

STAFFORD COUNTY PLANNING COMMISSION MINUTES
March 26, 2014

The meeting of the Stafford County Planning Commission of Wednesday, March 26, 2014, was called to order at 6:30 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Rhodes, Apicella, Coen, Bailey, English, Boswell, and Gibbons

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, McClendon, Stinnette, Zuraf, and Doolittle

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes: Are there any Declarations of Disqualification for any item on the agenda this evening?

Mr. English: Mr. Chairman, I have been in contact with Oakenwold, Clark Leming and his staff with this.

Mr. Rhodes: Very good, and certainly not a disqualification, always good to make sure all clear of all discussions that have occurred. So thank you very much Mr. English. Any other member? Thank you very much. We will now move onto Public Presentations. This is an opportunity for any member of the public to present any item they would like to present to the Planning Commission except for what is for Public Hearing. So this is an opportunity to speak and present on any item except for item number 1 -- there will be an opportunity later for that. If you do so, you may come forward to address the Planning Commission as a whole. We would ask that you state your full name and your address, and then a green light will come on. And when the green light comes on it indicates three minutes; yellow light comes on it will be indicating one minute; and when the red light comes on we would just ask that you wrap up your comments at that point. So, if anyone would like to come forward on any item except for item number 1, you may do so at this time.

PUBLIC PRESENTATIONS

Mr. Waldowski: Paul Waldowski. I brought my water bill to let you know that's why I keep coming here, for Resolution 82-341. I used my iPhone and sent it to five of the Supervisors. Also want to recognize that the Buffalo Bills' owner, Ralph Wilson, the only owner, passed away yesterday. Ralph made a big impact on a lot of kids just like me when I was a 12 year old. And Jack Kemp... can you believe it?... was the quarterback and Daryle Lamonica was his backup. And though we never won a Super Bowl, we did win two AFL Championships and Daryle Lamonica went on to win a Super Bowl for Oakland. Now, you know, as a New Yorker it's pretty hard for me to say that the three men I've come to admire most are someone who I'd like to go play golf with. They're called Tommy, Jimmy, and James. That's Tom Jefferson, you know, the Louisiana Purchase of 1803, Jimmy Madison... some don't realize Dolly has already been the first woman President of the United States. The War of 1812 we sent back the Brits and told them that, I guess you don't need to wear red in this country. And James Monroe was probably one of my favorites. There's also a Monroe Museum down in Fredericksburg because I love the Monroe Doctrine. If you don't like living here, if we can just Homeland Security to figure that out then go live somewhere else. Nowadays we... a couple years ago we had a leader who said, we have to pass the bill so you can find out what is in it. And it made me think of yesterday, when I was at the School Board, we have to pass UDAs and then we can find out what's in 'em. Because I

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heard a developer start out by offering \$5,000, then it went to 10, and then it went to \$15,000 so they could get into the water and sewer of the Stafford Elementary School. It's just amazing to me what goes on. But at least it was out in the open, and I'm sure he had good intentions. For those of you who don't know, there's only 645 days till 12/15/31. The reason that date is significant... I mean, it's 12/31/15... man I was dyslexic for a minute... that's the date when some of our Board of Supervisors will be their last term in office. I hope you have a great public hearing as I deposit my water bill.

Mr. Rhodes: Thank you. Is there anyone else who would like to come forward and speak on any item except for item number 1? You may come forward and do so at this time.

Mr. Lindeen: Good evening, I'm Gary Lindeen. Last summer they came in and they resurfaced all the roads in there. Well, there was like two periods; they did one period then they did another. I must be the lucky soul in the neighborhood, me and a couple other neighbors, where they did a portion of ours but probably wasn't supposed to because they never came back in and put the crushed rock on the side. I've gone out and bought my own crushed rock, but I didn't get enough to even the road. So, what's happening is, the mail carriers and the newspaper guys are delivering papers and they're rolling over the edge and they're crumbling the side of the brand new asphalt road. So what I'm asking is, if somebody can go out and check that out. It's on the tail-end of Briarwood before you get to Sweet Briar, and look at the side. You can see what was covered, crushed rock, what's not covered should be covered to even out that road surface so it doesn't deteriorate sooner than it's supposed to. So I'm just trying to preserve my road. Thank you.

Mr. Rhodes: Thank you sir. And again, these are not a question/answer opportunity but certainly the staff's here and can forward those to the appropriate things. So thank you sir. Is there anyone else who would like to speak on any item except for item number 1 on the agenda? You can come forward, Clark, if you want. Okay, just giving you an opportunity. Very good. Well, we will close the Public Presentation portion of the agenda and we'll move onto the Public Hearings. There's item number 1, RC1300324, Reclassification for Oakenwold. Mr. Harvey.

PUBLIC HEARINGS

1. RC1300324; Reclassification - Oakenwold - A proposed reclassification from the A-1, Agricultural Zoning District to the P-TND, Planned Traditional Neighborhood Development Zoning District, to allow a planned community, including up to 695 residential units and up to 250,000 square feet of commercial floor area, on Assessor's Parcel 37-80. The property consists of 231.6 acres, and is located on the south side of Centerport Parkway and east side of Mountain View Road, within the Hartwood Election District. **(Time Limit: June 24, 2014)**

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

Mr. Zuraf: Good evening Mr. Chairman, members of the Planning Commission. If I could have the computer please? This public hearing is for a project known as Oakenwold, RC1300324 is the case number. It's a zoning reclassification. The request would be to reclassify this property from the A-1, Agricultural, zoning district to the P-TND, Planned Traditional Neighborhood Development zoning district for a mixed use residential and commercial project proposed on this property. The applicant is John Groupe with IVI Strategies, and the agent is Clark Leming. To orient you, the location of this site

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is highlighted in red on the map. This is a zoning map. The property is on the south side of Centreport Parkway and basically on the east side of Mountain View Road. Mountain View Road is in this location. And then also on the west side of Interstate 95. The property itself covers 231.6 acres. This is an aerial photograph of the site. Looking at the existing conditions, the site is a mix of forested land cover and open agricultural fields and pasture land. It's bisected by Potomac Creek; it runs through the middle of the property. There are other perennial and intermittent tributary streams off of Potomac Creek that run through the property and wetland areas as well. There's a 100 year floodplain that runs along Potomac Creek, as well as a Dam Break Inundation Zone. This site is downstream from the Abel Reservoir and then another dam that you actually can see on the map in this location. Abel Reservoir is upstream this way. The topography... there is rolling terrain and areas of steep slopes to the north and west of Potomac Creek, and generally to the south and east of Potomac Creek you have level topography. In the southeast corner of the property, there are several highway billboard signs that people I'm sure are familiar with that you can see along Interstate 95. The signs are intended to remain according to the applicant; the signs are within a lease that apparently is in perpetuity. So, with this development proposal to a P-TND zoning district, there are several different plans that come in as part of the proposal. There is a Regulating Plan, a General Development Plan, and Neighborhood Design Standards. The Regulating Plan is a requirement of the Zoning Ordinance, and this would establish transect zones which basically set out the different intensities of development from more urban, higher density development down to land that should be preserved. So the Regulating Plan establishes that, also identifies primary road networks, any civic buildings and uses, pedestrian sheds from points that would be walkable from civic uses on the site, primary commercial frontage locations, and then street vista termination points. The General Development Plan is the standard development plan that we see for all zoning reclassifications that lay out a potential of what the site could look like as it's developed. And then the Neighborhood Design Standards provide more specific details as to how the buildings might appear, how the streetscape might look with features such as streetlights, benches, and other amenities that might be proposed in this type of development. So, this is the Regulating Plan that identifies the locations of the transect zones. This project includes a T-6 transect zone which is the more urban area where the commercial development is located so multi-family development is located. The highest density on the site is in this T-6 zone. T-4 is a little bit lower intensity. You do have a mix of townhomes and single-family homes in this location. You see the T-1 zone encompasses the environmental areas along Potomac Creek and other wetland areas and areas that are generally going to be preserved. And then there's a T-2 zone which is lower density to the south of Potomac Creek. Limited development is proposed in that location of the site. And this is the General Development Plan that... I'll zoom in a bit in the next slide... but you can see generally where streets are proposed to be located and you can see the location of the stream, Potomac Creek, and see that limited development is proposed to the south of the creek other than there is a potential for one cul-de-sac street. The applicant is proposing a 2-acre land dedication in this location for a potential Fire and Rescue Station. Otherwise, to the south of the creek it's undeveloped, and to the north is the focus of the development proposal. This identifies and shows a potential of what could happen on the site with the road network, with the primary access off of Centreport Parkway in this location through the site. Commercial development proposed in this location fronting on that road. There is a community center in this location. The existing Oakenwold property and house site is in this location, and I'll get more to that. There's a community garden proposed and, as I mentioned, multi-family units are proposed in this location and other areas include more townhouse and single-family detached units. Again, this is just a potential and the actual alignment of homes and mix of the single-family and townhouse units and some of the streets might change a bit. But the overall densities and intensities have to be maintained. So, the Neighborhood Design Standards as I mentioned that establishes some of the architecture features that will be specific; here are some of the images included in the Neighborhood Design Standards that identify the typical appearance of the homes that would be built in this location. There are also some

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images in the Neighborhood Design Standards that show a typical, kind of commercial corridor and how that might appear. And the Design Standards also go over... they list out general architectural guidelines and principles and specific elements of the building construction that will be required in the future. So, there's several proffers proposed with this project regarding site intensity and use. The project is required to be developed in accordance with the Regulating Plan and Design Standards. There will be a maximum of 695 total residential units with three unit types required. Of those three unit types, there could be no more than 450 multi-family units, 300 single-family attached townhouse units, and no more than 350 single-family detached units. And of course, if you do the math there, that's more than 695 and that's where the flexibility comes in where, as the project moves along, there's the ability to have more of one type of unit than the other. So, if they have more of single-family detached units, they would have to have less of the other types of units, but that mix would be required. Also, commercial development would range up to 150,000 square feet or up to potentially 250,000 square feet on the site. There would be some development phasing required. There would be a requirement that no more than 375 dwelling units would be built prior to 20,000 square feet of commercial. So they have to get 20,000 square feet of commercial on the ground before they can go beyond 375 units of residential. Of that commercial space, the 20,000 square feet of commercial space, there has to be a hotel/motel use is required as part of that. And with the transportation improvements, I'll get into the specific proffers being proposed there in a later slide. With public land dedication, as I mentioned there is a 2-acre site for Fire and Rescue proposed. With community amenities, the applicant is proposing to construct a private community center in coordination with different uses; community center pools and different amenities that would be included as part of that. Also, there would be a pedestrian shared use trail through the site and a half-acre community garden as I noted on the GDP. Also, with cultural resource preservation, the applicants... well, I'll get to the details on the cultural resource preservation proffers in a later slide. With open space preservation, the applicant's proposing to preserve 116 acres of the site in open space. That's the majority of the southern portion of the site. With the airport, the applicant's proffering to require notification of the Stafford Regional Airport's proximity to development through all marketing literature for any potential residential purchaser, and within any deeds for all new homes sold. Also, there are cash contributions proposed in the amount of approximately \$31,000 per single-family detached unit, \$17,000 per townhouse unit, and almost \$16,000 per multi-family dwelling unit. There are some provisions for credit against the contributions. There are several for some proffered transportation improvements but it states that it would go against the transportation amount, which there aren't specific proffers for transportation, so that's a little thing. But there are some credits that would be possible against the Fire and Rescue portion of the contribution for that land dedication. There are some adjustments that were made to the proffers since the time of the ad. The proffer, 4b, added in some language that would allow the Stafford County Historical Commission to be a consulting party to future Section 106 review; that's the federal permitting process that's required on the site where they would do a more detailed look at the resources on the property. Proffer 9a...

Mr. English: Mike, you said the Historical is going to look at it?

Mr. Zuraf: They will be a consulting party so they'll be involved in any of the Section 106 review.

Mr. English: Will they be... what about Mr. Newton? Will he be involved in that?

Mr. Zuraf: Not according to these proffers, no.

Mr. English: He's not? Okay. Is there some way we can add that in there that he also has...?

Mr. Zuraf: That's something the applicant can consider.

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Mr. English: You need to ask him?

Mr. Zuraf: Yes.

Mr. English: Yes. Sorry.

Mr. Rhodes: Are these the three that are on page 11 of the staff report?

Mr. Zuraf: Yes.

Mr. Rhodes: Okay. I think they're right in the middle of page 11, Mr. Gibbons, of the staff report.

Mr. Zuraf: And they're reflected in the proffers that you've received in your package, too, these changes. Also, proffer 9a would allow adjustments to the cash proffers in accordance with the Marshall Swift Index; that's typical language that we ask for to allow inflationary adjustments to the amounts. But that adjustment would have an annual increase up to 5% written in, and no more than 5%. Staff does have some comments on the proffers, as written, regarding one of the proffers would allow for the installation of a bus stop for FRED service. Staff suggests that language be added in to state that the service would be contingent on being requested by the County. I think the language says it be basically when FRED wants it but it should be contingent on or asked when it's requested by the County. The next point regarding the preservation of the Oakenwold house, staff would recommend some additional language to clarify the treatment and future use of the structure; specifically, if the building becomes dilapidated in the near term, prior to development of the site if there's a delay, you know, questions of how would the structure be rebuilt if it deteriorates in the future in advance of development. Also, will the structure be preserved to allow for occupation of the structure. That information is not clear in the proffers. Also, on the last point, regarding the proffer contribution increase up to 5%, staff recommends further clarification on what that is intended to mean, if it limits the annual increase each year up to 5% or is it meant to say an increase of no more than 5% forever. Staff would not support that later scenario.

Mr. Gibbons: Why wouldn't we use the CPI index on an annual basis?

Mr. Zuraf: That language is in there but then they do have a caveat that it would be up to 5%, no more than 5%. The Marshall Swift, sorry, and that's what we typically use now as opposed to the CPI. Okay, with transportation, a Transportation Impact Assessment was submitted. The site itself would generate over 12,000 vehicle trips per day, or 750 morning and 1,322 afternoon peak vehicle trips per hour with this use and the amount of development. The study is based on a development potential... the potential development scenarios and other planned development around the area. It does assume a 2020 year build-out and then their study looked at several intersections that are highlighted on this map in yellow that go all the way from Ramoth Church Road down past the site all the way to where Centreport Parkway ends at Route 1. And with this study, the results of this study did identify that three of the intersections would have some sort of impact. So to mitigate that impact, first it was identified that the Centreport Parkway/Mountain View Road intersection would have a failing Level of Service and so to mitigate that impact, the applicant's proffering to add a traffic signal, if warranted, and then add a northbound left turn lane on Centreport Parkway, and then extend the westbound left turn lane on Mountain View Road at this intersection. And the study found that these improvements would improve the Level of Service from E is the morning Level of Service, F is the afternoon Level of Service in the peak hour, and then it would improve to a C and D Level of Service in the morning and afternoon. As you're aware, the Levels of Service range from A to F. Usually anything C or better is acceptable; D, E, or F are considered failing. Our Transportation Plan states if, in the future, an intersection is going to be

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failing, the future project shouldn't make the project worse. It should improve it but at least not make it worse and they actually improve the Levels of Service with these improvements. The next intersection that would be impacted is the Centreport Parkway intersection with the southbound 95 ramps. The applicant is proposing to add a dedicated eastbound right turn lane and do signal timing adjustments. This would add a dedicated right turn lane in this location of Centreport Parkway for people turning right to go southbound on 95. And this improves the Level of Service here.

Mr. Gibbons: Is there any chance that that, if you back up a little bit on that, we blocked off the access back up to the high school. The state wouldn't let us put an access road over there. Could that be, at this time, opened back up again?

Mr. Zuraf: Which, the secondary access off of Route 1?

Mr. English: Old Enon Road.

Mr. Gibbons: No, no, before you get to 95.

Mr. Zuraf: Off of Enon? Old Enon? Okay. We would have to talk to VDOT about that issue.

Mr. Gibbons: Could somebody take that (inaudible)? This would be the time if we're ever going to address it, would could address it now.

Mr. Zuraf: Okay.

Mr. Gibbons: Thank you.

Mr. Zuraf: And the third intersection was Centreport Parkway at Route 1. The applicant would add a dedicated westbound left turn lane and do signal timing adjustments, so you're adding a second lane in this location for cars to turn left. So, VDOT did review this study and they did recommend the analysis at these intersections be run with a different model, and that's still ongoing. There's some different types of models that are used and the one model found that this was acceptable; VDOT wanted to basically double-check the results based on this other model, and that's something that VDOT hasn't concurred with yet. And they're working on it currently but we don't have the results just yet on that. With the Transportation Plan recommendations from the Comprehensive Plan, the Comp Plan recommends the widening of Centreport Parkway from a 2-lane to a 4-lane divided road within a 110 foot right-of-way area. The ultimate right-of-way is already in place in this location, in this portion of Centreport Parkway where the site is, so no additional right-of-way would be needed at this time. The timeframe for the actual improvement of Centreport has not been established. It's not identified within the County's CIP. Staff does believe it'd be more appropriate for the widening of Centreport Parkway to all occur as one overall project. With cultural resources, the applicant also conducted a Phase 1 cultural resource survey. It did identify one architectural resource, four archaeological sites, and six isolated finds. The map on the screen helps identify some of the locations of these resources. The architectural resource is the Oakenwold Farm complex itself. That is located in the central area of the site. So the farm complex is in this central location. As mentioned, it's circa 1855 Oakenwold Farm. There's the main house, there's an old school, corn crib, shed, and kitchen. The original house is an architecturally significant example of a Gothic Revival Cottage. There are several additions to the original structure that have occurred subsequent to the original dwelling being built. There's another site, ST0485, which is in this location; that is a small seasonal Native American campsite. Site 1148, in this location, is a more extensive Native American settlement with signs of 18th century occupation.

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And then the other seasonal campsite is in this location. And the site, ST1150, is an old road bed of the old alignment of Oakenwold Lane. So, the images here show the images of the original house and some of the other resources on the property. And in response to comments from the Historical Commission and recommendations in the Phase I survey, the applicant is proffering to preserve and maintain the original Oakenwold house. They may not preserve the entire structure; they'll at least preserve the original house, possibly this addition as well. But that's all being worked on and I guess the applicant's proposing to continue discussion with the Historic Commission as they solidify plans as to how they will be able to preserve the structure itself. The applicant will attempt to preserve the other outbuildings or conduct historic structure reports on these structures if they need to be removed. Also, the applicant will conduct a Phase II study on the Native American settlement mentioned. Looking at the airport impacts, the site is located within the Stafford Regional Airport's flight pattern and within the Stafford County's Airport Impact Overlay zoning district. Staff did receive comments from the Regional Airport Authority and Virginia Department of Aviation. They did express opposition to the proposal. They did note that residential development within the traffic pattern they see as an incompatible use which may lead to complaints from future residents that could affect the operation of the airport. The Department of Aviation noted that impacts from the residential development may affect future funding for the airport as well. The County's Airport Overlay district does establish height restrictions for structures within the proximity of the airport, and the required maximum height elevations would not be an issue with this site. The elevation of this site would not cause any kind of concern about the height of the buildings and that would not be an issue. The Comp Plan does address airport impacts. It has one objective, Objective 4.9 states "to minimize noise impacts and potential safety hazards generated by general aviation at public and private airfields in the County." And an associated policy to that objective states "the County should develop land use compatibility standards for new development to conform to within the aircraft approach patterns of airports and landing strips." And to date, the land use compatibility standards have not been developed. And I've mentioned the proffers that the applicant is proposing to address the airport impacts.

Mr. Apicella: Mr. Chairman?

Mr. Rhodes: Yes, please.

Mr. Apicella: I'm just kind of curious; I see different colors and different boxes. Can you help me understand what they mean?

Mr. Zuraf: Yes, from my understanding, the inner box is the patters that you would see for smaller planes as they circle, approach and circle the airport. The runway is in this location. As planes... so planes approaching the runway from the east, if they need to continue and circle around, they would do so in this pattern. And so basically it's a counterclockwise pattern that planes would follow to circle and approach the runway.

Mr. Apicella: So, if they're approaching from the east and they have to make a circle, they're definitely going to be flying over the parcel.

Mr. Zuraf: Yes.

Mr. Apicella: Okay, thanks.

