

**STAFFORD COUNTY PLANNING COMMISSION**  
**January 9, 2019**

The meeting of the Stafford County Planning Commission of Wednesday, January 9, 2019, was called to order at 6:30 p.m. by Jeffrey Harvey in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Steven Apicella, Albert Bain, Roy Boswell, Darrell English, Fillmore McPherson, Barton Randall, Crystal Vanuch,

MEMBERS ABSENT: NONE

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Brian Geouge, Rysheda McClendon, Lindsey Marr

ELECTION OF OFFICERS

Mr. Harvey: The next item of business is election of officers. I'll ask for the Planning Commission, are there any nominations for the Officer of Chairman?

A. Election of Chairman

Mr. Apicella: I'd like to nominate Ms. Vanuch for Chairman.

Mr. Bain: Second.

Mr. Harvey: Are there any other nominations on the floor?

Mr. McPherson: I'd like to nominate Steven Apicella as Vice-Chair.

Ms. Vanuch: Oh, not yet, not yet, just Chair.

Mr. Harvey: Thank you, just for Chairman.

Mr. McPherson: Okay.

Mr. Harvey: I'll ask again, are there any other nominations for Chairman on the floor? May I have a voice vote please? All in favor say aye.

Mr. Apicella: Aye.

Mr. McPherson: Aye.

Mr. Bain: Aye.

Ms. Vanuch: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Randall: Aye.

Mr. Harvey: All opposed? Thank you very much. Congratulations Madam Chairman.

Ms. Vanuch: Thank you, Mr. Harvey and thank you Commissioners for entrusting me as Chairman for 2019. Now to the next order of business for the election of Vice Chairman. So, opening the floor for any nominations for Vice Chairman.

B. Election of Vice-Chairman

Mr. McPherson: Again, I nominate Steven Apicella as Vice Chair.

Ms. Vanuch: Okay, and we don't need a second on these, we just need to know are there any other nominations. Okay, seeing none, will you please do a voice vote for Mr. Apicella as Vice Chair. All in favor aye.

Mr. Apicella: Aye.

Mr. McPherson: Aye.

Mr. Bain: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Randall: Aye.

Ms. Vanuch: Aye. Any opposed? Alright, motion carries 7-0. Now moving on to item C, Election of Secretary. Do we have any nominations for Secretary?

C. Election of Secretary

Mr. Boswell: I nominate Darrell English.

Ms. Vanuch: Okay, so we have a nomination for Mr. English; any other nominations? Okay, seeing none we'll close that. We can do a voice vote; all in favor?

Mr. Apicella: Aye.

Mr. McPherson: Aye.

Mr. Bain: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Randall: Aye.

*Planning Commission Minutes*  
*January 9, 2019*

Ms. Vanuch: Aye. Any opposed? Okay, motion carries 7-0. Congratulations Mr. Apicella and Mr. English. Moving on to Declarations of Disqualification for this evening on any items on the agenda. Any disclosures or disqualifications? Alright, seeing none we'll move right along to the public presentations portion of tonight's meeting. This is a reminder to the public, there are no public hearings for tonight, there is just if you want to come up and talk about any of the items on the agenda this would be your time to come to the podium. We can't engage in a direct conversation but if you have specific questions that you'd like for us to research, we can always contact you with those answers or bring them up when we're discussing other items on the agenda this evening. You'll have 3 minutes when the light turns green, you'll have 1 minute when the yellow light comes on, when the red light comes on please conclude your comments. And please state your name, address, and the district that you reside if you know that when you come up to the microphone. Does anybody care to speak at this time? Come on down.

DECLARATIONS OF DISQUALIFICATION

PUBLIC PRESENTATIONS

Mr. Grimes: My name is Steve Grimes and I'm in the Hartwood District. I'd just like it take a moment; I realize that you can't answer any questions related to the public hearing coming up on the re-engineering I guess or re-proposal for the Canon Ridge Golf Estates. I'm from Ambrose Estates which is right next to it. I'd just like to highlight that we're sort of catching up on this as a community. We're a small community but we abut directly to this redevelopment that's occurring, and we wanted to maybe highlight a little bit about ensuring that attention to Greenbank Road and Scott's Ford Lane. There's going to be a closure there as I understand it, a gate that's going to allow access to Lake Mooney for the actual county to access it but members of the rest of the community won't be able to access Lake Mooney anymore. We're right next to Lake Mooney. It's sort of like we're right next to Lake Mooney, we all are on wells, can't get the water that's coming out of there which is fine but now the issue is, you know, getting access there. So we just want to understand what's sort of gonna play out when it comes to making road changes there. Not necessarily adverse to it, just want to make sure we understand how that access coming off Scott's Ford up to Greenbank is going to change, and that we're just sort of prepared so we can let those folks who are at the development understand better. Okay? That's all I have. I appreciate your time, and in the past, Mr. Harvey has been very instrumental in some things we had done in Ambrose and we appreciate your time. We know it's a hard thing to do, lots of different opinions and thoughts. But look forward to the public hearing I guess in February on this. Thank you.

Ms. Vanuch: Excellent, thank you. And if you want to give your name, address... or name and email address to Ms. Stinnette over there we can get it to Commissioner English, he's your district representative and I'm sure he'd be happy to follow up.

Mr. Grimes: Great, thank you very much, appreciate it.

Ms. Vanuch: Okay, thanks. Okay, anyone else? Okay, seeing no one else approach the podium, we'll close the public presentations portion of tonight's meeting. There is a carryover public hearing but that is not open for public hearing; it has been continued for February 27<sup>th</sup>, the Villages of Greenbank Proffer Amendment Reclassification. Moving on to this evening's Unfinished Business, item number 2 on the agenda, the Ordinance O18-31 and for this we'll recognize Mr. Brian Geouge.

PUBLIC HEARINGS

*Planning Commission Minutes*  
*January 9, 2019*

1. RC17152130; Reclassification - The Villages at Greenbank Proffer Amendment - A proposal to amend proffered conditions on 441.67 acres identified as Tax Map Parcel Nos. 44W-H and 52-1 (Property), zoned RBC, Recreational Business Campus Zoning District, to allow for the development of 1,177 age-restricted dwelling units. The Property is located at the southern terminus of Celebrate Virginia Parkway, within the Hartwood Election District. **(Time Limit: March 29, 2019) (History: December 19, 2018 Public Hearing Continued to February 27, 2019)**

UNFINISHED BUSINESS

2. Amendment to the Zoning Ordinance - Proposed Ordinance O18-31 would amend the Zoning Ordinance, Stafford County Code, Sec. 28-25, "Definitions of specific terms;" Sec. 28-33, "Districts generally;" Sec. 28-34, "Purpose of districts;" Sec. 28-35, "Table of uses and standards;" Sec. 28-39, "Special regulations;" Sec. 28-53, "Planned development districts;" Sec. 28-55, "Planned Development-2 District (PD-2) regulations;" Sec. 28-56, "Application for planned developments;" and Sec. 28-129 "Types permitted in commercial and office districts" to redefine the RBC, Recreational Business Campus Zoning District to the PD-3, Planned Development-3 Zoning District, and to modify district requirements and amend other zoning ordinance provisions accordingly. **(Time Limit: March 17, 2019) (History: Deferred on September 26, 2018 to October 10, 2018) (Deferred on October 24, 2018 to December 19, 2018) (Deferred on December 19, 2018 to January 9, 2019)**  
*(Authorize for Public Hearing By: February 13, 2019)*  
*(Potential Public Hearing Date: March 13, 2019)*

Mr. Geouge: Good evening and congratulations Madam Chairman, members of the Commission, I'm Brian Geouge with Planning and Zoning. I do have a presentation here and I'll leave it at your discretion if you'd like me to go over the basics of this proposal. It has been discussed a few times before. This is the proposed RBC to PD-3 ordinance amendments; otherwise we can go straight into questions.

Ms. Vanuch: I think maybe high points since we do have a member of the public. Just highpoints really quickly.

Mr. Geouge: This is a proposed amendment to Chapter 28 of the Zoning Ordinance to redefine the RBC, Recreational Business Campus District to the PD-3, Planed Development-3 Zoning District. This is related to a proposal by Silver Companies to develop 1,177 retirement housing units and generally in the area of the Canon Ridge Golf Course. To summarize the request, the applicant has requested an increase in the allowed percentage of retirement housing in the district from 30% to 45%. They've also requested to include farm wineries and agri-tourism uses as permitted uses. Staff is also a request... suggesting a number of amendments the ordinance, including redefining the RBC district to the Planned Development-3 district and revising the regulations. We're proposing to clarify how open space, district open space is calculated because there has been some debate and confusion on that topic. The current language isn't written that clearly, so we're suggesting a number of changes there. And we're suggesting that the increase actually go to 47% to accommodate the proposed development due to the recently submitted project referred to Celebrate Now. We're proposing to remove uses which may be incompatible with residential uses, such as industrial, manufacturing, and high-intensity commercial. And we're proposing to clean up the ordinance by removing uses that are listed unnecessarily and removing regulations which would no longer apply or that are covered by other parts of the ordinance already. And finally, we're suggesting that any change to the preliminary concept plan, which is required for this district, be acted on by the Planning Commission. Staff recommends authorizing a

*Planning Commission Minutes*  
*January 9, 2019*

public hearing for this, and I note that the extended timeframe to make a decision on this is March 17<sup>th</sup> and that Planning Commission can make changes. And I'll take any questions.

Mr. English: I've got one, Brian.

Ms. Vanuch: Mr. English?

Mr. English: If we ask to reduce that, they're asking for 47%, what if we said that... we asked them to reduce it to 40 or 35%, how many houses would that allow?

Mr. Geouge: I'm not certain; I'd have to calculate that.

Mr. English: You'd have to calculate that? Could you get that for me, the figures on that?

Mr. Geouge: Any particular numbers or...?

Mr. English: I would like it at 40 and 35%, what the housing would be like.

Ms. Vanuch: How long would that take you to calculate?

Mr. Geouge: Not very long. It should be pretty simple math if you just take the difference of 17% and divide it out by the proposed 1,177 units. So, for instance, if the difference is... if you take half a 17, it's 8½, so if you increased it to 38½% theoretically you'd have about half of 1,177 units permitted; about 600 or around.

Mr. English: That's at 40%?

Mr. Geouge: That would be 38 or so.

Mr. English: Thirty-eight percent and you're saying about 600 homes, roughly, right?

Mr. Geouge: Roughly.

Ms. Vanuch: And then half of that would be...

Mr. Randall: Commissioner, it's 69.2 homes per percentage point, right, so if you take 69 and then you multiply it by 5, it's 346 homes for 5%.

