

**STAFFORD COUNTY PLANNING COMMISSION**  
**September 11, 2019**

The meeting of the Stafford County Planning Commission of Wednesday, September 11, 2019, was called to order at 6:30 p.m. by Vice Chairman Steven Apicella in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Steven Apicella, Roy Boswell, Fillmore McPherson, Barton Randall

MEMBERS ABSENT: Crystal Vanuch, Darrell English, Albert Bain

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Amy Taylor, Kathy Baker, LeAnn Ennis

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Please note for the record that three of our members are out of town this evening. We do have four members, which is a minimum for a quorum. Are there any declarations of disqualification on any agenda item? Are there any changes to the agenda? Okay, seeing none, I'll move forward and open the public presentations portion of tonight's meeting. This is an opportunity for the public to address any matter except an item scheduled for a public hearing tonight. You may speak up to 3 minutes. When you come to the podium, please state your name and address. The green light starts the clock; yellow means you have 1 minute remaining; red means you need to wrap up your comments. So, if anyone would like to come forward and speak, please do so now. Okay, seeing no one rush the podium, I'll close the public presentations portion of the meeting. Mr. Harvey, the first agenda item.

PUBLIC PRESENTATIONS

NONE

PUBLIC HEARINGS

1. WAI19152869; Departure from Design Standards - Musselman Park Temporary Parking Lot - A request for a departure from the Design and Construction Standards for Landscaping, Screening and Buffering (DCSL) Manual to alleviate the applicant from meeting certain buffering requirements on Tax Map Parcel No. 45-127G (Property), zoned A-1, Agricultural. The Property consists of 28.76 acres, located on the east side of Truslow Road, approximately 300 feet south of Enon Road, within the Hartwood Election District. **(Time Limit: November 10, 2019)**

Mr. Harvey: Thank you, Mr. Chairman. The first agenda item is the public hearing for a request for a Departure of Designs Standards; please recognize Amy Taylor for the presentation.

Mr. Apicella: Welcome Ms. Taylor.

Ms. Taylor: Good evening Mr. Chairman and members of the Commission. I'm Amy Taylor with the Department of Planning and Zoning, and I'm here tonight to present item number 1 on the agenda which is the request for Departure from Design and Construction Standards for Landscaping for the Musselman Park Temporary Parking Lot. The site is located on Assessor's Parcel 45-127G with a total acreage of 28.761 acres. The property is currently zoned A-1 and is located within the Hartwood Election District, on the east side of Truslow Road approximately 300 feet south of Enon Road. The

property is currently owned by Stafford County. Here is a zoning map showing the parcel in question, which is currently zoned A-1, Agricultural. All adjacent or abutting parcels are also zoned A-1. Parcels along the west side of Truslow Road are currently zoned R-1, Suburban Residential and B-1, Commercial... excuse me, Convenience Commercial. The Comprehensive Plan identifies this site as being within the Suburban Future Land Use designation. This is a location map showing the parcel in question, as well as existing site conditions. The parcel is specifically identified here with the red outline. The location of the RPA is also identified with the light blue hatching as shown in the southeast portion of the site. And that is here. The property is currently... yes, the property is currently undeveloped and is mostly open fields and grassy areas with some existing vegetation along portions of the site's perimeter, although most of the existing vegetation is concentrated within the southeast portion of the property. The location of two existing ditches or intermittent streams can also be seen within the central portion of the site. And they are kind of located in this general vicinity. The applicant is Stafford Parks and Recreation and they are requesting a departure from the Design and Construction Standards for Landscaping for complete elimination of the required transitional and street buffers; specifically for DCSL Section 110.2, Street Buffers adjacent to arterial and major collector streets, and Section 110.3 for Transitional Buffers. The applicant has submitted an infrastructure plan which proposes to construct a small 10 space temporary parking lot to allow access to this parcel for the purpose of passive recreation until such time as the property is fully developed. As a result of the proposed construction, and limits of disturbance, both the transitional and street buffers are required. This is the proposed infrastructure plan which shows the location of the proposed parking lot, as well as the location of the required transitional and street buffers. The parking lot is in this area here on the site. Per Section 110.2 of the DCSL, a 25-foot landscape street buffer is required for all non-residential development adjacent to arterial or major collector streets with 75 plant units required per 100 linear feet. Section 110.3 of the DCSL also requires a 35-foot Type B transitional buffer for public active recreational facilities where adjacent to residential and active agricultural uses, as well as vacant properties which are zoned Residential or Agricultural. A Type B transitional buffer requires 155 plant units per 100 linear feet. As shown on the proposed site plan and the previous location map, parcels 45-127D, 127J, and 127H are residential use with existing single-family homes. Parcels 45-127A and 127K are undeveloped, and parcel 45-127 is an active agricultural use. The scope of the project is quite small in contrast to the size of the site and no impacts are proposed to the intermittent streams or the RPA in the southeast corner of the property. This is an aerial map which demonstrates the location of the required street and transitional buffers in relation to the areas of existing vegetation. The street buffer is shown with the green outline along the west side of the site, and the transitional buffer is shown with the blue outline. The applicant has requested Departure from Design Standards for complete elimination of the required transitional buffers along all adjacent property lines on the basis that the partial buffers already exist along most of the abutting property lines. The applicant's request for departure also includes complete elimination of the required street buffer due to the conflict with the overhead power line in this area and the basis that plantings along the street frontage would be of little value to screen the parking lot from... to screen the parking lot from view of the roadway since the parking area makes up such a small portion of the road frontage. They feel that full compliance with the required street and transitional buffers is outside the scope of this small project and have proposed that the site will fully comply with all landscaping standards in place when the park facility is fully developed in the future. This is a pictometry image of the site which provides a better view of the existing vegetation. As you can see, the site does have a significant amount of existing vegetation. However, the exact location of the vegetation has not been field verified nor have the number of plantings been quantified with a plant inventory. And while approximately 72% of the common and shared property lines are currently vegetated, the location and amount of existing vegetation along each individual property line does not meet the full requirements of the transitional buffers. This image also shows the lack of vegetation along the property's frontage on Truslow Road, with the exception of a few trees shown along the south end. Here are some additional street images of the site which provide a better view of the existing

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vegetation. The two photos at the top were taken on a recent site visit which clearly shows that the site's frontage is currently vegetated with various small trees and shrubs. While this undergrowth exists along half of the site's frontage, it is also directly beneath the overhead powerlines which you can see in those photos.

Mr. McPherson: Amy (inaudible)?

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Could you back up one slide, I have a question for you.

Ms. Taylor: Um-hum.

Mr. McPherson: So, in looking at this picture, you stated that the applicant said that in the future they think that all buffers will exist. I don't really see how those can happen. If you look on the top right-hand section where it kind of drops down a little bit, that top edge, I don't see any vegetation along that lower line on the top...

