

STAFFORD COUNTY PLANNING COMMISSION
February 13, 2019

The meeting of the Stafford County Planning Commission of Wednesday, February 13, 2019, was called to order at 6:30 p.m. by Chairman Crystal Vanuch in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

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

MEMBERS ABSENT: None

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Brian Geouge

DECLARATIONS OF DISQUALIFICATION

Ms. Vanuch: And now for any declarations of disqualification or disclosure for any of the public hearing items on the agenda this evening.

Mr. Bain/Mr. Boswell: Madam Chairman? I'm sorry.

Ms. Vanuch: Go ahead Mr. Bain.

Mr. Bain: Yes, Madam Chairman, just to let everyone know, I did have a communication with Mr. Charlie Payne concerning the Rappahannock Landing Apartments. And I had a meeting with Samer on the Noor Automotive, to discuss those projects.

Ms. Vanuch: Okay, thank you. Mr. Boswell?

Mr. Boswell: Yes ma'am. I'll be recusing myself from item 2.

Ms. Vanuch: Okay, thank you. Alright, and I will just disclose also that I did receive a phone call from Mr. Payne, representing the applicants at the Rappahannock Landing Apartments as well. Anything else? Alrighty, moving on to Public Presentations, this evening we have a public presentation by Keith Dayton, Project Manager for the Comprehensive Road List. Mr. Dayton? Oh, hang on one second. Mr. English?

Mr. English: Madam Chairman, I'd like to make an adjustment in the agenda please.

Ms. Vanuch: Okay, is it a motion?

Mr. English: Yes ma'am.

Ms. Vanuch: Okay. What would you like to do?

Mr. English: I would like to move item number 2 up to number 1, and move number 1 to number 2 please.

Ms. Vanuch: Okay, so there's a motion to reorganize the agenda, moving item number 2 to number 1, which is moving Noor Auto Repair and Sales above the Rappahannock Landing Apartments. Do we have a second?

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Mr. Randall: I'll second it.

Ms. Vanuch: Okay, so motion by Commissioner English, second by Commissioner Randall; any discussion?

Mr. English: No ma'am.

Ms. Vanuch: Alright, go ahead and vote. Okay, motion carries 7-0. So, we have the new order of the agenda. Now, Mr. Dayton, I apologize.

PUBLIC PRESENTATIONS

Comprehensive Road List by Keith Dayton, Project Manager

Mr. Dayton: Thank you Madam Chairwoman and members of the Commission. Keith Dayton, Project Manager for this study. And out of respect for your time, I'll move through these slides fairly quickly. There's a lot of information in there and so, if you do have any questions along the way, feel free to let me know. So, the Board started this about a year ago, last March, to complete a study of roads in Stafford County; the idea being to use a data-driven analysis to get a better handle on which roads should be prioritized for improvements rather than kind of a reactionary process that had been used, to some extent at least in the past. As the study went along, we continued to check back in with the Infrastructure Committee and the other... and the full Board to make sure it was proceeding in the manner that they wanted. It's now a study... the analysis portion is essentially done and the Board, it was presented this at their annual retreat and they're now thinking about ways to fund some of the projects moving forward. So, the way the study scope was set up, we begin a process of elimination. There's about somewhere over 2,000 roads in the County; we couldn't study every single one so we began by eliminating some of the major primaries that would be difficult for the County to take on, Route 1, 17, and 3. We struck I-95, that's out of our reach certainly, and then we dropped the subdivision streets which narrowed the scope to about 200 secondary roads and 2 of our smaller primaries and left those on, Butler Road and White Oak Road, for analysis purpose. So, the next narrowing of the scope we... using the traffic counts from 2016, we dropped off the roads that were under 1,000 vehicles per day leaving us 94 roads for more detailed analysis. The roads were ranked by vehicle per day per lane; that was fairly consistent all the way through. Then we broke them down into roads that changed I guess as you went along. For instance, Garrisonville Road is a completely different road near I-95 than it is out by the Fauquier County line. So we broke roads like that down to make the analysis more meaningful. So, we ended up with 114 roads or road segments. For this next phase of the study using 3 years of data provided by VDOT, this was crash injury and fatality, along with some information provided by the Sheriff's Office. That's what we were using for a lot of our data. But we also pulled in certain constituent reports and some staff understanding of various problems with roads throughout the county. So, we had scored criteria, traffic count per lane, the road width and whether they had shoulders or not, crash injury and fatality, and then we looked at potential for future growth. We also had some unscored criteria - if a road had been recently completed or under design, that was obviously worthy of note. We looked at motorists complaints that came in and these were not maintenance concerns but concerns about the way a road was configured. And then the special traffic conditions, truck-trailer traffic for instance, problems with flooding, higher percentage of youth drivers around our high schools. Then we segregated them based upon a threshold 1,700 vehicle per day per lane; a little bit arbitrary but it had a rational basis that we used Berea Church Road as an example of a road, about 1,700 vehicle per day per lane and that was a major reconstruction that we have underway on that particular road. We ended up with 57 roads over 1,700 vehicle per day per lane and then 57 under that threshold. And that was so we're not comparing a road like Richards Ferry Road with

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Garrisonville Road, just to get a little segregation in the analysis. So, a little more detail - very quickly we looked at congestion used in that vehicle per day per lane. We got a hundred for under 2,000 up to over 10,000 vehicle per day per lane, you score 500 and as this goes through the higher score meant the worst condition the road was based on this analysis. The structural characteristic - a narrower road got the higher score. As you got a wider, you get center lines, you get edge lines, and then you get shoulders. The score goes down to zero for a much more safe road in that case. The safety record, looking at all those statistics, I won't go into each one but we had it segregated into multiple categories for scoring and using... comparing against the state average for a secondary road or a primary road if it was a primary road we were looking at. The potential for growth - looking for our major east-west connectors back to Route 1 and I-95, if you move out into the western part of Stafford County the chances are you're going to want to travel back to the center of the county to get to these major thoroughfares. So, those roads tended to increase in traffic and get the higher score down to 100. All of our roads are increasing in traffic so they all get a certain score. Once we went to the Infrastructure Committee in October and then the Board on November 27th, the Board directed us to go ahead and reduce the scope. We took the top 20 roads from each category above and below 1,700 vehicle per day per lane, but then we added certain roads that had constituent reports that indicated a problem, roads that were on the Youth Drivers Task Force but didn't make that top 20 list and that sort of thing. So, we ended up not with 40 but with 38 roads and road segments above 1,700 and 25 below, so the total of 63 made the list for the next round. This is the list. I won't spend time. All this information is available online on a website, I'll get to that in a moment so you don't go through it here you certainly have an opportunity to check the information out later. And then below 1,700 vehicle per day, these are the roads that made the list for the next phase. So, when we got into the next phase we made a minor adjustment to the injury rate. We found that the threshold at three times state average was a bit too high for the secondary roads and a lot of roads with a lot of in injury accidents on them weren't getting scored high enough. So there was a minor adjustment there. Then we added two evaluation criteria; one was to pick up a number for the density. We had a crash rate but if you have a low traffic road, just a couple accidents can increase the rate substantially and kind of skew the results. So we converted this to an accident rate per mile to try to get a little better balance in the numbers and then also we added a category of operational performance and I'll get into that in just a moment. So, we added the new scores to the old scores. We didn't start over again, so we just kept building on the scoring that we had already done. And one other thing we did in this phase is reviewed all the accident descriptions for every segment of the road, the number of accidents, the type of accidents, detailed descriptions that we were provided, then we segregated them into categories for congestion related, intersection related, and road geometry, narrow roads, curvy roads, poor sight distance and that sort of thing. So, quickly once again, simple math - a number of accidents by the distance that we were studying so you ended up with accidents per mile scored 300 down to zero for less than five accidents per mile. Did want to mention that the reportable accidents we were working with on our database, they had to be an injury fatality or property damage greater than 1,500, so obviously there's a lot of accidents out there that happen that don't meet this threshold but this is the threshold in the database that VDOT provided, so it is consistent. So, the operational rating, a little more complicated. We're trying to come up with a number that indicated the ratio of road capacity in vehicles per our peak hour versus the road use in vehicles per hour. And what we did was use the methodology that had been developed during our impact fee study. It's a free-flow analysis, it's different from what you see which is time and delay. What you see before you tends to be an intersection related. You pull up to a red light, how long... how many cycles does it take you to get through there? If it takes 90 seconds or so it's an F at the intersection. Well, this is the whole length of the road so it's free-flow. So, it looks at a lot of different information characteristics of that road; the number of lanes, lane width, shoulders whether they have them or not, all of these affect the number of vehicles per hour you can get down a road. The narrow it is the more traffic you have the slower traffic tends to go and the poor performance it has. Number of driveway, commercial entrances, and intersections are also factored in there. So, we have a capacity per hour that varies by the nature of

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the road and then we used our VDOT traffic counts to come up with a capacity ratio. The ratio is on the left and the operational rating is on the right from A to F. That's consistent with what you often see in front of you. Then we took that A through F rating and assigned a score; A and B is a satisfactory road, a good road. Score of zero C and D is marginal and E and F is failing and that's up to 400. So, once again, that's not the same, the analysis is not the same as what you see but I think it's probably fair to say that when you look at the roads and the road rating, some of those would be what you would expect to see as an F. For instance, Garrisonville Road next to I-95 is our worst one and it is a serious F. Did the accident review, used the detailed information that we had for every segment. Two general categories we created out of that one is congestion and intersection related, and those types of accidents tend to be rear-end, sideswipe in the same direction, and then angle crashes. A road geometry can be width, curvature, or sight distance. They tend to be run off the road, sideswipe in the opposite direction, and then head-on. These are generalizations but they hold... I think they hold true when you read the descriptions. So, summarized we use this information to make a recommendation for a road improvement. We pulled in some improvement cost estimates and this is information that the County had from some of our road projects and then some of the work that VDOT's been doing. Obviously big money; 25 million per mile for a four to six lane widening on Garrisonville Road down to a more modest improvement but it's still pretty significant two-lane improvement. We're doing one of those out at Brook Road and about 6 and a half million per mile. So, again this is high level stuff. It's not intended to be a detailed engineering analysis but it's useful for the purposes of comparing and kind of getting a ballpark estimate of what kind of money we're talking about for fixes. Then we looked at for lesser traveled roads, a process that's called shoulder wedge. It's a bit of a widening but it's a shoulder improvement. This is a cost that's significantly less obviously than a major reconstruction, about 110,000 for two feet on either side of the road. But to get that... use that cost estimate, we would have to coordinate with the VDOT repaving schedule because you've got to pave over it. If you don't do that then it's gonna cost you at least twice as much. So, a couple of examples - here's a road reconstruction, Truslow Road before our project and here's Truslow Road after; obviously lanes are wider, the edge lines are well marked by curbs, there's a good safety zone on either side either for recovery or just if you get off the road you're not having a major accident. The shoulder wedge, Bells Hill Road was one that we had done recently. Anybody who traveled that road, its fearsome. A lot of traffic and not a lot of width, no center lines, you can't see where you're at, no edge lines, when it rains it's very hazardous. Came in and did shoulder wedge and we got not only a wider road but we were able to put down center lines and edge lines and about one foot of recovery area on either shoulder. So, a pretty big improvement for a modest cost. I won't go through these. This is how it all lined up. This is an abbreviated version of the spreadsheet that was developed. There's categories of data that are not included just to get it to fit at all towards the right. There's cost estimates for the recommended improvements and a running total to the far right. And you end up with about 255 million just to get through 14 roads. The road list continues but there's no cost estimates. Once I got to a quarter of a billion I thought well that's probably far enough. Roads under - these are using the distance and that \$110,000 per mile, again, assuming you're working with VDOT. Some of the roads obviously wouldn't be helped so they began to fall off the list. Lichfield Boulevard for instance is an urbanized area, it's not going to be helped by that process. So, some of those were marked out in red. Continuing the list, totaled them all out and ended up somewhere just above six and a half million. I put this in there just so people could get an understanding of how comprehensive this is around the county. The orange roads are the ones... the major project roads, and then the yellow ones would be the wedge widening. But you can see a broad distribution throughout the county for roads that definitely could use some improvement. So, the summary - there's now 14 roads or road segments that are priority for major improvements and we're somewhere over 250 million. There were another 20 roads or road segments that weren't even costed out and 21 roads or road segments were identified for shoulder wedge, and those were about six and a half million. So, we went into public involvement; we had three different public hearings... public meetings I should say, one of which we broadcast live and is available on the web. We refined

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the major road improvements to try to lower the cost, look for a way that a road might actually qualify for maybe a less robust improvement therefore less expensive where that was practical. We looked at other recommendations to do the STAR study this is a process - 17's got one that just wrapped up, Route 3 in Spotsylvania. So, some of them, for instance Garrisonville Road between I-95 and Onville Road is an excellent candidate for that. It would cost hundreds of millions to actually add lanes on that road so maybe there's some other things that can be done; improvements to intersections, access management that would cost far less that could at least be looked at. Some of the roads got moved over to the shoulder wedge; these were more well-traveled roads but could be wedge widened as an interim measure until other funding became available. Coordinated our wedge improvement list with VDOT's repaving schedule; we've been communicating with them and then we drove every road in the county that it was on the list to take a look and see whether they would actually be practical to use this technique on. So, just very quickly again, we removed some roads that were done or underway and others that were let's just say not feasible. We looked at alternative measures and tried to move them off the list that way, some of these STARS studies, and then for instance Primmer House Road is not that old of road, it's in pretty good shape. We just said we'll just defer improvement until there's a demonstration of greater need. And moved a bunch of over 1,700 vehicle per day over to the shoulder wedge adjustment just to take a look at them, then we drove every one of those roads to see if it would work again, either lighter traffic counts just using as an interim measure to get by until more funding was available. So, here's what we're left with is 10 roads and 190 million. It's still a huge stretch, a lot of money, but again down to 10 roads. But as I said, we rode the roads with VDOT and I was a little surprised with 36 of the 39 roads could be improved by wedge widening, so that made it appear that it's long term, it's a feasible alternative for quite a number of roads. Richard's Ferry dropped off the list, it's too narrow the entire way to widen that way. White Oak Road east of Ferry Road already had a shoulder widening so you wouldn't go back in and do that again, and Eustace Road is actually a wide road with shoulders that are in very good shape. So those came off. There were a number of roads that couldn't get the full two feet on either side, might be two feet on one side one foot on another, but that's still an improvement over what's out there right now. And then so overall I think this is probably something we'll be working on going forward. The widening road list again there it is but its total cost now about ten million because of the number of roads that were moved off into that as a process, but still a lot less expensive. This is the updated list with the orange roads for major projects and the number of roads you see in yellow are the wedge widening, so it's available for future reference. Funding options - VDOT's not going to take this on, that's for sure. They're tied up on I-95 and some of the other ones, so really it if something's going to happen, it's probably going to have to be Stafford is going to have to take the initiative. There are, however, a number of funding programs available; even if Stafford takes the lead, they can tap federal and state funding. We have used every one of these programs that I've listed and funded certain improvements, highway safety improvement, the (inaudible) Program, CMAC Congestion Mitigation, RSTP Regional Surface Transportation. We have money on a number of projects from those sources. SmartScale is the big one right now. We also use Secondary Six Year, that's about ½ million a year that we're dedicating some of that money to this initiative and revenue sharing. So, we compete statewide for those funding sources so we're not... may not be successful and if we are successful the money may not be available for six years or so. So, that's the kind of prospect you... if you if you don't have any money you just have to wait in line but that's what you're looking at. Local funding, we do have some sources - that's good news about proffers, about 800,000 per year, but that can go up and down depending on status of rezonings or lack thereof. Fuel tax gets us about 600,000 a year and that's changed a little bit; it can be a little more than that now because of some changes the state made. Transportation Impact Fees about 600,000 a year and that can go up and down as well. Property taxes, 1.6 million per penny for... based upon our value right now. And a transportation bond and this is something that we did look hard at; five cents on the tax rate, 8.4 million, that would support a hundred million dollar bond but we have no capacity right now. So, it's not looking like a practical alternative in the near term just because of our debt capacity. Consideration

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service district, we have 2 - Warrenton Road and Garrisonville Road but they tend to be limited. There hadn't been a tax rate on Warrenton Road and the tax collected on Garrisonville right now is going towards the debt service on the recent four to six lane widening. So there's nothing there right now. The Board could look at expansions and new service districts but that's a ways out. So, next steps - the analysis essentially complete. Need to write the narrative to document the study process. The Board is already working with staff to try to identify state and federal and local funding sources to begin working away, chipping away at this list. Obviously funding availability even though a project is number one if it's got a price tag at twenty million and we don't have that kind of money we might look farther down the list, get a less expensive one that we can check off and complete. As I said, the study results are available online at that website. And we continue to add to it as the information becomes available. With that, if there's any questions?

