

STAFFORD COUNTY PLANNING COMMISSION
WORK SESSION MINUTES
April 5, 2006

The Work Session of the Stafford County Planning Commission of April 5, 2006 was called to order by Chairman William Cook at 5:30 p.m. in Board of Supervisors Chamber of the Stafford County Administration Center.

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

Members Absent:

Staff Present: Harvey, Zuraf, Gregor, Stepowany, Roberts, Knighting, and Merryman

DECLARATIONS AND DISQUALIFICATION:

None

PRESENTATION:

None

UNFINISHED BUSINESS:

1. RC2500919; Reclassification – Central Stafford Commerce Center – A proposed reclassification from A-1, Agricultural to M-1, Light Industrial Zoning District on Assessor's Parcels 38-102, 38-102A, 38-102B, 38-102C, 38-102D and 38-104 consisting of 80.70 acres, located on the east side of Big Springs Lane approximately 1,000 feet from the intersection with Eskimo Hill Road within the Aquia Election District. The Comprehensive Plan recommends the property for Light Industrial and Rural Residential uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. Rural Residential use allows single family residential development at a density of one (1) dwelling unit per three (3) acres. **(Time Limit: December 6, 2005) (Deferred to April 5, 2006 Work Session at Applicant's request)**

Mr. Harvey gave an explanation of the project.

Ms. Kirby asked if the project would connect to sewer.

Mr. Harvey responded yes, pursuant to our Utility Code.

Mr. Cook referenced the memo dated March 31, 2006 from Mr. Dayton.

Clark Leming, representing the applicant, stated the applicant has proffered to connect to sewer and was working with the Utilities Department.

Ms. Kirby asked about the older home on the site and the need to widening the road.

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Mr. Leming stated the road was not controlled solely by the owner of the property. There are a number of other users along that road, each of whom would have to agree to the widening of the road. He stated it was his understanding that the road was currently wide enough for access to this other property. He stated if the property was to be developed later, that it may be an issue. He stated if the purpose of the widening was to develop this parcel, then that was something that should be negotiated with all of the property owners.

Ms. Kirby asked for confirmation of the buffer.

Mr. Leming stated the buffer would be extended an additional 35 feet and was covered in proffer 6.

Ms. Carlone asked about a Phase I.

Mr. Leming stated there was a proffer for a Phase I.

Ms. Kirby asked when the Phase I would begin.

Mr. Leming stated with the submission of a preliminary plan.

Mr. Di Peppe asked about the buffering along the southeast of the power line.

Mr. Leming stated the buffer would be increased and noted on the GDP.

Mr. Mitchell made a motion to send to full Commission with a recommendation for approval. Mr. Di Peppe seconded. The motion passed 6-0 (Mr. Pitzel was absent).

2. RC230334; Reclassification; Brentsmill, LLC – Proposed reclassification of Assessor's Parcels 21-145, 22-20A, 20B, 21 and 22 from R-2, Urban Residential-Medium Density and A-1, Agricultural, to PD-1, Planned Development-1, Zoning District, consisting of 425.34 acres, located on the east side of Telegraph Road, approximately 500 feet south of Denrich Road and on the south side of Flipppo Road at its western terminus, within the Griffis-Widewater Election District. The Comprehensive Plan recommends Suburban Residential and Rural Residential uses, which would allow up to three single family detached or duplex dwellings per acre and one dwelling per three acres respectively. This request would allow various dwelling types at a maximum density of seven dwelling units per acre and low and medium intensity commercial retail and office uses. **(Time Limit: April 5, 2006) (Deferred to April 5, 2006 Work Session)**

Mr. Harvey gave a brief update of the project. He stated the application conforms to the Widewater Area Plan.

Mr. Cook stated he has concerns with 278 additional houses on Telegraph Road. He stated he was willing to make a compromise, but not to the point that the Parkway does not go through to Route 1.

Clark Leming, representing the applicant, stated the applicant has taken on the task of obtaining right-of-way. He stated the problem was two small parcels have not yet been obtained, but the

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applicant was trying to purchase them. He stated the applicant had proffered to allow 79 houses to be built by right before the Parkway was built. He stated if all efforts on the purchase of the property fails then the applicant could proceed with construction two years from the date of the rezoning approval. He stated the applicant also had deleted off sets and was offering new straight cash proffers.

Ms. Kirby asked about the deleted Library site.

Mr. Leming stated that now they have full cash proffers instead.

Ms. Kirby stated she would like to change the community center requirement to 100 units.

Mr. Leming said that would be fine.

Ms. Kirby stated she would like to see the HOA covenants (assuming there will be an HOA) regarding fertilization. She stated she did not want to see people out there fertilizing every three days.

Bob Burner, applicant, stated he would note the covenants.

Mr. Di Peppe asked if the developer builds the road, was there an off set for that cost against that transportation proffer. .

Mr. Leming stated the developer would build the road, and was then entitled to be reimbursed for the cost of construction. He stated the reimbursement was not from prorated fees, but from the proceeds collected under the transportation tax. He stated there was no off set.

Mr. Rhodes asked if there was enough money to pay for Parkway.

Mr. Burner stated that the current build out rate was over \$600K a year and the engineer cost was \$640K. He stated they would not be reimbursed for 10-12 years.

After a discussion by the Commission and the applicant concerning the construction of the Parkway and the additional traffic on Telegraph Road for 278 additional homes, Mr. Burner stated depending on the building of the new school, he was not sure what improvements would be made to Telegraph Road.

Mr. Leming stated the applicant wants to keep the option of building the Parkway.

Mr. Cook stated regarding the proffer to realign the Parkway, the words "this proffer shall not apply" should be deleted. He stated the applicant shall not be responsible for Widewater Parkway construction, except on the parcels subject to rezoning and the applicant may at his discretion complete the parkway; meaning he was under no obligation but he may do it.

