

Board of Supervisors

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County Administrator

May 27, 2015

MEMORANDUM TO: Stafford County Planning Commission

FROM: Jeffrey A. Harvey, AICP
Director of Planning and Zoning

SUBJECT: ***CUP15150542; Conditional Use Permit - Stafford Village Center***

ATTACHMENTS:

1. Location Map
2. Application and Related Materials
3. Legal Description
4. Generalized Development Plan
5. Proposed Resolutions

ISSUE:

The Planning Commission is to consider a request for a Conditional Use Permit for vehicle fuel sales within the HC, Highway Corridor Overlay Zoning District and P-TND, Planned Traditional Neighborhood Development Zoning District on a portion of Assessor's Parcel 20-130.

BACKGROUND:

Location: South side of Garrisonville Road, across from its intersection with Travis Lane

Election District: Garrisonville

Applicant: Robert Frank Pence
The Pence Group, Inc.
11708 Bowman Green Drive
Reston, VA 20190

Agent: H. Clark Leming, Esq.
Leming and Healy, P.C.



Memorandum to: Stafford County Planning Commission

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Property Owner: Trustees of Ebenezer United Methodist Church
161 Embrey Mill Road
Stafford, VA 22554

Current Use: Single Family Residence

Proposed Use: Motor Vehicle Fuel Sales

Application Date: January 15, 2015 (originally submitted)
April 29, 2015 (application complete)

Advertisement Dates: May 12, 2015 and May 19, 2015

Time Limit: August 25, 2015

Staff Project Manager: Michael Zuraf, AICP

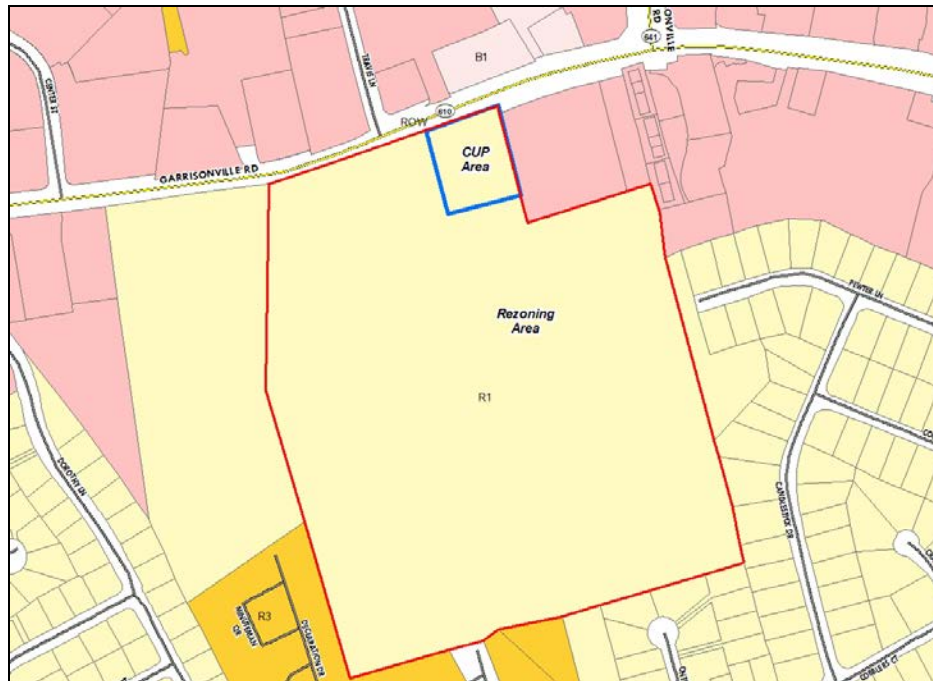
Assessor's Parcel: 20-130

Area: 1.56 acres

Comprehensive Plan: Commercial Corridor / Suburban (Future Land Use)

Abutting Properties:

<u>Location</u>	<u>Zoning</u>	<u>Use</u>	<u>Comprehensive Plan</u>
North	B-2, Urban Commercial B-1, Convenience Commercial	Shopping Center Restaurants Offices	Commercial Corridor / Suburban
South	R-1, Suburban Residential R-3, Urban Residential – High Density	Residential	Suburban
East	B-2, Urban Commercial R-1, Suburban Residential	Shopping Center Office Residential	Commercial Corridor / Suburban
West	R-1, Suburban Residential R-3, Urban Residential – High Density	Residential	Commercial Corridor / Suburban



Zoning Map

- Utilities:** The proposal would connect to existing public water and sewer utility lines. There are existing 12-inch water mains located along Garrisonville Road and bisecting the site from north to south. The project will tie into these lines with on-site water mains that will loop through the site to support adequate fire protection. Existing sewer mains run along Garrisonville Road to a 10-inch sewer main that runs along the western stream valley on the site south to the Whitson's Run interceptor sewer and ultimately Aquia Wastewater Treatment Facility.
- Roads:** The subject property is located on the south side of Garrisonville Road. Garrisonville Road, in this location, is a 4-lane divided facility with a painted median, a posted speed limit of 40 miles per hour, and estimated traffic volume of 74,000 vehicle trips per day.
- Schools:** There would be no impact to the County School System.
- Parks and Recreation:** There would be no impact to the County Park System.
- Noise Impacts:** The use is not intended to generate loud noises. The vehicles utilizing the site would be no different than the existing conditions along Garrisonville Road.
- Light Impacts:** The fueling station canopy would be internally illuminated which may have a visual impact on the surrounding properties. All of the properties in the immediate vicinity of this site include commercial uses.

COMMENTS:

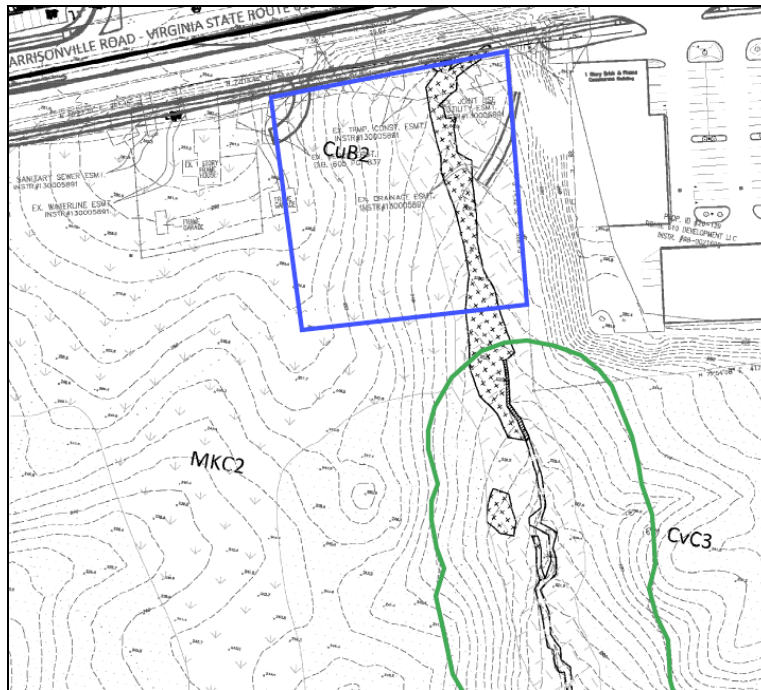
The applicant is requesting a conditional use permit for vehicle fuel sales within the HC, Highway Corridor Overlay Zoning District and P-TND, Planned Traditional Neighborhood Development Zoning District. The applicant is proposing to include a vehicle fueling station as one of the uses within a larger mixed use commercial retail, office and residential development. The Parcel is currently zoned R-1, Suburban Residential. This request is contingent on a separate request to reclassify the entire parcel to the P-TND, Planned Traditional Neighborhood Development zoning district.