Ms. Vanuch: Any questions from the Commissioners? Mr. Bain?

Mr. Bain: First, thank you for a very thorough presentation. I think if I had known that this was going to happen I would have brought my checkbook and we could have taken care of a lot of this but.

Mr. Dayton: One of the options I didn't mention was a GoFundMe page.

Ms. Vanuch: Do you have PayPal?

Mr. Bain: Sadly I'm moving to Australia tomorrow. No, I think I had one very minor question. On one of your slides you were talking about the improvement cost estimate and one of the examples you gave was a 2-lane improvement to 3R. What does 3R stand for?

Mr. Dayton: That's restoration, renovation, and rehabilitation. It's a standard you can use on generally lower traffic count roads. I think 4,000 vehicle per day is a good threshold. I think you can exceed that but also they'll be looking at new development before they'll approve that as a road construction technique. But it's got a little narrower shoulders. You can switch to gravel shoulders for instance and you can get down to about 11-foot lane width instead of a 12-foot lane width, so there's some relaxation in the standard. But it is still a VDOT design standard.

Mr. Bain: Okay, great. The only other comment I would make is that this very clearly highlights the problems that the level of development this County is seeing right now are causing most of these problems. And that's why I'm very interested in trying to control that or see that improvements are made to avoid the type of problems that would cost so much money. So, thank you for your presentation.

Ms. Vanuch: Any other questions? Mr. Apicella?

Mr. Apicella: Madam Chairman? Mr. Dayton, thank you for a great presentation; a lot of useful information. I do have a question on slide 35 where you say Stafford has no additional debt capacity. Is that just as it relates to transportation or across the board, including schools?

Mr. Dayton: Well, all debt is lumped together. It's not compartmentalized, so if it's schools, courthouse, transportation, it all goes into the same competition. The only things that would be excluded would be the, for instance, utilities. Those have their own revenue forces for those.

Mr. Apicella: So, bottom line is, we're maxed out.

Mr. Dayton: That is absolutely correct. And we're looking at a pretty difficult CIP in the years ahead .

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Mr. Apicella: Thank you sir.

Ms. Vanuch: Any other questions?

Mr. Randall: Yes, I have several.

Ms. Vanuch: Mr. Randall?

Mr. Randall: I had an opportunity to go to one of your town hall meetings and I have to say that I was impressed then and I'm more impressed now. When we talked at that time, you mentioned and I just want to make it known, this is your analysis, right? This is a structured analysis that you've done that was original from you, right? You didn't borrow it from anybody, you didn't take it from anybody, this is your analysis that you've done independent of anything else, correct?

Mr. Dayton: If the question is, did I make this up? Yes sir.

Mr. Randall: Alright. So, and this is not done by anybody else that you know of? This has just been done in Stafford County?

Mr. Dayton: As far as I know, this is the only place it's been. Spotsylvania did an analysis but it was more qualitative.

Mr. Randall: Right. Well, you know, to the point that was made already, I don't think you could have done a better job. I think this is outstanding. It lays out the problem pretty unequivocally that there's something that needs to be done as soon as possible. To the debt capacity question that was already asked, is this because of... does this have something to do with the AAA rating that we currently have and the date... and the debt structure that we want to maintain so that we can continue the AAA rating?

Mr. Dayton: That's factored in it. That is absolutely correct.

Mr. Randall: That's factored into that debt capacity number?

Mr. Dayton: That is correct. There's Board adopted financial standards. Certainly it's a Board adopted priority to be AAA rated. They've achieved that and they did that by strict adherence to their financial standards and that sets the debt capacity. And if you if you try to add to it then there's some other measures that kick in that would make it extremely cumbersome I guess financially to try to reach and still keep the financial standards the Board set.

Mr. Randall: Absolutely. Thank you. So, in the next step, just to reiterate, the next step in this is that the Board then, based on your recommendations, will be looking for ways of funding several independent... several projects dealing with the road improvements?

Mr. Dayton: I think it's fair to say. The Board has heard this and the recommendation; they have not formally voted or adopted or anything, so this is still a staff recommendation at this stage. But I am aware already of conversations that we're having about this congestion mitigation next round of funding and the Regional Surface Transportation, RSTP. We are going to... staff is going to recommend that the project, some of the projects that are on this list be the ones that we apply for those sources of funding to begin working against this list.

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Mr. Randall: Right, and to and to the point of the whole structured analysis, there's no more guesswork. You've done all the legwork required to literally put them in order of 1 through 10, whether it's the wedge improvements or whether it's the whole overall and I congratulate you and your staff for doing this. This is remarkable, thank you.

Ms. Vanuch: Thank you Mr. Randall. Anyone else? Okay. Thank you so much; you did a wonderful job. Thanks Mr. Dayton.

Mr. Apicella: Madam Chairman, before we move on though, this is not a question but again, this is very useful and timely information. I would ask, at least for the Planning Commission, that when we have a project under consideration where one of these roads are impacted that the transportation section of our report indicate it's the data that's here and how it might further exacerbate any potential problems. I certainly think that would be useful for the Planning Commission. It might be useful for the Board and probably for the BZA when they're considering special exceptions.

Ms. Vanuch: I think that's a great point. Mr. Harvey, can you add that to sort of the staff overview to any of the projects that come before us?

Mr. Harvey: Yes ma'am. We already have a section in the staff report that talks about the road conditions. We'll certainly add a statement about any of these roads that are on the list and their applicability to this particular case.

Ms. Vanuch: Excellent. Thank you Mr. Harvey. Okay. Great. Any other comments? Okay, seeing none I'm going to move on with the public hearing, with the public presentations. So, if you guys are here to speak on any item other than one of the public hearings, which is the Noor Auto Repair and Sales or the Rappahannock Landing Apartments, you have 3 minutes. You can come down to the podium and speak. When the yellow light comes on you have 1 minute. When the red light comes on please conclude your comments. When you come to the microphone, please state your name, address, and the district that you reside. Would anyone like to come and address the Commission? Okay, seeing no one I will close out the public presentations portion of the meeting and move on to the public hearings. So, we are going to go to item number 2 which is now item number 1, the conditional use permit for Noor Auto Repair Sales and for this we recognize Mr. Brian Geouge.

PUBLIC PRESENTATIONS

None

PUBLIC HEARINGS

1. RC18152278; Reclassification - Rappahannock Landing Apartments - A proposed zoning reclassification from the R-1, Suburban Residential Zoning District to the UD-3, Urban Development – Residential Mixed Use Zoning District, to allow for the development of 324 multi-family dwelling units on Tax Map Parcel No. 53-1E (Property). The Property consists of 25.5 acres, located at the southern terminus of Krieger Lane, within the George Washington Election District. **(Time Limit: May 24, 2019)**

Discussed after item 2.

2. CUP18152433; Conditional Use Permit - Noor Auto Repair and Sales - A proposed conditional use permit to allow auto service, automobile repair, and motor vehicle sales in the B-2, Urban

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Commercial Zoning District on Tax Map Parcel No. 45-15B. The property consists of 0.87 acres, located on the east side of South Gateway Drive, 800 feet south of Auction Drive, within the George Washington Election District. **(Time Limit: May 24, 2019)**

Mr. Geouge: Good evening Madam Chairman, members of the Commission, Brian Geouge of Planning and Zoning presenting the Noor Auto Repair and Sales Conditional Use Permit application. This is a CUP application for automobile service, repair, and sales in a B-2, Urban Commercial Zoning District on Tax Map Parcel No. 45-15B, consisting of 0.87 acre. The owner is Nathan Properties LLC. The applicant and agent is Samer Shalaby with Development Consulting Services. This is in the George Washington District. The property is located on the east side of South Gateway Drive. This property and surrounding properties are zoned B2, Urban Commercial. The property is not within the Highway Corridor Overlay District, or HCOD. The subject property was rezoned to B-2 in 1990 as part of a rezoning of the auto auction property. The proffers on the auto auction property were subsequently amended to allow for the auto auction use, but the subject parcel is still subject to the original proffers from 1990. There are numerous proffers which are either complete or not applicable to the proposed use. The property is undeveloped and wooded. The site is level and does not include any sensitive environmental resources. Adjacent uses include the Manheim Auto Auction to the north and east, an auto body shop to the south, and a retail to the west, and auto sales use to the west. The Generalized Development Plan submitted with the application is shown here. The GDP depicts a single entrance on South Gateway Drive located towards the southern end of the property, with a counterclockwise one way internal traffic pattern. A 1-story building is proposed, 3,400 square feet in size, with four service bays. The bays would primarily be accessed from the rear of the building; however, one bay door would be located at the front of the building to allow some vehicles to pull through when service is completed. Locating the primary bay access to the rear should help reduce visual impacts on South Gateway Drive. Parking areas are proposed along the front and sides of the building with a 12x40 loading space located at the rear shown here. This exceeds the minimum 25-foot length for a loading space which should help provide additional room for vehicles with trailers that are bringing cars to the site. The GDP indicates that the 12 parking spaces closest to South Gateway Drive would be utilized for vehicle sales. The applicant has indicated that a significant component of the business would be for purchasing vehicles at auction for repair and sale. A proposed condition would require that a minimum of 5 parking spaces be reserved for customer use. Sidewalks and right-of-way dedication are proposed along the frontage and a connection to the internal sidewalks is also proposed. An enclosed dumpster is located at the northeast corner of the building to the rear. A proposed condition would require that the site be developed in general conformance with the GDP. A Transportation Impact Analysis, or TIA, was not required with this application since the estimated vehicle trips are under 1,000 vehicles per day. The use is estimated to generate 81 vehicles per day, with 10 of those trips in the AM peak hour and 12 in the PM peak hour. Conditions are being recommended to ensure that the use does not impact South Gateway Drive. Conditions would limit access to a single entrance, would require all vehicles to be parked in paved parking spaces, would require unloading and loading of vehicles to occur within the property and not along the roadway. The Comprehensive Plan designates this property within the Warrenton Road Planning Area and Targeted Residential Growth Area. The more detailed Land Use concept shown here designates the property for commercial, retail, and office use. The Comp Plan notes that the vehicle sales uses should be limited to major arterial roads near major intersections. Staff finds that the vehicle service and sales use is generally consistent with the commercial recommendation in the Comp Plan; however, the proposed use is not located along a major arterial road or near a major intersection. The applicant has provided a photograph of the building... of a building, which is representative of the style and materials of the proposed building. The example depicts a steel building with flat roof and transparent bay doors. Staff notes that the property is not within the HCOD again, therefore conformance with Neighborhood Design Standards is not required; however, the standards are typically recommended. Staff notes that the plan discourages use of non-architectural metal panels as a primary

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façade material. It encourages variations in roofline and three dimensional architectural features. While the example provided is not consistent with many of those recommendations, it is consistent with adjacent nearby vehicle repair and sales facilities along South Gateway Drive. The proposed conditions would not require conformance with the styles and materials depicted here, therefore the ultimate building design could be different. The conditions proposed with this include showing development as generally consistent with the GDP, limiting access to a single entrance on South Gateway Drive, dedicating the right-of-way and constructing sidewalk along South Gateway Drive, requiring that all service and repair of vehicles be conducted within bays, limit outside storage of inoperable vehicles to a maximum of 10 days, requiring the minimum 5 parking spaces for customer use, requiring all vehicles to be parked in paved parking spaces not within open space or travelways, requiring proper disposal of materials, limiting outside display or storage of tires or vehicle parts, requiring the dumpster and any mechanical equipment to be screened from view, requiring signage to be complimentary colors and design.

Ms. Vanuch: Brian, real quick.

Mr. Geouge: Yes ma'am.

Ms. Vanuch: Can you back up one slide? On the proper disposal of materials, is that just like a State regulation? Are we putting any recommendations on that?

Mr. Geouge: It's probably things that would be required anyway. It's just some added assurance that that's gonna be taken care of. Things like disposing of oil and hazardous materials...

Ms. Vanuch: Yeah, because I'm remembering back to the Kaz Automotive and I don't remember the exact language, but I know it was more than just proper disposal of materials. I think we were a little more specific with them in that there couldn't be any external... they could only do it inside the garage, they couldn't do any draining of, you know, air conditioning, you know, oil, that kind of stuff, outside the garage.

Mr. Geouge: Not sure that it gets to that level of detail but I can read the proposed condition if you'd like.

Ms. Vanuch: Okay.

Mr. Geouge: All petroleum products, anti-freeze, and hazardous materials shall be disposed of in accordance with Stafford County Fire Prevention Code and all applicable Federal and State laws, regulations, and requirements.

Ms. Vanuch: Okay. Alright, thanks.

Mr. Geouge: Staff finds the positives with this is that it's consistent with the Land Use Plan recommendation for commercial uses. It's consistent with existing vehicle repair, service, and sales uses along South Gateway Drive. The proposed use would generate very little traffic. A sidewalk is being constructed along the frontage of the property which will help facilitate pedestrian access along South Gateway. And proposed conditions would minimize impacts on transportation network and nearby properties. Staff finds the negatives are the proposed use is inconsistent with the Comp Plan recommendations for the location of vehicle sales uses and the proposed building does not incorporate recommendations of the Neighborhood Design Standards Plan. Finally, the recommendation is, although the proposed project is not consistent with recommendations for location of vehicle sales uses

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and it does not incorporate many of the recommendations of the NDS plan, staff believes that the proposed use is appropriate in this area given the surrounding uses, and the building design is consistent with adjacent uses. Staff is recommending approval of the application with conditions pursuant to R19-34. I'll take any questions.

Ms. Vanuch: Thank you Mr. Geouge. Mr. Bain?

Mr. Bain: Yes, thank you. Mr. Geouge, thanks. Two questions; one, if you could go back to the slide on the GDP, I'm not quite sure... there we go, along South Gateway Drive, are they required to have screening vegetation in that green space area?

Mr. Geouge: They are required to have a certain number of plant units along the frontage. That would be located in between the parking areas and the sidewalk...

Mr. Bain: And the sidewalk.

Mr. Geouge: ... shown here, as well as perimeter landscaping around the parking areas and travelways.

Mr. Bain: I'm not too worried about the perimeters, because those are adjacent to other similar uses. But along South Gateway, I think there should be a condition that screening, not just plant units, would be required there. And it could be bushes, small trees, something like that.

Ms. Vanuch: Mr. Harvey? Were you going to say something?

Mr. Harvey: Thank you Madam Chairman. Commissioner Bain, one of the issues you may want to think about is using the term screening, because screening implies in our Ordinance that it cannot be physically seen. So, if it requires a condition to screen along South Gateway Drive, it would be in such a manner that you couldn't see the building on the site.

Mr. Bain: That's not what I'm trying to achieve. I'd like a little more dense vegetation, because I'm envisioning a number of vehicles in various stages of disrepair. It would just be helpful to not see those as visibly as if they were sitting in a parking area unprotected. So, maybe it's not possible to achieve that... my goal with our code. I don't know - do you have a suggestion that might achieve that?

Mr. Harvey: Commissioner Bain, our... other parts of the Zoning Ordinance require if they have a storage yard that the storage yard would have to be screened from view. So, they may have... if there is going to be vehicle storage, then that would maybe require a fence or some other means to screen the cars from public view. But as Mr. Geouge pointed out, the front number of parking spaces in the layout are going to be for automobile display. This current layout, the only real location you would have for storage may be on the west side of the property.

Mr. Bain: Okay. Is use of those front parking spaces for vehicle display part of the Conditional Use Permit?

Mr. Geouge: No, that's not a proposed condition to have strictly those for vehicle display.

Mr. Apicella: I'm reading the condition that says the number one, development of the site shall occur generally as shown on the GDP prepared by Bagby and Foroughi and Goodpasture,. So why would it not be consistent with this?

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Mr. Geouge: I suppose it would be up to interpretation what generally consistent is. I would think to have some added assurance that that could be perhaps added as a condition...

Mr. Bain: That would be acceptable to me.

Mr. Geouge: ... that those are designated for that.

Mr. Bain: Okay, I would like to do that possibly. The other thing I wanted to ask about, cars that are brought onsite possibly have been in accidents or other things. I could envision oil leaking, or other chemicals, onto the pavement. Is there any condition that we could institute to require prompt clean-up of spilled materials?

Mr. Geouge: I'm not certain on that one; I'd have to get back with you.

Mr. Bain: Mr. Harvey, would you have an idea on that?

Mr. Harvey: Commissioner Bain, I'm not sure how we would address that other than through the Fire Marshal or Department of Environmental Quality, if there's a spill of a hazardous material. Both of those entities would be involved in those kinds of situations. I don't know the timing of response required for clean-up.

Ms. Vanuch: In the past I think we just put a condition on there that any disabled vehicles couldn't be sitting outside longer than I think it was like 30 days, but if they were leaking, I think they had to be inside and drained of all the oil.

