

**STAFFORD COUNTY PLANNING COMMISSION**  
**WORK SESSION MINUTES**  
**October 3, 2007**

The work session of the Stafford County Planning Commission of Wednesday, October 3, 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, and Rhodes

Members Absent: Di Peppe

Staff Present: Harvey, Judy, Stepowany, Zuraf, Kaminsky, Hamock, and Gregori

Declarations of Disqualification

None

UNIFINISHED 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 October 3, 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 October 3, 2007 Work Session)**

Mr. Cook asked that items 1 and 2 be discussed together.

Mr. Harvey stated there were a number of discussions in reference to Centreport Gateway and there were new proffers submitted by the applicant. He stated the applicant was available to go over the changes.

Mr. Cook stated the applicant met with two of the Planning Commissioners, Ruth Carlone and Barbara Kirby.

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Mrs. Kirby stated she and Mrs. Carlone met with Mr. Darling and his attorney. She stated the items discussed referenced the building design so the people in the community would know what they were getting. She stated six different building elevations were presented and she and Mrs. Carlone, thought two or three buildings were of nice quality.

Mrs. Carlone stated there was information that was delayed from VDOT.

Mr. Cook stated he thought VDOT was taken care when the entrances were changed.

Debrarae Karnes, Leming and Healy, stated she spoke with Harry Lee with VDOT in reference to this proposal which involved two separate entrances. She stated Mr. Lee works on the technical aspects of site plans, which was ok in concept. She stated the applicant originally came in seeking access to the project through Centerport Parkway with two entrances.

Mr. Zuraf stated the changes in the revised proffers were address and corrected.

Mr. Judy stated on page 6, Regional Transportation Improvements A states “this proffer subject to the provision of the necessary right of way for the proposed by the County of Stafford.” He asked what happens if the county does not provide Right of Way (ROW).

Ms. Karnes stated the road would not be built and the applicant cannot build his project.

Mr. Judy stated he was not sure the County should be responsible for providing ROW, and stated he did not feel it should be in the proffers as written.

Clark Leming, Leming and Healy, stated that portion of the proffer was contingent on the availability of ROW. He stated if there was no ROW, the road could not be built. He stated he was not sure if this should be a burden on the county, but the ROW does have to be obtained.

Mr. Judy asked if Mr. Leming’s client was suggesting the county obtain and pay for the ROW.

Mr. Leming stated no, if the county was willing to obtain the ROW, then the applicant would pay for it.

Mr. Judy stated pay for the condemnation process.

Mr. Leming stated that was correct.

Ms. Karnes stated she would make a proffer correction stating it was contingent on the acquisition of the ROW.

Mr. Leming stated at the applicant expense.

Mr. Zuraf stated for clarification, at the end of each statement they would replace “by the County of Stafford” with the verbiage discussed.

Mr. Cook asked if that would meet Mr. Judy’s approval.

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Mr. Judy stated yes. He stated in section 2A, Maximum Development Density, it states parking structures are excluded from the calculation of floor area ratio. He started looking at the Zoning Ordinance in reference to a parking garage, he was not sure if that could be excluded.

Mr. Leming stated the garages would be open and multi-level.

Mrs. Carlone stated based on the Crime Prevention through Environmental Design (CPTED) the garage should be kept open.

Mr. Kirby stated if there was going to be an elevator it should be a glass elevator to allow Deputies to see the occupants.

Mr. Judy asked whether it should be excluded.

Mr. Leming stated the applicant was proffering to a stricter standard than the Ordinance requires and for purposes under the proffer the garage would be excluded. He asked what the Ordinance requires for floor area ratio.

Mr. Harvey stated the definition of floor area ratio was “the total floor area of a building or buildings on a lot divided by gross area of the lot or site.” He also stated the definition for floor area was the sum of the gross horizontal areas of each story of all buildings on a site or lot.

Mr. Leming asked what the floor area ratio was in a B-2 Zoning District.

Mr. Harvey stated the floor area ratio was 0.4.

Mr. Judy stated on page 10 the applicant agrees to upgrade and oversize capacity and construct onsite utilities and off-site utilities as may be necessary and sufficient to serve, both the subject property and other properties in the immediate service area, provided the County of Stafford shall facilitate and approve a pro rata share cost reimbursement plan.

Ms. Karnes clarified by stating the applicant would construct on-site utilities without a pro rata agreement. She stated on page 10 the applicant agrees to upgrade and oversize with a pro rata agreement provided it was subject to approval by the county. She stated, as she understands, the county cannot approve a pro rata agreement for something not on the Comprehensive Sewer Plan and this improvement was not currently shown.

Mrs. Carlone asked Mr. Zuraf if the requirements for the perennial stream had been met.

Mr. Zuraf stated staff spoke with the applicant earlier and had mentioned the pond may be a difficult feature to have because of the permitting requirements. He stated applicant wanted to keep on the general plan, there was no proffer stating the pond would be built and he does not think the rezoning approved the location of the pond. He stated the applicant was aware of the strict process they may need to go through to have the pond.

