

**BOARD OF SUPERVISORS**  
**Agenda Item**

<b>Meeting Date:</b>	May 2, 2017
<b>Title:</b>	Consider Zoning Ordinance Text Amendments to Create an Integrated Corporate and Technology Park (ICTP) Overlay Zoning District.
<b>Department:</b>	Planning and Zoning
<b>Staff Contact:</b>	Jeffrey A. Harvey, Director
<b>Board Committee/ Other BACC:</b>	Community and Economic Development Committee, Planning Commission
<b>Staff Recommendation:</b>	Approval
<b>Fiscal Impact:</b>	N/A
<b>Time Sensitivity:</b>	N/A

**ATTACHMENTS:**

1.	Background Report	4.	Resolution R17-52 (Comp Plan Amendment)
2.	Proposed Ordinance O17-03	5.	PC Minutes 9/28/16, 10/12/16, 10/26/16, 1/11/17
3.	ICTP Overlay Use Comparison	6.	Resolution R16-375 dtd 12/13/16

<b>Consent Agenda</b>		<b>Other Business</b>	X	<b>Unfinished Business</b>
<b>Discussion</b>		<b>Presentation</b>		<b>Work Session</b>
<b>New Business</b>		<b>Public Hearing</b>		<b>Add-On</b>

**REVIEW:**

X	County Administrator	<i>Thomas C. Foley</i>
X	County Attorney (legal review only)	<i>Charles L. Shumate</i>
X	Public Works	<i>Christopher K. Page</i>

<b>DISTRICT:</b>	N/A
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## **BACKGROUND REPORT**

The Board is asked to consider amendments to County Code Sec. 28-33, "Districts generally," Sec. 28-34, "Purpose of districts," Sec. 28-35, "Table of uses and standards," Sec. 28-39, "Special regulations," and Sec. 28-102, "Off-street parking" to create an ICTP, Integrated Corporate and Technology Park Overlay Zoning District. The ICTP district would promote the integration of uses—such as Class A office space, hotel space for corporate clientele, supporting retail services, data centers, child care, and multi-family housing—to facilitate the growth and development of large scale corporate office and technology parks. The proposed Ordinance would establish by-right, conditional, and special exception uses; development requirements; and special regulations.

There are two sizable corporate and technology parks located in the County; Riverside Business Park and Quantico Corporate Center. The predominant zoning category in both parks is M-1, Light Industrial. The M-1 Zoning District does not allow for a variety of by-right uses that could support large scale employment centers, such as a child care center, clinics, commercial retail, a convention facility, and hotels.

The Board received inquiries about allowing more zoning flexibility for corporate and technology parks. Proposed Ordinance O17-03 (Attachment 2) would create an ICTP Zoning District for that purpose. The intent of the ICTP is to provide more flexibility of uses and to ensure buildings that house them would be in keeping with the architectural design and scale of the existing corporate or technology parks. The ICTP would be applied to such projects where at least 400,000 square feet of office space already exists. Buildings would be multi-story with a minimum height of 40 feet and maximum height of 80 feet. A variety of retail and personal service uses would be permitted. Sidewalks would be provided to connect buildings, streets, alleys, and common areas. Multi-family units would be oriented towards housing the workforce in the district and nearby area. The proposed Ordinance would also allow for parking credits if a developer constructed a parking structure or garage. Implementation of the ICTP would likely create additional needs for structured parking as compared to surface parking. Providing a parking credit helps facilitate this use since structured parking is much more expensive to construct compared to surface parking.

Quantico Corporate Center has a mix of uses, such as M-1 and B-2, Urban Commercial zoning. The development has added B-2 zoning over time as an attempt to provide retail services for the office users in the park. The developers of Riverside Business Park also have a pending rezoning application for the purpose of allowing more flexibility of uses within that park.

### *Applicability*

The ICTP could apply to a variety of zoning districts. Zoning districts that allow for large scale office development could be potentially eligible for the Board to apply the overlay. Based on the purpose of the district and the recent clarification by the Board, properties would be required to have 400,000 square feet of existing office space. Currently, the Quantico Corporate Center project would be the only location eligible for this overlay district.



### *How Properties Can Become Eligible*

As previously noted, for other properties to become eligible for the overlay, 400,000 square feet of corporate office space will need to be constructed. This may require rezoning of land and/or site development plan and building permit approvals. At such time, the overlay could be applied either by action of the Board or upon request by the property owner under the standard zoning reclassification application process. Requests made by property owners would allow for impacts to be mitigated by off-site proffer contributions and other on-site measures, to the extent allowable by law.

### *Use Comparison*

Staff prepared a comparison of what uses this overlay would add to the current M-1 and B-2 Zoning Districts. Attachment 3 identifies all the uses permitted in both the M-1 and B-2 Zoning Districts, followed by what additional uses the proposed ICTP Overlay would permit.

*Residential Uses*

The proposed intent of the overlay district is to allow a variety of complimentary uses in large scale campus environment. Allowing multi-family housing with specific limitations could be complimentary to existing corporate office space where employees could live close to their source of employment. Having residents in the campus setting would help to ensure that those areas have activity and are vibrant throughout the day and night-time hours. Such activity levels could help support services such as restaurants and personal service establishments.

*Potential School Impacts*

Staff estimated the number of students that might be generated from multi-family dwellings in Quantico Corporate Center based on the potential site buildout for all three areas and how it compares to the capacity of the elementary, middle, and high schools in this attendance zone.

School Type	Students per Unit	Dwelling Units	Students
Elementary	0.32	278-556	50-100
Middle	0.06	278-556	16-33
High	0.08	278-556	22-44

School	Design Capacity	Enrollment	Available Seats
Widewater ES	843	798	45
Shirley Heim MS	1,100	882	218
Brooke Point HS	2,125	1,822	303

This student estimation is based on County-wide data, which includes all types and ages of multi-family units. One of the design criteria will limit the number of three-bedroom units to no more than 10% of the total number of units. In recent multi-family development proposals, including Abberly and Celebrate Virginia, the applicants proposed similar restrictions and contended that this would result in fewer number of school age residents to below the County average. This project includes similar characteristics. The projects have not been completed so we do not have data to substantiate this claim.

Comparison of the estimated number of students to the available seats at the schools within the attendance zone shows that the projected number of students would result in Widewater Elementary School exceeding capacity. In accordance with State Proffer legislation, the County would be able to accept proffer contributions relative to the number of students projected above capacity. The middle school and high school would not exceed capacity, and therefore the County would not be able to accept monetary proffer contributions to mitigate impacts. Any area being considered for inclusion into the ICTP Overlay would require a similar evaluation. Staff forwarded the proposed Ordinance to the Stafford County Public Schools.

*Multi-family Dwelling Unit Buildout Estimate*

Within Quantico Corporate Center, staff has estimated the number of potential dwelling units that could be developed, based on a density range from 12 (average density) to 24 (max. density) dwelling units per acre. Three areas have a potential to include multi-family dwellings and are identified on the map on the following page. The following is the breakdown of the buildout potential.

<u>Area</u>	<u>Acreage</u>	<u>Dwelling Unit Range</u>
1	12.0	144 - 288
2	9.5	114 - 228
3	1.7	20 - 40
<b>Total</b>		<b>278 - 556</b>



*Process*

At its meeting on December 13, 2016, the Board adopted Resolution R16-375 (Attachment 6), which referred proposed Ordinance O17-03 to the Planning Commission, and required the Commission to hold a public hearing on the proposed Ordinance. The proposed Ordinance is in a similar form to that originally drafted in that it retains multi-family housing as a permitted use.

The following is a summary of changes to the proposed Ordinance as they would apply to the ICTP Overlay District:

- Clarifies in the purpose of the District, that the 400,000 square feet of corporate office space shall be existing (deleting the provision allowing the overlay where office space is approved, but unbuilt);
- Adds multi-family dwellings as a permitted use;
- Adds a maximum residential density of 24 du/acre; and
- Adds the following special regulations:
  - No more than ten percent of the dwelling units in a multi-family building can have three or more bedrooms; and
  - Multi-family buildings shall include space for amenities such as meeting rooms, offices, restaurants, and locations and spaces for exercise and recreation.

*Companion Comprehensive Plan Text Amendment*

In conjunction with the proposed Ordinance amendment, a companion amendment to the Comprehensive Plan text has been approved to include a narrative regarding special overlay districts, and to provide a detailed description of the ICTP. The amendment provides the purpose of the ICTP and appropriate uses within the ICTP, and recommends that Quantico Corporate Center and Riverside Business Park be included within the ICTP. The Comprehensive Plan amendment does not include multi-family as a recommended use.

RECOMMENDATION:

At its meeting on January 11, 2017, the Planning Commission voted 4-3 to recommend denial of Ordinance O17-03 (Boswell, Rhodes, and Bailey opposed the motion).

To be consistent with the recently adopted Comprehensive Plan, staff recommends approval of the amendments to the County Code to create an ICTP, Integrated Corporate and Technology Park Overlay Zoning District, pursuant to proposed Ordinance O17-03 without multi-family residential as a permitted use and related multi-provisions.

At its meeting on March 7, 2017, the Board conducted a public hearing and voted to defer the proposed Ordinance to allow for more time to consider the issue.

PROPOSED

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 2<sup>nd</sup> day of May, 2017:

MEMBERS:

- Paul V. Milde, III, Chairman
- Meg Bohmke, Vice Chairman
- Jack R. Cavalier
- Wendy E. Maurer
- Laura A. Sellers
- Gary F. Snellings
- Robert "Bob" Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-33, "DISTRICTS GENERALLY;" SEC. 28-34, "PURPOSE OF DISTRICTS;" SEC. 28-35, "TABLE OF USES AND STANDARDS;" SEC. 28-39, "SPECIAL REGULATIONS;" AND SEC. 28-102, "OFF-STREET PARKING"

WHEREAS, corporate and technology parks have been established in the M-1, Light Industrial Zoning District; and

WHEREAS, the M-1 Zoning District does not permit the variety of uses that support corporate and technology parks, such as child care centers, clinics, commercial retail, convention facilities, hotels, and employee housing; and

WHEREAS, the Board desires to create an Integrated Corporate and Technology Park Overlay Zoning District to allow for a variety of uses for specific areas of the County where corporate and technology parks exist; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 2<sup>nd</sup> day of May, 2017, that Stafford County Code Sec. 28-33, "Districts generally;" Sec. 28-34, "Purpose of districts;" Sec. 28-35, "Table of uses and standards;" Sec. 28-39, "Special regulations;" and Sec. 28-102, "Off-street parking;" be and they hereby are amended and reordained as follows, with all other provisions remaining unchanged:

**Sec. 28-33. – Districts generally.**

Land may also be classified into the following special overlay zoning districts:

ICTP Integrated Corporate and Technology Park Overlay

**Sec. 28-34. - Purpose of districts.**

In order to carry out and implement the purposes and objectives of this chapter, the land use districts herein established shall have the following purposes, respectively:

ICTP Integrated Corporate and Technology Park. The purpose of the ICTP district is to promote the integration of uses to facilitate the growth and development of large scale corporate office and technology parks. Such parks have the need for and shall include integrated uses such as Class A office space, hotel space for corporate clientele, supporting retail services, data centers, child care, and multi-family housing for employees working in the district and nearby area. Such districts shall be designed to accommodate at least 400,000 square feet of existing corporate office space for services such as engineering, security, computer systems development, computer software development, education, and research and development.

