

***STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
May 2, 2007***

The work session of the Stafford County Planning Commission of Wednesday, May 2, 2007, was called to order at 5:30 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the County Administrative Center.

Members Present: Cook, Kirby, Pitzel, Mitchell, Carlone, Rhodes and Di Peppe.

Members Absent: None

Staff Present: Harvey, Judy, Stepowany, Schulte, Hornung, and Gregori

Declarations of Disqualification

None

ORDINANCE COMMITTEE

Members Present: Cook, Kirby, Pitzel, Mitchell, Carlone, Rhodes, Di Peppe and Ingalls.

Mr. Cook stated there would be an Ordinance Committee meeting until 6:50 p.m. He stated Item 2 would be a discussion of the Strengths, Weaknesses, Opportunities, and Threats to the Zoning Ordinance.

Item 1 - Conditional Use Permit to increase the FAR for all buildings

Mr. Stepowany stated the Board of Supervisors recommend the Ordinance to amend Section 28-38 of the Zoning Ordinance. He stated the Board may modify the floor area ratio (FAR) requirements in any district for a hotel by review and approval of a Conditional Use Permit (CUP). He stated the Board desires to allow a modification of the floor area ratio in any district for any building or structure by review and approval of a conditional use permit.

Mrs. Kirby asked why the Board wanted the change.

Mr. Stepowany stated there were no regulations under the density requirements.

Mrs. Kirby asked why the FAR was being changed.

Mr. Stepowany stated the Board would like more than just hotels to apply for CUP's to modify the FAR.

Mrs. Kirby asked why the Board wanted to amend the Zoning Ordinance.

Mr. Stepowany stated he would be happy to research the issue.

Mrs. Kirby stated the Planning Commission spends a lot of time going over Ordinances to make sure they are first-rate.

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Mr. Cook stated the Board was trying to generalize the Ordinance.

Mrs. Carlone stated the language “buildings and structures” was broad.

Mr. Mitchell stated each one of the Planning Commissioners had direct communication with their Board member and could direct questions or concerns to their Board member.

Mrs. Kirby made a motion to put Item 1 in committee. Mrs. Carlone seconded. The motion passed 7-0 (Mr. Rhodes was absent).

Item 2 - SWOT; Strengths, Weaknesses, Opportunities, and Threats

Mr. Harvey stated this was staff’s first input meeting concerning the Zoning Ordinance. He stated the last update was thirteen years ago and the current update would take about a year to complete. He stated staff would like input from the Planning Commission, the Board of Zoning Appeals, and the Zoning staff in Code Administration.

Mrs. Kirby stated the Planning Commission spends hours writing Ordinances, but Code does not enforce the Ordinances.

Mrs. Hornung stated the enforcement of the Zoning Ordinance was a weakness. She stated the Design Standards were also being evaluated.

Mr. Di Peppe stated the Comprehensive Plan from 1988 had 25 items under “Environment” and 14 of the items were never addressed or implemented. He stated the Zoning Ordinance needed to have a better connection with the Comprehensive Plan. He stated the electronic signs issue stemmed from a lack of communication between departments.

Mrs. Kirby stated there was not a connection between Planning, Code Administration, and Economic Development.

Mrs. Hornung stated the Planning Department was working with Code to examine the Zoning Ordinance.

Mr. Rhodes arrived at 5:50 p.m.

Mr. Di Peppe stated the main concern was Code not enforcing the Ordinances. He stated every time he has been at the Planning Department counter staff has been cordial, helpful and courteous.

Mrs. Carlone stated the Planning Commission was willing to be innovative.

Mrs. Hornung stated perhaps this could be an opportunity to better educate the citizens of Stafford County on the Zoning Ordinance.

Mr. Di Peppe stated, in his opinion, the Ordinance needed to spell out the regulations for the Design Standards.

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Mrs. Kirby stated, in her opinion, a Low Impact Development (LID) manual was needed.

Mrs. Hornung stated there was a draft Storm Water Management manual.

Mrs. Kirby stated prospective homeowners could not depend on developers or real estate agents for information pertaining to their homes, roads, or schools.

Mr. Di Peppe stated there should be a pamphlet on the Resource Protection Area (RPA) and septic tanks. He stated the Planning Department was under staffed and in his opinion that was a threat.

Mr. Stepowany stated an example of a threat to the Zoning Ordinance would be a change to the State Code.

