

STAFFORD COUNTY PLANNING COMMISSION MINUTES

March 8, 2017

The meeting of the Stafford County Planning Commission of Wednesday, March 8, 2017, was called to order at 6:30 p.m. by Chairman Tom Coen in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Tom Coen, Crystal Vanuch, Steven Apicella, Roy Boswell, Darrell English, Mike Rhodes,

MEMBERS ABSENT: Sherry Bailey

STAFF PRESENT: Jeff Harvey, Daniel Wisniewski, Stacie Stinnette, Brian Geouge, Susan Blackburn

DECLARATIONS OF DISQUALIFICATION

Mr. Coen: Are there any declarations or disqualifications from members of the Commission? Seeing none, we move along. We move to our agenda. First thing we have is public comments, comments by the public on any topic other than the public hearing this evening. The public hearing is on the Falmouth Village Commercial. So, if you would like to come forward to talk about any other issue other than that, we invite you to come forward at this time. You have 3 minutes to talk. We ask that you give us your name and address, and then, then you start speaking, the green will turn on. When you have hit one moment... one minute then the yellow light will turn on, and then at the red light we ask that you wrap up your comments. Are there any members of the public that would like to speak at this time? Seeing none, we close the public comment time period. So we move to our first item on the agenda; Mr. Harvey, that would be the Falmouth Village Commercial.

PUBLIC PRESENTATIONS

PUBLIC HEARINGS

1. RC16151459; Reclassification - Falmouth Village Commercial - A proposed zoning reclassification from the R-1, Residential Zoning District to the B-1, Convenience Commercial Zoning District, to allow for office and other commercial uses on Tax Map Parcel Nos. 53D-1-34, 53D-1-35, 53D-1-43, and 53D-1-43A. The property consists of 1.15 acres, located on the north side of Carter Street at the intersection of Gordon Street, and the east side of Gordon Street just north of King Street, within the George Washington Election District. **(Time Limit: June 16, 2017)**

Mr. Harvey: Yes, than, you Mr. Chairman. If you could, please recognize Brian Geouge for the presentation.

Mr. Coen: Good evening.

Mr. Geouge: Good evening Mr. Chairman, members of the Commission, I'm Brian Geouge with Planning and Zoning. Tonight I'll be going over a request to reclassify for Falmouth Village. The request is to reclassify from R-1, Suburban Residential to B-1, Convenience Commercial for four Tax Map Parcel Numbers, 53D-1-34, 35, 43, and 43A, with a total area of 1.5 acres. The applicant is LCT and JSC, LLC. Here's a location map where you can see the four parcels. This is at the southeast intersection of 17 and Route 1. The first two parcels are on the north side of Carter Street. And

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actually, a point to clarify here is that they're actually shown on the map as three distinct parcels but they're actually under the same parcel number. So that would be these. And the other two parcels are on the east side of Gordon Street between Carter Street and King Street. Adjacent properties are mainly zoned R-1; the exception is a parcel zoned B-2 here with a vacant structure and a parcel zoned B-3 on the north end of Gordon Street which is currently in use as an office. Here's an aerial view showing existing conditions at the site. Up on the Carter Street parcels, we have the historic Dunbar's Kitchen shown here. We also have a rambler that was built in 1955 here. And there's also two garages with that parcel shown here and here. On Gordon Street, there is a cinderblock residence that was built in 1950 shown here. And there's also a detached 3-car garage shown here on Parcel 34. On Parcel 35, it's undeveloped other than a concrete pad that's used for parking. Also, I want to point out here, up on Carter Street, surrounding Parcels 43 and 43A, there's quite a bit of open space. You can see here in between the roadway and the parcels this was remnant property. This is owned by VDOT; it's their right-of-way and it was a remnant of the intersection improvements. Here are some photos of the structures on the site. The top two are on Parcels 43 and 43A and include the historic Dunbar's Kitchen. It's one of the oldest structures in Falmouth, and the 1955 rambler. The bottom two photos are the properties on Gordon Street. You can see the cinderblock house on the left, bottom left and one of the garage structures adjacent to that on the lower right. Also, I want to point out that the period of significance for Falmouth is from 19... I'm sorry, 1750 through 1956. So, these modern structures built in the 1950s are considered contributing elements to the significance of Falmouth. This slide shows the GDP, a Generalized Development Plan which indicates the proposed uses on the properties. So, the applicant is proposing a total of around 5,800 square feet of office use, and that would be split between four existing structures, the first one being Dunbar's Kitchen; the second one being the 1955 rambler; and then third, down on Gordon Street the cinderblock residence and the 3-car detached garage. The applicant is also proposing about 2,400 square feet of restaurant use, and that would be in the two garages adjacent to the rambler on Parcel 43A. I also note that there's a sidewalk shown on the GDP, which is proposed to connect the parcels on Gordon Street up to the parcels on Carter Street, and that's shown here. Here's a closer view of the GDP. The picture on the left shows the Carter Street parcel and proposed developments. There is one proposed access point on Carter Street here. And you can see the building layouts and a large portion of the remainder of the property is going to be constructed as parking that would support the proposed uses. Over on the right are the Gordon Street parcels. There's proposed parallel parking along Gordon Street that would serve those proposed uses. This application did not trigger the threshold that would require them to provide a transportation impact analysis, so that was not provided for this. The uses proposed would generate 258 vehicle per day at the highest use, and that would be on a Saturday. The peak hour trip generation is 13 vehicles per hour. No additional road upgrades are identified or proposed. And again, there's a single access point that would serve the parcels on Carter Street. The applicant is proposing several proffers that require conformance with the GDP and that prohibit several commercial uses on the property which would otherwise be permitted; that require the construction of a sidewalk from Carter Street to King Street contingent upon their ability to acquire the necessary easements from offsite properties to construct it. Proffers that limit impervious materials used with parking areas that permit offsite parking if onsite parking is not feasible; that require signs to be posted describing historical significance of the properties. Also, proffers that require a Phase 1 cultural resource analysis prior to any land disturbance with a follow-up Phase 2 if recommended. Proffers that limit heights of new buildings to two stories; that require architecture for new construction to be compatible with the architecture in historic area; that require consideration for the rehabilitation of existing buildings before they're demolished; and that require any new construction, including additions, to be subject to the Architectural Review Board's review and standards. The Comprehensive Plan identifies this area as the Falmouth Village Planning Area. That planning area has a conceptual land use plan which recommends this area where these parcels are for mixed use commercial and residential future land use. There's also the Falmouth Village Redevelopment Area Plan which is a separate element of the Comprehensive Plan that goes into more detail and envisions this area as using a form

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based zoning, or an overlay zoning district, to facilitate redevelopment. And that would include a mix of residential and commercial uses. Another related effort going on currently is the Falmouth Redevelopment District Overlay. This was a Board-initiated overlay zoning of 81 parcels in the Falmouth Village. It aims to provide suitable and sufficient opportunities for redevelopment, allow flexibility in new construction and reuse of buildings, and to maintain the historic nature of the Falmouth area. The Board hearing for the overlay zoning of these 81 parcels is scheduled for March 21st, and I should note that the applicant has included several proffers that would be compatible with the requirements of this redevelopment area... this district. And examples of that would be limitation on uses, restricting building height, and requiring ARB review for any exterior modifications or new construction. Staff finds that the positives for this application is that the proposal is consistent with the established development pattern; it encourages future development that would be compatible with Historic Falmouth; the proposal incentivizes rehabilitation and reuse of vacant historic structures; it is compatible with the Falmouth Village Planning Area and Falmouth Village Redevelopment Plan; and that negative aspects are potential increase in traffic impacts. Staff is recommending approval of this application. And we'll open it up for any questions you have.

Mr. Coen: Alright, and Mr. English, I see you're ready.

Mr. English: Yeah. Brian, in reference to the Dunbar Kitchen, are they planning on tearing that down or do you know...?

Mr. Geouge: They're planning on using all of the existing structures, including Dunbar's Kitchen. That one would be converted for an office use.

Mr. English: So, they're not going to tear any of these down.

Mr. Geouge: No, they're not proposing to tear any of these structures down.

Mr. Coen: Mrs. Vanuch?

Mrs. Vanuch: What are the proposed hours of operation?

Mr. Geouge: I'm not sure if they... I don't recall them...

Mrs. Vanuch: So, no proffer to limit (inaudible).

Mr. Geouge: ... proffering any hours of operation.

Mrs. Vanuch: My other follow-up question to that is, is there going to be alcohol served? So, I'm just trying to make the differentiation of seeing a restaurant that's going to serve alcohol that might be open late and a little noisier if there's karaoke and that kind of thing.

Mr. Geouge: Again, I don't recall any limitations on whether they could serve alcohol at the establishments.

Mrs. Vanuch: Okay.

Mr. Coen: I have a quick question... alright, just one quick question. I notice that our time limit is June 16th; however, you mentioned that the Board has scheduled a public hearing for 3/21.

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Mr. Geouge: Yes, the public hearing is for the Falmouth Redevelopment Area (inaudible).

Mr. Coen: Okay, that area, not this project.

Mr. Geouge: Yes, not this particular.

Mr. Coen: Alright, thank you. Go ahead Mr. Apicella, and then I'll come back.

Mr. Apicella: Mr. Chairman, a couple of questions. The two buildings that are proposed as restaurants - is it going to be one restaurant or two restaurants?

Mr. Geouge: It's not clear. The applicant doesn't specify whether they're to be used together to serve as one restaurant use or not.