Existing Conditions

The subject area consists of forested landcover on the eastern half and open meadow on the western half. The area is undeveloped. The forested areas include wetlands that feed into a perennial stream to the south of the site, which includes associated wetlands and Critical Resource Protection Area (CRPA). The terrain slopes from the west to east down to the wetlands.



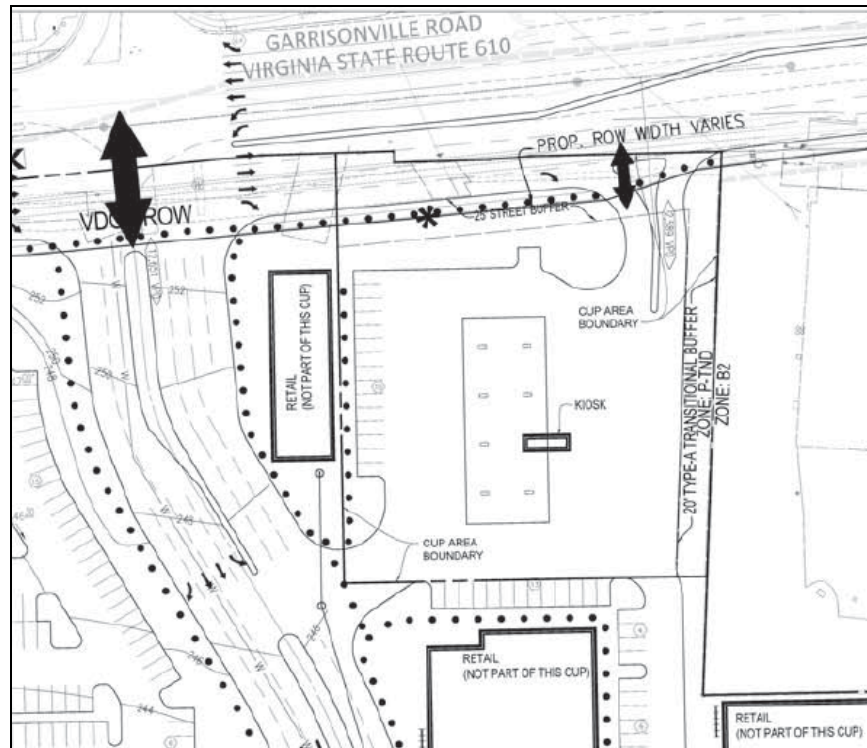
Site - Aerial Location



Environmental Inventory Map (Site – Blue; RPA – Green)

Generalized Development Plan

The Generalized Development Plan (GDP) depicts the general layout of the site. The use is proposed to be limited to fueling stations and canopy with small kiosk. The plan identifies 6 fuel pumps with 12 fueling stations. A convenience store is not proposed as part of this request. The site has access directly off of Garrisonville Road via a right-in/right-out entrance, the main entrance drive, and another internal travelway within the mixed use development. The use would be surrounded by two proposed retail buildings. The orientation of the retail buildings should help to minimize light impacts on the corridor highway.



Generalized Development Plan

The Plan identifies impacts to wetlands from the proposed travelways. Staff has suggested the applicant relocate the facility to preserve the wetlands. The applicant did not wish to make any changes and will be applying to the Virginia Department of Environmental Quality and the US Army Corps of Engineers to impact the wetlands. Policies in the Comprehensive Plan recommend protection of these resources.

- *Policies 1.1.3 and 1.2.7 both recommend new development be sensitive to existing environmental features and protect natural resources;*

Transportation Impacts

The Transportation Impact Analysis (TIA) Determination Form with this application calculated that the site would generate approximately 2,360 vehicle trips per day (VPD) and 170 AM, 194 PM peak vehicle trips per hour (VPH), and 272 peak Saturday VPH. The applicant submitted a Traffic Impact Analysis (TIA) for the entire project subject to the rezoning, which was sent to VDOT for their review and comment. The study evaluated the site's impact on the surrounding traffic network. The study assumed an amount of development envisioned on the GDP. Estimated traffic growth and planned road projects in the vicinity of the site were included in the assumptions, including the Garrisonville Road widening to 6 lanes and Onville Road intersection improvements. The study evaluated the traffic impacts based on a year 2025 build-out and 6 years after in year 2031.

The study evaluated the impact on several intersections in the vicinity of the overall project area, including the following proposed intersections directly related with the proposed fueling station.

- Garrisonville Rd intersections:
 - Main Site Entrance (full access)
 - Two limited access site entrances

The TIA finds that the site entrance at Garrisonville Road deteriorates from LOS B to D during Saturday peak hour. The Comprehensive Plan states that the LOS of the existing road network should be maintained at LOS C or better.

VDOT reviewed and commented on the initial submission of the TIA, and discussed the issues with the applicant and staff. Staff understands that the applicant is in the process of amending the TIA in response to VDOT comments. VDOT comments are included in Attachment 9.

Staff notes that the County is in the process of planning for the next phase of widening of Garrisonville Road from Onville Road to Eustace Road, including across the frontage of the subject area. As proposed as part of the zoning reclassification, several improvements proffered by the applicant, including right-of-way dedication and additional lane construction, would be incorporated into the design of the fuel sales facility. The applicant intends to coordinate their onsite improvements with the overall widening plans to ensure consistency.

Proposed Conditions

Staff is proposing several conditions to help offset any potential impacts the vehicle fuel sales might have within the P-TND and HC Overlay district. The proposed conditions are:

1. This Conditional Use Permit is to allow motor vehicle fuel sales as shown in the general location depicted on the Generalized Development Plan, on sheet 3A of the Rezoning Plan for Stafford Village Center, dated April 24, 2015.
2. Access to the subject property from Garrisonville Road shall be limited to one (1) right-in/right-out entrance.
3. No carnival style signs, banners, lights, balloons, or windsocks shall be utilized on the property, except for periodic events such as grand openings and special anniversaries, when use of these items shall be on a strictly temporary basis.
4. The use of electronic or variable message signs and flashing signs shall be prohibited at all times.
5. The canopy and signage shall be constructed in general conformance with the image and standards provided in the Stafford Village Center Neighborhood Design Standards, dated April 27, 2015.
6. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state, or County Code, law, ordinance, or regulation.