Mrs. Hornung stated when there was a change to the State Code, sometimes localities were only given a year to be in compliance. She asked the Commission if the Zoning Ordinance was easy to follow.

Mrs. Kirby stated sometimes different Sections of the Zoning Ordinance tie together, but a citizen doesn't always know that.

Mr. Pitzel stated, in his opinion, the Municipal Code website was very easy to use.

Mrs. Kirby stated not all citizens have internet access.

Mr. Pitzel stated computer terminals should be available for public use at the Planning Department or at the Citizens Assistance kiosk.

Mr. Ingalls stated the Zoning Ordinance needed to be better organized. He stated there should be an index to direct citizens through the Ordinance. He stated no two sites were the same and there needed to be some flexibility in the Ordinance.

Mr. Pitzel stated there should be a list of frequently asked questions.

Mrs. Carlone stated there should be a time limit reference for applications.

Mr. Stepowany stated Prince William County has a timeline for projects in the applications.

Mrs. Kirby suggested there be a 48 hour hold on demolition permits until Wendy Wheatcraft, Historic Preservationist Planner, can review the building being demolished.

Mr. Harvey stated any property in the Historic Overlay District would be protected. He stated the regulations in the International Building Code may tie the County's hands on a 48 hour waiting period for demolition permits.

Mr. Ingalls stated, in his opinion, it was hard to determine the height of a building and perhaps there could be more clarification in the Zoning Ordinance.

Mrs. Kirby stated there should be definitions of open space and green space.

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Mr. Di Peppe stated steep slopes and grading were an issue. He asked about a possible tree ordinance.

Mr. Harvey stated there had been several attempts at a tree ordinance.

Mr. Di Peppe stated Ordinances needed to be enforced.

Mrs. Kirby stated there needed to be fines for violations.

Mr. Di Peppe stated staff should discuss ideas regarding the Zoning Ordinance at staff meetings and address any ideas about the Zoning Ordinance to the Planning Commission.

Mrs. Kirby asked Mr. Harvey about the status of the Water Resource Protection Overlay District.

Mr. Harvey stated it was still in committee with the Board of Supervisors.

Mr. Stepowany asked if the Technical Review Committee (TRC) process was a strength.

Mrs. Kirby stated, in her opinion, TRC was a strength because a developer can come in and within an hour meet with transportation, environmental, landscaping, fire and rescue, and Utilities.

Mr. Pitzel stated he would like to eliminate the A-2 Zoning District because it did not make sense to have a 1 acre lot usually outside the Urban Service Area required to be on public water and sewer.

Mrs. Hornung suggested reviewing the minimum acreage for the A-2 zone.

Mrs. Schulte stated there needed to be an evaluation of rural versus residential.

Mr. Pitzel stated, in his opinion, the A-2 Zoning District was neither rural nor residential.

Mr. Stepowany asked how the Planning Commission felt about clustering in the A- Zone.

Mr. Pitzel stated, in his opinion, clustering in the R-zone did not work very well.

Mr. Stepowany asked if clustering could be done without increasing the density.

Mr. Cook stated, in his opinion that would never pass the Board of Supervisors.

Mr. Judy stated Virginia now required clustering in the Agricultural Zoning District. He stated agricultural clustering becomes an economic problem for the developers and there was no incentive. He stated one of the benefits of clustering was reducing the linear length of streets, but if the lots were already small, then there really was not a benefit.

Mrs. Hornung stated a developer needs incentive to cluster in the different Zoning Districts.

Mrs. Kirby stated after the Comprehensive Plan passes maybe there would be some new ideas about clustering.

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Mr. Di Peppe stated the time was 6:50 p.m. and Ordinance Committee would adjourn.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 6:53 p.m.

William Cook, Chairman

STAFFORD COUNTY PLANNING COMMISSION MINUTES
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The regular meeting of the Stafford County Planning Commission of Wednesday, May 2, 2007, was called to order at 7:30 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the Stafford County Administration Center.

