

***STAFFORD COUNTY PLANNING COMMISSION  
WORK SESSION MINUTES  
November 28, 2007***

The work session of the Stafford County Planning Commission of Wednesday, November 28, 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, Carlone, Rhodes, Mitchell and Di Peppe

Members Absent:

Staff Present: Harvey, Judy, Zuraf, Stepowany, Schultis and Hamock

Declarations of Disqualification

None

UNFINISHED BUSINESS:

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)**  
**(Deferred to November 28, 2007 Work Session)**

Jon Schultis presented staff report. He went over the new elevations provided by the applicant and stated the materials that would be used.

Mrs. Kirby asked about the location of the gas station.

Mr. Schultis stated the gas station would be a 10 feet by 6 feet kiosk.

Mrs. Kirby asked if there would only be a kiosk and no building.

Mr. Schultis stated that was correct and stated the kiosk would be made partly out of brick and metal.

Brian Johnson, VHB, stated he would answer any questions.

Mrs. Kirby stated she thought there was a building with metal.

Mr. Johnson stated the only building would be a 1 person 10 foot by 6 foot kiosk.

Mr. Pitzel asked where the vending machines would be located.

Mr. Johnson stated they would be located between the Gas Station and Giant and would be surrounded by PVC fence with gaps.

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Mrs. Carlone asked about the voltage of the lighting and wanted to have less light.

Mr. Johnson stated there were light poles includes on the revised plans provided.

Mr. Di Peppe stated originally there were no poles and thought the lighting would be provided from the canopy. He asked where the light poles would be located.

Mr. Johnson stated the canopy lighting itself would not be adequate and there would be light poles would be needed.

Mr. Di Peppe asked what the height of the light poles would be.

Mr. Johnson stated he could not remember what the maximum height would be.

Mr. Di Peppe stated the building across White Oak Road would shield that area he was concerned with the height and description of the light poles.

Mr. Johnson stated the building in front was 20 feet and the roof peaks are 26 feet.

Mr. Pitzel asked if the light poles would be shorter then the building in front of them.

Mr. Johnson stated there was no detail of the lights yet.

Mrs. Kirby asked what the candle power would be.

Mr. Johnson stated no but normally the power would match the shopping center.

Mrs. Kirby stated under Crime Prevention through Environmental Design (CPTED) Principles there was an amount required.

Mr. Di Peppe stated he would not like to see light poles taller then the building in front of them and recommended a proffer stating the light would have to be shorter then the building in front.

Mr. Johnson stated the light poles should be adequate at 20 feet and would be shielded.

Mr. Pitzel stated if they light poles were no higher then 20 feet that should be sufficient and would like to see a detailed description of the light poles with the canopy. He stated he would not like to have light poles towering over the building in front of them.

Mr. Cook asked about the height of the canopy and building.

Mr. Johnson stated the height of the canopy would be 18 feet 6 inches.

Mr. Cook stated if the light poles did not exceed 24 feet that would be lower then the building and higher then the canopy.

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Mr. Harvey stated this application was a Conditional Use Permit and the county would impose the conditions and would work with the applicant.

Mr. Cook stated the light poles could be 24 feet which would be 6 feet higher than the canopy and stipulate that the light to be behind the highest part of the building in front. He stated the side lights would be seen and asked at what elevation should the side lights be.

After a brief discussion the commission decided the light poles would be 20 feet.

Mr. Johnson agreed 20 feet would be acceptable for the applicant.

Mr. Pitzel stated the canopy has straight downward lighting and the light poles would provide lighting around the gas station with very little spillover. He stated 20 feet would be the height agreed to by the commission.

Mrs. Kirby asked Mr. Johnson to check on the candle power.

Mr. Johnson stated he would check for the canopy and light poles.

Mr. Di Peppe asked Mr. Pitzel if there would be bleed over of light to any properties from the gas station.

Mr. Pitzel stated no the bleed over would be from the medical center.

Mr. Mitchell asked what the vending machines would provide.

Mr. Johnson stated there would be water and soft drinks provided.

Mr. Mitchell stated he would like to see a light over the vending machines.

Mr. Di Peppe stated maybe a 15 foot light by the vending machines would be good to have.

Mrs. Kirby how tall the fence around the vending would be.

Mr. Johnson stated 6 feet the height of the vending machines.

