

STAFFORD COUNTY PLANNING COMMISSION MINUTES
May 27, 2015

The meeting of the Stafford County Planning Commission of Wednesday, May 27, 2015, was called to order at 6:30 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

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

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, McClendon, Stinnette, Baker, Zuraf, Blackburn, and Ehly

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes: Are there any declarations or disqualification on any item on the agenda this evening?

Mr. Gibbons: Mr. Chairman, I'm not a member of this church that's present tonight.

Mr. Rhodes: Okay, very good. As has been our practice, while not necessarily a declaration or disqualification, just for full transparency, I do want identify a few things dealing with items 3 through 5. I do attend Ebenezer United Methodist Church who is the land owner involved. Though the pastor who is here would say I don't attend nearly regularly enough, I did about a year and a half ago have a brief discussion with the pastor and the assistant pastor just dealing with how land use issues work in general and that is a commercial corridor. And about a week and a half ago I did meet with the applicant on this application. Anyone else for any item on the agenda this evening? With that, before we move into public...well no, let's go to public presentations, so if there's any member of the public that would like to speak on any item except for items number 1 through 5. Items number 1 through 5, there'll be a separate opportunity for public comment. So if you'd like to speak on any other item, any other topic whether on the agenda or not, you may come forward and do so at this time. When you do, we would ask that you state your name and your address. Once you state your name and address, a green light comes on indicating 3 minutes to speak. A yellow light will come on when there is 1 minute remaining, and then a red light will begin flashing when the time is expired, we would ask that you would work to conclude your comments. Again, when you come forward you're addressing the Planning Commission as a whole, not individual members, and it's not a question and answer dialog, it's an opportunity though to present issues and items. Certainly, if there are questions imbedded in your discussion, and there is a means and a way and they follow in dialog with staff, we would certainly try and work towards some of those answers, but that's not the purpose of the discussion for public presentations or public comments. So if there's anyone who would like to speak on anything except items 1 through 5, please come forward and do so at this time. Thank you.

PUBLIC PRESENTATIONS

Mr. Scharpenberg: Mr. Chairman, members of the Planning Commission, Hank Scharpenberg. I'm speaking to you tonight as a resident and private citizen of Stafford County concerning item number 8, Comprehensive Plan Text Amendment for George Washington Village. Not long ago this Planning Commission examined the proposal that was submitted as a rezoning and in my opinion and based on the facts as you stated them, correctly rejected it as not making good economic sense. Tonight you see it in front of you as an attempt to go through the back door, change the plan and ultimately re-submit the same proposal. Without the appropriate proffers and the infrastructure being paid for, this plan wouldn't

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make no more sense now as a submission consistent with a Comprehensive Plan change than it did as a rezoning request. You can put lipstick on a pig, but it's still a pig. And so what I would ask you, to reject the Comprehensive Plan Amendment, especially since, not this session, but a rather innovative concept called the Central Stafford Business District has been submitted to you for your consideration and that of the Board of Supervisors. I would ask that you expedite that process, because I think it provides an excellent and viable alternative to the citizens of Stafford County. Thank you.

Mr. Rhodes: Thank you very much. Is there anyone else who would like to speak on any item, except for items number 1 through 5?

Ms. Callander: Good evening, Alane Callander. I just wanted to support everything the gentleman just said. Thank you.

Mr. Rhodes: Thank you very much. Anyone else who would like to speak on any item, except for items 1 through 5? Seeing no one rush the podium, we'll move on from the public presentations and to public hearings. Actually, before public hearings, during our last session we asked members of Economic Development to take from their evening and come in to speak to us on an item that's here. So I'd like to entertain a motion to allow for that discussion to occur once we enter unfinished business. We'll go through the public hearings, but at the start of unfinished business I'd like to move up discussion with the Economic Development folks.

Mr. Apicella: So moved.

Mr. Rhodes: Thank you, Mr. Apicella. Is there a second? Second Mr. Gibbons. Any further comment, Mr. Apicella? Mr. Gibbons? Any other member? All those in favor of the motion signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed. So the agenda is so adjusted. We're going to move onto public hearings. I would like to identify dealing with items 1 and 2, if there's anyone here for items 1 and 2, the Old Dominion Village application, Comprehensive Plan Text Amendment and Reclassification. The applicant has asked for a 30-day delay because they just received some information. It's verification dealing with a stream on the site and resource protected area, and also they're still awaiting some transportation committee comments. So again, we set these things in advance and hope things will come together, but they don't always get there, so we'll support that deferral. With that I would waive the staff report. However, if there's anyone who came to speak on those items, we'll still have the public comment portion. I mean, you came here, you deserve the

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opportunity, so if you had some points or comments you'd like to make about items number 1 or 2, you may certainly come forward and do so at this time.

PUBLIC HEARINGS

1. COM14150427; Comprehensive Plan Text Amendment - Old Dominion Village - A proposal to amend Chapter 3, "The Land Use Plan," of the Comprehensive Plan 2010-2030 document, dated December 14, 2010, and last amended on February 24, 2015. The proposed amendment would expand the areas where townhomes are allowed in the Suburban Area land use designation to include where townhomes are constructed and incorporated within a mixed use district, such as PD-1, Planned Development-1; PD-2, Planned Development-2; and P-TND, Planned-Traditional Neighborhood Development Zoning Districts, at a proposed maximum density of 12 dwelling units per acre. **(Time Limit: June 21, 2015) (History: April 22, 2015 Public Hearing Continued to May 27, 2015)**
2. RC14150428; Reclassification - Old Dominion Village - A request for a reclassification from the A-1, Agricultural and M-1, Light Industrial Zoning Districts, to the P-TND, Planned-Traditional Neighborhood Development Zoning District, to allow for a development consisting of up to 146 townhouses and 93,100 square feet of commercial uses on Assessor's Parcels 38-101, 38-102, 38-102A, 38-103A, 38-103B, and 38-103C. The property consists of 40.273 acres, located on the east side of Jefferson Davis Highway, approximately 1,000 feet north of the intersection of Jefferson Davis Highway and Eskimo Hill Road, within the Aquia Election District. **(Time Limit: July 21, 2015) (History: April 22, 2015 Public Hearing Continued to May 27, 2015)**

Mr. Scharpenberg: Mr. Chairman, members of the Planning Commission, I'm still Hank Scharpenberg, only this time I'd like to address you as the Chairman of the Stafford Regional Airport Authority. People have said we're against developing. That's not true. We're against development that enhances Stafford's economic potential and that potential represented by the Regional Airport, but we do oppose residential development in densities higher than that recommended by the guidelines produced by the joint Planning Commission/Airport Authority Sub-Committee. And as stated, Old Dominion Village does just that. We don't think it would provide an enhancement to quality of life and would present a conflict with the airport's use and growth. And so consequently the Airport Authority opposes this particular action and the density it proposes as being unnecessarily large and inconsistent with the guidelines that you helped promulgate. Thank you.

Mr. Rhodes: Thank you very much. Is there anyone else who would like to speak dealing with the items 1 and 2, the Old Dominion Village?

Ms. Callander: Once again, Alane Callander. I just thought, since we have so many people here and you haven't done a presentation like you normally would before a public hearing, since that's been postponed, if I understand correctly...

Mr. Rhodes: Yes.

Ms. Callander: ...I just thought I would read from the documents available online about the project, about the negative finding by the staff. The proposal is not fully in conformance with the land use recommendations in the Comprehensive Plan regarding the location of uses and form of development. The development proposal is not clearly in conformance with the P-TND zoning district. It cannot be determined at this time, the time of this publication, whether proffered road improvements fully mitigate

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transportation impacts. Fourth: Impacts to County schools, parks and recreation, fire and rescue, general government, and libraries would not be fully mitigated. Five: Traffic impacts have not been fully identified or mitigated. These are the types of things you, as Planning Commissioners, have to consider and I hope you'll take your time and be sure that you do the project correctly if it's done at all. Thank you.

Mr. Rhodes: Thank you very much. Is there anyone else who would like to speak on items number 1 and 2? Again, we've deferred the staff presentation since we're deferring the item and certainly then we'll have a fulsome staff presentation whenever it comes back around. If no one else wants to make a public comment, as is always the case after public comment, we would allow the applicant, if they would desire, to make...okay, very good. So we'll move on from items number...

Mr. Gibbons: Mr. Chairman, can we combine the three into one public hearing?

Mr. Rhodes: We will. I just got to close out 1 and 2 and we will deal with 3, 4, and 5.

Mr. Gibbons: I know you were trying to tell me that. I didn't listen.

Mr. Rhodes: I'm with you. So, Mrs. Bailey, 1 and 2 are in your district.

Mrs. Bailey: Yes, Mr. Chairman, I would like to make a motion to defer items number 1 and 2...

Mr. Apicella: I'll second.

Mrs. Bailey: ...Comp Plan Text Amendment...

Mr. Apicella: Sorry.

Mrs. Bailey: That's okay... and Reclassification for Old Dominion Village, to include the public hearing in that deferral.

Mr. Rhodes: So remaining the public hearing open and defer it the 30 days, I think that would take us to 24 June, Mr. Harvey?

Mr. Harvey: Yes, Mr. Chairman, that's correct. Also for clarification for the staff, I know we've communicated with the applicant and they said they'd be willing to continue the public hearing to the 24th, however, looking at the timeline for action on the Comprehensive Plan Amendment, it expires on the 21st. If we can get clarification from the applicant if their willing to...

Mr. Rhodes: I anticipated the 30 days meant an extension of that. We're okay with the deadline there?

Mr. Harvey: Thank you, Mr. Chairman.

Mr. Rhodes: Seeing nods.

Mr. Leming: The applicant agrees to the extension for the Comp Plan Amendment.

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Mr. Rhodes: For the 24th. Thank you very much. Appreciate that. So there's a motion to defer items 1 and 2 and continue the public hearing open to the 24th of June, and there was a second by Mr. Apicella. Further comment, Mrs. Bailey?

Mrs. Bailey: No further comment.

Mr. Rhodes: Mr. Apicella? Any other member? All those in favor of the motion signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed. So we'll take that back up on the 24th. Thank you everyone very much. As we are now moving on to item number 3. And I think staff would want to present these together. We'll have to deal with each individually, but staff presentation together?

Mr. Harvey: Yes, Mr. Chairman, if we can.

Mr. Rhodes: Okay. Very good. Thank you.

3. COM15150540; Comprehensive Plan Text Amendment - Stafford Village Center - A proposal to amend Chapter 3, "The Land Use Plan," of the Comprehensive Plan 2010-2030 document, dated December 14, 2010, last amended on February 24, 2015. The proposed amendment would expand the areas where townhomes and multi-family dwelling units are allowed in the Suburban Area land use designation. **(Time Limit: July 26, 2015)**
4. RC15150541; Reclassification - Stafford Village Center - A request for a reclassification from the R-1, Suburban Residential Zoning District to the P-TND, Planned-Traditional Neighborhood Development Zoning District, to allow a mix of commercial service, retail, and office uses and multi-family dwelling units on Assessor's Parcel 20-130. The property consists of 45.31 acres, located on the south side of Garrisonville Road, across from its intersection with Travis Lane, within the Garrisonville Election District. **(Time Limit: August 25, 2015)**
5. CUP15150542; Conditional Use Permit - Stafford Village Center - A request for a Conditional Use Permit (CUP) to allow vehicle fuel sales within the HC, Highway Corridor Overlay Zoning District and P-TND, Planned-Traditional Neighborhood Development Zoning District. The site is on a portion of Assessor's Parcel 20-130 and is the subject of a concurrent reclassification request from the R-1, Suburban Residential Zoning District to the P-TND Zoning District. The property consists of 1.56 acres, located on the south side of Garrisonville Road, across from its intersection with Travis Lane, within the Garrisonville Election District. **(Time Limit: August 25, 2015)**

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Mr. Zuraf: If I could have the computer please.

Mr. Rhodes: Oh, yes.

Mr. Zuraf: Good evening, Mr. Chairman, members of the Planning Commission; Mike Zuraf with the Planning and Zoning Department. As mentioned this case involves three applications and I'd like to present all of those to you at once. The three applications include a Comprehensive Plan Amendment, a Zoning Reclassification, and a Conditional Use Permit, all associated with a single project known as Stafford Village Center. The applicant for this application is Robert Pence with the Pence Group and Clark Leming is the agent. The site in question is highlighted on the screen. The location of the site is on the south side of Garrisonville Road to the west of the intersection with Onville Road, across from the intersection with Travis Lane. First, focusing on the item 3, the Comprehensive Plan Amendment. This is a request to amend the text of the Comprehensive Plan 2010-2030 document, specifically Chapter 3, which is the land use chapter, to amend suburban land use to expand the areas where townhomes and multi-family dwelling units are allowed to be permitted. And this would be where it would be incorporated into a mixed use district, specifically P-TND, PD-1, or PD-2 mixed use district and provided additional standards are addressed, including mixed use standards requiring a mix of residential and commercial development within the project. Phasing would be required to acquire a portion of non-residential... non-residential portions of the project to be built before all the residential is complete. The sites would be required along major transportation corridors including Garrisonville Road, Jefferson Davis Highway, Warrenton Road, and within the Highway Corridors designated on those major roads; the requirements for compatible design and massing of the uses within that zoning district. There will be maximum building heights for townhomes of 4 stories and multi-family units of 7 stories and maximum density permitted of up to 15 dwelling units per acre. For some background, this is requested concurrently with the rezoning and use permit. There is a similar request that was made for the Old Dominion Village project, so you're kind of familiar with this request, but there is some slight differences. Looking at what the current Comprehensive Plan calls for in suburban areas, it's generally intended for single-family detached dwelling units and quarter to half acre lots that are buffered from adjacent commercial areas. Development density should not exceed 3 dwelling units per acre. It does allow townhomes where they're currently permitted on land already zoned for that use, well, there is some additional criteria that has some very limiting factors as far as scope where really it's only allowed in only two or three other properties in the county. And where townhomes and apartments would be allowed, the density would be allowed between 3.5 to 7 dwelling units per acre. Generally, in the Comp Plan, Urban Development Areas are where the majority of townhouse and multi-family units are permitted. In looking at this request, some of the evaluation factors staff looked at include the location and potential build out, adjacent property impacts, community facilities, fiscal impacts, the housing issues and options and natural resource impacts. Looking at some of these evaluation factors with location and build out, this request would add more options for townhouse and multi-family units to people looking to buy homes in the County and ultimately would increase the build out of land in the County. There is a policy in the Comp Plan, 2.1.2, that specifically does not support amending the plan, the Comp Plan, to create additional excess residential capacity. There are... the full impact and build out of this request is still unknown. Staff is looking into trying to get a better bead on what... how much land this could affect and what that build out might be. And then also to balance growth the Commission may want to consider a light reduction in density in urban development areas if this proceeds with an increase in intensity in suburban areas. Looking at adjacent property impacts, the under developed suburban areas that still exist in the County may be impacted to a greater extent, if you have a higher density product with higher, more intense buildings, and taller buildings, against a lower density neighborhood. New building heights are as mentioned much taller. They'll be much taller than currently recommended single-family home type products that exists and is recommended. This also

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may generate more noise due to... as a result of more traffic and overall population that would come with this change. With community facilities, this does increased demands on public infrastructure facilities and services with fiscal impacts. The townhouse and multi-family units may have more of a negative fiscal impact than other types of housing units. We in our staff report identified the impacts that we had identified back when we worked on the Comprehensive Plan 2010 document, where that document identified the fiscal impacts of individual types of units. Single-family detached units were identified to have a negative annual impact of \$429 to the County. Single-family attached townhomes had a negative impact of \$1,368, and multi-family \$483 negative impact. We will note this study that was conducted, it was back in 2010 and it was based on existing countywide data back at the time. So it doesn't necessarily apply to some of the specifics that you might see on an individual basis on individual projects.