Mr. Zuraf: Comments received from public safety, from Fire and Rescue staff, note response times are close to around eight minutes which is the response time goal that the County Supervisors have set.

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Staff had suggested several proffers be added to maintain these response times and those proffers would be to the effect of adding a secondary access to the site, equipping traffic signals with emergency vehicle pre-emption devices, and several suggestions regarding fire sprinklers and enhanced building design to meet fire safety standards. I mentioned the 2-acre Fire and Rescue site; this is consistent with the Comp Plan recommendation in this Urban Development Area. Staff does suggest though flexibility might be preferable should future priorities change as to the use of that proposed proffered 2-acre site. Also, staff is not certain if the site is large enough to meet current Fire and Rescue station design standards and would request...

Mr. English: So this has not been run by Fire and Rescue at all, to the Chief, or anything that you know of? This layout?

Mr. Zuraf: We haven't gotten specific details to that site and... yeah, we just need to bring it to their attention.

Mr. Gibbons: I thought the minimum site was five acres is what they wanted?

Mrs. Bailey: I thought it was three.

Mr. Zuraf: It might be three. That's where we need to get their input; it may be three. And also, the CIP does identify a Fire and Rescue station for this area of the County. The description of the project doesn't include a specific location or site. It does identify the project being constructed in the out years of the CIP, more out towards the year 2025. And now, so at a cost of about \$8 million. There are several Comp Plan policies regarding protection of environmental resources that recommend the preservation of resources for new development. There are some potential impacts that staff noticed with the General Development Plan, a possible layout. There is some potential for RPA impacts due to retaining wall construction that may occur with this type of site layout and staff recommends a setback that's typical with other proffers we've received. As mentioned, there's a Dam Break Inundation Zone that runs through the site along Potomac Creek and those limits have not been identified, and staff would recommend those be identified to kind of get a better idea to the impacts to the property. Also, there are two bald eagle nests on the site along Potomac Creek, and there are certain federal regulations that set some setback requirements on the property that the applicant will need to adhere to. And then, with the layout proposed, the layout we saw in the General Development Plan did show the potential for some impacts to some intermittent streams and associated steep slopes and wetlands. And although that would be something that would be allowed, the applicant would have to mitigate that impact through purchase of wetland credits. But staff notes that it's less preferable and...

Mr. English: You don't know where those are on the map, do you, right now Mike? The ones that you're talking about?

Mr. Zuraf: Yes, I do. Well, generally it runs through this location... through here. That's just the general location.

Mr. English: It's just that one that you know of?

Mr. Zuraf: Yes, other than that there are some small areas where some wetlands impacts but, as far as a stream channel, that was the one.

Mr. English: Okay.

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Mr. Zuraf: And looking at school impacts, the proposal would... you know, in looking at how the site might generate school children, the site, if you look at a countywide average of students per dwelling there would be 316 to 416 students. More recently, we've looked at the student generation in new home projects and that has a higher student generation that, in this site, could range from 503 to 660 students. And that range depends on the ultimate mix of dwelling units that might occur on the property. And we looked also at the student capacity at the receiving schools that are identified for this site; the areas where this site would go to. The schools within the Margaret Brent Elementary School District and you can see 90% of capacity right now. With Drew Middle School it's 83% of capacity, and Colonial Forge 105% of capacity right now. And there is, in the CIP, a project to expand Colonial Forge High School to add 200 seats to that school which will help alleviate some of the deficit that currently is in place.

Mr. Apicella: Mike, did we ask for and get formal comments from the school system?

Mr. Zuraf: Yes.

Mr. Apicella: Can you share those with us at some point?

Mr. Zuraf: I'd have to go back and pull those out.

Mr. Apicella: Thanks.

Mr. Gibbons: Mr. Chairman?

Mr. Rhodes: Yes, please.

Mr. Gibbons: The School Board the other night announced a brand new program that they have that does it by grade and it shows you what each grade capacity has and what the new ones are coming in, and I wonder why we can't get that over here.

Mr. Coen: If I may?

Mr. Rhodes: Please.

Mr. Coen: Well, I serve on the CIP Committee over at the school system. A decade ago they really had that, to do it by school, by grade. Our committee and members of the School Board are trying to get that reinstated. The synergy program that they have adopted in theory should be able to do that; as of yet has not been able to. But definitely Mrs. Kidby, the Chair, is really working to try to get that up to speed to do that. So I can certainly try to help that along as well, because a decade ago we did have that and Mr. Apicella and I served on that when they did it. And it was really excellent and spot on to help with this. And for some reason we've gone back to not doing it that way, and there is an effort to try and help that along.

Mr. Rhodes: Okay, very good.

Mr. Gibbons: Is there any reason why it disappeared after the two left?

Mr. Coen: I can give you the long history of that at another time.

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Mr. Zuraf: Okay, a few more points on the schools then. The UDA that this is located in, as it develops, would likely support new school facilities in this area in closer proximity to this site, but in the near term the residents and students would need to travel longer distances to these schools. And also note that the applicant is proffering monetary contributions that are in excess of the recommended monetary contributions for schools. With the Comprehensive Plan Future Land Use this, as mentioned, is in the Centerport Urban Development Area. It's recommended as locations for higher density mixed use development. It may include development patterns that promote pedestrian accessibility as well. The amount of growth recommended on this site is within the recommended amounts of residential development that are recommended in this Urban Development Area. It is the first proposal in this Urban Development Area and the proposed uses and densities are consistent with the recommendations of the Centerport UDA. And the Commission is reevaluating the Urban Development Areas and considering amendments. But until any of those amendments get approved, we do defer to the current adopted recommendations in the Comprehensive Plan. The small area of Business and Industry in the gray along Interstate 95, that area is where preservation is proposed on this site. With fiscal impacts, the applicant submitted an Economic and Fiscal Impact Study. Some of the points made in the study, during project development there would be 714 jobs created according to the study with \$33.7 million in personal earnings. Overall, regardless of development of the project, the study estimates a potential annual net fiscal benefit of half a million dollars per year and one-time capital contributions of approximately \$14.3 million. Those are basically the proffers that are proposed.

Mr. Rhodes: Is that net of the credit that they're suggesting on the Fire/Rescue land and the transportation improvements?

Mr. Zuraf: I'd have to check on that.

Mr. Rhodes: Okay, thank you.

Mr. Zuraf: With the proffer contributions, in total, depending on the mix of dwelling units, again there actually could range from \$13 million to \$16.6 million in total. And staff does note that this is less than the recommended proffer guidelines that are currently in place. There was a request for staff to identify this in comparison to the Planning Commission's proposed proffer guidelines that are being considered currently. At the top, the top chart is the proffers proposed by the applicant and the bottom is the Planning Commission's proposed proffer guidelines that have been sent to the Board of Supervisors for consideration. And you will see the applicant's proffers are slightly in excess of what is being recommended under these new proffer guidelines.

Mr. Rhodes: And that's at the notional 75% valuation?

Mr. Zuraf: Correct.

Mr. Apicella: Mr. Chairman?

Mr. Rhodes: Yes please, Mr. Apicella.

Mr. Apicella: Can you go back one slide? The Fiscal Impact Analysis that we got... is that based on the current plan or some previous version of the plan?

Mr. Zuraf: That is, I believe, a previous version, original version of the plan.

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Mr. Apicella: And would the...

Mr. Zuraf: It's not far off.

Mr. Apicella: ... annual net fiscal benefit change based on the mix of housing?

Mr. Zuraf: I would have to check on that. I couldn't say yes or no right now.

Mr. Apicella: Okay, thanks.

Mr. Rhodes: Yes Mr. Gibbons.

Mr. Gibbons: Since I was in the minority on the last vote on the proffers, it'd be nice to have a little chart this week that said if it was a hundred percent how it compared. I always like to negotiate down from a maximum.

Mr. Rhodes: Does that, at a hundred percent the single-family would be close to \$40,000 ...

Mr. Gibbons: (Inaudible - microphone not on).

Mr. Zuraf: We can, yes. Okay, with the evaluation of the project, there are positives and negatives. With the positives, it is consistent with the Comprehensive Plan Land Use and Transportation recommendations on this site. The monetary contributions fully mitigate impacts to schools, Fire and Rescue, and general government as are recommended in our proffer guidelines. It preserves significant cultural resources. The road improvements would mitigate transportation impacts and design guidelines would ensure high quality development. With negatives with the proposal, there would be impacts to parks and... the impacts to parks and libraries would not be fully mitigated as it relates to the recommended monetary contributions in the current proffer guidelines. Potential environmental impacts would be inconsistent with the Comprehensive Plan goals and objectives. Potential of negative impacts on airport operations and in the near term located farther away from public facilities and services. In summary, staff is generally supportive of the proposal. Although it is consistent with the Land Use and Transportation recommendations, we recommend the Planning Commission should consider all the issues that have been raised in this report and presentation to further mitigate the potential impacts as you consider this issue. And I'll take any questions.

Mr. Rhodes: Very good. Further questions for staff before we go to the applicant? Yes please.

Mr. Apicella: If you have some questions, please go ahead.

Mr. Rhodes: Mr. Apicella?

Mr. Apicella: Mr. Chairman, I do have some questions. I'm kind of working my way through the proffer statement and asking my questions, so I apologize. The first question is about the number of potential multi-family units. As I understand it, the flexibility that's being asked could ultimately provide them with 450 multi-family units; that's about two-thirds of the density being proposed.

Mr. Zuraf: Correct.

Mr. Apicella: It is. It's about 65%.

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Mr. Zuraf: Correct.

Mr. Apicella: That being said, we don't know what the number of bedrooms are, there's no caveat, no limitation on the number of... they could all be three bedrooms.

Mr. Zuraf: Correct.

Mr. Apicella: The Fiscal Impact Statement indicates a nine year build-out. Again, from what I can see, all the units can be built in year one, they can be built year five, year ten, year twenty... there's no timeframe associated with this. Did you discuss any phasing of the development? I know there's a portion of the property because they talked about phasing of commercial. Was there any discussion about phasing of the residential?

Mr. Zuraf: We did not have any discussions about that, no.

Mr. Apicella: Okay. As I understand it, the GDP is not proffered so the layout could substantially change. As long as they build within the transect zones 4 and 6, there's a great wide latitude in what they can do.

Mr. Zuraf: Generally they do commercial area and their access is going to be... is also identified in the Regulating Plan, so they do kind of have to have the commercial is going to be up in that upper corner and their main access road is going to be there. But, as far as the layout, yes, they are provided some latitude there.

Mr. Apicella: Okay. On the phasing of commercial development, let me ask another question first. The applicant's subject to all the P-TND requirements in 20-39, right?

Mr. Zuraf: Yes.

Mr. Apicella: Except those that they may get a deviation from. For example, it talks about bike facilities and there's a ratio of a number of units to how many bike facilities they have to have.

Mr. Zuraf: Right, right.

Mr. Apicella: Okay. So, onto the commercial, the phasing of commercial development. Why a hotel/motel?

Mr. Zuraf: You'd have to ask the applicant; I'm not certain.

Mr. Apicella: So, they're proffering at no more than 375 development units they would... I don't know how big a hotel/motel is, I don't know if that's all the 20,000 or a portion of the 20,000. But that's the only caveat on the commercial phasing. There's no indication of when any additional commercial can come along. They could build 694 units and still not have to satisfy ultimately that minimum threshold of 150,000 square foot, right?

Mr. Zuraf: Yeah, right, correct.

Mr. Apicella: What's the penalty? Is there any penalty?

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Mr. Zuraf: No.

Mr. Apicella: So, we have no assurance on the timing of that additional commercial to help offset the impact; that's kind of what you're saying?

Mr. Zuraf: Correct.

Mr. Apicella: Do you have any concerns about that?

Mr. Zuraf: Well, as I mentioned in the staff report, the results of the Fiscal Impact Study then may... that is contingent on that annual benefit of half a million dollars then is based on the commercial building out. So, the results in the report then may be different.

Mr. Apicella: There's a lot that goes into coming out with that \$500,000. I mean, it's still somewhat speculative; it could be higher, it could be lower. We have no way of knowing. I didn't see any uses in the P-TND zoning classification that are being proffered out. For example, they could build a funeral home within the subdivision, right. There's lots of by-right uses, as long as they fit within that transect zone.

Mr. Zuraf: Correct.

Mr. Apicella: Did you talk about any reasonable exclusions that might be appropriate?

Mr. Zuraf: We did not request any exclusions of specific commercial uses.

Mr. Apicella: Okay. On transportation, I'm still a little bit unclear about where the second access road is going to be. So, we've got 695 units all coming into primarily one road, plus commercial.

Mr. Zuraf: Correct.

Mr. Apicella: You and VDOT didn't have any issues or concerns with that?

Mr. Zuraf: The... if you go to the computer... well, the layout that's in the lower corner here does identify... Okay, here's the main entrance. The Regulating Plan does identify a potential for a second access down off of Mountain View Road, and so that could be a second access that they have control over. And again, that then would lead to the layout probably changing somewhat, but that's a potential. And also we did require different inter-parcel connection points at several locations. I think there was another shown on the Regulating Plan in this location. So, there are... ultimately, as the area develops out, there could be other options for secondary access. But, yeah, right now is one access shown and in the proffers, only the one access is a... the proffers do not require a second access up front.

Mr. Apicella: Again, my question is, is that of concern? That's a lot of units.

Mr. Zuraf: That was identified as a concern from Public Safety, yes.

Mr. Harvey: Mr. Apicella, the fire code requires that any project more than 200 units has to have a secondary source of access. So that would be something that they would have to address during the plan review process.

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Mr. Apicella: But it's not proffered; it says may.

Mr. Harvey: Correct.

Mr. Apicella: That's a pretty low threshold, may.

Mr. Harvey: They'd run up against a problem with the fire code if they don't have a second point of access.

Mr. Apicella: But at what point does that get triggered?

Mr. Harvey: Well, it would need to be figured before they get to that point in their development.

Mr. Apicella: Do we know what... so, once they hit that... what number did you say?

Mr. Harvey: Two hundred.

Mr. Apicella: Okay, thank you. On the traffic signal intersection improvements, the proffer, as I read it, gives again some discretion as to when the traffic signal warrant would be conducted. Did you all discuss with them eliminating that caveat and to go with upon request of as proven necessary by a traffic warrant when the signal would be installed?

Mr. Zuraf: Yes. We worked with them to get the adjusted language. Initially, it was just at one point during the process, at 350 units. And the original language said if it wasn't warranted at that time, none of the improvements would be required. And now the proffers have been modified, so those road improvements are going to happen and required regardless, and then the traffic signal analysis is given more flexibility.

Mr. Apicella: So, I'm still not following. So somewhere between 250 and 550, at their discretion, not at the request of... so it would be ultimately up to them.

Mr. Zuraf: No, it's at the County and VDOT's discretion... as requested by VDOT or the County. So we can go to them and say okay, at this point, you guys need to run your traffic signal warrant analysis.

Mr. Apicella: I guess I would ask for the County Attorney's opinion as to whose discretion this really means, because when I read it the applicant is the subject, not Stafford and VDOT.

Mr. Zuraf: Well, if there is some vagueness, then we can definitely ask the applicant to consider making that more clear.

Mr. Apicella: Okay. Still sort of on the same subject about the traffic signal, it goes on to say if warrants are not met... so, again, somewhere between 250 and 550. If they did it at 300, again, presuming it's at their discretion and it was not proven necessary, then they would have no further obligation. Did you discuss with them, again, eliminating this caveat that at whatever point it becomes necessary that a traffic signal is proven that it gets installed at the applicant's expense?

Mr. Zuraf: We did but I think the applicant wanted to maintain some sort of point where so it's not in perpetuity and so...

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Mr. Apicella: Right, but at 695... whatever the maximum threshold would be, but there is a point where a traffic signal may be required beyond the time of the traffic warrant is done. So, you do it at point a, it says it's not warranted, at point b it is warranted but, by virtue of the way this language reads, they wouldn't have to do it. It's already said and done.

Mr. Zuraf: Right.

Mr. Apicella: Okay, on the costs for improvements to be offset against any monetary transportation proffer set out in proffer 9 below, or impact fees collected by Stafford County, who makes the determination as to which one it is? So, it's either an offset against all the proffers or the impact fees. Who would make that determination?

Mr. Zuraf: Which page are you on?

Mr. Apicella: I'm on page 3 of 8 of the Proffer Statement.

Mr. Harvey: Mr. Apicella, with regard to impact fees, the county code requires that all development pay impact fees. However, they can request a credit. So, at the time that they request a credit, that would be reviewed by the County and determined whether the credit is acceptable. And if it is then they would deduct that amount off the impact fees that they'd have to pay. So that's by operation of the code.

Mr. Apicella: Again, the language is confusing to me. I'm sorry. The way I read it was the broader construct of proffers would be potentially impacted by the amount of money they spend on transportation and that it's going to be one pot or the other pot. So, is it... who would make that determination? I understand the...

Mr. Harvey: By law they have to accommodate the impact fees.

Mr. Apicella: I understand, but it says or. It doesn't say...

Mr. Harvey: You're correct; that probably should be clarified.

Mr. Zuraf: And for clarification too, in the proffers, monetary proffers, there is no sub-category for transportation so it would be the impact fees.

Mr. Apicella: Again, I think it would behoove us probably to clarify. There's similar languages under part f. On the open space, I sent you a question but I don't know if anything has happened in the interim. Would the applicant... have you discussed with the applicant the potential of opening up the open space to greater or expanded public use, not just limited to the owners and residents and visitors of the owners to... essentially make it a passive natural area?

Mr. Zuraf: A passive natural area opened to the public?

Mr. Apicella: Right.

Mr. Zuraf: We've not had a follow-up discussion with the applicant on that.

Mr. Apicella: In the staff report, among utilities, it indicates that a pump station may be needed... may need to be upgraded and the applicant... this is what it says, and the applicant is proffering to upgrade

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the station if necessary. I didn't see that in the proffers. Again, I presume it would be under public utilities just as a product shall be served by public water and sewer.

Mr. Zuraf: Like when an applicant goes through the development process, they're likely not going to be able to develop if it reaches a point where the pump station is at its capacity, development is not going to be able to proceed unless the developer goes in and... or either they'd have to wait for that pump station to be upgraded or have to go in and upgrade the pump station on their own. And there's a pro rata process where they can get reimbursed for the other users in the area as they come along.

Mr. Apicella: Do we not normally ask for a proffer in this kind of situation?

Mr. Zuraf: We did not get that request from Utilities.

Mr. Apicella: Can we engage them and see what they think is the most appropriate path forward on that?

Mr. Zuraf: Yes.

Mr. Apicella: Mr. Chairman, I do have some questions about the impacts on the airport and I would prefer that we allow the Airport Authority and/or one or more reps to talk about some of the issues rather than having them just talk during the public hearing portion of the meeting, if that's acceptable.

Mr. Rhodes: That'd be fine. We can do that as part of staff. Yes please, Mr. Gibbons.

Mr. Gibbons: When you come to flexibility, who has the ultimate authority in changing it? I mean, we'll go back to what Steven's question was. The type of unit dictates the salary and the economic impact on the County, so at what point... who approves if they want to go to 500 single-families rather than 300? Who does that? Does the Board of Supervisors? Does the Commission do it?

Mr. Zuraf: As long as the proposal fits within the caps established in the proffers, the applicant has the...

Mr. Gibbons: So in other words, you put a cap and he can do any mixture he wants.

Mr. Zuraf: Up to that point, yes.

Mr. Gibbons: And it doesn't concern you at all as far as water and sewer goes? Traffic?

Mr. Zuraf: No, because the... well, the proposal itself, the traffic study looked at a likely scenario.

Mr. Gibbons: The maximum? I mean, the traffic study, did they go in the maximum of all three?

Mr. Zuraf: I'd have to look at that to see if it (inaudible).

Mr. Gibbons: I mean, that concerns me. And the same thing that Steven brought up... when you say in your recommendation here that you generally support the proposal but yet the Airport Authority doesn't agree with it and neither does the Airport Commission, doesn't that concern us at all, that we should readdress that?

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Mr. Zuraf: Well, that's why we brought those points up, yes.

Mr. Gibbons: Okay, I'm just concerned. Mr. Chairman, I don't want to be short-sighted, but the Centreport Parkway is to collect traffic all the way from 610 all to the way to the airport interchange with 95. And we've got this application before us now, you've got an Economic Development in progress in the same area, you've got another application coming in behind this in another month that goes from Courthouse Road over, and I'm concerned that we're short-sighted and are we doing the right transportation impact study for that collector road?

