

***STAFFORD COUNTY PLANNING COMMISSION  
WORK SESSION MINUTES  
December 6, 2006***

The work session of the Stafford County Planning Commission of Wednesday, December 6, 2006, 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, Mitchell, Carlone, Rhodes and Di Peppe.

Members Absent: Pitzel

Staff Present: Harvey, Judy, Stepowany, Hornung and Gregori

Declarations of Disqualification

None

NEW BUSINESS:

1. RC2600561; Reclassification – Stafford Town Station - A proposed reclassification from A-1, Agricultural Zoning District and B-1, Convenience Commercial Zoning Districts to PD-2, Planned Development-2 Zoning District on Assessor's Parcels 38-29, 29A, 121, 121A, 122, 122A and 124 consisting of 543.98 acres, located on the east side of Jefferson Davis Highway approximately 300 feet south of American Legion Road and along Eskimo Hill Road within the Aquia Election District. The Comprehensive Plan recommends the property for Light Industrial, Rural Residential and Urban Commercial uses. The Light Industrial designation would allow light industrial, light manufacturing and office uses. The Rural Residential designation would allow single family residential development at a density of one (1) dwelling unit per three (3) acres. The Urban Commercial designation would allow development of commercial retail and office uses. The PD-2 designation would allow development for a planned, neotraditional mixed-use development with a variety of housing types and commercial uses intended to serve the immediate community. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses in the PD-2 Zoning District.

Mr. Cook stated Mr. Pitzel was excused from the meeting. He stated the Mr. Gollahon requested Item 1 be deferred to the January 17, 2006 Planning Commission Work Session. He stated Mr. Stepowany would be presenting an Ordinance for Traditional Neighborhood Development.

Mr. Stepowany stated a Traditional Neighborhood Development (TND) would be pedestrian friendly with mixed uses and a central civic building. He stated a TND would be divided into seven (7) transect zones; T1, T2, T3, T4, T5, T6, and Special District Commercial. He stated the Ordinance was modeled from the Smart Code and the neighborhoods would vary in lot sizes and density, as well as architectural variety. He stated there would be a central civic building, a network of streets and alleys that may include on-street parallel parking, and defined development edges. He stated the Ordinance amends Section 28-25; definitions, and Section 28-34; purposes of districts. He stated the Ordinance would delete the minimum and maximum acreage requirements for PD-1 and PD-2 zones. He stated the proposed

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TND Ordinance amends Table 3.1. He stated a Conditional Use Permit (CUP) would be required in the B-2 zone and open space and Floor Area Ratio requirements were exempt for TND in the B-2 zoning district. He stated a TND would be by-right in the PD-1 and PD-2 zoning districts. He stated the Ordinance would amend the minimum acreage for PD-1 if adjoining a rail station. He stated a TND would require Neighborhood Design Standards and a transect zone would have development requirements per the Traditional Neighborhood Development Design Manual (TNDDM). He stated a regulating plan would show the exact locations of the transect zones, primary streets, civic buildings and uses, pedestrian sheds, primary commercial frontage, and vista termination points. He stated the regulating plan would be proffered with the General Development Plan (GDP). He stated a modification to the regulating plan would require a change to the proffer. He stated an amendment to Sections 28-53, 28-54, and 28-55 would permit on-street parallel parking and parking garages. He stated both public and private streets in the TND would be held to Virginia Department of Transportation (VDOT) standards. He stated all residential units would be in a pedestrian shed. He stated a civic building or use would be the destination point for the pedestrian shed. He stated tot-lots, playgrounds, athletic fields, and trails were not civic uses. He stated there were two types of waivers, Alternative Compliance and Departure from Design standards.

Mrs. Kirby stated in her opinion the Planning Commission needed to attach the Smart Code and the Town Center Zoning Ordinance Text Amendment.

Mr. Stepowany stated the Smart Code was referenced as a guide but it was not what the Planning Commission was adopting.

Mr. Cook stated this was TND Ordinance with the Design Manual attached. He stated the Smart Code was simply a reference for the design manual which was not being voted on. He stated the PD-1 and PD-2 Zones were not changing.

Mr. Stepowany stated the only thing that was changing was the acreage in the PD-1, which would have to be a minimum 800 acres if it was adjoining a rail station.

Mr. Cook suggested leaving the PD-1 and PD-2 Zones alone and establishing a separate zoning category for TND Zone.

Mr. Stepowany stated that was an option but it would be on hold until the Comprehensive Plan was accepted.

Mr. Harvey stated the Planning Department currently had two zoning cases requesting amendments in the PD Zones.

Mrs. Kirby asked why the developer requested changes.

Mr. Harvey stated there were changes in acreage.

Mr. Stepowany stated there would be an increase to the percentage of town homes and multi-family units developed in the PD Zone.

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Mrs. Kirby asked if developers want to build more townhomes.

Mr. Stepowany stated currently the PD-1 and PD-2 zoning permits townhomes but developers would like to increase the percentage of the overall density. He stated more civic areas and pedestrian sheds would be required.

Mrs. Kirby stated in her opinion the Planning Commission wanted something like downtown Fredericksburg where someone could live upstairs and have a business downstairs. She stated three acre lots were not big enough to farm or do anything with. She stated in her opinion the Planning Commission would not want too many townhomes.