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

Table 3.1, District Uses and Standards, sets forth the uses and standards for each zoning district in Stafford County. No land or structure shall be used, occupied or developed except in accordance with the standards set forth therein.

**Table 3.1. District Uses and Standards**

ICTP Integrated Corporate and Technology Park Overlay.



The purpose of the ICTP district is to promote the integration of uses to facilitate the growth and development of large scale corporate office and technology parks. Such parks have the need for and shall include integrated uses such as Class A office space, hotel space for corporate clientele, supporting retail services, data centers, child care, and multi-family housing for employees working in the district and nearby area. Such districts shall be designed to accommodate at least 400,000 square feet of existing corporate office space for services such as engineering, security, computer systems development, computer software development, education, and research and development.

*(a) Uses permitted by right:*

Bank and lending institution.

Child care center.

Clinic, medical and dental.

Convention facility.

Dance studio.

Data and computer service centers.

Drug store.

Flex office.

General office.

Hotel.

Low intensity commercial retail.

Light manufacturing.

Medical/dental office.

Medium intensity commercial retail.

Multi-family dwellings.

Printing, publishing, engraving.

Professional office.

Public facilities/utilities not including wastewater treatment facilities, and propane and heating fuel distribution facilities.

Public works excluding wastewater treatment facilities.

Restaurant.

School.

School, vocational.

(b) Conditional use permit:

Hospital.

(c) Special exception:

Microbrewery.

Adult day care.

(d) Requirements:

(1) Intensity: Ratio

Maximum floor area ratio .....1.0

Open space ratio.....0.2

(2) Minimum yards: Feet

Front.....40

Side.....25

Back.....25

(3) Minimum height (in feet) for primary buildings.....40

(4) Maximum height (in feet).....80

(5) Maximum residential density.....24 du/acre

**Sec. 28-39. – Special regulations.**

(y) Special provisions applicable to ICTP Overlay Districts.

- (1) Sidewalks shall be provided connecting buildings, streets, alleys and common areas.
- (2) All buildings shall have integrated architectural designs that utilize common themes and building materials throughout the district, and comply with the Neighborhood Design Standards element of the Comprehensive Plan.
- (3) No more than ten (10) percent of the dwelling units in a multi-family building can have three (3) or more bedrooms.
- (4) Multi-family buildings shall include space for amenities such as meeting rooms, offices, restaurants, and locations and spaces for exercise and recreation.

**Sec. 28-102. – Off-street parking.**

Every use, unless otherwise specified in this chapter, shall be provided with parking in accordance with the following standards:

- (14) *Parking credits.* Credit toward the required number of parking spaces for an individual use may be permitted with the following:
  - c. A credit of up to twenty (20) percent of the required parking may be permitted where a parking deck, parking structure, or garage with more than 20 parking spaces is utilized.

**ICTP Overlay Use Comparison (B-2 Urban Commercial Zoning District)**

*Uses permitted by-right:*

- Adult day care center.
- All uses permitted by right in the B-1 district.
- Bakery. (B-1)
- Bank and lending institution.
- Barber/beauty shop.
- Building material sale and storage yard and mulch sale.
- Car wash.
- Child care center.
- Clinic, medical and dental.
- Club, lodge, fraternal organization.
- Convenience center.
- Convenience store. (B-1)
- Dance studio.
- Data and computer services centers.
- Drug store.
- Dry cleaner/laundry.
- Farmers market (in accordance with subsection [28-39\(v\)](#)).
- Flex office.
- Florist.
- Funeral home.
- General office use.
- Gift/antique shop.
- Hotel.
- Indoor flea market.
- Low intensity commercial retail.
- Lumber/building/electrical/plumbing supply with covered storage.
- Machinery sale and service.
- Medical/dental office.
- Medium intensity commercial retail.
- Motel.
- Pet store.
- Place of worship.
- Plant and tree nursery/greenhouse.
- Printing, publishing, engraving.
- Professional office.
- Public facilities/utilities but not including generating facilities, substations, switching stations and wastewater treatment facilities which are permitted as a conditional use permit and not including propane and heating fuel distribution facilities.
- Public works excluding wastewater treatment facilities.
- Recreational enterprise.
- Restaurant without a drive-through facility.
- Retail bakery.
- Retail food shop.
- School.

- School, vocational.
- Tailor shop.
- Theater with fewer than 3,500 seats.
- Veterinary clinic. (B-1)
- Warehousing, mini-storage.
- Wholesale business.

*Conditional use permit:*

- Adult business.
- Arcade.
- Auto service.
- Automobile repair.
- Boat sales.
- Broadcasting station.
- Dwelling for watchman or caretaker on premises.
- Fleet parking.
- Hospital.
- Marina.
- Motor vehicle rental.
- Motor vehicle sales.
- Nightclub.
- Outdoor flea market.
- Public facilities/utilities for generating facilities, substations, switching stations and wastewater treatment facilities (except for the expansion or modification to a wastewater treatment facilities existing prior to October 17, 2006).
- Public parking lot.
- Retail photo laboratory processing.
- Theater with 3,500 or more seats.
- Vehicle fuel sales.
- Warehouse, storage.

*Special exception:*

- Microbrewery in accordance with subsection [28-39\(w\)](#).

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***ICTP Overlay - Additional Uses***

*Uses permitted by-right:*

- Convention Facility
- Light Manufacturing
- Multi-family dwellings

*Special Exception:*

- Adult Day Care

**ICTP Overlay Use Comparison (M-1 Light Industrial Zoning District)**

*Uses permitted by-right:*

- Aquaculture.
- Automobile assembling, disassembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or battery manufacture.
- Building materials sales and service yards.
- Commercial kennels.
- Contractors equipment and storage yards.
- Convenience center.
- Convenience store.
- Data and computer services centers.
- Fleet parking.
- Flex office.
- General office uses.
- Hotel.
- Laboratory, research and testing.
- Light industrial uses.
- Light manufacturing uses.
- Machinery sales and service.
- Microbrewery in accordance with subsection 28-39(w).
- Motor vehicle rental.
- Parking and storage of tractor trailers.
- Printing, publishing, engraving.
- Public facilities/utilities but not including propane and heating fuel distribution facilities, generating facilities, substations, switching stations and wastewater treatment facilities which are permitted as a conditional use permit.
- Public parking lot.
- Public works excluding wastewater treatment facilities.
- Railroad sidings.
- Restaurants without drive-through.
- School, vocational.
- Selected indoor recreational enterprises within industrial parks.
- Storage warehouse.
- Veterinary clinic.
- Vocational school.
- Warehousing, mini-storage.
- Welding or machine shops (including the use of punch presses not to exceed fifty (50) tons rated capacity).
- Wholesale business.
- Brewery.
- Clinic, medical and dental.
- Communication facility.
- Distillery.
- Dwelling for watchman or caretaker on-premises.
- Low intensity commercial retail not otherwise listed.
- Medium intensity commercial retail not otherwise listed.
- Microbrewery, in accordance with subsection 28-39(w), with facilities for events such as weddings, parties, and/or events with two hundred (200) or more attendees.
- Motor vehicle sales.
- Other light industrial and manufacturing uses not otherwise listed for this district.
- Place of worship.
- Public facilities/utilities for propane and heating fuel distribution facilities, generating facilities, substations, switching stations and wastewater treatment facilities (except for the expansion or modification to a wastewater treatment facilities existing prior to October 17, 2006).
- Recycling facilities.
- School.
- School, industrial.
- Truck stop.
- Vehicle fuel sales.

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***ICTP Overlay - Additional Uses***

*Uses permitted by-right:*

- Bank and lending institution.
- Child care center.
- Clinic, medical and dental.
- Convention facility.
- Dance studio.
- Drug store.
- Low intensity commercial retail. (CUP in M-1)
- Medical/dental office.
- Medium intensity commercial retail. (CUP in M-1)
- Multi-family dwellings
- School.
- Professional office.

*Conditional use permit:*

- *Hospital.*

*Special Exception:*

- Microbrewery. (CUP in M-1)
- Adult day care.

*Conditional use permit:*

- Adult business.
- Airport, private.
- Boat sales.

R17-52

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 7<sup>th</sup> day of February, 2017:

<u>MEMBERS:</u>	<u>VOTE:</u>
Paul V. Milde, III, Chairman	Yes
Meg Bohmke, Vice-Chairman	Yes
Jack R. Cavalier	No
Wendy E. Maurer	Yes
Laura A. Sellers	Yes
Gary F. Snellings	Yes
Robert "Bob" Thomas, Jr.	Yes

On motion of Mr. Thomas, seconded by Ms. Sellers, which carried by a vote of 6 to 1, the following was adopted:

A RESOLUTION TO AMEND THE STAFFORD COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH VIRGINIA CODE § 15.2-2229, BY ADOPTING THE PROPOSED AMENDMENTS TO CHAPTER 3, "THE LAND USE PLAN, OF THE TEXTUAL DOCUMENT ENTITLED "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN, 2016-2036," ADOPTED ON AUGUST 16, 2016 (COMPREHENSIVE PLAN)

WHEREAS, Virginia Code § 15.2-2229 authorizes the Board to amend the Comprehensive Plan; and

WHEREAS, the Board desires to amend the Comprehensive Plan to specifically recognize overlay zoning districts; and

WHEREAS, the Board desires to include new recommendations in Chapter 3.6, Future Land Use, for Integrated Corporate and Technology Park Overlay guidelines, as identified in Exhibit A to proposed Resolution R17-52, entitled "Comprehensive Plan Amendments - Integrated Corporate and Technology Park Overlay," the "Planning Commission Version," dated September 20, 2016; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed Comprehensive Plan amendments and provided its recommendations to the Board; and

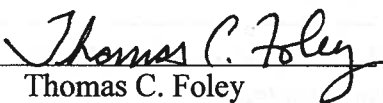
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WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the adoption of the proposed Comprehensive Plan amendments will guide and accomplish coordinated, adjusted, and harmonious development in the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of February, 2017, that it be and hereby does adopt amendments to Chapter 3.6, Future Land Use, of the textual document entitled, "Stafford County, Virginia, Comprehensive Plan, 2016-2036," adopted on August 16, 2016, as identified in Exhibit A entitled "Comprehensive Plan Amendments – Integrated Corporate and Technology Park Overlay," the "Planning Commission Version," dated September 20, 2016.

A Copy, teste:

  
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Thomas C. Foley  
County Administrator

TCF:JAH:mz:

Exhibit A: Comprehensive Plan Amendments – Integrated Corporate and Technology Park Overlay.

***Planning Commission Version***

September 20, 2016

Text to be added at the end of Chapter 3.6, Future Land Use, following the “Special Uses” section.

***Special Overlay Zoning Districts***

Overlay zoning districts allow for additional development regulations above the existing zoning district regulations, to address unique situations, reflect special environmental conditions or to help achieve desired development goals. Overlay zoning districts exist in the County’s Zoning Ordinance, such districts include the Floodplain Overlay Zoning District, Historic Resource Overlay Zoning District, and Highway Corridor Overlay Zoning Districts, to name a few. A new overlay zoning district is being introduced in the Comprehensive Plan, reflecting the needs of corporate and technology park developments.