Canopy Design

As this site would be within the larger Stafford Village Center development, and within the P-TND zoning district, the design of the canopy would be required to be in accordance with the proposed Neighborhood Design Standards (NDS). The below image of a fuel canopy has been included in the NDS.



**Example of Typical Canopy
Serving Fuel Stations**

The NDS states that the color and materials shall be compatible with the development and these standards. Staff does not believe the image is reflective of the other images and design standards for the other uses on the site and recommends a new image be included in the NDS.

Comprehensive Plan

The Future Land Use Plan designation for the property is Commercial Corridor within a Suburban area. Commercial corridors are intended to encourage commercial activities where there are adequate transportation facilities to accommodate proposed uses. Infill development and the reuse of underdeveloped commercial sites are encouraged. Commercial uses adjacent to residential uses should be designed such that the commercial use is integrated into and accessible to the community as designed so as to be unobtrusive to the community.

The fuel sales use, aside from other environmental and transportation issues, is consistent with the Comprehensive Plan land use recommendation. This proposal would allow neighborhood serving commercial uses, consistent with recommendations in the Land Use Plan. The use fits in with the established development pattern along Garrisonville Road.

EVALUATION CRITERIA:

Section 28-185 of the Zoning Ordinance lists six (6) criteria to be considered at each public hearing for a conditional use permit. A summary of each criteria are as follows:

1. The use shall not change the character and established pattern of development in the vicinity of the proposed use - *The proposed use will not change the character and established pattern of development in the vicinity. The site is located along a developed commercial corridor with many highway oriented uses.*
2. The use shall be in harmony with uses permitted by-right under a zoning permit in the land use district and shall not adversely affect the use of adjacent properties - *The proposed use is in harmony with the permitted by-right uses in the P-TND Zoning District. The P-TND district is intended to support pedestrian oriented development pattern. The use being on the edge of the*

project, away from the proposed residential uses, and fronting on Garrisonville Road is in an appropriate location for a P-TND zoning district.

3. The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof - *Staff believes that the proposed use will not hinder or discourage the appropriate development and use or impair the value of adjacent land and buildings. Surrounding properties are commercially zoned and include similar uses. The project will account for the planned widening of Garrisonville Road.*
4. The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use - *The proposed use does not pose any health or safety risks to persons residing or working in the vicinity. Staff is recommending conditions to limit vehicle access points and minimize visual distractions.*
5. The use shall not be detrimental to the public welfare or injurious to property or improvements in the neighborhood - *The proposed use complies with this standard with proposed conditions that minimize visual intensity of the use.*
6. The use shall be in accord with the purposes and intent of this chapter and the Comprehensive Plan of the County - *Although the proposed use is consistent with the land use recommendations in the Comprehensive Plan, the proposed location conflicts with natural resource protection and with eastbound through lanes on Garrisonville Road deteriorating to LOS D in the Saturday Peak Hour.*

SUMMARY OF POSITIVE AND NEGATIVE FEATURES

POSITIVE:

1. The proposal is consistent with the established development pattern in the vicinity.
2. The use is consistent with Land Use recommendations in the Comprehensive Plan.
3. Conditions should mitigate negative impacts.

NEGATIVE:

1. The proposal does not comply with natural resource policies in the Comprehensive Plan.
2. Reduction in intersection LOS does not comply with the Transportation Plan.
3. Canopy design does not conform to the overall design theme of the Stafford Village Project.

Memorandum to: Stafford County Planning Commission

May 27, 2015

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RECOMMENDATION

Currently, the property is not zoned for commercial use. If the zoning is changed to allow commercial use on the property, staff would support the application with the above noted items being properly addressed.

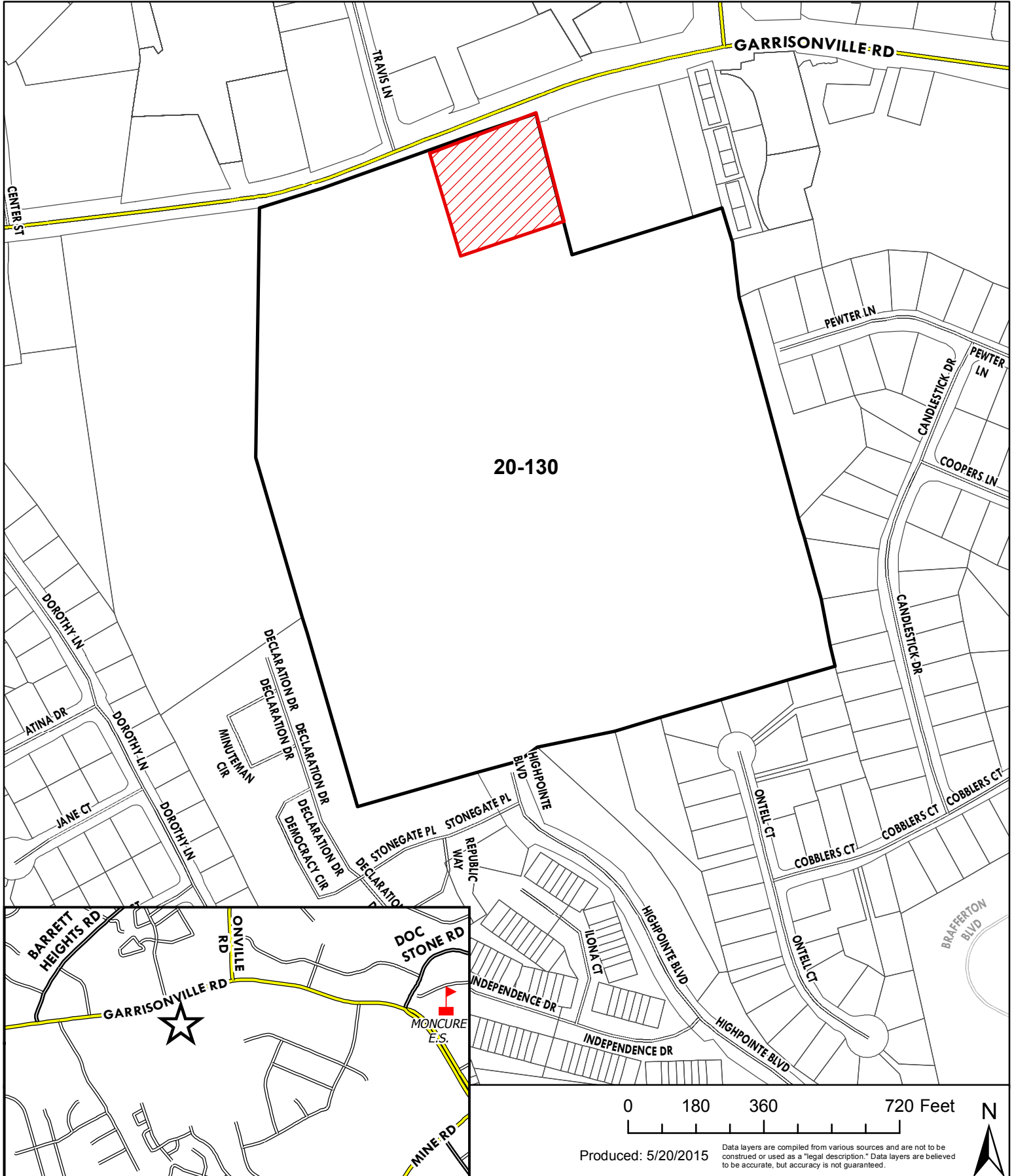
JAH:mz

Attachments (5)



CUP15150542; Conditional Use Permit STAFFORD VILLAGE CENTER

Produced by the Stafford County Department of Planning and Zoning
540-658-8668 | P.O. Box 339 Stafford, VA 22555



Produced: 5/20/2015

Data layers are compiled from various sources and are not to be construed or used as a "legal description." Data layers are believed to be accurate, but accuracy is not guaranteed.