Mr. English: So Mike, this could be more or less, you think.

Mr. Zuraf: It could be less if the values, for example, of the product are more than, say, the county averages. But there could be variations either way, but more likely it be less of an impact.

Mr. Apicella: Mike, just to be clear, that's just on the annual operating side, not on the capital side?

Mr. Zuraf: Right. Correct.

Mr. Apicella: Okay.

Mr. Zuraf: On issues with housing, this is consistent with comprehensive goals that do promote housing options and affordability. Policy 5.3.1 in the Comp Plan states that community areas should include a mix of housing types and have access to local services, infrastructure community facilities, and employment opportunities. This provides housing opportunity for young professionals entering the work force that may not be able to afford or desire a single-family home, empty nesters who wish to downsize or others who wish to be closer to services and employment. With natural resource impacts, there would potentially increase impervious areas due to the greater density. That would result...this may create increased stormwater impacts that would have to be addressed on a site-by-site basis, and potentially increase natural resource impacts. Also with some other issues staff brought up in our staff report, we recommend that the guideline should address or require compatibility with adjacent uses that may already be in place in the suburban areas, and also, we note that the amendment does possibly create some inconsistency with past amendments, and these changes should be evaluated against the amendments that previously took place and the overall construct of the suburban land use recommendations. And also note that in the Planning Commission's recent efforts to amend the Comprehensive Plan, recent Board guidance recommended no additional townhouse and multi-family units as part of that effort. Looking at the findings of this application, the positive aspects with this request, the mixed used projects can relief the road network by supporting multimodal trip options. It could achieve growth management policies that the Comp Plan has, provides housing options and promotes affordability, and supports development where services already exist. The negatives of the request, it is contrary to the policy that does not support creating additional excess residential capacity. It creates additional demand on infrastructure, public facility and services. It's contrary to Board guidance that I went over about not increasing multi-family and townhouse units in suburban areas. Lacks guidelines to address mitigation and potential incompatibility with surrounding development, and results in a greater negative, potentially greater negative fiscal on the County. With those issues, staff, as far as recommendation on the Comp Plan Amendment, does not support the request at this time. The full impact of the request is unclear, which could negatively impact the planning construct of the Comp

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Plan as it is currently. Staff would recommend that prior to approval consider the analysis of the full impacts of the increase in density on the suburban area. Include the additional guidelines on mitigating impacts to surrounding areas and evaluate the overall plan text for consistency. Now moving on to the next application, this is item 4 on the agenda. This is a zoning reclassification. This request is to reclassify the same property that was reviewed from the R-1, Suburban Residential zoning district to the P-TND, Planned-Traditional Neighborhood Development zoning district. The specific proposal would be for mixed used development with up to 500,000 square feet of commercial floor area, that includes retail, office, gas station uses, to name a few, and 450 multi-family residential units. The location of the site, as I went over, I already covered the location. The site itself is highlighted in red. This image is an image of the county zoning map. The R-1 zoned properties are in the yellow. The property is along Garrisonville Road. The brick-color, that's largely B-2, Urban Commercial zoning. And properties to the south and west, the brighter orange, that is R-3, Urban Residential zoning. In that location you have multi-family units. The other R-1 land to the south and east, that's a single-family detached residential community. And along Garrisonville Road you have existing shopping centers and restaurants and offices in place. The area itself covers 44.3 acres.

Mr. Apicella: Mike, before you go on, is there any reason why there is this island of R-1 in this commercial/multi-family area?

Mr. Zuraf: You're referring to the...

Mr. Apicella: I see a lot of business uses, you mentioned...

Mr. Zuraf: You're talking about the subject property itself?

Mr. Rhodes: It's long been a private residence.

Mr. Apicella: Okay. Thanks.

Mr. Zuraf: So, here's an aerial view of the property itself. The site's primarily forested land cover. There is a smaller portion of open land that fronts along Garrisonville Road, that's the lighter shaded area. The forested area is the darker shaded area on the image. The forested area does cover areas that include two streams that consist of, and the forested areas consist of deciduous trees. And as mentioned, this was a single-family residence for the longest time. That one single-family dwelling exists close to Garrisonville Road. It sits up, kind of on a hill. Looking at the environmental inventory of the site, the site includes two perennial tributary streams, channels. Those are circled in the green shading, the green lines. Those run north-south through the property. Near the southern end of the property, the two streams enter into pipes where they run underneath adjacent residential developments that are located along Highpointe Boulevard to the south. The two streams include associated wetlands and include the critical resource protection area buffers around them. Those are designated by the green lines. February of this year staff confirmed the perenniality of the streams and the RPA designation as marked on this image. The topography includes rolling terrain and some areas of steep slopes greater than 25% along each of the tributary streams. With this development proposal and request, other requests you've received to go to the P-TND zoning district, that these requests require additional documents than you typically see. They require a regulating plan which show the location of all the transect zones which establish the general location of different intensities of land use across the site. The regulating plan has to show where the primary roads would be in the property, where any civic buildings and uses might be, their pedestrian sheds which are the areas that are within walking distance, primary commercial frontages in the development, and vista terminations, what the view shed might show at the end of your

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primary street. And then your typical General Development Plan that we have for most projects, or all projects, that illustrates the general location of potential development. And then this does also include neighborhood design standards which provide specific details regarding the architectural design and building elements for the type of uses that might be provided in the development. The design standard documents are required to provide street scape information, such as general types of street lights and landscaping that might occur. Looking the regulating plan of this project, the applicant is proposing the site be broken up into different transect zones, including a T-1 transect zone, T-5, T-6, and SD-C, special districts transect zone. The T-5, T-6 and SD-C zones reflect the higher intensity and density of this development proposal. The transect zones range from T-1 up to T-6 and SD-C and staff notes that the majority of the development area would be within the T-5 and 6 area with a small portion being in the SD-C zone. The T-1 zone towards the bottom of the site covers 8.6 acres and encompasses a portion of the RPA that we previously showed you on the environmental inventory and the transitional buffer areas around the perimeter of the site. Staff notes that by code all RPAs are required to be designated in the T-1 transect zone. The applicant is proposing to remove portions of the RPA. The regulating plan reflects the removal of the RPA. This will require separate approval and so should the removal of the RPA not be approved, a follow up proffer amendment would be required to modify this regulating plan to bring the T-1 zones back in line with the RPA.

Mr. Rhodes: Mike, who's the approving authority for...

Mr. Zuraf: The Chesapeake Bay Appeals Board.

Mr. Rhodes: Okay. Thank you.

Mr. Zuraf: So, other aspects of the Regulating Plan, I've mentioned the plan identifies the pedestrian shed which identifies the commercial use as the center that the residents would access. Staff does note that the plan identifies the commercial uses as a civic use which is not consistent with the code, with the zoning ordinance, so that's just a slight modification that would need to be made to the plan to differentiate the commercial use from civic use. The road network is shown on the Regulating Plan. It identifies the main access road off of Garrisonville Road as a primary street into the site, and then other internal drives serving a secondary street. And they do show a secondary street providing connection down to Highpointe Boulevard on the plan. Vista terminations are shown as well. Staff notes the plan does not identify the vista termination consistent with the definition in the Zoning Ordinance, so there would need to be some modifications to the plan to meet the correct vista termination requirements consistent with the code. So this is the General Development Plan of the project. The overall design concept incorporates multi-family residential units into this commercial shopping center. It would incorporate mixed-use buildings with residential units over the first floor commercial uses. Also office uses over top of first floor retails is proposed as well. Site layout has buildings identified around the perimeter of the site with centrally located parking lots. The plan depicts the potential for some sub-surface parking within the footprint of the buildings and then also a stand-alone multi-family building is located in the southwest corner of the site. And then vehicle fuel sales in the northeast corner of the site, which is subject of the conditional use permit that we'll talk about at the end. Three access points are proposed off of Garrisonville Road; the primary access point in this location, which would be a signalized access point, and then two right-in/right-out access points in those locations. And then also as mentioned a connection down to Highpointe Boulevard with an access road that goes this way through the site. Also, the plan identifies a stand-alone anchor retail building which would be 40 to 50 feet tall with a mix of retail and office that would be 3 stories or 50 feet in height. The buildings that identify mixed with residential is identified as being up to 7 stories or 70 feet in height. Staff notes that the code does not allow buildings more than 6 stories in the P-TND zone, so that would need to be amended to

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bring the stories down 6. Also staff notes the proposal reflective of a more suburban shopping center with the centralized parking and buildings around the perimeter of the site. The concept itself does not fit in with the intent of the P-TND district, which is to promote pedestrian friendly neighborhoods, traditional neighborhood development patterns are more pedestrian oriented with buildings up front, along a primary street with on-street parking and the majority of the parking maybe in lots behind or to the side of businesses. Staff does note that the Board will be considering several ordinance amendments that are being requested by the applicant as well, that would allow for and make this form of development more suitable in this district. Staff has suggested the applicant consider a layout that might be more reflective of the intent of the traditional neighborhood development. This includes some images within the neighborhood design standards that were included. The applicant has proffered that development be designed in accord with the Neighborhood Design Standards. There are series of written standards included in the Neighborhood Design Standards regarding the type of façade materials permitted and prohibited, the accent details and materials, issues with how roofs would be... standards for roofs, wall planes, recesses and projections, canopies, screening, and other landscaping issues. The design standards that are in this neighborhood standard comply with many of the architectural recommendations in the County's neighborhood design standards plan, which is element of the Comp Plan. Staff notes that the Neighborhood Design Standards does include an image of a vehicle fuel station canopy that might not be consistent with the intent of the NDS plan and we'll talk about that more with the Conditional Use Permit request. The applicant has included a proffer statement with a series of proffers that address these different factors and issues with site intensity. They would limit the development to the intensity that we've stated regarding the amount of residential and commercial development. There is development phasing proposed that requires the commercial be phased in with the residential. Some of the phasing includes that buildings will be required to be issued before the construction begun on 100,000 square feet of non-residential uses before an occupancy permit can be issued for any residential units, and then construction be on at least 300,000 square feet of non-residential use before occupancy of more than 260 residential units. So the commercial is phased in with the residential on the way. Staff does note, in this development, in this phasing scheme, there is no guarantee that any of the residential would be built. With the road access, staff notes that they request County and/or VDOT acquire a necessary off-site right-of-way through its condemnation authority for some of the improvements that are proposed. With transportation improvements, I'll get into that in more detail in the next few slides. There is a transit stop they're proposing to construct, should it be requested. Maximum building heights would be limited to 75 feet. Staff notes that's consistent with the current requirements in the P-TND district. Also, with water and sewer utilities the applicant would fund and provide a water and sewer distribution study to identify the needs that are in the area and fund any necessary improvements while being entitled to pro rate credits, if they're being required to make any improvements above and beyond what their project needs. And with building safety standards, they require any building constructed greater than 5 stories be constructed and designed to meet high rise structure standards in the Virginia Construction Code and there are a series of use restrictions as well. With transportation review and impacts, the applicant submitted a traffic impact analysis which was sent to VDOT for review. The study evaluated the site's impact on the surrounding transportation network. The estimated traffic growth and planned road projects in the vicinity were included in the assumptions, including current projects, including the widening of Garrisonville Road to 6 lanes from Onville Road out to Eustace Road and each study evaluated the impact on the existing proposed intersections that are identified with the blue dots, including several along Garrisonville Road from Eustace Road over to Onville Road, and then also looking at the intersection of Mine Road with Highpointe Boulevard. The transportation proffers provided included several transportation improvements along Garrisonville Road that would be provided prior to the first occupancy permit. This includes continuous eastbound right-turn lanes across the site frontage, two westbound left-turn lanes into the site at the main entrance, one westbound right-turn lane onto Travis Lane, two right-in/right-out entrances into the site as shown

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previously, and then installing traffic signals at the site entrance. Additional transportation improvements would be contingent upon obtaining necessary right-of-way. This includes optimizing signal phasing and timing at Garrisonville Road with Mine and Onville Road, at Mine and Highpointe extending the northbound left-turn lane and adding a second left-turn lane on Mine Road where it turns into Highpointe and connecting the road, serving the rear of the site to Highpointe Boulevard and constructing a free flow eastbound right-turn lane as you go from Highpointe Boulevard onto Mine Road. And many of these additional improvements have specific right-of-way contingency that would allow the project to proceed if after a certain amount of time the needed right-of-way wasn't obtained. There would be a limit to the ultimate build-out of the site as well tied in with that. With the results of the traffic review the TIA found a reduction in levels... many of the intersections did have acceptable levels of service but there was a reduction of Level of Service at two of the intersections without mitigation being proposed, that included Garrisonville Road and Eustace Road and the site entrance at Garrisonville Road where there were impacts to the main flow of traffic along Garrisonville Road. The County has... their transportation plan include policies that address Level of Service for new developments. The policy states that Level of Service of the existing network should be maintained at a Level of Service C or better. At these intersections during specific times, the Level of Service was at a D or below. There was also a non-degradation policy where if before this project the intersection was going to be failing anyways, that the project shouldn't make the condition worse. So that policy is in place as well. The transportation plan does have facility recommendations that includes the widening of Garrisonville Road, which the County is undertaking the effort to work on the widening of Garrisonville Road in this area and the applicant, some of their improvements would assist in that widening and they intend on coordinating their efforts with the County widening project. So there's not a mess between one person doing one thing that's going to be in conflict with another. With VDOT review, VDOT reviewed and commented on the initial submission and discussed the issues with the applicant. Staff understands that the applicant is in the process of amending the traffic study to respond to those VDOT comments. And regarding the connection to Highpointe Boulevard, staff does note that has been proposed as a more indirect connection to Highpointe, and staff believes the street connection designed as a more direct connection through, and a more direct route through the middle of the site could improve the overall circulation, provide some relief to Garrisonville Road and Mine Road, and there are some policies in the Comp Plan that support this thought. Objective 6.4 is to create more efficient patterns of traffic flow and circulation, and policy 6.4.5 would promote alternative routes to relief congested corridors. This connection would also help, staff believes, to build a better community by making commercial services more accessible to more of the residents and to further this community benefit staff recommends sidewalk access be added to the street connecting Highpointe Boulevard as well. Some other review factors, the site itself is identified within Noise Zone 1 of Quantico Marine Corps Base. This is a designation the County has in the Comprehensive Plan that identifies areas around ammunition ranges that are on the Marine Corps Base. The Noise Zone 1 is a 5 mile radius area within those ranges. There are tables in the Comp Plan that include land use compatibility recommendations for the noise zones. The proposed uses are identified as compatible within this Noise Zone 1. There are policies though that recommend noise level reduction for buildings within any of the military facility impact overlay district areas. The limits of the district have not been established but the plan does recommend that they include noise zones in which this property is located. Also, regarding Quantico, staff does suggest the applicant consider proffering disclosure and building noise level reduction requirements for the residential uses. With public safety, staff has noted that the high rise building construction standards that are being proffered, fire and rescue is in favor of that and approves of that proffer statement. They have noted some other concerns requesting full cash proffers consistent with the County's proffer guidelines and also recommend and support the more direct connection of Highpointe Boulevard through the middle of the site to improve fire and rescue service response times in the area. Environmental resources; there are impacts proposed to natural resources, specifically the critical

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resource protection area. The Comprehensive Plan does discourage development that would result in these impacts. Policies 1.1.3 and 1.2.7 both recommend new development be sensitive to existing environmental features and protect natural resources. Staff did request input from DEQ which is the state agency that does provide state oversight for the localities that have Chesapeake Bay Resource Protections areas. DEQ stated that the proposed development activities are not consistent with the Bay Act and regulations. The applicant has noted that they would seek approval from DEQ to impact the RPA. The RPA is a county designated overlay and any appeal to remove the RPA would be heard by the County Chesapeake Bay Appeals Board. And staff does recommend the development of the site design be modified to limit impacts to streams and associated wetlands, and RPA. Looking at school impacts, with this project the site would generate anywhere from 145 to 167 students. The receiving schools are identified on the chart on the screen, Barrett Elementary School, Poole Middle School, and North Stafford High School would be the receiving schools of the students that are located in this development. School Division did recommend the applicant proffer full recommended cash contributions for the schools.

