Ms. Kirkman stated this Ordinance would need to include Rural Commercial (RC) as well.

Mr. Fields made a motion to move this item to regular session. Mrs. Carlone seconded the motion. The motion passed 7-0.

B. Helistop

Mr. Stepowany stated this item was referred to the Commission by the Board of Supervisors. He stated it was not in the form of a resolution but was requested to establish an Ordinance. He stated it would change the use table from currently having a Helistop in the RBC Zoning District to requesting a Conditional Use Permit for a Helistop.

Mrs. Carlone stated she agreed with this Ordinance.

Mr. Rhodes asked what the logic was behind the By Right use.

Mr. Stepowany stated originally the RBC Zoning District was to be a corporate office business park with corporate amenities. He stated this was allowed so corporate CEO's would have access to the Helistop.

Mr. Fields stated the original vision was more for a large scale corporation. He stated the Helistop was logical as a by right, but now would be more appropriate as a Conditional Use Permit.

Mr. Rhodes made a motion to move to the regular session. Mr. Mitchell seconded the motion. The motion passed 7-0.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:00 p.m.

Peter Fields, Chairman
Planning Commission

STAFFORD COUNTY PLANNING COMMISSION MINUTES
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The regular meeting of the Stafford County Planning Commission of Wednesday, May 21, 2008, was called to order at 7:35 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, Kirkman and Howard

MEMBERS ABSENT:

STAFF PRESENT: Harvey, Judy, Stinnette, Zuraf, Stepowany, Hornung, Ansong, Schulte and Carter

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

None

PUBLIC HEARINGS:

1. Amendment to Zoning Ordinance - Amendment to Section 28-25, Definition of specific terms, of the Zoning Ordinance, pursuant to O08-42. In response to citizens concerns about overcrowding, the Board has requested the Planning Commission conduct a public hearing on the following amendment to the zoning ordinance to define a family.

Jamie Stepowany presented the staff report. The Board recognizes that the issue of overcrowding has been raised by County citizens in public presentations and letters to the editor published in local newspapers. Adjacent localities have adopted ordinances limiting the number of persons not related by blood, marriage, adoption, or guardianship that can live in a dwelling by defining "family" in their zoning ordinance. The zoning ordinance does not define "family" or any restrictions on the number of unrelated individuals occupying a residential dwelling. On April 2, 2008 the Board of Supervisors approved resolution R08-216 and referred this amendment to establish a definition for "family". The amendment establishes a definition of "family" as: a group of people living together as a single housekeeping unit and consisting of: one (1) person; or two (2) or more persons related by blood, adoption, or marriage, together with any number of offspring, foster, step or adopted children; or a group of three (3) unrelated persons living and cooking together as a single housekeeping unit though not related by blood, marriage, adoption or guardianship, provided that the limitation on the number of unrelated persons shall not apply to residents in a housekeeping unit by persons having handicaps within the meaning of section 3602(f) of the Fair Housing Act (42 USC 3601, et seq., as amended); or those groups identified in Code of Virginia, § 15.2-2291, or like groups licensed by the Virginia Department of Social Services which otherwise meet the criteria of Code of Virginia, § 15.2-2291. Staff has concerns about how the definition of "family" affects other areas of the zoning ordinance, such as: single-family or multi-family dwellings, small-family day care centers, and family-type meals as required for a bed and breakfast. Other staff concerns include how this will affect houses occupied by multiple single parents and their children, and the definition of "dwelling unit" refers to "single household unit", not family. Staff recommends approval of the proposed ordinance with a recommendation to the Board to change the amendment to defining "single household unit" and add a provision that deals with the recent trend of single household units being occupied by multiple single parents and their children.

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Ms. Kirkman stated this was a substantially different recommendation and it was hard to make snap judgments. She asked why this was not brought to their attention earlier as this had been discussed before and if there was new information.

Mr. Stepowany stated as ordinance committee it has been the Planning Commission asking staff questions. This was working with the Zoning Department, the County Attorney's Office and the Department of Social Services and in preparing the staff report these were the issues that were raised.

Mr. Rhodes asked if this was discussed just one other time when the Board recommended it to the Planning Commission to set it up for public hearing.

Ms. Kirkman stated she was trying to follow what the staff recommendation does that was different because the Board was clear that they wanted to define a family. She asked what it meant to call it a "single household unit" and how it would fit with their zoning ordinance.

There was a detailed discussion on the different definitions including family, dwelling unit, and single household unit.

