

STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
October 17, 2007

The work session of the Stafford County Planning Commission of Wednesday, October 17, 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, Stepowany, Schulte, Schultis, Hornung, and Hamock

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. 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 it looked as though the applicant was not present to discuss Aquia Overlook.

Mrs. Kirby asked if staff had spoken with the applicant.

Mr. Harvey stated the applicant was aware of the time when the item was deferred.

Mrs. Kirby stated the applicant may have been waiting for a decision from the Board of Supervisors.

Mr. Harvey stated Board voted at the meeting held October 16, 2007 to hold another Public Hearing on November 20, 2007.

Mr. Cook asked that staff notify the applicant and inform them the Commission would consider and vote on the item at the November 7, 2007 meeting.

Mr. Harvey stated he would let the applicant know.

2. 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

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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 17, 2007 Work Session)**

3. 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 17, 2007 Work Session)**

Mr. Cook stated items 2 and 3 could be presented together.

Debrarae Karnes, Leming & Healy, stated the Commission met last week on October 11, 2007 and there were recommendations for changes to the proffers by the Planning Commission. She stated the changes had been made by Leming & Healy and were updated as of October 17, 2007. She stated the revisions had been provided to the Planning Commission.

Mr. Cook asked Ms. Karnes to review each change. He stated he was very disappointed with pages 11 and 12 and there was also a typo on page 11.

Ms. Karnes stated there was a sentence taken out and would be corrected. She stated the applicant agreed that 10% of all of the non-age restricted dwelling units constructed on the property would be designed as work force housing. She stated some of the work force housing would be designed as a carriage house and the others would be townhouses.

Mrs. Kirby stated that was not what was originally stated.

Ms. Karnes stated the townhouses were always there.

Mrs. Kirby stated she thought it would all be carriage houses.

Mr. Cook stated before the regular meeting make sure that issue had been cleared up.

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Mrs. Kirby stated on page 1 of the new proffers it states “if and only if Stafford County designates this area as an Urban Development Area in accordance with House Bill 32-02 the gross density will be four dwelling units per acre and the minimum FIRB 0.4”. She asked if these would increase the total number of lots.

Ms. Karnes stated that would apply only in the event the County request this be designated as an Urban Development Area.

Mrs. Kirby asked if designated as an Urban Development Area would the applicant use more than the 1,740 units.

Ms. Karnes stated yes.

Mrs. Kirby asked what the number would be.

Ms. Karnes stated it would be over 2,000. She stated after conversations with staff this item was put in. She stated the applicant only seeks to build 1,740 units.

Mrs. Kirby stated that should be no problem and the applicant should state they would not build more than 1,740 units.

Ms. Karnes stated the applicant would make that change. She stated on page 1 there was a technical correction to the Neighborhood Design Standards (NDS) dated October 11, 2007 and that would be proffered. She stated on page 7, in response to Mrs. Carlone request, letter H, had taken out the clause to make traffic improvements consistent with the transportation study and it had been put back in with the additional words “at a minimum” because there are more improvements being completed than the traffic study required.

Mr. Cook suggested changing “H” to “I” and “I” to “J”.

Ms. Karnes stated she would review the issue on page 11 and on page 17 the language was added stating the meeting room shall be designed to hold a maximum of 150 people and shall contain a temporary platform/ stage.

Mr. Di Peppe stated it should read a minimum of 150 people.

Ms. Karnes stated page 22, Boots Program number 15, Mr. Scott Horan requested two changes be made, it previously stated a maximum of 5 lots and has been changed to read “Stafford Town Station would dedicate 5 lots to the Boots Program” and a paragraph has been added designating the schedule of 1 lot per every 250 dwelling units. She stated on page 24 the school proffers have been changed to show an educational facility site versus an elementary school site, and the school asked that Storm Water Management (SWM) facilities provided. She stated pursuant to the request the lot was to be conveyed when the four hundredth unit building permit was issued or at the written request of the School Board, which ever was later. She stated on page 26 there were provisions on universal design which was a technique which allows occupants to age in their homes and if they become disabled the design would accommodate a wheelchair.

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Mrs. Kirby asked if that would be an option.

Ms. Karnes stated for non-age restricted homes the developer was installing reinforcements in each home in the event grab bars should need to be put in at a later time. She stated in 25% of the age restricted homes a number of enhancements to make life easier for the aging population would be installed. She stated the items were itemized on page 27 and some of the features within the Universal Design Houses would include lever handles on handles and faucets, grab bars in the bathrooms, 36 inches wide exterior doors, and a number of other improvements. She stated the applicant provided a separate proffer for the remainder of 75% of age restricted housing on page 28 and it provided in addition to the framing for grab bars the developer offer options for the installation of universal design.

Mr. Rhodes asked if page 27 should state a minimum of 25 %.

Ms. Karnes stated that was correct.

Mr. Rhodes stated there was a mistake on the bottom of page 28, the sixth line from the bottom a word was misspelled.