Mr. Stepowany stated the number of townhomes could be controlled through proffers.

Mrs. Carlone stated she was concerned about the number of units.

Mr. Stepowany stated the overall density of a PD Zone could not be increased.

Mrs. Kirby asked who sets the transect zone.

Mr. Stepowany stated the transect zones would be set on the regulating plan.

Mrs. Kirby asked if the Planning Commission would have any influence in the design plan.

Mr. Stepowany stated yes, for example, if the applicant brought in a plan the Planning Commission could say the landscaping was good but they were not happy with the lighting design.

Mr. Di Peppe stated if the TND was adjacent to a rail station it would have to be a minimum of 800 acres.

Mr. Stepowany stated 800 acres was the maximum which could be zoned PD-1.

Mr. Di Peppe stated in his opinion the purpose of the design manual was to avoid constantly creating text amendments to the Zoning Ordinance.

Mrs. Kirby stated she would like to review the Ordinance.

Mr. Stepowany stated every residential unit shall be within 2500 feet of a rail station or 1300 feet of a civic building. He stated the plans would have to show the exact location of the civic building. He stated research has found people would walk for 10 minutes to get to a rail station. He stated bike/hike trails, tot lots, and ball fields were not civic uses.

Mrs. Kirby stated an example of a civic building would be a library, school, or fire station.

Mr. Stepowany stated there would be one bike slot for every ten parking spaces.

Mrs. Kirby asked if the three transect zones would be selected by the developer.

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Mr. Stepowany stated yes.

Mrs. Kirby asked how high the buildings could be.

Mr. Stepowany stated 80 feet.

Mr. Di Peppe stated it was a good idea to have the rail station near homes considering the number of residents who commute to Washington, D.C.

Mr. Harvey stated the TND focused more on streetscape and form based rather than being based on a cookie cutter development.

Mr. Stepowany stated an example of TND was Ladysmith Village in Caroline County.

Mrs. Carlone stated she liked the town center look.

Mrs. Kirby asked what administrative modifications to design standards were.

Mr. Stepowany stated there were provisions which could be submitted to the agent. He stated because of time, market, or desire the developer can change a specific type of element.

Mrs. Kirby stated she was concerned about developers making modifications based on market expense.

Mr. Stepowany stated the developer would have to adhere to the proffers.

Mrs. Kirby stated the minor modifications were unclear. She stated what may be a minor modification to one person, may be a major modification to another.

Mr. Rhodes stated one could never identify every example of a minor modification.

Mr. Judy stated this was a situation where there was room for subjective opinions.

Mrs. Kirby asked what happens when the developer pressures the administrator to permit modifications which would be considered major modifications.

Mr. Harvey stated the design standards were for exterior features and architectural elements.

Mr. Stepowany stated the developer would not be able to modify the actual transect zones.

Mr. Judy stated the model ordinance acknowledged modifications or adjustments to the Neighborhood Design Standards would include the streetscapes.

Mr. Stepowany stated Part B of the Neighborhood Design Standards addressed specific features which were being modified or adjusted.

Mr. Judy stated a TND was in the use table.

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Mr. Stepowany stated that was correct. He stated to get the use the developer would have to amend the proffer.

Mr. Harvey stated there were a number of PD-1 zoned projects in Stafford County and Embrey Mills was a PD-2 zoned project.

Mrs. Kirby stated the requirements for open space and floor area ratio were exempt for TND in a B-2.

Mr. Stepowany stated eighty percent of the lot has to be covered in some transect zones therefore it would not be applicable to require open space ratio or floor area ratio.

Mr. Cook stated at the January 3, 2007 Work Session the Planning Commission would discuss the Reservoir Overlay District Ordinance, the Traditional Neighborhood Development Ordinance, and the last fifteen minutes would be designated to the Nominating Committee.

ADJOURNMENT

With no further business to discuss the meeting was adjourned at 6:41 p.m.

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William Cook, Chairman

# ***STAFFORD COUNTY PLANNING COMMISSION MINUTES***

## ***December 6, 2006***

The regular meeting of the Stafford County Planning Commission of Wednesday, December 6, 2006, 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, Mitchell, Carlone, Di Peppe, and Rhodes

MEMBERS ABSENT: Pitzel

STAFF PRESENT: Harvey, Baker, Judy, Hornung, Kaminsky, Wheatcraft, and Gregori

PUBLIC PRESENTATIONS: None

### PUBLIC HEARINGS:

1. RC2600555; Reclassification – Stafford County Board of Supervisors - A request to remove the Historic Resource Overlay District designation on Assessor's Parcels 45-220, 45-220E, & 45-220J, zoned A-1, consisting of 458 acres, located on the west side of Jefferson Davis Highway at the intersection with Layhill Road within the Hartwood Election District. **(Time Limit: March 7, 2007)**