Mr. Burner stated he does not want to be restricted to the 79 units, because it was a 300 acre parcel.

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Jeff Harvey stated the revised proffers have not been received.

Mr. Zuraf stated the time limit for the application was today, April 5, 2006.

Mr. Leming stated the applicant would be happy to come back to the next meeting to further discuss the issues.

The Commission agreed to continue discussion at the next Planning Commission meeting.

3. RC2501629; Reclassification – Mid-Atlantic - A proposed reclassification from A-1, Agricultural to B-2, Urban Commercial Zoning District on Assessor's Parcel 19-71 consisting of 11.87 acres, located on the north side of Garrisonville Road at the intersection with Shelton Shop Road within the Rock Hill Election District. The Comprehensive Plan recommends the property for Urban Commercial and Suburban Residential uses. The Urban Commercial designation would allow development of Commercial Retail and Office uses and the Suburban Residential use would permit single family residential development at a density of three (3) dwelling units per acre. **(Time Limit: May 23, 2006) (Deferred to April 5, 2006 Work Session)**
4. CUP2501630; Conditional Use Permit – Mid-Atlantic - A request for a conditional use permit to allow vehicle fuel sales with convenience store and two drive-through facilities in the Highway Corridor Overlay Zoning District on Assessor's Parcel 19-71 consisting of 11.87 acres, located on the north side of Garrisonville Road at the intersection with Shelton Shop Road within the Rock Hill Election District. **(Time Limit: May 23, 2006) (Deferred to April 5, 2006 Work Session)**

Mr. Harvey explained the application requests and updates.

Clark Leming, representing the applicant, showed elevations of the Sheetz and CVS.

Ms. Kirby stated it was her understanding the colors were changed to beige or earthtones.

Mr. Leming stated that there was a limit to what could be done with the renderings. He stated the renderings could not show the actual color.

Mr. Cook asked about the canopy covers.

Mr. Leming stated this also was not the same color representation. He stated this was done to show you the perspective of the cars and the lights of the pump area would shine on the roadway.

Mr. Rhodes asked about the road and what would be done.

George Morgan, applicant, stated there would be new signals, pedestrian cross walk, the north bound lane of Shelton Shop Road approaching the signal would be widened which would basically add a through lane which would help the right turn lane traffic avoid backups that might build up at that traffic signal.

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Mr. Di Peppe questioned the size of trees.

Mr. Leming stated the landscape would comply with the size required by the Landscape Ordinance.

Mr. Harvey stated the long-term maintenance of the landscaping was a Zoning compliance issue. He stated if there were any violations of the site plan, the applicant would be required to correct.

Mr. Rhodes asked about the potential flooding of the retention ponds. He asked what assurance the neighbors had concerning runoff or flooding.

The Civil Engineer representing the applicant stated that State Law requires an outfall study. He stated an evaluation of the outfall channel, which would not allow off site flooding would be required.

Ms. Kirby stated she has received emails from the community stating the citizens feel the current traffic problem should be corrected before making more traffic. She stated the people in that district do not want the project, therefore she could not support it.

Mr. Leming stated he appreciated the citizens concerns, but people were going to buy fuel anyway. He stated in his opinion the proposed intersection would work better for the community.

Ms. Kirby made a motion to deny. There was no second, and the motion failed.

Mr. Cook suggested the Commission retain this item to the meeting scheduled April 26, 2006 to allow more time to work out issues with the applicant.

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

ADJOURNMENT

With no further business to discuss, the work session was adjourned at 6:55 p.m.

William Cook
Chairman

STAFFORD COUNTY PLANNING COMMISSION MINUTES
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The regular meeting of the Stafford County Planning Commission of Wednesday, April 5, 2006, was called to order at 7:30 p. m. by Chairman William Cook in the Board of Supervisors Chamber of the Stafford County Administration Center.

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

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, Zuraf, Gregor, Stepowany, Roberts, Knighting, and Merryman

DECLARATIONS AND DISQUALIFICATION:

None

PUBLIC PRESENTATIONS

Mr. Cook stated a Special Meeting has been scheduled for April 19, 2006 at 5:30 p.m. to discuss holding a Public Hearing on our Water Preservation Ordinance that the Commission had been working on.

Mr. Cook opened the public presentations.

With no one coming forward public presentations was closed.

PUBLIC HEARINGS:

1. RC2501489; Reclassification – Stafford Lakes, Parcel 44-56 - A request for a Reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcel 44-56, consisting of 0.33 acres, located on the south side of Warrenton Road approximately 200 feet east of Village Parkway in the Hartwood Election District. The Comprehensive Plan recommends the property for Urban Commercial Use. The Urban Commercial designation would allow development of commercial, retail and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: July 4, 2006)**

Mr. Stepowany presented the staff report. He gave a presentation showing the location of the property and the surrounding properties. He stated the application was consistent with the Land Use Plan and staff recommends approval.

Ms. Carlone stated a meeting was held earlier in the day discussing this project and an adjoining project. She stated as a result a date was set for the next submission.

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Mr. Stepowany stated the earlier meeting was concerning an adjacent property, not this property.

Ms. Carlone stated her concerns on the impact of the adjacent property.

Mr. Stepowany referred to the map of the property and explained this application had no bearing on the adjacent property.

Ms. Carlone stated a change was made to the entrance and would affect this parcel.

Mr. Stepowany stated the entrance was not located on this parcel, it had been shifted to enable access to Warrenton Road. He stated this property was to provide a right in and right out. He stated the entrance to the right of this parcel was not part of this application nor was the adjacent property.

Ms. Kirby said this request was confusing to her. She stated the only thing she sees on the request was parking.

Mr. Stepowany stated this parcel has parking and was incorporated with the rectangle parcel to the east. He stated the parcel to the east would be developed with two buildings.