CONDITIONAL Use PERMIT

STAFFORD COUNTY
Department of Planning and Zoning

Project Information & Primary Contacts

<u>PROJECT INFORMATION</u>		<u>PROJECT #</u> <u>CUP15150542</u>
<u>Stafford Village Center</u>		
PROJECT NAME		SECTION
ADDRESS (IF AVAILABLE)		1.5646
20-130		TOTAL SITE ACREAGE
TAX MAP PARCEL(S)		Existing R-1
On south side of Garrisonville Rd., across from its intersection with Travis Lane		ZONING DISTRICT
LOCATION OF PROJECT		Proposed P-TND

<u>APPLICANT/AGENT</u> (Provide attachment if Applicant and Agent differ)		Primary Contact Person <input checked="" type="checkbox"/>	
<u>H. Clark Leming, Esquire</u>		<u>Leming and Healy P.C.</u>	
NAME		COMPANY	
<u>233 Garrisonville Road, Suite 204</u>	<u>Stafford</u>	<u>VA</u>	<u>22554</u>
ADDRESS	CITY	STATE	ZIP
<u>540-659-5155</u>	<u>540-659-1651</u>	<u>lemingandhealy1@msn.com</u>	
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	

<u>OWNER</u> (Provide attachments if multiple owners)		Primary Contact Person <input type="checkbox"/>	
<u>Trustees of Ebenezer United Methodist Church</u>		<u>Ansis Kainajs</u>	
NAME		COMPANY	
<u>161 Embrey Mill</u>	<u>Stafford</u>	<u>VA</u>	<u>22554</u>
ADDRESS	CITY	STATE	ZIP
**SEE ATTACHED APPLICANT/CONTRACT PURCHASER			
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	

<u>PROFESSIONAL</u> (Engineer, Surveyor, etc.)		Primary Contact Person <input type="checkbox"/>	
		<u>Urban, LTD</u>	
NAME		COMPANY	
<u>4200-D Technology Court</u>	<u>Chantilly</u>	<u>VA</u>	<u>20151</u>
ADDRESS	CITY	STATE	ZIP
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	

** **The Pence Group, Inc.**
Robert Frank Pence, President
11708 Bowman Green Drive
Reston, VA 20190

STAFFORD COUNTY
Department of Planning and Zoning

Statements of Understanding

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

Signature of Owner/Co Owner

Printed Name

Date

Signature of Owner/Co Owner

Printed Name

Date

Signature of Owner/Co Owner

Printed Name

Date

I, as applicant or agent for the owner(s) of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

RF Pence
Signature of Applicant/Agent

Robert Frank Pence
Printed Name

12/16/14
Date

* Additional sheets may be used, if necessary.

STAFFORD COUNTY
Department of Planning and Zoning

General Information

Clearly indicate all information that applies to this project:

DETAILED DESCRIPTION OF PROJECT

To allow vehicle fuel sales in a proposed P-TND Zone

INFORMATION FOR FEE CALCULATIONS

1.5646 ± of Acres

Type of Conditional Use Permit:

- Standard Conditional Use Permit (including amendments)
- Minor Conditional Use Permit Amendment

* See Background Information on page 3 to determine if the request qualifies as a minor amendment.

INFORMATIONAL

Previous Resolution # _____

Zoning District _____

Proposed Use(s) _____

STAFFORD COUNTY
Department of Planning and Zoning

Review Fee Calculations

The County review fee calculations are divided into two sections. Each section is based on a different type of application. Determine the application fee by filling out the one section that applies.

Section I. Standard Conditional Use Permit:

A. Base Fee: (Required)	\$ <u>9,750.00</u>
B. General Fee: (If greater than 5 acres) (_____ Acres - 5) X \$125	\$ _____
C. Fire & Rescue Review Fee (required).....	\$ <u>95.00</u>
D. Utilities Department Review Fee (required).....	\$ <u>95.00</u>
E. Public Works Review Fee (required).....	\$ <u>120.00</u>
F. Traffic Impact Analysis Review Fee: (If TIA required) Volume <1,000 VPI)\$200.00 Volume >1,000 VPI)\$400.00.....	\$ _____
G. Adjacent Property Notification (required): (<u>25</u> Adjacent properties) X \$6.48	\$ <u>162.00</u>
Sub-total (Add appropriate amounts from lines A thru G above).....	\$ <u>10,222.00</u>
H. Technology Fee (sub-total x 2.75% or 0.0275).....	\$ <u>281.10</u>
TOTAL (Sub-total + H. Technology Fee).....	\$ <u>10,503.10</u>

Section II. Minor Conditional Use Permit Amendment:

A. General Fee:	\$ <u>6,190.00</u>
B. Adjacent Property Notification (required): (_____ Adjacent properties) X \$6.48	\$ _____
Sub-total (Add lines A and B)	\$ _____
C. Technology Fee (sub-total x 2.75% or 0.0275).....	\$ _____
TOTAL (Sub-total + C. Technology Fee).....	\$ _____

MAKE CHECK PAYABLE TO "STAFFORD COUNTY"

STAFFORD COUNTY
Department of Planning and Zoning

List of Adjoining Property Owners

The applicant is required to provide a list of the owners as shown on the current real estate tax assessment books of all abutting properties and properties immediately across the street or road from the property to be rezoned or issued a Conditional Use Permit. If the application requests a rezoning of only a portion of the parcel or a Conditional Use Permit on only a portion of the parcel, the entire parcel must be the basis for the below listing.

Provide additional pages if needed.