Mr. Apicella: Mike, was there a letter that we got back, or that was just staff comments?

Mr. Zuraf: That was provided through email.

Mr. Apicella: Can we get a copy of that?

Mr. Zuraf: Sure. So, looking at the Comprehensive Plan land use recommendation, the site's within a commercial corridor within the suburban area. Commercial corridors are intended to encourage commercial activities where there are adequate transportation facilities to accommodate the proposed uses, infill development, and re-use of underdeveloped commercial sites are encouraged. Commercial uses adjacent to residential uses should be designed such that commercial use is integrated into and accessible to the community as designed so as to be unobtrusive to the community. Suburban areas are designated to be primarily residential in nature but will be complemented by neighborhood and community oriented activity centers, places of worship, parks and play areas. The plan recommends the residential uses be limited to single-family detached units, density no greater than 3 units per acre. The commercial portion of the project, aside from the environmental and transportation issues is consistent with the Comprehensive Plan Land Use recommendations. The residential portion of the request is not in conformance with the current version of the Comp Plan, and we have gone over... well, staff does not that the proposed height of the buildings, up to 7 stories, particularly in the southeast corner of the site, do not fit in with the established pattern of single-family residences. The Comp Plan objectives and policies do support the development of the site as a preferred infill development site, assuming compatibility with the surrounding uses and the proposed uses of the site are similar to adjacent office retail and multi-family uses, but are of a more urban scale than what's presently out there. With fiscal impacts, the applicant submitted an Economic and Fiscal Impact Study. Some of the results of the fiscal impact study addressed the build-out... through the build-out of the development, that would create 946 jobs with \$43.2 million in personal earnings. After build-out, after the project is built out, there would be total economic activity of \$10.5 million annually and the creation of 44 jobs and \$1.44 million in personal earnings. Also, the report shows \$1.16 million in annual net fiscal benefit to the County. That's looking at the difference of the total taxes that would come in to the County versus the expenditures that would be required for services to the site. The multi-family units are expected to provide a positive impact compared to negative impact that is currently experienced in today's similar housing stock for multi-family units. And the study does assume full build-out of the project in its assumptions. The proposed phasing provides a more... staff does not the proposed phasing provides a more balanced mix than we've seen in prior projects that have included phasing, with more of the

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commercial being provided up front. There is an evaluation... staff did conduct an evaluation against the fiscal study that was developed as part of the Comprehensive Plan. We did find similar results in looking at the two. Staff would note this again was based on the Fuller Study that was conducted for the Comp Plan back in 2010 based on countywide averages, and where the studies are focused on... it's kind of in conflict with projects that are going to provide detailed individual fiscal studies for individual projects. So there's some difference between the two. The project does not include any monetary proffer contributions. The current County guidelines would be \$25,935 per multi-family unit which would total over \$11 million over the 453 units that are proposed. Staff does not the fiscal study does not directly address how the project offsets capital impacts. Looking at the positives and negatives of the project, there are many positives. The commercial uses are consistent with the Comp Plan Land Use recommendations. The commercial uses also are consistent with the established development pattern along Garrisonville Road. Road improvements would complement and reduce the cost of the County road widening project. The mix of commercial and residential uses do provide a positive fiscal benefit to the County. Design guidelines would ensure a high quality development. It does provide more future residences in close proximity to commercial services. Comprehensive Plan policies do encourage infill development. And it would be consistent with the adjacent multi-family uses to the south and west of this site. There are negatives as well. The proposal is not fully in conformance with the Comp Plan recommendations regarding location of these multi-family uses and form of development. The negative impacts on natural resources are inconsistent with the Comp Plan policies. The proposal is not in conformance with transportation policies regarding providing adequate Levels of Service. Proffered road improvements do not fully mitigate transportation impacts. The impacts to County public facilities would not be fully mitigated under the current proffer guidelines. And proposed residents may experience noise impacts from operations on Quantico Marine Corps Base. With the recommendation for this request, staff recommends denial at this time. Although there are many positive aspects, the negatives do outweigh the positives. Should the Planning Commission consider approval of the companion Comp Plan Amendment, staff recommends the issues raised in this report be considered to further mitigate potential impacts. Okay, the last item... and this one's shorter than the others, I promise... this is item 5, the Conditional Use Permit. This is a request for a Conditional Use Permit for motor vehicle fuel sales in the P-TND zoning district and within the Highway Corridor Overlay zoning district. This is a smaller area of the overall site; it's highlighted in blue on the image. This covers a 1.56-acre portion of the overall site, fronting on Garrisonville Road and fully within the Highway Corridor Overlay District which runs on both sides of Garrisonville Road. Looking at the environmental inventory of this site, you'll see the site does include wetlands that feed into the perennial stream that is...

Mr. Gibbons: May I ask a question?

Mr. Rhodes: Yeah, please Mr. Gibbons.

Mr. Gibbons: What are the entrances for this?

Mr. Zuraf: I'll get to that in the next slide. And that will feed into the... the wetlands along this stream run to the south where the perennial stream and Critical Resource Protection Area is located, and the terrain slopes from the west to the east down to the wetlands. Here's a shot of the General Development Plan for the vehicle fuel sales. The entrances are proposed right in this location as a right-in/right-out in this location, and then you'd have secondary access off of the primary entrance through here, and then other access within the overall project. The plan identifies 6 fuel pumps with 12 fueling stations. The convenience store that we often see is not proposed as part of this request, so it's just the fueling stations with a kiosk. The site has access directly off of Garrisonville Road, as noted. The use would be

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surrounded by two proposed retail buildings. The orientation of the retail buildings should help to minimize light impacts on the corridor highway from the use. Conditions that staff is proposing along with this request is the use shall be located in the general location on the General Development Plan. Access should be limited to the one right-in/right-out access shown on Garrisonville Road. The standard condition we have about no carnival style signs, banners, lights, balloons, and on and on, I'm not going to read the whole thing. The use of electronic or variable message signs and flashing signs shall be prohibited at all times. And the canopy and signage shall be constructed in general conformance with the Neighborhood Design Standards. The canopy design and image is included in the Neighborhood Design Standards for the Stafford Village Center rezoning. Staff feels that that image is not consistent necessarily with the other images of other buildings and materials that are provided in the Neighborhood Design Standards, so staff would recommend this be relooked at. And with the Comprehensive Plan, the fuel sales use, aside from the environmental issues, would be consistent with the Comp Plan. Regarding the evaluation positives, it is consistent with the established development pattern, the use is consistent with the land use recommendations in the Comp Plan, and conditions should mitigate negative impacts. With negatives, it does not comply with natural resource policies in the Comp Plan as the site is located over top of a wetland channel. And then reduction in intersection Level of Service does not comply with the transportation plan, and the canopy design does not conform with the overall design of the design theme of the overall project. Staff would support the request subject to the following first approval of the separate zoning request and the negative issues properly and adequately being addressed. And I'll take any questions.

Mr. Rhodes: Questions for staff?

Mr. English: Mike, when I go back to the gas, I mean the fuel station, I look -- there's a stream right there. So, what's going to happen to that stream? It's just going to be covered over?

Mr. Zuraf: That is proposed to be covered over and filled in, yes. It would probably be worked in with the drainage along the Garrisonville Road widening project and it would be piped.

Mr. Rhodes: Piped?

Mr. English: Piped?

Mr. Zuraf: Yeah.

Mr. Rhodes: That makes more sense. Yeah please, Mr. Coen.

Mr. Coen: Going to the 7-story building, did you communicate with fire and rescue or do you know if we have equipment in the County to handle issues that are in a 7-story building, since I don't know that there's too many of those as that most of our equipment is not really geared towards that.

Mr. Zuraf: They did not comment on that as being a concern, but I can follow-up with them as to how they're equipped to handle that.

Mr. Coen: Thank you.

Mr. Rhodes: What is there, one 6-story in the County?

Mr. Zuraf: I believe so. I believe one of the hotels on Route 1 is 6 stories.

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Mr. Gibbons: The same problem, Mr. Chairman, happened when we built GEICO. There's a different way of providing fire (inaudible).

Mr. Rhodes: Thanks. Mr. Apicella?

Mr. Apicella: Going back to the proposed Comp Plan amendment, my question is, and my concern, and I've said this before about other projects, changing County policy for a specific site or application especially in this case where we've gotten guidance from the Board of Supervisors not to make the kind of change that's being requested here. So, my question is, is there a way to change the land use designation from Suburban to some other land use for this particular site? I would note in my questioning earlier that it's odd this particular site being R-1 in a sea of, you know, business and other uses. But the obvious answer is it's because that's what it was before. So, I'm just trying to find an alternative way of helping the applicant potentially achieve what they want without changing broadly County policy.

Mr. Zuraf: The only other land use designations that might be appropriate would be the Targeted Growth Area and those cover generally a larger area and have not been, I guess, set up to apply to single parcels.

Mr. Rhodes: Is there a way to tie that possibly, and I know what Mr. Apicella's talking about, it just now could apply many other places. But, more specifically, to the infill -- is there enough definition to infill that he could apply it... associate it with that terminology?

Mr. Zuraf: There would probably still be some question as to how many properties that would apply to and it may still be open-ended.

Mr. Apicella: Mr. Harvey, do you have anything to add to that?

Mr. Harvey: Yes Mr. Chairman and Mr. Apicella, certainly the Commission and the Board of Supervisors could create additional land use categories for our Comprehensive Plan. As Mr. Zuraf was stating, in our Urban Services Area we really have three land use categories right now: Suburban, Urban Development Area, and Business and Industry. We have a number of overlay designations on the plan such as Commercial Corridor, Redevelopment Areas; so that could be a possibility to either create another overlay kind of construct within the Suburban area or look at it in a different land use category.

Mr. Rhodes: Okay. Any other questions for staff before we go to the applicant? Mr. Gibbons?

Mr. Gibbons: I didn't notice that the GDP was not proffered? I didn't see it.

Mr. Apicella: I thought there was a policy change though that for P-TND projects they had to comply with the... they had to meet the GDP?

Mr. Harvey: That is correct Mr. Apicella. The code requires the development comply with the General Development Plan.

Mr. Zuraf: And it is proffered.

Mr. Rhodes: Okay. Any other questions for... oh please.

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Mr. Gibbons: Thank you very much. How are you going to buffer the 7-story building from the residential in that back corner?

Mr. Zuraf: We might want to... I think that is... staff has noted that as a concern and, yeah, we think some stepping of maybe the building, that might allow the building to be at a lower height closer to those adjacent properties might be a way to maybe make that work.

Mr. Gibbons: And then my last question is, we spent a lot of time with the Sheetz, 7-Eleven, Wawa, doing good canopy designs, good indirect lighting. It seems to me that we would follow that to this site also. I don't think we need a speaker system telling them what's on sale at three o'clock in the morning.

Mr. Rhodes: Yep, okay. Yes please, Mr. Apicella.

Mr. Apicella: I'm sorry, I do have one more question. As I recall, some or all of 610 is a service district area. How would that... how would this project align with that service district construct? Or what would the impact be of if this were approved on that service district construct?

Mr. Zuraf: The full impact, I'm not certain, but it would require a follow-up action by the Board to include this property into that service district. And then the service district taxing would apply.

Mr. Rhodes: Okay, applicant please.

Mr. Leming: Good evening Mr. Chairman, members of the Planning Commission, I'm Clark Leming. I'm here on behalf of the Pence Group; I'm privileged to be here on behalf of the Pence Group. They are commercial developers par excellence and are responsible for the Stafford Marketplace development in Stafford on 610 and resolving a lot of transportation issues along that corridor between 95 and Staffordboro and Mine Roads, as well as providing the leading source to my knowledge of commercial tax revenues for the County that we enjoy. I'm also here on behalf of the zoning and land use interests of the Ebenezer United Methodist Church. And they're the owners of this property. And that in part is why there are some unique things to this property, like the old zoning, like the fact that this property and its location along 610 has not been developed. The property was bequeathed by the owners of the property a couple of years ago upon the demise of both of the sisters that owned the property to Ebenezer Church. And Ebenezer Reverend Miller is going to talk to you about the process that they went through in order to decide what to do with the property and, I think all of you are aware with where their facility on Embrey Mill Road, and how to utilize the proceeds from this property to further their mission. What I would... what I'm going to do this evening, I'm going to touch on a number of the broader issues; you've asked a number of very specific issues and we will address as many of those as possible. But we recognize that this is a lot to put before you. And so, we would like to stake out some conceptual issues in our position with regard to them. First, on the... I'm going to talk at length about the Comp Plan amendment, so we'll come back to that. I appreciate Mr. Apicella's comments there. The TND... this is a P-TND. This is, I think by my count, the fifth P-TND application that we've seen. I believe that all of the others, there's only one that has... is actually coming to fruition or is close to it, and that's Aquia Town Center. And that didn't go exactly as it was originally intended and now it effectively, it's two separate developments; there's a residential development and a commercial development that is turning out to be about 180,000 square feet. But that is zoned TND. The text amendments that Mr. Zuraf referenced were requested on behalf of Aquia Town Center, not this development. They may benefit... that may be beneficial to this development but they were requested in that context. I wanted to be sure that was clear. And they are winding their way back from the Board through you all and then back up to the Board of Supervisors. Now, there was a staff comment that they

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would prefer something closer to the traditional TND. Well this is as close as we've gotten so far. You may recall that with regard to prior designs of the TND applications that what you had was effectively a commercial area and a residential area. But, in this application, you actually have integration of the commercial and residential. This is the first application to come before you and proffer to do the residences over the commercial. And we do and will comply with all of the requirements of the ordinance as far as pedestrian access and inner-connectivity and focal points and vista points and all of the rest. So I would submit that this is, while not perhaps the planner's pristine traditional neighborhood design development, it's as close as we've seen one come in Stafford County. Now, what I would like to do for a minute, while we're on the subject of vision, the Pences have been longtime friends of Stafford County; they still own a piece of Stafford Marketplace and the large office building in the back. And I wanted to give Mr. Bob Pence, who did Stafford Marketplace, an opportunity just to greet you and share with you a little bit about his vision for this development, and why he decided to go this way because, after all, he is a commercial developer. So, Bob... you've got three minutes.

