

STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
December 19, 2007

The work session of the Stafford County Planning Commission of Wednesday, December 19, 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, Stepowany, Hess, Hamock

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. 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) (Deferred to December 19, 2007 Work Session)**

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 B-2 Zoning District. **(Time Limit: March 4, 2008) (Deferred to December 19, 2007 Work Session)**

Mr. Hess gave a summary of the application to date. He stated some issues that were discussed the Public Hearing on December 5, 2007 had been addressed. He stated he spoke with the historic preservation planner and she recommended that there be no phase one archeological. He stated the issue of the inter-parcel connector was addressed. He stated staff had received a Traffic Impact Analysis (TIA) and issues regarding transportation would be addressed at site plan. He stated VDOT was encouraging the applicant to have a taxing district and provide a Fredericksburg Regional Transit (FRED) bus stop located at the site. He stated he would answer any questions.

Planning Commission Minutes

Work Session

December 19, 2007

Mr. Di Peppe stated the phase one would find out if there was any other historic resources at the site besides the home already located there.

Mr. Hess stated he had a meeting with Ms. Wheatcraft and she stated there was nothing that needed to be done.

Mrs. Kirby mentioned the request for VDOT to have the applicant set up a taxing district.

Darrell Caldwell, representative for the applicant, stated he no knowledge regarding taxing districts. He stated many of the properties had already been sold and the new businesses could have a taxing district but the building that was already built would have been sold to an investor.

Mr. Judy stated the Planning Commission should not take on the issue of tax districts. He stated the issue was for parcels of land that need to be rezoned. He stated he was concerned that VDOT would tell the county when to use tax districts.

Mr. Harvey stated the Planning Commission may not be aware that the Board approved a transportation service district earlier in the year for the Garrisonville area. He stated the Board would create a tax district to tax commercial properties to help pay for the widening of Garrisonville Road. He stated properties once rezoned would have to be brought back to the Commission to be brought into the taxing district.

Mrs. Kirby stated her concern with the widening of Garrisonville Road was it needed to be done 9 years ago. She asked how far the taxing district goes out now from Onville Road to Mine Road.

Mr. Harvey stated that was the current limits of the project. He stated the properties paying into the project go further west.

Mr. Judy stated he agreed with planning for the future but questioned who would pay for it.

Mr. Kirby stated this could have been taken care of 7 years ago. She asked Mr. Caldwell about a site design to accommodate FRED.

Mr. Caldwell stated he was not aware FRED extended that far. He stated he did not know where the best location would be but it would be a great idea. He stated there may need to be a more central location further away from the buildings. He asked if the applicant would agree to the bus stop, would the Commission care where the stop would be located.

Mrs. Kirby stated she would like it near Garrisonville Road.

Mr. Caldwell stated the best area may be an area already there. He gave a description of how the bus stop would look.

Mrs. Carlone asked if this could be added to the proffers.

Mr. Caldwell stated that should not be a problem because there was a nice area already available and will discuss this option with the applicant.

***Planning Commission Minutes
Work Session
December 19, 2007***

Mrs. Kirby stated staff mentioned the development would be required to join the Homeowners Association (HOA) but the Commission cannot make it mandatory to join.

Mr. Caldwell stated the project was not cheap and there would be a lot of maintenance required on the private road.

Mrs. Kirby stated the commission cannot force the owner to join an HOA. She stated an inter-parcel connection would be required.

Mr. Caldwell stated there would be a cost associated with the inter-parcel connector.

Mr. Cook stated the cost would come from the applicant on one side the adjoining property it connects to.

Mr. Caldwell stated by making the owner a member of the HOA any damaged that may happen would be covered by the association.

Mrs. Kirby stated she cannot support this project without the inter-parcel connector.

Mr. Caldwell asked how many properties would have access to the connector and stated it would be overwhelming.

Mr. Cooks stated the ordinance required the inter-parcel connector and cannot make the owner join the HOA. He stated the inter-parcel connector would be made or would have to be denied.

Mr. Caldwell stated there would be no need for the proffer anyway.

Mr. Harvey stated this property was not located in a Highway Corridor Overlay District (HCOD). He stated a proffer would be appropriate.

Mrs. Carlone stated all the businesses in that area would benefit from an inter-parcel connector and should not be an issue.

Mr. Judy stated it would be appropriate to have the inter-parcel connector and the HOA membership would not be legally enforceable. He stated proffers can only be place upon the property owner applying for the Conditional Use Permit.