SEE ATTACHED			
TAX MAP PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

TAX MAP PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

TAX MAP PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

Abutting Property Owners
Tax Map Parcel 20-130
Stafford Village Center

<u>Tax Map Number</u>	<u>Property Owner</u>
20-65C	David Sheftelman, Jr. & Florence L. Sheftelman 132 Pewter Lane Stafford, VA 22554-1517
20-93	Elkins 418 Garrisonville LLC P.O. Box 2503 Springfield, VA 22152-0503
20-95	RGS Medical Mall LLC P.O. Box 5699 Fredericksburg, VA 22403-5699
20-95A	KAMCO 610 LLC 432 Garrisonville Rd. 11 Stafford, VA 22554-1577
20-96B	610 Shopping Center LP 5454 Wisconsin Avenue, Suite 1265 Chevy Chase, MD 20815-6950
20-98	Stafford AA LLC P.O. Box 2008 Virginia Beach, VA 23450-2008
20-126B	Liberty Place LC 6032 Flywheel Ct. Columbia, MD 21044-3600
20-99	Mabudian Mehrdad & Khandan Mojdehbab 11904 Shady Mill Ln. Oak Hill, VA 20171-1802
20-127	Melvin Knight 18 Sunrise View Lane Stafford, VA 22554-5535
20-129	Route 610 Development LLC 389 Garrisonville Rd. Stafford, VA 22554-1578
20-129A	610 Car Wash LLC 389 Garrisonville Rd. Stafford, VA 22554-1578

20F-6-43 Brenda M. Fortune & Diana F. Constance
111 Candlestick Drive
Stafford, VA 22554-1503

20F-6-44 Delbert & Margaret E. Simmons
113 Candlestick Drive
Stafford, VA 22554-1503

20F-6-46 Roosevelt Lloyd
117 Candlestick Drive
Stafford, VA 22554-1503

20F-6-47 Richard F. & Barbara A. Barg
119 Candlestick Drive
Stafford, VA 22554-1503

20F-5-48 George W. & Anna Marie Michalick
121 Candlestick Drive
Stafford, VA 22554-1503

20F1-4-3-113 Garrisonville Road Inc.
P.O. Box 74
The Plains, VA 20198-0074

20F1-6-6-121 HV Holdings LLC
385 Garrisonville Road, 121
Stafford, VA 22554-8900

20T-A Liberty Single Homeowners' Assn Inc.
7 St. Paul St., Suite 4
Baltimore, MD 21202-1628

20T-293 Arnold Kenneth & Pamela K. White
38 Ontell Court
Stafford, VA 22554-1565

20T-294 Ricky & Lynne Putnam
37 Ontell Court
Stafford, VA 22554-1566

20T-292 Richard T. Rice
36 Ontell Court
Stafford, VA 22554-1565

20T-3-A1, 20T-3-A2 Partnership 20 L P
3609 Chain Bridge Road Suite C
Fairfax, VA 22030-3241

20ZZ-203 Garrisonville Holdings LLC
1008 Prince Edward St.
Fredericksburg, VA 22401-3832

STAFFORD COUNTY
Department of Planning and Zoning

TAX MAP PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

TAX MAP PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

TAX MAP PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

TAX MAP PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

STAFFORD COUNTY
Department of Planning and Zoning

Application Affidavit

This form to be filed with:

STAFFORD COUNTY
BOARD OF SUPERVISORS

1300 COURTHOUSE ROAD
STAFFORD, VIRGINIA 22555

Internal Use Only	
Project Name:	_____
A/P #:	_____
Date:	_____

All applicants for a special exception, a special use permit, conditional use permit, amendment to the zoning ordinance or variance shall make complete disclosure of the equitable ownership of the real estate involved in the application, including in the case of corporate ownership, limited liability company ownership or similar business ownership, the name of stockholders, officers, managing partners, general partners, owners and members, and in any case the names and addresses of all of the real parties in interest. The requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the event the ownership of the involved real estate changes in any respect during the time the application is pending, the applicant shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein. If the applicant is a contract purchaser, the ownership information required herein shall be provided for the contract purchaser in addition to the owner of the real estate involved in the application. This section applies to applications before the board of supervisors, planning commission and board of zoning appeals.

See Section 15.2-2289 for State Enabling Authority

1. Applicant information

Name of Applicant Robert Frank Pence
Name of Company The Pence Group, Inc.

Applicant Address 11708 Bowman Green Drive
Reston, VA 20190

Applicant's Signature *RF Pence*

Name of Agent _____

Address of Agent _____

2. Type of Application

- Conditional Use Permit
- Rezoning
- Variance
- Special Exception

STAFFORD COUNTY
Department of Planning and Zoning

Application Affidavit
Page 2
Applicant: _____

Project Name:	_____
A/P #:	_____
Date:	_____

3. Property Information

Assessors Parcel(s) 20-130 _____

Address

4. Unless the equitable ownership is a corporation, limited liability company or similar business ownership, list all equitable owners of the property.

<u>Name of owners</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____

5. If the equitable ownership of the property is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders.

<u>Name of Members</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____

6. Unless the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all individuals involved with the purchase of the property.

<u>Name of Members</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____

STAFFORD COUNTY
Department of Planning and Zoning

Application Affidavit

Page 3

Applicant: _____

Project Name:	_____
A/P #:	_____
Date:	_____

7. If the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders

Name of Members

_____	_____
_____	_____
_____	_____
_____	_____

8. Have all individuals listed on this affidavit been notified of the purpose of the application?

Yes No

9. If #8 is No, list all individuals who have not been notified about this application plus submit the cost required for the Department of Planning and Zoning or Code Administration to send certified letters notifying those listed below of this application prior to the public hearing.

Name

Address, including zip code, no P.O. Box please

_____	_____
_____	_____
_____	_____
_____	_____

Number of owners to be notified: _____ X

Cost for certified letters \$ _____ (cost as of the day of submittal)

Total due: \$ _____ (Make checks payable to County of Stafford)

Please submit a check in the amount due with this application to cover the cost of serving the individuals listed in this section.

STAFFORD COUNTY
Department of Planning and Zoning

Application Affidavit
Page 4
Applicant: _____

Project Name:	_____
A/P #:	_____
Date:	_____

10. Affirmation & Witness

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief. In the event the ownership of the involved real estate changes during the time the application is pending, I shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein.

Printed name of Signer Robert Frank Pence

Corporate Office of Signer President

Signature 

Date 12/16/14

COMMONWEALTH OF VIRGINIA
COUNTY OF STAFFORD, to wit:

The forgoing affidavit was acknowledged before me this 16th day of December, 2014 by
Robert Frank Pence owner/applicant.

My commission expires: 9/30/2018


Notary Public



STAFFORD COUNTY
Department of Planning and Zoning

Checklist for Generalized Development Plans (GDP)

In accordance with Section 28-224 of the Stafford County Code, when a GDP involves engineering, architecture, urban land use planning or design, landscape architecture, or surveying, such work shall be performed by persons qualified and authorized to perform such professional work, in accordance with applicable provisions of the Code of Virginia.