***Integrated Corporate and Technology Park Overlay Zoning District (ICTP):***

The purpose of the ICTP is to promote the integration of uses to facilitate the growth and development of large scale corporate office and technology parks. Such parks have the need for and should include integrated uses such as Class A office space, hotel space for corporate clientele, supporting retail services, data centers, and child care. The ICTP should be designed to accommodate at least 400,000 square feet of existing corporate office space for services such as engineering, security, computer systems development, computer software development, education, and research and development.

Quantico Corporate Center (OCC) and Riverside Business Park are recommended as locations for inclusion in the ICTP. Other office parks may be supported elsewhere in the County, if they have similar characteristics to OCC and Riverside.



7. Comprehensive Revisions of Sign Regulations

Mr. Harvey: Thank you Mr. Chairman. Since there's no New Business, the next item is the Planning Director's Report. I'll note that there's three Ordinance amendments that have been referred to the Planning Commission from the Board of Supervisors. The first one is the comprehensive revisions to our Sign Ordinance. There's a Supreme Court case that occurred last year, about a year ago, that changed the view of how free speech is determined with signage. And basically our Sign Ordinance has some conflicts. The Board had established a committee and worked on this with staff, and they've referred it to the Planning Commission. There is a short time fuse on it so I'll note to the Commissioners that we've advertised it in advance for your meeting on October the 12<sup>th</sup>. There's also a proposed overlay zone that was referred to the Commission called the Integrated Corporate and Technology Park Overlay District. That would potentially apply to significant corporate office parks. It would be designed to allow some more flexibility in uses. And then also, the third Ordinance amendment was dealing with cemeteries. Currently, our County Code is out of sync with State Code and needs to be amended, and this would resolve some of those issues, especially dealing with establishing new cemeteries. And that concludes my report.

Mr. Apicella: Thank you Mr. Harvey.

7. Amendment to the Comprehensive Plan and Zoning Ordinance - The Planning Commission is to consider authorizing public hearings for proposed amendments to amend the Comprehensive Plan, Chapter 3.6, Future Land Use, Special Uses to include Special Overlay Districts narrative and description of the Integrated Corporate and Technology Park Overlay Zoning District, and to amend County Code Sec. 28-33, "Districts Generally," Sec. 28-34, "Purpose of Districts," Sec. 28-35, "Table of Uses and Standards," Sec. 28-39, "Special Regulations," and Sec. 28-102, "Off Street Parking" to create an Integrated Corporate and Technology Park Overlay Zoning District. **(Time Limit: Comprehensive Plan Amendment - November 27, 2016; Zoning Text Amendment - December 27, 2016)**  
**(Authorize for Public Hearing: October 12, 2016)**  
**(Potential Public Hearing Date: November 9, 2016)**

Mr. Harvey: Thank you Mr. Chairman. Item 7 was a matter referred to the Planning Commission by the Board of Supervisors. It would establish an amendment to the Comprehensive Plan, as well as create a new Overlay Zoning District referred to as the Integrated Corporate and Technology Park Overlay Zoning District. So, again, there's two pieces to this; the Comp Plan amendment, which would be amending the text of the Plan, as well as creating a zoning classification that later could be applied. Specifically, our Comprehensive Plan, which we recently adopted, does not discuss special overlay districts. The proposed amendment would create a section called Special Overlay Districts and talk about overlay districts in general, but also call out the Integrated Corporate and Technology Park Overlay Zoning District as being applicable in the Comprehensive Plan. And to reiterate the purpose, it says the purpose of the ICTP is to promote the integration of uses to facilitate the growth and development of large scale corporate office and technology parks. Such parks have the need for and should include integrated uses such as Class A office space, hotel space for corporate clientele, supporting retail services, data centers, child care, and multi-family housing for employees working in the ICTP and nearby area. The ICTP should be designed to accommodate at least 400,000 square feet of existing or approved corporate office space for services such as engineering, security, computer systems development, computer software development, education, and research and development. Quantico Corporate Center and Riverside Business Park are recommended as locations for inclusion in the ICTP. Other office parks may be supported elsewhere in the County, if they have similar characteristics. This was an item that was discussed at the Board's Community and Economic Development Committee. Quantico Corporate Center, there was a question that one of the Commissioners had asked about exactly which properties this would apply to today. It would definitely apply to Quantico Corporate Center; they have close to 500,000 square feet of existing office space. The Riverside Business Park has substantial office space but doesn't quite meet that threshold yet. They could if they built one or two more buildings, and they have room to do that. In both complexes, the property is a combination of commercial and industrial zoning. For the most part, the office buildings are built in the industrial zones. Quantico Corporate Center, there's been some rezoning along Route 1 to accommodate the existing hotel and retail uses. There's been a request to put another hotel at Quantico Corporate Center which started a lot of this discussion. Riverside Business Park has a pending rezoning application to rezone one of its existing buildings to commercial because of the concern about flexibility of use within the building. Also, the committee talked about a housing component which was requested by the developer of Quantico Corporate Center for consideration. It would allow multi-family dwellings up to 24 units an acre. The overlay as drafted would require that all buildings be at least 40 feet tall and up to 80 feet tall. So, you're going to have multi-story buildings so it would not be something of the typical suburban scale; it would be more of an urban scale type of development. So, in looking at this, the Commission does have latitude to make changes. I will note that the Comp Plan part, based on State Code, the Commission only has 60 days in which to act on the matter. So, the time limit for action on the Comp Plan part is November 27<sup>th</sup>. And based on your current schedule, essentially you'd need to authorize a public hearing tonight in order to make your November hearing date for the

Comp Plan change. The Zoning Ordinance is up for 120 days. So, that's also State Code and local ordinance. Excuse me, 100 days. So, the Commission has more time on the Ordinance amendment if you want to discuss it more thoroughly and make some adjustment before we advertise the hearing.

Mr. Apicella: Before we get into questions, could you remind us where the 60 day time limit springs from on the Comp Plan amendment? Is that a statutory or is that a local...?

Mr. Harvey: Yes, that's state law. And once the Commission passes a Comp Plan amendment recommendation, the Board has 90 days to act on it.

Mr. Apicella: And just for clarification, when does the clock start? When the Board makes the referral or when the Commission... when it's first before the Commission?

Mr. Harvey: Mr. Chairman, I believe the resolution starts the time clock from when the Commission first receives this. I believe at the last meeting, staff had presented this to the Commission under Planning Director's Report and it was asked to bring it back under... at this meeting as new business for discussion.

Mr. Apicella: Right. I'm just trying to seek clarification in the broader context because, depending on our schedule, this goes back to how much time we actually have to deliberate on items. We've only lost a little bit of time here, but there are times when we have two weeks or a month between when the Board refers something to us and the time we actually first get a chance to look at it. So, in that scenario, we've lost 30 days. So I'm just trying to find out if the State Code is so specific that it says it's the date that the Board approves the resolution referring an item to the Planning Commission, or is it when the Planning Commission first has the opportunity to get its eyes on it?

Mr. Wisniewski: It would be 60 days from the date of the Board action referring the item to the Planning Commission. The State Code does speak to a longer timeframe as may be specified after written request by the governing body. So, I would have to look at our County Code and do some more research to give you a definitive answer if there's a possibility for a longer time period. But right now I think 60 days is the rule.

Mr. Apicella: Again, the reason I'm bringing this up because I know we had this in front of us at the last meeting and we decided to talk about it today, but now the reality is, we've got to make a decision about language that goes to a public hearing at this very meeting. So, even though we have the ability to make changes, in theory we would have already had to come in here with some thoughts about what those changes might be. So, with that being said, any questions for staff? Mr. Coen?

Mr. Coen: Yeah, one question -- can you just sort of... one thing, walk it through, because I know there's two parcels that we sort of think would fit, but there are other parcels in the County that fall under this zoning category. So, if they wanted to try to get into this, what would be the process for them to do so?

Mr. Harvey: Mr. Coen, this Zoning Ordinance amendment would change the text of the Zoning Ordinance to create an overlay zone. Typically, an overlay zone is adding additional regulations on top of what already is allowed in that zoning category. So, for instance, as I said with Quantico Corporate Center that has a mixed zoning of B-2 and 1, the overlay zone could apply across all those properties irrespective of their underlying zoning. They'd still have the opportunity to develop under the underlying zoning; however, they'd have to meet these additional regulations. But the Board of Supervisors, in a separate action, would have to impose the overlay on properties. And that is just like a standard rezoning; it requires notice to the affected property owner, the Board can elect to rezone the property under their

own accord, or a property owner can petition to be within the zone. It depends on how the Board wants to proceed. But based on the purpose of the district and the requirements of the district, again, there's only one project in the County to qualify currently and that's Quantico Corporate Center.

Mr. Coen: Right, and then I guess the second question I would ask is, as of right now we've already said there's a couple of the parcels that are thinking of looking at things. What is the process for they to want to put in the hotel or whatnot? I mean, but this would make it by-right so that they could do it and there's very little that could be said, whereas the existing situation is they would come before us, correct, and then...?

Mr. Harvey: Well, in the case of a hotel or say a child care center, in the light industrial zone part of that project they would have to ask for a zoning change or, in the case of hotels, the Board's resolving that with a separate amendment to specify that use. But as the Commission may recall, there was an office building being constructed within Quantico Corporate Center that had one of its tenants propose a child care center, and that child care centers are not allowed in industrial zones. They're allowed in commercial zones so the Board, in its consideration, rezoned that office building to commercial to allow the child care center there because that was a needed amenity for the overall complex.

Mr. Coen: Right, so the... and I remember that one; I mean, they came to us and basically they got approved to do it. Alright.

Mr. Apicella: Other questions? So, just to clarify, the Comp Plan piece of this is Attachment 2, page 1 of 1. It only kind of identifies this new creature called this Integrated Corporate and Technology Park Overlay Zoning District; it doesn't necessarily set the parameters. So, if we wanted to act on that by itself tonight and put that to a public hearing if the Planning Commission wanted to, we could do that and deal with the language of the ordinance separately and perhaps give ourselves some more time.

Mr. Harvey: Correct.

Mr. Apicella: If the Commission wanted to do that. I guess on the ordinance piece of it, the question I would have goes to the by-right uses versus, you know, what might at least be considered for discussion purposes as a CUP versus by-right. And the piece that I'm a little concerned about, kind of going back to the last meeting, are large structures like hotels and multi-family units to the extent that you make something by-right, you lose all control or input into what that end product might look like. So, I certainly understand and appreciate that we want to promote these integrated corporate centers, my shorthand term for what this thing is called. But, by the same token, there is some... we're giving away any ability that we have to kind of help steer those end products into something that we would like to see or hope that the developer would be willing to consider. So, again, it's just my concern and thought that I wanted to put out there in terms of the ordinance piece of this. Do we want to press ahead and make all the proposed uses by-right, or do we at least want to take some time and think about whether that's the right approach or whether we should consider what are some of those specific uses mentioned might be better done as a CUP? So, I'll just throw that out there. Any other thoughts? Mr. Coen?

Mr. Coen: I just have one. Maybe it's from... we just finished with the Comp Plan revision and I'm just curious. Has this been out there or was this sort of created after the Comp Plan was revised and sent to them?

Mr. Harvey: Mr. Coen, this came up in a recent meeting of the Board's committee. It did not predate the Comp Plan adoption.

