

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

February 18, 2014

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 3:01 p.m., on Tuesday, February 18, 2014, in the Board Chambers, at the George L. Gordon, Jr. Administration Building.

Roll Call The following members were present: Jack R. Cavalier, Chairman; Gary F. Snellings, Vice Chairman; Meg Bohmke; Paul V. Milde, III; Laura A. Sellers; Cord A. Sterling; and Robert “Bob” Thomas, Jr.

Also in attendance were: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk, associated staff, and other interested parties.

Virginia Department of Transportation Quarterly Update Mr. Sean Nelson, VDOT Residency Administrator, addressed the Board and provided an update on VDOT projects in the County. A meeting regarding the Falmouth Intersection will take place at VDOT offices on Deacon Road, on March 3rd from 5:00 to 7:00 p.m. Subsequent to that meeting, a groundbreaking, on-site, will take place on Wednesday, March 5th at 9:00 a.m.

Mr. Sterling inquired about pothole repairs and asked that citizens with concerns contact Chief Deputy Clerk, Marcia Hollenberger, who should then convey the concerns to VDOT.

Mr. Milde inquired about the Courthouse Road interchange. Mr. Nelson responded that it was scheduled for advertisement in April, 2016. He added that right-of way acquisition was on-going as well as moving utilities so that after the ad ran, a ground-breaking could be scheduled in July or August, 2016. Mr. Sterling asked that Mr. Nelson provide Mr. Milde with the number of tracts involved in the right-of-way procurement on the Courthouse interchange.

Mr. Snellings inquired about beam replacement on I-95 at Route 17. Mr. Nelson said that the beam was not going to be replaced, it would be straightened, which would not necessitate lane closures in the vicinity of the repair work.

Ms. Bohmke asked for confirmation of the time, date, and location of the meeting at VDOT regarding the Falmouth Intersection. Mr. Nelson confirmed that it was scheduled for March 3, 2014, at the Deacon Road location, from 5:00 to 7:00 p.m.

Mr. Cavalier talked about a stream overflowing the road at a complex called the Towns of Ashleigh, saying that the spring iced up and when it thawed, would overflow the road. He added that this was especially dangerous due to the number of high school students that traveled on the road. Mr. Nelson said that VDOT was monitoring the situation daily and that a fix was scheduled for late spring/early summer.

Mr. Cavalier also asked about Route 1 northbound at Woodstock Lane, and an extension of the right turn lane. Mr. Nelson said that VDOT was waiting for the weather to warm up so that asphalt could be purchased and put in place.

Presentations by the Public The following members of the public desired to speak:

Laura Newold – Film Festival sponsored by the Friends of the Rappahannock (a complimentary ticket was given to each member of the Board).

Paul Waldowski – Potholes; no empty parked Sheriff's vehicles; vertical parking garages; retaining walls; "UDAs are a 20th century concept in the 21st century;" redistricting; new School Superintendent should be chairman of the School Board; Eagle Scout project; draining lake

Presentations by Members of the Board Board members spoke on the topics as identified:

Mr. Milde – JLUS briefing with Marine Corps Base Quantico, did not wish to lose live fire training space and wanted to restrict development close to the Base; Board of Supervisors will be given an opportunity to review the Study and to accept it, or not.

Ms. Sellers – Deferred

Mr. Snellings – Asked about draining Abel Lake (Mr. Romanello replied that updates would be made to the water treatment plant once the Rocky Pen Run facilities were on-line, that Abel Lake would not be drained.); Thanked everyone for visits, thoughts, and prayers while he was hospitalized.

Mr. Sterling – Finance, Audit and Budget Committee update, saying that the auditors would give a full audit review later in the meeting; Board members that did not attend the FAB meeting held earlier that day should get an update from Chief Financial Officer, Maria Perrotte.

Mr. Thomas – Bylaws Committee update will be included on the March 4, 2014 Board of Supervisors agenda to consider consecutive years in Chairman position as well as a possible Code of Performance/Conduct to include use of cell phones and other technology during a Board meeting, and especially during the times for public presentations.

Ms. Bohmke – Deferred

Mr. Cavalier – Along with County Administrator, Anthony Romanello, met with the Schools Acting Superintendent, Dr. Symons, as well as with School Board members Nanette Kidby and Holly Hazard. Discussion items included the School's budget. The meetings were scheduled monthly with the intent of keeping open the lines of communication with open, frank discussions.

Report of the County Attorney Mr. Shumate deferred his report.

Report of the County Administrator Mr. Anthony Romanello introduced Director of Communications, Ms. Cathy Vollbrecht. Ms. Vollbrecht gave a presentation on the County's website portal, Phase I of the redesign. She said that work was being done with the help of County departments; media partners; and social media. A summer roll-out was planned.

Mr. Sterling said that while he recognized the need to refresh and update the County's webpage, it would be frustrating for those regular users of the webpage to lose familiar links on the existing webpage. Ms. Vollbrecht said that the "splash" page was being revised to enhance ease of navigating the County's webpage. Mr. Sterling asked if it was being done as a result of citizen complaints. Ms. Vollbrecht responded that it was based on citizen and vendor input.

Mr. Thomas noted that the County's webpage underwent a major overhaul approximately two years ago. Mr. Thomas suggested that there should be one main page with links to the budget, the CIP, progress updates, etc., rather than having to click through several pages to find frequently requested (or reviewed) information and documents. Ms. Vollbrecht said that she would work with the vendor.

FY13 Audit Presentation by McGladrey, LLP Mr. Lou Cannon addressed the Board and answered Board member's questions. Mr. Cannon noted that he met earlier in the day with members of the Finance, Audit, and Budget Committee. He gave the basic elements of the recently conducted audit, adding that McGladrey, LLP would also be conducting the Schools audit.