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Mr. Pitzel stated as discussed earlier there would be no interconnection across Centreport parkway, and on page 9 it states they shall include pedestrian connections to adjoining properties. He asked for a definition of adjoining properties.

Ms. Karnes stated the properties were adjacent properties and not across the road.

Mr. Pitzel stated the proffer clearly states there were no crossings going across Centreport Parkway. He stated the proffer may need to be reworded to clearly state the properties are next to each other and not across the road. He stated on page 4, outdoor flea market came up as a CUP.

Ms. Karnes stated that would be taken out.

Mrs. Carlone made a motion to recommend item 1 to full commission to recommend approval to the Amendment to the Comprehensive Plan. Mrs. Kirby seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

Mrs. Carlone made a motion to recommend item 2 to full commission to recommend approval of Reclassification 2700199. Mrs. Kirby seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

ORDINANCE COMMITTEE

Planned-Traditional Neighborhood Development (P-TND) Zoning District.

Mr. Stepowany stated the Commission discussed the modifications to the Traditional Neighborhood Development (TND) Zoning District and it was suggested that all corrections be listed on one document. He discussed the revisions in detail and stated he would prepare an Ordinance to go to public hearing.

Mr. Cook stated he received several calls regarding golf courses and asked if golf courses should be allowed under a Conditional Use Permit (CUP).

Mr. Rhodes agreed.

Mrs. Carlone stated she was concerned with the water usage with a golf course.

Mrs. Kirby asked what the acreage was on a golf course.

Mr. Stepowany stated the minimum acreage would be 150 acres and could include practice tees and driving range as an accessory use.

Mrs. Carlone did not agree with having a golf course. She asked if golf courses constitute open space.

Mr. Stepowany stated yes.

Mr. Pitzel stated he would want to keep the golf course out.

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Mrs. Kirby stated she would vote against the golf course.

Mr. Mitchell stated he would agree with Mr. Rhodes.

After a brief discussion concerning golf courses Mrs. Carlone made a motion to remove golf course as a normal by right use. Mr. Rhodes seconded. The motion failed 3-3. (Mr. Rhodes, Mr. Mitchell and Mr. Cook opposed) (Mr. Di Peppe was absent)

Mr. Rhodes made a motion to list the golf course as a right with a CUP. Mr. Mitchell seconded.

Mr. Pitzel stated an amendment should state there would be a maximum of 18 holes.

Mr. Rhodes agreed.

Mrs. Carlone stated there would be a maximum capacity of 18 holes.

The motion passed 4-2. (Mrs. Carlone and Mrs. Kirby opposed) (Mr. Di Peppe was absent)

Mr. Cook asked Mr. Stepowany to add golf course with the inclusion of practice tees and driving ranges only permitted under CUP.

Mr. Stepowany stated the public facility and water tank was added and green houses and stables would be removed. He stated telecommunication facility would need a CUP.

Mr. Judy asked which source the definition for redevelopment came from.

Mr. Stepowany stated it cam from the Code Administration Dictionary of definitions.

Mrs. Kirby asked why parking lots were included.

Mr. Stepowany stated waivers would be needed to have certain activity within a Reservoir Protection Area (RPA).

Mrs. Carlone stated parking lots should not be included.

Mr. Stepowany stated this was an example as a type of activity in the RPA with approval by certain offices.

Mr. Harvey stated parking lots would be a bad example and would not be permitted except by variance by the Board of Zoning Appeals. He stated there were strict regulations of what would be permitted in the RPA.

Mr. Judy asked if those potential uses would be specified in the Stated and Federal Standards.

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Mr. Harvey stated the Chesapeake Bay Act was a state legislation passed to the locality and the county adopted the model ordinance and adjusted it to our county. He stated the State looks at the county to ensure the proper job was being done.

Mr. Judy asked if the potential uses that could be made in the RPA or any buffer referred to fully described in State standards.

Mr. Harvey stated the Zoning Ordinance specifies what activity would be provided in the RPA.

Mr. Judy stated it should be removed to resolve the issue.

The Commission agreed that statement should be removed.

Mr. Stepowany discussed the revisions in table 3.4B and 3.5D.

Mrs. Carlone stated she was concerned with the building height and residential density.

Mr. Stepowany stated the density in the Transect Zone had no bearing on the overall density. He stated it controls the intensity of the development.

Mrs. Kirby mentioned this should be included in the new Comprehensive plan.

Mr. Stepowany stated the Plan Development (PD) Zoning District which gives directions and recommendations within the current Comprehensive Plan which was why there were no revisions.

Mr. Zuraf stated there was a section of the Comprehensive Plan that refers to Planned Development as well.

Mr. Stepowany stated suburban residential would be for 3 units or less and urban residential would for any kind of PD for more than 3 units up to 15 units. He stated the Comprehensive Plan mentions what would be preferred in a Planned Development.