MEMBERS PRESENT: Cook, Kirby, Pitzel, Mitchell, Carlone, Di Peppe, and Rhodes

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, Judy, Gregori, Schulte, Schultis, and Stepowany

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

Will Carmine stated he lived in Wateredge Estates and was concerned about Staffordshire Golf Course digging wells so close to Wateredge Estates. He stated he was concerned about the wells in the area going dry and cited problems at Augustine Golf Course. He stated he spoke with Tommy Thompson of the Health Department who informed him if the well was more than the required distance from Wateredge Estates then there was nothing to prevent the wells from going in. He stated the Department of Environmental Quality (DEQ) had a Groundwater Withdraw Permits Manual which said if Wateredge Estates was impacted, Rich Ward, developer of Staffordshire would have to provide an alternate source of water within 72 hours. He stated Stafford County does not recognize DEQ. He stated he was referred to the Stafford County Groundwater Management Plan which was drafted in 2004 and stated the Piedmont area was very susceptible to pumping for deep wells. He stated the plan cited EGGI several times for the problems that occurred at Augustine Golf Course. He quoted the Groundwater Management Plan as saying "no deep well for irrigation shall be drilled within 1000 feet of any residence not served by public water." He stated the wells would draw about 3.2-3.3 million gallons a month in July and August from Curtis Lake. He stated the community of Wateredge Estates thought Staffordshire would be on County water and were surprised that it would be on well water. He stated Mr. Harvey did inform him that the Zoning Ordinance required the Board of Supervisors to mandate a Conditional Use Permit (CUP) for any groundwater source for a golf course. He stated as a homeowner he would like to know what the plan was if the wells go dry. He asked who would pay to bring County water across Abel Lake to Wateredge Estates when the wells go dry.

With no one else coming forward Mr. Cook closed Public Presentations.

PUBLIC HEARINGS:

1. Amendment to Zoning Ordinance - Amendment to Section 28-35, Table of Uses and Standards; and, Table 3.1., District Uses and Standards, of the Zoning Ordinance, pursuant to O07-41. The amendment requires the issuance of a Conditional Use Permit for an industrial school in the M-2, Heavy Industrial, zoning district.

Mr. Stepowany presented the staff report. He stated an industrial school was defined as an establishment which primarily teaches usable skills that prepare students for jobs in a trade or business. He stated an

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industrial school was only permitted by the issuance of a CUP in the M-1, Light Industrial Zoning District. He stated the Board of Supervisors desires to allow the issuance of a CUP for an industrial school in the M-2, Heavy Industrial Zoning District. He stated staff recommends approval of Ordinance O07-41.

Mrs. Carlone asked if industrial schools could be removed from the M-1, Light Industrial Zoning District and placed only in the M-2, Heavy Industrial.

Mr. Stepowany stated a CUP was recommended so the actual activities of each industrial school and the impacts on surrounding properties could be discussed. He stated each CUP would be measured on merit by the Planning Commission and Board of Supervisors.

Mr. Di Peppe stated the whole purpose of the Ordinance would make the procedures for industrial schools stricter.

Mr. Pitzel stated the Ordinance adds a CUP for industrial schools in the M-2, Heavy Industrial Zoning District.

Mr. Stepowany stated yes.

Mr. Cook opened the Public Hearing. With no one coming forward the Public Hearing was closed.

Mr. Di Peppe made a motion for approval. Mrs. Kirby seconded. The motion passed 7-0.

2. Amendment to Zoning Ordinance - Amendment to Section 28-35, Table of Uses and Standards; and, Table 3.1., District Uses and Standards, of the Zoning Ordinance, pursuant to O07-42. The amendment requires the issuance of a Conditional Use Permit for commercial apartments in the B-1, Convenience Commercial; B-2, Urban Commercial; B-3, Office; and, SC, Suburban Commercial, zoning districts.

Mr. Stepowany presented the staff report. He stated commercial apartments were permitted by-right in the B-1, Convenience Commercial, B-2, Urban Commercial; B-3, Office; SC, Suburban Commercial, PD-1, Planned Development-1; and, PD-2, Planned Development-2 Zoning Districts. He stated commercial apartments may cause an impact to county services by allowing residences in commercial areas previously not intended to include residents. He stated the Board desires to require the issuance of a Conditional Use Permit (CUP) for Commercial Apartments in the B-1, B-2, B-3, and SC zoning districts. He stated staff recommends approval of Ordinance O07-42.

Mr. Pitzel asked if there was a limit on the percentage of space for commercial apartments.

Mr. Stepowany stated the percentage of space would be equal to or less than the commercial space.

Mr. Cook opened the Public Hearing. With no one coming forward the Public Hearing was closed.