Mr. Fields opened the public hearing.

Alane Callander stated she thought they should throw this ordinance out. It was insensitive to the fact that sometimes people like to team up together to pay the rent and sometimes families have to move in together. There were a lot of scenarios she did not think they were thinking about. It seemed this was more directed at limiting immigrants from inhabiting houses in Stafford. The impression was that a number of unrelated immigrants live together in single family homes in the county, load up driveways and adjacent roadways with numerous cars and there have been complaints apparently about that. There are large houses in this county and a lot of people could live comfortably in these homes. It was not like the ordinance said, three-bedroom homes. It seemed ridiculous to be restricting the number of people living in a home just because they are not related to each other. There are also things like cooking and housekeeping. If you rent a room in this home and go out to eat you do not even cook in the house. It seems the language was sort of old fashioned and she just felt like it was going too far and the government was trying to get involved in places where it should not be involved. She gave examples. It was a waste of everyone's time to be trying to pass an ordinance on this.

Mr. Fields asked if there was anyone else who would like to speak for or against and seeing none the public hearing was closed. He asked Mr. Judy if this type of ordinance did exist in many other locations and if there was any legal principle that helps guide them to as to where they can or can not reach into the life inside the land use itself.

Mr. Judy stated there was a fine line between reaching into what actually goes on inside the house versus the occupancy level of the house. This ordinance does not go to the point of regulating what people do or do not do in the house, it regulates the number of persons who may occupy that house. He understood what Mr. Fields was saying and there was that long line of Supreme Court cases that deal with privacy issues within a home but he did not think this one quite reaches the level that would be necessary to reach that consideration. This was talking about the number of persons living in there and the impact that those people have on the community.

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Mr. Mitchell made a motion to recommend approval with the proviso that staff recommended. Mr. Rhodes seconded for discussion.

Ms. Kirkman asked Mr. Judy when things get sent to them, do they have to do it in two steps because they have to vote up or down what got sent to them and then they can make recommendations in that process.

Mr. Judy stated yes, you have specific language sent to you for consideration and based on public input and your discussion, you decide up or down on that particular motion. Then if you have specific recommendations for changing that ordinance or additions to it then you make those recommendations. Most likely that would be a separate motion.

Mr. Fields stated he would require Mr. Mitchell to amend his motion simply to recommend approval or denial of O08-42. Mr. Rhodes seconded for discussion.

Mr. Di Peppe stated he disliked this ordinance. It states it deals with overcrowding and he understands the need to address that. What he did not like was in the manner they were addressing by identifying family. It appears to be directed towards certain people in the community. He thought they could write an ordinance that could deal with rooming houses in residential neighborhoods and take care of this exact problem without directing it towards any particular group in the community. He would not support this in any way, shape or form.

Mr. Mitchell stated there was a flip side from just picking on one group of people. The flip side would be protecting the people that were living here from that type of problem.

Ms. Kirkman stated if there was a problem of ten people living in a 800 square foot house then they need to be looking at ordinances around minimum square footage for certain occupancies. If there was a problem with drinking in public then they would need to enforce the public drunken laws. If there was a problem with too many people on septic systems then they need to look at their public health laws. Right now the way it works was houses were certified by the number of bedrooms, not by the number of people. If there was a problem with noise then they would need to do something better around the noise ordinances. This really focuses on whether you were related or not and she thought it was the wrong approach. For that reason she was going to oppose the motion to recommend approval.

Mrs. Carlone stated she would like to see this worked on a little more in depth.

Mr. Judy stated in the statewide building code there was the Property Maintenance Code which did address minimum square footage that must be provided for the number of persons who reside in a house. If he remembered correctly, it had to be 70 square feet for the first person in a room and then an additional 50 square feet for every other person in that room. The only rooms that you were restricted from allowing people to use as a bedroom were the kitchen and bathroom.

Mr. Fields stated in attempting to define family there has been multiple scenarios of how people could combine to live in dwellings that were not addressed by this ordinance. The effects of overcrowding were what they needed to be getting at and the impacts to adjacent properties. The obvious fatal flaw in this was that it has no reference to the type of dwelling. This comes from a source that was less concerned about impacts and more concerned about certain groups of people. He would not support this.

