

STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
December 5, 2007

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

Members Present: Cook, Kirby, Pitzel, Mitchell, Carlone, and Rhodes

Members Absent: Di Peppe

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

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. 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, 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

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“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)**

Mrs. Baker stated the Commission received a revised map and revised resolution that showed the removal of the Izaak Walton League.

Mrs. Kirby made a motion to remove the Izaak Walton League. Mr. Di Peppe seconded. The motion passed 6-0. (Mr. Pitzel was absent)

Mr. Di Peppe stated there would be a meeting with the R-Board the third week of January concerning a parcel that was currently part of the landfill. He stated that parcel was not included in the current amendment.

Mrs. Kirby made a motion to approve this amendment to the Comprehensive Plan and send to the full Commission. Mrs. Carlone seconded. The motion passed 6-0 (Mr. Pitzel was absent).

COMPREHENSIVE PLAN:

Mr. Zuraf stated there was no specific agenda but he would review the Comprehensive Plan and pages 134 through 157 the Commission were asked to read. He discussed build outs in detail and provided maps to the Commission. He stated at the previous Comprehensive Plan meeting there was a summary of the state guidelines and how it might fit into the Comprehensive Plan revision. He stated there needed to be a 20 years plan of growth in the Urban Development Area. He stated the densities had been adjusted in the Urban Development Area as well as rural residential areas.

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A discussion ensued regarding build-outs and the affect on the county.

ADJOURNMENT

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

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The regular meeting of the Stafford County Planning Commission of Wednesday, December 5, 2007, was called to order at 7:30 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the Stafford County Administration Center.

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

MEMBERS ABSENT:

STAFF PRESENT: Harvey, Judy, Baker, Hess, Schultis and Hamock

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

John Scott, Boy scouts of America Troop 840, stated the boy scouts were not notified regarding the rezoning of the one-acre lot located in the middle of Government Island owned by the Boy Scout Troop of America. He stated notification should have been given with time to respond. He stated he had a question regarding how Federal or State land would be incorporated into a county provision.

Gary Sitzman stated the request for the four-lane interchange should to be moved south by about two (2) miles. He stated the interchange located could be changed for donated land and reduced cost. He stated the location would have a tremendous impact on the residents and should allow for much more commercial growth.

PUBLIC HEARINGS:

1. 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

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Assessor's Parcel 20-4A with a street address of 1016 Garrisonville Road; consisting of a 22.9 acre proffered site, 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: December 1, 2007) (Deferred to December 5, 2007 Work Session)**

Mrs. Kirby made a motion to move item 8 to item 1. Mr. Di Peppe seconded. The motion passed 7-0.

Mr. Harvey stated the Commission would consider removing the Izaak Walton League from the Amendment to the Comprehensive Plan and consider making a recommendation at the Regular Meeting.

Mr. Cook stated there was a 7-0 vote to exclude the Izaak Walton League from the Amendment to the Comprehensive Plan and needed a motion.

Mrs. Kirby made a motion vote to exclude the Izaak Walton League from the Amendment to the Comprehensive Plan. Mrs. Carlone seconded. The motion passed 7-0.

Mr. Cook stated the next vote was needed to accept the amendment or keep it in committee for notification of the Boy Scout troop.

Mr. Cook asked Mr. Harvey as to the reason why the Boy Scouts were not notified.

Mr. Harvey stated he would have to check into that.

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Mr. Judy stated this was an Amendment to the Comprehensive Plan to change to designation for Governors Island to a park.

Mr. Cook stated with a change of designation, notification would not be required.

Mrs. Kirby asked to hear Mr. Scott's objection.

John Scott stated he was speaking on behalf of Mr. Gordon, Mr. Dave Jones and Boy Scout Troop 847. He stated those individuals have a deed to 1 acre in the middle of Government Island and they were not notified of any changes to the property.

Mrs. Kirby stated there was nothing being done to the park but making it park land.

Mr. Scott stated he was sent to ask for a deferral.

Mr. Cook stated this would be a designation of land not a rezoning.

Mr. Scott stated the property owners asked him to request more time.

Mrs. Carlone asked if the item could be deferred.

Mr. Cook stated the time limit was December 1, 2007.

Mrs. Kirby stated this property was a separate piece held in trust.

Mr. Scott stated the property owners were not notified.

Mrs. Kirby made a motion to recommend approval for an Amendment to the Comprehensive Plan on the parkland with a notation there was an objection by the Boy Scout troop because they were not notified. Mr. Mitchell seconded. The motion passed 7-0.

