

STAFFORD COUNTY PLANNING COMMISSION MINUTES

May 9, 2018

The meeting of the Stafford County Planning Commission of Wednesday, May 9, 2018, was called to order at 6:30 p.m. by Chairman Crystal Vanuch in the Board of Supervisors Chambers of the George L. Gordon Jr., Government Center.

MEMBERS PRESENT: Crystal Vanuch, Steven Apicella, Darrell English, Albert Bain, Roy Boswell, Fillmore McPherson

MEMBERS ABSENT: Barton Randall

STAFF PRESENT: Jeff Harvey, Dan Wisniewski, Denise Knighting, Mike Zuraf, Brian Geouge, Andrea Hornung, LeAnn Ennis, Eva Campbell

DECLARATIONS OF DISQUALIFICATION

Ms. Vanuch: Any items of declaration of disqualification?

Mr. Boswell: Madam Chair, I'll be recusing myself from item 7 on the agenda.

Ms. Vanuch: Okie dokie.

PUBLIC PRESENTATIONS

Ms. Vanuch: Alright, now moving on to public presentations. This is the point in time where anyone from the public can come down and speak for three minutes. When you come down, please state your name, address and the district that you reside. You have three minutes to talk when the green light comes on. When the yellow light comes on you have one minute left. When the red light comes on please cease your comments. Would anyone from the public like to come down? Anybody?

Mr. Raja: Good evening. My name is Darnell Raja. I am a Stafford County resident. On behalf of All Muslim Association of America, we're interested in making constructive recommendations to the Planning Commission and Board of Supervisors on possible changes to the cemetery ordinance. We feel that the current ordinance is far stricter than any other local ordinance. Thank you for your time.

Ms. Vanuch: Thank you. Anyone else?

Mr. Javid: Hi everybody. I'm Skanda Javid. I'm a board member of AMAA. I have spoken here previously and I'm here to let you know what our properties (inaudible). And we have watched the deliberations of the cemetery committee. We are disappointed that the discussion of the cemetery has been listed under agenda and then tabled since March. We understand the committee report is scheduled to be discussed tonight, but we have not been provided a copy. This reduces our ability to provide constructive feedback. But like I said previously, that we are ready to work with the Board and with the County, anybody. Please give us a chance to show that we are constructive, you know, residents of this County, not just (inaudible).

Ms. Vanuch: Thank you. Anyone else?

Mr. Waldowski: Paul Waldowski in the gerrymander Rock Hill District. I also own property in the gerrymander Griffis-Widewater District. Today is a federal holiday. I'm retired. Every day is a federal holiday. Yesterday was Truman day in the state of Missouri. There is only 45 states in the United States,

four Commonwealths, where common sense is not common and of course the republic of Texas. Today is third shift workers day. You know, they guys that go to work from 9 pm to 5 am. Oh that's 9 to 5. Just like Dolly Parton. Man it's really neat to look across here and see, oh there's only six of you today. Hopefully we'll get some 3-3 votes, just like the old days, so we don't make any progress. You know, in 2021 we're going to redistrict and the biggest thing we need to get rid of is the Garrisonville district, you know, that one with the representative won with 49.99%. That's not 50% plus one. Also, remember the Aquia District was a three way, so when they voted last week, 5-2, didn't really matter. They were outvoted by people who got elected legally. Now the questions is, do all of you legally live in the election district that you represent. Hmm, I wonder if that's a Commonwealth law. Man, it's great to see your attention. Don't worry, I ain't going to talk about no cemeteries, because I ain't going on one of those. Now let me see, I got 55 seconds, I could just, you know, wield it off. The YES program student. Welcome sir. You want to be wrestling team, I can catch you at Oklahoma State University. We beat West Virginia all the time. Ask Jack Cavalier. The real reason I came here was, I got my tax bill today. \$32,900 for air space. Not even recorded as 0.008 acres. Amazing. It should be 0.281 acres with a county water and sewer bill, but then again, if I was Mr. Trump, I would fire the Director of Utilities.

Ms. Vanuch: Thank you Mr. Waldowski. Would anyone else like to come down? Anybody else? Coming to talk for the public presentations? Saw just a few people walk in. Okay, seeing nobody coming to the podium, I'm going to go ahead and close the public presentation portion of this evening's meeting. So we'll move on to item number 1 on the agenda, which is the amendment to the Stafford County comprehensive plan for cluster subdivision areas. For this we recognize Mr. Zuraf.

PUBLIC HEARINGS

1. Amendment to the Stafford County Comprehensive Plan - Cluster Subdivision Areas - A proposal to amend the Stafford County Virginia Comprehensive Plan 2016-2036, adopted on August 16, 2016, to relocate the criteria for cluster subdivisions, "Criteria," in the textual document and further define the Criteria based on the location of a development project. The proposed amendment would relocate the Criteria from Chapter 2, "Goals Objectives and Policies," to Chapter 3, "The Land Use Plan," Section 3.9, "Cluster Subdivisions," and further define and amend the Criteria that applies to all cluster subdivisions, cluster subdivisions inside of the Urban Services Area (USA), and/or cluster subdivisions outside of the USA.

Mr. Zuraf: Good evening Madam Chairman, members of the Planning Commission. Mike Zuraf with the Planning and Zoning Department. This item is a comprehensive plan amendment regarding cluster subdivision.

Ms. Vanuch: What's wrong? Is it not up? There we go.

Mr. Zuraf: Okay, so, to review the amendments before you, there are a few. First the amendments would relocate the criteria for cluster subdivisions from chapter 2 of the comprehensive plan, that's goals, objectives and policies to chapter 3, which is the land use plan and a new section, section 3.9 titled cluster subdivisions in that chapter. And then, in that new section 3.9 further define and amend the criteria that applies to all cluster subdivisions, cluster subdivisions inside the urban service area and then separate criteria for cluster subdivisions for outside of the urban service area. Okay, just a...I did this the last meeting, I'm going to do it again, just to explain this is kind of a multi-phase process that we're going through regarding cluster subdivisions. The first phase of the whole effort on March 20th, 2018 at that time the Board amended the Zoning Ordinance to adopt a cluster subdivision area map and that limited the area where cluster subdivisions would be permitted in the County. And the phase 2, there's several steps in this phase. On March 20th the Board referred, at the same time when they amended the Zoning Ordinance map, they referred to the Planning Commission limited amendments to the comprehensive plan

and Zoning Ordinance. On March 28th the Planning Commission received that referral and they divided the referral up to initiate a hearing to amend the comprehensive plan and add the cluster subdivision area map to the comprehensive plan. And then a separate effort would be to develop a cluster development committee that was formed to review and consider the modification of the remainder of the materials that were provided. Then on April 11th the committee provided their recommendations to the full Commission. The Planning Commission initiated a public hearing for May 9th when they'd consider those recommendations from the committee. This included the amendments to the comprehensive plan and ordinance amendments that are under consideration this evening. Then a follow up third phase of the entire effort, on April 17th the Board approved a referral requesting the Planning Commission conduct a comprehensive review of the cluster regulations and develop modifications to the cluster ordinance regulations and then consider, at the same time, adjustments to the cluster subdivision area map. This referral was presented to the Planning Commission on April 25th and the effort is intended to address the full list of concerns that the Board has with cluster subdivisions, and this is expected to be a long term, a 9 – 10 month effort. So, just looking through and evaluating these amendments on the issue on relocating the cluster subdivision criteria, this would move the more detailed design criteria to the land use chapter and also then retain more generalized policies in chapter 2, and specifically policy 1.2.12. There would be a new policy 1.6.6. This would recommend cluster subdivisions only occur in the areas identified on the cluster subdivision area map that is proposed to be added to chapter 3.9. Then on the issue of amending and defining the cluster subdivision criteria, the amendment establishes criteria for all cluster subdivisions. Criteria in policy 1.2.12 does apply only to cluster development projects inside the urban service area where there is increased density permitted, with a Conditional Use Permit in the R-1 zone. Staff notes that there are several criteria that could apply to any cluster subdivision, including those outside of the urban service area. So in section 3.9 the cluster subdivision criteria defines where clusters...where the criteria would apply. There's specific criteria for cluster subdivisions in any location where it's allowed in the County. Some of those criteria include that any open space area should be contiguous landmass that is not fragmented by the development of the subdivision. And also another criteria would be recommending consistency with the airport land use compatibility standards if a site is located within the overlay district. Those are just two examples of criteria that would apply anywhere. There is some criteria for sites that are inside the urban service area. A sample criteria for that would be, subdivision proposing additional density should be located in areas of the County where public facilities have capacity to absorb the demand of the additional density that they would achieve. And then there's separate criteria for sites that might be outside of the urban service area. One of the criteria that's proposed there is, recommending that viable areas of active agriculture and forestry uses be avoided when possible as part of any development plan for a cluster subdivision outside the urban service area. And staff would recommend approval of the comprehensive plan amendment under R18-119. The amendments provide more certainty as to which criteria to apply to a give development based on the location. And we'll take any questions at this time.