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Mr. Howard stated the ordinance proposes to limit the number of unrelated people as opposed to defining family. They should look at occupancy and capacity of a house and he thought the State Code was a good guideline in terms of bedrooms and if there was a way to mirror some of that or understand that a little bit better in terms of how many people can actually fit in a home. They should not be looking, as a county, whether someone was related or not related to the individual who was occupying the home. It should be about can that house handle the occupancy that was currently in the home and that should be the focus of this ordinance. They have occupancy guidelines for many places which most were public places but there were also private dwellings that were privately managed like a hotel room. There was plenty of information to come to a better resolution to what has been proposed here and he would be voting to not send this to the Board of Supervisors.

Mr. Fields stated the number of vehicles was the key impact and whether related or unrelated, too many vehicles for an internal traffic network was obviously an issue. He was hoping they could table this and look at what would be specific impacts and how they could draft ordinances to address those impacts.

Ms. Kirkman state she would add to the list of impacts that were particularly troubling the noise issues and the public health issue of putting too much demand on septic systems.

Mr. Judy stated he was not sure he understood Mr. Fields' comment about tabling it.

Mr. Fields stated tabling was a figure of speech.

Mr. Di Peppe stated he agreed with Mr. Howard and he thought all of them would like to address and solve the problems of overcrowding in certain neighborhoods but this was not the way to do it.

Mr. Mitchell's motion for recommending approval was voted on. The motion failed 6-1 (Mr. Fields, Mr. Rhodes, Mr. Di Peppe, Mr. Howard, Mrs. Carlone and Ms. Kirkman opposed).

Mr. Fields stated to schedule this as a discussion item on the next available work session slot, making a list of specific impacts that overcrowding can create.

Mr. Di Peppe stated he would be happy to meet with Mr. Stepowany on this.

Mr. Stepowany stated he would also like to ask Amy Ansong to attend the meeting.

Mr. Mitchell stated the noise ordinance should be looked at.

Mr. Fields stated a revisitation of the noise ordinance was not a bad idea.

Ms. Kirkman stated she would be curious about this piece, what they do in terms of code enforcement, for instance the international residential code, has requirements that in most instances you would not be allowed to use a living room as a bedroom because there were certain requirements about how you wire a circuit for a bedroom versus how it was wired for a living room and there were requirements about ingress and egress that do not exist for living rooms. If they really do have a problem with people using residential dwellings in a way they were not intended to be used she would be interested in what the code enforcement was doing around that.

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Mr. Di Peppe stated he thought a bedroom under real estate had to have a window and a closet.

Mr. Fields stated this would be worked out in the work session.

2. Amendment to Zoning Ordinance – Amendment to Section 28-185, Conditional Use Permits and Section 28-205, Notice, of the Zoning Ordinance, pursuant to O08-51. The amendment will require the Planning Commission or its representative to post all public hearing notice signs as required on the properties scheduled for a public hearing with the Planning Commission and Board of Supervisors for a Conditional Use Permit and/or Reclassification. The amendment will require the Planning Commission or its representative to mail public hearing notice letters as required to be mailed by certified mail to all adjoining property owners of the properties scheduled for a public hearing with the Planning Commission and Board of Supervisors for a Conditional Use Permit and/or Reclassification.

Jamie Stepowany presented the staff report. All adjoining property owners are to be notified within five (5) days of a public hearing with the Planning Commission and the Board of Supervisors for all Conditional Use Permits (CUP) and/or reclassification. The Department of Planning and Zoning would mail public hearing notice letters if there were 25 adjoining property owners or less. The applicant was required to mail the public hearing notice letters if there were more than 25 adjoining property owners. The applicant was required to post public hearing notice signs on the subject property of a CUP and/or reclassification fifteen (15) days prior to the date of the public hearing with the Planning Commission and Board of Supervisors. This amends the zoning ordinance to require the Planning Commission or its representative, the Department of Planning and Zoning, to mail all of the public hearing notice letters to adjoining property owners for all CUPs and/or reclassifications five (5) days prior to the public hearing with the Planning Commission and Board of Supervisors. This amends the zoning ordinance to require the Planning Commission or its representative, the Department of Planning and Zoning, to post all public hearing notice signs on the subject property of all CUPs and/or reclassifications fifteen (15) days prior to the public hearing with the Planning Commission and Board of Supervisors. Staff recommends approval of this ordinance.

Mr. Howard asked if this was a change from an ordinance that existed today or if it was a new ordinance and he wanted to know what the origin was for bringing this forward.

Mr. Stepowany stated this was requested by the Planning Commission and Board of Supervisors. Regardless of how many adjoining property owners there were, the Planning Department would mail all notices.