Ms. Wheatcraft presented the staff report and stated the current use was residential. She stated the main house was a Federal style building, with barns, garages, a family cemetery, a milk house and a two story frame building. She stated tax records indicate that a residence has been on the property since 1804 and changes were made to the main house in 1839, 1920, 1938, and during the 1950's. She stated the property was eligible for the National Register under Criterion A and Criterion B and the Historic Resource Overlay District has been in effect on the property since 1985. She stated in April of 2006, the Architectural Review Board (ARB) reviewed and approved a Certificate of Appropriateness application for a subdivision project that was planned with the Glencairne Historic Overlay District. She stated in June 2006, the Board of Supervisors adopted a Resolution that authorized the County Administrator to initiate a Zoning Ordinance amendment to remove the Glencairne Historic Resource Overlay District classification and in October 2006, the ARB made a decision to recommend the Historic Resource Designation stay on the property. She stated the ARB recommended that if Mr. Chichester plans to place an easement on the property, a historic preservation easement through the Virginia Department of Historic Resources or the National Trust for Historic Preservation should be pursued. She stated the County Administration received a letter dated November 14, 2006 from the Virginia Outdoors Foundation which describes a conservation easement planned for 79 acres of the Glencairne property. She stated the Planning Commission had three options: recommend approval, recommend denial, or recommend approval for a portion of the property.

Mrs. Carlone asked if Mr. Chichester was planning a subdivision.

Mr. Harvey stated the Board of Supervisors was the applicant.

Mrs. Kirby asked why the Board of Supervisors was the applicant.

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Mr. Harvey stated the Board of Supervisors adopted a resolution to sponsor the change in the zoning on this particular property. He stated the Board can rezone properties without the individuals' consent.

Mrs. Kirby asked what the rationale was for the Board to initiate the rezoning since the Board was the one to make the property a Historic Resource Overlay District.

Mr. Harvey stated there was some concern about the size of the district. He stated there was a request from the property owner to remove the Historic Resource Overlay District.

Mrs. Kirby asked if the Board received anything in return.

Mr. Harvey stated he was not aware of an exchange of anything.

Mrs. Kirby asked about proposed ball fields.

Mr. Harvey stated the County may acquire some proposed park land from the owner.

Mr. Rhodes asked why the property was designated as part of the Historic Resource Overlay District.

Ms. Wheatcraft stated it was a historic farm.

Mr. Rhodes asked if there was a benefit to being in the Historic Resources Overlay District.

Ms. Wheatcraft stated the property would be protected.

Mr. Rhodes asked what the Virginia Outdoors Foundation was.

Ms. Wheatcraft stated it was primarily a non-profit, environmental organization. She stated the organization holds and monitors easements, sometimes with financial benefits in return.

Mr. Rhodes asked what was less beneficial about a conservation easement.

Ms. Wheatcraft stated the conservation easement was more for the natural environment. She stated the Virginia Department of Historic Resources would know more about historic properties so they can determine what was unique about a particular property.

Mr. Judy stated the two organizations the ARB recommended would be more focused in enforcing the easement.

Mr. Di Peppe stated the Historic Resource Overlay District was not permanent.

Mr. Harvey stated an overlay was a zoning district and zoning changes.

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Mr. Di Peppe stated a conservation easement could be longer lasting because it was not a zoning issue. He stated there was no particular economic benefit for being in the Historic Resource Overlay District.

Mrs. Kirby asked if one was to go to with the Virginia Department of Historic Resources for a historic easement, would there be tax incentives.

Mr. Rhodes asked if the acreage being discussed for the easement included all the structures on the property.

Daniel Chichester, property owner, stated the acreage in question was family property and he was the custodian of the home. He stated the property had been in his family since 1825. He stated Stafford County does not have a great record of preserving old houses, and he did not agree with Ms. Wheatcraft's presentation. He stated years ago he decided to give part of the property to Stafford County with the hope that they would build baseball fields. He stated there was a proposed development near the property which Ms. Wheatcraft stated was no longer moving forward, but the project had yet to be submitted for approval. He stated a portion of the property was purchased in 1940 and was not originally part of Glencairne. He stated when his uncle died in 1986 he did not have the liquidity to pay the estate taxes, and in his opinion it would be irresponsible to leave the younger generations of the Chichester family in a predicament with estate taxes. He stated the house has been remodeled many times, the porch, the crown molding, floors and the windows were added in 1958. He stated the Department of Historic Resources required the property be open to the public one day a year. He stated the 79 acres would preserve the house, the property surrounding the house, and Claiborne Run. He stated the easement would be in perpetuity. He stated sometimes the tax payer's wishes should be given consideration.

Mrs. Carlone stated public events on the property could be invitation only.

Mr. Chichester stated he would not jeopardize his family by opening the property to the public.

Mrs. Carlone asked if the house was architecturally the same.

Mr. Chichester stated the house was like every other house built at that time.

Mrs. Carlone asked about the subdivision near the property.

Mr. Harvey stated the initial review had taken place, but the project was on hold.

Mrs. Kirby asked if it was a preliminary plan.

Mr. Harvey stated yes.

Mr. Di Peppe asked if the easement was holding up the development.

Mr. Chichester stated, in his opinion, the economy was holding up the development.

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Mr. Di Peppe asked if the Historic Resource Overlay District was preventing further work on the development.

Mr. Chichester stated that was not exactly the case, the development was pretty far from Glencairne. He stated there were other developments which were closer.