Mrs. Kirby stated she was concerned because customers would not be able to see between the fence because of the vending machines.

Mr. Johnson stated the fence would be on three sides.

Mr. Cook stated Mr. Johnson would come back on December 5, 2007 with changes the commission required.

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Mr. Johnson summarized what he would bring to the next meeting.

Mr. Harvey confirmed whether this should come back to the Work Session or Regular Meeting.

Mr. Cook stated this would go to the December 5, 2007 regular meeting.

2. RC2700501; Reclassification - Aquia Auto Mall - A proposed amendment to proffered conditions to allow motor vehicle sales and rental with automotive repair and service on a portion of Assessor's Parcel 21-51, zoned B-2, Urban Commercial, consisting of 5.31 acres, located on the east side of Jefferson Davis Highway approximately 2,000 feet north of Garrisonville Road within the Aquia Election District. The Comprehensive Plan recommends the property for Urban Commercial use. The Urban Commercial designation would allow commercial retail and offices uses. **(Time Limit: February 17, 2008) (Deferred to November 28, 2007 Work Session)**
3. CUP27000502; Conditional Use Permit - Aquia Auto Mall - A request for a Conditional Use Permit to allow motor vehicle sales and rentals with automobile repair and service in a B-2, Urban Commercial Zoning District on a portion of Assessor's Parcel 21-51 consisting of 5.31 acres, located on the east side of Jefferson Davis Highway approximately 2,000 feet north of Garrisonville Road within the Aquia Election District. **(Time Limit: February 17, 2008) (Deferred to November 28, 2007 Work Session)**

Mr. Cook stated item 2 and 3 would be presented together.

Mr. Zuraf presented the staff report. He briefly summarized the development plan and presented the revised elevations to incorporate more brick and pitched roof into the design, as well as elevations for 7-Eleven and Staybridge Suites to see how the buildings would blend. He stated he would answer any questions.

Clark Leming, Leming and Healy, stated he had the applicant, Clay Huber and the architect, James McGhee available for questions if needed. He briefly walked the commission through changes that had been made to the proffers since the application had started.

James McGhee stated a majority of the building had a sloped roof. He stated the brick may not mask the larger building around it. He stated Aquia Church which was a square and roof pops out and wanted to make sure there would not be another big box. He stated the applicant the roof would be broken into three (3) sections for equipment. He stated the applicant would like to soften the curb.

Mr. Leming stated the applicant went back to Nissan twice with the design and has been approved. He stated with Mr. McGhee's statement he hopes the Commission judges the design appropriately.

Mrs. Carlone stated the design looked much better but asked if the bay area could be moved around back.

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Mr. Leming stated those were service doors.

Mrs. Kirby asked if the service doors could be in the back.

Mr. McGhee stated those were the service doors that provided shelter while vehicle wait to be serviced.

Mr. Leming stated the service doors are on the side.

Mrs. Carlone asked if the doors would be closed once the vehicle enters for service.

Mr. Leming stated that was correct. He stated the dealership would not be visible from Route 1. He stated the bay doors would not be seen from Route 1 and the retaining wall hides the building.

Mrs. Kirby asked how tall the retaining wall would be.

Mr. Leming stated on one side the wall was 8 feet and on the other side 3 feet.

The Planning Commissioners looked over a cross section elevation.

Mr. Proctor gave a description of the cross section.

Mr. Kirby asked again if the bay doors could be moved to the back of the building.

The Planning Commission and the applicant discussed possible design options for the building.

Mr. Di Peppe asked who was paying for the traffic light study.

Mr. Leming referred to Mr. Harvey and stated the county would need to ask for the study.

Mr. Harvey stated the applicant may need to have a bond.

Mr. Di Peppe asked if the county would pay for the study.

Mr. Harvey the county would not pay for the warrant study.

Mr. Mitchell stated he was concerned with the amount of traffic lights on Route 1 in such a short distance and asked about coordinating signalization.

Mr. Cook stated that would be a VDOT determination.

Mrs. Kirby asked where the condition was located preventing vehicles from being elevated.

Mr. Leming stated that would be condition 13.

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Mr. Kirby asked about the sign style and height out front.

Mr. Leming stated the sign would be an 8 foot brick style sign.

Mr. Kirby stated she did not want to have ramps that would elevate vehicles.

Mr. Di Peppe stated there should be a restriction concerning carnival style balloons and banners.