Mr. Harvey suggested the proffer be modified to state the owner of this property would construct the inter-parcel connector to the property line and when the adjacent owner comes into connect they would need to work out the issue of easement agreements.

Mr. Caldwell stated there should be no problem with that. He stated this may not be the most appropriate place and the proffer would need to be revised.

Mrs. Carlone asked that everything after proffer 9 be removed.

Mr. Harvey suggested taking out the language and stated the applicant would construct to the property line as shown on the GDP.

***Planning Commission Minutes
Work Session
December 19, 2007***

Mr. Rhodes asked if there was a Right of Way (ROW) when Garrisonville would be widened.

Mr. Harvey stated with the previous rezoning and site plan there was ROW dedication. He stated there would already be three lanes in the front of the property.

Mr. Caldwell stated there were 4 lanes.

Mr. Rhodes stated in the long term there should be 3 through lanes and this does not address the issue of additional ROW.

Mr. Harvey stated the transportation plan has 4 lanes out to Joshua Road.

Mrs. Kirby made a motion to keep item 1 & 2 in committee. Mrs. Carlone seconded. The motion passed 7-0.

Mr. Harvey asked which date this should be sent to.

Mr. Cook stated this could go to the January 23, 2008 Work Session.

Mr. Caldwell asked other than the inter-parcel connector were all conditions agreed to.

Mr. Rhodes stated ROW needed to be addressed as well.

Mrs. Kirby asked Mr. Caldwell review the comments from VDOT and address any issues. She mentioned the FRED bus stop.

Mrs. Carlone stated a space would be added to accommodate the FRED bus stop.

Mr. Di Peppe asked Mr. Caldwell to review the Traffic Impact Analysis (TIA).

ORDINANCE COMMITTEE

1. Reverse Frontage

James Stepowany presented the staff report. He stated this Ordinance was coming back to the Commission with modification after concerns were raised by Mrs. Carlone. He stated the first and second paragraph were similar to the Ordinance presented in 2005 and stayed on unfinished business for the entire year of 2005. He discussed the changes to the Ordinance in detail and the roads that would be affected. He stated shared driveways would be the option if reverse frontage was not allowed. He stated the second paragraph was in the landscape manual and would not need to be included in the ordinance. He asked for clarification regarding primary or secondary roads.

Mr. Harvey stated the subdivision ordinance did not classify street as listed in the code currently and the zoning specifies street, collector streets, or arterial streets. He stated there was no primary street in the zoning ordinance. He stated VDOT classification was local, secondary, arterial, primary and interstate.

***Planning Commission Minutes
Work Session
December 19, 2007***

A discussion ensued between staff and the Commission regarding the detailed changes of the ordinance before sending to public hearing.

Mrs. Kirby made a motion to send to public hearing. Mrs. Carlone seconded. The motion passed 7-0.

2. Nonconformities – 2 year discontinued

James Stepowany stated this Ordinance got lost in the shuffle and the original ordinance O05-24 that went to the Commission and received approval. He stated the Ordinance went to the Board and dealt with public concerns regarding residential homes that were non-conforming and would not be able to expand the residential home. He stated the Board directed the Commission to create another ordinance dealing with residential homes and non-conformity of residential homes. He discussed the proposed ordinance in detail.

Mrs. Carlone stated this was a great ordinance.

Mr. Di Peppe asked if Mr. Stepowany suggestion would be to retain the ordinance in committee and discuss with Mr. Judy.

Mr. Stepowany stated his recommendation would be to send it forward to public hearing.

Mrs. Kirby made a motion to move to public hearing. Mrs. Carlone seconded. The motion passed 7-0.

3. Ordinance O08-02

Mr. Stepowany stated the request to the Heritage Protection Ordinance to Ordinance Committee on January 23, 2008. He stated this item was submitted to the Commission by resolution at the December 18, 2007 Board of Supervisors Meeting. He stated the Planning Commission had 60 days to respond.

Mr. Cook made a motion to send this to the January 23, 2008 Ordinance Committee. Mrs. Kirby seconded. The motion passed 7-0.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 6:40 PM.