Mr. Apicella: So, what's the will of the Commission?

Mr. English: I guess we can go ahead and move to a public hearing on this and then come back.

Mr. Apicella: On both pieces or separating them out?

Mr. English: Separating them out.

Mr. Apicella: So, are you recommending then a motion to push ahead for public hearing the Comp Plan piece of this?

Mr. English: Yes, correct.

Mr. Apicella: Is there a second on that?

Mrs. Vanuch: I'll second.

Mr. Apicella: Okay. So we're going to kind of deal with the pieces separately as I hear it. There's a motion to move to public hearing the language on the Comp Plan amendment -- at the first available date Mr. English?

Mr. English: Yes.

Mr. Apicella: Okay, and you agree with that Mrs. Vanuch?

Mrs. Vanuch: Yes.

Mr. Apicella: Any further comments Mr. English?

Mr. English: No sir.

Mr. Apicella: Mrs. Vanuch?

Mrs. Vanuch: No.

Mr. Apicella: Anyone else? Mr. Coen?

Mr. Coen: Just, Mr. Harvey, on our agenda it says potential public hearing date November 9<sup>th</sup>, so that's the date?

Mr. Harvey: Correct, that's your November meeting date.

Mr. Wisniewski: Mr. Chairman, just to clarify, on the 60 days, I reviewed the resolution, and at the end it speaks to 60 days from receipt of a copy of this resolution. That's when the 60 days begins to run.

Mr. Apicella: So that would be today? Or the Friday that we got the package? I'm just trying to clarify for future reference. I would just ask that we maybe explore this for future consideration, because we do lose time from the date that the Board makes a referral to the date that we actually get it in our hands.

And that could be anywhere from a week to multiple weeks. And so, if there is some flexibility there, I think we ought to at least explore it.

Mr. Harvey: Mr. Chairman, when the Board took action I brought this up the following Wednesday, under Planning Director's Report, and that's when it was presented to the Commission. We could change that process because we could wait to it to float up during a regular agenda, if that's the desire of the Commission.

Mr. Apicella: Again, I'm speaking more broadly that, in the past, my recollection is, the way that it's been interpreted by your office, the 60 day clock starts the date of the referral. That's how it's been processed, and again, I feel like we lose some time there because there's a week or more that goes by that it's not in front of us and we have no... it's really creating less than 60 days. So I'm just... I'm not talking about this item specifically, I'm just saying in generally, if we could kind of take another look at when does the clock really start for us or when... what can we do to maximize our time that we have as much of the 60-day period as possible going forward on these kinds of items.

Mr. Harvey: Mr. Chairman, that can be addressed in the referring resolution. Like, in this case, the 60-day clock started from the time the Planning Commission saw it rather than adoption of the resolution. So, we can address it in that manner. Or, if the Board feels that 60 days is not enough time, they can grant you more time.

Mr. Apicella: Again, I'm not sure if I'm being clear. I'm not talking about this item specifically, I'm just saying it's an opportunity to raise the point that the clock has started in the past from the date that the Board made its referral, the date that they decided that we were going to see it.

Mr. Wisniewski: From what I understand... I'm sorry to interrupt... from what I understand, this item was received, if you will, by the Planning Commission at its last meeting. I think to clarify on your point, language could be inserted into resolutions. Obviously, it's up to the Board, but it makes sense to maybe put language in stating that the Planning Commission's time runs from its, you know, maybe its first next meeting where it considers the item. It has been specific to a date certain, if you will. So, it's kind of hard to say; if it was received at the last meeting, obviously I wasn't here for that so I'm not aware of that fact. But I think that might be a way to do it, from the Planning Commission's next meeting.

Mr. Rhodes: I think for this point, though, we just probably have staff come back with some options and approaches, just take up a scenario, let's look at the different approaches, and then we can more deliberately hone in on an approach that we just do consistently.

Mr. Apicella: Well, it's not so much what we do; it's what the Board does in terms of starting the clock.

Mr. Rhodes: Right.

Mr. Apicella: So, I just took the opportunity, since it was in front of us, to kind of raise that point. I've raised it before about our time and whether or not we're really getting the full time allotted to us on other matters. So, it just seems like an appropriate time. And I'm sorry to segue off topic here. So, again there was a motion to move forward with the Comp Plan amendment; it was seconded. Any further comments? Okay, cast your vote (the motion passed 7-0). Okay, so we've dealt with one part of the action item. Do we want to consider deferring the other piece of this, the Ordinance portion, to our next meeting or a subsequent meeting?

Mr. Coen: I'm okay with deferring it. I'm just... I'll ask Mr. Harvey if it makes any difference by the time it finally gets up to the other Board if one comes before the other. I know we have a certain number of days but, to a certain degree, if I'm looking at the calendar correctly, if we take it up next meeting it would be at our December meeting that we could have a public hearing. So both of them would actually be able to hit them at the same time at that point because, what did you say, a hundred days?

Mr. Harvey: Yes Mr. Coen. The Commission has a hundred days on a zoning amendment, and, as I mentioned...

Mr. Coen: Right, so and 60 on one. So would these both, if we did it that way and did one in November and one in December, would it be able to go to the Supervisors basically the same time or would they have to get them separately?

Mr. Harvey: It could go the same time. It depends on how the Board wants to process it. Again, state law says that the Board has to act within 90 days of a recommendation from the Commission on a Comp Plan change. So there's time where those two could marry back up.

Mr. Coen: I make a motion to defer this I now say to our next meeting. That would give people time to come up with suggestions and ideas.

Mr. Apicella: Is there a second?

Mr. English: I'll second it.

Mr. Apicella: Okay. Any further comment Mr. Coen?

Mr. Coen: No sir.

Mr. Apicella: Mr. English? Anyone else? Okay, all those in favor of the motion to defer the ordinance portion of this to the next meeting cast your vote. Okay, the motion carries (7-0).

5. Amendment to the Zoning Ordinance - The Planning Commission is to consider authorizing a public hearing to amend County Code Sec. 28-33, "Districts Generally," Sec. 28-34, "Purpose of Districts," Sec. 28-35, "Table of Uses and Standards," Sec. 28-39, "Special Regulations," and Sec. 28-102, "Off Street Parking" to create an Integrated Corporate and Technology Park Overlay Zoning District pursuant to proposed Ordinance O16-40. (**Time Limit: December 27, 2016**)  
(**Authorize for Public Hearing: October 26, 2016**)  
(**Potential Public Hearing Date: December 14, 2016**)

Mr. Harvey: Mr. Chairman, the next item on the agenda is consideration of a new zoning overlay district called the Integrated Corporate and Technology Park Overlay. May I have the computer please? And for short purposes, we'll call it the ICTP. The purpose of the ICTP is to promote integration of uses in large scale office and technology parks. These types of parks are typically identified with multi-story buildings and class A office space. The proposed ordinance would try to integrate such uses as hotels, retail activities, childcare centers, data centers, and multi-family housing in a larger context instead of just a single use office complex. This would be an overlay zone, so different than most other zoning categories in that the underlying zoning category would remain, whether the property is zoned industrial or commercial. There would be some added uses that would be allowed in this area should it be imposed on properties. The ordinance would also add some flexibility for floor area ratio and parking requirements. It would have some more restrictions with regard to site development; specifically, requiring sidewalks that'd be integrated throughout the project linking various buildings together. There'd also be a requirement for architectural design to ensure compatibility between the various different buildings within the complex, and also following our Neighborhood Design Standards in the Comprehensive Plan. And then further restrictions on building height to ensure that the buildings that are built within this complex are compatible. An overlay concept requires a rezoning after adoption of the regulations. So right now we're currently considering the regulatory framework to establish this overlay zone. Ultimately, it's going to require a rezoning in order to impose it on properties. And typically there's two options: one option for an overlay zone is it could be initiated by the Board of Supervisors. Another option, it could be initiated by property owners. We've seen both in the County; it depends on the specific situation. In the case of a Highway Corridor Overlay Zone, those were imposed by the Board. In the case of a Historic District, the Board has allowed property owners to opt into it, rather than impose it on all eligible properties. With regard to this proposed amendment, it would allow an increase for floor area ration up to 1.0. The current floor area ratio is .7 for B-2, Urban Commercial, and .5 for M-1, Light Industrial. Floor area ration is a measurement of the total area of your land compared to the total area of your building. So, the higher your floor area ratio means that you're having more multi-story buildings, you're building footprint is probably taking up more space on the ground than compared to a lower ratio. Also, it would adjust the open space ratio to .2, which means that 20% of the site would have to be in lawn or landscaped area. The current regulations in B-2 are .25 and M-1 is .2. The reason why I'm referring to the M-1 and B-2 zoning categories for these comparisons is that we have a couple of projects, and I'll get to them in a minute, that might be potentially eligible for this zone... overlay zone, and they currently have predominantly light industrial zoning on them but also have some commercial zoning. The proposed amendment would have a building height requirement between 40 and 80 feet, so more than likely you're going to have 3 to 5-story buildings, 6-story buildings possibly, maybe even 7, depending on the type of construction; but probably between 3 and 6 stories. Currently, the maximum height in the B-2 and M-1 zones is 65 feet. So, the purpose of this district is again to have, for Stafford purposes, high rise nice looking buildings. The amendment also allows for residential development for multi-family homes up to 24 units per acre, of which a maximum of 10% could be 3-bedroom units. As I mentioned earlier, there's a requirement to have sidewalks connecting between the various different buildings and open space areas. Architectural design would be in accordance with the Neighborhood Design Standards and would have to be compatible within the project. And there'd be a 20% parking credit if they use a parking deck. We're trying to encourage parking decks because that allows buildings to have a higher floor area ratio. The