Mr. Bain: I think we have a condition of 10 days...

Ms. Vanuch: Okay.

Mr. Bain: ...on this one, but they can still leak.

Ms. Vanuch: Yeah. But I think if it's leaking it would be required to be brought inside and drained of all fluids perhaps.

Mr. Bain: That would be acceptable.

Mr. Harvey: Madam Chairman and Commissioner Bain, I'd have to defer to the applicant to answer that question because if you... often times if you drain a vehicle of its fluids...

Ms. Vanuch: ...the leaking fluids, not the ones...

Mr. Bain: Not everything.

Mr. Harvey: There may be some operational issues that maybe they can answer with regards to that.

Mr. Bain: Okay, I'll wait on that then.

Ms. Vanuch: Any other questions for Mr. Geouge before we hear from the applicant?

Mr. Randall: I have a quick question. If you could go back to the GDP?

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Mr. Geouge: Yes.

Mr. Randall: Those... does this fall into being grandfathered to the old parking requirements or is this a new parking requirement?

Mr. Geouge: This would be the new parking requirements.

Mr. Randall: Okay, so the parking spots on the bottom listed here would be 9x20, correct? Not 9x18?

Mr. Geouge: I believe so, yes.

Mr. Randall: Okay, I just want to make that note in the GDP so that we change that, so they'll be 9x20 and not 9x18. And that's all the questions I have for you today.

Ms. Vanuch: Alright, thank you Mr. Geouge. Would the applicant like to come up, Mr. Shalaby?

Mr. Shalaby: Good evening Madam Chair, and the members of the Planning Commission, my name is Samer Shalaby. I guess I'm just gonna try to focus on some of the questions, and I do have actually the operator here, Mr. Ijaz, so if there's any specific questions. But, my understanding, again the cars that he's purchasing for display, they're not wrecked cars. They're more of just cars that might, you know, they're sold at auction, and you know, he might do some adjustments to the engine, change brakes, do things like that, typical, but they're not necessarily wrecked cars. So I don't think having cars that look, or leaking, or something like that, I don't think that's gonna be a big issue. And obviously in his interest, he wants to be able to get those repaired pretty quickly, if something happens to be leaking because he is putting them for sale and on display and that's why all the cars in the front will be the display cars because those are the ones he's trying to show the public that they're ready for sale. And again, he can probably clarify if you guys want more specific questions on that.

Mr. Bain: I would just comment in response to that, unfortunately the Conditional Use Permit does not say that it's only for getting cars that are in pretty good shape and making repairs, so he could change his business model tomorrow and take...

Mr. Shalaby: Sure, that would apply to obviously every repair place, if someone brings a car with a tow truck and it's leaking, that is definitely possible, and I'm sure we could put, if you want to add the condition again, if you want us to elaborate a little bit...

Ms. Vanuch: Do you want to come on up?

Mr. Shalaby: Yeah why don't you come on up.

Ms. Vanuch: Come on up. Just make sure to state your name for the record.

Mr. Ahmed: Thank you so much. I'm here and this is my first time. My name is Ijaz Ahmad and I'm in this business since 30 years. So, I'm doing work for somebody used to do for 15 years and now is my again another 15 years work for myself. So we are in era of 2020 and 21 right? Nowadays the new machines are here. There's no question about the drainage of any chemical like freon and antifreeze and some kind of like oil. Anything is like automatically drained, go to the storage and there is no doubt about, recycle machines are there so I think your questions are there but hopefully I answer your question and there is no big deal on this kind of things now.

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Mr. Shalaby: If you know anything of something leaking, do you put it inside?

Mr. Ahmed: Oh, yeah, yeah, of course.

Mr. Shalaby: I guess so, to make sure, we're fine with the condition that if a vehicle's leaking that you have to put it inside the bay to make sure it's drained so we can add that as a solution

Ms. Vanuch: Ms. Lucian, are we allowed to do that? Okay, perfect.

Mr. Shalaby: Yeah we can make sure. And obviously from the screening standpoint, I said that the sale is going to be in the front and there is landscaping requirements so we'll make sure of that. And I guess really, you know there's any other questions I'll be glad to answer them.

Mr. English: I have a question.

Mr. Shalaby: Yes sir.

Mr. English: This was gonna be delayed because the taxes; have the taxes have been paid?

Mr. Shalaby: Yes sir, they've been paid.

Mr. English: Was the taxes on this property?

Mr. Shalaby: Yes.

Mr. English: Does he own another property on Route 1, too?

Mr. Shalaby: I don't...

Mr. English: That's... I thought there was a Noor, too, on... it is on Route 1?

Mr. Ahmed: Yeah.

Mr. English: Is that yours too?

Mr. Ahmed: Yeah.

Mr. English: Okay, and that's now out of business, correct?

Mr. Ahmed: No, no.

Ms. Vanuch: Come up to the podium, come on up to the podium to talk. We have a lot of viewers on TV that like to listen in.

Mr. Apicella: At least 3.

Ms. Vanuch: Yeah. My husband, he'll have to call me and be like, what did he say?

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Mr. Ahmed: The Route 1 is temporarily closed because the guy who was operating, he's on vacation for two months, and this kind of business I don't trust anybody else to come and open for one week, two week...

Mr. English: But do you own that business, too?

Mr. Ahmed: Yeah, I own it.

Mr. English: You do. And you said the taxes are paid up on it?

Mr. Ahmed: Yes.

Mr. English: Okay.

Mr. Shalaby: And we've given the County the receipts and everything.

Mr. English: Okay.

Mr. Shalaby: Any other questions?

Mr. English: Yes, one more. What's the hours of operation gonna be on this? Is it just gonna be...

Mr. Shalaby: I'm assuming it's a typical I guess you... nine o'clock to...

Mr. Ahmed: Eight o'clock to six.

Ms. Vanuch: Eight to six, they were in the proffers I think.

Mr. Shalaby: Eight to six, yeah.

Mr. English: Were they?

Ms. Vanuch: Yeah.

Mr. English: I didn't see it. Okay, thank you.

Ms. Vanuch: The conditions, not proffers. Anybody else have any questions? Mr. Apicella, I see you flipping through some papers; any questions?

Mr. Apicella: Yeah, I'm just going through the conditions and maybe I missed it as well. It's not as big an issue for me, but...

Ms. Vanuch: I thought I saw...

Mr. Apicella: I don't see hours...

Ms. Vanuch: Maybe I made it up.

Mr. Apicella: I don't see hours of operation there.

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Ms. Vanuch: Oh, there aren't? Okay. I thought I thought I saw them? Maybe I was looking at something else. Sorry.

Mr. Shalaby: Eight to six, so we can add those, too, if that's a concern.

Ms. Vanuch: Okay. Eight to six, hours of operation.

Mr. Shalaby: Sundays closed.

Ms. Vanuch: Okay. So Monday through Saturday.

Mr. Randall: I have a quick question.

Mr. Shalaby: Yes sir.

Mr. Randall: So, what would be... what do you foresee the percentage of cars that you buy to fix to sell versus those that you will be... that customers will be driving into your location to be fixed for them?

Mr. Ahmed: My major on this thing is in the repair. So, the sale I'm doing because right now I'm in a business of gas station, selling gas and diesel. So, I'm tired of that. Now I'm focusing myself on the sale and repair, so maybe my doing all these thing is the repair, so most of the thing I will do repair and with the site I want to sell out so...

Mr. Randall: Okay, so most of what you'll be doing will be customer... repair of customer vehicles, you fix it, they'll drive it off, it'll be gone.

Mr. Ahmed: It'll be gone, yeah.

Mr. Randall: Okay. Any cars that you have on the lot will be those that you purchase; we talked about 10 days...

Mr. Ahmed: Yeah, yeah, of course.

Mr. Randall: ... those will be purchased that you'll be looking to fix up, to put back out on the front to sell.

Mr. Ahmed: Usually people want in 2 days or 3 days. Some people want right away so.

Mr. Randall: I understand that, I understand that.

Mr. Ahmed: I hope that (inaudible).

Mr. Randall: But, you mentioned in the conditions to that point that, and it says, "any outside storage of inoperable or totaled vehicles." Is it your intent to buy totaled vehicles or...?

Mr. Ahmed: No, no, that's a very hard business.

Mr. Randall: It is, it's a tough business and that's why I...

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Mr. Shalaby: We added that for the benefit the County, because there was some concern what if there is a... someone brings a vehicle so we said fine...

Mr. Randall: And it's determined to be totaled after it's brought to you.

Mr. Shalaby: Correct. And that's the reason why we said okay we'll put... make sure 10 days maximum so cars don't just sit there. But no, his intent is not to have any totaled or really...

Mr. Randall: Okay, got it. No, if you needed that for the County's benefit that's fine then. Okay, thank you.

Ms. Vanuch: Okay, so just to... oh, Mr. Harvey?

Mr. Harvey: Thank you Madam Chairman. I want to clarify some of the discussion that the Commission had about the display spaces and their size. The code does allow for smaller parking space sizes for vehicle display spaces. They can be as small as 120 square feet, so the 8½x18 size that was shown on GDP is adequate, meets the code, or actually exceeds the code. So the applicant could potentially have smaller parking space sizes for vehicles that are under display.

Mr. Randall: Would those be... would those be marked as display only, or would those be used for both display and for potential parking? My concern is if it's to be used for potential parking, that they probably should follow the parking guidelines. If they're display and they're only... they're marked as such, that would be my concern.

Mr. Harvey: Madam Chairman and Commissioner Randall, the Commission had recommended and the applicant, or I guess the Commission recommended that the parking spaces along South Gateway Drive be designated for vehicle display purposes, so at the time of site plan staff would work with the design engineer to ensure that either signs or something that makes it clear that display vehicles would be there, not customer vehicles.

Mr. Randall: And they'd be the ones closest to the building that would be only for customer parking, is that correct?

Mr. Shalaby: Correct.

Mr. Randall: Okay, thank you.

Ms. Vanuch: Okay, any other comments or questions? Alright Mr. Shalaby, thank you so much.

Mr. Shalaby: Thank you.

Ms. Vanuch: Okay, so this item is up for a public hearing now, so I will open the public hearing. If anyone is here to speak about the Noor Auto Sales and Repair, please come to the podium, state your name, address, and the district that you reside. You'll have 3 minutes; when the yellow light comes on you have a minute; when the red light comes on, please conclude your comments. Anyone? Okay, seeing no one, I will close the public hearing and does the applicant want to come up again and address the Commission since nobody talked? Does anybody have any comments or questions? Okay, I'll bring it back to the Planning Commission. Mr. Bain, this is in your district, what would you like to do this evening?

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Mr. Bain: Yes, Madam Chairman, I would like to make a motion to approve the Conditional Use Permit application number, have to find that real quick, there it is, CUP18152433 with some changes. First would be that the CUP would specify hours of operation between 8 a.m. and 6 p.m. Monday through Saturday, was it?

Ms. Vanuch: That's what he said. Do you want to add any hours for Sunday?

Mr. Bain: Alright, and no hours on Sunday. That there be a specification that if any vehicles are leaking fluids that they would be immediately taken into a service bay and repaired. And that a condition be established that the parking spaces along the roadway would be for display purposes only and not for customer parking.

Mr. Apicella: Can we count... can we clarify the roadway is Southern Gateway?

Mr. Bain: Oh yes, Southern Gateway, sorry.

Ms. Vanuch: Okay, so we have a motion to approve CUP18152433...

Mr. McPherson: Second.

Ms. Vanuch: ...with a second by Mr. McPherson. Mr. Bain, any additional comments?

Mr. Bain: No.

Ms. Vanuch: Mr. McPherson?

Mr. McPherson: No.

Ms. Vanuch: Anyone else on the Commission? Alright, go ahead and vote. Tally the vote. Okay, motion carries 6-0 with one abstention (*Mr. Boswell abstained*). Congratulations! Okay, now moving on to item number 1 on the agenda which is now item number 2, the Reclassification of Rappahannock Landing Apartments. For this we recognize Mr. Brian Geouge.

1. RC18152278; Reclassification - Rappahannock Landing Apartments

Mr. Geouge: Good evening again Madam Chairman, members of the Commission, Brian Geouge, Planning and Zoning. This next application is a request for a reclassification from the R-1, Suburban Residential District to the UD-3, Urban Development – Residential Mixed Use Zoning District to develop 324 apartment units on Tax Map Parcel No. 53-1E, consisting of 25.5 acres. The owner is KS Stafford Land LLC. The applicant is Breeden Investment Properties and the agent as Charlie Payne. And this is in the George Washington District. The property's identified here in red outline. The property was rezoned to R-1 in 1990, with proffers. The property is located on the east side of I-95 between the Rappahannock River and the southern terminus of Musselman Road. The northern end of the property consists of a narrow strip of land which includes a private access drive known as Krieger Lane. The property and adjacent single-family detached homes to the north along Musselman Road are zoned R-1, Suburban Residential. The R-2 zoned Rappahannock Landing development is to the east which is partially constructed with the final phase, Section 4, underway. Adjacent to the south there's A-1, Agricultural zoned piece of property that's owned by the City of Fredericksburg and it has conservation easements on it. The property is undeveloped and wooded apart from Krieger Lane at the northern end. There are minor feeder streams located on the property along the eastern and southern

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boundary. However, there are no Resource Protection Areas located on the property. There are two small wetland areas located near the northeast corner consisting of a total of 0.03 acres. The topography includes a relatively flat area at northern end of the property with steeper slopes to the south closer to Rappahannock River. The cleared area to the east, shown here, is Rappahannock Landing, Sections 2 and 3, which is currently built out. The construction of Section 4 is underway which is generally located down here. There is one archaeological site located on the northwest corner of the property which is recommended as not eligible for listing on the National Register of Historic Places. Also, the southern portion of property is within the designated Battle of Fredericksburg I Historic District. There are no Historic Overlay Zoning Districts which apply to the property. The applicant notes that any potential impacts to historic resources will be evaluated as part of the permitting process for the proposed development. The master plan... excuse me, the UD District requires a submittal of a Master Plan which depicts elements such as pedestrian sheds, street network hierarchy, and building elevations. The image shown here is oriented such that west is up. This image shows the conceptual layout scheme for the development, which proposes two access points, one along that private, currently private access drive known as Krieger Lane, shown here, and an inter-parcel connection to Rising Sun Road, located here, which is located in the Rappahannock Landing Section 4. A roundabout is proposed near the center of the development where these two access roads intersect. The applicant is proposing 15 three-story apartment buildings, totaling 324 units. There are 108 one-bedroom, 180 two-bedroom, and 36 three-bedroom units proposed. The buildings are arranged in groups of travelways and parking areas surrounding each group. Sidewalks are proposed to be provided on all sides of the building. Also a 5,300 square-foot one-story clubhouse is proposed along with an outdoor pool. There are four pocket parks proposed within this development, generally located within each cluster of apartment buildings. These would include amenities such as a playground, a dog run area, and a small maintenance building is located at the southeast corner of the building, and there are also two dumpster locations proposed, one near the southeast corner and one near the northeast corner. The UD District requires a minimum of 25% open space. About 41% open space has been provided with this development scheme. Much of the space would be provided at the southern end of the property since the development is focused on the central and northern portions of the parcel. Proposed buffers include a 50-foot vegetated buffer along I-95, in combination with either a noise abatement wall or a 5-foot high berm. Transitional buffers are proposed along the other boundary lines, including a 35-foot transitional buffer between this development and Rappahannock Landing townhome development. This transitional buffer is in excess of what is required. The Comprehensive Plan designates the property within the Warrenton Road Planning Area and Targeted Residential Growth Area. The more detailed land use concept shown here designates the property for residential use. TGAs are recommended for urban or high-density suburban developments with a recommended density between 11 and 14 units per acre for multi-family developments. The proposed density is 12.69 units per acre. The plan also recommends that development within TGAs occur in phases and recommends that the undeveloped portions of the Warrenton Road TGA be developed in the near term by 2026. Staff has evaluated how this request will impact the listed public facilities. This rezoning is subject to the July 1, 2016, proffer legislation which limits what proffers the County can accept. Under the state law, proffers to mitigate offsite public facility impacts are limited to transportation, public safety, schools, parks and recreation facility types. The proffers can only be tied to a need which is in excess of existing public facility capacities and the residential use will receive a direct benefit from the proffer. First, looking at schools, the total 324 proposed units would generate 74 students based on student generation factors provided by Stafford County Public Schools. For the purposes of proffer mitigation, the impacts of 38 students are evaluated. This number excludes the 38 students which could be generated from by-right residential development under the existing R-1 zoning.

Ms. Vanuch: Mr. English?

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Mr. English: Yeah, Mr. Geouge, the apartments that are set over here at the... off Route 1 down here, the new ones that are set up...

Ms. Vanuch: Abberly.