Mr. Di Peppe stated this would take it out of the hands of the applicant and it would make sure it gets done in a timely manner.

Mr. Harvey stated it would allow the Planning Commission and the Board of Supervisors to control the agenda.

Mr. Rhodes stated based on the past instances, he asked what the additional workload on the Planning Department would be.

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Mr. Stepowany stated for the mail-out he did not think it was that much more of an increase as the Planning Department was already mailing out notices of 25 or less. That workload would not be a major impact to the Planning Department. The other requirement of posting signs would have an impact on staff time and expenses.

Mr. Rhodes asked if the two issues were split, if the mailings were one consideration and the posting as a second consideration, would the staff recommendations be any different.

Mr. Harvey stated it would still be additional time and/or effort. As Mr. Stepowany indicated, there would be additional staff time necessary to deal with the issue. The only potential concern staff may have would be trying to make it all happen if they had an extraordinary high number of zoning cases going forward. It would take up a lot more staff time trying to get all the signs out as some properties have multiple road frontages and you have to post on each road frontage. The Planning Department would just have to make accommodations if the ordinance passes.

Ms. Kirkman asked if there was a clause where costs would be taxed to the applicant. For instance, if there was a bump in the number you could hire some temps and charge the cost to the applicant.

Mr. Harvey stated in the anticipated change in the fee schedule, which would be going to the Board in the next month or so, they were changing the fees to reflect requiring the postage be paid by the applicant as part of the application fee. The sign posting will be rolled into the overall application fee.

Mr. Stepowany stated he was concerned about the word 'taxed' and they would prefer they not use it as it sounded like it was coming through the Commissioner of Revenue or the Finance Office. He would recommend a different word.

Mr. Judy stated he was looking in the State Code to see what wording they use.

Mr. Fields opened the public hearing.

With no one coming forward the public hearing was closed.

Ms. Kirkman made a motion as presented to recommend approval of Ordinance O08-51. Mr. Mitchell seconded.

Mr. Judy stated the State Code uses the word 'taxed' to the applicant and he did not see any problem with using it also.

Mrs. Carlone stated she thought it would be good to have someone contracted out to post the signs.

Mr. Fields stated he hoped this would not be a burden on staff but it seemed that the reliability and control of making sure the postings were done appropriately was worth the extra time. He appreciated staff being so willing to accommodate that.

Mr. Mitchell asked Mr. Judy if a person was a mail-out, there were 30 property owners, he was using an old tax map and he missed one parcel, does that preclude the parameters that he went through to address the mail-out.

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Mr. Judy stated he was not sure why that question was asked as they were taking that responsibility away from the applicant and bringing it back to the Planning Commission or the Planning Department. What it was talking about was how many parcels were involved in the rezoning or the conditional use permit, not how many adjoining parcels there were, that was not what the Code was talking about. When they talk about the number 25 or fewer, it was the number of parcels involved in the rezoning, those properties that were the subject of the rezoning. With regard to Mr. Mitchell's question, the Code specifically states that the applicant or the county can rely on the most up-to-date real estate records to provide notice to those property owners and if it happens that one of those properties has been sold and someone different lives there now, the rezoning would not be invalidated because the wrong person got the mailing.

The motion passed 7-0.

3. RC2800300; Reclassification – Hoyt Street Property – A proposed reclassification from B-1, Convenience Commercial to R-1, Suburban Residential Zoning District to allow the utilization of the property for residential use on Assessor's Parcel 54D-3-1-6 consisting of 0.66 acres, located on the west side of Hoyt Street approximately 200 feet north of White Oak Road within the George Washington District. The Comprehensive Plan recommends the property for Suburban Residential uses. The Suburban Residential designation would allow residential development at a maximum density of 3 dwelling units per acre. See Section 28-35 of the Stafford County Zoning Ordinance for a full listing of permitted uses in the R-1 Zoning District. **(Time Limit: August 29, 2008)**

Jamie Stepowany presented the staff report. He stated this request was initiated by the Board of Supervisors and consists of two lots which were combined for tax purposes and were rezoned from R-1, Suburban Residential, to B-1, Convenience Commercial, in 1981 for an upholstery shop. The residence was located at the front of the property and the upholstery shop, which has not been used since 1992, was located at the rear of the property and the owner wishes to retain the residential use. He showed an existing land use map and existing zoning map, along with an aerial photograph and photographs of the property. He stated staff recommended approval of the application as it was consistent with the Comprehensive Plan and with the zoning and development pattern.