Mr. Cook stated the Board was considering Purchase of Development Rights (PDR) and stated there had been \$300,000 allotted.

Mrs. Kirby asked if \$300,000 would purchase anything in Stafford.

Mr. Harvey stated there were grant programs and the County would utilize what we have and move forward.

Mrs. Carlone asked if the County had applied for any grants yet.

Mr. Harvey stated a letter of intent had already been submitted to the State and the County would be interested in pursuing the grant funds.

Mrs. Kirby asked if that would be advertised.

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Mr. Harvey stated the PDR meeting would be scheduled just like Planning Commission.

Mr. Pitzel stated funeral homes and dormitory schools were taken out by right but he feels it should be left in, particularly funeral home.

Mr. Stepowany stated, in his opinion, funeral homes are mainly a service to local residents.

Mr. Pitzel made motion to restore by right in T-4, T-5, T-6 and SDC. Mr. Mitchell seconded. The motion passed 4-2. (Mrs. Carlone and Mrs. Kirby opposed) (Mr. Di Peppe was absent)

Mr. Pitzel made a motion for dormitory schools to be restored. Mr. Mitchell seconded.

Mrs. Kirby asked for an explanation why it should be restored.

Mr. Pitzel stated the County would try to concentrate and if there were schools with a student population and gave examples of schools.

Mr. Stepowany stated Mary Washington College was looking for an additional location to have dorms from where students could be bused. He stated there may be a need to have a dorm in the community.

Mr. Pitzel reiterated what Mr. Stepowany stated.

Mrs. Kirby stated if that was the case this should be called just Neighborhood Design versus Traditional Neighborhood Design.

The motion passed 4-2. (Mrs. Carlone and Mrs. Kirby opposed) (Mr. Di Peppe was absent)

Mr. Judy stated in Table 3.5, under number of stories, it stated none for minimum should be one.

Mr. Cook agreed with Mr. Judy.

Mr. Stepowany stated he would change it to reflect at least one story building.

Mr. Cook asked what the normal height for a one story with a roof.

Mr. Stepowany deferred to Mr. Harvey.

Mr. Harvey stated it depended on the type of construction and the pitch of the roof.

Mr. Rhodes asked if there should be a maximum height and stated if there was no maximum height then the market would determine how tall the floors would be.

Mr. Stepowany stated that was correct.

Mr. Judy stated he was concerned with the table.

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Mr. Cook confirmed that in a T-1 there would be no buildings and in T-2, T-3 and T-4 change the building height maximum to no higher than 75 feet.

Mrs. Carlone stated there would have to be a maximum height and felt 75 feet was a bit high.

Mr. Stepowany stated the issue was the diversity of different types of buildings. He stated this to encourage changes horizontally and vertically.

Mr. Cook asked if maximum feet would be 55 more feasible.

Mrs. Carlone stated that at 65 feet Geico and the hospital was now five stories and should really be looked at to determine the height of the buildings.

Mr. Pitzel stated the stories of a building would be limited.

Mr. Judy stated at some point in the future there would be taller building within the County and did want developers to interpret anything.

Mr. Stepowany stated the limit would be three stories and the height street ratio requirements.

Mr. Judy reiterated there needed to be an upward limit.

Mr. Stepowany agreed and would agree with the Commissions decision.

Mrs. Carlone stated there would need to be a maximum height.

Mr. Rhodes made a motion to have a maximum height currently in the T-5, T-6 and SDC carry across for table 3.5F so there would be some maximum listed. Mr. Mitchell seconded.

Mr. Cook stated the motion would be to have a 75 feet finished floor level extend back through T-2, T-3, and T-4.

Mr. Pitzel stated he would remind the Commission that even with the maximum height there would still be a limit on the number of floors.

The motion passed 4-2. (Mrs. Carlone and Mrs. Kirby opposed) (Mr. Di Peppe was absent)

Mr. Cook asked for a motion to carry forward to public hearing with changes to the TND

Mr. Mitchell made a motion to carry forward to the full board. Mr. Rhodes seconded.

Mr. Cook stated there was a motion and second to carry recommended changes as outlined by Mr. Stepowany and modified by the Commission to date forward to the full Commission for approval and advertisement for changes to the TND.

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

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Mr. Stepowany confirmed the meeting would be the first meeting in November.

Mr. Cook stated that was correct and would make a motion at the 7:30 Meeting.

Mr. Harvey requested a modification to the Ordinance Committee agenda and stated at the October 2, 2007 meeting the Board passed a resolution referring an ordinance amendment to the Planning Commission to rehear an ordinance previously adopted in 2006 dealing with the definitions pertaining to industrial schools and vocational schools. He stated the Board requested the Commission take action and have the item go back to the Board for their December meeting. He stated staff would request that be forwarded to public hearing.