2. COM2700688 - Comprehensive Plan Amendment – North Stafford Center for Business and Technology – A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel's 19U-1, 19U-2, 19U-3, 19U-4, 19U-5, 19U-A, 19-50, and 19-57B from Suburban Residential, Rural Residential and Resource Protection to Suburban Commercial, Office, 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 expansion of an existing office and retail development. **(Time Limit: March 4, 2008)**

2. RC2700545; Reclassification – North Stafford Center for Business and Technology – A proposed reclassification from A-1, Agricultural Zoning District and B-3, Office Zoning District to B-2, Urban Commercial Zoning District and an amendment to proffered conditions to allow the expansion of an existing office park to include an additional office building and a bank on Assessor's Parcels 19-57B and 19U-5 consisting of 6.07 acres, located on the northeast intersection of Garrisonville Road and Tech Parkway within the Rock Hill Election District. The Comprehensive Plan recommends the property for Suburban Residential use. The Suburban Residential designation would allow residential development at a maximum density of 3 dwelling units per acre. See the Zoning Ordinance for a full listing of permitted uses in the

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B-2 Zoning District. (**Time Limit: March 4, 2008**)

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

Mr. Hess stated he would present item 2 and Mr. Schultis would present item 3.

Mr. Hess presented the staff report for item 2. He showed the existing location of the site and showed an aerial photograph of existing conditions. He showed site photographs and provided descriptions of the different views. He discussed the Current Land Use Plan and the Proposed Land Use Plan. He stated this project was consistent with the developing land use pattern in the area and met the intent of the Draft Comprehensive Plan. He stated the site fronts on Garrisonville Road and the primary access would be from Tech Parkway that was already constructed to serve existing and future multi-tenant buildings. He stated the project would be served by public water and sewer and there would be water line improvements as the development occurs. He stated proposed land use designation has no effect on the county public school system. He stated the development of the site would occur outside of the Critical Resource Protection Area (CRPA). He stated staff recommends approval of the project.

Mr. Schultis presented the staff report for item 3. He stated the parcels were a mix of fields and open space. He showed pictures of the existing conditions and stated the reclassification was intended for the expansion of the existing office park. He stated the proposal included an additional office building and a bank. He showed the Generalized Development Plan (GDP) and provided elevations for the proposed office building and bank. He discussed the traffic impacts and stated the Traffic Impact Analysis (TIA) was still under review with Virginia Department of Transportation (VDOT). He stated the proffer conditions would be building height restrictions, limitation to the amount of commercial retail, commercial apartments prohibited, building design and fascia and construction of a sidewalk and Right of Way (ROW) dedication. He stated staff recommends approval of the reclassification subject to approval of the Land Use Plan Amendment.

Mrs. Carlone stated she was concerned with another entrance. She stated the applicant would need to elaborate on the people involved within the various company names.

Mr. Pitzel confirmed the reclassification would be the site where the bank and building would be located and the Comprehensive Plan would include more property then just the two (2) parcels.

Mr. Hess stated in the past there had been two (2) reclassifications with no Comprehensive Plan Amendment completed and this was to get the area that had already been rezoned to match the Zoning Map and the Land Use Map.

Mr. Pitzel asked the proposed office building rezoned for that use.

Mr. Hess stated that was correct. He stated the building in the back that was already occupied was on the Rural Residential Land Use site.

Mr. Pitzel confirmed a piece of the Comprehensive Plan was to get caught up with the rezoning.

Mr. Kirby asked where the Traffic Impact Analysis was.

Mr. Schultis stated it was highlighted in the staff report.

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Mrs. Kirby asked about the report itself.

Mr. Schultis stated he would provide a copy to Commission.

Mrs. Kirby asked what the height of the building.

Mr. Schultis stated he would defer to the applicant.

Mrs. Kirby stated Mr. Hess stated there were no historic resources and asked if he had checked with Wendy Wheatcraft. Mrs. Kirby stated she did not see that a phase one archeological had been completed for the site.

Mr. Hess stated within the review there was no mention of cultural resources.

Mrs. Kirby stated staff would not know since there was no phase one archeological done at the site.

Mr. Harvey stated in the previous reclassification there was a circa 1910 house on the property which was documented and raised.

Mrs. Kirby stated there was no phase one done and there was no way to know if there was built on a former foundation.

Mr. Harvey stated he was not sure about the details.

Mrs. Kirby stated she knew about the details because it was in her district.

Mr. Di Peppe stated it was noted that the applicant had proffered sidewalks along Garrisonville Road and there was an issue of inter-parcel access to the adjacent parcel and asked for confirmation that there would be no inter-parcel connector.

Mr. Schultis stated staff did mention an inter-parcel connector but as the staff report stated with the way the parcel was designed a large parcel would not handle traffic appropriately and was not included within the proffer statement.

Mr. Di Peppe stated he was concerned there was no phase one archeological and no Traffic Impact Analysis (TIA) received yet.

Darrell Caldwell, speaking on behalf of Thomas Wack, stated he would answer the question as to ownership of the property. He stated the owners were Thomas Wack, his sister Cathy, Doug Stuart and their spouses. He stated these individuals were associated with 610 Investments and NSCBT, LLC.

Mrs. Carlone asked if the 610 Investment are the same people as the NSCBT, LLC.