Ms. Vanuch: Okay. Oh, I didn't know we had a math whiz.

Mr. Geouge: And that would also...

Mr. Randall: That's what you do with your smart phone in five seconds.

Mr. Geouge: That would also depend on the mix of units. If it's all townhomes you're obviously gonna get a lot more than if it's a mix of detached and duplex and townhomes.

Mr. English: We can't get those figures in if we mix it up in, because I wanted to know if we mix it.

Mr. Geouge: Sure.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. English: Does that make sense, what am I asking you?

Mr. Geouge: Mm-hmm.

Mr. English: Okay.

Ms. Vanuch: Mr. McPherson?

Mr. McPherson: Brian, I have a high level question for you if I may. So, why are we changing the RBC to a PD-3? Why not leave it as an RBC but maybe change some of the requirements for open space and percentage of, you know, senior assisted living or age restricted living. Why does it have to change from RBC to PD-3? What drives that major change other than just, you know, making adjustments to some of the requirements?

Mr. Geouge: It was staff's opinion that with the proposed development, being almost 1,200 additional homes in this district, that it's really a major departure from the original intent of the district being a Recreational Business Campus. That's why we felt like it would be appropriate to consider a redefinition of the district along with this proposal. Now, if the proposal is reduced then maybe that dynamic changes and maybe it's appropriate to stay as a RBC potentially and not change to a PD-3. But we did propose this to the Board at the CEDC meeting and they did refer it based on the assumption that this would be a change from the RBC district to the PD-3 district.

Ms. Vanuch: I get it. It will be mostly residential.

Mr. McPherson: Right. So, if this doesn't pass theoretically then RBC goes away and now all we have is PD-1, 2, and 3, but no RBC, correct, in Stafford County?

Mr. Geouge: If this... if the Board doesn't adopt the ordinance, then the RBC district would remain as is and we would stay with PD-1 and 2.

Mr. English: But if we reduced the number of homes, it could stay RBC, right?

Mr. Geouge: Well, it depends on the Board's action, because...

Mr. English: Theoretically.

Mr. Geouge: ... you could modify the proposed ordinance to reduce the percentage but overall the ordinance would still be proposing a change from RBC to PD-3 as directed by the Board.

Mr. English: Okay.

Mr. Randall: If you remember our conversation last time with the developer, they really didn't have any other plans. Once the golf course went away, they really didn't have any other plans for any recreational... other recreational things to add to this. If they were gonna come in and say, well, we're gonna take away the golf course but we're gonna put in an indoor fieldhouse or we're gonna take away the golf course and put five soccer fields, there may be some benefit of leaving it as an RBC. But they were very clear last time that they really... once the golf course went away, they really had not investigated any other options for recreational aspects of that whole area. And so, I guess based on that, that information staff said, well, if you're not going to make it a recreational area then there's no reason to make it a... leave it as an RBC.

*Planning Commission Minutes  
January 9, 2019*

Mr. Geouge: And the big point of the RBC was the business component and the office component, given the amount of offices originally proposed here. And that just hasn't come to fruition, so part of this is sort of accepting the realities of the area and again, back when the comprehensive plan was adopted, this was designated as Suburban and I'm not sure if part of that was recognizing that a large business campus wasn't going to be very practical or probable in this area. So, some of that... these changes are relating to just coming to terms with the realities of the development should this go through, that it's really going to be a departure from the original intent.

Mr. English: Brian, I don't know if you can answer this question or not. I know Celebrate Virginia Parkway could probably handle the 1,100 homes, probably, but the impact on 17 is where there's probably a great concern. So, you wouldn't know the impacts between if that was the case on 17 would you? Would there have to be a traffic study done on that or...?

Mr. Geouge: Well, there was a traffic study done for this application for the proffer amendment, and they did look at all the major intersections along pretty much from Celebrate Virginia Parkway all the way down to 95 along Route 17. And they found that with the new signal timings recently implemented by VDOT along the corridor that they could maintain level of service adequate, at least not further degrade level of service at those intersections along 17 with their proposed development.

Mr. English: And with the construction they're doing on 95, that would help too right with the...

Mr. Geouge: It should.

Mr. English: How long, is there a timeline for that?

Mr. Geouge: I believe 2022 is the...

Mr. English: 95 part of it?

Mr. Geouge: Yes, the collector distributor lanes and HOT lane extension.

Ms. Vanuch: But there's no access to the HOT lanes off Route 17, correct? There's actually no entrance in Stafford County period.

Mr. Geouge: I don't know the answer to that.

Ms. Vanuch: That's the answer.

Mr. English: Even if you're coming off Celebrate?

Ms. Vanuch: Even if you're coming off Celebrate. You cannot access...

Mr. English: Not Celebrate, but, umm...

Ms. Vanuch: ... Route 17. Garrisonville? You can't get to the HOT lanes southbound.

Mr. English: I'm talking about airport.

Ms. Vanuch: Airport? Nope.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. English: They're not even going to have access?

Ms. Vanuch: Nope. Nope. Stafford County has no access to southbound HOT lanes.

Mr. Apicella: Madam Chairman, I think I saw a number of about 4,000 vehicle trips per day as a result of additional 1,170 homes, is that about right?

Mr. Geouge: I think it was closer to 4,700/4,800, but yeah, pretty close.

Mr. Apicella: Okay, I'll take that.

Mr. Bain: The applicant had a study in their package that evaluated the economics of doing the age restricted housing. As far as I know, I haven't seen anything that showed that they evaluated other housing alternatives such as single-family and what the potential impacts could be. It seems to me that they were really looking to maximize profits. And I'm wondering if we really need to go to a PD-3 that focuses it on age restricted housing and allows such a high density development, or should we consider only doing a PD-2 or a PD-1 and allowing for single-family homes as opposed to high-density. I mean, this is really high density development; it's not suburban residential development. This is high density. And so it bothers me a little bit that they focused on such a high density development after having spent all this time saying they were going to provide recreational amenities for the county and that's disappeared. And it just... it doesn't sit right with me. Not a question but a comment.

Mr. Apicella: Madam Chairman, I've got a few questions if it's okay.

Ms. Vanuch: Go ahead.

Mr. Apicella: You sort of said this but I'm just gonna try to ask it the way that I have it phrased here. Would it be fair to characterize the proposed PD-3 zoning district as providing for a large-scale age-restricted development or developments? Because it might not necessarily be just in this one location; it could be elsewhere if folks apply for the same zoning if this were approved.

Mr. Geouge: Yes, on up to close to half of the district area.

Mr. Apicella: Were there any model ordinances the County used in creating this proposed district?

Mr. Geouge: There was not.

Mr. Apicella: Are there any age restricted developments you're aware of locally or across the state that would be similar to what's being proposed here?

Mr. Geouge: None come to mind; I'd have to research that.

Mr. Apicella: Under the existing RBC zoning district it indicates that no more than 30% of the acreage can be retirement housing and no more than 10% could be commercial. So, what is supposed to constitute the other 60% of that district?

Mr. Geouge: Office uses would be the largest component of that, because I think it says commercial retail as the maximum of 10% which allows for office development on the remaining percentage.

***Planning Commission Minutes***  
***January 9, 2019***

Mr. Apicella: Okay. And office development is typically a... potentially an economic driver or net positive?

Mr. Geouge: Yes. And to add on that, of course you'd have the open space as well, which this district required a significant percentage of.

Mr. Apicella: And again, how does the max usage change under the PD-3 category, the split?

Mr. Geouge: It would be up to 47% retirement housing.

Mr. Apicella: Okay. And besides allowing another 17% of the acreage to be retirement housing, what other significant changes are proposed, besides the performance standard changes?

Mr. Geouge: Well, we're proposing to remove several uses, the higher intensity uses that I mentioned before. We're also proposing to clarify the district open space requirement, which is a major change. And we're also just cleaning up the ordinance in general. And as I mentioned before, we would require any changes to the concept plan to be reviewed and acted on by the Planning Commission whereas now that's not necessarily the case.

Mr. Apicella: And is multi-family currently allowed in RBC?

Mr. Geouge: With a conditional use permit.

Mr. Apicella: And what's the maximum density per acre?

Mr. Geouge: Sixteen units.

Mr. Apicella: Okay. So that's not changing from RBC to PD-3?

Mr. Geouge: Not as proposed.

Mr. Apicella: Would the applicant be... is the applicant close to their current capacity in terms of residential units at 30%?

Mr. Geouge: They are. They're pretty much...

Mr. Apicella: So they couldn't build one or close to one additional house?

Mr. Geouge: I think they're at 29.something.

Ms. Vanuch: We said it at the last meeting when we had to approve the other one it's pretty darn close, maybe a half a house.

Mr. Apicella: Okay. And based on the potential yield, what's the maximum number development units someone could build on 500 acres under the proposed ordinance?

Mr. Geouge: Well, if it's the ordinance by itself, the district allows for up to 7 dwelling units per acre. So, 500 times 7.

Ms. Vanuch: Thirty-five hundred.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Apicella: Okay. I'm just looking at this in the context of not just Celebrate Virginia North and how that might change, but how this zoning could be applied somewhere else.

Mr. Geouge: I will add that, of course, with the proposed proffer amendment that number would be limited for this area.

Mr. Apicella: Right, but again, we're not... this is not just expressive to a specific rezoning, but just the construct itself. Can someone build a large-scale retirement community in Stafford without the creation of a new PD-3 zoning category?

Mr. Geouge: Well, there's the R-5 district, but I believe that has a maximum acreage requirement, if I'm correct. I want to say it's 15 acres and that allows up to 15 dwelling units per acre; otherwise, well, I'm not sure which other zoning categories allow for retirement.

Mr. Apicella: I'm going to ask Jeff, because other zoning categories might not be restricted or limited to age restricted, but they could be if that's what the applicant wanted. So, under the county's current various land-use categories, what other categories could be used by somebody if they had a 500-acre plus parcel that they wanted to build age-restricted homes?

Mr. Harvey: Madam Chairman and Commissioner Apicella, there's several residential zoning classifications that allow retirement housing with a conditional use permit. So, someone could in theory rezone to R-2 or R-3 zoning category, receive approval of a conditional use permit for a relatively large project.

Mr. Apicella: Okay. I'm sorry, just a couple more questions, Madam Chairman. Has the county or anyone else conducted any studies demonstrating the need for large-scale retirement developments in Stafford?

Mr. Geouge: We have not.

Mr. Apicella: And have we conducted any studies on the amenities seniors typically want and need in large developments?

Mr. Geouge: Staff has not done that.