Ms. Vanuch: Any questions from anyone on the Commission? To the left? To the right? No questions? Alright. Thank you Mr. Zuraf. So, since this is a County amendment there is no applicant. So now we'll move on to the public hearing portion. So if anyone from the public is here to speak on this cluster subdivision comprehensive plan update, you have three minutes to come down to the podium. Please state your name, address and the district that you reside. You'll have three minutes. When the yellow light comes on you have one minute left. And when the green light...when the red light comes on your time is expired. Would anyone like to come down? Come on.

Mr. Reese: Madam Chair, members of the Commission. My name is Bruce Reese and I'm here as the Chairman of the legislative committee for the Fredericksburg Area Builders Association. I probably won't need that light. This will be pretty quick. We are absolutely in favor of the cluster ordinance, and a cluster ordinance that works and our fear is that the actions that are being taken will remove the effectiveness of the cluster ordinance and it will literally go away from the County. And we think that

will be a loss. It's a planning tool that has benefits and it doesn't increase density. It allows the lot to be developed and as far as the forrestal district and the agricultural districts go, when a lot gets to us to be developed, the farmer has decided he no longer wants to farm and so just bear that in mind. There is a reason that it comes to the point where it's going to be developed. Thank you very much.

Ms. Vanuch: Thank you Mr. Reese. Would anyone else like to come down?

Mr. Waldowski: Paul Waldowski, Pickett Lane, gerrymander Rock Hill district. I am not in favor of any update, unlike the builder. Cluster subdivisions are much better than conventional subdivisions. They create more open space, because god's not making any more land. And you've already politically brought this up as an amendment, so it's after the fact. You know, it's kind of like someone who puts up a shed next to my property and then figures out, oh the shed's not within 5 feet from the guy's property. I'm going to have to get an after the fact and move it. You are upsetting people's jobs who build these cluster subdivisions. None of you have ever built anything. I can say that factually. I've read all your resumes online. So you have no idea of the amount of income that it takes to build one of these cluster subdivision. And just to educate you all, many of you have 30 year mortgages and you don't even realize why it was 30 years, because that's how long it takes to depreciate a building. Unlike a school, which should have a 100 year life span, but we've seen how people in this county just tear down 40 million dollar assets and replace them. The cluster subdivision is so important to the wild life, the wood peckers. My favorite animal is the 2030 cicada. You know they're going to get a PhD in 2030, that's a public high school diploma. The last one was 2013. You have cardinals, blue birds. As a 4H instructor I can take one board, teach a kid how to build a blue bird house and guess what, we could put it in the cluster subdivision. But I'm hoping for that vote of 3-3. That would be really nice you see. Because it'll show that you got to have an odd number and when we do redistrict, don't worry, we'll have four election districts and an elected Chairman of the Board of Supervisors and the School Board and the Planning Commission. Hello?

Ms. Vanuch: Thank you Mr. Waldowski. Would anyone else like to come down and speak on item number 1 on the agenda? Okay, seeing no one we're going to go ahead and close the public hearing on this item, bring it back up to the Commission for discussion. Do we have any questions for staff?

Mr. English: I had no questions, but can we make, can we put 1 and 2 together before we vote on this?

Ms. Vanuch: Dan, do we have to take a vote on this before we can present number 2? How does that work?

Mr. Wisniewski: I recommend proceeding by taking a vote on number 1, before moving on to the next item on the agenda.

Ms. Vanuch: Okay, gotcha. Alright, Mr. English?

Mr. English: Alright. I will make the recommendation that we defer this, because I have some language on 2 and I think they go together, so I'm going to make a recommendation to defer number 1 right now.

Mr. Boswell: Second.

Ms. Vanuch: Okay, so we have a motion by Mr. English, second by Mr. Boswell. Any discussion Mr. English?

Mr. English: No.

Ms. Vanuch: Mr. Boswell? Any other discussion on the Commission? Okay, we'll go ahead and vote for a deferral for the very next meeting for item number 1 on the agenda. The motion passes 6-0 with Mr. Randall being absent.

2. Amendment to the Zoning Ordinance - Proposed Ordinance O18-16 would amend the Zoning Ordinance, Stafford County Code, Sec. 28-25, "Definitions of specific terms," Zoning Ordinance Sec. 28-35, Table 3.1, "District Uses and Standards," Zoning Ordinance Sec. 28-39, "Special Regulations," regarding Cluster Development Standards.

Ms. Vanuch: Okay, now moving on to item number 2 on the agenda, the amendment to the Zoning Ordinance, O18-16 and for this we recognize Mr. Zuraf again.

Mr. Zuraf: Good evening again. This item is a proposal for a Zoning Ordinance amendment, again, for cluster subdivision. This is an item that corresponds with the last item to amend the comprehensive plan. Okay, so just going through, I'm going to go through the summary of what's being changed and then an evaluation as I go through to streamline it. First change is to section 28-25, definitions of specific terms. This would expand the cluster and open space land definitions to reference the new special regulations that are being proposed in the ordinance and then also existing standards...to reference existing standards in the subdivision ordinance that apply to these terms. This amendment is mainly a housekeeping item to reference the newly proposed subsections of the ordinance. With section 28-35, that's table 3.1, the table of district uses and standards. This would relocate the development standards that relate to cluster subdivision to a new table specific to cluster subdivisions. With this, there are going to be several, in addition, several other adjustments to the specific standards within the different zoning districts that allow clusters. In the R-1 suburban zoning district, there are several adjustments. In the R-1 district there would be an increase to the minimum open space proposed from 30% up to 40%. Also in the R-1 district, an increase in the minimum lot area requirement from 8,000 square feet to 8,600 square feet and then also an increase in the minimum side yard requirement from 8 feet to, which would also...the current requirement is 8 feet with a total separation between dwellings of 18 feet in total, there'd be an increase a 10 foot side yard setback or 20 foot total separation of structures on two adjacent lots. This amendment, these amendments to the R-1 district would require a greater percentage of the site to be preserved as open space while also requiring slightly larger lot sizes and building setbacks. Staff evaluated the increase and estimated that the maximum density could still be achieved on a parcel under normal circumstances with the increased open space and lot size requirements. The side yard setback increase would basically be consistent with the side yard requirement for conventional subdivisions under the R-1 zoning district. Also, the...let's see...the next point in the A-1 zoning district, there would be an increase in the side yard requirement from 10 feet up to 20 feet. The increased side yard setbacks would be consistent with the side yard setback in a conventional subdivision in the A-1 zoning district. Also, there would be an additional reference that the cluster subdivision areas map is now included in the comprehensive plan. The map was approved as part of the Zoning Ordinance as I had mentioned in the last presentation. This amendment would refer to the same map which would now be proposed to be incorporated into the comprehensive plan. A separate comprehensive plan amendment is currently in the review process to make that a part of the comprehensive plan. The limits of the cluster subdivision area on the map are not changing from what was already approved. Okay, next changes, section 28-39, special regulations, this would add a new subsection with special provisions that would apply to cluster designed subdivisions. The cluster designed subdivisions would...going through the special regulations point by point, the cluster designed subdivisions shall only be permitted on land zoned A-1, A-2 or R-1 and also within the area designated on the cluster subdivision map in the comprehensive plan. This amendment kind of duplicates the last amendment that I just noted in the previous sections on the previous page. The next point, one of the other standards would be, it would not permit stormwater management facility areas to satisfy minimum open space area requirements. This provision was a specific request from the Board of Supervisors. The concern is that stormwater management facilities are not consistent with the intended

purpose of a cluster subdivision and cluster subdivision open space, being utilized for preservation of environmentally sensitive features or rural character or recreation purposes. Looking at the third point, only the surface area of underground stormwater management facilities, if they're included, would be permitted to count towards any required open space. These occurrences may be rare and most likely in more urban development situations. Looking at the fourth point, the next criteria would not permit the first 50 feet of width of any utility or access easements from satisfying the requirements of, or minimum open space requirements. This was also a request from the Board. The concern also is that utilities are not consistent with the intended purpose of preserving environmentally sensitive features, rural character or recreation as well. And then also, there is an exception that only portions of utility easements outside of the first 50 feet of width of utility easement may be allowed to count towards minimum open space. That's if the area is being used for a permitted open space use.