qualifying areas for this overlay zone would be for existing high-scale office projects that have over 400,000 square feet of office space. We have two potentially eligible projects in the County currently; one is Quantico Corporate Center. They specifically qualify because they have close to half a million square feet already built and there's additional zoned land that could accommodate more buildings as well. Riverside Business Park is another project in the County that potentially is eligible. They have close to 300,000 square feet and they have additionally land that's zoned that could accommodate enough square footage to meet the threshold. Looking at... I looked at Quantico Corporate Center sort of as a measure and for the five buildings that are currently existing today, they encompassed about 22 acres. So, looking at 20 acres sort of as a threshold if someone wanted to establish a similar type of project in the County, they might be eligible for this overlay. There were 40 properties in the County that were zoned Light Industrial that maybe could qualify for this. The reason why I looked at Light Industrial was because that's initially how Riverside Business Park started, as well as Quantico Corporate Center. They started with an industrial zone rather than a commercial zone for their office buildings. I'm not sure exactly why; I could speculate maybe because commercial is more retail oriented so the land values may have been higher initially and that's maybe why the developers went with industrial zoning to start their projects. This is a map that you saw a few meetings ago that shows the industrial properties in the County. The light blue is Light Industrial and the dark blue is Heavy Industrial. And they're scattered throughout the County, but there are three primary areas; one is in the north part of the County up near Quantico Corporate Center. There's also a significant concentration around and also including the Regional Airport in the center part of the County. And then we have a number of industrial properties on the Route 17 corridor and some remote properties out on Route 3, outside the Urban Services Area. Sort of zooming in on the zoning map, what we've done is try to overlay it on the aerial photos because there were some questions people may have had about well, where are these areas and what's nearby and what would be potential impacts. This is an area near Quantico Corporate Center and also Hildrup Moving and Storage there in the northern part of the County. Sort of the light blue is the existing Light Industrial zoned properties. Quantico Corporate Center has a combination of Light Industrial and Urban Commercial B-2 zoned properties, so portions of their project that are vacant are here, Light Industrial, and here, Light Industrial, but also commercial in this area. A site plan has previously been approved for another office building here. That's currently approved and just pending further development. So this area is one that would qualify today. Looking at other industrial properties, and it's harder to see on these images, but there's Light Industrial zoned property for the airport in its entirety. Several tracts of land adjacent to the airport are currently zoned Light Industrial, as well as a number of tracts of land on the north side of Ramoth Church Road associated with the George Washington Village project. And there are all sizeable land holdings that could support this type of development. Also, some additional industrial properties are out in the Route 17 area. Most of the undeveloped land is associated with the Westlake project and is owned by the University of Mary Washington Foundation. There are a couple of other pieces of that original zoning that are light industrially zoned but not part of that... not owned by the Foundation. There's also the property known as the Crucible out here as well too that is large enough to be able to support this type of overall development scheme. And then I mentioned Riverside Business Park; it's located in this area here off of I-95 and Route 17. There are three existing buildings and this is the general vicinity right here. And then also there's light industrial property right adjacent to it owned by the same company, as well as a number of other parcels heading down to the river. So, that project readily could be expanded to meet and qualify for this overlay. In fact, the owners of Riverside Business Park had applied to potentially rezone the second building you see as you go down Interstate 95 in this location here to commercial because they had some users that were a proposed clinic that wanted to locate in there, but in the M-1 zoning it's not necessarily permitted. And this was the area out in the eastern part of the County. We have Springfield Farm in this location here and then the darker blue are Heavy Industrial properties, the Renaissance Business Park and then also a leftover piece of property that was formerly owned by RF&P Railroad. So the next steps for the Commission to consider is making any

desired changes that you may have for the overlay district, and also considering authorizing a public hearing. And I'll be happy to answer any questions you all might have.

Mr. Apicella: Questions for staff? Mr. Coen?

Mr. Coen: Yes, Mr. Harvey, just a couple quick items. So, would the... just so everybody understands... the process would be if we have the public hearing, we create the concept of it and then these areas would have to apply to be in it? Or is it that they automatically, if you're M-1 and M-2, you're in it automatically?

Mr. Harvey: Mr. Coen, this proposal would basically set the ground rules for how the zoning district would work. The next step would be either the Board of Supervisors on a zone initiative rezone properties to this overlay. Right now there's only one that's eligible; that's Quantico Corporate Center. Or, a land owner, if they built enough office space to qualify or had approved... site plan approval for office space to qualify, they could apply on their own behalf.

Mr. Coen: Okay. And then, for when and if we do a public hearing, would it be possible... I know there was some question as to we voted on something and then the Supervisors voted last week to change certain things that can be done in M-1 and M-2 already. And there's sort of a question of is this repetitive or is it needed? Is there some sort of chart that sort of says under the new thing that was made by the Supervisors I think it was last week...or, yeah, I think it was last week... this is what's automatic -- if we do this, this is what could be farther added to these type of things. Does that make sense to you sir?

Mr. Harvey: Yes.

Mr. Coen: Okay. And then this is something that I think maybe we started this with the cemetery one, but it seems as though with some of these types of zones and changes, there's a query or a question as to in what our zones are what's allowed and what's not allowed, and do we need to change that based as to, you know, what's on the ground. And so, I'm not certain that we theoretically can do this on this item, but we've started this and it might be something to look into. If M-1, as it is, is not allowing certain things that the market is driving, up in the Quantico Center say for example, well then maybe should we look into modifying what M-1 is and put things in that they don't have to keep trying to come up with new zones. Does that make sense?

Mr. Harvey: Yes. Certainly the Commission can look at that and make recommendations to the Board.

Mr. Coen: Okay, thank you sir.

Mr. Harvey: And just to clarify, Mr. Chairman, based on the timing schedule, I believe we need to authorize a public hearing at the meeting tonight for a potential December 14<sup>th</sup> hearing.

Mr. Apicella: Thanks Mr. Harvey. Any other questions for staff? Can you...

Mr. Harvey: Mr. Chairman, I was corrected. This can be carried over to your next meeting and then it would have to be authorized at the next meeting.

Mr. Apicella: Do you have a question Mr. English? I just need to get a little granular on the difference between a County pursued rezoning versus an applicant pursued rezoning, especially in terms of proffers.

Mr. Harvey: Mr. Chairman, with a County initiated zoning, one that's put forward by the Board of Supervisors, that would be the County imposing the zoning on the property. And it doesn't necessarily require owners' consent; it just requires notice to the owners. And there are no proffers. In the case of a property owner initiated zoning change, there can be proffers. The proffers are voluntary and they're negotiated on a case by case basis.

Mr. Apicella: So, hypothetically speaking, if the County decided that it wanted to create a Integrated Corporate and Technology Park at the Quantico Corporate Center and apartments are by-right, how big is Quantico Corporate Center? What number of apartments could be accommodated there based on the size of that site?

Mr. Harvey: Mr. Apicella, I'd have to research the acreage of the remaining parcels. I know that the County owns one of them; there's two other relatively sizeable parcels but I don't recall the acreage.

Mr. Apicella: Right, and to some extent, it's a little moot because we're operating under an environment where you can't or it's very difficult to accept monetary proffers. By the same token, for an application initiated overlay district, we've sort of got the same quandary if we're speaking specifically to apartments, residential units that have some impact to the County where we would have to... we just talked about a 97 unit subdivision that's going to have an impact on our school system. So, even though it's in an industrial zone doesn't necessarily mean there won't be children there; we can't know that for sure. So, I'm kind of... that's the piece of this that worries me a little bit, whether it's a County applied rezoning or an applicant pursued rezoning about mitigation and the impacts associated with residential units. And I'm just kind of curious from your vantage point do you see any risks or unintended consequences with that piece of this proposed measure in front of us?

Mr. Harvey: Mr. Chairman, I'm not sure that I could identify specific risks.

Mr. Apicella: Well, again, we've got a proffer package, we've got proffer rules that don't allow us to accept, for the most part or make it difficult to accept proffers, monetary proffers that mitigate the impacts. So, you don't... someone is able to build an apartment complex, 24 units... is it 24 units per acre?

Mr. Harvey: Yes.

Mr. Apicella: Okay, and you've got 5, 10 acres that you can build apartments on, that's a significant number of residential units.

Mr. Harvey: Yes.

Mr. Apicella: You don't think that could be a risk to the County that we don't have a way to mitigate the impact?

Mr. Harvey: Well, the only method we would have to mitigate impacts currently are transportation impact fees, which are required for all residential dwelling units. In this case, it would be \$2,999 per apartment. And then also whatever other improvements would be required if they have public streets. If it's private streets, it's fairly limited on what we can... what kind of improvements they're required to make. As far as other infrastructure, they'd be required to connect to public water and sewer like any other non-residential building or residential building in the County.

Mr. Apicella: Again, as far as I can tell, all of the other uses have some kind of business or commercial use associated with it. This has a residential component to it.

Mr. Harvey: Correct.

Mr. Apicella: Is there... if we took that piece out, would there be another way that someone who wants to put apartment buildings in an M-1 or M-2 zoning district could do that outside of this particular measure?

Mr. Harvey: Not in an industrial zone, unless you modify the code to allow it in some other form or fashion like a conditional use permit or something like that with this overlay. Currently, housing is not allowed in industrial zones.

Mr. Apicella: So, again, there's three options here. We either... again, from my vantage point, we keep apartments in and potentially have some risk that we aren't able to mitigate it; we create a CUP and I need to better understand how that would work; or we propose taking it out. Tell me again how the CUP would work in terms of helping mitigate the cost related impacts of those residential units.

Mr. Harvey: Well, Mr. Chairman, it couldn't deal with costs directly because through a conditional use permit, the County imposes conditions. So we could not impose a condition requiring to make any monetary payments. The conditional use permit would be more focused on the site specific conditions of that property and it can get into more detail on architecture, if you have a specific architectural design. It could also deal with requirements for a specific height of the building rather than giving a range. It can deal with access and internal circulation within that overall complex and relative to the housing to ensure there's decent traffic flow and there's safety issues that have been addressed. Those types of things can be handled with conditions. But offsite impacts cannot be addressed through a conditional use permit, such as schools, such as transportation on offsite intersections, things of that nature.

Mr. Apicella: Okay, any other questions for staff?

Mr. English: I recommendation would be to take the apartments out of this, if there's any way possible. That we just take that component out.

Mr. Apicella: So, we are allowed to make changes or recommend changes to the language?

Mr. Harvey: Yes sir.

Mr. English: That would be my recommendation or motion.

Mr. Apicella: Okay, is there... so, you've made a motion to take the apartments out?

Mr. English: Yes, that would be my motion, to take any residential apartments out of that.

Mr. Apicella: Is there a second?

Mr. Coen: Second.

Mr. Apicella: Okay. Any further comments Mr. English?

Mr. English: No. Just I don't think that for us taking that out is going to give... why would you want to put an apartment complex in an industrial area? So, yeah, that would be my reasoning behind it. Unless we had like a situation we had up the Celebrate when they wanted the apartments across the street for school reasons, that would be the only reason I would say for an apartment to be in an industrial park. So that was my reason; I'd just say take that out, take that component out.

Mr. Apicella: Mr. Coen?

Mr. Coen: I just have a question, and I'm trying to remember and it's late. Was there something in there about employee housing or something in this one, or am I getting things confused?

Mr. Harvey: Mr. Coen, in the purpose it references that the housing would be designed to serve the businesses within the complex, as well as the surrounding area.

Mr. Coen: Okay, so it's not... because I remember there's a separate category for some type of employee housing and then there's apartments in general. We've had that come before us before. And this just says apartments, there's nothing else residential in this whole...

Mr. Harvey: There's no restriction on who lives there, no.

Mr. Coen: No. But I mean, in this, if we get rid of the apartments there's no other residential in this overlay?

Mr. Harvey: Correct.

Mr. Coen: Hot diggity. Thank you.

Mr. Apicella: And just to be clear, the real term of what we're talking about is multi-family dwellings.

Mr. Harvey: Correct.

Mr. Apicella: Okay. Any further comments? Okay, there's a motion to take out the multi-family dwellings. Cast your vote. Okay, the motion carries 5 to 2 (*Mr. Boswell and Mrs. Vanuch voted no*). Is there an overall motion to recommend this for public hearing with the amended language?

Mr. Coen: I'll make the motion.

Mr. Apicella: Okay, is there a second? No second?

Mr. English: What is it? I'm sorry.

Mr. Apicella: A motion to put this language to a public hearing as modified.

Mr. English: I'll second it.

Mr. Apicella: Okay. Mr. Coen? It is late.

Mr. Coen: Yes. And it's late enough that I have nothing to say..

Mr. Apicella: Mr. English? Anyone else? Okay, cast your vote. Okay, the motion carries 5 to 2 (*Mr. Boswell and Mrs. Vanuch voted no*).