Mrs. Karnes stated she would have it corrected but wanted to show the Planning Commission what Stafford Town Station was willing to do. She stated, in her opinion, the options for universal design provides something that was not on the market currently and benefits the entire community.

Mrs. Kirby asked about a statement on old page 3. She asked if she died would her granddaughter be allowed to live there.

Ms. Karnes stated no due to federal law and the property would then have to be sold.

Mrs. Kirby stated on page 11, the application for water and sewer, it was her understanding that it would be phased in and the \$5,000,000 would be paid within one year provided both the preliminary subdivision plan and an application for water and sewer for the development were approved.

Ms. Karnes stated for the entire property or any portion thereof and depends on what portion the plan was submitted for.

Mrs. Kirby stated that was not a sure thing for the county to say it was for the entire property at the discretion of the applicant rather than the county.

Mr. Karnes stated no matter how small a portion submitted the county would still be entitled to \$5,000,000 the first year.

Mr. Di Peppe asked what would happen if the applicant does not get submitted within a year.

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Ms. Karnes referenced the first paragraph on page 11 which stated the applicant agrees to submit a complete application for preliminary subdivision plan for all or part of the site within 180 days of approval of the rezoning.

Mr. Di Peppe asked if this was contingent on a construction plan as well and what if the construction plan was not in. He asked what the recourse was for the money then.

Ms. Karnes stated if it should take longer than a year, everything would start happening when the approval was issued.

Mr. Di Peppe stated he liked the universal design with the list that came from the Disability Resource Center but was uncomfortable because the proffers are a long documents and he had not read it.

Mr. Leming stated the old language has been there through each meeting.

Mr. Di Peppe stated he wished he had an opportunity to read the document again if he was expected to vote.

Mr. Leming stated he was trying to be responsive to changes from the last meeting. He stated either it was right or not.

Mr. Pitzel stated he wanted to make sure all prior language was the same and reread the proffers with new language.

Mr. Leming stated he wanted to show the Commission the changes and if there were mistakes the applicant and the Commission could go back to the original language. He stated he was trying to address changes.

Mrs. Kirby stated the Commission would not know if the language was the same because they had not read it.

Mr. Leming assured the Commission that old language was the same with the exception of the highlighted changes.

Mrs. Carlone stated the applicant was told before not to get documents to the Commission members the night of the meetings. She stated they would need to be received before hand for review.

Mr. Leming stated the only changes made since the mail-out was the section Mr. Di Peppe was working on.

Ms. Karnes stated on page 11 there was one word deleted and should read “the applicant agrees that 10% of all non-age restricted dwelling units constructed on the property, some of which may be signed as carriage house units, shall be established and marketed for sale as work force

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homes". She stated that was in response to the Commissions request to state specific minimum and the applicant had done that.

Mrs. Kirby asked if on page 12 where it states the applicant agrees to submit a complete application for a preliminary subdivision plan for all or part of the site, she asked to specify part.

Ms. Karnes stated it was page 11 of the new proffers and asked the developer to respond.

Rob Gollahan stated whatever plans are turned in triggers the start of the project and that was when the \$25,000,000 advance begins was paid.

Mrs. Kirby asked under the Airport Impacts she asked for a change from the word owner to builder.

Ms. Karnes stated the applicant will make an adjustment to the wording.

Mrs. Kirby stated Clyde Hamrick from VDOT stated in every TRC the driveway slope should be 10%.

Mr. Gollahan stated the applicant can change back to 10% which was more grading and a bigger footprint.

Mr. Harvey clarified that a lot of discussion in TRC tends to revolve around rural subdivision and in this case this development would be an urban environment with block grading and typically the lots would be brought to street grade. He stated normally there are not problems with driveway slopes in curb and gutter subdivisions.

Mr. Di Peppe confirmed that the payments are triggered by three things, the preliminary plan gets approved all or part, construction plan for all or part, and approval of the application for water and sewer.

Mr. Gollahan stated there are full cash proffers of \$50,000,000 or more and once the jobs starts was when the payment would be started. He stated the applicant has 180 days to get the preliminary plan turned in.

Mr. Harvey stated the Subdivision Ordinance requires that the applicant submit a construction plan and a final plat in order to keep vesting of the preliminary plan the developer was required to submit within one year of each to avoid losing the vesting.

Mr. Di Peppe asked one year from when.

Mr. Harvey stated from the time the Planning Commission approves the preliminary plan. He explained after submittal of a preliminary plan it goes to TRC, it would then be reviewed by all county agencies and VDOT, if there were any issues to be resolved the design engineer would submit to the Planning Department, and this process could take a few months between the time the plan was submitted and when it goes to the Planning Commission.

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Mr. Di Peppe asked 3 or 4 months.

Mr. Harvey stated yes, it would depend on the extent and the complexity of the project.

Mr. Di Peppe stated after the preliminary plan was approved the applicant could start the construction plan phase within 1 year. He asked if the construction plan was 3 to 4 month process.

