

STAFFORD COUNTY PLANNING COMMISSION WORK SESSION MINUTES
May 19, 2014

The Work Session meeting of the Stafford County Planning Commission of Monday, May 19, 2014, was called to order at 6:31 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, and Boswell

MEMBERS ABSENT: Gibbons

STAFF PRESENT: Harvey, McClendon, Stinnette, and Zuraf

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes: Are there any Declarations of Disqualification this evening?

Mrs. Bailey: Mr. Chairman, I do want to disclose that I did meet with the applicant and the agent for the applicant for the item on the agenda this evening.

Mr. Rhodes: Very good, and certainly not a disqualification but for clarity and for transparency certainly appreciate those notifications. We're now to the point in the agenda where we can do public presentations. There are no public hearings this evening, so this would be the opportunity for any member of the public to speak on any item they would like to speak on. They may come forward and do so. When you do I would ask that you state your name and your address. A green light will come on indicating that you have 3 minutes to speak; a yellow light will come on when there's 1 minute remaining; then when the red light comes on we would ask that you wrap up your comments. So, at this time, if there's any member of the public that would like to speak on any item, you may come forward and do so at this time.

PUBLIC PRESENTATIONS

Mr. Schwartz: My name is George Schwartz. I'm here to ask that you recuse yourselves from voting on the unfinished business agenda item number 1, a proposed reclassification. Here's why: our Stafford County Economic Development Department assisted in promoting the sale of the Oakenwold property. It produced a 70-page sales prospectus describing the attributes of the property and included the real estate broker of record as an equal partner on the cover page. The broker is also a member of the Economic Development Authority. Will the Stafford Economic Department assist all sellers and all brokers in the County to sell their properties? I suggest that until this Commission, the Board of Supervisors, the County Attorney, and the Commonwealth's Attorney place their stamp on approval on this close coordination of business interest between local government and private business, that all County operations regarding this property be halted. The public deserves an ethical standard that rejects cronyism and proceed conflicts of interest. By the way, the prospectus describes the soil type of the property as clay and sandy loam. Let's not forget that acid sulfate soil is abundant in this general geographic location and perhaps testing is in order prior to approval or construction. Remember... the original airport construction created the largest super-acidic exposure in the eastern United States. So here's the bottom line -- it would be unseemly to vote on this project given that you, as an arm of County government, participated in the sales promotion of the land. Thank you.

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Mr. Rhodes: Thank you very much. If anyone else would like to come forward, please do so.

Dr. Federoff: Mr. Chairman, members of the Planning Commission... Dr. Dean Federoff. This reclassification is from Agricultural, A-1, to a Planned Traditional Neighborhood Development, P-TND. What makes you believe that this effort will have a different outcome than the Aquia rubble without a cause Towne Center, also a P-TND? I recall they got a \$4 million proffer reprieve minutes, actually seconds before the vote was taken before the Board of Supervisors. A quick look at the new proffers for this request shows item 7.B. as a potential developer proffer windfall. Where are the hundred acres that are talked about? Will they be valued as the property is now? Or as it is once it's reclassified and surrounded by development? Please be more specific. Numerous other items identified by the staff in the material made available to the public remain unaddressed. They include the airport, public safety, Fire and Rescue, environmental, phasing, and under-proffered parks and library categories. There are other disconcerting items related to County economic development practices that should cause you concern as it relates to this proposal. First, the EDA owns property next to the airport. What is their relationship between it and this proposal? Did you complete your joint impact study with the Airport Authority and where is that? The Economic Development Department is promoting other properties besides this one that have already been... that are also being sold by an EDA member and a local mayor. This is very risky. What about the impact on schools of the potential 689 new students? I believe it is in the citizens' best interest to do a more detailed review rather than meeting some deadline by voting on this action this evening. Thank you.

Mr. Rhodes: Thank you very much.

Ms. Callander: Good evening, I'm Alane Callander. I appreciate the remarks by George Schwartz and Dean Federoff. They prepared excellent remarks. I'm having to just talk off the top of my head right now. But there were a few things I wanted to bring up. One of them I wasn't anticipating bringing up but given the start of the meeting, the... I was reminded of the recent Supreme Court decision where you can say prayers of various types no problem anymore according to the Supreme Court. But I would like to remind you of the diversity of our community and the sensitivities involved, and I would recommend that you go back to nondenominational prayers or no prayer at all. People have the freedom to pray silently if they feel so compelled. On the topic of Oakenwold -- I believe that when the citizens of this County talked about having a UDA at the Courthouse area, that they wanted a central community, they wanted to feel a sense of place here. I appreciate all that. And I was one of them that supported a UDA at the Courthouse area. However, I don't believe that the citizens were aware of the location of the airport and the impact of the airport on the residential development that could go in. And I think that we don't need to bring in more residences there; people are going to be impacted, you're going to be getting a lot of complaints, and it's just not a good place for residential development. I'm also concerned about making sure that we need the commercial development that is going in. We don't need to put up a bunch more buildings that have no businesses in them, and we've got that around the County. So we have to be real careful about the planning. We have to make sure that we have roads besides Route 1 and 95 for transporting people around this County. And the more we add residents, the more traffic we have. We can't handle what we have already; a very serious problem that you guys constantly need to address. Plus our schools as Mr. Federoff mentioned. Thank you.

Mr. Rhodes: Thank you very much. Is there anyone else who would like to speak?

Mr. Bibb: Richard Bibb. So, I'd like to speak about this proposed development, just make a few short points. First of all, I think we hopefully could agree that the airport investments were made and the

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airport were made with the idea that it would be an asset to be used to generate benefit for all the citizens of the County, and also the citizens in the region and the other jurisdictions who participated in the operation of the airport and so forth. Essentially it's a job magnet and something that should be nurtured, and that no rational analysis of proposed residential development in that close proximity could be conceived as nurturing the airport as development future jobs. And along those lines... you know, I read this morning that... the Fredericksburg paper had a really good profile on Dr. Leming, the representative for the applicant, and it was fascinating to read some of his comments regarding growing the economy, and I quote... he was asked what the key was to growing the local economy the next 10 to 20 years and I'm presuming that this is an accurate representation of his thoughts and his words because he was being interviewed by the newspaper. His quote "Ultimately it is job opportunities and a self-sustaining economy (i.e. one not dependent on other geographical areas) that will provide a stable and healthy local economy. Permanent professional jobs, high-tech or otherwise, are a vital segment of a stable economy. Communities of commuters carry their dollars with them to spend in another jurisdiction. The local governments recognize this and strive to bring such jobs to the area." And that's my point; we should be doing everything we can to create the opportunity to bring professional jobs here and, frankly, just building a bunch of houses so they can drop on 95 and drive north looking for jobs, because they ain't here and they (inaudible) not going to be here based on the fact that so many of them are dependent on (inaudible) government spending... which in case you haven't paid attention is dramatically in decline. Secondly, the applicant presented a lot of great studies, you know, that showed little impact on traffic, schools, even a positive net economic input to the government. Well, I'm familiar with mathematical models being trained as an engineer, and, you know, I'm sure the models are accurate, I'm sure that there was a lot of thought and well thought science into that. But my only assumption would be is like if those same mathematical models have been used to support development in Northern Virginia for all these past years, which I believe they have been, and they probably showed no impact on traffic either, why is it we have the worst traffic in Northern Virginia than anywhere in the nation? So, I would say that, to paraphrase and my apologies to Congressman Gowdy, you know, I'm not surprised that studies the Commission paid for and presented by the applicant show no negative impact on schools, schools which we know teachers are having a pay cut this year in this County, have minimal impact on roads, and you, yourself, were late getting here based on the traffic. I'm not surprised that the studies would show this (inaudible) in a positive light. I'm just surprised anybody would buy it. Thank you.

Mr. Rhodes: Thank you. Anyone else for public presentation?

Mr. Logan: Evening. My name is Mike Logan. The decision to permit or reject housing should not be made on the basis of cost revenue considerations. The purpose of planning is not to search out profitable land uses, but rather to accommodate the needs of the community. Nevertheless, the impact of various land uses on community resources is a legitimate concern to the public. The public must know, among other things, the size of the school-age population increases (inaudible) from proposed housing developments, in addition to school facilities which may be required. Studies show that on average there are 1.3 students... student-aged children per household. With 650 units going in, that's going to be 845 students. We are already at capacity; some are well over capacity and nothing in their proffers... or nothing in their plan showed any alternatives to what to do about schooling. The original plan for this land was light industrial. I really don't want you to change that plan. So by their own admission they did not have any alternatives or plans for handling the increase in school capacity; not one mention of how to fix the coming problem. They will claim that the proffers take care of any increased cost in roads and schools' capacity. Any funds provided from the proffers for increasing school capacity will not be near enough, especially since this is not in the County plans when school

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capacity was originally being calculated. If we rezone any land with uses that constrict the airport, it will be less attractive to businesses that want to use it. Also, if you do rezone it residential, you will be setting a precedence and next month some other developer will be here wanting to get more land that was planned to be zoned light industrial and have it rezoned for residential. You will not be able to say no because you've set a precedent. When everything here is all said and done, Mr. Leming's going to get up here and say, we've answered all of your questions and laid all of your fears; you cannot deny our request. Actually you can. Originally this land was supposed to be zoned light industrial; it just hasn't been done and it should be. Thank you.

Mr. Rhodes: Thank you.

Mrs. Carlone: None of us should be up here; no citizen should be standing before you. This should have been killed at the very beginning. The original intent...

Mr. Rhodes: Name and address, I'm sorry.

Mrs. Carlone: Oh, sorry, Ruth Carlone. We went through this in this area in 1989, around that time when there was another Supervisor was calling it the Golden Triangle, to go ahead and bring in commercial business to back up the eventual airport. The primary use of that land, and you know and I know it, should be a back-up to the airport, should be related like Manassas, Fauquier, some of the other ones that do have the businesses surrounding them. It's so short-sided; if you decide on this to recommend approval, you're not showing long-range planning. You're not looking at the people that would eventually live in these homes. And there is a restriction about the flight plan because of the Marine Corps. It comes this way. The traffic up there is the Marine Corps restricted area for any private flights, okay. Like I think Mr. Schwartz mentioned, that is acid sulfate soil. I asked one of the individuals who is in RCS to come up and talk to you, get through your heads, this is unbuildable. It's extremely restricted. The last time we had a meeting here I gave you... I've got to hurry... I gave you this document that showed the soil composition. It says it right there... it says it all there. Very limited growth areas. There's one area in the green area that's... Anyway, to get back to this, the acid sulfate is a primary concern. The airport struggled and struggled to get any type of covering. Economic Development... ooo ooo, I'm almost out of time again... anyway, it's bottom land down there and I think there's been an under-estimation of the amount of traffic that would be brought about by both the business and the residential. It should not be a TND. There shouldn't be anything but commercial development. And yes I was puzzled why they showed Jo Knight as the owner on some of those... on the uh... you'll have to explain that or have her explain. Is she going to have any recompense with the sale? This needs to be clarified. Alright, thank you.

Mr. Rhodes: Thank you very much. Anyone else would like to come forward for the public presentations?

Mr. Palmer: Mr. Chairman, members of the Planning Commission... I'm Hamilton Palmer, Vice Chair, Stafford Airport Authority. This project, if rezoned, would be probably the largest residentially zoned project in close proximity to the airport. I'm not aware of any residential zoned land that close to the airport. It's also off by itself in that little quadrant of the interchange. If you'll look on page 130 of 139 on attachment 3 that was in the 3-inch thick binder that you got last meeting, that Mr. Leming gave you, it was from the Manassas Regional Airport and it was their future challenges. And their future challenge, one of them, the very last one on there, bottom left-hand side of the page, was incompatible land development near the airport. And we feel that this is incompatible land development this close to

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the airport and we would hopefully, when we meet with the committee... or subcommittee... from the Planning Commission and the Stafford Regional Airport Authority, that we can address what is compatible and the compatibility of this project and other projects that may come along afterwards. There was some noise data that was presented in that binder and our consultant had told you at the last meeting that we had that noise is subjective. And it is. What's noise to one person may not be as noisy to someone else. But, one of the things we all know is an alarm clock. And if some of the jets that use the airport and will be using the airport have a noise decibel of 83 decibels, an alarm clock is right there with that. As an example in the 80 decibel range, a garbage disposal, a dishwasher, an average factory, a freight train at 15 meters, a car wash at 20 feet, a propeller plane flying overhead at a thousand feet, a diesel truck 40 miles an hour at 50 feet, diesel train 45 miles an hour, a food blender, a milling machine, a garbage disposal. But, how would you like to be woken up in the middle of the night with one of these anomalies which that's what it is, it's a spike, but once you hear it once you're going to say that darned airplane and you're going to turn around and complain forever more to the airport. And we would like to be able to, I'm going to say negate all of the noise from these planes but it's not possible. The airport was here first and this development is here second. So we would like for your consideration and also to review the compatibility, land use compatibility study. Thank you very much.