Mr. Caldwell stated they were all the same people. He stated he had a copy of the Traffic Impact Analysis (TIA) and would provide to Mrs. Kirby. He assured the Commission what was promised in 2002 and 2004 was still the commitment the applicant would follow through with. He discussed the building location and described the building that would be built. He stated the bank site was part of the original application in 2002 and at that time was not completed. He stated the bank would be built with part of the project and the applicant would proffer a substantial conformance of the Generalized

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Development Plan (GDP). He stated the property and development has been very successful so far and gave a detailed description of the buildings. He stated the applicant spoke with VDOT to ensure the application was under review and a proposed road construction for a right in entrance off of Garrisonville Road and all other traffic would be served by Tech Parkway which would be accessed through the traffic signal on Garrisonville Road. He stated this should be alleviating some of the Garrisonville Road Traffic. He stated the landscaping and buffering would be the same that exists currently at the site.

Mrs. Carlone asked why there was no available space to the adjacent property for future inter-parcel connector.

Mr. Caldwell stated there was a house to the east and 18 acres to the north. He stated there were no public roads to help serve residential development.

Mrs. Carlone stated there should be a portion showing an area for the possibility of an Inter-Parcel connector.

Mr. Caldwell stated there was only one area that would be practical for an inter-parcel connector but would result traffic going through the middle of a parking area. He stated he did not believe there would be a true benefit. He stated another consideration would be further away closer to the existing buildings and would not be a highly traveled area.

Mr. Pitzel stated he liked the idea of an inter-parcel connector and asked how many parcels were located outside of the Urban Service Area (USA).

Mr. Zuraf stated there were 2 properties outside of the USA. He stated the parcel would be brought back into the USA and consistent with the zoning.

Mr. Cook stated the current zoning was B-2.

Mr. Caldwell stated the existing zoning was actually B-3.

Mrs. Kirby stated the applications were being done a piece at a time. She stated all the parcels were completely surrounded by A-1 and stated people in the area were not happy having businesses put right in the middle of an A-1 area. She asked if the retail would have fast food.

Mr. Caldwell stated there were never any plans for fast foods but there were plans for sit down restaurants. He stated fast food were a by right use.

Mrs. Kirby stated there were approximately 27 fast food restaurants on Garrisonville Road and did not feel there was need for any more.

Mr. Caldwell stated that would be restaurants that would cater to an office park.

Mrs. Kirby reiterated that fast food not be put into the office park.

Mr. Caldwell stated the applicant no longer controlled this piece of property because it had been sold.

Mr. Di Peppe asked if the applicant originally owned land then sold it.

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Mr. Caldwell stated yes. He stated the piece of land sold was a part of the same property and was sold to a developer out of the area. He stated the applicant had architectural control when the property was sold.

Mr. Di Peppe stated, in his opinion, there could be serious problems without an inter-parcel connection.

Mr. Rhodes stated he agreed there needed to be an inter-parcel connector but would be difficult with the design provided.

Mr. Mitchell stated he was in support of an inter-parcel connector.

Mr. Cook stated there were rules regarding inter-parcel connections and the reason we have them would be for emergency purposes.

Mr. Cook opened the public hearing.

Jo Knight stated she sold the property to the applicant. She stated there was a meeting with Mr. Gibbons and he stated he was looking to have commercial in that area and not residential. She stated there were concerns with neighbors and the issues had been worked out. She stated Mr. Wack builds nice buildings and went to him to have him purchase the area for Commercial.

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

Mr. Caldwell stated the applicant would go back and look at an option for an inter-parcel connector.

Mrs. Kirby asked what the height of the building was.

Mr. Caldwell stated the building would be approximately 33 or 34 feet.

Mrs. Kirby made a motion to put this in committee for the December 19, 2007 work session. Mrs. Carlone seconded. The motion passed 7-0.

Mr. Cook stated RC2700545 and COM2700551 in committee until the December 19, 2007 work session.

4. CUP2700551; Conditional Use – Teen Challenge of Fredericksburg, Inc. - A request for a Conditional Use Permit to allow a use not listed within an A-1, Agricultural Zoning District, specifically a residential drug and alcohol recovery program, on Assessor's Parcel 36-4B consisting of 8.44 acres, located on the west side of Poplar Road approximately 400 feet north of Kellogg Mill Road within the Hartwood Election District. **(Time Limit: March 4, 2008)**

Mr. Zuraf presented to staff report. He stated this use would be for a Drug and Alcohol rehabilitation center and was not a use listed in the A-1, Agricultural. He stated currently the use was residential and the proposed use was unlisted. He stated the housing would be for adult males from 18 years to 25 years and would be for recovering addicts and would address discipline and life management issues. He stated there would be administrative offices, a public substance abuse program and phone ministry for families. He stated participants of the program would not be allowed as a result of court order or

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while on parole and sex offenders or violent offenders would not be eligible. He stated there would be no alarms or detectors on property and if residents were to leave the property they would be immediately dismissed. He stated there were two (2) dwellings on the property that set back 300 feet from Poplar Road. He stated the site conditions show open pasture and trees. He stated the site would accommodate up to sixteen (16) vehicles including three (3) teen challenge vehicles, seven (7) staff vehicles and up to six (6) additional vehicles. He stated participants would be allowed to have a vehicle and staff believes traffic would exceed traffic of a single-family residential use. He stated the adjacent properties were mainly single-family residences and nearest neighbor would be 450 feet to the south. He stated the property would be outside of the Urban Service Area and utilize private well and septic drain field system. He stated there were two (2) drain fields on the property, one drain field approved for a four (4) bedroom system and the other approved for a two (2) bedroom system. He stated the current system would not be adequate to service the full build out and staff requested written authorization from the health department verifying the maximum capacity of the systems on the property. He stated summarized all the recommended changes and staff recommended denial of the project

Mr. Pitzel asked if the access road continued pass the residences to serve property behind the proposed project.