Mr. Cook stated a condition should be included to state no vehicle would be parked on grass, only impervious services.

Mr. Leming stated that would be added to condition 13.

Mr. Harvey summarized the revised conditions.

Mr. Zuraf read the revised condition.

After a brief discussion the Planning Commission agreed the roofs of the Auto Mall, 7-Eleven and Staybridge Suites should match.

Mr. Mitchell made a motion for approval of item 2, RC2700501. Mr. Rhodes seconded. The motion passed 7-0.

Mr. Cook clarified the motion for approval was to send to full commission.

Mr. Mitchell stated yes.

Mr. Mitchell made a motion for CUP2700502 for the Conditional Use Permit for Aquia Auto Mall with the changes. Mr. Rhodes 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, November 28, 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, Carlone, Rhodes, Mitchell and Di Peppe

MEMBERS ABSENT:

STAFF PRESENT: Harvey, Judy, Zuraf, Stepowany, Schultis and Hamock

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

None

PUBLIC HEARINGS:

1. 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. **(This is a continuation of the October 17, 2007 public hearing on this same matter) (Time Limit: February 26, 2008)**

James Stepowany presented the staff report. He stated the Traditional Neighborhood Development (TND) would consist of the mixed uses and provided square footage for commercial use. He stated there would be three (3) entrances into Aquia Town Center. He discussed the Generalized Development Plan (GDP) and provided information regarding the transportation study. He stated the Commission held a public hearing and a special work session. He reviewed the revisions to the proffers. He stated this plan would have many merits as a mixed-use community and was consistent with the Comprehensive Plan. He stated staff recommends approval of the application and would be happy to answer any questions.

Mrs. Carlone stated her concern was no secure area for children to play. She stated there should be some tot lots for residents with smaller children. She mentioned on page 1 under Civic, she would like to have a definition of a civic building.

Mr. Stepowany stated the cinema and retail would be a civic building by definitions.

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Mrs. Carlone stated the maximum people within the community could possibly be up to 700 people. She stated she would prefer the applicant would have stayed under 72 feet for building height.

Mr. Pitzel asked about the connection between Aquia Church and Washington Blvd and if the church had a curb cut.

Mr. Stepowany stated no.

Mr. Pitzel asked if there was a curb cut proposed.

Clark Leming, Leming and Healy, stated the applicant met with the church and adjacent properties owners after the first meeting and revised the proffers. Mr. Leming discussed in detail with the Commission the revisions to the proffers since the last meeting.

Ed Wizner stated the building could have a flat roof but the developer did not want to create an elevation that may require higher roof lines. He stated the existing building was 65 feet and the mechanical on the roof would be approximately 6 or 7 feet.

Mrs. Carlone stated she was concerned with the building height of 75 feet with an additional 7 feet for mechanical.

Mr. Leming stated the building height would still be less than the ordinance required.

Mrs. Kirby asked what the minimum housing would be in the development.

Mr. Leming stated the minimum would be 69 units.

Mr. Di Peppe stated there was a handout provided explaining proffer 11 to be added to the proffers. He stated he had meet with the applicant to and discussed the proffers in detail.

Mr. Leming stated the applicant would be willing to add proffer 11.

Mr. Cook opened the public hearing.

Bill Hoyt stated he was a 15 year tenant in Aquia Harbour and was the owner of Gold's Gym. He stated the applicant was the worst landlord with no on site management and allowed the Towne Center to go to waste. He gave several examples of the tenants neglect to the Towne Center. He stated the applicant now wants to make it better and by making 300 residential units, the applicant would have 600 unhappy tenants.

Pamela Haines stated she had conducted an experiment using water, candles, bottles and air. She stated in detail the concerns from neighbors in Aquia Harbour. She stated some concerns were quality of life after the parking garage, health issues, environmental quality, vandalism, and traffic. Bill Hoffman stated he was representing Aquia Episcopal Church and had been working with the applicant concerning proffer revisions and other issues and revise proffers. He stated he would like to recommend strengthening the language to state the church would have a say if additional curb cuts are needed.

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

Mr. Leming addressed the concerns of Mr. Hoyt and stated the issued did not directly affect zoning. He stated the TND ordinance was specifically adjusted so Aquia Towne Center could take advantage of the ordinance. He stated the applicant made good faith revisions to the proffers to accommodate the church and the proffers were to be amended.