Mr. Pence: As soon as they start it. Good evening Mr. Chairman, members of the Planning Commission, my name is Robert Pence and I have two residences. I'm a resident of Virginia; I reside in Reston, Virginia, and I also have an in-town pad in Georgetown. What's particularly of interest about those two places, I think they are the two best examples of TND development in the Washington Metropolitan Area. Reston Town Center, and we look right down the main street, is everyone knows is an exceptional combination of retail and office and residential uses; great pedestrian access. In Georgetown, my other home is in Washington Harbour and I'm on the 5th of 7 floors right on the river with commercial and residential and about 350,000 feet of office. I like this environment. I didn't grow up this way. And by the way, I'd like to introduce my son, Jeff Pence, who's right here. I'll get back to him in a second. And Michael Stolz. When Jeff was 4, I have a picture of him on a bulldozer in Reston where the Home Depot center is. The town center wasn't there, there wasn't anything. Reston Avenue wasn't there. And the area grew and matured and the citizenry changed and more people came. And uses were built to accommodate the desires of consumers. That is exactly what we want to do here. When we bought, signed up for the ground that became the Stafford Marketplace in 19... excuse me, in 2001, it was already zoned. And early on... and there were really no proffers. There were traffic problems. There were problems with the width and the carry power of volume on Garrisonville Road. It was a huge problem getting off 95 onto westbound Garrisonville Road. We met with the County, we met with the feds, we concocted a scheme for a slip ramp and we built it. There was also with due respect to the staff. At that time, the County proposed that we build a road right through the middle of that property to service the housing in the back. And we said no, that will destroy the continuity of the shopping experience. And we pushed the notion of improving the road to the side Staffordboro, and as part of doing that, VDOT had a very small commuter parking lot there and in working with them and improving the road, we bought a bigger piece of property across the street and built them a lot that had twice as many spaces. We will work with you, I promise you that. And as we did when we built Stafford Marketplace, we met with the County and I was asked, what do you want from us. And I said we don't want any money, we don't want any tax increment financing. What we want and need is an expeditious processing of building permits. Here there is one other small detail and that's called zoning. I would like to address two things about Stafford Marketplace that are not so readily apparent. I believe I'm the only developer in the Washington Metropolitan Area who has built in Reston, in Columbia, and in Burke Center. We get along with our neighbors. When we came to Stafford and we did in fact build, we still own the 72,000 foot office building, 4-stories in the rear behind Lowe's, and Michael Stolz went and lead the effort to meet with the townhouse owners right behind us. I would invite you to go drive on that street where the townhouses are and turn around and look at the office building. Yes it's a 4-story office building, yes it's close, but you can't see the first story and a half, you can't see the loading dock because we worked with them to put up fences. We didn't have to do it. We did it because we were

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going to be good neighbors. And there's a question about the 7-story building here? Quite frankly I think the 7-story building is too high; we'll work something out, assuming we can go ahead. And I would also note that that building, the first floor of that building is lower than the abutting properties. The second aspect of Stafford Marketplace, when we bought the 90 acres of commercial, we also bought 143 acres of residential to the rear that had, as it turned out, about almost 1,100 housing units that were allowed under the zoning code. And we made a deal with two developers to sell it to them. But we planned it in such a way, and again I invite you to drive down Woodstream Drive and turn around and look at the rear of the Stafford Marketplace shopping center. You're going to see something about that center that's going to be really amazing to you. It's going to be very difficult for you to see it because of the natural vegetation we left in place and because of the plantings that we did in the rear of the center. I think... we are an advocate for a vision here and the easiest way for me to explain, now that I finally get to what the vision is, Stafford Marketplace and the office buildings sit on 90 acres of property, of commercially zoned property. This property is 45 acres. Stafford Marketplace has 800,000 square feet of retail. Our proposed development will have 400,000. So, half the acreage, half the retail. We have an office building down the street, a 72,000 foot building which we would hope to replicate or build another one here, but the big difference is the site is half the size. And to make a fully functioning homogeneous integrated project, yes we've added housing. I live in such places. This is the rage in the United States of America. Not that that should be your test, but in fact people love living in places like this where they can work and where they can go to the theater, where they can go to the health club, where they can go shop for food, where they can do any number of other things, particularly dine in this environment. And so if you think about Stafford Marketplace, here is the analogy that I draw to what we want to do here: take away the Target, take away the Kohl's, take away the wing that has the Best Buy in it, take away the shops between Lowe's and Kohl's, and what you have left is about 400,000 feet of retail. Move the office building up front, somewhere in the parking lot, take the two wings on either side of the Shopper's and put three or four stories of residential on them, and do that at two other places in the project, and that's what we want to deliver. With extremely high style architecture and a project of which this Board and this County will be very proud and will last. It's been 10 years, (inaudible) 10 years since we built that. And I would submit that in a 10 year planning for traffic, when we came out today and we came about 2:30 today, we zipped off 95 right by the shopping center; for 3 hours we drove all over, back and forth, and everything. No trouble... and by the way, obviously on Staffordboro Road, we kept the road there and here as there we'd have two entrances onto the side to completely bifurcate the transient traffic from the terminal traffic. And that is important. The staff is not aware but we will make available to them, we have received today, we've commissioned a study, a very brief study, about putting a road to the property and using the intersection which we propose. Talk about total degradation of the integrity of an intersection, that's it. Staff has not seen that; we'll make it available to them in the next days and I'm sure they will make that available to you. So we think there's a better way to deal with that and we will pursue that. The adjacent properties, and you've touched on this, the closest (inaudible) this property, and who have made the church the beneficiaries of their lifes' existence -- it's a marvelous thing -- we're concerned about neighbors. We're good neighbors in Reston and Columbia and, well we're good neighbors in Columbia but they're all commercial uses around us. Burke Center, some of the homes were there when we built, some came after, just as Stafford Marketplace. The townhouses were there and all the single-family came later and all those people can come in there and shop, they don't have to go out on Staffordboro, they don't have to go out on Garrisonville Road. So, it's very efficient in that regard. I acknowledge the issues about service stations; we've built them in other places. Quite frankly, I think the rendering we gave us have that less than optimum, so we'll deal with that. So, that concludes what I have to say. Thank you very much.

Mr. Rhodes: Thank you very much.

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Mr. Leming: If you thought that was it, you're wrong. You tell me when I've outworn my welcome. I did want to touch...

Mr. Rhodes: Okay.

Mr. Leming: ... briefly [laughter]. I do want to touch on four broad issues that I think really to encompass most of the concerns here. And we do have experts here tonight. I do want you to hear briefly from Dr. Bellas on economic and fiscal impact. And I want you to hear from our environmentalist because I want everyone to appreciate what we're trying to do with the streams on the property and the process that we're going through and why we think it works and permits an environmentally sensitive treatment of the property. First, turning to the Comprehensive Plan amendment, this is an unusual parcel. It is an infill piece. Everything around it, with the exception of the parcel immediately to the west which is incidentally under contract by an entity that includes Mr. Pence and at some point will be integrated. It is a separate contract and there'll be a separate zoning application that will come in on the tract immediately to the west. It's a much smaller tract but it makes sense for it to be included in this. On the Comprehensive Plan, but everything else around this is developed. And we have townhouses; we have a smattering of single-family adjacent houses. A few from Settler's Landing and a few from Patriot's Landing, and then we have commercial and office on our property lines. So, I appreciate the suggestion that perhaps there is something unique and very narrow that could be come up with here. The problem that I see with the current Comprehensive Plan Land Use designations is that at least with an area that can be developed, putting aside the agricultural recreational areas for a moment, basically you have Urban Development Areas and everything else is Suburban. And, with all due respect, and of course you all don't make the final decisions, the efforts to come in and do something with those UDAs haven't gotten very far. So, the rest of it is Suburban. And fairly narrowly defined at least in terms of what can be done residentially in these areas. So, I think it is a good thought and I've talked many times with Ms. Karnes about the need for other land use designations within the County if the UDAs are not going to happen. And they're not going to account for the multi-family and the non-single-family detached development then you need something else. And maybe this is the opportunity. And of course the challenge here is exactly what Mr. Apicella indicated; it's to come up with something that is sufficiently narrow so that we don't have countywide concerns or implications, and that's not the intent here at all, but also one that makes some planning sense. Now we thought with the parameters that we built in here with all of the design requirements would, number one, are limited to your major corridors -- you certainly don't have to cover all your planned district zoning districts -- but the likelihood that somebody's going to come in and be willing to meet all of those design parameters, the phasing, the appearance design issues, and give you something that works fiscally, as we think we have done here, is probably not great. But if they do, isn't that a good thing? What would be wrong with that in the broader sense? Now there are of course many other things that can be done to narrow the parameters of any kind of Comp Plan amendment here. You can look at green space only. You can look at distance from the interstate. You can look at infill pieces. So, I am confident that there is a creative way that a text amendment can be created here that is narrow and also makes sense from a planning standpoint. And of course the County's under no obligation legally to follow its Comprehensive Plan, but I know as good planners you want some of these to follow the Comprehensive Plan. And of course the planning staff wants that; they won't support anything that's not consistent with the Comprehensive Plan. So we will work with you. If you do have other specific ideas, we will try to come up with something that is narrow and appropriate for this particular property. I think there is a... there is general consensus that this is a property that is appropriate for a fairly intense development given its location along the 610 corridor and the pattern of development that has occurred to that point. Now, I'd like to talk for a moment about cash proffers. Now, I, uh, I want to assure on behalf of the applicant here that if it is clear that there is a negative fiscal impact caused by

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this development or the necessity for a contribution that does not come from another source for capital improvements that would be associated here, we will address that and we will cover that. But, I think the starting point is this, and this is what I want Dr. Bellas to address. The starting point I think has got to be, with a residential development it's a different kettle of fish altogether. But with your mixed use developments, the first question I think comes down to the value of the housing. The housing is concern. That's what the cash proffers are designed to offset the fiscal impact for... the negative fiscal impact. So, I think that the first question is, is what are the price points? What is the value of the housing that comes in? I think we can agree that at some point, there's a breakeven point out there somewhere where housing does, at some level, support itself and below which it does not, and does have a... and let's just limit this to the capital improvements, that's what proffers are for initially. So, that's the first question and we've proposed a certain level of value for the apartments here. If you accept that, then they pay for themselves. If you don't accept that, then we talk about the breakeven point, how close we are, is there a negative fiscal impact on the County. But then we come to the other question; and that is, the mixed use development. And where you have a development that comes in and produces a hefty, a substantial surplus for the County year after year after year after year, why do you also need the cash proffers? And, in this case, if you accept what Dr. Bellas says, then I think that is, uh, that is true here. I wanted to read you one thing Mike had utilized... I know the County has recently... routinely uses the Fuller Model in some work that he did for the County. And this issue keeps coming up, and not just in Stafford County, also in surrounding counties. And I ask... I asked Dr. Fuller to look at the model that Dr. Bellas does in the context of a zoning in Spotsylvania County actually, a mixed use development, and to talk about the Bellas mode which is actually one that he worked on, and the fiscal studies that he had done for counties such as Stafford. And he states, and I will make this letter available to staff, it has been incorrectly reported that fiscal impact studies that I have conducted have found that multi-family housing is a fiscal drain on its host community. The facts are that some multi-family housing can have a negative fiscal impact, and other configurations of multi-family housing can have a positive fiscal impact. Same is true for single-family attached or detached. So, while normally commercial uses are considered to have positive fiscal impact on their host communities, the magnitudes of these positive impacts also vary considerably for different types and mixes of commercial land uses. So, it really all comes down to the particular development, and what it is that's proposed, the phasing, the sequence in which it comes. And I think staff has pretty well conceded that you've never seen in a mixed use development so far phasing like is being proposed here. These are commercial developers. They're lining up their commercial users right now, because that's what they do. So that is... that is the... that's what they lead with. Now, as I indicated, what we're looking for with regard to the cash proffers, we're not saying no way are we ever going to pay any cash proffers. We're saying let's at least go through the analysis. Let's see what's warranted here. Let's see what the negative fiscal impact is, if any. And then talk about how we can address that. I would point out that with your other apartments that have been approved, Aquia Town Center, another mixed use development; the cash proffers were \$6,000 per apartment unit. At the more recent Abberly, they are \$6499. I realize they are back before you wanted a different mix. Of course, things like the mix between 1 and bedrooms are in here too. Austin Park, which was rezoned... I rezoned in 2005, a very small mixed unit development over off of Route 1. The cash proffers for the apartments there are \$4,513.18. I don't know how we got that. So, there is, there has been some recognition I think already that within the mixed use context that the fiscal impact of the apartments is significantly diminished. Now, third issue that I wanted to touch on... oh, and wait a minute. Before I get into the next issue, I'd like to have Dr. Bellas come up and just show you... he's got a couple of slides and we'll have to queue those up...

Mr. Rhodes: Computer please.

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Mr. Leming: ... and talk to you briefly about the fiscal impact of this proposed development. Is there a way we can get to Dr. Bellas' slide?

Mr. Rhodes: They're working them.

Mr. Leming: Now, am I having to do anything?

Dr. Bellas: Good evening. Thank you very much. It's a pleasure to be here this evening. This first slide that we have in front of you is my analysis of the fiscal impact of this proposed project. You will see that we've broken the fiscal impact down by land use, multi-family, retail, and office, and combined land uses. To cut to the bottom line, the net fiscal impact to the County we estimated at full build-out the project would generate \$3.2 million to the County in revenues. The County will expend a little over \$2 million in public services ranging from schools to public safety to general government and so forth. The net impact to the County on an annual basis is \$1,160,983. What's most important to take away from this slide is that when you compare this number to the staff report, the staff report number is actually higher. The staff has calculated that the net fiscal impact to the County from this project using the same building program is \$1,179,771. So the County is saying that I'm a little conservative in my analysis and it's actually about \$19,000 more per year. We also looked at the change in the proffer to push back the residential so that you have at least 100,000 square feet of commercial built first and all that does in changing... in incorporating this proffer, it pushes back the timing of when the County receives the payments by 1 year, from year 4 to year 5. So, the next slide please. We're talking about breakeven points. We've done this analysis for quite a few years. I put up the last two years on the screen here. The fiscal breakeven point for apartments in 2012 was \$147,100. This means that at that price point the value of the housing and the occupants living in the housing and their household incomes generate enough revenue to the County to pay for the costs of public services. While the County is growing, the County provides for services in 2013; that went up about \$6,000 to \$153,550. The applicant proposes that the value of these apartments, upscale apartments, better building materials, better amenities, and newer, that the value for tax purposes will be \$192,000. So, at this point, obviously the multi-family produces a net fiscal surplus compared to other apartment buildings in the County that are valued for less than \$153,000 per unit. So what Mr. Leming was saying is, you know, if there was some movement in the value, if it wasn't \$192,000, maybe it was \$180,000 or \$175,000, as long as the value of the unit is greater than the fiscal breakeven point, it generates a positive cash flow. The last thing I wanted to say because I don't want to take up Mr. Leming's time, is that I did a survey of national municipal bond rates yesterday. Currently, for AAA bonds for municipalities across the country, it's in the 2% to 3% range. What does the County do with this surplus of \$1,160,000 per year? It goes back into the general fund. What do you do with that? Well, you can lower your tax rate, you can pay more... higher salaries, you can put that money toward financing a bond. Well, the \$1,160,000, if you were to choose to float a bond, would support offsite infrastructure in a range of \$10.4 million to \$22.7 million. So, in that sense, this project not only subsidizes itself, but it also pays for the offsite improvements for this project, but also subsidizes other offsite projects in the County. So, on that note, thank you for your time. I don't want to take up your time.