Mr. Harvey stated normally it takes longer for a construction plan and there are many factors involved because of the detailed engineering. He stated he tells most applicants the preliminary plan takes about 6 months, then the construction plans takes about 1 year, and the final plat depends on the developer's timetable until they are ready to record lots.

Mr. Di Peppe asked if the first payment would be 1 year from then.

Mr. Gollahan stated at the construction approval.

Ms. Karnes stated monies would start being paid out at the point when the construction plan was approved.

Mr. Cook stated within one year of submission of the preliminary plan.

Ms. Karnes stated \$5,000,000 due and payable within 1 year of approval of the rezoning.

Mr. Cook stated it takes a vote from the Commission to accept changes on proffers and if the Commission was working off of the old proffers from it would have been no problem.

Mr. Di Peppe stated he thought the Commissioners should have 5 days to review the new documentation.

Mr. Mitchell made a motion to accept the proffers received at the October 17, 2007 meeting with changes in red line. Mr. Rhodes seconded.

Mr. Cook stated if the Commission accepts the proffers it would be with the modifications requested

Mr. Mitchell stated that was correct.

Mrs. Kirby stated she did not know what the changes were yet since she did not have time to read the revised proffers.

Mr. Cook stated the motion had been made and seconded to accept the proffers received at this meeting with modifications. The motion failed 3-4 (Mrs. Carlone, Mrs. Kirby, Mr. Pitzel, and Mr. Di Peppe were opposed).

Mr. Cook stated this item would be deferred to the November 7, 2007 Work Session.

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ORDINANCE COMMITTEE

1. Reverse Frontage

James Stepowany stated this was a request for Mrs. Carlone regarding development that would be fronting major highways. He stated the original Ordinance O04-13 went to the Board in 2004 and was deferred back to the Planning Commission, remaining in unfinished business for numerous months.

Mrs. Kirby stated when there was any number of homes along a busy road there would be a problem and safety concerns.

Mrs. Carlone stated there had been two subdivision built on to bad roads.

Mr. Stepowany stated he understood the concerns and staff recommends the Ordinance only apply to major subdivisions.

Mrs. Kirby asked how many lots that would be.

Mr. Stepowany stated 5 or more lots.

Mrs. Kirby stated that would be fine.

Mrs. Carlone agreed and stated there should be a stipulation for four lots or less to have shared driveways.

Mr. Stepowany stated a request could be made to mandate two lots to have a shared driveway. He stated there was a provision now available for shared driveways.

Mr. Harvey stated that could be possible and stated the situation would need to be looked at. He stated it would also apply to major arterial roads and the Commission should consider what type of roads to apply reverse frontage.

Mrs. Carlone asked why all roads could not be considered.

Mr. Stepowany stated he could call the Office of Transportation and ask what the roads are classified by Virginia Department of Transportation (VDOT). He named many roads that could be listed because of the danger on curvy roads.

Mrs. Carlone asked if this could be clarified at the next Planning Commission Meeting.

Mr. Stepowany stated he would look into shared driveways.

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Mr. Harvey stated there would need to be a discussion of minor subdivision and the use of shared driveways. He stated shared driveways are currently mainly applied to major subdivisions and are specified to be shown on a construction plan to get approval. He stated the minor subdivisions are not getting an engineered design plan and would need to discuss more how that would happen.

Mr. Pitzel stated the reason this ordinance did not continue and gave an example as to why it did not pass.

Mr. Harvey stated VDOT was developing an Access Management Program that looks at how to approve entrances on state roads.

Mr. Cook stated this should be kept in committee.

Mrs. Carlone stated this Ordinance would be needed in the county.

Mr. Stepowany stated he would address concerns and bring back to the Planning Commission.

Mrs. Kirby stated that Mrs. Carlone and she get so involved because they see this all the time in Technical Review Committee (TRC).

Mrs. Kirby made a motion to hold in committee. Mrs. Carlone seconded. The motion passed 7-0.

2. Key Maps – GIS Disks

Mr. Stepowany stated surveyors were required to provide a GIS disk or pay a fee. He stated the disks were asked to be requested at the beginning of the application process and there were no submission requirements so it was placed in the content of the application. He stated there was also a request for a key map to be on the map when recorded. He stated all applications have been updated. He stated the GIS Disk and Key Maps are now listed as submission requirements and no longer need to be listed as the content of the plat.

Mr. Pitzel stated the content in 22-87 of the Subdivision Ordinance and asked if there were items beside 12 and 13 in the paragraph.

Mr. Stepowany stated correct.

Mr. Pitzel stated all requirements for all format would not be on the form.

Mr. Stepowany stated correct.

Mr. Di Peppe asked if the wording should be changed.

Mr. Stepowany stated he would request that this item go to public hearing as written.

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Mr. Cook made a motion to send to the full commission and make a recommendation to send to public hearing. Mrs. Kirby seconded. The motion passed 7-0.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 6:38 PM.