Ms. Vanuch: Mr. Zuraf, really quickly. On bullet number 4, so let me play a hypothetical with you. Let's say you have a parcel of land and the County, as it's coming in with its cluster site plan determines that that's going to be in an area where they're going to expand water and sewer and so they want to potentially look at creating an easement on that property, even though it's not there already. Is that still not going to be permitted within the 50 feet.

Mr. Zuraf: It should not, because...that would get determined, I believe, at the record plat stage and at that point an easement would be established because the line would, or at least the location line should be planned in advance of that project. I guess it may depend, if it's part of, if it's happening as part of that development project and it gets deeded as part of the subdivision, then yes, that would be an area that would be excluded, but if it's a utility line that might be happening in the future, but no easement is sought at an earlier stage, then it may not.

Ms. Vanuch: So for example, let's say that their not seeking the utility right now, but let's say in 5 years the County knows that it's going to be expanding the water and sewer to that area, that would create an eminent domain situation where they have go in and have to negotiate to get an easement on that particular parcel. Is there a way that we can look at some language for this to potentially build in an exception that says, if the County is looking to adapt that into an utility easement for water and sewer, that the County has the ability to grant the first 50 feet into open space, but only for water and sewer, and only if it's at the County's discretion?

Mr. Zuraf: So if it's kind of planned already?

Ms. Vanuch: Yes, just an exemption. I think it would actually save the County money so for example, let's say the developer says I give this to you for free. I don't care about the easement. But I want it to count toward my open space. Then the County says great, otherwise they would say, you're not having this, because I need it for my open space. You're going to have come back and buy it later.

Mr. Zuraf: Yes, that's something we should be able to write in.

Ms. Vanuch: Okay. Perfect.

Mr. Zuraf: And that's the summary of the changes and staff would recommend approval of the amendments to the Zoning Ordinance O18-16, amendments to establish standards that would require future cluster subdivision to be designed in a manner that is more consistent with the purpose of cluster designed subdivisions and if there is a desire to have that language written in, we would probably need a deferral to the next meeting to draft some language that would be appropriate, if that's the will of the Commission.

Ms. Vanuch: Okay, perfect. Any questions on the Commission? Mr. English?

Mr. English: No. That was probably part of my language thing, you know, for deferral.

Ms. Vanuch: Anyone else? No questions? Okay. You got off easy tonight. So far. Okay so now we'll move on to the public hearing portion of tonight's meeting on item number 2, the amendment to the Zoning Ordinance for cluster subdivisions. Does anyone want to come down and speak? You have three minutes. Same as before. State your name, address and the district you reside. When the green light comes on you have three minutes, yellow light one minute, red light means your time is expired. Any takers? Mr. Waldowski.

Mr. Waldowski: Paul Waldowski, Pickett Lane, the gerrymander Rock Hill district. Well we already know we're going to defer this and my main comment is, in conventional subdivisions there is a 35 foot setback. I'm a stormwater fanatic. We're in the Chesapeake Bay water shed. I've lived through someone getting a variance, illegally. I've been in the Court system since 2011, so I kind of know land use pretty well. Whenever you have a staffer who writes something that has an exact number, we have to live by that number until someone who's mathematically inclined reads it for content and figures out, wow, why did we hard code that number? That's why in mathematics we build confidence intervals, you know, so we don't get set into things, so we can take care of hypothetical utility easements with 50 feet. If we would have done that, you know, I might have property in Aquia at one time, but the utilities are so bad in there that we don't know what the results of that stuff is 30 years later. So open space is a premium and that's my big heart burn, is not only the language to readjust, and I guess, you're going to favor someone when you put that in wording, and remember, lady justice wears a blind fold, so it's fairness, but I know you're all republicans, so you wear a pirate's patch, so you favor the right. I voted for Trump.

Ms. Vanuch: Thank you Mr. Waldowski. Anyone else like to come down and speak? Okay.

Mr. Reese: Madam Chairman, members of the Commission, Bruce Reese for the Builder's Association. We don't get to talk for weeks and then twice in one night, so, we absolutely understand that modifications to the cluster ordinance are in order. We get that. But I think you should be very careful and you've touched on it slightly when you started talking about underground easements and not being able to count those at all towards open space. No one has any idea that there is a gas line under the ground, if it's got a soccer field over top of it. They just play on. And not to have that available as open space, I think would be a stretch too far. And it's not just water and sewer. Powerlines are now going underground. Gas lines are underground. But even an above ground power line has the ability to harness recreational facilities and it happens in the County. I'm convinced that you've got parks that are under powerlines and it works okay as open space. So don't forget that open space doesn't have to be trees. It doesn't have to be steep slopes. It can simply be open. There is a benefit to having open area. The other issue that I'd like to talk about is the stormwater. I know that all of you have seen attractive, wet stormwater management facilities that are exactly that, they're a haven for wildlife, they're attractive. There are places for trails to walk around. There is an advantage to putting those in an open space area and allowing a community to enjoy that. There are other stormwater facilities such as bio retention which are above ground, but apparently they will not be counted and so we think that should be thought through much more carefully. Again, we understand that there are changes that need to be made. Our fear is that the changes that you're proposing are going to make the cluster so difficult to use that you'll get absolutely no advantage for this great planning tool. And for that we suggest you consider that more carefully and offer our services to help in any way that we can. Thank you very much.

Ms. Vanuch: Thank you Mr. Reese. Anyone else? Okay, seeing no one coming, I'm going to close the public hearing and bring it back to the Planning Commission. Does anyone have any questions for Mr. Zuraf?

Mr. Wisniewski: Madam Chairman, before the Planning Commission gets into questions I wanted to clarify, or correct a statement I made earlier regarding voting on item number 1. I misunderstood the question at the time. Planning Commission can vote on item number 1 at this time. I thought the question was voting on those two items together.

Ms. Vanuch: Gotcha, well we already did it, so it doesn't matter I guess.

Mr. Wisniewski: The Planning Commission could reconsider its vote.

Ms. Vanuch: Does anybody reconsider number 1's vote?

Mr. Apicella: Madam Chairman, I make a motion to reconsider item number 1.

Ms. Vanuch: Okay, do we have a second?

Mr. Bain: Second.

Ms. Vanuch: So we have a motion by Mr. Apicella, second by Mr. Bain. Any discussion Mr. Apicella?

Mr. Apicella: No ma'am.

Ms. Vanuch: Mr. Bain? Anyone else on the Commission care to? Okay. Cast your votes for reconsidering. There's your 3-3 Mr. Waldowski. So now what?

Mr. Wisniewski: The Planning Commission bylaws state that the motion does not pass. So the deferral remains in effect.

Ms. Vanuch: Okay, so now we can move on to number 2 safely. So does anyone have any questions on item number 2.

Mr. English: No, I just make a motion that we defer it because until we get some language cleared up, like the exemption over water and sewer.

Ms. Vanuch: Okay, so we have a motion by Mr. English and just to clarify, because I don't know if his mic was on, to build out the exemption language for water and sewer, when the County is requesting that as an easement. And there was a second by Mr. Boswell. Any discussion Mr. English?

Mr. English: No.

Ms. Vanuch: Mr. Boswell? Anyone else on the Commission? No? Okay, go ahead and vote. Okay, motion passes 6-0 with Mr. Randall being absent. So we will take that back up on the May 23rd meeting.