Mr. Cook asked if the action could be taken in the regular meeting. He asked if this would need to be modified or just re-advertised.

Mr. Judy stated he the Commission needs to be on the agenda as soon as possible.

Mr. Cook stated he would put on the agenda tonight.

Mr. Stepowany requested item 2 and 3 be retained in committee until further notice.

Mrs. Carlone asked about a new Ordinance for reverse frontage.

Mr. Stepowany stated he had researched and would need to get with Mr. Harvey as to the status. He stated Ordinance O04-13 on reverse frontage for lots greater than three acres. He stated this item had been deferred back to Planning Commission from the Board.

Mr. Harvey stated this item was not an item on the deferred item list and was not likely adopted. He stated the Planning Commission would need to take action.

Mr. Carlone gave examples of reverse frontage and why she felt the Ordinance would be needed.

Mr. Cook asked Mr. Stepowany to prepare this Ordinance to come before the Commission.

**ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at 6:54 PM.

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The regular meeting of the Stafford County Planning Commission of Wednesday, October 3, 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, and Rhodes

MEMBERS ABSENT: Di Peppe

STAFF PRESENT: Harvey, Judy, Stepowany, Zuraf, Kaminsky, Hamock, and Gregori

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

Lou Ellen Whitefeather stated she would be discussing Stafford Town Station. She stated she had been working for over 37 years to straighten out the rules in Stafford Virginia regarding landfills. She stated there were illegal landfills in the county and the Department of Environmental Quality (DEQ) was notified and there was an investigation started with several convictions. She stated in early 2000 there was a discussion regarding a purchase of 306 acres for a by right development and there was a concern of homes being built by illegal dumping stations. She stated Mr. Pitzel asked the developer of the homes to inform potential purchasers that they would be close to illegal dumping stations, to date there had been 20 houses built with no stipulation on the deed.

PUBLIC HEARINGS:

1. Comprehensive Plan Compliance Review – Channel Cove - 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 T-Mobile Communication to co-locate telecommunication antennas onto an existing Dominion Virginia Power Transmission Tower on Assessor's Parcel 21-173, located on Channel Cove, approximately 200 feet east of Aquia Drive in the Aquia Election District.

James Stepowany presented the staff report. He stated this project was part two of the project presented to the Commission on September 19, 2007. He stated this was a proposal to install 9 telecommunication panels onto an existing Virginia Dominion Electric Company transmission tower. He stated the height of the tower was 105 feet and the height of the antenna would be 97 ½ feet which would not exceed the top of the tower. He stated there would be a 14 X 20 foot fence at the base of the compound as well as a privacy fence around the shelter, and staff has requested the fence be low maintenance vinyl. He stated the Comprehensive Plan recommends co-location onto existing towers and the parcel was owned by the Aquia Harbour Homeowners Association. He showed the area of coverage on the location map.

Mrs. Carlone asked if the Sheriff's Office would have facility on the pole.

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Mr. Stepowany stated this was an existing Dominion tower and T-Mobile would be leasing a space. He stated if the county needed to locate on the site then the county would be required to address dominion Virginia Power directly.

Mrs. Kirby stated this would improve service from Jefferson Davis Highway between Garrisonville Road and Cole Landing Road and asked about the distance.

Mr. Stepowany stated it was about one mile.

Mrs. Kirby asked if all of the improvements would be for only one mile.

Mrs. Stepowany stated the transmission towers are needed to provide seamless coverage.

Mrs. Kirby stated the proposal stated staff recommended a low maintenance vinyl fence.

Mr. Stepowany stated that was a request from the Planning Commission at the last meeting.

Mr. Rhodes stated the request was for low maintenance vinyl fencing and the applicant agreed.

Mrs. Carlone stated in her opinion wood would be a better option as she thought vinyl would look tacky.

Mr. Stepowany stated he would be happy to ask the applicant to provide a board on board wood fence.

Mr. Mitchell stated the report referenced the purpose for the tower was to provide service in the Aquia/Widewater area. He stated he had a cells phone for years with no problem.

Mr. Stepowany stated this would be for T-Mobile customers only.

Matt Chaney, T-Mobile, stated T-Mobile would be willing to put up board on board wood versus vinyl fence as the Planning Commission had requested. He stated the coverage would cover one mile of Jefferson Davis Highway and would provide excellent in home coverage throughout a portion of Aquia Harbour.

Mr. Pitzel asked if the improvement would allow the customer capability for wireless internet and digital.

Mr. Chaney stated that was an option that would be available in the future.

Mr. Mitchell asked if there would be a bond for maintain of the fence.

Mr. Chaney stated the fence would be maintained as per the agreement with the landlord.

Mr. Cook opened the public hearing.

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Jo Knight stated she realizes there would be a need for cell phone service. She stated companies now would be permitted to share poles and be a rider on another poles so that the wire towers could go under ground.