Mr. Cook stated that some of these concerns would probably be addressed at a public hearing and when they come forward with the conditional use permit (CUP) at the next meeting. He suggested the Commission go ahead with the Public Hearing and defer action until both could be considered together.

Mr. Stepowany stated that the property was vested and therefore the applicant does not have to come forward with a CUP.

Steve Klebanoff, applicant, stated that the application stands on its own and he was available to answer any questions.

Ms. Carlone stated from the meeting held earlier, the entrance had changed.

Mr. Klebanoff stated that the right in and right out that was shown, would not occur. He stated there would be landscaping there where the apron was. He stated the main access would be to the west and showed the locations on the map and explained the proposed changes.

The Public Hearing was opened.

David Kinsey thanked the Commission for their concerns and stated his concern with the increased traffic.

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With no one else to speak, the Public Hearing was closed.

Mr. Klebanoff stated there was a correction to the staff report, which stated 200 feet, it should read 700 feet east of Village Parkway. He also stated a continuous third lane and continuous right-turn lane across the front was being added and was not illustrated on this plan. He stated the median break shown on the plan was being closed which would address any U-turn concerns.

Ms. Carlone made a motion to defer until the adjusted site plans were received. Ms. Kirby seconded. The motion passed 7-0.

Mr. Cook stated the item would be deferred to the April 26, 2006 meeting.

2. CUP2501490; Conditional Use Permit – Stafford Lakes, Parcels 44-56 & 44R-1A
- A request for a Conditional Use Permit to allow two drive-through facilities in an HC, Highway Corridor Overlay District on Assessor's Parcel 44-56 and a portion of 44R-1A, consisting of 1.74 acres, located on the south side of Warrenton Road approximately 200 feet east of Village Parkway in the Hartwood Election District. **(Time Limit: July 4, 2006)**

Mr. Cook stated item 2 had been postponed.

3. Comprehensive Plan Compliance Review – Eustace Road Telecommunications Tower – A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the construction of a communication facility on Assessor's Parcel 20-118B, located on the west side of Eustace Road, approximately 1,800 feet north of Northampton Boulevard within the Garrisonville Election District. **(Time Limit: July 4, 2006)**
4. CUP2501488; Conditional Use Permit – Eustace Road Telecommunications Tower – A request for a Conditional Use Permit to allow a Communication Facility in an A-1, Agricultural Zoning District on a portion of Assessor's Parcel 20-118B, consisting of 4.49 acres, located on the west side of Eustace Road, approximately 1,800 feet north of Northampton Boulevard within the Garrisonville Election District. **(Time Limit: July 4, 2006)**

Mr. Zuraf stated since both items 3 and 4 were concerning the same parcel, he would combine both staff reports. He stated staff believes that the negative aspects concerning item 3 outweigh the positive aspects and recommended the Planning Commission find the request not in compliance with the Comprehensive Plan. He stated, regarding item 4, efforts have been made to minimize impacts. He stated staff believes the proposed use was not in accordance with all the standards of issuance of a Conditional Use Permit,

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pursuant to Section 28-185(d) of the County Code. He stated if the Planning Commission was inclined to approve the request, staff had recommended several conditions.

Mr. Di Peppe asked if the tower was 150 feet and the fence was 8 foot.

Mr. Zuraf stated yes, the fence was for security of the compound.

Greg Tulley, Land Use Planner representing the applicant, explained the need for this particular site. He displayed propagation maps of the area to show the Commission the need for the tower.

Ms. Carlone asked if the normal distance between towers was 3 to 5 miles.

Mr. Tulley stated he was not sure where the 3 to 5 miles mentioned in the staff report was obtained. He stated in his experience the distance was usually 2- to 3 miles and was based on coverage capacity. He stated in the D.C. area there was a site every quarter of a mile, but possibly in an area of Iowa where there was no topography challenge such as hills or trees, the signal carries for 5 to 10 miles.

Ms. Carlone asked about the heights of the other two towers.

Mr. Tulley stated he believes that they were 150 to 200 feet.

Ms. Carlone asked about the landscaping of the site and how often the site would be visited.

Mr. Tulley stated that the 8 foot fence was design to screen the ground equipment and the site would be visited at least once a month by a service technician.

Mr. Rhodes asked how many calls were dropped at the Courthouse Road tower.

Mr. Tulley referred to his technical staff who stated that out of 40,000 calls per day, some 300 to 400 calls are dropped per day from the north site. He stated he did not have any issues with the Courthouse Road site.

The Public Hearing was opened.

Don Potts stated he would have visual impacts. He stated in his opinion the tower would be an eyesore in an area surrounded by homes. He stated he currently has Cingular and Verizon service and does not have dropped calls. He asked if there would be interference issue with the tower so close to his home. He stated he does not want the tower near his home.

Mike Dahlkemp stated he was the closest homeowner to the site. He stated he was the only one in his housing development to receive a letter, and took it as his right and civic

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duty to take copies throughout his neighborhood and Whitson Ridge to let them know about this tower.

Joan Simons stated she could not believe that the FAA would agree with this proposal. She stated the tower was in the flight line between DCA and Dulles airports. She stated she was opposed to the tower.

Janice Robbins stated she was not notified of the community meeting and she was opposed to the tower.

Bill Lowe stated in his opinion the fence would be a billboard for graffiti.

Becca Thompson stated she would have a view of the tower from her front porch. She stated in her opinion the tower would be ugly and may affect her property values.

Scott Peters stated when he first received the notice he did not think anything of it. He stated he then started noticing towers on his way to work. He stated he passed about a dozen or so of these towers on his way to work, and noticed there were no houses around. He stated he has three children and was concerned with health issues for his family.

Vaughn Stokes stated his concerns were with the impact on the children. He stated when he moved to the area it was residential and encourages the Commission to keep it residential.

Shane Corey stated he moved here ten years ago because it was a nice community and he does not want a tower in his backyard. He stated he was currently a wireless customer and gets great reception in his home and does not think this tower is necessary.