Ms. Taylor: The top right... are we referring to the upper... let me see if I can find the area here... referring to the upper, the northeast quadrant of the site?

Mr. McPherson: The north, yes, that one right there. I don't see any vegetation. And then the southwest border I also don't see any vegetation. I do see houses there...

Ms. Taylor: Southwest...

Mr. McPherson: ... and it concerns me that...

Ms. Taylor: This area here?

Mr. McPherson: Yes, I don't see any... I don't see... can you explain where the applicant says that that's going to have all the required buffer?

Ms. Taylor: They would be required to comply with the standards at the time when the site is fully developed. That is their proposal at this time.

Mr. McPherson: Okay.

Ms. Taylor: Not that the site has existing vegetation in all of the required locations, but that they would provide... they would be subject to those requirements at a future date when they come in with a full site plan to develop the full park facility.

Mr. McPherson: So, we're now adding the word temporary to this?

Ms. Taylor: Essentially, yes; that is the request. The parking lot is a temporary parking lot until such time as the site is developed fully. And this essentially equates to a temporary request for a departure until such time as they do develop the site in full.

Mr. McPherson: Okay, thank you; that's all I had.

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Mr. Apicella: Mr. McPherson, we do have a revised Resolution in front of us; it's page 2 of 4. If you look at the last paragraph, second line down, the word temporary was added just to make it clear that this is not a permanent deferral or departure from the requirements. Sorry, please go ahead.

Ms. Taylor: Okay. So, we were referring to the two photos at the top that were taken at a recent site visit that shows the existing vegetation along the frontage, but again, that it is also directly underneath of those existing powerlines. And while that vegetation exists along about half of that site's frontage, the fact that it... and again, you can see that it's under the powerlines... the fact that it is under those powerlines, I have concerns that it will be removed in the future when Dominion Energy comes out to do routine maintenance of that area. The contrast between older aerial photos of the site show that there is no vegetation in that area, but clearly when I went out to do a site visit, there is... there's quite a bit of undergrowth there. The location and the amount of that existing vegetation in this area does not meet the full requirements of street buffers. The two photos at the bottom also provide a better view of the off-site vegetation located along the property lines for parcels 45-127 and 127... excuse me, I think that was supposed to be H... as well as the existing vegetation bordering the intermittent streams in the central part of the site. And I... my suggestion is while this vegetation is not in the required locations for those transitional buffers, staff believes that it provides adequate visual screening and buffering from most of the adjacent parcels to meet the intent of the transitional buffer. Staff recognizes that the buffer width and the plant unit requirements may be excessive in comparison to the scope of the project for this small temporary parking lot, although this does not exempt the project from the need to provide the required street and transitional buffers. Per Section 143 of the DCSL for Departure from Design Standards, the applicant must show a hardship and demonstrate any techniques being provided to accommodate the initial requirements. Staff does not support this request in its entirety since it does not demonstrate compliance with Section 143 of the DCSL. However, staff does feel that the existing vegetation at the perimeter of the site, as well as that bordering the intermittent streams, meet the intent and the requirements of the transitional buffer but would recommend that a partial street buffer be provided along a portion of the site's frontage. Planning Commission Resolution number 19-03 reflects approval as requested by the applicant which would allow complete elimination of the required transitional and street buffers. Staff recommends a conditional approval which would require the partial street buffer along Truslow Road. And that concludes my presentation.

Mr. Apicella: Other questions for staff? Mr. Randall?

Mr. Randall: Yes. Well done.

Ms. Taylor: Thank you.

Mr. Randall: Very nice. A couple quick questions. Have you talked to Parks and Rec about their... what their intent is for this plot of land?

Ms. Taylor: For the future intent.

Mr. Randall: Yeah, when you say passive recreation, what do they mean by that?

Ms. Taylor: My understanding when I spoke with staff at Parks and Rec is that right now the intent is just the temporary parking lot solely to provide access to the site for passive recreation. No further information was provided; it was kind of left as, I was not given the impression that trails or any other amenities were going to be installed, so it was kind of left with passive recreation such as bird-watching, walking the property along the RPA and the streams. I was not provided any additional information regarding whether other passive amenities would be provided.

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Mr. Randall: Okay, alright. Could you go back to the drawing where the parking lot is? Either one. Let's go back to the real one.

Ms. Taylor: You want the aerial.

Mr. Randall: Yeah, the aerial, right there.

Ms. Taylor: Okay.

Mr. Randall: How far up Truslow Road is that before we get to a curve? It looks like it's on a straightaway. We've had issues presented to us before about Truslow Road and how bad Truslow Road is. Is this close to a curve or anything like that? It looks like there's a little bit of distance between... but there's not going to be any problems with people turning in or turning out trying to get out of that parking lot?

Ms. Taylor: No, their site plan, and it may actually be shown on... it's not very clear in this, but their site plan does demonstrate adequate sight distance along Truslow Road at the proposed entrance.

Mr. Randall: Okay, alright. And another question then is, when you recommended to staff that there's a partial street buffer, what do you mean by that? Do you mean that it's going to be 50 feet on either side, 100 feet on either side?

Ms. Taylor: My initial thoughts were roughly 150 to 200 feet on either side of the entrance, just to provide a partial buffer in the vicinity of the parking lot itself, not along the entire frontage.

Mr. Randall: Okay. But right now, where that parking lot currently is, there is no street transitional buffer, is that what you are... is that ...?

Ms. Taylor: Other than the undergrowth that you see in the photos at the end of the presentation.

Mr. Randall: Okay, so go... if you'll go to that picture for me. So, you would consider that not... although it doesn't meet the definition or the letter of the law, do you... you still don't consider that appropriate buffer for a temporary parking lot that could be used or not used?

Ms. Taylor: It could be if it were outside the limits of those overhead powerlines. My concern was that the vegetation is directly underneath of those powerlines and Dominion Energy does do regular maintenance underneath of the powerlines to ensure that that vegetation does not... and those powerlines are relatively low.

Mr. Randall: Sure.

Ms. Taylor: You can you can see them in those photos on the bottom.

Mr. Randall: They are 50 years old.

Ms. Taylor: They do regular maintenance within those easements and under those powerlines to ensure that they do not come in contact with the lines themselves. The aerial photos that were shown from a year ago in December, going back to... these images here for the Pictometry were done in December of 2018. So that vegetation has grown in just that short amount of time. So I would imagine that it would

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not take very long before Dominion comes out to do more maintenance underneath of those powerlines and that buffer would no longer exist.

Mr. Randall: Okay.

Ms. Taylor: If that vegetation were outside the limits of those powerlines and further into the site, I believe that vegetation would provide an adequate buffer right there in the vicinity of that lot.

Mr. Randall: Okay, so... then so I'm clear and then we can move probably move on and then we can ask additional questions. So you're saying that the parking lot that the Parks and Rec decided to do... to build, is directly under these power lines.

