

**STAFFORD COUNTY PLANNING COMMISSION**  
**WORK SESSION MINUTES**  
**September 5, 2007**

The work session of the Stafford County Planning Commission of Wednesday, September 5, 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:

Staff Present: Harvey, Judy, Zuraf, Schultis, Stepowany, Knighting

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. Amendment to the Comprehensive Plan – Centreport Gateway – A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel 37-25 from Light Industrial, Suburban Residential, and Resource Protection land use to Urban Commercial and Resource Protection land use consisting of 51.25 acres, located on the west side of Interstate 95 separated in two parts by Centreport Parkway within the Hartwood Election District. The Urban Commercial designation would allow development of commercial retail and office uses. **(Time Limit: October 16, 2007)(Deferred to the September 5, 2007 Work Session)**
  
2. RC2700199; Reclassification – Centreport Gateway - A proposed reclassification from A-1, Agricultural to B-2, Urban Commercial Zoning District to allow for the development of a commercial office park to include a mix of offices, retail commercial uses, and a hotel on Assessor's Parcel 37-25 consisting of 51.25 acres, located on the west side of Interstate 95 separated in two parts by Centreport Parkway within the Hartwood Election District. The Comprehensive Plan recommends the property for Light Industrial, Suburban Residential, and Resource Protection uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Suburban Residential use would permit single family residential development at a density of three (3) dwelling units per acre. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses in the B-2 Zoning District. **(Time Limit: September 18, 2007) (Deferred to the September 5, 2007 Work Session)**

Mr. Zuraf gave a brief summary of the changes to the Comprehensive Plan Amendment and Reclassification applications.

Mike Finner, The Cox Company, stated the access to the property was changed and three additional proffers have been added. He stated proffer 3 discussed the signalization of the Mine Road intersection and the applicant would work with the County and Virginia Department of Transportation (VDOT) on the through lanes and turn lanes. He stated proffer 5 affirmed pedestrian pathways would consist of a permeable or porous paving material. He stated the applicant tried to provide the Planning Commission with suitable design guidelines. He stated the design would be a traditional Virginia town, with

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architectural streetscape designs. He stated they proffered a maximum height limitation on the buildings, which would not exceed 4 stories and the building materials would be brick, stucco, glass, and painted services with a traditional architectural scheme. He stated they have not received any feedback from VDOT on the change of access.

Mrs. Carlone stated she welcomed the architecture and building materials based on what was shown tonight. She stated she was concerned about the abutting property owners who will be faced with traffic coming into the site.

Doug Darling, G & G Centreport Gateway, stated they had spoken to the property owners, who indicated they were not planning to stay there long term and would probably move in 2 or 3 years.

Mrs. Carlone asked if the parcel across the street considered spot zoning.

Mr. Darling stated they were not separate parcels.

Mr. Pitzel stated the trail was still shown to go right to the edge of Centreport Parkway.

Mr. Darling stated that was a road which provided access to the VDOT Stormwater Management Pond.

Mr. Pitzel asked what kind of signage was proposed along Centreport Parkway.

Mr. Darling stated they would hope to put a low key monument to indicate the name of the development.

Mr. Finner stated they would not do anything that was not consistent with design guidelines.

Mrs. Kirby stated she wanted to see a package that identified, architecturally, each building as it would be built.

Mr. Finner stated they were not at the point where they have full architecture.

Mr. Di Peppe stated it would be nice if there were some benches along the sidewalks and trails.

Mr. Finner stated that could be put into the proffers.

Mrs. Kirby stated she wanted assurances that there would not be a nail salon, video stores, and cleaners. She stated there would have to be subsidiary uses for the people there.

Mr. Finner stated proffer 2c deleted some items that were by-right in the B-2 Zoning District.

Mr. Pitzel asked if the applicant really wanted to proffer out a theater with fewer than 3500 seats.

Mr. Finner stated the site was for a conference center and hotel.

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Mr. Cook stated the VDOT assessment was still not complete and, in his opinion, Items 1 and 2 should remain in committee.

Mr. Harvey stated the time limit was September 18, 2007 and the Planning Commission would have to ask the applicant to extend the time limit.

Mr. Cook asked the applicant to extend the reclassification time limit to October 16, 2007.

Mr. Darling stated he would extend the time limit to October 16, 2007 and provide a written statement to Mr. Harvey.

Mrs. Kirby made a motion to put Items 1 and 2 in committee. Mr. Di Peppe seconded. The motion passed 7-0.

3. SUB2700091; Woodlands at Berea Section Two, Revalidation, Preliminary Subdivision Plan  
– A revalidation of an approved preliminary plan for 27 single family residential lots, zoned A-1 and A-2 consisting of 51.03 acres located on the north side of Sanford Road approximately 1,600 feet east of Greenbank Road on Assessor's Parcel 44-87A within the Hartwood Election District. **(Time Limit: October 15, 2007)(Deferred to September 5, 2007 Work Session)**

Mr. Schultis stated at the previous meeting the Planning Commissioners were concerned about how the houses would fit on the lots. He stated he had a sketch of the subdivision showing spot locations of the houses.

Mr. Harvey stated the Planning Commission was concerned about the location of the homes and drainfields on all lots.

Mrs. Kirby stated the drainfield on lot 115 was next to Resource Protection Area (RPA).

Larry Caruthers stated the drawing showed a 100 scale and there would be 5 feet between the RPA and drainfield.

Mr. Schultis stated the Environmental Planners had approved their review on the application.

Mrs. Kirby asked what it means to revalidate.