George Medina stated his concerns were for FAA approval. He stated Marine choppers fly in the area and he would like them to be safe. He stated he was opposed to the tower.

Tom Damisch stated he strongly opposes the tower.

Carrie Wells stated she has two children that she would like to see grow up healthy. She stated she was currently a Sprint user and has no problem using her phone in her home.

Mark Dudenhefer stated he was opposed to the project.

William Scott stated his concerns with health issues and property values. He stated he was a financial manager for quite a while and been in the business long enough to know when something was about money. He stated in his opinion this was about money, not service. He stated he was opposed to this proposal.

Scott Lashier, President, Whitson Ridge Homeowners Association, stated he agrees with all that have spoken before him. He stated he also agrees with staff and asked the Commission to deny the application.

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With no one else to speak, the Public Hearing was closed.

Mr. Tulley presented his rebuttal. He apologized for the poor attendance at the community meeting and stated it would have been nice to hear these comments prior. He stated there would be no interference with other signals and the dropped calls are a significant concern for Sprint. He stated this was not a rezoning request, but a CUP which would not open the door for future commercial development. He stated that Sprint complies with all FCC exposure guidelines and are well below the permissible exposure. He stated the FAA has ruled that there would be no hazard to any air travel. He stated the dropped call rate was unacceptable to Sprint.

Ms. Kirby stated community meetings should not be scheduled from 4:30 to 6:30, most citizens are returning from work at that time.

Mr. Tulley stated that he was directed to hold the meeting at the Library and that was the only time available.

Mr. Di Peppe stated that we are the gatekeepers, and the question was whether it was profit margin for a corporation or quality of life issues for the people who want the peaceful enjoyment of their property.

Mr. Cook stated he concurs with the people.

Ms. Carlone stated when you move into a home that you bought with the intention of being residential with trees, you deserve to maintain that quality of life.

Mr. Rhodes made motion to deny the Comprehensive Plan Compliance Review. Ms. Kirby seconded. The motion to deny passed 7-0.

Mr. Rhodes made motion to deny the Conditional Use Permit. Ms. Kirby seconded. The motion to deny passed 7-0.

5. RC2501388; Reclassification – Stone Center - A proposed reclassification from R-1, Suburban Residential to B-2, Urban Commercial Zoning District on Assessor's Parcels 45-184 and 185 consisting of 2.21 acres, located on the west side of Cambridge Street approximately 3,000 feet north of Truslow Road within the Falmouth Election District. The Comprehensive Plan recommends the property for Urban Commercial use. The Urban Commercial designation would allow development of commercial retail and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: July 4, 2006)**

Mr. Zuraf presented staff report. He stated the project was consistent with the Land Use Plan, and was compatible with the general pattern of development. He stated the proffers would minimize the development's potential impact on adjacent properties. He stated the

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one negative impact was the potential noise and visual impacts to adjacent residential properties. He stated staff recommends approval of this application.

Mr. Pitzel asked if the owner had already been using the property for this type of business.

Mr. Zuraf stated the applicant had started, but was notified by Code Administration, which halted all business.

Ms. Kirby asked if the single family dwelling would be demolished.

Mr. Zuraf stated that was correct, but that would be in the second phase of the project.

Ms. Kirby asked if the Snellings Cemetery was a separate parcel and if a buffer would be provided.

Mr. Zuraf stated according to the tax records it was a separate parcel and a buffer would be provided.

Ms. Kirby stated she was not sure that a 15 foot buffer would be enough. She stated in the past they have run into problems with people being buried outside the normal fence line.

Charlie Payne, Attorney for applicant, stated that according to staff comments, this project fits the Comprehensive Plan and does not have a huge impact on traffic. He stated the owner was sensitive to the cemetery site and would look into the buffer requirements.

The Public Hearing was opened.

With no one to speak, the Public Hearing was closed.

Mr. Cook stated that they would like to see the buffer requirement expanded for this site

Mr. Payne stated that he would meet with the engineer to make sure and to verify the open space amounts. He stated he wants to confirm with the engineers and that the GDP would not change much.

Ms. Carlone asked about noise.

Mr. Pitzel asked if the owner was already using the property for this use in a residential area and just needed to change the zoning.

Mr. Payne stated that was correct. He stated to address the noise concerns, there would be a 25 foot buffer, which was hard to see on the GDP, which was between the abutting residential areas. He stated the peak times would be 9:00-11:00 and 2:00-4:00. He stated most people were not home at those times.

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Ms. Kirby asked if they were only selling stone or if mulch would be included.

Mr. Payne stated landscaping materials would be included.

Mr. Di Peppe asked what the hours of operation are going to be.

Mr. Payne stated he was suggesting 8:00 am - 6:00 pm during the week and possibly a little later on weekends.

Mr. Di Peppe asked how long had they been selling before they realize they were not in compliance.

Mr. Payne commented that they are not currently selling. He stated the applicant had begun the process of clearing the land and Code Compliance stopped them and advised the applicant to apply for rezoning.

Mr. Di Peppe stated he noticed a collection of trash material near the back of site that he would like to see removed.

Mr. Payne stated the applicant was told they could not do any work on the project until the application was approved.

Mr. Cook opened the Public Hearing and with no one coming forward the Public Hearing was closed.

Mr. Di Peppe requested that the 50 foot buffer for the cemetery be added to the proffer.

Mr. Payne agreed.