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

Mr. Chaney stated in the site evaluation process T-mobile always looks for alternative options. He stated co-locating would be preferred but there were no towers in the area that could fulfill the coverage objective.

Mr. Mitchell made a motion to approve the Comprehensive Plan Compliance Review and the fence would have vinyl board. Mrs. Kirby seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

2. RC2700335; Rezoning - Stafford Hospital Center Entrance Road - A proposed reclassification from A-1, Agricultural and M-1, Light Industrial Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcel 39-62 (portion) (formerly parcels 39-4C, 39-4D, and 39-8A consolidated by plats recorded in PM070000129 and PM070000158) consisting of 3.5 acres, located on the east side of Jefferson Davis Highway approximately 1,800 feet south of Courthouse Road within the Aquia Election District. The Comprehensive Plan recommends the property for Urban Commercial and Light Industrial uses. The Urban Commercial designation would allow the development of commercial retail and office uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses in the B-2 Zoning District.
3. CUP2700336; Conditional Use Permit - Stafford Hospital Center Entrance Road - A request for a Conditional Use Permit to allow a hospital in a B-2, Urban Commercial Zoning District and HC, Highway Corridor Overlay District and a medical clinic in a B-2 Zoning District on Assessor's Parcels 39-62 (portion) (formerly parcels 39-4C, 39-4D, and 39-8A consolidated by plats recorded in PM070000129 and PM070000158) consisting of 3.5 acres, located on the east side of Jefferson Davis Highway approximately 1,800 feet south of Courthouse Road within the Aquia Election District.

Mr. Cook asked that items 2 and 3 be presented together.

Natalie Kaminsky presented staff report. She stated in 2006, MediCorp rezoned approximately 70 acres in B-2 zoning and has since acquired three additional parcels along Jefferson Davis Highway totaling 3.5 acres. She stated the parcels have been consolidated with the parent tract and now the applicant would like those parcels to have the same zoning designation as the parent tract, to include the proffers and CUP conditions previously approved. She stated the hospital center was to be developed in two phases, an east campus and west campus. She stated Stafford Hospital Boulevard would serve the entire site, which connects to Jefferson Davis Highway and Courthouse Road. She stated Old Potomac Church Road was to be realigned with access onto Stafford Hospital Boulevard. She stated staff recommends approval with proffers as specified in the Ordinance.

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Mr. Pitzel stated the applicant was looking to align the road with new properties included.

Ms. Kaminsky stated yes.

Jon McGranahan, representing the applicant, stated MediCorp had recently acquired the property along Jefferson Davis Highway and could now align the road. He stated there were no new uses and the proffered conditions would remain the same.

Mrs. Carlone stated she was glad this was finally coming together but questioned the property having retail on site.

Mr. McGranahan stated on the east campus, in the smallest building, there would possibly be a pharmacy and no retail on the west campus, to his knowledge.

Mrs. Kirby stated, in her opinion, the attorney's did a great job and asked if the parking garage would be open.

Mr. McGranahan stated it would be open but would deferred questions to Al Winchester, Architect for the project. He stated there was proffer language stating it would be aesthetically pleasing, not just concrete.

Mrs. Kirby stated she wanted to be sure it would be open to allow deputies to see inside while on patrol. She stated if possible she would like to have a glass enclosed elevator for pedestrian safety and compliance with CPTED (Crime Prevention Through Environmental Design).

Mr. Mitchell asked about proffer 12 which references the existing gravesite. He stated the proffer referenced moving the graves or leaving them where they are and, in his opinion, the gravesite should be left there. He stated the maintenance plan should be involved in the maintenance of the site.

Mr. McGranahan stated the language has not changed from the original proffer. He stated it would not apply to the property because the gravesite was on the east campus.

Mrs. Kirby stated the phase 1 had been completed and bodies had been moved, with the family's knowledge and taken to a cemetery in Fredericksburg.

Mr. McGranahan agreed.

Mr. Mitchell stated he was unaware the gravesites had been moved.

Mr. Cook opened the Public Hearing.

Sparkle Diamond stated she lives on one of the three parcels the applicant was trying to rezone from A-1 to B-2. She stated if the property was to be rezoned it would increase her property taxes. She asked why her property would need to be rezoned to a business zone. She asked what the advantage was for her family.

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Mr. Cook stated the Commission was not answering questions but receiving statements. He stated the Commission would try to get an answer after the public hearing was closed.

With no one else coming forward the public hearing was closed.

Mr. McGranahan stated the strip being rezoned was not part of parcel 57A, 57C, or 57D. He stated MediCorp does not have the legal authority to rezone those properties and none of the family properties are being included in the rezoning. He stated parcel 8 was what MediCorp acquired, and stated everything south of the boulevard would remain the same with the exception of the end being rezoned.

Mr. Cook confirmed the rezoning was only parcel 8 which was owned by MediCorp Services and would not affect Mrs. Diamond's property.

Mr. Pitzel asked if the parcel below parcel 8 was remaining A-1.