Mr. Zuraf stated the access road run to the telecommunication tower.

Mrs. Kirby asked of the building would need to be updated to pass inspection.

Mr. Zuraf stated that might not be the case but staff provided a condition stating the applicant would need to meet county building code prior to occupancy. He stated there would need to be a dry hydrant provided with a pond and was not sure that condition was met.

Mrs. Di Peppe asked why there was not a Comprehensive Plan Amendment.

Mr. Zuraf stated that was not an issue discussed.

Mr. Di Peppe asked about having 20 people in 6 rooms including staff.

Mr. Zuraf stated the residents would be in the larger dwelling and the staff in the smaller dwelling with 3 people per room.

Mr. Di Peppe asked if the septic could handle it.

Mr. Zuraf stated it would not be able to handle the full capacity and requested the conditions of having that in writing.

Mr. Di Peppe asked how the use would be in harmony with the by right uses.

Mr. Zuraf stated it would be within the dwellings already existing on the property.

Mr. Pitzel asked if the road going back to Burnett Family Subdivision would not be serving residences.

Mr. Zuraf stated the access road goes back to the Telecommunication tower.

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Michael Coughlin, Walsh, Colucci, Lubeley, Emrich & Walsh, P.C., stated he was representing the applicants for Teen Challenge Fredericksburg. He stated this was a request for reasonable accommodations under the fair housing act in the form of a Conditional Use Permit. He stated this project qualifies because if the religious element proposed and Teen Challenge was an umbrella organization that oversees 160 Teen Challenge center throughout the United States. He stated there were three Teen Challenges currently in operation in Virginia and provided the mission statement for the Teen Challenge Center. He stated Reverend Zello would speak after himself. He stated Teen challenge would cater to resident 18 to 25 years old who struggle with drug and alcohol addiction. He stated there were 90 standards that must be met to become a Teen Challenge Center and the Fredericksburg Center had already been certified for operation by Teen Challenge and further approval would be governmental in nature. He stated this was not a twelve step program but a program that would provide a vigorous biblical studies curriculum. He stated there would be a maximum of 15 program participants and 5 staff member that reside on the property and 2 additional staff member working at the property. He stated there would be a phase in process of residents and the applicant was aware of the condition from the health department to meet code. He provided photos for the commission to see the property, roads, barn, dwellings and rooms for residents. He stated he would encourage the Commission and public to visit the property. He stated all participants must pass a drug and alcohol screening and not sex offenders or parolees would be permitted. He stated any sewer and water concerns would be properly addressed and there were state regulations that govern those items. He stated on September 27, 2007 there was an informal citizen meeting held were roughly 35 citizens attended and the notices were not received by all intended recipients. He stated other Teen Challenges had to face similar opposition. He stated the Teen Challenge participants would be supervised 24 hour a day and could be a positive for the community.

Reverend Mike Zello, Teen Challenge applicant, stated all the people who attended the meeting did so because they care about there properties and the community. He stated he was speaking for 22 million addicts in America and 90% of those people find no help. He stated he was born into a Teen Challenge Directors home and stated his parents started the first Teen Challenge in the metropolitan area. He stated loved changing lives and interned at Teen Challenge. He stated 5 years ago he moved to the Fredericksburg to start a Teen Challenge which began out of there home in Stafford County. He stated he met with the previous owner of the property and was inspired by there work. He stated the Teen Challenge was fully accredited and waiting for approval from the county.

Mr. Cook opened the public hearing.

Scott Smith stated he had grown up in the area he did not feel this would be the correct place to have this project. He stated this home should be a single family dwelling and not a multi use home. He stated a rescue request would be a nightmare with so many people living within one structure. He stated there would not be sufficient property security and the participant may lapse which could create problems. He stated all the directors of the Teen Challenges live everywhere but in the area where the Teen Challenge would be located.

Gary Smith stated he felt this would be a board and care facility and keeping it one person below the limit of sixteen according to the life safety code. He stated the facility would be required to have sprinklers and there were no water or sewer line in that area. He stated there was no transportation for the residents and there could be home invasions, robberies and property destruction in the area. He stated he was concerned about the neighborhood and say these participants deserve a place just not this place and would need to be a place with public water and sewer and transportation.

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Walter Zimmers stated the county the applicant stated there would be 31 people a day using that property and the impact on the well water would be tremendous. He stated there would be no financial interest in the community and was a registered business. He stated this would not be a Teen Challenges since all participants would be adults. He stated this would not comply with the A-1 zoning.