He said that final audit results were based on the auditor's opinion and could be considered: 1) adverse; 2) could include a disclaimer; or 3) be considered to be unqualified, or a clean opinion, which was the highest level, noting that Stafford County received a clean opinion, but with an emphasis placed on three items, which were already corrected or were being addressed.

Mr. Cannon said that his firm issued a Management Letter to detail items that did not rise to inclusion in the County's Comprehensive Annual Financial Report (CAFR). Mr. Sterling talked about the Statement on Audit Standards (SAS 114) letter.

Ms. Bohmke thanked staff for its efforts, saying that going through an audit required a tremendous amount of work. Mr. Cannon noted that with Shelley Carmichael's retirement, staff pitched in and were of tremendous help to the auditors.

Mr. Cavalier commented about the Schools audit, saying that having one firm doing both audits was a great benefit and thanked Mr. Cannon for his presentation.

Legislative; Additions and Deletions to the Regular Agenda Mr. Thomas motioned, seconded by Mr. Sterling, to accept the Agenda with the deferral of Item 11a to the March 4, 2014 meeting.

Ms. Sellers asked that Item 10. *Budget and Appropriate the Fourth Installment of Available Grant Funding and Authorize Contracts for the Construction and Construction Inspection of Phase IA of the Streetscape Project* be pulled from the Consent Agenda.

Legislative; Consent Agenda Mr. Thomas motioned, seconded by Mr. Sterling, to adopt the Consent Agenda consisting of Items 5 through 11b, deferring Item 11a to March 4, 2013, *Public Information; Posthumously Recognize Lt. Colonel William Stephens, Jr.*; and removing from the Consent Agenda, Item 10. *Budget and Appropriate the Fourth Installment of Available Grant Funding and Authorize Contracts for the Construction and Construction Inspection of Phase IA of the Streetscape Project*.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Item 5. Legislative; Approve Minutes of the February 4, 2014 Board Meeting

Item 6. Finance and Budget; Approve Expenditure Listing

Resolution R14-43 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED FEBRUARY 4, 2014 THROUGH FEBRUARY 17, 2014

WHEREAS, the Board appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced listing of expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014 that the above-mentioned EL be and hereby is approved.

Item 7. Public Works; Authorize an Agreement with VDOT for a Jointly-Funded Project Administration Agreement for Preliminary Engineering Related to the Widening of Route 1 to Accommodate Improvements

Resolution R14-12 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR A JOINTLY-FUNDED PROJECT FOR PRELIMINARY ENGINEERING RELATED TO THE WIDENING OF U.S. ROUTE 1 TO ACCOMMODATE BASE REALIGNMENT AND CLOSURE (BRAC) IMPROVEMENTS

WHEREAS, the Board approved a study completed by the Federal Highway Administration (FHWA), which recommended U.S. Route 1 be widened to a six-lane road from Joplin Road/Fuller Road to Telegraph Road; and

WHEREAS, the study was conducted with funds from the Department of Defense (DOD), Office of Economic Adjustment (OEA), and provided to the Quantico Growth Management Committee (QGMC), which is comprised of Stafford and Prince William Counties; and

WHEREAS, OEA will allow the County to utilize the remaining funds in the amount of One Hundred Seventeen Thousand Eight Hundred Twenty-six Dollars (\$117,826) to continue the study through an agreement with the Virginia Department of Transportation (VDOT); and

WHEREAS, the County will act as the fiscal agent to disperse funds from OEA to VDOT upon execution of a project administration agreement; and

WHEREAS, Virginia Code Section 33.1-75.3 authorizes both VDOT and the County to enter into an agreement to continue planning and preliminary engineering related to this project;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that the Board be and it hereby does authorize the County Administrator to enter into an agreement with VDOT for the administration of the engineering study; and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to budget, appropriate, and pay VDOT One Hundred Seventeen Thousand Eight Hundred Twenty-six Dollars (\$117,826) of grant funds awarded by the Department of Defense, Office of Economic Adjustment; and

BE IT FURTHER RESOLVED, that the County Administrator or his designee shall forward a certified copy of this resolution to the VDOT Fredericksburg Residency Administrator; and

BE IT STILL FURTHER RESOLVED, that the County Administrator, or his designee, be and is authorized to execute any and all documents associated with this project.

Item 8. Public Works; Authorize Payment to VDOT for Preliminary Engineering of Ferry Road and Kings Highway Intersection Improvements as Part of the Revenue Sharing Program

Resolution R14-39 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDING FOR THE PRELIMINARY ENGINEERING PHASE OF THE FERRY ROAD AND KINGS HIGHWAY INTERSECTION IMPROVEMENT PROJECT, AND AUTHORIZE PAYMENT TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Board identified improvements to the Ferry Road (SR-606) and Kings Highway (SR-3) as a priority; and

WHEREAS, the Board requested FY2013 Revenue Sharing funding, which requires a 50/50 County match; and

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to begin the preliminary engineering (PE) phase of the project; and

WHEREAS, the estimated cost of the PE phase is \$200,000, and requires a County match payment of \$100,000; and

WHEREAS, sufficient funding for the County match is available in the South East Transportation Impact Fee Trust Fund; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that the County Administrator be and he hereby is authorized to budget, appropriate, and make payment of One Hundred Thousand Dollars (\$100,000) from the South East Transportation Impact Fee Fund to VDOT for the Ferry Road improvement project; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to execute any documentation that is necessary or appropriate to begin the preliminary engineering phase of the Ferry Road and Kings Highway Intersection improvement project.