Mr. Rhodes: Very good.

Mr. Gibbons: Because when we did the interchange at the Interstate, we guaranteed to the Federal Highway Department that we would make a connector that ran alongside the interstate to take some traffic off of it between collector roads. So I don't see that in here. I see (inaudible) piecemeal; you do an impact on this one then you go back to VDOT and do an impact to the next one, and then you go back to VDOT and do it on the next one. But what is the overall impact that this collector system has going between 610 and the Interstate? I don't see that at all. I don't see it in the Comp Plan, I don't see any study. So, I mean, I'm worried about it because you've got the airport expanding, you've got one of the corporate moving all of his aircraft out of Dulles to this airport, you got that going and you've possibly got Lego going in and nobody is doing a traffic analysis on the whole thing? I mean, I'm just concerned. I'm not criticizing, I'm concerned.

Mr. Rhodes: That's fair.

Mr. Apicella: Mr. Chairman, now that Mr. Gibbons has mentioned it, where would LEGO go? Is there a parcel that's been designated as a potential spot for LEGOLAND?

Mr. Zuraf: I'm not certain where that would be.

Mr. Apicella: Okay. If we should defer this tonight, can we kind of try to figure out where that might be?

Mr. Zuraf: I can see if we can do that.

Mr. Apicella: Great, thanks.

Mr. English: Mike, do you know if it's going to be in that area at all? Or you don't know anything about it?

Mr. Zuraf: I believe it's going to be in that area but I don't know exactly how far away.

Mr. Rhodes: Okay.

Mr. Coen: Mr. Chair?

Mr. Rhodes: Please Mr. Coen.

Mr. Coen: I asked you some of this earlier this morning when I was in the building, but I'll ask again. With the proposal for the Fire and Rescue on one parcel, and then segregated or separated away from the

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main parcel, is there a concern about that aspect? I mean, if there is no way to get there off of Mountain View and you put Fire and Rescue, then they're going to have to go up and around to get to something that's within what a bald eagle flies is a short distance.

Mr. Zuraf: Yeah, it would further response time so, yeah, it definitely would be preferable to have a direct connection through a secondary access point.

Mr. Coen: Okay. And not to belabor the number of entrances issue, but I'll go to something that Mr. Apicella brought up which is on your evaluation criteria, page 17, item 11. And I'm just curious about the last sentence, which he started with the water and sewer. Then it says, the development will generate a need for additional public services which are partially mitigated through monetary proffers. So, again it goes back to the vagueness of language, I guess. Would that be mitigated by the proffers they already paid or is that going to be mitigated by something if they determine this two or three years down the road? I'm just curious how that would work.

Mr. Zuraf: What that means, I mentioned a few of the categories in the proffers, they're making monetary contributions but not the full recommended amount in our guidelines. So that's what it means where it's not fully mitigated, it's partially.

Mr. Coen: Okay. So, they do the study and then we'll have to fund it somehow.

Mr. Zuraf: There would probably be some need for...

Mr. Coen: And lastly, has there been any discussion about distinguishing between the different types of units? Or is there just going to be one big HOA for the entire unit? Or is it like the apartments will be sort of one thing and, I don't want to say walled off, but sort of sectioned off, and then the townhouses and the single, or is there just going to be one whole... or haven't they gotten to that specificity yet?

Mr. Zuraf: We've not had that discussion as to how the Homeowner's Association might be broken up, if at all.

Mr. Coen: Or even just the design thereof. Thank you.

Mr. Rhodes: Other questions for staff before we have somebody from the airport possibly speak? Did you ask for anyone from the airport to be able to come with a concise presentation or discussion of position?

Mr. Zuraf: I believe they are going to be here, yes.

Mr. Rhodes: Okay, very good. Could we have them come forward as an adjunct to the staff presentation? Please.

Mr. Kirkland: Thank you Mr. Chairman, and thank you Mr. Apicella for the opportunity to speak during the staff presentation. I'll be very brief. My name is Lindy Kirkland. I'm currently serving as the Treasurer of the Stafford Regional Airport Authority. And as you know, the Airport Authority is an independent body that is charged with the governance of the airport, and it is represented by members of Stafford County, Prince William County, and the City of Fredericksburg, the three municipalities there. Computer please.

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Mr. Rhodes: Computer please?

Mr. Kirkland: The Stafford Regional Airport, as many of you know, was opened in December of 2011. It is currently designated as a reliever airport, federally funded reliever airport. That implies certain priorities, if you will, with regard to federal funding and certain constraints on things that can go on at the airport. The airport was built at a cost of about \$41 million using 95% federal funds, 3% Commonwealth funds, 2% from the other municipalities. Currently, the property and the airport and operation is valued at about \$50 million. We just completed the new terminal facility; it opened up in January 2014. That shows about a \$2.3 million investment and the property now provides quite a different impression of Stafford County when people first arrive. For the first 12 years of operation, we were operating out of a triple-wide mobile facility. So now the new terminal is quite an addition to the airport. A couple of points on economic benefit -- Stafford Regional Airport, according to the Virginia Airport System Economic Impact Study conducted in 2011, and this study is being updated, right now Stafford Regional Airport provides about \$18.4 million in total economic activity annually to the airport. The pictures you see there depict some various business aircraft on the airport property and that's fairly typical during the weekdays if you go out there and watch the traffic. A very large amount of business traffic compared to other traffic at the airport. A snapshot in some of the operations there... just the highlights of 70 based aircraft there, about 1,800 departures per month currently with a capacity for going above 6,000. The FAA Department of Aviation Growth projections show continued and steady increases for this entire airport and the region. And the reason that I point all of this out to you is to say that you have a very viable, vibrant thriving airport here in Stafford County, and it's a facility that we can be proud of and that is drawing other business and other traffic to this area. Now why is that important to this development? And I'll hopefully answer some of your questions Mr. Apicella. When... currently, as depicted here, there is no traffic pattern to the north and east. Normally, traffic pattern for an airport is left traffic, but because of obstructions and things on the north and east side of the runway, the only traffic pattern currently authorized is to the south and west, as depicted here. This one is the smaller traffic pattern for light piston aircraft. And they would enter on a 45° angle, take the left traffic, and then land on runway 33. And because this is the only pattern, if the runway happens to be 15, they enter right over the Oakenwold proposal area downwind and then back in on...

Mr. Apicella: Sir, for some reason we can't see what you're writing.

Mr. Kirkland: Oh, sorry. I need a tutorial here.

Mr. Harvey: Maybe because it's a PDF version.

Mr. Kirkland: Yeah. There is a...

Mr. Gibbons: Don't give up your day job now.

Mr. Kirkland: Yes sir. But as you can see, the proposal development there is directly underneath the pattern. Aircraft fly that pattern at a thousand feet above the ground level, so it's fairly close to the houses. And the traffic coming from any direction at this point would fly directly over that facility or that area. Are there other questions on the operations there?

Mr. Apicella: Well, you said they fly in at a thousand so, if they had to swing around, would they be lower than a thousand?

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Mr. Kirkland: No. Typically, on that downwind leg, right over the proposed area it would be at a thousand feet.

Mr. Apicella: Alright, thanks.

Mr. Kirkland: So, airports and airplanes and helicopters are great tools for business. They bring in a lot of business but they do create one thing that is detrimental to residential housing and that is noise. Residential encroachment on airports and the associated noise complaints are the number one problem and operational issue with airports today. Three ways to mitigate that noise; one is, the reduction at the source. That's airplane technology, things like that; operational techniques, flight patterns that typically is on approach or departure to the runway, and then the most effective and, at this stage, the most beneficial would be land use planning. Land use planning, in exclusive purview of you folks here at the local level is right and proper. You know the area best and so but it is our collective responsibility. As was mentioned, there are potential impacts to grand assurances. As I mentioned earlier, we have been able to leverage a significant amount of federal monies and Commonwealth monies and those could be in jeopardy if we don't provide proper zoning around the airport to reduce the impact to its operation.

Mr. English: Can I ask you a question? The red box that you had on there... what are you saying, that there shouldn't be any building in that red box area at all?

Mr. Kirkland: No sir. I would suggest that there are compatible uses for building in that area, but residential houses, as you can imagine, are noise sensitive. And so, any noise in that particular area, residents typically complain. It has happened thousands and thousands of time and time again. You can look at study after study that talk about residential areas close into an airport and the noise issues that arise from that. It's a very common problem in and around airports.

Mr. English: So you're saying that you're going to get a lot of complaints from the residents.

Mr. Kirkland: If you'd look at history and every other airport that has ever been built that has residences very close in, you will get noise complaints. Now the typical scenario is, build the airport far away from residences, residences get built close, you get the noise complaints, it becomes pressure on you, pressure on the Board of Supervisors to do something about it, so then monies has to be allocated to provide noise dampening in the houses or actually buying the properties. And then eventually it gets so bad that the airport has to pick another location and move. So you've now done away with the investment that you've made already in this facility, in this location, and now you've had to spend double/triple to move a facility such as this.

Mr. Apicella: What kind of volume are we talking about at the airport right now and what's kind of the long term plan next five years, ten years?

Mr. Kirkland: Right, if you look typically right now we're at about 350 aircraft a month with about a thousand, 900 operations. Our design capacity is 75,000 per year. With the runway extension, that will go up. So, you are going to see increased traffic well above what we have today at the Stafford Regional Airport.

Mr. Apicella: And what... aside from noise, are there any other potential concerns that you have? Is there a potential for accidents?

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Mr. Kirkland: In these particular... most accidents will occur on the approach or departure; so basically in line with the runway. If you look at studies and plots of typical accidents in and around areas of an airport, they typically happen on the approach or departure path. Is it impossible? No. But is it likely? No... in the areas that we're discussing here.

Mr. Gibbons: You're doing the environmental impact right now on that runway extension.

Mr. Kirkland: That's correct, yes sir.

Mr. Gibbons: So when do you think that you'll be in the construction phase?

Mr. Kirkland: It will be at least a couple years before we're ready to start construction on that particular extension.

Mr. Rhodes: Yes, Mr. Coen?

Mr. Coen: Just going back to the wording that you have on the slide before, I guess it is, the one that's including the zoning laws to restrict the use of land adjacent to or immediate vicinity. Just sort of tagging onto what Mr. Gibbons brought up with other things that are coming down the road, do they delineate farther into their guidelines, anything other than that? I mean, we know homes are one thing that you're bringing up but, just so that we know for future reference, you know, it would be interesting if... you don't have to say it now... but if you could send that to us so we know the whole language, it would be helpful.

Mr. Kirkland: Yes sir. And my last slide I'll kind of talk to your question there as well.

Mr. Coen: (Inaudible - microphone not on).

Mr. Kirkland: Yes sir. Some of the consequences of conflict obviously for the folks living in and around the airport, certainly a reduced quality of life with increased traffic there, hampered economic development, and then degraded airport operations as discussed. I'll give you one quick local example here of a similar situation. Many of you may remember the Woodbridge airport. In 1986 they had about 135 based aircraft. It was not a regional airport; it was not designed as a business facility, but it did have a large number of operations there. High density multi-family dwellings pulled up right next to the airport and then in less than two years the airport was being torn under and destroyed.

Mr. English: Was it because... why was it (inaudible), because of the residential?

Mr. Kirkland: Yes sir.

Mr. English: Was it because of the complaints or it was just getting too crowded or what?

Mr. Kirkland: Well, you got up to a point where the residential development up close to the airport became an issue for the operations at the airport, and the governance, or the governing bodies decided that they would close the airport as opposed to take steps to mitigate the impacts that had already occurred.

Mr. English: How is Manassas set up? Is Manassas airport... I've never been up there so how is that set up?

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Mr. Kirkland: It's quite a large airport. They've done a fair job of zoning around the airport. They do have some residential but it doesn't come as close to the airport in large numbers as we're talking here. So they have done a good job, a fair job of proper zoning in and around the airport.

Mr. Coen: Mr. Chair?

Mr. Rhodes: Yes please.

Mr. Coen: The slide before, the last bullet, the impeded airport expansion... I'm just curious if there's something in the works and plan that this would, again sort of thinking down the road, I mean, are we talking about expansion, length, or types of planes or do we have some type of idea that again would help us in our decision?

Mr. Kirkland: Well, let me give you a hypothetical. Right now, we don't have plans to expand in the direction of this particular proposed zoning. If, down the road, the capacity airport grew and the traffic at the airport grew and we wanted to provide a crossing runway or a second runway, you know, where is that going to be sited. And that is typically one of the reasons that you look at impeded growth and the inability to expand if you get a large number of residential units up close to a facility like this.

Mr. Apicella: But Mr. Gibbons asked about an environmental impact statement. So you've got something in the works that's going to happen in the near term.

Mr. Kirkland: We have an environmental impact statement that is specifically for the 1,000 foot extension on the north end of the current runway. So, that particular area just off the north end of the current runway is the area that we're looking at for the extension.

Mr. Apicella: Thank you.

Mr. Kirkland: But it doesn't encompass everything. Which is kind of to my point here that I'll make finally. Proper and effective land use is the best way to mitigate some of these potential adverse impacts to the airport. We have a substantial investment in this property here in Stafford County, so what the Airport Authority would like to propose to the Commission is that we set up a separate event to look at zoning specifically around the Stafford Regional Airport, bring in the proper experts to look at and provide input into these particular things, and then look at being very, very smart about zoning these areas and what are the compatible land uses around this particular facility. And then develop a compatible land use plan that we can go out in print with so that those looking to build and develop in these areas have some guidelines to go by. Instead of doing it on an ad hoc case by case basis as we're doing now.

Mrs. Bailey: Mr. Chairman?

Mr. Rhodes: Yes, please Mrs. Bailey.

Mrs. Bailey: I do have a question about the different types and sizes of aircraft that you can currently handle at your airport.

Mr. Kirkland: Currently right... the airport runways and taxiways are capable of handling aircraft up to 70,000 pounds.

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Mrs. Bailey: And what would that be?

Mr. Kirkland: That would be a very large business jet, so to speak, small cargo, it would encompass probably about 80% of what you would typically think of as a business jet today.

Mrs. Bailey: So, the airport that we currently have, would it be able to handle larger aircraft in time?

Mr. Kirkland: It could be modified to handle larger aircraft. The one in some of our airport layout plans, the future shows increased clearances for taxiways and things like that that would allow us to use larger aircraft at the airport.

Mrs. Bailey: Okay, and certainly that would be dependent upon the need for that. The noise... so, do you have available studies for the velocity of noise and the impact that it has?

Mr. Kirkland: There is a noise overlay for the airport. It adheres and looks at the various noise levels and distances from the airport. What we have found, not we but other airport authorities and organizations that operate airports, is that the 65 decibel noise level is an absolute. But that's fairly close in. But what you see is in the areas outside that, there are still significant noise issues that are not measured or not given a value that you have to adhere to, but they do often cause complaints and things like that. Noise is a very subjective thing, and you'll find that, you know, what annoys one person doesn't necessarily annoy the next person. But noise is noise and airports are typically fairly noisy places.

Mr. Rhodes: Thank you. Please Mr. English.

Mr. English: What are your hours of operation?

Mr. Kirkland: The facility is actually open 24 hours. It is manned with staff from 7 a.m. to 7 p.m., but airplanes can take off and land at the facility 24 hours a day.

Mr. Rhodes: Please Mr. Gibbons.

Mr. Gibbons: My understanding, with the 1,000 foot extension that the large corporate jets now can fly to the far east.

Mr. Kirkland: That's correct.

Mr. Gibbons: Okay, thank you. And that's why Mr. Buffet will be willing to move his fleet down here.

Mr. Kirkland: Yes sir.

Mr. Gibbons: Thank you.

Mr. Rhodes: Further questions for the speaker before we move onto the applicant and then public comment?

Mr. Apicella: Mr. Chairman, I've got a couple more.

Mr. Rhodes: Yes, please.

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Mr. Apicella: So the Airport Authority has membership from other jurisdictions?

Mr. Kirkland: Yes, we have members from Stafford County, Prince William County, and the City of Fredericksburg.

Mr. Apicella: Have those other municipalities been advised and engaged? Have they provided their own comments officially?

Mr. Kirkland: They have not. Because the facility is sited solely in Stafford County, they've deferred to this body to look at the zoning issues around it. Obviously this is of concern to the members of the Authority from those other jurisdictions because they have also provided funding over the years for this facility. And so they don't want that funding at risk and they want to see the airport given some breathing room to operate.

Mr. Apicella: I saw a comment from an FAA individual from Washington Airports.

Mr. Kirkland: Yes, Mr. Page.

Mr. Apicella: The FAA Department of Transportation is obviously a major stakeholder here having put up the vast majority of funding for the airport. Is there a process where they would be further engaged as this moves forward?

Mr. Kirkland: Yes. We have notified local reps from the FAA. They have provided some comments, as you see here. As this moves forward, they would certainly maybe have more official weigh-in on this particular rezoning proposal.

Mr. Apicella: Is that something that you request? That we request?

Mr. Kirkland: Yes.

Mr. Apicella: Does it happen automatically? I think it would behoove us to get some feedback from somebody at the right level at FAA to kind of get their thoughts.

Mr. Kirkland: Yes. And again, one of those suggestions that I would have is that we set up a separate meeting to discuss specifically the zoning and the issues around the airport with FAA representation there, developers, public, anybody that is interested in that particular issue.

Mr. Apicella: The applicant is proffering to give notice to prospective buyers and I guess to put in the covenants or whatever documentation that they provide that there's an airport in close proximity. Does that not mitigate the concerns?

Mr. Kirkland: No. In short answer no, it does not mitigate the concern because...

Mr. Apicella: I thought I'd ask.

Mr. Kirkland: ... you know, I would welcome a show of hands of those who read every word in their closing documents for their home. Most people, you know, we're all creatures of laziness and we tend not to read those things. And even in situations where those statements and clauses have been inserted

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into residential closing documents, I can give you a hundred examples of airports that have had noise issues regardless of those clauses.

Mr. Apicella: I can relate; I bought my first house in Stafford County. There was a train that came rolling by after I had moved in. I didn't realize that that was going to be the case.

Mr. Gibbons: But you ride it every day.

Mr. Apicella: I wish I could have just taken it from my house, that would have saved me some time. One thing you mentioned, and I guess I'd like to pursue it a little bit further, is from your vantage point there, sometimes we try to find win/win solutions. Obviously, somebody owns this property, they have property rights to sell their property to get it developed. What... I think what I heard you say is maybe some sort of additional commercial buffering might help mitigate the concerns that you have if they change the layout some, move some of the residential further back.

Mr. Kirkland: Yes sir. In general, the farther away the residential units can be from the runway, the better. In this particular case, you have a very small, relatively small area that you're confined to for all of the residential units. And anywhere within that area you are essentially affected the same by the noise from the downwind pattern of the airport there. So, in this particular case, that's a lot more difficult to do than it would be in a larger scale development that would be looking to do that.

Mr. Apicella: Thank you.

Mr. Rhodes: Okay. Are there any final questions before we move onto the applicant and then public comment? Okay, very good. Thank you very much, we appreciate it.

Mr. Kirkland: Thank you for the opportunity.

Mr. Rhodes: Applicant please.

Mr. Leming: I think I have some slides also. Is there a way to...

Mr. Rhodes: Computer please?

Mr. Leming: ... bring those up? Can you move to the next one? This doesn't count against my time, does it?

Mr. Rhodes: As soon as you get it resolved, time is up.

Mr. Leming: At some point I get to ask for a mistrial, right? There are probably some things I can do before the...

Mr. Rhodes: Would that work effectively for you?

Mr. Leming: I can introduce my client.

Mr. Rhodes: How's it? Are we getting close to rebooted there? Don't want to throw you off your rhythm there, Mr. Leming.

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Mr. Leming: Okay, I appreciate that.

Mr. Gibbons: It might be a good time to take the other item (inaudible).

Mr. Rhodes: Well, if it was going to be an extended time, we might do that. We might do a motion to suspend, so I just want to see where we're at. What are you seeing over there? Good things? Evil things? Just a blue circle? The blue circle of death? I'd just hate to do it with all the folks sitting there, but... well we would need it even to go into 3, wouldn't we? Yeah, we'll still need it. We are a technology dependent processing society. So it's not even doing anything?