Mr. Judy stated the preliminary plan was approved and for some reason the applicant did not pursue the plan further, which means the preliminary plan was no longer valid, which means the plan had to be revalidated under the new rules.

Mrs. Kirby asked if the applicant had to show due diligence in order to revalidate.

Mr. Judy stated the applicant was starting just like anyone doing a site plan.

Mr. Di Peppe stated he was concerned about the drainfield on lot 115 being too close to the RPA.

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Mr. Caruthers stated the soil scientist had looked the site over thoroughly.

Mrs. Carlone asked if metal markers could be placed at the RPA.

Mr. Caruthers stated the applicant agreed to do that.

Mrs. Kirby asked if there was something from the Health Department stating 5 feet between the drainfield and RPA was acceptable.

Mr. Judy stated the Health Department did not set the requirements for how close a drainfield would be to the RPA. He stated the RPA was established under the Chesapeake Bay Protection Act. He stated, to the best of his knowledge, there was no minimum separation between the drainfield and the RPA.

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

4. Amendment to Subdivision Ordinance - Amendments to Section 22-5, Family and Minor Subdivisions; and Section 22-176, Private Access Easement, of the Subdivision Ordinance, pursuant to O07-58. The amendment shall require all lots including lots in a family subdivision and less than five (5) acres to be served by private ingress/egress easement at least twenty (20) feet wide, clear of any structures and vegetation. Lots being served by a Private Access Easement (PAE) five (5) acres or larger shall be served by an ingress/egress easement at least fifty (50) feet wide, clear of any structures and vegetation. The amendment limits a minor subdivision to no more than one (1) PAE per parent parcel. **(Deferred to September 5, 2007 Work Session)**

Mr. Stepowany gave a brief review of the status of the Ordinance.

Mr. Pitzel presented an illustration of 10 foot easement. He stated the Ordinance would require the Private Access Easement (PAE) have 20 feet area clear of obstacles, which was also required in the current Fire Code.

Mr. Cook stated a 20 foot wide easement would work with any size lot. He stated there were roads in Aquia Harbor, Stefaniga Road, and Mountain View Road which were not 50 feet wide.

Mr. Pitzel stated the slides would show why the easements should be more than 10 feet. He stated the need for 20 feet clear of obstacles was to allow emergency vehicles could travel down the easement.

Mr. Stepowany stated Sections 22-5 and 22.176 would be modified. He stated the Ordinance currently required an easement 50 feet wide for lots 5 acres or larger. He stated staff would be willing to modify the Ordinance to require a minimum 20 feet for the roadway, clear of any vegetation or obstacles.

Mr. Judy stated the reason the Ordinance needed to be written was in the event of future development.

Mr. Stepowany stated he was not asking to amend the 50 foot easement.

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Mr. Judy stated there would need to be a 50 feet easement on paper, which would not require a 50 feet clear area on the property. He stated in addition to that, Mr. Pitzel was indicating that 20 feet should be clear of any obstruction, but not necessarily 20 feet width of pavement or gravel.

Mr. Stepowany stated Mr. Harvey had expressed concerns about enforcement. He stated new Planning and Zoning applications would take effect on Monday, September 10, 2007. He stated the Stormwater Management team raised concerns about private driveways being constructed without the building permit and not being reviewed for stormwater management. He stated the new applications include infrastructure plans for Stormwater Management review. He stated the 50 foot easement was with 20 feet clear and the minimum width of the travel way was 10 feet. He stated staff's recommendation would be to add the modification for the 50 feet easement, that there be 20 feet clear of vegetation for the travel way.

Thomas Cropp stated the 50 feet easement had never been a problem. He stated the Ordinance read that 50 feet had to be cleared of vegetation. He stated there were still properties in the Agricultural Zoning Districts that had deeded right of ways which were only 10 feet wide. He stated the Ordinance also specified no more than 2 divisions per PAE, anything greater than that would be in the state system.

Mr. Stepowany stated he would be happy to make modifications and bring it back to the Planning Commission.

Mr. Cropp stated he was also concerned about only allowing one PAE off of a parent parcel. He stated there were circumstances when a family may want to give a piece of land to a child.

Mr. Stepowany stated family subdivisions would not be subject to those regulations, just minor subdivisions.

Mr. Cook made a motion to amend and rewrite the Ordinance. Mrs. Rhodes seconded.

Mr. Harvey stated the staff was willing to rewrite and present the Ordinance at the next meeting.

Mr. Pitzel stated, in his opinion, the Ordinance should be split, forming two Ordinances.

Mr. Stepowany stated both Ordinances would have to be re-advertised.

Mr. Cook made a motion for staff to rewrite the Ordinance creating two separate Ordinances. He withdrew his first motion.

Mr. Rhodes withdrew his second.

Mr. Stepowany stated he was concerned about splitting the Ordinance.

Mr. Pitzel stated he would like the public to have input. He stated from the beginning he wanted two separate Ordinances. He seconded the motion. The motion passed 7-0.

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ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 6:33 p.m.