Mr. Di Peppe stated he was sympathetic to Mr. Chichester's request.

Mr. Mitchell stated, in his opinion, Mr. Chichester was an honest man and the easement enforcement through Virginia Outdoors Foundation seemed like a good idea. He agreed that people should not be allowed at Glencairne.

Mr. Rhodes asked if all structures were in the 79 acres easement except Mont Anna.

Mr. Chichester stated yes.

Mr. Rhodes asked if the renovations in 1958 resembled Federal style architecture.

Mr. Chichester stated the home was fancier since the renovations.

Mr. Rhodes asked if the Historic Resource Overlay District was requested by Mr. Chichester's uncle.

Mr. Chichester stated that was staff's opinion.

Mr. Rhodes stated there was text under paragraph 6, which states changes would not fundamentally alter the architectural significance or historic character of the exterior of the main house. He asked if staff has reviewed the proposed easement.

Mr. Chichester stated staff has had since August to review the basic document. He stated 4A was the last addition to the document to protect Claiborne Run.

Mrs. Kirby stated the house would not be opened as the main reason for not going with Virginia Department of Historic Resources.

Mr. Chichester stated that organization dealt primarily with the house. He stated the Virginia Outdoors Foundation deals with the whole 79 acre easement.

Mrs. Kirby stated the Virginia Outdoors Foundation was primarily environmental. She stated the Virginia Department of Historic Resources was primarily concerned with the house itself, which was the historic piece of the property.

Mr. Chichester stated he felt the graveyard was the historic site on the property.

Mrs. Kirby suggested opening Glencairne once a year to Sheriff Deputies only.

Mr. Chichester stated he was not opening the house to anyone. He stated he was entitled to privacy.

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Mrs. Kirby stated Mr. Chichester was concerned about Stafford County not doing their job in preserving historic properties, yet when the County tries to preserve a historic property Mr. Chichester fights against.

Mr. Chichester stated in his opinion there should be an eighty acre Historic Resource Overlay District at Sherwood Forest.

Mrs. Kirby stated the Glencairne property had been in the Historic Resource Overlay District for twenty-one years without issue.

Mr. Chichester stated he did not own the property in 1985.

Mrs. Kirby suggested speaking with the Planning Commission about another kind of easement.

Mr. Chichester stated the easement with the Virginia Outdoors Foundation fits Glencairne. He stated the Virginia Department of Historic Resources may fit the Conway House, but it does not fit Glencairne.

Mr. Cook opened the Public Hearing.

Richard Chichester stated he owns forty-nine acres of property across from Glencairne which was not in the Historic Resource Overlay District. He stated the Chichester family believes the Virginia Outdoors Foundation easement would be best for Glencairne. He stated he had never known a working farm to be in a Historic Resource Overlay District.

Glenn Trimmer, Friends of Stafford Civil War Sites, stated cooperating with Virginia Department of Historic Resources could be difficult because of what they do not know about Stafford Civil War sites. He stated at this point, the County and the property owner should get together to work out a recommendation knowing what both sides want to do. He stated there were a number of Civil War camps in the vicinity of the Glencairne property. He stated it seemed like the proposal by the applicant would provide for the preservation of a very historic structure. He suggested the property owner allow the Friends of Stafford Civil War Sites look at the site and identify any possible Civil War sites. He stated he supports Mr. Chichester's request.

Jeff Brooks stated he was an abutting property owner. He stated in his opinion the Historic Resource Overlay District makes no sense. He stated Mr. Chichester was a conservationist. He stated protection of the house itself was a good idea, but not the whole 458 acres.

With no one else coming forward the Public Hearing was closed.

Mr. Rhodes stated paragraph 6 reads structural changes, alterations, additions, or improvements which would not alter the fundamental architectural significance or the historic character of the exterior of the main house may be made.

Ms. Wheatcraft stated the Virginia Department of Historic Resources would require specific criteria for the preservation of Glencairne.

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Mr. Cook stated the property was in the Falmouth District.

Mr. Harvey stated the Hartwood District runs to Route 1. He stated there was a stream which runs between the Southgate project which divides the Falmouth District and Hartwood District.

Mrs. Carlone made a motion to remove a portion of the Historic Resource Overlay District.

Mr. Cook stated if a motion was made to remove a portion, why not motion to put the 79 acres in the easement and remove the rest of the property from the Historic Resource Overlay District.

Mr. Di Peppe seconded the motion.

Mr. Cook stated he had a motion to put 79 acres which Mr. Chichester has designated in an easement and remove the Historic Resource Overlay District from the rest of the property.

Mr. Mitchell stated he would prefer to remove the whole Historic Resource Overlay District.

Mr. Cook asked the motion be withdrawn and he would accept two motions. He stated the first motion would be to remove the entire Historic Resources Overlay District. He stated the second motion would be to place the 79 acres Mr. Chichester had designated into the conservation easement.

Mrs. Carlone withdrew her motion.

Mr. Di Peppe withdrew his second.

Mrs. Carlone made a motion to remove the Historic Resource Overlay District with the recommendation to put 79 acres in a conservation easement. Mr. Di Peppe seconded. The motion passed 5-1 (Mrs. Kirby was opposed Mr. Pitzel was absent).