Mrs. Carlone asked about the outcome of the meeting regarding the children's area.

Mr. Harvey stated staff had concerns with a recreation area and the applicant proposed an urban park.

Mrs. Carlone asked if it would be possible to have a restricted area for residents only.

Mr. Leming stated the applicant would not be opposed to that idea.

Dean Bellas stated in detail the research he had done concerning the number of children per unit provided based on design and resident's life style.

Mrs. Carlone stated there would be children and there should be a place set aside for them.

Mrs. Kirby asked if the applicant would proffer the GDP.

Mr. Leming stated within a TND the Regulating Plan (RP) would be proffered not the GDP.

The Planning Commission briefly discussed revisions to the proffers regarding curb cuts.

Reverend Cuthbert Mandel stated the church had secured permission for the curb cuts back in 2001 or 2002 and stated there may not be any records maintained. He stated he recognized the Aquia Harbour owned the easement and would like to be included in the coordinating effort of where the curb cuts would be located.

Mrs. Kirby stated any curb cuts would need approval from the Property Owners Association (POA).

Mr. Cook stated there were no written agreements regarding curb cuts and Aquia Harbour POA was the only one to make any changes.

Mr. Rhodes suggested removing language from the end of a proffer on page 3 and ending the sentence after coordinate.

Mr. Mitchell stated proffer 3 should not be in the proffers and the Aquia Harbour POA had no knowledge of the agreement Reverend Mandel referenced.

Mr. Leming stated the applicant would be willing to advise the church of any curb cuts.

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Mr. Judy stated proffering the curb cuts would be a benefit to the church and the applicant would be required to obtain permission from the church before going to the Aquia Harbour POA.

Mr. Cook stated only Aquia Harbour POA could give consent.

Mr. Leming stated the proffer would be reworded and read the revised proffer.

Mr. Cook stated he was agreeable to the revised proffer.

Mr. Mitchell made a motion to suspend the rules. Mr. Pitzel seconded. The motion passed 7-0.

Mr. Di Peppe made a motion to include under number 11 the additional proffers for accessibility. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Mitchell made a motion to add the additional language stating, “an additional curb cut would be first presented by advising the Aquia Episcopal Church prior to any other action”. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Mitchell made a motion to come out of suspension. Mr. Rhodes seconded. The motion passed 7-0.

Mr. Cook restated the motion was to reinstate the rules.

Mr. Mitchell made a motion to approve RC2700543, reclassification, The Towne Center of Aquia with the additions. Mr. Di Peppe seconded. The motion passed 6-1. (Mrs. Carlone opposed)

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>
From the intersection of Forbes Street and Layhill Road, 1,700 feet south, to the intersection of Forbes Street and Morton Road	Forbes Street	Layhill Road
From the intersection of Forbes Street and Morton Road, 1,600 feet east, to the intersection of Morton Road and unnamed road.	Morton Road	Layhill Road
From the intersection of Morton Road and unnamed road, 950 feet east, to CSX railroad bridge	Unnamed Road	Layhill Road
From the CSX railroad bridge, 2,100 feet east, to Leeland Road	Primmer House Road	Layhill Road

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From the intersection of Forbes Street and Layhill Road, 3000 feet north to the terminus of Forbes Street

Forbes Street

Forbes Court

Mike Zuraf presented the staff report. He stated there was anew crossing of the CSX railroad track which opened a continuous road. He stated from US Route One there was Layhill Road, Forbes Street, Morton Road, an unnamed portion and after crossing the railroad tracks there was Primmer House Road. He stated one road name would be beneficial for emergency services and mail delivery. He stated staff recommends approval and would answer any questions.

Mr. Cook asked who recommended this because it had been turned down a couple years earlier.

Mr. Harvey stated as the project in Leeland Station progresses staff felt it was important to have a unified street name. He stated the road name changed several times without changing the road. He stated he had discussed the name change with Mrs. Schwartz and gave some background and stated staff suggested Layhill Road for the entire length of road and Mr. Schwartz agreed.

Mr. Rhodes asked how many addresses were affected on the proposed Forbes Court.

Mr. Zuraf stated there were eight addresses that would have to be affected.

Mr. Cook asked how many addresses would be changed on Forbes Street and Morton Road.

Mr. Zuraf stated on there were a total of fourteen lots.