**STAFFORD COUNTY PLANNING COMMISSION MINUTES**  
**September 5, 2007**

The regular meeting of the Stafford County Planning Commission of Wednesday, September 5, 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, Rhodes, and Di Peppe

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, Judy, Knighting, Stepowany, Schultis, Hornung, and Woolfenden

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

None

PUBLIC HEARINGS:

1. CUP2700376; Conditional Use Permit – Potomac Creek Industrial Park, Lot 4 - A request for a Conditional Use Permit to allow a place of worship in a M-1, Light Industrial Zoning District on Assessor's Parcel 38-24F, consisting of 1.48 acres, located on the east side of Jefferson Davis Highway approximately 150 feet south of Potomac Creek Drive within the Aquia Election District. **(Time Limit: December 4, 2007)**

Mr. Schultis presented the staff report. He stated the request was for a Conditional Use Permit (CUP) to allow a place of worship in an M-1 Light Industrial Zoning District. He stated there would be no direct access to Jefferson Davis Highway from the proposed site. He stated the Generalized Development Plan (GDP) proposed 7500 square feet to be used as a place of worship with primary access off of Potomac Creek Drive. He stated there were 61 parking spaces at the site and worship services would be conducted primarily on Sundays, when other business in the industrial park would be closed. He stated the proposed conditions and stated staff recommends approval.

Mrs. Kirby asked if the tall garage doors would be on both sides of the building.

Mr. Schultis stated no, the garage doors were located at the parking side.

Mrs. Kirby asked if an individual, not a church was the applicant.

Mr. Schultis stated he would let the applicant explain.

Jerry Brown stated he was the applicant.

Mrs. Carlone stated, in her opinion, it was an inappropriate location for a church. She asked if there was a better location in the community.

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Mr. Brown stated the building was not built for a church, but the church used the facility for offices. He stated the 450 member church currently meets at Stafford Senior High School and this location would be used for evening meetings. He stated the Open Door Community Church would like to use part of the space to hold a small Sunday worship.

Mrs. Carlone asked what the name of the church was.

Mr. Brown stated he owned the building and the name of the church was Stafford Crossing.

Mr. Pitzel asked how much activity was planned for during the week.

Mr. Brown stated on Wednesday nights there would be a Celebrate Recovery meeting.

Mr. Pitzel stated there were only 63 parking spaces with 180 capacities in the building.

Mr. Brown stated those figures were what was allowable. He stated the space was originally leased for office space.

Mr. Pitzel asked if there would be televised services.

Mr. Brown stated there were no plans to televise services.

Mr. Pitzel asked if this was flex-space.

Mr. Brown stated he did build the building without tenants in mind.

Mrs. Kirby stated she was concerned about a church in an industrial park. She stated, in her opinion, if the church grows there may not be enough parking spaces.

Mr. Brown stated Stafford Crossing had put offers on other sites. He stated this site was primarily for offices and meetings.

Mrs. Kirby stated there would be worships services at the site.

Mr. Brown stated 180 seats were allowable.

Mrs. Kirby stated she wanted to know what would happen at the site.

Mr. Brown stated he based the GDP and Traffic Impact Analysis on what would be allowable.

Mrs. Kirby stated the site was not conducive to the growth of a church.

Mr. Brown stated Stafford Crossing meets at Stafford Senior High School.

Mr. Schultis stated the 450 member congregation was Stafford Crossing, which currently has an office at the industrial park, but hold their services at the school. He stated Open Door Christian Church was much smaller and Mr. Brown was obtaining the CUP for them to hold services in the space occupied by Stafford Crossing.

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Mr. Cook stated, in his opinion, the CUP should be in the name of Open Door Christian Church, not Stafford crossing.

Mr. Judy stated the CUP would be in the name of the owner of the property, who was asking for a CUP to allow the churches who rent the space to use it to hold worship services.

Mrs. Kirby asked who would enforce the size of the church if it grew.

Mr. Judy stated those conditions could be written into the CUP.

Mrs. Kirby asked who would enforce that.

Mr. Harvey stated buildings such as this one were subject to yearly inspections from the Fire Inspector which would determine the occupancy load.

Mrs. Kirby asked why 68 vehicle trips per day were written into the Traffic Impact Analysis.

Mr. Harvey stated the Institute of Transportation Engineers book establishes so many trips per day based on square footage of office space.

Mrs. Kirby stated industrial zoning generates more taxes, which the church does not pay.

Mr. Harvey stated Mr. Brown was the owner of the property and he pays taxes.

Mr. Mitchell stated, in his opinion, that churches do have a hard time finding spaces.

Mr. Di Peppe asked if one church was sub-letting to another church.

Mr. Brown stated yes.

Mr. Di Peppe asked how many members Open Door Christian Church has.

Mr. Brown stated the church would be limited by the allowable number. He stated the maximum space that could be utilized was 3,000 to 4,000 square feet.

Mr. Pitzel stated Open Door Christian Church was subletting the space for a worship service.

Mr. Brown stated after the deal with Stafford Crossing was complete, Open Door Christian Church wanted to utilize the space.

Mrs. Carlone asked what the length of the lease would be.

Mr. Brown stated the lease would be for 3 years.

Mr. Cook opened the Public Hearing.

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Jo Knight stated she was speaking for Mrs. Shaffer, an adjacent property owner, who was concerned about possible overflow from the parking area. She stated with the explanations discussed tonight, it seemed Mr. Brown would do the right thing.

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

Mr. Brown stated the church could not grow out of the space and if it was necessary there was parking available across the street.

Mr. Mitchell made a motion for approval. Mr. Rhodes seconded.

Mr. Pitzel asked if there was a way to make sure the parking did not get out of control.

Mr. Schultis stated the conditions did list parking issues.

Mrs. Kirby stated she understands churches need space, but she has concerns and cannot support the application.

Mrs. Carlone stated, in her opinion, an industrial park was not the place for a church.

Mr. Mitchell stated the Sheriff's Department regularly patrols Route 1 and could monitor the parking. He stated, in his opinion, the site would be self policing.

The motion passed 5-2 (Mrs. Kirby and Mrs. Carlone were opposed).