Mr. Apicella: Mr. Chairman?

Mr. Rhodes: Yes please.

Mr. Apicella: I have a question. What happens with your analysis if we have another economic downturn?

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Dr. Bellas: Well, the analysis changes from year to year. So this table in front of you...

Mr. Rhodes: Computer please.

Dr. Bellas: ... with the fiscal breakeven points would change from year to year. The model also includes changes to real estate tax rates and all the other tax rates in the County. And so the model is very dynamic; it changes year to year. So, we can incorporate in the model an economic shock to the system, we can incorporate an economic boom, we can run almost any variable, any scenario you can come up with.

Mr. Apicella: I appreciate that the model is not static. I'm talking about the final number. So if the unit is worth \$192,000 let's say in 2016, and we have an economic downturn in 2020, what happens with the analysis and the actual economic impact if there's a significant... We've had a downturn now for seven years.

Dr. Bellas: Right. So, thank you very much for clarifying that. So, drawing from that statement, you would say well, gee, if the value of the property goes down then the cash flow to the County should come down. In theory, the answer is yes. But we don't know in an economic downturn what else does the County do to ensure that it meets its annual obligations. Does it cut back on spending in other categories? Does it raise tax rates? For example, Dr. Fuller did this study for you in 2009, the tax rate was 84 cents... the real estate tax rate was 84 cents per hundred dollars. In 2013, according to your financial documents, it was \$1.07. So, the County has to do their own internal changes to their financial checks and balances. So the short answer is, I can't answer that without precise numbers. All I can say is the model is dynamic so that we can model it for you.

Mr. Rhodes: Okay.

Dr. Bellas: That's a hypothetical question.

Mr. Rhodes: Thank you.

Dr. Bellas: Thank you.

Mr. Gibbons: Mr. Chairman, can we get those two slides?

Mr. Leming: Sure.

Mr. Rhodes: Sure. Okay, thank you.

Mr. Leming: Staff has them in their system and we can certainly make them available to the Commission members. A partial answer I think to your question is if there is an economic downturn and you have phasing, you get to a certain point and, if the appropriate number of commercial development is not there then the residential doesn't happen -- or it gets stopped at a certain point because of the phasing. So I think there is some built-in protection from that kind of scenario because of the phasing that occurs here. If you got all the residential first, you know, I don't want to drop names but there was a rumor for a while there because there wasn't phasing, because nobody thought of it. With another development, mixed use development, no phasing for the commercial, there was a concern for a while that all of the residential would come first and there was nothing in the proffers to stop it. So, I mean, you could have had that scenario. But, where you have the phasing, I think that operates

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against that. And it helps provide a level of protection. Now, I'd like to touch on two other things; I'm going to touch on transportation but only briefly. I want everyone to know that we have had a number of meetings now, with both the County transportation staff, the County contractors, the 610-Onville Road project is part VDOT and part County. You all probably know all of that. And we met with all of them. We've been to VDOT. We were fortunate enough to go down to VDOT and were able to glean the comments on this application, which got to them very late, even before they came back to the County. And that helped let us know what the issues were. There is some additional analysis that has been requested. We are observant and will work on the County's Comp Plan Level of Service C standard, but we are in the process and will submit very shortly additional analysis to VDOT and will have that turned around, I think, in fairly short order. And if there are other improvements that are warranted because of that and the standards that we've talked about tonight, then we will address those. A number of good things have happened here. One of the things that will happen with this property if it's not developed is there's going to be an enormous stormwater pond right on the northwest corner of the property. That's where VDOT plans for it and they would acquire, through purchase or condemnation from Ebenezer Church, that land for that stormwater pond. In our work with them, the stormwater pond gets moved to the back of the property and services both the VDOT project and this development, in one facility, at the back of the property and preserves that commercial ripe area right up next to 610 for what it ought to be utilized for, not a stormwater pond. So, that is one example of the... of our efforts to date on these transportation issues and working with both VDOT and the County of this project. Now finally, I want you... I want everybody to understand what we're proposing with transportation issues to the extent that there are some unaddressed. Well, we want the connection over to Highpointe and just to clarify the way the proffer's set up right now, if we can't make that and we can't get the right-of-way, we either got to find another way out or talk to you about the property to the west, or we're stopped at a certain point under the proffers; we don't go any further. And that's tied to the counts and what the site can handle based on the other points of access. So, we want that to happen, we want that traffic, we want people to be able to come from Mine Road to the center. As Mr. Pence indicated, we do not want them passing by and further clogging the main entrance to the shopping center. It wouldn't work at Stafford Marketplace, we don't think it's going to work here. And we are very much opposed to any concept that would bring a through street through the property. Now, on the environment, I'm going to ask our environmental planner, Avi, if you would come up and we have one slide to show you just to let you know what's going on with regard to the streams on the (inaudible)...

Mr. Rhodes: Computer please.

Mr. Leming: ... and what applications have already been filed, the DEQ operation. Avi, if you would introduce yourself.

Mr. Sareen: Absolutely. My name's Avi Sareen; I'm with TNT Environmental. Just a brief summary on what has been done to date and where we're headed with everything on our end. A Section 401/404 Wetland Permit Application has been filed with the Virginia Department of Environmental Quality. That permit application includes just under a half acre of wetland impacts which are scattered throughout the eastern/western portions of the site, along with just shy of 1,500 linear feet of stream impact. All of the impacts that are proposed for the development are going to be offset through the purchase of wetland and/or stream credits, all of which at a higher ratio than 1:1 which means we're purchasing more credits than we are impacting linear feet of stream for example and twice as many wetland credits as we are impacting acres of wetland. The post-construction hydrology for the two stream channels starting in the west and then moving to the east, the western stream will be piped where it meets the western property boundary and released in its same general location on the southwest portion of the site just below its confluence with a smaller stream. And downstream hydrology will be

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maintained through that. It's important to note that that particular section of stream has already been impacted as part of the sanitary sewer line which is currently in place. We've had several representatives of Stafford County, along with the folks at DEQ's central office in Richmond out to the site to evaluate what's going on with this stream because it is a fairly unique circumstance. The stream actually goes subsurface due to the bedrock layer being fractured during the installation of the sanitary line which has caused it to kind of disappear for a little while, which has been a pretty good detriment to the quality of the overall hydrology in that area. The easternmost stream, however, will be treated a lot differently. We are proposing an approximately 600-foot filtered trench drain system which is probably the first one of its kind and certainly the biggest in the DC metro area. It is kind of a combination of a French drain and an infiltration trench that has been designed in conjunction with a geotechnical engineer and a professional geologist. The detail for that can readily be provided to the County. That was completed late last night and finalized first thing this morning unfortunately. But the filter drench drain system will provide continued groundwater input and discharge through the southern portion of the proposed development, at the base of the proposed retaining walls. And, as such, downstream hydrology will be maintained. Having been to the site easily 6 to 10 times over the course of the past 12 months, I can tell you that the existing quantity of flow is borderline immeasurable with the standard scientific equipment; it is far less than half a cubic foot per second, basically meaning that it's a trickle. And the existing stream is actively eroding and there's quite a bit of downstream sedimentation as a result of its existing condition based on the steep slopes that are adjacent to it. Overall, when all is said and done, just over 2,000 linear feet of existing onsite stream will be preserved based on the current design as submitted to Stafford County, which is over 50% of the onsite resources which will remain post-construction and will be preserved in the rear of the site.

Mr. Rhodes: Great, thank you.

Mr. Leming: Does anybody have any questions for Avi?

Mr. Sareen: Wonderful, thank you!

Mr. Rhodes: Great... thank *you*.

Mr. Leming: Alright, Mr. Chairman, members of the Commission, I know that there are many other questions. We didn't think we'd possibly cover everything tonight. We have heard the questions that you did raise and have made some notes about other proffers and inquiries. If you have other questions or...

Mr. Rhodes: Mr. Leming, would you like to have the landowner's lead representative speak as part of the application so that they are not limited to 3 minutes in public comment?

Mr. Leming: Well, Reverend Miller was going to speak... I told him your policy. If he spoke during the public hearing was that he'd get 5 minutes.

Mr. Rhodes: Okay, I just wanted to make sure. You think a Pastor can keep it to 5 minutes? If we're there, I'm good. I just wanted to make sure.

Mr. Leming: But, if it works just as easily to have him come up now, we're happy for him to do that. This is a rather unique situation because the landowner and the developer are working hand in hand here.

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Mr. Rhodes: Yes sir. I think that might work better now.

Mr. Leming: Alright, so... Reverend Miller?

Reverend Miller: I'm just thankful that we don't have one of these things at our church. Mr. Chairman, members of the Commission, my name is Mark Miller and I stand before you this evening as the Senior Pastor at Ebenezer Church. Ebenezer Church has been part of the North Stafford community since 1856. Our original church building was used as a shelter during the Civil War. Familiar names like Eustace, Flatford, Embrey, Garrisonville... or Garrison, and Doc Stone have been part of our church rolls down through our history. And like the rest of Stafford County, our church has grown since those early days. We now number 2,500 in membership and I've had the privilege of serving as the Senior Pastor for 20 years. Our faith tradition teaches us that we're blessed in order to be a blessing to others, and to those who much has given, much is expected. And so one of our foundational goals as a church is to add value to our community. We take seriously the words of our founder, John Wesley, who once said, do all the good you can to all the people you can in all the ways you can for as long as you can. And so one of the ways we would like to do good in our community is through our partnership with the Pence Group in developing the Stafford Village Center. This parcel upon which the center would be built was given to us, as you heard, as a bequest from two elderly sisters, Mary Stewart and Frances Clowe, long-time members of our church, lifetime residents of Stafford County, they left the land to our church confident that we would use it wisely and well. After we took possession of the land, our trustees began a year-long process of study and prayerful discernment trying to decide how best to utilize this amazing gift. We conducted an historical inventory of the property with the help of the Stafford Historical Commission. We brought in a development consultant. We went through all the required legal processes, as well as internal processes required by our denomination. We looked at all the options available to us and we thought the best approach was to partner with a developer and to build something on that property that would benefit the entire community. We had numerous conversations with a variety of developers. As you might imagine, we were getting phone calls every other day from developers interested in working with us on this project, and we chose the Pence Group for a couple of key reasons. First of all, we found that the Pence Group is a family-owned and operated commercial developer and we felt like they understood the value of community, and they shared our desire to add value to our community. We also thought it was important to include a significant level of commercial development on the property and we appreciated the work that the Pence Group had done at the Stafford Marketplace, which, as you heard, has become one of the best sources of commercial revenue in our County. The Pence Group has a good reputation; a following-through on their commitments, being professional while still remaining personal, and maintaining due diligence on issues related to road improvements, infrastructure, and environmental quality. And so we believe that the Stafford Village Center is a project worth pursuing. It'll provide jobs, tax revenue, affordable housing, and retail options for nearby residents. We realize there are some issues that will necessitate further conversation and cooperation with the County, but we're encouraged by the thought of having these issues navigated, thoughtfully and successfully, to bring a fair resolution that's beneficial to everybody. The bottom line is this -- the people of Ebenezer Church want to do all the good we can to all the people we can in all the ways we can for as long as we can. And we firmly believe that Stafford Village Center gives us one more opportunity to continue our historic legacy of doing good in our community. A handful of representatives from our congregation are here tonight to show their support and, if you don't mind, I'd like to invite them to stand. And as they're standing, I just want to thank you for allowing us to be here this evening and thank you again for the work that you're doing, and thank you for giving this matter your thoughtful consideration.

Mr. Rhodes: Thank you very much.

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Mr. Leming: Thank you Mr. Chairman. Now, since he spoke during our presentation, all of the members are going to participate during the public hearing. They all get 3 minutes now, right?

Mr. Rhodes: I can't wait!

Mr. Leming: Thank you all very much for listening to us this evening. Happy to answer any questions.

Mr. Rhodes: Questions for the applicant? Mr. Gibbons.

Mr. Gibbons: The application to join the district on the funding for the widening, can you make that a proffer?

Mr. Leming: Sure! We can do that, although correct me if I'm wrong, I know different things were done with the two service districts. Was the one on 17 I thought was preserved... was the one on 610 retained?

Mr. Gibbons: Yes.

Mr. Leming: Is it still actually in place?

Mr. Gibbons: Yes.

Mr. Leming: Okay.

Mr. Harvey: Yes, it's currently in place.

Mr. Leming: Yes, we're happy to do that although I don't think there's anything being collected on the 610 corridor is there?

Mr. Gibbons: Yes there is.

Mr. Harvey: Yes sir.

Mr. Leming: There is? Okay. The interesting thing about this, you may recall when that service district was originally established, there was the concern about a few residential properties and not wanting to bring them in it. This was one of those. So the district was carved around the Clowe property. So, yes, we're... yes, I think that's a good suggestion Mr. Gibbons.

Mr. Gibbons: Thank you very much.

Mr. Rhodes: Thank you. Other questions for the applicant? Okay, not at this time. Thank you very much.

Mr. Leming: Thank you all very much.

Mr. Rhodes: Now come to the public comment portion of the public hearing, and this is an opportunity when any member of the public that would like to speak on this application, these items that were presented, items 3, 4, and 5, you may come forward and do so at this time. When you do, we'd ask that you state your name and your address. A green light will come on indicating 3 minutes available, a

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yellow light will come on when there's 1 minute remaining, and a red light, when it starts blinking, we would ask that you work to conclude your comments. So, thank you. Ma'am.

Ms. Callander: Yes, good evening; Alane Callander. I'm here because I've been following planning issues in Stafford for over 20 years, and this looked like a pretty big one though my education on it really began here this evening. Um, I want to compliment the staff on an excellent evaluation and presentation. I think we need to keep in mind that there's also been terrific salesmanship going on here that makes it easy for us to forget some of the details of the staff report. It's important that this be considered carefully, that there not be a rush to judgment and definitely there should be no vote tonight to pass a Comp Plan text amendment. I believe that we get into trouble when we change the Comp Plan for a specific project. We have to be very, very contemplative about such things. I've jotted down various comments here and I'm going to have to go through this as quickly as possible because my time will run out. But I'd like to point out though Mr. Pence has a great reputation as a quality developer, when Stafford Marketplace came in that's when we lost Aquia Town Center. And we haven't got it back yet. And from what I understand, the County is investing a great deal of money at this time to try to get it back on track. Now, what kind of impact will this new project have on other commercial development or other mixed use projects being planned along 610? That's a really, really important question. So, I think infill at this location is a good idea. This is quite a project. This is a huge project, a lot of impacts. We don't know if it's really going to come out the way they're imagining. So, all of these things are important to consider. I'd also like to say that motor vehicle sales, again on 610, it's a joke that we have all these convenience stores and gas stations on 610. I'm not sure that that should be included; it's something else to think about. So, anyway, my time is up and thank you very much.