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The regular meeting of the Stafford County Planning Commission of Wednesday, October 17, 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:

STAFF PRESENT: Harvey, Judy, Stepowany, Schulte, Schultis, Hornung, and Hamock

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

None

PUBLIC HEARINGS:

1. CUP2700511; Conditional Use Permit - Town & Country Marketplace Outparcel 2 - A request for a Conditional Use Permit to allow vehicle fuel sales in a B-2, Urban Commercial Zoning District on Assessor's Parcel 54SS-2 consisting of 0.97 acres located on the south side of White Oak Road approximately 2,200 feet east of Town and Country Drive within the George Washington Election District. **(Time Limit: January 15, 2008)**

Jon Schultis presented the staff report. He stated the property was undeveloped and the adjacent use would include a site plan submitted for retail, Medical Office, Warehouse, 7-Eleven and Giant. He provided pictures of the existing conditions and proposed the vehicle fueling station was capable of servicing vehicles and fuel trucks. He stated the primary access would be from Town and Country Drive and secondary access would be provided through several inter-parcel access points. He provided a rendering and several pictures of similar design. He provided information on the Traffic Analysis and discussed the Land Use Plan. He stated staff recommended approval and would answer any questions.

Mrs. Carlone stated she was not thrilled with the style of canopy.

Mr. Schultis stated there were pictures provided by the applicant to show what the canopy may look like.

Mrs. Kirby asked what materials were being used.

Mr. Schultis deferred to the applicant.

Brian Johnson, Vanasse, Hangen, Brustlin Inc., stated he would answer any questions.

Mrs. Carlone stated she was concerned with the lighting.

Mr. Johnson stated there would be recessed lighting in the canopy as part of the conditions.

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Mrs. Kirby asked about the building materials.

Mr. Johnson stated it was mostly aluminum with steel columns.

Mrs. Kirby asked about the colors of the building.

Mr. Johnson stated the colors would match the shopping center.

Mrs. Kirby stated she would like to see something classier.

Mr. Johnson stated it would not be an architectural feature.

Mrs. Kirby stated she would like to see a quality product that would be timeless and not use aluminum.

Mr. Johnson agreed.

Mr. Di Peppe stated he agreed with Mrs. Kirby and required a General Development Plan (GDP). He stated the Commission would like to know exactly what the county would be getting.

Mr. Cook opened the public hearing.

Keith Angstadt stated he owns a home directly across the street and feels this would be a bad idea for the area. He stated he requested the property across the street be rezoned for his office and was denied. He stated the Commission suggested going to the Board of Zoning Appeals and that was also denied. He stated it would be difficult to sell his property as a residential property because of the gas station and the gas trucks that would be coming through the area on a regular basis. He asked that the Commission deny the Conditional Use Permit (CUP).

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

Mr. Johnson stated he did not know the history of the property or street and stated there would be no major impacts.

Mr. Pitzel asked if the gas station would be behind the medical center.

Mr. Johnson stated yes.

Mr. Di Peppe stated there was a closed gas station to the left of this property.

Mr. Johnson stated the gas station that was closed may be changing uses and the current gas station would be servicing the shopping center and incentive for customer to use shopping center.

Mr. Pitzel asked the Commissioners what issues were there with the appearance.

Mrs. Kirby stated the county deserves a better design that would be more appealing.

Mrs. Carlone stated, in her opinion, the design was not attractive and she would like to see a better rendering from the applicant.

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Mr. Di Peppe stated he also would like to see a better rendering and would like a proffer stating if the gas station was not in use for a certain amount of time that it would be torn down.

Mr. Pitzel agreed with Mr. Di Peppe

Mr. Harvey stated since this was a CUP the county would impose the conditions and could make a resolution as needed.

Mr. Pitzel made a motion to put Item 1 in committee to consider some changes in appearance and add to the CUP the removal of the gas station if out of service. Mrs. Kirby seconded. The motion passed 6-0. (Mr. Rhodes was absent)

Mr. Di Peppe requested a rendering.

Mr. Pitzel summarized what the Commission was looking for a rendering, a materials statement and an addition of a sunset clause.

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

<u>Location</u>	<u>Current Road name</u>	<u>New Road Name</u>
At the intersection with Warrenton Road and from a point 1,000 feet northwest of Warrenton Road to its terminus	Stanstead Road	South Gateway Drive
From a point 10,000 feet northwest of Warrenton Road to Falls Run Drive	Auction Drive	South Gateway Drive
From Falls Run Drive to the eastern terminus of Tomorrow Street	Unnamed	South Gateway Drive
From the eastern terminus of Tomorrow Street to Plantation Drive	Tomorrow Street	South Gateway Drive

Jamie Stepowany presented staff report and gave a brief description as to why this item was before the Commission for a third time. He stated the first time was May 2, 2007, requesting the current name of Stanstead Road be changed to Auction Drive because of the new Carter's Crossing development. He stated with the development of Target the road network had been redesigned and would continue to Warrenton Road. He stated the Commission voted 6-1 for approval of the change to Auction Drive with Mr. Mitchell being opposed. He stated at the August 15, 2007 the item was sent back to the Commission by the Board of Supervisors request to rename several portions of streets to South Gateway Drive, including Stanstead Road, Auction Drive and Tomorrow Street. He stated at that meeting the Commission made a motion for denial which passed 7-0 and reaffirmed their recommendation of

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Auction Drive by a vote of 7-0. He stated base on improper notification the Board sent the item back to the Commission for another public hearing to change a potion from Warrenton Road to Plantation Drive and be renamed to South Gateway Drive.