Mr. Harvey: Slowly...

Mr. Rhodes: Oh, it is making progress? Okay. I apologize to everyone who's been so patiently observing with us.

Mr. Leming: Why don't I at least go ahead and introduce the applicant here.

Mr. Rhodes: Please Mr. Leming, thank you. Sorry about the difficulty.

Mr. Leming: I'm Clark Leming and it's my honor to be here on behalf of IVI Strategies this evening. I would like to introduce you to IVI Strategies, because they're a little different than many of the applicants that come before you. IVI Strategies is a Groupe family organization. I'll explain what that means. The two gentlemen seated here, this is Skip Groupe... why don't you all just stand up just a minute... and Johnny Group. That's their last name, Groupe... G-R-O-U-P-E. They are also, Skip is the owner of the engineering firm, The Engineering Groupe, and Johnny is an officer in that firm as well. The Engineering Groupe is a long-standing...

Mr. Rhodes: With an "e"? Very cool, okay gotcha.

Mr. Leming: Yes. ... a long-standing engineering firm in this area that has had offices in Spotsylvania County and up in Woodbridge and does a great deal of work in this area. So those are the Groupes and we also have an assortment of expertise here, including engineers... let's see, traffic engineer Vern Torney some of you may be familiar with, surveyor Billy Flynn, just about everything in the world Mr. Bruce Reese here, our economic expert is Dr. Dean Bellas, Deja is our planner, Deja Burt is right over here... did PJ get here? PJ is our environmental and wetlands person. Who did I leave out? Is that it? So, we're all here to answer your questions that you may have tonight. So is this set?

Mr. Rhodes: Are we seeing good things here, Mr. Harvey, or still just seeing things...?

Mr. Leming: I can share one thing with you because it's public knowledge at this point. Some of you are aware that I represent the owner of the parcel that LEGOLAND is looking at and that parcel is on the other side, on the west side of Centreport Parkway. It is approximately a hundred acres. It is closer to the airport than this is because it's on the other side of Centreport Parkway. But that is the tract that is being examined by LEGOLAND. Perhaps if I... if I had the slide I would go right back to what I was going to say about the airport, but I don't have the slide so I can't show you what I was going to say about that. But I do have some graphics that I do think show a little different perspective with regard to the airport and comprehensive planning and the County's current position on the development that is planned for around the airport. But, let me start with some things that I don't need slides on.

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Mr. Rhodes: Thank you.

Mr. Leming: And hopefully we'll get to the point where I have them. As some of you all are aware, any large zoning today is a great balancing act. There are any number of different issues that must be addressed in the context of a zoning exercise, ranging from environmental resources to historical resources, transportation, economic. We've been through all those tonight and the staff report gave you a pretty good sense. There's also the complicated TND Ordinance which I think is a very good thing for this County to have. And there was some discussion earlier about, well, we don't know what we're actually getting because the GDP is not proffered, as is the case with conventional zonings. You've had two applications before you at this point. I think that probably Mr. Rhodes was the only one on the Commission when the other two came through. The GDP is not proffered, but the transect zones control pretty specifically what can be done in each transect zone. There has to be a balance. The Regulating Plan covers the large things. The specificity comes in through the architectural controls, the Design Guideline Handbook that's developed, because that shows you what you're going to be looking at, what the style is going to be. The purpose of, the whole purpose of the TND Ordinance is to afford the flexibility to the developer within certain parameters, broad parameters, and as long as the quality is provided for, so that there is the opportunity to meet market demands as they shift as things move along. There always has to be a balance; that's why you see caps on the types of units. But there always has to be the mix of units. You can't go with one particular kind or another. But it does permit the developer to respond to the market. There may be additional refinement that is necessary but that's the whole point of the TND Ordinance is to provide that degree of flexibility. Now, with regard to the... there were a few proffers that Mr. Zuraf referred to; I want you to know that he didn't say anything that I don't think we can be responsive to and would have. Some we were just seeing for the first time in the staff report. But I will specifically note that no problem with the FRED proffer. As far as the Oakendale house, we're happy to move ahead with and had planned to move ahead with stabilization of the facility even before development begins and we can take care of that. The 5% annual increase is annually; it's not intended to be a one-time increase, so whatever clarification is necessary there can be taken care of. As far as the transportation is concerned, if the County wants to see some widening, the first time we heard about it was in the staff report, but if the County wants to see some widening of Centreport Parkway, we're going to be engaged in instruction. If the County wants us to direct our economic efforts toward a widening of Centreport Parkway, we're certainly willing to look at that and take on that kind of exercise. I think one of the good things about the UDAs that were approved in the 2010 amendment to the Comp Plan is that they do provide a narrative of the infrastructure that is envisioned as necessary for that particular UDA. And to the extent that we can meet any of that, I think it makes sense to do that. I also think it makes sense for private development to do as much of this infrastructure as is possible generally rather than paying you money that comes in at the end of the process and trying to play catch-up. If there are specific things that can be targeted and that same pot of money utilized for those things, I think that makes all the sense in the world. Having said that, what we've tried to do because those things have not been identified, what we've tried to do with the proffers, the cash proffers, is to come up to a level that you all have been studying. I think we're slightly ahead of that level at this point. With regard to public safety, we're perfectly all right with expanding the possible uses that that site could be utilized for. The question Mr. Coen answered actually ties into the access issue. We believe that there is a point that would be utilized for an emergency secondary access point off of Mountain View Road that actually is just around the corner from this site. As Mr. Harvey pointed out, that's something that we're going to have to address in the context of the overall development anyway. And we're okay with a larger site if there's plenty of acreage over there. If indeed the... if the three acres is the minimum, we're happy to do the three acres for that site. There were some questions about the intersection and the warrants; the number 550 is not anything special. That number can be adjusted if there's a thought. We think the warrants are going to be met by that

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point anyway, but if there's a need to go higher with that, we don't have any problem with that. Economic impact... what we have shown, and Dr. Bellas is here and has actually three slides that he can talk from if we ever get a chance to look at the slides.

Mr. Harvey: Mr. Leming, we can proceed now. It's not functioning totally correct but I think we can make it work.

Mr. Leming: Okay, alright. So if I...

Mr. Rhodes: Computer please.

Mr. Leming: ... if I wanted to pull something up.

Mr. Harvey: Just prompt me and I will advance the slides.

Mr. Leming: Okay. Well, let me finish the points that I'm trying to make here. With regard to the phasing, what Dr. Bellas will tell you is that the residential development itself is self-supportive. The commercial development obviously adds a lot of icing to that cake, but the residential development itself is self-sustaining for a development like this partly because it's a TND development and has the architectural controls that are proffered and are built in to the overall plan. The open space idea... we're happy to talk with the Commission or with Parks and Rec about making the open space portion of the parcel, which is a little over half of the parcel, as a passive recreation park. We would need to work out some details such as maintenance and access and things like that, but we're happy to do that. And I don't think that's a bad idea at all for that area and Mr. English had asked me about that in the context of one of our earlier discussions. Now, what I think would make the most sense is for me to pick up where the Airport Authority left off, because I think that there are some points that need to be made there. So, can I see, Jeff, it would be the third slide down... keep going... there we go. Now, what we have done here is to put together, and I realize this is a little hard to read at this scale. But what we have is I think essentially the same circle and the same zone... this isn't our information; we got this from the Authority. The take-off pattern, you can see the Oakenwold property is the yellow property just to the south of the flight... of the take-off area there, we certainly don't contest that it is within the circling area. Can you go to the next one Jeff? Now, what we did here was to show the, what's referred to as the operation zone of the airport. And what I've done is to place the currently approved, Comp Plan approved UDAs within that operation area. You see that most of this UDA is within the operations area. The green portion is the proposed, is the parcel involved here. The great majority of the George Washington Village UDA is within the operation zone. And then just across Route 1 is the Eskimo Hill UDA that is entirely within the operation zone. Some of you may be aware that there's still technically an application pending at the Board of Supervisors for that property. And the... just for your edification, you see where Centreport Parkway is, the parcel that is being studied, analyzed, by LEGOLAND is just between the present property and the airport. There are a couple of pieces that are involved right in that area there, yes. Now, Jeff, if you can go to the next slide. This is... I think this is the same circling pattern that was shown to you previously by the representative from the Authority. You can see where our parcel is; you can also see where the other UDAs are situated in relation to that pattern. I think we have the approach patterns drawn in the blue there and the other areas are the circling patterns are shown around that. It looks like only about half of the overall Centerport UDA is within that circling pattern, maybe a little more than half of the George Washington Village UDA, and of course still all of the Eskimo Hill UDA. Now, I show these to you to point out that, at least at this point in time, to the extent that the Comprehensive Plan represents the land use plan for the County, which I think legally it does, this is the development pattern that is shown around the airport. This is the

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development pattern that has been approved and is shown. And we're consistent with that. What we've done is to come in with an application that is consistent with the Comprehensive Plan for this area, notwithstanding these different zones. I recognize, of course, that this is an issue. The way that it has been traditionally addressed in prior zoning applications is with the kind of language that we've included in the proffers, so at least there is legal notice. I realize that there is some validity to the point that some people don't read their documents at closing... I always do... but others don't. So, there are perhaps some other measures that can be taken that seems to be the most important thing is that people become aware of what the location of the airport and that they are buying a home that is in the general proximity of the airport, however it is that they're notified or whether it takes multiple notifications. And I think they need to be aware of what the noise level is and what the plans of the airport are. But I think all of that can be reasonably accommodating. Now, the other things that I wanted to touch on briefly has to do with the area that the environmental issue that Mr. Zuraf raised. The applicants here, with considerable sensitivity I think, have tried to work with this parcel which has a number of challenges, including the historic home which we are preserving and actually building the community center around. It will be part of that feature and a focal point. Focal points are a big thing in UDA development for the entire community here. The environmental features that they have preserved are quite significant and include about 90% of the RPA on the property. They were not crossing Potomac Creek, the original plan was to have some single-family over there, which ironically would be further away from the airport and maybe even getting to the point of being outside of the zone where they circulate the airport. We were encouraged to not go on that side of the creek, to preserve that as open space, and brought the development over to the north side of the creek into a more traditional grid pattern which is also encouraged in the UDAs. So we are impacting one intermittent stream. It's a runoff area and I didn't ask him before this but, Billy, do we know how many acres... that impacts an area that collects runoff water from an area of about 18 acres. As I think all of you know, under Virginia stormwater, we've got to account for that water and the post-development condition has got to be better than the pre-development condition. We would have to go and get a Corps permit and do whatever is necessary and, if we didn't get that, then there would have to be another development plan. The only place that is shown is on the GDP, which I think as you all know now is not proffered. It is shown as a possible way to develop the property within the parameters of the Regulating Plan, the Architectural Guidelines, and the other proffers that have been made. So that is the sole area that is being impacted, and there would be a number of checks and balances that we would have to meet in order to even accomplish that. The other comments that I wanted to at least bring to your attention, we have met with the Historical Commission and that's why we have the change in the proffer where they would be involved in the 106 review. We are... I think they would tell you that they're happy with the proffers and happy with the preservation of the house. The thing that they asked us to look at the possibility of doing was saving some of the additions... there are two additions to the house and actually preserving one or possibly both of those additions, if that can be done. The house is not in particularly good condition. And we are committed to preserving the most historical portion of the house. The outbuildings are even in a greater state of disrepair. There may be some that can be preserved and we will make an effort to do that, but we are not convinced at this point that it's going to be possible to save all of them; it may be possible to save some of the outbuildings. But, the house is to be preserved and will be a focal point for this development. There were a few... there were some questions about some of the proffers. And I'm happy to get back into those but I don't want to spend a great deal of time on those because I think there are some larger issues that need to be addressed. I would say that we're happy to talk with you about issues like the number of bedrooms in the multi-family portion of the development. We're happy to talk about phasing of residential. These are not things that we have talked about with staff. We're happy to discuss further the phasing of the commercial. But I would point this out about the commercial; number one, in addition to the fact that the residential portion of this is self-sustaining, as Dr. Bellas would tell you, in addition to that I've not seen any commercial

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phasing in Stafford County that has worked very well. The nature of this particular commercial is that it will serve this community, and you need those residents there in order to support the commercial. This is going to be true neighborhood commercial. This is a TND. Now there may be a few exceptions to that, like the commitment to a hotel or a motel, which we think this would be a very good site for, but for the most part this is going to be neighborhood commercial that will be dependent on the residences to support. The only other examples, that I'm aware of, in the County where this kind of thing has happened, one Mr. Gibbons remembers, is the Amyclae development. And they got to a point in the development and weren't ready to go forward with commercial. There was no demand for it so they constructed a building, minimum square footage, and it sat there for the longest time. Now, eventually, that developed. That is the commercial center on Walpole Street and it's a very nice little commercial center now. But, it was supposed to come (inaudible).

Mr. Gibbons: I thank you for that compliment though.

Mr. Leming: I'm sorry?

Mr. Gibbons: It's a beautiful building.

Mr. Leming: It is; it's beautiful now. And when there was the demand for it, it came along. The other example of it comes out of Leeland Station where there's a commercial component. And that was tied to various phases of the development. That's now been... there's been a proffer amendment changing that number now three times because there simply is not a demand there for it. So, I've not seen it work particularly well. The commercial comes when there's the demand for it. In this case, what you have is the additional benefit that because of the nature of this development and the guidelines and the checks that you have in place to ensure that that happens, it is self-sustaining and supports itself. It doesn't make a lot of money for the County, but it doesn't lose money for the County. So I think that needs to be taken into consideration when you're thinking about commercial phasing. And, of course, we understand the County's standpoint; you want to be sure the commercial comes along at some point, that it indeed happens because it's part of the presentation. So, Mr. Chairman, if you'll permit me to backup those points, I would like for... can we get to Dr. Bellas' slides? I think it would probably make sense for him just to spend a couple of minutes talking to you about the economics of all of this and why this works. As far as any other comments from me, I think that there are some broader planning issues that need to be addressed. We're happy to adjust proffers as I've indicated. And other than the broader planning issues that have come out tonight, I think we can address everything that someone has brought up.

Mr. Rhodes: Okay.

Dr. Bellas: Good evening.

Mr. Rhodes: Good evening. We're seeing where we can get to here.

Dr. Bellas: Good evening, my name is Dr. Bellas with Urban Analytics in Alexandria, Virginia. We have three slides here and I know time is important to everyone so we'll just cover the highlights. In the first slide, very simply we did an economic impact analysis to look at the amount of money that will be pumped into the Stafford County economy from the construction of this new project. In the short term, the construction of the project we've estimated that of the total to cost to build this project, \$102 million, \$102.8 million will be captured or spent actually in the County. There are some (inaudible) for materials that are purchased outside of the County. The multiplier effect of spending \$102.8 million in

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the County is an additional \$47.2 million for a total of \$150 million during the construction period. During the construction period, there would be 714 new jobs and those jobs would earn an aggregate \$33.7 million a year. In the long term, after the project is built, the residents living at this project, as well as the workers in the commercial space, will contribute \$14.3 million a year annually into the local Stafford economy, and the multiplier effect is another \$5 million for a total of \$19 million per year in the economy. And that will support another 107 jobs throughout the County. In addition, the hundred thousand or so square feet of this project would support another 278 jobs. Next slide please. The fiscal impact, as Mr. Leming said, both the residential and non-residential uses are fiscally positive to the tune of a half a million dollars a year. And if we go to the third slide I'll explain that very quickly. Normally counties are concerned that residential development produces a net fiscal deficit or shortfall to the county, and that's why they ask for some type of commercial phasing. However, what we did here to try to confirm this for Stafford County is to compute the fiscal breakeven value in the County. This is the value of homes where the total cost to provide County services, police, fire, ambulance, public schools, parks and recreation, etcetera, is offset by total tax and nontax revenues that are coming in to the County. So, in this case here and 2010, the fiscal breakeven point for a single-family home was \$303,600. It rose about \$5,000 to \$309,000 in 2012. The proposed values for the single-family homes in this project is \$450,000. What this slide says to me, purely as an economist, specifically a land economist, is that if there was some type of correction in the market, some type of sharp reduction of values, values could drop from \$450,000 anywhere down as long as they don't go below \$308,975. So, as long as homes are selling anywhere between \$308,975 and \$450,000, this project will generate a net fiscal surplus to the County. If we look at the multi-family, the differential... the fiscal breakeven value is \$147,000. The (inaudible) apparently assessed at... estimated value is \$220,000. Again, this could come down. If we look at the middle column of townhomes, we see that the fiscal breakeven point in the County is \$295,000 and the homes proposed for this project are valued at \$287,500. But, from a statistically significant perspective fiscal analysis, there is a range that... there is a band or a range that we can look at and it normally falls in +/- \$100 per unit on the... not on the value... but on the revenue that's being generated. In this case here, at \$287,500, statistically we're at the breakeven point. So, this home could be... these homes could be selling for \$303,000 and they would still be at the breakeven point. The purpose of this slide, I'll wrap it up, I know Mr. Leming needs to speak, is simply to say is that at the fiscal breakeven point analysis, the residential does support itself. And so there's no real need to have commercial phasing unlike other projects that may require commercial phasing. Thank you.

Mr. Rhodes: Thank you. Yeah, please, absolutely Mr. Gibbons.

Mr. Gibbons: Doctor, what breakout did your analysis have? I mean, what did you use for the number of units?

Dr. Bellas: Thank you, that's a good question.

Mr. Gibbons: I assume you got this in a model, right? So we can stick whatever...

Dr. Bellas: Yes sir. This analysis was done last September so I know there's been some changes in the (inaudible). At the time, it was 667 units of which 115 were single-family...

Mr. Gibbons: Wait a minute, I'm trying to write this; 115 single?

Dr. Bellas: I'm sorry; 115 single, 376 townhouse, 176 multi-family, for a total of 667. And on the commercial side...

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Mr. Gibbons: So you're coming in now for 900?

Mr. Leming: No, it's 695 for the cap.

Mr. Gibbons: Okay, so you can switch this around where you can... as long as you've got the cap you're allowed to switch. What is the max you can do in each group?

Mr. Leming: That's controlled by the proffer, Mr. Gibbons.

Mr. Gibbons: No, just roughly.

Mr. Leming: Those are all spelled out... the multi-family, the maximum multi-family units is 450, the maximum single-family attached is 300, and single-family detached is 350.

Mr. Gibbons: That's the townhouse?

Mr. Leming: Detached. Attached is townhouses.

Mr. Gibbons: Okay. So you can... if we come back with different numbers you can give us the cut of each one? Okay, thank you.

Dr. Bellas: (Inaudible) we compute these, yes sir.

Mr. Rhodes: Thank you.

Mr. Leming: I neglected to tell you all that Dr. Bellas is widely recognized for his fiscal impact analysis. He is a protégé of Dr. Stephen Fuller who's done work for a number of localities including Stafford County, a big study in Stafford County. And Dr. Fuller wrote a very nice letter endorsing the model that Dr. Bellas utilizes for a case that I have in Spotsylvania County that I'd be happy to share with you. I think that is all we need to say at this point. I'll be happy to answer any questions.

Mr. Rhodes: Okay. Questions for the applicant before we go to public comment? Please Mr. Coen.

Mr. Coen: Real quickly if I could... with the open space, and you sort of talked about it being used for passive, is there... I know from various other areas with the bald eagles and whatnot, if that moves forward I'm just suggesting that you might want to think of a way either for people to get to your development over to this passive area. Because it'll be logical for them to want to go there and if there's not some easy egress to it, they'll just find a way. And if there's not... even if the exit to Mountain View is only an emergency exit, to go up and around will be far away. So you may want to think about as you move forward on that (inaudible).

Mr. Leming: It'll have to be worked out, yes, I think that's exactly correct. Now, with access, the emergency access would be, that I was talking about, would be... a secondary access would be on the same side of the creek as the development. There would be other access though on the other side of the creek where the public facility, the Fire and Rescue site, is located. And that comes off of Mountain View too and is conceivable that could be utilized for that purpose.

Mr. Rhodes: Okay, other comments for the applicant? Mr. English.

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Mr. English: Mr. Leming, for the historical part of it, you said the Stafford Historical Society has looked at this property?

Mr. Leming: We met with the Historical Commission.

Mr. English: And what did they say?

Mr. Leming: Isn't there something from them in your report? Did they give you something formally Jeff?