2. CUP2700411; Conditional Use Permit – Stafford County School Board, Clift Farm High School Site - A request for a Conditional Use Permit to allow an exception to the height requirements for a high school up to 45 feet and athletic field lighting up to 90 feet, on a portion of Assessor's Parcel 46-62, zoned A-1, Agricultural Zoning District, consisting of approximately 83 acres located at the end of Clift Farm Road approximately 2,500 feet north of Leeland Road within the Falmouth Election District. **(Time Limit: December 4, 2007)**

Mr. Schultis presented the staff report. He stated the CUP request was for an exception to height requirements for field lighting. He stated the pole height for the field lighting would be 90 feet, the required height for proper lighting. He stated the Federal Aviation Administration (FAA) determined the poles would not impact the airport site. He stated the lights would point downward and would not impact adjoining properties. He stated based on the conditions the staff recommends approval.

Mr. Mitchell asked if a pilot could mistake the light poles if it was foggy at night.

Mr. Schultis stated the FAA determined there would be no impacts to air traffic.

Mr. Mitchell asked where the study was conducted.

Mr. Schultis stated he would defer to the applicant.

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Mr. Mitchell asked what type of aircraft was used in the study.

Mr. Schultis stated he did not have that information.

Mr. Di Peppe stated when the FAA did the study; there was no discussion about lights being 90 feet tall in the landing pattern. He stated when the Comprehensive Plan Amendment was approved last fall; there was no discussion of lights, just the standard high school building.

Mr. Rhodes stated there was significant discussion regarding the lights specifically.

Mrs. Carlone asked Mr. Schultis to look at the notes when the high school was initially proposed, the FAA stated they would not recommend the site.

Scott Horan, Stafford County Schools, stated he was available to answer questions.

Mrs. Carlone stated, in her opinion, the lights would have impacts on the adjacent properties.

Mr. Horan stated the application to the FAA included the height restriction infraction of 90 feet for lighting. He stated the school and the athletic fields were not in the direct flight path and the air traffic impact study was conducted at a regional office of the FAA.

Mrs. Carlone asked what assurances were there if the Stafford Regional Airport runway was extended and larger planes landed.

Mr. Horan stated the spill over from the lights at the athletic fields and parking lots would be .5 level at the property line, which far exceeds the requirements in the Ordinance. He stated the lights would have little or no impact to adjacent residents. He stated a noise study was conducted and there was a meeting with the Airport Authority to project the future use of the airport.

Mrs. Kirby stated she was concerned about the language "low frequency of flight". She asked why the lights would be on at midnight.

Mr. Horan stated the athletic directors at the County schools feel that the football games could go into overtime or start late due to inclement weather.

Mrs. Kirby asked why the lights at Colonial Forge High School were on at night when no one was there.

Mr. Horan stated the schools were now on a digital control system, which would not allow lighting to be turned on after midnight.

Mr. Mitchell stated the Miller Beam & Paganelli Study said a full day was spent, then a shorter afternoon was spent on the study and only 5 planes were measured.

Mr. Horan stated aircraft did not pass directly over the school site; they were always to the north. He stated the School Board felt this was more than adequate for noise levels near a school.

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Mr. Mitchell stated the plane that crashed last year was south of the runway, and there was no indicator which says the planes would always be to the north. He stated there were circumstances where the weather would be foggy or there would be a snow storm.

Mr. Horan stated approach lights at an airport were different than stadium lights. He stated he could not tell the Commission if a pilot would mistake stadium lights for runway lights.

Mr. Mitchell stated the study was dated September 11, 2006.

Mr. Horan stated there was a new study dated 2007, which was provided to staff.

Mr. Mitchell stated he did not remember 90 foot stadium lights being discussed.

Mr. Horan stated the lights were discussed last fall during the Comprehensive Plan Amendment review.

Mr. Di Peppe stated he needed help deciphering the two maps.

Mrs. Kirby stated the property was purchased for 4 million dollars, but was now worth 2 million dollars. She asked Mr. Horan if the County paid too much for the property.

Mr. Horan stated according to the School Board, they did not pay too much for the property.

Mr. Cook stated the price of the property was not pertinent to the discussion. He opened the Public Hearing.

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

Mr. Di Peppe stated he did not support the Comprehensive Plan Amendment last fall and he could not, in any good conscious, support the request. He made a motion to deny. Mr. Mitchell seconded.

Mr. Rhodes stated this application was specifically for the height of the lights and those items were discussed with the original application and he would be supporting the application.

Mrs. Carlone stated she could not support the application.

Mr. Cook stated he would not support motion for denial. He stated the site was already approved and the height of the high school had already been approved once before for Mountain View High School. He stated if the FAA did not have any objections with the site, than he should not either. He stated he objected to the site originally, but was defeated, so he would not hold up the high school.

The motion to deny passed 4-3 (Mr. Cook, Mr. Pitzel, and Mr. Rhodes were opposed).

3. CUP2700506; Conditional Use Permit - Oak Hill Business Center, Chino on the Rock – A request for a Conditional Use Permit to allow a place of business in a M-1, Light Industrial Zoning District on Assessor's Parcel 21BB-101, 21BB-102, 21BB-105, 21BB-107, 21BB-109, 21BB-111, 21BB-112, 21BB-113, 21BB-115, 21BB-117, 21BB-119, 21BB-121, 21BB-123, 21BB-125, 21BB-127, 21BB-129, 21BB-131, 21BB-133, 21BB-135, 21BB-

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137, 21BB-139 and 21BB-141 consisting of 6.16 acres, located on the west side of Jefferson Davis Highway approximately 800 feet north of Little Forest Church Road within the Griffis-Widewater Election District.