Mr. Apicella: Do we know what kinds of impacts large-scale retirement communities have on public infrastructure and services?

Mr. Geouge: Well, we know that they're going to be less than your typical single-family, but there's not been any detailed analysis that I'm aware of as to exact.

Mr. Apicella: And how do we know? I mean, I just came from Florida and certain communities in Florida that are almost all retirement related. And I can tell you that retirees actually demand a lot of services because, and I'm not trying to be pejorative, but what are they going to do during the day? They're going to go out, they're going to go to the library, they're going to use various public services, they're going to go to parks, probably even more so than families who are working. They're going to want to have those kind of amenities and activities available to them. So, when we say that, and I'm just basing it on my experience having lived in Florida and having just visited Florida, that it's not necessarily a truism that they demand less except for education; all the other services they might actually

*Planning Commission Minutes*  
*January 9, 2019*

more of an interest in and utilize in more consistently than a family would because they're not working during the day, they're retired, they need something to do during the day.

Mr. Geouge: There are some studies we can point to; the ITE manual, for instance, Institute of Transportation Engineers, which does evaluations of traffic generation from these types of developments. They put the generation for retirement communities, age restricted communities, at around 4 trips per unit. Or as your typical single-family non-age restricted unit's going to be more like 10 trips per unit. So, for certain things like transportation there are likely less impacts, but for other things like utilities and parks and recreation and those sorts of things it's not certain.

Mr. Apicella: Brian, you're gonna have to tell that to my 82 year old mom who gets on the road several times during the day with her one car so.

Mr. English: I was gonna ask him to go back on what you said about Florida. Is there some way that you could get a study from... Florida is a big retirement community that has that kind of 1,100 homes and see what kind of demand it does on the regular impacts it is on the community. Can you get something like that from like Florida and say hey, we're thinking about doing this, because I have a feeling that we're not gonna get as much as... they're gonna go to Fredericksburg, they're not gonna stay here because we don't have anything. I think Fredericksburg is gonna reap the benefits, Fredericksburg and Spotsylvania, than we would because we have nothing for a senior to be honest with you. Yeah, they're gonna go to the city.

Ms. Vanuch: Downtown, Stafford, they're gonna go to Route 3 and go shopping and then all that tax money goes to Spotsylvania.

Mr. Randall: So, one quick thing to add to the question that was asked. Isn't the Del Webb community that they've got just up the street, isn't that a retirement age restricted...?

Mr. Geouge: Yes.

Mr. Randall: They built that in the RBC zone, correct?

Mr. Geouge: Yes.

Mr. Randall: Okay, and how many homes are in that location?

Mr. Geouge: At build-out it's gonna be around 1,100.

Mr. Randall: About 1,100, and those are just single-family homes, correct?

Mr. Geouge: It's a mix.

Mr. Randall: It is a mix. Do you know what the mixture percentage is?

Mr. Geouge: I'm not certain. I'd have to look at that.

Mr. Randall: Okay.

Mr. English: When you say mixed, there's no townhouses in there.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Geouge: I believe there are, there are townhomes.

Mr. English: In Celebrate?

Mr. Geouge: Del Webb.

Ms. Vanuch: I think they're more like detached like...

Mr. Harvey: Madam Chairman, Commissioner English, there are a number of unit types as Mr. Geouge is saying. There's single-family homes, duplexes, and villas. Villas sometimes people would assume that they're townhouses because of the way... exactly... the way they're configured.

Ms. Vanuch: Garage, garage attached and then the houses. Any other questions from the Commission?  
Mr. Apicella?

Mr. Apicella: I guess I have one other question. So, again, going back to this cap, which is currently 30% of the total acreage being limited to retirement housing, do we have any other zoning categories that limit the percentage that could be built on that particular type of land-use category? And I'm talking about large-scale developments.

Mr. Geouge: Not that I'm aware of, not in the same way that this district does.

Mr. Apicella: Okay, thanks.

Ms. Vanuch: Anybody else? Mr. Randall?

Mr. Randall: Yes, is the intent to go through the ordinance tonight, is that what we're planning to do, or...?

Ms. Vanuch: So, the ordinance... so, we have a couple of options.

Mr. Randall: Okay.

Ms. Vanuch: It needs to go to public hearing by March 13<sup>th</sup>; however, the application for the Villages at Greenbank, the proffer amendment, will actually be at public hearing February 27<sup>th</sup>. So, if we wanted them to both be heard at the same meeting, for the public to participate, we would need to authorize this to public hearing tonight. Now we could recommend some changes to it tonight; we could change the density, we could... percentage...

Mr. Randall: Well, that was my question, because I've gone through this and there are several things that I think need to be fixed in order to make it more palatable. I don't know if we want to go line by line or what the process would be to make those changes.

Ms. Vanuch: We could go line by line and discuss it as a Commission. How many changes do you think you have?

Mr. Randall: Twenty.

Ms. Vanuch: Twenty changes? Okay, that's an awful lot. Does anybody else have any comment on what they'd like to do?

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Apicella: I'd like to hear what changes Bart has, Mr. Randall has.

Ms. Vanuch: Anybody else?

Mr. Bain: I don't believe I'm ready to make a decision on the ordinance tonight. I'd like to have a little more time.

Ms. Vanuch: Well, remember it's not... you're not passing or denying it. we're just sending it to public hearing.

Mr. Bain: Oh, alright, I'm sorry.

Ms. Vanuch: But it has to be, if we're gonna make sweeping changes, we need to make sure that we send the right ordinance to public hearing because we can make some changes when it goes to public hearing but we can't make a ton of changes. Like there's certain changes that would trigger an issue of re-advertising and re-public hearing.

Mr. Randall: I have some I think that are pertinent to the conversation.

Ms. Vanuch: Okay, well let's maybe just start with like 5; let's see how we go. Let's start with 5.

Mr. Apicella: Mr. Randall, can I suggest we work with the clean version, just so we're on the same page?

Mr. Randall: Yes, we are working on the clean version. The one that was sent out by Crystal, the one that... I don't know.

Ms. Vanuch: Yep. Let's start page one.

Mr. Randall: Page one. Brian, do you have... you know where I am?

Mr. Geouge: Yes.

Mr. Randall: 28-34, the purpose of the districts. That paragraph is exactly the same as the paragraph below it. Do we need to duplicate that paragraph one right after the other or can we summarize the paragraph under the table of uses and standards now that we've defined what the PD-3, Planned Development-3 District is at the top? I just didn't see a reason to duplicate both those paragraphs.

Ms. Vanuch: Is that an attorney question?

Mr. Randall: I don't know.

Mr. Geouge: I believe the way it is, is consistent with how the other districts are handled as far as defining them.

Ms. Vanuch: Yeah, I think that's more format. Let's maybe focus more on ordinance specific versus format, if that's okay.

Mr. Randall: Alright, and I noticed that in several of the... you have removed a couple of things in the uses permitted by-right, specifically...

*Planning Commission Minutes*  
*January 9, 2019*

Ms. Vanuch: The next page.

Mr. Randall: Well, uses permitted by-right. In the clean version it doesn't have it on here. If you look at the part that was taken off, you'll see that there's bocce ball fields for example that was taken off a use by-right. So, basically what you're saying is that the developer couldn't go in in the recreational area and put in a bocce ball court to help with the... as part of the recreational amenities.

Mr. Geouge: Yeah, that's a good point of clarification. All of the recreational type uses that are proposed to be removed are... were just removed because they're listed unnecessarily. They're already covered under general terms of the by-right uses, such as active recreation, recreational facility, those other uses that are staying in the ordinance. So that was more of a cleanup. Those specific recreational uses would still be permitted under the general (inaudible).

Mr. Randall: So, the term...

Ms. Vanuch: So they can still do it.

Mr. Randall: ... so you got rid of them because they now fall under the active recreation term, is that the reason?

Mr. Geouge: Yes. They weren't necessary, yes.

Mr. Randall: Okay, so along with that then you have... you've removed helipads and yet you've talked to them. Is that still authorized by-right?

Mr. Geouge: I believe... my understanding of that is...

Mr. Randall: The conditional use permit that you took off, yet in the ordinance... I can't find what page it is... its page 9 of the actual ordinance, you talk about the developmental use of helistops. And I'm assuming that's the same thing?

Mr. Geouge: Yes, discussing that with the Zoning Administrator is my understanding that we can't by federal or state law, I forget, we can't regulate the placement of helipads. However, with the performance standards, we can ensure that certain criteria are met when they are placed or constructed. Does that make sense?

Mr. Randall: Not... so, it's in the ordinance as a standard...

Mr. Geouge: Yes.

Mr. Randall: ... but yet we've taken it out of their ability to do it by-right or by conditional use permit. So how would they put one in there if it's not allowed by-right or by a conditional use permit?

Mr. Geouge: I would have to defer to Jeff on that. I'm not sure if the perspective that we can't regulate them means that it has to be listed as a by-right use or not.

Mr. Harvey: With this ordinance amendment it would eliminate the prospect of having a helistop within a project. So it would not be allowed to be placed in with a net project... at all period.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Randall: Right. That was kind of the premise I was going under, which then would mean on page 9 we wouldn't need to have the number 13 which talks about where they would be and... okay so.

Ms. Vanuch: So, are you proposing to take that out?

Mr. Randall: Well, I believe by the fact that they've removed it from a conditional use permit or by-right that it would then need to come out.

Ms. Vanuch: Yeah, okay.

Mr. Apicella: And where is this on page 9?

Mr. Randall: Number 13.

Mr. Apicella: So, we remove all of 13.

Mr. Randall: I would remove all of 13, yes.

Mr. Geouge: Okay.

Ms. Vanuch: Alright, next?

Mr. Randall: Are you rushing me?

Ms. Vanuch: A little bit. Twenty... that's 3.

Mr. Randall: Do you have some place to go at 7:30?

Ms. Vanuch: That's 3!

Mr. Randall: You're counting. Okay, so in the conditional use permit you mentioned a public parking lot. What's your definition of public parking lot? Are some of the parking lots that are going to be defined by the... some of the parks down there, by some of the open area, recreational spaces, are those considered public parking lots? And would we need for them to come back to us for a conditional use permit for those public parking lots? Was that the reason why we put them as a conditional use permit? Because I know there'll be several parks, there'll be several Civil War type things, and I wasn't sure if that was the intent.

Mr. Bain: I would point out that during the last meeting it was not made absolutely clear that those would be public access parks. The developer would have the opportunity to make them available only to the residents, so...