Mr. Cook asked why it was necessary to rezoning the strip by the family subdivision.

Mr. McGranahan stated MediCorp acquired the strip to realign the road.

Mrs. Kirby stated the property in the family subdivision was not being affected at all.

Mr. McGranahan confirmed there would not be any change to the family subdivision. He stated based on the shape of the parcel it could only be used as a road. He stated there should be no measurable impact on the property value of the family subdivision.

Mr. Mitchell made a motion to approve item 2, Reclassification of assessor's parcel 39-62 from A-1, Agricultural and M-1, Light Industrial to B-2, Urban Commercial. Mr. Rhodes seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

Mr. Mitchell made a motion to approve item 3, Conditional Use Permit for the Stafford Hospital Center entrance road. Mrs. Kirby seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

4. CUP2700337; Conditional Use Permit - Stafford Hospital Center Entrance Signage - A request for a Conditional Use Permit to allow an exception to the height requirements for directional signage in a B-2, Urban Commercial Zoning District on Assessor's Parcels 39-62, (including former parcels 39-4C, 39-4D, and 39-8A consolidated by plats recorded in PM070000129 and PM070000158) up to 20 feet, consisting of 73.76 acres, located on the east side of Jefferson Davis Highway approximately 1,800 feet south of Courthouse Road within the Aquia Election District. The Code limits the height to 2 ½ feet. The applicant is requesting that the height limit be up to 20 feet.

Natalie Kaminsky presented Staff Report. She stated the applicant was requesting a CUP to exceed the maximum height of a directional sign on parcel 39-62 including the 3.5 acres referenced in Items 2 and 3. She stated the signs would be located on the east side of Jefferson Davis Highway and the south side of Courthouse Road. She stated the type and height of the signs would be restricted to that shown on page 3 of the GDP (General Development Plan) and

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the signs shall be consistent with patterns and schemes throughout the subject area. She stated the illuminations for the monument sign shall be limited to lettering, graphics, and hospital symbols and the signage shall not exceed the intensity of 0.3 footcandles at the property lines. She stated the stone wall should not exceed a total height of 20 feet.

Mr. Pitzel asked if this was a waiver for sign height and what the maximum height allowed to not need a waiver.

Mrs. Kaminsky stated 2 ½ feet.

Mr. McGranahan clarified that 2 ½ feet was a reasonable height for directional signage when referencing a shopping center. He stated the property was different because it was more like a campus and the increase in size was more for safety. He stated most internal signs would be 5 or 6 feet. He also wanted to clarify that all signs are on-site and have arrows for directions.

Mr. Cook opened the public hearing

With no one coming forward the public hearing was closed.

Mr. Mitchell made a motion to approval the Conditional Use Permit for the Stafford Hospital Center Entrance Signage. Mrs. Kirby seconded. The Motion passed 6-0. (Mr. Di Peppe was absent)

5. CUP2700490; Conditional Use Permit - Town & Country Marketplace Outparcel 4 - A request for a conditional use permit to allow a medical clinic in a B-2, Urban Commercial Zoning District on Assessor's Parcel 54SS-4 consisting of 1.66 acres located on the south side of White Oak Road approximately 1,200 feet east of Town and Country Drive within the George Washington Election District.

Brenda Schulte presented staff report. She stated the site was located within the Town & Country Marketplace and the intended use for the property was for outpatient care with three or more practicing physicians. She stated the medical office would be a single story building, approximately 3,400 square feet, and the primary access would be from an existing entrance access road shared by the Town and Country Marketplace Shopping Center. She stated the building materials consist of red brick on all sides with a raised front cornice and flat roof and the road impact would be 107 vehicles per day and should be minimal since the site sits within an existing shopping center, road improvements were completed as part of the shopping center property. She stated staff recommends nine conditions for the Conditional Use Permit and read the conditions, limited hours of operation, storage of all medications, storage and disposal of infectious or medical waste, minor surgeries only, use of directional signage, and three year date of building permit issuance or expiration of CUP. Staff recommends approval of CUP2700490 with conditions specified in Resolution R07-414.

Mr. Pitzel stated he wanted to confirm the access road was the only access the parking lot.

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Mrs. Schulte stated there were two roads and an interparcel connection from that road to the 7-Eleven. She stated there was an access to the south on a vacant parcel and there was no direct access from White Oak Road.

Mr. Kirby asked what happened to the request in TRC for additional Right of Way on White Oak Road when it was widened.

Mrs. Schulte stated, in 2003, when the shopping center was rezoned, right of way was proffered for this development and there was 45 feet proffered that met the comprehensive plan at that time. She stated this proffers still meet the requirements of the current land use plan.

Mrs. Kirby asked Mr. Harvey why the Right of Way would be needed.