UNFINISHED BUSINESS

3. RC17151715; Reclassification - Stafford Airport Industrial Park - A proposed zoning reclassification from the A-1, Agricultural Zoning District to the M-1, Light Industrial Zoning District on Tax Map Parcel Nos. 38-13 and 38-33, consisting of approximately 65.99 acres (Property). The Property is located on the south side of Ramoth Church Road and west side of Centreport Parkway, within the Hartwood Election District. **(Time Limit: July 6, 2018) (History: Deferred on March 28, 2018 to April 11, 2018, Deferred by Applicant to April 25, 2018, Deferred April 25, 2018 to May 9, 2018)**

Ms. Vanuch: So now we move on to item number 3, reclassification for the Stafford Airport Industrial Park and for this we recognize Mr. Brian Geouge.

Mr. Geouge: Good evening Madam Chairman, members of the Commission. Brian Geouge with the Planning and Zoning Department. I'll be providing an update on the Stafford Airport Industrial Park reclassification. This application was deferred to give the applicant an opportunity to address application submittal requirements relating to transportation impact analysis. To summarize, the County ordinance states that transportation impact analysis shall be submitted when the maximum development permitted under the district regulations would generate 1,000 or more vehicle trips per day and that proffers which limit vehicle trips per day, may be taken into consideration when calculating maximum development and Virginia Code states that the traffic studies for rezoning proposals shall assume the highest vehicle trip generating use allowable under the proposed zoning classification. Revised proffers have been submitted since the completion of the staff report. Those were provided as handout number 1 tonight. Revisions limit the number of free standing restaurants, convenience centers and convenience stores located on the property to three each, and revisions provide assurances. Certain high traffic generating uses will be limited, however the ultimate traffic generation on the property may still exceed the transportation impact analysis traffic generation numbers, and staff has also provided a summary of by-right M-1 uses, as well as the trip generation numbers from the IT manual as handout number 4 to sort of summarize, give a comparison based on what was submitted in the transportation impact analysis versus other by-right uses. So in conclusion staff is supportive of the application with conditions pursuant to O17-23 and recommends the Planning Commission consider the application submittal requirements as well as impacts to the American Legion Road, US Route 1 intersection. And I'll take any questions at this time.

Ms. Vanuch: Anyone have any questions for Mr. Geouge? Mr. Apicella?

Mr. Apicella: Surprise. I have some questions. So, you kind of spoke to this, but I just want to seek clarification regarding something that was said at the last meeting. So as I understand it, again, to clarify, Stafford's requirements for identifying trip generation figures is not more restrictive than the state's requirements?

Mr. Geouge: That's correct.

Mr. Apicella: Okay. And one more time, the state's prescribed standard is what?

Mr. Geouge: Rezoning proposals should assume the highest trip generating use allowable in the proposed district.

Mr. Apicella: Is it fair to say that there are at least three places where this standard is mentioned? The Virginia Administrative Code, I think you mentioned it, the Stafford County code of ordinance, and on page 20, Stafford County's rezoning application.

Mr. Geouge: That's correct.

Mr. Apicella: And we have a copy of the applicant's rezoning application on page 20. It says, just what you indicated, that the transportation impact analysis is supposed to be based on the highest intensity use.

Mr. Geouge: Yes. Yes.

Mr. Apicella: I think in Virginia and other states there's an international standard that's supposed to be used in identifying trip generation figures. Can you tell me what that is?

Mr. Geouge: I'm not sure which section you're referring to.

Mr. Harvey: Mr. Apicella, Madam Chairman, staff and VDOT use the institute of traffic engineers manual and there is an updated addition periodically which is based on national studies of various commercial uses.

Mr. Apicella: And other states, as far as you know, use that same...

Mr. Harvey: Yes, sir.

Mr. Apicella: So, as I recall, in this case the applicant used light industrial uses as the basis for identifying trips generated, right?

Mr. Geouge: That's correct.

Mr. Apicella: And the multiplier that they used based on light industrial was 6.97 vehicles per day, per thousand.

Mr. Geouge: Yes, sir.

Mr. Apicella: So for 500,000 square feet that generates 3,633 vehicles per day.

Mr. Geouge: That's correct.

Mr. Apicella: That's just a calculation. It goes straight into the model. In your research I think you found that there were over 10 by-right uses that generated more traffic than light industrial uses, is that correct?

Mr. Geouge: That's correct.

Mr. Apicella: And for those uses, they generate between 8 to 127 vehicle trips per day.

Mr. Geouge: That appears to be correct, yes.

Mr. Apicella: And restaurant uses, I think you indicated that that's the highest traffic generator at 127 vehicles per day per thousand.

Mr. Geouge: Yes.

Mr. Apicella: So that would generate 63,000 vehicles per day.

Mr. Geouge: At 500,000 square feet, yes.

Mr. Apicella: Right. And I don't think anyone truly believes that this could be all restaurants. In fact they've proffered or provided some new proffers that would limit this project to three restaurants, but also in addition to that three convenience centers and three convenience stores and I think you generated some potential numbers based on what those nine...

Mr. Geouge: I did. There's three types of uses alone if they were built out to the maximum per the proposed proffers would generate 5,400 vehicles per day.

Mr. Apicella: Okay and that's higher than the 3,633 obviously, just by themselves.

Mr. Geouge: Yep.

Mr. Apicella: Okay. And that doesn't count vehicles per day from other allowable uses that could occur on the site, including the other nine, or eight, that could occur, that are above light industrial. So even with these new proffer limitations, we still see that there could be thousands more vehicle trips per day than identified in the applicant's TIA.

Mr. Geouge: There is the potential for that. Yes.

Mr. Apicella: Okay. Thank you.

Ms. Vanuch: Any other questions for staff? Okay. No other questions. Thank you Mr. Geouge. Mr. S Cherwick, would you like to come up as the applicant and answer any questions? I guess you could present too. You don't have to just answer questions. If there's anything you'd like to add.

Mr. Cherwick: I'll probably just, I guess, good evening Madam Chairman, members of the Planning Commission. I'm happy to discuss. Probably best if we jump into questions. You tell me what you'd like to discuss.

Ms. Vanuch: Does anyone have any questions? No? No questions?

Mr. English: No, I just, I sat down with him and I appreciate you coming back with the proffer changes that you did make and I think it will help. And I don't foresee any of those restaurants going in there, because of the problem, we're trying to get restaurants on 610 and 17 as it is. So appreciate that.

Mr. Cherwick: I know there's been some questions with the TIA, what we used were reasonable expectations for the property and the market. We did have staff there for the meeting that outlined the scope of the TIA. We also met with VDOT and they were agreeable to our TIA. And so, you know, I know that there was a question about 65,000 trips. That's almost Garrisonville Road and I don't know if you guys have been by Centreport Parkway. I just, the location as well as the market in that area just don't support that. It just doesn't occur. And so the thought with restaurants something smaller. I know we looked at Route 17 and International Parkway, which this applicant actually owns several buildings back there as well. There is the Worst Deli. That's 1,000/2,000 square feet. Do I think Outback or Chili's is going to go there? It won't. There is no demographic to support it. I'm hopeful that you guys looked at the project as a whole. I know, we did look at the TIA to see how we could address it and we also looked at, there's a question of whether or not capping vehicle trips per day. We looked at that, because of the uncertainty of how the project is going to develop hopefully, the ownership was unable to proffer that at this time. There was a concern last meeting that, hey, what happens if we have 500,000 square feet of convenience store, of a restaurant, of...I wanted to do my best to take that concern away from you, so I capped it, hopefully to address this point. With the fact that we are looking at a project that is basically currently none compliant with the comprehensive plan. They don't want A-1 next to the airport. I'm looking to bring it into compliance with the comprehensive plan. And I'm also trying to rezone some property that you want and have identified as areas where you want to see business and growth, but also create jobs. We ran some impact analysis on just what we feel would occur there as warehouse and industrial, and by-right, excuse me, on full development, about 80,000 dollars a year. If we do a rezoning it'll be about a half a million dollars a year. I'm also taking 22 houses off of the school, or the County's plan for schools. The property is currently enrolled in land use which would mean an instant payment of back taxes, probably 20,000 dollars or more, 22. One of the concerns that you guys had with Ramoth Church Road, at no cost I'm dedicating 55 feet or right-of-way. When you guys need it,

take it. All these conc...I feel that all these pieces that you add up on the pros and cons list do outweigh the con of traffic and I know there is some concerns about, hey, what happens if, what happens...that area has been industrial for 20 years. I drove by personally this morning to Newport News Airport, to Norfolk Airport, to Richmond Airport. It's industrial around those areas. I don't see these high traffic generating uses, that you guys are concerned with, locating there. I know that doesn't provide an answer for you, but I hope with the fact of the pros versus cons on this, I've addressed it to the best of my ability. I'll be happy to address any questions.