Fred Hinshan asked why a man would quite his job and come to Fredericksburg and stated this would be a money making operation.

Carleen Druiett stated she had lived in Stafford County since 1971 and stated there comfortable neighborhood was now in question. She stated the change of zoning would change the neighborhood and appealing to the Commission to reject the request from Teen Challenge. She stated none of the residents would be grown men not working and would have no work ethic. She stated the staff for Teen Challenge has no formal medical training and after looking at the Teen Challenge webpage the other Teen Challenges received food stamps which would be a drain on the community. He stated the director lived in Spotsylvania with his family.

John Druiett Jr. stated this project had been in the works for quit some time and in July there was an opportunity to meet business in Spotsylvania. He stated there was a Teen Challenge table promoting the project and requesting supplies as well as church and community support. He stated property values would go down in the area and propose moving down around Route 2.

Tom Harmon stated if the county modified a rule to allow the project there may be some associated liability if something goes wrong. He stated if there were residents under 18 who would take responsibility for adult supervision and there could be a legal exposure.

Dorothea Horne stated the crime rate and taxes would increase and the property value and safety would decrease. She stated there would be cramp conditions and a wooded area would contribute to crime in the county. She stated in that area of the county there was not immediate 911 supports and would not be the appropriate area of the county.

Patricia Feindt stated she was in support of the project and was in need of help in the 1990's for her 16 year old son. She stated the community needed to keep an open mind because there were people in the community that need help as well. She stated the modest home environment would be for people selected to go through the Teen Challenge program. She stated home would be a calm, peaceful environment with Christian mentors guiding them into a new beginning.

Stacy Bordick stated her family had been at there residence for seventeen (17) years and her mother received approximately 80 signatures on a petition opposing this project. She stated there were two (2) septic fields on the property built thirty (30) years ago which would operate for six (6) bedrooms. She stated there was 3 other Teen Challenges in Virginia and located in Commercial zoned areas on public well and septic. She stated the Teen Challenges website showed studies stated between 23% and 60% of the participants were under court ordered placement or on parole. She stated if the program received approval she asked that the candidates not be on parole or court ordered to be in the program. She stated the programs would not be successful and according to the Teen Challenge Website 1/3 of participants relapse.

Chett Reynolds stated he was opposed and shared the same concerns as the other residents. He stated he was concerned for his family and the risk of housing unstable men in the area. He stated he was a

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small business owner and applied last year to have a home business and received strict instruction not to have employees at the place of business and would except the same for Teen Challenge.

Jim Bordick stated having horses in that area they bring in money for the county. He stated the farmers would suffer if this business was in the area.

Darren Frost stated he was a 23 year Stafford resident and stated drugs and alcohol affected every person in the room at one point in there life.

Randy Clemons stated he was raised in Stafford County and stated after a knee injury he became addicted to pain killers, his family and church suggested getting help in a Teen Challenge Program. He stated it was a family atmosphere and went out of state to a program in Boston. He stated the people coming in the area would like to change there lives. He stated he was the program supervisors and if residents want to leave they would be provided a bus ticket to wherever they came from.

Theresa Mills stated she was employed by Positive Hits Radio Station and had several good experiences with various Teen Challenge Programs in Virginia and Maryland through the radio station. She stated she had witnessed men become positive influences in the communities they live in and because of the life tools they had learned through Teen Challenge. She stated she had on Mike and Cindy Zello to discuss the problems the nation faces with drug and alcohol addiction. She stated her Husband John Mills was a resident of the Greensboro Teen Challenge and had known the directors for several years. She stated she would encourage the Commission not to write people off for there mistakes and support them.

Grace Mills stated her dad was a Teen Challenge Program and had known the Zello family for many years. She stated her and her brother attended Fredericksburg Christian School and would be a wonderful experience to have near her school. She stated the Commission should give Teen Challenge a chance to have a better life.

Jacob Mills stated most of his life he had been around Teen Challenge and had never seen violent outburst from any residents. He stated he had always had good experiences and meet people who had made mistake and need direction.

Robert Burch stated he was opposed to the project and recommend denial of the project. He stated he believed this would be a wonderful program but staff recommended denial. He stated this program should be in a suburb or urban environment where transportation would be readily available and better suited to help the residents. He stated the character of the area would change and affected the surrounding area. He stated the farm area would not suit the Teen Challenge Program.

Steven Druiett stated his residence was adjacent to the Proposed Teen Challenge property. He stated he was concerned for his family and did not feel the applicant had been forthcoming. He stated and owned the easement through the property and did not feel this project was appropriate for the Hartwood Area.

Jacqueline Bordick stated most of concerns had been addressed and Teen Challenge had met none of the specific criteria require for the Conditional Use Permit. She stated this program would not be compatible with the homes long established in the area and stated the health department was not aware the use would be for a group home until November 2007. She stated there would be no way to prevent the area from being victimized by participants that do not complete the program.