2. Amendment to the Zoning Ordinance - Proposed Ordinance O17-03 would amend Stafford County Code Sec. 28-33, “Districts generally;” Sec. 28-34, “Purpose of districts;” Sec. 28-35, “Table of uses and standards;” Sec. 28-39, “Special regulations;” and Sec. 28-102, “Off-street parking,” to create the ICTP, Integrated Corporate and Technology Park Overlay Zoning District. The ICTP district would promote the integration of uses—such as Class A office space, hotel space for corporate clientele, supporting retail services, data centers, child care, and multi-family housing—to facilitate the growth and development of large scale corporate office and technology parks. The proposed Ordinance would established by right, conditional, and special exception uses; development requirements; and special regulations. **(Time Limit: January 27, 2017)**

Mr. Harvey: Thank you Mr. Chairman. Please recognize Mike Zuraf for the presentation.

Mr. Zuraf: Good evening Mr. Chairman, members of the Planning Commission; Mike Zuraf with the Planning and Zoning Department. If I could have the computer please? The issue before you tonight on this item is to consider a proposal for a new Integrated Corporate and Technology Park, or ICTP, Overlay Zoning District by amending Chapter 28 of the County Code. The ICTP District would promote the integration of different uses that would facilitate the growth and development of large scale corporate office and technology parks. The different uses would be office, hotel, supporting retail services, child care, and even multi-family housing within these areas. The overlay also would establish... in addition to establishing these uses would include new development requirements and special regulations within the overlay. For the benefit of the public and expansive audience watching online, you may not be familiar with what an Overlay District is. I'd like to kind of take a little moment to explain it, the overall concept. So, the Overlay District kind of serves as an extra layer of development standards that would address special situations that might call for extra regulation or attention based on different situations. The base zoning district on property would remain, such as your commercial districts, such as B-2, Agricultural, R-1. Those are different base zoning districts and those have setback requirements, use requirements, what uses are permitted by-right, what require conditional use permits, other setback building height and density requirements with them. So then the Overlay District just adds an extra layer of development standards on top of that. So, you know, we have several Overlay Districts already in the County. Some examples include Floodplain, Historic Resource, and Highway Corridor Overlay Districts, just to name a few. Some of the types of standards in Overlay Districts are those that might require a conditional use permit approval where a use might otherwise be allowed by-right. Another standard might add increased setback requirements, limit development area outside of flood zones for example, or require shared access in a Highway Corridor where there might be a higher level of traffic and greater potential impacts there. So, the approval process to go to an Overlay District is similar to a rezoning that would occur for a base zoning district. Adding an overlay would still require a public hearing, with both the Planning Commission and Board of Supervisors, with the overlay being adopted by Ordinance approval for a specific defined area. A zoning reclassification application would be required. It could be initiated by the Board of Supervisors, or can be initiated upon request by an individual or group of individuals. If an Overlay District is initiated by the Board of Supervisors, there would not be any landowner consent required and no development restrictions or proffers would be imposed in that type of situation. If it's initiated by individuals or landowners, landowner consent would be required and development impacts can be mitigated with proffered conditions. That's kind of a brief summary on an overlay. So, back to this specific request. This proposal came about when a request was made to the Board to allow for more zoning flexibility in Corporate and Technology Parks. The ICTP Overlay Zone, as written, would serve this purpose. Some of the highlights of the overlay; the ICTP would be applied where 400,000 square feet of office space already exists. There are... also, there are two sizeable Corporate and Technology Parks located in the County; Riverside Business Park and Quantico Corporate Center. They are predominantly zoned M-1, Light Industrial. The M-1 zoning district doesn't allow for a variety of by-

right uses that could support large scale employment centers with other service commercial uses and uses such as hotels that might support those corporate uses. Some of the other standards in the ICTP would establish new height requirements for primary structures. There'd be a minimum height requirement of 40 feet and maximum height requirement of 80 feet. A variety of retail and service retail uses would be allowed in the overlay. Multi-family residential uses would be permitted, with a density up to 24 dwelling units per acre. And parking credits would be allowed if parking structures or parking garages is incorporated into the project. So, this slide covers the history of this request which started back in the fall. On September 20<sup>th</sup>, the Board first referred the Ordinance to the Planning Commission. During October meetings on the 12<sup>th</sup> and 26<sup>th</sup> the Planning Commission discussed and authorized a public hearing. The Planning Commission, when they authorized the public hearing removed the multi-family dwellings as a permitted use in the draft Ordinance. The Board expressed concern about this change and, at their December 13<sup>th</sup> meeting, they authorized a new Ordinance to come back to the Planning Commission. The public hearing, in the meantime, that was scheduled for December 14<sup>th</sup> with the Planning Commission was cancelled. The changes to the latest Ordinance clarify in the purpose that the district would be associated where there is 400,000 square feet of corporate office space existing. It deleted language that allowed the overlay where 400,000 square feet was approved but may be built. So, you have to be... there has to be 400,000 square feet of existing square-footage. And then also, the main change is added back in the multi-family residential as a use by-right and the associated density and special regulations. The ICTP could apply to a variety of zoning districts that allow office uses. The zoning districts that allow for large scale office development could potentially be eligible for the overlay zone. But based on the purpose of the statement for the district, which I just mentioned that requires that it shall include 400,000 square feet of existing office space, Quantico Corporate Center is currently the only location eligible for the Overlay District right now. Other locations that might be eligible in the near future include Riverside Business Center and North Stafford Technology and Research Center, just to name two locations. In the latter example, the North Stafford Technology Center, more land would likely actually need to be rezoned in the first place to accommodate additional office square-footage on that site before the overlay could even be adopted for that site. This action that's being considered this evening does not establish an Overlay District over this Quantico Corporate Center area, or any other location of the County. It simply establishes the Overlay District standards in the code. Separate action will need to be taken to apply it to a defined area within the County. Staff also estimated the residential build-out from the overlay. The estimated residential build-out is based on a density range from 12 to 24 dwelling units per acre; 12 was kind of identified as a typical average density for a multi-family unit project with 24 being the maximum permitted under this overlay. This image of the Quantico Corporate Center area highlights that three undeveloped areas have a potential of including multi-family dwelling units. The table quantifies a build-out range for each area, with a potential total of 278 to 556 units if those three areas were built out under these criteria. I want to stress again that this points out the extreme maximum potentials. The landowner may not intend on developing all available areas residentially, and ultimate build-out can also be limited through a rezoning process and proffered restrictions should it be initiated by the applicant or landowner. Continuing the evaluation of the Overlay District, staff was also asked to identify how the overlay may impact schools and how it is impacted by the new proffer legislation that we're now operating under. So, just for clarification or briefing on that, the State Code now only allows localities to collect monetary contribution if the new use will create a deficit to the current capacity of specific types of public facilities. Those include schools, parks, transportation, and fire and rescue. So, capacity cannot account for already approved but unbuilt development, and the contribution amounts must be limited to the amount of development that exceeds the available capacity.

Mr. Apicella: Mike?

Mr. Zuraf: Yes.

Mr. Apicella: That capacity determination, is it based on a specific area? Or is it countywide?

Mr. Zuraf: It would be based on a specific area, specific receiving areas for the types of specific facilities.

Mr. Apicella: So, in the case of schools, it would be based on a specific attendance zone.

Mr. Zuraf: Correct.

Mr. Apicella: What if that attendance zone changed? I mean, the school system is thinking about doing some redistricting.

Mr. Zuraf: So, at the time of rezoning, proffers are established at that time and the amount would be set. And so that would be set until such time that a proffer amendment occurs. The landowner could come in if in the meantime redistricting occurs and the site becomes... moves it to a different attendance zone, then somebody could come in for a proffer amendment and change those proffers based on the different condition.

Mr. Apicella: So, if there were more capacity, that would kind of change the whole calculation.

Mr. Zuraf: It could, yes.

Mr. Apicella: Thanks.

Mr. Zuraf: So, given these new proffer standards, staff studied how this overlay applied to the Quantico Corporate Center site might impact schools and how proffers may be able to offset impacts. So, on the screen, the top table estimates the number of elementary school, middle school, and high school students that might reside in the Quantico Corporate Center area, assuming the projected build-out and countywide average number of students per multi-family unit. In some recent cases where we've received applications for multi-family units that had, you know, projects with smaller bedroom sizes in the units, there have been estimates proposing that they're estimating fewer students. But we do go by the countywide estimate that's in the Comp Plan. But there have been proposals that have suggested lower numbers of students in some of these different types of products.

Mr. English: Mike?

Mr. Zuraf: Yes.

Mr. English: I'm sorry to interrupt you. But in reference to the school, when you said capacity is seats available, that's as of today? The current seats available? Or is that...?

Mr. Zuraf: You have to consider it based on what is existing today.

Mr. English: So, that is as of today.

Mr. Zuraf: Yes.

Mr. English: Okay.



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Mr. Coen: And Mr. Zuraf, I was just wondering -- have we heard from the school system in regards to this issue?

Mr. Zuraf: We have not gotten an official response from the school system, from the School Board yet on this issue.

Mr. Apicella: Did they provide any indication that they want to provide some feedback?

Mr. Zuraf: I understand that they may be interested in doing so, yes.

Mr. Apicella: Do you know the soonest available date?

Mr. Zuraf: I'm not certain.

Mr. Harvey: Well, Mr. Chairman, Mr. Apicella, I received an email correspondence from the School Board Chairman today and she was interested in possibly coming to your next Commission meeting to talk about overall school attendance and projections of population in the school system. If that's so desired from the Chairman, we can add that to the agenda for the next meeting.

Mr. Coen: I certainly think that would be helpful. I also will let the Commission know that in communicating with different members of the Commission over the weekend, one had expressed interest to sort of get an update or refresher on the new proffer language. And I had asked Mr. Harvey and Ms. McClendon about doing so, and they thought that this meeting would be too difficult because of time constraints on staff. But they are going to put that on our agenda for next meeting I believe, right Mr. Harvey, Ms. McClendon? Yes. So we're already moving forward on that aspect. It would tie into that element but it doesn't really help us if the schools have something different today.

Mr. Zuraf: Okay, so back to these charts. The top chart again, that's the student estimation in the Quantico Corporate Center site. The bottom table provides you available capacity at the schools that are within the attendance zones of the area. And then you can look here, the comparison of the estimated number of students to the available seats at the schools within the attendance zones show that the projected number of students would result in Widewater Elementary exceeding capacity. So, based on the proffer legislation, the County would be able to accept proffer contributions relative to the number of students that might be projected above the capacity as it relates to elementary schools. But then with the case of middle schools and high schools, they would not exceed capacity and therefore the County would not be able to accept any monetary proffer contributions to mitigate those school impacts. And again, any area being considered for inclusion in this type of overlay would require this evaluation for all four public facility types as the impacts may vary by location.

Mr. Coen: Mr. Zuraf, if I could ask. So just to make sure everybody, including those throngs that are watching at home, understand, the way that the new proffer works is that we look at the current seats available, we don't look at what the school system is projecting that will happen that would actually be the enrollment when this kicks in.

Mr. Zuraf: Correct.

Mr. Coen: So, for example, if, and since you say Brooke Point, if for example Brooke Point because of Abberly is going to be getting more homes and more students, when this kicks in it actually may well not

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be that number. But the way that the wording is, is that we have to go by now and not by the logical projection.