Mr. Randall: Well, public can be residents, too. Just because it's public or private, that's why I asked about the definition of public; private being this is mine, public being it's used for more than one person. I could have several residents go down there and it'd still be a public parking lot by definition of it not being private. So, I just wondered what our definition was that would force a conditional use permit.

Mr. Geouge: The definition of the ordinance of a public parking lot is parking area forming the principle or accessory use of a lot available to the public or as an accommodation to employees, clients,

*Planning Commission Minutes*  
*January 9, 2019*

or customers of a use on an adjacent or nearby lot with or without a fee being charged, but shall not include any area wherein vehicles for sale, repair, or temporary impoundment are kept or stored.

Ms. Vanuch: What's the sense of the Commission on this? Do you want to leave it? Anybody have an issue?

Mr. English: I don't have a problem with it.

Mr. Randall: That's fine.

Ms. Vanuch: Okay, next one?

Mr. Randall: We talked at our, and Jeff, this probably a question for you in intensity, in the next section under Charlie, it's not minimum open space ratio anymore. It would be maximum lot coverage. Is that correct, Jeff, once we... if we move that forward with the cluster definitions?

Mr. Harvey: Madam Chairman and Commissioner Randall, yes, we are looking at another code amendment which would change the on lot green area from open space ratio to lot coverage. So, in other words, how much of your lot can be pavement, rooftop, things that nature; so that may be one of the things that would have to be adjusted to make sure that these work in concert with one another if for some reason one ordinance amendment was approved in advance of the other we didn't create a problem where we undid what we just did.

Mr. Randall: Right. No, I just wanted to make sure that that would be covered as one of the things that would need to be changed.

Mr. Harvey: Yes.

Mr. Apicella: Can I take us back for a second if we're talking about by-right uses and conditional uses?

Mr. Randall: Sure, absolutely.

Mr. Apicella: If it's a retirement... if it's a retirement community, why would you have childcare centers as a by-right use?

Mr. Harvey: Madam Chairman, Commissioner Apicella, when the ordinance was developed as originally a business campus idea, the thought process was you're gonna have thousands of people in one location of employment or one area of employment and they would need services like childcare centers, like restaurants, things of that nature. So, that was a part of the initial thinking with the ordinance amendment. Even in its current form, as we're discussing tonight, there still could be substantial components of office space that could be within a PD-3 district. So that'd be something for the Commission to consider is whether or not you'd want people that are in this large complex to have to drive out of the complex in order to access childcare.

Mr. Apicella: I guess my question is more broadly is when I look at the uses under PD-2, both by-right and conditional use permit versus the ones in RBC, which are we trying to shift to? More like PD-2 or more like RBC with some minor tweaks? I mean, I don't know what the answer is but which side of the ledger are we trying to get to here?

*Planning Commission Minutes  
January 9, 2019*

Mr. Harvey: Commissioner Apicella, the PD-2 district is intended to be a traditional neighborhood mixed-use type of community, which the RBC conversion to PD-3 would not necessarily be of the same type of community that the PD-2 zone allows. The Embrey Mill neighborhood in the county is currently zoned PD-2, and you can see that most of that project is residential as well but there are some substantial commercial areas that haven't developed yet. And that could have a daycare component as well under that zoning if I recall correctly.

Mr. Apicella: Again, I'm just trying to look for compatibility. If this is primarily going to be a retirement community, I understand there may be some office and some other businesses. Is there anything that's here that might be in conflict that we might at least want to push towards a conditional use permit versus... I mean, if I were in a retirement community I don't know that I initially want to have a daycare center right next to my house without at least looking at it from a conditional use perspective. I'm not saying to take it out.

Mr. English: Well, let me ask you this question. You're talking about the child daycare but there is...

Mr. Apicella: It's just one thing I'm focused on. I'm not saying...

Mr. English: No, no, no, no, but I got something to bring on there. But you've got those... what about if there's an adult daycare because they do have those available for adults. But how would that fall under? You know what I'm talking about, adult daycares that they have for seniors that have Alzheimer's and they just... a the place for them to go that the spouse may have to... How would that fall under?

Mr. Harvey: Yes, Commissioner Vanuch and Commissioner English, we would need to add adult daycare as a permitted use if that were to be in this zoning category. So, right now it's not permitted in the zoning category.

Mr. English: Well, I probably would like to add that in there.

Ms. Vanuch: Do you want to do that as a conditional use?

Mr. Apicella: But you could add it as a conditional use permit.

Mr. English: As a conditional use permit, yes.

Ms. Vanuch: Alright, adult daycare. What do we want to do with child daycare? Do we just want to move it to conditional use permit?

Mr. English: I'm with Steven, I think we should just take it out. That's my opinion, take it out.

Ms. Vanuch: Okay. Under conditional use is everybody good with conventional facility, drive-through, multi-family dwelling; multi-family dwelling seems to stick out to me. Anybody have any issues?

Mr. McPherson: Can I back up just one second? Back to the child daycare thing? I think we should leave it in as a conditional use because remember, we're not zoning this as age restricted only, it's a PD-3 so that doesn't mean that future PD-3s are gonna be, you know, all retirement communities. So I think we should leave as a conditional use child daycare, which is my opinion.

Mr. English: I'm okay with moving to CUP.

*Planning Commission Minutes  
January 9, 2019*

Mr. Apicella: I don't think you can do a family... this is not a family, single-family, whatever, family type development, right, it's retirement. It is by its very nature a retirement focused subdivision.

Mr. McPherson: It could be.

Mr. Apicella: No, it is.

Mr. Geouge: Yes, there is an allowance for executive housing lots, around 50 or 20.

Mr. Apicella: Yeah, but it's so small.

Mr. Geouge: And multi-family but then again only with a conditional use permit.

Mr. Randall: So, I guess that point, if you go to the definition you talk about suburban style development with a significant age restricted housing component. Is significant 51%? Is a significant 70%? Do you have an idea what you mean by significant? This may go to the question that's being asked of, you know, if significant is 51 out of 51 to 49, well then you'll have a fairly large number of single-family regular homes that may need childcare or may need those types of things. If significant is 90%, then it minimizes the need maybe for a childcare center type thing.

Mr. Geouge: A significant in this case is 47% and other types of housing, non-age restricted housing, are not permitted except for the small amount of executive housing and multi-family housing, but only if a CUP is approved.

Mr. Apicella: Oh, so the multi-family could be non-age restricted?

Mr. Geouge: Correct.

Mr. Apicella: Well, that's a new piece of information.

Mr. Randall: It's on the details.

Ms. Vanuch: Okay, childcare center - yea or nay? Keep it in or move it?

Mr. McPherson: Keep it in.

Ms. Vanuch: Are we in consensus that it stays in?

Mr. Apicella: Can we put it as a conditional use permit?

Ms. Vanuch: Split the difference?

Mr. Apicella: Yeah.

Ms. Vanuch: Alright. Next, multi-family dwelling. Mr. Apicella, do you have any comments on that? Under conditional use permit?

Mr. Apicella: I'm surprised by what I just learned, and I'm not quite sure how to fix it because, again, I thought this was being sold to us as an almost exclusively age restricted development. So, I'm concerned about the multi-family dwelling being in here at all if that's the way it's going to shake out.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Geouge: There is another component to the multi-family. Similar to the retirement housing there is a cap on the area which can be developed as multi-family, and I believe it's something like 2 and 1/10 percent. It was basically established to ensure that the area they're currently designating for multi-family cannot expand without a change to the ordinance of course.

Mr. English: But if we take it out completely they can't do anything, right?

Mr. Geouge: Yes, and then the existing multi-family within the RBC becomes a non-conforming use so that could potentially have complications.

Ms. Vanuch: Could we just say... well... okay.

Mr. Apicella: So, again, take me to the language that caps out. Okay, so I see it under 28-53, no more than 2 and 1/10 percent of the total land area of the PD district shall be dedicated to multi-family. So, again, let's just take a 500-acre... let's put Celebrate Virginia North aside... another 500-acre development, what's the maximum amount of multi-family could they do under this caveat?

Mr. Geouge: So, that would be 10, 10½ acres worth, somewhere around there.

Mr. Apicella: (Inaudible - microphone not on). That's 160-unit apartment complex.

Mr. Geouge: I suppose it's... yeah, around there, that's correct.

Mr. Apicella: So, (inaudible) the folks think about that?

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

Mr. Apicella: It's Section 28-53, it's on page 6 of the clean version, 28-53, number 4, it's the last sentence.

Ms. Vanuch: No more than 2 and 1/10 percent.

Mr. Randall: So, to add to that, you have 47% of the total land area of the PD-3 district. What's the total land area that we can actually build on? What's the percentage... it's 47% of the total land area but there may be only 48% of the land area that can be built on at all. So literally there would be no more houses anyway if we go to 47% because they can't build... they wouldn't be able to build any more houses. So, if they built this, hypothetically, if we allowed the 1,177, 1,170, how many other homes could be built in Celebrate America that then would be single-family homes, regular family homes, because they would no more than... we wouldn't have any more room for age-restricted housing, so how many more houses could be built down there in the land that's available?

Mr. Geouge: None or very limited. There could be a few executive housing lots depending on how much commercial property they develop, because it's somewhat tied to that. But, other than that, they would only be able to construct more housing if they were granted a conditional use permit for multi-family beyond what they already have.

Mr. Randall: Okay, so what you're telling me then if I'm hearing right, what you're saying is that this 47% that they're building is really the entire amount of building of houses, dwellings, units, whatever, that could conceivably be built in Celebrate Virginia.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Geouge: Yes.

Mr. Randall: There's really no other places that they could build houses that would go to the... beyond the 47%.

Mr. Geouge: Yes, with the proposed development they would essentially max out the 47%.

Mr. Randall: Which is why when we talk about this we're only literally talking about the age-restricted housing because there's no other homes that could be built.

Mr. Geouge: Correct.

Mr. Randall: Okay. So that hopefully clears up a little bit in that now if we go to Commissioner English's comments and we said well maybe we just want to raise it to 35%, well then that conceivably could allow another five or six hundred homes to be built down there - maybe not that many - three hundred homes for example could be built as regular single-family developments because there would be that room then for those types of houses, correct?

Mr. Geouge: Correct.

Mr. Apicella: I don't see how that works. How can it be just regular single-family housing?

Mr. Randall: If we take the percentage of the age restricted housing to 35%, that will give us 12% of land that would be available for single-family regular homes.

Mr. Apicella: It still says age restricted housing. So I don't understand how you get that logic. The only... from what I'm hearing, the only non-age restricted housing you could do are these multi-family capped at 2 and 1/10 percent based on the way that this PD-3 has been verbalized.