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

6. RC2501263; Reclassification – Westlake - A proposed amendment to proffered conditions of Assessor's Parcels 35-20, 20A, 21, 23, 24, 27(portion), 27A, 27B, 28, 28B, 30A, 31, 32A and 43-55 (portion), 59, 59A, 59B, 59C, 59D and 59E, zoned R-2, Urban Residential-Medium Density, R-1, Suburban Residential, M-1, Light Industrial, A-1, Agricultural and B-2, Urban Commercial Zoning Districts, consisting of 1,116.52 acres located on the south side of Warrenton Road, west of Holly Corner Road and along Cedar Grove Road within the Hartwood Election District. The Comprehensive Plan recommends the property for Light Industrial, Suburban Residential, Urban Commercial, Agricultural and Institutional uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Suburban Residential designation would allow residential development at a maximum density of three dwelling units per acre. The Agricultural designation would allow development at a density of one dwelling

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unit per three acres. The Institutional designation would allow hospitals, schools and public buildings. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: July 4, 2006)**

Mike Zuraf presented the staff report. He stated the proffer amendment of this project would provide a larger more centralized school site and a community recreation facility. He stated the negative impacts of the proposed proffer changes move the school site to an area that was inconsistent with the planned commercial and industrial development and the proffers were not consistent with the monetary proffer guidelines. He stated the project removes future commercial development without compensating for the loss elsewhere and would delete a planned public park. He stated staff recommends denial of this application.

Mr. Cook asked Mr. Zuraf to show on the map the current quarry site location in relationship to this project.

Mr. Zuraf showed the approximate location on the overhead map.

Mr. Rhodes asked if there were any comments from the School Board.

Mr. Zuraf stated no.

Clark Leming, representing the applicant, addressed the concerns of the access road. He stated the access would be used by all regardless of the school site location. He stated the School Board supports the new school site and adopted a resolution last summer. He stated the site was rezoned in 1989 and was vested. He stated the applicant was seeking a proffer amendment to change the proffers to enhance the school site and allow for more single family homes.

Ms. Carlone asked about an alternative road for quarry trucks. She stated she did not want quarry traffic in a residential area.

Mr. Leming stated the road would be a four-lane divided road.

Ms. Kirby asked who was Westlake Development, LLC.

Mr. Leming stated it was an entity set up for the development of this property by the Pleasants Company.

Mr. Cook opened the Public Hearing.

David Kinsey, representing the Stafford Lakes HOA, stated his concerns with the light industrial area. He stated there were existing traffic issues and the need of alternate traffic routes.

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Andy Lynn stated he was concerned the residential area would disappear with these future developments.

Robyn Ward asked if permits would be issued without adequate water supply.

David Blosser stated that schools are needed in the southern part of Stafford, but Route 17 traffic was already heavy and suggested these items need to be addressed. He asked if any proffers were offered at the Route 17 intersection.

Patricia Kurpiel spoke regarding the Chesapeake Bay Act. She stated Mr. Schardein determined this project was vested, which means this project can use the blue line maps. She asked if this application was moved to committee, to please consider concession in the Chesapeake Bay Act.

With no one else to speak, the Public Hearing was closed.

Mr. Leming stated the issue before the Commission was the proffer to move the school site. He stated if the Commission did not want to move the site the applicant could leave the school at the original site and make it work. He stated that Stafford Lakes was rezoned at the same time and had no cash proffers.

Ms. Carlone made a motion to deny. Mrs. Kirby seconded.

Mr. Rhodes asked if the application could be sent to committee to allow time to get input from the School Board on the alternative school site.

Ms. Carlone withdrew her motion and Mrs. Kirby withdrew her second.

Ms. Carlone made motion to send to committee. Mr. Rhodes seconded. The motion passed 7-0.

7. RC2501275; Reclassification – Staffordshire - A proposed amendment to proffered conditions of portions of Assessor's Parcels 36-66 and 37-5, 6, 9 and 10, zoned R-1, Suburban Residential, consisting of 260 acres located on Hulls Chapel Road approximately 1,200 feet north of Lakebreeze Way within the Hartwood Election District. The Comprehensive Plan recommends the property for Rural Residential use. Rural Residential use permits single family residential development at a density of one dwelling unit per three acres. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: July 4, 2006)**

Mr. Zuraf presented the staff report. He stated that positive features it would minimize potential for negative impacts to water quality and may provide for a street connection to an adjacent parcel. He stated in the staff report it was noted as negative features regarding the uncertainty of recreational amenities, but the applicant have made changes and are adding a lot of community recreation amenities. He stated the proffers are not consistent

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with the current monetary proffer guidelines and listed the potential negative impacts to adjacent residential properties on Wateredge Lane if a road connection was provided without traffic calming considerations. He stated staff recommends denial of this application because the revised proffers are not consistent with the current proffer guidelines.

Mr. Di Peppe asked how many total homes.

Mr. Zuraf stated 336.

Ms. Carlone stated her environmental concerns and the potential connection to Wateredge Lane.

Mr. Zuraf stated the right-of-way exists up to the property line and the GDP shows a potential connection on the plan.

Mr. Pitzel asked if the proposed amenities were on the drawing.

Mr. Zuraf stated no.

Ms. Kirby stated it would cost 4 to 6 million dollars to build a golf course, but she did not see that amount being put in the amenities.

Clark Leming, representing the applicant, stated the issue that was being presented to the Planning Commission was the deletion of the golf course. He stated the applicant has added the recreational amenities handed out copies of the updated GDP. He stated another reason to delete the golf course was the fact that the project was close to the County's largest water reservoir and the possibility of run off .

Rich Ward, the applicant, reviewed the revised GDP with the Commission members showing the revised amenities such as a soccer/baseball fields, a dog park, a picnic area, a tot lot, a mini golf/skate park, volleyball/tennis court, a gazebo and nature trails.

Mr. Leming said in his opinion it was simple, do you want a golf course or not.

Mr. Mitchell asked the cost of a golf course.

Mr. Ward stated he has not built a golf course, but guesses 4 to 6 million dollars.

Mr. Mitchell stated if we are deleting 5 million dollars of cost to the developer we should be putting it into the infrastructure and amenities. He stated he did not see the benefit of the trade, even though it was recommended by Parks and Recreation.