4. Amendment to Zoning Ordinance - Amendment to Section 28-33, Districts Generally; Section 28-34, Purpose of Districts; Section 28-35, Definitions of Specific Terms; Section 28-35, Table of Uses and Standards; Table 3.1, District Uses and Standards; Section 28-39, Special Regulations; Table 7.1, Required Parking Spaces; and Section 28-127, Types Permitted in RC, SC, B-3 and RBC Districts, of the Zoning Ordinance, pursuant to O07-68. The amendment establishes the Life Care/Retirement Community (LC) zoning district. The purpose of the LC zoning district is to provide areas for continuing care of elderly, providing for transitional housing progressing from independent living in various dwelling units, with or without kitchen facilities, and culminating in nursing home care, where all related uses are located on the same lot or adjacent lots.

Mr. Stepowany presented the staff report. He gave a brief description of the proposed Ordinance. He stated staff recommends approval of the Ordinance.

Mr. Pitzel stated the employee dwellings would be a Special Exception.

Mr. Stepowany stated employee dwellings may have impacts on County services.

Mrs. Carlone stated she was concerned about the evacuation plan. She stated she would like 75 feet maximum height to be removed and limit the height to four stories.

Mr. Stepowany stated the Planning Commission would have to make a motion to reduce the maximum height.

Mr. Di Peppe stated Fire & Rescue trains for high rise buildings.

Mr. Judy stated the issue was a Zoning Text Amendment. He stated the Planning Commission was discussing the maximum possibilities for these types of facilities. He stated there could be a particular exception if an applicant request to go to a higher level and to immediately eliminate all possibilities here was going beyond what the Planning Commission was being asked to do.

Mrs. Carlone stated, in her opinion, it would be dangerous to have a high rise without the use of elevators during an evacuation.

Mr. Cook opened the Public Hearing.

Bruce Hendrick, Smith Packett, stated he was available to answer any questions in regard to the Lifecare concept. He thanked staff and the Planning Commission for their time.

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

Mrs. Kirby asked if there would be a doctor on the site.

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Mr. Stepowany stated because of the nature of the community, nurses would be on duty to provide care.

Mrs. Kirby asked if there was a church or a chapel.

Mr. Stepowany stated a chapel was an accessory use. He stated a CUP would be required for a stand alone, place of worship which citizens outside the Lifecare community could attend.

Mrs. Carlone asked if this was private property.

Mr. Stepowany stated the property was owned by the facility.

Mrs. Carlone asked if the place of worship could bring outside congregates.

Mr. Stepowany stated that was when a CUP would be required, because there would be traffic impacts.

Mr. Pitzel stated he thought this was a good opportunity to have varied zoning classifications in the County.

Mr. Di Peppe stated, in his opinion, this Ordinance would be good for the community. He made a motion for approval. Mr. Rhodes seconded. The motion passed 7-0.

UNFINISHED BUSINESS:

5. Amendment to the Comprehensive Plan – Centreport Gateway – A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor’s Parcel 37-25 from Light Industrial, Suburban Residential, and Resource Protection land use to Urban Commercial and Resource Protection land use consisting of 51.25 acres, located on the west side of Interstate 95 separated in two parts by Centreport Parkway within the Hartwood Election District. The Urban Commercial designation would allow development of commercial retail and office uses. **(Time Limit: October 16, 2007)(Deferred to the September 5, 2007 Work Session)**
6. RC2700199; Reclassification – Centreport Gateway - A proposed reclassification from A-1, Agricultural to B-2, Urban Commercial Zoning District to allow for the development of a commercial office park to include a mix of offices, retail commercial uses, and a hotel on Assessor's Parcel 37-25 consisting of 51.25 acres, located on the west side of Interstate 95 separated in two parts by Centreport Parkway within the Hartwood Election District. The Comprehensive Plan recommends the property for Light Industrial, Suburban Residential, and Resource Protection uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Suburban Residential use would permit single family residential development at a density of three (3) dwelling units per acre. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses in the B-2 Zoning District. **(Time Limit: September 18, 2007) (Deferred to the September 5, 2007 Work Session)**

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Mr. Cook stated Items 5 and 6 were discussed during the work session and the Planning Commission was given a request for deferral until October 16, 2007.

7. SUB2700091; Woodlands at Berea Section Two, Revalidation, Preliminary Subdivision Plan – A revalidation of an approved preliminary plan for 27 single family residential lots, zoned A-1 and A-2 consisting of 51.03 acres located on the north side of Sanford Road approximately 1,600 feet east of Greenbank Road on Assessor's Parcel 44-87A within the Hartwood Election District. **(Time Limit: October 15, 2007)(Deferred to September 5, 2007 Work Session)**

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

8. Comprehensive Plan Amendment - Stafford Town Station – A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel's 38-29, 38-29A, 38-121, 38-121A, 38-122, 38-122A and 38-124 from Light Industrial, Rural Residential, and Resource Protection to Urban Commercial, Urban Residential, and Resource Protection Land Use and extend the Urban Services Area to comprise the above referenced parcels. The proposed amendment would be for the purpose of developing a P-TND, Planned Traditional Neighborhood Development. **(Time Limit: November 13, 2007) (Deferred to September 6, 2007 Work Session)**