Mr. Zuraf: Correct, yeah, you cannot assume what's been approved and (inaudible).

Mr. Coen: Assumed, deduced, derived.

Mr. Zuraf: Yes.

Mr. Coen: Thank you sir.

Mr. Zuraf: So, on this slide I'd like to summarize how properties might become eligible to be included in the overlay. Again, it's going to require 400,000 square feet of office space existing; the request could be initiated by County action or specific individuals; it would require an application process and public hearings, both with the Planning Commission and Board; the evaluation of the impacts would occur resulting from the overlay; and then also you would get proffered mitigation if it's requested by individual property owners. Some other issues, the companion Comprehensive Plan Amendment that was already considered by the Planning Commission, that proposal adds some special Overlay District recommendations into the Comp Plan. It includes the purpose of the ICTP and what uses might be appropriate, and does identify Quantico Corporate Center and Riverside as recommended locations. And that had already been considered and is pending consideration by the Board. And staff would recommend approval of this Ordinance and the Planning Commission does have a deadline of January 27<sup>th</sup> to take action. I'll take any questions at this time.

Mr. Coen: Anyone have any questions for Mr. Zuraf? Mr. Apicella? Mrs. Vanuch?

Mrs. Vanuch: I have one question. I think I'm going to try to verbalize this. So, on your couple previous slides it said that it could be initiated by the County or by an individual. So that means the County could technically... you said this Ordinance is adopted, let's say, and we decide we want to implement this overlay on a specific area. Or... so that's one option, right?

Mr. Zuraf: Yes.

Mrs. Vanuch: The second option is the individual property owner can come to the County and request this overlay be placed on their property.

Mr. Zuraf: Correct.

Mrs. Vanuch: Now, can you tell me the difference in how proffers are treated based on those two different application processes?

Mr. Zuraf: If the County chooses to impose this overlay on property, there would be no proffers at all, because the County itself cannot impose proffers on land... on property owners. If the individual comes in, then they can provide and offer up proffers.

Mrs. Vanuch: Gotcha. And just to clarify, this meeting tonight is just to create the ordinance, it is not to impose any overlay on any particular property.

Mr. Zuraf: Correct.

Mrs. Vanuch: Okay, that's it.

Mr. Coen: Mr. Apicella?

Mr. Apicella: Mr. Chairman, I beg the Commissions' indulgence; I have a few questions. So, you mentioned in the original version of the ICTP that came before us, we were given authority to make modifications. We made one modification by removing multi-family apartments as one of the potential uses. Do you remember kind of what the concern was from the Commission at that point in time when we took that out?

Mr. Zuraf: I actually wasn't at the meeting that evening, conveniently.

Mr. Harvey: Mr. Chairman and Mr. Apicella, my recollection was there was concern about community facilities and how they may be impacted by residential development.

Mr. Apicella: And we're operating... we're all operating under a new set of proffer rules that make it harder not only to discuss and negotiate proffers that mitigate the impacts of rezoning related growth, even to accept certain types of proffers, right? We've kind of talked about the capacity issue.

Mr. Zuraf: Right.

Mr. Apicella: And that's codified in 15.2-2303.4?

Mr. Zuraf: Correct.

Mr. Apicella: And again, it says that localities can neither ask for nor can they accept proffers that are deemed unreasonable, and they use the term unreasonable.

Mr. Zuraf: Correct.

Mr. Apicella: Do you remember how they define unreasonable?

Mr. Harvey: Mr. Chairman, there's a specific definition but to summarize, basically it's a proffer that deals with an offsite improvement that is not warranted by that project, and specifically attributable to that project. So it'd have to be, in other words, a reasonable proffer would be an offsite contribution, whether it'd be more than likely money but it could be a transportation improvement that is specifically generated from that impact of that project. And the improvement specifically serves that project. So, that goes back to the point that Mr. Zuraf was saying and you were also speaking to was that we'd have service areas that would have to be analyzed for a specific project for the County to be able to say yes, we can accept that proffer as reasonable.

Mr. Coen: One moment Mr. Apicella. To everybody, Ms. McClendon was very nice to provide to us at our chair a copy of the actual state language, so thank you ma'am. And if you look at page 2, letter c, that's where it talks about the unreasonable... if you want to actually look at the wording. And thank you Mr. Harvey for your summary as well. Go ahead Mr. Apicella.

Mr. Apicella: So, the staff report, and I commend you for the great information that was there, indicated that the potential number of residential units at Quantico Corporate Center ranged from 278 to 556, and

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the number of students that could arise if the ICTP proposal is approved and gets a rezoning could range anywhere from 90 to 180 students, right?

Mr. Zuraf: Correct.

Mr. Apicella: And you also indicated that we do have currently existing capacity at various school grade levels, but that doesn't take into account things that are in the pipeline so to speak. So, even if there is capacity today, six months from now, a year from now, when Abberly comes online for example... how many units is at Abberly? Do you remember?

Mr. Zuraf: About 288.

Mr. Harvey: Two hundred eighty-eight.

Mr. Apicella: So, on the low end of what could happen here. That could offset the existing capacity that is currently in place today. And again, the State Code would not allow the County to just accept proffers for existing capacity, right?

Mr. Zuraf: Correct.

Mr. Apicella: Obviously we no longer have proffer guidelines in place in Stafford. But when we did, those guidelines recommended about \$26,000 per multi-family unit with about \$10,000 going to schools... a little bit lower than that. So, just for some context, under the old proffer guidelines, the amount recommended for between 278 to 556 units would range between \$2.7 million and \$5.4 million, right?

Mr. Zuraf: I believe so.

Mr. Apicella: What did we get... what was the proffer that Abberly provided and what was the value of that proffer?

Mr. Zuraf: I think I recall that somewhere around six to eight thousand dollars per unit.

Mr. Apicella: Right, on top of the land that they provided for a community college, and I want to say the value was like \$25 million, a pretty high amount.

Mr. Zuraf: Right, and then some other cash contributions...

Mr. Apicella: So we got both, both the cash contribution and land for a community college. Under the State Code, it's either the property owner or a rezoning applicant that can bring a lawsuit under the current proffer regime, right? So when I read that, I take that to mean that an applicant for a rezoning, who may not also be the owner of the property, could also file a suit, right? And we've had that happen here, not file suit, but we've had folks who were interested in a parcel who wanted a rezoning, they didn't own the parcel but they were pursuing a rezoning in anticipation that the rezoning would be approved and they'd be able to proceed forward with that rezoning, right?

Mr. Zuraf: Right.

Mr. Apicella: Can applicants waive their right to sue in proffer cases?

Mr. Zuraf: I'd have to defer to...

Ms. McClendon: No they cannot.

Mr. Apicella: So, at best, we'd be working under a potential promise that they might provide some kind of help to offset the impacts of their potential apartment units if this were to go forward and there was a rezoning. Is that normal business practice to rely on a promise?

Mr. Zuraf: No.

Mr. Apicella: No. If we need more infrastructure like additional school seats and the County doesn't get sufficient proffers, who winds up paying for it?

Mr. Zuraf: The taxpayers.

Mr. Apicella: The taxpayers, the Stafford County taxpayers. How large is the overall Quantico Corporate Center parcel?

Mr. Zuraf: The entire area?

Mr. Apicella: Can you bring up that one slide? I think it shows areas 1 (inaudible).

Mr. Coen: Computer please.

Mr. Zuraf: So, the entire area surrounded in red? Is that what you're referring to?

Mr. Apicella: Right. Do you know how big that is?

Mr. Zuraf: I would have to estimate that as maybe being 60 to 70 acres.

Mr. Apicella: Okay. And the original Tech Park proposal that the County approved, and I assume it's kind of codified in the Comp Plan, did that envision or talk about residential uses at Quantico Corporate Center?

Mr. Zuraf: No.

Mr. Apicella: And we just approved a Comp Plan update. Did that talk about residential units at Quantico Corporate Center?

Mr. Zuraf: No.

Mr. Apicella: So this would not be in concert with the current Comp Plan.

Mr. Zuraf: Well, potentially under the new Comp Plan amendment...

Mr. Apicella: But I'm saying today...

Mr. Zuraf: ... but the one that was in place now...

Mr. Apicella: ... you can always amend the Comp Plan.

Mr. Zuraf: Right, right.

Mr. Apicella: But I'm just saying, our leaders just approved the Comp Plan that we spent, what, a year and a half working on it. Is it fair to say that if hotels or apartments occupy the unbuilt areas, probably about half the space, that would further limit the expansion of the original intended uses of the Corporate Center which I believe was office uses? You can't have both, potentially; I mean, you could have offices below apartments, but that usually doesn't happen too often. Maybe some retail but... right?

Mr. Zuraf: It would limit the... what was originally projected.

Mr. Apicella: So it would kind of sub-optimize the whole Tech Park concept? At least in terms of office use?

Mr. Zuraf: Well, that Tech Park area is on separate... we've highlighted that as separate area, as County land, so that's not part of the estimation.

Mr. Apicella: Right. But it was, again, originally envisioned as primarily office related use.

Mr. Zuraf: Right.

Mr. Apicella: Lastly, and I know my fellow colleagues will be glad this is my last question. While the back and forth between the Commission and the Board led to a change that limits the ICTP to projects that have 400,000 square feet of office space in place, and this is the only site where that meets the threshold, if and when other properties meet that threshold they could also pursue this Overlay District, right? So, again, today it might apply to Quantico Corporate Center but tomorrow, and I use tomorrow in a broad sense, 5, 10 years from now other properties could meet this standard.

Mr. Zuraf: Yes, yes they can.

Mr. Apicella: Thank you.

Mr. Coen: Alright, any other questions for staff? Thank you Mr. Zuraf. And so now I will open up the public hearing on this matter. This is an opportunity for the public to comment on this item. Please direct your comments to the Planning Commission as a whole, not to any specific member. You have 3 minutes of which to speak. As you start, please give your name and address and the green light will come on. The yellow light will indicate when you have 1 minute left. And when the red light blinks means we would like you to wrap up quickly. I ask so that we can have others have the opportunity to speak. So, if anyone would like to speak, please come forward at this time.

Ms. Hall: My name is Amy Hall. I'd like to express my opposition to the multi-family housing portion of proposed Ordinance O17-03. Who would have thought that a proposal entitled Integrated Corporate and Technology Park Overlay Zoning District would include high density multi-family housing. I'm in favor of creating Corporate and Technology Parks. I'm in favor of creating vibrant environments that offer the workers in those office complexes the choices of great restaurants, high-end hotels for guests, retail stores that help make the lunch hour productive, and even child care centers so that workers can be close to their children and maybe even visit on their lunch hours. However, I'm very opposed to

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including high density multi-family housing in these office parks. The design concept is admirable. People who work there, live there. But it's not realistic nor is it enforceable. You limit the number of units that have three or more bedrooms to limit families. Maybe it will limit larger families, but it doesn't take three bedrooms to house a family. I'm trying to imagine the scene; as workers all converge on the office park at 7:30 in the morning, late for work, looking for a parking space, distracted. Then, add the school bus pulling up to a corner, activating its lights, and loading up. Imagine the same scene in reverse at 3:30 in the afternoon. It's an accident waiting to happen. These two uses are not compatible. The argument that residential development in an office park is necessary to support the retail and restaurant businesses is weak. Stafford needs good restaurants. It doesn't matter where they are, we'll find them. And after work happy hours will definitely be a hit. I urge you to remove the housing portion of this proposal from the final ordinance. Thank you.