Ms. Vanuch: And on his summary that he sent out, item 6, it says increased the allowed percentage of district land which can be developed with retirement housing from 30 to 47%. This is retirement housing from 30 to 47%. We're not saying reduce the retirement housing to 35% and allow other housing to be 47%. Because I heard you say the difference of 12%.

Mr. Geouge: If the Commission decided on 35%, then they could have 5 more percent of retirement housing development...

Mr. Randall: Versus the 17 they're asking for now.

Mr. Geouge: Correct.

Ms. Vanuch: And zero percent more of additional multi-family or single-family dwelling houses.

Mr. Geouge: Correct.

Ms. Vanuch: Okay.

Mr. Apicella: At this site. And again, you've got to separate the two, what's happening at Celebrate Virginia North versus what could happen if this gets placed somewhere else, right? And that why I

*Planning Commission Minutes*  
*January 9, 2019*

brought it up because, again, someone could have a 500-acre development and north Stafford that has 2 and 1/10 percent multi-family which is the equivalent of 160-unit apartment complex.

Mr. Randall: Alright, now I'm... okay. So let me make sure I'm correct. So, let's go down to Celebrate Virginia because this is where we're talking about. We take it to 35%. Doing the math that we just did, that would then allow for, based on the... that they would only then be able to put 400 homes down there, not the 1,170.

Mr. Geouge: Sure.

Mr. Randall: Right? Approximately...

Mr. Bain: Not that way the ordinance specifies because the ordinance still specifies 2 and 1/10 percent maximum of multi-family...

Mr. Randall: Okay, let me finish.

Mr. Bain: ... so that remaining percentage would have to go to open space. There's no other development option.

Mr. Randall: Is that what it says?

Mr. Geouge: These are...

Mr. Randall: I that what it says?

Mr. Geouge: Yeah.

Mr. Randall: It says there's a limit of multi-family homes. What's a multi-family home?

Mr. Apicella: Apartments or townhouses.

Mr. Randall: It's apartment, right? It's an apartment.

Mr. Apicella: It's apartments or townhomes.

Mr. Randall: Apartments or townhouses, right?

Mr. Geouge: Not townhomes.

Mr. Bain: So you're saying it would allow single-family homes.

Mr. Randall: Yes, let me finish. So 2 and 1/10 percent, and we have... and on my list is where we came up with 2 and 1/10 percent...

Ms. Vanuch: Okay, hang on. Mr. Apicella, go ahead.

Mr. Apicella: Just hypothetically Bart, bear with me man, look at 28-53, number 4, and if you change the second sentence, just hypothetically, it would... to say 35%, I'm not saying that's what we're going to

*Planning Commission Minutes*  
*January 9, 2019*

do, it would read no more than 35% of the total land area of PD-3 district shall be dedicated to retirement housing.

Mr. Randall: Yes.

Mr. Apicella: Okay. Then you got another 10%, up to 10%, that could be commercial.

Mr. Randall: Yes.

Mr. Apicella: Right? Then you've got some small piece that could be executive housing, right, so what would the rest be beyond that?

Mr. Geouge: A open space or office type (inaudible).

Mr. Apicella: Right. So, there's no single-family, you know, regular family housing.

Mr. Randall: Okay, why couldn't it be single-family homes?

Mr. Apicella: It is restricted by...

Mr. Geouge: It's not permitted as a use in the district.

Mr. Randall: That's not what it says at the top though, right? It says opposite of significant amounts, it doesn't say... it doesn't say only, that's why it was the reason why I asked the question at the beginning so if you go to the beginning it says, which are suitable for planned with a significant age restricted housing component and commercial uses to serve the immediate community. It doesn't say total, it doesn't say all, it says significant amount.

Mr. Apicella: If what you said were true, we wouldn't be here today.

Ms. Vanuch: Yeah, they would have built all single-family.

Mr. Apicella: We wouldn't have no... because this is what's in RBC right now; no more than 30% can be age restricted housing. No more than 10% can be commercial.

Mr. Randall: So why are we here then?

Mr. Apicella: Because they're trying to get a delta between 30 and 47% to get their 1,170 homes.

Ms. Vanuch: And then the rest are recommended changes with staff. So let's table that one and let's keep going if you have more changes, because I think we're getting wrapped around an axle here. So, are we... we're leaving multi-family in conditional use permit.

Mr. Randall: You're killing me.

Ms. Vanuch: That's where we are right now.

Mr. English: We're leaving in multi-family as a CUP.

Ms. Vanuch: As a CUP.

*Planning Commission Minutes  
January 9, 2019*

Mr. English: Yeah.

Ms. Vanuch: Okay, and we're adding childcare and adult daycare centers to that. Now, anything else? Item C under requirements, anything else, Bart, on your list?

Mr. Randall: Yes.

Ms. Vanuch: Okay.

Mr. Randall: Alright, so the retirement housing, the setbacks; I don't know if we want to go through the setbacks but there's...

Ms. Vanuch: What's different in this one versus the old one?

Mr. Geouge: The table, the lot standards table, there's no changes proposed.

Ms. Vanuch: So there's no changes; so do we want to mess with it? It's already been there.

Mr. English: Leave it.

Mr. Randall: I guess I didn't have a chance to look at the old one when it was... just for an example, if you look at this... you look at the duplex, right, and you talk about the 25 yard, it's a 25 yard front setback, that's 75 feet for a duplex...

Ms. Vanuch: No, it says feet.

Mr. Geouge: It's feet.

Ms. Vanuch: Minimum yards and then it's in feet.

Mr. Randall: It says yards, hold on...

Ms. Vanuch: Right below it in parentheses it says feet.

Mr. Randall: Yeah, and then you go to the third level, it says maximum height, and in parentheses it says feet. So, the only time it's feet is when it's in parentheses.

*Several people talking at one time and microphones not on.*

Mr. Randall: Yards is what?

Ms. Vanuch: Turn your mic on.

Mr. Randall: Yeah, sides is yard, that's correct. Back is yard. Front is yard, that's correct. Front is yard, side is yard, back is yard, maximum...

Mr. McPherson: It's not a measurement.

Mr. Randall: ... is (inaudible) feet, minimum...

*Planning Commission Minutes*  
*January 9, 2019*

Mr. McPherson: Yards isn't a measurement. Its front yard, back yard, side yard.

Mr. Geouge: That's just how the areas are referred to.

Ms. Vanuch: Okay. I think we're getting into subcommittee things. So, alright, what else do you got?

Mr. Randall: Where did the 2 and 1/10 percent come from?

Mr. Geouge: That was established when multi-family uses were added as allowed through a conditional use permit when the apartment complex was proposed; I forget when that was but a number of years ago.

Ms. Vanuch: You're on item number 4 on the next page, right, Bart? Is that what you're talking about?

Mr. Randall: Mm-hmm.

Mr. Geouge: It was established as part of that proposed multi-family project.

Mr. Randall: But there is no... but they're... Okay, so we don't have a basis for it though, it was just something that we've used before?

Mr. Geouge: It's just something that was set to restrict further expansion of multi-family uses.

Mr. Apicella: And also not to put the existing apartments into a non-conforming use.

Mr. Randall: Is that where the one... that's where the 1/10 percent came? Two and 1/10 percent, right, the additional one tenth above the two. Alright.

Ms. Vanuch: Next one.

Mr. Randall: Page 8.

Ms. Vanuch: Mine aren't numbered; is that the next page?

Mr. Randall: No.

Ms. Vanuch: Two more pages? Okay. Which one?

Mr. Randall: It says 3, 4, and 5. Number 5, it talks about executive style housing, second paragraph on 5, second sentence, third sentence. It says all neighborhoods shall abut open space or recreational areas. So, are we saying that all executive style housing shall be next to an open space or next to recreational area?

Mr. Geouge: That is correct.

Mr. Randall: Okay, is that the way those current executive houses are built now?

Mr. Geouge: It is.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Randall: Okay. Alright. Is there, and then in number 6, is there a particular reason why we didn't talk about what the clubhouse facility should include, or a house... how big it should be? We heard yester... we heard last time from somebody that they built a 15,000 square-foot, you know, clubhouse. Do we put a minimum to that? I know they've proffered a 10,000 square-foot, if I remember right, but is there a particular reason why we wouldn't define that as to what we would want?

Mr. Geouge: Well, I believe it would be somewhat based on the size of the community. For example, the Celebrate Now project that recently came in, they're proposing a clubhouse but it's only I think 44 lots, so it's not going to be a very big clubhouse due to the small size of the community.

Mr. Randall: Okay, so we would just leave it up to the developer then to figure out what size they would need for something as big as 1,170 units?

Mr. Geouge: That's the way that the ordinance is currently structured, yes; that it would be up to them.

Mr. Randall: Is that what we want? I have an issue with leaving it... just let them decide what they want. I would want to put something in there.

Ms. Vanuch: I don't think they'll build anything more than they need; that's quite expensive on revenue.

Mr. Randall: Well, that's not my concern. My concern is not how expensive it will be, my concern is what's best for the residents who are living down there.

Mr. English: You could probably go with the size of how many houses going in. If you've got 100 houses then the clubhouse has got to be this size.

Mr. Randall: Well, right, that would be kind of the thing that I'm, you know, we would say it would need to be 1,000 square-foot per or 1 square-foot per this or 10 square feet per this or something that would delineate the size of a clubhouse based on the number of units that are being allowed or being built.

Mr. English: But I don't think... I think they're not gonna... I don't know if they would build anyway until after they got their first 100 homes or whatever it is anyway before they even look at a clubhouse, right?

Ms. Vanuch: Yes.

Mr. English: Is that how they do that? So, if you get one in there and you say they're expecting 500 homes and come find out they only have 100 homes and we're responsible for making them build a clubhouse for 500 people, I don't think that's fair.

Mr. Randall: It's all dependent on how confident they are they're gonna sell those lots. Again, I'm running from a position of we want to do what's best for the people who are living down there and not let... not be dictated as to what we can by somebody from the outside. So, my recommendation is, I don't know exactly what the answer would be right now, but my recommendation would put something in there that says, you know, for this number of... for this number of anticipated residents you would need to have this size clubhouse.

Mr. Apicella: Right, so you did the math before, Mr. Randall, on another item, I think the total number of units. How about if we took what they're proposing for this particular development which is, what, a

*Planning Commission Minutes*  
*January 9, 2019*

10,000 square-foot clubhouse? Is that it? Divided by 1,170 units. So how about if we come up with a square-footage by unit and incorporate it herein?

Mr. Randall: It's 8½ per unit.

Mr. English: Eight and a half what?