Mr. English: ... Abberly... how many apartments are in there, do you know right off the top of your head?

Mr. Geouge: I think it's 270-ish?

Mr. English: And are they... what kind of impact is it having on the schools? Do you know what the school rate is? Can you find that out?

Mr. Geouge: The number of students within that development?

Mr. English: That's generated under those apartments.

Mr. Geouge: Okay.

Ms. Vanuch: Are they fully rented out though? I feel like they're not fully rented out. Do we know?

Mr. Geouge: I'm not positive.

Ms. Vanuch: Okay.

Mr. Randall: Well, do you know what their generation rate was when they began to... was it the same rate? This seems pretty low for a generation rate and I just wondered what was used for that apartment generation rate even if I'm sure it was, you know, four or five years ago. Could we look at what they've done and then the actuals of if they're rented out and how many students they actually have?

Mr. Geouge: Yeah, I'm not sure that they would have used a generation rate for that project. They're probably more so going off the old proffer guidelines, but I will look into that.

Mr. Randall: Okay, thank you.

Mr. Geouge: Continuing on for schools, the attendance zones for the site included Rocky Run Elementary School, Drew Middle School, and Stafford High School. This table identifies the available capacities at the receiving schools based on 90% of the program capacity for elementary schools and 90% of the design capacity at middle and high schools. All three schools are identified as having deficit with no available capacity. From this information the applicant has estimated a per dwelling unit contribution amount to mitigate impacts to schools. The estimates utilize costs provided in the CIP to construct schools. Staff has determined that there's adequate park capacity in this location. The basis we used for that is the 2017 Parks Utilization Plan which identifies where park facilities are lacking and assigns priority areas where additional parks are most needed. This area is defined as having adequate parks. For public safety, this site is within the first response area of the Berea Fire & Rescue station. It was determined that the current level of service there is a deficit and any additional homes will further add to this deficit. Stafford's fire and rescue response time standards are used to determine the deficit. A standard is to respond to a call within 8 minutes 90% of the time. At station 12 the 8 minute response time is 65%. In this case, it would be reasonable to accept a proffer to mitigate fire and rescue impacts. A Transportation Impact Analysis was prepared for the development and has estimated that the proposed

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development would generate 1,764 vehicles per day with 108 trips during the AM peak hour and 137 during the PM peak hour.

Mr. English: Is that would be on Musselman Road?

Mr. Geouge: Well, a portion of that would be.

Mr. English: And the rest of it will be coming through Rappahannock Landing?

Mr. Geouge: Yes.

Mr. English: Ooo. Okay, thank you.

Mr. Geouge: The TIA evaluated level of service during the AM and PM peak hours at three intersections along Warrenton Road, located at Short Street, Old Forge Drive, and Solomon Drive. The analysis assumes that the traffic signal at Short Street is going to be relocated to Old Forge Drive, and a median will be extended at the Short Street intersection which will restrict left turns to and from Short Street. A signal relocation was a condition of approval for the Rappahannock Landing townhome development and is expected to be completed this year. Staff also notes that approved construction plans for Rappahannock Landing Sections 2 through 4 require improvements to Musselman Road between Thomas Lane all the way down to Krieger Lane, which would be the primary access for this development. The road is to be widened to 20 feet. It is staff's understanding that this work will begin soon. The TIA notes that impacts on these intersections resulting from the proposed project could be adequately mitigated by adjusting signal timings. The tables provided in the TIA show the overall Level of Service C or better can be achieved at these intersections. This table identifies a Level of Service at the Warrenton Road/Olde Forge Drive intersection under projected build-out in the year 2022 and this compares scenarios where there's... where this project is not constructed versus where it is constructed. The build-out conditions reflect the adjustment of signal timings which mitigate impacts. You can see that certain individual movements degrade from a Level of Service C to a Level of Service D.

Mr. English: Mr. Geouge, question for you.

Mr. Geouge: Yes sir.

Mr. English: They're trying to have some of the traffic dump out on Olde Forge Drive to come out on 17, correct?

Mr. Geouge: That will become the major point of access.

Mr. English: What about a light there? Are they gonna... who's gonna put a light in there?

Mr. Geouge: That's supposed to be completed soon as part of the Rappahannock Landing townhome development that's taken place there.

Mr. English: They're going to put a light at 17 and Route 1... I mean 17 and Olde Forge?

Mr. Geouge: Correct.

Mr. English: Wow, okay, thank you.

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Mr. Geouge: And the light at Short Street's gonna be taken down.

Mr. English: Oh, okay.

Mr. Gouge: And you also see that the overall Level of Service drops from a B to a C. However, the amount of additional delay at these... for these individual movements and for the intersection overall is minimal. So, for overall, it increases by a little over two seconds, so, looking at all movements at the intersection. Maintaining a Level of Service C is consistent with Comprehensive Plan policy. VDOT has also reviewed the TIA and concurred with the findings; however, they have expressed concerns regarding added traffic on streets within the Rappahannock Landing townhome development. And here's a photo of where the proposed main entrance would be for this development, showing existing conditions. This is looking generally southeast. This is Musselman Road here and this is the private access Krieger Lane. So, continuing on with public facility impacts, the general government category includes facilities...

Mr. Randall: Madam Chair? I have one quick question.

Ms. Vanuch: Mr. Randall, go ahead.

Mr. Randall: Could you go back to that last picture you just had?

Ms. Vanuch: I'm still in shock.

Mr. Randall: So, what you're saying before as you mentioned that we expect Musselman Road all the way down to this graveled road to be improved to a 20-foot wide double lane, lined, curbs, the whole nine yards, as part of the current ongoing Rappahannock Landing townhome development, is that correct?

Mr. Geouge: Yes. It's my understanding that work is going to begin as soon as the weather improves enough to pave under VDOT standards.

Mr. Randall: Okay, so we expect...

Mr. Bain: Including curbs?

Ms. Vanuch: Mr. Randall, go ahead.

Mr. Randall: So we expect, I thought I read curbs.

Mr. Geouge: A portion of it will have curb as well. I don't think all of it will.

Mr. Randall: Okay and we expect completion... do we have a completion date of that? Is there somewhere in the current Rappahannock Landing proffers or wherever this is done that says this will be completed by this date? Do you know when that will be compared to when we expect that this will start build-out?

Mr. Geouge: I think the final stretch here between Krieger Lane and the access to Rappahannock Landing apartments is supposed to be complete by, I want to say the 200th occupancy permit, but I can double-check on that. But it's my understanding they're gonna...

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Mr. Randall: Let me go back, I think you misunderstood my question probably because I said it wrong. The Musselman Road completion project -- when do we expect that to be completed or started completed in comparison to when we expect this apartment complex to be started? Do we expect the Musselman Road to get completed long before they're gonna ever start doing work?

Mr. Geouge: We do, because even if they get approval for this reclassification, they still have to go through the site plan process and get building permits and things like that which can take a while.

Mr. Randall: And they're working on the Musselman Road extension now, just a little farther north?

Mr. Geouge: Yes. It's my understanding they're about to start that within the next month or two for this whole stretch between Thomas Lane and here.

Mr. Randall: Okay. Alright. Well, that will be a good... I'll ask that question when the applicant... Okay, thank you.

Mr. Geouge: General government category includes facilities such as the County's government center and courthouse complex. Staff has determined that a deficit exists with general government services based on current capacity issues with the courthouse; however, there's a projected new courthouse facility in 2022 in line with the projected build-out of this project. Libraries are identified as having an adequate Level of Service through the build-out of the project. The Comp Plan projects future needs and does not identify the need for a new library until 2023. In summary, the Level of Service would be considered adequate through project build-out for Parks and Recreation, transportation, libraries, and general government. The project would generate immediate Level of Service deficits upon schools and public safety. Impacts to schools and public safety would be mitigated with cash proffers for a combined total of \$6,310 per unit, or \$2,044,440 total. Architectural renderings have been provided within the Master Plan. The renderings for two of the larger apartment buildings is shown here. And here's a rendering of one of the smaller buildings, as well as one of the proposed clubhouse. Staff finds that the styles and materials depicted are consistent with the recommendations of the Neighborhood Design Standards Plan. Compatible elements include the use of brick of the base of the buildings, fiber cement siding is used and not vinyl siding, and there are recesses and projections along the façade of the buildings. A proposed proffer would ensure consistency with the renderings and limit the types of materials that can be used. The proffers proposed with this application include that development will be in accordance with the Master Plan; that no more than 324 residential multi-family units will be constructed; that architectural design will be in accordance with the renderings; they'll require the cash contributions of \$6,310 per unit as detailed before; will require specific recreational amenities including clubhouse, fitness center, swimming pool, four pocket parks, a dog run location and playground; they'll require that all construction traffic access the property through Musselman Road and Krieger Lane, and not through the Rappahannock Landing townhome development; it'll require the sewer easements be provided on Krieger Lane to facilitate the extension of service to existing residents; they'll limit the number of 3-bedroom units to 36; require that Krieger Lane be improved to base pavement level by the issuance of OP for the first unit and delivered to surface pavement by the issuance of OP for the last unit; I'll require that a 35-foot buffer also be provided along the eastern property line as shown on the Master Plan.

Mr. McPherson: Brian, I have one quick question if you don't mind.

Mr. Geouge: Yes sir.

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Mr. McPherson: Back to the previous slide. Can you explain please what is meant by base pavement level versus surface pavement level, and is base payment level enough for a car to safely drive without damage to the apartments?

Mr. Geouge: It is. It's pretty typical of construction projects; they don't want to completely pave everything and just have the construction traffic run over it and have to repave it, so they'll put down a base course of pavement and then complete construction and come back and finish everything off with the top course.

Mr. McPherson: But it's adequate for a sedan, a personal car to drive on?

Mr. Geouge: Yes, yes.

Mr. McPherson: Okay, thank you.

Mr. Bain: Brian? Construction traffic -- will that access the site from Musselman or through the townhouse development?

Mr. Geouge: That will be through Musselman.

Mr. Bain: Alright.

Mr. Geouge: Staff finds the positives with this is that it's consistent with land use recommendations in the Comp Plan, including density and phasing recommendations for multi-family developments within the Warrenton Road TGA. Proffers ensure consistency with the proposed development, including the provision of park areas and recreational amenities. A significant amount of open space is proposed and buffers would reduce impacts on adjacent properties. Mitigation of impacts to schools and public safety are considered reasonable. And building designs are consistent with the NDS Plan. Staff finds the negatives is that the proposed density is significantly higher than the surrounding residential densities. For example, Rappahannock Landing is around 6.7 units per acre; this is around 12.6. The proposed density would result in higher traffic impacts for residents along Musselman Road, as well as Rappahannock Landing townhome development compared to the potential development under the existing R-1 zoning. Finally, staff is recommending approval of this application pursuant to Ordinance O19-03 and noting although proposed density is greater than that of adjacent developments, staff believes that it's consistent with the density recommendations of the Comp Plan and improvements to Musselman Road should help accommodate additional traffic generated. And I'll take any questions.

Ms. Vanuch: Any questions to the left? Mr. Bain?

Mr. Bain: Yes. A couple of things. I think you indicated the movement of the light at Short Street and addition of a light at Olde Forge is going to happen sometime this year?

Mr. Geouge: Yes.

Mr. Bain: Okay. Once that's done not only... if Krieger Lane and the connection to the townhouse subdivisions, where would the local residents go to get to 95? How would they have to travel? They would have to essentially backtrack and come through the townhouse development, wouldn't they?

Mr. Geouge: There is a cross street, Thomas Lane up here provides a connection through, so it's likely they would use that to cut over to Olde Forge Drive and get up to the light.

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Mr. English: But Short Street will not be shut down, right?

Mr. Geouge: It won't be shut down, it'll be... right, it'll be just right-in/right-out access only there.

Mr. Bain: Okay. Another general comment about the park situation. We've had several developments come before us and the proffers for parks have been zero because the County says that we have adequate parks. I would take issue with that because I used Pratt Park and I know that on numerous occasions Pratt Park's parking lot is filled to overflowing. Yes the park is large and it's got plenty of facilities, but you can't park there. I noticed... I did a little bit of background work and in the Comprehensive Plan, specifically talking about Targeted Growth Areas, it states, the Comprehensive Plan provides for the creation of 575 acres of new public park space in or around TGAs. It also provides for the creation of an additional large recreational facility similar in size and amenities to Embrey Mill Park. Now I would say if these are planned capital improvements or recommended improvements in the Comp Plan, then our Parks Department should be identifying needs to provide funding for those facilities and that therefore there should be a proffer amount associated with parks. And I'm asking, can you explain why we're not receiving funding for park growth when the Comprehensive Plan laid out the need for it, especially in and around these Targeted Growth Areas?

Mr. Geouge: I can double-check on that, but I suppose the thought was that the Parks Utilization Plan provides a more in-depth review of parks' needs and, as I said before, it identifies those areas where parks deficit exists, the Comprehensive Plan does recommend certain amount of parkland per capita. But I think we've defaulted to the 2017 Utilization Study as a perhaps more in-depth and accurate representation of that. But we can certainly check with parks and get their perspective on it.

Mr. Bain: I would like to look into that more because I can just envision in five years we're gonna suddenly, with all the development that's going on, we're gonna suddenly need a new park, but all the development will have occurred and our opportunity to have developers contribute to the park development will have gone by the wayside. And I just think we're missing opportunities there for a future condition that's going to hit us and we won't be prepared.

Mr. Harvey: Madam Chairman and Commissioner Bain, may I add a few comments?

Mr. Bain: Absolutely.

Mr. Harvey: Part of the issue we have here is with the current proffer legislation. It may be considered unreasonable to ask for a proffer for a future improvement identified in the Comprehensive Plan when they're classified as having adequate capacity at our current facilities. The way the proffer legislation reads is that essentially there has to be a deficit in order for the County to be able to accept a proffer for any public facility.

Mr. Bain: I'm hoping that the revised proffer legislation will pass very quickly, but my first point was, I know at least at Pratt Park there's a deficit for parking. Whether or not there's a deficit for soccer fields or such I can't attest to that. But, in terms of parking, there's an obvious deficit, so I think it needs to be looked at a little further by the Parks Department. Maybe their assessment should be broken down into different categories of need so that if parking's a need but the facilities themselves have capacity, there's still a need to be identified. Thank you, Brian.

Ms. Vanuch: Mr. Apicella?

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Mr. Apicella: Madam Chairman, I have several questions, and I apologize in advance, I have a bad cold so I'll probably be mumbling over myself more than usual. Brian, what's been approved for Rappahannock Landing so far?

Mr. Geouge: So the, as I covered before, the Sections 2 through 4, 2 and 3 are complete or almost complete and Section 4 is as it's just getting started. I believe the total number of units is 561.

Mr. Apicella: Okay, and they're all townhomes?

Mr. Geouge: There are some condos in there as well, but they're all of similar style to a townhome.

Mr. Apicella: Okay, and are there any other areas or sections that could be added besides this adjacent parcel?

Mr. Geouge: Not within that particular development, no.

Mr. Apicella: So, taken together with the current Rappahannock Landing approval amount, and if this were to move forward at the proposed amount, there'd be 935 units, is that right, if my math is right? 561 and 374?

Mr. Geouge: Eight hundred and eighty-five? No. No, okay.

Ms. Vanuch: Mr. Waldowski is here, he can tell us.

Mr. Apicella: I think I'm close.

Ms. Vanuch: 885, there we go.

Mr. Apicella: I got the 935 but... and are there any other apartment complexes immediately adjacent to the subject parcel?

Mr. Geouge: There is not.

Mr. Apicella: Just as a point of reference or context, the current Comp Plan was adopted in August of 2016, right?

Mr. Geouge: Yes.

Mr. Apicella: And prior to then the only Urban Development zoning request was for the Abberly apartments in 2013.

Mr. Geouge: Correct.

Mr. Apicella: And that project included 244 apartments and they proffered a site for a community college campus, is that correct?

Mr. Geouge: I believe it's 288 units. I have a note here now for that and a 25-acre site was dedicated for Germanna Community College.

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Mr. Apicella: So, if this were approved, it would be the first Urban Development zoning project under the 2016 Comp Plan and also under the new proffer rules, is that correct?

Mr. Geouge: Correct.

Mr. Apicella: Can you briefly describe the purpose of Urban Development zoning? This zoning district.

Mr. Geouge: Taken from the code directly, the purpose of the UD district is to provide for areas of the County that are suitable for an urban approach to land use planning and urban design that promotes the development or redevelopment of pedestrian-friendly walkable neighborhoods with a mix of uses and housing types served by an interconnected network of streets.

Mr. Apicella: Okay, and so one of the things that stuck out at me here is mixed-use. How does Stafford define mixed-use projects?

Mr. Geouge: I'm not sure that we have an actual definition for it, but mixed-use projects would incorporate different types of housing and also incorporate commercial uses in many cases.