Mr. Rhodes: Thank you. Is there anyone else for the public presentations portion?

Mr. Bamford: Good evening ladies and gentlemen, my name is Greg Bamford. I've been listening to fellow friends and people talk about the development of the airport and the facilities around the airport. I know that the developers... the applicants have great experience at what they do. I also know there are a large number of people that utilize the airport and the facilities around it for more than just flying. It is a part of your community, our community. And I would say that you have a great opportunity to look at the future of this area, of Stafford, and look at it as a growing point that will allow someone in the future time to bring in homes. But I don't think that time is now. You have a great opportunity for light industrial work which what your plan is. As an aviator we brief the plan... or we brief the flight and we fly the plan. Your plan was light industrial, and you're looking at bringing in homes that are only going to do more to encroach upon this airfield. And you're going to start to affect peoples' safety. Not only those that are flying the aircraft but the people that live around it. I've been a part of projects where we have had an airfield that has been out on its own for several years and then we have had building and development come around it. And we start to have the complaints that are typically becoming a part of general aviation's experience. And by just moving these small number of homes into this wide open space, you are now going to expose yourselves and everybody else to this risk. And what do I mean by risk? From what I understand of the factual data presented in terms of flight plans, it was poorly reviewed and understood by the developers, or the applicant in this case. Aviators just don't approach from the east to the west in this area; we're mandated by the FAA in the way that we fly our aircraft and how we operate around areas that have population growth. And I don't think there was adequate research done to understand our impact. By asking us to fly a different pattern, either a different altitude or different distance from the airfield, not only do you place us at a period of risk flying our aircraft, you place the residents that live around that airport at risk. We apply physics to the way we fly our airplanes. I can only glide so far for the amount of altitude that I have. I don't want to place other people at risk and I think that you should look at that as well. But, more importantly, other than being an aviator and being somebody that rents there at Stafford Regional and have an airplane stationed there, I think you need to look at your economic possibilities. You have FedEx less than 2 miles from that airfield. They see the reality of bringing in aircraft other than general aviation that bring you money and bring you taxes that will far exceed this short term development of housing that is just going to cause you problems until you have an ability to support the people that are going to move in with it. The

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coverage on the cost of the education, the impact on your streets and on your traffic have already been discussed. You need to look at the economic development of an area that has a great chance to prosper. Thank you.

Mr. Rhodes: Thank you very much. Anyone else for the public presentation portion before we move on? Okay.

Ms. Knight: Good evening, my name is Jo Knight. And for a lifetime I've been very involved with County affairs. I've always kept it clean and I will in the future. I don't know how Mr. Schwartz and others have such misinformation. First, I know of no 70 page document that was published by the EDA although I am a member of the EDA. I serve on the EDA in a very respectful manner, and I don't bring my properties into the picture. In fact, they frequently say, Jo, why aren't more of your listings on our website? I don't know what document; I'd like him to produce that. And then I'd like to also state I have absolutely no interest in this property except for the fact that I've been the broker marketing it for probably 5 or more years. And we've had numerous offers, numerous back and forth situations that couldn't materialize. The owner of the property put on the internet some information, a good deal of it, with a prospectus, and I actually believe that's how Mr. Groupe came across this. He's shaking his head yes. I have done nothing underhanded, illegal, or otherwise. I'd also like to point out that I think there's a big misconception about the UDAs and the projects that are approved in them. Rarely do you see them developed quickly. They are over a long period that the development occurs. However, it is I place and to encourage the development to happen there prior to outlying areas where there is no proffer. People can develop by-right and there's no contribution for the County. This is just laying a path to have something happen for the future in a way that the County is compensated better. And I don't want to adversely affect the airport, but I have to say again, it was very disturbing to me to find that they now are concerned when we debated that so much all during the UDA studies, and I attended most of them. And it was no concern with the circle area that was a thousand foot elevation. It was for the landing and takeoff areas and they were greatly respected. So, I'm concerned that we lead the public on and they come in and produced at a very cost, a great cost, plans to do what we have directed in our Comp Plan and then they can't. I hope that any of these who are making the accusations tonight about me, and I will receive a commission on this whenever it sells hopefully, but that is the only compensation and there is no tie with the EDA. And if they have spoken of it or encouraged, that's no more than they've done with any other project in the County.

Mr. Rhodes: Thank you very much. Is there anyone else that would like to come forward for the public presentations?

Mr. Scharpenberg: Mr. Chairman, members of the Planning Commission, my name's Hank Scharpenberg, Chairman of the Airport Authority. I apologize for missing your last meeting but I was travelling. A couple quick points: when the original topic of the Comprehensive Plan came up, unfortunately we, as an Airport Authority, were not asked to participate. And I wish we were because we might have circumvented a lot of the issues and confusion that is surrounding what's going on tonight. But I'd like to make a few points with regard to the issue under consideration. One, as you're probably aware, the airport represents a tremendous return on investment, a value somewhere in the vicinity of \$55 million primarily from state and federal authorities, and a relatively minimal investment on the part of the County. For that tremendous investment that's been made in Stafford County on behalf of not only Stafford, but Prince William County and the City of Fredericksburg, we pose minimal impact upon services that are provided to the County... or provided by the County. I can think of no better return on investment that the taxpayers of this jurisdiction enjoy. As has been pointed out in other

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forums, we represent economic growth potential for the County, jobs, businesses that are aviation related, also in relocating to this area that again presents minimal disruption and minimal impact upon County services. We represent a potential quality of life impact and potentially a safety impact to residential development, high density residential development, if it's allowed to locate within our airport operation zone. And obviously we would recommend against it. But, fundamentally, the action that's in front of you is asking for an exception. It's asking for a rezoning action on your part which is, by its very nature, unnecessary. And we would strongly recommend that you deny it as unnecessary. Thank you.

Mr. Rhodes: Thank you very much. Anyone else would like to come forward?

Mr. Rudolph: Good evening. My name is Terry Rudolph. I'm a 25 year resident of Stafford County and I rise in support of this project for a couple of simple reasons. One, I know the family and I know their involvement in other projects in Stafford County, such as Stafford Marketplace and I know what an outstanding blessing and asset that is to Stafford County. And I actually look forward to this development and I believe that it also will be an asset to Stafford County. But secondly, I'm a member of Mount Ararat Baptist Church. I'm a Deacon and one of my responsibilities at the church is to reach out to new families to our church and to the community. And I was real excited about hearing about this development because of the opportunity it will present our church to reach out to these new families. So, simple reasons but reasons I feel are important to a lot of people. And I thank you.

Mr. Rhodes: Thank you sir. Anyone else?

Mr. Lindeen: Hi, I'm Gary Lindeen. I guess the question I have before the panel there is, is what are the insurance? Because there's a lot of proffers that are coming forward and it sounds like a very attractive deal. I'm not a smart man but I would have to think that the long term investment for the airport would be on an industrial base, not a residential base. It seems like anytime a community, housing community, comes into a problem, the LLC has dried up, disappeared, and nobody's responsible. I would have to think that if this is such a good deal, the LLC wouldn't tie their name to it, it would be the individuals themselves that would back and say I've got \$50 million, I'm ready to put my name against this because it's a good deal. I don't see that. I see a family that wants to sell their land and, rightly so; they should have that opportunity. I see a developer that wants to come in and build houses; he wants to make a profit. I see the County looking at a potential cash cow but the short term gain is going to be a long term loss. Because what is the investment on the airport? You have to protect your asset. I think that's where the decision needs to go. If you allow this encroachment, you've got another encroachment ready to go on the north side. You're going to circle that thing; next thing you know, it's going to dry up. And where did our \$50 million go? I'm a taxpayer, I'd like to keep our investment. I'll give you an example. In Briarwood, we have a park. That park was a community park. It was held by a family as a community park. Designated as a park. Sold at auction because they didn't pay their taxes, for taxes owed. Now the developer wants to come in. First of all, that wasn't good, the auction wasn't good. They want to come in and ask for more money to put houses on there. How do we allow changes to the rules that impact other folks in the area? I don't understand that. Mr. Coen knows what I'm talking about and perhaps he would share with the panel afterwards. Protect your investment. Dad always told me, you got tools, protect your tools. Your tools are what makes your living. Don't sell out.

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Mr. Rhodes: Thank you very much. Anyone else before we move onto the Unfinished Business? Okay, very good. I'll close the public presentations and move onto unfinished business, item number 1, which is RC1300324, the Reclassification of Oakenwold, the purpose of tonight's session. Mr. Harvey.

PUBLIC HEARINGS

UNFINISHED BUSINESS

1. RC1300324; Reclassification – Oakenwold - A proposed reclassification from the A-1, Agricultural Zoning District to the P-TND, Planned Traditional Neighborhood Development Zoning District, with proffered conditions, 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) (History: March 26, 2014 Public Hearing Continued to April 23, 2014) (Deferred on April 23, 2014 to Work Session)**

Mr. Harvey: Thank you Mr. Chairman. Mike Zuraf will give the staff update.

Mr. Zuraf: Good evening Mr. Chairman, members of the Commission. Mike Zuraf with the Planning and Zoning Department. Just to kind of give you an update of where we are with this case, with Oakenwold, this again is a request to reclassify the property, the subject property, 37-80 from A-1, Agricultural, to the P-TND, Planned Traditional Neighborhood Development Zoning District. The public hearing was initially held on March 26th; it was continued to April 23rd. At that time the public hearing was closed and the Commission deferred the request to this special meeting. And this would allow for more focused discussion. Since that time, since the time of that public hearing, you received new information. At the April 23rd meeting, new proffers were provided to you. There was a new version... a version of the proffers provided in this package that actually all those proffer changes are the same as what you received on April 23rd. Just kind of quickly to summarize through the changes, since we've kind of gone over it already, some of the main changes to the proffers that you received at that April meeting would have been reduction to the maximum number of units from 695 down to 650, an adjustment to the mix of units reducing the multi-family units from 450 down to no more than 350 multi-family units, adding some standards for the format of how the apartments would be built, deleting some requirements that a hotel/motel would be part of the non-residential uses. That statement seemed to create some confusion. There was a new proffer added to prohibit the residential buildings to be located within 300 feet of the southern edge of the right-of-way of Centreport Parkway. And that April 23rd meeting, we had an image that illustrated and showed that setback on how that affected this site. There was an additional requirement to construct a secondary emergency access onto the project prior to the 201st occupancy permit in to the property to allow for extra public safety in this development. There's a clarification provided regarding the transportation improvements. Generally there are adjustments to no longer allow for the improvements to seek... cost of the improvements would no longer be credited against proffer, monetary proffer or impact fee payments. So there are no credits sought against impact fees or proffers for the transportation improvements. And then there was some added clarifying language regarding the FRED bus stop so that it would be upon request from the County; some clarifying language that was requested by staff. Also, there was an increase in the area of land to be dedicated to the County. There was a public site, initially envisioned as a Fire and Rescue site on the south side of Potomac Creek. It's going to be 2 acres and that was increased up to 3 acres and the specific use was made more general to allow it as a public use site rather than specifically a Fire and