2. RC2600559; Reclassification - Fairfield Inn & Suites - A proposed reclassification from R-1, Suburban Residential to B-2, Urban Commercial Zoning District to allow the construction of a hotel on Assessor's Parcels 30-2C and 30-2D consisting of 1.48 acres, located on the south side of Derrick Lane approximately 400 feet east of Jefferson Davis Highway within the Aquia Election District. The Comprehensive Plan recommends the property for Urban Residential use, which would allow development of a variety of residential uses up to fifteen (15) dwelling units per acre. This request would allow development of commercial retail and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses in the B-2 Zoning District. **(Time Limit: March 7, 2007)**
3. CUP2600560; Conditional Use Permit - Fairfield Inn & Suites - A request for a Conditional Use Permit to allow the construction of two hotels within the Highway Corridor Overlay Zoning District on Assessor's Parcel 30-2C, 30-2D, and 30-5 consisting of 5.34 acres, located on the east side of Jefferson Davis Highway, just south of Derrick Lane within the Aquia Election District. **(Time Limit: March 7, 2007)**

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

Mrs. Baker presented the staff report. She stated parcels 30-2C and 30-2D were wooded with severe terrain. She stated there were no cultural resources or Resource Protection Areas (RPA) on the site. She stated there would be no access to Derrick Lane and the site would be developed in accordance with the Generalized Development Plan (GDP). She stated the delivery hours would be from 9:00 a.m. to 6:00 p.m. and there would be a transitional buffer along Derrick Lane. She stated the Conditional Use Permit (CUP) would expire after five (5) years if building permits were not obtained.

Mrs. Kirby asked if there were enough Utility taps for the capacity of a hotel.

Mr. Harvey stated the Aquia Wastewater Sewer Shed had an ample supply.

Mr. Di Peppe stated he was concerned about the proximity of the hotel to the residences on Derrick Lane and the short distance of a twenty-five foot buffer with only a six foot high fence.

Clark Leming, representing the applicant, stated the GDP was proffered to include road frontage improvements. He stated the building height would be forty-eight feet in the front and thirty-five feet in the back. He stated Derrick Lane made a triangle with the hotel and the residences. He stated the applicant proffered the architectural rendering.

Mrs. Kirby asked for clarification concerning the texture.

Mr. Leming stated the building texture was EIFS and the applicant did not have a problem with using another color. He stated the hotel was designed for extended stay. He stated all entrances were located on Jefferson Davis Highway with right in and right out access. He stated they were required to have fifty percent open space.

Mrs. Carlone stated she was concerned about the possible crime problems associated with the extended stay hotels. She asked if there would be closed circuit television monitoring in the parking area.

Mr. Leming stated yes.

Mrs. Kirby stated she wanted to see more brick and earth tones on the building. She asked Mr. Leming to explain the Real Estate Taxes.

Mr. Leming stated the numbers were simply transposed incorrectly on the report.

Mrs. Kirby stated the taxes were based on one hundred percent occupancy.

Mr. Leming stated yes.

Mrs. Kirby stated there was no restaurant in the hotel.

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Mr. Leming stated traffic counts included persons staying at the hotel who would drive to a restaurant.

Mr. Di Peppe asked how much of the open space was being used by the parking lot.

Mr. Leming stated the parking lot was set with the landscaping requirements.

Mr. Rhodes stated there was four hundred feet of space between the sidewalk and the front of the building.

Wes Tyree, Dewberry and Davis Engineering, stated they could make sidewalk connections.

Mr. Cook opened the Public Hearing.

Joseph Conover showed a scale model of the proposed hotel and the houses on Derrick Lane. He stated the project was out of scale and inconsistent with the neighborhood. He stated the site plan showed an easement which would anticipate that there would be access at some point.

Ben Litalien stated the Comprehensive Plan showed the site as R-1 Zoning. He stated he never imagined a hotel being located twenty-five feet from his home. He stated if he knew this was coming he would not have bought the property. He stated the project was out of scope and was not justified. He stated there was lots of B-1 and B-2 Zoning available in the County. He stated his home was an investment which was now jeopardized by the proposed hotel.

Jim Elkins stated he has lived on Derrick Lane for forty-four years. He stated his property has a two-hundred sixty-six foot boundary line abutting the proposed hotel. He stated the hotel would loom over the residences. He stated he sold property to a couple who said they would build a home on the site, then 2 days later the couple sold the property to the present owner for the exact same price at which they bought it.

Larry Johnson stated the Marriot Hotel which was currently being built had not caused a lot of trouble. He stated he was concerned about the foot print of the building. He stated the parking lot was close to the homes on Derrick Lane.

Doug Pack stated he owns the home diagonally across from the proposed hotel. He stated he was opposed to the rezoning. He stated in his opinion, the land purchase was unethical. He stated the trees used for the buffer zone were too small and asked the Planning Commission to turn down the CUP and the rezoning.

Terry Bickle stated he never thought the property could be rezoned. He stated in his opinion this did not bode well for Stafford County.

Michelle Ayers stated she strongly disagreed with the CUP and rezoning.

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Darlene Pack stated she was opposed to the development. She stated she never fathomed she would be looking at a hotel. She stated, in her opinion, the crime rate rising because of the extended stay hotel was scary.