Mr. Harvey stated the transportation staff had concerns about what would happen if the county ever widened this section of White Oak Road to a four lane divided facility as stated in the current transportation plan. The typical section, shows a four lane divided highway as a minor arterial, we would get 90 feet of Right of Way total width. He stated that only included the main travel lanes, shoulders and side walk area, but does not include any additional accel or decel lanes. Transportation staff was concerned that in the future the county may need accel and decel lanes into the site. He stated the current accel/decel lanes would most like turn into a through lane within the four lane section.

Tracy Lower, representing the applicant, stated she would be happy to answer any questions.

Mrs. Carlone stated, in her opinion, the building looked boring and asked if there could be some design within the brick, to have added features.

Mrs. Lower stated the purpose was to blend in with the entire shopping center and look attractive. She stated once the elevation moves into final design it would be considered at that time.

Mr. Pitzel asked if the hours of operations had been agreed to.

Mrs. Lower stated yes.

Mr. Cook opened public hearing.

With no one coming forward Mr. Cook closed public hearing.

Mrs. Kirby stated she would like to have a better picture of what the building would look like at the end result. She stated she would like to see a nicer, more inviting building that people in the community would be happy with.

Mrs. Carlone asked if Mr. Schooler could make a statement.

Malone Schooler, Applicant, stated right now he was in conceptual plan and was still working on

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entrances in the building. He agreed with Mrs. Kirby and suggested nicer brick would be better. He stated he lives in the community as well and would like a nicer looking building. He stated these items would be finalized when the applicant applies for building permit.

Mrs. Carlone stated plantings should help soften the look.

Mrs. Kirby stated her concern was there was nothing written down and Mr. Schooler could come back with the same design in a year.

Mr. Schooler responded that was not his style and would not come back with the same design.

Mr. Pitzel asked if there were elevations of the entire shopping center because the building at the end was a small part of the entire marketplace.

Mr. Schooler stated the shopping center was the first split face block shopping he had built and the application was in the beginning design and currently met the requirements.

Mr. Pitzel asked if the Commissioners put this item in committee, could they get a better drawing in two weeks.

Mr. Schooler stated the tenant needed to have a building by January 1, 2008. He stated he could come back with a new design that may not be accurate.

After a brief discussion between the Commission and the applicant concerning the building design Mr. Pitzel made a motion to approve the Conditional Use Permit for a Medical Center. Mr. Rhodes seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

UNFINISHED BUSINESS:

6. 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 Centerport 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 October 3, 2007 Work Session at applicants request)**

Mr. Harvey stated item 6 was discussed at work session and recommended to go forward to full Commission with a recommendation of approval. He stated the applicant made adjustments to proffer 4A, proffer B-1, and number 2 of the same proffer and read the changes to the Commission.

Mr. Rhodes made a motion to approve the Amendment to the Comprehensive Plan for Centreport Gateway. Mrs. Carlone seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

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7. 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: October 16, 2007) (Deferred to the October 3, 2007 Work Session at applicants request)**

Mr. Harvey stated item 7 was discussed at work session and recommended to go forward to full Commission with a recommendation of approval.

Mr. Rhodes made a motion to approve RC2700199, Reclassification of Centreport Gateway. Mrs. Kirby seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

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 October 11, 2007 Work Session)**

Mr. Cook stated item 8 was deferred to October 11, 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 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 October 11, 2007 Work Session)**

Mr. Cook stated item 9 was deferred to October 11, 2007 Work Session.

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10. 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 January 9, 2008 Regular Meeting at the applicant's request)**

Mr. Cook stated item 10 was deferred to January 9, 2008 Regular Meeting.

11. 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) (Deferred to October 17, 2007 Work Session)**

Mr. Cook stated item 11 was deferred to October 17, 2007 Work Session.

**NEW BUSINESS:**

12. SUB2600167; Walker Heights, Preliminary Subdivision Plan - A preliminary subdivision plan for 77 single family residential lots, zoned R-1, Suburban Residential, consisting of 33.88 acres, located on the south side of Truslow Road approximately 1,500 feet west of Jefferson Davis Highway on the north side of Kelley Road on Assessor's Parcels 45-156, 45-156B, 45-156D, and 45D-1-23, 45D-1-24, 45D-1-25, 45D-1-26, 45D-1-27, 45D-1-29A, 45D-1-33A, 45D-1-33B, 45D-1-33C, 45D-1-33D, and 45D-1-33E, within the Falmouth Election District.

Natalie Kaminsky presented the staff report. She stated there would 77 single family residential lots that would be served by public water and sewer. She stated the entrances would be located on Truslow Road and Kelly Road. She stated there was a perennial stream bisecting the property and storm water management would be addressed with storm water ponds. She listed the amenities proposed and showed the location of the one acre open space. She stated staff recommends approval and asked if there were any questions.

Mrs. Kirby asked what was between lots 8 and 9 and common area 12.

Ms. Kaminsky area 12 was a pipe stem lot and 8 and 9 was access to the common area.