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Rescue site to provide some flexibility for its future use, for the County to decide later. Also, a new proffer was added to limit access to the Oakenwold house which included fencing and other earthen berms and also stabilization to prevent further deterioration between the point of approval and when the site gets developed in the future. Also, a modification to listing of permitted uses in the T-1 preservation transect zone portion of this project. There was a new proffer to require that the applicant would convey 100 acres to the County, generally the area of the site to the south of Potomac Creek, for use as passive recreation... as a passive recreation park. This would be if it was requested by the County between the 300th and 500th dwelling unit on the site. So if the County didn't want it, it would remain under control of the development and probably the HOA. Also, the proffer does allow for credit against the cash contribution for the value of the land of those 100 acres. Also, they modified the proffer adjustment language to state there would be no more than a 5% annual increase. There was confusion as to what that meant before. Also, the applicant has modified the regulating plan. This is very similar to what you saw the last time. There was not too much of a change; the big change was in the upper corner of the site. The T-6 zone was shifted to be more closely located to Centreport Parkway so more of your commercial uses would be closer to Centreport Parkway as opposed to extending further south into the project to reduce generally the amount of residential units that would be located closer to Centreport Parkway and the airport. Also, there were adjustments to the General Development Plan which, again, all the adjustments were focused on this same area of the T-6 transect zone to locate the commercial development in the area closer to Centreport Parkway. The remaining area is the same as you saw when the project initially came to you back in March. In the staff memo, we identified additional issues that were identified in the original staff report. Some of those issues and concerns that staff originally requested have been whittled down somewhat as a result of these changes that have been made by the applicant. We identified in the memo some of the remaining issues. The first one that there's still the issue and concerns that have been expressed by the airport, as you heard tonight. And as you recall from the last meeting on April 23rd, the Planning Commission received additional information from the applicant that they reviewed, providing additional comparison of other airports and land use guidance from other locations, a noise study, and hopefully have that this evening if part of the discussion goes that direction. Also, there were a few remaining issues regarding public safety, comments received from Fire and Rescue staff requesting that if there are any traffic signals, they include emergency vehicle preemption, and then also they've requested enhanced fire sprinkler and standpipe systems within appropriate buildings for fire department... enhanced fire protection. With the Fire and Rescue site, we originally had questioned the ability of that to be served as a Fire and Rescue site. Now it is more general where there could be multiple types of County uses on that property. And the site has been enlarged also to 3 acres as I mentioned. Fire and Rescue staff did note that site could be used as a Fire and Rescue station site given the size, and that site would provide added coverage to the airport, Interstate 95, and generally the central part of the County if it was used as a Fire and Rescue site. With environmental issues, these comments still remain. Staff had suggested a 10 foot setback for any retaining walls from Critical Resource Protection Areas to help preserve the mature trees within that hundred foot buffer, is recommending the location of the Dam Break Inundation Zone be identified to better understand the impacts that that zone may have on this development, and then also issues we have expressed regarding the development shown over some intermittent stream channels and steep slopes on the property. With fiscal impacts, staff suggesting additional phasing of the commercial development with the residential development to help ensure the financial balance that is achieved as mentioned in the impact statements provided by the applicant. And also the proffer cash amount is less than the County's recommended proffer guidelines. Regarding transportation, since the original public hearing, VDOT did express that they were satisfied with the adjustments that the applicants made to their proposal and all the VDOT comments have been satisfied. And comments we provided previously with the schools did

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express concern with... in the near term, with this site being pretty far from existing schools and there'd be some near term impacts prior to any additional schools being constructed closer to this development.

Mr. Apicella: Mike? I'm sorry, do we actually have a letter from the school system that you can provide?

Mr. Zuraf: No.

Mr. Apicella: Or are these just comments that came up during the DRM meeting?

Mr. Zuraf: These are just carryover from our staff report.

Mr. Apicella: Yeah, but we never got a copy of the school system's comments.

Mr. Zuraf: Right.

Mr. Apicella: Did they not provide a written version of their comments?

Mr. Zuraf: I'd have to go back and dig that up.

Mr. Apicella: Okay, thanks.

Mr. English: Mike, I've got a question too. On your cash contribution proffers, you said it's less than what the County recommended. How much less is it?

Mr. Zuraf: The current guidelines for single-family detached are \$46,000; they're offering \$31,000 for single-family detached. For townhouse units, the County guideline is approximately \$40,000; they're offering \$17,000 approximately. And then for multi-family, the guideline is approximately \$26,000; they are offering \$15,800. And that's my summary.

Mr. Rhodes: Okay, other questions for staff? Please Mr. Coen.

Mr. Coen: If I could, I know it was mentioned but I also noticed that the different times we've talked about it, but if the hundred acre is donated, did I read that right that it's being offset to the cash so that it's actually if we're only getting \$31K for a house and \$17K and \$15,800, then we added all that up and then depending on what the hundred acre wood is decided to be worth then that will just be reduced from the actual impact.

Mr. Zuraf: There would be a reduction to the cash contribution, yes.

Mr. Rhodes: If the County consciously requests it.

Mr. Zuraf: Yes, yes.

Mr. Rhodes: If it was our choice to request it. Okay. Mr. Apicella?

Mr. Apicella: Mr. Chairman, I have a few questions. Going back to the applicant's fiscal impact statement and your comment about phasing in line I think with the commercial development, the impact

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statement indicates a 9 year build-out. And there's a maximum amount of commercial that's being proffered, but there's no minimum. Have you discussed with the applicant both establishing some minimum thresholds and what you think are reasonable phased milestones? So, if there's 650 units and they're talking about X amount of commercial, again, from staff's perspective, what are some good, for lack of a better term, mile markers?

Mr. Zuraf: We did not get into the details of suggesting specific markers and I would not, right now in front of you, just be able to kind of provide that information without kind of looking into the issue. As far as...

Mr. Apicella: But you still feel it's prudent, especially in a P-TND, to kind of link the rooftops with commercial development.

Mr. Zuraf: Sure.

Mr. Apicella: Is that kind of the construct of a P-TND?

Mr. Zuraf: Yes.

Mr. Apicella: In terms of the commercial, has the applicant proffered out any otherwise allowable uses?

Mr. Zuraf: No they have not.

Mr. Apicella: Okay. Would you have a sense of things that would not make sense in this kind of a development based on what's being proposed? I mean, is that something you can work with the applicant on if we continue to move forward with this?

Mr. Zuraf: We can look into that more and see if there's any.

Mr. Apicella: I apologize for bringing this up again and I, quite frankly, kind of dropped the bubble on what the answer was, but the staff report from way back when indicated that a pump station may be needed... may need to be upgraded and also indicated the applicant's willing to upgrade, if necessary. I can't remember if it's appropriate to put a proffer... to have a proffer associated with that or does it just happen on its own accord?

Mr. Zuraf: In this case, it would likely have to happen on its own accord because, at a certain point, the pump station is going to reach capacity and there'll just... the Utilities Department is not going to be able to offer any more (inaudible).

Mr. Apicella: So, you would stop offering... what's the mechanism to stop any more growth from happening?

Mr. Zuraf: I'll defer to Jeff.

Mr. Harvey: The Utilities Department, in part of the review, would look at the capacity of the pump stations while looking at plans and say, we're hitting this threshold, we can't approve your plan until the pump station's been upgraded. That pump station is in the CIP but it's further out.

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Mr. Apicella: So, it's part of the site plan review? I'm just trying, again, to figure out at what point in the process would somebody say stop, you can't do anymore until this pump station gets I guess upgraded?

Mr. Harvey: Typically it would be when they're reviewing the construction plans for different sections or segments of the neighborhood. Also, Mr. Apicella, just to clarify, there is a proffer 2.A. which talks about phasing of the commercial and residential. It stipulated that they couldn't construct more than 375 units without first having building permits for 20,000 square feet of non-residential use.

Mr. Apicella: I gotcha Jeff, but there's still a big delta between, again, 375 and 20,000 square feet versus 650, and what's the... it will not exceed 250,000 square feet. So I'm still trying to figure how we get from 20,000 to 250,000.

Mr. Harvey: I think that's more discussion with the applicant.

Mr. Apicella: Thank you.

Mr. Rhodes: Any other questions for staff at this point? Please.

Mr. Coen: Mr. Apicella brought it up and I'll just sort of tag it. I know it's vaguely stated about the pump station, but have we asked them for any details of timeline, how many units, this, that and the other from it? Or we know it's going to be needed so eventually we're going to get there and they'll decide at that juncture? I'm just curious if it's something we could get earlier rather than waiting until it gets to that point when we really don't know.

Mr. Harvey: Well, Mr. Coen, we've had this discussion with the Utilities Department regarding a number of projects. Part of the issue is who's in first; it's a first come, first served basis for the capacity. So, at this point in time, we can't give any guarantee to anybody as to if they're going to have capacity when they need it until the pump station is upgraded.

Mrs. Bailey: Mr. Chairman...

Mr. Rhodes: Please Mrs. Bailey.

Mrs. Bailey: Under the environmental issues, I don't remember this being discussed or brought up but there was an issue about the Dam Break Inundation Zone. Was that identified and have there been any studies completed on that as to how it would impact this project?

Mr. Zuraf: It has not been identified on the General Development Plan. We have some general areas mapped out through County mapping and we just want to see that on...

Mrs. Bailey: So will that be addressed in the future and how will that be addressed?

Mr. Zuraf: That... well... I'm not certain if it will.

Mr. Harvey: Yes. By state code, if there's a development that's being proposed within a Dam Break Inundation Zone then that triggers a requirement for the dam to be upgraded and it talks about the property owner of the dam and the proponent to potentially share the cost of doing the upgrade. We

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would be prohibited from approving a development within the Dam Break Inundation Zone unless those improvements to that dam have been made.

Mrs. Bailey: Okay, so at what point would we know that? Or would we know that?

Mr. Harvey: Well, either it could be shown on the conceptual plan that we have here or it would be at a preliminary subdivision plan or some future stage of development. Some of that may be more dependent on a future stage of development due to the fact that the conceptual plan may not have a lot of engineering behind it. Once you start getting the engineering you know the topography of the land and how the future lots are going to lay then you can get a better idea of whether you're going to have any future homes or other structures in that flood zone.

Mr. Rhodes: If there are no objections, I think we'll move onto the applicant now. The intent tonight... I mean, this is all focused on this one item so, we're going to be very liberal and flexible in going back and forth. If something stimulates here, another question, I mean, we're going to let the applicant have their time, but if something stimulates here, another question of staff, and something there stimulates back to the applicant, this is the intent here to get a good deal of interaction between the applicant, the County representatives, and the questions that the Commissioners may have. So, thank you. Mr. Leming.

Mr. Leming: Thank you Mr. Chairman, and good evening Commissioners. And, on behalf of myself and the applicant, thank you very much for coming out on an off night like this and taking your time to work on this particular application. As I start... I'm not whether this is like a smorgasbord or the old mosquito in the nudist colony... I'm not really sure where to start, there are so many questions that have been raised by the public in a somewhat unusual situation where typically when I get up to do a presentation, I'm responding to comments that you've made during the staff presentation. And I want to be responsive to those and then the public has something to say and I come back and I try to be responsive to those.

Mr. Rhodes: It is a little awkward, yeah.