Mr. Apicella: Mr. Chairman, I don't know if this is going to move tonight or not but, if it doesn't, it'd be interesting to get the square-footage of the buildings.

Mr. Geouge: We a... just real quick, we did a quick look at that. I believe the larger garage is somewhere around 1,600 square feet, 1,700 maybe, and the smaller one is around 600 I believe.

Mr. Apicella: So, that'd be part of my question or concern is, is it even feasible to have a restaurant in a 600 square-foot building?

Mr. Geouge: Right, and I can't answer that. Perhaps the applicant could answer that question.

Mr. Apicella: In the staff report on page 10 of 11, the second paragraph, and it refers back to comments and concerns made by the Historical Commission and the ARB. It says, staff notes that many of the... I'll say the concerns have been incorporated into the proffers. So, when we say many of the concerns, what concerns were not addressed?

Mr. Geouge: I actually was not involved in the meetings with ARB so I can't speak to which ones were or were not addressed. I'm not sure if Mr. Harvey, perhaps you have some insight on that one.

Mr. Harvey: Mr. Chairman and Mr. Apicella, I'd have to go back and review the minutes for those meetings to drill down the specifics, but we can certainly do that.

Mr. Apicella: Okay, I think that would be helpful Mr. Chairman. What is the result, if this doesn't go now and the Falmouth Redevelopment... I can't remember the exact title of it, but if that moves forward, how would that impact this project?

Mr. Geouge: The impacts would be that there would be certain uses that would be permitted in these districts that would not otherwise be permitted if the parcels were to remain as R-1. But those uses do not include restaurant or general office use. So, to use these properties for the intended use as office and restaurant, they'd still have to do a rezoning to be one even if the Falmouth Redevelopment Area Overlay goes through.

Mr. Apicella: Okay. In the proffer statement, which is Attachment 3, page 2 of 6, it lists 12 different commercial uses that shall not be permitted. This is a B-1 rezoning, right?

Mr. Geouge: Correct.

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Mr. Apicella: Can you help me understand why number 1 automobile repair, number 2 auto service, number 5 machinery sales and service, number 11 warehouse/mini storage, and number 12 warehouse storage are listed since they're not allowable B-1 uses?

Mr. Geouge: My speculation is that the applicant just took the uses that were prohibited in the proposed Falmouth Redevelopment Overlay Zoning District and listed those out in the proffer regardless of whether they would be normally acceptable in a B-1 district or not.

Mr. Apicella: Right, but it wouldn't be necessary to include them because they're not allowable.

Mr. Geouge: That's correct.

Mr. Apicella: Again, it would be helpful from a staff perspective, Mr. Chairman, depending on where this goes, to get staff's input on other uses permitted by-right and/or conditional use permit uses that they would think would not be appropriate in this area. For example, I don't see adult business being excluded. It seems to me that that would probably not be appropriate for that area, but I suspect there may be some other ones again given the size of the parcels and the size of the buildings that ought to be given some more considerations to be excluded from this proposal. That's it Mr. Chairman.

Mr. Coen: Thank you. And the adult business one is one that we couldn't put into the overlay, but it's still out there. Several questions if I could. I noticed, and you very nicely said the significant time period is 1750 to 1956; do we know when those two garages that they want to make into restaurants were built?

Mr. Geouge: I'm not aware of when those were built. One appears to be fairly recent, certainly past 1956 but I'm not sure about the other one.

Mr. Coen: Okay. And that would be a good question to have. I asked Mr. Harvey earlier in the week and he gave some information, but I noticed that the parallel parking along Gordon would be coming out of their property. But do we know how wide Gordon Street is?

Mr. Geouge: I don't have exact numbers, but it is very narrow. There's limited space there and there's also some topography challenges to deal with. So, acquiring that offsite property for the sidewalk may be a challenge.

Mr. Coen: Right. And regarding that, you said the sidewalks were contingent upon approval. So, if they don't get approval for one element, then all the sidewalks would be eliminated? Or do you have any...?

Mr. Geouge: I believe the proffer is worded that the applicant will use their best efforts to acquire the necessary right-of-way to construct the sidewalk. So it is contingent upon...

Mr. Coen: But it's not even technically a contingent upon them getting, it's just a contingent on their best efforts to try to get it.

Mr. Geouge: That's correct.

Mr. Coen: I mean, because there's a gulf between the trying to and actually...

Mr. Geouge: Right.

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Mr. Coen: Alright. With the... do we have... you already addressed this slightly, but we have absolutely zero ideas of what the restaurants would be like.

Mr. Geouge: I have not been given any details on the specifics on the restaurants.

Mr. Coen: Okay. On our overlay, is there a specific theme or concept that we're looking at for the Falmouth Area? Is it that we've looked at Harper's Ferry or downtown Fredericksburg or something that we're envisioning it to sort of look like? Or is it we've just created an area and we're just going to call it that?

Mr. Geouge: I'm not aware of any particular area this is being modeled after. Perhaps Mr. Harvey, you can chime in if you know of any. But I think in general it's just there to guide development and keep it sort of aesthetically appropriate.

Mr. Coen: Okay.

Mr. Harvey: Mr. Coen, when the Falmouth Redevelopment Overlay District was being looked at and developed, one of the places we looked at was Occoquan, as far as the regulations and what they allow. Some of the stipulations about outdoor seating and displays along the sidewalk, that was language taken from Occoquan. We also looked at the City of Fredericksburg regulations to get some ideas of how they may apply. We also know that Stafford and Falmouth is unique and different than both of those places, so a lot of it was Staffordized I guess you could say... or Falmouthized.

Mr. Coen: Alright, thank you very much. I noticed on 53D-1-35 there's a cut-through. So, is that anticipated to be a future business on that site? The one that's... that's the parcel that has a concrete parcel right now but doesn't have a structure on it. It's at the very bottom of Gordon and King.

Mr. Geouge: A cut-through?

Mr. Coen: Yeah, there's a little dent. I mean, so we see the parallel parking and then there's sort of an odd shaped, more... it's the third one up from King Street.

Mr. Harvey: Mr. Chairman?

Mr. Geouge: Are you talking about here?

Mr. Coen: Yes sir.

Mr. Geouge: I think that's to accommodate a handicap parking parallel space.

Mr. Coen: Okay, alright. So, there's nothing envisioned at all on the third parcel? Or is it...?

Mr. Geouge: Other than the parallel parking spaces and the sidewalk, no there's not.

Mr. Coen: Okay. And I had asked Mr. Harvey, but we have down in that area Amy's Café and that's a (inaudible) amount of space of a restaurant. And if memory serves me, the parcel up here, the two buildings up here, I think neither of them are about the same size as hers.

Mr. Harvey: Mr. Coen, that's correct. When you asked that question, I looked on the Commissioner of Revenue's records and from what I could tell from the records, the square-footage of that floor that

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Amy's Café occupies is approximately 2,400 square feet. I may have gotten it wrong because there's a number of building additions and the image is a little hard for me to read because I'm not a building appraiser. But looking at those two individual garage buildings, they're a little bit under that amount but close.

Mr. Coen: Okay. And then I didn't see anything specific about signage.

Mr. Geouge: There is a proffered condition that the applicant will install signage that conveys the historic significance of the properties.

Mr. Coen: Right, but what about... clearly I'm referring to the businesses and the restaurants and the whatnot. I mean, I saw the ones that said they'll designate that about Dunbar's Kitchen, but there's nothing really definitive about, you know, if there's a restaurant, what type of signage there's going to be for the restaurant or the offices or whatnot.

Mr. Geouge: That's correct.

Mr. Coen: Okay. Alright. Any other questions? Seeing none, we'll ask the applicant to come forward.

Mr. Payne: Thank you Mr. Chairman, other members of the Planning Commission. My name is Charlie Payne with the law firm Hirschler Fleischer and we represent the applicant. Thank you for staff for its diligent presentation. I think it covered a lot of the areas of our application. There were a few questions that came up I'd like to address. And I'll quickly reiterate a few points regarding the application. One, I guess, just from a general perspective and from a Comprehensive Plan perspective and investment perspective, this is an area, obviously the Falmouth Village Area, that is encouraged for new investment. And it's also in a redevelopment and economic development area of the County that encourages reinvestment into this particular area. As you all know, you've got some office space that's been there most recently and is doing well, mostly real estate. You've also got Amy's which is in the... below the Falmouth Bottom area, which has been doing well and thriving, and in fact has had investment from the Economic Development Authority to assist them in their development process. This is yet again another step in that positive direction to encourage investment into the Falmouth Area which, in all fairness, is necessary to sustain Falmouth into the long term future. Not to misplace or displace people that are there, but to add to the value that's already in Falmouth. I am proudly born and raised in Falmouth, in Falmouth Bottom; that's where my family has been since the 1700s. It's a beautiful place, it's very precious, and there's a lot of people here this evening who have a lot of investment, a lot of love for that area and I respect what they have to say obviously about this project. But, just from the perspective of what we're doing and just so everyone understands what this is, this is a slow-moving process in regards to what we're doing. We are asking for a rezoning under B-1, which is a low intense commercial rezoning. If you look at some of the permitted uses under B-1, they are fairly low intense and fairly benign and serve residential uses mainly; that's the whole purpose of the zoning designation. We're going to utilize the current space at Dunbar Kitchen for purposes of office use. I've got a user who's ready to relocate from another county to move their office there, it's a real estate firm. They're going to bring with them 5 or 6 employees which will be an asset to that community. Again, very consistent with the development pattern that's already there today. The other buildings, we don't have a user for them yet. There's no desire on our part at this stage to demolish any of the buildings which will be part of the... already in the Historic Overlay or soon to be in the Historic Overlay. Of course, any demolition would require the approval of ARB and the County. Any reconstruction would require or any improvements to the façades of any of those buildings would require ARB approval. So, to some of the questions regarding signage and what the aesthetics would look like, I hope that you understand that we understand that we will be subject to those requirements. In regards to the uses, what we did was we