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Matthew Stanton stated his wife was from Stafford and retired in Stafford. He stated he purchased his home and there was a farm next to his property. He stated the Fredericksburg site was already published and being promoted on the Teen Challenge website with donations being accepted and asked why approval was being requested. He stated 15 % of individuals nationwide had been mandated to the program.

Lisa Thomas submitted letters in support of Teen Challenge and stated 80% of people released from prison or jail were addicted to drugs and alcohol. She stated there needs to be an alternative and she was a recovering alcoholic and drug addict and the people in the program could not be productive member so of society unless there would be people to help them. She asked the Commission to consider more conversation.

Don Wilkerson stated he was the co-founder of Teen Challenge which started in 1958 and raised three children with participants of Teen Challenge without incident. He stated he understood the fears of the community and feels the fear was ungrounded. He stated the faith based program was not for everyone which was why there would be a screening process done by experienced people. He stated if the participants wanted to leave the program they would be allowed.

Thomas Simpson stated he lived in the area for 45 years. He stated this business would be better served in a place where a FRED bus was available.

Kenneth Bray stated he was in favor of the Teen Challenge Program and the community would benefit through what the program offers. He stated the residents come in to get clean and stay clean of drugs and alcohol. He stated the program teaches a work ethic with strong biblical reference.

Pastor Dale Donadio he had known the applicant for many years and stated the property was a gift and opportunity to have this property. He stated there were a number of Teen Challenge graduates in his church that work with the children and in the church with no issues.

John Druiett stated he had been a resident of the county for many years and has a lot of good neighbors. He stated he was in opposition to the project and does not want this program in the Hartwood area. He stated the help should come from qualified counselors.

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

Mrs. Carlone stated she had spoken with the previous owner who was told the home would be used as a weekend retreat for children. She stated she had done a lot of research and there would be a lot of baggage that would come along with the project and does not meet the requirement of the Conditional Use Permit. She stated this project would change the character of the community and the citizens had valid concerns. She stated she received a call from the school addressing there concerns. She asked at he meeting if the program would apply for a state license and the response was no.

Mrs. Carlone made a motion to deny this request as presented. Mrs. Kirby seconded. The motion to deny passed 7-0.

5. COM2700669; Comprehensive Plan Amendment – Stafford County Courthouse Redevelopment Area - A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcels 29-92A, 92B, 93A, 93C and 93D; 29A-1-1, 2, 4, 7, 8, 8A, 8B, 10A, 11, 12, 13 and 14; 30-53, 53E, 53F,

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53G, 54 and 54A; 38-73, 74A, 76, 76A, 76B, 76C, 76D, 76E, 76F, 76G, 76H, 76J, 77, 80, 80A, 81, 81A, 82, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 86L, 84, 84A, 85, 85A, 86A, 86B, 86C, 87, 92, 92A, 92B, 93, 93A, 94C, 95, and 96; 39-1, 2, 3, 4, 4A, 8, 9, 10, 16, 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16J, 16K, 16L, 56A, 56B, 56C, 56D, 56E, 57, 57A, 57B, 57C, 57D, 57E, 57F, 62, 62A, 63, 64, 64A, 66, 66A, 68A, 71 and 71A from Light Industrial and Heavy Industrial to Urban Commercial. The affected properties are all located in the general vicinity of the Stafford County Courthouse, in an area bound from the south by Accokeek Creek, to the north by Courthouse Road, to the west by interstate 95, and the east by Stafford Middle School. The proposed amendment would be for the purpose of courthouse area redevelopment and construction of future county courthouse projects. **(Time Limit: February 3, 2008)**

6. RC2700668; Reclassification – Stafford County Courthouse Redevelopment Area - A proposed Reclassification from R-1, Suburban Residential Zoning to B-2, Urban Commercial Zoning District on Assessor's Parcels 30-50 and 53 and M-1, Light Industrial Zoning to B-2, Urban Commercial Zoning District on Assessor's Parcels 29-93A, 93C, 93D, 30-56, 38-77, 80, 80A, 81, 81A, 82, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 83L, 86A, 86B, 86C, 92 (portion), 92A, 39-1 (portion), 4, 4A, 16, 16H, 16L and 56D and M-2, Heavy Industrial Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcels 29-92A, 92B, 29A-1-9A, 38-84, 85 and 85A and M-1, Light Industrial and B-1, Convenience Commercial to B-2, Urban Commercial Zoning District on Assessor's Parcels 38-95 and 96 and M-1, Light Industrial M-2, Heavy Industrial Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcel 38-83A with all properties within an area in close proximity of the Stafford County Courthouse, bound to the south by Accokeek Creek (property containing the creek), to the north by Courthouse Road, to the west by Interstate 95, and to the east by Stafford Middle School. These properties include industrial zoned properties on either side of Wyche Road and along Jefferson Davis Highway. The purpose of the proposed reclassification is to allow for the Courthouse area redevelopment and construction of future county Courthouse projects consisting of approximately 489 acres, located on the south side of Courthouse Road within the Aquia Election District. The Comprehensive Plan recommends the properties for Urban Commercial, Office, Light and Heavy Industrial and Resource Protection uses. The Urban Commercial designation would allow development of commercial retail and office uses. The Office designation would allow the development of professional offices and office parks. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Heavy Industrial designation would allow warehouses and the development of industrial parks. The Resource Protection designation would allow open space and conservation. See Section 28-35 of the Zoning Ordinance for a full listing of permitted used in the B-2 Zoning District. **(Time Limit: March 7, 2008)**

Mr. Cook stated item 4 and 5 could be presented together.