9. RC2700296; Reclassification - Stafford Town Station - A proposed reclassification from A-1, Agricultural Zoning District and B-1, Convenience Commercial Zoning District to P-TND, Planned Traditional Neighborhood Development Zoning District on Assessor's Parcels 38-29, 38-29A, 38-121, 38-121A, 38-122, 38-122A and 38-124 consisting of 562.58 acres, located on the east side of Jefferson Davis Highway approximately 300 feet south of American Legion Road and along Eskimo Hill Road within the Aquia Election District. The Comprehensive Plan recommends the property for Light Industrial use which would allow a variety of industrial manufacturing and office uses. The Rural Residential designation would allow development of three (3) acre lots for single family residential use. The Resource Protection designation would require stream protection buffers along all streams that exhibit perennial flow characteristics. See Section 28-35 of the Zoning Ordinance for a complete listing of permitted uses in the P-TND Zoning District. **(Time Limit: November 13, 2007) (Deferred to September 6, 2007 Work Session)**

Mr. Cook stated Items 8 and 9 would be discussed tomorrow night at 7:00 p.m. in the Administration Building.

10. Amendment to Subdivision Ordinance - Amendments to Section 22-5, Family and Minor Subdivisions; and Section 22-176, Private Access Easement, of the Subdivision Ordinance, pursuant to O07-58. The amendment shall require all lots including lots in a family subdivision and less than five (5) acres to be served by private ingress/egress easement at least twenty (20) feet wide, clear of any structures and vegetation. Lots being served by a Private Access Easement (PAE) five (5) acres or larger shall be served by an ingress/egress easement at least fifty (50) feet wide, clear of any structures and vegetation. The amendment limits a minor subdivision to no more than one (1) PAE per parent parcel. **(Deferred to September 5, 2007 Work Session)**

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Mr. Cook stated Item 10 was deferred to committee to be written into two Ordinances.

NEW BUSINESS:

11. 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 September 5, 2007 Regular Meeting at the applicants request)**

Mrs. Hornung presented a letter of deferral to the Planning Commission. She stated the Board of Supervisors had yet to make a decision on projects proposed within the Urban Service Area as designated in the Comprehensive Plan. She stated the project would be required to have public water and sewer. She stated at the Board meeting yesterday, there was a proposal to revise the Ordinance and make certain recommendations which would go to Public Hearing with the Board of Supervisors.

Mr. Cook stated if the Board had delayed the Ordinance, then the Planning Commission should take the letter into consideration.

Mr. Harvey stated the Board of Supervisors authorized a public hearing to change the mandatory requirement for connection to allow exceptions for projects filed before May 2007.

Mr. Cook stated if the Ordinance was amended, then the application would be in compliance.

Mr. Harvey stated there was an exception process and the applicant would have to make a case for whether the exception was appropriate.

Mrs. Kirby asked when the application first came to the Planning Commission.

Mrs. Hornung stated January 2007.

Mr. Harvey stated the Board authorized the hearing on the Ordinance Amendment which would likely take place within the next 30 days. He stated the issue would probably be resolved in November.

Mr. Mitchell made a motion to defer Item 11 until January 2008. Mr. Rhodes seconded. The motion passed 7-0.

12. SPR2700030; Celebrate Virginia Lowe's Shopping Center, Preliminary Site Plan - A preliminary site plan for the construction of two, one-story buildings with a total of 201,110 square feet, on Assessor's Parcel 44-76, 76C, 98A, 99, 101A, 101C, and 103A, zoned B-2 consisting of approximately 50 acres located on the south side of McWhirt Loop approximately 200 feet south of Warrenton Road within the Hartwood Election District. **(Time Limit: October 21, 2007)**

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Mr. Stepowany presented the staff report. He stated the site plan proposes 201,110 square feet of commercial space including multi-tenant retail and a Lowe's. He stated the site was a total of 50 acres and the parcels are zoned B-2, Urban Commercial and A-1, Agricultural. He stated the A-1 parcels would be impacted by the relocation of McWhirt Loop and the extension of Banks Ford Parkway. He stated the site would be served by public water and sewer. He stated the site contains a Resource Protection Area (RPA) and the applicant has proposed to mitigate the impact to the RPA by reforesting areas that were previously disturbed. He stated the applicant planned to address Stormwater Management (SWM) requirements with Stormwater Management Ponds and bio-retention filters to control runoff. He stated the plan was reviewed by the appropriate agencies and has been presented to the Planning Commission for review.

Mrs. Carlone asked if VDOT had completed the connection to Route 17.

Mr. Harvey stated he was not certain and some of the improvements were off-site not with this application.

Mrs. Carlone stated one of her concerns was the setting of the traffic signals.

Mr. Harvey stated the site plan had not been approved. He stated the Planning Commission needed to provide their comments before it was sent to the final review.

Mrs. Kirby stated she would like to see no outside materials at Lowe's.

Mr. Stepowany stated it would need to be a proffer.

Mr. Judy stated traditionally Lowe's puts lawn mowers and grills outside in the Spring. He stated the Planning Commission would need to ask the applicant.

Mrs. Kirby stated the site was very large.

Mr. Mitchell stated he supported Lowe's coming into the area.

Mrs. Carlone stated she would like to know what the latest response from VDOT was.

Chris Hornung, Silver Companies, stated VDOT had no serious issues, but the application still had to go through the standard review process.

Mrs. Carlone asked what the timing of closure was.

Mr. Hornung stated the plan shows the timing. He stated Silver Companies were doing a number of improvements and this Lowe's was a stand alone building. He stated Lowe's was not in favor of speed bumps, but they would work with the County on rumble strips.

Mrs. Kirby asked if seasonal merchandise would be displayed outside.

Mr. Hornung stated the site was in the Highway Corridor Overlay District (HCO) which does require screening from the highway. He stated Silver Companies would speak to Lowe's and see what could be worked out.