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envisioned for the other uses what would be there. Mostly office to be honest with you just because of the small footprint, low traffic activity, not a whole lot of parking opportunities. I mean, just on the Gordon Street properties alone there's only seven parking spaces because the max you can get is about 2,200/2,300 square feet in office space. So, and again, that parking and how it accesses Gordon Street has been vetted by VDOT and the County, and we've got what we think is a good plan and admittedly in a very tight space. We were asked and encouraged to extend sidewalks from what we found what Bottom people like to say the property above the floodplain area off Carter Street to the Bottom so you create some synergy, some activity of people going to the park or who might want to go to Amy's or might want to get on the historic sidewalk and go up to Melcher's Museum. So, we said if we could get approvals, because we control a lot of that property along that roadway, that we would do so. Of course, that's all conditioned upon getting those approvals, which the property owners are not required to provide but we would have to work with them in doing so and of course we would pay for all the necessary construction and design, etcetera. But again, that was asked of us to look at to create that activity. In regards to the restaurant, I know there was a question about that. It's just a proposed box in the area where the current buildings sit. To my knowledge, we're not looking to rehabilitate even one of the those buildings for a restaurant, including a 600 square-foot restaurant which would not be a very successful one unless you were the crab place down in the bottom, you know, selling crabs or something of that nature out of it. That's not what our intent is. The likelihood of what would happen is we'd have to either rehabilitate and/or demolish that building and put something else there for purposes of a restaurant. In regards to time of operations, you know, we'll comply with what the Falmouth Village Overlay requires which I think is you can't be open any later than 11 o'clock on weekends or something of that nature. So I don't think that would be an issue to proffer, if and when we ever have a restaurant there. It just seems to be an appropriate place to put a restaurant. If you've got some office synergy there, folks would like to get something to eat at lunchtime or after work, etcetera. You know, there seems to be some good synergy there for that purpose. In regards to the proffers, we did proffer out, just based on... basically on staff comments which we thought were good comments, the uses that would be prohibited in the Falmouth Overlay... Village Overlay. At one time we were kind of ahead of the Overlay in regards to our application process and then the Overlay kind of got ahead of us, so I think that was one of the main purposes was to make sure that we would proffer out those uses. To Mr. Apicella's question, we'll be more than happy to, if you have some suggestions of things you think are too intense that we should take out, we're happy to take a look at that again. Just a small footprint of this area, I mean, in total you're looking at about 1.15 acres, including the Carter Street properties and the Gordon Street properties, so this is not a big footprint. In addition to that, we're not looking to impact the traffic in that area. As you know, the Falmouth interchange has had significant improvements to it which benefit that area from a traffic flow perspective. But again, you've got limited parking in that area already, so we're not trying to create any problems for that particular area. We're just trying to create I think an investment incentive for that area, which again I think's extraordinarily important to not only preserving the history and the culture of that area, but also sustaining it economically. And again, for purposes of the proffers, staff has gone through all of them. I've repeated some of them. And again, we understand; any new construction we would be subject to ARB approval for Certificate of Appropriateness. I mean, that's obvious. On the signage issue, just to your point Mr. Coen or your question, you know, we would have to be in compliance with the County's most amended ordinance in regards to signage. If you thought that there was some sort of other things we should look at in regards to signage, we'd be happy to consult with this Board and the ARB as well in that regard, if you thought there'd be something else that we should add. We did... thought it was a great idea to have a historical marker regarding the Dunbar Kitchen, so we have proffered that. We have also proffered as much pervious area as we can, including our parking area, utilizing pea gravel, etcetera. So you won't have any runoff impacts. We've got significant buffers, 6-foot fence, landscaping, etcetera, from our neighbors to the east. So, we thought about this; we didn't reach out to the community early on, get their comments. In fact, we this at one time identified for B-2. To my mind, I can't figure out how we

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started there. And the community asked us to back that down to B-1 which we were happy to do and undertake some other measures including buffering and landscaping and fencing and moving loading dock areas and those kind of things. So, with that I'm happy to answer any questions you may have. As staff noted, this is consistent with the Comp Plan, this is consistent with the Economic Development Plan. I think this is also consistent with keeping and protecting the integrity of the historic assets in that area.

Mr. Coen: Any questions for the applicant? Seeing none, thank you Mr. Payne.

Mr. Payne: Thank you Mr. Chairman.

Mr. Coen: Alright, now we move to the public hearing portion. I'll open up the public hearing on this matter. This is an opportunity for you to come forward to talk about this. As you come forward, please make sure to let us know your name and your address. You have 3 minutes to speak. After you've spoken, giving us your name, a green light will turn on. And then when you have 1 minute left, the yellow light turns on. And then when the red light comes on, we ask that you wrap them up. And first we see Ms. Clifton. Good evening Ms. Clifton.

Ms. Clifton: Good evening Mr. Chairman and members of the Commission. My name is Irma Clifton. Let me wish you all, first of all, a Happy International Women's Day in this month, March, which is Women's History Month, and offer a shout out to all the women from Colonial times through today who have helped make this country strong. Concerning the reclassification of the three properties in the Village of Falmouth, I have had several concerns. But out of respect for time, I will only cover a few of them tonight. First, as you have heard me lament on many, many occasions, the Village of Falmouth is traffic and parking challenged. I see nothing in this proposal to help the situation and it will only add to an already bad environment. Planned parking in front of the Dunbar Kitchen will detract from the historical fiber of the structure by taking it out of context, and actually screening it from the streetscape when cars and trucks are parked in front of it. Second, unless the applicant is planning to construct an air bridge, I see no way a sidewalk can be safely installed along Gordon Street. Anyone who traverses that area knows that it is simply not enough room, unless the Odham House is demolished and an easement is granted by Mr. Howell, the offsite land owner. Further, I believe that are certain conditions that must be met to construct a sidewalk, and I don't think this area meets those requirements. The building that is proposed for the possible restaurant is a pre-fab metal garage/storage conversion and is not of the character and quality that I would hope for Falmouth to have. Access and parking would also be a problem as well. Unless the excess VDOT property left from Route 1 and 17 intersection improvement is conveyed to the County, I feel any classification actions in Falmouth should be slow tracked. I'm not an obstructionist and I want to see Falmouth thrive, but I also want to retain its charming small village feel and a destination where you don't have to search for a parking space and dodge traffic as well. Lastly, B-1 zoning is to provide areas for selected retail shopping and personal services to serve on the needs of the adjacent urban residential areas. Such areas are intended to be located only in strategic sites in relation to population centers and transportation networks. This is quoted right from the document itself. My comment on this is, it needs to be a transportation network that works. Please give this proposal your closest scrutiny and make a decision that will protect and preserve the historic nature of our little village. Thank you.

Mr. Coen: Thank you Ms. Clifton. Good evening sir.

Mr. Simpson: Good evening. How are you?

Mr. Coen: Very well; and you?

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Mr. Simpson: I'm fine. Mr. Chairman and members of the Board...

Mr. Coen: Just state your name.

Mr. Simpson: My name is John Simpson. I own Bertram Development Corporation which is the property across the street. I'm approaching a million dollar investment in Falmouth, so I have some interest in how this is taken. My concern is more with the traffic than it is the proposed uses. The traffic there is already a nightmare. I invite any members of the Board there to come down and spend a little time, and I'll show you how difficult it is to make a left turn from Carter Street onto Butler Road, or how difficult it is to make a right turn on Butler Road to Carter Street when the traffic is coming from down 17 and the number of cars that are held in queue are between 25 and 30 at almost any time of the day. The new construction that was done to improve Falmouth Bottom gave us a 2-lane road coming down Butler Road, which opens to 4 lanes. Most of the cars that are coming, it's difficult to find only cars in the right-hand lane. So you see a car in the left-hand lane, you can't pull out. I'm afraid that it is a concern for safety for the citizens of Stafford County, as well as people who come and visit and are tourists. I believe that something has to be done. We may have to talk to VDOT and see if there's an improvement that they can make to make this a safer transition from Carter Street to Butler Road. I look at the Gordon Road and the properties along Gordon Road are 50 feet wide. If you proffered enough land to put in a sidewalk and get Gordon Road to be the size that it could handle two cars side by side, you wouldn't have enough to build on. Maybe they need to proffer the entire strip in order to put the road in place. I'm not against what they're doing, but I would like to see the Board table it and see if they can answer some of the concerns. Thank you very much.

Mr. Coen: Thank you Mr. Simpson. Anyone else? Good evening Ms. Dodd.