Mr. Leming stated it comes down to more than the tangible aspects. He stated he would be glad to discuss the financial issues with the Planning Commission.

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Ms. Carlone stated residents are here from Wateredge and asked why a connection was shown.

Mr. Leming stated the connection exists with or without the golf course.

Mr. Cook reminded everyone that the issue at hand was the golf course, do we keep it or delete it.

The Public Hearing was opened.

Terry Lottes stated in his opinion it looks like a nice development, but he has researched the past Board of Supervisors minutes concerning the discussion of this item. He stated there was not a second access in the original plans and that was a problem. He stated he believes that this access road has been added since and he was concerned about the impact to the people on Hulls Chapel Road. He stated he predicts 2000 additional car trips per day which would affect the safety of their children and the quietness of the neighborhood. He stated the road was inadequate to handle that type of traffic and was not wide enough.

Tim Dwight stated it was a beautiful area setting on the reservoir and stated his concern of golf course impact on environment. He stated in his opinion the area should be left as it is and keep the trees.

Jim Wasek stated that in his opinion this would be a county amenity and not a community amenity. He stated he had concerns with the increased traffic on Hulls Chapel Road and Watersedge Lane.

John Canonico stated he was concerned about the traffic impact this would have on Hulls Chapel Road. He stated in his opinion an expressway should be built before the neighborhood is built. He stated he bought his property two years ago with knowledge of golf course being built.

Dale Swager stated his was concerned about the money the county stands to gain or lose in the process of keeping this golf course. He stated he had concerns with the traffic on Hulls Chapel Road and asked the developer to keep that in mind.

Steve Bishop stated he bought his home in 2002, and at the time the plan was for a golf course. He stated the golf course should stay. He stated he was also concerned with the increased traffic on Hulls Chapel Road.

Patricia Kurpiel suggested the Commission consider the proffer amendment if the item was moved to Committee. She stated when the property was rezoned it was a 1,000 acre parcel and the lots yield was 334, which was one house on every three acres. She stated that the full proffer amount of 13 million may be a little excessive. She asked the Commission to look at the Chesapeake Bay issues and protect the resources.

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Nan Rollins stated in her opinion this was a very well designed subdivision. She stated Mr. Ward has taken great care to connect the green space and she highly recommends removing the golf course because it would require a huge amount of water consumption as well as fertilizer and pesticides. She suggested the Commission consider the environmental green areas and oppose the money, stating public health was more important than money.

Everett Brown stated that in his opinion it was all about money and corporate America was going to win. He stated this board has the power to make them not go through Wateredge Lane. He suggested if the Commission makes the applicant put the golf course in it would cost them a huge amount of money. He stated he was concerned with the additional vehicles driving past his home.

Rob Childs stated he lives at the base of Abel Lake Dam and currently travels Hulls Chapel Road. He stated in his opinion the road was terrible because of the chemical trucks that travel on it. He stated he feels for environmental reasons the golf course should be removed.

Tom Scruggs stated he was concerned about putting too many houses on a small area which was close to the lake. He stated in his opinion Hulls Chapel Road was not wide enough for a school bus and a SUV to pass.

Mr. Cook asked that comments please be germane to the issue of removing the golf course, based on the fact that it was getting late.

Mary Moulton stated her concern of safety and traffic coming through Wateredge Lane. She stated she believes green space was more useful for the environment, so the golf course should be removed. She suggested the developer should use the money he was going to put into the golf course and use it on building the roads.

William Schlotter stated he was concerned with the impact on the drinking water and wildlife. He stated with an additional 336 homes, times two vehicles per home the traffic impact would be too great on Wateredge Lane.

Ann Schlotter stated in her opinion she thinks replacing the golf course with green space was environmentally a better thing based on the proximity to the lake. She stated she did not want to see an increase in density and is opposed to any future extension to Wateredge Lane.

John Glenn stated he did not want to see the road put through to Wateredge Lane. He stated he was told the golf course would be there.

C. C. Curtis stated he would like to see the golf course stay.

Ken Winters, 454 Kellogg Mill Road, his concern is the traffic and the access road it will turn into a full access route.

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Chris Courtney stated that there was no price comparison between a couple of ball fields and a dog run or a nice golf course. He stated he was concerned about the access road. He stated he was there first and does not want a thousand cars going by his house.

Kim Miller stated she thought that if the golf course was deleted, the cut through should be also.

Linda Smith stated she agrees with the others, get rid of the golf course and keep the green space.

Harry Jenkins stated he was in favor of green space.

Tony Cruise stated he was in favor of the green space. He stated he would prefer another access because there are only five homes on the road currently.

Carol Masters stated they have a small community of 50 houses and she strongly opposes the road connection.

Angela Salazar stated her property abuts the area of discussion and she thought with the golf course there, a cut-through would not be allowed. She stated her children play in the street because her community does not have any amenities. She stated the only traffic on the street now was people who live there and are used to her children playing in the street.

Tina Jenkins stated she thought at a public hearing you could speak on whatever you want. She stated she would like to change the Commissions mind about putting the road through Wateredge Lane.

Kathleen Fable stated she has concerns with the road going through. She stated she would like assurance the road would not be allowed.

Mr. Cook stated the road has been approved and the Planning Commission could not change that.

Lynn Eastman stated she was in favor or whatever keeps the road from connecting the two subdivisions. She stated she lives in a retirement community and does not want additional traffic.

Ed Seiffert stated he has concerns for the environmental aspects of the reservoir. He recommends the environmental aspects are examined before a decision is made on keeping or deleting the golf course.

Wilson Carmean stated the golf course should be kept if that would delete the cut through.

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Robert Decatur stated he was the first homeowner on Wateredge Lane and does not want to see the access road. He stated he bought the property to retire, to allow him to walk and exercise, not dodge traffic. He stated he does not care about the golf course, the trees are fine.

George Arvan stated he was in favor of the golf course. He stated proposed does not mean permitted. He asked the Commission to rethink the access road.