Mr. Rhodes: Thank you. Is there anyone else who would like to speak please come forward at this time.

Mr. Simmons: Good evening, I'm Delbert Simmons. Patriot's Landing is a development directly to the east of the property that's being developed. And I speak on behalf of the residents along Candlestick Drive which adjoins... all that property adjoins the property being developed. And I've lived there for over 35 years, so I'm familiar with the property. And our concern is, is that the people that are in the residence on that property would cross our private property to walk to the nearby Walmart Shopping Center on the east of Patriot's Landing and Grafton Shopping Center to the north. And there was no mention of a privacy fence or anything that would prevent people from crossing our property. Is there a proposed privacy fence going to be included in the development between the two properties is our question. Alright. The property also has... it's deceiving because the property on the outside is about a thousand foot higher than what is on the inside where the streams are. You'd almost have to see it to believe it and you can understand why it wasn't developed long ago. So, that's all I wanted to say.

Mr. Rhodes: Okay, thank you sir. And again, the public comment portion is not... we don't have a question and answer dialogue, but certainly in the follow-on, if there's an opportunity to address some of those issues, we certainly will. Please sir.

Mr. Sheftelman: Good evening, my name is Dave Sheftelman. I have 610 feet that's on the east side that's adjacent to that property. I have basically the same concern there of trespassing and people cutting through, trash being thrown through, and I think that we need a solid fencing that goes up as high as the County will allow; an unclimbable fence that goes around there and surround it. These people have done a very nice job of presenting this thing, but looking from our prospect, how would you like to have a 7-foot... a 75-foot 7-story apartment building staring down at you? And that's not a very pleasant thought, looking in your bedroom windows and your back property and so forth. The other

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thing I'd like to have a concern with is that's a very porous, very, very porous piece of land over there. I've seen water flow out of that thing going all over the place. And some people in Patriot's Landing, I know there are underground streams that are affecting their homes over there. And if you fill that property in and build it up higher, you're going to force more water down in there. And that's not a good thing either. And I'm really just a newcomer to the County there. I've only lived there for 27/28 years. Of course, I remember the Stafford Marketplace when there was nothing there except a big sign that said "Stafford Marketplace Coming." Of course, that gave everybody plenty of time to move elsewhere, to put their houses elsewhere, to (inaudible) and they were concerned. I also... I'm a longtime resident of Northern Virginia. I remember Reston very well. I remember when Route 28 from Herndon, going all the way through, was a 2-lane gravel road. I remember the (inaudible) when A. Smith Bowman's Distillery was over there and Mac Crippen had his farm over there. I know who sold everything to Reston. And that was... they had their trial and tribulations too. So it wasn't as easy as what it might seem. And I thank the Board for its time and so forth.

Mr. Rhodes: Thank you sir. Anyone else who would like to speak?

Ms. Fortune: My name is Brenda Fortune. And I'd like to say Amen to the two gentlemen that came before me. I'd like to add that I hope the requirement for the fence, if there is one, is twice as tall as the 7-story building that's going to be looking down on my house.

Mr. Rhodes: Thank you very much. Anyone else?

Ms. Knight: My name is Jo Knight. And I've lived here all my life. I'm a member of Ebenezer Church. But I'll tell you the reason I'm up here tonight is that I do believe this project will be good for the County. I actually think that the residential component is good as well. I often say that if I wasn't so tied to Stafford County, I would probably move to downtown Fredericksburg so I could walk to everything. I love this concept and I really think that folks moving into a development such as this don't expect total quiet and darkness. This I know is not what's in the Comp Plan as far as the base is concerned. And yet I think we're just loaded with single-family residential throughout there and I think that you should check the complaints. I'm not sure that we get that many from right in that area because most people appreciate what they're doing on the base and they've grown and learn to accept what's happening. I live much closer, just right across the field, which is now the other side of Traveller's Lane. My grandfather had a farm there. That's where I grew up. And I'll tell you that I also think this connection to Highpointe Boulevard is wonderful. I believe that this will encourage so much of that dense residential on that side to come over and to visit there and do commercial shopping and eat in restaurants, and without further encumbering 610. I believe it may offset as much of the additional traffic as it's generating through this benefit. I think that's a benefit to all. I think we can have everything perfect and every mind and everywhere you go we maybe have other commercial, but you know, the guys who develop these places are big boys. They know what they're site selection is all about. And these sites that they select have been well thought out. And I believe that the tax revenue we realized, if they have struggles and move one tenant in, one out, they do that. But we, overall, we benefit and I think we should keep that in mind. Thank you.

Mr. Rhodes: Thank you very much. Is there anyone else who would like to speak? Seeing no one raise forward, I'll close the public comment portion of the public hearing and I'll bring it back in. Is there any items you'd like to rebut or respond to?

Mr. Leming: Mr. Chairman, I'll be very quick, which I'm sure you're relieved to hear. I appreciate the compliment from Ms. Callander; I never thought of myself as a salesman but maybe. I think of myself

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as an advocate, just as she is an advocate. With regard to the issue of Aquia Town Center, Aquia Town Center had fallen into a state of disrepair. It was an older shopping center when the new shopping center came along. Food Shoppers Warehouse moved to the new shopping center. What's proposed now at Aquia Town Center is much scaled back, even contrasted with what was originally there. So, I think, as Ms. Knight indicated, there is room for all of this and North Stafford has substantial demand. And the sign of that is that you've got developers like the developer of Aquia Town Center and Mr. Pence here wanting to do this kind of development in Stafford County, North Stafford County in particular. We will do everything that we can to address the concerns of any neighbors about buffers, fencing... I don't think too many folks are going to be walking to Walmart from this development. But I understand the concern. We hope that the neighbors are going to want to come to this center. So some form of pedestrian access may be in order so that they can walk to the center. But we will address completely the issues of buffers and privacy for the neighbors and demonstrate how benign a multi-story apartment building will actually appear to the adjacent properties. Again, we appreciate your patience with us this evening and look forward to working with you the next time we meet.

Mr. Rhodes: Great, thank you. I know I've taken a list of items which I'll recap here in just a moment. Are there further comments at this point for the applicant or staff? I would highlight that what I noted, where I will be inclined here in a moment actually is to make a motion to defer to the next session. But I just wanted to recap some items that I heard. I was very appreciative of the comments Mr. Pence made which was recognize and identifying some of the things that were highlighted tonight and a willingness to try and see how to best address some of those. I did... I didn't note and hope that we can work to address what the few individuals commented on which was the potentiality of a fencing or screening, or how they might address that; and certainly the height of the building in context with the topography to mitigate the implications to the neighbors. And I appreciated the, again, the comments that happened at Stafford Marketplace that they were mitigate most implications of that and hope we can do the same here. The comment and commitment to make the proffer for the application of the service district, I appreciated that. It seemed fairly simple, the staff's comment about the proffer of some kind of noise notices to residents involved. That's a pretty simple one. What the comment Mr. Apicella made and Mr. Leming, you mentioned a willingness to try and work a little further forward to on the Comp Plan Amendment which is dealing with targeting that infill or some way to address it. So I think we can work collectively hopefully and be able to address that. Certainly I did see Mr. Pence cringe a little when he looked at the rendering associated with the CUP, so I'm sure we'll be able to address the standards associated with that one. And then, I noticed staff's comment about sidewalk; I don't know if that was in your plan but some pedestrian approach towards Highpointe and that made sense. And so I think that that would be a great add to there if we're going to tie through. And then I guess the one other one that I think we'll have a little dialogue and opportunity to engage on is the element of cash proffers associated with the capital impacts. I think we'll have to have a little more discussion on that. But those are the ones that I had. Did anybody have anything else that they wanted to make sure and raise so that it's out in the open? Please Mr. Coen.

Mr. Coen: Mr. English first.

Mr. English: My concern is about the conditional use permit one. Another gas station? Is there something else that can go in there other than another gas station? Have you looked at anything else other than a gas station; that's my question.

Mr. Leming: They've looked at a variety of uses. A lot of it still comes down to demand. If gas prices stay lower because of more competition on 610, I'm not sure that's a bad thing. We will absolutely address the design issues that have been raised. But I think that one of the conveniences to a mixed use

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development with the number of apartments that are proposed here would be onsite fuel sales, so that you're not venturing out onto the main road in order to accomplish something like that or can take care of that easily on the way home. So there is I think a lot to be said for the fit. But we're... we stay open minded about all things.

Mr. English: Well, my concern too is because that the gas station right there and then you have a fuel spill with the stream right there, that's some concern too. So, if it was any way you could look at something else other than a gas station.

Mr. Leming: Well, I think our environmental planner will tell you that the piping and the... what is put in place for the stream would guard against anything like that. But we will be sure that that's the case.

Mr. Rhodes: Any other points...? Mr. Coen.

Mr. Coen: Yes, a couple. Notwithstanding your comment about we already have one 6-story building, I would like staff to actually look at and communicate with Fire and Rescue as to what our status is, where the equipment are, what would be in need or necessity for the County. I thought it was interesting, and this may just be getting information, but in building multi-building, number one, on the map it had a small number of parking. And so, if my understanding is that has 253 units to it, I was just curious about the number of parking spaces for that size of a building. Perhaps, staff could look into the number of gas stations and whatnots that are in that immediate area. I think that might deal with what Mr. English was sort of getting at.

Mr. Leming: Six.

Mr. Coen: Six? Yeah. And just for curiosity because I built a, not a really fancy one, but I had to do a French drain. I'd just love to get that information, if I could.

Mr. Rhodes: Design plans?

Mr. Coen: Well, I have a family member that I think qualifies as a water engineer and so I think she would really enjoy seeing if everything I had to dig through was actually what I really was supposed to do. It probably was, but it would help my case.

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

Mr. Gibbons: Mr. Chairman, I did handle the Marketplace zoning so I know Mr. Pence, and he's a man of integrity. But Mr. Pence is a hard negotiator, so he defends his position very well and we're in for some good dialogue to make sure we get to the end result. But he's a very good businessman and I want to congratulate him. And we asked him what the amount of revenue we would get off of that Marketplace and he missed by less than one point. So, he's very accurate. And then I want to give my friend, Mr. Cavalier, as well as myself, we were the ones that got that crossover put in and it was put in in two days; so Mr. Pence did live up to his... But I just want to let you know that you've got a tough negotiator here.

Mr. Rhodes: Our work's cut out for us. Very good, okay. Anyone else? With that I'm going to hand over the gavel if it's okay Mr. Apicella.

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Mr. Apicella: Mr. Rhodes, this is in your district. I don't know if we can take actions together or we need to deal with them separately?

Mr. Rhodes: I think for deferral we can act on them together? Okay. Then, that being the case, I'd like to make a motion to defer these to our next session which would be the first session in June; I believe June 10th. But it would be that second Wednesday in June to come back and address some of these items that have been identified tonight.

Mr. Apicella: There's a motion to defer to the, I guess it's the first meeting in June.

Mr. Gibbons: Second.

Mr. Apicella: It's been seconded by Mr. Gibbons. Mr. Rhodes, any further comment?

Mr. Rhodes: No; I appreciate the dialogue tonight and everyone that participated and waited through this, and looking forward to further dialogue on this.

Mr. Apicella: Mr. Gibbons? Anyone else? Okay, all those in favor of the motion to defer to the June meeting signify by saying aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. Rhodes: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Apicella: Aye. All those opposed? The motion passes 7-0.

Mr. Rhodes: Very good, thank you very much.

Mr. Leming: Thank you all.

Mr. Rhodes: Okay, with that we're going to move onto Unfinished Business. And our first item of Unfinished Business, as we modified the agenda, would be to talk about the... talk about the economic... have the Economic Development folks and others come in to discuss some items we'd asked to come in. I believe these are items as would be appropriate for a closed session. So, therefore, I'd entertain a motion associated with that.

Mr. English: I make a motion that we go into closed session, pursuant to Virginia Code 2.2-...

Mr. Rhodes: If we could just ask that folks leave quietly just so we can keep moving this forward? Nobody ever listens to me, I know, but if we could ask folks to just move quietly, we would appreciate it. Thank you. Please, Mr. English.

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Mr. English: In pursuant of Virginia Code 2.2-3711(A), the Commission desires to hold a Closed Meeting and discuss concerns of a prospective business where there's no previous announcement had been made of the business' interest in locating its facility in the County.

Mr. Rhodes: Okay, a motion for the closed session... closed meeting as was described for the purposes. Is there a second?

Mrs. Bailey: Second.

Mr. Rhodes: Second by Mrs. Bailey. Further comment Mr. English?

Mr. English: No sir.

Mr. Rhodes: Mrs. Bailey? Any other member? All those in favor of the motion signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; we'll go to closed session. We'll be back as quick as we can. Thanks.

CLOSED SESSION: 8:47 p.m. - 9:05 p.m.

Mr. Rhodes: Okay, now that we're back, I would entertain a motion to certify the proceedings of the closed session.

Mr. English: I'll make that motion.

Mr. Rhodes: Please.

Mr. English: I make the motion that the Stafford County Planning Commission does hereby certify, on this the 27th day of May, 2015, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Commission.

Mr. Rhodes: Okay, is there a second?

Mrs. Bailey: Second.

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Mr. Rhodes: Second Mrs. Bailey. Further comment Mr. English?

Mr. English: No.

Mr. Rhodes: Mrs. Bailey?

Mrs. Bailey: No further comment.

Mr. Rhodes: Any other member? All those in favor of the motion to certify the appropriate closed meeting standards were applied signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; very good. Thank you very much and thank you all for waiting, sorry. With that we're going to move onto item number 6 in Unfinished Business, the Reclassification for Embrey Mill Commercial. Mr. Harvey.

UNFINISHED BUSINESS

6. RC14150333; Reclassification - Embrey Mill Commercial - A request for a reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District, to allow for the development of up to 103,770 square feet of commercial uses on Assessor's Parcels 29-72 and 29-72B. The property consists of 16.63 acres, located on the north side of Courthouse Road at the intersection with Mine Road, within the Garrisonville Election District. **(Time Limit: July 21, 2015) (History: Deferred on April 22, 2015 to May 13, 2015) (Deferred on May 13, 2015 to May 27, 2015)**

Mr. Harvey: Thank you Mr. Chairman. Mrs. Baker will give the staff update.

Mr. Rhodes: Thank you.