Mr. Leming: Yes. I'm going to try to cover the whole gamut here but I am going to start with the questions that you all have just raised because they are fresh on your minds, and I want to try to respond to those right up front. First on the cash proffers, Mr. English asked about the difference. Our cash proffers are based on the guidelines that you all are recommending. We think they're very close to where you were. We realize that there are others that were previously adopted, but that's what we based ours on and we assume that something or something close to that are going to become the new cash proffer guidelines at some point and we'll adjust accordingly. We're happy to talk about proffering out particular commercial uses and all candor that was something with all the other issues that simply never came up. I want to address the issue of commercial phasing in just a moment and share something new with you. On the subject of the pump station, as a practical matter, until they get the utilities worked out, they can't build. So they're not going to get their hookups unless the appropriate improvements are made. Conceptually, we don't have any trouble at all... somewhat unusual, we don't have any trouble at all though conceptually with the proffer that says if our development creates the need for the enhancement in the pump station, then we'll do it. We have to do it. There's really no alternative. I think Jeff mentioned last time the County has a pro rata policy, so if it's a master plan improvement, whoever does the improvement itself, others pay into a pot, the pro rata pot, everybody pays their share of it so it seems to work fairly well. With regard to the hundred acres, and there was a public comment

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about this also. We're simply making that available; it was suggested to us that we make that available to the County, if the County wanted it as passive recreation. It's a lot of acres. And we did come up with a mechanism that we thought was fair to try to figure out what the value of it was. That was an appraiser that was mutually agreeable to the County and to the landowner. And, what would they use? Would they use the rezoned value or the old value? I mean, if it's rezoned, then it's property that you can't build on. I'm not sure how different that is from A-1 property, but the point of the proffer was to work out some fair mechanism so that a mutually agreeable purchase price could be worked out if the County decides that it wants that acreage for a passive recreation. The Dam Break Inundation Zone. This is somewhat in the state of flux, and I do have somebody here, Mr. Reese, if we want to get into more detail about that who knows a good deal about that. But, as I understand it right now, the state is reevaluating its own guidelines for what constitutes these Inundation Zones. They've been very slow to specifically identify them and the criteria. The... I think Mr. Harvey was correctly advising you that really, what this comes down to, is if you end up being in one of these things when all the dust settles and we know exactly what they are, then there is a mechanism under state law where, if you're going to build in an Inundation Zone, you pay to upgrade the dam which enhances your status under the state system. But it's a new program. The problem with showing it currently is that we're really not sure what it's going to ultimately be and those criteria are somewhat in a state of flux. Is that right Mr. Reese? So we're waiting for all of that to settle but it's something that would have to be addressed through the statutory procedure that's been established for it. Now, what I would like to do, there's a fair amount of misinformation based on some of the public comments. And since some of these are germane to some of your questions, if it's alright Mr. Chairman, I'll take just a moment and respond to some of those. Whatever Mr. Schwartz was talking about is certainly news to us. I hope there is some factual basis for the allegations that he's made for his own sake. Aquia Towne Center, I realize that the County is disappointed with the way the Aquia Towne Center worked out, but really what it turns on more than a mistake or any kind of sub refuse on the part of the developer here, was the economy. It was approved in 2008 and the residential component of Aquia Towne Center was really... and I represented the developer there... was really an afterthought almost that we had to have residential to meet the TND requirements. But keep in mind that that was really fundamentally a redevelopment project. This was an old shopping center that was dying in large part because we had other developments in the area that were doing much better right nearby. Their anchor moved and so the idea was to reformat it, reboot it, and take a different approach. And then the recession occurred. RAMCO is a publicly traded company and they simply did not reach a point where they could justify the expenditure to go in and do the TND. I hope it does happen at some point. Now, in retrospect, now it becomes clear that there was nobody... nobody thought about phasing because nobody was looking at the residential back then. So now there's somebody interested in doing the 200 and some residential units that are there and we still don't have the commercial jumpstarted. So that's where it is; it would be great if it were somewhere else but it has a lot more to do with economic conditions than anything else. There were the usual concerns about traffic, about school students. Of course, the intention of the proffers is to offset the impact on your infrastructure. That's why we have a proffer system, that's why you work on cash proffer guidelines. We assume that they work as they're supposed to work. There was a good bit of discussion, one pretty significant piece of information that the plan for this area was light industrial. It's not. This, under your Comprehensive Plan, is a UDA. That's what it's planned for. There is no light industrial planning for this area; there's a zoning, an agricultural zoning, but that has nothing to do with your Comprehensive Plan. Some things that I said in a Free Lance-Star article were quoted. One of the things I said also was counties need to stick with their Comprehensive Plan because that's their blueprint. And if you put it out there and then don't adhere to it, then that's almost like false advertising which was the quote. With regard to the overall economics, Dr. Bellas addressed you all last week and talked about the comparative economic benefit to the County of the airport type build-out that

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is those things, the light industrial type development, that is planned for immediately around the airport; not the Oakenwold property, but for immediately around the airport, and if that pattern continued throughout the entire area, that kind of scenario versus the full UDA build-out. And on an annual basis, we have some figures from the FAA. The Stafford Airport, according to the Virginia Department of Aviation, ranks about 9th in overall... for small airports... overall economic activity, \$18 million in economic activity, this is on an annual basis, 107 jobs, \$4.4 million in payroll. In contrast, Manassas is up there, \$18 million for Stafford, \$234 million in economic activity, over a thousand jobs, \$6.9 million in payroll. Leesburg, another airport that we talked about, \$78 million in economic activity, 634 jobs, \$32 million in payroll. We've talked about the dynamics of all of those airports. We've talked to you about the type of mixed used development that was around those airports within their operation zones. And the recentness of it; that this is not something that goes way back or was approved in the early days but are quite recent zonings of those areas. Dr. Bellas' numbers, if the full UDA built out, and we're just a part of the UDA, but if the full UDA built out in terms of overall economic activity, and remember that the whole point of the UDA is to provide one of these self-sustaining communities where people don't commute because there are... at least as much... because there are jobs there. There are residents, there are jobs, all within the UDA. TND is your best zoning district for the UDAs although there is one more that is also suited for that you've developed recently that nobody's ever used. But Dr. Bellas says that on an annual basis, if the full Centerport UDA builds out, that brings almost 24 and a half million annually in earnings, almost 6,000 in jobs, 44 in overall economic activity, almost \$45 million. So quite a significant contrast when compared with the economic activity that is generated by and related to the airport in and of itself. The UDA is a significant economic machine for the County. That's how they're designed. They are self-sufficient, they are intended to support themselves. Alright, now without too much further ado here, it always concerns me when I hear pilots come up and talk about putting people on the ground at risk. If LEGOLAND or something like that comes in, I think that's another issue. But I don't think that's what the... it's not what the Virginia Department of Aviation says the issue is; it is the complaints. It's the concern about getting complaints from the residents. That's what the issue comes down to. Now, what I have for you this evening, and we have everybody here and I want to try to refocus on where I thought we were at the end of the... of our last gathering and some additional information that we have for you. But I want to start with two things: first, we've made another... there was a proffer about a 300 foot line that we were observing and what... I'm sorry I don't have a... I don't know, do I have a slide on this? If I have this, we can put that up. Okay. I have copies in case we have the same kind of technical problems we had last time.

Mr. Harvey: Which slide are you interested in, the Powerpoint?

Mr. Leming: The one showing the 500 foot setback.

Mr. Zuraf: The second one... the other one.

Mr. Leming: Yes. If you'll take a look at this, after our last gathering we'd already talked about a 300 foot setback off of Centreport. We've talked with some of you in the meantime and we understand what you're trying to do with regard to a commercial zone that would be closest in proximity to the airport, and that that area would actually act as, to some extent, a buffer between the residential section and the airport. So we've enhanced that to 500 feet. And the green line shows how much further that would come back. It actually, if you look at the, right about the middle portion there, it actually comes right through the middle of an area that was to be a full multi-family development. The buildings that are shown there, I think I'm looking at number 1 and 2 on them... I think that's right. Those are commercial buildings; they are not multi-family buildings. They are moved elsewhere. So the line is

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pulled back a full 500 feet and what we did is to adjust the proffer, and there are just a few changes to the proffers here that are generally in line with this. And I do have these in writing. And again, these were in response to some of the comments that you all have been kind enough to continue to make to us about what your concerns are and what it is you'd like to see us trying to address. Now, if you'll turn to the second page, you have a red line version and everything in substance is contained on that second page. And I'd ask you to look at number B first, location of commercial development, because that's the one I was just talking about. And this is the one that establishes the 500 foot line for those multi-family residential apartments. Now, we went further than that. If you look down at number 2, and we've indicated that, and we went back another 300 feet, and said that residential units constructed within 800 feet of the southerly line... we're using the same vantage point here... the southerly line, right-of-way line of Centreport Parkway shall include design specifications for the exterior walls, roofs, and windows, which reduce internal noise levels within the residential unit from ambient exterior noise levels to a 45 decibel average daily noise level or less. This shall be determined at the time building permits are issued. So, notwithstanding that we're going to have the commercial up close to Centreport Parkway, even behind that commercial we would have the design specifications. And I point out one thing; I think it was Mr. Palmer that was talking about a jet that was somewhere up around 80 decibel levels... part of the information that the airport puts out...

Mr. English: Mr. Leming, I have a question for you.

Mr. Leming: Yes sir, yes.

Mr. English: You said you were making these pretty much soundproof houses is kind of what you're saying, basically?

Mr. Leming: Well, 45 decibels would be the level.

Mr. English: Do you have any... are there any houses built at this point like that?

Mr. Leming: You mean where? Anywhere?

Mr. English: Yeah, anywhere that's done that.

Mr. Leming: Yes. I assume, yes, this is a fairly common practice that is utilized.

Mr. English: Is it where... Manassas? Somewhere like that? They built houses like that?

Mr. Leming: Close to... not just close to airports but particularly along highways, interstates, those kinds of things.

Mr. English: So does that make the housing price more because you're doing that?

Mr. Leming: Mr. Groupe, maybe that will be something that would be good for you or Johnny to comment on.

Mr. Rhodes: I'm sorry, just for the record, if you could get up to the microphone. I apologize. Thank you.

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Mr. Leming: You can't talk from your seat.

Mr. Groupe: Mr. Chairman, Commissioners; Johnny Groupe, the applicant. The 45 decibel level is the standard for a daily office scenario. So building materials, insulations, windows, double pane thicknesses, all that stuff can be done to reduce the ambient noise levels within the house.

Mr. English: Correct, so what does that add to the homeowner? Does that add more to the homeowner as far as (inaudible)?

Mr. Groupe: It's minimal cost. There will be a slight up-taking cost but, if it's done up front, it's more minimal.

Mr. Rhodes: Thank you.

Mr. Leming: But not a particularly uncommon thing. What I was pointing out is there was a reference to a jet at 80 decibels and I pulled up some information from the Stafford Regional Airport, it's called Stafford Regional Airport Information, and one of the things they cite here is the Stafford noise level. And the maximum noise level of 65 dBA, certain hours, and 55 later at night, so 80 would violate the noise ordinance as I'm understanding it. So I'm not sure how they do that. But, they're the ones that put out the information saying what the noise levels are. What we're trying to do is to bring it down within these homes to a very moderate level, to the extent that there's really the need for that. Now the other thing that we want to do tonight, we have an update to our noise study. There were some questions some of you had last time about peak levels, and we do have our noise consultant here and he has some additional information for you that I think will clarify your questions about peak levels. Now, the only other... if you go back up now to the phasing. And I hear what you're saying and, you know, we've talked about this before, in almost any mixed use project the concern of the locality is that they not get all of the residential units before they get any of the commercial units. And that's a logical concern because the assumption is that the residential units cost the County money, you want to be sure you're going to get the commercial to offset the cost of the residential units. Two problems with that: number one is that famous breakeven point. When do residential units start paying for themselves. Dr. Bellas addressed that. And you may recall... and he's here tonight, he can speak to this if it'd be helpful to do so again... but you recall that the residential component, on its own, is self-sustaining for a community like this from a financial standpoint according to Dr. Bellas and he gave you his numbers on that. Now, I understand you still want the commercial. And they want the commercial. There are two scenarios that I think can happen here: number one, there can be a demand for regional commercial. That largely depends on other things that happen within this particular UDA, or within the vicinity of this property. If other things don't happen, then this is going to be largely neighborhood commercial. It's going to be driven by the people that live here. So it's going to be community commercial that services and caters to the needs of this particular development. That's a whole different kind of commercial and you've got to have the people there in order to support that. The two experiences that I've had previously with phasing are at Leeland Station and at Amyclae. At Leeland Station we've been back to the Board of Supervisors three times getting the commercial portion of that backed up because there was simply no demand for it yet. The good news is I think there is finally a tenant that's ready to come in there. But it's occurred at a point pretty far down the line in terms of the Leeland Station development, and that's right at that commuter rail station.

Mr. English: How long did it take to get something like that at Leeland Station? How many years?