Mr. Apicella: So, it's the also that kind of captures my attention. Mixed-use usually means more than residential uses or... and certainly more than one residential type use. So, where's the mixed use being proposed as it relates to this parcel?

Mr. Geouge: This property in isolation it's not mixed use.

Mr. Apicella: Okay. What other zoning categories allow for multi-family and at what yield?

Mr. Geouge: R-2 and R-3 allow for multi-family. So I believe R-2 is 3½ units per acre and R-3 is 7.

Mr. Apicella: So, if they were... if they had pursued an R-3 zoning classification on this parcel, that'd be 25 acres times 7 for 175 units, if they were apartments or townhomes, right? I don't think... does it distinguish? Could you have 7 apartments or 7 townhomes?

Mr. Geouge: The density is the same, the yield.

Mr. Apicella: Okay. And so what's being proposed here is roughly 2 times the density under a UD-3 district compared to the current zoning that exists at the neighboring Rappahannock Landing apartments. Is that about right?

Mr. Geouge: That's about right.

Mr. Apicella: And under the UD-3 zoning, how many townhomes could be built on the subject 25 acre parcel?

Mr. Geouge: The maximum density under UD for townhomes is 8 units per acre, so around 200 units.

Mr. Apicella: So, this is significantly higher than what could occur under R-3 as it relates to either apartments or townhomes, and it's significantly greater even if they pursued UD-3 zoning but pursued townhomes?

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Mr. Geouge: Yes.

Mr. Apicella: So 174 more units than they could get pursuing townhomes as under UD-3. One thing that did perplex me, I think my colleagues also mentions this, the 0.22 students per apartment. So, out of the 324 apartments, they're proposing up to 180 two-bedroom and 36 three-bedroom, a total of 216 multi-bedroom apartments -- 216 multi-bedroom apartments generating only 74 students. That seems very low. I compared that with the project that was in front of us, Sycamore townhouse project, not exactly the same and I know townhomes have a slightly higher generation factor than apartments. But, when that came in front of us it was 0.63; that was the generation factor per student per unit... I mean per unit that's how many students it would generate. So again, this seems really, really low to me. I'd like to, as my colleagues asked, I'd like to know how... who came up with that generation figure and what their source information was?

Mr. Geouge: We can check with public schools on that.

Mr. Apicella: How do the proposed architectural features compare to the most recent apartment complexes approved by Stafford? I think those are Abberly, Aquia Towne Center, and Celebrate Virginia North.

Mr. Geouge: This proposed style is probably most similar to the Abberly apartments. Abberly includes stone veneer and fiber cement siding. The proposed buildings would include brick veneer and fiber cement siding. The Aquia 15 apartments, they have a more of a modern design I guess you could say with a flat roof and more angular features. And the style of the Silver Collection apartments is somewhat similar, but I think those have more extensive use of stone veneer on the façades.

Mr. Apicella: Okay. Madam Chairman, I have some more questions; are you okay with that?

Ms. Vanuch: Yeah.

Mr. Apicella: With regard to the Comp Plan, what is the size of the Warrenton Road Planning Area?

Mr. Geouge: It's around 2,600 acres.

Mr. Apicella: So, this 25 acre parcel, it's about 1% of the TGA.

Mr. Geouge: Approximately.

Mr. Apicella: And was it envisioned that TGA related zonings would be proposed piecemeal with only one residential use? In this case, just apartments, or more comprehensive zoning with multiple uses as a means to ensure that TGA related growth is somewhat self-sustaining?

Mr. Geouge: Well, I know the UD district was developed and approved concurrently with the Small Area Plan for the Courthouse Area... for the Courthouse UDA. So, it was likely envisioned that the UD district would apply to a large area and would include different sub-UD districts within that area.

Mr. Apicella: And this is just a sub-district not... what's being proposed is a sub-district not a broader urban development district?

Mr. Geouge: Correct.

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Mr. Apicella: And I'm just trying to understand how this proposal comports with the TGA provisions and related zoning categories under the Comp Plan, so that's where my questions are going to. Are there any caveats in the Comp Plan regarding the review and approval of TGA related rezonings?

Mr. Geouge: The Comprehensive Plan I think that was touched on earlier. It does speak to specific public facility needs that are generated by the proposed density within the TGAs.

Mr. Apicella: So, to that end, I'm looking at page 326 of the Comp Plan. I think everyone's got a copy of it at their seat. Under the heading entitled Public Infrastructure and Services, can you read the first sentence of paragraph 3?

Mr. Geouge: The requirement for educational facilities will also be driven by such dense development. Traditionally, such facilities are located within the residential areas of the communities. The Comprehensive Plan identifies future need for the construction of 3 new elementary schools, 2 new middle schools, 1 high school which may include a center for technical education. It also provides for the upgrade to 1 existing fire and rescue facility and construction of 4 new fire and rescue facilities to meet increased public safety demands of the planned TGAs, as well as a new Stafford Parkway, extension of Mine Road and other road upgrades to mitigate the local transportation impacts. These facilities should be sited within or in close proximity to the TGAs.

Mr. Apicella: I appreciate you reading that, Brian. And I beg everyone's indulgence -- can you also read the first two sentences of paragraph 4?

Mr. Geouge: The above infrastructure improvements are essential components of the more concentrated suburban and traditional neighborhood design recommended in the TGAs and would be required components for approval of rezoning changes within the planned TGAs. Without the upgrades, approval should not be given for rezoning changes because the impact of the development would not be sufficiently mitigated.

Mr. Apicella: So it says again, without their... these upgrades, approval should not be given for rezoning changes because the impact of the development would not be sufficiently mitigated. And the specifics about the Warrenton Road Planning Area and Southern Gateway RDA, that starts on page 351, the public facilities requirements for this specific TGA and RDA, those are on pages 354 and 355. Close to the bottom of that page it indicates or provides an inventory of the required facilities and notes that there should be... there must be 0.82 of an elementary school, 0.33 of a middle school, and 0.28 of a high school. Is that correct?

Mr. Geouge: That's correct.

Mr. Apicella: And it also says these new infrastructure requirements are the result of new development and will be the responsibility of the developer or developers of the Warrenton Road area properties. Is that an accurate statement?

Mr. Geouge: Yes.

Mr. Apicella: That's not happening here, right?

Mr. Geouge: Well, assuming the information provided by schools is an accurate representation on new student generation for multi-family units, then the proposed development would be paying a reasonable share of new school construction costs.

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Mr. Apicella: Yeah, I don't agree with that. The way I read the Comp Plan, it says these things need to be paid for by the developers. If you did a pro rata on the number of apartments or number of multi-family and subdivided it by the number of students generated by each one of those types, I don't think it comes close to \$6,000 per unit is not going to buy us a new elementary school and big portions of a middle school and a high school. That's my read. My colleagues can read it however they would like. I realize the current proffer rules make this difficult that we cannot ask for specific proffers and that we cannot accept unreasonable proffers, but therein lies the disconnect. This Comp Plan was developed before the new proffer rules were set into place. There's no requirement that we do TGAs; it's a planning construct, right? So we don't have to approve a TGA just because it's in the Comp Plan. Is that a correct statement?

Mr. Geouge: That's correct.

Mr. Apicella: But we tried to link TGA growth, which is larger than normal growth, in a way number one to incentivize it but also to ensure that it was self-funding and self-sustaining. Again, I don't see that happening here and so my concern is that the applicant is asking for the maximum amount of units that they can possibly get under a district that is supposed to be broader than this, not piecemeal, at the highest amount that they could yield when they could have pursued a different type of zoning category to achieve apartments or townhomes. So again, they're asking for 374 units; they could have asked for 175 units under R-3 zoning or they could have even asked for 200 townhomes under UD-3, but they went for the largest maximum amount of density that they could possibly get. Is that a fair statement?

Mr. Geouge: That is one way to look at it, yes,

Mr. Apicella: Alright, thank you.

Ms. Vanuch: Thank you, Mr. Apicella. Anyone else? Mr. Bain... okay, okay.

Mr. Randall: Although they pale now in comparison to the questions just asked -- thanks Steven. If you could indulge me for just a minute -- if you go back to the very first part of your presentation; you talked about zoning history?

Mr. Geouge: Yes.

Mr. Randall: And in the zoning history it talks about a 100-foot undisturbed buffer strip from the I-95 right-of-way?

Mr. Geouge: That's correct. That's the current proffer.

Mr. Randall: That's the current proffer. And so the asked for proffer or the proffer in the recom... or the application is to make that a 50-foot buffer, not a 100-foot buffer,

Mr. Geouge: That is what they're proposing although in conjunction with a noise abatement wall or berm. And that's a provision in the design and construction standards manual which allows it. So, typically, you have to have a 100-foot buffer but you can reduce that, similar with other transitional buffers if you provide certain things like a wall or berm or something.

Mr. Randall: So they'll... it'll be a 50-foot buffer and then it would be... and then they'll install a noise abatement wall and I'm sure along the same lines is what we normally see now on 95 all the way up the... all the way up to DC, that kind of a noise abatement wall? Is that what you're talking about?

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Mr. Geouge: Yes, or a 5-foot berm.

Mr. Randall: Or a 5-foot berm. Does that meet the same noise abatement as a wall would, a 5-foot berm? I don't understand why we would allow them to do a berm and not a wall if we're not gonna do the 100-foot buffer.

Mr. Geouge: I'm not positive; it probably depends somewhat on the elevation. But I can check with our landscaping staff on that.

Mr. Randall: Okay. Yeah, I would... I'm okay with the 50-foot buffer as long as there's a 12-foot high noise abatement wall as there is all up and down 95. I would hesitate to think a berm would meet that same requirement.

Mr. Geouge: Okay.

Mr. Randall: Okay. And I guess I'm gonna ask this only because I have some personal experience with the Abberly apartments. Currently we're waiting for an opening, the second opening of Abberly apartments for the developer to finish turn lanes off of US 1 into the Abberly apartments. Having talked to some of the staff members, there's no timeline for that to be done. It seems like most of the apartments are completed. It seems like most of the development inside the apartment complex is all done. And there's really no incentive now or no means by which the County can go and hold that person responsible, the developer responsible, to get the turn lanes off of US 1 at a reasonable time. So, my son and the rest of those who are in that... are forced to go back behind by the water tower and that road is horrible and it's always horrible. So, I'm having a real problem with the fact that we talk about Krieger Lane being finished and we say that Krieger Lane, the surface pavement will be done prior to the last occupancy permit. Is there a way we can ensure that? You know, is there a way that we can put something in place as we maybe should have done with Abberly that says you're gonna put a bond in place for a million and a half dollars and if you don't have it done within a certain period of time then we're gonna take the bond and do it ourselves and make it done, get it completed. I don't see that as holding anybody's feet to the fire to make sure that gets done for that... for the inhabitants of that apartment complex.

Mr. Geouge: There are some measures we can take to ensure that that proffer is complied with. We can put some flags in our permit processing system which should alert anyone issuing those permits to that proffer requirement and make sure that that last OP is not issued until that requirement is complete.

Mr. Randall: Right, and that's what it says here. I just, you know, if it's only the last one, they're just gonna hold the last one and still have 287 done and they're just... or 323 and just waiting for that last one so. I would like to look at some other ways that we can ensure that that gets done before they walk away.

Mr. Geouge: Okay.

Mr. Randall: Second thing, do we have somewhere in here that talks about how wide Krieger Lane will be when it's finished? It talks about a base pavement, it talks about a surface pavement, but it doesn't talk about what the structure of that road will look like upon completion, at least I didn't see it as I was reading through this. Is there somewhere that talks about the final construction of Krieger Lane?

Mr. Geouge: It is detailed on the Master Plan. I'm not sure that I'll be able to read it well enough on these small prints, but I imagine it's...

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Mr. Randall: But it's not listed anywhere, it's not written down anywhere in the GDP?

Mr. Geouge: It is on, looks like sheet 6b of the GDP. You have the street sections there, so this would be a, it looks like a 24-foot street.

Mr. Randall: I'm gonna take your word for that. Okay, 24 foot?

Mr. Geouge: Twenty-four feet.

Mr. Randall: Okay, alright. And then last thing is, could you speak to some of the VDOT recommendations that were done when VDOT looked at the site plan and looked at most of the traffic initially going through the townhomes with regards to them still building out while there's still some being occupied and all that traffic now having to go through the townhomes?

Mr. Geouge: I just know generally VDOT expressed concerns about the impacts on roads within the townhome development, and if the added trips generated by this development would potentially exceed the design capacities of those roads. And also expressed some concerns about the numerous townhomes along those roads, people backing out of their driveways, and things like that; potential conflicts there. I do think that, at least for most of the development, Musselman Road is probably going to be the easier route out to 17, so I expect that'll be the one used by the majority of residents, but I'm not sure what that balance is going to be exactly.

Mr. Randall: Okay. Has any thought been given to talking to the developer about... I've been told it's the same developer... about improving that road or at least the section of road from the apartment complex through the townhomes, that section of road? Has there been any thought to improving that road, the size of the road, so that it allows traffic? As much as we talk about them going at Musselman Road, it'll only go... they'll only go Musselman Road if it's the ease of access. If there's a lot of people going up that way, they're gonna take the easier way and they're gonna go through the townhomes.

Mr. Geouge: Yeah. I don't think there's been any discussion with them. I know I probably have significant property impacts with any widenings along there, as you'd be impacting individual property owners. But there was a...

Mr. Randall: But that would be through the section that's not been developed, right, or currently being developed? It's not through a section that's already out... at least based on what I saw, that section...

Mr. Geouge: A portion of it... I believe a portion of it would go through existing... the existing section 3 development. But you're right, the section 4, that's been approved but it's not been developed yet.

Mr. Randall: Right, and that section 4 is what connects to the apartments, as we see it on the on the site plan, correct?

Mr. Geouge: Yes, and they would travel through section 4 and 3 to get back out to Olde Forge Drive.

Mr. Randall: Okay, alright. So that's still a conversation that could be had, correct?

Mr. Geouge: It's possible. I think probably the easier route would be to, and this was a suggestion early on in the review processes, to design the project such that it encourages more traffic to go out to Musselman Road and not through the apartment development; perhaps make that that route a little less direct, the inter-parcel connection.

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Mr. Randall: Okay, I was just... you know, VDOT, when they did their look, had some concerns. I just wanted to make sure we were clear on those concerns. I don't have any more questions for now, thank you.

Ms. Vanuch: Mr. Bain, did you have something?

Mr. Bain: Just a follow-up comment. I don't think we can encourage use of Musselman Road because once that stoplight's removed and the median strip is in place, most of the traffic coming out of the apartment development I think would be wanting to turn left to get to the I-95 interchange. And so coming out Short Street would not help them at all, or coming out Musselman to Short would not help them at all because they'd have to turn right and go down and turn around somewhere. So that wouldn't make sense. One of the comments I was going to make follows-up with what Commissioner Randall said -- with the plans that this developer has provided, they've known for a long time that these apartments were going to be there. As long ago as May of last year VDOT sent a letter saying that travel through the townhouse subdivisions was not recommended because those roads had not been designed for this additional traffic. The developer, as far as I can tell, ignored those comments, did not make any attempt to improve the design of the roads in the townhouse area, and should have foreseen that. If they knew these apartments were going to be there, there should have been a road that totally bypassed the townhouses along that southern edge or eastern edge, whatever it is that's along the river, and then connected directly with Olde Forge. That would have been the ideal solution. But now they're going to impose a tremendous burden on the existing townhomes because of their lack of foresight, and I just think it's ridiculous.

Ms. Vanuch: Thank you, Mr. Bain. I just had one quick question, then we're gonna let you off the hook and let the applicant come up. We got some disturbing news that I guess I wasn't aware of this evening when Mr. Dayton spoke to us and said we had reached our debt capacity. Do we know of any schools that will be built in that part of the County, elementary, middle, or high schools that are included in that debt capacity?

Mr. Geouge: I'm not positive. I'd have to research that.

Ms. Vanuch: Okay.

Mr. Geouge: In the CIP, there's none proposed in this general vicinity.

Ms. Vanuch: Okay. Yeah, if you could just find out and then next time.

Mr. Geouge: Sure.

Ms. Vanuch: Okay. Great, alright, thank you so much Mr. Geouge. Mr. Payne, would you like to come up?