Ms. Taylor: It is not under the power lines, but it is not too far back from the power line. It is also... that power line is shown... see if I can potentially bring that up here. Let's do that in red. I can't see very well... right here. The power lines come ... they almost bisect this transitional or this Street buffer here in the front and it cuts across down here and it cuts across the road. So where this transitional buffer is required right now, based on the existing property line, those powerlines cut right through the center of that required Street buffer.

Mr. Randall: Okay, so then an additional question. I'm sorry I was gonna say no. If we ... if we do ... if we make them do a partial transitional buffer for this street... a partial street buffer. Wouldn't we be dealing with the same thing three or four or five years from now wouldn't Dominion power be coming out and cutting down our partial buffer so that it doesn't interfere with the lines?

Ms. Taylor: Not necessarily. This site is also subject to a right-of-way dedication Truslow Road is on the Comprehensive Plan for a planned two lane upgrade, which requires a total of 60 feet of right-of-way.

Mr. Randall: Sure.

Ms. Taylor: The dedication would need to be... obviously there's some existing right-of-way in that area, they would need to provide 30 feet from centerline. Right now their property goes... the center... the property line is right along the centerline of the road. But obviously since the County owns the property we would not provide a dedication to ourselves. My suggestion would be to provide the transitional buffer outside the limits of the future dedication for those road improvements, which would put it behind the limits of those power lines.

Mr. Randall: Okay, alright, that's all I have. Thank you.

Mr. Apicella: I've got a couple of questions. So, we don't have a definition of passive recreation in the code.

Ms. Taylor: I don't believe so, I'm not sure if we do or not.

Mr. Harvey: Mr. Chairman I'll check to see if the Zoning Ordinance has such a definition.

Mr. Apicella: Okay, but in the meantime it would imply no structures presumably, other than the parking lot?

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Ms. Taylor: I couldn't even speak to that. I would certainly think so being passive. I did receive some questions regarding whether any type of amenities or even restroom facilities would be provided and again that information was not provided to me from Parks and Rec. We were under the assumption no, but I could not speak to whether even passive recreation would include, you know, any sort of structure or not.

Mr. Apicella: Do we know what the parking lot surface would be made out of?

Ms. Taylor: It would be a gravel or an aggregate surface.

Mr. Apicella: And do we know if this is where the future parking lot would be or what could it be moved somewhere else?

Ms. Taylor: It could potentially be moved. Staff did provide me with a very old concept for what the park may look like in the future. And based on that very old concept, the entrance that they are showing now is in roughly the same location is where the entrance is proposed with this site plan.

Mr. Apicella: Can you pull up that... one of the pictures again? That one works. The one that you just had. The one before that. My apologies.

Ms. Taylor: Okay.

Mr. Apicella: Okay, so if the parking lot were moved say a hundred feet to, I don't know, I don't have a direction here, but let's just say further in towards the right. Would that change the buffer requirements or would they still exist.

Ms. Taylor: The buffer requirements would remain exactly the same.

Mr. Apicella: So no matter where they put a parking lot they're gonna have to ... and what triggers it is they're doing some kind of grading? What's triggering the need for these buffers?

Ms. Taylor: The trigger for the buffers is the fact that their land disturbance exceeds 2,500 square feet. When the land disturbance exceeds 2,500 square feet they are subject to either a major site plan submission or an infrastructure plan. And any major plan of development which is essentially 2,500 square feet or larger, is subject to all of the landscaping requirements in the DCSL.

Mr. Apicella: Would the ... depending on how this site gets laid out in the future, could that impact the scope or size of the buffers? Would it change those requirements? I'm just trying to, I'm trying to think logically whether we even make sense to do buffers now or would make more sense to do it once they actually submit their site plan, and we have a better sense of how those trees and shrubs or whatever should be laid out based on what that future site actually turns out to be

Ms. Taylor: It could potentially, depending on how they developed the site in the future. If they were bringing development too close to the property lines that impacted their ability to provide the buffers. But if they were to provide it now and provide the necessary plantings both along the street buffer and along the transitional buffers and they developed at a later date, they would essentially get credit for all of the existing vegetation that had already been installed.

Mr. Apicella: Okay, but what if they had to wipe out some of that? So they'd have to replant based on the new configuration?

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Ms. Taylor: Correct. If they were choosing to develop in an area where the site is subject to those transitional buffers or street buffers, yes that vegetation would have to be removed to accommodate whatever amenity they're putting in. Whether it be an entrance to the site or whether it's a ballfield going in. Yes they would have to remove that vegetation and ... to build whatever proposed feature would be in that portion of the site.

Mr. Apicella: So again, also trying to think this through, I certainly understand and appreciate the need for buffers. I'm trying to understand what purpose it serves at this point in time given that the only thing that the vegetation would shield is a temporary parking lot of cars and people maybe walking around the site itself. But there's again presumably, no structures. So, I can see why we have the requirement I can also see why or how it may not make perfect sense given the set of circumstances that are in front of us.

Ms. Taylor: Yes sir.

Mr. Harvey: Mr. Chairman two things. One the applicant is here may be able to elaborate more on future use of the property.

Mr. Apicella: Great.

Mr. Harvey: Also counsel has found the definition in the Zoning Ordinance.

Mr. Apicella: Okay, great.

Ms. Lucian: Passive recreation is recreational uses, areas or activities oriented to non-competitive activities, which require no special equipment. Natural or scenic areas for hiking, sitting, walking, bicycling, equestrian activities, bird-watching and picnics are examples of passive recreational uses.

Mr. Apicella: Okay, so just one last question. Based on the specific requests that they made again, it's just for a temporary deferral of the requirements, but once they submit this major site plan they've committed to adhering to the requirements that would be in place at that point in time.

Ms. Taylor: Correct.

Mr. Apicella: Okay, thank you. Any other questions for staff? Thank you very much. Okay, given the applicant is here, would they like to come forward?

Mr. Ramey: Good evening, my name is Darin Ramey. I'm with Stafford County Parks Recreation and Community Facilities, and I'm the applicant for this project.

Mr. Apicella: And anything you'd like to add to staff report?

Mr. Ramey: Some of the questions that came up, there will be no, you know, vertical structures on the... in this project. It will be all just the parking lot and that parking lot is designed to be temporary until such time as the park is built out. And at that time we're totally committed to complying with all ordinances at that time.

Mr. Apicella: Okay, questions for the applicant?

Mr. Randall: Just one, you don't foresee those power lines to be an issue for the parking lot, currently?

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Mr. Ramey: No sir.

Mr. Randall: Okay.

Mr. Apicella: Anyone else? Again is it at least conceivable that the parking lot can be relocated to another area within the parcel?

Mr. Ramey: Currently or in the future?

Mr. Apicella: In the future.

Mr. Ramey: In the future it could be. This also could act as a temporary construction entrance in the future, once the park is under construction.