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Mr. Leming: Well, Leeland Station the construction started there about 10 years ago, Jeff, I think is correct. It was rezoned back in 1995. But they are getting fairly close to their 500th unit at Leeland Station. The total community down there I think is now down to... my numbers may be a little bit off, but it's under 700 units... 690-some as I recall with the last proffer amendment. So, at the 500th unit, they think they finally snagged somebody to come in as an anchor for that commercial development there. Now the other one that happened is up here off Courthouse Road which is Amyclae. And at that one, there was a requirement that a certain amount of that little commercial center on Courthouse Road come in before the mid-point in the build-out for Amyclae. And there was no demand for it; it didn't happen. And so they came in for a proffer amendment looking to get that backed up. Now eventually it came and it's a very nice little shopping area that you have but still, you know that big open field along Courthouse Road there, that's still not utilized. That was for an anchor. The hope was that a grocery store would eventually come in there. So the small shops built out but, you know, the anchor still hasn't happened to date. I'm sure with the 4-laning of Courthouse Road that that'll happen. So, what we've done... I'm sorry, this is all a rather lengthy prelude to what we've done here at proffer 2.A. And Jeff referenced the commercial phasing area. And I don't want to create the impression that we will not talk with you further about this or negotiate, but we're trying to do some things that are reasonable or that don't tie the hands of the developer and put them in a position where you actually have to stop the residential development or anticipate when you're going to reach a stopping point and then come back through the process because of the proffer. What we're trying to do is to create a proffer where we do everything we can to encourage the commercial development -- if you'll build it, they will come. So, what we're saying here is we will complete intermediate grading for the commercial sites along the spine road and we define what that means. And also that we're going to have water and sewer available for those pad sites. So, if there is commercial demand, the pad sites are there ready for them to come in and hook up. So that, from the standpoint of protecting the integrity of the development and from the developer's standpoint, is the preferred way to go there. But we're happy to talk with you about that and also about proffering out some of the commercial uses. Now, I think that those were the main things that I intended to cover. We do have some additional information about the Leesburg Airport, very similar to what we put together for Manassas and the residential development that has grown up around the Leesburg Airport within the operations zone. And both of Manassas and the Leesburg Airport are very successful airports, and certainly it has not hampered their ability to expand or to fulfill their mission. Is our noise guy here? Come on up. And I have one more thing to hand out for you. This is Josh. Josh, come on up and reintroduce yourself. Josh did a noise presentation to you last time. Do you need one of these?

Mr. Curley: No, I have one.

Mr. Leming: You got one, okay. And if I could ask you to hand that out. Josh is going to address some of the questions that you had last time, particularly the issue of the peak noise which I think you have redone your study to address.

Mr. Curley: Correct. I think first I wanted to address the 45 decibels that was mentioned. That is a common indoor standard. The 45 decibels is again the average noise level that we mentioned last time; it's not the instantaneous noise level so the 45 decibels is a 24-hour average that is to be met. I guess I'd also like to address the LDN a little more since there was some confusion about that last time. It does represent the 24-hour average. It does account... the LDN is used to analyze pretty much all transportation noise in the United States. It's approved by the EPA, the FAA, the Virginia Construction Code which I believe was quoted earlier. It's done in terms of LDN... all airport noise contours are presented in terms of the LDN so it is a very common standard. It was a value that was

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developed by the EPA. In the '70s it was found to correlate well to large populations' perception of noise to what they consider acceptable or annoying. It does have its shortcomings in that it doesn't directly account for a peak noise level, but it does... it doesn't directly account for it in that the LDN contours that were developed by the firm that did the noise report for the airport developed LDN contours. Those were based on the projected future activity at the airport. So, while the LDN doesn't directly account for the noise, the peak noise, it is factored into that calculation. So, the report here talks a lot about the 65 LDN threshold; that's by and large what's used for everybody in terms of noise impact. So the 65 LDN contour that is shown in the airport report does account for any noise that an airport activity can generate. So, I guess getting back to the peak noise levels, we measured, as part of our initial study, we were out on the site and we measured for a 36-hour period. I also went back a couple weeks later and measured for a short term period just to get further understanding on the kind of peak noise levels that you can... or maximum noise levels that are at the site due to the airport. This site would be considered very quiet according to LDN standard. The FAA, all the organizations that use the LDN that I mentioned, would consider this site acceptable or compatible based on the LDN standard. Anything below 65, they don't really care about. When I say they, FAA or HUD; if you're building outside of the 65 LDN contour, they consider it acceptable. Where that 65 threshold comes from is largely the understanding that a typical residential building provides about 20 decibels of reduction. So if you build... when I say typical construction, vinyl siding walls, just your typical residential window or door, you should get about 20 decibels of reduction. So, if there's an 80 decibel noise source outside, inside it should be about 60.

Mr. English: Can I ask you a question?

Mr. Curley: Sure.

Mr. English: You're building a complex, I mean, you're building some homes in there, the noise comes over, wouldn't it bounce off of these other houses? Does that make a difference too? How could you come up with the study of that?

Mr. Curley: It does, it will.

Mr. English: How much of an impact is that going to have? Because you're going to have these buildings here and all that stuff so the noise is going to bounce off those houses.

Mr. Curley: You're right. The noise will reflect off of a hard surface. The noise level at the... again getting back to the LDN... the noise level at the site, the maximum noise level at the site from the airport is 52 LDN. Even with all the reflections off of these hard surfaces, those aren't going to be enough to get it anywhere near that 65 LDN limit.

Mr. English: So, have you gone to these... have you gone to a resident area and done this study with that keeping in mind the noise bounces off of these houses?

Mr. Curley: I have. If you build...

Mr. English: What did you get with that?

Mr. Curley: If you build within the BWI Airport, 65 noise contour.

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Mr. English: I don't think BWI would be a fair compromise to this one. I think you'd have to get Manassas or Leesburg...

Mr. Curley: Well, I'm just trying to I guess give you an example of a place where we've actually measured inside the house. It's hard to quantify how much noise is going to reflect off. It is going to be some but it's not going to be equal to what's actually coming from the noise source.

Mr. Rhodes: If I could just ask the same question but just with a little different perspective from what I think I heard.

Mr. Curley: Okay.

Mr. Rhodes: You commented that the site currently undeveloped is a fairly quiet site, not one that would cause a problem. You did raise that there would be some impact of once developed the bouncing off the hard structures implication. You didn't think from where it stands now that it would be anywhere near the 65. So, what would be curious is if you have some bases of information that would identify that on a site that might be at... I'm making up numbers now... at 45 as a trees and just an undeveloped area. Once there are hard structures developed in the space, that has the effect of multiplying it by 7 or 8 or 9 decibels or does it have the effect of multiplying it by 20, 30, 40? So that comparison I think would be most informative.

Mr. Curley: Sure. It would be in the range of 3 decibels, even if all that noise were reflected back to one point, it would raise the noise level... if you take the direct noise from the airplane and the reflected noise off of all the hard surfaces, you'd get about 3 decibels increase.

Mr. English: Taking that into consideration too, what about the 95 noise too that would be bouncing in there?

Mr. Curley: The 95 noise, in our initial study we did analyze 95. Again, 95 is relatively quiet; it's below that 65 threshold. The 95 noise is pretty much going to stop at the first row of homes. I mean, anything that gets... the first row of homes along 95 are going to act like noise barriers, so the amount of noise from 95 that gets further into the site will be minimal.

Mr. Coen: If I can piggyback... but if, for example, like the apartments and/or condos and/or commercial which are more concrete or multi-story and therefore have less permeable surfaces of trees and other things to buffer it, the ricochet for a better word, is going to be louder for that area than it would be for homes which would, by nature, have a greater space in between them with other barriers that would break up the noise. If I understand physics, isn't that pretty much...?

Mr. Curley: Barriers are going to reflect noise but the amount of noise they add to what you call the direct noise, coming directly off the source, is generally... even if it's a perfect reflector with 100% of that noise is being reflected off, it's going to increase the noise level about 3. And that comes from the decibel scale which is logarithmic. If you have two noise sources... say you have a lawnmower as were mentioned before. Lawnmowers are about 85 decibels. If you have one lawnmower at 85 and you add another lawnmower at 85, those two sum to give you 88. It's not 85 plus 85, so I don't know if that answers your question.

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Mr. Coen: Okay. Then another question, did I understand you correctly where you said that the peak may be 65, right? I thought something like the peak could be 65 or 52, right?

Mr. Curley: The peak could vary, sure. It could be 65.

Mr. Coen: Okay. But, if I understand the proffer, it's 45. So, if I were in one of these residents which has noise reducing things to make it 45 and it's 52, I'm still going to hear it louder than... I mean, when I first was hearing it's going to be 45, it sounded like oh, hot diggity-dog. But it's still going to be louder when there's peaks because the 45 is over a 24-hour period whereas the peak could be at 52 or 65 vroom-vroom right now.

Mr. Curley: Uh, sure.

Mr. Coen: Okay.

Mr. Curley: You're right.

Mr. Coen: Cool, thanks.

Mr. Curley: Okay.

Mr. Apicella: I'm going to ask the same question in a different way. We heard some folks from the airport earlier mention that a jet flying overhead, from their perspective, was about an 85 decibel level. So, let's say I was one of the homeowners in this zone where you've got this special mitigation equipment or construction. It's 2 o'clock in the morning; a jet's flying over my head at, again, 80 to 85 decibels. What am I going to hear?

Mr. Curley: Um, assuming a standard building gives you about 20 decibels reduction, if it's 85 right at the house, you could assume it's 65 inside. But, to give you some perspective on what 65 is, the typical human voice at about 3 feet is 65. So, I mean, I can't say that a plane will never be heard, but I can say that relative to any standard that's used to evaluate airport noise this site is fairly quiet. And, getting back to the peak hour noise levels...

Mr. English: I've got another question for you.

Mr. Curley: Okay.

Mr. English: I hate to harp on this. I know for a fact that they've got helicopters over there, and I know for a fact they fly at 9 o'clock at night because they come over my house and I'm laying in the bed and it jars my house. And I know that. Now, that said, you put those houses over there, what kind of noise is that going to generate? And what's the fly path of those helicopters? Because I know they're... I don't know if anybody from the airport can help me out here... they are military aspect helicopters so I don't know what kind of flight pattern they do. But that, encompassed with all these houses and the noise from there, I think you're really going to have some major noise then, because like I said, I have no houses around me, just some trees, and they fly over me and it will jar me out of bed because it's so loud. I know they have peak times of flying.

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Mr. Curley: Okay. I can't speak for your house but I know the time I was onsite and the noise levels we measured, we measured... we were onsite for a 36 hour period and then again for a short period of time. We only measured two noise events that were above 80 decibels. Generally, the maximum noise levels from the airport ranged anywhere from 50 to 70. So, I mean...

Mr. English: Is it possible that you could get a quick study on the helicopter noise too? Again, I know that they're out there flying.

Mr. Curley: The last thing I did measure, when I was onsite just a couple weeks ago, was a relatively low-flying helicopter and that was the maximum noise level from that helicopter...

Mr. English: Was it one of those military ones that are in there?

Mr. Curley: I don't know, but it measured at about 80 decibels. I don't know what kind of helicopter it was; I know it was relatively low-flying and again, it was only about 80 decibels.

Mr. English: Okay.

Mr. Coen: One last thing, it's just sort of a request. You referenced twice that you received the projected future activity for the airport. Have we been given that or can you get that to me? Thank you. I appreciate that. I don't know that it's actually in this; when I went through it this weekend I didn't see it. Again, but if you could get me that I would really appreciate that. Thank you.

Mr. Curley: Okay.

Mr. Leming: Do you have something else to talk about on the peak? Did you ever get to your point on the peak noise?

Mr. Curley: I did briefly. Yeah, again, in the total of 40 hours we were out there, the peak noise levels very rarely went above 70 decibels. And, again, a person talking at 3 feet is about 65, to give that some perspective. I mean, it is audible on the site but it is not what we would say terribly loud. Noise is very subjective as has been said, so designing... the limits exist to give it some kind of quantity. I mean, if we design buildings to make quiet, you know, what's quiet to one person is not to another, so we've got to meet that limit somewhere.