Mary Beth Hall stated in her opinion the only reason the developer wants to delete the golf course was to have another access road to get in and out of the development. She stated she feels they should keep the golf course.

Bill Mullins, President of Waters Edge HOA, stated he bought his property with the knowledge of a golf course being installed.

Mark Burks stated he would like to ask the Commission, when making a decision to do what would be best for reducing traffic in and out of the development.

Charlie Morris stated he stated he would rather see trees instead of golf course.

Charles Moore stated he was in favor of keeping the golf course.

With no one else to speak, the Public Hearing was closed.

Ms. Carlone made motion to send item 7 to committee for further discussion. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Cook stated the item would be heard and the May 3, 2006 work session.

8. Amendment to the Comprehensive Plan, Widewater Area - Consider a proposed amendment to the Land Use Plan component of the Comprehensive Plan, in accordance with Section 15.2-2229 of the Code of Virginia (1950) as amended, to amend the map and text regarding Agricultural, Rural Residential, Office, Suburban Commercial, Neighborhood Center, and Park Land designations in the Widewater Area. The amendment would remove Neighborhood Center and Suburban Commercial designations, add Agricultural, Office, Rural Commercial, Urban Residential and Park Land designations, reduce the area of Rural Residential and Suburban Residential. In addition, the amendment would repeal the Widewater Area Plan component of the Comprehensive Plan, dated May 1994. **(Time Limit: July 4, 2006)**

Mr. Zuraf presented the staff report. He stated the proposed changes recommend certain areas for park use, specifically the land acquired by the Commonwealth of Virginia for Widewater Peninsula Park and Moncure Park. He stated it basically makes the land use plan consistent with existing zoning. He stated staff supports the proposed amendment to

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the Comprehensive Plan, but does recommend further studies to determine the necessity for infrastructure improvements.

The Public Hearing was opened.

Patricia Kurpiel stated she was in favor of the proposed change to the Comprehensive Plan.

Nan Rollins stated she supports the proposed change to the Comprehensive Plan.

With no one else to speak, the Public Hearing was closed.

Ms. Kirby made a motion to move item 8 to committee. Mr. Pitzel seconded. The motion passed 7-0.

UNFINISHED BUSINESS:

9. RC2500919; Reclassification – Central Stafford Commerce Center – A proposed reclassification from A-1, Agricultural to M-1, Light Industrial Zoning District on Assessor's Parcels 38-102, 38-102A, 38-102B, 38-102C, 38-102D and 38-104 consisting of 80.70 acres, located on the east side of Big Springs Lane approximately 1,000 feet from the intersection with Eskimo Hill Road within the Aquia Election District. The Comprehensive Plan recommends the property for Light Industrial and Rural Residential uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. Rural Residential use allows single family residential development at a density of one (1) dwelling unit per three (3) acres. **(Time Limit: December 6, 2005) (Deferred to April 5, 2006 Work Session at Applicant's request)**

Mr. Cook stated this project was discussed at work session and was recommended to send to the regular meeting for approval.

Mr. Pitzel asked if the applicant had agreed to water and sewer.

Mr. Cook stated yes.

Ms. Kirby made a motion for approval. Mr. Pitzel seconded. The motion passed 7-0

10. RC230334; Reclassification; Brentsmill, LLC – Proposed reclassification of Assessor's Parcels 21-145, 22-20A, 20B, 21 and 22 from R-2, Urban Residential-Medium Density and A-1, Agricultural, to PD-1, Planned Development-1, Zoning District, consisting of 425.34 acres, located on the east side of Telegraph Road, approximately 500 feet south of Denrich Road and on the south side of Flippo Road at its western terminus, within the Griffis-Widewater Election District. The Comprehensive Plan recommends Suburban Residential and Rural Residential uses, which would allow up to three single family detached or duplex dwellings

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per acre and one dwelling per three acres respectively. This request would allow various dwelling types at a maximum density of seven dwelling units per acre and low and medium intensity commercial retail and office uses. **(Time Limit: April 5, 2006) (Deferred to April 5, 2006 Work Session)**

Mr. Harvey read the proffer changes.

Mr. Mitchell made motion for approval of the proffer changes. Mr. Rhodes seconded. The motion passed 7-0.

Mr. Mitchell made motion for approval of the reclassification. Mr. Rhodes seconded. The motion for approval failed 3-4 (Mr. Di Peppe, Mr. Pitzel, Mrs. Kirby and Mrs. Carlone voted no).

Due to the time Mr. Cook adjourned the meeting at 12:00 midnight and reconvened at 12:01 am.

Ms. Kirby made a motion to deny the reclassification. Mr. Pitzel seconded. The motion passed 4-3 (Mr. Mitchell, Mr. Rhodes and Mr. Cook voted no).

Mr. Cook stated due to the time, the remainder of the agenda would be discussed on April 19, 2006 at 5:30 p.m. He stated after the completion of this agenda the meeting would be adjourned and the reconvene for the special meeting scheduled for April 19, 2006.

The meeting was recessed at 12:06 a.m.

***STAFFORD COUNTY PLANNING COMMISSION MINUTES
APRIL 19, 2006
RECONVENED MEETING OF APRIL 5, 2006***

The meeting of the April 5, 2006 Stafford County Planning Commission was reconvened Wednesday, April 19, 2006, and called to order at 5:30 p. m. by Chairman William Cook in the Board of Supervisors Chamber of the Stafford County Administration Center.

MEMBERS PRESENT: Cook, Pitzel, Kirby, Carlone, and Mitchell

MEMBERS ABSENT: Di Peppe and Rhodes

STAFF PRESENT: Harvey, Zuraf, Stepowany, Roberts, Knighting, and Merryman

Mr. Cook announced that the meeting would start with the continuance of the recessed meeting of April 5, 2006. He stated those subjects left for discussion at the April 5, 2006 meeting would be heard, then a short break before the start the special meeting scheduled

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for this evening. He asked the citizens to sign a speaker card and pass it to the secretary if they would like to speak during the special meeting.