Item 9. Public Works; Petition VDOT to Include Rumford Road within the Tylerton Subdivision into the Secondary System of State Highways

Resolution R14-45 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE THE RUMFORD ROAD EXTENSION WITHIN TYLERTON SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.1-229, the Board desires to include the Rumford Road extension within the Tylerton Subdivision, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) inspected this street extension and found it satisfactory to be accepted into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that VDOT be and it hereby is petitioned to include the following street extension within the Tylerton Subdivision, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Rumford Road (SR-744)	From: Intersection of Mimosa Street (SR-743) To: 0.06 miles West of Mimosa Street (SR-743)	0.06 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street extension with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Tylerton, recorded in DB 42 PG 448-449 on October 7, 1939; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 11b. Recognize and Commend Kim Aylor for 25 Years of Service to Stafford County

Proclamation P14-03 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND KIM AYLOR
FOR HER 25 YEARS OF SERVICE TO STAFFORD COUNTY

WHEREAS, Kim Aylor has been a trusted and loyal employee of the Office of the Commissioner of the Revenue for 25 years; and

WHEREAS, Kim Aylor served her community, church, and the citizens of Stafford County by providing vital services often on her own time, and at her own expense; and

WHEREAS, Kim Aylor was appointed Chief Deputy Commissioner of the Revenue in 2001; and earned the respect of her fellow employees for her professionalism, work ethic, and knowledge of state and local taxes; and

WHEREAS, Kim Aylor was instrumental in the creation and implementation of the Revenue Billing System, which automated many processes and streamlined service to citizens; and

WHEREAS, Kim Aylor is recognized throughout the Commonwealth of Virginia as an expert in personal property, income, and miscellaneous taxes; and

WHEREAS, Kim Aylor is a devoted grandmother to Kenny and Katelyn, mother to her only son, Kevin, and wife to her husband, Wade “Butch” Aylor;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that it be and hereby does recognize and commend Kim Aylor for her service to the citizens of Stafford County.

Public Works; Budget and Appropriate the Fourth Installment of Available Grant Funding and Authorize Contracts for the Construction and Construction Inspection of Phase 1A of the Streetscape Project Ms. Sellers asked that this item be pulled from the Consent Agenda so that the Board could receive an update. Mr. Mike Smith, Director of Public Works, provided an update on the project including PowerPoint slides. Mr. Sterling detailed the nature of the grant funding and its limited use, stating that it could not be applied to the Schools’ budget request or other projects not related to pedestrian-type improvements, trails, sidewalks, streetscapes, Safe Routes to Schools, etc. It could not be used for roads or other transportation projects based on stipulations of the grant. Mr. Sterling said that the Commonwealth Transportation Board (CTB) distributed funds based on an application process, and with a 20% match for localities. Mr. Milde added that funds spent on the Streetscape were not in competition with education funding.

Ms. Sellers questioned it being the right time to spend money on streetscape improvements when the Schools and Public Safety needed money. She acknowledged that it was a different pool of money but asked how it may look to citizens. Ms. Sellers also said that she did not like the appearance of in-kind staff work. Mr. Thomas said it was a fair comment and talked about \$1 million, if it were available to be used for Schools, could only be used for one-time expenses, it could not be applied to VRS or teacher pay increases because it was not recurring money.

Mr. Snellings said that there was never a good time. He asked if there was a deadline by which the money had to be spent. Mr. Sterling said that if the money was not spent on the intended project, it would have to be returned to the State, and it would be redistributed to another locality with a project that fell within the parameters of the grant specifications.

Mr. Romanello explained that in-kind staff work was considered a soft match, that it was not unpaid staff work. Mr. Milde said that the Streetscape project was plagued with delays. Ms. Sellers repeated that she felt that it sent a bad message that the County was strapped but still spending. Mr. Milde said that the Streetscape addressed safety issues.

Mr. Sterling asked Ms. Sellers if she had another idea where the money could be spent. Ms. Sellers asked about using it to fund a stoplight. Mr. Sterling said that a traffic signal was not an allowed use of the grant funds. Ms. Sellers suggested using it in the vicinity of Colonial Forge High School and the traffic impact of new development in its vicinity. Deputy County Administrator, Mr. Keith Dayton, said that sidewalks in the vicinity of Colonial Forge High School were included in VDOT's design for Courthouse Road/Route 630 and promised to provide a copy of the VDOT design to Ms. Sellers.

Ms. Bohmke said that she, too, wanted Item 10 pulled so that the public would have the opportunity to hear an explanation of the project. She said that she was in favor of the proposed face-lift and not opposed to using federal funds.

Mr. Sterling asked if VDOT's plans included a sidewalk to Stafford Elementary School. Mr. Dayton responded that plans were to run a sidewalk from Hope Road to Stafford Hospital and from Stafford Avenue to Jason Mooney Drive/Red Oak Road. He said that he would have to review the plan to determine if the sidewalk went as far as the elementary school. Mr. Milde talked about the boathouse and proposed development.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R14-38.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Milde, Snellings, Sterling, Thomas
Nay: (1) Sellers

Resolution R14-38 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROPRIATE THE REMAINING TRANSPORTATION ENHANCEMENT PROGRAM GRANT FUNDS; AND AWARD CONTRACTS FOR CONSTRUCTION AND CONSTRUCTION-ENGINEERING INSPECTIONS OF THE COURTHOUSE AREA ENHANCEMENT PROJECT, PHASE IA

WHEREAS, the Board identified redevelopment in the Courthouse Area as a priority in the County's Redevelopment Plan; and

WHEREAS, the Board desires to begin construction of streetscape improvements along Jefferson Davis Highway (US-1) between Courthouse Road (SR-630) and Hope Road (SR-687), identified as Phase IA of the Courthouse Area Enhancement Project (Project); and

WHEREAS, the Project will be funded through the County's Transportation Fund and by Federal Transportation Enhancement Grants; and