Mr. Leming: One thing if you could address, and I didn't know whether Mr. Apicella really meant to this point... the homes that are proffered here at 45 with the special construction standards, how are they impacted by something like a helicopter?

Mr. Curley: Again, if a house is built with no consideration for noise, if a builder just goes out there and builds their typical building, it gives you about 20 decibels of reduction. So, if a helicopter is at 80, then inside it would be about 60. And, again, that's on par with (inaudible).

Mr. Apicella: My question is along the lines of Mr. Leming's. So, if a normal house is 20, are you adding another 5 decibel reduction? A 10 decibel reduction with special construction materials? I'm trying to figure out what's the net impact, positive impact, by adding these special features to these buildings during a specific event.

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Mr. Curley: It depends on what you put in. I mean, windows, different windows give you different noise reduction ratings. You can design a building to give you an extra 5 decibels. So, you know, 45 is the bare minimum. It just depends how you build a house.

Mr. Apicella: I just think it would be helpful if you guys talked to each other and identified the special kind of construction that you're going to provide in these buildings, talk to you about it and see what relief that special... And I imagine there are specific materials they're talking about to put in these buildings that may not be in some other buildings. And that the whole purpose is some additional noise reduction. I'm, again, curious what that real noise level reduction would be based on these changes that they're suggesting for these buildings.

Mr. Curley: Okay. That can be calculated. I don't know if that...

Mr. Apicella: I know. I'm just suggesting that maybe that's something you guys should communicate on and try to get a better perspective and kind of brief us on that point when you have an opportunity.

Mr. Curley: Okay.

Mr. Rhodes: Okay. Mr. Leming.

Mr. Leming: Alright, thank you. And that's what I understood Mr. Apicella's question. So, last time (inaudible). And we will follow-up on your point and see if we can talk about this. I'm hopeful that you're going to say something about this. Introduce yourself again.

Mr. Ruud: I'm Barry Ruud, I'm with Ginsler. I'm an aviation architect. I think there's a continued misunderstanding of noise levels. I think we all are looking at the instantaneous bang or boom or noise of fly-overs. I think all of us experience noises; wherever they come from. A lot of them are from aircraft or helicopters or even military aircraft. But the government standard that was developed that was mentioned in the mid '70s is a rating that's based on an average. It may not seem to be realistic, but it's the only standard that the main aviation, transportation, all of the governing agencies, can use as a standard. So we have to look upon that. Even the building industry, when you look at the Virginia building code, they deal with saying that basically it's not to be greater than a 45 LDN requirement. And that's based on this average. It's not based on the spike instantaneous sound. So we have to be aware. We won't be constructing... no one will construct to withstand that sound level unless it's a specific requirement that you need for a certain room of a building or a certain building itself for (inaudible) of equipment. But for residential, the governing requirement is 45. And again, that's an average. I'm not an acoustical engineer, but it's the collective over the period of time. And the way the code states, they've got two different situations; they've got basically between 7 a.m. to 7 p.m. there's a 65 dBA... that's a maximum site... and then a 55 dBA from 7 p.m. to 7 a.m. they allow a lesser amount at that period because naturally it's sleeping time. But again, that's an average that we need to be aware of. Does everyone understand...?

Mr. Apicella: I appreciate where you're coming from. By the same token, sir, people aren't complaining based on averages. They're complaining on specific events. And I live in a place, and many of us in Stafford live in a place where we have planes flying overhead; it's annoying. And when you're living closer to the airport you're going to have far more incidents. So, averages are all well and good; I just think that the concern is when you have residences next to an airport, people aren't going to complain because of a 24-hour period. They're going to complain because of that incident when there's

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a helicopter or plane flying overhead at 2 o'clock in the morning. That's all they're going to care about. And that's what I think could potentially jeopardize the airport's operation. So I think that's what their concern is. So, again, I appreciate where you're coming from. I don't dispute the averages, but that's not... to me that's not what's going to drive the economic vitality of the airport or jeopardize the economic vitality of the airport instead of specific incidences.

Mr. Ruud: Okay. I'd like to add, we were talking briefly about, for instance, Leesburg airport which I had discussed last month. That's a very similar airport but there's a lot of closer in development. And we got some statistics; this came from... this is from the Deputy Director of... was this of the City of Leesburg, the Executive Director? Basically, he came up with statistics. They're closest residential is within 200 yards which is pretty extreme I admit by any standards. But basically, they have four developments... 1, 2, 3, 4... totaling over 2,600 units that are within a proximity of our proximity. And some of them are even closer, within 200. And they're saying they're reporting between one and two a month which... complaints per month. Which again, that's relative... you know, you can have more people complain or the same people complain 30 times for that matter.

Mr. English: What's the flight pattern for Leesburg?

Mr. Ruud: Okay, they have a similar flight pattern which is southwest to northwest, is the direction of our runway. And these residences are actually in the northeast direction which is really the loudest direction of the takeoff because you're going to have a larger (inaudible) rating at the takeoff than the landing, with acceleration. The other issue just went over me I was going to mention. Okay, we talked about the number of units, we talked about the average sound. There was one other thing that crossed my mind. Is there any other questions?

Mr. Rhodes: Okay, thank you.

Mr. Leming: We also have Dr. Bellas tonight but I don't want to interfere with the dynamic of the work session because what's just as important here is your directing your questions other than on noise and issues to us. And, you know, if we can respond to them tonight we'll be happy to do so. If not, we can do so at a future time. But we've done a good bit of presenting here but, and you all have been asking some questions but I don't want to stymie any of that.

Mr. Rhodes: Right, right. Any questions any folks have and anything that has been generated to redirect over back to staff, and certainly I know I'm trying to make a list of a few items I think we've talked about possibly circling back on. Please, Mr. Apicella.

Mr. Apicella: Just for the sake of putting it out there again, I think you addressed it last time, but this was circulated at the last meeting about the soil types and concerns about the high acidic soils.

Mr. Leming: Let's try to put that to rest. Who's the best person to talk about soils on this property? Johnny, you want to do that? We did soil test and it keeps coming up but let's see if we can put that to rest.

Mr. Groupe: Yes, we've already commissioned ECS to go out and do borings. They've done over 20 borings on the site. Zero acidic soils were found. We were shocked; they were shocked, but none were found on this site. There's no presence of it.

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Mr. Coen: Just out of curiosity, can we... do you have a map that says where they made the sites? That would be helpful.

Mr. Leming: Is there a narrative that they...?

Mr. Groupe: Yeah, there's a whole report.

Mr. Coen: That would be helpful.

Mr. Leming: We will be happy to share those.

Mr. English: Also, I guess, is there some way Jeff that if the public wants to see that, they can see that sample?

Mr. Harvey: We could post any map up on the Planning Commission webpage.

Mr. English: Okay.

Mr. Leming: We'll make that available to you momentarily.

Mr. Rhodes: Thank you. Other... please.

Mr. Apicella: Obviously we've got a binder here with a lot of information. I'm just curious if there's anything else that, you know, one or two or three things that didn't get mentioned that you all found when you put this binder together that you might want to just brief us on real quickly just so it's...

Mr. Leming: Well, I do not want to be redundant. I think probably it's worth mentioning that part of the material in your binder comes from the Washington model that the Airport Authority abdicated that we use. And I think it's important that you take a look at the matrix that is there. It does show mixed use as being one of the compatible uses at this approximate distance from the airport. So there are others that have looked at this issue in some depth before. Our reason for looking at the Manassas and the Leesburg airports in considerable detail... and we can provide you with some additional detail I think on the Leesburg airport. We do have some more information there that we'll be happy to provide to you similar to what we've put together on Manassas. Manassas was the airport that everybody talked about at the first public hearing as sort of being the pyridine. They've controlled the growth. Nothing's happened in the vicinity of the airport is simply not true. And the material that we have presented to you I think demonstrates that conclusively. Leesburg is a little closer to Stafford in terms of size, although it has more of an economic impact... a significantly greater economic impact than Stafford does. And you just heard the report from Barry about that. And we will put those written materials together for you. Um, I think that the broader points, and I don't want to sound like I'm making a concluding argument here because I'm not sure it's time for that, but I think that I want to be sure that everybody understands that these guys proceeded in good faith, consistent with the Comprehensive Plan, the UDA that is shown in the Comprehensive Plan. And I'd ask you to bear in mind that the piece of the pie that they're requesting for this development is less, given the acreage they have than mathematically they could justify, both for the commercial and for the residential. So, in that respect, it is a somewhat modest development under the Comprehensive Plan. I don't know why the Airport Authority was not notified, did not participate, didn't understand there was a UDA that was being proposed for this vicinity and just to the north, during the Comp Plan process. But the UDA was put out there and these guys have relied

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on it and come in with something that is wholly consistent with it. Also recall our discussion that independent of the airport, if we were talking about the way this UDA should development given the interchange, that logically you would put your more intense commercial development closer to the interchange, like the shopping centers, the heavy commercial and so forth, and the residential development would go further out; we're the furthest out here. So, that's something else to keep in mind. Now, the issue that we're contending with is the concern of the Airport Authority that the residential development on the north side of the UDA, which makes sense given where the interchange is, is going to result in complaints that will hamper their ability to fulfill their mission. And so that's the horns of the dilemma. I think that your focus on noise is interesting and the same thing occurred to me as Josh was talking that was not answered. And that was when you have the additional construction standards, what actual effect does that have on the noise level? And I think that's an important question to answer because if you're going to put in the special construction techniques and utilize them to control the noise, then you want to know what the result's going to be. So we will get back to you with some additional information on that. But those are the main points and I want all of you to understand that we very much appreciate the cooperation on the Planning Commission, the time you're putting into this application, your objectivity about the application. Skip, is there anything else that you would like to say tonight or to bring to the attention of the Commission, or any other issues that you'd like to raise? Now, we got Dr. Bellas here. And, you know, Dr. Bellas costs a lot so if there are any questions about the economic or fiscal impact of all this, we hope that you will ask Dr. Bellas over here because he has a wealth of information and experience and is fully endorsed by... his model is fully endorsed by Stephen Fuller who does a good bit of work for the County. So I think in terms of economic forecasts and projections and comparisons that he can probably shed a lot of light on any questions or concerns you may have along those lines.

Mr. Rhodes: Other questions? Please.

Mr. Coen: I think I brought this up at the first time we met. And it not necessarily has to be dealt with this second, but it was something that I thought... and the more I looked, the more I'm concerned... is with one main entrance with all the commercial there, when it actually gets made, particularly around I'll say Christmas others will say holiday time, you have 650 cars, maybe more because it's usually two cars per house going in and out of one entrance where people are coming in and out, dealing with shopping... And that's one concern I have. I understand that this phase, the drawing is not definitive and it's rough, but that just leads me into other questions that I raised before like the pools and whatnot... how much community access to the pool is the apartment versus a condo and stuff like that. But the bigger one would be, the two eagle sites that are on the property that are down towards, for lack of better words, the stream, right now the drawing is that the homes are sort of away from there but who knows what happens when it gets down to the other process where those homes are going to end up closer, so I'm a little concerned about that. I'm concerned, to be quite honest, about using proffers that are so low. I understand where you came with them and got them but I'm just concerned.

Mr. Leming: Got them from you.

Mr. Coen: Yeah, I know, I got that. I totally understand that but I'm, you know, it doesn't change the fact that it's like, ewww. And then lastly, again, this is sort of something and it's either a blessing or a curse but I'm always thinking three roads down the way or three flights or whatever, but if this is going to be a park on the other side of the stream, people from those 650 units, logically some of them particularly young teenagers or whatnot, are going to want to get to the park and how are they going to go there but roaming through the stream or hopping across. I think all of us were young once, we know

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that's what you do. And I'm just concerned with if the whole point of that area not being disturbed and even putting a passive park in it is so that it is not preserved... is not disturbed, then kids roaming through it just concerns me. So, those were a couple of things that I brought up once before and those are the things that just sort of keep jumping at me... so far.

Mr. Leming: I appreciate that. And we did, after that first meeting, we did change the access proffer so that the second point of access would be available, minimally an emergency point of access, after the 200th unit.