Ms. Vanuch: Thank you. Any questions? Any questions on this side? No? Okay, thank you Mr. Cherwick.

Mr. Cherwick: Sure.

Ms. Vanuch: Alright. Bring it back to the Commission. This is not a public hearing so we don't have to have the public hearing part. If nobody has any questions, Mr. English, this is in your district.

Mr. English: Yes Madam Chairman, I'm going to make a recommendation that we approve RC17151715 reclassification, because just like Mr. Cherwick said, we want that industrial down there and that's what we've all been striving for for years and I think this is a good start with the laundry going in down there and this. I think this is going to be an excellent fit, so that's why I'm supportive of this reclassification.

Mr. Boswell: Second.

Mr. Harvey: Madam Chairman?

Ms. Vanuch: Okay, I heard a motion by Mr. English, second by Mr. Boswell and then I heard a Miss Chairman.

Mr. Harvey: Madam Chairman, please recall, we've received new proffers and under your bylaws the Commission must vote to accept those since they were not in your mail out.

Ms. Vanuch: Okay, do you want to amend your motion?

Mr. English: I make a motion that we accept the new proffers first.

Mr. Boswell: Second.

Ms. Vanuch: Okay, so accept the new proffers, move for approval by Mr. English, second by Mr. Boswell. Mr. English any comment?

Mr. English: No.

Ms. Vanuch: Mr. Boswell? Anyone else on the Commission care to comment? Okay, then we get to vote. Alright, motion passes 6-0. Congratulations. Now you're on to the Board.

Ms. Vanuch: Oh wait.

Mr. English: We have to vote on the reclassification.

Ms. Vanuch: Oh, got it. I'm sorry. Now we got to vote on the reclassification. Mr. English?

Mr. English: I've already made a motion to accept it.

Ms. Vanuch: Alright, so motion by Mr. English, second by Mr. Boswell. Any comment?

Mr. English: No.

Ms. Vanuch: Mr. Boswell? Anyone else on the Commission?

Mr. Apicella: Madam Chairman, I do think rezoning this parcel from residential to M-1 would be a good use of this parcel in this area. My concern was and is potential traffic problems on an open ended project. Even on the low end of this project, we'll put more cars and truck on Ramoth Church Road and Route 1. The applicants made some additional, positive changes, but even with these changes, the traffic generated could still be larger than 3,633 vehicles trip per day, as presented in their TIA. It could even be as high as 30,000 vehicle trips on the road. I find it somewhat ironic, the applicant indicates the parcel will never be built out with extremes and yet is not willing to proffer a maximum vehicle trips per day. So without those limits on, further limits on specific uses or maximum vehicle trips per day, I can't support this rezoning. I think it's a mistake. Thank you.

Ms. Vanuch: Any other comments? Thank you Mr. Apicella. Any other comments from the Commission? Okay, so now we get to vote on the reclassification for the Stafford Airport Industrial Park. Please vote. Okay, motion passes 5 to 1. Now congratulations. I jumped the gun.

4. Amendment to the Subdivision Ordinance - Proposed Ordinance O18-17 would amend the Subdivision Ordinance, Stafford County Code, Sec. 22-118, "Water and sewer," to eliminate community sewage disposal systems from being classified and permitted as on-site sewage disposal systems. The amendment would no longer allow the use of community sewage disposal systems for new subdivisions. **(Time Limit: May 27, 2018) (History: Deferred on April 25, 2018 to May 9, 2018)**

Ms. Vanuch: Alright. We're now moving on to item number 4, amendment to the subdivision ordinance O18-17, and for this we recognize Mr. Geouge. Oh wait, no. Mister...I think...who's going to...

Mr. Harvey: Madam Chairman, just to recap, this was an item that the Commission held a public hearing on at your last meeting and it was deferred for the Commission to get some questions answered and specifically requested the Utilities Director, Mr. Jason Towery, to attend. He is here, as well as Brent McCord from the State Health Department.

Ms. Vanuch: Okay, so for this we recognize Mr. Towery. Mr. Geouge was probably like "oh no".

Mr. Towery: I'd be happy to answer any questions you may have. I will note that the Utilities Commission did vote last night to recommend approval of the sister ordinance O18-18 to remove the language regarding the community drainfields.

Ms. Vanuch: So, I think some of the questions that we had, and I'm sorry you weren't here at the last meeting, but some of the questions that we had as a commission were, these mass drainfields versus individual septic systems, are they cleaner, greener? Do they create less contamination by like the water, like the water ways, the creeks, things like that? And if they do or they don't, is there any scientific evidence one way or the other, because we heard some information last time. And then the second is around the cost maintaining these systems. Who maintains them? Is it the Home Owners Association? Does the County have any recourse? Has there been a background of these things failing? So, those are some of the things we discussed and I'm sure other questions will pop up as you start talking.

Mr. Towery: Sure. Well, I'll go to question number 2 and allow Mr. McCord to talk to question number 1. I terms of question number 2 which is regarding the maintenance and long term viability, if you will, of the systems, there is significant concern from at least staff's perspective about the long term viability. There have been...there are a number...the Health Department has indicated anywhere between 5 to 8, if you will, mass systems in the county, three of which, by our latest estimates are kind of more of a community system, where you would multiple residences or buildings or trailers as the case may be, you know, going to that system, contributing to that system. Of those three, at least one of them is in significant failure. The other two, one I believe is currently in a failed/abandoned stage. It's kind of in some disrepair and the third one is actually under repair right now. So there is some history of failures with these in Stafford County. In terms of the maintenance perspective, Stafford County does not have a local, environmental health staff here within...on county staff to oversee the maintenance of these mass systems. The mass systems by definition are alternative systems, which means that any kind of maintenance, or activity related to those systems reports directly to the Department of Health, and again, I'll let Mr. McCord answer any questions regarding that, but the Department of Health has indicated that their staff right now does not have the ability to keep up with the maintenance of those systems and to regularly oversee it. We did, over the last couple of month, we've reached out to a couple of other places. We've talked with Loudoun County, was one of the counties that we talked with that actually has local staff they have dedicated within the County itself. There is five individuals that oversee, I believe it's in Loudoun County they have 1,500 alternative systems, and that, again, includes a number of these mass drainfields and I believe they have another 12,000 conventional systems. The, again, Stafford County does not have staff that oversees that. We do, in the Public Works Department oversee. The Chesapeake Bay Ordinance requires a regular pump out program of the conventional systems. And what that essentially is from the County's perspective at this point is, we send out notices that require folks to, every five years require folks to pump out the systems, but in terms of regular enforcement, there has really been little to none that I'm aware of for those who don't report back, as to whether or not...

Ms. Vanuch: Oh there is. I can tell you. I have one and I've gotten a letter and I had to get it pumped. You guys are on that.

Mr. Towery: I do know that there are folks who pump them, but I'm not aware of, and I've talked with the Public Works staff, I'm not aware of any instances where if for instance we don't receive back an acknowledgment of the letter and some kind of evidence of the pump out, I'm not aware of where we've, as a County, ever gone after, fined or penalized those individuals. So that's kind of where we are. I'll let Brent speak to the questions, well, I can stay here if you all have any other questions about anything I've said.

Ms. Vanuch: Does anyone have any questions for him, because we can always call him back up, if we want to wait on Mr. McCord, if you think it's a more relevant question. Okay. Mr. McCord, why don't you come on up?

Mr. McCord: Okay, you wanted a scientific background of them mass drainfields?