Mr. Randall: Square-foot. If it's 10,000... where does it say 10,000? Is that what they proffered?

Mr. Geouge: I believe that is what they proffered.

Mr. Randall: I don't have the proffers in front of me so I don't know.

Mr. Geouge: I don't either. Sorry, I don't have that information with me tonight.

Mr. Randall: Jeff, do you remember?

Mr. Harvey: No sir, I don't recall.

Mr. Randall: Okay.

Mr. Harvey: We certainly can research that and get back to the Commission/

Ms. Vanuch: Alright, let's go; next one?

Mr. Randall: Alright, and the next paragraph on 6, it says no person less than 19 years of age shall reside in such dwelling unit. I believe in the proffers they talk about somebody being under 19 that would be allowed to live there for up to 90 days?

Mr. Geouge: Yes, that is a potential conflict we need to work out with the proffers.

Mr. Randall: Okay, so where are we leaning? Are we leaning to say nobody under 19 ever at all?

Ms. Vanuch: It's a state law... what does state law require? I'm sure they require something.

Mr. English: They allow so many days.

Mr. Geouge: I believe it's federal law, the housing for older persons act. It requires I believe that at least 80% of the units have at least one resident who is 55% or older. So, that's much more flexible than how it's written in our ordinance.

Ms. Vanuch: Okay.

Mr. Geouge: Our ordinance further restricts that.

Ms. Vanuch: So this says none at all, and we can do that, and then their application says no longer than 90 days. So they can just change their application to no longer... to just say not live there at all.

Mr. Geouge: Or just take out that language entirely because it's already regulated through the ordinance.

*Planning Commission Minutes*  
*January 9, 2019*

Ms. Vanuch: Yeah.

Mr. English: I think you need to leave at least 90 days in there for somebody, because you don't know the situation they get into. And I don't... by taking it completely not allowing them in, I don't agree with that because there could be situations where their daughter or something gets killed or something like that and somebody's got to take these kids on for maybe 90 days to find homes, so I don't think taking it out is a good thing.

Mr. McPherson: Agreed.

Mr. English: Ninety days is... I think I'd say 120 days but...

Ms. Vanuch: Well, then you're getting into school impacts.

Mr. English: Ninety days is what I would go with but I would not say not take it out at all.

Mr. Harvey: Madam Chairman, Commissioner English, the zoning ordinance already addresses that by defining what a resident is. A resident is a person who resides in a dwelling for more than 90 days...

Ms. Vanuch: There we go.

Mr. Harvey: ... in a calendar year.

Ms. Vanuch: Alright, fixed. Next.

Mr. Randall: Alright, in that same it talks about no portion of such retirement housing shall be built for rent. Are we saying that somebody couldn't buy this and then rent it out, that there's no rental properties in here?

Ms. Vanuch: Where's that?

Mr. Randall: Same paragraph, second line. What did you mean by that? I don't expect a developer to build it and then rent those. They normally don't anyway, they normally they'll sell them all and then somebody else will rent them. Is the intent to not allow rental property in that area? Is that was the intent of the line?

Mr. Geouge: Yeah, I believe the intent was to not construct it as a rental facility.

Mr. Randall: Right, but we're okay with somebody buying and then renting it within that development.

Mr. Geouge: I would think so, as long as it's permitted through their covenants.

Mr. Randall: Okay.

Ms. Vanuch: Okay, next one.

Mr. Randall: Number 7, at the top of the next page. Passive or active recreational areas shall be located throughout the project. And I would like to add - and within reasonable walking distance for all residents.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Apicella: I hear what you're saying. Is there an issue with the word reasonable? How do... who makes that determination? What's reasonable?

Mr. Randall: Page 9, it's number 7 at the top.

Mr. Harvey: Madam Chairman and Commissioner Apicella, that does raise a question because if the Zoning Administrator makes a determination what's reasonable and the applicant doesn't agree then it may be appealed to the Board of Zoning Appeals. We had a similar discussion in a committee meeting last night and Mr. Randall is probably gonna speak to it a little bit, but our zoning ordinance already defines what a pedestrian shed is. And it has a certain distance of I believe it's 1,320 feet as walkable distance. So, would that be something the Commission would like to specify in here?

Mr. Randall: That was my intent. The wording may not be appropriate per se but with... that would be the intent of that comment. So, I'm okay with putting a pedestrian shed, I'm okay with putting a distance on there of 1,320 feet, I'm okay either way. I just wanted to put something in there that said that it needed to be walking distance.

Mr. Apicella: So, if we were trying to get to a solution here, what would the exact words be?

Mr. Randall: Throughout the project and within 1,320 square feet of any resident? I'm sorry, 1,320 feet from the farthest resident?

Mr. Geouge: Of any residential unit.

Mr. McPherson: I don't think we need that specification, personally. It does say located throughout the project already.

Mr. Randall: Yeah, well, we have examples right now of located throughout the project and not anywhere close to any residents. So, to be specific to... we want to make it reasonable, we want to make it so that everybody can get there and they don't have to walk 20 minutes to get there. I think we should put some distance to that.

Ms. Vanuch: What's the sense of the Commission? How many feel that we need to put a number?

Mr. English: Have we had issues with this before that we know of?

Mr. Randall: Age restricted - so I would say that we haven't because we've not dealt with age restricted stuff before either. So, being age restricted, I would say... I would even make it less than 1,320 feet being that it's an age restricted area and you're talking about people that will want to walk somewhere and aren't 30 anymore.

Ms. Vanuch: Thirteen hundred feet is not very far.

Mr. Randall: It's a quarter mile. So, it depends on your walking condition.

Ms. Vanuch: Well, these are... this is an active community. This isn't like assisted living. So, I mean, I want to try to be reasonable on what we're dictating, but how many people feel like we need a number?

Mr. English: I don't think so.

*Planning Commission Minutes*  
*January 9, 2019*

Ms. Vanuch: Does anybody else?

Mr. Apicella: I just think there's so many loopholes, if you had a picnic table within 1,320 you would, in theory, comply with the requirement (inaudible).

Ms. Vanuch: There are going to be picnic tables up just in people's front yards. Sorry, that's a lot carve out, that's a picnic table area.

Mr. Harvey: And Madam Chairman, Commissioner Randall again hasn't given his committee report but there's an ordinance amendment that's being suggested or will likely be suggested from the committee that would address this issue. So maybe a little bit additive or potentially redundant in this ordinance.

Ms. Vanuch: Okay.

Mr. Harvey: That's assuming the other one passes.

Ms. Vanuch: Alright, let's just... let's move on to the next one.

Mr. Randall: Okay. Number 8 - it talks about outdoor storage shall include parking of company owned and operated vehicles. Would this not fall under the new HB-1 and HB-2 business zoning ordinance that we've been working on that we have now up for approval? Would that... would this new classification be considered as part of that new ordinance where it would fall under the home business I and home business II and all the other different options?

Mr. Apicella: Isn't this more in terms of the commercial components of the project, not somebody's home based business per se?

Mr. Randall: It would be both, right? It could considerably be both.

Mr. Apicella: Well, the other things are regulated, alright, already because we've adopted... the County's already adopted those requirements. This is specific to other commercial not home based business activities.

Ms. Vanuch: Yeah, you have the business part of the...

Mr. Apicella: So it's saying if you had, you know, I don't know, I'm thinking of a store, if you had a convenience store you couldn't, you know, you'd have to meet this requirement.

Mr. Randall: Okay.

Ms. Vanuch: Alright, next one?

Mr. Randall: Nope, that's all I have, thank you.

Ms. Vanuch: That's it?

Mr. Randall: That's it.

Ms. Vanuch: Okay.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. Apicella: Madam Chairman, there were some discussion on this and still not sure and I think I've heard a couple of my fellow Commissioners say the same, not quite sure whether this particular zoning is necessary, but to the extent that we want to put it to a public hearing, I would like to limit the amount of development percentage that could occur. So I'm looking at 28-53, number 4, and I'd like to change the second sentence to no more than 35% of the total area. So, change the words to 35 and put in parenthesis the number 35.

Ms. Vanuch: Okay. Everybody good with that?

Mr. English: What is (inaudible)? How many houses is that gonna allow, 35? What did we say, 400?

Mr. Geouge: Just ballpark, yeah.

Mr. English: Okay.

Mr. Apicella: Again, just to... I think we're almost there unless people have other changes. So the one outlier, Mr. Randall, was on your number 6. I don't think we came to a conclusion, if we really need to come to a conclusion on the square-footage dedicated for a clubhouse.

Ms. Vanuch: Mr. Randall, do you have a suggestion? Can you live with it? Live without it?

Mr. Randall: Well, I... I... no, I can't live with the fact that we leave it alone and let them build whatever they think is... whatever they think is gonna be... because whatever they build we're gonna have to live with for the rest of the time it's down there. The homeowners aren't gonna get together and put together, you know, four or five million dollars and build an addition to their clubhouse. So whatever they build initially is gonna have to be what they go with.

Mr. English: But let me ask you this question - if we put restrictions on them, are we saying they have to do this or if they do built it? Because if you say, I mean, if the restrictions are too tight, they might not even put a clubhouse in because they're gonna say hey, I can't afford it. So, how would you regulate that part of it? I mean, if they say we put a limit on it, okay you've got to build this size clubhouse because you've got this many homes, they ca say well, you know, we're not gonna do it because we can't afford it; we can do something smaller.

Mr. Apicella: Yeah, I don't think we're saying that per se a 10,000 square-foot clubhouse, I think what we're saying is if you had 100 units and let's use 8, 8 square-foot per hundred, you know, that's 8 times 100 is what?

Mr. Randall: Right.

Mr. Apicella: That's kind of where I think you're headed.

Mr. Randall: Yes, that's where I'm headed.

Mr. Apicella: So, some minimum size clubhouse based on the number of units that are built.

Mr. Randall: Right. And I don't want to belabor the point. Obviously, I'm... we heard from the gentleman at our last meeting. He lives in the Del Webb community and all he talked about for his 3 minutes was how great his clubhouse was and how wonderful his clubhouse was and they literally did everything in their clubhouse. Their clubhouse was their center of their activities, right. And so, I'm

*Planning Commission Minutes*  
*January 9, 2019*

just trying to put something together that says that that same level of activity will happen in every age restricted housing that we build, that you're going to have the center of attention in that development is going to the clubhouse, that everybody's gonna go there for clubs, for activities, for get-togethers, for socials...

Ms. Vanuch: Brian, do you do you know how big that clubhouse is, that's in Del Webb? Remember, it's the same builder, same developer.

Mr. Geouge: I want to say 15,000...