STAFFORD COUNTY PLANNING COMMISSION MINUTES
December 19, 2007

The regular meeting of the Stafford County Planning Commission of Wednesday, December 19, 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, Hornung, Schulte, Stepowany, Hess and Hamock

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

None

PUBLIC HEARINGS:

1. COM2700707; Comprehensive Plan Amendment - Stafford Nursing Home and Retirement Community – A proposed amendment to the Land Use Plan map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel's 44-119M and 44-106C (portion) and 44-107 (portion) consisting of 22.69 acres Light Industrial and Resource Protection Land Use to Urban Residential and Resource Protection Land Use, located on the east side of Berea Church Road between Stafford Industrial Park and England Run within the Falmouth Election District. The proposed amendment would be for the purpose of developing a Life Care/Retirement Community (LC). **(Time Limit: February 16, 2008)**

2. RC2700639; Reclassification - Stafford Nursing Home and Retirement Community - A proposed reclassification from M-1, Light Industrial Zoning District and A-1, Agricultural Zoning Districts to LC, Life Care/Retirement Community Zoning District to allow for the development of a retirement community that includes a nursing home, independent living units and assisted living facility on Assessor's Parcels 44-119M and 44-106C (portion) and 44-107 (portion) consisting of 22.69 acres, located on the east side of Berea Church Road between Stafford Industrial Park and England Run within the Falmouth Election District. The Comprehensive Plan recommends the property for Light Industrial and Resource Protection uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Life Care/Retirement Community designation would allow a continuous care retirement community. See section 28-35 of the Zoning Ordinance for a full listing of permitted used in the LC Community Zoning District. **(Time Limit: March 17, 2008)**

James Stepowany presented the staff report. He discussed the existing zoning and showed an aerial photograph showing the proposed location. He stated what the current land use was and described the proposed land use. He stated the site was undeveloped and described the locations to the north, south, east and west. He the recommended uses for Light Industrial and Urban Residential. He stated the

***Planning Commission Minutes
December 19, 2007***

rezoning proposal for this project was for 240 beds, 76 assisted living units and 120 nursing home beds. He stated the full development potential would be for 340 dwelling units at 15 units per acre. He stated this area was located within the Urban Service Area. He stated the southern portion of the site may not be compatible with adjacent industrial use but met the intent of the Draft Comprehensive Plan. He discussed the Transportation Plan in detail and stated staff was concerned with the potential traffic impact to Berea Church Road. He discussed the impact to utilities, parks, schools and cultural resources. He stated a Phase 1 Archeological was conducted and the site was not eligible for the National Register nor does it require further studies. He stated staff did not fully support the request and recommended denial of item 1. He discussed item 2 and showed the Generalized Development Plan and proposed elevations. He discussed the traffic impacts and discussed the proffers in details. He stated staff recommended denial of item 2. He stated he would answer any questions.

Mrs. Carlone stated she spoke with Paul Balderson from VDOT who provided a 2006 traffic count which showed a variance on Truslow Road, Berea Church Road and Route 17. She stated she would like to have those checked out.

Mr. Stepowany stated staff recommendation was provided because of the information received from Clyde Hamrick and Adam Campbell with VDOT.

Mrs. Carlone stated the date provided for the traffic count was 2005 and received 2006 figures from VDOT.

Mr. Pitzel asked if the proposed impact to Berea Church Road was less than the proposed industrial use.

Mr. Stepowany stated the transportation study showed the Life Care Retirement Community generates less traffic than if the property was industrial. He stated staff's concern was the intersection of Berea Church Road, Fleet Road and Warrenton Road.

Mrs. Kirby stated there would be a \$100,000 proffer to Parks and Recreation that would in four (4) equal payments of \$25,000 for four (4) years and asked for an explanation.

Mr. Stepowany stated staff asked the applicant to consider a line item of \$419 per unit versus the increment payments to Parks and Recreation which was a recommendation.

Mrs. Kirby asked why the amount was \$100,000 and stated the assisted living residents would not be playing tennis.

Mr. Stepowany stated that may be the case of the independent living units.

Mrs. Kirby stated most of the residents may be reading books and stated the library gets a lot less.

Mr. Stepowany deferred to the applicant.

Mr. Di Peppe asked for differences of the county proffers and stated one of the negatives listed in the staff report was the applicant was not meeting the county proffer guidelines.

Mr. Stepowany stated the county has three (3) criteria for proffers which would be single family homes, detached, townhouses, multi-family and age restricted. He stated the project was age restricted

***Planning Commission Minutes
December 19, 2007***

would be 62 and over versus 55 and over, which could have less potential for use of parks, school impact and other county services.