Mr. Coen: Right. That's emergency. I'm talking (inaudible - microphone not on).

Mr. Leming: Well, minimally. I mean, that may be something else. There are any number of inter-parcel connections that could work out here too depending on what happens next door. But we'll look at that and we're happy to look at the use of the amenities and how you get across the creek and the eagle nests.

Mr. Rhodes: Any... yes, please.

Mr. Apicella: Mr. Chairman, it might more of a comment than a question. One of the positive aspects of this proposal is the open space. It's almost like a cluster development within a P-TND, saving about half of the parcel as open space. And I just want to contrast that with what was originally proposed. I think there was a by-right development that had some units within that open space; and then even an earlier version that you all were considering of this P-TND had some units in that what is now open space area. And just to refresh my memory, there is a conservation easement or area just below the Oakenwold project?

Mr. Leming: Yes. Just to the south and east there's a large parcel that has been established as a conservation easement. And the progression that you indicated is correct; the by-right development of this property, of course, would be 3-acre lots although a cluster could be possible here. The initial development that they put together had 114... 140 single-family units on the other side of the creek in the area that is now preserved. And the home district Supervisor requested that we consider moving all of the residential, all of the higher development, to the north side of the creek, which they did. And they held onto the density they needed to make it work. There was greater density at first too. They reduced the density but held onto the density they needed to make it work which now stands at 650 by doing small single-family over on the other side of the creek and more of the multi-family product.

Mr. Apicella: Obviously not within the same ownership, but this roughly hundred acre open space area and the other conservation easement, I don't know what size it is, but I'm just kind of looking collectively, what amount of open space would there be between the two parcels?

Mr. Leming: Deja, do you know how large that other place is?

(Inaudible from audience)

Mr. Leming: So combined, about 140 acres.

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Mr. Rhodes: Okay, other questions? Because again, this is our opportunity to focus on this; either back to staff or others. I just want to make sure we get everything out on the table that we kind of got on our minds.

Mr. Leming: I've been making notes about everything that you all have said.

Mr. Rhodes: Great. And I've got a few I just want to make sure and restate.

Mr. English: Clark, the moving of the 500 feet back... is that going to affect... how bad is it going to affect your commercial part of it? Is that going to... your green line that you have on the (inaudible)?

Mr. Leming: Well, it expands it.

Mr. English: Expands it.

Mr. Rhodes: Because all that will be commercial within the 500 feet.

Mr. Leming: That's correct.

Mr. English: Okay. So, you're (inaudible).

Mr. Leming: Right.

Mr. Rhodes: Others? Please, Mr. Apicella.

Mr. Apicella: You know, I do think it would be helpful if we can get a copy of the latest plan. It's kind of hard for me to read it.

Mr. Leming: Oh yeah. It's just that this one's hot off the press.

Mr. Apicella: And, you know, I hate to keep harping on this, Mr. Leming, but I still... I appreciate where you're coming from with respect to the phasing of commercial development. We have had some issues with that in Stafford and right now you have more than 50% of the units being built with only 20,000 square feet of commercial, that's less than 20% of what is kind of suggested. I think it's a range of 150 to 250. At some point in time, there has to be a number where we get beyond the 20,000... maybe not the full 150 or 250, but something greater than the 20. And I think, you know, as part of the negotiation process or discussions, I think you know from my vantage point and I suspect from the Board of Supervisors, they're going to want to see some more -- guarantee might not be the right word -- but some kind of threshold that we know we're going to get some more commercial. Because, as it reads right now, you can build, in theory, and you probably won't but in theory you could build 649 units and still only have the 20,000. And I think that's kind of puts the County at some risk. I realize the market kind of drives this, the economics drive it, but you know, there's a great risk that the economy doesn't get any better and this sits for a long time with no commercial development and there's 500 units sitting there. So, part of the whole concept is striking this balance between residential and commercial and I'm not sure we're there yet. Again, I appreciate the applicant needing to be where they need to be but, by the same token, I think the County needs some greater assurance that we're going to get some of the commercial to offset the impact of the residential development.

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Mr. Leming: We appreciate that concern.

Mr. Rhodes: Okay. I did want to just clarify, if I could, either from staff or the applicant. I was just trying to go back and look and I apologize for thumbing, I wasn't getting there quickly. But from the airport, from the runway to the entrance to this proposed development, the way I estimate, is that's about 6/10 of a mile. Is that correct?

Mr. Leming: Three thousand feet? Thirty-five hundred feet?

Mr. Rhodes: So, about 2/3 of a mile. Okay. I'm sorry, that was just something I was trying to calculate and I couldn't do.

Mr. Leming: So, the area within the... particularly within the green zone, that 500 feet, would be approximately that distance from the airport. Then you're getting further and further back.

Mr. Rhodes: Further; yeah, okay. The residential portion of the...

Mr. Leming: If you're looking at the map, the airport is almost directly... slightly to the left of that zone there.

Mr. Rhodes: Right; okay. I did note, just to make sure we got this, a few things because they were earlier on and I think this was more from the staffs' perspective, but we were going to get a written copy of what the schools' comments were. Right, Mike, you were going to get that for the review just so we could see how those are represented? And there was the comment and discussion on the proffer guidelines, but if I could ask staff, could we just get a listing of what the proffers are offered here compared to our new proffer guidelines that we proposed to the Board of Supervisors in our last tasking, as well as just what the current proffer guidelines are. But I'd like to see, if we could please, see those compared to all those. And you're going to provide the soils boring maps and sites. And if staff could just kind of overlay that on other historic information we have and any other tests for the acidity there and the implications either where they complement one another or where we may have questions, that'd be helpful to know, just to try and get that one finished with -- bore into that more. I did note the comment that willing to consider... this was based on Mr. Apicella's earlier question... but proffering out some other uses just hadn't got to that. So if we could maybe dive into that...

Mr. Leming: If any of you have particular uses...

Mr. Rhodes: And that's what I would ask the Commissioners to...

Mr. Apicella: I would also ask staff to provide some help and assistance because I think they have a better sense what makes sense.

Mr. Rhodes: I agree with you, but if there's something of particular concern, I think, Commissioners, if we could get that to staff and then staff will work with the applicant on it. Agreed. And then you said you were going to look at some of the amenities issues, access to open space issues.

Mr. Leming: The things Mr. Coen indicated.

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Mr. Rhodes: Right. I guess those were the early ones that I had. I just wanted to make sure we hadn't lost (inaudible).

Mr. Apicella: I'm not sure, I was trying to listen to what you were saying. But I think the applicant and their noise specialist were going to confer on the materials and how that might further (inaudible).

Mr. Rhodes: The degree to which above a typical 20 decibel reduction, that might have a positive effect, yes.

Mr. Leming: Yep.

Mr. Rhodes: And I know there's some others in those; those were ones I was capturing as we were going.

Mr. Leming: And we will try to turn these things around very promptly. I know you've got another meeting next week, but that's cutting it a little close.

Mr. Rhodes: Yeah, that's tight. But we'll see. I would, and again, we want to make sure we get everything on the table here. We want to make the most of everybody's time. We've brought together a lot of folks and we've carved out time; we do have a session on the 28th. We have another session on the 11th and then we run into the time limit issue, too, I believe on this if I'm not mistaken. Is that correct Mr. Harvey? This will... the 24th so it'll be before the 25th.

Mr. Harvey: June 24th is your deadline.

Mr. Rhodes: Yeah, so the 11th will be... we want to get this working forward. Okay, anything else from anyone's perspective? I want to make sure we don't lost an opportunity here. Both from applicants, anything you missed bringing up or felt needed to... staff's or any other (inaudible)?

Mr. Apicella: Mr. Chairman, I see the folks from the Airport Authority waving their hands. I don't know if it's appropriate at this point in time but...

Mr. Rhodes: I think from a County representative perspective, would that be... I mean, I want to open this to the staff. I don't want to do anything inappropriate either.

Mr. Harvey: It's the pleasure of the Commission.

Mr. Rhodes: Okay. As a representative of one of the County services here, if you had a particular point you wanted to clarify? Not tit for tat, we're just trying to move all this forward. Thank you very much.

Mr. Scharpenberg: Thank you Mr. Chairman. Hank Scharpenberg again from the Airport Authority. I just want to clarify a couple of points. There's a key distinction between Stafford Airport and Leesburg and Manassas. They're general aviation airports. We are a regional reliever. Because of that distinction, we enjoy a higher priority for federal and state aviation dollars to make improvements that reinforce our regional reliever mission; and one of the reasons why we've enjoyed the cash flow to date from those two entities. You're probably aware that we're doing preliminary planning environmental assessments for our runway extension. That runway extension is to provide for our existing category of aircraft safer, all weather operation by lengthening the runway. That investment, if it is approved, will

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represent somewhere between 8 and 12 million dollars of construction dollars that will be spent at Stafford Regional Airport for the benefit of the local economy, again with minimal to no impact upon services or any other things that are provided by the County. And as you're also aware, the provision of those dollars is contingent upon the federal government FAA and the State Department of Aviation's perception of the climate surrounding continued airport growth. So we obviously have an interest in promoting that climate and enhancing the capacity of the airport. You heard earlier about the economic impact of the airport. Well, in 2010, the number that was given by the State Department of Aviation was, as Mr. Leming pointed out, 105 jobs and about \$18.2 million of economic activity. But I'd like you to just go back in time a little bit, because at the point when that estimate was made by the state, we had had a comparable tax rate reduction, similar to Manassas and Leesburg, that allowed us to be competitive. And that had been in place one year. Also, our instrument landing system had been turned off because of obstructions. That ILS was a major attractive element to the business aviation community, the community we're designed to facilitate and provide facilities for. And until that was restored in the summer of 2013, I can only surmise what our economic potential would have been at this point in time had we not encountered literally 5 years of minimalization of what we could offer to the business community. I just want to talk just for a second about noise. I believe the applicant's noise expert was sitting in the approach of the airport; I believe that was his pickup. And there is a noise rating for approaches to airports. What was not addressed was the noise associated with traffic patterns. Now right now the existing traffic pattern at Stafford Airport goes over minimal, comparatively minimal residential development, and none of it is high density. But when you have a piston or a jet aircraft circling over your head at a thousand feet and you're in a high density environment, that makes for quite a different noise assessment. Good weather brings out pilots. It also brings people out of their homes, whether they are sound-proofed or not if that is indeed a possibility. And when people are enjoying outdoor pools and backyard barbeques and just being outdoors, the perception of the noise impact may be fundamentally different than the reality of the noise impact but is an impact nonetheless and gets reflected in complaints to politicians and the support that is either expressed for or against an airport. So, I would caution consideration of noise levels because, in the eyes of the beholder, whether you're trying to sleep in bed and the errant aircraft passes over your head and wakes you up, or you're in a traffic pattern of an airport that is only projected to drastically increase in its capacity and usage, if you're outside or inside the reality to you may be totally different than the perception of what constitutes acceptable or unacceptable noise impact of an airport's operations. I'd like to thank you for the opportunity to address a couple of these points.

Mr. Rhodes: Great, thank you. Anything else Mr. Leming that you can think of that we've missed here? And I want to go to each of the Commissioners too and staff.

Mr. Leming: Josh, is what Mr. Scharpenberg said about your location correct? I think there's a way that Mike Zuraf can tell you you can actually make a mark on that.

Mr. Curley: Okay. We were about 300 feet off the Centreport Parkway, so I'm guessing right around there.

Mr. Leming: So you were on the Oakenwold property. As I understand it, we're in the circling pattern here, possibly a portion of the property, but not in the flight path itself. But this is the place where you did all of your noise studies?

Mr. Curley: Correct, yeah, and onsite measurements.

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Mr. Leming: Okay, thank you.

Mr. Rhodes: Okay, that's helpful. Thank you.

Mr. Leming: And if any of you think of other questions or refinements of the questions that you've already asked, please don't hesitate to bring them to my attention. And there may be a couple levels that we go through on the additional noise analysis and the sound attenuation proffer that we came up with and the effectiveness of that.