Mr. Apicella: And I'm sorry to put words in your mouth, but again, given the material that was submitted, I'm just... you kind of heard my line of thinking that it may not make sense at this point in time to comply with the requirements because the site may be laid out in a in a different way that requires you to uproot what you've planted there at a cost to taxpayers essentially.

Mr. Ramey: Correct, yes. As Amy said we provided an old conceptual plan of what the park may look like, but as a designs change that concept may change in and parking lot or something else be located there. So anything we do now could be removed in the future to facilitate building the park.

Mr. Apicella: Okay, thanks. Any other questions? Okay, thank you very much.

Mr. Ramey: Thank you.

Mr. Apicella: I'd like to open the public hearing on this matter. This is an opportunity for the public to comment. Same ground rules as before. Before starting your comments, please state your name and address. The green light starts the clock, yellow means you have one minute remaining and red means you need to wrap up. If anyone would like to come forward, please do so now.

Ms. Musselman: Good evening gentlemen, ladies and gentlemen, all of you. I'm Linda Musselman and I am an adjacent property owner to this park. And I would like to say that I have a real hard time with putting a parking lot there with nothing to do. Once you park there, excuse me, it's just a field and they just... someone just cut that field today and baled the hay, don't know who they are. But it is County property, so that's what they're doing there right now. I agree if we had a plan it would be a lot easier. I'm asking how far back from the road is this parking lot, if anybody knows that. And also would it just be an attractive nuisance if it's built, at this time? Of course I don't want buffering around it because that really would make it an attractive nuisance. As far as the buffering around there no, no, no, no, no, not the parking lot. Along Truslow Road, Truslow Road is curvy, but not that part of it. It's real straight, but I don't want to undercut VDOT at all, but I've lived there 30 years and they come along with a cutter and just cut what they can cut; they don't cut the big stuff out. That undergrowth and the County cleared, I'm very sorry, the County cleared that frontage maybe two or three years ago, and it looked really nice, very nice. They took out an old fence and the posts and everything. And the vegetation has grown back up just like you see it and it's not attractive stuff. It's just weeds. And the part that's near, I forgot the distance to the first residents here, that part going toward Enon Road has some trees on it and it's a nice little buffer there. And I was just suggesting if they could put a fence or some trees or a combination along that line that would be far enough in so that you wouldn't have to move it when VDOT widens the road or whatever. That might be a solution to that and anytime they could do that, I

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would think that would be more necessary than the parking lot at this point, without a plan without a further plan. And I thank you for your attention and thank you for the work you do.

Mr. Apicella: Thank you Ms. Musselman. Anyone else like to come forward? Okay, seeing no one else I'll close the public hearing. Would the applicant like to come forward and address any of the comments made?

Mr. Ramey: Yes sir, the parking lot is gonna be about 45 feet off the road frontage. As far as recreation, I mean, I think I stated it was gonna be just walking the property or just being able to access the property, because there's no way to access it currently. So, just to provide access to the property for the walking, bird-watching, whatever. There will be no, you know, no sports fields definitely at this time.

Mr. Apicella: Given the potential or the likelihood that the road might be expanded with that also potentially impact, again, where those... that vegetation would ultimately be sighted.

Mr. Ramey: Yes.

Mr. Apicella: Again it leads me to the conclusion you would have to move it further back...

Mr. Ramey: Move it further back, yes.

Mr. Apicella: Because you are basically putting a road where you have a line of trees and/or shrubbery. Is that correct?

Mr. Ramey: Correct.

Mr. Apicella: Okay, thank you very much. Oh I'm sorry, Mr. McPherson.

Mr. McPherson: I have one quick question if I may. Is this park gonna have limitation hours? Is there going to be a gate that closes at dusk or 8 pm?

Mr. Ramey: It will close at dusk, yes sir.

Mr. McPherson: Okay, thank you.

Mr. Ramey: There will be no lighting, so we would have to close at dusk.

Mr. McPherson: Alright, thank you.

Mr. Ramey: Yes sir.

Mr. Apicella: Anyone else? Mr. Randall?

Mr. Randall: Was the 45 feet based on any particular analysis or did you just... it just worked out that way?

Mr. Ramey: No, it just work out that... well and it also has to do with the entrance to the to the parking lot and the requirements for the length of that entrance.

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Mr. Randall: Okay, so do we... if we decide to widen that road down the road a year from now, that would be really nice. It wouldn't affect your parking lot, it would be still well outside what we would need to widen that road? We wouldn't have to change the parking lot?

Mr. Ramey: I'm not sure what the requirements would be that widen the road.

Mr. Randall: Okay.

Mr. Apicella: You might want to take a look at that and decide whether or not it makes more sense now to move it a little bit further back so that you don't have to take another shot at it down the road, no pun intended. So, and I would just ask if you would you know have further contact with Ms. Musselman and see if you can talk to her about any of her concerns and maybe address those.

Mr. Ramey: Okay.

Mr. Apicella: Thank you

Mr. Ramey: Thank you.

Mr. Apicella: Okay, this is in the Hartwood District but Mr. English is not here. I'll bring it back to the Commission for any decisions on how we should move forward with this.

Mr. Boswell: Mr. Apicella.

Mr. Apicella: Mr. Boswell.

Mr. Boswell: I spoke with Mr. English, he's in support of this. So, in his absence, I would make a motion to approve resolution PCR19-03.

Mr. Apicella: And that's the revised version?

Mr. Boswell: Yes.

Mr. Apicella: Okay, is there a second?

Mr. McPherson: Second.

Mr. Apicella: Okay, there's a motion that's been properly made and seconded. Any further comments Mr. Boswell? Mr. McPherson? Mr. Randall?

Mr. Randall: I have a couple of questions. So, the revised is stating what for the transitional and the street buffers?

Mr. Apicella: The only change to the revision is again adding that word temporary.

Mr. Randall: Temporary. So we're removing the requirement for both the transitional and the street buffers correct?

Mr. Apicella: That's how I interpret it, yes.

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Mr. Randall: Okay.

Mr. Apicella: On a temporary basis.

Mr. Randall: On a temporary basis until we get a full site plan. Agreed. Thank you.

Mr. Apicella: Okay, cast your vote. Tally the vote. The motion carries 4-0-3 [4-0-0; *Ms. Vanuch, Mr. English, and Mr. Bain absent*]. Next item Mr. Harvey?

2. Amendment to Zoning Ordinance - Proposed Ordinance O19-37 would amend the Zoning Ordinance, Stafford County Code Sec. 28-25, "Definitions of specific terms;" 28-35, "Table of uses and standards;" and Sec. 28-39, "Special regulations," to allow for the keeping of honeybees (apiaries) within the R-1, Suburban Residential Zoning District and establish regulations regarding the same. **(Time Limit: December 29, 2019)**

Mr. Harvey: Mr. Chairman, the next public hearing is an Amendment to the Zoning Ordinance dealing with definitions, specifically for apiaries and keeping honeybees in the R-1, Suburban Residential Zoning District. Kathy Baker will be making the presentation.