Mr. Di Peppe asked what was along the southern boundary.

Mr. Stepowany stated currently there was an office/ flex building.

Mr. Di Peppe discussed concerns regarding the nursing home on the southern portion of the property with potential noise. He asked the applicant the width of the tree buffer.

Bruce Hedrick, Smith Packett, stated also with him was Charlie Payne, John Riley, Lee Churwick and Mark King to speak on behalf of the applicant. He stated Stafford County does not have a full continuum retirement community to offer the residents of Stafford County. He stated Smith Packett had completed over 150 Life Care projects and provided a proven track record to provide all levels of care. He stated locally there had been 2 projects completed with Prince William Health System. He stated a full continuum living provided assisted living, nursing, independent living and allows Smith Packett to maximize independent residents by providing different levels of care needed. He stated the assisted living would be assisted with daily living and skilled nursing would be for the chronically ill. He stated the campus would provide transportation for residents as needed and the average age of residents would be 80 to 82. He stated most residents would be indigent and identified a need for a nursing home. He stated currently there were 123 Stafford residents that resided outside of the county and wanted to provide options for residents within the county to live and age in place. He stated the site would be serviced by public utilities. He stated on site there would be walking trails and activities for the residents to promote connectivity. He stated there would be space provided for social and recreational events as well as worship services. He stated there would be transportation provided for the residents and this would be a need driven request. He stated there was a strong need and support for a retirement community with 330 beds. He stated there would be perimeter fencing around the site, no use for outside facilities and 24 hour staffing. He stated according to Economic Development the value of the project would be \$3.8 million. He stated he had a total of 130 letters with signatures on a petition showing support for the project read a letter from Pastor Michael Reed who was in support of the project. He stated the applicant would provide voluntary money to Parks and Recreation and there were profits provided for improvements to Berea Church Road.

John Riley, Kimley, Horne and Associates, stated there was a traffic study overview and traffic would be less because most residents would not drive. He stated this use would be considerably less and there would be a schedule and transit service provided because of the residents on site. He stated the peak hour traffic would be around the time of staff shift changes and would not overlap with commuter peaks. He stated the site would access Berea Church Road and there would be road improvements to Berea Church Road which would include a two lane upgrade. He stated there were 5 main points to VDOT review Comments that had been addressed. He stated VDOT expressed interest for inter connection with the Office and Industrial Park which has been addressed with emergency only gated access. He stated there would be a dedication from the center line of the road 50 feet and the development across would dedicate the same amount. He stated VDOT had concerns about Bicycle and Pedestrian accommodations which had also been proffered. He stated there would be a Fredericksburg Regional Transit stop proffered. He stated since there were concerns with Berea Church Road there was an additional study completed along with the Traffic Impact Analysis (TIA) and looked specifically at Levels of Service and delays, under existing conditions in March with updated counts measured 1600 vehicles on per day on Berea Church Road would be a Level of Service

***Planning Commission Minutes
December 19, 2007***

A per the Highway Capacity Criteria and at build out there would continue to be a Level of Service A on Berea Church Road. He stated with the improvements to the road there would fewer delays on Berea Church Road. He stated there would be a 1.3 million proffer dedicated to the county for the improvements to Berea Church Road. He stated the overall improvements and analysis with the Transportation recommendations have an emphasis for safety and mobility for all users of Berea Church Road and at VDOT request there were improvements included for the Bicycle and Pedestrian paths which would be wider than normal.

Mr. Hedrick stated additional proffers were a result of meetings with staff and a public meeting with the community with no independent living south of the Resource Protection Area (RPA) designated on the site, outside recreational areas, perimeter security fencing around the property, transportation proffers dedicated to improvements on Berea Church Road. He stated Smith Packett believes this project would be a step in the right direction to take care of the counties growing elderly needs.

Mrs. Carlone stated she appreciated the additions of the amenities for the residents and recommended the addition of a pool. She stated the location next to Industrial was inappropriate and asked for clarification regarding the connection to Brandywine Court being an Emergency road only.

Mr. Hedrick stated that was correct. He stated in a conversation with Emergency Medical Services (EMS) in the likely event the primary access would be blocked there would be a secondary access available if needed which would be a locked gate with a Knox Lock and access would be available to EMS personal with the use of a universal key system.