Mr. Pitzel confirmed the roads to be renamed and asked how many businesses would be affected.

Mr. Stepowany stated there are currently six businesses that would be affected by the change to South Gateway Drive He stated there were no businesses on Tomorrow Street that would be affected.

Mrs. Kirby stated she thought the County had a policy of not using North, South, East, or West in street names.

Mr. Stepowany stated it was not a policy but an ordinance. He clarified stating there was an ordinance in 2005, but it did not state Cardinal Points were prohibited and was deleted from the ordinance.

Mrs. Kirby stated there were three large businesses that would require changing letterhead, federal tax forms, employee information, and order forms.

Mr. Mitchell stated he has problem with the ordinance and previously voted against it. He stated he had a problem with changing the Auto Auction which had been there for many years and hundreds, possibly thousands of companies deal with the Auto Auction. He stated it would be a large problem to notify up to 1000 companies, changing invoices, letterhead, and anything additional required would be a tremendous cost to any company.

Mr. Di Peppe stated the last time this item came before the Planning Commission the Auto Auction came in and explained in great detail all the changes and the burden this would cause the Auto Auction. He stated he did not see the benefit with changing the street name.

Mr. Stepowany stated the Board requested the road to be renamed to South Gateway Drive because that area was the Southern Gateway of the County.

Mr. Di Peppe stated there are hundreds of people coming into the county for the Auto Auction and in his opinion, it would only make sense to keep the road named Auction Drive. He stated he voted against the ordinance the last time and was still not convinced otherwise.

Mr. Cook stated at the last public hearing that this item was presented, the Auto Auction mentioned the cost of hundreds of thousands of dollars to change the name.

Mr. Cook opened public hearing.

Cliff Carney, Blue Beacon Truck Wash, stated he did not receive notification of the addressing change. He stated with the road reconfiguring he was currently on Auction Drive and but the address still reflects Stanstead Road. He stated his company would like the road to be name to be Auction Drive because his company gets a lot of business that goes to the Auto Auction. He stated a few months ago he only had a few vehicles going by the truck wash daily and now there are hundreds of vehicles. He stated Blue Beacon Truck Wash would have the change their address either way, but stated in his opinion, it would be a benefit to his company to keep it Auction Drive.

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

Mr. Di Peppe made a motion to recommend denial of the Street Addressing Ordinance and rename the entire road to Auction Drive. Mr. Mitchell seconded. The motion to deny passed 6-0. (Mr. Rhodes was absent)

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

<u>Location</u>	<u>Current Road name</u>	<u>New Road Name</u>
Northeast side of Doke Lane approximately 1000 feet southeast of Brooke Road	Unnamed	Twin Creeks Lane

Jon Schultis presented staff report. He stated the street in question was to name an easement Twin Creeks Lane. He stated the easement creates a forked road off of Doke Lane and could not be properly addressed. He stated staff recommends approval for emergency purposes.

Mr. Cook opened public hearing.

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

Mr. Mitchell made a motion to amend the Street Addressing Ordinance to name an unnamed road to Twin Creeks Lane. Mr. Di Peppe seconded. The motion passed 6-0. (Mr. Rhodes was absent)

4. RC2700543; Reclassification - Town Center of Aquia - A proposed reclassification from B-2, Urban Commercial Zoning District to P-TND, Planned Traditional Neighborhood Development Zoning District on Assessor's Parcels 21-49, 21-49H, 21-49J and 21-49Q consisting of 36.25 acres, located on the east side of Jefferson Davis Highway, south of Washington Drive within the Aquia Election District. The Comprehensive Plan recommends the property for Urban Commercial use which would allow a variety of wholesale, retail, service commercial and office uses. The P-TND Zoning District would allow development of pedestrian – friendly neighborhoods with a mix of residential, commercial, and civic uses. See Section 28-35 of the Zoning Ordinance for a complete listing of permitted uses in the P-TND Zoning District. **(Time Limit: January 15, 2008)**

James Stepowany presented staff report.

Mrs. Carlone asked if there were 130 children in the residences provided where would the children play.

Mr. Stepowany stated an urban park would be provided as a multi-use area.

Mrs. Carlone asked about the safety of the children.

Mr. Stepowany stated there would be a lot of eyes and general public watching the children.

Mrs. Carlone asked about transportation.

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Mr. Pitzel asked if there were 3 access points into the Towne Center.