Ms. Vanuch: Fifteen thousand?

Mr. Randall: He told this was 15,000 square feet so, 15,000 square feet, you said it was about a thousand... there's gonna be about a thousand homes, correct?

Mr. Geouge: Eleven hundred, yep.

Mr. Randall: Eleven hundred. So, it's gonna be about the same percentage. If you take it down to square-foot per unit, that's gonna be about the same. So...

Mr. Geouge: It is in the best interest I think of the developer to provide a nice large clubhouse because that's one of the major things that draws residents to these (inaudible).

Mr. Randall: And we've seen that but this is not gonna... this is an ordinance for the entire county for the future, right?

Mr. English: So, Bart, let me ask you...

Ms. Vanuch: Hang on... Mr. Bain?

Mr. Bain: To follow-up Mr. English's comment, are we saying we want to require a clubhouse of that weighted size as part of a PD-3? Are we actually saying you want to require a clubhouse based on that square-footage rate?

Mr. Randall: Isn't that how it reads now? That a clubhouse would be...

Mr. Bain: No, it doesn't require that a clubhouse be built, it just says that a clubhouse can be built.

Mr. Geouge: It does require a clubhouse...

Mr. Apicella: It says a retirement housing development shall incorporate...

Mr. Randall: A retirement housing development shall incorporate a clubhouse facility.

Mr. Apicella: And, you know, I'm where Mr. Randall is. I was an ATOA president for a townhouse development and the requirement was that the developer put in a tot lot. And so that developer decided that he was going to put in the smallest possible tot lot you could imagine to meet that requirement. So, I think in the absence of some minimum, that may be what you get.

Ms. Vanuch: Okay, so do we want to just do a minimum like Mr. Apicella suggested...

*Planning Commission Minutes*  
*January 9, 2019*

Mr. English: I got a comment, I got a comment. My thing is, I know what you're saying, Bart, as far as you know they've got to have something to go to but, in the end, when all development is done and gone out, that clubhouse is going to be maintained by the homeowners at that point. You build something... you build the Taj Mahal, then it's up to the... back of the residents, they're gonna have to take care of it. So, you've got to be careful with that because I've seen, just like, well Steven knows, too, but I'm just saying I've seen people that have closed these clubhouses because they can't afford to maintain them. So, you've got to be careful. I don't think we... by putting that on them I think that we're slippery slope because once the developer leaves, it's up to the residents to take care of that facility.

Mr. Apicella: Well, I mean, I hear what you're saying but it's now a requirement. The only question is whether or not we're gonna require at least a minimum size.

Mr. English: I think we need to stay out of that; that's my opinion.

Ms. Vanuch: Alright.

Mr. McPherson: I agree with Darrell.

Ms. Vanuch: Okay, so, Mr. Bain, what are you leaning toward, a size or no size?

Mr. Bain: I've been leaning towards a size because like Mr. Apicella just mentioned you could have a developer come in and put in an outhouse and call it a clubhouse if there's not some restriction or specification on it.

Ms. Vanuch: So, in this particular example, we'll just take this one, they already have a 15,000 square-foot recreational facility so they wouldn't be required; if we made the minimum 10,000 they wouldn't be required to add an additional recreational facility, correct?

Mr. Geouge: No.

Ms. Vanuch: Okay, but a new developer who's building another PD-3 for example maybe somewhere else, they you know do it under this ordinance, we would be saying hey you need to build a minimum of a 10,000 square-foot recreational facility if you're gonna be building these houses.

Mr. Apicella: Again, we're not saying 10,000.

Ms. Vanuch: I know, I'm just... I'm making that up... I'm just... yeah, hypothetically, just so everybody's on the same page. It's not gonna impact this particular project, they already have one. But in the future if somebody else were to build it and they wanted to skimp and not provide one which also in my opinion I kind of think they really need one because then it doesn't tax our parks and everything as much as it would if they had one, you know, so do we want to come up with a number is the bottom line.

Mr. Apicella: I'm gonna throw out a number - 10; 10 square feet per unit just so we can move on.

Ms. Vanuch: So, anybody else?

Mr. Apicella: Can you live with that Mr. Randall?

Mr. Randall: If you look at what they've got now at Del Webb, if you'd look at the 1,100 homes, 15,000 square feet, it's about 13.6 square feet per home. So, if you go to 10, you know, it's a little less than...

*Planning Commission Minutes*  
*January 9, 2019*

it's a little lesson what they've got in Del Webb currently right now. I think if you put 10... so, and again going back to what we talked about before, making a change, if you go back to make the change to 35% versus 47%, 35% gives you 344 homes.

Ms. Vanuch: In this particular project.

Mr. Randall: In this particular project, which is the only reason we're doing this at this point in time. So if you take 344 times 10...

Ms. Vanuch: But they're not going to build a new clubhouse period. It doesn't matter for this particular project.

Mr. Randall: ... it's only a 3,400 square-foot clubhouse.

Mr. Apicella: For a future PD-3 somewhere else in Stafford County. I'm not just looking at CVN, I'm looking at if someone wanted to do this somewhere else, I'm with you because it's a moot point as everybody's saying there's already a clubhouse.

Ms. Vanuch: Yeah, it doesn't matter for this project.

Mr. Apicella: I'm looking at the future. In 10 years from now if somebody wants to do the same thing...

Mr. Randall: Hold on, there's not currently a clubhouse.

Ms. Vanuch: Yes, there is. There's a recreational clubhouse. They would not build anything else here off Route 17 in Del Webb. There's one they have there.

Mr. Randall: In Del Webb.

Ms. Vanuch: Yeah, that's Celebrate, that's the same project.

Mr. English: But they're not going to be using that clubhouse (inaudible).

Mr. Randall: Okay, so you're suggesting that they're gonna build 1,170 units and they're not gonna build a clubhouse in that location, that they're all going to (inaudible) Del Webb?

Ms. Vanuch: According to this... I'm looking at Chris, he says there there's already two. They're gonna be building one.

Mr. Hornung: There will be a second one built (inaudible - not at microphone).

Mr. Randall: There will be one built down...

Mr. Hornung: (Inaudible - not at microphone).

Mr. Randall: Exactly. And right now it's a 10,000 square-foot that you've got proffered that they're gonna build a new one down by the...

*Planning Commission Minutes*  
*January 9, 2019*

Ms. Vanuch: But they wouldn't be required to by this ordinance. We're looking at if there's a new builder coming...

Mr. Apicella: It is a single development.

Mr. Geouge: Yes.

Mr. McPherson: Well, actually it just says retirement housing development, it doesn't say that includes the executive housing and the 2.1% multi-family.

Mr. Geouge: They would be required to provide one, but the square-footage wouldn't be... there wouldn't be a certain square-footage required. The Celebrate Now project, they're providing a small one because of this language that requires a clubhouse be provided. This is looked at from the individual retirement housing development. Del Webb has one, this one is proposed to have one, the Celebrate Now...

Mr. Randall: The 10,000 square feet? The 10,000 square feet in the proffers for this development.

Mr. Geouge: Yeah, for this... for this one, correct.

Mr. Randall: Okay, it's a new one...

Mr. Geouge: Yes.

Mr. Randall: ... not the Del Webb one.

Mr. Geouge: Correct.

Mr. Randall: Okay. Okay. Alright.

Mr. Apicella: So, again I'm gonna propose 10 square feet per unit.

Ms. Vanuch: Okay, I'm good with that.

Mr. Randall: That's fine.

Ms. Vanuch: You good with that, Darrell?

Mr. English: I'm not, so I'm saying no but.

Ms. Vanuch: Okay. Alright. I think the consensus is we're good. Everybody okay? Okay. Alright, well, I want to make sure the ordinance moves to public hearing so I don't want anything stopping it. Alright. Anything else? I know, we did.

Mr. McPherson: The only thing I have is very minor. In Section 28-56, it goes from A to B to E. We skipped C and D.

Mr. Randall: I didn't even add all those. I figured those would all be picked up.

*Planning Commission Minutes*  
*January 9, 2019*

Mr. McPherson: Yeah, it's a very minor thing; nothing for discussion, just a point to maybe fix that. That's all I had.

Ms. Vanuch: Alright.

Mr. Geouge: And I believe that's just because sections C and D were not being altered, that's why they weren't shown here. But I'll confirm that.

Ms. Vanuch: So, do we need to go through each of these changes when we make a motion or just the motion needs to be incorporating all these changes in fixing up the language the letters, you know, the misspellings and miss-numberings?

Mr. Harvey: Madam Chairman, I think would be helpful for the staff and the public to understand what the Commission is voting on...

Ms. Vanuch: Okay.

Mr. Harvey: ... if the motion included what the intended changes are.

Ms. Vanuch: Alright. Alright, so are we done with the discussion so far? Okay. So, before us we have to decide, do we want to take a vote on all these changes, or none of these changes, some of these changes, tonight to send this to public hearing in that form that we vote for February 27<sup>th</sup> so it marries up with the date the application's coming in?

Mr. English: Madam Chairman, can we get... before we do this can we get... our next meeting's what, in February? What's the next meeting?

Ms. Vanuch: February 13<sup>th</sup>, which would then not allow it to be advertised on February 27<sup>th</sup>, that's why we were pushing really hard to get it tonight. I think it's in the best interest of the public to see both side by side because it's very confusing when they're separated. Mr. Apicella?

Mr. Apicella: Madam Chairman, I would make a motion that we move an amended version that corporates the changes Mr. Randall mentioned, as well as the one change that I recommended, to a public hearing at the next appropriate date.

Ms. Vanuch: Okay, you want me to go through those changes, Mr. Harvey? Because I did write them down.

Mr. Harvey: Madam Chairman, that'd be fantastic.

Ms. Vanuch: Okay. Alright, the first one we're gonna... under (a), under 28-35, we're deleting childcare center; under B, under conditional uses, we're adding childcare center and we're adding adult daycare. Under item number 28-55.1, letter C, number 6, we're doing 12 square feet for those recreational facilities per home... 12 square feet required for a recreational facility per home built, what did I say?

Mr. Apicella: We said 10.

Ms. Vanuch: What did I say?

*Planning Commission Minutes  
January 9, 2019*

Mr. English: You said 12.

Ms. Vanuch: I said 12 and I have 10, I'm looking at 10, I have no idea, I'm making things up; 10 square feet.

Mr. Randall: I'm good with 12.

Mr. Apicella: Are you going in order or are you going...?

Ms. Vanuch: I am. Did I miss one?

Mr. Apicella: So you missed 28-53, which is on page 6, changing it... number 4 to no more than 35%.