Mr. Di Peppe asked why there were different colors on the map if there was one continuous road.

Mr. Zuraf stated when driving on Forbes Street there are two turns required to stay on Forbes Street.

Mr. Harvey stated North of Forbes Street there was a stop sign where a right or left turn could be made and same to the south of Forbes Street.

Mrs. Kirby stated there was no stop sign from Primmer House Road to Morton Road.

Mr. Cook stated there would be a stop sign from Morton to Primmer House Road.

Mr. Pitzel stated there was no stop sign currently and the movement from Primmer House Road to Morton Road moved from a curve to a T in the road. He stated he would look for a way to result in the least amount of people having to change there address.

Mr. Cook made the suggestion to rename the unnamed potion to Primmer House Road.

Mr. Mitchell stated Layhill Road used to be Forbes Street.

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Mr. Harvey stated Forbes Street used to tie to US Route 1 which was a new section built by VDOT to alleviate traffic movement conflict at the time.

Mr. Mitchell stated he remembered the reason Layhill was name was because no addresses were affected.

Mr. Cook opened the public hearing.

John McQuitty stated he was the owner of a business on the northern extension which was the proposed Forbes Court. He stated he received marketing materials and 1000 pieces of mail each week. He stated the change would be very costly to his business and he strongly suggested not changing the name of the road.

Carol Williams stated she has lived on Forbes Street for 19 years and there are no residents on Layhill and does not see why everyone should change to a road that has no residents.

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

Mr. Cook stated there was a resolution needed to defeat the street naming and then change the unnamed portion to Primmer House Road.

Mrs. Kirby made a motion to defeat the requested changes. Mr. Mitchell seconded. The motion passed 7-0.

Mr. Cook stated staff would need to re-advertise and go to public hearing on December 19, 2007 to change the unnamed portion of road to Primmer House Road.

3. RC2700404; Reclassification – R Income Properties, L L C - A proposed reclassification from A-1, Agricultural Zoning District to M-1, Light Industrial Zoning District to allow for the development of light industrial, light manufacturing and office uses on Assessor's Parcels 38-76A, 76B (portion), 76C, 76E, 76F, and 76G consisting of 37.95 acres, located on the west side of Wyche Road approximately 2,500 feet south of Courthouse Road within the Aquia Election District. The current Comprehensive Plan recommends the property for Light Industrial, Heavy Industrial uses and Resource Protection Areas. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Heavy Industrial use would allow manufacturing, fabricating and commercial processing including those related to agricultural processing, mining, excavation and production of road construction material. **(Time Limit: February 26, 2008)**

Mr. Zuraf presented the staff report. He reviewed the background of the project and presented the Zoning Map and the Land Use Plan. He stated the subject area would be divided into two (2) tracts of land which were identified as Flex Office Park and showed access from Wyche Road. He stated the General Development Plan (GDP) shows a future public street and gave some background and details of possible building locations. He stated a Traffic Impact Study (TIA) evaluation was completed and reviewed the information received from the study. He stated there would be no improvements to Wyche Road and the planned realignment of Courthouse Road would occur with reconstruction of the Interstate 95 Interchange. He provided information regarding the natural

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resources and stated the applicant conducted a Phase 1 study showing there were five (5) isolated finds that were not eligible for the National Register of Historic Places, an abandoned property, and the Greenehowe Family Cemetery. He reviewed the proposed proffers and showed the Commission elevations of the property. He stated staff recommended approval of this reclassification.

Mrs. Carlone asked if this project would go ahead because of proposed redevelopment in the area.

Mr. Zuraf stated the applicant applied for rezoning before the proposed change of the Comprehensive Plan designation and staff could not hold the application from going to public hearing.

Mrs. Carlone stated the county needed an acceleration lane on Wyche Road.

Mr. Zuraf stated he could discuss that need with the applicant.

Mr. Pitzel confirmed the applicant was not proffering the GDP.

Mr. Zuraf stated that was correct. He stated the applicants building lay out were approximate.

Mrs. Kirby asked who the listed members were for all people involved not just business names.

Mr. Zuraf deferred to applicant.

Mrs. Kirby stated her understanding was that there was only a conceptual plan and the Commission would not know what design the actual buildings would be and no proffer of the GDP was offered.

Mr. Zuraf there were several building materials options provided in the proffers.