Ms. Baker: Good evening. Can I have the computer please? So, this proposed ordinance is to allow apiaries, otherwise known as keeping of honeybees, in the R-1 Zoning District. This is the residential district typically associated with your suburban residential developments. Beekeeping is currently allowed in A-1 and A-2 Zoning Districts; those are permitted as an agricultural use in the Agricultural zones. This request for the R-1 Zoning Districts has come from citizens to both the Board members and the Planning Commissioners. So, staff has drafted an ordinance based off other localities as well as state code information. I'll note that the Planning Commission did discuss this ordinance at its July 10<sup>th</sup> as well as its August 14<sup>th</sup> meetings. You all have made some changes and I'll address the ordinance as a whole as it's being presented tonight incorporating the changes that have been made in your in your previous meetings. So, what this ordinance will do is to permit apiaries as an accessory use in the R-1 District with the issuance of a zoning permit. And an accessory use just means you can't have an R-1 property with just an apiary on it; you would have to have a dwelling. This would be associated with the dwelling or other use that's permitted in the R-1 District. This will add definitions for apiary, colony, and hive. Those are spelled out in your ordinance, but I can read those briefly. An apiary is any place where one or more colonies of bees are kept. The colony is a queen right assemblage of social bees capable of reproducing. And a hive is a box, skep, barrel, log gum, or other container used as a domicile for bees. This ordinance would add regulations including a maximum of four hives on any lot zoned R-1. And it would be based on the lot size; you can have up to two hives on a lot that is at least 10,000 square feet in size; up to three hives for a lot that's 12,500 square feet; and up to four hives you must have the minimum 15,000 square feet. The ordinance would also propose that hives be located only in the rear yard with a minimum 30 feet from all property lines. And there would also be a requirement for an adequate and accessible water source within 20 feet of any hive. There would also be a proposal for a flight path barrier required, and this would consist of either a 6-foot fence or a solid shrub... vegetated shrub, and that would be within 50 feet of the property. If your hive with the landing platform faces a property line and is within 50 feet of the property line, that's when the barrier would be required. There'd also be signs just noting that there are hives located on the property and that would be in an instance when the property is not fenced. It would also have best management practices be followed. The state does have a guideline for best management practices. I'll note that those are more in keeping with the protection of the colony, keeping the colony healthy, and following general guidelines. Those would be required to be submitted with your zoning permit. Another regulation would be that the brood boxes be stacked no more than two boxes high. And then lastly, the colonies be kept in hives with

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removable frames. And just for reference, this is photos of existing bee boxes on a property in the County. You'll see that there's one and then this, the one to the right is two boxes stacked high. And this just shows how the removable frames come out; that's how they access the honey and also keep the beehives clean. Just giving you a few examples of your R-1 lot sizes, this first example is what would be allowed in R-1 cluster. You can actually have down to an 8,000 minimum square-foot size. This one in particular is about 8,500 square feet, and this shows the existing setbacks that the house is from the property lines. And you'll see the rear, where the 33 feet is shown, the little red area is really the only possible area on this particular lot that the beehives would be... could be located. So, not really much area.

Mr. Randall: Ms. Baker, I have a quick question.

Ms. Baker: Yes.

Mr. Randall: Where did the 30-foot setback from all the property lines come from?

Ms. Baker: I'm not certain. There were a couple of localities that use the 30 feet. I know that looking back in the minutes when you all had a beekeeper attend the meeting, he did reference 30 feet. His was actually 30 feet from a structure though and not a property line. But, I think in general...

Mr. Randall: Right, but I thought it was a 30 feet from this structure, not a property line...

Ms. Baker: Correct.

Mr. Randall: ... which is why I'm asking.

Ms. Baker: Okay. I mean, the 30 feet is what you all had indicated at your last meeting.

Mr. Randall: Hmm. Okay.

Ms. Baker: So, that's what's proposed; it's up to you all for discussion. The R-1 conventional, this is just an example, this one's about 12,900 square feet. Again, the little red box indicates an area where you could provide the hives. And then this is a larger lot size; this is about 15,000 square feet. A larger lot obviously you have a little bit more room to place those hives; that is 30 feet from the rear and the two side lot lines. So, staff is recommending approval of the ordinance and I'll note the Board of Supervisors did grant the extension at their meeting last week, so you do have until December 29<sup>th</sup> to take action on this. Stacie did hand out the Resolution that's authorizing that additional timeframe for you to take action. At this time I'll be happy to answer any questions.

Mr. Apicella: Thank you Ms. Baker. Any questions for staff? Okay, thank you. Okay, I'll now open the public hearing on this item. This is an opportunity for the public to comment. Same ground rules as mentioned before. Before starting your comments, please state your name and address. The green light starts the clock. Yellow means you have 1 minute remaining. Red means you need to wrap up. Sir, you're up.

Mr. Mattiaccio: Good evening. I'm Jerry Mattiaccio. I spoken with you or in front of you previously, I guess back in July. About the only thing I saw on that that I may have had a question about is it's limited to two boxes. A standard configuration for honey production, which is primarily what hobbyists are doing when they keep bees, is the two boxes and a honey super. So, I mean you, could do one box and a honey super, you could do the two boxes and a honey super, but most people use two deep boxes

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for the brood and the bees, a queen excluder, and then the honey box. So, I don't know if that's going to figure into your ordinance in any way. And I guess the other thing was I didn't see any information about education. I don't know if that was looked into previously, because quite candidly, I mean, I could run a 1-900 line with the phone calls I receive from hobbyists all the time saying, you know, what about this and what about that. And so there is a definite need for education out there and I haven't seen that in your ordinance. I brought that up at the last time so I would just bring that up again. And that's all I have to say.

Mr. Apicella: Thank you sir. Would anyone else like to come forward and speak on this topic? Okay, seeing no one, I'll close the public hearing on this item and bring it back to the Commission for further consideration. We do have additional time all the way through December 29<sup>th</sup> so one option might be to defer unless you all would like to go ahead and move forward tonight.

Mr. McPherson: Mr. Chairman, I'd like to move to defer.

Mr. Apicella: Okay. So, a motion to defer; is there a second?

Mr. Randall: I'll second it but I have some... do we want to discuss it or do we just want to wait until we get a full Commission to discuss it?

Mr. Apicella: Well, normally we would discuss it after you've made the motion...

Mr. Randall: I second to motion to defer.

Ms. Lucian: Do you guys plan to keep the public hearing open?

Mr. Apicella: Yeah, I thought I closed the public hearing.

Ms. Lucian: No, I mean when you defer for the next meeting.