Mr. Harvey: No sir.

Mr. Leming: Our understanding is that they are... they're happy with the proffers. They can represent that to you on their own. But I think they're pleased that we're saving the house. What they did ask us to do was what I indicated; to look at the feasibility of saving the later additions to the house.

Mr. English: Is it possible that, if this goes through or whatever, that Mr. Newton, D.P. Newton, can go down there and check?

Mr. Leming: Absolutely.

Mr. English: And also Mrs. MacGregor and them, I think they're doing some sort of book or story on Oakenwold. I don't know... are you familiar with that?

Mr. Leming: Do we know about that (inaudible)?

Mr. English: This is something you might make contact with him on that also.

Mr. Leming: Sure, we would be happy to. And Mr. Newton's welcome anytime.

Mr. English: And also, on the plans, at the backside, I don't know if you can pull up the...

Mr. Rhodes: Computer please.

Mr. Leming: You want like the GDP?

Mr. English: Yeah. Yeah, that's good. Back here in the backend where the creek's running, is it possible that there could be some more open space in that area?

Mr. Leming: On which side of the creek?

Mr. Rhodes: The north side of the creek but on your developed side.

Mr. English: On your development side, to the end.

Mr. Leming: Well, the development is about as compact as it can be at this point.

Mr. English: Okay.

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Mr. Leming: We may have to make some adjustments, as I indicated earlier, if we could not get that area permitted where the intermittent stream runoff area is.

Mr. English: Right, okay.

Mr. Leming: So if we cannot do that then, yes, that would become open space. But all of this... if you see all those little lines... all this is RPA in here, out along the edge of the property. This is on the... I'm looking at the northeast section there. Is it going to draw now?

Mr. Zuraf: Yep.

Mr. Leming: Wow, okay. All this area here is... all this area is open, you know, nothing is going to happen in that area. And there are significant buffers between the development... this will be the single-family portion of the development, the single-family detached portion of the development between that and the creek. You know, the main way that you can get more open space would be to have more smaller units. If, indeed, you went with more multi-family and more towns than if you were single-family, then you'd have more open space.

Mr. English: Right. I was just saying because you've got a center area that I guess you want everybody to kind of congregate but there's nothing at the lower end as far as like a playground or anything I don't see on the plans.

Mr. Leming: Well, we'll look at that.

Mr. English: Okay. And what kind of retail are we looking at going in there?

Mr. Leming: It would be neighborhood retail. It would be retail that would be geared toward this particular development, such as dry cleaning, I'm sure there would probably be likely some kind of convenience center would be an ideal target, probably even gas and retail, you know, something like a Sheetz or something like that or a Wawa. Those are typically the things you see in a neighborhood with maybe a small restaurant.

Mr. English: Okay.

Mr. Leming: Not drive-through fast food, that sort of thing. Maybe if we're lucky a Starbucks would be ideal for that location. There'd probably be some office... I don't think Trader Joe's would come to this particular location. They'll come somewhere in Stafford County, though, I can almost guarantee you they're coming to Stafford County Mr. Gibbons.

Mr. Rhodes: Other questions for the applicant? Yes, Mr. Apicella.

Mr. Apicella: Mr. Leming, I very much appreciate your comments that you're willing to consider some of the issues that were raised, and I certainly appreciate the desire for flexibility. I have sort of a counter-thought to Mr. English's question. I think potentially, at least from my vantage point, the long pole in the tent is the potential impact on the airport. One of the things that was mentioned by the Airport Authority is reconsidering the layout where the commercial is and/or where some of the residential is. Would the applicant be willing to consider, again... obviously a lot of engineering work was done to come up with this configuration although it's not cast in stone... to relooking at the opportunity to mitigate the way the project is laid out and its potential impact on the airport? So, for

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example, Mr. English talked about the open space I'll call it to the northeast. I don't know if there's any environmental issues over there, but potentially some of the residential could go over there and be moved from the northern part of the parcel. And, additionally, where you have commercial on the northern side, again also on the northeastern side, if that were a buffer along the northwestern side. Again, just some thoughts to throw out there to potentially mitigate some of the concerns that were raised, and I suspect a lot of people are here to reiterate that concern.

Mr. Leming: Well, we're happy to look at that. It's something of a squeeze play as I'm sure you can appreciate because we've been encouraged not to cross the creek. So, and there are certain requirements in the TND Ordinance as far as walkability, the transect zones, the different types of housing that are necessary in order to support the TND Ordinance. So, it's a squeeze play; there's no question about that. We're happy to look at other possibilities though.

Mr. Rhodes: Any other questions for the applicant before public comment? Mrs. Bailey.

Mrs. Bailey: Mr. Leming, I was just looking in the proffers and looking at the open space, the approximate 116 acres, and it does make mention in there of not disturbing the land. But how could it be improved so that it could be utilized? It also mentions that there might be some temporary road, the construction, farming as well, so what type of farming would be... would that continue? Would there be a restriction on that?

Mr. Leming: I think what we had in mind is garden plots for the residents that lived in the development. You know, many communities have community garden plots where you can actually go and garden on a 20 x 30 parcel, grow your own vegetables. So, we weren't talking about any large scale farming there. You know, when we started with the... the initial concept was that this be undisturbed and we were encouraged to basically come across the creek and leave that alone.

Mrs. Bailey: Right.

Mr. Leming: If indeed, and I think all of these things that you see listed here are really just our effort to be sure we didn't get caught in a jam where we had to bring utilities there or there was some grading say for instance associated with the entrance off of Mountain View Road to the public facility. Wetland mitigation might be something that would be necessary with regard to the Corps permit. So we're not planning anything significant over there. I think probably what would be most helpful would be a consensus, and I realize consensus is hard to come by sometimes, but a consensus as to whether the County would like to see us make it open and available to the public as passive recreation, as the idea has been broached this evening, or leave it undisturbed. And that was really the objective of this particular proffer as it was written coming to you this evening, to leave it undisturbed. But we're happy to look at other possibilities.

Mrs. Bailey: Okay.

Mr. Leming: The main thing is there's not going to be any houses there, there's not going to be any development there.

Mrs. Bailey: Right. The other question that I had was about the billboards. And where are they at on the property?

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Mr. Leming: Where are they... they are, well, they're fairly close to the Interstate. Can someone actually point to them on the GDP, the location?

Mr. John Groupe: They're encompassed in an easement that's right here from the billboard and they're leased in perpetuity to the current landowner.

Mr. Leming: Now, the interesting thing about that is that is the little segment of this property that is not in the UDA. It is out in front of the UDA under the Comp Plan. But those billboards, of course, have been there for a long time and the owner is retaining the ability to continue to utilize those. We don't have any control over that.

Mrs. Bailey: Okay.

Mr. Rhodes: Okay. Any other questions for the applicant? Okay.

Mr. Leming: Thank you very much for your time this evening and for getting the computer working again.

Mr. Rhodes: And I'd like to thank everyone else for all their patience. We will now open the public comment portion of the Public Hearing. This is an opportunity for any member of the public to come speak on this item, this agenda item. When you come forward, you'll be addressing the Planning Commission as a whole. It is not a question and answer opportunity; it is not an interactive dialogue, but it is an opportunity to present your issues and your concerns or your thoughts associated with this item of the agenda. Certainly, if there are elements of that that in rebuttal or other discussion we can follow-up to clarify, staff or the applicant would attempt to do so. But I just want to make sure and make that aspect clear. But you may come forward and do so at this time. When you come forward, I'd ask that you state your name and your address. Once you do so, a green light will come on indicating the start of a 3 minute clock. A yellow light will come on when there's 1 minute remaining, and then a red light will come on and we would ask that you wrap up your comments. So, please come forward at this time.

Mr. Hornung: Good evening ladies and gentlemen, I'm speaking on behalf of my company. I'm not a pilot...

Mr. Rhodes: If you could state your name and your address please.

Mr. Hornung: Okay, it's going to be part of my comments further down. Okay, my name is Philip Hornung. I want to say on the outset that I am not a pilot and I don't have, or ever had, any vested interest, financially or otherwise, contrary to 25 years ago when it was claimed otherwise in the airport operation here. However, I am a former member of this Planning Commission, a former Chairman of the Stafford County Board of Supervisors, a former Vice-Chairman of the Potomac Rappahannock Transportation Commission, a former Chairman of the Fredericksburg Area Metropolitan Planning Commission, a former Chairman and author of the Stafford County Regional Airport Committee Report that was issued in, the definitive report that was issued in 1989, I'm a member of a local business community, and I've lived here in Stafford for 40 years. I would be deeply remiss if I did not stand before you this evening and speak in opposition to this reclassification. There's a lot of good to say about the project itself; well done and things that were (inaudible). The hooker and the problem is, it's in the worst location and that should have been looked at before it progressed at this point. Now that it's within the Regional Airport Flight Pattern and Overlay Zones, it's basically a situation where it's

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become incompatible. The approval of this zoning request will be the onset of an inevitable time-released death sentence to the Stafford Regional Airport. I'm concerned about this and the eventual would-be residents here. Talk about the death sentence. Mr. Kirkland mentioned about what happens to general aviation when any residential development gets closer. It eventually kills general aviation airports; it happens on the time. He pointed out that the Woodbridge Airport was a typical example of this. I hope history is not going to repeat itself here in Stafford. I'd like to make a couple references to the staff report. The staff report indicated that the Regional Airport and the Virginia Department of Aviation have found this to be an incompatible use at this point in time within these zones. We have sort of created this problem ourselves, the County has. The staff reports that on Objective 4.9 of the Comprehensive Plan is to minimize noise impacts and potential safety hazards generated by general aviation at public and private airfields. The associated Policy 4.91 states that the County should develop land use compatibility standards for new developments to conform to within the aircraft approach patterns for airports and landing strips. We've got ourselves in a box here because 20 years have gone by and these compatibility standards have not been developed. The County is remiss in not having done this. Had we developed these standards at the state of the art, there would be no question that this project would be totally considered incompatible for the use. We didn't do this, and it's unfortunate that we haven't done this. Due to the absence of this, the applicant is not required to comply with the compatibility standards because they don't exist creating a problem (inaudible). What happens if there is a major accident here at the airport and cause of death? It's not rare. Some of you might remember on February 2, 2006, a single-engine airplane crashed at this airport killing all four occupants of local residence. Now what if...

Mr. Rhodes: Sir, if I could just ask if you start heading towards your conclusion.

Mr. Hornung: Okay. What if that happens here, what is our liability because we did not do what we had to do. The comments here, I'll talk about economic development. I hope that the concern I have with the airport funding is that most of the money that comes to the airport comes from grants. FAA provides... they have a grant regulation, Standard Grant number 21, which is to include all past and future grants, require sponsors to take action including zoning, to restrict land use airport activities incompatible with its operations, which the Virginia Department of Aviation has already stated, taken a position on. This requirement for the grants, if it's not met, funding for the airport from FAA and Virginia Department of Aviation are in severe jeopardy.

Mr. Rhodes: Sir?

Mr. Hornung: The last thing I want to say is what does this say about our regional cooperation? We've got Prince William County contributing to the airport with appointees, members, Stafford and city. What does this say about our stewardship, with all their investment that we go ahead and go forward with this and basically in violation of the standard. What is this going to say about our future regional cooperation?

Mr. Rhodes: Thank you sir, thank you for the comments.

Mr. Hornung: Is this worth 695 new residences?

Mr. Rhodes: Sir, thank you very much; appreciate it. Thank you very much. There are many others.

Mr. Hornung: I was speaking I think on the part of a business and I understand I'm allowed 5 minutes. Appreciate that.

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Mr. Rhodes: Okay, sir, we were there. Anyone else would like to come forward, please do so at this time.

Mr. Lindeen: Hello again; Gary Lindeen, Ferry Farm area. And you're going, what does Ferry Farm have to do with Stafford Airport? Not much.

Mr. Rhodes: It's in Stafford County.

Mr. Lindeen: But I am, if you're looking at Shannon Airport, I'm in a direct line and a mile off from their landing pattern. And I invite you all to come and sit on my porch because I have a lot of pilots behind me that make the noise and I hear 'em when they're coming in and I hear 'em when they're taking off. And you have JLS Aviation and one of the things that they do is that they go out to their training area and they fly right over my house and they turn south and they go to the power plant. Another thing that they have to do is they have to demonstrate that they can get to a VOR station, VOR Brooke. They fly over my house and they go to VOR Brooke, and they're 2,000 feet up in the air. And I hear 'em. I hear 'em in my living room. I hear 'em in my bedroom. I hear 'em outside. I hear 'em in the garage. And it just so happens that the FAA, in their wisdom, put a commercial air route above my house as well. And at 10,000 feet I hear commercial jets dropping their spoilers... and I hear that in my house. Had I had known that when I bought my house, I probably would have reconsidered. So, the only thing I'm trying to demonstrate here is that make a good sound decision for your future residents of Oakenwold because they're going to look at a pretty house... I loved my house when I saw it... they're gonna buy it, they're gonna move in, and it's gonna be a matter of time before the camel gets its head under the tent and when that happens, the camel's in the tent. And the death of your airport's going downhill. I have a vested interest in that because I'm paying taxes on that. I want it to be commercially viable, commercially to succeed in the future, and not to put a death sentence on it. And that's my piece. Thank you very much.

Mr. Rhodes: Thank you sir, appreciate it. Others please?

Mr. Bibb: I won't take 3 minutes. My name is Richard Bibb. I'm gonna read you a portion of an email that I sent to one of the Supervisors this afternoon related to this matter. I think it encapsulates many of the points that have already been made. The heart of the matter to me is this, that building 700 residential units under the traffic pattern of Stafford Airport is simply not compatible with the long term health of the airport. The airport should be looked at as a long term asset that it is... and I'll appreciate the short term thinking comment earlier in that regard... and the potential engine for economic growth. By this I mean it is a factor that can attract development compatible with its use and it's a magnet for industry. Look no further than the Manassas Airport and compare what it was just 20 years ago with what it is today. And I invite you to go up there and see it because you'll see what kind of engine it could be. That is the vision the goal of the County should be investing in to achieve. That is the source of potential good paying jobs for the long haul. Building 700 homes and justifying a base on jobs created is folly. Surely there are construction jobs maintained but those are temporary. Sure, 20,000 square feet or 100,000 square feet or whatever it ends up to be of commercial development will create a few jobs... a day care center, a bank, a fast food place, or something... but not the kind of jobs the proposed residents will seek or can support their mortgage payments. They will simply join the throngs headed north on I-95 every day seeking employment. My iPad timed out on me. I'm new to Stafford; I've lived in Augustine for just coming on two years. But I lived in Fairfax for over 25 years when I saw what unrestrained housing development did to create a traffic nightmare. Fairfax even had the advantage of having the employers close by. The question I have for the Planning Commission and the Board of Supervisors on this is, can't we do better? Do we have to just throw up our hands or pretend

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that adding more and more residential growth is inevitable? Do we have to have the belief in the value of our County is an attractive place to recruit employers to locate here? Employers that might allow residents to actually work where they live and not surrender to the soul-crushing commuting nightmare that I-95 can only be characterized as? I'm a conservative pro-business libertarian leaning person who rejects the notion of those who think they can somehow impose utopia on others. But I'm pragmatic and believe that if left to their own devices, developers would turn Stafford into Fairfax in 20 years. So I believe that if we can just all look north and ask ourselves, is this really what we want?, we might just realize that sometimes the best path forward is just to say no. Finally, it's just a bit disappointing that the professional planning staff and their analysis of (inaudible) and duly noted the opposition of the Airport Authority, as well as the Virginia Department of Aviation, but offer no analysis, no commentary, nothing at all to suggest they'd even consider the validity of the input. Any cursory examination of long-term effects of airports of high-density housing in close proximity would reveal nothing but growing opposition to the airport's continued operation. But somehow thinking that the fact that a developer would be required to place prominent notice in its marketing materials is somehow going to alleviate future opposition reminds me of the futility of placing warning labels on cigarettes. You know it's bad for you, but you think you've dealt with the issue by just putting a label on it. I'd hoped to move into Stafford to escape the mindless rush to pave over every square inch of land with cookie cutter townhouses. Perhaps there still is time. Thank you.

Mr. Rhodes: Thank you sir. Others?

Mr. Getgood: Frasier Getgood. Just to reiterate a couple things, the little red square you saw around the airport... there is no red line for a pilot to fly over. That is not the path the airplanes will take. That entire proposed subdivision is under the flight plan. Smaller airplanes tend to fly hopefully a tighter pattern, but the corporate jets fly a wider pattern. So there's no little red line to follow. It's not quite that simple. Every VFR, airplanes coming in visually to Stafford, the standard FAA traffic pattern would have then enter at a 45° angle to that line that's directly overhead the proposed subdivision, depending on which runway they're using. It doesn't make any difference because whether you're landing on 1-5 or 3-3, you will be flying over the proposed site. There is no traffic pattern because of obstacles up on the north side of the airport, so all the development up there is not under flight path. It is within the noise area. As Stafford Airport increases its runway to 6,000 feet, larger aircraft will be coming into Stafford. Larger, noisier aircraft will be coming into Stafford. With that, they will bring in money to Stafford... so, something to be considered. Somebody mentioned safety and somebody mentioned the one aircraft that had the fatal accident; landed almost... about 2,000 feet north of where this site is proposed. It happened inside that red box, if you will. Yes, most aircraft accidents happen on landing and departure; straight in and straight out. But VFR departures will overfly this airport, or this proposed development, every one of them. That's all I have to say. Thank you very much.

Mr. Rhodes: Sir, thank you very much. Yes sir.

Mr. Palmer: Mr. Chairman and members of the Planning Commission, I'm Hamilton Palmer. I am Vice-Chair of the Stafford Regional Airport Authority and I'm here representing them. And we are greatly concerned about the incompatible land use with this project, and you've heard that from a lot of the speakers and you'll probably hear more of it. The project itself, the TND project, I've reviewed it; it's a good project, it's just not compatible with the airport. I do think that we need to work together to development land use compatibility standards that is an objective of the Comp Plan. Other states have done that. Virginia has tried to get that enacted or get it rolling; they have not been able to because of VACO and some of the counties. So, the counties have the zoning authority for these land use around the airports in Virginia. Once a project like this is rezoned and built, and the houses are built, there's no

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going back. So, if there's a mistake made, there's no going back. There will be a large increase, or we expect a large increase in both jet and general aviation traffic at the airport, up to our 75,000 operations a year. The difference in this project and the kids' entertainment venue is the kids' entertainment venue, they're going to leave and they're not going to spend the night there. They're going to leave and hopefully go to one of our hotels in Stafford County or in the City of Fredericksburg, or in Prince William County and spend some money, some more money. The Airport Authority plans on spending \$12 million in the next four years to expand the runway, to include some mitigation of some environmental concerns, moving some gravesites, design of the runway, mass earthwork construction for the thousand foot runway extension, and then the paving and the lighting. That's within the next four years. Mr. Clark Leming mentioned about the Airport Authority, other UDAs within the airport zones and I'd like to point out that some of these other areas in these UDAs were zoned industrial and they will be coming before y'all if they have not already for rezoning. Oakenwold is... he also indicated that Oakenwold is consistent with the Comp Plan. It is, but so is the airport and the airport is not requesting rezoning. The airport is consistent and has been there and it's been planned back since the late '80s. Mr. Hornung talked about it being on the County Board of Supervisors trying to bring that airport to the County. I attended meetings with the landowners surrounding the airport back in the late '80s. It would be nice if we could all walk away from here and get what we want, and that's not gonna happen. But I certainly am asking to consider the land use around the airport in a long-term and not just a short-term. If you approve a project like this, you're gonna have to approve, almost have to approve the next one that comes before you. Thank you very much.

Mr. Rhodes: Thank you sir. Next.