WHEREAS, it is necessary to appropriate the balance of the Federal Transportation Enhancement Program Grant funds awarded to date in the amount of \$483,000; and

WHEREAS, the Project design was completed and the construction and the construction-engineering inspection contracts were offered for public bid; and

WHEREAS, Jeffrey Stack, Inc., submitted a bid for construction in the amount of \$958,859; and

WHEREAS, staff reviewed the bid and determined that Jeffrey Stack, Inc., is the lowest responsive and responsible bidder, and determined that it is reasonable for the proposed scope of services; and

WHEREAS, Christopher Consultants, Ltd., submitted a proposal for construction-engineering inspections in the amount of \$159,112, which staff reviewed and determined that it is reasonable for the proposed scope of services; and

WHEREAS, Christopher Consultants, Ltd., is one of the County's on-call engineers; and

WHEREAS, as the designer of the Project, Christopher Consultants, Ltd., has the most relevant experience to oversee construction;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that the County Administrator be and he hereby is authorized to budget and appropriate the remaining Transportation Enhancement Program grant funds in the amount of Four Hundred Eighty-three Thousand Dollars (\$483,000); and

BE IT FURTHER RESOLVED that the County Administrator may execute a contract with Jeffrey Stack, Inc., in an amount not to exceed Nine Hundred Fifty-eight Thousand Eight Hundred Fifty-nine Dollars (\$958,859) for construction of the Courthouse Area Enhancement Project, Phase IA, improvements, unless modified by a duly-authorized change order; and

BE IT STILL FURTHER RESOLVED that the County Administrator may execute a contract with Christopher Consultants, Ltd., in an amount not to exceed One Hundred Fifty-nine Thousand One Hundred Twelve Dollars (\$159,112) for construction-engineering inspections for the Courthouse Area Enhancement Project, Phase IA, unless modified by a duly-executed contract amendment.

Planning and Zoning; Consider Reclassification and Conditional Use Permit for Shelton Knolls Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Harvey noted that the proffers were amended to include combining homeowner associations (HOA) with Shelton Woods. He said that the combined sidewalk provision would be negated if the Sheriff's Office felt it was unsafe. Mr. Harvey said that the cost of a turf field at Mountain View would cost an additional \$100k due to the larger size of the field, vs. fields at other County high schools. Mr. Snellings said that all football fields were the same dimensions. Ms. Bohmke clarified that the field at Mountain View was larger due to track and field facilities located around the perimeter of the football field.

Mr. Thomas questioned if the reclassification (proposed Ordinance O14-06) and the conditional use permit (proposed Resolution R14-24) should be heard together and asked what would be happen if only one of the proposals passed. Mr. Shumate said that they should be voted on sequentially and that the merits of the land use predicate the conditional use permit.

Mr. Milde asked how many homes could be built without Board approval. Mr. Harvey responded that twelve homes could be built. Mr. Milde said that ninety-four homes were being added; that it was nice neighborhood with nice amenities but that he would vote against it because of his concern that nothing was being done to preserve the rural character of Stafford County and to preserve open space. He added that he could not fault the applicant but he did not want to see Stafford County "gobbled up" by ¼ acre lots. Mr. Sterling said that he would be happy to work with Mr. Milde on a revision to proffer guidelines to include purchase of development rights. He said that the project being discussed was in the Urban Services Area and therefore earmarked for development.

Ms. Bohmke asked about the transportation evaluation criteria, saying that congestion in that area was already a struggle. Mr. Harvey said that the intersection was off-site of the applicant's property and the applicant was unable to regulate improvements. Mr. Sterling said that the Level of Service (LOS) impacts were the same with or without the project. Ms. Bohmke questioned waiting until the year 2024 for needed transportation improvements. Mr. Sterling said that the project would be accelerated and done sooner than 2024. Mr. Harvey said that the Planning Commission was concerned with the timing of the project vs. transportation projects/improvements. He said that depending on funding, improvements could start within three to five years.

Mr. Sterling motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O14-06.

The Voting Board tally was:

Yea: (4) Cavalier, Snellings, Sterling

Nay: (3) Bohmke, Milde, Thomas

Ordinance O14-06 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE A-1, AGRICULTURAL ZONING DISTRICT, TO THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, ASSESSOR'S PARCEL 28-128A, WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, L&F Courthouse LLC, applicant, submitted Application RC1300364 requesting a reclassification from the A-1, Agricultural Zoning District, to the R-1, Suburban Residential Zoning District, on Assessor's Parcel 28-128A, located within the Rock Hill Election District; and

WHEREAS, the Board carefully considered the recommendation of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the requested zoning amendment is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of an Ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the A-1, Agricultural Zoning District, to the R-1, Suburban Residential Zoning District, Assessor's Parcel 28-128A, in the location identified on the

Zoning Exhibit Plat, prepared by Bowman Consulting, dated July 19, 2013, with proffers entitled “Proffer Statement,” dated February 5, 2014.

Mr. Sterling motioned, seconded by Ms. Sellers, to adopt proposed Resolution R14-24.

The Voting Board tally was:

Yea: (4) Cavalier, Snellings, Sterling
Nay: (3) Bohmke, Milde, Thomas

Resolution R14-24 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP1300365 TO ALLOW A CLUSTER SUBDIVISION WITH A MAXIMUM DENSITY OF 2.25 DWELLING UNITS/ACRE IN A R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, ON ASSESSOR'S PARCEL 28-128A, WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, L&F Courthouse LLC, applicant, submitted Application CUP1300365 requesting a conditional use permit (CUP) to allow a cluster subdivision with a maximum density of 2.25 dwelling units/acre in a R-1, Suburban Residential Zoning District, on Assessor's Parcel 28-128A, located within the Rock Hill Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code, Section 28-35, Table 3.1, which permits this use in a R-1, Suburban Residential Zoning District, after a CUP is issued by the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that a CUP pursuant to application CUP1300365 be and it hereby is approved with the following conditions:

1. This CUP is to allow a cluster subdivision with a maximum density of 2.25 dwelling units/acre in a R-1, Suburban Residential Zoning District, on Assessor's Parcel 28-128A.
2. There shall be no more than ninety-four (94) lots permitted on the subject property as shown on the Generalized Development Plan (GDP) dated December 9, 2013.