Mr. Di Peppe stated the Commission did not receive the comments from VDOT. He stated he wants to know exactly what the Commission would be voting for and does know why this was recommended for approval.

Mr. Mitchell stated the Commission could not vote for flexibility and he would like to see what the buildings would look like. He stated the land use was Light Industrial and the applicant was trying to get Heavy Industrial and there was a conflict. He stated there were several issues still to be addressed and could not support this project.

Michael Coughlin, Walsh, Colucci, Lubeley, Emrich, & Walsh, stated the project proposed would be economic development for the county and the applicants goal would be to have a Class A Light Industrial Flex on this property. He stated the proffers reference specific illustrations and made a commitment to general character of design. He stated businesses moving to Stafford would like to design there own building and have control of the design. He stated they must comply with proffers applicable to the property. He stated this project currently was in compliance with the Comprehensive Plan, and development was scheduled for 2020. He stated the applicant would not construct a building that would not be aesthetically pleasing. He stated the traffic study indicated a total trip count for 85 acres, but this application was only 37 acres, therefore the trip evaluation would need to be divided by half. He stated the applicant spoke with VDOT and was told a light at

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the intersection of Wyche Road and Courthouse Road was not warranted. He stated the county may want a traffic light so the applicant proffered a pro rata share of contribution for the construction of the traffic light. He stated in response to the application affidavit for the list of member versus the business names, the members were disclosed as the county required. He asked if there were any further questions.

Mrs. Carlone stated, in her opinion, this project should be put in committee until more information was received.

Mr. Coughlin asked what more information would be helpful to the Commission.

Mrs. Carlone stated there was nothing from VDOT. She stated concern about several other potential developments that are in the area.

Mr. Pitzel stated he would like to see a proffered GDP.

Mrs. Kirby stated the pictures were nice but she was concerned with not having anything from VDOT. She stated the building was a concept idea and did not feel she could support this project.

Mr. Coughlin stated to have a design of a building would be precluded economic development because the applicant would have to find a buyer who would want that exact building. He stated the applicant had guaranteed using certain building materials but the applicant would be hesitant to provided specific elevations or specific buildings.

Mr. Di Peppe stated to ask for a rezoning would mean the applicant had a better idea but with no GDP there would be infinitely more problems because the Commission does not know what they are getting. He stated the Commission could not vote on a project if they did not know what they are getting.

Mr. Mitchell stated there were gaps in the projects and wanted to see specifics. He agreed with the other Commissioners and stated there was not enough to vote on.

Mr. Coughlin stated the applicant would like to have a decision for this project in an expedited timeframe.

Mr. Cook opened the public hearing.

Steve Bishop, Director of the Rappahannock Regional Jail, stated the proffers state the sanitary line would be pro rata. He asked if it would exclude the present users or who would be added.

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

Mr. Coughlin stated the formation for pro rata share proffer was formulated with the consultation of the Utilities Department.

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Mr. Mitchell stated he had several concerns with the project and made a motion for denial of RC2700404, reclassification of R Income Properties, LLC. Mr. Di Peppe seconded. The motion to deny passed 6-1. (Mr. Rhodes was opposed)

UNFINISHED BUSINESS

4. 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 January 9, 2008.

5. 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) (Deferred to November 28, 2007 Work Session)**

Mr. Cook stated this item was deferred to the December 5, 2007 meeting.

6. Amendment to the Comprehensive Plan – A proposed amendment to the Land Use Plan text and map component of the Comprehensive Plan. The proposed map amendment would redesignate the following proposed parks and recreation sites as “Park Land”: the former Chichester property (37 acre site which is a portion of Assessor's Parcel 45-220E located east of Interstate 95 and abutting a portion of the Stafford High School complex, currently designated as “Suburban Residential”); Crow's Nest (part of Assessor's Parcels 48-1 and part of 49-27, consisting of approximately 2,887 acres east of Raven Road and Evergreen Drive and Crows Nest Harbour Subdivision, West of Accokeek Creek, North of Potomac Creek and along the southern right-of-way of Mulberry Drive, Forest Drive, Sycamore Drive, Hickory Drive, and Brook Road (Route 608) and to the South of Accokeek Creek and excluding that portion of the property containing the Daniel family cemetery and any other unabandoned cemeteries or burial grounds that may be identified during the course of any currently ongoing litigation in Stafford County Circuit Court, currently designated “Rural Residential”); Government Island (Assessor's Parcels 21-B-2803 located in the Aquia Creek just north of Coal Landing Road, currently designated “Suburban Residential”); Musselman/Jones Properties (Assessor's Parcels 45-127 and 45-127G located west of Interstate 95 near the intersection of Truslow Road and Enon Road, currently designated as “Rural Residential”); Patawomeck Park (185 acres located at the northeast portion of the County on Rectory Lane, Assessor's Parcel 22-18, currently designated “Neighborhood Center”); Stafford Recreational Soccer League Site (Assessor's Parcel 39-53, 71, and 76A, located on the south side of Courthouse Road just west of Stafford Middle School, currently designated “Rural Residential”); Vulcan Quarry (eastern portion of Assessor's Parcel 20-4A with a street address of 1016 Garrisonville Road; consisting of a 22.9 acre proffered site,