Ms. Vanuch: So I think, one of my biggest questions, is a drain field, and I give you the backstory, so is a mass drainfield more green, or less risk of contamination than an individual septic system or is it vice versa? And the reason I ask this is because we received, I think a couple of years ago, an inquiry from a developer to expand the urban service area onto Onville Road so he could hook up to water and sewer, because he said that, he showed an environmental report, because he was planning to do a mass drainfield, and showed on the environmental report that the only place he could put it, because of the rocky soil in Stafford County and the red clay, was within, I think it was like 150 feet or something, of Aquia Creek. And he in the environmental report said that it was not safe to put a mass drainfield that close to Aquia Creek and had asked for a waiver which we ended up voting, I think unanimously on the Planning

Commission and the Board to grant him that waiver because we were very concerned with contamination of the mass drainfield. So, and we did a lot of research at the time that mass drainfields weren't necessarily greener or cleaner than an individual one. If you think about having 50 homes dump into one drainfield and what the water in the ground has to pump out versus an individual septic field. I think it would be much higher of a risk. Just concerning that question, I would love to know what your answer is.

Mr. McCord: Well, the problem is, you have to have a good soils evaluation work up front, but, and these mass drainfields they're all going to be what we call alternative system where they get pre-treatment, so the actual sewers that you're putting in the ground is a lot cleaner than septic tank effluent. If the design is done right, I mean, they're cleaner and greener than conventional systems. They are, they will use a lower loading rate so they will allow for a higher lot yield because you can base your per dwelling gallons per day on, say, 300 gallons a day a dwelling as opposed to a house that has their own system on their house, you would probably do 600 gallons a day. So you have a smaller safety factor with a mass drainfield than you do with individual homes on their own drainfield. You have a bigger safety factor, due to the gallons per day, per bedroom, that you design on. But they're pre-treated. It's cleaner effluent that's going in the ground than a conventional type drainfield, if that helps.

Ms. Vanuch: Okay. Any other questions?

Mr. McCord: We don't have, the Health Department, we don't have the ability to monitor these systems like Loudoun County does. We just don't have the staff to do it. That's another oversight concern that you need to be aware of.

Ms. Vanuch: And who maintains these?

Mr. McCord: It would be a maintenance entity. A private company that maintains them. It wouldn't be the HOA, it would be a private. One person that you talk to, or maintenance entity is what they're called, and they're responsible for maintaining the systems, submitting reports on a, a might be a quarterly basis, it might be a monthly basis. It depends on how large a system is. If it's 10,000 gallons a day, they would have a person on staff weekly to monitor the systems and things like that.

Ms. Vanuch: And what's the cost to maintain it and who pays for it?

Mr. McCord: The Home Owners Association, the people who use it would pay for it with a monthly, you know, sewage fee or something like that. They would maintain it. It might be, it would be like a sewage bill if you're on a public sewer system basically and they would pay this maintenance entity to maintain the system.

Mr. English: I have a question. Mr. Bain, do you have one?

Ms. Vanuch: Oh okay, yeah. Mr. McPherson?

Mr. McPherson: I did have one question and I'm not sure which of you would want to answer it. So, everything fails at some point if it's not properly maintained. If one of these mass alternative drainfields is to fail, what is the onus on Stafford County at that point? I think that's one of the concerns is, if it's not being properly maintained and we're not enforcing, what actions and cost does the County have to bear in that case? I'd like to hear that.

Mr. McCord: I don't think the County, I mean, it's going to be the maintenance entity or the Home Owners Association is going to have to get it fixed.

Ms. Vanuch: If you don't know the answer, I think he might know the answer.

Mr. Towery: That's the million dollar question literally. I think it depends on a couple of factors obviously. So there was one, for instance, that the Health Department indicated they visited earlier today, that has sewage spilling out onto the ground. Fortunately in that case, they are very close to public sewer and within the urban service area, so the thought is that it would be a relatively reasonable cost for, in this case, a trailer park to be able to hook up, but again, it could be between design and construction fees, you know, a couple of hundred thousand dollars to get that done, and then there's the question of whether or not that owner actually has the ability to do that, and if they don't, which often is the case. That's a sizeable junk of change. Then at some point they would come to the Department of Utilities somehow and request some sort of extension using public funds, because it's at that point a health issue, an environmental and a public health issue. And I'm not aware, I'm not personally aware of a situation where it's, in this case it's 31 trailer homes, where the Board has taken action to say that, well all of those homes are now...you can no longer live in them. That they're now condemned or that the property itself is now condemned. So, you know, and then...but if you were to go, let's say, outside of the urban service area or even within the urban service area, but a mile or two, or three away from sewer. Right now the cost to extend force mains is roughly about a million dollars a mile and then you have the cost of the sewage pump station, which can be anywhere from half a million to a million, depending on the size of the station. And then of course there is long term maintenance cost. And obviously to the risk that you might be extending the urban service area by virtue of a mile extension, or two, or three miles extension.

Mr. McPherson: Right, I do understand about extending the urban service area, that can be very expensive, but let's say that's really not an option, it's 8 miles from the nearest connection. Who would have to pay for that and I think my point is that looking forward, depending on the way this goes, we would have to make clear that any mass drainfield made would have a plan for a maintenance and if that maintenance is not kept up, then the County is not going to step in and pay that for them.

Ms. Vanuch: There is nobody to oversee it. That's the problem.

Mr. McPherson: Well right. That's something we have to look at. But let's say it's eight miles out from the urban service area, does the County have to do anything? I mean, you don't want to condemn 31 people out of their houses. So that'd be kind of tough.

Mr. Towery: Does the County have to? I think that would probably be a good question the Board to answer at that time. I think the County, based on how we've currently handled things, we would look to do something. And for instance Loudoun County actually has Loudoun County Service Authority and as a service authority is a little different than what we have here, but they do maintain a couple of mass drainfields, of systems which were so far away from public sewer, and in those cases they operate with the Department of Health to do all the permitting and regulating of those systems and then all the maintenance and so forth and then they are charged a service fee, like any other county sewer customer would be. We don't have any of those systems right now, so certainly, if it was that kind of distance away, that would be another option to look at, if the soils were there that could support it.

Mr. McPherson: Okay. Thank you.

Ms. Vanuch: Mr. Bain.

Mr. Bain: Yes, Mr. McCord. The maintenance entities that you were referring to, are they certified sewage treatment plant operators or have any sort of certification?

Mr. McCord: Yes, they're licensed through the Department of Occupation and Regulation.

Mr. Bain: And are they bonded or insured in such a way that...

Mr. McCord: They do have a bond that goes with it to, you know, support the program.

Mr. Bain: Is it sufficient to cover replacement cost?

Mr. McCord: I don't know if it's sufficient to do that or not, but in all systems they do have a certain amount of reserve area available required to replace a system if they have to.

Mr. Bain: I'm just wondering, what would keep one of those entities from coming in, charging exorbitant rates for three years, have the system fail and then they disappear. You know, I can envision that happening, leaving the home owners holding the bag and unless there was some sort of insurance or bond that would cover full replacement of the system, then it falls on the County. The home owners are going to be in front of their Supervisor screaming and did not know what they were getting into when they bought their homes.

Mr. McCord: Right. It has a lot to do with the size of the system. If it gets over 50 lots. But I don't have an accurate answer there, but I can get it for you and provide it for you.

Mr. Bain: I'm more interested in finding out how we provide for that, for the County to impose that kind of a requirement.

Ms. Vanuch: Dan, I think that might be a question for you. I don't think we can do that, huh?

Mr. Wisniewski: That's a new question. I'd have to do some research.

Ms. Vanuch: Mr. Apicella:

Mr. Apicella: It's not the same thing, but I think it's Caroline County that has their own, or separate Water Utility run by a private company and they've charged exorbitant fees. I've seen it in the paper. Maybe I'm not mentioning the right County, but have you heard of any, are you aware of any situations that are relevant to this kind of a setup where a private company has managed a mass drainfield and fees charged to customers has been an issue.

Mr. McCord: No, because we don't have the...

Mr. Apicella: I'm not saying here in Stafford. I'm saying, just generally speaking.

Mr. McCord: No, because these mass drainfields are kind of a new thing. The last four or five years they have started happening and it's...we really haven't had that many go in. The ones we have are old ones and there is no maintenance set up for those and we're dealing with those situations like the mobile home park that we discovered today is blowing up out of the ground.

Mr. Apicella: Jason, are you aware of any pricing issues, cost issues imposed on residents?