Mr. Huff: Good evening. Scott Huff. Mr. Chairman and members of the Commission, thank you for the opportunity to voice my opposition to this rezoning. As a Stafford County resident and aircraft owner based at Stafford Regional Airport, it's safe to say that rezoning this parcel and allowing residential development next to the airport will, in fact, be the death sentence of the airport. It is not an embellishment and let me elaborate on that in just a few strategic ways. First, with all due respect to the applicant who is in attendance today, the proffers proposed, in terms of notifications, are simply laughable. The noise complaints will mount, they will come in, those will result in involuntary and voluntary noise abatement procedures. After that, there will be restricted access to the type of aircraft and the time and day that they'll be able to operate. This will obviously have a negative impact on the viability of the airport. So, what I would ask and respectfully request is that this Planning Commission engage with the Airport Authority and come up with a plan to really take a look at how to handle the airspace around this critical asset in the County of Stafford. I would like to point you to FAA Order JO 7400.2J which is the definitive procedures for handling airspace issues underneath and around airports. This is the FAA guidance and I would ask that you take a look at that prior to meeting with the Airport Authority. In particular, I want you to take a look at Figure 6-3-11. I think that will very clearly articulate the issue that has been discussed here in terms of incompatible land use. And in closing, what I would like to do, is personally invite each and every one of you to come flying with me and take a look at the actual impact in the area that we're talking about. There is not a better opportunity for you to get airborne and fly and a thousand feet and actually see the pattern that we're flying at. Take the opportunity, take the time to do the research and understand the impact that this proposal has. Thank you very much for your time.

Mr. Rhodes: Thank you sir.

Mr. Kantz: Good evening, my name is Travis Kantz. A couple of things that haven't been notated here tonight is that there is a student training company going into Stafford. So, your aircraft increase is going

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to go up in flying. I'm a student pilot right now and I'll tell you that one of the first things you do is you go up and you do pattern runs. So you never leave the red pattern that they're talking about. You'll go around, you'll land, you'll take back off, and you'll do that again; and you'll it over and over. And that's going to increase when that school goes out there. Again, the yellow side is not used out there at that airport because of the height restrictions and stuff. Another issue is... or not issue but... a point is that on the Stafford Airport website, y'all promote being real close to 95 to get into Washington. And your airport is on the fringe of the Washington restricted area for flying. And a lot of pilots that are just... how should I say it... they're just pleasure pilots, they go out for their hundred dollar hamburger or whatever, they would look at this airport before they looked at Manassas or Dulles because they don't have to deal with the restricted zones. So, you usually have to file a flight plan for that. There's just a lot of things that the airport here now has a lot of benefits to flying into, and you promote that on your website. And if you let this development go through, you will lose that airport sooner or later. Thank you.

Mr. Rhodes: Thank you sir. Others?

Mr. Merrill: I'm Richard Merrill. My wife and I moved here from Springfield where we lived near the intersection of the Capital Beltway and 95. We laughingly now say that we brought the traffic with us. When we moved in, Bells Hill Road was a sleepy road with a horse farm and with a cattle farm, both of which have now moved over into Stafford history. I don't fault that because we bought a wonderful house and at some point our developer stood before this Board and got permission to build a house. So I have no leg to stand on. But, as a pilot, I need to clarify some things for you folks. When Mr. Leming presented his diagram, what he showed you was the instrument approach and circling approach to Stafford Airport. Correct. There's a radio navigation facility at Brooke which leads a straight line in and the aircraft use this for poor weather landing and also practice along this path. But the greatest number of operations occurs in the traffic pattern and regardless of which runway you're using, that is going to pass directly over Oakenwold. And it has been brought out by the pilots, and I can vouch for this, those aren't hard lines. I fly closer into the airport because if I should have an engine failure I have a better chance at making the runway than flying strictly that far out. The other thing that concerns me is that the traffic density and the risk of mid-air collisions is greatest around an airport than anywhere else. It's much the same as automotive statistics; you're much more likely to have an auto accident within three miles of your house than you are anywhere else just because that's the place you spend the most time. That is probably to me the most dangerous situation I face as a pilot. And I may not have control of an airplane after a mid-air collision. In other words, I may fall straight to the ground. The thought, and I draw on Mr. Leming's comment, about we're as compact as we can make it; that is a frightening statement to me. I draw upon Representative Bailey's comments, can you quantify this. The quantification to me is that I weigh 2,400 pounds, I have up to four people in my airplane, I have up to 50 gallons of high octane aviation fuel on board, and I can't fly slower than 75 miles an hour. Should I be without power, I have no choice but to descend. I have a limited amount of control that I have as I approach something and the mere thought of approaching high-density housing, driveways, parked cars, stop signs, is a terror to me. And to me the Board decision of putting Oakenwold in its present position over the pattern puts me in a position of being the last line of defense against a tragedy. The Board is telling me, see what you can do about landing, make an emergency landing in this situation. A very difficult thing; I don't think that I have enough capability to prevent that tragedy. Thank you very much Mr. Chairman.

Mr. Rhodes: Sir, thank you very much. Anyone else?

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Mr. Janay: Good evening. Jesse Janay. I have several points, and I'll keep it underneath the three minutes. I see this as a preventable, self-imposed headache for the Board. It was interesting looking at the maps and how the actual brief... there was no airport on the maps. They had all the roads but the airport was absent. And that came up later. I did not hear any positives during any of the briefs, especially with the environmental, as well as the historical, aspects. So, no positives on that. Woodbridge was brought up, Manassas Airport; I'm familiar with it. My parents live right near there. It's sod farms. No big issues. Sod farms are very profitable and on the other side it's warehouses. In summary, I really see this as preventable. You know, make it warehouses. Make it a parking lot for LEGOLAND. Make it, you know, stores. They won't complain. Because what's going to happen is if you approve this, this is the first step. This whole room will be full of residents that are angry asking why you let them basically build their houses there. Thank you.

Mr. Rhodes: Thank you sir. Anyone else?

Mr. Logan: I'm Mike Logan. I have a number of things to talk about but I won't be able to get them all. Number one is I didn't see any mitigation for the schools. All of our schools are either... there's 83% for the middle school, over 90% for the elementary school, 105% for the high school. No mitigation whatsoever for that even though they said the proffers take of it. They don't have enough money to buy all the schools to get the students into it. Airport... everybody's talking about the wrong use for this land. And if the FAA, the federal government is saying you shouldn't be putting housing in there, don't put housing in there. Shame on this County for not changing the rules to say that you can't put high-density housing in here. Every photo and picture that Clark Leming and the people have shown has been very misleading and it's been noted before. There is only one UDA under the actual traffic pattern for this airport, one. And that's the one that they want to put in here; even though they say there are three of them, there's only one. And every aircraft that lands at this airport will be flying directly over that land. Every single aircraft. Thank you.

Mr. Rhodes: Thank you. Anyone else?

Ms. Craig: I'm Amy Craig. I would like to also mention that I am a student pilot... or I was a student pilot. I got my private pilot's license at Stafford Airport and I'd like to attest to the fact that we, as students, do a number of landings over and over and over again. Some of us more than others because some of us take a long time to learn. So, some just know that if there's a student school that's going into Stafford Airport, that's going to be an issue, female and male pilots alike. The other thing I'd like to bring up that no one has brought up before is that I live in Idyllwild and there is a piece of property there that the Idyllwild community preserved. It's got this big iron gate in front of it and I think it's a little silly that a piece of property is going to be built around this piece of property, this historic area, this building, and it's going to be gated off. I think is laughable. I think it's silly. The people in our community in Idyllwild don't visit it. It's gated off. You don't walk up to it, and I think it's a silly gimmick to create a housing development around. And that's all I have to say.

Mr. Rhodes: Okay, thank you very much. Anyone else?

Mr. Burdette: Good evening ladies and gentlemen, I'm Randall Burdette. I'm also the Executive Director for the Virginia Department of Aviation and I'd like to volunteer my services and the services of our staff to work with you whenever you're available to do some land planning. Stafford Regional Airport is the newest reliever airport we have in the Commonwealth system. It has tremendous growth potential and Stafford County has growth potential as well as development potential. And I think we can work together to do something that is compatible with the airport, protect the growth (inaudible) the

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airport, protect the economic development engine of the airport, and still allow the type of developments you want in appropriate areas. The FAA has got very good guidance out there. My staff would be glad to help you with that, establish zoning so that you can have the industrial parks where you want them, so you can have the commercial development where you want them, and have the residential where you need them. So we can work together on that. I think Manassas has been cited several times here. Manassas is approximately four times the economic impact that Stafford has. Manassas has done a good job zoning; they protected the area around there. I think Stafford can too. The potential for your airport and economic development, the economic engine, the economic jobs it can bring, are tremendous, and I hope we can work together to make it the best it can. Thank you.

Mr. Rhodes: Thank you sir. Is there anyone else that would like to come forward at this time?

Ms. Boucher: Hi. My name is Bobbie Boucher. I am here because I'm a concerned pilot, and I am a flight instructor. And what I'd like to say is that the two red lines that you all saw? Just make it all red! Okay? If you consider that, it basically takes this whole housing development... it covers the whole thing. I've been in a pattern enough to know that nobody flies the same pattern except when you get real close to that runway, everybody seems to (inaudible) and land on that little tiny skinny area. So, I'm just here as a concerned pilot. Thank you very much.

Mr. Rhodes: Thank you very much.

Ms. Knight: Good evening. My name is Jo Knight. And I am so disappointed tonight. I'm sorry, forgive my voice. I'm getting over something horrible but I think I'll manage through this. I'm not contagious right now. At any rate, you know, I think it's so sad that we studied and studied for two years the UDAs. I think four of you who are up there tonight were very much involved with it. And of course, the development was encouraged to go along the I-95 core and I know that when doing the planning they took into consideration the flight landing and take-off areas. And we were told, and I can remember very clearly, I don't know why the airport didn't come out at that time with more input. They were well aware. This was studied to death and a fortune spent on it. And the developers have come along and tried to comply with exactly what was laid out and approved in exactly the form that they wanted to have it. I think that the circle area was always deemed to be at a high enough elevation that was not where they were coming in and landing, that it should not be a problem. And I do know of other that's already zoned that can go. These UDAs were set up not designed to be built overnight, but we have other zoned land out here and land that's not zoned. It's developed by-right. The idea for this is to put land in place that's approved but carries the impact funds to support it. We did not have that... we don't have it on the outlying roads and the state voted, and they've since changed this, but they did vote to supply funds that would take care of our secondary roads, the impact that's already made on them, and the anticipated future impact, but they would pay for improvement of them to help take care of them and not it all be on the citizens here. Additionally, we were putting the growth in an area that we'd like to see it. It wouldn't encourage it to come faster, it would just place it where we wanted it along the areas where we have existing infrastructure. And this is what developers have spent a fortune to attempt to comply with the plan that was designed by our county and approved. And it's just a horrible clash tonight. I think though that based on what they're saying, it concerns me that they fly all over the place. I did think that... and I do think... that the major planes will be taking the course and it's that east/west course that we were told about. So much was taken into consideration and it appears there must have been something overlooked. And this developer has put forth so much money himself personally to make this happen in accordance with that plan. I really hope that we can work this out somehow. Thank you.

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Mr. Rhodes: Thank you. Is there anyone else who'd like to come forward?

Mr. Goretsas: Good evening, my name is Mike Goretsas. And I'd like just to present from a business long-term pilot perspective. I started flying back in 1970. I did fly quite a bit out of old Woodbridge Airport. Back then I saw how growth and development encroached onto Woodbridge and it finally snuffed it out. I moved out to Manassas. Back then Manassas was considered a small regional airport with only one runway. Over the years, based at Manassas, I've seen Manassas grow. The County Board of Supervisors and whatnot lowered the property tax rate to entice business growth, aircraft growth at Manassas to the point that Manassas put a second runway in. That flourished and Manassas has blossomed into and became Prince William County's crown jewel for both airport operations and business industrial growth all the way around the airport. They had the foresight to see what the economic benefit to the County would be for business growth. As the businesses grew around the airport, residential beyond the airport operations built up in the County. But the County did protect the operational area by keeping it farmland, agriculture, and zoned business and commercial, both heavy and light commercial. I'm hoping that the Planning Commission, as well as the Stafford Board of Supervisors, has the same foresight that Prince William did. Stafford and the Airport Authority had a long-term vision to participate with the City of Fredericksburg and Prince William County to make this a crown jewel and a reliever airport for the State of Virginia, as well as the Washington Metropolitan Area, Dulles, and National Airport, because they are looking at bringing more traffic into Stafford. That's why they're talking about increasing the runway lengths. So, with that said, anything that happens to be done to stifle potential growth or risk for the commercial and business development, that's where the County's going to make its money; not on 600 homes. That's all.

Mr. Rhodes: Thank you very much. Is there anyone else? Okay, seeing no one else coming forward for the public comment portion... Mr. English, I know you had a...

Mr. English: Yeah, I'd like to keep the public hearing open (inaudible).

Mr. Rhodes: Okay. And we'll have rebuttal. Mr. English, you were wanting to keep the public comment carryover open, public comment portion open till the next session?

Mr. English: Yes.

Mr. Rhodes: Mr. English was asking that we not close off the public comment portion of the public hearing, that we leave it open to carry forward, if we have a carryover session, but not close at this point. But certainly we'd like to get rebuttal by the applicant. Or not rebuttal but further comment.

Mr. Leming: Further comment.

Mr. Rhodes: Please.

Mr. Gibbons: If you're going to extend it, then he's got to have rebuttal at the next meeting (inaudible).

Mr. Leming: Oh, I'll forget, Mr. Gibbons, what I'm going to say if you do that.

Mr. Rhodes: Can we not have them speak if we don't close the public comment portion of the public hearing?

Ms. McClendon: Mr. Chairman, I believe that's your discretion as the (inaudible).

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Mr. Rhodes: I can't remember that far so I'd like to go ahead and have you...

Mr. Gibbons: Well, what I'm saying... can I make my point?

Mr. Rhodes: I'm sorry, I apologize if I missed it Mr. Gibbons.

Mr. Gibbons: I'm saying that he's going to be afforded at the next time there's public comments to comment to that too.

Mr. Rhodes: Yes sir, yes sir.

Mr. Gibbons: That's the point I was saying.

Mr. Rhodes: Gotcha. Okay, I'm sorry, I misunderstood but absolutely. Yes sir.

Mr. Leming: Thank you. And thank you all, I know it's been a long evening and there are just a couple of broad thoughts that I want to leave you with here. The implication of what is being suggested here affects hundreds of acres. There was a comment about, well perhaps put a LEGOLAND parking lot next door. We're not talking about a LEGOLAND parking lot, we're talking about all of LEGOLAND even closer than this is. So this is a serious issue that has implications for dozens and dozens of property owners and hundreds and hundreds of acres. Somebody suggested that we had shown you something misleading about the airport operations zones; I didn't say anything about flight paths. I don't know very much about flight paths. I've learned a lot tonight. But what we showed you was the Airport Overlay District and Airport Operation Zones, both of which contain three UDAs. And I think Ms. Knight touched on an important point. The official land use policy of this County is contained in the Comprehensive Plan. We're consistent with that. That is what the County says it wants to happen in these areas. That is what is put out there. That was something that was subject to public hearings. I don't know whether the representatives of the Airport Authority didn't know about them, didn't bother to come and speak about what was being planned in the vicinity of the airport, whether there was inadequate communication between the staff and the Airport Authority staff, whatever reason, these things were put into place. And there has been reliance on those; and an applicant here and another one coming that have utilized the County's Comprehensive Plan and understood what the County said it wanted in these areas. And yes, there may be details that need to be worked out but, staff, your planners, have indicated that we're consistent with your Comprehensive Plan. There may be some cleanup that needs to be done in some areas, but we are consistent with what's envisioned for this area. So that's the horns of the dilemma. You've heard one particular interest come before you this evening and say, this is not a good use next door to us. But that wasn't the position, that was not the official position that the County adopted when it incorporated these Urban Development Areas into its Comprehensive Plan. We take the County Comprehensive Plan seriously; we know the Board of Supervisors and you all take it very seriously and work hard on it. So, we're here because of what happened with that Comprehensive Plan, otherwise we wouldn't be standing before you with this application. So, we hope, as Ms. Knight indicated, I hope there's some way that we can work through this. But, we're not the only ones with a dog in a fight here. There are a number of property owners that have a whole lot at stake here if you take at face value what the aviation interest has indicated before you this evening. I don't know a lot about flying, I don't profess to. And I assume that the people that spoke before you this evening know much more about it than I do. But, I do know that there are many airports that are in the proximity of significant residential development all over the country. And somehow they get along with each other. I don't think that one particular interest has the ability to prohibit other interests from moving forward as would be in their best interest. Particularly in this

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location, the Centreport exit is the last... and this is of interest to many looking at Stafford County, including some of the ones we've talked about this evening. The Centreport exit is probably the last green space that's available between Fredericksburg and Washington, D.C. in close proximity to the interstate. There's a lot of land there, most of it in very close proximity to the airport. There's going to be a lot of interest and a lot of opportunity because of that particular interchange and the opportunities that it affords for all kinds of interests, not just the aviation industry. So, I think it's a matter of balancing; we've relied on what the County said it wanted there and we appreciate your working with us on the application.

Mr. Rhodes: Thank you very much. Yes Mr. Gibbons?

Mr. Gibbons: I don't know what we can do now or what we can't do, but I'd like to make a motion, or Steven can make a motion, but I think that this Commission should meet with the Airport Authority and sit down and go over what are the rules. And then at least we have that.

Mr. Rhodes: Yeah, as a general... okay.

Mr. Gibbons: So I'd like to make that sooner than later.

Mr. Rhodes: Certainly, I don't know where Mr. English is headed on this one in his area. I anticipate we're going to have curious (inaudible) and have some other discussions, and I think that would be an important aspect of those interim discussions (inaudible).

Mr. Gibbons: I'd like to make that motion then.

Mr. Apicella: I'll second that.

Mr. Rhodes: So, a motion to have the Planning Commission and staff reach out to the Airport Authority to work further on these issues. Any further comment Mr. Gibbons?

Mr. Gibbons: No.

Mr. Rhodes: Further comment...?

Mr. Apicella: Mr. Chairman, I would extend that to beyond the Airport Authority to the extent that the Virginia Department of Aviation and/or reps from the U.S. Department of Transportation might be interested in (inaudible) that dialogue.

Mr. Rhodes: And any other interested parties. Okay, further comments from any other members? All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

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Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; okay. So we will make that commitment to reach out to that... to all interested parties certainly on the issue and be able to explore that further. Back to the item number 1 on the agenda; further discussion Mr. English? This is yours, right?

Mr. English: Yeah, I was going to kind of make that part of my motion, but you've already done it. But I'm...

Mr. Gibbons: I'm sorry.

Mr. English: That's okay. What I would do is I'd like to make a motion to defer this for another 30 days to look at (inaudible).

Mr. Rhodes: So, maybe to the... that would be the 23rd... so two sessions?

Mr. English: Yes.

Mr. Rhodes: To the 23rd of April to give us some time to talk. I know there were a lot of... okay, so there's a motion to defer this to the 23rd of April. Is there a second?

Mr. Coen: Second.

Mr. Rhodes: Second by Mr. Coen. Any further comment Mr. English?

Mr. English: No sir.

Ms. McClendon: Mr. Chairman, I suggest that you incorporate the motion to keep the public hearing open...

Mr. Rhodes: Oh, to make that clear?

Ms. McClendon: Yes, and you also need to set a certain date for that.

Mr. Rhodes: Okay, thank you very much. So, the motion is to defer the discussion of this item to the 23rd of April which will include the public hearing portion of this item. So, therefore, the public comment will continue to be afforded at that 23 April session. So that was the intent of your motion?

Mr. English: Yes it is.

Mr. Rhodes: And intent of the second?

Mr. Coen: Yes.

Mr. Rhodes: Okay, further comment Mr. English?

Mr. English: No sir.

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Mr. Rhodes: Further comment Mr. Coen?

Mr. Coen: No.

Mr. Rhodes: I know that this does afford us a little bit of time. We talked about one item here to look forward with interested parties dealing with the airport, but also certainly there were a number of comments that several Planning Commissioners made dealing with proffers and other elements of this. This gives us an opportunity to explore and discuss further on those and different variance and so I certainly commend all Commissioners through the staff and working through the staff to make sure to express those points and issues, and then concurrently we will reach out to the Airport Authority, the State, and other interested parties on other elements of the airport implications. Certainly this is in a UDA area. UDA does have commercial components, as well as residential, and so that finding that right mix is going to be an element we're going to have to work through. Mr. Apicella?

Mr. Apicella: Mr. Chairman, if I may add that this deferral, as well as our engagement with the Airport Authority and other representatives, is in line with the discussion we're going to have later tonight about the UDAs in Centerport and the Planning Commission on its own and now at the direction of the Board of Supervisors has asked us to take another look at Centerport and the impacts of residential growth around the airport. So this all kind of ties together; I think it's good to take this pause and do some more research, maybe make some more progress on that task and see where we go from here.