Mr. Payne: For the short guys? Thank you Madam Chair, other members of the Planning Commission. My name is Charlie Payne with the law firm Hirschler; I represent the applicant. Appreciate your time this evening and thank you to staff, Mr. Geouge, for his presentation and I appreciate all the dialogue and the questions that have been asked and hopefully I can provide some clarity and some answers. First and foremost, I'd like to introduce my client. The Breeden Company is new to this area so they're not the current or past developer. They're headquartered in Virginia Beach. They're family-owned; been family-owned since 1961. They have a great reputation as a quality builder and developer of multi-family units. They have over 10,000 units completed. They've completed 2 million square feet of

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commercial space as part of their history, so a very well-respected investor in this County so it's great to have them here and I appreciate your time to see them. We also have Bowman Consulting here as well, our civil engineer if there is a question that I can't answer, which there may be. They'll answer that questions maybe specifically some of the road improvement questions. I do have a PowerPoint as well and I haven't been here in a while. Happy New Year to you all. I haven't been here to see you since the end of last year but it's always good to be in Stafford County. Computer please I guess is the right words here. Alright, let's see if I can work this, alright. Can you see that? Perfect, thank you very much, because I am completely computer illiterate. Again, the name of the project is Rappahannock Landing. This is a rezoning from R-2 to a UD-3. The property consists of one parcel of 25.5 acres. It is located in the George Washington district. I'm sorry, the request is from an R-1 to a UD-3 to develop 324 market-rate multi-family units. They will be broken up as 108 single, so 180 two-bedroom and then 36 three-bedroom. The use is encouraged under the Comprehensive Plan and the property is located within the Warrenton Road Planning Area Target Residential Growth Area -- that's a mouthful. But I will tell you, we as developers kind of go through the same process as you do in trying to balance what's in the Comprehensive Plan, which is a guide technically -- it doesn't have the effect of law -- with the Zoning Ordinance and what the state code requires us to do. So, we combine all of those things when we think about planning, when we think about development. So I just wanted to share that with you. In the UD district, as Mr. Geouge has stated earlier, is to provide areas from the County that are suitable for urban approach to land use planning and urban design that promotes development and redevelopment of pedestrian friendly walkable neighborhoods with a mix of uses and houses types served by interconnected network of streets. This site, as you know, goes... backs up the I-95. So, it would not make a whole lot of sense to put any retail or restaurants back there, but I think the more you keep planning rooftops in density, which is the one of the main drivers for the TGA, the other parts come -- the retail and the restaurants. I know that every time I see Supervisor Snellings, he wants to see more sit-down restaurants along Route 17. Let's not also forget of all the interchange improvements that are coming right here on Route 17 and 95 as well, which will have a huge positive impact on that intersection. This area is fairly blighted except for the townhouses that have been developed in that area. But don't forget that those townhouses were approved in the '80s, not a couple years ago and not under this current Comp Plan and not under this current Zoning Ordinance. So, it takes a while for projects of this nature to pick up. I'm talking about Rappahannock Landing, the townhouses, for the investment structure to be in place because, quite honestly, that area from aesthetic perspective needs some improvement. Agree it needs some infrastructure improvements as well. You're starting to see that as well come online which I think provides a unique opportunity. As you know, where this property is located is south of Warrenton Road and east of I-95 and I just talked about the current Rappahannock Landing development. Again, we're bordered by 95 to the back of us, to the west and single-family to the north. Open space -- again looking at the positive aspects, there's 41% open space here. The UD-3 requires 25% minimum, so you got about a little bit over 10 acres plus that will be open space. We also took a look at expanding our recreational footprint and I'll get to that as well. The open space will be used for stormwater management facilities and passive recreation, and the project will provide certain on-site recreational amenities. I know Mr. Bain makes a really good point about how recreational amenities are really important to a community, to Stafford County, and we've got great recreational amenities. The Comp Plan I know aspires to have more. We certainly would appreciate that but the market doesn't... the new market, the residents who would stay in this... in these apartment complexes not necessarily wouldn't visit parks but they do like being on-site for recreational needs and purposes. So, we'll have a state-of-the-art recreational facility gym on-site, we'll have a nice swimming pool, there'll be a resort field, clubhouse, 5,300 square-foot clubhouse is a big clubhouse. We'll have four pocket parks. My clients' most recent experience with folks who move into these residents, they love the pocket parks. They can go out and picnic, they can get together as a community, sort of a mini-community if you will, there'll be a walking trail as part of our new revised GDP that will come back to you, I'll show you that in a minute, and it'll be a playground. And just sort of comparing this to Abberly,

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which I represent those guys as well, and I apologize, Mr. Randall, that it has taken such a long time to get that left turn lane...

Mr. Randall: It's my son that really cares about it.

Mr. Payne: Yeah, I hear ya. We have painfully gone through that process and I want you to know it's not the property owner or the developer. There's a lot of other factors that are going on from right-of-way issues to relocating utilities, believe me, because it helps them rent out apartments in that location to fix those improvements. So I want you to know that they are absolutely on top of that. It's just taking painfully way too slow. The cultural resources -- again, there's no federal or state listed threatened or endangered species on this site and those sites are eligible for listing on the National Register of Historic Places. Comp Plan -- the property is consistent with the County's Comprehensive Plan as you heard staff, and it is in their report. The property is within the targeted residential growth area. The TGAs are designated to be near major transportation facilities, like the I-95 interchange and Route 17, and it is within the Urban Services Area with connection to utilities. The Comp Plan does recommend the 50% of your new growth happens in TGAs; that's why it's there. The residential areas within this subject planning area, I mean, think of these numbers; 1,500 multi-family units are planned. To date there's only 247 that have been developed. And think about the outlook of 2026. There's 800 additional townhouses and a thousand single-family units. So, this is a fairly dense growth area that you have planned for, the County has planned for. We're well within the density unit that's projected under the TGA with which guides from 11 to 14 dwelling units per acre; we're at 12.69. Again, continuing with the Comp Plan, TGAs could include... should include, I'm sorry, recreational amenities which we have; open space areas which we have; public spaces for residents to enjoy leisure time which we have. Again, the fitness center, the pool, onsite recreational activities, and amenities. The project does promote the Comp Plan having mixed uses of housing with the townhouses next to us. I mean it's a fairly dense townhouse development at 6.6 units to the acre. This is a good transitional piece especially where its location is, back of 95. It is close to infrastructure. And the Comp Plan obviously includes and requires us to be within the USA and this project does meet all of the UD planning principles. So, again, combining the Comp Plan with the ordinance, you'll see that this project does meet all of those principles.

Mr. Apicella: Charlie, you're gonna have to help me there. How does it meet all the requirements?

Mr. Payne: Okay. Certainly this is something that's required for purposes of our application. Staff would not be recommending approval if we did not meet those requirements. But I do have a breakdown of each one of those if you want to hear them. I can certainly provide that.

Mr. Apicella: Well, again, we talked about the purpose...

Mr. Payne: Sure.

Mr. Apicella: ... which said that it was supposed to be different uses and mixed use. So, I don't see different uses, I see one use. And I don't see mixed use. I see one use on a small 25-acre parcel. So...

Mr. Payne: So you've got mixed uses, you have mixed residential uses. If you're asking me whether there's a mixed commercial...

Mr. Apicella: Where are the different residential uses -- as part of this parcel itself?

Mr. Payne: Well, this is part of an overall target area. This is not in and of itself the TGA.

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Mr. Apicella: So...

Mr. Payne: This is a small piece within the target area. Let me finish. So, what that means is this is an evolution of development. It just doesn't all happen at one time. One developer doesn't come in and develop 2,600 acres of property; it's done over time as an evolution and the pieces have to fit within that plan -- which this does.

Mr. Apicella: But how do you know how the pieces fit if this is the only parcel that's being developed? So, you're telling me that under an...

Mr. Payne: You have to start...

Mr. Apicella: ... urban development design construct, you have 374 apartments on this small parcel, maybe a mile away another 500 apartments, maybe another mile away another 300 apartments. How does that all tie together into an integrated Targeted Growth Area?

Mr. Payne: This is just the first step. You can't develop 2,600 acres at one time. Again, you have to encourage the development and the concept for that development to be consistent with what's planned for. Again, this location, for where these apartments are, are not conducive for commercial uses, are not conducive for retail or restaurants, this is one piece. But putting those rooftops there will help facilitate those other uses as part of this overall plan.

Mr. Apicella: I could say that about any development. More rooftops should, at some point in time, bring about additional commercial. But not tied necessarily together in one concept plan or one approach. So, again, this is just a... this is just a proposal for an apartment complex on a 25-acre parcel and you all have said this should be, you know, UD-3. It doesn't seem, in my opinion, it doesn't seem to mesh with the overall Urban Development Plan that we had several years ago which is an integrated approach. Not just one small piece, one sub... what is it called again?... one sub-district? Several sub-districts within a larger urban development scheme... schema; that's not happening here. So I'm still trying to understand. I'm sorry to jump in...

Mr. Payne: If you're reviewing... I'm sure you're reviewing your Comprehensive Plan. This area is in where residential growth is supposed to be.

Mr. Apicella: Right.

Mr. Payne: Right? No, it says residential area, right?

Mr. Apicella: I got you. So why should this...

Mr. Payne: Wait a minute... wait a minute. Can I finish?

Mr. Apicella: I'm just going to springboard off of that; I'm not trying to be confrontational. So, why should this single small parcel with only one proposed use and with only townhomes nearby merit the maximum amount of density possible and, again, it's twice the amount of density as compared to its neighbor? Why should this one small parcel merit that type of increased density?

Mr. Payne: It's not maximum density.

Mr. Apicella: It is maximum density.

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Mr. Payne: The maximum density is 1,500 units that are encouraged in this area. This is only 324 of that proposed 1,500...

Mr. Apicella: For residential uses...

Mr. Payne: I mean, am I wrong? Let me ask... I mean, you talked about the Comprehensive Plan. You voted for this Comprehensive Plan.

Mr. Apicella: I did, and we purposely put in...

Mr. Payne: Right.

Mr. Apicella: ... the notion that these things should be self-sustaining. I don't see how this is self-sustaining with one use. One housing type and one use.

Mr. Payne: Well, we're following Comprehensive Plan, and the staff agrees. And I think that this is the right process moving forward. I can go through each one of the UD elements if you like; there's several of them.

Mr. Apicella: Sure.

Mr. Payne: Okay. Each neighborhood is defined as an easy walking distance from the edge to the center approximately ¼ of a mile. The project includes 324 multi-family units consisting of 15 buildings, all interconnected via sidewalks, pathways, travel aisles, plus a clubhouse and pool, and several pocket parks. The road network is well-connected including connection of new local streets with existing streets, existing local streets. That road network is easily accessible and includes connection to Musselman Road and Krieger Lane, which is a private road, an inter-parcel connection to Rising Sun Road within Rappahannock Landing. There are options for... I mean, I can go on and on and on. I mean, do you guys want me to keep...?

Ms. Vanuch: I think maybe perhaps... could you send them to us in writing and just send them to us so we can review them?

Mr. Payne: It's in... it's in your impact analysis that you have in your packet.

(Inaudible - not at microphone.)

Mr. Payne: I don't know what's in their packet. It's the impact narrative; it would be...

Mr. Randall: Yeah, I have 245 pages I just was looking through.

Ms. Vanuch: Yeah.

Mr. Randall: It's Attachment 1? Okay, that's fine.

Mr. Payne: It's this document right here.

Mr. Randall: Okay, that's fine. I can look at it through Attachment 1, thank you.

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Mr. Payne: Thank you. Okay, where was I? Alright, project meets all UD planning principles. Here is the GDP, which you have seen. It's actually the master planning document. It's a little cloudy but Krieger Lane is here, access through Rappahannock Landing is here. You'll see that we've got this roundabout here to control traffic. I-95 is here and you see the multiple buildings, there are 15 buildings; the clubhouse and the pool area is right there. You'll see also that we have provided in our proffers the ability for our neighbors to connect to sewer there, I think as well as water. Krieger Lane, the concept obviously of just providing the base paving before we finalize the paving, there's gonna be ongoing construction. It's gonna probably take, after you get all your plans approved, so for example, best-case scenario if this is approved today it would take 12 to 18 months just to get your site plan and your building permits in place then add another two years just to finish the project. So, it's out into the future in regards... in that regard. I don't know if anyone had any questions about that. You've seen the renderings; this is quality facilities. Again these are front elevations; these have been generally proffered as well as the materials for this. We've got front, rear, and side for one of the buildings, and here's the other. And you've seen these. I'll just get them pretty quick. And here's the clubhouse, again very quality product. Fiscal benefits -- we like to include this as just to see what the project generates. On-site generated tax revenues pursuant to our analysis would generate at full build-out meaning all 15 buildings being complete would be \$739,000 a year, which includes real estate tax and personal properties, you see there in the parenthetical. Off-site tax revenues is where these folks pending sales, meals tax, etc. It's estimated about \$300,000 annually at full build-out. So, all ends over a million and then your net taken away costs about \$175,000, so it is a net positive generator. I know the County staff uses a fiscal impact analysis that was done in 2010; that's... I would probably argue a little outdated, and it does utilize some legacy apartments which a lot of Stafford County's legacy apartments are three or four bedrooms. So, that has a huge different kind of impact on what the more modern apartment complexes that are coming to Stafford County are. Transportation -- you've heard a lot of this and there's been a lot of discussion. Access to the property will be directly provided via Krieger Lane which is a private access and then Musselman Road and then Rising Sun. And I actually have an access exhibit I'll show you here in a second. There are plan improvements as you know to I-95 and Route 17 interchange, and they're gonna... improvements to Musselman Road which I'll get to a little bit, and the relocation of the light from Short Street to Olde Forge which everyone's been talking about. Again, when we do our T IA reports, we follow what VDOT and the County requirements are. We can't, just like our school analysis which I'll get to in a little bit, we don't get to make up the numbers; this is scrutinized by the County and VDOT. The County's Comprehensive Plan says it needs to be a level C or better which we are. And VDOT concurred with our TIA at the end of the day and the project is not expected to have adverse impact on existing roadwork... roadway network. Here's the access exhibit. Hopefully this will be better description in regards to us just talking. So, here's the facility here, here's the apartment complex here, here's Krieger. So then, you get to Musselman here and you'll see that there are the improvements that are being... soon to be commencing, so next month we think that they'll commence and they'll probably be finished in about two to three months after that, weather permitting. So this will happen fairly quickly. And you'll see, here's the new light location. So here's Short Street here, so the light's gonna move here to Olde Forge. So Short Street will now be a right-in/right-out, so you could come in if you're going... if you're going east you could come in here right; if you want to go back out east you can go out right. You can take the light in and connect at Thomas Street; I think that's what was being missed Mr. Bain. What's that connection to get to Olde Forge and then you'll catch Musselman here to get back. If you come through here what likely is going to happen is folks are going to get to here to get out. So, very unlikely they want to wind through the Rappahannock Landing townhouse development to get to Olde Forge.

Mr. English: Mr. Payne, what would stop them from cutting through Olde Forge to right there on the Bellows Avenue on the right?

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Mr. Payne: You talking here?

Mr. English: No. The first... what you've got as Thomas Lane, that road, that's Bellows.

Mr. Payne: Here is Bellows?

Mr. English: Yeah, that goes all the way to Musselman so that would be a cut-through through that subdivision because that will cut out all that. So what's gonna stop them from doing that? I know nothing can.

Mr. Payne: Nothing. I'm not sure anything can but I think the likely most efficient route would be this way.

Mr. English: But Thomas Street is...

Mr. Payne: You're talking about them coming from here?

Mr. English: Yes sir. But Thomas Street, are they going to do anything as far as improving that road because that road is in bad shape. Because VDOT sits right there and even with VDOT sitting there you'd think that road would look... be halfway decent but it's not.

Mr. Payne: To my knowledge...

Ms. Vanuch: They probably plow it last, too.

Mr. Bain: It's very poor, yes.

Mr. English: So, there's nothing, nothing in the plans?

Mr. Payne: To my knowledge...

Mr. English: Okay sir.

Mr. Payne: In the TIA there was no requirements to improve.

Mr. English: Okay, thank you sir.

Mr. Payne: Schools -- there have been a little discussion about schools. It's located in the Rocky Run Elementary, Drew Middle, and Stafford High School districts. This is the County school system's numbers so we can't... we can't... we don't come up the data; this is what's provided to us. In fact, just so you know, this journey has been fairly long in regards to this application process. Those numbers constantly change so we have to update our analysis and resubmit it every time they change. Staff is very good about getting it to us timely, but again, it changes the whole... the analysis. And under the law it could change again and we'd have to actually make that change prior to any sort of final determination. But these numbers come from the... 0.227 come from the school system. It will generate 74 school-age children. The numbers though net out to 38 based on the state code. State code says that you have to net out the by-right units. So, when you do that, you net out that number so it nets to 38 students which is in the analysis. It will have an impact; part of that impact under the current proffer ordinance... I'm sorry, code. Whether that's revised or not in the General Assembly during this session, that generates a proffer impact requirement of \$5,350 per unit. Public Safety, Parks and Rec --

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again Fire & Rescue Station 12 is near us; 2.6 miles away as is Falmouth, which will be servicing the area... I'm sorry, the facility. The proffer analysis shows that these facilities lack sufficient capacity, so this too generates a proffer of \$960 per unit for the 324 units. Again, that analysis comes from Fire and Rescue; it doesn't come from our consultant. That's given to us and then we're told to come back... not told, we're given that and then we project what that proffer number would be and that's analyzed by the County staff. Proffer analysis concludes that again there has been discussion about park; that pursuant to the County's park utilization plan there'd be no impact on capacity, so there'd be no park proffers. Again, on-site amenities, recreational amenities are a plus for this development because it does encourage the type of tenants we think will come here. Just so you also know...