Mr. Towery: I'm not aware. I do know about Caroline County for example and it would be a similar, kind of setup, but off the top of my head, I don't know of any locally. Well, I do know, for instance, I think the...

Mr. Apicella: Again, I'm not saying locally, because this could be anywhere in the state. This is a setup maintained by a private entity who is charging customers rates to maintain a system and they're basically

controlling those rates and can charge, I guess, up to whatever the State Corporation Commission would allow.

Mr. Towery: That's right. And they are out there. I just...I know they're out there, I just, I'm not familiar. As Brent said, these are relatively new, particularly on the community drainfield side.

Mr. Apicella: So the County would have no ability to step in, if there were sticker shock for residents who are under this kind of a setup.

Mr. Towery: I don't know the answer to that question immediately. I'd have to take a closer look at that to see what ability the county would have in a situation like that.

Mr. Apicella: Okay thanks.

Ms. Vanuch: Any other questions from the Commission? No? Alright, thank you so much. Okay, so I'll bring it back to the Commission. Does anybody have questions for staff? For Mr. Harvey? No? Alright. So what's the will of the Commission on item number 4 on the agenda?

Mr. English: I'm going to make a motion that we approve the ordinance, that we accept no community drainfields. I don't know what, there is no classified number, so I'll just make a motion to accept it. Or, proposed Ordinance O18-17, there you go.

Ms. Vanuch: So we have a motion to accept Ordinance O18-17. Do we have a second?

Mr. Bain: I'll second.

Ms. Vanuch: Okay so we have a motion by Mr. English, a second by Mr. Bain. Mr. English, would you care to comment?

Mr. English: No, I don't.

Ms. Vanuch: Mr. Bain?

Mr. Bain: No, thank you.

Ms. Vanuch: Any other want to comment?

Mr. McPherson: Madam Chair, if I may. I think we're still lacking enough information. This has come up fairly recently, so I do not support this motion and I don't think it's necessarily bad, but I think we'd like the information to make a full informed decision at this point. Thank you.

Ms. Vanuch: Okay, thank you, Mr. McPherson. Any other comments?

Mr. Boswell: That is exactly what I was going to say. I agree with him. I believe we're voting on this without all the information.

Ms. Vanuch: Okay. Any other comments? Alright, so now we can vote. Okay, motion passes 4 to 2 with Mr. Randall being absent. Thank you very much for coming gentleman. Appreciate it.

5. CUP17151679; Conditional Use Permit - 5 Twelve Convenience Store Expansion - A request for a Conditional Use Permit to allow for the expansion of a vehicle fuel sales facility in a B-2, Urban

Commercial Zoning District and HC, Highway Corridor Overlay Zoning District, on Tax Map Parcel No. 19A-1-42. The Property consists of approximately 2.47 acres, and is located on the south side of Garrisonville Road and east side of Patton Drive, within the Rock Hill election district. **(Time Limit: July 6, 2018) (History: Deferred on March 28, 2018 to April 25, 2018, Deferred by Applicant to May 23, 2018)**

6. CUP17152112; Conditional Use Permit - Patriot's Crossing Car Wash - A request for a Conditional Use Permit (CUP) to allow a car wash within the HC, Highway Corridor Overlay Zoning District on an approximately 1.53-acre portion of Tax Map Parcel No. 20-12 (Property). The Property is zoned B-2, Urban Commercial Zoning District, and is located on the south side of Garrisonville Road near its intersection with English Road, within the Garrisonville Election District. **(Time Limit: July 20, 2018) (History: Deferred on April 11, 2018 to May 23, 2018)**

Ms. Vanuch: Item number 5 on the agenda, the 5 Twelve convenience store is going to be on the May 23rd agenda and the Conditional Use Permit for Patriot's Crossing Car Wash is also going to be on the May 23rd agenda.

NEW BUSINESS

7. SUB17152086; Quantico Village, Preliminary Subdivision Plan - A preliminary subdivision plan to create 80 multifamily residential lots on Tax Map Parcel Nos. 13-37 and 13-42A, zoned R-3, Urban Residential - High Density, on 12.58 acres, located on the south side of Telegraph Road east of Jefferson Davis Highway, within Griffis-Widewater Election District. **(Time Limit: August 7, 2018)**

Ms. Vanuch: So now moving on to new business. We have the Quantico Village preliminary subdivision plan and for this we recognize, uh hmm, staff, because there is no name on the agenda.

Mr. Harvey: Yes ma'am, please recognize Eva Campbell for the presentation.

Ms. Campbell: Good evening Madam Chairman and members of the Planning Commission. My name is Eva Campbell and I'm presenting item number 7, a preliminary subdivision plan for Quantico Village. The site is located on parcels 13-37 and 13-42A off the south side of Telegraph Road and east of Route 1. The parcels are approximately 12.58 acres currently zoned R-3, urban residential and there is about 7.9 acres of open space proposed. It's located in the Griffis-Widewater election district and it's proposing 80 townhouse units. This is a location map of where it's located and you'll notice that the site within the red hashing here. The property is currently vacant and is surrounded by a mix of residential and commercial zoned land. They are to the north is currently in use by Clearview Mobile Home Park, which is right here and to the south of the property is Potomac Hills Townhouse development, here. On March 17th, 2017 both parcels were rezoned from B-1 convenience commercial and B-2 urban commercial, to R-3 urban residential. Both parcel have proffers and are being developed under the regulations in effect at the time of the rezoning. The layout of the design has shifted slightly form the approved Generalized Development Plan which approved up to 86 lots, but in the density calculations required by the subdivision ordinance allow for 80. The primary access for the site will be off of Telegraph Road and the proposed streets in the development, Barnwell Drive, Lentz Lane, Huff Drive and Cates Lane are private ingress/egress easements and will be maintained by the Home Owners Association. The plan proposes a proffered right turn lane off of Telegraph Road and because of the location of the parcel in relation to Quantico military base, noise abatement and soundproofing requirements will have to be looked at building permit as stated in the proffers. The applicant is also proposing a tot lot located on the north side of the property. And the proffers state that all the townhomes are to be constructed in accordance with the visuals depicted in exhibit A within attachment 5, which is seen right here. And all proffers are located in

detail in the staff report as attachment 5. There are approximately 1.14 acres of wetlands and floodplains within Critical Resource Protection Area, which is located right here. All lots are to be served by public water and sewer and stormwater management will consist of four below grade gravel infiltration facilities with extended detention. The extended detention facility will utilize a reservoir to provide the detention of the 1 and 10 year 24 hour storms. An outlet control structure will be utilized to regulate the peak discharge from the facility. Staff recommends approval of Quantico Village preliminary subdivision plan and I'll be happy to answer any questions.

Ms. Vanuch: Thank you Ms. Campbell. Any questions...

Mr. Apicella: Can you show on the site plan, where is the tot lot going?

Ms. Campbell: Oh yeah, I meant to circle that. It's right here.

Mr. Apicella: Okay thanks.

Ms. Vanuch: Any other questions?

Mr. English: Ms. Campbell, okay, there is only one entrance into this? There is only just one entrance?

Ms. Campbell: Yes, one entrance off of Telegraph Road.

Mr. English: What does that, on Telegraph Road, where does that come out at? Do you know exactly where on Telegraph Road that comes out at? Is it past Widewater Road? Before you get to Widewater Road?

Mr. Harvey: Commission English, Madam Chairman, the property is located between Widewater Road and Route 1 on the west side of the road. So it's an area, right now, that has no development in the nearby vicinity. There is a few houses further south.

Mr. English: So where is Widewater Road connected where this entrance is coming out of?

Mr. Harvey: It would be further to the south.

Mr. English: Further south?

Mr. Harvey: Yes sir.

Mr. English: Okay.

Ms. Vanuch: Any other questions from the Commission? Alright, looks like you off easy too. Okay, so we can't kick this over to Mr. Boswell, so does the Commission have any suggestions as to how we move forward? Mr. English? Nobody? Alright, so nobody wants to make a motion, so we'll just defer it? Kick it down the road?

Mr. Apicella: Madam Chairman, I move to recommend approval of 17152086, Quantico Village preliminary subdivision plan.

Ms. Vanuch: Alright, thank you Mr. Apicella. Do I have a second?