3. The location of the open space shall be in the general location as shown on the GDP.
4. This CUP may be revoked or conditions amended by the Board for violation of these conditions or any applicable County, State, or Federal law, Ordinance, regulation, or requirement.

Planning and Zoning; Consider Amendments to the HI, Heritage Interpretation Zoning District Requirements Mr. Jeff Harvey gave a presentation and answered Board members questions saying that the revised proposed Ordinance (O14-02) reflected the changes requested by Board members at its February 4, 2014 meeting. The revision removed the following language from the proposed ordinance: *“The master plan or amendment to the master plan shall be approved by the Board prior to issuance of any permit for grading or construction on the site.”*

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Ordinance O14-02 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS,” AND SECTION 28-39(S)(2), “[MASTER PLAN.]”

WHEREAS, in 2008, the Board established the HI, Heritage Interpretation Zoning District, to reserve areas in all regions of the County for interpretation of heritage sites; and

WHEREAS, the Board desires to amend County Code Section 28-35, Table 3.1, “District Uses and Standards,” to correct an error in a section number that was previously misidentified; and

WHEREAS, the Board desires to amend County Code Section 28-39(s)(2), “[Master Plan.],” to require Planning Commission review of and recommendation regarding proposed master plans or master plan amendments, and to require approval by the Board for development on properties in the HI Zoning District; and

WHEREAS, the Board conducted a public hearing and carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, at the public hearing; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of such an Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this 18th day of February, 2014, that Stafford County Code Section 28-35, Table 3.1, “District Uses and Standards,” and Section 28-39(s)(2), “[Master Plan.],” be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-35. - Table of uses and standards.

Table 3.1. District Uses and Standards

HI Heritage Interpretation.

(c) *Requirements:*

- (1) ~~*Intensity:*~~ Special regulations: See subsection 28-39~~(q)(2)~~ (s).
- (2) *Maximum height (in feet):* Forty (40) feet.

Sec. 28-39. - Special regulations.

- (s) *Performance standards in HI districts.* The following standards shall be the minimum required for all uses in the HI, heritage ~~protection~~ interpretation district:

- (2) ~~{Master plan.}~~ A twenty-year master plan for the museum or site shall be submitted at the time of reclassification or site plan submittal. A master plan shall include a site map of proposed construction and reconstruction, interpretive areas, and limits of grading, and a detailed written description of all proposed changes and uses for the property (including, but not limited to, location and description of new buildings, exterior lighting, signage, and parking facilities).

BE IT FURTHER ORDAINED that this ordinance shall become effective upon adoption.

Planning and Zoning Refer Urban Development Areas (UDA) to the Planning Commission Mr. Jeff Harvey gave a presentation and answered Board members questions. From the Board’s retreat (held on January 14, 2014), there were several areas on which the Board wanted the Planning Commission to focus. Mr. Harvey said that the Planning Commission hoped to gain more specifics from the Board.

Mr. Sterling said that he was concerned about a re-write of the Comprehensive Plan; that he would rather the Planning Commission focus on UDAs and commercial nodes and the possibility of eliminating some of the already-established UDAs. Mr. Milde asked if the Planning Commission wished to revisit the Comprehensive Plan, did they have the authority to do so. Mr. Shumate responded that it was their prerogative. Mr. Cavalier said that he believed that the focus should be on UDAs and possible adjustments.

Mr. Thomas said that while it was a good briefing, he did not feel that it was detailed enough and asked Mr. Harvey to go through the briefing in its totality. Mr. Sterling said that it involved an expansion of the Urban Services Area (USA) and commercial nodes; that UDAs were no longer required by law but that the County wanted targeted growth areas. Mr. Thomas suggested that there be a way to not discard all of the Planning Commission's ideas, to sub-title them with "here is what was asked for, but here are other suggestions" so that all of the options were available for consideration. Mr. Thomas asked if there was a deadline when the Planning Commission should report back to the Board with its ideas and recommendations. Discussion ensued. Mr. Sterling suggested that it be after the budget process was completed. Mr. Thomas suggested May, 2014. Mr. Harvey suggested that June, 2014, would be workable for the Planning Commission if that timeframe was acceptable to the Board.

Ms. Sellers asked how it would affect current UDAs, primarily Embrey Mill. Mr. Harvey said that a Planning Commission review, and/or subsequent action by the Board, would have no regulatory effect. It may, however, affect rezonings and possibly proffer amendments. Mr. Milde said that Embrey Mill was included to help the County fulfill future growth regulations and as a way to satisfy one of the state's (then) existing requirements.

Ms. Sellers asked if there was a concept plan with each UDA, adding that George Washington Village had no concept plan. Mr. Milde asked if she meant a small area plan. Mr. Snellings clarified that the UDA was merely a guide.