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currently designated “Heavy Industrial”); Widewater State Park (Assessor’s Parcels 31-98, 100, 32-4, and 41-1, 2, 4, 4D, Commonwealth of Virginia, 1,100 acre site on Widewater Peninsula southeast of the CSX Railroad tracks, currently designated “Suburban Residential”, “Rural Residential” and “Neighborhood Center”); and the City of Fredericksburg parcels along Rappahannock River (Assessor’s Parcels 42-10, 52-5, and 54-88A, currently designated “Resource Protection”). The proposed map amendment would also redesignate the following existing parks and recreation sites as Park Land: Abel Lake Boat Ramp (portion of Assessor’s Parcel 37-11 and 42C, currently designated as “Resource Protection”); Autumn Ridge Park (Assessor’s Parcel 29-49L, currently designated “Suburban Residential”); Courthouse Community Center (Assessor’s Parcel 30-83A, currently designated “Suburban Residential”); Rowser Complex (Assessor’s Parcel 38-94, currently designated “Institutional” and “Resource Protection”); Prince William Forest Park (currently designated “Federal Land” as it is located within the boundaries of Quantico); Izaak Walton League property (Assessor’s Parcel 8-16, currently designated as “Agricultural”); Little Falls Boat Ramp (portion of Assessor’s Parcel 59-72C, currently designated “Agricultural” and “Resource Protection”); and Smith Lake Park (Assessor’s Parcels 21-1A and 4A, currently designated “Rural Residential”).

The proposed map amendment would also redesignate the former Fritter Park site (Assessor’s Parcels 13C-A, B, C and D) from “Park Land” to “Office”. The proposed text amendment would update the information regarding parks and recreation sites and facilities (both existing and proposed) and adds a description for the term “Park Land” (“Areas designated for parks and recreation facilities or resource conservation that serve residents Countywide or within sub-areas of the County. Includes, but is not limited to parks with playing fields, passive trails, playgrounds and open space. These areas are located both inside and outside of the Urban Services Area”). Park Land use allows the development of active and passive recreation facilities and preservation of open space. Office use allows professional offices and low intensity commercial retail. **(Time Limit: January 7, 2008)**  
**(Deferred to December 5, 2007 Work Session)**

Mr. Cook stated this was deferred to the December 5, 2007 meeting. He stated he would like a motion to have the Izaak Walton League removed from the park designation.

Mrs. Kirby stated the Izaak Walton League was not really a park and may have been added to the park designation in hast and requested this item be deleted. She stated at the December 5, 2007 Planning Commission meeting the Commissioners would vote to remove the Izaak Walton League.

Mr. Cook stated a vote could be made to remove the Izaak Walton League at the current meeting if a motion was made.

Mr. Judy stated it had been deferred to the December 5, 2007 and a vote to amend could be done tonight and could vote to be removed on December 5, 2007.

Mrs. Kirby made a motion to amend the amendment to the Comprehensive Plan to delete all references to the Izaak Walton League on December 5, 2007. Mrs. Carlone seconded. The motion passed 7-0.

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7. RC2700501; Reclassification - Aquia Auto Mall - A proposed amendment to proffered conditions to allow motor vehicle sales and rental with automotive repair and service on a portion of Assessor's Parcel 21-51, zoned B-2, Urban Commercial, consisting of 5.31 acres, located on the east side of Jefferson Davis Highway approximately 2,000 feet north of Garrisonville Road within the Aquia Election District. The Comprehensive Plan recommends the property for Urban Commercial use. The Urban Commercial designation would allow commercial retail and offices uses. **(Time Limit: February 17, 2008) (Deferred to November 28, 2007 Work Session)**

Mr. Cook stated item 8 and 9 were approved on a 7-0 vote to move to full commission.