Mr. Di Peppe made a motion for approval. Mrs. Carlone seconded. The motion passed 7-0.

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3. Amendment to Zoning Ordinance - Amendment to Section 28-295, Zoning Administrator, of the Zoning Ordinance, pursuant to O07-43. The amendment states the following: There shall be a zoning administrator who shall have the powers and duties granted to him by the Code of Virginia and such other powers and duties as may be delegated to him by the Board of Supervisors.

Mr. Stepowany presented the staff report. He stated Ordinance O06-49 repealed all of Section 28-295 including the power and duties of the Zoning Administrator as authorized by the Code of Virginia and as delegated by the Board of Supervisors. He stated the omission of the powers and duties of the Zoning Administrator was an error and the Board desires to correct this omission. He stated the proposed amendment would correct the omission and remise Section 28-295 granting the power and duties of the Zoning Administrator as authorized by the Code of Virginia and as delegated by the Board. He stated staff recommends approval of Ordinance O07-43.

Mrs. Kirby asked why the powers and duties of the Zoning Administrator were granted by the State Code of Virginia but yet delegated by the Board of Supervisors.

Mr. Judy stated any local government administrator was given certain powers by state law but in addition the local Board of Supervisors may give that individual certain responsibilities to conduct as his or her daily business. He stated this Ordinance was taken directly from the State Code.

Mr. Cook opened the Public Hearing. With no one coming forward the Public Hearing was closed.

Mr. Di Peppe made a motion for approval. Mrs. Kirby seconded. The motion passed 7-0.

4. Index of Official Road Names – Amend the Addressing Ordinance as follows:

<u>Location</u>	<u>Current Name</u>	<u>New Name</u>
At the intersection with Warrenton Road and from a point 1,000 feet northwest of Warrenton Road to its terminus	Stanstead Road	Auction Drive

Mr. Stepowany presented the staff report. He stated the development of Carter’s Crossing and Target includes an improved road network to serve the project. He stated the new road network would require the renaming of two portions of Stanstead Road to Auction Drive. He stated Auction Drive would now connect with Stanstead Road and continue through to Warrenton Road. He stated the portion of Stanstead Road that runs parallel to I-95 would remain as such. He stated attachment 1 illustrates the new road network and requested changes. He stated point A represents where Auction Drive and Stanstead Road would now connect. He stated segments 1 and 3 represent the portions of Stanstead Road that are to be renamed. He stated Auction Drive would follow segments 1, 2, and 3 and segment 4 is the portion of Stanstead Road that is remaining unchanged. He stated staff recommends approval of this road naming for emergency purposes, effective upon completion of the road improvements.

Mr. Mitchell asked how visitors from outside of the County would know where Stanstead Road and Auction Drive are located. He asked what the street sign would say.

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Mr. Stepowany stated he would speak with the Virginia Department of Transportation (VDOT).

Mr. Cook opened the Public Hearing. With no one coming forward the Public Hearing was closed.

Mr. Di Peppe made a motion for approval with the condition that the Planning Department contact VDOT. Mrs. Kirby seconded. The motion passed 6-1 (Mr. Mitchell was opposed).

5. CUP2600093; Conditional Use Permit – The Car Store - A request for a Conditional Use Permit to allow motor vehicle sales and automobile repair in the B-2, Urban Commercial Zoning District on Assessor's Parcels 53D-1-58, 53D-1-59 and 53D-2-1 consisting of 1 acre, located on the northeast corner of Cambridge Street and Butler Road within the Falmouth Election District. **(Time Limit: July 31, 2007)**

Mr. Schultis presented the staff report. He stated the applicant was proposing to develop an automobile dealership on the 1.0 acre subject property. He stated the site was occupied by a one story brick structure currently used as office space and the site was located at the intersection of Cambridge Street and Butler Road. He stated the Generalized Development Plan (GDP) indicated the potential for a service bay at the location of the former drive-thru. He stated the site had three access points, one onto Butler, and two onto Cambridge Street. He stated there was available parking located around all sides of the building. He stated both Cambridge Street and Butler Road are slated for possible future road widening. He stated the right-of-way demands would render the site unusable. He stated staff would require the dedication of the largest amount of right-of-way that can be dedicated while preserving the appropriate building setbacks. He stated staff believes that the application as proposed, with the recommended conditions, does not meet the criteria for the issuance of a CUP. He stated the use was not consistent with the County's Land Use Plan. and staff recommends denial of this application.