Ms. Dodd: Hi, how are you? Anita Dodd. Good evening Chairman and Commission members. I would... obviously addressing this rezoning proposal in Falmouth, and the Historical Commission has already submitted some concerns, and so I'm not going to reiterate those. In fact, I want to say how appreciative I am of the fact that the... most of those recommendations have been included as proffers in this project. However, I just felt like I needed to make a little bit more comment on it and hopefully be helpful. The revitalization of Falmouth is something that has been talked about for years. And I believe in this revitalization is long overdue. However, the decisions that would affect the character and historical significance of Falmouth should be thought through carefully. And I think the thing that strikes me most about the proposed plan that I saw here tonight was the parking surrounding basically Dunbar Kitchen. And it basically, you know, really kind of hides the building and takes away its cultural significance if you will. The suggestion I have is that the two garages that have been under discussion here could be taken down and the parking shifted there rather than in front of the building. That would leave hopefully, you know, a nice viewshed to view Dunbar Kitchen as it is today. And I think it would be... I think it would add more to the character of this development. It is imperative that the buildings in Falmouth be reused because if not, they are just going to sit there and decay. So, we need to find ways to adaptably reuse these buildings. And so I think this is a step in the right direction. Adaptive reuse is a valuable tool in the preservation of historic buildings. But we do need to look at issues that would affect them, such as parking and the more modern signage that would be required to identify the building's use. So, those are kind of my concerns and hopefully my suggestion about the parking can be looked at to see if that's a possibility. I do think we should try to find ways to get the parking out of the front of Dunbar Kitchen. And also, the sidewalk seems to be problematic as well, so we'll probably have to look at that a little better. Thank you. I appreciate the time.

Mr. Coen: Thank you Ms. Dodd. And thank you for the work you do on the Commission. Yes sir, your turn.

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Mr. Waters: Good evening. Parris Waters. Like our previous commentators, on Ms. Dodd, I share her concern or her appreciation of creative and constructive reuse of the buildings to prevent decay. And like Ms. Clifton, I do share... and Mr. Simpson, I share some concern with the sidewalk. Going down Gordon Street, I walk my dogs on the trail next to the river. I usually go down about 7:30; it's dark this time of year and I look like a Christmas tree. I've got a couple lights on me, a couple lights on the dog, and it really is impossible for two cars to pass each other. The road's not wide enough to accommodate two-way traffic and a sidewalk, so there would be some work to be done there. But my most personal concern is with the restaurant -- garages. I welcome all of you to come out and check out my back yard. And where these buildings sit is my property line. So, a restaurant seems really impossible based on the square footage and the look of the buildings, but also the ventilation associated with a restaurant would... if I understand it correctly, it requires some setback, maybe 15 feet or so. And... which is completely impossible unless a large chunk of my yard were to be taken -- it goes right into my yard. The idea that they would be taken down welcome also, but it seems as though... one thing that we're doing when in discussions early on, which I appreciated, we started at B-2 which has admittedly been a little erroneous. But we've gone to B-1 and it looked like from B-2 there were proffers in the limitations set to make the B-2 essentially a B-1. And now we may be putting in limitations to make the B-1 essentially a B-3. So, it seems like the simple idea to start at B-3 and not start at B-1 and say well we won't do this and we won't do this and we won't do this. So it's essentially going to some other designation where why not just start at what you intend to do. Thanks.

Mr. Coen: Thank you Mr. Waters. Anyone else? Good evening Ms. Callander.

Ms. Callander: Good evening. Alane Callander. First off, I'm sorry there weren't any handouts on the back table tonight about this project, and I didn't have time to look it up or print it out before I left the house. I had followed the project a little bit a few months ago and I didn't realize you were up for hearing this evening. Someone had said she thought this may be a step in the right direction. I'm not sure that it is. First off, I think we need to get a total vision for what Old Falmouth is going to be. And as you've heard me say before, I think it should be a little tourism village and educational place where people come to visit and see properties as they were in history. I had mentioned before growing up in Illinois and going to New Salem, which was a village like Abe Lincoln lived in and George Washington grew up in this area. Let's have a little village in honor of George Washington and our history here in Old Falmouth. There are many concerns regarding this proposal. And there should, whatever you do, there should be very careful controls in place. The traffic concern is real. The idea of parallel parking on Gordon Street seems ludicrous. The words investment incentive that Mr. Payne just used sort of set off some alarms for me. This, you know, commercial investment is not my concern for Old Falmouth. We have lots of places... areas of the County where we have commercial investment. I'm not sure this needs to be one of them. Amy's café has done well but they've overflowed their parking lot. So, you know, we're talking about putting in more restaurants -- it might be charming to have a little ice cream shop or something, but we need to be really careful. And rather than doing this piecemeal, get a whole picture for what Old Falmouth is going to be. So, I hope that you will definitely defer this. If not, just turn it down. But there's a lot more work to do on this project. Thank you.

Mr. Coen: Thank you Ms. Callander. Anyone else wishing to speak on this item? Yes sir.

Mr. Weimer: Good evening, my name is Michael Weimer. I'm a third generation Stafford resident, and I recall a time at that same intersection when there was a car company there and you couldn't even see any of that stuff that was there. So thankfully VDOT came through and actually took that and allowed you to be able to see some of the historic buildings there now. Sounds like these folks want to keep that Dunbar house up to the same standards as the Historic Society would like it kept up to, it sounds like a pretty good idea. As far as parking goes, sounds like they're going to provide ample parking for the

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structure. And as far as cars blocking the structure, like I said, when I was growing up you couldn't see it at all, so having a few cars for five employees doesn't sound like it's going to block it any worse than what it ever was. So, I think it's probably a pretty good idea.

Mr. Coen: Thank you Mr. Weimer. Anyone else? Yes sir.

Mr. Cleveland: Good evening, my name is Scott Cleveland. I actually own a number of residential properties in the Falmouth area and have long term interest in this project. I just want to say, we talk about people that come from different directions and preserving the area, and take a look at where Falmouth's been and where it's going. I mean, I can remember small mouth fish underneath that bridge from a bicycle when I was, you know, 9 years old. So I've been around here a long time. We've taken a huge interest in preserving that corner and do have a long term investment there. I see it as a huge benefit to preserving these buildings where a lot of folks unfortunately are just looking at them continue to decay. I can remember back going 30 years and some of those buildings are still vacant that were vacant 30 years ago. So, we're here for the long haul and I look forward to getting this done. So, thank you.

Mr. Coen: Thank you Mr. Cleveland. Anyone else? Seeing none, I'll just ask Mr. Payne if he wants to respond.

Mr. Payne: Thank you Mr. Chairman, other members of the Planning Commission. Again, Charlie Payne with the law firm Hirschler Fleischer and we represent the applicant. And, of course, as I stated earlier, I have great respect for the neighbors and the people who spoke about their concerns for... about this application and about preserving Falmouth. You know, Falmouth was founded before the City of Fredericksburg. It was a vibrant city port before silt filled up the channel. Many of the historic buildings were built in the 1700s that are in the Bottom. There's been some investment in those buildings but there's been a lot of neglect as well. Amy's is a great example of what can happen with new investment in Falmouth. We're all well aware of the fact that the County has invested a significant amount of money in connecting the historic link between Melchers and Ferry Farm. There's a sidewalk that's being built, eventually built, to Ferry Farm from Melchers Museum. So there is an encouragement for activity and new investment and new interest in Falmouth, which is very positive for that area. In addition to that, VDOT I understand eventually may very well convey some property along Route 1 to help with the parking issue. We were asked to help create the connection, if you will, with the Carter Street area to the Bottom in Falmouth into the park and to the sidewalk connectivity. We don't have to do that. I mean, if the Planning Commission or the Board of Supervisors feel that that's not appropriate, we'd be more than happy to address that proffer. It was done actually to help the community, not necessarily to help our projects. In addition to that, the speaker who stated that it would not meet VDOT specs if absolutely right; it would not. It's not wide enough. For it to be a private sidewalk, there'd be... that we would provide a public easement for, that we would maintain it, but we'd provide public access to. So, they're absolutely right; it would not work. In regards to just the activity that's going and the traffic, let's not forget I believe this Planning Commission and the Board of Supervisors approved a commercial use and office use of the Counting House, which is right across the street from these Gordon Street properties. And it's a small office, professional office space. Those type of small uses, investments help allow the rehabilitation of those historic properties. Now, in all honesty, three of the four properties that we currently have in place have improvements on and they were built in the 50s. You know, you do look back and I think it was a 50-year period looking back to determine whether it's a historic property or not. But the Dunbar Kitchen is unique. It was built in the 1700s. The other properties, the rambler and the two properties on Gordon Street, I think do need some rehabilitation and will need some improvements, which the ARB will play a role in that. So, we're more than happy to have that discussion with them. In regards to the comment Ms. Dodd had made about

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moving the garages and readjusting the parking, we're going to take a look at that. That may be a very well good idea in that regard. We'll try to figure out where we could put a potential... another potential commercial use. Again, the restaurant... again, a small footprint restaurant seems to work very compatible with what the uses are there today. Mr. Simpson had come up and talked about his concerns on traffic. He's made a great investment, a professional real estate firm right there across the street from where this location would be. So, again, there's professional offices in this location, there's small restaurant footprints in this location; we're not talking about putting drive-through banks or drive-through McDonald's or any sort of carwashes or any sort of large commercial use that would have an adverse impact on traffic. What we're proposing is very compatible and again will sustain the historical integrity and culture of that area. So with that, Mr. Chairman, I believe I covered all the comments that were made by the public. And again, I'm happy after this meeting to continue to converse with them on their ideas and concepts. But to take a position that we should not be investing in Falmouth I think is the wrong one. To take the position that the County is not undertaking smart initiatives to reinvest and to sustain Falmouth is the wrong one. You have to have some momentum to make this work. And I believe that we're taking the right step, a step that is a low dense step, is going to have a low impact, and will create some positives opportunities for Falmouth. So with that, I'm happy to answer any questions you may have.