N/A COMPLETE

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Sec 28-225(1) |
| <input type="checkbox"/> | <input type="checkbox"/> | Date of drawing, |
| <input type="checkbox"/> | <input type="checkbox"/> | true north arrow, |
| <input type="checkbox"/> | <input type="checkbox"/> | scale, |
| <input type="checkbox"/> | <input type="checkbox"/> | legend for all symbols used, |
| <input type="checkbox"/> | <input type="checkbox"/> | name of the applicant, |
| <input type="checkbox"/> | <input type="checkbox"/> | name of the owner, |
| <input type="checkbox"/> | <input type="checkbox"/> | name of the development, |
| <input type="checkbox"/> | <input type="checkbox"/> | person preparing the drawing, |
| <input type="checkbox"/> | <input type="checkbox"/> | match lines if applicable; |
| | | Sec 28-225(2) |
| <input type="checkbox"/> | <input type="checkbox"/> | Boundaries of the area covered by the application, |
| <input type="checkbox"/> | <input type="checkbox"/> | vicinity map showing the general location of the proposed development, |
| | | major roads and existing subdivisions at a scale of one inch equals two |
| | | thousand (2,000) feet; |
| | | Sec 28-225(3) |
| <input type="checkbox"/> | <input type="checkbox"/> | Approximate locations and identification of any easements and rights-of- |
| | | way on or abutting the site; |
| | | Sec 28-225(4) |
| <input type="checkbox"/> | <input type="checkbox"/> | Approximate location of each existing and proposed structure on the site |
| <input type="checkbox"/> | <input type="checkbox"/> | the number of stories, |
| <input type="checkbox"/> | <input type="checkbox"/> | height, |
| <input type="checkbox"/> | <input type="checkbox"/> | roof line, |
| <input type="checkbox"/> | <input type="checkbox"/> | gross floor areas and |
| <input type="checkbox"/> | <input type="checkbox"/> | location of building entrances and exits; |
| | | Sec 28-225(5) |
| <input type="checkbox"/> | <input type="checkbox"/> | Identification and location of uses and structures on all abutting |
| | | properties; |
| | | Sec 28-225(6) |
| <input type="checkbox"/> | <input type="checkbox"/> | Approximate location of all existing and proposed parking and loading |
| | | areas, |
| <input type="checkbox"/> | <input type="checkbox"/> | outdoor trash storage, |
| <input type="checkbox"/> | <input type="checkbox"/> | lighting facilities, and |
| <input type="checkbox"/> | <input type="checkbox"/> | pedestrian walkways; |
| | | Sec 28-225(7) |
| <input type="checkbox"/> | <input type="checkbox"/> | Approximate location, height and type of each existing and proposed |
| | | wall, fence, and other types of screening; |

STAFFORD COUNTY
Department of Planning and Zoning

Checklist for Generalized Development Plans (continued)

N/A	COMPLETE	
<input type="checkbox"/>	<input type="checkbox"/>	Sec 28-225(8) Approximate location and description of all proposed landscaping;
<input type="checkbox"/>	<input type="checkbox"/>	Sec 28-225(9) Approximate location, height and dimensions of all proposed signage on site;
<input type="checkbox"/>	<input type="checkbox"/>	Sec 28-225(10) Approximate location of all existing drainage ways, floodplains and wetlands on site;
<input type="checkbox"/>	<input type="checkbox"/>	Sec 28-225(11) Approximate location of all common open space, recreational areas and bufferyards;
<input type="checkbox"/>	<input type="checkbox"/>	Sec 28-225(12) Where the site abuts any tidal water body or impoundments, the approximate high water line, low water line, top of bank and toe of slope;
<input type="checkbox"/>	<input type="checkbox"/>	Sec 28-225(13) Approximate location and identification of all significant natural or noteworthy features including, but not limited to, historic and archeological sites, cemeteries, existing trees with a trunk diameter greater than six (6) inches DBH

Waiver of GDP Requirements

In accordance with Section 28-223 of the Stafford County Code, the Director of Planning and Zoning may waive the requirement for the submission of a GDP if the application meets one of the following standards:

- (1) There will be less than two thousand five hundred (2,500) square feet of total land disturbance on lots or parcels of less than ten thousand (10,000) square feet.
- (2) For single-family dwellings intended for the occupancy of the applicant and where there will be less than five thousand (5,000) square feet of land disturbance.
- (3) For specific items of information when, in the opinion of the director of planning, their application to the subject property does not serve the purpose and intent of this article.

A request for a waiver shall be made in writing to the Director of Planning and Zoning identifying the sections in which you are requesting a waiver and the reason for the request.

STAFFORD COUNTY
Department of Planning and Zoning

**CONDITIONAL USE PERMIT
TRANSPORTATION IMPACT
ANALYSIS DETERMINATION**

Name of development Stafford Village Center
Type of development Gas Station with kiosk
Parcel # TM 20, Parcel 130

RECEIVED BUT NOT OFFICIALLY SUBMITTED	
DATE: _____	INITIALS _____
OFFICIALLY SUBMITTED	
DATE: _____	INITIALS _____

Traffic Volume Calculations

This site generates:

- 272 VPH (insert the highest VPH)
- 2,360 VPD on state controlled highways (insert highest volume).
- 170 Peak AM (VPH)
- 194 Peak PM (VPH)
- 272 Peak Saturday (VPH)
- 2,360 VPD highest intensity*

Attach a page showing the calculations and the ITE trip generation codes to this form.

Minimum Thresholds to submit a TIA

Any proposal that generates 150 or more vehicle trips per day above the existing use, and the site meets the VDOT requirements for TIAs under 24 VAC 30-155 or Stafford County Rezoning TIA requirements. See "VDOT Traffic Impact Analysis Requirements" table on next page.

Trip Generation Calculation Guidelines

- Traffic volumes shall be based on the rates or equations published in the latest edition of the Institute of Transportation Engineers Trip Generation.
- If a site has multiple entrances to highways, volumes on all entrances shall be combined for the purposes of this determination.
- If the site does not have direct access to a state maintained road, the site's connection is where the site connects to the state highway system.
- Traffic volumes shall NOT be reduced through internal capture rates, pass by rates, or any other reduction methods.
- For redevelopment sites only: when the existing use is to be developed at a higher intensity, trips currently generated by the existing development that will be removed may be deducted from the total trips that will be generated by the proposed land use.
- When rezoning, use the highest possible traffic generating use unless development is limited by proffer to less than the possible highest traffic generation.

For development proposals that generate 1000 or more vehicle trips per peak hour the applicant shall request a scope of work meeting with VDOT and Stafford County Office of Transportation to discuss the required elements of a traffic impact analysis.

*The highest intensity use is the highest possible use allowable under the zoning requirements for the entire property should it be developed to its fullest extent possible under the current building guidelines. The only exception is if proffers limit the area and type of uses.

OWNER'S CONSENT FORM

I. Robert Frank Pence on behalf of The Pence Group, Inc., authorize H. Clark Leming of Leming and Healy P.C., to apply for a conditional use permit for Assessor's Parcels 20-130 as shown on the records of the Commissioner of the Revenue for Stafford County, Virginia.

The Pence Group, Inc.

By: [Signature]
Name: Robert Frank Pence
Title: President

COMMONWEALTH/STATE OF Virginia
COUNTY/CITY OF FAIRFAX, to wit:

I the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that Robert Frank Pence, whose name as President of The Pence Group, Inc., is signed to the foregoing document, has personally acknowledged the same before me in my aforesaid jurisdiction for the corporation.

GIVEN under my hand and seal this 16th day of December, 2014.