Mr. Randall: You want to keep it open; you closed it. Do we want to...

Mr. Apicella: Yeah, well, I mean, we've advertised it.

Ms. Lucian: No, I'm just saying do you want to keep it open for the next meeting since you're gonna defer it? I wouldn't make that clear in the motion.

Mr. McPherson: I will add to my motion that we keep the public hearing open.

Mr. Apicella: Okay, we did not establish a date for the deferral. So, are we talking two weeks? Are we talking a month?

Mr. Boswell: What's the next one?

Mr. Randall: I was gonna say the 25<sup>th</sup> looks busy.

Mr. McPherson: Yeah.

Mr. Randall: Do we want to move it to the first meeting in October?

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Mr. McPherson: The first meeting in November.

Mr. Randall: October?

Mr. McPherson: October, thank you.

Mr. Harvey: Mr. Chairman, on your next meeting which is scheduled for September 25<sup>th</sup>, we currently have two continued public hearings for a project known as the Vistas of Ferry Farm. We also have a new application which is a rezoning and CUP for a proposed Wawa to be located on Garrisonville Road. Then on October 9<sup>th</sup> we have three items associated with the Westlake project which will all involve public hearings; they're a series of rezonings and proffer amendments.

Mr. Apicella: So, just for the sake of discussion, what does the second meeting in October look like?

Mr. Harvey: Mr. Chairman, currently we don't have any public hearings specifically earmarked for that date.

Mr. Apicella: So, we have a couple of options. What's the will of the Commission in terms of the latter? We're talking late October?

Mr. McPherson: The second meeting in October.

Mr. Apicella: Okay. So, one more time just so we get it all straight, you want to start your motion one more time?

Mr. McPherson: Yes. Corrected motion to defer and keep the public hearing open until the second meeting in October.

Mr. Apicella: Okay, thank you Mr. McPherson.

Mr. Randall: And I'll second that motion.

Mr. Apicella: Thank you. Okay, we have a motion, it's been properly seconded. Mr. McPherson, anything further you'd like to add?

Mr. McPherson: Nope.

Mr. Apicella: Mr. Randall?

Mr. Randall: I would. I would like to look at the opportunity... I mean, we can do this as we get farther along but, as I'm going through some of the other things in here, it looks like it's 30 feet from structures. I would like to look at the fact that we need to change that from 30 feet from property lines to 30 feet from structures. We... obviously, if there's a little bit of a window, we don't want us having to put it right next to somebody's house. I'd rather be 30 feet from the structure so that they can put it back away from their house which is I think is the intent of the setback. Maybe 10 or 15 feet from a property line, but at least 30 feet from the structure. So, I'd like to get that changed in the ordinance. And then to answer the question that was out there, it's a... there is no... the brood boxes will be too high. We understand that there'll be a queen excluder, that you'll be putting on honey supers for as high... I mean, obviously not too high but, you know, you're not gonna lift them if they're so high, you know; they're 100 pounds each so you're not gonna lift them off if they're five high. So, the intent was to have the

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brood boxes no more than two high and that's what the intent was of that. I think education is important. I think we were talking about how we would... how we would write that so that it wouldn't be a burden on somebody that wanted to do this. I do think it's something that maybe we can look at again. I'm a big believer that if you're gonna do it, you need to do it right, and you need to find... at least have some training but I wasn't sure exactly how to capture that. So, we definitely can look at it again between now and our next meeting.

Mr. Apicella: Thank you Mr. Randall. So, I think we have some discussion items. I'm not sure there's a consensus on any and all of those but we can certainly talk about it meeting on... in late October. Alright, there's a motion to defer until the October... late October meeting and to leave the public hearing open. Please cast your vote. Okay, tally the votes. Looks like we have 4-0-3 [4-0-0; Ms. Vanuch, Mr. English, and Mr. Bain absent]. Thank you very much.

Ms. Baker: Can I just ask one question...

Mr. Apicella: Sure.

Ms. Baker: ... for clarification on Mr. Randall's the 30 feet from structure. Is that including your existing structure that the property is located or are you just talking to adjacent properties? Structures on...

Mr. Randall: No, 30 feet from the structure it's located at.

Ms. Baker: On the existing...

Mr. Randall: On the property.

Ms. Baker: Okay, thank you.

Mr. Apicella: Okay Mr. Harvey, next item.

3. RC18152428; Reclassification - Vistas at Ferry Farm - A proposed reclassification, with proffers, from the A-1, Agricultural Zoning District to the R-5, Age-Restricted Housing Zoning District to allow for the development of up to 170 age-restricted multi-family dwelling units on Tax Map Parcel Nos. 54-79, 54-79A, 54-80, 54-80A, and 54-81 (Property). The Property consists of 7.118 acres, located on the south side of Kings Highway and north side of Naomi Road, within the George Washington Election District. **(Time Limit: October 18, 2019) (History: July 10, 2019 Public Hearing Continued to August 14, 2019) (Public Hearing Continued to September 25, 2019)**
  
4. CUP18152429; Conditional Use Permit - Vistas at Ferry Farm - A request for a conditional use permit (CUP) to allow increased residential density of up to 24.0 dwelling units per acre in the R-5, Age-Restricted Housing Zoning District on Tax Map Parcel Nos. 54-79, 54-79A, 54-80, 54-80A, and 54-81 (Property). The increased residential density would allow up to 170 age-restricted multi-family dwelling units. The Property consists of 7.118 acres, located on the south side of Kings Highway and north side of Naomi Road, within the George Washington Election District. **(Time Limit: October 18, 2019) (History: July 10, 2019 Public Hearing Continued to August 14, 2019) (Public Hearing Continued to September 25, 2019)**

Mr. Harvey: Mr. Chairman items 3 and 4 are continued to your September 25<sup>th</sup> meeting for public hearing. They were a project known as the Vistas at Ferry Farm, with a rezoning and a conditional use permit. Staff notes that we're anticipating receiving additional proffers from the applicant. We have not received those as of yet and are not certain as to what those changes will likely be. Staff will have a detailed report on the 25<sup>th</sup>. And moving on to New Business, we have a proposed site plan... preliminary site plan for the Planning Commission to review and provide comments. LeAnn Ennis will make the presentation.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

5. SPR19152740; Preliminary Site Plan - Centreport McGrath Rentcorp Storage - A proposed preliminary site plan for a 40,000 square-foot office and maintenance building, outdoor storage and service facility for modular offices, classrooms, associated products and equipment in the M-1, Light Industrial Zoning District on Tax Map Parcel No. 37-74J, located on the north side of Centreport Parkway, between Patterson Avenue and Chestnut Hill Drive, within the Hartwood Election District. The review of the site plan is required pursuant to proffer numbers 5 and 7 of Ordinance O92-10. **(Time Limit: November 10, 2019)**