Mrs. Carlone asked if the two lots equaled out to 5 to 6 acres.

Mr. Harvey stated the 1981 rezoning incorporated more properties than the Commission was considering tonight which included the properties fronted on White Oak Road.

Ms. Kirkman asked if anyone had visited the site to make sure they would not be creating any non-conforming uses or dwellings with this rezoning.

Mr. Harvey stated yes, the property was in the same configuration it was from the time it was rezoned to the B-1, Convenience Commercial District with the exception that some of the accessory buildings were added later. Those accessory buildings meet the setbacks and the open space ratio was the same as it had been on the property for the last thirty years. He stated zoning staff felt changing it back to R-1, Suburban Residential, did not have any effect on the property and did not make the property any different than it was when it was originally R-1, Suburban Residential.

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Ms. Kirkman stated when you do a rezoning, it needs to meet all the current requirements. She asked if it had a 50 percent open space ratio currently.

Mr. Harvey stated the zoning staff did not do the exact calculations but based on overall review and eyeballing everything, it appeared it met the 50 percent. One issue was the house was non-conforming for setback in the front yard and that was an existing condition that would remain, and the zoning would not have any additional bearing on that. He stated the R-1, Suburban Residential, front yard setback was less restrictive than the B-1, Convenience Commercial, front yard setback.

Ms. Kirkman stated she did not think that was allowed. She asked the Mr. Judy if you could rezone a property, knowing it did not meet the setback requirements.

Mr. Judy stated there was no prohibition from rezoning when you create legally non-conforming uses. This one would be an issue because there was already a non-conforming structure on the facility. He stated, as Mr. Harvey stated, it did not meet the setback requirements. It was apparently non-conforming even when it was zoned R-1, Suburban Residential. He stated there was nothing prohibiting them from rezoning, they were just allowing a continuation of a non-conforming use.

Ms. Kirkman stated she thought they were not allowed to do that.

Mr. Judy stated it was not a question of not being allowed to, just that they try to avoid it.

Ms. Kirkman asked if the size of the accessory dwelling met the requirements, or if it was not too large.

Mr. Harvey stated he would have to go back and research the size of the accessory building to see if it still met the requirements. He did think there were limitation on the square footage and the accessory building was suppose to be smaller than the primary building, however, he did not know if it was. He stated he would verify that fact.

Mr. Fields asked what the reasoning was that the County was the co-applicant in applying for this rezoning.

Mr. Harvey stated this was initiated by the Board of Supervisors as they felt that, due to the circumstances of this particular property, they needed to initiate rather than the applicant.

Mr. Rhodes asked if Mr. Harvey knew what the circumstances were.

Mr. Harvey stated from his understanding the property owner had a situation where they were on a fixed income and there was another family member residing there. There were issues about an increase in assessments, particularly since this was a commercial-zoned property which was being assessed commercially rather than residentially.

Mr. Rhodes asked if the County could just choose to rezone anybody's house and was there something showing that the property owner wanted this. He wanted to know how this would work technically.

Mr. Judy stated he did not have a technical answer.

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Mr. Howard asked if they would move forward assuming that the owner of the property was in agreement with the rezoning and if they knew that for a fact.

Mr. Harvey stated the application was initiated by the Board of Supervisors based on a request by the owner.

Mr. Fields opened the public hearing.

With no one coming forward the public hearing was closed.

Mr. Fields stated there were a few loose ends regarding conformity issues and the technicalities of this. He understood the motivation behind this and wanted to make sure they were not setting up a precedent here that would be problematic. He requested the Commission defer this for thirty days. There were a number of questions relating to non-conformities and dwelling sizes and process. He made a motion to defer this for thirty days. Mr. Di Peppe seconded. The motion passed 7-0.

UNFINISHED BUSINESS:

4. **SUB2600625; Williams Subdivision, Preliminary Subdivision Plan** - A preliminary subdivision plan for 11 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: May 21, 2008) (Deferred to May 21, 2008 Regular Meeting at the applicant's request)**

Andrea Hornung presented the staff report. She stated this originally went before the Planning Commission in January 2007 and during review noticed this was in the Urban Service Area (USA), which required water and sewer connection. The plan proposed water connection and drainfields on thirteen (13) lots. When the Board created the opportunity to have a waiver for drainfields within the USA, this went before the Board but was denied initially last year. It came back to the Board in April and finally the waiver for septic system use in the USA was approved. With the changes in the drainfield ordinance they went back to the Health Department, the property was reconfigured and the lots went from 13 to 11. She showed an aerial photograph and a map of the preliminary subdivision plan. She stated the site was served by well and septic and which they have a waiver to allow septic on this property within the USA. The Health Department re-reviewed the soil reports and the preliminary plan for conformance to the newly adopted drainfield regulations and that letter was in the packet dated May 14. She stated staff recommends approval of the preliminary plan as it met all the requirements of the code and the recently adopted ordinances.