Mr. Coen: Alright, thank you sir. Any questions? Alright, I'm going to pass the gavel over to Mrs. Vanuch since this is in my district.

Mrs. Vanuch: Thank you Mr. Coen. Mr. Coen, since this is in your district, how would you like to proceed this evening?

Mr. Coen: Yes, first I would like to keep the public hearing open until April 26th. And secondly, and I believe I can do this both at the same time, am I correct? And say I would like to defer it until that meeting.

Mr. English: You're making a motion?

Mr. Coen: Yes, I make a motion to keep the public hearing open, as well as to defer it until 4/26.

Mr. English: Second.

Mrs. Vanuch: Okay, so we have a motion on the floor to defer this until the April 26th meeting, and a second by Mr. English. Mr. Coen, do you have any additional comments?

Mr. Coen: Yes, if I could, and we normally when we do this give a long list of things to staff to sort of look into. So, I'll do my due diligence on this. First, it's the concept of the parallel parking as far as the width of the street. I believe, Mr. Harvey, you were talking to me about Fredericksburg. So, I'd be curious to see how it compares to like areas that you're going to have parallel parking. Since the applicant's attorney mentioned the third commercial use and restaurant, I'm curious to get other types of restaurants and sizes and how much traffic and whatnot they cause on their own to understand how that will impact this area. I understand and appreciate the proffer about the signage for the Dunbar Kitchen, but it would be nice if there was some type of proffers or delineation or some type of specificity for the signage for businesses. I know he said that we'll be willing to go with, but that's not the same as a proffer. I definitely would like staff's input, as Mr. Apicella pointed out and I'm sorry if I steal your thunder, of looking at the by-right and CUP uses. I was just running down the things that would logically be problematic, and I think Mr. Apicella was definitely apropos when he talked about the adult business. But banking, clinics, lodges, convenience stores, drug stores, cleaners, farmers market,

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florists, dentist office, places of worship, schools all by nature have high traffic. And so, I think that's, in theory, higher traffic than what they're really envisioning. So if they're envisioning that this is only going to be offices, logic would say they would certainly be pleased to proffer that they will not do any of these. Veterinary clinic, for example, we go down to downtown Fredericksburg near Carl's, but that road is massively wide so when we're parking along the side of the street, it's not as problematic but it is still scary when everybody's rushing to Carl's to try to get in line faster. So to have a veterinary clinic along here would be problematic. So I'd like staff's input on that. I'm curious about in all this it mentions 2-stories; we haven't really touched on that tonight but that is a theoretical possibility that they could knock down said buildings or on empty spots put in a 2-story. And so I'm curious for clarification on that. The sidewalk issue that I mentioned before, getting specificity as to what's contingent and what will happen, because of the mentality of this is that this is for people who are on the trail to walk up to that business, that restaurant to eat but then there is no sidewalk, then we have the problem that you face in the early morning all day long. And so that would be questionable. Mrs. Vanuch mentioned alcohol; that wasn't really addressed. We talked about I'd like a comparison about restaurants so we understand what we're getting. Mr. Apicella brought up the ARB question so we need that. I think somebody brought up outdoor seating and that hasn't really been addressed. And I think the neighborhood would be curious about that. We asked this before about getting some details from VDOT about that land coming over to the County and whatnot. That, again, if memory serves me when we're doing the Overlay, the idea was that VDOT will give it to the County to use which we could use for parking, and it would just be nice to get an update on that. I probably would like, personally, I don't know about anybody else, but would like to meet with the applicant and some of the neighbors some more, other than the communications that I did try to do. I too had a serious question about the placement of those restaurants right next to your property line and I was really curious about that aspect. And then certainly anyone in the public can email me or communicate to me any of their concerns since they had many concerns but didn't have enough time in 3 minutes to raise them. So, those are... that's just my list and I'm not sure if anyone wants to add to it. Thank you Mrs. Vanuch.

Mrs. Vanuch: Are you sure that's all?

Mr. Coen: I think so, yes ma'am.

Mrs. Vanuch: Okay. Mr. English, do you have any comments?

Mr. English: No.

Mrs. Vanuch: Okay, and I'll keep this brief. Does anybody else have any comments?

Mr. Rhodes: Yes.

Mrs. Vanuch: Mr. Rhodes?

Mr. Rhodes: Just you had mentioned... you had made reference to Commissioner Apicella about the ARB but, I'm sorry, I'm just not recalling it. So, what was the topic on the ARB?

Mr. Apicella: The topic was both from the ARB and from the Historical Commission. The staff report said that many of their comments had been addressed; many, meaning that not all comments had been addressed. So, I'm curious what was not addressed.

Mr. Rhodes: Oh, okay. Thank you.

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Mrs. Vanuch: Is that all Mr. Rhodes?

Mr. Rhodes: I'll just make the general comment I made on a motion last time. I just... I think when we push these out so far, there's opportunities for interim discussion and dialogue versus losing a couple of the meetings in the interim period. So, I just always have a negative proclivity towards pushing out so far, but that's just a personal preference. Thank you.

Mrs. Vanuch: Mr. Coen?

Mr. Coen: Yeah, and I respect your viewpoint Mr. Rhodes. My concern is that the idea that we schedule it for a meeting and then people show up and they say, oh, by the way, we'll kick it down the road for another meeting, and then it's another. The public really doesn't have that much free time to be coming to meetings. So, I think if, quite honestly, there's a lot of detail that I would like to have and I think it'd be good to the public to know that it's a certain date. And that's why I lean towards a specific date rather than moving it along. But I respect where you're coming from sir.

Mrs. Vanuch: Mr. Apicella?

Mr. Apicella: As I heard the comments tonight about parking, sidewalks, and traffic issues, it kind of reinforced my concern about what are still allowable uses under this proposed B-1 rezoning. I think office use makes a lot of sense. Low intensity uses in that area make a lot of sense, just like the Counting House situation but, again, I look at many of these by-right uses and some CUP uses that do not seem to be compatible. So, my suggestion to the applicant is really take a hard look at any proposed uses that either generate a lot of parking needs and/or throughput, that those might not be appropriate in that area. So, I'm not going to list every single one of them. I think the Chairman mentioned a few of them, but I think there's some here that just do not seem compatible with that area. And so it's going to make it hard for me to support something that does, again, generate a lot of parking needs and/or traffic. So, please take a hard look at that as this thing moves forward.

Mrs. Vanuch: Thank you Mr. Apicella. Any other comments? Okay, I just want to make just a couple of comments. First, I commend the property owner on any effort really to preserve the historical factor of the Falmouth Overlay Area... or the potential Falmouth Overlay Area. I do, like my fellow Commissioners, have a couple different concerns, many of which Mr. Coen has mentioned this evening. But I would just like to reiterate, I would really like to look at the possibility for creating onsite parking. I think that could ease a lot of the concern for a lot of the residents in the area. In addition to signage heights, I know that is a very hot topic in the historical areas about how signs will block specific units and different historical features in the downtown area. And then, as Mr. Apicella and Mr. Coen both mentioned, looking at additional exclusions for usage. I do think that the list is quite broad; not going to list all of them, but would really recommend that the applicant take a strong look to determine all of the uses that they're providing. And lastly, the setback to the neighbors. If staff could provide a document on what the setbacks are for a restaurant currently from the property line, it might be helpful for us to kind of dictate where, you know, that would be built if it were being built versus where it's being proposed currently. So that's all of my comments. So I think we can take a vote on deferral until the April 26 meeting. Okay, so the motion passes 6-0 (*Mrs. Bailey absent*). Here you go Mr. Coen.

Mr. Coen: Okay, thank you very much. Thank you everyone for coming out this evening for that, and we look forward to hearing more information in the future. Alright, now we move to our next item on the agenda, which is not a public hearing; it becomes New Business and Mr. Harvey, go right ahead.

2. RC16151347; Reclassification - Sycamore Grove - A proposed zoning reclassification from the

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A-1, Agricultural Zoning District to the R-2, Urban Residential-Medium Density (88.27 acres) and B-2, Urban Commercial (10.17 acres) Zoning Districts, to allow for a mix of single-family detached residential units and commercial retail uses, on a portion of Tax Map Parcel No. 37-80. The portion of the parcel under consideration for rezoning totals 98.44 acres, is located on the east side of Centerport Parkway and north side of Mountain View Road, and within the Hartwood Election District. **(Time Limit: June 2, 2017) (History: February 22, 2017 Public Hearing Continued to April 26, 2017)**

UNFINISHED BUSINESS

NONE

NEW BUSINESS

3. Amendment to the Zoning Ordinance - Proposed Ordinance O17-12 would amend Stafford County Code Sec. 28-25, "Definitions of specific terms" to clarify the definition of a pet store to include limited veterinary care for dogs and cats and to create a definition for a veterinary vaccination clinic. **(Time Limit: June 1, 2017)**
(Authorize for Public Hearing By: April 26, 2017)
(Potential Public Hearing Date: May 24, 2017)

Mr. Harvey: Thank you Mr. Chairman. Susan Blackburn will lead the discussion for staff.