Mrs. Baker: Good evening Mr. Chairman, members of the Commission, Kathy Baker. This item is a reclassification of approximately 16 acres from A-1, Agricultural, to B-2, Urban Commercial, for a commercial retail development for Embrey Mill. You all held a public hearing on April the 22nd and deferred the application. The one issue was proffering out uses of higher impact on the property. And the applicant has submitted proffers which have proffered out additional uses. I will note that we handed out this evening one revised set of proffers, so May 26 is the current set of proffers that you should be looking at. What I sent out... what I sent out with the staff report has since been changed. And we emailed a version to you yesterday that has also subsequently been changed, and I'll go over

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those with you. So, first of all, under proffer 2, those are the new uses that have now been proffered out. The May 26 version also adds to what was previously indicated, outdoor flea market. So that is now a use, and there are 10 uses that are now proffered out. The second item, which is under proffer 1.e., was regarding a cash contribution for what are being referred to as regional transportation impacts or improvements. And previously an amount was proffered of \$216,000 for these improvements. And they relate to the Courthouse Road/I-95 interchange. Previously, when you all had the public hearing, that amount and the methodology and the figures had not been reviewed by the Virginia Department of Transportation. They now have been and the highway department has reviewed... revised figures from the applicant and they have now increased that proffered amount to \$223,000 to accommodate some comments that VDOT had. So that is also shown, as I stated, in the proffers. Lastly, there was a change regarding just the wording in the Utilities proffer which is in proffer number 9. And it was basically some wording changes suggested by the applicant's engineer. The Utilities Department has reviewed this language and has found that acceptable.

Mr. Rhodes: Very good.

Mrs. Baker: With that, if you have any questions, the applicant is here.

Mr. Rhodes: Any questions for staff? Looks like the main points were addressed in there. Anything from the applicant? Please.

Ms. Karnes: Mr. Chairman, Debrarae Karnes with Leming & Healy, representing the applicant. I would just like to say very shortly and concisely that, number one, we appreciate the continuing assistance that we've received from staff. We appreciate the suggestions and the courtesy the Planning Commission has given us. And we've tried our utmost to proffer out those uses identified by the Planning Commission. We appreciate VDOT working with us and we appreciate the Planning Commission's patience in allowing us to wordsmith our engineers in an abundance of caution wanted to make sure we could fully comply with the proffers. And I'll be happy to answer any questions.

Mr. Rhodes: Very good. Is there questions for the applicant? Or are there questions for the applicant? Is there? Are there? No. Okay, very good. Thank you very much. I do note that if we are comfortable going forward, I think it addresses the couple open items that we had and certainly other suggestions that we had made in there, but we will need to have a motion to accept the new information as being received this evening in order to act upon it. So with that, I'd entertain a motion to do just that, to accept the new information in the proffers.

Mr. Apicella: So moved.

Mr. Rhodes: Okay, race. I'm going to give that one to Mr. Apicella.

Mr. English: I'll second.

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

Mr. Apicella: No sir.

Mr. Rhodes: Mr. English?

Mr. English: No sir.

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Mr. Rhodes: Any other member? All those in favor to accept the new information which are the modified proffers dated May 26, 2015, that were received this evening signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; passes 7-0. With that, I note that this one is, yep, this one's in my district so I want to hand over the gavel.

Mr. Gibbons: Twice in the same evening.

Mr. Apicella: Mr. Rhodes, this one is in your district. What say you?

Mr. Rhodes: Thank you very much. I'd like to make a motion to recommend approval of the Reclassification, RC14150333, Embrey Mill Commercial.

Mr. Gibbons: Second.

Mr. Apicella: Okay, there's been a motion and property seconded. Mr. Rhodes, any further comment?

Mr. Rhodes: I just appreciate the efforts of the applicant to work through the few suggestions we had, and I appreciate the opportunity to work on this one so thank you.

Mr. Apicella: Mr. Gibbons? Any other members? Okay, there's a motion to approve RC14150333, Reclassification, Embrey Mill Commercial. All those in favor signify by saying aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. Rhodes: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Apicella: Aye. All those opposed? The motion passes 7-0.

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Mr. Rhodes: Very good. Thank you all; good luck. Thank you very much. With that we're moving onto item number 7, Reclassification, Abberly at Stafford Courthouse Proffer Amendment. Mr. Harvey?

7. RC15150551; Reclassification - Abberly at Stafford Courthouse Proffer Amendment - A proposal to amend proffered conditions on Assessor's Parcel 39-16L and portions of 39-16, 39-16B, 39-16H, and 39-16J, zoned UD-4, Urban Development, Mixed Use Village Center, to adjust the mix of dwelling unit types. The property consists of 22.02 acres, located on the west side of Old Potomac Church Road, approximately 2,000 feet south of Hospital Center Boulevard, within the Aquia Election District. **(Time Limit: July 21, 2015) (History: Deferred on April 22, 2015 to May 13, 2015) (Deferred on May 13, 2015 to May 27, 2015)**

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

Mr. Zuraf: Good evening. Mike Zuraf, Planning and Zoning Department. This item is a continuation of an application for a proposed amendment to the proffered conditions on several properties that make up the Abberly at Stafford Courthouse project. This is a request to adjust the mix of dwelling unit types. The request was originally to modify siding material and clarify other proffer language. Public hearing was held on April 22nd, was deferred at that time. The commission suggested some adjustments, modifications to the proffers and on May 13th the proffers were modified in response to Planning Commission comments and at the time the modified were presented they retained the original proffered building materials, added cash contributions for schools and modified the timing for cash contribution payments. Commission deferred the meeting to seek input from the school division planning staff on the new monetary proffers. School division staff informed planning staff that they provided the comments to the School Board which include that the school division staff is supportive of the additional school proffers for the proffer amendment being pursued. They feel that 160,000 for the change in unit bedrooms was adequate and reasonable. Planning staff does also concur with these comments and feels the methodology to reach the amount was reasonable. We've attached the...included in the staff report the approval ordinance and resolution and time limit is July 21st.

Mr. Rhodes: Questions? Yes please, Mr. Apicella.

Mr. Apicella: Mr. Chairman, there was a question during last meeting on this about the turf field at Brooke Point High School, whether or not it had been completed, just kind of for clarification, do you know the answer to that.

Mr. Zuraf: I'm not certain, no.

Mr. Harvey: Yes, Mr. Chairman, it has been completed.

Mr. Rhodes: Okay, turf field has been built and completed. Okay. Other questions for staff? Okay. Applicant please.

Mr. Payne: Mr. Chairman, other members of the Planning Commission, my name is Charlie Payne with the law firm Hirschler Fleischer; unless you have any questions for me, I'll be happy to answer. But I assume that's you've had a long evening and you don't want to prolong this any further. I will say that I feel for those who have to wait in the audience after a presentation of a large project, so I guess I have just earned it, right? But anyways, with that I'm happy to answer any questions. Thank you for your patience. Thank you for your questions and hopefully we've properly addressed those issues.

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Mr. Rhodes: Questions for the applicant? None. Thank you very much, Sir. Appreciate it.

Mr. Payne: Thank you, Mr. Chairman.

Mr. Rhodes: With that it is...this is...yes.

Mrs. Bailey: Yes, Mr. Chairman, I'd like to make a motion to approve RC15150551, Reclassification Abberly at Stafford Courthouse.

Mr. Rhodes: Okay, motion recommending approval.

Mr. Apicella: Second.

Mr. Rhodes: Very good. Second. Further comment Mrs. Bailey?

Mrs. Bailey: No further comment.

Mr. Rhodes: Okay, Mr. Apicella?

Mr. Apicella: Mr. Chairman, we've noodled this over a couple of meetings. The applicant came through with some additional proffers and I think at the end of the day it's not a significant change and I think I made some comments last time, so just say that I stand by those and hope that this one passes.

Mr. Rhodes: Very good. Further comments anyone? Okay. All those in favor of the motion which is to recommend approval of the Reclassification, Abberly at Stafford Courthouse Proffer Amendment, RC15150551, signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; passes 7-0. Thank you very much. With that, we'll move onto item number 8, the Comprehensive Plan Text Amendment, George Washington Village, COM15150549. Mr. Harvey.

8. COM15150549; Comprehensive Plan Text Amendment - George Washington Village - A proposal to amend Chapter 3, "The Land Use Plan," of the Comprehensive Plan 2010-2030 document, dated December 14, 2010, and last amended on February 24, 2015. The proposed amendments would make modifications to the type and location of development recommended within the George Washington Village Urban Development Area (UDA). (**Time Limit: May 27,**

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2015) (History: Deferred on March 25, 2015 to April 22, 2015) (History: Deferred on April 22, 2015 to May 27, 2015)

Mr. Harvey: Again Mr. Chairman, recognize Mr. Zuraf for the staff update.

Mr. Rhodes: Woohoo!

Mr. Zuraf: Okay, this item is a continuation of a request as part of the George Washington Village project to amend the Comprehensive Plan. This public hearing was originally... for this case was conducted on March 25th. This was to amend Chapter 3, Land Use Plan chapter of the Comp Plan 2010-2030 document. This was amendments to make modifications to the type and location of development recommended in the George Washington Village Urban Development Area. The request was deferred to the April 22nd meeting and again to this May 27th meeting. The Commission wished to wait until after they completed their effort to amend the Comp Plan regarding UDAs which did include modifications to the same George Washington Village UDA. At the April 22nd meeting, the Planning Commission did recommend denial of the George Washington Village rezoning request and subsequently on May 13th, the Planning Commission recommended approval of the Comp Plan amendments regarding Urban Development Areas. We did... the UDA amendments proposed by the Planning Commission do differ from the amendments proposed as part of the George Washington Village project. We did include an attachment that highlights kind of a comparison table of the amendments of the two versions, just for your information. And the Planning Commission resolutions are attached and the deadline for the Commission to make a recommendation is July 9th.

Mr. Rhodes: Very good; questions for staff? Okay, applicant please.

Mr. Payne: Mr. Chairman, Charlie Payne with the law firm Hirschler Fleischer and we represent the applicant. Obviously I was here and, as staff noted, you recommended denial of the George Washington Village rezoning. We respectfully appreciate all the time and diligence; I believe there were five or six public hearings on that matter that this Planning Commission undertook. In addition to that, the public hearings that this respectful Planning Commission undertook in regards to a Comp Plan amendment. Notwithstanding your concerns regarding the rezoning project, at the end of the day and I know you've addressed this to a certain extent with your recommendation to the Board of Supervisors regarding UDAs and Urban Development Areas and a Comp Plan amendment for this particular area, my client obviously owns quite a bit of property in this particular area and will continue to do so. In order to meet the County's goals in regards to future growth and future mixed use in development, we believe that what we have proposed would better do that; certainly in regards to the interchange improvements that are right around the corner and what we believe will be the highest and best use for property and uses in that area. With that, I just ask that we kind of hold onto the dream and not let go of the fact that this is going to occur one day in the future. I hope sooner rather than later. I think it's key to the future success of Stafford County as economic viability. You heard this evening how complicated mixed use projects can be to evaluate in regards to capital costs and regard to fiscal impacts. But at the end of the day, Stafford County is going to have to diversity itself and its economy in order to sustain in the long term. So, we think George Washington Village is part of that piece of the puzzle, and we again respectfully request your support for this Comp Plan amendment. And with that I'm happy to answer any questions you may have.

Mr. Rhodes: Very good. Questions for the applicant? Okay, thank you sir; appreciate it.

Mr. Payne: Thank you.

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Mr. Rhodes: I'll bring it back into the Planning Commission. What are the thoughts?

Mr. Coen: It's in Mr. English's district.

Mr. Rhodes: Yes, this is George Washington Village... related.

Mr. English: Yeah, in reference to this and along with the George Washington project, I still have to say I'm recommending denial of this amendment.

Mr. Rhodes: Okay, so it's a motion to recommend denial of the Comp Plan Text Amendment.

Mr. Coen: Second.

Mr. Rhodes: Seconded by Mr. Coen. Further comment Mr. English?

Mr. English: No.

Mr. Rhodes: Mr. Coen?

Mr. Coen: Yeah, just real quickly. I mean, I said this before, you know the Comp Plan that we sent to the BOS did not include exchanging this. We also discussed the Central Stafford Business District which the whole concept of which is to diversity in a different way than retail. And I don't happen to agree with Emerson's view about consistency; I think we need to be consistent. We voted down the project, albeit just one; we need to vote down this element thereof.

Mr. Rhodes: Further comments anyone else? I'll just comment that actually there are similarities between what we propose and what this proposes, so it's not way out there and I'm not... there are elements of it that are just what we're pursuing. But given that we've already made a recommendation forward as a body on Comp Plan modifications for that area, I'll be supporting the motion. So, all those in favor of the motion which is to recommend disapproval of the Comp Plan Text Amendment, George Washington Village, COM15150549, signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; this passes as a recommending disapproval 7-0. Thank you very much. With that we're going to move onto item number 9, the Amendment to the Zoning Ordinance.

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9. Amendment to the Zoning Ordinance - Proposed Ordinance O15-24 would amend the Zoning Ordinance, Stafford County Code Sections 28-25, “Definitions of Specific Terms”, 28-39, “Special Regulations”, 28-56 “Application for planned developments” and 28-137, “Types of signs permitted in P-TND districts”. The amendment would define principal building, secondary building and street screen applicable to P-TND zoning districts, clarify technical changes to regulating plans and neighborhood design standards for redevelopment projects, and allow business signs in the P-TND zoning district. **(Time Limit: July 4, 2015) (Deferred on May 13, 2015 to May 27, 2015)**
(Authorize for Public Hearing by: May 27, 2015)
(Potential Public Hearing Date: June 24, 2015)

Mr. Harvey: Thank you Mr. Chairman. Mrs. Blackburn will give the staff update.

Mr. Rhodes: Thank you.

Mr. Gibbons: Do we need a staff update if it’s a Board action? All we’re doing is advertising for public hearing.

Mr. English: I agree.

Mr. Rhodes: Does anybody need a staff update?

Mr. English: I don’t think so.

Mr. Coen: But have you practiced for hours? I mean, we don’t want to take your moment in the sun.

Mr. Rhodes: I mean, I think we should at least do the... a summary of what the item is.

Mr. Gibbons: Yes sir. I withdraw my request.

Mr. Rhodes: Well, not... if we can at least just for our massive viewing audience, if we could make sure to summarize what the item is, it would be helpful. Thank you.

Mrs. Blackburn: Mr. Chairman, Planning Commissioners, I’m Susan Blackburn. And this item on the agenda is proposed Ordinance O15-24 and it would amend the Zoning Ordinance, Sections 28-25, “Definitions of Specific Terms”, 28-39, “Special Regulations”, 28-56 “Application for planned developments,” and 28-137, “Types of signs permitted in P-TND districts”. The Planning Commission had discussed this item at the May 13th meeting and, after discussion of the proposed amendments, they voted to continue this discussion till tonight. And this amendment would define public buildings, secondary buildings, and street screen applicable to the P-TND zoning districts, clarify technical changes to regulating plans and neighborhood design standards for redevelopment projects, and allow business signs in the P-TND zoning district. One of the main concerns that the Commission voiced last time was the effect of these proposed changes on projects that have not been approved but were in the works. And currently the County is reviewing two zoning reclassification applications to the P-TND District. And both reclassification applications and the owners of Aquia Town Center have identified the need to amend the various zoning provisions in this district. The current projects being reviewed will need to revise their neighborhood design standards to include the upgraded architectural standards for principal buildings as requested in the amendment. The principal and secondary buildings will need to be designated on the plans and the percentages indicated. And the sign packages have not been

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submitted or reviewed for either project, therefore, changes will not be necessary. And these changes seem to be quite negligible over the entire project. And you have until July 4th to conduct a public hearing and staff recommends the Planning Commission vote to authorize a public hearing.

Mr. Rhodes: Any questions for staff?