Mr. Stepowany stated yes, 1 full entrance and 2 right in right out entrances.

Mr. Pitzel asked about the traffic service was.

Mr. Stepowany referenced page 6 of the staff report under Traffic Impact Study.

Mrs. Kirby asked if a Fiscal Impact Statement was provided.

Mr. Stepowany stated yes.

Mrs. Kirby stated she would like to have a copy for herself. She stated she was taken back to hear there were no Historical sites and asked where that information was obtained. She stated the church was around before the Urban Service Area.

Mr. Mitchell stated the county encouraged the developer to go with the Traditional Neighborhood Development.

Mr. Stepowany asked Mr. Mitchell to define encourage.

Mr. Mitchell stated the applicant had a meeting with staff and discussed the existing in Aquia Town Center which was 350,000 square feet and the developer by right was looking at 720, 000 square feet and encouraged to put a large development in a small area.

Mr. Stepowany state when staff had the first discussions, the proposal requested a B-2 Zoning District for use the TND because it fit the development better.

Mr. Di Peppe asked why this project was being heard by the Commission if there was no report from VDOT.

Mr. Stepowany stated the state does not require comments from VDOT for Planning Commission and VDOT has 120 days to review from receipt.

Mr. Di Peppe asked for 60 foot building without architectural features and now the building could be as high as 96 feet.

Mr. Stepowany stated the proffer stated 90 feet was the highest a building could be.

Mr. Leming, Leming and Healy, stated this redevelopment was the first type in Stafford County. He stated this development would be turned into upscale mixed use. He stated this project would be good for the community and for property owners. He stated the Fiscal Impact Statement (FIS) in short the county would give \$2 for every \$1 spent. He stated staff encouraged TND because of the flexibility. He stated the applicant wants to be in construction by January 1, 2008. He stated the project could be done under B-2 zoning but there was a dilemma in building height for the transect zones. He stated the design guidelines handbook was very extensive in detail and would be proffered. He stated currently the applicant has no developer and was working to line up a developer for the residential.

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Dean Bellas, Urban Analytics, Inc. went through portions of the Fiscal Impact Study in great detail. He spoke about the economic development within the county. He discussed jobs in the county and revenue brought into the county by residents who would live in the county.

Mr. Leming discussed some of the architectural aspects that would be provided within the Aquia Towne Center. He stated the architect Bryce Turner was on hand to answer questions.

Bryce Turner stated the elevations provided were not in stone. He stated the main street leads to Route 1. He stated there would be 2, 3, or 4 levels above retail and there would be apartments on either side. He stated he was looking to have 3 or 4 levels above retail that lined the street.

Mrs. Kirby questioned who stated the site was not historical.

Mr. Leming stated that was partially staff and the applicant.

Mrs. Kirby stated there were artifacts that were located in that area and the church had been around before the county was established.

Mr. Leming stated the applicant was not there when the original shopping center went in.

Mrs. Kirby stated just because there was pavement there did not mean it was no historical resource. She stated she was concerned about phasing and wanted to see what the residential looked like. She stated originally the agreement was the applicant would proffer to pay for the units and now there was a Community Development Authority (CDA).

Mr. Leming stated the CDA would not be responsible for paying the proffers but was necessary for some of the infrastructure on site.

Mrs. Kirby stated she was excited about this project, however, did not like to hear the applicant was going to start as of January 1, 2008.

Mr. Leming stated he wanted to be as candid and upfront as possible.

Mr. Di Peppe stated he would like to see the design of the urban park and find out more about the dwellings. He stated he would like to know if the housing would be apartments or condos and if there were condos, having a percentage being work force housing.

Mr. Leming stated the applicant could give additional details about the park. He stated the applicant does not know anymore about the residential until a residential developer was identified.

Mr. Di Peppe asked if the deadline was January 15, 2008.

Mr. Leming stated that was correct.

Mr. Di Peppe stated the Commission was to make a decision without knowing what they were getting.

Mr. Leming stated once the residential developer was identified, the applicant may have more information for the Commission.

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Mr. Cook stated the application was incomplete with no transportation data and would have to continue the public hearing at a later date when the Commission has more facts.

Mr. Cook opened the public hearing.

Reverend Cuthbert Mandel, Aquia Episcopal Church, stated he was overwhelmed because the church was not included in anything that was presented by the applicant. He stated the church was built in 1878 and there was a grave yard dating back to 1600. He stated Aquia Episcopal Church was the most historic site in Stafford County and would like to protect history. He stated concerns with security and the large number of dwelling units going into the project. He stated the church should have a fence to protect the property. He stated the fences should be proffered in and he would like his concerns taken seriously. He stated vandalism in the area had pickup recently and had noticed noise and visual pollution. He stated his concerns with the traffic and asked to be a consenting party with request for additional driveways to possibly be put in. He would like to have the public hearing until the applicant could talk to the church.

Bob Woodson stated he would reserve his comments until the next public hearing.