Mr. Milde motioned, seconded by Mr. Snellings, to adopt proposed Resolution R14-35, with the addition of June, 2014 as the requested deadline for the Planning Commission to report back to the Board.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution R14-35 reads as follows:

A RESOLUTION TO PROVIDE GUIDANCE TO THE
PLANNING COMMISSION REGARDING AMENDMENTS TO
THE COMPREHENSIVE PLAN AND URBAN
DEVELOPMENT AREAS

WHEREAS, the current Comprehensive Plan was adopted by the Board December 14, 2010, with Urban Development Areas (UDAs) as a key component; and

WHEREAS, at the time the Board adopted the Comprehensive Plan, Virginia Code Section 15.2-2223.1 required that the County incorporate UDAs into its Comprehensive Plan; and

WHEREAS, Virginia Code Section 15.2-2223.1 was subsequently amended to make UDAs an optional component of the County's Comprehensive Plan; and

WHEREAS, the Board desires that the Planning Commission evaluate the UDAs identified in the Comprehensive Plan, and provide any recommendations that the Board should consider amendments to the Comprehensive Plan;

WHEREAS, the Board desires to provide additional guidance to the Planning Commission regarding UDAs and amendments to the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that the Planning Commission should consider the following issues in evaluating the UDAs and Comprehensive Plan, and providing its recommendations to the Board regarding Comprehensive Plan amendments:

1. Maintain the concept of targeted growth areas as currently represented in the UDAs and Redevelopment Areas;
2. Evaluate the established density restrictions within the UDAs to allow for more flexibility;
3. Correlate the defined areas of the UDAs with the Redevelopment Areas;
4. Analysis of any compatibility issues related to residential land uses within the area surrounding the Stafford Regional Airport; and
5. Evaluate desirability to retain specific UDAs.

BE IT FURTHER RESOLVED that the Planning Commission is requested to provide its recommendations prior to the June 3, 2014 meeting of the Board of Supervisors.

Utilities; Consider the Use of a Low Pressure Sewer System on Tax Map Parcel 28-8J
Mr. Harry Critzer, Director of Utilities, addressed the Board. Mr. Sterling said that he received written confirmation from the landowner that no rezoning was planned on TMP 28-8J. Mr. Thomas asked if the letter had “teeth.” Mr. Shumate replied that it was a good faith representation of the property owner's intent.

Mr. Sterling motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R14-15.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution R14-15 reads as follows:

A RESOLUTION AUTHORIZING THE USE OF A LOW PRESSURE SEWER SYSTEM ON TAX MAP PARCEL 28-8J

WHEREAS, at its meeting on October 7, 2003, the Board adopted Resolution R03-361, which limits the use of low pressure sewer systems (for new residential subdivisions) to those specifically authorized by the Board, after the Board determines that such a system is in the best interest of the County; and

WHEREAS, Tax Map Parcel 28-8J is inside the Urban Services Area; and

WHEREAS, County Code Section 25-71(b) requires properties located within the Urban Services Area to utilize the public sewer system; and

WHEREAS, there is no public sewer in the vicinity of Tax Map Parcel 28-8J that will allow the use of a gravity sewer; and

WHEREAS, the Board finds that adoption of this Resolution promotes the health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that use of a low pressure sanitary sewer system, with grinder pumps, is permitted on Tax Map Parcel 28-8J; and

BE IT FURTHER RESOLVED that the owner(s) of Tax Map Parcel 28-8J shall comply with the following requirements:

1. Ensure that any deeds to each property contain a clause that the property owner(s) shall be required to maintain a contract with a qualified repair firm for maintenance and repair of the grinder pump should it fail.
2. Ensure that the recorded subdivision plat for each parcel contains a Notice to the Public that the grinder pumps shall be owned by the property owner(s) and that the property owner(s) are required to have a maintenance contract with a qualified repair firm for maintenance and repair of the grinder pump should it fail.
3. Install and maintain a grinder pump outside of the house.
4. Provide and maintain a backup power source for each grinder pump.
5. Provide and maintain a manual transfer switch for each grinder pump located outside of the house.

Legislative; Closed Meeting. At 4:37 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM14-04.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM14-04 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel regarding *Stonehill v. Board of Supervisors, et al.*, Case Nos. CL13-694 and CL13-1235; and

WHEREAS, pursuant to Virginia Code Section 2.2-3711(A)(7) such discussion may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 18th day of February, 2014, does hereby authorize discussion of the aforestated matter in Closed Meeting.

Call to Order At 4:52 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM14-04(a).

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM14-04(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON FEBRUARY 18, 2014

WHEREAS, the Board has, on this the 18th day of February, 2014, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 18th day of February, 2014, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Recess At 4:53 p.m., the Chairman declared a recess.

Call to Order At 7:02 p.m. the Chairman called the meeting back to order.

Invocation Ms. Bohmke gave the invocation.

Pledge of Allegiance Boy Scout Troop 850, from St. Peter's Lutheran Church, led the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Presentations by the Public - The following members of the public desired to speak:

Paul Waldowski – Speaker of the House; Cain and Abel; Mountain View pond, not Abel Lake drainage; up-to-date Board pictures in the Administration Building lobby and on the County's webpage; Rocky Pen Run; Water bill; redistricting; remove two or three School Board members; new School Superintendent should serve as the School Board Chairman

Planning and Zoning; Amend Proffers on 93 Acres Zoned PD-2 at Embrey Mill Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

Mr. Milde inquired about the number of dwelling units. Mr. Harvey said that subdivision tracking came up with 1700 units based on the preliminary plan and did not include multi-family units; the numbers were based on the proffered Generalized Development Plan (GDP).

A change to the proffers requested relief from the requirement for signalization at Courthouse Road. Mr. Harvey said that it was advantageous to the County to remove that requirement as well as the request to relieve the requirement for an indoor recreation facility. He explained that the County already had an indoor recreation facility at Embrey Mill and there was no need for a second indoor facility.

Mr. Harvey noted that if the age restriction was lifted, an estimated number of 31-61 new students may be added. Mr. Sterling inquired why the proffer numbers (dollars) did not reflect the current proffer numbers/amount. Mr. Harvey said it was based on 2005 methodology. Mr. Sterling said that he understood where the amount came from, but did not understand why, if the Board approved the requested changes to existing proffers, the current proffer level was not factored in.