Mrs. Carlone stated, in her opinion, this was a poor location for any business because of proposed changes to Butler Road and the Route 1 and Route 17 intersection.

Mr. Pitzel stated a required 50 feet and 80 feet of right-of-way designation would wipe out the property in question.

Mrs. Kirby stated she was concerned about the right-of-way. She stated the intersection was bad and VDOT'S improvements would be difficult for the site. She stated there were specific locations in the County where the Planning Commission wanted used car lots and this site was not one of them

Mr. Di Peppe stated he questioned whether 80 parking spaces and 2 entrances could possibly be worked on this site.

Mr. Mitchell asked where the service area would be.

Mr. Schultis stated the service area would be the drive through.

Mr. Cook stated the drawing presented to the Planning Commission was not a GDP or a site plan.

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Al Myer, Real Estate Agent representing the applicant, stated there was a dealership next door to the property but that it was probably grandfathered. He stated the applicant was proposing upgrades to the landscaping.

Iftikahar Khan, applicant, stated he believed the VDOT project was ten years off. He stated they did not need to have 80 to 90 vehicles on site and a service area. He stated his business would generate business for the County.

Mrs. Carlone asked the applicant if he looked for a site further north on Route 1.

Mr. Khan stated if there were any changes made to Butler Road or the intersection he would donate the property to Stafford County.

Mr. Di Peppe stated, in his opinion, the intersection of Route 1 and Route 17 was the worst intersection in the region.

Mr. Cook opened the Public Hearing.

Linda Govenides stated she had a right of way and an easement to the proposed site and it was recorded with Land Records in the Stafford County Circuit Courts. She stated Silver Companies provided her an easement and right of way to the site to get in and out of her property.

Mr. Judy asked if Ms. Govenides had a copy of the easement.

Ms. Govenides stated she would bring a copy to the County Attorney's office.

With no one further coming forward, the Public Hearing was closed.

Mr. Di Peppe made a motion for denial. Mrs. Carlone seconded. The motion passed 7-0.

UNFINISHED BUSINESS:

6. Comprehensive Plan Compliance Review – Smith Lake Point - A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the extension of public sewer service outside of the County's designated Urban Service Area to Assessor's Parcel 21-5E within the Aquia Election District. **(Time Limit: June 17, 2007)(Deferred to the May 16, 2007 Work Session)**

Mr. Cook stated Item 6 was deferred to the May 16, 2007 Work Session.

7. Amendment to Subdivision Ordinance - Amendment to Section 22-4, Definition; and, Section 22-5, Family and minor subdivision, of the Subdivision Ordinance, pursuant to O07-36. The amendment revises the definition of immediate family to include sibling, grandchild and grandparent. The amendment requires the owner of a property to have owned the property for at least fifteen (15) years prior to subdividing and conveying a portion of the property to an immediate member of the family, and the immediate member of the family shall retain ownership

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of the property for at least fifteen (15) years prior to transferring the property to any non-immediate member of the family. **(Deferred until further notice)**

Mr. Cook stated Item 7 was deferred until further notice.

NEW BUSINESS:

8. 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 May 2, 2007 Regular Meeting at the applicants request)**

Mr. Cook stated the Planning Commission received a letter asking for Item 8 to be deferred to September 5, 2007. He stated at that time the applicant must present the preliminary plan.

Mrs. Kirby made a motion to accept the deferral. Mrs. Carlone seconded. The motion passed 7-0.

9. SUB2600547; Kenworthy, Preliminary Subdivision Plan - A preliminary subdivision plan for 10 single family residential lots, zoned R-1, Suburban Residential, consisting of 5.13 acres, located on the north side of Hope Road approximately 400 feet west of Summerwood Road on Assessor's Parcels 30-145A and 145M, within the Aquia Election District. **(Time Limit: July 25, 2007)**

Mrs. Schulte presented the staff report. She stated the preliminary subdivision plan was reviewed at the August 23, 2006 Technical Review Committee (TRC) meeting. She stated public water and sewer would serve all dwelling units and all lots contained within the subdivision would have state road frontage and access from the proposed Kenworthy Drive. She stated there was no Resource Protection Area (RPA) located on the site and a Stormwater Management pond would capture runoff. She stated that at the October 18, 2006 meeting, the Planning Commission approved the extension of public sewer outside the designated Urban Service Area to serve up to 8 lots in a 10 lot residential subdivision. She stated the remaining two lots already lie within the Urban Service Area. She stated staff recommends approval of the preliminary subdivision plan.