Frank Adams stated he moved to Stafford to get away form Northern Virginia and did not move with job offers. He stated his concern would be a possible 700 additional vehicles the may reduce the safety within the Towne Center. He stated currently the housing was not doing well and 350 new units was not a good idea.

John Dileo stated he has lived in Stafford for the last 5 years. He stated 130 children for 350 dwelling units would be underestimated. He stated there would be more traffic because of more vehicles, those who live there as well as visitors.

Karl Johnson stated there would be a 3 level parking garage that he could see from his deck. He stated the garage would be painted white and with the lights on would not be able to see the stars. He stated currently his property was a cut through for teenagers going to Aquia Town Center and would like to have a fence cut through.

Pamela Haines stated Stafford County should slowdown and develop carefully. She was concerned about health issues and erosion. She stated there would be no more blue skies and there would be an increase on crime, people, traffic and non-residents using facilities.

Dave Mitchell stated drains in Aquia Harbour flood quit often due to runoff from drainage pools. He stated if there could be a proffer from the applicant to get another access road. He stated he approved of this development but stated the county needs to be careful and slow down.

Melissa Dileo asked if the architectural were available for public viewing and stated the residents do not know what they are getting.

Mr. Cook stated they should be available at the next meeting.

Connie King stated she has lived in Stafford for the last 18 years and asked for a show of hands of member of Aquia Episcopal Church. She stated Aquia Episcopal Church was the only Colonial building in Stafford and sits at the highest point in Stafford. She stated the church was a beacon in the community.

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James Koonz stated the applicant would be putting a development into an already existent development. He stated the county should take into account the effects on the environment.

Walter Krieter stated he has lived in Stafford for 20 years and his background was security. He stated there were 12,000 daily traffic trips on a regular day and 19,000 on a holiday. He stated concern with county fire equipment cannot go up very high and cannot service large buildings. He urged Commission to sit down with the Sheriffs office and look at the potential problems that could exist.

Erin Welch stated she was glad to see development but the county should ask what the development would do and what effect it would have on the county. She stated the people of Aquia Harbour desire something nice to look at. She stated if there was a building sitting empty for a year or more the developer should be responsible for taking the building down.

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

Mrs. Kirby made a motion to continue and extend the public hearing. Mr. Pitzel seconded. The motion passed 6-0 (Mr. Rhodes absent)

Mr. Cook stated there would be a work session before the next public hearing and would be announced in the newspaper.

Mr. Leming stated the objective was to do something nice and redevelop a shopping center in need of it. He stated there was no intent to have a 90 foot garage and the applicant would be happy to meet with representatives of the church. He stated residential units are part of the TND and would be upscale and not for large families. He stated having the CDA in place would help the applicants with the roofs. He stated most development would be similar to what was proposed in the TND with no handbook. He asked the church to schedule meeting as soon as possible.

Ed Wizner stated he felt this was a partnership and would meet with the church soon. He stated the applicant was trying to develop a high class neighborhood.

Mr. Cook stated he asked staff to find dates to meet for a public work session and the date chosen was November 1, 2007. He stated the work session would be open to the public and televised.

Mr. Harvey clarified the continuation of the public hearing would be held on November 28, 2007 and would be re-advertised.

5. 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, with a minimum width of twenty (20) feet for the roadway clear of any structures and vegetation.

James Stepowany presented staff report. He stated this Ordinance was held in Public Hearing previously and there was a modification to require and show the building structures for firefighter and rescue

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apparatus have a fire lane with a width of 20 feet clear of any vegetation and structures for any PAE or ingress/egress easements for family subdivisions. He stated the Ordinance had been revised to state each lot of property 5 acres or greater in an area shall front on a road which was part of the Virginia Department of Transportation (VDOT) road systems, or be served by an ingress/ egress easement of not less than fifty (50) feet in width, with a minimum width of twenty (20) feet for the roadway clear of any structures or vegetation, to a road which is part of VDOT road system. He stated the roadway within the ingress/egress easement shall be no less than ten (10) feet in width which was also carried in the provisions for the PAE.

Mrs. Kirby stated the information states for a width of 10 feet with a Private Access Easement (PAE).

Mr. Stepowany stated that had always been the requirement and the road way itself had always been a minimum of 10 feet.

Mrs. Kirby asked if that would be 10 feet clear.

Mr. Stepowany stated the road way was 10 feet and if on less than 5 acre the easement width would be 20 feet. He stated the purpose of this Ordinance was because there was never a minimum width requirement for easement, there was only a minimum width for the roadway.

Mr. Judy stated there needed to be a clarification to state a minimum width of 20 feet in width clear of any structure or vegetation and take the word (roadway) out. He stated the Ordinance suggests there needed to be a twenty (20) foot wide paved or gravel roadway and that was not the intent. He stated cart path was a better word to use.

Mr. Cook opened the public hearing.

Tom Cropp stated he supported the amendment.