Mrs. Carlone stated the Commissioners recognized there was a deficit in assisted living and nursing home capacity. She asked if 60% of the capacity units would be between the condos and apartments and asked for the ratio.

Mr. Hedrick stated that was correct. He stated the residents that reside at the independent level of care have a reason why they have moved there and each unit has a pull cord system in certain places in the living area.

Mrs. Carlone asked if there would be elevators in the four story units even with no use during the time of a fire.

Mr. Hedrick stated yes each multi-story building would have elevators.

Mrs. Carlone stated 62 years old and up still drive vehicles and asked if the 1 car per unit in the independent care was correct.

Mr. Hedrick stated yes and was based on studies of parking ratios and would be in compliance with the Life Care Ordinance Zoning District.

Mr. Pitzel referenced the calculation of the cash proffer general government, libraries, fire and rescue and transportation which comes to about \$7,000 and asked what had been left out. He stated schools were left out.

Mr. Hedrick stated schools and parks and recreation were the only two omitted and stated there was a voluntary contribution to Parks and Recreation.

***Planning Commission Minutes
December 19, 2007***

Mrs. Kirby asked for clarification of Complimentary to Stafford County as stated in the design.

Mr. Hedrick stated Smith Packett has built in other parts of the country and works to match the surrounding community.

Mrs. Kirby asked how many rooms would be in each building.

Mr. Hedrick confirmed whether that was just resident rooms or rooms with common areas.

Mrs. Kirby stated she wanted all rooms.

Mr. Hedrick stated there were 144 resident apartments in the independent living with approximately 20 additional rooms used as common area spaces, in the assisted living there would be 76 resident units with and additional 10 common area spaces, in skilled nursing there would be 65 units for residents with some units being semi-private with two people in one room with another 15 common area rooms, in the condominiums there would be 32 units with two or three common areas.

Mrs. Kirby asked what happened to Brook Nursing Home.

Mr. Hedrick stated Smith Packett currently owns that property.

Mrs. Kirby stated the applicant mentioned being in general conformance with the Generalized Development Plan (GDP) and stated she was not thrilled with the word general. She stated the applicant would either be in conformance or not and asked if word "general" could be taken out.

Mr. Hedrick agreed.

Mrs. Kirby stated she was concerned with the connection of the lock gate because if there were to be an accident at the primary entrance of the property there would be no way to exit the property. She stated an inter-parcel connector was needed so that people can get out if needed.

Mr. Hedrick stated there were three different lanes coming out the property entrance.

Mrs. Kirby stated there has been an instance where that had been the case and would prefer an inter-parcel connector and not a locked gate. She asked what the average rent would be for the units.

Mr. Hedrick stated the independent living the average rate would be between \$1,895 and \$2,895 per month, in the assisted living the average rated would be between \$3,000 and \$4,000 per month, in the skilled nursing the average rate would be between \$4,500 and \$5,000 per month and the condominiums would price between \$235,000 and \$300,000 per unit.

Mrs. Kirby asked if the applicant could offer to proffer that the building not be used as apartments if the project did not succeed.

Mr. Hedrick stated the applicant had proffered that it be age restricted and in compliance with the Life Care designation which prohibits residents less then 62 years of age.

Mr. Judy stated the zoning classification would not allow that.

***Planning Commission Minutes
December 19, 2007***

Mrs. Kirby asked if the applicant would also manage the property.

Mr. Hedrick stated yes, Smith Packett operates some properties and others were operated by operating partners.

Mrs. Kirby asked who would manage this property.

Mr. Hedrick stated the skilled nursing would be managed by Commonwealth Care for skilled nursing and the other buildings would be managed by Smith Packett.

Mrs. Kirby asked for an explanation of why Parks and Recreation received \$100,000 and the library received nearly nothing.

Mr. Hedrick stated the applicant complied with the proffer guidelines for libraries and felt a voluntary contribution to the Parks and Recreation made sense.

Mrs. Kirby asked why not offer more for libraries.

Mr. Hedrick stated he wanted to comply with the guidelines for libraries.

Mrs. Kirby stated the library would be something a lot of senior citizens use and assume there would have been a better contribution for the library.

Mrs. Kirby asked if there would be sidewalks.

Mr. Hedrick stated yes.

Mrs. Kirby stated the line of site was not the best on Berea Church Road and was in bad conditions and would like to see more improvements.

Mr. Di Peppe asked if the type of fence that would help with the noise from the Light Industrial Zoned Property.