Ms. Ennis: Mr. Chairman, members of the Planning Commission, item number 5 is a preliminary site plan request for Centreport McGrath Rentcorp Storage. Sorry. It's on Assessor's Parcels 37-74J. McGrath Group is the applicant. It's located on the north side of Centreport Parkway between Patterson Avenue and Chestnut Hill Drive. It's approximately 68 acres in size and it is currently zoned M-1, Light Industrial, and it lies within the Hartwood Election District. This is the site where it's located. It has access frontage on Centreport Parkway, as well as Mountain View Road. Per Ordinance O92-10, proffer number 7 required the applicant to submit a preliminary site plan to the Planning Commission for consideration and recommendation prior to the agent approval from the Department of Planning and Zoning. The frontage along Centreport Parkway and Mountain View Road... frontages along Centreport Parkway and Mountain View Road, and the access is only from Centreport Parkway. The plan... the site plan proposes 22,800 square feet building... expansion of 17... sorry... 17,200 square feet for a total of 40,000 square feet. And they're proposing outdoor storage and service facilities for modular offices, classrooms, and associated products and support equipment. The storage areas will be gravel with paved travelways. There are... there are wetlands and RPA on the site. The RPA is located on the west side and will remain undisturbed. The site will be served by public water and sewer, and it lies within the Airport Impact Overlay District. The preliminary site plan has been reviewed in accordance with Section 28-295 of the Zoning Ordinance of 1990 and appears to meet all the requirements. Ordinance O10-48 removed the requirement for the preliminary site plan submission, therefore it's no longer required. Per Ordinance O92-10, proffer 5 requires that the applicant provide a streetscape plan for comment and non-binding review by County staff and Planning Commission. The landscape plan proposes a street buffer along Centreport Parkway and vehicle access drive, landscaping, interior and perimeter parking landscaping, and evergreen trees to screen the building from the view of along Centreport Parkway. The proposed landscape plan also provides a 50-foot transitional buffer adjacent to A-1 zoned residential and vacant lots to the west, as well as adjacent A-1 zoned vacant parcels to the north and east. Utilizing existing vegetation for all the credit and additional... adding additional plantings were necessary to fulfill the buffer requirements within those areas. No buffers are required adjacent to the M-1 zoned parcel south, west, and east of the property as they're like uses. The Planning Commission may consider to either recommend staff approve the preliminary site plan as

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presented, recommend denial due to failure to comply with the specific code requirements, or recommend the applicant revise the plan in order to comply with specific code requirements or best practices. And that is the conclusion and do you have any questions?

Mr. Apicella: Thank you Ms. Ennis. Questions for staff? Okay, thank you. This is in the Hartwood District I believe. Unfortunately, Mr. English is out of town so what would... what would you all like to do on this one?

Mr. Randall: Mr. Chair, I'd like to make a motion that we approve the preliminary site plan SPR19152740.

Mr. Apicella: Is there a second?

Mr. Boswell: Second.

Mr. Apicella: Okay, there's a motion to approve; it's been properly seconded. Any further comments Mr. Randall?

Mr. Randall: No.

Mr. Apicella: Mr. Boswell? Mr. McPherson? Okay, cast your vote. Tally the vote. Motion carries 4-0-3 [4-0-0; Ms. Vanuch, Mr. English, and Mr. Bain absent]. I guess you're up again Ms. Ennis.

6. SPR19152845; Preliminary Site Plan - SHIMCO Center - A proposed preliminary site plan for a 24,675 square-foot flex office building in the M-1, Light Industrial Zoning District on Tax Map Parcel Nos. 38-18A, 38-23B, 38-23C, 38-23D, 38-23E, 38-23F, 38-23G, and 38-23H, located within the Highway Corridor Overlay District (HCO) on the east side of Jefferson Davis Highway, south of Musante Lane, within the Falmouth Election District. The review of the site plan is required pursuant to proffer 6 of Ordinance O89-41. **(Time Limit: November 10, 2019)**

Ms. Ennis: I was Ms. Doolittle last time. So, members of the Planning Commission and Mr. Chairman, this is item number 6 for another preliminary site plan. It's SHIMCO Center. It's on Assessor's Parcel 38-18A and 23B through 23H of Tax Map 18 as well. The applicant is Development Consulting Services. The location of the site is south of Musante Lane, east on Route 1. It's approximately 34 acres in size. It's zoned B-2, Urban Commercial and M-1, Light Industrial. It's located within the Falmouth Election District. This is the site that it is right now. It's several parcels as you can see. Per Ordinance O89-41, proffer number 6 required the applicant to submit a site plan to the Planning Commission for review prior to the agent's approval from the Department of Planning and Zoning. The development is proposing 5 lots on a state maintained road. They're proposing a flex office building consisting of approximately 24,000 square feet of proposed flex building on lot 3. There's no current tenants according to the applicant or uses right now. They're just building a flex building. The developer is proposing to over lot grade the entire site. It was previously graded years ago and cleared and it's grown up since then, so they're gonna grade the whole site. There's existing wetlands that will be protected and not disturbed on that site as well. The site will be served by water and sewer. The preliminary site plan has been reviewed in accordance with Section 28-295 of the Zoning Ordinance of 1990 and it appears to meet the requirements. Ordinance O10-48 removed the requirements for preliminary site plan submissions. The Planning Commission may consider to either recommend staff approval of the preliminary site plan as presented, recommend denial due to the failure to comply with specific code requirements, or recommend the applicant revise the plan in order to comply with specific code requirements or best practices. And that concludes number 2.

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Mr. Apicella: Thank you. Any questions for staff? Mr. Randall?

Mr. Randall: Excuse me, can you tell us what the condition of that road will be once they finish it?

Ms. Ennis: It's going to be a state maintained road.

Mr. Randall: So, what does that mean to be...?

Ms. Ennis: A VDOT road. It'll be built to VDOT's standards.

Mr. Randall: Okay, so it's a...

Ms. Ennis: It's a 50-foot right-of-way.

Mr. Randall: Okay, thank you.

Mr. Apicella: Anyone else? I just have one question. Were there any issues or concerns raised by the County or VDOT that were not satisfactorily addressed?

Ms. Ennis: Not on the site plan preliminary, no.

Mr. Apicella: Okay, thank you.

Ms. Ennis: The site plan is under review. It just came in for TRC for a first submission.

Mr. Apicella: Okay, thank you. Okay, I'm kind of in an awkward spot here since I'm the Chair and this is in the Falmouth District, so I'm going to ask if anyone would like to make a motion on this one.

Mr. McPherson: I will.

Mr. Apicella: Okay Mr. McPherson.

Mr. McPherson: Mr. Chairman, I'd like to move to recommend approval of SPR19152845, Preliminary Site Plan for the SHIMCO Center.

Mr. Apicella: Thank you Mr. McPherson. Is there a second?

Mr. Randall: I'll second that.