Mr. Rhodes: Okay. Further comments any other Commissioner? All those in favor of the motion to defer this to include the public hearing portion to the 23rd of April signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None? Okay, thank you all very much and thank you everyone for your time and your very respectful dialogue this evening; appreciate it. I'd like to suggest that we jump over, if it's okay, to item number 3. Is that the Fox Chase? I think it'd be appropriate to get onto that one next. If I could ask folks to work to depart quietly please, we've still got a couple items to work on. Thank you. Mr. Harvey?

UNFINISHED BUSINESS

2. Comprehensive Plan Amendment; Urban Development Areas - Amend the Comprehensive Plan recommendations for Urban Development Areas and targeted growth areas in the County. **(History: Deferred on February 27, 2013 until further information from staff)**

Discussed after item 3.

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3. SUB1300051; Fox Chase Commons, Preliminary Subdivision Plan - A preliminary subdivision plan to create 99 townhouse residential units and 12 stormwater management facilities on Assessor's Parcels 45-217 and 45-217A, zoned R-3, Urban Residential High-Density, consisting of 9.08 acres located on the east side of Jefferson Davis Highway across from Drew Middle School, within the Falmouth Election District. **(Time Limit: March 12, 2014) (History: Deferred on March 12, 2014 to March 26, 2014)**

Mr. Harvey: Thank you Mr. Chairman. Natalie Doolittle will be making the presentation.

Mr. Rhodes: We'll just pause for a second; I don't have a gavel so I can't even play that game. If we could ask you to take the discussion outside please. Thank y'all very much. Appreciate it. Okay Mr. Harvey, item number 3.

Mr. Harvey: Please recognize Natalie Doolittle.

Mr. Rhodes: Hi Natalie.

Mrs. Doolittle: Hi, how are you? Computer please? Good evening Mr. Chairman and members of the Planning Commission. At the March 12th meeting, the Planning Commission reviewed the Fox Chase Commons Preliminary Subdivision Plan. Concerns were raised by the Commissioners regarding the 102 lots shown on the preliminary subdivision plan versus the 99 lots shown on the approved General Development Plan, as well as potential safety issues that may arise due to the close proximity of the tot lot and open space to Jefferson Davis Highway. At the meeting, the applicant and engineer proposed concept plans to reduce the number of lots from 102 to 99 and locate the tot lot further back within the development. There were still concerns that children would utilize the open space near the road and that balls may roll into traffic, so the applicant agreed to plant trees within the field to deter playing ball games. The application was deferred to tonight's meeting in order for the applicant to revise the plan, and the applicant has submitted revised plans showing the changes. And this was the previous submission with the tot lot towards the front and the 102 lots. And this is the revised submission. You can see the tot lot is now back here and there were three lots removed. And here is a landscaping exhibit showing the trees that would be planted within the field.

Mr. Rhodes: There'll definitely be no soccer games played there.

Mrs. Doolittle: So I'd be happy to answer any questions.

Mr. Rhodes: Questions for staff?

Mr. English: I don't know if this is going to be a question to you, Natalie, or to the developer, but is it any way that this can be... Maybe I should wait for the developer.

Mr. Rhodes: Okay. Any other questions for staff? Yes, please Mr. Gibbons.

Mr. Gibbons: Thank you very much Mr. Chairman. I certainly do my homework; 1986 this is when this was rezoned, correct?

Mrs. Doolittle: Originally I believe.

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Mr. Gibbons: In 1986, I can remember it very vividly, we restricted it to 85 children. And then when I was Chairman of the Board in 1987, we did the preliminary on that. And now you're saying in 2011 that was taken off, the restriction of 85 children?

Mrs. Doolittle: Yes.

Mr. Rhodes: Didn't it merge a small parcel into it as part of that?

Mr. Harvey: Yes, Mr. Chairman, there was an application to rezone a B-1 zoned portion of the property in the front from commercial use to residential use, and also amended the proffers. Some of the concern in the past was the enforceability of the restriction on number of children.

Mr. Gibbons: So that's the reason?

Mr. Harvey: That was one of the reasons for the proffer amendment, yes.

Mr. Gibbons: Okay. It's one good thing I still have is my memory and the problem we had at the time is when you make an age-restricted development, it's awful hard to deny a grandmother the right to have a grandchild there in case of an emergency.

Mr. Rhodes: Any other questions for staff before we have the applicant come forward? Okay, applicant please. Long night for us, huh?

Mr. Chretien: Thank you Natalie. Good evening. I'm Paul Noel-Chretien. I'm one of the managers of Fox Chase Apartments, LLC.

Mr. Rhodes: Mr. English, you had a question?

Mr. English: Yeah, I had a question. In reference to the shrubs and trees you're going to put in, is it any way that this can be part that they can never be cut down, they've always got to be there? Is it something that can be in writing because usually if you've ever been in a Homeowner's Association and you know that 10 years, 15 years from now they might say well this would be an ideal place for a soccer field or something like that and start cutting stuff down. So is there any way we can put that in agreement that there will always have to be trees there that can never be cut down?

Mr. Chretien: That is a very good question, and if you could pause one second I will consult with my engineer, Justin Troidl from Bowman Consulting, who's right here. We would have to put something in the HOA docs and I think he's correct about that. But that shouldn't be a problem. And we can stipulate that we would... that the eventual builder would say that it needed to be in the HOA docs.

Mr. English: I guess add that in the proffer part I guess? Can you do that?

Mr. Chretien: I'm not sure.

Mr. Harvey: Mr. English and Mr. Chairman, this is not a rezoning so there are no proffers that can be negotiated at this point in time. The question is, does the plan comply with the code or not? We would be taking the applicants word for it as far as regard to their future actions.

Mr. Gibbons: You can't put conditions on a preliminary?

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Mr. Rhodes: Can there be a note?

Mr. Gibbons: Yeah.

Mr. Rhodes: I don't know if that applies to a preliminary subdivision plan.

Mr. Harvey: Mr. Chairman, the applicant can agree to certain notes voluntarily. It's not anything the Commission can require.

Mr. Gibbons: Well, that's what we're asking them tonight. That's what you're asking.

Mr. Chretien: I'm willing to help.

Mr. Rhodes: Not to challenge you, I understand your point Mr. Harvey. I mean, the preliminary subdivision plan, does it meet the requirements of the preliminary subdivision plan or not and that's the basic action that's before the Planning Commission tonight. And so we are doing something a little bit, kind of twisting in a way, but it seems like the applicant's generally comfortable. They're just trying to get this done.

Mr. Chretien: I don't think it's a problem for us to put a note in that we will stipulate that the builder should include this reference to the trees in the open space in the Homeowner's Association documents. The builder is the one who eventually, as you know, will write the HOA docs and so I don't think they would mind.

Mr. English: I know what happens. Ten years from now somebody's going to say, you know, this and, I don't know, would they come in front of... would the County have any effect on that at saying no you can't do that or...?

Mr. Chretien: Yeah, I'm not sure. It does give some weight to have them in the documents because they have to formally change it and it's hard and there may be a hook that the County has on that... I'm not sure.

Mr. Harvey: Mr. Chairman, Mr. English, the County does not get involved in private covenant agreements. That's between the property owners of the neighborhood.

Mr. Chretien: Sounds correct, but...

Mr. Gibbons: Yeah, but if you show the thing on the site plan, you're coming in with a site plan now, right, and you can't put a note on the site plan that says this area will be maintained as is? We've done it before; I don't know why this is such a (inaudible).

Mr. Harvey: Mr. Gibbons, that could be a note added to the plan.

Mr. Gibbons: Right.

Mr. Harvey: It's something that the County would have limited enforcement ability 20 years from now when the neighborhood's built out and residents are living there, and they choose to do something with that area.

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Mr. Coen: Mr. Chair?

Mr. Rhodes: Yes please.

Mr. Coen: And more, I guess, at a timeliness, I've been harassing poor Mr. Zuraf on this and then finally when I was in there I sort of used fingers, but... I'll be careful using fingers here... but right now it's Route 1 is a 4-lane road with two lanes. They're proffering in a turn lane so they can get in and out of their thing. So, there are basically five lanes. Theoretically they have a turn lane that's coming up from the Falmouth intersection so it's, in theory, sort of five and a half. When Route 1 gets expanded to three lanes, ideally you get one lane out of them and one lane out of Drew. So, it's going to shift because you'll get one full lane and then they're going to have to take their little half lane turn lane in and so it is possible that the trees would be wiped out a lot sooner just because VDOT comes in. And then there's no way we can predict this and I'm not trying to be a jerk about it but there's not much room in front of Drew Middle School. So it is theoretically possible that both lanes will come out of their side of the property which would wipe out all those trees. And so I was going to ask if they would be open to extending the amount of trees a little further in just as a safety net because we wouldn't want to be in the position and again, if not their HOA... and HOAs die, as mine did so they can't do anything... but you wouldn't want to have a situation where VDOT comes in and takes that land and then we've got this open space and no trees again. So we'd be in the same position, and it's not the applicant's fault because, you know, they don't know exactly what VDOT's going to do in 20 years from now.

Mr. Chretien: If I may, we are donating some land for the right-of-way in this. So, from our side already, do you know the width of it? And it's on the plan but we are giving to the County for free this nice land along... it's several feet. And so they kind of factored that in. I don't know how much is available on the other side but... so some of this has already been built into the buffer that Mr. Troidl has written in on this. And it's probably a landscaping buffer requirement that he can't go any farther back; you have to go on the current right-of-way. Presumably you can't move it farther back, can you? It's got it up here. He's got this row here.

Mr. Rhodes: Computer please.

Mr. Troidl: Justin Troidl with Bowman Consulting. Ideally our double row of trees that are outside of not only the right-of-way, but we actually have a street tree buffer that's just outside the right-of-way, then behind that... so we've already encroached another 30... actually that's 15... so probably about another 30 or 40 feet away from that. So even if they were to come in and take another 20 or so feet to add that extra lane, that double row of evergreen trees that we've already got on the plan is already outside of what that potential taking in the future could happen. So we would still maintain that. Anything further than that, they're talking about taking out our parking and other things which, again, I don't think they could go any further on our site and still keep it within our regulations. So most likely, worst case scenario, they would take that first row of the street buffer which then would probably get replanted within or amongst the other trees. So I don't think we have a (inaudible) where we lost all our trees on the front of this property.

Mr. Chretien: And probably no trees at all even if they took one lane.

Mr. Troidl: Correct.

Mr. Rhodes: Other questions or comments for the applicant? Please.

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Mr. Apicella: The last time we discussed it, we talked about some of the transportation issues within the parcel. I'm not asking you to put notes, I'm just asking you to, you know, do the things that we talked about like some signage and making sure that people aren't parking along the street. So, just to kind of reiterate that; that's my only point that I'd like to bring up again.

Mr. Chretien: Absolutely. And we have an agreement to do signage on the tot lot, that it closes at dark. So we're happy to agree to the signage on the parking on the streets.

Mr. Rhodes: Okay. Any other questions for the applicant or staff? Okay, I'll bring it back to the Planning Commission; it's the Falmouth District.

Mr. Apicella: Mr. Chairman, I'd like to move for approval of SUB1300051, Fox Chase Commons, Preliminary Subdivision Plan, as revised and presented tonight.

Mr. Rhodes: Okay, motion to approve.

Mr. English: I second it.

Mr. Rhodes: Second by Mr. English. Further comment Mr. Apicella?

Mr. Apicella: I just want to thank and applaud the applicant. I think they've bent over backwards to work with us on the issues and concerns that we've raised and, quite frankly, at the midnight hour. So they've been very amenable to resolving the issues that have been brought forward. So I sincerely thank you.

Mr. Chretien: Thank you.

Mr. Rhodes: Very good. Further comments Mr. English?

Mr. English: No.

Mr. Rhodes: Any other member?

Mr. Coen: Real quickly if I could. I just want to applaud and from what I heard last meeting, the idea was generated from this Commission about the relocation allowance. Because moving is difficult at all and if some of these individuals are living paycheck to paycheck, the amount isn't a great amount but at least something is helpful. And I'm not certain if you want to contemplate, but if the buildings are going to be razed anyways, if they had paid security deposits, if they receive that earlier they could use that for down payments for other living. It's just something to think about because...

Mr. Chretien: It's a very good idea.

Mr. Coen: ... the amount is nice but it's sort of like, you're going to knock the building down anyways so why worry about if they made holes in the wall.

Mr. Chretien: That is a very good idea. You're the only one who's suggested that, and we were figuring out the timing. So, we will try to do that. And we certainly aren't going to be holding it, but we'll try to go early because even if there's damage in the building, we have to tell them that we're not going to be repairing it. That's a good point.

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Mr. Rhodes: Great. Any other comments from any other member? Okay, all those in favor of the motion for approval of SUB1300051, Fox Chase Commons, Preliminary Subdivision Plan, please signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. All those opposed? None? Passes 7-0. Thank you very, very much; appreciate that.

Mr. Chretien: Thank you.

Mr. Rhodes: And now we'll move back to item number 2 of Unfinished Business, Comprehensive Plan Amendment, Urban Development Areas. Mr. Harvey.

2. *Comprehensive Plan Amendment; Urban Development Areas*

Mr. Harvey: Thank you Mr. Chairman. Mike Zuraf will be able to discuss this item. It looks like we only have a few seconds...

Mr. Gibbons: Do you want to extend the meeting now?

Mr. Rhodes: Oh, I'm sorry, thank you. Do we have to wait right till ten or can we do it now? Okay, very good. So, we'll interrupt for just a moment. I'd entertain a motion to extend our meeting beyond ten o'clock which is the time to do that.

Mr. Gibbons: So moved Mr. Chairman.

Mr. Rhodes: Motion by Mr. Gibbons. Second?

Mr. Coen: Second.

Mr. Rhodes: Second tied; I think Mr. Coen got it so we'll give it to him. Further comment Mr. Gibbons? Mr. Coen? Any other member? All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

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Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; we're going to continue our meeting. Yours.

Mr. Zuraf: Okay. Alright, this item, Mr. Chairman, is continued discussion of the Comprehensive Plan amendment and consideration of Urban Development Areas in the Comp Plan. At your last meeting, there was a specific discussion and recommendations on specific requests and directives from the Board regarding the issues. I provided a memo to you that kind of ran down the points and discussion that was the general discussion and things that were agreed to by the Commission. And we took some of the direction from the Commission and have some new maps to provide to the Commission for consideration. And so going through the memo, well, first, directive 1 on the memo, was the issue of maintaining the concept of targeted growth areas and the Commission did vote unanimously to replace the terminology of areas that were currently known as Urban Development Areas with Targeted Growth Areas; that would be the new language for those areas in the Comp Plan. Then, directive 3 was discussed and that was the issue of correlation of the Urban Development Areas/TGAs with Redevelopment Areas. And so we showed the Commission some maps and the Commission provided some general direction. If you go to the computer please, we provided some amended maps for the Courthouse Area and Southern Gateway Area that tempts to kind of represent what the Commission was looking for. First, in the Courthouse Area, the map that you see is the proposed... some proposed new boundaries on the Land Use Map. The light shaded purple area, again, is the TGA... I may use our UDA but you know what I mean... and the blue line is the proposed new Redevelopment Area line. We do have, if you go to the next screen Jeff, we have... this is the current map so you may want to toggle back and forth. But this is the current Urban Service Area boundary and some of the suggestions were to limit the Redevelopment Area to the east side of Interstate 95. The RDA limit should closely correspond to the UDA line but not necessarily. There wasn't a desire that had to necessarily be exact and then work with the Redevelopment Administrator, use some of the existing Redevelopment Area planning documents as a basis for some of these amendments. So if you go back to the proposed map, you can see the RDA limit does hold to the... so it doesn't extend to the west of Interstate 95. I did superimpose the proposed Courthouse interchange redesign to kind of show how that has kind of gone into the consideration of the Redevelopment Area boundaries. In talking to the Redevelopment Area Administrator, he noted that really the redevelopment focus, the redevelopment plan focus is on the core area of the Courthouse Area, generally from around the courthouse where we are now down to around the hospital. So they don't really see... the plan's vision was really 10 years out, so this blue line would kind of represent a 10 year kind of build-out reflective of the redevelopment plans. And you then have an Urban Development Area that extends to the south. The blue line follows Hospital Center Boulevard, the areas to the south, extend down towards like the Abberly project and some of those properties there.

Mr. Rhodes: So this kind of jogged it over to take off the west side of 95 and then jogged it north from that segment that is segment that is between 95 and Route 1.

Mr. Zuraf: Yes. And focuses on the new courthouse realignment and lands that would... properties that are fronting that and affected by it, and focuses the Redevelopment Area in the core and still has UDA boundaries out to reflect 20 years of growth that might occur in the area.

Mr. Rhodes: Thoughts or reactions to that of Commissioners? It generally makes sense. Okay.

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Mr. Zuraf: Okay. And if you actually go two slides down... am I able to move it myself? Okay. This then is the Redevelopment Area concept plan and you can see a lot of that... the land use concept plan focused in on the core area. Going on to the next slide... thank you. Then this is the Courthouse Area, Urban Development Plan, Small Area Plan we also use which does still recommend urban growth concepts to the south of Telegraph Road. Okay, onto the next slide then. This then goes to the Southern Gateway Area and some of the issues here were considering opportunities to extend the UDA over into England Run. The Urban Development Area didn't necessarily need to exactly follow the same Redevelopment Area boundary. Consider if there are larger areas, that didn't need to be incorporated into Redevelopment Areas. Developed again with the coordination with the Redevelopment Administrator and the RDA planning documents. So, if you go to the next slide, you'll see the current RDA boundary extends pretty far out 17 out to Greenbank Road. Greenbank Road is in this location. And if we go back to the proposed slide...

Mr. Harvey: I think you can control it now Mike.

Mr. Zuraf: Okay. I can't control that. Thank you. So, the...

Mr. Rhodes: Where's Greenbank Road on here?

Mr. Zuraf: Greenbank Road... this is... all the way...

Mr. Rhodes: It's way out there.

Mr. Zuraf: Way out...

Mr. Rhodes: This has brought it in some but actually extended the RDA a little bit out to the east or was that always there?

Mr. Zuraf: Yes it did. So, yeah, it brings it into Plantation and Commerce Parkway as a western limit. To the east of 95... well, also, in the area to the west of 95 it does remove some of this undeveloped industrial land. That's kind of new development area; it's not seen as redevelopment. But then to the east of 95 there's been I guess a desire to kind of link up the Southern Gateway Redevelopment Area with the Falmouth Area, so we've expanded it to include the frontage properties along 17. And previously it was just kind of a line that went along the road (inaudible).

Mr. Rhodes: So, it just expanded out a little bit from that line. What was a little sliver has gone a little north and south.

Mr. Zuraf: Yes. So, some of the Urban Development Areas that don't quite match up with the redevelopment boundary includes some of this industrial land in Heritage Commerce Center, a currently developed area. This area here off of Sanford, that was rezoned a few years ago as a flex office park, undeveloped now; that would just be new development area. Then to the east of 95 we did remove this larger area, including the Old Forge Community and then this Rappahannock Landing development. This was Urban Development Area; we did propose removing that and considering that as suburban. This area of Rappahannock Landing had been zoned R-3, Urban Residential, for many years. It's developing that way. The Comp Plan in suburban areas does support multi-family and townhouse development on land that's already zoned, and that's the case there. So, this would not be inconsistent with the Comp Plan. It removes the 700 units proposed in that project from the UDA but it would just be absorbed within the suburban area build-out. Then within the RDA there are some business and

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industry areas which kind of remain as had been planned. We didn't make any changes there, but if the Commission feels that we may want to modify that, that would potentially increase some potential residential areas. But, so you see kind of commercial along 17 there.

Mr. English: Right now that's kind of industrial, right in there isn't it?

Mr. Zuraf: In the southern... we have industrial kind of uses here...

Mr. English: And then on the other side is industrial too, correct?

Mr. Zuraf: A little bit, yes, to the back there's some older homes that are kind of converted into businesses; a mix of older development, yeah, along 17.

Mr. Rhodes: Okay, thoughts of Commissioners on it? Any reservations? Okay.