Ms. Kirkman asked what the common area was, how large it was, if it was a separate parcel and whether it was going to an Home Owners Association (HOA). She stated there did not seem to be a disposition for that.

Ms. Hornung stated there was a parcel at the front of Aiden Drive that was not a part of this application.

Ms. Kirkman stated it looked like there was something along the property line that looked like it said common area. She stated there could not be just pieces, they had to belong to somebody.

Ms. Hornung stated there was an ingress/egress easement to allow parcel A to have access to the road.

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Ms. Kirkman stated there was a portion that was marked common area and she was asking what that common area was, who it belonged to and the disposition of that.

Ms. Hornung stated the common area would be owned by the HOA which would have to be set up for the subdivision.

Ms. Kirkman stated she did not see any references to an HOA and she did not see any reference to that being dedicated to an HOA.

Ms. Hornung stated that would happen at the final plat.

Ms. Kirkman stated she thought that would have to happen now. She believed the Subdivision Ordinance stated you could not have residuals that were not disposed of, that you would have to have it all taken care of at this stage.

Ms. Hornung stated she would refer that to the engineer.

Mr. Fields stated he was told there were a couple of springs and a stream on the property and asked where they were located. He also asked if there were not RPAs at all on this property.

Ms. Hornung stated there were no designated RPAs on the property. She stated there were no streams shown on the larger preliminary, there were some topo lines that were closer showing the sloping and there could be some intermittent or swales that might be wet weather drainage but no perennial streams shown on the map.

Chris Stacy, applicant, stated he would address the common area. He stated the subdivision was surrounding a house in the front that they were asked to give access to from Aiden Road. He stated that portion would be deeded to that house. It would be a buffer area but now, since they had to give access to Aiden Road, it was just a leftover piece of property.

Ms. Kirkman stated there was a little piece of land that they did not have a disposition for in the preliminary.

Mr. Stacy asked for this to be approved as it had been two (2) years to get it before the Planning Commission because of miscommunications between the county and himself.

Mr. Fields stated they were up against a timeline and they would have to act on this tonight.

Mr. Judy stated to answer Ms. Kirkman's question, in Section 22-150 it stated that each parcel or lot in each proposed subdivision shall be arranged so that it may be readily disposed of or such disposal shall be to an owner's association such organization shall be created concurrent with the recordation of the final plat or such disposals other than the sale of subdivision lots to prospective buyers shall be to another property owner or entity. Satisfactory evidence of the agreement to the transaction by all parties shall be submitted prior to final plat approval.

Ms. Carlone made a motion for approval. Mr. Rhodes seconded.

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Mr. Fields stated he had serious reservations from information received on the land itself and soil types and this was an extraordinary dense use of septic fields. There were one (1) acre lots that have 100 percent reserved fields and he thought if it was certified by the AOSE it was their issue.

Mr. Di Peppe stated the problem was whether they liked it or not, if it met code and it was a preliminary plan, they were hard-pressed without specific reasons to turn it down.

Mr. Fields asked if anyone from the Planning Commission had actually been out to this property and look at it.

Mrs. Carlone stated she noticed to make up for a need that the applicant deleted two (2) tot lots and asked if there would be any way to go ahead and set aside a spot for one (1) tot lot.

Mr. Stacy stated there were thirteen (13) lots reduced down to eleven (11) lots with no tot lots.

Mrs. Carlone stated the paperwork stated as a result of the reduction two lots were lost. She thought it said two tot lots. She asked him to explain the common area.

Mr. Stacy stated the common area would be deeded over to the Kendalls so they would be able to come off the secondary street instead of the main street.

Mr. Judy stated to clarify it would be deeded in fee simple and asked if it would be incorporated into their lot.

Mr. Stacy stated yes.

Ms. Kirkman asked Mr. Judy if they needed a note on the plan with that regard.

Mr. Judy stated before the final plat could be recorded it would have to be reflected that it was no longer a part of the subdivision.