Mr. Sterling also asked about the proposal to eliminate units in a town center concept, with apartments built over top of commercial businesses. Mr. Harvey said that the units were planned for a separate building rather than over top of commercial businesses. Mr. Sterling said that if that were to be approved, there was no requirement that the commercial square footage ever be built and the County could be adversely impacted unless a phasing requirement was included.

Mr. Snellings asked about the ratio of bedrooms in the proposed multi-family complex. Mr. Harvey said that it was not specified. Ms. Sellers said that the applicant was prepared to put a number on one and two bedroom apartments, with no three bedroom apartments included.

Ms. Sellers asked if the indoor facility could be converted to an outdoor recreational facility. Mr. Harvey said that the indoor facility was intended to be opened by the County but that he would speak with the applicant regarding her question about substituting an outdoor recreational facility. Mr. Harvey pointed out the new site for a middle school and also that the need for a fire station was eliminated due to the rebuild of Station 2, saying that the original proffers pre-dated Station 2, and there was no need (at present) for another fire station.

Ms. Sellers inquired about which school the children living in the proposed development would attend. She mentioned the existing traffic near Colonial Forge High School. Mr. Cavalier said that Mr. Harvey should check with the Schools, as a redistricting may change the boundaries.

Ms. Bohmke asked about the amount of acreage allocated for the middle school and if Mr. Scott Horan, Assistant School Superintendent for Facilities, reviewed the plan and visited the site. Mr. Harvey responded that Mr. Horan did visit the site and believed that a middle school could be built there, but that a complete analysis had not been done. Mr. Harvey said that the site was 35 acres including intermittent streams and that there was a possible wetlands impact.

A discussion ensued about the land swap with the original owners included in the original proffers. Mr. Sterling asked about the four acres originally planned for a fire station. Mr. Romanello said that all the requirements have been met, the land was included with Embrey Mill Park and there was no need for an additional fire station following the rebuild of Company 2.

Mr. Thomas asked, with regard to the new proffer amendments, how much money the developer would save. Mr. Harvey replied that a traffic signal could cost between \$135,000 and \$250,000 depending on the complexity of the intersection. There were additional savings if the developer was relieved of the requirement to build the road. Mr. Sterling asked for an estimate of cost savings by not building Courthouse Road. Mr. Harvey agreed to ask the Public Works staff to provide an estimated cost. Mr. Milde asked why the applicant wanted to remove age-restricted housing. Mr. Harvey said that there was not a sufficient market in Stafford County to support age-restricted housing.

The Chairman opened the public hearing.

The following persons desired to speak:

Clark Leming

Paul Waldowski

The Chairman closed the public hearing.

Ms. Sellers called Mr. Leming to the podium. Mr. Leming talked about converting commercial to residential and about removing the age-restricting housing component of the development, saying that there was not a sufficient market for age-restricted housing or for commercial housing. Mr. Sterling asked if Mr. Leming's client would be agreeable to phasing in the commercial development, and would the developer agree to limit the apartments to one or two bedroom units. Mr. Leming responded that the current designs did not include three bedroom units. Regarding Mr. Sterling's earlier question about the cash proffered amount, Mr. Leming said that proffers had to do with the number of school children but that he would speak with the applicant.

Ms. Sellers said that she wanted the opportunity to talk about phasing with the developer, as well as to discuss cash proffers. She suggested that a vote on the project be deferred and asked if there would be a need to readvertise. Mr. Shumate said it would be necessary to look at the resolved proffer issues. It may necessitate a readvertisement but based on the current discussion, it would not be necessary; that numbers could go down but could not exceed amounts already advertised.

Ms. Sellers motioned, seconded by Mr. Sterling, to defer a vote on amending proffers on 93 acres zoned PD-2 at Embrey Mill. No return date was specified.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
 Nay: (0)

Planning and Zoning; Consider Reclassification and Conditional Use Permit at 743 Garrisonville Road (610) Park Ridge Mr. Mike Zuraf, Senior Planner, gave a presentation and answered Board members questions. Mr. Charlie Payne, for the applicant, also addressed the Board.

Mr. Sterling noted that a bank and pharmacy were specified on the plans, while the other buildings had more general headings. Mr. Zuraf confirmed that a bank and pharmacy were included if the Board approved the project.

Mr. Zuraf talked about sidewalks, the traffic impact analysis, and VDOT recommendations for a dual turn lane on Garrisonville Road. He added that the applicant intended to provide a single turn lane, and dedicated right-of-way for the eventual expansion to six lanes on Garrisonville Road. Two pathways to the residential area of Park Ridge were also proffered, as well as a FRED bus stop. The applicant also agreed to join the Garrisonville Road Service District.

The conditional use permit covered three drive-through lanes; one at the pharmacy; one at the bank; and one at a future restaurant located on a commercial pad on the site. Pedestrian safety measures would be incorporated throughout the development.

Mr. Sterling inquired about the Rock Hill Volunteer Fire Department and if staff talked with them about a piece of land just south of the VFD that the County acquired as a buffer/open space for residents to the south of the proposed development. Mr. Zuraf said that he was not aware of any conversation with the Rock Hill VFD.

Ms. Sellers asked about a wall located on the property and if there was any historical significance. Mr. Zuraf replied that there were no records indicating why it was built other than saving the house from exposure to the main road. VDOT indicated that the cost to build the wall was approximately \$300,000.

Mr. Payne, for the applicant, spoke about the developer, Mr. Thomas J. Wack, and about Dr. Stephen Fuller, who did the fiscal impact analysis on the property. The project involved an approximate 56,000 square feet of commercial space and 136 new full-time jobs. Mr. Payne said that the south side of the property was not developed due to a resource protection area. He talked about the proffered architectural features of the development and relayed that Mr. Wack was the developer of Doc Stone, the FBI Warehouse, Aquia Episcopal Church, the Prime Urgent Care Center on Garrisonville Road, among others.