Mr. Randall: Madam Chair?

Ms. Vanuch: Go ahead.

Mr. Randall: Could you go back to the last slide? I'm sorry, I wanted to ask while I'm thinking about it. There's a bullet at the bottom that says if the applicant will install and construct a clubhouse, fitness center, when do we expect all of those amenities to be completed in relation to when the rest of the units are being... are built?

Mr. Payne: The clubhouse and the pool area is typically done first, because that's kind of your attraction point to a development. So, that would be done right off the line.

Mr. Randall: Okay, and the pocket parks?

Mr. Payne: They're done as you build the various different buildings.

Mr. Randall: That particular unit then you'll build a pocket park?

Mr. Payne: Yep.

Mr. Randall: Okay. Alright, so I can expect that when this is done that the first thing I'll see as I drive in Krieger Lane will be a fully developed clubhouse and pool.

Mr. Payne: You'll have the clubhouse for sure. The pool comes in... does it come in the same time? It comes in the same time, yeah.

Mr. Randall: Okay, perfect.

Mr. Payne: Yeah, typically that's your attraction.

Mr. Randall: Yeah, no, no, I'm all about attraction points. Retirement, those places all have those built out very early because that's the selling point for those areas so. Thank you.

Mr. Payne: So, summary of the key proffers, again, cash is over 2 million divided among the 324 units, about \$6,300 a unit. Again, the school breakdown and public safety you've heard. I've also added the transportation impact fees because that is going to be applicable to this project. So, even though we're not providing any additional transportation improvements, one, you know, Musselman Road is being improved, we are going to finish improving Krieger Lane which will include curb and gutter, is the fact that you have these dollars available that potentially could be utilized for other improvements whether you earmark them for this particular location or other, obviously they're there. So, all in it's over three

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million, about \$9,300 a unit. Again, there's general architectural elevations and materials that have been proffered. Again, the clubhouse and the other amenities that we discussed. All construction traffic will also come through Musselman and Krieger as Mr. Bain had asked. The applicant does agree to provide the sanitary sewer connections. And again, the number of three bedrooms will be limited to 36. And Krieger Lane will be completed base pavement from the beginning prior to the first unit occupancy permit and then finished by the last. The applicant also agrees to install a 35-foot buffer along the eastern property line which exceeds the requirements for a UD.

Mr. McPherson: Charlie, I have a question if I may.

Ms. Vanuch: Hang on, hang on, one second; is it possible we just let him finish his presentation then we can do the public presentations? Because I know there's a couple members of the public here and then Charlie can come back up and address the questions.

Mr. McPherson: Sure.

Ms. Vanuch: I just want to try to be respectful of their time.

Mr. Payne: Last exhibit is this change that we're gonna make for the trail exhibit. You'll see to the south of us some open space there, so you'll see this trail extending from our sidewalk network through here. Okay? So, I'll either not answer any questions or I'll...

Ms. Vanuch: Let's hold it because I know we've had a good back-and-forth and let's do the public hearing and I'm sure there's going to be something that comes up from that that we might have some questions about.

Mr. Payne: Absolutely.

Ms. Vanuch: So, at this point we'd like to open up the public hearing for any member of the public who would like to come and address the Commission. You'll have 3 minutes; you come to the podium, state your name, address, and the district that you reside. When the yellow light comes on you have a minute left, and when the red light comes on please conclude your comments. Come on down if you want to talk.

Ms. Rollinson: Good evening Madam Chair, members of the board. Thank you for this. This is Nan Rollinson, Griffis-Widewater District. Just a couple questions. On the I think it's 325 units, I'm wondering what is going to be the estimated rental cost for one, two, three bedroom units and based on that are there any proposed ideas for making some of the 325 units for affordable units to help deal with the issue of public servants not being able to afford mortgages and rents in the Stafford area, and possibly some low-income elderly? That would be really nice if the developers could set aside a few units to take care into... take into consideration affordable units. Um, another question would be the safety. Having lived near Stonebridge, the safety issue cut through is a big issue. There is a... in the subdivision of Stonebridge, around rush hour in the afternoon it's just constantly cars going through there and people. There's no sidewalks. People are trying to walk their dogs and their kids and people are flying through there trying to get home without any consideration of people who live there and the safety. So, I would say that would be a really big issue to think about. Maybe the developer could work out a deal with the Rappahannock Landing to somehow put in speed humps on some of those potential connector roads, because I know me, if I have to go someplace and I have to deal with speed humps, speed humps, speed hump, I'll just go around because it's faster and that might be the psychological thing to get people out of that residential neighborhood. Three, on the environmental issues, I'm

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wondering whether... I have not studied this proposal... I'm wondering if all the forest has been chopped down already. If it has not, it would be wonderful if we could consider a couple of things. Given that we are losing our forest cover fast in Stafford County and we have issues with increasing heat in our atmosphere, shade problems, people need shade to keep comfortable. If we could keep as many mature trees as possible, especially around the feeder creeks, and while I like pocket parks and certainly agree with that concept it would be nice especially maybe on this trail area if we could have several acres, maybe 10 acres or so, of total mature forest left untouched that could be used to connect to other parcels of untimbered mature forest so that we start creating as requested by the Comp Plan areas of connected forest that not only protect the feeder creeks and the watersheds but also provide trails, recreations, and do atmospheric benefits. Thank you.

Ms. Vanuch: Thank you so much Ms. Rollinson. Mr. Waldowski? We missed you earlier. You missed your 3 minutes at the beginning.

Mr. Waldowski: I had to pick up my car and my dog's waiting for the chicken in the car. Paul Waldowski. So, we have a new developer; you might as well meet me right up front. I'm Where's Waldo. I don't like development and I'm gonna educate you on some things that you don't know. Just like my father used to hang up the phone on me. He'd say son, it's the things you don't know and I miss those. Number one -- staff recommendations are guidelines just like the Comp Plan is a guideline. Number two -- I'm an expert in condos and townhouses. There's a Virginia Property Owners Act, and yes I know you can put townhouses in condominiums, but you have apartments here. So, in the old days it was called the Virginia Horizontal Property Act, which is the Condominium Act. Now, staff even said the negatives is density. And me being a New Yorker, you know, I'm not a Virginian; my kids are Virginians. Any time you build something high-rise, you bring more crime. That's why you only have 108 trips at a.m., you know. It's funny how it's one-third of 324. Remember, I keep hearing you say 325, 374; its 885, okay? Now, I'm glad we have some of the Commissioners especially about the Targeted Growth Areas. I'm a big think green guy but I'm not the ones on the Democratic side. But we do need a wall. Always need a wall. Oh, I got my Trump hat back there. And, uh, just so you know, we have buffer problems all in this County. Shelton Woods got hit with 65 inches of rain and we lost all the buffer area, so be aware of all the stormwater aspect. We are in the Chesapeake Bay watershed. I'm sure Virginia Beach is also. I heard the comment that I think this is right. Well, thinking is a good thing but it's subjective. I know I'm right. I know when I say something it's objective. Ahh, yes, it was brought out this should be self-funding and there's no way this is self-funding; I don't care if you give me two billion. Two million's not going to do it. The George Washington District has one elementary school, it's gerrymandered, they're working on redistricting, I gave a speech yesterday to teach them about operations research. So, hopefully we can get some (inaudible) diagrams and we can get rid of the gerrymandering that's going on in the Commonwealth of Virginia. This is not a state because Commonwealth's are where common sense is not common.

Ms. Vanuch: Thank you Mr. Waldowski. Anyone else? Okay, seeing no one coming, down we'll close the public hearing. Would you like to have it closed or would you like to leave it open?

Mr. Bain: If you don't mind I'd like to leave it open...

Ms. Vanuch: Okay.

Mr. Bain: ... for a while.

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Ms. Vanuch: Okay, then let's leave the pub... we'll leave the hearing open and we'll continue it to the date that the Planning Commission votes on when we move this forward. Alright, yep, any other... we have questions for Mr. Payne I think.

Mr. Bain: Yes.

Mr. McPherson: Yes we do.

Ms. Vanuch: And you're first Mr. McPherson.

Mr. McPherson: Charlie, I have a question for you concerning some language in the application overview that you emailed, thank you for that, that's mirrored in your proffer language that does not seem to match the GDP that you sent out. You said that you're gonna have four pocket parks, a dog run location, and a playground. When I looked at the GDP I saw four pocket parks. I did not see a dog run location and I did not see a playground, so I assumed that the dog run and the playground are going to be incorporated into the pocket parks in which case either the GDP needs to change or you need to revise your proffer language because that's... I think it's kind of misleading. If I see that language, I expect to see four pocket parks and a dog run and a playground separately, not kind of merged together.

Mr. Payne: Well... thank you Mr. McPherson. We certainly don't want to be misleading. I want to ask Mark King real quick to help me find this on the (inaudible - not at microphone)? Those are the two things we were talking about.

Mr. King: Mark King with Bowman Consulting.

Ms. Vanuch: Computer please.

Mr. King: Yeah, I mean, within those parks, to answer your question, if we haven't written differently I think the incorporation of that was going to be within those four pocket parks and then I think through a conversation...

Mr. Harvey: Computer please.

Ms. Vanuch: I guess they didn't hear me.

Mr. King: ... through a conversation I think Mr. Payne had with Mr. Bain -- kind of a tongue-twister -- we were also the developer, we agreed to put in a trail so that could actually serve as a recreational facility. This just came up, you know, late last week, so it's not in the Master Plan but we can... we will add it to the Master Plan.

Mr. McPherson: Right, but my concern is more around the language in the application and the proffer that it's...

Mr. Payne: You are correct. We'll identify it on the GDP.

Mr. McPherson: Okay. You just make sure it specifically states that there's not, you know, four parks and a dog run and a playground; they're incorporated together just to make sure it's accurate. Thank you.

Ms. Vanuch: Alright, Mr. Bain?

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Mr. Bain: Yes, thank you. Sort of playing off what Mr. Apicella was referring to about multi-uses, I'd look at this development and yes, the Comprehensive Plan shows this area and the townhouse area as being residential. One thing that in my mind contributes to the multi-use is the existence of the commercial activity along Route 17. There's a couple of restaurants, there's a... I don't think it's a 7-Eleven but a handy market, something like that... that sort of goes along that line even though they were there long before. My problem is that for the people that would use those and want to walk there, there's no safe way to get there. There are no sidewalks that connect between these developments and the Route 17 commercial corridor. Looking at the area, it would be very easy to add a sidewalk along Olde Forge Drive and I understand that that would not be your responsibility, but I think it's something that the County ought to consider, particularly if they're trying to generate these Targeted Growth Areas with a mixed commercial use. I am wondering... I need a little clarification, Mr. Payne, maybe I was under the impression that the existing townhouses and these apartments were being built by the same developer.

Mr. Payne: They're not.

Mr. Bain: I think you're saying they aren't.

Mr. Payne: They're not.

Mr. Bain: Have you had any communications with the townhouse developer not only concerning your inter-parcel connection but about any possibility to improve that roadway connection in the townhouse development? Has anyone talked to them about that?

Mr. Payne: Yeah, certainly given your comments and some of the comments from the community, we will talk to them about putting in some traffic control measures, possibly...

Mr. Bain: Okay.

Mr. Payne: ... to address that. I think that's a really good idea. We certainly can take a look at that sort of entire area where our access is as well for that purpose. Now, remember, on private roads you can do that, but having to get VDOT's approval, you have to get VDOT's approval if you put them on public roads. So that would require them and the County to be part of that conversation. Typically that would be done at the site plan stage prior to that being approved. It's certainly something we'd be more than happy to look at.

Mr. Bain: Okay. I think I think I'm going to be trying to get in touch with VDOT and seeing if some other improvements couldn't be incorporated, particularly with the Musselman Road improvements possibly, which again would not be necessarily be the responsibility of your client here but I think definitely needed. This is a minor point -- your plan indicates that there will be two dumpsters at opposite ends at the development. Oh, I'm sorry.

Mr. Payne: I'm sorry, go ahead.

Mr. Bain: Two dumpsters at the opposite ends of the development. What are those for? I assume that the people in the units would not have to carry their trash to the dumpster to get rid of it, or is that what would happen?

Mr. Payne: The residents would not have to take it to the dumpster. It would be valet trash operation.

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Mr. Bain: I'm sorry, I don't know what that means.

Mr. Payne: Well, the operator would pick the trash up from the residence and take it to the... You see that in a lot of more... of the more new...

Ms. Vanuch: Can I get that at my house?

Mr. Payne: You see that at a lot of the... I don't know if they have it at Abberly or not.

Mr. Randall: Funny story. We walked up there to start putting stuff in their house and all of a sudden... in their apartment and we come out 3 hours later and there's trash cans stuck outside each of the doors and we're like what is this, not realizing that it was a valet trash and every night you put it out and they come by and pick it up, and then it's empty in the morning and you put it back in your house.

Ms. Vanuch: That's awesome.

Mr. Randall: I was like this is the greatest thing since sliced bread.

Mr. Payne: There are several groups...

Mr. Randall: This is great. But I know that the dumpsters, that that they were out there, you know, for large items that you can't put outside sometimes, they can't fit in a trash can. They would be available for that; we used that several times when we were moving my son in, yeah.

Mr. Bain: So, for the owners of the apartments or renters, excuse me, it would be like curbside pickup for them? Or would there be something within each apartment building where they would put their trash and somebody would come and get it?

Mr. Payne: I could be wrong about this facility but typically there's a designated trash day pick-up day and you put your trash in time and you put your trash outside the door and it's picked up and taken out.

Mr. Bain: Okay, thanks. That's good. I just... you had made a comment to me when we were speaking on the phone about student generation and the fact that you felt that these apartments would be more occupied by older people with fewer children and I'm just thinking I can see some 80 year old lady or man trundling their trash can to the dumpster and having to lift it up. So that was a concern.

Mr. Payne: What we're seeing in the market is this combination of ages, I mean, it's kind of a good mix of ages, some empty nesters who don't want to buy a retirement home or can't afford one and rather live in an apartment where everything is maintained for you. And of course, you know, Millennials love apartments. Pre-first time home buyers love them and they like nice apartments so these apartments are \$1,200 for one-bedroom, \$1,500 for 2, and \$1,700 for 3-bedrooms.

Ms. Vanuch: Can you address the cost?

Mr. Payne: I'm sorry?

Ms. Vanuch: Oh, is that the price not the square footage?

Mr. Payne: Yes. I'm sorry, yeah, that is the rentals, the estimated rentals for each one.

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Ms. Vanuch: Did you get that Ms. Rollinson? Okay.

Mr. Bain: I didn't, I missed that.

Mr. Payne: \$1,200 for one-bedroom, \$1,500 for 2, and then \$1,700 for 3, which is very, very typical of the market for new, for new apartments.

Mr. Bain: Okay.

Ms. Vanuch: And while he's writing that down, I just had a couple questions from Ms. Rollinson. Are there any low-income elderly apartments that you're planning?

Mr. Payne: Not planned that I know of.

Ms. Vanuch: Or affordable low income subsidy housing?

Mr. Payne: No, not that I know of.

Ms. Vanuch: You already addressed the safety speedbumps. What about the environmental issues regarding the overgrown trees, like keeping me the natural buffer there?

Mr. Payne: Yeah, there there's no planning for the pathway that we're gonna put in there. We're not doing any clearing whatsoever. It's all the natural vegetation will stay in place.

Ms. Vanuch: And does that include in the walking trails? They'll be... so that'll maintain? Do you know... how many acres is that just off the top of your head?

Mr. Payne: Ten? About 10.5, something like that.

Mr. Randall: Mr. Payne, does that include also the buffers that surround the complex? Will you be leaving... the 35-foot buffer, the 50-foot buffer between I-95, will you be clearing that completely deforesting it as they say and then putting in a new buffer? Or will you be leaving the 35-foot of natural vegetation that's currently there and you'll just be leaving that alone as it currently exists?

Mr. Payne: Along 95 there's 50 feet, there's a 50-foot buffer.

Mr. Randall: There's a 50-foot buffer.

Mr. Payne: They won't be disturbed and there'll be berming and landscaping on the inside of that.

Mr. Randall: Okay.

Mr. Payne: And then the 35-foot buffer is to our east...

Mr. Randall: Right.