The motion passed 5-1-1 (Mr. Fields opposed) (Ms. Kirkman abstained).

Mr. Mitchell asked when someone abstained, was a reason required.

Ms. Kirkman stated the reason she abstained was she felt like a 5 minute presentation of this type of preliminary subdivision plan was not adequate for an informed decision making process. She did have some concerns about the use of drainfields on these smaller lots and she knew they may not have had anything they could have done about that but she did not feel she had a basis for denying it.

5. SUB2600045; Beck Ridge, Preliminary Subdivision Plan - A preliminary subdivision plan for 8 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 7, 2008) (Deferred to May 21, 2008 Work Session at the applicant's request)**

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Mrs. Carlone made a motion to approve Beck Ridge Subdivision. Mr. Di Peppe seconded. The motion passed 7-0.

6. SUB2700557; Ruby Meadows, Preliminary Subdivision Plan - A preliminary subdivision plan for 13 single family lots, zoned A-1, Agricultural, consisting of 41.31 acres located on the south side of Garrisonville Road approximately 300 feet east of Green Acre Drive on Assessor's Parcels 9-10 and 9-11 within the Rock Hill Election District. **(Time Limit: August 5, 2008) (Deferred to the June 4, 2008 Work Session)**

Mr. Fields stated this was deferred to the June 4 work session.

NEW BUSINESS

None

MINUTES

February 6, 2008 Work Session

February 6, 2008 Regular Meeting

February 20, 2008 Work Session

February 20, 2008 Regular Meeting

March 5, 2008 Work Session

March 5, 2008 Regular Meeting

Mr. Fields made a collective motion for approval of all minutes. Mr. Rhodes seconded.

Ms. Kirkman stated she sent corrections to Denise and would like them made.

The motion passed 7-0.

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated he wanted to first thank Mr. Rhodes for sponsoring a trip to the Pentagon. There was a number of staff that attended and found it very informative and useful. It was useful for the planning staff for two reasons, the first being a team building exercise because there were people from different divisions within the department attend and had a chance to talk about issues in common which was very helpful. He stated he asked staff to keep in mind things they might encounter if Stafford had a large Federal facility that would eventually land here and how they would deal with issues such as traffic flow, moving people in and out of the facility, security and those types of things. A number of staff was working on a summary of those types of issues they observed while on the trip. He again thanked Mr. Rhodes. He stated he wanted to acknowledge and thank some of the staff who helped out during the tornado incident, specifically Kathy Baker and Andrea Hornung. They manned the satellite office which was a customer service center for more than a week including weekends. There was also a number of staff who rotated in and out throughout the various days to help keep things moving along. They worked closely with Code Administration as well as other departments to try to help smooth the transition for the tornado victims. He stated moving along to the Board of Supervisors meeting yesterday they considered the Brenstmill case and denied that rezoning application.

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Ms. Kirkman asked what year the rezoning application was initiated.

Mr. Harvey stated either late 2003 or early 2004, he did not recall. They deferred action on the Potomac River Resource Overlay District and staff was to provide the Board with more feedback on additional information that they requested. The Board of Supervisors also approved the SSYP and adopted it with recommendations the Planning Commission made. In addition, they asked that the Youth Driver Task Force recommendations be added to the plan as well as bridge replacement projects. They also asked that the Andrew Chapel Road relocation be added into the plan. He stated finally the Board initiated the rezoning of the Ferry Farm property to the new Historic Interpretation Zoning District.

Mr. Fields stated he would like to publicly congratulate Mr. Harvey on an extraordinarily professional, thorough and noble performance in the face of adversity last night at the Board of Supervisors meeting. He thought Mr. Harvey was under an unnecessary and unwarranted level of fire. He stated how Stafford was fortunate to have someone of Mr. Harvey's caliber representing the Planning Department and the Planning Commission.

COUNTY ATTORNEY'S REPORT

Mr. Judy stated last Friday he had the opportunity to go to Charlottesville and attend the CPEAV Seminar. Other than the fact that he was the only attorney in the audience it was a good seminar and he was sorry some of them did not make it because there was a lot of good information. He stated he had hand-outs he would try to make copies to hand out by the next meeting. He thought there was some useful information that could help the Planning Commission in their efforts.

Ms. Kirkman stated the agenda looked really good and she had hoped to attend the seminar and asked Mr. Judy if he could do a presentation to them on the material.