[Signature]
Notary Public

My Commission Expires: 9/30/2018



OWNER'S CONSENT FORM

I, ANSIS KALNAJS, Trustee of Ebenezer United Methodist Church, owner of Assessor's Parcel 20-130 as shown on the land records of the Commissioner of the Revenue for Stafford County, Virginia, and authorize The Pence Group, Inc. and its counsel, H. Clark Leming of Leming and Healy P.C., to apply for a conditional use permit for this parcel with full power and authority to do and perform all acts and make all representations necessary without any limitation whatever, to make Application for said Conditional Use Permit. This includes the authority to execute and amend proffers.

Trustees of Ebenezer United Methodist Church _____

By: _____

Name: _____

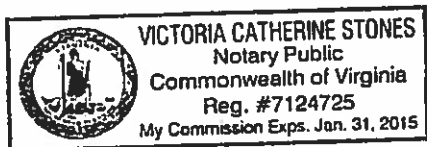
Title: _____

ANSIS KALNAJS
TRUSTEE OF EUMC

COMMONWEALTH/STATE OF Virginia
COUNTY/CITY OF Stafford, to wit:

I the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that Ansis Kalnajs, whose name is signed to the foregoing document, has personally acknowledged the same before me in my aforesaid jurisdiction.

GIVEN under my hand and seal this 16 day of December 2014.



Victoria Catherine Stones
Notary Public

My Commission Expires: 1-31-15

Real Estate Bill - Account Information Lookup Results

These results last updated: 12/9/2014. All balances are due as of 12/9/2014 and include penalty & interest, if applicable through 12/9/2014.

PIN Number: 5733
Name: EBENEZER UNITED METHODIST CHURCH
161 EMBREY MILL RD
STAFFORD, VA 22554-6811
Tax Map Number: 20 130
Physical Address: 425 GARRISONVILLE RD
Last payment of \$460.28 received on 12/2/2014.
Payment Details: Total Tax Paid in 2014: \$920.56
Total Fees Paid in 2014: \$0.00
Total P&I Paid in 2014: \$0.00
Balance Due Now: \$0.00
Future Balance: \$0.00
Total Balance: \$0.00

[Back to Account Lookup](#) | [Back to Stafford County](#)



**Description of
CUP Area
On the Property Of
Ebenezer United Methodist Church
Plat Book 9 Page 258
Garrisonville Magisterial District
Stafford County, Virginia**

Beginning at a point on the northwesterly corner of the land of Route 610 Development LLC, as recorded in Instrument Number 98-0021606 among the land records of Stafford County, Virginia; Said point also being on the southerly right-of-way line of Garrisonville Road, Virginia State Route 610, a variable width right-of-way; Thence departing the southerly right-of-way line of said Garrisonville Road and running with the land of said Route 610 Development LLC;

South 14°02'52" East a distance of 278.59 feet to a point; Thence departing the land of said Route 610 Development LLC and running through the land of Ebenezer United Methodist Church, as recorded in Plat Book 9 at Page 258 among the land records of Stafford County, Virginia;

South 72°54'08" West a distance of 237.87 feet to a point;

North 17°05'52" West a distance of 282.15 feet to a point on the southerly right-of-way line of said Garrisonville Road; Thence running with the southerly right-of-way line of said Garrisonville Road;

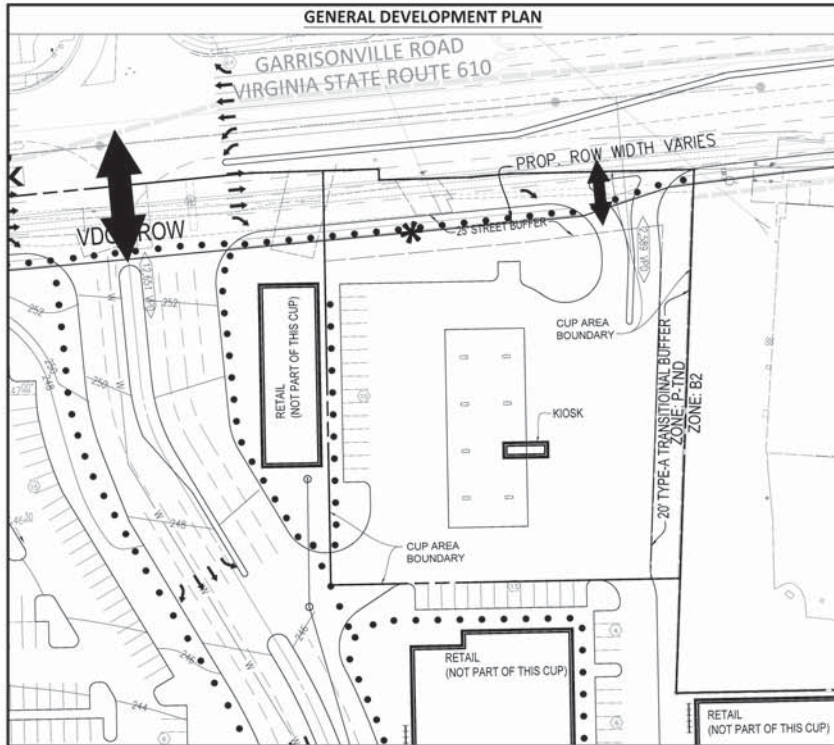
North 72°16'48" East a distance of 38.05 feet to a point;

South 17°43'12" East a distance of 7.50 feet to a point;

North 72°16'48" East a distance of 62.80 feet to a point;

North 68°29'33" East a distance of 25.67 feet to a point;

North 72°41'12" East a distance of 126.18 feet to the point of beginning and containing an area of 68,152 square feet or 1.5646 acres, more or less.

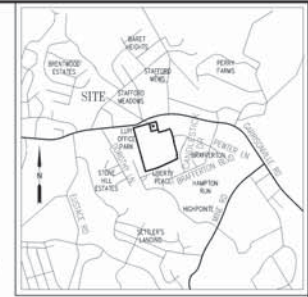


FUEL SALES PARCEL SUMMARY:

PARCEL NUMBER	TAX MAP 20; PARCEL 130
AREA SUBJECT TO CUP	1.5646 (68,152 SQ. FT.)
EX. ZONING DESIGNATION	R-1
PROPOSED ZONING DESIGNATION	P-TND
GROSS FLOOR AREA OF KIOSK	300 SQ. FT.
AREA OF WETLANDS, FLOODPLAINS AND 30% SLOPES	.01513 ACRES (6591 SQ. FT.)
FAR PROVIDED	0.0044
OPEN SPACE REQUIRED	25% (0.39 ACRES)
OPEN SPACE PROVIDED	25% (0.39 ACRES)

GDP NOTES:

1. THE LAYOUT SHOWN HEREON IS FOR A FUEL FACILITY CONSISTING OF 7 DOUBLE-LOADED FUEL STATIONS AND A 300 SQUARE FOOT KIOSK AS SHOWN.
2. THE FUEL STATION CANOPY SHALL HAVE A MAXIMUM HEIGHT OF 20 FT.
3. BOUNDARY INFORMATION PROVIDED BY URBAN, LTD. DEC. 2014, AND REFERENCED TO NAD 1983 AND SUPPLEMENTED BY THE ANTICIPATED VDOT RIGHT-OF-WAY TAKING ALONG THE SUBJECT PROPERTY'S FRONTAGE ON GARRISONVILLE ROAD.
4. SIGNS AND SIGNAGE WILL BE PROVIDED IN SUBSTANTIAL CONFORMANCE WITH THE NEIGHBORHOOD DESIGN STANDARDS.
5. THIS PARCEL IS WITHIN THE HIGHWAY CORRIDOR OVERLAY DISTRICT. IN ACCORDANCE WITH THIS DISTRICT, A LANDSCAPED BERM WILL BE PROVIDED ALONG THE FRONTAGE BETWEEN THE HIGHWAY AND THE PROPOSED PARKING.
6. PROPOSED ROADWAY SHOWN ON THE FRONTAGE OF THE PROPERTY IS BASED ON PLANNED IMPROVEMENTS BY VDOT. NECESSARY R.O.W. WILL BE DEDICATED WITH THIS PROJECT AS SHOWN.



VICINITY MAP
1" = 2000'

NO.	DATE	REVISIONS

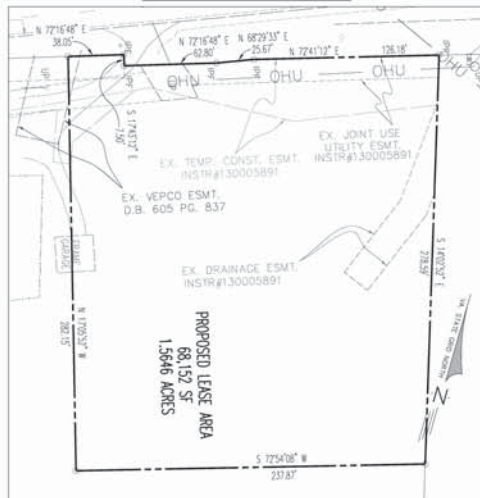
PLAN DATE	01-14-15
	04-24-15

Urban, Ltd.
400 BENTLEY ROAD, SUITE 200
FALLS CHURCH, VA 22034
TEL: 703.441.1000
FAX: 703.441.1001
www.urbanltd.com

urban
Planned. Engineered. Landscaped. Landscapes.



BOUNDARY INFORMATION



BOUNDARY INFORMATION NOTES:

1. BOUNDARY INFORMATION PROVIDED BY URBAN, LTD. DEC. 2014, AND REFERENCED TO NAD 1983 AND SUPPLEMENTED BY THE ANTICIPATED VDOT RIGHT-OF-WAY TAKING ALONG THE SUBJECT PROPERTY'S FRONTAGE ON GARRISONVILLE ROAD.

LEGEND

	PRIMARY SITE ACCESS (SIGNALIZED)		CUP AREA BOUNDARY
	POTENTIAL RIGHT-IN/RIGHT-OUT ACCESS		EXISTING WETLANDS
	VEHICLES PER DAY (PER TRAFFIC STUDY)		EXISTING TREE LINE
			PROPOSED WALKWAY
			EXISTING MAJOR CONTOUR
			PROPOSED CURB LINE
			PROPOSED WATER LINE
			EXISTING SANITARY SEWER
			PROPOSED SANITARY SEWER
			POTENTIAL BUILDING FOOTPRINT
			POTENTIAL BIKE RACK (10 SPACES)
			POTENTIAL SIGN LOCATIONS
			PROPOSED BUFFER YARD

GRAPHIC SCALE
1" = 40 FT.

Urban, Ltd. - A VDOT General Consultant (License #12121-26-226-4-Leaf Sales Dept) [P.L. SCALE: 0.001] April 25, 2015 - 3.45pm (update)

FUEL SALES - GENERALIZED DEVELOPMENT PLAN
STAFFORD VILLAGE CENTER
REZONING PLAN
GARRISONVILLE MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA
CL# N/A

DATE: DEC. 2014
SCALE: 1"=40'

SHEET
03A
OF
10
FILE No.
SP-12747

PROPOSED

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 day of , 2015:

MEMBERS:

- Gary F. Snellings, Chairman
- Laura A. Sellers, Vice Chairman
- Meg Bohmke
- Jack R. Cavalier
- Paul V. Milde, III
- Cord A. Sterling
- Robert “Bob” Thomas, Jr.

VOTE:

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

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP15150542 TO ALLOW VEHICLE FUEL SALES WITHIN A HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT AND P-TND PLANNED TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICT, ON A PORTION OF ASSESSOR'S PARCEL 20-130, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, The Pence Group, Inc., applicant, submitted Application CUP15150542 requesting a conditional use permit (CUP) to allow vehicle fuel sales within the HC, Highway Corridor Overlay Zoning District and P-TND, Planned Traditional Neighborhood Development Zoning District, on a portion of Assessor's Parcel 20-130, located within the Garrisonville Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code, Section 28-35, Table 3.1, which permits this use in an HC, Highway Corridor Overlay Zoning District and P-TND, Planned Traditional Neighborhood Development Zoning District, after a CUP is issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of , 2015, that a CUP pursuant to application CUP15150542 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is to allow motor vehicle fuel sales as shown in the general location depicted on the Generalized Development Plan, on sheet 3A of the Rezoning Plan for Stafford Village Center, dated April 24, 2015.
2. Access to the subject property from Garrisonville Road shall be limited to one (1) right-in right-out entrance.
3. No carnival style signs, banners, lights, balloons, or windsocks shall be utilized on the property, except for periodic events such as grand openings and special anniversaries, when use of these items shall be on a strictly temporary basis.
4. The use of electronic or variable message signs and flashing signs shall be prohibited at all times.
5. The canopy and signage shall be constructed in general conformance with the image and standards provided in the Stafford Village Center Neighborhood Design Standards, dated April 27, 2015.
6. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state, or County Code, law, ordinance, or regulation.

AJR:JAH:mz

PROPOSED

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 day of , 2015:

MEMBERS:

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

VOTE:

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

A RESOLUTION TO DENY A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP15150542 TO ALLOW VEHICLE FUEL SALES WITHIN A HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT AND P-TND PLANNED TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICT, ON A PORTION OF ASSESSOR'S PARCEL 20-130, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, The Pence Group, Inc., applicant, submitted Application CUP15150542 requesting a conditional use permit (CUP) to allow vehicle fuel sales within the HC, Highway Corridor Overlay Zoning District and P-TND, Planned Traditional Neighborhood Development Zoning District, on a portion of Assessor's Parcel 20-130, located within the Garrisonville Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Section 28-35, Table 3.1, which permits this use in an HC, Highway Corridor Overlay Zoning District and P-TND, Planned Traditional Neighborhood Development Zoning District, after a CUP is issued by the Board; and

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

WHEREAS, the Board finds that the request does not meet the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of , 2015, that a CUP pursuant to application CUP15150542 be and it hereby is denied.

AJR:JAH:ehe