Mr. Rhodes: And I agree with that, though obviously we would go through staff so we can keep a central record of all those points and questions. Any other things we've, maybe in preliminary discussions, indicated we (inaudible). I just want to make sure from staff's perspective something where anything stands out to you? Okay. Commissioners? Mr. Apicella? Anything else? Mr. Coen.

Mr. Coen: Well, this is more for staff... just a couple things. First, thank you very much to the Chair for allowing public comment tonight. I think having the public have an input is always useful, so I appreciate that, thank you. Mr. Harvey, I know we put a binder at various libraries. If there are further maps and whatnot, can we put them also at libraries so that all that information is sort of available to the public. I just know from trying to download maps, a certain type of internet is a little slower than others. And then could we think about, for example, my end of the County, the nearest library is in downtown Fredericksburg which I don't think we mentioned as putting stuff to. Is it possible to put things at certain ones of the fire stations so that people could have access to that if they live out in the more rural areas and there isn't a library really close to them?

Mr. Zuraf: Could you clarify what information (inaudible)?

Mr. Coen: Well, whichever. To me, you don't necessarily have to reprint the whole book again. But some of the more pertinent new information for them so that people don't have to drive all the way to England Run or up to Garrisonville to get to it. And maybe that can be a practice we sort of think about, because not everybody wants to go down 17 right now with the construction. Next, could you get some clarity for me on the pump station issue? And I'm not quite certain if I heard Mr. Leming right that at a certain point they would actually pay for it or not, but what the process is, what the deal is on all that, just for my naiveté. And then lastly, I remember one of the committees I served on eons ago, and I don't know whether it was the Comp Plan Steering Committee or something in the school system, but we saw flight plans for Quantico. And it would help with all the conversations about helicopters and what not to know if this is bisecting it or near it or whatever. I mean, I know up towards Quantico itself, on the other side of 610, there was a lot of focus, but it really amazed me on the other side of Garrisonville Road how far they came up. And I'm sure I have that in a Tupperware thing at home. But if you could just sort of get an update on that because I just would be curious to see if that impacts or doesn't impact. I mean, that might dispel the whole helicopter story or it may not. I know we get them in our neck of the woods.

Mr. Zuraf: In Chapter 3 of the Comp Plan there's the map that identifies the impact area which is to the west of 95. And I can provide that map though.

Mr. Coen: Cool. Or just give me the page and I'll find it that way. Thank you.

Mr. Rhodes: Mrs. Bailey, anything further?

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Mrs. Bailey: I have nothing further.

Mr. Rhodes: Mr. English?

Mr. English: The questions on the hundred acres of open space, would Parks and Rec be willing to take that over?

Mr. Zuraf: I'm in the process of seeking some additional input from them, because that was a newer proffer that came along, so we're working to get some input from them on that.

Mr. English: That was all I had.

Mr. Rhodes: Anything else Mr. Boswell? I think we've hit all the things for staff and certainly we'll hand it off to the Planning Commissioner from this district here in just a moment. I appreciate all the time and effort of everyone. In fairness to the applicant, I'll share I'm currently struggling at this stage in point. I don't see us taking action tonight. And I'll tell you, you are absolutely right. This is our UDA. But the UDA is a big UDA with residential and commercial throughout. And I would say exactly what Mr. Leming said, any traditional planning construct would be you'd put all the commercial right at the major interchange and exit which is the Centreport Parkway and you'd put your residential spiraling out from there, and this is spiraling out in any direction. For this particular UDA, in my mind's eye, more of the spiraling would be happening on the southern portion just because of the airport. That's the complicating factor. In fact, about 10 months to a year after we closed in on the Comp Plan on the UDAs, the Board asked us to relook and provide some other recommendations. And one of our recommendations was towards a bit more commercial, especially for this corridor and this portion of it. In my experiences, I have seen from... my background's all working with the Department of Defense so we always look at encroachment issues on military bases and other things... so I'm sensitive to the arguments though I am not, I will just tell you I am not necessarily fully committed to every one of those arguments. We have Quantico regularly telling us things and those are good opinions, but that doesn't mean that has to drive how we're going to do things on behalf of the County and what's in the best interest of the County. But certainly the precedence and the potential for impact is of a concern. So, I'll tell you all that to say, I apologize I'm building a watch to tell you what time it is, just from where I stand right at this moment as one person, and it's truly just one person. I love the way this body works independently on the issue trying to come collectively together. So, the two-thirds of a mile... now I started looking back at the other maps and I'm looking at their distances. I know we've got this other subcommittee working on some dynamics. What is the right range around it that you just do nothing, or almost nothing, or the minimalistic nothing which is really industrial and other types of things? I don't know what that right amount is but I'll just share with you -- this has been great information and I have sincerely appreciated the applicant's willingness to try and work on this and try and refine it and make it better. Very sincerely I've appreciated the willingness to try and partner on this. But I just want to be fair with you, I'm still struggling with getting there. And as one individual, I haven't gotten there yet. But I just felt I owe that to you because you all have committed a lot of effort and time to this. It doesn't mean I'm not getting there; I'm not trying to signal anything. I just wanted to be fair with you and tell you what I've been struggling with in my head. So with that I'll hand it over to the Commissioner from the Hartwood District.

Mr. English: Yes, what I'd like to do, is it possible that we can carry that to the June meeting? Because there's a lot of information and plus we're going to be meeting with the Airport Authority on June 5th.

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Mr. Rhodes: Yeah, I don't think we'd have enough of this for the next meeting anyway, so we're probably going to have to... it makes sense to probably... to the June 11th meeting, but we need to also act on it or something. We have time limits there so we'll need to wrestle with engaging with staff in between there.

Mr. English: Motion to defer.

Mr. Rhodes: So there's a motion to defer this to the 11 June meeting. Is there a second?

Mr. Boswell: Second.

Mr. Rhodes: Second by Mr. Boswell. Further comment Mr. English? Mr. Boswell? Any other member? All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Rhodes: Aye. Any opposed? None. Thank you very much for all the time and effort. Let's see, there's no New Business. Is there anything for Planning Director's Report Mr. Harvey?

NEW BUSINESS

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Yes Mr. Chairman. For the May 28th meeting, we really only had two items for discussion. One was a carryover of this case; also, two, carryover discussion about the targeted growth areas. Staff has sent forward the memorandum from the Planning Commission to the Board regarding targeted growth areas; we anticipate having a discussion with the Board which is tentatively set for June 3rd.

Mr. Rhodes: So you're saying we got nothin' to do.

Mr. Harvey: Yes.

Mr. Rhodes: I've never experienced this one. We've had fast meetings but I've never experienced... So really... I would ask that you, if you could, just work to have the discussions outside in the lobby. We've just got to close out our agenda items. Thank you very much; appreciate it. So, the only item we've got then is one that we're waiting... that the Board's going to talk about the week later.

Mr. Harvey: Yes. Unless you want to have some additional direction for staff regarding work on the targeted growth areas.

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Mr. Rhodes: Or regarding work on the offsite, the retreat.

Mr. Harvey: Or that.

Mr. Rhodes: Or we don't do it.

Mr. Harvey: As you recall, we were looking at... section 4 was our next area to work on that coincides with the meeting on the 5th with the Airport Authority.

Mr. Coen: Dare I ask, and don't hit me, but I know we have a work session slated for the middle of June, Saturday the 21st. Dare I ask that could we deal with that on a regularly scheduled night if we have nothing to do?

Mr. Rhodes: I don't think we'd be ready by next Wednesday. That would be my guess.

Mr. Coen: Okay. Just thought I'd toss it out there. Just because, just to remind everybody, that June meeting I'll be in Utah.

Mr. Rhodes: June 21st.

Mr. Coen: June 11th. So, I won't even be here for that meeting.

Mr. Rhodes: I will likely be at Ft. Myer.

Mr. Harvey: Mr. Chairman, I think we won't quite be ready to have everything by Friday of this week.

Mr. Rhodes: Understood.

Mr. Apicella: Mr. Chairman, I would recommend that we cancel the meeting.

Mr. Rhodes: Okay, is that a motion item Ms. McClendon?

Ms. McClendon: Yes.

Mr. Rhodes: Okay, so a motion to cancel the 28 May meeting.

Mr. English: I second it.

Mr. Rhodes: Second by Mr. English. Further comment Mr. Apicella? Mr. English? Any other member? Given that we really can't... the work we could try and do is all work that it's going to be a 3 June and a 5 June meeting to get the feedback for the work items, and the other one's the Saturday half day session we're going to do which we really haven't had time to get all prepared for. I'll see if we can come together and find some stuff to do but it's probably not fair to staff and others. So, with that, I'll call for the vote of the motion to cancel the 28 May meeting. All in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

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Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; very good. Okay, anything else Mr. Harvey?

Mr. Harvey: That concludes my report.

Mr. Rhodes: Very good, thank you. County Attorney's Report?

COUNTY ATTORNEY'S REPORT

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

COMMITTEE REPORTS

Mr. Rhodes: Committee Reports? Did y'all sneak in a meeting in the last week? Okay, very good.

Mr. Apicella: Just as Mr. English indicated, the Stafford Airport Authority indicated that they'd have their draft available for review and a meeting to talk about the draft and a way ahead for June 5th at 6:30 at the Airport itself. June 5th at 6:30. So, I would greatly appreciate it if staff, our staff, could coordinate with the Airport Authority staff to set the meeting up, to provide the public notice, to maybe prepare a draft agenda.

Mr. Harvey: Yes sir. In speaking with Mr. Wallis from the Airport Authority staff, he had requested a head count of who may be in attendance from the Commission.

Mr. Rhodes: So this would be a meeting on the 5th of June?

Mr. Apicella: It is a subcommittee meeting so it's myself and Mr. English and the two Airport Authority representatives.

Mr. Rhodes: Oh, gotcha.

Mr. Apicella: Certainly any other Commissioners who want to attend are welcome to.

Mr. Harvey: Mr. Wallis had indicated that he was going to try to provide refreshments, that was the reason for the head count.

Mr. Rhodes: And what would the refreshments... no, I'm sorry.

Mr. Apicella: I suggest we have a meeting every night if they're going to provide food.

Mr. Rhodes: I will be teaching a class, so no, I will not be there.

Mrs. Bailey: If I can be there, I will.

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Mr. Rhodes: Okay, very good.

Mr. Harvey: Thank you.

Mr. Rhodes: Any other items in that regard from any other member?

Mr. Coen: If I could, Mr. Harvey, could you do me a favor? I sent you an email but I'll just ask. For several different projects now we keep getting word that the Fire and Rescue have... you know, the fire protection have questions about upping what they think should be it? Can you just ask them to do me a favor and just sort of write down what they envision? And then if you could just give me, you know, is it possible for us to have a different standard and how that would happen and such? As a newbie I'm just curious. It's like the third or fourth one that they've recommended x but the code says y.

Mr. Rhodes: This is typically the residential, right, where they would like fire sprinklers (inaudible)?

Mr. Coen: Well, actually this was residential but the other two are business. One was a Sheetz and one was another one.

Mr. Rhodes: Right. And the size and scope didn't (inaudible).

Mr. Coen: Right. And I'm just curious what the protocol is. If the fire department keeps saying they really think it should be x, maybe we should start trying to help get to that point. It may be nothing but I'm just curious. Thank you.

Mr. Harvey: Yes sir.

Mr. Rhodes: Okay, no other Committee Reports. I will share, similar to Mr. Coen, I will be at an event on the 11th of June and I will not be able to be here. I was volunteered for something that I will be at on the 11th of June, and it will not be here. I apologize for that. Other Business? Approval of Minutes? Adjournment? Anything else we've got? Did you have any minutes? I didn't see any minutes. Okay, good. Any last minute items folks? Thank you all for your time and for your efforts. I know this is just an extra night for you guys... yeah, you guys have no life, right. No, I know this is quite a burden already; you spent a lot of evenings here, a lot of long days, so I appreciate the time and effort to allow us to have this focused dialogue. With that, we are adjourned. Thank you.

CHAIRMAN'S REPORT

OTHER BUSINESS

APPROVAL OF MINUTES

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:56 p.m.