Mrs. Blackburn: Good evening Mr. Chairman, Planning Commission members, this is an item brought before you to amend the definition of pet store to allow for a vaccination clinic for dogs and cats and create the definition for vaccination clinic for dogs and cats in the Zoning Ordinance. And staff had received a request to amend this definition, and it is the result of a pet store wanting to occupy commercial space in the project... in a project, Aquia Town Center, zoned P-TND, Planned-Traditional Neighborhood Development. Currently, the definition of a pet store excludes veterinary services. And the P-TND district, as a by-right use, allows all retail uses permitted as by-right in the B-2, which is Urban Commercial Zoning District. And the retail uses include a pet store but, because the definition excludes veterinary services, they are not permitted in the P-TND. And if you choose to go... well, we will go forward with this and, if you recommend approval, the proposed amendment would amend the definition of a pet store and to include a vaccination clinic for dogs and cats, and also create the definition for this clinic in the Zoning Ordinance. And it would provide a service for the residents of the County in caring for their pets and accommodate a service in the pet store that has become an industry standard. And the Community and Economic Development Committee considered this amendment at its meeting on February 7, 2017 and voted 3 to 0 to send the matter to the Board of Supervisors. The Board adopted Resolution R17-63 at the February 21st meeting of 2017, which refers this proposed Ordinance O17-12 to you, the Planning Commission, for review and recommendations and allows modifications as deemed necessary. And do you have any questions?

Mr. Coen: Any questions for Mrs. Blackburn? Yes, Mr. Apicella.

Mr. Apicella: Mr. Chairman, just one question. Are there any other similar services that may be appropriate to include, aside from just basic vaccinations?

Mrs. Blackburn: Yes, there could be. Now, the request... the request was for vaccinations of dogs and cats. As a pet owner, I know that when we have vaccinations clinics, often times in stores you can also get such things as a heartworm test. That does require drawing blood, and that would be an option of

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whoever would be an option of whoever was operating the clinic. And often times also they will have flea and tick products that you can purchase, and then also potentially heartworm pills if you need those. But that is something that can be added. That was not requested by the particular store that wanted to go in here. So, but...

Mr. Apicella: Are we allowed to make changes to this?

Mrs. Blackburn: Yes you are.

Mr. Apicella: Okay, thank you.

Mr. Coen: Mr. English.

Mr. English: Mrs. Blackburn, is there anything as far as the veterinarians, like Department of Veterinarians, do they require anything different from that, allowing to do this?

Mrs. Blackburn: There are two types of veterinary establishments; one is a full service and one is called a restricted establishment, which this would be.

Mr. English: A restricted establishment.

Mrs. Blackburn: Yes. And they have... it says, where the scope of practice is less than a full service, a specifically restricted establishment permit shall be required. And they have various items that they do have to abide by.

Mr. English: Right.

Mrs. Blackburn: Things such as overnight stay would not be included. I mean, they have a long list. And it would still be required to have a full-fledged veterinary administer particularly the rabies vaccinations.

Mr. English: So, they'd have to have somebody on staff.

Mrs. Blackburn: Yes, yes.

Mr. English: And right now, we have... the only clinic is just one in... which ones do we have already that...?

Mrs. Blackburn: Pardon me?

Mr. English: Which businesses right now have this?

Mrs. Blackburn: That I do not know. But, in a B-2 Zoning District, both uses are allowed; a pet store and a veterinary clinic. So, if you are a freestanding store in a B-2 Zoning District, you would be permitted to do both services.

Mr. English: Okay. Alright, thank you.

Mr. Coen: Any other questions for Mrs. Blackburn? Alright, seeing none, thank you Mrs. Blackburn. I will see you in a moment. Alright, is there a motion?

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Mr. Apicella: Mr. Chairman? I'm not going to make a motion, I'm just going to offer up the suggestion and see what my colleagues think, to adding after the word vaccinations, in the I guess it's the definition of veterinary vaccination clinic, heartworm testing and treatment and flea and tick treatment to dogs and cats.

Mr. Coen: Alright... go ahead Mr. English. Okay, he's thinking. So, Mr. Harvey, would we need to make a motion to accept this or can we just add it and put that into the motion?

Mr. Wisniewski: I think either is an appropriate way to move forward. I think you can accept... I think the best way to proceed is to just make a clean motion, including the additional language.

Mr. Coen: Okay. Go ahead now Mr. English.

Mr. English: Yeah, would adding anything as far as the Virginia Department of Veterinary and Medicine, that they abide by those guidelines or any guidelines that they are restricted to, would that be... should you add that in or not? That way they're following...

Mr. Wisniewski: I think as this would be an amendment to the Zoning Ordinance, those are additional state requirements that would have to be complied with.

Mr. English: Within, okay. Okay, that's all.

Mr. Coen: Alright. And then, Mrs. Blackburn, do you think that putting in the... adding the heartworm and flea and tick would cause any angst or anything? If I understand correctly though, we could go to public hearing and then afterwards if, at the public hearing you come forward and you say, well technically x, y and z, we can take that one sentence out and that will still be acceptable. We just can't add it in.

Mr. Wisniewski: Yes, at that point you have to have the additional language now put in your advertisement, and it can be removed later. You can always go less, that is correct.

Mr. Coen: Thank you Mr. Wisniewski. Alright, did you want to add any more Mrs. Blackburn?

Mrs. Blackburn: No.

Mr. Coen: Okay, thank you. Alright, so is there a feeling that Mr. Apicella's extra words in there were to make it cleaner and clearer, to add in after vaccinations, heartworm and flea and tick?

Mr. English: I'm good. Do we need a motion for that?

Mr. Coen: No, I'm just making sure because then we can ask for a motion on the whole thing.

Mr. English: Yeah, I'm fine with that.

Mr. Coen: Okay. Alright. Mr. Harvey, you're okay with his language?

Mr. Harvey: Yes sir.

Mr. Coen: Okay. So, is there a motion that someone would like to put forward on this?

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Mr. Apicella: Mr. Chairman, I would recommend approval of the zoning... or I would recommend putting to a public hearing the language provided by staff, with the addition as I recommended, to be put to a public hearing at the nearest possible date.

Mr. Coen: Okay. And is there a second?

Mr. English: I'll second it.

Mr. Coen: Alright. A motion has been made by Mr. Apicella, seconded by Mr. English. Mr. Apicella, any comments?

Mr. Apicella: No sir, nothing else to add.

Mr. Coen: Alright, Mr. English?

Mr. English: No sir.

Mr. Coen: Any other members? Seeing none, we'll put it to a vote. And that passes 6 to 0 (*Mrs. Bailey absent*). Alright, and Mr. Harvey, when will that likely be for our friends either watching on television or watching live streaming?

Mr. Harvey: Mr. Chairman, the earliest it could get to the Planning Commission for public hearing would be the first meeting in April.

Mr. Coen: Okay.

Mr. Harvey: But we'll check the calendar to see how the hearing schedule is working out before we commit to a date.

Mr. Coen: Alright. And that would be April 12th for anyone that is concerned at home. Alright, thank you sir. Now we move onto the next item of New Business, which is the amendment to the Zoning Ordinance. Mr. Harvey?

4. Amendment to the Zoning Ordinance - Proposed Ordinance O17-13 would amend Stafford County Code Sec. 28-87, "Outdoor lighting standard" to clarify the current lighting standards for residential property by establishing a maximum light level at the property line and reducing the duration of a security light activated by a motion sensor light. **(Time Limit: June 1, 2017)**
(Authorize for Public Hearing By: April 26, 2017)
(Potential Public Hearing Date: May 24, 2017)

Mr. Harvey: Thank you Mr. Chairman. Again, Mrs. Blackburn will lead the discussion on this regarding lighting standards.

Mrs. Blackburn: Mr. Chairman, Planning Commissioners, this is also a proposed amendment to the Zoning Ordinance to establish lighting standards at property lines of residential properties. And staff has received complaints concerning regulations for lighting on residential properties. They have experienced light shining onto their property from adjacent residents. And without a defined light level permitted at the property line, enforcement has been difficult. The County's Zoning Ordinance regulates lighting for commercial developments by level of foot-candles permitted throughout the site, and the height of light fixtures. The regulations for the residential development only addresses light trespass and

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exemption of motion detection fixtures that operate for more than 15 minutes. It does not address a level of foot-candles permitted at the property line. The proposed amendment would establish a maximum light level of 0.5 foot-candles at the property line of a residential use in the Residential and Agricultural Zoning Districts, and exempt a motion detection light that stays on for no more than 7 minutes instead of 15. This would provide a level of light permitted at the property line that can be measured, thus creating a standard for enforcement and still provide the level of surprise for security with a motion detection fixture. Now, after reviewing going through the Ordinance, staff did discover that there could be a potential and a conflict with this proposed Ordinance with street lighting in subdivisions. And staff would suggest that the pedestrian lighting for a sidewalk along the rights-of-way be exempt from this provision. And this lighting is controlled by Section 28-87(h) which requires the light levels to be an average of .5 foot-candles for the residential uses and 1 foot-candle for commercial and multi-family residential uses. And by stating it's an average, it could actually be higher than .5. And that was the conflict that we kind of ran into. The Community and Economic Development Committee considered this amendment at its February 7th meeting and voted 3 to 0 to send it onto the Board of Supervisors. At the February 21st meeting of the Board, they adopted Resolution R17-64 which refers the proposed Ordinance to the Planning Commission for review and recommendations, and allows modifications. And do you have any questions?

Mr. Coen: Any questions for Mrs. Blackburn? Mr. Apicella.

Mr. Apicella: I'm just curious how we got to the 7 minute interval.

Mrs. Blackburn: The 7 minute interval was actually... first there was a suggestion to exempt it completely. And after talking to Officer Hamilton, who is the CPTED Officer for the Sheriff's Department, he was not in favor of that at all. He feels that the motion detection lights are very significant in deterring potential robberies or intrusions or whatever on peoples' property, and he said he would... he could suggest that it would be marked down to 7 minutes.