Sylvie Pendleton stated he never imagined the property would be turned into a commercial site. He stated some people in the neighborhood have lived there for a long time. He stated, in his opinion, the hotel would generate a lot of traffic and asked the Planning Commission to please turn down the CUP and rezoning.

Robert Luxedor stated the Comprehensive Plan proposed residential for the property. He stated commercial development was encroaching on the neighborhood. He stated the people on Derrick Lane were looking for good neighbors.

Sharon Goodchild stated abutting property owners were not the only people affected by the proposed development. She stated the development pushes the requirement for the B-2 Zone. She stated the hotel would create noise during construction. She asked the Planning Commission to please turn down the CUP and rezoning.

John Parker stated his home was the first house built on Derrick Lane. He stated this was his retirement home. He stated there was a church at the end of the street. He asked the Planning Commission to please turn down the CUP and rezoning.

Paula Peterson stated Derrick Lane was a small wooded neighborhood. She stated she wanted to be away from the urban center and opted to be inconvenienced by the commute to Northern Virginia. She stated the community has maintained the subdivision because they care about the neighborhood.

Jeff Peterson stated, in his opinion, Mr. Elkin was duped into selling his property. He asked the Planning Commission how he could trust what was being said tonight. He stated commercial development was encroaching into the neighborhood and he was concerned about what may happen in two or three years. He stated the homes along Derrick Lane were retirement investments. He asked the Planning Commission to control the commercial encroachment into the neighborhood.

Robert Jensen stated he was opposed to CUP and rezoning. He stated there was a car dealership at the end of the street and he knew commercial development was possible. He stated he thought the property was zoned R-1. He stated, in his opinion, the hotel should be built further down the street.

Bob Goodchild stated he was against the rezoning. He stated, in his opinion, the hotel was unnecessary and the Comprehensive Plan was not managing growth. He stated if there was one parking spot for every room then where would the staff park. He stated the neighborhood security would be threatened by transients. He stated, in his opinion, the B-2 zoning was not what the Comprehensive Plan recommended for the site. He stated the citizens could not trust the County.

Mary Brown stated she had lived on Derrick Lane since 1959. She stated her neighbors were wonderful. She stated she would hate to look at a hotel and asked the Planning Commission to please turn down the CUP and rezoning.

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

Mr. Leming stated the hotel would be on a narrow piece of land which would not be suitable for single family residential development. He stated the hotel would be a good economic benefit to the County. He stated the proposed hotel was small and a reasonable proposal for Jefferson Davis Highway. He stated apartments or townhomes would not make the residents of Derrick Lane very happy.

Mr. Di Peppe asked the applicant to address the acquisition of the property.

Mr. Leming stated he had no knowledge of how the property was acquired. He stated there were some serious allegations being made.

Mr. Mitchell stated he did not agree with Mr. Di Peppe and the issue at hand was based on a land use decision not on how the applicant acquired the land. He made a motion to put Items 2 and 3 in committee. Mrs. Kirby seconded the motion.

Mr. Di Peppe made a substitute motion for denial. With no second the motion did not go forward.

The motion to put Items 2 and 3 in committee passed 5-1 (Mr. Di Peppe was opposed Mr. Pitzel was absent).

Mr. Cook stated Items 2 and 3 would be discussed at the February 7, 2007 Planning Commission Work Session.

**UNFINISHED BUSINESS:**

4. **RC2600390; Reclassification – Bird/Cooke Property** - A proposed reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District for an office and retail shopping center on Assessor's Parcel 44-62 consisting of 26.12 acres, located on the north side of Warrenton Road approximately 800 feet north of Cardinal Forest Drive across from Village Parkway within the Hartwood Election District. The Comprehensive Plan recommends the property for Urban Commercial uses which 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: January 15, 2007)(Deferred to January 3, 2007 Regular Meeting)**

Mr. Cook stated Item 4 was deferred to the January 3, 2007 Regular Meeting.

5. **SUB2501328; Ellison Estates Section 2, Preliminary Subdivision Plan** - A preliminary subdivision plan for 7 single family residential lots, zoned A-2, consisting of 9.97 acres, located at the north end of proposed Ellison Court and approximately 1,100 feet west of Jefferson Davis Highway and 1,300 feet north of American Legion Road on Assessor's Parcel 38-45H, within the Aquia Election District. **(Time Limit: May 24, 2006) (Deferred to December 6, 2006 at applicant's request)**

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Ms. Kaminsky presented the staff report. She stated the plan was for seven single family lots which would be served by public water and private septic. She stated the plan was not in compliance with Section 25-71 (b) and staff recommended denial.

Ray Freeland, CT Park representing the applicant, stated they had been trying to connect to public sewer because anyone in the Urban Service Area must connect. He stated there was a force main in the vicinity of the site but the Board of Supervisors would not approve the use of a Low Pressure System.

Mrs. Kirby asked how lots 17, 19, and 20 could be fenced due to the irregular lot lines.

Mr. Freeland stated there was a drainfield between the lots.

Mr. Mitchell made a motion for approval. Mr. Di Peppe seconded. The motion for approval passed 4-2 (Mrs. Kirby and Mrs. Carlone were opposed Mr. Pitzel was absent).