Regarding transportation proffers, a full right-turn lane was proffered, along with a concrete sidewalk network, restriping Parkway Blvd, and 6600 square feet of right-of-way for the future widening of Garrisonville Road. Those were in addition to joining the Service District, all of which would be done prior to receiving the first Certificate of Occupancy. \$10,000 would be given to the Park Ridge Homeowner's Association for landscaping and there was a planned extension of the sidewalk to Garrisonville Road. A FRED bus stop, if approved, would also be located on site. A buffer would be created to the south and west of the development to address neighborhood concerns. The existing house on the property was of no historical significance. Ms. Sellers confirmed that the \$10,000 was in addition to the proffered sidewalks.

Ms. Bohmke said that she was impressed with the architectural renderings and liked the proposed development. However, she had a concern about the proposed restaurant being a fast food facility. Mr. Payne said that the developer was not in pursuit of a fast food franchise.

Ms. Sellers asked about the overall appearance of the site while it was under construction. Mr. Wack said that the ground would be over-seeded and the entire site would be graded. Mr. Sterling asked if Mr. Wack intended to retain ownership or if pad sites would be sold to different owners, adding that he wanted the maintenance standard to be upheld. Mr. Payne said that ownership could go either way but that proffers would be adhered to as proffers stayed with the land.

Mr. Thomas noted that participation in the Service District was not included in Dr. Fuller's fiscal impact statement. Mr. Payne said that it was an addition to the proffers.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

Edna Monroe

The Chairman closed the public hearing.

Mr. Payne said that he spoke with citizens impacted by the proposed project. He said that it would be a revenue generator for the County. Mr. Milde said that he was happy to support the project. Mr. Sterling echoed Mr. Milde's remarks and reiterated that he supported the project. Ms. Sellers talked about quality of life and local residents having more options with sidewalks and FRED bus stop, etc.

Ms. Sellers motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O14-09.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Ordinance O14-09 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE A-1, AGRICULTURAL ZONING DISTRICT, TO THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON ASSESSOR'S PARCEL 20-20A WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, Thomas J. Wack Co., applicant, submitted application RC1300001 requesting a reclassification from the A-1, Agricultural zoning district, to the B-2, Urban Commercial Zoning District, on Assessor's Parcel 20-20A; and

WHEREAS, the Board carefully considered the recommendation of the Planning Commission and staff, and the testimony, if any, received at the public hearing; and

WHEREAS, the Board determined that the requested zoning is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of an Ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to reclassify from the A-1, Agricultural Zoning District, to the B-2, Urban Commercial Zoning District on Assessor's Parcel 20-20A, in the location identified on the Zoning Exhibit Plat, prepared by Bowman Consulting, dated December 19, 2012, with proffers entitled "Proffer Statement," dated January 9, 2014.

Ms. Sellers motioned, seconded by Mr. Milde, to adopt proposed Resolution R14-41.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution R14-41 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP1300002 TO ALLOW THREE DRIVE THROUGH FACILITIES WITHIN THE HC OVERLAY ZONING DISTRICT ON ASSESSOR'S PARCEL 20-20A, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, Thomas J. Wack Co., applicant, submitted application CUP1300002 requesting a Conditional Use Permit (CUP) to allow three drive-through facilities within the HC Overlay Zoning District on Assessor's Parcel 20-20A; and

WHEREAS, the application was submitted pursuant to County Code, Section 28-35, Table 3.1, which permits these uses in a HC, Highway Corridor Overlay Zoning District, after a CUP is issued by the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2014, that a Conditional Use Permit pursuant to application CUP1300002 be and it hereby is approved with the following conditions:

1. This CUP is to allow three drive-through facilities within the HC Overlay Zoning District, as shown in the general locations depicted on the Generalized Development Plan (GDP) prepared by Bowman Consulting Group, Ltd., dated December 5, 2013 and entitled 610 Park Ridge.
2. Access to the subject property from Garrisonville Road shall be limited to one (1) entrance, in the approximate location designated on the GDP. No parcel shall have any direct access on to Garrisonville Road. All subject parcels will be accessed by an internal road network.
3. Loading spaces and truck delivery spaces shall be located outside of any required travel lane. Such spaces shall be designed to allow for adequate turning radius to accommodate free-flowing turning movements to prevent temporary obstruction of travel lanes.
4. Loading areas, dumpster pads and trash compactors shall be located in a manner to be screened from view from Garrisonville Road and Parkway Boulevard.
5. An inter-parcel connection shall be provided to the property to the east.
6. Drive-through lanes shall be oriented in a manner to minimize headlight glare onto state maintained roadways. Where orienting the drive-through away from the corridor highway is not feasible, applicant shall screen the drive-through utilizing berms and evergreen plantings to eliminate headlight glare on the corridor highway.
7. Entrances for drive-through lanes shall not have direct access from the primary travel lane that bisects the site that serves more than one building pad, as shown on the GDP.

8. Stacking lanes for drive-through facilities shall be designed as to not impede traffic circulation.
9. All drive-through facilities shall include a by-pass lane for vehicles not utilizing the drive-through area.
10. All drive-through canopies shall be of coordinated color and materials as the primary structure on-site.
11. The uses associated with the three drive-through facilities are limited to one (1) pharmacy, one (1) bank and one (1) restaurant.
12. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state or County Code, law, ordinance, regulation, or requirement after applicant has been notified in writing by the County of said violation(s) and applicant is given an opportunity to cure said violation(s).

Adjournment: At 8:51 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Jack R. Cavalier
Chairman