Kathy Baker presented the staff report. She stated this request was initiated by the Board of Supervisors and gave the location of the affected parcels. She stated the Courthouse Redevelopment vision plan was identified in the 2006 Economic Development Plan. She stated the vision included mixed use and pedestrian-friendly development in Courthouse area. She showed a location map of the affected area and showed the current land use plan as well as the proposed land use plan. She listed the current land uses and potential land use impacts. She stated the Comprehensive Plan amendment would not negatively impact properties but the rezoning could create non-conforming properties currently developed as industrial or residential. She stated there was no in-depth impact analysis completed on

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the roads that front or had access in the redevelopment area and the new interstate 95 interchange would impact the overall traffic network, traffic impact could increase with the rezoning and the full impacts would not be known until the design was completed. She discussed five (5) alternates for the overall layout of the area and the effects of the interchange. She stated the area would be served by public water and sewer and would be an increase in demand. She stated there would be no proffers associated with the rezoning because it was Board initiated and staff recommended approval of the project.

Mrs. Carlone stated she felt this was premature with the Comprehensive Plan still being revised and asked what the deadline was on the project.

Mr. Cook stated February 1, 2008 on the Comprehensive Plan Amendment and March 7, 2008 on the Rezoning.

Mr. Pitzel stated he was concerned with the companies that would be affected by the redevelopment area because it goes so far south of the interchange.

Mrs. Baker stated the redevelopment study was going around Accokeek Creek.

Mr. Pitzel stated the pictures provided did not go that far south.

Mrs. Baker stated the focus was on the properties zoned Heavy Industrial or Light Industrial.

Mr. Pitzel stated the area seemed to go farther south than the redevelopment area appears.

Mr. Harvey stated the vision document does not cover as broad an area as the redevelopment-designated area would be.

Mrs. Kirby asked what percentage of the project would be private homes.

Mrs. Baker stated there were three (3) residences affected by the rezoning.

Mrs. Kirby asked if the county had met with the residents of the affected properties.

Mrs. Baker stated no.

Mrs. Kirby asked why the county had not met with the affected residents.

Mrs. Baker stated the Public Hearing was the first opportunity to present the redevelopment to the public.

Mrs. Kirby stated, in her opinion, the county should have met with all affected residents to discuss the plans of the redevelopment.

Mr. Di Peppe asked if the county was required to notify all properties.

Mrs. Baker stated yes.

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Mr. Di Peppe asked if the three (3) residences were also notified and questioned the area going further south.

Mrs. Baker stated yes. She stated the study area for the entire redevelopment for the Courthouse area was to include the entire road network with possible future extension and to look at a larger area to take those ideas into consideration.

Mr. Harvey stated the Vision Document would not show the interchange and the affect on the area.

Mr. Cook opened the public hearing.

Hank Nehilla, Cardinal Concrete, stated he was surprised to hear about the project and had heard about it by word of mouth. He stated he objected to any land use changes to the area and sent a letter in opposition to John Foote at Walsh, Colucci, Lubeley, Emrich and Walsh. He stated he had been with Cardinal Concrete for 30 years and had never been in opposition of a county project. He stated the County would lose a ready mix concrete producer if this project was approved. He stated if the land use was changed to a non-conforming land use the owners may be prevented from rebuilding the plant if there was a catastrophic event. He stated the plans submitted to the county for expansion would halt if the project were approved. He stated this project should not be rushed into without considering the unintended consequences.

Barry Unger, Panel Systems, Inc. stated he had purchased a 4-½ acre lot at the Wyche Industrial Park. He stated the company had been trying to move to the county for a few years and most of the companies key people were Stafford residents. He stated he also had a site plan submitted with the county and he was shocked to hear about the redevelopment. He asked the Commission to take into account the applicants that having continuing projects with the county.

Kenny Rowe, Rowe Concrete, stated he represented a 35 year old family owned and operated ready mix concrete business and had been in Stafford County for over 20 years. He stated he owned two (2) parcels totaling 15 acres on Wyche Road and place the business there because that area was designated Industrial area in the county. He stated he was against the project and non-conforming would not be beneficial in the event he sold the property. He stated this project needed to be rethought and in present form would not acceptable.

Tim Green, Virginia Properties Inc., stated he was interested in parcel that would be located within the redevelopment area and agreed M-1, Light Industrial, would be the best use for the property because of the proximity to Interstate 95 and Route 1. He stated he had seen five (5) different visions for the road and stated there would not be enough road traffic to support B-2 and feels the county was going to far south.

Wendy Smith stated she was a resident on Wyche Road and her property was A-1, Agricultural and did not want her property to change and asked who she would need to speak with.