Mr. Apicella: Thank you Mr. Randall. Any further comment Mr. McPherson?

Mr. McPherson: Just that I'm looking forward to some business development.

Mr. Apicella: Great. Mr. Randall?

Mr. Randall: No.

Mr. Apicella: Okay, motion to approve; please cast your vote. Tally the vote. Motion carries 4-0-3 [4-0-0; *Ms. Vanuch, Mr. English, and Mr. Bain absent*]. Thank you again.

Ms. Ennis: Thank you; have a good evening.

Mr. Apicella: You, too. Alright, Planning Director's Report; Mr. Harvey.

PLANNING DIRECTOR'S REPORT

7. Establishment of Time Limits for Development Plans - *BOS Referral R19-195*  
**(Time Limit: December 20, 2019)**
8. Highway Corridor Overlay District (HCOD) - *BOS Referral R19-212*  
**(Time Limit: December 20, 2019)**
9. Grant Additional Time (Apiaries) - R19-270  
**(New Time Limit: December 29, 2019)**
10. Centreport Parkway Parcels, Initiate Proffer Amendment - R19-249

Mr. Harvey: Thank you Mr. Chairman. First item I have on the report is a referral from the Board of Supervisors, specifically dealing with our Subdivision and Zoning Ordinance and the time it takes to review development plans. And it's quite a complicated issue, so staff will come back at the next meeting and give you more details. Our ordinance currently has some time limits for reviewing site plans and when they have to be resubmitted and I apologize for not getting the details to you with this packet; but again, we'll explain it in more detail. However, it's created a number of situations where we're going back and forth with the development applicant and they can inadvertently have their plan expire if they're not diligent and responding back to our comments. Staff is proposing to change that process where there's no longer back-and-forth, that the applicant would have 18 months to finalize completion of their project from the time they submit it to the County. Number eight is dealing with an amendment to the Highway Corridor Overlay District. It's a fairly simple amendment. It would require that all non-residential developments provide turn lanes with their entrances. We found in a couple of instances where there's been a low-volume use along a corridor highway which has a lot of traffic and the low volume use has... even though it has just a few cars going in, intuitively with a road that has a lot of traffic you want to get the cars off the roadway. Unfortunately, VDOT standards for low volume uses do not require turn lanes which, in talking with the Board of Supervisors and specifically their Community and Economic Development Committee, that they felt it was important to... for the traveling public to make sure that all sites have turn lanes to get the cars and trucks off the roadways as fast and safely as possible. So, this amendment would make that a requirement. Also, Ms. Baker mentioned earlier on number 9 that the Board granted additional time for apiaries and that was discussed previously. And with number 10, this is an informative matter. The Board of Supervisors initiated a proffer amendment for a number of industrial zoned properties in the County, one of which you heard tonight with a preliminary site plan. And those properties, they're located within the project called Centreport and that property was rezoned in 1989, you know, 30 years ago. At that point in time, many of the County code requirements weren't as rigorous as they are today, so the applicant made proffers to try to address some of the concerns that staff at the time and the Board of Supervisors at the time had specifically about buffers, landscaping, streetscapes, and those types of things, many of which are addressed by current code. The owners of the properties of seeing the existing proffers creating some problems from marketing and/or ability to close real estate deals and have asked the County to consider removing those proffers. So, this application would start that public hearing process. Staff will be bringing back the application for a public hearing at a future date. At your desk you'll see a copy of the existing proffers and a map that shows the parcels that are affected by the application. Mr. Chairman, that concludes my report.

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Mr. Apicella: Thank you Mr. Harvey. County Attorney's Report, Ms. Lucian?

COUNTY ATTORNEY'S REPORT

Ms. Lucian: Mr. Chairman, Planning Commission, I have no report.

Mr. Apicella: I'm shocked, I can't believe it.

Ms. Lucian: No, and I didn't call you Ms. Chairman.

Mr. Apicella: Well, thank you, I appreciate it.

Ms. Lucian: So used to talking to Crystal. Thank you.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

OTHER BUSINESS

11. TRC Information - September 25, 2019
- Safe Place Mini Storage - Falmouth Election District
  - The Reserve at Clearview - Falmouth Election District

Mr. Apicella: Okay, I don't believe we have any Committee Reports. I don't have a Chairman's Report. Other Business - TRC information has been passed out. I think the last item on the agenda is approval of minutes, so I'll entertain a motion to approve the July 10 minutes.

APPROVAL OF MINUTES

July 10, 2019

Mr. Boswell: So moved.

Mr. Apicella: Is there a second?

Mr. McPherson: Second.

Mr. Apicella: Okay, cast your vote... oh, I'm sorry... yeah, cast your vote. I made a mistake here; I meant to abstain on this one since I wasn't here. So, what do I need to do?

Ms. Lucian: Technically, you should do a motion to reconsider.

Mr. Apicella: Okay. Would someone...?

Mr. McPherson: So moved.

Mr. Randall: Yeah, motion to reconsider the vote on approving the minutes for July 10, 2019.

Mr. Apicella: Okay, please cast your vote on the motion to reconsider.

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Mr. Randall: You need a second on that?

Mr. Apicella: I can vote on that one okay. Tally the vote. Motion carries 4-0. So, again, I'll entertain a motion to approve the minutes for the July 10 meeting.

Mr. Randall: If you abstain we won't be able to do because we don't have a quorum.

Mr. Apicella: Is that correct?

Ms. Lucian: Yeah, it just has to be a majority of the quorum.

Mr. Randall: Ah, a majority; okay, fair enough.

Mr. Apicella: Okay, please cast your vote. I'll get it right this time. Tally the votes. Motion carries 3-1-0; do I have that right?

Mr. Randall: 3-1-3.

Mr. Apicella: 3-1-3. [3-0-1; *Mr. Apicella abstained; Ms. Vanuch, Mr. English, and Mr. Bain absent.*] Okay, next item the August 14 Joint Planning Commission/EDA meeting minutes. Is there a motion to approve?

August 14, 2019 (*Joint PC/EDA Meeting*)

Mr. Boswell: So moved.

Mr. Randall: Second.

Mr. Apicella: Okay, cast your vote. I thought I heard a second.

Mr. Randall: I seconded it.

Mr. Apicella: Tally the vote.

Mr. Boswell: Very quietly.

Mr. Apicella: Motion carries 4-0-3 [4-0-0; *Ms. Vanuch, Mr. English, and Mr. Bain absent*]. Last item, August 14 regular meeting minutes.

August 14, 2019 (*Regular Meeting*)

Mr. Boswell: So moved.

Mr. Randall/Mr. McPherson: Second.

Mr. Apicella: Okay. He beat you. Cast your vote. Tally the vote. Motion carries 4-0-3 [4-0-0; *Ms. Vanuch, Mr. English, and Mr. Bain absent*]. With no further business before the Commission, I'll close the meeting.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:36 p.m.