Mr. Apicella: I want to talk about two of the proposed changes. The first change that I wanted to highlight was in regards to landscaping or buffering. On page 3 of 3 at the top it talks about additional regulations for SD-C Transect Zones; it's striking out parking areas shall be screened from the principal street by a building street screen or evergreen hedge. I'm trying to understanding, why are we doing that?

Mrs. Blackburn: Because, it's my understanding and Mr. Harvey may be able to add information to this, they did not want to have the parking blocked such from the entrances and the pathways. Is that correct?

Mr. Harvey: Yes Mr. Apicella and Mr. Chairman, as Mrs. Blackburn indicated, this amendment initially was developed in conjunction with a number of TND applications currently in process and various forms of the process. As you saw tonight in tonight's public hearing, we have a TND proposal that has a number of primary buildings and a parking lot in front of them, and the desire from that developer and other developers is that if you have a parking lot in front of your primary building along the primary street that the parking lot would not be screened from view. You'd be able to see the parking lot and people would be able to tell where to park and that you can see the parking from the building. So that was one of the concerns, again going more towards a suburban style feel versus an urban downtown type of feel.

Mr. Apicella: That being said, can you envision situations where this requirement would still be desirable in a P-TND zone district?

Mr. Harvey: Again, in more urban downtown type of setting, it may be more desirable where your primary building is taking up more of the street frontage and the parking is more to the side and rear of the building or underneath portions of the building. That would certainly be a much more desirable situation. Again, part of it is what's the feel and intent of the project that's being proposed. Is it dense urban or is it more suburban mixed use?

Mr. Apicella: Right, but I guess my point is, ultimately we might be able to provide some flexibility and, I don't want to say waive this requirement, but not necessarily enforce this requirement. But by taking it out, we're not going to... we probably won't get it. You don't ask for something, you're not going to get it most of the time. I just feel like I needed to raise that point. The second issue I feel like it's worth raising, we had a project in front of us today that we just talked about that is, in my view, promoting exactly what we wanted in a P-TND zone district which I call multi-use building where you have retail on the bottom, offices or residences on the top. That I think is something that is encouraged by the current P-TND zone... current P-TND Ordinance. How is that changed by the proposal in front of us today?

Mrs. Blackburn: Well, the proposal in front of you today is only defining principal buildings and secondary buildings. And as far as changing a mixed use within the building, it is not specifically changing anything to do with that.

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Mr. Harvey: Correct, Mr. Chairman and Mr. Apicella. The current ordinance does not require that there be mixed use buildings within a project. It does require that there be a variety of different transect zones which allow different types of uses, but there's no requirement that you have, say, one or more buildings that have a commercial and a residential use in the same building.

Mr. Apicella: So, then I'm at a loss to understand, what are these changes accomplish especially in terms of defining a principal building and a secondary building compared to what's in place today?

Mrs. Blackburn: Do you want to take this one?

Mr. Harvey: There are a number of development standards...

Mr. Gibbons: Mr. Chairman, didn't the Board send this down to us to advertise for public hearing as it is?

Mr. Rhodes: Yes.

Mr. Gibbons: And I can see that we advertise for public hearing and then I think that the comments at that time are appropriate and that we write a comment back to the Board. Because we can't change the language of what's got to be advertised.

Mr. Apicella: So, you're saying I don't have the right to ask these questions now Mr. Gibbons?

Mr. Gibbons: No sir, I didn't say you didn't have right. I'm just saying, at the time when we have the public hearing I think it's very appropriate.

Mr. Apicella: I understand. But this inquiry might help me when this comes up for a public hearing.

Mr. Gibbons: I default. I haven't won one tonight so...

Mr. Harvey: Continuing Mr. Chairman and Mr. Apicella, the current code stipulates that primary buildings have to meet additional standards beyond what other buildings within the TND district have to meet, specifically dealing with proximity to the primary street. Basically they have to be along a primary street and that again kicks in the street screening requirements, as well as other building height to street ratio requirements.

Mr. Apicella: So, the bottom line, from your vantage point, this is not a significant change?

Mr. Harvey: Well, it relaxes the standards for non-primary buildings, because right now we don't have a definition of a secondary building. So, technically, from staff's viewpoint, all the buildings within a project are probably going to be a primary building.

Mr. Apicella: Okay, thank you.

Mr. Rhodes: Mr. Apicella, if I might, so if you had had the pen, what I think I heard you say and I would just ask this, not that we can change it, but I just... is that on page 3 of 3 for sub-paragraph 14, additional regulations for SD-C transect zones -- rather than striking it all, you might have written parking areas should generally or may or more often than not, or something like that, shall be screened. So you still had something about screening in there versus it just being struck altogether.

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Mr. Apicella: Ah, yes Mr. Chairman.

Mr. Rhodes: Okay. That's where I was taking your comments. Okay, very good. Are there other comments for staff on this one? Okay, we do need to authorize it for public hearing.

Mr. Gibbons: Mrs. Bailey's area.

Mr. Rhodes: Oh, thank you very much. This one right now could be affecting there, could be affecting others. Okay, very good.

Mrs. Bailey: Mr. Chairman, I'd like to make a motion to have a public hearing for the amendment to the Zoning Ordinance regarding P-TND zoning districts.

Mr. Rhodes: Very good. A motion to authorize for public hearing item number 9, the amendment to the Zoning Ordinance, proposed Ordinance O15-24 by Mrs. Bailey. Is there a second?

Mr. English: I'll second it.

Mr. Rhodes: Second by Mr. English. Further comment Mrs. Bailey?

Mrs. Bailey: No further comment.

Mr. Rhodes: Mr. English?

Mr. English: No.

Mr. Rhodes: Any other member? All those in favor of the motion to authorize for public hearing signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed; passes 7-0. And we're now onto New Business, number 10, Economic Development Strategic Plan. I would just highlight since that was authorized for public hearing, just to remind everyone, we do have the two sessions in June but then when we get into July and August they're just the one, the second session in July and second session in August is all we've got. We've only got one in each of those months to be working these forward; just keep it in our mind. Okay, very good. So, Mr. Harvey, item number 10.

NEW BUSINESS

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10. Economic Development Strategic Plan - Proposed amendments to the Comprehensive Plan, specifically to the document entitled "Stafford County, Department of Economic Development Strategic Plan," dated April 14, 2015.

Mr. Harvey: Thank you Mr. Chairman. Item number 10 is authorizing a public hearing for an Amendment to the Comprehensive Plan, specifically the Economic Development Strategic Plan. The Economic Development Strategic Plan is currently an element of our Comprehensive Plan. It was first created in 2006. Since that time, 9 years have passed and we're looking at a different economy than we had back in 2006. So part of the effort here is to refresh and update the document. You'll find that the Economic Development Strategic Plan in its current proposal takes a broader approach to Economic Development, whereas the 2005 Plan... excuse me, 2006 Plan was more focused on high tech and defense related industries, whereas we're looking at a wider array of Economic Development interests currently in this new Plan. However, it does still have a focus in that area. It takes into account the 10 point Strategic Plan that the Board of Supervisors has adopted for their efforts. It establishes goals, objectives, and strategies on how to accomplish economic development in moving forward in the County and assigns some areas of responsibilities for various different County agencies on how to make it happen. Tonight with us is Mr. Baroody, who's the Deputy County Administrator and Director of Economic Development; also Brad Johnson, the Assistant Director; and Rick Cobert who handles all of our issues with business retention and those types of matters, he's here tonight as well to answer any questions that you may have about the Plan and issues with scheduling it for hearing.

Mr. Rhodes: Very good. Are there questions, either of staff or Mr. Baroody or anyone else? Mr. Apicella.

Mr. Apicella: This is probably not a substantive question, but I'm just wondering if we move forward with this if there's the possibility of sort of realigning the document so that I guess I would call it the real strategic action plan could be up front, versus what I would call some of the background information. I don't know if we have that flexibility or not but, again, I think the meat of the document starts at 3.4 and goes through and follows through in 4.0 on. So I don't know if we have that flexibility from the Board or not, but that's where I think the meat of the document is.

Mr. Rhodes: Sir.

Mr. Baroody: Mr. Chairman, Tim Baroody, Deputy County Administrator. I think to Mr. Apicella's question, we would be happy to take a look at restructuring for the Planning Commission's recommendation. I don't think the Board would look unfavorably on that action. I'm happy to take your input on those matters, among others.

Mr. Rhodes: Very good. Okay. Other comments? So, other than some restructuring to kind of get to the meat first...

Mr. Apicella: I would have, if we can offer comment, I think it's a great document, well needed, timely, and I think it will help guide what is an important issue for Stafford County going forward.

Mr. Gibbons: Boy, I want to make sure we take that down.

Mr. Rhodes: And this is, right now the purpose is to propose this for a public hearing, correct?

Mr. Harvey: Yes Mr. Chairman. If we are going to make some adjustments to the document...

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Mr. Rhodes: I think that that's something that the Board afterwards, they could work to editorialize; but probably not for publicizing for public hearing?

Mr. Harvey: That's my understanding as of now, yes.

Mr. Rhodes: Right, we have the document as is, not that we certainly couldn't make that suggestion and have them do it afterwards.

Mr. Harvey: I think as Mr. Baroody indicated, there's a willingness to amend the document from the staff standpoint. But I understand from Ms. McClendon the referral is pretty specific. So I guess we have to consider what we have before us right now.

Mr. Rhodes: Yeah, the only question I really have is wondering, why does Jeff not like you? Why does he put you at item number 10 on the... okay, anyways. So, other comments for staff? Other comments on this other than certainly some structural things, but context wise pretty solid? So a motion to approve for public hearing?

Mr. English: I'll make a motion.

Mr. Rhodes: Motion by Mr. English. Is there a second?

Mr. Coen: Second.

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

Mr. English: No sir

Mr. Rhodes: Mr. Coen? Any other member?

Mr. English: When would that be the next public hearing on this?

Mr. Rhodes: End of June?

Mr. English: Can it go as far as to July or August Jeff?

Mr. Harvey: Yes Mr. Chairman and Mr. English. The action date would be, you'd have to act by your July 22nd meeting.

Mr. Rhodes: That means we'd have to do it in June. We don't have a meeting before July 22nd, do we?

Ms. McClendon: Your meeting is on July 22nd.

Mr. Rhodes: Oh, is it July 22nd? Oh it's June 24th.

Mr. English: So we have two meetings in June and one meeting in July, correct?

Mr. Harvey: That is correct.

Mr. Rhodes: But then we'd have to act on it that night.

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Mr. Harvey: So, if you authorize it tonight, the earliest we could hear it is June 24th.

Mr. English: Okay. I just didn't want to put too much on our plate.

Mr. Rhodes: I like putting a lot on a plate!

Mr. English: That's why I just wondered is it okay, do we push it to August or we can't?

Mr. Rhodes: No.

Mr. English: Okay, it has to be... so the latest we can have it is July 22nd?

Mr. Harvey: Yes.

Mr. English: Can we set it for July 22nd?

Mr. Rhodes: I would just, if we might, I would just ask staff is that problematic from perspective? Is this a time sensitive...?

Mr. Baroody: Mr. Chairman, the Board had hoped that we finish this by December 31, 2014.

Mr. Rhodes: What have you been doing?

Mr. Baroody: I missed that target, so we'd be happy to spend as much time really in all sincerity as it takes to get you comfortable with the Plan. I think that's a fair answer.

Mr. English: I'd like to see the end of July.

Mr. Rhodes: How does are public hearing schedule look?

Mr. Harvey: I was going to ask Mr. Zuraf the same question, if he recalls...

Mr. Rhodes: For June 24th and July?

Mr. Harvey: ... what we have maybe coming up towards the end of June.

Mr. Zuraf: I think we're pretty light at the end of June.

Mr. Rhodes: We've got Old Dominion Village and we've got the one we authorized tonight, and that's it, which is a text amendment.

Mr. Zuraf: Stafford Retail Center is early June, so that's the only new one.

Mr. Apicella: I think we have to take it in the context of not just public hearings but the overall work load some of these things, like Stafford Village Center could take some time even though it's not going to be a public hearing going forward.

Mr. English: So I'd like as part of my motion July 22nd.

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Mr. Rhodes: Okay, so there's a motion to do public hearing on July 22nd.

Mr. Coen: Second.

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

Mr. English: No sir.

Mr. Rhodes: Mr. Coen?

Mr. Coen: I just have a question on logistics. So, it sort of goes to what Mr. Apicella said about the organization of it. So, if we have the public hearing in July and then we say, gee willikers we'd like to change the order and that's our recommendation to them. So we pass it as is with the recommendation they change it, are they going to have to turn around and send it back to us so that we then officially change the wording?

Mr. Rhodes: Would that significantly modify or expand the scope of it do you think?

Ms. McClendon: Mr. Chairman and Mr. Coen, I don't believe it would. As long as there's not a substantive change to the content of the document you should be fine.

Mr. Rhodes: It's only if it's significantly broadens outside right?

Ms. McClendon: Right, it needs to be material change that expands the provisions.

Mr. Rhodes: Okay, cool. Any other comments? Other than you guys don't want to pile on on one night, but be like that. Okay, all those in favor of the motion to authorize for public hearing for July 22nd signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Anyone opposed? No? Passes 7-0, public hearing July 22nd. Thank you very much. With that we'll move onto Planning Director's Report.

PLANNING DIRECTOR'S REPORT

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

COUNTY ATTORNEY'S REPORT

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Mr. Rhodes: Woohoo! County Attorney's Report?

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

COMMITTEE REPORTS

Mr. Rhodes: We're rollin'! Committee Reports. What's the ARB up to? I just like to bother you, so okay.

Mr. Gibbons: I've got one question.

Mr. Rhodes: Yes please.

Mr. Gibbons: Do we have anything in the pipeline that's going to affect the September/October timeframe on the election year?

Mr. Rhodes: Mr. Harvey?

Mr. Harvey: Mr. Chairman and Mr. Gibbons, most of our land use cases right now are flowing pretty quickly in trying to I guess get through before that timeframe. Oh, we did recently receive an application for apartments at Celebrate Virginia; that's requiring a zoning text amendment as well as a proffer amendment. That one might be coming through to the Commission sometime mid- to late summer.

Mr. Rhodes: But not a lot of them stacked up; that one you're seeing.

Mr. Harvey: Correct.

Mr. Rhodes: Okay. Questions? Okay, very good. So, no Committee Reports. No Chairman's Report. Everybody got their TRC stuff? Grafton Village, Celebrate Virginia Bojangles, and Potomac Creek Industrial Park? Good, good; okay. I'd entertain a motion to approve the March 25th minutes?

CHAIRMAN'S REPORT

OTHER BUSINESS

11. TRC Information - June 10, 2015
 - Grafton Village Elementary School - Falmouth Election District
 - Celebrate VA Bojangles - Hartwood Election District
 - Potomac Creek Industrial Park M&S Welding - Falmouth Election District

APPROVAL OF MINUTES

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Mr. Gibbons: So moved Mr. Chairman.

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

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Mr. English: Second.

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

Mr. Gibbons: No sir.

Mr. Rhodes: Mr. English? Any other member? All those in favor of the motion to approve the March 25th minutes signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? Uh-uh; okay, very good. Did we miss anything?

Mr. Apicella: Can't we just find something to do until ten o'clock?

Mr. Rhodes: Sure, and then we can extend beyond ten. Okay, no... okay, we're adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:42 p.m.