Mrs. Kirby asked if the abandoned well would be capped.

Peggy Kenworthy, applicant, stated the well had not been capped at this time.

Clay Grogan, Parker Design Group, stated the well would be capped within the Health Department guidelines.

Mrs. Kirby asked what amenities would be in the open space.

Mr. Grogan stated there would be a playground and a picnic area.

Mrs. Kirby stated, in her opinion, a mulch path was hard on a stroller.

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Mr. Grogan stated he thought the mulch path was staff's suggestion and could be changed to a stone dust path.

Mr. Pitzel asked if the path and amenities would be in place.

Mr. Grogan stated he was unclear of the timing. He stated Parks and Recreation recommended the mulch on the path.

Mr. Pitzel stated many times homeowners do not realize there is a path behind their homes and want it removed. He stated if the paths were in place before the homes are built then there would be no questions or concerns.

Mr. Grogan stated the Home Owners Association would be aware of the paths.

Mr. Stepowany stated the Zoning Ordinance required all recreational amenities to be in place before the final plat was recorded. He stated the homes could not be built until the final plat was recorded.

Mrs. Kirby stated Crime Prevention would be concerned about the path going around the back of lots and there would be no visibility from the streets.

Mr. Stepowany stated the paths were approved by Parks and Recreation as part of the clustering plan.

Mrs. Kirby asked why this was not checked with the Sheriff's Department.

Mr. Harvey stated the Sheriff's Department representative would have addressed any concerns about the path at Technical Review Committee (TRC).

Mrs. Kirby stated Officer Hamilton always asks for a sign with the name of subdivision at the entrance of the pathway and that the path to be visible and protected.

Mrs. Carlone stated there needed to be space on both sides of the paths.

Mr. Grogan stated they would clear on both sides of the path.

Mrs. Carlone asked whether the mulch or stone dust surface would wear better.

Mr. Grogan stated they would meet with Parks and Recreation and figure something out.

Mr. Di Peppe asked Mr. Grogan to discuss the house on lot 5.

Mr. Grogan stated it was currently occupied and was constructed about 100 years ago.

Mr. Mitchell made a motion for approval. Mrs. Carlone seconded. The motion passed 5-2 (Mrs. Kirby and Mrs. Carlone were opposed.)

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10. SUB2500762; Potomac Creek Overlook, Preliminary Subdivision Plan - A subdivision preliminary plan for 25 single family residential lots, zoned A-1 consisting of 97.38 acres located approximately 2,700 feet east of Jefferson Davis Highway and 1,500 feet south of Eskimo Hill Road on Assessor's Parcels 38-126 within the Aquia Election District.
(Time Limit: July 18, 2007)

Mrs. Schulte presented the staff report. She stated the preliminary subdivision plan was reviewed at the April 13, 2005, Technical Review Committee (TRC) meeting. She stated all lots would be served by proposed state maintained roads and access would be provided through the proposed subdivision of Stafford Town Station off of Eskimo Hill Road. She stated the same connections would provide future access to land locked property to the south. She stated several of the lots have RPA and a note was added to the plan regarding the restrictions that were associated with the RPA. She stated storm water run off would be maintained through Low Impact Development (LID) features on individual lots through bio-filtration systems. She stated staff recommends approval of the preliminary subdivision plan.

Mrs. Kirby asked if the Phase I Study and Cemetery Delineation were completed.

Mrs. Schulte stated not to her knowledge and a note would be added to the plan.

Mrs. Kirby stated, in her opinion, having a note added was not good enough.

Mr. Di Peppe stated you have to cross the RPA to access the house on Lot 3. He stated a lot of the RPA comes pretty close to the houses which may prevent the homeowners from building decks or sheds.

Mrs. Kirby asked why the cemetery was not on its own parcel.

Mr. Harvey stated the Cemetery Ordinance was recently adopted by the Board of Supervisors. He stated the Ordinance required a cemetery be on a separate parcel or an easement.

Mrs. Kirby asked how the subdivision would be accessed if Stafford Town Station was denied.