Mr. Apicella: The reason why I ask that question, Mr. Chairman, if you went to a home improvement store and bought a motion detection light, it's not going to have a 7 minute button. Usually they have three or four buttons and they're 5-minute increments. Maybe the first button might say 1 minute, but you're not going to get a light that says 7 minutes. So, I think... and I don't know if our attorney can help us out... if we had a slightly higher recommended interval and there was a, you know, ground swell of public opposition to that number, could we move it back down to a lower number. I'm just trying to find out which direction we can go in. My thought is 10 minutes. I mean, I know that's probably not perfect and for some people that might be too long, but I just don't know how you get to 7.

Mr. English: Maybe we can say up to 10 minutes. Can we just say up to instead of... that kind of leaves it a little broad.

Mr. Coen: We always like when you come visit us to give you loads of questions (inaudible). While you're thinking of that, I'll... Mrs. Blackburn, do you have any concern with the average versus the .5? Should we change it to say something more definitive or...? Since there was a conflict, what do you think would be the best way to resolve that as we move forward?

Mrs. Blackburn: Well, when you have an average, you can go down to zero. And having a minimum eliminates that.

Mr. Coen: Okay.

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Mrs. Blackburn: Well, in this case we're actually going no more than .5, so, then again, that's going down to zero but you could actually go up to .7.

Mr. Coen: Right.

Mrs. Blackburn: Yeah, so it would allow you more.

Mr. Coen: Okay. So then if we were going to go for the 10 minute one, it doesn't really address this but we could keep it at the .5 and eliminate any average aspect.

Mrs. Blackburn: Yes, yes.

Mr. Coen: Alright. Thank you. Go right ahead, thank you.

Mr. Wisniewski: I'm sorry, Mr. Chairman, but the question is a little bit of a tricky one because it's talking about how long a light should stay on and if it's a less restrictive provision. So, I think leaving it at 7 at this point allows us to reduce it. It's essentially a reduction if we were to move it up to 10 at a late point in time. So this actually gives us more flexibility. It's kind of a difficult way to... item to explain.

Mr. Harvey: Mr. Chairman, I think just to paraphrase what Mr. Wisniewski is saying is 7 minutes is more restrictive as it's proposed in the draft today. If we went to a 10 minute... if the Commission advertised 7 minutes and later wanted to go to a 10 minute standard, it would be more permissive and not as restrictive as the Ordinance is advertised.

Mr. Coen: Okay. Alright. Go ahead Mr. Apicella.

Mr. Apicella: Yeah, Mr. Chairman, I can live with 7. I'm just hoping if for some reason I miss that meeting, someone might take it up and move it to 10 at that point in time.

Mrs. Vanuch: Apparently he has a 10 minute light on his garage.

Mr. Apicella: May be.

Mrs. Vanuch: I'm just thinking, how long is it going to take me to find that burglar, 7 minutes or 10 minutes?

Mrs. Blackburn: Well, it was very interesting. I did look up some stuff on that and there does appear to be lights; you're 5, 10 and 20 minutes were marked on some of them, but there does appear to be lights that have three little buttons on the bottom and you literally can do a graduating turn on them. So, it was an interesting...

Mr. Rhodes: Yeah, I've got that one and it doesn't make a darn difference. No matter how I change it, I can never get it set right.

Mr. Boswell: They're in the discount aisle.

Mr. Coen: Right. Okay, so we can... the sort of feeling is we keep it 7 on the idea that we could raise it up to 10 at the (inaudible) time. Alright, any other questions for Mrs. Blackburn?

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Mrs. Vanuch: I have one question.

Mr. Coen: Yes, Mrs. Vanuch.

Mrs. Vanuch: When you say property line, you mean literally the property line.

Mrs. Blackburn: At the property line, yes ma'am.

Mrs. Vanuch: Okay.

Mr. Coen: Alright, thank you ma'am. Alright, do we have a motion on the item about the lighting? Yes, Mr. English?

Mr. English: I'll make a motion to move to public hearing.

Mr. Rhodes: Second.

Mr. Coen: And second. So the motion was made by Mr. English, seconded by Mr. Rhodes. Any comment Mr. English?

Mr. English: No sir.

Mr. Coen: Mr. Rhodes?

Mr. Rhodes: No.

Mr. Coen: Alright, anyone else? Alright, so let us go to a vote. This is a call for a public hearing. And that passes 6 to 0 (*Mrs. Bailey absent*). Thank you. Wait, wait... Mrs. Blackburn is motioning which we can see with our motion detector.

Mrs. Blackburn: Are we doing Version 2 that talks about the street lights? Did we need to make a distinction on that?

Mr. Wisniewski: Mr. Chairman, I think it should be clarified that Version 2 is the one being adopted, if they are the same ordinance number.

Mr. Coen: Okay.

Mr. Wisniewski: And they are.

Mr. Coen: Can you just very quickly, the difference between 1 and 2 so everybody can nod that they're in agreement that we believe... that's what we thought we were voting on?

Mrs. Blackburn: Version 2 addresses street lights in the front yard; that would also be dealing with the property line of a residential property and are required to have higher light standards to light the sidewalks.

Mr. Apicella: Mr. Chairman, I thought I heard Mr. English say Version 2 under his breath; I could be wrong.

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Mrs. Blackburn: Oh, okay, okay.

Mr. Coen: And then, when we go to public hearing, I know you told me before the meeting that for those of us here, if we go out in the parking lot and we see the lights that are in the parking lot, those are .5.

Mrs. Blackburn: According to Officer Hamilton, he said the pole that has 4 lights on it will have a .5 foot-candle, and it drops off very quickly once you leave the little spot.

Mr. Coen: Alright, and if you...

Mrs. Blackburn: For your reference.

Mr. Coen: ... if you could, when we go to public hearing, have some visuals of that so that the public can see it as well, that would be helpful.

Mrs. Blackburn: Yes, yes.

Mr. Coen: Thank you. Alright, so that ends our New Business for the evening. The Planning Director's Report.

PLANNING DIRECTOR'S REPORT

♣ Discuss November Meeting Date

Mr. Harvey: Thank you Mr. Chairman. The first item for discussion is the November meeting. The Chairman and I were having a discussion about that the other day. It's currently slated for November 8th which is sort of the beginning of the month. As you may recall, in November the Commission only has one meeting. So the discussion was whether we wanted to push it back another week to make it more in the middle of the month and not create such a big gap between the November and December meetings.

Mr. Coen: Thank you Mr. Harvey. What raised this is that our February meetings and our March meetings are the day after the Board of Supervisors meetings. And so that means that staff, and while they're more than capable of doing it, have to be at the Supervisors on Tuesday then ours on Wednesday. And I just noticed that that happened two months in a row and so I asked Mr. Harvey to look at if there were any other dates, any other months where that happened so that we could sort of be helpful to the staff and staggering the nights that they have to be out for public hearings. The way that November works is normally we would be November 8th. We already eliminated the November 22nd which is right before Thanksgiving, but we could go November 15th, thereby giving staff a week between the Supervisors and us and rather than being two nights. I just throw that out there. It's something that quite honestly I think we can look at in the future years so that this February/March issue doesn't pop up again. Mr. Apicella?

Mr. Apicella: Mr. Chairman, I make a motion to move the now scheduled November 8th meeting to November 15th.

Mr. Coen: Alright, is there a second?

Mr. English: Second.

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Mr. Coen: And seconded by Mr. English. Mr. Apicella, any comment?

Mr. Apicella: No sir.

Mr. Coen: Mr. English? Anyone else?

Mr. Rhodes: If it's to help staff, I'm strongly opposed.

Mr. Coen: Okay. Alright, so we'll put it to a vote to move our November meeting to the 15th. And that passes 6 to 0 (*Mrs. Bailey absent*). Alright, thank you Mr. Harvey; I know you'll know how to handle the publication of that.

Mr. Harvey: Yes sir, we'll take care of that. Continuing on with my report, I'm going to give the Commission some updates from yesterday's Board meeting. During the Community... excuse me, during the Infrastructure Committee, the Board received an interesting presentation by VDOT regarding the HOT lane extension down to Route 17, and I'll tomorrow forward you a copy of that... those presentation slides. Basically they're saying that they're working on the proposal to extend the HOT lanes down to the Route 17 interchange, and that could conceivably be completed within the next 5 years. So, again, I'll have some more details that I'll send to you in an email. As far as actions that the Board took yesterday, they had the public hearing on the Quantico Village project and that was approved. The applicant provided revised proffers and increased the proffer contribution per dwelling unit to \$24,500 per unit. The Board also had a public hearing on the ICTP Overlay Zone, establishing the zoning district regulations. There was a lot of discussion and debate, and that was deferred until May 2nd to answer some questions that the Board members had. And then the Board, in its retreat in February, had a discussion item about interactions between the Board and the Planning Commission and how to enhance communication. So the Board is asking if the Commission would consider attending a joint meeting on May 2nd at 5:30 p.m. to have a dinner meeting to have an opportunity to sit down and discuss one on one communications with regard to items such as Ordinance amendments, Comp Plan amendments, and those types of things. So, I request that we poll the Commission to see if everyone's generally available, because being a joint meeting it would require a quorum for the meeting to be constituted. Again, that would be 5:30 on Tuesday, May 2nd.

Mr. Coen: Alright. Okay.

Mr. Apicella: Mr. Chairman, who's picking up the check?

Mr. Rhodes: The Chairman.