Mr. McPherson: Second.

Ms. Vanuch: Okay so I have a motion by Mr. Apicella, second by Mr. McPherson. Any comment Mr. Apicella?

Mr. Apicella: No ma'am.

Ms. Vanuch: Mr. McPherson?

Mr. McPherson: No.

Ms. Vanuch: Alright, any other members have any comment? Okay then. Here we go. Go ahead and vote. Okay, motion passes 4-1. Alright, don't think they're all going to be this easy. Thank you, you did a great job Ms. Campbell.

PLANNING DIRECTOR'S REPORT

Ms. Vanuch: Okay, now moving on to the Planning Director's report. Mr. Harvey?

Mr. Harvey: Madam Chairman, I have no report tonight.

COUNTY ATTORNEY'S REPORT

Ms. Vanuch: Okay, Mr. Wisniewski?

Mr. Wisniewski: Madam Chairman, I have no report. Thank you.

Ms. Vanuch: Okay, keeping up with Ms. McClendon's style. I like it. Okay, now moving on to Committee reports.

COMMITTEE REPORTS

- Landscaping Standards Subcommittee
Update

Ms. Vanuch: Mr. English, I think you're the landscaping guru.

Mr. English: I don't have an update. Kathy, did you bring an update?

Mr. Harvey: Madam Chairman, Mr. English, if I recall correctly at the last meeting we asked if the Commissioners had comments to please send them to staff. We anticipate providing a final version of the document at your next meeting.

Ms. Vanuch: Okay. Perfect.

Mr. Harvey: So again, if any Commissioners have comments, please email them to either myself or Andrea. We'd greatly appreciate it.

Ms. Vanuch: Got that everybody? If you have comments on landscaping, please email it to Andrea so we can get this subcommittee closed out at the next Planning Commission meeting.

- A-1 Uses Subcommittee
Next Meeting: May 16, 2018 at 6:30 p.m. ABC Conference Room

Ms. Vanuch: Okay, now moving on to A-1 subcommittee. Mr. English, that's you again.

Mr. English: Our next meeting is the 16th. Steven, that was okay with you, right? Mr. Bain responded. Okay, so yeah, the next meeting is the 16th at 6:30 ABC conference.

Ms. Vanuch: Perfect. Alright.

- Cemetery Ordinance Subcommittee
Final Report

Ms. Vanuch: Now moving on to the cemetery ordinance subcommittee. I think we're going to recognize Ms. Kathy Baker for this presentation.

Ms. Baker: Good evening Madam Chairman and members of the Commission. Kathy Baker, Department of Planning and Zoning. I don't have a presentation. I'm going to recap what you all have done with the cemetery committee ordinance. In December 2016 the Board adopted Ordinance O16-39, which provided standards and processes for establishment of cemeteries in accordance with the state code. Among other items, the ordinance required consent of property owners within 250 yards of the cemetery, unless separated by a public road, also a tract of land must be between 25 and 300 acres. Also specified, no burials may be located within 900 feet of property owned by the County that has a well used as a public water supply. It also specified, no burials may be located within 900 feet of a terminal reservoir or a perennial stream that drains to a terminal reservoir, or within 900 feet of any private well used as a drinking water supply. It also required a site plan approved for any new cemeteries. So in September 2017 the Board of Supervisors discussed this ordinance based on some input from citizens. They were looking at setbacks from existing wells and water resources, so the Board did request that the Planning Commission consider whether any amendments were necessary to that ordinance. In November 2017 the Planning Commission discussed this item and established a cemetery committee to study this with Commissioners Vanuch, English and Cohen. There were two committee meetings held. Notification was sent to citizens who had previously expressed interest in this issue. So at the first meeting on December 6th of 2017 the committee reviewed state code provisions as well as the timeline and public process of the ordinance that was adopted 2016. They also compared cemetery provisions in other localities, reviewed a map showing potential cemetery properties in the county and looked at related cemetery studies that had been done in the past. The committee received public comment at the meeting. The committee also held a second meeting in February 2018. At this time Commissioner Cohen was no longer a member of the Planning Commission so he no longer was on this committee. So it was just Ms. Vanuch and Mr. English. The committee reviewed information that had been presented by the public including the use of vaults in cemeteries, whether the County could require certain burial methods including the use of vaults. The committee also reviewed whether other localities prohibit cemeteries and discusses the draft Groundwater Management Study for Piedmont Area that had been done by a consultant for the County. The public comment was also received at this meeting and there were some documents presented by Ms. Debrarae Karnes as well as Mr. Glen Patterson. The committee recommends leaving the existing Ordinance in place and forwarding this recommendation to the Board. The Planning Commission as a whole would need to vote if they wish to do what the committee recommended. The committee did acknowledge the primary reasons for their recommendation included the distances required in the existing Ordinance between drinking water wells and burial sites are supported by scientific evidence. There's no new information that that had been presented to refute the studies on the burial distances specified in the existing Ordinance. While cemetery owners may follow certain practices that would help protect drinking water resources such as the use of vaults, the County can't require the practices. And then finally the existing Ordinance permits the establishment of new cemeteries while taking into consideration the protection of the County's drinking water resources. So that is basically the summary. I did email the report with all the attachments out to you all earlier today. You all had seen all of those attachments in

prior form, the biggest piece of the attachment was several of those studies that were referenced. So, I will be happy to attempt to answer any questions.

Mr. English: Madam Chairman, I would recommend we just hold off until the next meeting. Just like I said we just got this this evening and to give the other committee members time to read through this. So just ask that we hold off. I don't think you need... I don't need a motion on that, do I Mr. Lawyer?

Ms. Vanuch: Mr. Lawyer.

Mr. Apicella: He has changed his name.

Laughter

Mr. Wisniewski: There is no motion required.

Mr. English: Okay sir. Thank you.

- Cluster Work Session
Meeting: TBD

Ms. Vanuch: Okay, cluster work session. Okay that's the next one. So we don't have the cluster sub-committee anymore. We've decided with Phase 3 we are going to move forward with a cluster work session. And so I am hoping that we can do that maybe over the summer, in either July or August with the full Commission. And so one of the things that I think would be really helpful is if we brainstormed and at the first meeting is June, if we put on the committee report section to have maybe 10 or 15 minutes where we sort of talk about how we want to structure that meeting. How we want, you know what outcomes out of the meeting. Do we want, for example, if we want to look at the map, staff is going to need time to run some of the GIS models on the map and if you have any suggestions on taking areas out or adding areas in, in you district for example, if you could come and kind of explain that's one of the things that you would like to see us kind to get to in that that work group. Because I think that will help sort of guide the meeting and we will have a public meeting to allow public input for one evening, probably around two hours. And so if you could also come up some dates for July and August, that would be really helpful, so we can get that scheduled over the summer. And then the goal out of that broad workgroup is to determine what do we need to do. Do we need to establish a sub-committee at that point? And then what would the sub-committees action items be to accomplish bringing something back to us by the end of the year potentially. So, put your thinking caps on and come to the June meeting and we will talk about how we are going to structure that work session. No chairman's report. Other Business, TRC for May 23rd has been cancelled. Now we need to move to approve four sets of minutes. December 23rd, January 17th, February 14th and March 14th. Do we have a motion?

CHAIRMAN'S REPORT

NONE

OTHER BUSINESS

8. TRC Information - May 23, 2018 - *Cancelled*

APPROVAL OF MINUTES

December 23, 2017

January 17, 2018

February 14, 2018

March 14, 2018

Mr. English: I make a motion ... do we have to do each individual one Mr. Lawyer?

Ms. Vanuch: Mr. Wisniewski.

Mr. Wisniewski: They can be approved all at one time.

Ms. Vanuch: Alright. So do we have a motion?

Mr. English: I make a motion we approve December 23, 2017, January 17, 2018, February 14, 2018 and March 14, 2018. I make a motion to approve all four.

Ms. Vanuch: Okay, we have a motion by Mr. English, do we have a second?

Mr. Bain: Second.

Ms. Vanuch: Okay. So, motion by Mr. English, second by Mr. Bain. Any comment from anyone? Okay, perfect. Go ahead and vote. The motion passed 6-0 (Mr. Randall was absent). Meeting adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:58 p.m.