Mr. Harvey stated the by-right preliminary plan for Stafford Town Station has been approved by the Planning Commission. He stated the reclassification for Stafford Town Station would be in front of the Planning Commission in June.

Mr. Pitzel stated the contour lines represented 5 feet elevation change.

Debrarae Karnes, Leming and Healy, stated the plan meets all the minimum requirements as defined by the Planning Department staff. She stated the minimum standards may not result in the most desirable product and Elm Street Development was present to discuss a modified plan they would like to submit. She stated Joe Jacobs, the Vice President of Elm Street Development, was available for questions.

Mr. Jacobs stated he mistakenly thought the public sewer extension in February of 2007 was not controversial. He stated he was recently informed that the Planning Commission wanted lots 11 and 21 consolidated, which was not shown on the plan currently in front of the Commission. He stated there was no time to present a modified plan to the Planning Commission.

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Ms. Karnes stated Elm Street Development would submit the modified plan to the Planning Department on May 3, 2007. She stated the modified plan allows for thrifty-five feet of space off of the back door so homeowners will not disturb the RPA if they build decks or sheds. She stated the family cemetery on the site may be larger than the delineated graphical representation presented to the Planning Commission. She stated the applicant was willing to put a note on the preliminary plan committing to a Phase 1 Study and Cemetery Delineation. She stated the only disagreement was the delineation is submitted concurrent with the construction plan. She stated the applicant would prefer to submit the cemetery delineation after the construction plan because if the cemetery is found to be larger than previously thought the applicant will commit to revising the plan. She stated the applicant did not wish to disturb any part of the cemetery and was willing to put up a marker and a fence around the family submission.

Mrs. Carlone asked that all lots with RPA have plaques identifying the area.

Ms. Karnes stated every parcel has 35 feet of space except lots 2 and 3.

Mr. Cook asked how the owner would get to their home on lot 3.

Ms. Karnes stated they would cross the RPA.

Mr. Di Peppe stated it appeared there was a road over the RPA.

Ms. Karnes stated there would have to be an extensive review by the Army Corps of Engineers before the construction plan was submitted.

Mr. Di Peppe stated there would still have to be some mitigation.

Mrs. Carlone stated she was concerned about the sewer lines, VEPCO easements, and the actual amount of useable space.

Ms. Karnes stated the Home Owners Association (HOA) would take care of the cemetery, which would be placed in an easement.

Mrs. Kirby stated, in her opinion, HOA's were not always competent to care for cemeteries. She stated she was concerned about ejector pumps, the RPA, and the building envelope which may restrict the building.

Mr. Cook asked why the Phase 1 Study was not conducted.

Ms. Karnes stated the archeologists have already been to the site and have partially delineated the cemetery.

Mr. Pitzel stated if the cemetery was placed on its own parcel, then lot 19 would no longer have the minimum 3 acre lot size.

Ms. Karnes stated the lot lines would have to be reconfigured.

Mr. Mitchell made a motion to put Item 10 in committee. Mrs. Kirby seconded. The motion passed 7-0.

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MINUTES

April 4, 2007 Work Session

Mr. Mitchell made a motion for approval. Mrs. Kirby seconded. The motion passed 7-0.

April 4, 2007 Regular Meeting

Mr. Rhodes made a motion for approval. Mr. Mitchell seconded. The motion passed 7-0.

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the Board of Supervisors continued the Public Hearing for the Fairfield Inn and Suites Reclassification and CUP. He stated the Board approved the CUP to modify the height requirement for Mt. Ararat Baptist Church, approved the Cox Communications reclassification and CUP, and the AlexCom and Associates reclassification.

COUNTY ATTORNEY'S REPORT

No Report

SECRETARY/TREASURER REPORT

No report

STANDING COMMITTEE REPORTS

Mr. Pitzel stated the last meeting of the Comprehensive Steering Committee would be held on May 7, 2007. He stated the Land Use Map and the build out analysis was determined and the Comprehensive Plan Revision would be presented to the Planning Commission on May 16, 2007.

CONSENT AGENDA

None

SPECIAL COMMITTEE REPORTS

No report

CHAIRMAN'S REPORT

No report

ADJOURNMENT

Mr. Mitchell made a motion for adjournment. Mrs. Kirby seconded. The meeting was adjourned at 9:13 p.m.

William Cook, Chairman