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13. SUB2700088; Robinson Farm, Preliminary Subdivision Plan - A preliminary subdivision plan for 15 single family residential lots, zoned A-1, Agricultural, consisting of 60.20 acres located at the end of Chiswood Lane approximately 3,500 feet east of Poplar Road on Assessor's Parcel 27-48C within the Rock Hill Election District. **(Time Limit: December 4, 2007)**

Ms. Woolfenden presented the staff report. She stated the preliminary plan proposed 15 single-family dwellings on a 60.2 acre portion of Assessor's Parcel 27-82C, which was zoned A-1, Agricultural and has a minimum lot size of 3 acres. She stated the site would be served by public water and private septic. She stated there were wetlands on lots 9, 10, and 11, which were protected by RPA buffers. She stated ditches would convey runoff to onsite Low Impact Development integrated management practices. She stated the subdivision was located downstream of a dam inundation zone, but the areas identified for building sites were outside the inundation area and should not impact the category of the dam. She stated staff recommends approval.

Mrs. Kirby asked if a drainfield could go across the creek.

Ms. Woolfenden stated the stream could be crossed because it was an intermittent stream.

Mr. Pitzel stated the pipe would have to go under the creek and back up the hill.

Mr. Harvey stated an ejector pump would be used in the house.

Mike Proctor, Greenhorn and O'Mara, stated pumping to the drainfield site was very common.

Mrs. Kirby asked if there was any background information on how the system works.

Mr. Proctor stated the system would be more controlled and more advanced.

Mrs. Carlone stated Criswood Road had not been accepted into the system yet.

Mr. Proctor stated that was correct.

Mrs. Carlone stated she would like to see markers for the RPA.

Mr. Proctor stated the applicant was agreeable.

Mrs. Carlone asked when Criswood Road would be accepted into the system.

Mr. Proctor stated Criswood Road should be accepted within the next month or so.

Mrs. Kirby stated lot 6 zig zags.

Mr. Proctor stated that was a common occurrence with lots which have drainfields.

Mrs. Kirby asked if there could have a tot lot.

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Mr. Proctor stated the common area was not large enough for a tot lot, but the subdivision sign would be place there.

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

14. SUB2600178; Aquia Overlook, Section 3 Revised, Preliminary Subdivision Plan - A revised preliminary subdivision plan for Section 3 with 36 single family residential lots, zoned A-1, Agricultural and A-2, Rural Residential, consisting of 102 acres located on the north side of Decatur Road across from Indian View Court on Assessor's Parcels 31-13D, 15A and 16 within the Griffis-Widewater Election District. **(Time Limit: November 27, 2007)**

Mrs. Hornung presented the staff report. She stated the preliminary plan proposed 36 single-family dwelling on 99.96 acres. She stated there was split zoning with A-1, Agricultural and A-2, Rural Residential. She stated public water and sewer would serve all dwelling units if the Comprehensive Plan retains this parcel within the Urban Service Area. She stated the developer would have to design the lots for septic or utilities. She stated primary access would be through Decatur Road. She stated RPA was located on the south side of this property. She stated Stormwater Management will be maintained through bio-retention facilities. She stated staff recommends approval with a note on the plan, that at the time of the construction plan, the water and sewer would be designed depending on status of the County Ordinance Amendment and the Comprehensive Plan.

Mr. Di Peppe stated if the site was in the Urban Service Area, then it should be on water and sewer.

Bob Burner, Garrett Development, stated it was a confusing situation. He stated he had been working on this plan for 9 years and the Utilities Department would not grant a permit to build a pump station. He stated he was willing to do anything he could do to make this work. He stated he cannot sit on a project for another 9 years and he would hook up to public water and sewer, if the Utilities Department would allow him to. He stated Dale Allen, Utilities Department, would not allow a pump station for the 30 lots. He stated he would like to get the preliminary plan approved and he would do whatever the Ordinance recommends.

Mr. Cook stated he was unaware Dale Allen would not issue the permit for a pump station.

Mrs. Kirby stated the site should be approved with water and sewer.

Mr. Burner stated an overview of the drainfield Ordinance and provided a brief description of the Urban Service Area.

Mr. Di Peppe asked how Mr. Burner would provide a pump station, if Utilities Department would not grant the permit.

Mr. Burner stated he was asking the Planning Commission to approve the plan and he would do whatever was required.

Mr. Cook stated, in his opinion, Item 14 should be placed in committee until Dale Allen could be present to explain why the Utilities Department would not grant the permit for a pump station.

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Mr. Burner stated he tried to rezone the property from A-1 to A-2 in 1997 and was denied because the connection point, same as today, was in Aquia Harbor. He stated there were no easements recorded on the pipes.

Mr. Cook stated he was not on the Planning Commission in 1997 but he remembered when Mr. Burner attempted to come in by the emergency gate and Aquia Harbor turned him down.

Mrs. Kirby stated she was informed by Mr. Judy who stated a preliminary plan was a document you have to pass. She stated the plan was in the Urban Service Area and has to hook up to water and sewer.

Mr. Pitzel stated there have been similar cases in front of the Planning Commission.

Mr. Judy stated Williams Subdivision, which was discussed previously, had the same issue.

Mr. Pitzel stated there was just no physical way to connect to public utilities.

Mr. Judy stated the Board of Supervisors was proposing a waiver provision with the Ordinance Amendment.

Mr. Burner stated he had been waiting for a long time.