Mr. Hedrick stated a privacy fence had been included along the southern border.

Mr. Di Peppe stated staff was concerned that the Light Industrial property could impact the applicant's property with infirmed residents and asked if there would be some way to increase the sound proofing.

Mr. Hedrick stated difference between a residential home at 50% insulation and 57% would be a significant difference. He stated he could look at other ways to better insulate the building and possibly increase wall thickness.

Mr. Di Peppe stated if there could be an explanation of the difference would be helpful. He stated the total \$1.7 million in the proffer and the \$1.3 million in transportation was not offsetting and asked if the \$1.3 million would come out of the \$1.7 million.

Mr. Hedrick stated the total was \$1.7 million.

***Planning Commission Minutes
December 19, 2007***

Mr. Di Peppe confirmed that \$1.3 million would be transportation and would be offsetting.

Mr. Hedrick stated he had met the proffer guidelines for the County and gave a breakdown of the money and where it would be provided.

Mr. Mitchell asked about specific time to start the \$100,000 to Parks and Recreation and stated in the proffers.

Mr. Hedrick stated there would be \$25,000 at the time the first building was built and on each anniversary after that an additional \$25,000 to be paid out.

Mr. Mitchell asked that “per year for four consecutive years” be added.

Mr. Hedrick agreed.

Mr. Mitchell asked the hours of the trash pick-up and requested that there be no loud noise before 7 AM and no later then 6 PM.

Mr. Cook opened the public hearing.

Shawn Lawrence stated he was in support of the development and the residents in the county 60 years old or older would be increasing substantially over the next 25 years. He stated in 2030 there would be 1.3 older Virginians then in the year 2000 according to census statistics. He stated the 2005 report from the Joint Legislative Audit Review committee in 2030 roughly 1 in 4 Virginians would be over 60 years of age. He stated the Virginia Employment Commission stated Stafford County has the highest increase of person 60 and older. He stated residents in the county would like to age in place and rising housing costs would affect senior from living independently. He stated the project would provide independent living, assisted living, and skilled nursing care on a friendly campus and would make aging in place and easy transition.

Mr. Cook thanked Mr. Lawrence for the House Document 10 that was provided to the Commission.

Mike Chairwick stated he had lived in Fredericksburg since 1978 with his wife. He stated he was in favor of the concept and location of the project. He stated he was a cardiologist and stated the county was in desperate need of this type of project that could benefit his patients. He stated this was the right thing to do and location of the project would be critical. He stated the location would very close to the hospital, radiation center and specializing medicine. He stated there would be a lost to follow-up if the project was to far away and may not be able to keep appointment. He stated if the project was in a remote area the seniors would do without and would like to see the project right where the current location was.

Wayland Marks stated he practiced primarily with patients over 80 years and wanted to emphasis the needs of the seniors. He stated seniors residing in facilities frequently have disabilities and this type of housing goes a long way to meet the needs of the residents. He stated Stafford County had lost Brook nursing home and Potomac Point, the residents are special people the hopes the county looks to meet the needs and look favorably on this project.

***Planning Commission Minutes
December 19, 2007***

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

Mr. Hedrick asked for a show of hands from the audience of people in support of the project.

Mr. Cook stated the petition was received showing the people very much in favor of the project.

Mrs. Kirby asked how the petition garnered.

Mr. Hedrick stated they had speaking with numerous churches, senior center and anyone who would listen to the needs we have in Stafford County. He stated the residents who would like to express there opinion would do that in the form of letters and petitions.

Mrs. Kirby asked if the petition was sent out.

Mr. Hedrick stated yes.

Mr. Cook stated staff mentioned the rezoning of the parcels to Urban Residential to Lice Care Community and asked if there could be a proffer stating this could only be use for a Life Care Community.

Mr. Harvey stated by rezoning to this district the applicant would be limited to specific uses.

Mr. Pitzel asked how to handle if a people signed a lease and became infirmed enough to move into one of the intensive care beds.

Mr. Hedrick stated the transition would be seamless from one level of care to the next and the residents would not be bound the lease due to a change in medical needs. He stated as the residents needs changed they would be moved appropriately.

Mrs. Carlone asked what happens if there were a couple and one partner has to go to a different level of service due to medical needs, would they be responsible to pay two separate fees.

Mr. Hedrick stated there would be a second person fee to cover meals, housekeeping and other services. He stated the residents pay for the services they receive.