Ms. Vanuch: Yes. Okay, 35% under 28-54...

Mr. Apicella: 53, number 4.

Ms. Vanuch: 53, sorry, number 4. Changing it to... oh, I see it. Yeah, changing no more than 35... changing 47 to 35% in parentheses 35 and writing out 35. And then under number 7 we didn't decide to do anything there within walking distance. Oh, we're removing number 13 under Section 28-53... no 28-55, I'm sorry.

Mr. Apicella: Point 1.

Ms. Vanuch: Point 1, and that's it. Is that what everybody else has? My pages are all scribbled up. Yeah, and then we need to fix it so it's clerically numbered and lettered correctly.

Mr. Harvey: Thank you, Madam Chairman, for reading those changes. Just prior to the Commission's vote on sending this forward, staff would like to remind the Commission that we do have this pending proffer amendment application which is showing a higher percentage of retirement housing than it's being suggested for public hearing. That may put the application situation where they may need to amend their application.

Ms. Vanuch: Okay. Alright, so we have a motion on the floor - I'm not repeating it - with all those changes; do we have a second?

Mr. Randall: Second.

Ms. Vanuch: Okay, so we have a motion by Commissioner Apicella, a second by Commissioner Randall; any other comment Commissioner Apicella? Commissioner Randall?

Mr. Randall: No, just thanks for obliging me with the different changes.

Ms. Vanuch: Yeah, that was good. Anybody else additional comments? Alright, let's go ahead and take the vote to send this to public hearing for February 27<sup>th</sup> with all the changes we mentioned. Alright, motion carries 7-0. Now we are moving on to item number 3 which is proposed Ordinance O18-37 on the landscaping design; however, that's at subcommittee right now and they have their meeting tomorrow so that's going to be deferred and brought back to the next meeting. We don't have any New Business; now moving on to the Planning Director's Report. Mr. Harvey.

*Planning Commission Minutes*  
*January 9, 2019*

3. Amendment to the Zoning Ordinance - Proposed Ordinance O18-37 would amend the Zoning Ordinance, Stafford County Code, Sec. 22-153, "Lots for required buffers;" Sec. 28-25, "Definitions of specific terms;" Sec. 28-54, "Planned Development-1 District (PD-1) regulations;" Sec. 28-55, "Planned Development-2 District (PD-2) regulations;" Sec. 28-66, "P-TND, Planned Traditional Development;" Sec. 28-67, "Falmouth Redevelopment Area Overlay (FR);" Sec. 28-82, "Required buffers;" Sec. 28-83, "Buffers for historic properties and districts;" Sec. 28-86, "Landscaping standards;" Sec. 28-88, "Screening standards for appurtenances;" and the Design and Construction Standards for Landscaping, Screening, and Buffering (DCSL) Manual by Reference. **(Time Limit: March 31, 2019) (History: Deferred on November 14, 2018 to December 19, 2018) (Deferred on December 29, 2018 to January 9, 2019 - In Committee)**  
*(Authorize for Public Hearing By: February 27, 2018)*  
*(Potential Public Hearing Date: March 27, 2019)*

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

4. 2019 Meeting Schedule

Mr. Harvey: Thank you, Madam Chairman. We have to consider adopting the meeting schedule for the year. You'll see with your information regarding the meeting schedule. We have a number of dates that we are changing due to desires from the Commission and/or potential scheduling conflicts to accommodate staff. In particular, as you see on the schedule, the Commission would cancel its second meeting in January, January 23<sup>rd</sup>, because you all are conducting a joint hearing with the Board of Supervisors the night before. The May meetings have been changed from the 8<sup>th</sup> to the 15<sup>th</sup> and the 22<sup>nd</sup> to the 29<sup>th</sup>. The July 24<sup>th</sup> meeting would be canceled. The August 29<sup>th</sup> meeting would also be canceled. The Commission traditionally has one meeting a month during the months of July and August to accommodate a summer break. On the proposed calendar the Commission had suggested either November 13<sup>th</sup> or November 20<sup>th</sup> for a meeting date in November subject to what the Board of Supervisors had set for its schedule. Currently the Board has set its schedule for its meetings on November 6<sup>th</sup> and November 19<sup>th</sup>.

Ms. Vanuch: Do we want to go with the 13<sup>th</sup> then folks?

Mr. English: I'm fine with the 13<sup>th</sup>.

Ms. Vanuch: Yep, okay, let's do the 13<sup>th</sup>. Okay.

Mr. Harvey: So, the second November 27<sup>th</sup> meeting would not be held and as well as a December 25<sup>th</sup> mean would not be held. So the only meeting in December would be the 11<sup>th</sup>.

Ms. Vanuch: Okay.

Mr. English: Do we need to vote on this?

Ms. Vanuch: Do we need to vote on this, Mr. Harvey?

*Planning Commission Minutes  
January 9, 2019*

Mr. Randall: Madam Chair?

Ms. Vanuch: Mr. Randall.

Mr. Randall: If I could just make one comment, that I will be out on the 26<sup>th</sup> of June. I will be attending a family reunion out west, so I just wanted to make sure everybody was aware of that.

Ms. Vanuch: Alright, anybody else have any conflicts? Okay. Mr. Harvey, do we have to vote on it? I don't remember hearing what you said.

Mr. Harvey: Madam Chairman, I don't recall if that's required but it never hurts to have the affirmation of the Commission.

Ms. Vanuch: Okay. Let's make a motion to vote.

Mr. English: I'll make a motion that we accept the 2019 Planning Commission Meeting Schedule.

Ms. Vanuch: Do we have a second?

Mr. Boswell: Second.

Ms. Vanuch: Alright, motion to accept the 2019 Planning Commission Meeting Schedule by Commissioner English, second by Commissioner Boswell; any comments gentlemen? Anybody else? Alright, let's vote. Tally the vote. Alright, motion carries 7-0. Mr. Harvey?

5. 2018 Annual Report  
*Draft report to be provided at meeting*

Mr. Harvey: Madam Chairman, continuing with my report, I've put together a draft Annual Report for the Planning Commission's consideration. State code requires that the Planning Commission review its activity from the previous year and report it to the Board of Supervisors. So, if the Commission felt that this report adequately reflected the Commission's activities for the year then staff would proceed to forward this to the County Administrator for the Administrator to send on to the Board of Supervisors. I have received one correction, which has been made, correcting the attendance of one of the... or membership of one of the committee's. So, at your leisure please look it over and hopefully at the next meeting the Commission can adopt it as a final document, or if you have any changes please let me know and I'll make modifications accordingly.

Ms. Vanuch: Okay.

6. Downtown Stafford - Ongoing

Mr. Harvey: Regarding Downtown Stafford, the staff is continuing to work with the Board of Supervisors' consultant. The consultant has prepared an initial generalized development plan for potentially rezoning the county-owned property on the other side of Courthouse Road to start the process for building a new downtown for Stafford. The consultant has also provided us with some recommendations to change the Urban Development Zoning District, because that is the contemplation that the county-owned property may be rezoned to a UD zoning category. Staff is evaluating their analysis and the GDP, and we'll have more to report on that in the future. On the Bicycle and Pedestrian

*Planning Commission Minutes  
January 9, 2019*

Facilities Plan, staff is continuing to work towards creating a document that we can present to the Commission. We anticipate presenting it to you in February. And that concludes my report.

Ms. Vanuch: Thank you, Mr. Harvey. And then for the County Attorney's Report, I would... oh...

Mr. English: I have something for Jeff, I'm sorry. Jeff, we're still getting these magazines; is it possible like I said to get these online instead of wasting money on these? What's the status on that because I think we can save some money by doing away with these so we can access in online would be better. That's my opinion.

Mr. Harvey: Well, Commissioner English, it's my understanding that's one of the benefits of your membership for the American Planning Association.

Mr. English: Okay.

Mr. Harvey: I will double check to see whether we can ask them to stop the subscription and just have an online newsletter.

Mr. English: Okay, thank you.

Ms. Vanuch: Okay, County Attorney's Report. Just for all of our dedicated viewers out there, we have a new face on the Planning Commission today, Ms. Lauren Lucian. Ms. Lauren?

7. Bicycle and Pedestrian Facilities Plan Update - Ongoing

COUNTY ATTORNEY'S REPORT

Ms. Lucian: Thank you, Madam Chairman. I look forward to working with all of you. Over the next several months I'm going to be ramping up my responsibilities. But, eventually, I will be your go-to for legal questions and I look forward to working with each of you.

COMMITTEE REPORTS

8. Cluster Ordinance - Policy Subcommittee  
*Meeting - January 8, 2019 @ 6:30 p.m., Activities Room*

Ms. Vanuch: Thank you Ms. Lucian. Okay, Committee Reports. We had the Cluster Ordinance Policy Subcommittee met yesterday on the 8<sup>th</sup> at 6:30. I do see they provided us a report. Do you guys want to just let us review it? Do you want to go through it in depth?

Mr. Randall: Yeah, I'd like to go through it real quick.

Ms. Vanuch: Well, typically what we do, I don't know if anybody has an opinion on it, we review it and then we discuss it at the next meeting. That way everybody has a chance, because I haven't even read it yet.

Mr. Randall: Okay.

Ms. Vanuch: But does anybody... do we want to go through it? Does anybody have a preference?

***Planning Commission Minutes  
January 9, 2019***

Mr. English: I'd rather read it first.

Ms. Vanuch: Read it first? Anybody else? Anybody else? Nothing? Read it first? Okay. Do you mind if we just read it first and then we'll have our comments and then you can go through it, so that we were better educated to ask questions?

Mr. Randall: That's fine.

9. Landscaping Subcommittee  
*Meeting - January 10, 2019 @ 5:30 p.m., Activities Room*

Ms. Vanuch: Okay. Next subcommittee was Landscaping Subcommittee; they're meeting tomorrow on the 10<sup>th</sup>. Any comments from that subcommittee? Okay. Chairman's Report - the only report that I have this evening is I have to reappoint committees. So, I would like to reappoint to Parks and Recreation, Mr. Bart Randall, and reappoint Mr. Fillmore McPherson to the ARB Board. And the only open subcommittee that we're going to have past tonight is the landscaping subcommittee and I'd like to reappoint Commissioner English and Commissioner McPherson to that one. And the cluster subcommittee I think is closed out so it should be good. Other Business - our TRC for January 23<sup>rd</sup> has been cancelled and we don't have any of minutes to approve, so meeting adjourned.

CHAIRMAN'S REPORT

OTHER BUSINESS

10. TRC Information - January 23, 2019 - *Cancelled*

APPROVAL OF MINUTES

NONE

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:07 p.m.