Mr. Judy stated it would have to be a very condensed presentation because it was a fully packed day worth of information and he would try to put an outline or something together.

Mrs. Carlone state she would also like to show her appreciation to Mr. Harvey for his patience and she thought it was uncalled for the way it was handled at the Board of Supervisors meeting.

SECRETARY'S REPORT

Mr. Mitchell stated last Friday he was appointed to the State Commission on the Board of Towing and Recovery Operators. This was an appointment by the Speaker of the House, William Howell. He stated it was a citizen appointment and there would be three citizens who would be serving. Tomorrow would be his first official meeting and he has attended 8 to 10 prior meetings just as an audience member. He stated this committee would be allowed to issue or take away towing permits. They have been in action for over a year and were still in the formation scenario and have quite a bit of leeway in reference to the towing industry. He wanted to mention that Stafford County was the first jurisdiction in the Commonwealth of Virginia to have a local towing panel and he served on that committee also.

STANDING COMMITTEE REPORTS

Mr. Fields stated it was brought to his attention that there was another item that the Comp Plan Committee would like to briefly discuss.

Ms. Kirkman stated she and Mr. Zuraf had been cleaning up the map and they found a little technical kind of thing where they wanted to propose a change to what was officially approved as the draft. There was a section in the northwest quadrant where there was an expansion area in 2019 of the USA and that expansion was to eliminate pockets of agricultural land and fill it all in so that there was a contiguous area for the USA. They found another in the business area that was in the central corridor and, rather than

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have a pocket that was never served by water and sewer, they wanted to fill that in so it was contiguous and do that in the 2019 expansion of water and sewer. She stated they did not want to make that decision on their own, they wanted to bring it back to the Planning Commission.

Mr. Fields asked if it was adjacent to the airport.

Ms. Kirkman stated yes.

Mr. Fields stated it made sense to him that would be an Urban Service Area item and he did not have any objections.

Ms. Kirkman asked if she had to make a formal motion.

Mr. Fields stated since they were not acting officially on the map if they could have consensus then they could all agree.

SPECIAL COMMITTEE REPORTS

Mr. Di Peppe made a motion for approval for a public hearing with the Planning Commission for an ordinance to amend Sections 28-35 and Table 3.1 of the Zoning Ordinance. The amendment will prohibit commercial apartments in the B-1, B-2, B-3 and SC zoning districts and require the issuance of a Conditional Use Permit for a dwelling for watchman or caretaker on premises in the B-2 zoning district. The Planning Commission finds that public necessity, convenience, general welfare and good zoning practice requires the governing body to consider an ordinance to amend the regulations. Mr. Rhodes seconded. The motion passed 7-0.

Mr. Di Peppe made a motion for approval for a public hearing with the Planning Commission for an ordinance to amend Sections 28-35, and Table 3.1 of the Zoning Ordinance. The amendment will require the issuance of a Conditional Use Permit for a helistop in the RBC zoning district. The Planning Commission finds that public, necessity, convenience, general welfare and good zoning practice requires the governing body to consider an ordinance to amend the regulations. Mr. Rhodes seconded. The motion passed 7-0.

Mr. Rhodes stated he was struck by a comment tonight in light of the calendar, just a spurt of thought he would like to share. They talked about Andrea's and others efforts after the tornado and they have people who were really engaged in this room, this building and here in public service and that was about doing for others and they reflected that and they were led by a great person that was commented on today, Jeff Harvey. Service kind of abounds us and we have people in the military here and we have a lot of things going on. We are all getting ready to go into a nice holiday weekend with barbeques and parades and it will be a good opportunity to go out and relax a little bit and then come back a little bit refreshed. He would just ask that they all take a minute and reflect what the purpose and intent of this day off is. Memorial Day is about remembering those who volunteered to wear the uniform of this Nation and they paid the ultimate sacrifice and he asked we all take a moment to think about those people, think about their families they left behind, think about those who are serving elsewhere. He was always struck by the fact that they were always remembered in prayers and thoughts and he knew they appreciated that. He asked to take a minute on Monday to think about them and he would also suggest that we all take a minute on Monday to share this thought with those we are with, whoever we are with, friends, neighbors or others. Let us think about what that day is really about, the purpose a long time ago when it was established as a Holiday was for memorializing those folks.

CHAIRMAN'S REPORT

None

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ADJOURNMENT

With no further business the meeting was adjourned at 9:23 p.m.

Peter Fields, Chairman
Planning Commission