Mr. Di Peppe stated he would not recommend denial because he was an advocate of this type of development and noted some issued staff has that need to be resolved.

Mr. Di Peppe made a motion to put COM2700707 in committee and sit down with staff and applicant to work through some of the issues. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Di Peppe stated the Work Session on January 23, 2008 would be a good day and time to re-address.

Mr. Di Peppe made a motion to put RC2700639 in committee. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Cook stated this would come up at the work session on January 23, 2008 at 5:30 p.m.

***Planning Commission Minutes
December 19, 2007***

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

<u>Location</u>	<u>Current Road Name</u>	<u>New Road Name</u>
From the intersection of Morton Road and unnamed road, 950 feet east, to CSX railroad bridge	Unnamed Road	Primmer House Road

Jaime Stepowany presented the staff report. He stated this was a request to name an unnamed portion of the road from Morton Road over the CSX Railroad to Primmer House Road. He stated this road must be named before the CSX Railroad bridge could be opened to traffic and provided a location map for the commissioners to review. He stated staff recommended approval and would be happy to answer any questions.

Mrs. Kirby asked if this would help to open to open Primmer House Road any sooner.

Mr. Harvey stated no.

Mr. Cook the public hearing.

With no one coming forward Mr. Cook closed the Public hearing.

Mr. Di Peppe made a motion to approve the amendment to the Street Addressing Ordinance. Mr. Mitchell seconded. The motion passed 7-0.

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.

5. 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) (Deferred to December 19, 2007 Work Session)**

Mr. Cook stated this item was deferred.

6. RC2700545; Reclassification – North Stafford Center for Business and Technology – A proposed reclassification from A-1, Agricultural Zoning District and B-3, Office Zoning

***Planning Commission Minutes
December 19, 2007***

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 B-2 Zoning District. **(Time Limit: March 4, 2008) (Deferred to December 19, 2007 Work Session)**

Mr. Cook stated this item was deferred.

7. 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, 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) (Deferred to January 23, 2008 Work Session)**

Mr. Cook stated this item was deferred.

8. 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

***Planning Commission Minutes
December 19, 2007***

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) (Deferred to January 23, 2008 Work Session)**

Mr. Cook stated this item was deferred.

Mrs. Carlone stated it was a pleasure working with Mrs. Kirby, Mr. Pitzel and Mr. Cook and stated she would miss the outgoing commissioners.

NEW BUSINESS:

None

MINUTES

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the Board overturned the Planning Commission decision on Smith lake Point to extend public sewer outside of the Urban Service Area. He stated the Board approved a flood zone encroachment for the Stafford shire project and added an additional condition referencing the Storm Water Management and a second condition dealing with erosion control due to the concerns of proximity to Able Lake. He stated the Board granted a number of exceptions to the Mandatory sewer and water connection requirements and on the agenda for the next meeting would include McCarty Forest. He stated there was on exception denied which was the Williams Subdivision and the staff would contact the attorney to determine whether the item should stay on the agenda or be disposed. He stated the Board referred a zoning text amendment to the Commission dealing with Stone and Mulch Sales as a by right use in A-1, Agricultural, and also referred the zoning text amendment discussed in the work session ordinance committee. He stated the Board denied the R-Income application and approved the Aquia Auto Mall Conditional Use Permit. He stated the Board deferred the Towne Center at Aquia for further discussion. He stated they approved ordinances dealing with the width of a Private Access Easement, Industrial and Vocational Schools and recommended changed for the TND Ordinance. He stated they referred back to the Commission the ordinance dealing with the number of PAE's that could be had on a minor subdivision and the impact that would have on minor subdivisions. He stated it was a pleasure to serve with the three (3) outgoing Commissioners and stated Mrs. Kirby was the Q &A Commission because of the work with the Architectural Review Board, Technical Review Committee and a long standing advocate for the counties history. He stated Mr. Cook was Law and Order Commissioner, being chairman for the last three (3) years with several controversial issues and the whole time being very judicious in how the meeting have run and still able to get out on time and a strong advocate for Crime Prevention through Environmental Design (CPTED). He stated Mr. Pitzel was the Future and Technologies Commissioner, he had been on the Parks and Recreation Commission and the Commission representative, track rural subdivision approved within the county and loss of land with impact for the county, he was the resident telecommunications expert, helped with reviews of cell phone towers and had been a leader in the Comprehensive Plan process.