Mr. Coen: Thank you Ms. Hall. Anyone else wishing to speak? Alright, seeing no one, I will close the public hearing and bring it to the Board. Is there any particular action by members of the Board? Mr. Boswell, this is... well, this would apply to numerous areas but this specific instance is in your district.

Mr. Boswell: Yeah, Mr. Chairman, thank you. Based on the fact that we've already seen this once already and we don't have the opportunity to make any changes to it, and it went up and was sent back down, I'm going to motion that we approve O17-03.

Mr. Coen: Alright, we have a motion to approve; is there a second?

Mr. Rhodes: Second.

Mr. Coen: Second by Mr. Rhodes. Alright, Mr. Boswell, anything else you'd like to say? Mr. Rhodes?

Mr. Rhodes: It's an interesting, interesting proposal in the way this is structured. And in the whole it will be interesting to see how it develops. It's actually in a sense backing into the P-TND's that we have been trying to develop in other ways. It's really bringing the added feature that makes it somewhat of a P-TND; probably a little less integrated than a P-TND might be. But it's kind of bringing those characteristics in to see how that added feature would go. The significant point to this element to this proposal is the fact that the Board did send it down to be acted on as a whole without the opportunity to make edits to it, so there will be a second public hearing with the Board of Supervisors where they have the opportunity to make modifications to the wording or the structure; we only can act on it in its verbiage as it stands right now. But I think it's worth seeing how it may play out. I know there are concerns about the fact that this now can be applied to another one should they get to the 400,000 square-foot standard and other things, but also in that intervening time there's the opportunity to modify it just like it's being modified now. It's not like it's locked into stone. So, if we're concerned about other locations or starts to become broader and they don't seem to be as applicable, there's the opportunity to make that modification as well. So, for those multiple reasons, that's why I've seconded the motion. Thank you.

Mr. Coen: Okay, thank you Mr. Rhodes. Anyone else on the Commission? Mr. Apicella?

Mr. Apicella: Mr. Chairman, like all of us on the Planning Commission, I support the optimization of the Quantico Corporate Center. And in large part I agree with the proposal that's in front of us as it will provide the developers at QCC with needed flexibility. But I remain concerned about including multi-family residential units as a by-right use. And even if the apartments could be approved under a CUP, that wouldn't solve my underlying concern here. Unfortunately, the ICTP is being sought with residential uses at the same time the state has made it very difficult not only to ask for, but also to merely accept

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proffers associated with existing infrastructure capacity. We've seen the numbers. There is existing school capacity at the Quantico Corporate Center attendance zone. This means the County cannot legally accept proffers for existing capacity that could accommodate most of the additional student population that might occur. That's a fact. There is capacity. So, when there's a delta between what the County needs to offset new growth and what a developer or applicant will provide, it is the Stafford County taxpayer who's left to make up the difference. That's no small data point here. I support the motion of live/work/play mixed use developments. We've advocated it. But unfortunately the timing is not right. I also believe new development should pay for itself. That's not going to happen here. I didn't create the new proffer rules that make it virtually impossible to obtain sufficient help from the development community to offset the impact of their growth proposals. While I want QCC to be successful, I don't believe this is the right time to authorize additional residential development there under the circumstances that we're operating under. If those circumstances change, I might have a different opinion. But we are where we are, and the proffer rules are the proffer rules that we're dealing with. I do not believe the cost of new apartments at Quantico Corporate Center should be borne by County taxpayers. And in this case, it can be millions of dollars, no small amount of money. So, for those reasons, I don't support the motion and I wonder how my colleagues are going to deal with other rezoning proposals that come in front of us in the next weeks and months where we're not able to get sufficient proffers, because it's going to be not a different situation than we're looking at right now. Thank you Mr. Chairman.

Mr. Coen: Thank you Mr. Apicella. Anyone else? Alright, I'll just say that I understand fully the concept and I think it has merit to try to do something mixed use. And this is sort of the way things are going as far as people living closer to work so that that is getting more in touch with where our economy and our country is going as far as housing. I do have some questions and, as we said with the last one, we have sort of four options we could have done; approve this as is, approve this with recommendations of change, deny it, outright deny it with recommendations of change. And so since the motion is not making any recommendations how to make this better, I feel very uncomfortable. I would hope that the Supervisors will take heart to the fact that between last year, when we dealt with the Cemetery Ordinance, and then this Ordinance, and then the next item on the agenda, we have many categories of zoning that we need to be looking at or have been looking at to try to bring Stafford County into this part of the 21<sup>st</sup> century. And so, my hope is that we can do this in a little bit more holistic approach. And I'm just very leery about how this would work, particularly with the proffer language as it is cast upon us. So, it coming forward with just as it is, I unfortunately have to vote against it. Had we been making some suggestions, I may well have been able to support it. Alright, so the motion before us is O17-03 to approve this as it is written. Please cast your vote. Okay, and so the motion has failed by a vote of 4 to 3 (*Mr. Coen, Mrs. Vanuch, Mr. Apicella, Mr. English voted no*). And I believe, Mr. Harvey, do we need to take another vote where we technically say we deny or does that sort of speak? Alright, so do we have any other motion since that motion has not passed?

Mrs. Vanuch: I would like to make a substitute motion, or I guess a new motion. I am particularly uncomfortable with the language that the County can implement this overlay on a particular property which would then waive the personal... the proffers for the property owner. I hope I'm verbalizing that so it makes sense. So, if the County decides that they want to put this overlay on the Quantico Corporate Center without the property owner submitting the application, they would then essentially be waived of all the liability for paying for proffers. I think, you know, if we can work with the State Legislature and the proffer legislation is amended, there may be some appetite for this in the future because I, like Steven, believe that development should pay for itself. I also believe Mr. Rhodes and a lot of the comments that my fellow Commissioners made about the future of the country and the live/work/play and it would reduce congestion on the roads, and, you know, I think that particular with Quantico and the Marine Corps being right there and a lot of the folks who are coming in on short stays, it would be very



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convenient for folks to be able to have access to apartment buildings right there. So, I think, from my perspective, I would like to amend, or I guess make a motion to deny with the language that I recommended. But I would like to solicit additional feedback if others had opportunities, because then at least the property owner has to submit the application and we have the ability to deny or approve it without it just getting passed.

Mr. Coen: Alright. So, if I understand you Mrs. Vanuch, you're making a motion to deny with the language that the landowner would be required to submit the application for this zone. Is that something that is feasible or acceptable Ms. McClendon?

Ms. McClendon: Mr. Chairman, I believe that's outside of the scope of what's before the Commission for consideration. And ultimately it would be a question of binding a future Board because the Board could technically take up a rezoning of any property in the County as it so chooses. So it probably actually wouldn't stick bind a future Board.

Mr. Coen: Okay. So, we can't do that one. And if I read correctly... if I listened correctly, you also were denying with a concern due to the impact that such a district would have to the County, or do you just want to... with the proffer language? Is that something we can say or...?

Mrs. Vanuch: I don't know. I think my big...

Mr. Boswell: Can't it go up as failed? I thought that's what (inaudible)?

Mr. Coen: We can; that's one of the four options. But she was offering suggestions.

Mrs. Vanuch: Just some recommendations so people would be more comfortable with it.

Mr. Coen: Well, it may or may not, but that is one of the purviews that we're allowed to do.

Mr. Boswell: It failed 4-3, correct? That's what we did, right?

Mr. Coen: Yes.

Mr. Boswell: Okay, that's what I thought.

Mr. Coen: Okay. Mrs. Vanuch, you have the floor.

Mrs. Vanuch: Nope, I think that's it. I don't think it's going to work.

Mr. Coen: Okay. So, you just are making a motion to deny?

Mrs. Vanuch: Yes.

Mr. Coen: Alright. So now we have a motion on the floor by Mrs. Vanuch to deny. Is there a second?

Mr. English: I'll second it just to get it off the floor.

Mr. Coen: Okay. So we have a motion by Mrs. Vanuch. Anything else you'd like to say?

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Mrs. Vanuch: Nope.

Mr. Coen: And anything Mr. English?

Mr. English: No.

Mr. Coen: Nope. Alright. Anyone else on the Commission?

Mr. Rhodes: I would just submit that, I mean, it goes up either way. It's up to the Board to act on. But this is the Board's proposal. It's their proposal so I think certainly observations that we have of areas that we are uncomfortable with or comfortable with, whether we do it as a formalized portion of our motion, or not, which we're not in this instance. We always have the opportunity to talk to each of our Supervisors and we can share with them the observations for their consideration. But this is the one that they proposed twice for us to put forward, so they have some things that they are trying to pursue to see how they work out in this process.

Mr. Coen: Alright, Mr. Rhodes. Anyone else? Seeing none, we will cast the vote. The motion on the floor is for denial. Alright. Do you want to clear the board and try again Mr. English? Alright, we'll try again. Please cast your vote. Yes is for denial; no is for continue to discuss and deal. Alright, and so denial passes by a vote of 4-3. Alright, thank you very much.

R16-375

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 13<sup>th</sup> day of December, 2016:

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<u>MEMBERS:</u>	<u>VOTE:</u>
Robert "Bob" Thomas, Jr, Chairman	No
Laura A. Sellers, Vice Chairman	Yes
Meg Bohmke	Yes
Jack R. Cavalier	Yes
Wendy E. Maurer	Yes
Paul V. Milde, III	Yes
Gary F. Snellings	Yes

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On motion of Mr. Cavalier, seconded by Ms. Sellers , which carried by a vote of 6 - 1, the following was adopted:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-33, "DISTRICTS GENERALLY;" SEC. 28-34, "PURPOSE OF DISTRICTS;" SEC. 28-35, "TABLE OF USES AND STANDARDS;" SEC. 28-39, "SPECIAL REGULATIONS;" AND SEC. 28-102, "OFF-STREET PARKING"

WHEREAS, corporate and technology parks have been established in the M-1, Light Industrial Zoning District; and

WHEREAS, the M-1 Zoning District does not permit the variety of uses that support corporate and technology parks, such as child care centers, clinics, commercial retail, convention facilities, hotels, and employee housing; and

WHEREAS, the Board desires to consider creating an Integrated Corporate and Technology Park Overlay Zoning District to allow for a variety of uses for specific areas of the County where corporate and technology parks exist; and

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WHEREAS, the Board desires to refer a proposed amendment pursuant to proposed Ordinance O16-40 to the Planning Commission for its review and recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13<sup>th</sup> day of December, 2016, that amendments to Stafford County Code Sec. 28-33, "Districts generally;" Sec. 28-34, "Purpose of districts;" Sec. 28-35, "Table of uses and standards;" Sec. 28-39, "Special regulations;" and Sec. 28-102, "Off-street parking," pursuant to proposed Ordinance O17-03 be and it hereby is referred to the Planning Commission for its review, to hold a public hearing, and to provide its recommendation; and

BE IT FURTHER RESOLVED that the Planning Commission shall make a recommendation on proposed Ordinance O17-03 within 45 days of adoption of this Resolution.

A copy teste:



C. Douglas Barnes  
Interim County Administrator

CDB:jah