Mrs. Kirby stated, in her opinion, Item 14 should be deferred until Dale Allen could speak with the Planning Commission. She made a motion to put Item 14 in committee. Mr. Di Peppe seconded. The motion passed 7-0.

Mr. Cook stated Item 14 would be discussed at the September 19, 2007 Planning Commission Work Session.

15. SUB2600705; Fox Chase Commons, Preliminary Subdivision Plan - A preliminary subdivision plan with a cluster concept plan (Ref 2600706) for 94 townhouse residential units, zoned R-3, Urban Residential High Density, consisting of 7.7 acres located on the east side of Jefferson Davis Highway across from Drew Middle School on Assessor's Parcel 45-217 within the Falmouth Election District. **(Time Limit: November 27, 2007)**

Mrs. Hornung presented the staff report. She stated the preliminary plan proposed 94 cluster townhouse units on a 7.68 acre parcel. She stated public water and sewer would serve all dwelling units. She stated private access would be off of Route 1 with all lots contained within the subdivision accessed by private roads, built to state standards. She stated the applicant was proposing a tot lot, located near the entrance of the project along Jefferson Davis Highway abutting the required one-acre useable open space. She stated the proffers reflect that one and two bedroom units would be built on this site and limit the number of children. She stated staff recommends modification to the proffer implementation statement regarding proffer 1 in which the applicant stated that a preliminary plan would not be resubmitted. She stated a waiver was not permissible under County ordinance for a revision of a preliminary plan. She stated staff recommends approval with removal of the proffer note.

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Mr. Pitzel stated the applicant made a proffer that if the homes were two bedrooms, than they would not have to do a preliminary plan.

Mr. Judy stated the applicant could not proffer what was required by law.

Mr. Pitzel stated the proffer was null and void.

Mrs. Kirby asked if open space requirements were met.

Mrs. Hornung stated yes.

Mrs. Kirby stated the area between parking spaces was not open space.

Mr. Stepowany stated there were numerous dialogues with the engineers, who wanted to use the sidewalks as open space. He stated staff's response was no, the plan would have to be adjusted.

Justin Toidl, Bowman Consutling Group, stated the open space along the parking was not counted. He stated they were providing 35 % open space and the requirement was 25%.

Mrs. Kirby asked what the marks on page 4 were.

Mr. Troidl stated they were bio-retention filters.

Mrs. Kirby stated she was concerned about the tot lot located near Route 1.

Mr. Troidl stated the tot lot would be fenced with parking nearby.

Mrs. Carlone stated she would like to see the tot lot more centralized to the community.

Mrs. Kirby asked if there could be an entrance feature.

Mr. Troidl stated there would be an entrance feature.

Mrs. Kirby asked if a Phase I was completed.

Eric Burch, K Hovanian Homes, stated a preliminary Phase I was performed and it may be necessary to do a more thorough study. He stated nothing of any significance was found on the Phase I.

Mr. Cook asked if there would be homes larger than 2 bedrooms.

Mr. Burch stated the townhomes were 16 feet wide, so they would only be 2 bedrooms.

Mr. Cook asked about the price of the homes.

Mr. Burch stated the homes would start from the median to upper 200's.

Mrs. Carlone stated she would like the landscaping include a mix of evergreens.

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Mr. Pitzel asked if the tot lot could be screened from Route 1.

Mr. Troidl stated the site was located in the HCOD, so there would be additional screening.

Mr. Di Peppe stated there was one acre of open space out of 7 acres.

Mr. Troidl stated it was one acre contiguous.

Mr. Di Peppe asked what Mr. Troidl was counting as open space.

Mr. Troidl stated there were transitional buffers along the property, pockets of open space, and the bio-retention facilities were in open space.

Mr. Mitchell stated the tot lot had one swing, one slide, and two spring riders and did not seem like enough for the development.

Mr. Di Peppe made a motion for approval. Mr. Rhodes seconded. The motion passed 6-1 (Mr. Mitchell was opposed.)

MINUTES

July 18, 2007 Work Session

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

July 18, 2007 Regular Meeting

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

August 15, 2007 Work Session

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

August 15, 2007 Regular Meeting

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

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the Board of Supervisors approved a salary increase for the Planning Commission effective January 2008. He stated the Board approved the CUP for the Holiday Inn Express and Suites and South Gateway Drive Amendment to the Addressing Ordinance was referred back to the Planning Commission.

COUNTY ATTORNEY'S REPORT

No report

SECRETARY/TREASURER REPORT

No report

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STANDING COMMITTEE REPORTS

Mr. Pitzel stated the last meeting was on August 20, 2007 with a presentation by Mr. Di Peppe on affordable housing. He stated the next meeting would discuss the extension of the Urban Service Area out to Route 17.

Mr. Cook stated the next Comprehensive Plan meeting would be on October 8, 2007.

Mr. Di Peppe stated Shawn Lawrence, Disability Resource Center, provided the green packages for each of the Planning Commissioners.

CONSENT AGENDA

No report

SPECIAL COMMITTEE REPORTS

No report

Mrs. Kirby stated there was a speaker that was working with the County and Virginia Department of Historical Resources (VDHR) and would be doing a report on the march from New England to Yorktown, Virginia.

Mr. Mitchell stated the Virginia Review had a very interesting article on Stafford County's Geographical Information Systems (GIS).

Mr. Stepowany stated all the new applications would be available online as of Monday, September 10, 2007.

Mr. Judy stated Bob Bos', Director of Utilities Department, wife passed away over the weekend.

CHAIRMAN'S REPORT

No report

ADJOURNMENT

With no further business to discuss the meeting was adjourned at 10:20 p.m.