***Planning Commission Minutes
December 19, 2007***

COUNTY ATTORNEY'S REPORT

Mr. Judy stated on behalf of Mr. Howard and the County Attorney's office they wanted to say how appreciative they were and what an honor it was working with the Commission. He stated he had grown to appreciate the efforts made on behalf of the county.

SECRETARY/TREASURER REPORT

Mr. Pitzel stated the Commission was a tremendous experience and had really enjoyed his term. He stated every member of the community should hold a public office at some point. He thanked the Commission and staff for all the support.

Mr. Kirby stated staff was the most overworked and unpaid in the commonwealth. She stated she had always received answers for her requests and done with great professionalism and fun. He stated staff had been great to the Commission and could not have gotten through many items if it had not been for staff. She stated she had met many great staff members.

STANDING COMMITTEE REPORTS

Mr. Pitzel stated there was a Comprehensive Plan meeting on December 5, 2008 and staff was going to refine some of the items to fit better into the Comprehensive Plan. He stated comments had been provided to staff and the next meeting would be left up to the new Commission in January.

Mr. Di Peppe stated Mr. Pitzel was an incredibly intelligent and descent person and learned a lot from him. He stated Mr. Kirby was the mother of all history for the county and the Commission would miss her because of her vast knowledge of Stafford County. He thanked Mr. Cook for his patience with running a tight meeting, being fair and set a standard for the entire Commission and there was no holding resentment or hard feelings within the Commission. He stated Mr. Cook's leadership would be missed.

Mr. Di Peppe made a motion for approval for a public hearing with the Planning Commission for an Ordinance to amend section 28-273 non-conforming structures, section 28-276 discontinuance, section 28-277 abandon non-conforming signs of the Zoning Ordinance, the amendment establishes regulations pertaining to non-conformities and the Planning Commission finds the public necessity, convenience, general welfare, or good zoning practice required a governing body to consider an Ordinance to amend the regulations. Mr. Kirby seconded. The motion passed 7-0.

Mr. Di Peppe made a motion for approval for a public hearing with the Planning Commission for an Ordinance to amend section 22-51 reverse frontage and 22-217 shared driveways of the Subdivision Ordinance, the amendment establishes regulations pertaining to reverse frontage, the Planning Commission finds the public necessity, convenience, general welfare, or good zoning practice required a governing body to consider an Ordinance to amend the regulations. Mr. Kirby seconded. The motion passed 7-0.

Mr. Mitchell stated he had been honored to work with the three (3) outgoing Commissioners and had known Mrs. Kirby and Mr. Cook for a number of years. He stated he was fortunate to know Mr. Pitzel who had been a wealth of information and an asset to the Commission. He stated the three (3) outgoing Commissioners had made major commitments to the Commission and thanked them for many years of hard and difficult service. He stated Mr. Cook, Mrs. Kirby and Mr. Pitzel would be missed.

Mr. Rhodes stated when the 4 new members came on board 2 years Mr. Cook, Mrs. Kirby and Mr. Pitzel were very patient through the first few meetings. He stated this was a tremendous collegial and cordial group who may not always agree but there were no hard feelings. He thanked the outgoing Commissions for setting the tone and teaching them what to do for the county.

***Planning Commission Minutes
December 19, 2007***

CONSENT AGENDA

No report

SPECIAL COMMITTEE REPORTS

No report

CHAIRMAN'S REPORT

Mr. Cook stated he would appoint a nominating committee for the new Commission. He appointed Mr. Mitchell, Mr. Di Peppe and Mr. Rhodes as the Chairman. He recommended holding a public meeting at 6:45 p.m. on January 9, 2008.

Mrs. Kirby stated she had been on two (2) sub-committee and was doing TRC with Mrs. Carlone and asked that the other Commissioners attend a meeting as well.

Mr. Cook stated he had enjoyed working with all members of the Commission and thanked them all for there support. He thanked Mr. Judy for the inputs and keeping the Commission on the straight and narrow. He thanked Mr. Harvey and staff and stated it was his pleasure to work with such a professional staff and appreciated there work.

Mrs. Kirby made a recommendation for Mr. Harvey to act as President Pro Tem at the first meeting until the new members were sworn in and a new Chairman elected. Mr. Di Peppe seconded. The motion passed 7-0.

ADJOURNMENT

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

The meeting was adjourned at 9:33 PM.