6. Amendment to Subdivision Ordinance - Amendment to Section 22-153, Lots for Water and Sewer Mains, of the Subdivision Ordinance, pursuant to O06-62. The proposed amendment would require all water and sewer easements, in their entirety, serving water and/or sewer mains between lots in a residential subdivision to be located on lots conveyed to and maintained by a homeowners association. The width of the easement shall be in accordance with Chapter 25 and Chapter 26.2 of the Stafford County Code. **(Deferred at Staff's Request)**

Mr. Cook stated Item 6 was deferred.

7. CUP2600130; Conditional Use Permit – Suh Gas Station - A request for a conditional use permit to allow vehicle fuel sales in a B-2 Zoning District on Assessor's Parcels 29-90A and 96 consisting of 3.2 acres, located on the north side of Courthouse Road at the intersection with Wyche Road within the Aquia Election District. **(Time Limit: December 19, 2006)(Deferred to the January 17, 2007 Work Session)**

Mr. Cook stated Item 7 was deferred to the January 17, 2007 Planning Commission Work Session.

8. RC2501249; Reclassification – Onville Estates - A proposed reclassification from A-2, Rural Residential Zoning District to R-1, Suburban Residential Zoning District on Assessor's Parcel 20-49J consisting of 59.13 acres, located on the west side of Onville Road approximately 300 feet north of Ebenezer Church Road within the Griffis-Widewater Election District. The Comprehensive Plan recommends the property for Rural Residential use. The Rural Residential designation would allow residential development at a maximum density of one dwelling unit per three acres. This request would allow single family detached or duplex dwellings at a maximum density of three dwelling units per acre. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses in the R-1 zoning district. **(Time Limit: January 31, 2007)(Deferred to January 17, 2007 Work Session)**

Mr. Cook stated Item 8 was deferred to the January 17, 2007 Work Session.

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9. CUP2501638; Conditional Use Permit; Sydney Hastings Commons 7-11 - A request for a Conditional Use Permit to allow a convenience store with vehicle fuel sales in the Highway Corridor Overlay Zoning District on Assessor's Parcel 45-92C consisting of 2.42 acres, located on the northwest corner of Warrenton Road and Melchers Drive within the Falmouth Election District. **(Time Limit: February 13, 2007)(Deferred to January 17, 2007 Work Session)**

Mr. Cook stated Item 9 was deferred to the January 17, 2007 Work Session.

**NEW BUSINESS**

10. PAE2600814; Roseville Heights Section 1, Lot 8, Private Access Easement – A Private Access Easement for a proposed minor subdivision plat of Assessor parcel 18A-8, 4.3558 acres, zoned A-2, Rural Residential, to serve 1 new lot, located on the south side of Bailey Court at its terminus, approximately 1,500 feet south of Mountain View Road in the Rock Hill Election District. **(Time Limit: February 7, 2007)**

Ms. Kaminsky presented the staff report. She stated the Private Access Easement (PAE) was in compliance with the Subdivision Ordinance and staff recommends approval.

Mrs. Kirby made a motion for approval. Mr. Rhodes seconded. The motion passed 6-0 (Mr. Pitzel was absent).

11. SUB2501051; Lake View Estates, Preliminary Subdivision Plan – A preliminary subdivision plan for 22 single family residential lots, zoned A-1, Agricultural consisting of 87.53 acres, located on the west side of Rocky Run Road approximately 2,700 feet south of Warrenton Road on Assessor's Parcels 44-12 and 44-13, within the Hartwood Election District. **(Time Limit: February 27, 2007)**

Ms. Kaminsky presented the staff report. She stated the plan was for twenty-two single family lots, which would be served by private well and septic. She stated there was a cemetery and RPA on the site and staff recommends approval.

Mrs. Kirby stated the Planning Commission requires cemeteries be placed on separate parcels with a fifty foot buffer. She stated the cemetery was very close to a drainfield.

Craig Van Dussen, representing the applicant, stated Anita Dodd had looked at the site and did not recommend the cemetery be on its own parcel. He stated the developer was proposing a twenty foot buffer. He stated the drainfield drains away from the cemetery.

Mrs. Kirby stated there could be possible erosion problems because of the drainfields proximity to the cemetery.

Mrs. Carlone asked that the lots with RPA on them have a metal plaque stating there could be no land disturbance.

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Mr. Van Dussen stated he would do that.

Mrs. Carlone made a motion to put Item 11 in committee. Mrs. Kirby seconded. The motion passed 5-1. (Mr. Mitchell was opposed Mr. Pitzel was absent).

Mr. Cook stated Item 11 would be heard at the February 21, 2007 Planning Commission Work Session.

12. SUB2600640; The Reserve, Preliminary Subdivision Plan, Revalidation – A preliminary subdivision plan for 13 single family residential lots, zoned A-1, Agricultural consisting of 56.77 acres, located on the south side of Courthouse Road approximately 500 feet east of Bluebird Lane on Assessor's Parcels 39-48 and 39-99, within the Aquia Election District. **(Time Limit: February 27, 2007)**

Ms. Kaminsky presented the staff report. She stated the proposed plan was for thirteen single family lots which would be served by public water and private sewer. She stated staff recommends approval.