Mr. Cook stated her comments would be taken into consideration but would need to speak with staff during normal business hours.

Angela Maidment, Director of Real Estate at Estes Express, stated this company was based in Richmond and had been doing business in Stafford for almost 20 years. She stated there were several concerns regarding the Comprehensive Plan Amendment and the Board of Supervisors charged the

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Planning Commission to do a thorough analysis on the project. She stated Mrs. Baker was requesting additional analysis and studies and there should be additional time to complete those studies. She stated the rezoning was not the change needed and made a recommendation to remove the area from rezoning at this time. She stated she was opposed to the reclassification.

Lavette Bumbrey stated she had received a letter regarding parcel 39-57A-F and stated those parcels were not light industrial but agricultural. She stated there were five (5) properties and four (4) homes on these properties and asked for more analysis and for staff to meet with residents. She stated, in her opinion, the residents were being pushed out of the area.

Ron Burton, Lane Construction, stated the main concern would be if the area became Commercial and asked how it would affect his business in the future and stated he would like to stay in Stafford County.

Margaret Gibson, Pastor, stated her concerns were regarding the Cemetery behind her church that had several family plots and in order to rezone that area the cemetery would have to be moved. She stated the building was over 100 years old and would hate to have to building removed because of the history and religious standing of the building. She stated she had been at the church for seven (7) years and there had been many modifications to the church and the reclassification would be a terrible idea. She stated she was opposed to the rezoning of the area.

Barry Bedford, Attorney for Unger LLC, stated the owner bought the property with thought the property would stay Industrial. He stated the property would be hard to sell if the property was zoned Commercial and would deprive the owner of all viable use of the property which may result in litigation. He stated this process had come up very suddenly with no studies properly completed of the property.

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

Mr. Mitchell made a motion to put item 5 in Committee for further study. Mrs. Carlone seconded. The motion passed 7-0.

Mr. Mitchell made a motion to put item 6 in Committee for further study. Mrs. Carlone seconded. The motion passed 7-0.

UNFINISHED BUSINESS

7. SUB2600625; Williams Subdivision, Preliminary Subdivision Plan - A preliminary subdivision plan for 13 single family residential lots, zoned A-2, Rural Residential, consisting of 14.55 acres located on the north side of Enon Road approximately 1,500 feet west of Wyatt Lane on Assessor's Parcels 45-125 and 45-125B within the Hartwood Election District. **(Time Limit: February 28, 2007) (Deferred to January 9, 2008 Regular Meeting at the applicant's request)**

Mr. Cook stated item 6 has been deferred.

8. 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

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Washington Election District. **(Time Limit: January 15, 2008) (Deferred to December 5, 2007 Regular Meeting)**

Brian Johnson, Vanasse Hangen Brustlin, Inc., stated he brought the revised renderings and photometric plans.

Mr. Pitzel stated there were four items the Commission wanted to look at light poles at 20 feet, light over vending machines, candle power level on lights and that the light show up on renderings and elevations.

Mr. Johnson stated he provided three renderings at different angles. He stated for the lighting the applicant went with three light poles instead of four and stated he provided three photometric designs and would recommend the first design LT1. He stated the design shows three light poles and the signature area of where the light would be. He stated there was a picture included of the existing light poles and photos of the existing property.

Mr. Pitzel asked if that would provide the lumens of the light output.

Mr. Johnson stated yes.

Mrs. Kirby asked Mr. Harvey if this would meet CPTED principles for the candlepower.

Mr. Harvey stated he was not certain and had not had an opportunity to send to Deputy Hamilton.

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

NEW BUSINESS:

None

MINUTES:

September 19, 2007 Work Session

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

September 19, 2007 Regular Meeting

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

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the January schedule was adjusted due to a conflict with the Board of Supervisors meeting and the Commission would be meeting on the second and fourth Wednesday of the month. He asked the Commission if notices should be sent out for the Courthouse Redevelopment Work Session on January 23, 2008.

Mr. Cook stated the notices would need to be sent out.

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Mr. Harvey stated the Board passed the Conditional Use Permit for Living Hope Lutheran Church with a condition stating if the construction on site affected the wells for the homes on Harris Lane the church would make provisions to help remedy the situation. He stated the Board also approved the stream crossing for Riverside Business Center and deferred action on the Hulls Chapel stream crossing. He stated the applicant withdrew the applications for Stafford Towne Station and Fairfield Inn.

COUNTY ATTORNEY'S REPORT

No report

SECRETARY/TREASURER REPORT

No report

STANDING COMMITTEE REPORTS

Mr. Pitzel stated there was a Comprehensive Plan meeting earlier that night and discussed build-outs, infrastructure and the Park and Recreation facility of the Comprehensive Plan.

CONSENT AGENDA

No report

SPECIAL COMMITTEE REPORTS

No report

CHAIRMAN'S REPORT

No report

ADJOURNMENT

Mr. Di Peppe made a motion for adjournment. Mr. Rhodes seconded. The meeting was adjourned at 11:15pm.