Mr. Harvey stated that at the April 5, 2006 meeting it was discussed that items 1 and 2 from the work session agenda would be sent back to the full Commission with a motion for approval.

Ms. Kirby made a motion to retain Item 1 until the April 26, 2006 meeting. Ms. Carlone seconded. The motion passed 5-0 (Mr. Di Peppe and Mr. Rhodes absent).

Ms. Kirby made a motion to retain Item 2 until the April 26, 2006 meeting. Ms. Carlone seconded. The motion passed 5-0 (Mr. Di Peppe and Mr. Rhodes absent).

Mr. Cook noted that item 3 was deferred until the April 24, 2006 meeting and item 4 was deferred until the May 17, 2006 meeting.

NEW BUSINESS

1. SUB2501228; Ruby Glen, Preliminary Subdivision Plan - A preliminary subdivision plan for 19 single family residential lots, zoned A-1, consisting of 64.79 acres, located on the east side of Sandy Ridge Road approximately 500 feet north of Sandy Ridge Court on Assessor's Parcels 56-90, 56-91B and a portion of 56-95B, within the George Washington Election District. (**Time Limit: April 24, 2006**)

Mr. Stepowany presented the staff report. He gave a presentation showing the location of the proposed subdivision and the surrounding areas. He stated the correct time limit was May 29, 2006, not April 24, 2006 as stated on the agenda. He stated staff recommends approved of the preliminary subdivision plan.

Ms. Carlone commented on the letter received from Anita Dodd, of the Historical Commission. She stated that she and Ms. Kirby have concerns about the cemetery on the site.

Ms. Kirby asked about the dirt road that was noted to be removed.

Mr. Stepowany deferred the question to the applicant.

Ms. Kirby asked about the note concerning the land being transferred from Fleetwood Farm.

Mr. Stepowany stated that was a boundary line adjustment.

Mr. Rob Gollohon, owner and applicant, explained the property transfer was to do away with the temporary private access easement. He stated he was willing to work with Ms. Dodd concerning the cemetery and the additional buffer.

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Ms. Kirby asked about his expertise with cemeteries. She expressed her concerns on the ground indentations.

Mr. Gollahon stated it was determined by topography. He said that the only thing removed from the site was ground coverings, the soil was not disturbed.

Ms. Kirby stated Ms. Dodd's letter stated that field stones was moved.

Mr. Gollohon stated only trees and stumps were moved. He stated the site looks different because it had not been cleared in 75 years.

Ms. Kirby recommended in the future, Mr. Gollahon get in touch with the Historic Planner who can get in touch with Ms. Dodd.

Ms. Kirby asked about lots 12 & 13 and expressed her concerns with a boundary line that zigzags. She stated in her personal opinion it does not look good.

Mr. Gollahon stated that it was acceptable in the Ordinance. He stated this was a preliminary plan and he could make the line straight.

Ms. Carlone stated she was concerned with the difference of opinion concerning the grave sites and referred to paragraph 4 on Ms. Dodd's letter.

Mr. Pitzel stated that he had concerns of erosion problems.

Mr. Gollohon stated with the sandy soil he should stay away from silt-fence all together and use diversion dike and storm traps.

Mr. Pitzel made a motion to move to committee. Ms. Kirby seconded. The motion passed 5-0 (Mr. Di Peppe and Mr. Rhodes were absent).

2. PAE2600236: Sherwood Farm, Section 1, Private Access Easement – A private access easement to serve 2 lots on 540.90 acres located on the east side of Kings Highway, south of Forest Lane Road on Assessors Parcel 59-71 zoned A-1, Agricultural, within the George Washington Election District. **(Time Limit: June 4, 2006)**

Mr. Stepowany presented the staff report. He gave a presentation showing the location of the proposed PAE and the surrounding area. He stated staff recommends approval of this private access easement.

Mr. Pitzel asked if this was mainly to serve the existing house and cemetery and road was already there.

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Mr. Stepowany stated that the road was already there, and the applicant had submitted a plat to subdivide the two parcels of the tract.

Ms. Kirby asked if a Phase I would be done on lot A.

Mr. Stepowany stated she would have to ask the applicant.

Barry Westinger, with ATCS representing the applicant, stated parcel B was the smaller of the two tracts, which would include the old house, the slave house and the cemetery area according to the preliminary plan. He explained the layout of the development to justify the need for the PAE.

Ms. Kirby asked if there was a road there already why the need for a PAE.

Mr. Stepowany stated that he needs an easement because he is creating two lots. He needs to have an easement to serve the second lot.

Ms. Kirby asked who is responsible for property now. Who was King Sherwood LLC.

Mr. Westinger stated to the best of his knowledge it was Granite Construction.

Jervis Hairston, representing the Silver Companies, came forward to explain the development of the property. He stated the property was 540 acres which was currently owned by King Sherwood LLC, which was currently Granite Construction. He stated Granite Construction was going to deed back to Silver Properties the smaller 36 acre parcel for preservation of the main historic Sherwood Forest house, kitchen dependency and cemetery. He stated the Phase 1 survey was under preparation as we speak and would be submitted with the construction plans. He stated he understood the need for a Phase 1 and stated as the road comes through the development, the PAW would disappear.

Mr. Pitzel made a motion to approve the request. Ms. Carlone seconded. The motion passed by 5-0 (Mr. Di Peppe and Mr. Rhodes were absent).

Mr. Mitchell made a motion to adjourn the reconvened April 5, 2006 meeting. Mr. Pitzel seconded. The motion passed 5-0 (Mr. Di Peppe and Mr. Rhodes were absent).

With no further business to discuss, the meeting was adjourned at 6:07 p.m.

William Cook
Chairman