Mrs. Kirby stated the Commissioners had asked for a gazebo and Parks and Recreation sent a letter stating there would not be a gazebo.

Ms. Kaminsky stated she would defer to the applicant.

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Mrs. Carlone stated lots 41, 43, 44, and 45 had a small portion of wetlands. She stated she was concerned of how little could be disturbed on the lot and asked if there could be consideration to combine two lots.

Daniel Webb, Webb and Associates, stated the wetlands was an old farm pond that would be taken out. He stated he met with the Army Corps of Engineers (ACOE) regarding to the removal of the pond.

Mr. Kirby stated the Commissioners had asked for gazebo.

Mr. Webb stated it was on the plans when the applicant met with Parks and Recreation and there recommendation was the money would be better spent elsewhere to enhance other amenities.

Mr. Kirby stated she still wanted the gazebo.

Mr. Webb stated the applicant had no problem with the gazebo but he was following the recommendation of Parks and Recreation. He clarified the use of the area between lot 8 and 9 stating it would accommodate a utility easement.

Mr. Kirby asked if there would be a sign stating the name of the subdivision.

Mr. Webb stated there would be a sign easement of the corner of lot 1.

Mr. Mitchell stated he sat with the Parks and Recreation Commission the night of the meeting and they wanted to enhance the playground area with more playground equipment versus the gazebo.

Mr. Webb stated there would still be a wood pavilion and a gazebo which should satisfy the need.

Mrs. Kirby made a motion for approval. Mr. Mitchell seconded. The motion passed 6-0. (Mr. Di Peppe absent)

**MINUTES**

None

**PLANNING DIRECTOR'S REPORT**

Mr. Harvey stated at the Board of Supervisors met last night and the Eagle's Lodge rezoning was approved and the Conditional Use Permit (CUP) for the place of worship in Potomac Creek Industrial Park was approved. He stated the Board approved the Life Care Zoning District with the modification of reducing the maximum building height from 75 feet to 65 feet. He stated the Board held a public hearing and considered a mandatory connection ordinance requirement which was deferred to the October 16, 2007 meeting.

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**COUNTY ATTORNEY'S REPORT**

Mr. Judy stated the Board would be sending the Ordinance regarding schools, as well as, the Comprehensive Plan regarding Parks back to the Commission because the advertisement did not reasonably identify the parcels.

**SECRETARY/TREASURER REPORT**

No report

**STANDING COMMITTEE REPORTS**

No report

**CONSENT AGENDA**

No report

**SPECIAL COMMITTEE REPORTS**

Mr. Pitzel stated the next Comp Plan meeting would be held October 8, 2007 at 7:30pm in the Board Chambers.

Mrs. Kirby asked when the Commission would meet for Traditional Neighborhood Design (TND).

Mr. Cook stated October 11, 2007 would be Stafford Town Station.

Mr. Pitzel stated the Comprehensive Plan meeting would be covering Urban Development Area (UDA) and House Bill 32-02.

**Ordinance Committee**

Mr. Cook made a motion to approve the TND Zoning District. He stated Mr. Mitchell seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

Mr. Harvey stated an item was added to the Ordinance Committee agenda which was referred from the Board regarding a public hearing concerning the definition of Industrial School, Vocational School and other related matters.

Mr. Pitzel made a motion to schedule a public hearing concerning the definition of Industrial School. Mr. Mitchell seconded. The motion passed 6-0. (Mr. Di Peppe was absent)

Mrs. Carlone stated there was another instance where a developer had thirteen lots with entrances leading to a major highway. She stated she thought there was an Ordinance already in place concerning reverse frontage. She requested the Ordinance be re-worked and brought back to the Planning Commission.

Mr. Cook asked Mr. Stepowany to work on the Ordinance and bring it to the October 17, 2007 Planning Commission Meeting.

Mr. Harvey stated the November 17, 2007 Work Session had Aquia Overlook, Section 3, scheduled and Stafford Town Station Meeting was scheduled for October 11, 2007. He asked if Stafford Town Station could come back to the work session on November 17, 2007.

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Mr. Cook stated he hoped Stafford Town Station could be concluded after the October 11, 2007 meeting. He stated Aquia Overlook and Ordinance Committee would be on the 17<sup>th</sup> and Stafford Town Station would be ready to go forward to a regular session.

Mr. Mitchell stated he would be out of town for the October 11, 2007 meeting and would like to be included in the vote.

Mr. Cook stated he would brief Mr. Mitchell when he returns. He asked what the vote deadline was for the TND.

Mr. Harvey stated it would be the middle of November and the Board cancelled the November 6, 2007 meeting.

Mrs. Kirby stated she attends Technical Review Committee (TRC) meeting twice a month and could be a long and drawn out process and wanted to recognize staff for doing a tremendous job.

**CHAIRMAN'S REPORT**

No report

**ADJOURNMENT**

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

With no further business to discuss, the meeting was adjourned at 9:19 p.m.