Mr. Mitchell made a motion for approval of RC2700501, Aquia Auto Mall. Mr. Di Peppe seconded. The motion passed 7-0.

8. CUP27000502; Conditional Use Permit - Aquia Auto Mall - A request for a Conditional Use Permit to allow motor vehicle sales and rentals with automobile repair and service in a B-2, Urban Commercial Zoning District on a portion of Assessor's Parcel 21-51 consisting of 5.31 acres, located on the east side of Jefferson Davis Highway approximately 2,000 feet north of Garrisonville Road within the Aquia Election District. **(Time Limit: February 17, 2008) (Deferred to November 28, 2007 Work Session)**

Mr. Mitchell made a motion for approval of CUP2700502, Aquia Auto Mall. Mr. Di Peppe seconded. The motion passed 7-0.

**NEW BUSINESS:**

None

**MINUTES**

September 5, 2007 Work Session

Mr. Mitchell made a motion to approve of the minutes as presented. Mr. Rhodes seconded. The motion passed 7-0.

September 5, 2007 Regular Meeting

Mr. Rhodes made a motion to approve the minutes with an amendment. Mr. Di Peppe seconded. The motion passed 7-0.

Mrs. Carlone stated there needed to be a change to a word and would need to be amended.

Mr. Harvey clarified for the regular meeting on September 5, 2007 the motion should read approved as amended.

September 6, 2007 Stafford Towne Station Special Work Session

Mr. Mitchell made a motion to approve of the minutes as presented. Mr. Rhodes seconded. The motion passed 7-0.

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September 12, 2007 TND Special Meeting

Mr. Rhodes made a motion to approve of the minutes as presented. Mr. Di Peppe seconded. The motion passed 7-0.

**PLANNING DIRECTOR'S REPORT**

Mr. Harvey stated the Board of Supervisors approved the Town and Country Medical Clinic Conditional Use Permit (CUP) and the Board also approved the Street Naming for South Gateway Drive.

Mr. Rhodes asked if the Board changed the name to South Gateway Drive.

Mr. Harvey replied yes.

A discussion ensued about the cost of changing all the addresses and how difficult that would be for the business owners.

Mr. Harvey stated the Board approved the Comprehensive Plan change and Rezoning for Centerport Gateway. He stated the three (3) applications for the hospital were also approved.

**COUNTY ATTORNEY'S REPORT**

No report

**SECRETARY/TREASURER REPORT**

No report

**STANDING COMMITTEE REPORTS**

Mr. Pitzel stated the next meeting for the Comprehensive Plan was scheduled for December 5, 2007 Work Session at 5:30 PM and read page 134 through 156 of the Comprehensive Plan.

**CONSENT AGENDA**

No report

**SPECIAL COMMITTEE REPORTS**

No report

**CHAIRMAN'S REPORT**

Mr. Cook stated he would elect the nominating committee for 2008.

Mr. Judy stated he was going to discuss this at the December 5, 2007 meeting. He stated he look in the Stated Code, county ordinances and bylaws, the by laws reference to the annual organizational meeting where the Chair, Vice Chair and Secretary would be elected. He stated until the new Commission member are elected by the Board the old Commission carries over. He stated the Commission could nominate officers but it may not be binding in the New Year.

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Mr. Cook stated we was going to appoint a committee of the 3 of 4 remaining Commissioners members still on the Commission and recommend holding the nominating meeting at 6:45 on January 9, 2008. He stated the nomination meeting would be held in the New Year.

Mr. Judy suggested the new Commissioners be involved.

Mr. Cook stated the nominating committee may would meet and make a recommendation to the full commission.

Mr. Rhodes asked how business would be conducted on January 9, 2008.

Mr. Judy stated since the Chair, Vice Chair and Secretary's term end, there could be an appointment of a president pro tem to conduct the meeting to elect a Chairman.

Mr. Cook stated the new members would be sworn in.

Mr. Judy stated the new members would need to be sworn in by the Clerk of the Circuit Court, Deputy Clerk or a Judge.

**ADJOURNMENT**

With no further business the meeting was adjourned at 10:23 PM.