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

Mr. Di Peppe made a motion to approve the proposed Ordinance O07-58 with the recommended changes. Mr. Mitchell seconded. The motion passed 6-0 (Mr. Rhodes was absent)

6. Amendment to Subdivision Ordinance - Amendments to Section 22-5, Family and Minor Subdivisions, of the Subdivision Ordinance, pursuant to O07-71. The amendment limits a minor subdivision to no more than one (1) PAE per parent parcel.

Jamie Stepowany presented the staff report. He stated a minor subdivision shall not contain more than one (1) PAE. He stated this had been presented to the Planning Commission on numerous occasions. He stated a minor subdivision would come in with four (4) lots, there had been several application that would come in requesting 2 PAE's. He stated staff was concerned because applicants would request PAE in lieu of the process to have a public road.

Mr. Cook opened the public hearing.

Tom Cropp stated he was opposed to this ordinance. He stated 3 years earlier applicants would be able to have four (4) to five (5) lots on a PAE. He stated staff advised VDOT does not want the county to

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have more than two (2) lots on a PAE and if there were 3 or more houses the applicant would have to apply with VDOT to get the road in the state system and VDOT does not want roads with 3 or 4 houses. He stated he would like to see VDOT efforts on arterial roads than on a road that would have three (3) or four (4) houses on it.

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

Mr. Judy stated VDOT has a rule that there has to be at least (4) residences on a road before they will take into the system. He stated the roads do not have to be VDOT roads but they have to be VDOT compliant. He stated if there were three (3) or more homes on a road there would have to be fifty (50) feet Right of Way (ROW) and constructed to VDOT standards under the private street regulation. He stated the issue would be in the future if the residents on the street demand VDOT to take in that it would be VDOT compliant.

Mr. Pitzel stated he thought the intent was once there were three (3) houses there would be a certain standard required so there would not be narrow roads serving three (3) or four (4) lots.

Mr. Stepowany stated that was correct because applicants are requesting two (2) PAE's side by side in lieu of building a road to VDOT standards.

Mr. Di Peppe made a motion for approval for Ordinance O07-71. Mr. Mitchell seconded. The motion passed 5-1 (Mr. Cook was opposed) (Mr. Rhodes absent)

UNFINISHED BUSINESS

7. 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 17, 2007 Work Session)**

Mr. Cook stated this item was deferred to the November 7, 2007, Regular Meeting.

8. 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

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Zoning District. **(Time Limit: November 13, 2007) (Deferred to October 17, 2007 Work Session)**

Mr. Cook stated this item was deferred to the November 7, 2007, Regular Meeting.

9. 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 this item was deferred to the January 9, 2008, Regular Meeting.

10. 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 this item was deferred to the November 7, 2007 Regular Meeting.

NEW BUSINESS:

None

MINUTES

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated there was a press release sent out stating three commissioners would participate on Monday, October 22, 2007 staff and these Commissioners would be touring the Kentland's in Maryland to look at the Traditional Neighborhood Design (TND) and get a better idea of how it exists. He stated the Board approved the Conditional Use Permit (CUP) for the road crossing in the flood hazard zone for Vulcan Quarry and accepted the CUP with all conditions recommended by staff and the Commission. He stated the Board indefinitely deferred the building height for the High School and felt it would be premature to approve at this time. He stated the Board referred to the Commission a change to the Comprehensive Plan for the Courthouse Area and recommended Board initiated zoning on several properties in the area. He stated the Board had discussion about mandatory water and sewer inside of the Urban Service Area and deferred to a new public hearing on November 20, 2007.

COUNTY ATTORNEY'S REPORT

Mr. Judy stated he would like to attend the field trip to the Kentland's in Maryland but had not received approval as of yet.

SECRETARY/TREASURER REPORT

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No report

STANDING COMMITTEE REPORTS

Mr. Pitzel stated there was a meeting on October 8, 2007 and the main agenda item was the impact of the Urban Development Area (UDA) and staff would be preparing a recommendation for the size and location and would be presenting at the October 29, 2007 meeting at 6:30 PM.

CONSENT AGENDA

No report

SPECIAL COMMITTEE REPORTS

Mr. Di Peppe made a motion for approval for a public hearing with the Planning Commission for an Ordinance to amend Section(s) 22-86, Filing; and 22-87, Content of the Subdivision Ordinance. The amendment modifies the contents of a final plat to not require a key map and GIS disk as a content of the final plat. The Planning Commission finds that public necessity, convenience, general welfare, or good subdivision practice requires the governing body to consider an ordinance to amend the regulations. Mr. Mitchell seconded. The motion passed 6-0. (Mr. Rhodes was absent)

Mrs. Carlone mentioned the Reservoir Overlay District.

Mr. Di Peppe stated he thought there was a list of all the items on hold with the Board.

Mr. Judy stated the Board deferred any action on any deferrals.

CHAIRMAN'S REPORT

No report

ADJOURNMENT

Mr. Mitchell made a motion for adjournment. Mrs. Kirby seconded.

The meeting was adjourned at 10:45 p.m.