Mr. Coen: The Chairman... haha. I believe... that's a good question. I think it's the Supervisors but I'm not certain.

Mr. Harvey: It's my understanding they're the ones making the invitation.

Mr. Rhodes: Oh, I like how you think.

Mr. Coen: Alright. And I don't think we need to vote. Is there a feeling so far of getting thumbs up? Alright. So, Mr. Harvey, you can let them know that we are interested and we'll be attending.

Mr. Harvey: Fantastic. And that will conclude my report.

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Mrs. Vanuch: What's the dress code?

Mr. Rhodes: Tuxedos.

Mr. Coen: Alright, thank you Mr. Harvey. Now we go to Other Business; we have some TRC information for March 22nd. I believe everybody has gotten theirs, correct? Alright. So then we'll go and ask for the County Attorney's Report, Mr. Wisniewski?

Mr. Harvey: Mr. Chairman?

COUNTY ATTORNEY'S REPORT

Mr. Wisniewski: No comment at this time.

Mr. Coen: Okay, I didn't want you to miss out on your big moment. Yes Mr. Harvey?

Mr. Harvey: Mr. Chairman, I was going to say that we need to go back through some other items, but you're on track, so excuse me.

Mr. Coen: No problem at all. It's always good that you're keeping an eye out. Committee Reports. We do have the Signage Ordinance Committee.

COMMITTEE REPORTS

♣ Sign Ordinance Committee

Mr. Boswell: Yes sir. We're still meeting and working hard and we'll be attending a class April the 2nd. That's all I have right now.

Mr. Coen: Okay. Alright, any timeline when they're going to do...?

Mr. Boswell: No.

Mr. Coen: Okay, thank you sir. Alright, by the way, thank you Mrs. Stinnette for the icons on our agendas. So now we move to approval of minutes.

CHAIRMAN'S REPORT

♣ Stafford County Annual Historic Preservation Awards

Discussed after Approval of Minutes

OTHER BUSINESS

5. TRC Information - March 22, 2017

- ♣ Courtyards of Colonial Forge - Hartwood Election District
- ♣ Hulls Chapel Estates - Hartwood Election Districts
- ♣ Embrey Mill Phase 1, Section 6 - Garrisonville Election District
- ♣ Telecom Tower Milestone Communications at Duff McDuff Green Memorial Park - George Washington Election District

APPROVAL OF MINUTES

January 11, 2017

Mr. Rhodes: I make a motion for approval of the January 11th minutes.

Mrs. Vanuch: Second.

Mr. Coen: Okay, Mr. Rhodes and then Mrs. Vanuch to approve the minutes. All those in favor will vote yes. And then we go back and we do have one more item which is the Historic Awards. Alright, and it passes 6 to 0 (*Mrs. Bailey absent*). So the harder issue at this point is the Stafford County Annual Historic Preservation Awards. Mr. Harvey, would you like to sort of lead off this discussion even though it's under me?

CHAIRMAN'S REPORT

♣ *Stafford County Annual Historic Preservation Awards*

Mr. Harvey: Certainly. Every year the Historical Commission nominates various different property owners, individuals, and organizations for potential awards for their efforts with historic preservation. There are four categories in which they could apply as far as topic areas. The first one is the Preservation Award where an individual, group, or developer who has preserved, rehabilitated, and/or restored a Stafford County cultural or historic resource could be nominated for that type of award. Also, there's a Homeowner Preservation Award for a homeowner who has done great things to rehabilitate the buildings. A Landscape Award for an individual, developer, or organization that's established, restored, or maintained a historic garden, a historic structure such as a wall, or a landscape, in other words, how the overall property looks. And then there's a Volunteer Award for any individual who's dedicated and committed to educating the public and/or conduct research pertaining to cultural resource or historic persons or events. And Mr. Chairman, we have included in your information, a listing of past recipients. The Historic Commission is soliciting the Planning Commission's nominations, if you have any.

Mr. Coen: Okay. And the date that we would need to give them?

Mr. Harvey: It's getting pretty close. March 24th.

Mr. Coen: March 24th. So, we have a little bit of time.

Mr. Harvey: One more meeting we can possibly...

Mr. Coen: One question that I had asked was, because I know in the past we have made suggestions, and then they make... but I didn't know if there were individuals that were not the award goes to but that we could renominate.

Mr. Harvey: Yes. And Mr. Chairman, there's more nominees... or nominations than there are recipients. There are three projects, or three individual issues that came up as potentials that didn't make it for whatever reason that given year. One was the VDOT improvements to the Falmouth intersection. Another one was recognizing specific individuals associated with the 350th Anniversary Committee efforts. In the past, the Committee itself has won an award as well as some of the organizations that contributed to that effort, but not necessarily some of the individual

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participants. And then third, another option was the stabilization of the Sanford Slaves Quarters. That's an old historic structure on county-owned property at Lake Mooney.

Mr. Coen: Okay. Go ahead Mr. English.

Mr. English: What about would...

Mr. Coen: Yes, I asked too.

Mr. English: ... the Committee for doing... you already asked?

Mr. Coen: Yeah, but go ahead, go ahead.

Mr. English: The Committee that's working on the Armed Services Memorial; can we put those... would they fit for this category?

Mr. Harvey: Mr. English, when I was looking at the descriptions, I thought maybe they could fit under the Volunteer Award, because they are helping to establish a cultural resource for the County and also acknowledging the history of the County and recognizing the Veterans who have served.

Mr. English: That would be my recommendation.

Everybody agreeing.

Mr. English: Would that go just as a Committee award? It wouldn't be one individual that works (inaudible). There's a lot of people that worked hard on that.

Mr. Harvey: Mr. English, it could be an individual if you want to... if the Commission wants to recommend a specific person or persons associated with that effort.

Mr. English: Well, I know Dan Chichester's worked super hard on it; I know he's one of the Committee member's that has worked hard on it. And I think, is General Christmas on it also?

Mr. Apicella: Yeah.

Mr. Coen: Yes sir.

Mr. English: So, it might be appropriate just to do as a whole group. Because I don't know who worked... I know those two worked the most that I know of, that I'm aware of.

Mr. Coen: Is everyone sort of agreeing that the idea as a group? That came to my mind as well.

Mr. English: Jeff, would they get any... serving on that committee, would they get any... would get some sort of individual recognition that they served on a committee? It'd be like a one whole plaque and then they would get some sort of recognition for serving on the committee. How would that work? Or it would be just one plaque with their names on it? How would that be done?

Mr. Harvey: Mr. English, normally with the Historic Preservation awards, Ms. Dodd, who was here earlier tonight, she'd be at the Board of Supervisors meeting presenting the recipients with a

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plaque. In this case, it would be... what was discussed is it would be a group recipient so it'd be the organization that got together and moved the project forward that would get the recognition.

Mr. Coen: But... I'm going to tag onto you... because I was looking at in 2014 it was the 350th Anniversary and I remember that was one of the ones we advocated. But do they get each individual one? I know I was watching it and I don't remember if they get... each individually get something that's a nice memento, or is it just one large one?

Mr. Harvey: Mr. Coen, it's my recollection it's one plaque for each recipient...

Mr. Coen: Okay.

Mr. Harvey: ... not for... recipient as in the group or if it's an individual property, then that individual would get one.

Mr. English: And one more question. What about the Civil War Park down in Brooke? I would recommend that because that's pretty nice down there, what they've done to the property. I don't know who was...

Mr. Harvey: Mr. Chairman, there was some awards given for the Civil War Park with regard to the construction of the infrastructure. But I know in the past year there's been canons installed and there's been other work that's been ongoing there. So certainly there could be some recognition for that as well.

Mr. English: That's the second one for me then.

Mr. Coen: Okay.

Mr. Apicella: Mr. Chairman, how about the gentleman... I don't have the list in front of me... who has that Civil War Museum?

Mr. Coen: In White Oak?

Mr. Apicella: Yeah.

Mr. English: Mr. Newton. I think D.P. Newton, is that it?

Mr. Coen: D.P. Newton, yes sir.

Mr. Apicella: Yeah.

Mr. Coen: I don't see his name on here so...

Mr. English: I don't think he's ever been recognized according to this paper.

Mr. Coen: Right. Could we check on that? That would be an excellent to go for historical.

Mr. English: Yeah, he's done a lot.

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Mr. Coen: He does a massive... a terrific job on that. And Mr. Harvey, can you check into what would be the process for if it is a group to give them... I know it doesn't come from us, but it just would seem to be nice that if the 350th that both Mr. Chichester and General Christmas and then if you were going to do a couple, they'd actually get something instead of just being one.

Mr. Harvey: Well, Mr. Coen, we'll check into that and see if the Historical Commission... what their plans are for this year and if it incorporates a group, will it recognize all the individuals of that group individually or what their plans are.

Mr. Coen: Okay, thank you. Always would be an individual or an organization could make a donation to pay for those individual awards and then be nominated in a future year.

Mr. English: What??

Mr. Coen: Alright. So we still have another meeting that if you think of anyone you could come back with additional names. And then if staff, in its research, finds anybody, that'd be helpful too. Alright, the only thing that I'll throw out, I know Mr. Apicella was, I'm not sure, there was a large crowd at the groundbreaking this past Saturday. It was a very moving, very wonderful event. The ceremony was a terrific one and there are copies of it on YouTube. I encourage people to do it. And then the groundbreaking is done; the actual opening of it is slated for July. So I hope people will look forward to that. And with that, if there's no other business, I will adjourn the meeting. Alright, have a good meeting.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:10 p.m.