Mr. Rhodes asked if Fire and Rescue had any comments regarding the radius of the cul-de-sacs.

Mr. Harvey stated Fire and Rescue was okay with the plan as long as there was a forty-five foot radius.

Mrs. Kirby asked about the residue in Section 2.

Chaman Puri, applicant, stated they were not able to develop that section of land.

Mr. Mitchell made a motion for approval. Mr. Rhodes seconded. The motion passed 6-0 (Mr. Pitzel was absent).

13. SUB2600373; Summit Ridge, Preliminary Subdivision Plan, Revalidation – A preliminary subdivision plan for 60 townhouse units, zoned R-2, Urban Residential – Medium Density, consisting of 11.50 acres, located 800 feet north of Woodmont Court approximately 525 feet east of Bells Hill Road off proposed Belcroft Drive on Assessor's Parcel 30-100, within the Aquia Election District. **(Time Limit: February 27, 2007)**

Ms. Kaminsky presented the staff report. She stated the lots would be served by public water and sewer. She stated there was RPA on the site and staff recommends approval.

Mrs. Kirby asked if the 1.05 acres was usable.

Ms. Kaminsky stated it would be a tot lot.

Mrs. Kirby stated there would be one tot lot for sixty homes. She stated Fire and Rescue did not like hammer head turn arounds.

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Mike Proctor, representing the applicant, stated he had worked with Fire and Rescue to create an agreeable size for the hammer head turn arounds.

Mrs. Carlone asked if another tot lot could be put in.

Mr. Rhodes stated the tot lot was in the center of the complex.

Mr. Mitchell asked if the size of the tot lot could be doubled.

Mr. Proctor stated he would double the size of the tot lot.

Mr. Mitchell made a motion for approval. Mrs. Carlone seconded. The motion passed 6-0 (Mr. Pitzel was absent).

14. SUB2600223; The Reserve at Hartwood, Preliminary Subdivision Plan – A preliminary subdivision plan for 13 single family residential lots, zoned A-1, Agricultural consisting of 45.65 acres, located on the west side of Hartwood Road approximately 2,300 feet north of Jesse Curtis Lane on Assessor's Parcel 25-47, within the Hartwood Election District. **(Time Limit: February 7, 2007)**

Ms. Kaminsky presented the staff report. She stated the plan was for thirteen single family lots which would be served by private well and septic. She stated there were perennial streams and RPA on the site and staff recommends approval.

Mrs. Carlone stated she would like metal signs put up to prevent disturbance of the RPA.

Scott Smith, representing applicant, stated they would post the metal signs.

Mr. Cook asked that the name of the subdivision be changed.

Mr. Smith stated they would change the name of the subdivision.

Mrs. Kirby asked if a booklet could be provided to each home buyer with information about Low Impact Development (LID) and bio-retention. She stated, in her opinion, lot 3 could have been engineered better.

Mrs. Carlone made a motion for approval with the changes. Mr. Di Peppe seconded. The motion passed 6-0 (Mr. Pitzel was absent).

15. SUB2600017; Smith Lakes Estates, Section 2; Preliminary Subdivision Plan – A preliminary Subdivision Plan for 7 single family residential lots on Assessor's Parcel 20-64, zoned A-1, Agricultural consisting of 24.62 acres, located south of Kimberwick Lane, approximately 1,500 feet east of Pelham Way and north of Juggins Road within the Griffis-Widewater Election District. **(Time Limit: February 28, 2007)**

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Mrs. Hornung presented the staff report. She stated the proposed plan was for seven single family residential lots which would be served by public water and sewer. She stated staff recommends approval.

Mrs. Carlone asked that metal signs stating no disturbance of the RPA be placed on lot 3.

Eddie Lewis, The Engineering Group, agreed to put a sign on lot 3.

Mrs. Kirby stated she would like paperwork provided to the home buyers explaining LID. She made a motion for approval. Mrs. Carlone seconded. The motion passed 6-0 (Mr. Pitzel was absent).

MINUTES

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey stated the Board of Supervisors approved the Westlake Proffer Amendment. He stated all the ordinances passed except the Temporary Storage Containers Ordinance. He stated the Board made changes to the architectural rendering of White Oak Plaza (formerly Ferry Farm Plaza).

Mr. Judy stated Mr. Fields was concerned that the rendering did not fit into the White Oak village area.

Mrs. Carlone asked about the proffer changes to Westlake.

Mr. Harvey stated the school site could be a library or park.

Mrs. Carlone stated in her opinion the Westlake approval was contingent on the school site.

COUNTY ATTORNEY'S REPORT

No report

SECRETARY/TREASURER REPORT

No report

STANDING COMMITTEE REPORTS

Mr. Rhodes stated the Comprehensive Plan may take longer than expected.

CONSENT AGENDA

SPECIAL COMMITTEE REPORTS

No report

CHAIRMAN'S REPORT

Mr. Cook appointed Mr. Mitchell, Mr. Rhodes, and Mrs. Kirby to the Nominating Committee.

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ADJOURNMENT

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

With no further business to discuss, the meeting adjourned at 11:40 p.m.