Mr. Zuraf: Okay, so those are the two areas that needed coordination of the UDA and RDA boundaries.

Mr. Rhodes: Great! Great, great, great.

Mr. Zuraf: Next slide please. Next slide. And next slide. So, that was issue 3. Issue 5 was dealing with the desirability to retain specific Urban Development Areas. Go to the next slide. This reflects the Eskimo Hill Urban Development Area that the Commission suggested, by general consensus, to remove that as a UDA. This are is planned for 879 dwelling units with a mix of different units as stated in your memo. So those units would need to be reallocated elsewhere. Then if you go...

Mr. Apicella: Mike, is that a must that we have to reallocate that? I mean, this is no longer mandatory.

Mr. Zuraf: No, but... well, but that was a part of the 20 years of projected growth. The idea of the growth projections in the Comp Plan were to allocate the 20 years of projected growth in certain areas of the plan and so if they were moved then our build-out plan would not... or our growth projection plan would be short of (inaudible).

Mr. Apicella: I guess what I'm saying is, we know if we take away numbers from one or more UDAs/TGAs that go away, do we specifically have to allocate them to the remaining ones, say, oh this number is going to go to this UDA or just say, generally speaking, the capacity within the remaining UDAs could be extended to accommodate whatever's lost as a result of eliminating the two or three that we decide no longer are viable.

Mr. Zuraf: That could be the way to go. When we get to the end I have a summary of all the units that would need to be reallocated so we would I think need to check to see if the remaining TGAs...

Mr. Gibbons: But why do we have to keep those numbers anyways? We only had to put that in because of state requirement. Why would we want (inaudible)?

Mr. Rhodes: But I thought though there was some very hard specific requirements of the state, but I thought as a general planning principle you still want to plan for your 20 year growth?

Mr. Zuraf: Right. That was the idea, so...

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Mr. Rhodes: They're just trying to address the general planning principle.

Mr. Apicella: I understand that, but I'm just saying that do we necessarily have to say, okay these 880 units are going to this UDA versus hey, we have five remaining UDAs. And whatever that number winds up being, those can be further allocated amongst the remaining UDAs. That's all I'm trying to say. Give it some flexibility rather than saying, this is the place it's got to go to. It's just a thought.

Mr. Coen: And I'm sort of with Mr. Gibbons. I thought that there was a bump up of the number to fit what the state told us. So, we had been going on one premise that this is what our build-out would be and then for us to use a UDA, the state said thou shalt use this other mechanism, so we bumped up the number. So, I'm with Mr. Gibbons; if we're not using a UDA term, I could be wrong, but I thought we discussed way back when, when we started it, saying this is what we think the build-out is and we only shifted it to please the state. If we don't need to please the state, why have those numbers?

Mr. Zuraf: Right. The units are in there to meet the old state mandate of... it was 10 years of growth. So, yeah, you do not need to plan 10 years of growth in the UDAs or TGAs, but a good planning practice might be to say where else it might go if it's not going to be in the TGA.

Mr. Harvey: Also, the reason why we look at using the state's overall growth projection is because that's tied back into our regional transportation model with FAMPO. And that follows back into how federal funds are allocated for road projects and those types of things. So, that's part of the underpinning too. We're trying to be consistent with the state's model of how much they think we're going to grow in the overall Commonwealth context. But as was discussed, we could... if UDAs are eliminated or certain land use categories are eliminated and there's additional dwelling units to be allocated somewhere in the County, we can decide do we want to target a specific location or do we want to put it in a suburban area. But make sure that we have the right densities allowable in the suburban area to accommodate it. Those are the questions I think Mike's going to get to at the end.

Mr. Zuraf: So this is... this was the Eskimo Hill Area. If we can go to the next slide. The next area was the Brooke Station that was recommended to be removed. There were 870 units recommended in this location. If we go to the next... We've seen these maps; the Courthouse Urban Development Area/TGA, that was recommended to be retained with the boundary modifications that we've shown you tonight. So there would not be any proposed modifications to the amount of overall residential development unless the Commission feels that that would be desirable. With Southern Gateway here also, we retained it as a TGA with the boundary modifications. Here we would remove language that talks about the 700 multi-family units for Rappahannock Landing and that can be absorbed in the suburban area that it would be relocated to. If we go to the next slide please. So here's the George Washington Village. This was recommended to be retained as a TGA with no changes proposed.

Mr. Rhodes: Please.

Mr. Coen: Okay, and only because I was at the... I'm sorry Mike... TRC today. But Rappahannock is already going through with the 695 homes.

Mr. Zuraf: It's under development.

Mr. Coen: Right, so if we pull it out of our targeted growth area, we then have to find 700 units to put somewhere else somewhere in the County. But if we just leave it alone, that 700 stays there and we already get that count for the state numbers for transportation. Am I sort of gathering...?

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Mr. Zuraf: It would just be absorbed in the... it would just fall into the suburban area...

Mr. Coen: Right. But I mean, if we take it out, we have to take those 700 units and put them somewhere.

Mr. Zuraf: Right.

Mr. Coen: But if we... but they're going to be there anyways.

Mr. Zuraf: Right.

Mr. Coen: So if we just leave that little chunk in the target growth area, we don't have to up our numbers somewhere else.

Mr. Zuraf: It would be upping it; you'd be removing it from the targeted growth area and adding it to the suburban. So it's just a wash.

Mr. Coen: Okay. (Inaudible - microphone not on).

Mr. Rhodes: Other comments about this one?

Mr. English: This is the George Washington deal that wants to go in there?

Mr. Zuraf: Yes, correct.

Mr. English: With all the talk tonight and the flight plan and all that stuff, are they going to be affected to that too or we don't know, that's something we'll have to look at?

Mr. Zuraf: There might be some concerns.

Mr. Gibbons: Oh, there is; I mean, definitely don't say there isn't. There is concern.

Mr. Zuraf: Currently, the language in this UDA does recommend the residential development to the north of Accokeek Creek and the commercial development be proposed down in this area. As you saw on the maps tonight though even the areas to the north are within the overlay and flight areas. And as they said, you know, currently the...

Mr. Gibbons: What about Boswell's Corner? They need it down there.

Mr. Zuraf: ... the flight patterns go to the south but the long range plans would open up flight circulation to this northern half.

Mr. Rhodes: But I do think as we develop communication because we're committed to iterative updates to the Board as we address some of these questions, but I do think we ought to make prominent in the communication back to them this differentiation of the emphasis the development being commercial in the southern portion of that and the residential being on the northern portion of that closest to the transportation node of 630.

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Mr. Zuraf: Okay. Alright, if we go to the next slide. So this is Leeland Station. This was recommended to be retained as a TGA with the modified development recommendations to basically follow along with the amount of, you know, the approved development pattern which would reduce the future units from a thousand down to what's coming of 290. So there would be a...

Mr. Rhodes: Any comment of question on that one?

Mr. Apicella: I just think we need to have a calculator running for all these units that are being taken out.

Mr. Zuraf: I have the numbers.

Mr. Apicella: I'm still liking the notion of a stealth UDA called unallocated, and right now we're probably up to like 4,000 units.

Mr. Rhodes: Well, it just becomes spread out suburban growth.

Mr. Zuraf: We're close to it, yeah. Okay, the next please. Okay, so then this is the last one, the Centerport. This was recommended to be retained as a TGA with the recommended modified... modified recommendations to put emphasis towards commercial development in this area. The area... I have notes about the greater potential for targeted commercial growth. We do note that the current residential recommendations call for 3,770 units. There's a portion of this that is already zoning approval for 600 multi-family units, and that is generally right in this area. There's approval for 600 units already in place there. And so the difference there is reallocation or reduction of 3,170 dwelling units that would be removed if that's the intent of the recommendation to not support any additional residential in this area beyond what's already approved.

Mr. Apicella: Mr. Chairman, in line with your thoughts about George Washington Village, could we kind of take a similar approach that some portion of it may be more appropriate for commercial, some portion of it may be appropriate for residential. So, for example, the southern, you know, the southwestern portion of that... I don't want to call it a parcel, but designated targeted growth area... still may be appropriate for residential growth as long as we along the 95 corridor and again, to factor any concerns about the airport, kind of reconfigure what might be appropriate in those areas. I don't know that we'll get to 3,770 even with the 600, but I'm saying we should go down to zero.

Mr. Coen: And when we... whoever has the communications with the Airport Authority, one thing that pops up is that if they're extending it by a thousand feet, it'd be interesting to know if that rectangle goes out farther in that aspect and how much that's going to impact other of these areas as well. And so that would impact our thinking if that was going to widen it.

Mr. Rhodes: So, it could be that our narrative here, depending on what's appropriate both from that subsequent dialogue with the Airport Authority and then also the subsequent dialogue from the... or subsequent consideration from the staff's perspective, the narrative here just could emphasize commercial while still looking to the right balance of the residential as best compliments the area, the airport, and the other dynamics there so you don't have to completely eliminate it. But it wouldn't... may or would likely reduce the numbers in their residential. Okay?

Mr. Zuraf: Okay.

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Mr. Rhodes: How's your math going there Mike?

Mr. Zuraf: Well, it's changed now.

Mr. Rhodes: You've got to count like 14,000 units and we've only thrown about 12,000 out, so you ought to have it easy.

Mr. Zuraf: Yeah, and in the summary in the memo, so basically there'd be two of the UDAs removed, Eskimo Hill and Brooke, two UDAs retained with modified boundaries, Courthouse and Southern Gateway, two of the UDAs retained with modified recommendations which would be Leeland Station and Centerport, and one UDA retained with no changes, George Washington Village. The numbers I had, if all the extra units in Centerport were to be removed, was 5,629. Maybe that's a little less now, if a portion of the Centerport residential remains.

Mr. Rhodes: So, the question is, the capacity to absorb that elsewhere and where that is.

Mr. Zuraf: Yes.

Mr. Apicella: Mr. Chairman, I would also ask Mike to take another look at the population figures because I think there was, you know, having a chance to look back because this work was done four or five years ago, the numbers have changed. And it may be by 500 or a thousand that were over what we need to be now that the population, the Weldon Cooper or whatever we're using, have come out. So, I think revisit what the right number is at this point in time.

Mr. Zuraf: I can do that.

Mr. Rhodes: Okay.

Mr. Zuraf: Okay, so that kind of takes care of item 5 and the kind of future issues then to discuss, we have directive 2 which was evaluating the established density restrictions within the UDAs to allow for more flexibility. We don't have any more to provide to you tonight. I guess now we've gotten some direction as to maybe how to come back with some modified language to the remaining TGAs. And I guess maybe asking the Commission for some other suggestions you might have as far as allowing for more flexibility in the remaining TGAs if we leave it open for more variety or flexibility in the unit types as well and densities...

Mr. Rhodes: Are we still going with the planning construct where the minimum and maximum are all the same and a hard limitation on it?

Mr. Zuraf: That's open as well. We don't necessarily need to.

Mr. Rhodes: But that's where it was right, wasn't it?

Mr. Harvey: Correct (inaudible).

Mr. Rhodes: We had no range, we had no flexibility.

Mr. Zuraf: Well, there was a slight... because of some of the... there was a very slight range like of a factor of 2.

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Mr. English: I don't know if you can do this or if it's kind of maybe out of line, is it possible that you could put on an overlay of the flight plan in that area as far as the Comp Plan? Can that be put in there?

Mr. Zuraf: Yeah, as far as...

Mr. English: Like an overlay to say this is for that area?

Mr. Zuraf: We can show that as a separate sub-map showing the overlay of the...

Mr. English: I think we need to have that in there for future.

Mr. Coen: For both (inaudible - microphone not on).

Mr. English: Yeah, absolutely, yeah for all of it.

Mr. Zuraf: We can provide that.

Mr. Rhodes: So, I think part of going forward then, and I know you've got more to discuss here but, part of going forward we did say if at all possible we would get an iterative update on the 1, 3, 5 stuff. So I think trying to put a narrative to what we've just discussed here would be important for the next time because we might be able to vote that forward.

Mr. Zuraf: Okay, I can do that.

Mr. Rhodes: And then I didn't hear from anybody that we had a hard reservation or great ideas associated with number 2, but certainly a willingness to have flexibility. I think we kind of... I think it was Board direction that kind of narrowed us last time on the density restrictions, wasn't it?

Mr. Apicella: I thought that...

Mr. Rhodes: On number 2?

Mr. Apicella: ... we talked about number 2 and the very point you just made about the minimum and the maximum being the same. We kind of want to revisit that and give a range. At the end of the day you need to have, if we're tracking to a number, you know, we need to make sure that we get to that number, but we need to provide some flexibility in order to reach that. So, one UDA might be a little bit lower than what we have asked for, one UDA might be a little bit higher, and that's what the flexibility will get us.

Mr. Rhodes: I hear certainly a broad openness to ideas; I don't hear that we're going to give you any ideas. And so we'll entertain suggestions as to what you think will be a prudent degree of flexibility associated with that.

Mr. Zuraf: And I know like some of the languages prescribes a pretty urban form of kind of like town centers and maybe some flexibility there that may allow that development not necessarily follow that intensity and they allow for something a little bit more suburban in scale.

Mr. Rhodes: Yeah, we're never going to be heavy, heavy super urban, so we just have to have a (inaudible).

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Mr. Harvey: Mr. Chairman, we could try to put together a chart or something that'll give you options to choose from.

Mr. Gibbons: Mr. Chairman, we've still got to get an answer from the Board, the difference between neighborhood, urban and suburban, and they don't agree on the Board. So until we can get that guidance, you know, the fear is that we can't support like a small city or a town. You know, we're better off with neighborhood centers rather than urban. So, somehow we've got to get guidance from the Board on which way they're going, because otherwise this will be bouncing back and forth like a tennis ball.

Mr. Rhodes: Are we ever going to get that though? And will we ever get that?

Mr. Gibbons: The Chairman said that the Board will give us direction if we ask it. We might not like it but...

Mr. English: At least we've got something.

Mr. Rhodes: So, why don't we incorporate that into our interim response on 1, 3, and 5, that question. We'll say here's our interim update; we've addressed these three questions of yours. We have a question of you and we are working on 2 and 4. Okay. Other questions Mike?

Mr. Zuraf: Well, just the last point was item 4 which was the analysis of compatibility issues with residential around the airport. And we did do some initial research and there's definitely some documents out there that provide a lot of different information. We've provided some brief kind of summary of kind of information on health and safety impacts, economic impacts, similar to some of the information here tonight. So there were two planning studies, one federal study and then a state... Virginia oriented kind of planning study. And we have some other facts about the airport but I think probably it would be beneficial to try to... we need to kind of go through this. It's like a 300 page research document and provide maybe some narrowed information.

Mr. Rhodes: And it seems maybe meeting with both the Airport Authority, the Virginia representative there, and maybe getting what they've done around Manassas Airport would be kind of... they can kind of help us vector it down, vector through those 300 pages and pull out the pertinent pieces that probably are most relevant.

Mr. English: I'd be curious to see what happened with Woodbridge Airport, why that shut down. That's something I'll look at. Why they did what they did.

Mr. Zuraf: So we can try to get you some additional information on number 4 at the next meeting.

Mr. Rhodes: Thank you sir. I did want to just open up the question again. We had talked a month ago about getting a, even in advance of this work we were doing, getting a communication to the Board to discuss what our past work, which was still a work in progress, but what it was representing. I just would ask is that still something there's an interest in? We had done the draft letter, had gotten some feedback back from Mr. Coen, but just wanted to readdress if that's still an interest. Have Commissioners already had their discussion with their Supervisor and kind of really already addressed this? Is this, you know, overcome by events now and we don't really need it? But if you still think there is, we can certainly work to refine it. If you think we're beyond that point, that's fine too. But I wanted to raise that up. Now, do we want to take it from the... so the second part of the question, if we still

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want to do it, do we want to take it from... before I had understood we were taking it from the perspective of what we were doing before. Not the work we are doing now, but what we were doing before. So, the question is, do we want to advance at with what we're doing now too?

Mr. Coen: If I could, and you had asked me for the logic in my thinking, I was fortunate enough to get home in time to watch the Board meeting when they discussed this, and then in reading their minutes and then in the conversation. My impression, and again I'm only one person, but my impression was they were more concerned not how we got here, but how were we going to get to the end product by the end of May so that they can do something by June and move forward? And that's why I thought the more declarative and the more concise it was would just help them know where we're going. And so that's where I was coming from and my thinking was I know staff will be excellent in giving all of how we got to where we did when it finally gets there, but in my thinking was that they were more concerned of we want a deadline by June, how are you going to meet that deadline. And now it sort of dovetails to our question to say we would like to meet your deadline but we need to have an answer as far as the question of neighborhoods or not. I mean, it sort of helps put the onus back on them.

Mr. Rhodes: Now we did have the email communication to them which said, we're going to drive forward; we're going to try to get you iterative updates and we'll move forward. So I think that's part of the answer of how we're going to get to there. We should hopefully have by the next session that first now, okay here's the answers to three of them, we need some help so we can go forward and finish this for you. That in itself may make this no longer necessary. But I'm open to whatever. I've happy to make edits, I'm happy to do whatever folks feel like they want to do.

Mr. Apicella: Mr. Chairman, I think brief concise input... feedback to the Board, just within the new boundary that they set for us, would be helpful at this point in time. I think we still reserve the right to provide additional recommendations following whatever we give them. We don't need to talk about that now, how we got to that point and why we're excluding it at this point. I think we just need to... here's the tasks you gave us, here's where we stand, and we expect to get the remaining stuff done by the deadline that you gave us. And we can say, and by the way, we are still hopeful that you will consider, you know, future recommendations and we'll provide you that information once we've already (inaudible).

Mr. Rhodes: Now would that be in the form of what the staff is getting ready to pen for us based on these three questions, or is that an additional communication other than the email we did?

Mr. Coen: If I may, I would recommend... I mean, it's been theoretically a month, so they haven't officially heard from us. So, if we wait a couple weeks...

Mr. Rhodes: But we did have the email to them.

Mr. Coen: Right, but I mean... but you know what I mean. There hasn't been official this is exactly how we're going forward; we just gave them the email. I would think it would be helpful to sort of... it would let them know how we're moving. It also might give them a kick to answer that question which we've been asking. And then we can say, you know, we're going to give you something more in depth about the three questions in basically three weeks because we'll meet in two weeks, approve it, and then they'll receive it.

Mr. Rhodes: Okay. So, what I'm hearing is a desire for, different from the draft letter we had for last month, but another electronic communication to the Chair, cc'd to all members, just updating them on

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our work which is a very concise synopsis of what staff's going to be developing in much greater detail, to tell them a sense of where we're at and what's coming forward. And then also socialize up front the question that's going to be posed in more detail from staff. Okay. I'll be happy to work with staff to draft that, share it with everybody to get comments, and do that as an interim communication while we're working on a more deliberate one. Okay. Other things Mr. Zuraf?

Mr. Zuraf: That's all.

Mr. Rhodes: Mr. Harvey? Let's see, so does that take care of item 2?

Mr. Zuraf: Yes.

NEW BUSINESS

Mr. Rhodes: New Business... none. Planning Director's Report.

PLANNING DIRECTOR'S REPORT

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

COUNTY ATTORNEY'S REPORT

Mr. Rhodes: You're a good man. County Attorney's Report.

Ms. McClendon: I have no report at this time Mr. Chairman.

COMMITTEE REPORTS

Mr. Rhodes: Committee Reports. Chairman's Report... I'm immature. Other Business; TRC information. I think we've got three for the 9th? Do we have times on those? I know I ask this every time; I always forget. How do we handle times on those?

CHAIRMAN'S REPORT

OTHER BUSINESS

4. TRC Information - Meeting April 9, 2014

Mr. Coen: (Inaudible - microphone not on). It was on my paperwork that she handed me today.

Mr. Rhodes: Oh, was it? I saw the date... oh, okay. I got it, okay. I got one too, okay.

Mr. English: I think I got messed up this morning.

Mr. Coen: No, actually you were right. When I arrived, I was told it wasn't my district so I went and bothered poor Mr. Zuraf and other staff, and they came in and said oh no, actually it is your district and you can come in and visit us.

APPROVAL OF MINUTES

Planning Commission Minutes
March 26, 2014

Mr. Rhodes: Okay, and there are no minutes. Anything else? Any other items? A little bit of a longer evening but thank you all very much for all your efforts and attention. We are adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 10:41 p.m.