Mr. Payne: ... and that's not being disturbed, right? Okay.

Mr. Randall: So, the intent is that you'll have the development with the townhouses, you'll have a 35-foot of natural vegetation...

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Mr. Payne: Right.

Mr. Randall: ... and then you'll have your apartment complex...

Mr. Payne: That's right.

Mr. Randall: ... with the exception of the...

Mr. Payne: The only clearing will be the access.

Mr. Randall: ... the interstate.

Mr. Payne: Right.

Mr. Randall: Okay.

Ms. Vanuch: Go ahead Mr. Bain, I'm sorry to take us on a sidetrack.

Mr. Bain: No, no, that's quite all right. In one of your documents where you were talking about transportation opportunities, you mentioned that there were several FRED transit stops on Route 17. I gather by that that you're not proposing any stops within the complex...

Mr. Payne: There's none planned.

Mr. Bain: ... and again, this highlights my comment before about sidewalks. If the people are going to use FRED, they have to walk there. And without any sidewalks, Musselman Road and the others are narrow, have no sidewalks, so it would be a dangerous situation. I wonder if you would consider putting in a FRED stop within.

Mr. Payne: We can certainly look at it but I will say this that for sort of the contemporary multi-family developments and the folks that live there, yes, they have cars, not all of them have cars which is interesting. The younger generation of how Millennials or whatever the term is, some of them haven't driven believe it or not and they use uber and lyft and they don't have a car and they... they're not gonna walk probably.

Mr. English: There is a FRED stop at Olde Forge and 17, there is one right there.

Mr. Payne: Yeah, but we'll look at it but I think just from a marketing perspective there's probably not...

Mr. Bain: That goes back to what Chairman Apicella was saying about the whole idea of the Targeted Growth Area was to make it neighborhood friendly and have opportunities for people to do things without having to get in their car and drive away. So, I think we should... the County certainly should be looking for those opportunities and trying to gear developers or steer developers into that mode of thinking.

Mr. Payne: I think that's a really good point, but I, and just to Mr. Apicella's point as well, respectfully, this is just one step in the redevelopment of that area.

Mr. Bain: I understand.

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Mr. Payne: And it will evolve over time and you'll start seeing a lot more of the meshing and the integration of those mix of uses and connectivity. Let's also not forget that this area needs some reinvestment quite honestly. I think for most of my life it hasn't changed a whole lot. Mr. English, I don't know if you disagree with that or not, but it's been pretty much in that condition, I'm 53 years old, for 53 years. So, it's good to see investment in that corridor.

Mr. Bain: Mm-hmm. You're going to have, I can't remember the number and right now my head's got too many numbers in it, 74 students in this development anticipated. And this goes to my not having any school-aged children, so I don't know. A school bus comes down to pick them up; will they be congregated in one area or will the school bus stop at each apartment that has a school child? I know if they're out on Ferry Road they stopped at every driveway even if the houses are side-by-side and it's really frustrating but I understand the safety issue. Do you have a concept of how the...

Mr. Payne: Typically, I don't know how you guys... Mr. Faulkner said typically they're at the clubhouse is where they all meet there, congregate there.

Mr. Bain: Okay. I was going to ask for shelter for them if it was in a congregated point but the clubhouse might meet that...

Mr. Payne: The clubhouse will be open.

Mr. Bain: ... might meet that need. Yes, okay, thank you. I believe that's all the questions I have. The other Commissioners have taken quite a few of my questions before I had a chance to ask them, which is good because we're all thinking the same so.

Mr. Payne: Just so I don't forget, Mr. McPherson, the dog park and the playground is in the proffers but we'll make sure it matches up with the GDP, just so they're identified on the GDP. Actually it's the master planning, sorry Brian, it's the master planning document but it is in the proffer statement, just so you know.

Mr. McPherson: Right, it is more the language. It's not so much showing the dog park and the playground where they are in the pocket park. It's the fact that the proffer makes it look like it's 4 pocket parks and a dog run and a playground separately. So, it's more concern about the wording than being shown on the GDP even though it should be shown on the GDP.

Mr. Payne: We'll easily be able to fit that in there and I'll... we'll make sure it's on the GDP.

Mr. McPherson: Thank you.

Mr. Payne: I'm sorry, the master planning document.

Ms. Vanuch: Any other questions on this side? Alright, any questions on this side?

Mr. Randall: Yeah, would it be possible to add in the proffer statement or a word that says the natural buffer, a 35-foot natural buffer be provided? It's the last proffer that you've got. I'm assuming we're not gonna touch the one on... from 95 so I assume that's... that'll stay there but if we could put a 35-foot natural buffer...

Mr. Payne: Can we take a look at... we'll take a look at it. I would want a little flexibility just in case we've got to bring utilities through there or something.

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Mr. Randall: Right, I understand.

Mr. Payne: Whatever is not required...

Ms. Vanuch: Put that on the list for follow-up for next time.

Mr. Randall: Absolutely. That's something we can talk about. But I'd like to exist, at least identify that this is what our goal is.

Mr. King: Yeah, and I think that's the goal we all want; try to preserve as much natural. And based on the county code, the natural buffer may not have enough from a canopy or, so we're going to have to add to it.

Mr. Randall: Agreed. You have to work with it. But I would like to see as much natural kept as possible.

Mr. King: Okay, okay.

Mr. Randall: Minus easements, minus interconnections, those types of things.

Ms. Vanuch: Alright, Mr. Bain has one more question and then I think we'll let you go.

Mr. Bain: Okay. You had provided a application overview document and it was a good summary. It missed a couple of things, but one thing it said, under the fiscal impacts, is that the project would generate approximately 270 new jobs in the County. I have a hard time envisioning how the project itself will generate the jobs.

Mr. Payne: It includes construction.

Mr. Bain: Well, that's a temporary... that's temporary so your... the continuing sentence said resulting in about 7.4 million in employee earnings. To me that's incidental, it's not a benefit to the County. So, it just struck me as strange that you would be claiming a benefit on job creation other than construction related. So, if it's just construction related, yeah, sure, but if it's more than construction I don't understand that.

Mr. Payne: I would just say that projects like this take two or three years, you know, to build out. They do generate jobs and they do generate revenue. So, you know, construction is one of the major industries in the County. So it is relevant.

Mr. Bain: I agree. If it's construction jobs then I agree.

Mr. Payne: But it's just not construction jobs. I mean there are service jobs and other jobs that are created when you put, you know, close to a thousand people in a project.

Mr. Bain: I think the jobs are there and these people come because of them. The people moving into the apartment does not create the jobs. The jobs are drawing the people to the development.

Mr. Payne: We have a physical impact analysis that's in your packet. I'll flush it out for you and if you want to look at some more data.

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Mr. Bain: Don't worry about it.

Mr. Payne: Okay.

Ms. Vanuch: Okay, I think that's it. Thank you so much for indulging us.

Mr. Payne: Thank you; appreciate your time, thank you.

Ms. Vanuch: Okay, so I'll bring it back to the Commission remembering that we left the public hearing open. Mr. Bain, this is in your district. What are your thoughts?

Mr. Bain: Yes, could I have Brian come back for just a minute?

Ms. Vanuch: Sure.

Mr. Geouge: Yes sir.

Mr. Bain: The two things that we were talking about this evening were that are concerns, significant concerns, are the traffic and the pupil generation rates. Is it possible to arrange a meeting with VDOT to talk about that, and maybe with the public schools to discuss pupil generation? I don't know if it would have to be through a committee or...?

Ms. Vanuch: No, staff could reach out on their own I think.

Mr. Geouge: Yeah, we can set that up.

Mr. Bain: Okay. I think I would also like to have a meeting with the Parks Department about their plan. I have not seen that plan. It might have been provided to me when I came on board; the 2017 plan. If that's available I'd like to get a copy of that. But I think I'd like to also try and have a meeting with the Parks Department.

Mr. Geouge: Okay.

Mr. Bain: Alright, thank you sir.

Ms. Vanuch: Alright, thank you. Okay, now I'll bring it back. What would you like to do?

Mr. Bain: Oh, I'm sorry, yes. Given the concerns that have been raised and my desire and I think several others desires to get a little bit more background information, I would like to make a motion to defer a decision on this application. And I think maybe the... I thought about this the second meeting in March is the 27th believe... to the March 27th meeting if that would be acceptable.

Ms. Vanuch: Okay, so we have a motion on the floor to defer the Rappahannock Landing Apartments Reclassification to, and holding the public hearing open until March 27th. Do we have a second?

Mr. English: I'll second it.

Ms. Vanuch: Second by Commissioner English. Commissioner Bain, you have any comments?

Mr. Bain: No.

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Ms. Vanuch: Commissioner English?

Mr. English: No.

Ms. Vanuch: Anyone else? Alright, let's go ahead and vote then for defer... deferring until March 27th leaving the public hearing open. Tally the vote. Alright, motion carries 7-0; see you guys back in March. Okay, moving on now to item number 4 on the agenda, and if you print it off the agenda earlier last week you will have noticed that we had to add an item back. So item number 4 on the agenda now is the proposed Ordinance O18-... oh, hold on, I'm moving too fast. Item number 3, which is the Villages at Greenbank Proffer Amendment, this item was actually continued to February 27th. I think on this item right now there was some desire within the Commission at the last meeting to have a little more time to look at this. And so we have to ask the Board of Supervisors for additional time. So, we'd need an extra 120 days and I think the applicant has sent an email requesting such. So, in order to ask for that time, we actually need to make a motion to the Board of Supervisors to grant us 120 days.

3. 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)**

Mr. English: So moved.

Ms. Vanuch: Alright, so we have a motion on the floor by Commissioner English; do we have...?

Mr. Randall: And I'll second that.

Ms. Vanuch: And a second by Commissioner Randall. Any discussion? Alright, seeing none, go ahead and cast your vote. Tally the vote. Okay, motion carries 7-0. Now I can jump the gun and go back to item number 4 which is the Amendment to the Zoning Ordinance for Planned Development Districts, which is the PD-3 to RBC, and this item is scheduled for public hearing as well already for February 27th. And so we need to do the exact same thing for this item, which is to ask the Board of Supervisors for an additional 120 days. But we would still probably move forward with that public hearing because it's being advertised and then we would just, you know, in hopes that the Board would grant us the extra time. So do we have a motion to...?

UNFINISHED BUSINESS

4. 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) - SCHEDULED FOR PUBLIC HEARING**

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Mr. English: So moved Madam Chairman.

Ms. Vanuch: Alright, so we've got a motion by Commissioner English and second by Mr. McPherson; any discussion?

Mr. English: No ma'am.

Ms. Vanuch: Alright, go ahead and vote. Tally the vote. Okay, motion carries 7-0. Alright, now we are moving on to item number... I guess it's 5 now, which is the Amendment to the Zoning Ordinance for Landscaping, plan development landscaping lots and required buffers. That is actually in committee and we will give a committee update on that later on in the agenda. There is no New Business, so now moving on to the Planning Director's Report; for this, Director Harvey.

5. 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, 2019)

(Potential Public Hearing Date: March 27, 2019)

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

6. 2018 Annual Report - *Final*

Mr. Harvey: Thank you Madam Chairman. At your desk is a revised Annual Report. I did receive comments from Commissioner Apicella to... he asked that we referenced the two citizen participants for the Agricultural Zoning Classification Committee. So that document's been modified to reference the participation by Mr. John Howe and Mr. John Harris.

Ms. Vanuch: Great, any questions on that? Mr. Apicella?

Mr. Apicella: Actually, I have a related question. Do we know where that is? We sent that forward to the Board, right, so we're waiting for some kind of reaction?

Ms. Vanuch: What?

Mr. Apicella: The A-1 subcommittee recommendations.

Ms. Vanuch: Oh, yeah, that is correct.

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Mr. Harvey: Madam Chairman and Mr. Apicella, that was presented to the Board of Supervisors at their... or I should say the Board of Supervisors Community and Economic Development Committee on February the 5th. That item was deferred in committee for further discussion.

Ms. Vanuch: Alright, excellent; go ahead with your report.

Mr. Harvey: So, Madam Chairman, I'd asked the Commission consider taking a vote to accept the final report as amended.

Ms. Vanuch: Okay.

Mr. Apicella: So moved Madam Chairman.

Ms. Vanuch: Alright, motion by Commissioner Apicella; do we have a second?

Mr. English: I'll second it.

Ms. Vanuch: Commissioner English. Any discussion? Alright, let's go ahead and vote. Tally the vote. Motion carries 7-0. Alright, Mr. Harvey?

7. Rental, Repair and Storage of Modular Units in M-1 District - *Referral*

Mr. Harvey: Thank you. With regard to item 6, that's an item that's been referred to the Planning Commission. It would be a zoning text amendment for a use in M-1, Light Industrial zoning category... I'm sorry, number 7... and that would be to allow the rental of modular buildings in that zoning category. So, staff would ask for guidance from the Commission as to whether you want that to come back for additional discussion at your next meeting or proceed with scheduling a public hearing.

Ms. Vanuch: What does the Commission desire? Any opinions?

Mr. English: It's not a whole lot there to that, right Jeff?

Mr. Harvey: That's correct Commissioner English. There's creation of a new definition and then listing it as a by-right use in the M-1 zoning classification.

Mr. English: I make a motion to just move it to public hearing then.

Ms. Vanuch: Okay.

Mr. Randall: And I'll second that motion.

Ms. Vanuch: Okay, motion to move to public hearing, second by Commissioner Randall. Any further discussion? Alright, cast your votes. Tally the votes. Okay, motion carries 7-0.

8. Downtown Stafford - *Ongoing*

Mr. Harvey: Thank you Madam Chairman. Staff will schedule it as reasonably possible. With regard to Downtown Stafford, staff made a presentation to the Board of Supervisors at their planning retreat the other week and we presented them a first draft of a generalized development plan which shows how the County property on the other side of Courthouse Road may be developed as an Urban Development

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district should the Board want to proceed with rezoning the County property. Also, we talked to the Board about potential changes to the UD zoning classification and got some good direction from the Board. So, staff anticipates trying to get a potential Board of Supervisors action item in the month of March which would refer the rezoning of the County-owned property, as well as the zoning text amendment for the UD district, to the Planning Commission. So, that may be something you'll be seeing in April.

Ms. Vanuch: Okay, great.

9. Bicycle and Pedestrian Facilities Plan Update - *Ongoing*

Mr. Harvey: And then with regard to the Bicycle and Pedestrian Facilities Plan, we're slowly making progress. It'll likely be sometime in March when we'll have the draft plan to you.

Ms. Vanuch: Excellent. Is that it?

Mr. Harvey: That concludes my report.

Ms. Vanuch: Alright, thank you Mr. Harvey. Ms. Lucian?

COUNTY ATTORNEY'S REPORT

Ms. Lucian: Good evening Madam Chairman, I have no report.

COMMITTEE REPORTS

10. Cluster Ordinance - Policy Subcommittee

Update on recommendation presented to Planning Commission January 9, 2019

Ms. Vanuch: Okay, thank you very much. Okay, Committee Reports. The Cluster Ordinance Policy Subcommittee -- they have provided us in writing their changes. For this I will recognize you, Mr. Randall. Do you want to point out some of the changes that your committee made or any of the big things that we need to know?

Mr. Randall: Thank you, Madam Chair. Everybody should have in front of you is the number 10 item on your... in your stack of paperwork. The plan today is to go through it, make any modifications if we need to, and then vote to send it to the Board for their review and approval. Those things, those items that are in this proposed ordinance that are underlined are those things that we've added. Those things that we've scratched out or lined through obviously are those things that we've taken out. Much of what we've done is clarify and make sure that ordinances are lining up. So, that's why you'll see throughout here the definitions are the same. Instead of going through the whole thing, does anybody have any comments or questions that they have based on this?

Ms. Vanuch: Mr. English?

Mr. English: Mr. Randall, I just... we got this, can we just digest this a little bit and maybe bring it back at the next meeting? That's my suggestion.

Ms. Vanuch: Yeah, because it wasn't attached to the agenda because I had a hard time finding it. It wasn't attached and so I'm worried... and I see the public shaking their head and I'm just worried that

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nobody else has seen it and in honor a full transparency, and I know you're chomping at the bit here to move this forward, but I've received several calls on the... one of the recommendations which is on page 3, letter b, under Section 22-134 which talks about all the lots in a subdivision shall be located within 1,320 feet of a recreational amenity, and that it will be... that the developer or HOA in consultation with the Director of Parks and Rec shall determine the types of recreation. I think there are some challenges there that we need to really maybe talk about and understand the impacts of that, and is that going to have any unintended consequences of forcing parks in areas that we probably don't want them, or having the HOAs have to maintain multiple different parks especially because this is going to really impact the clusters of 50 houses or lower. Do they just throw a park bench on the side of the road somewhere and that's considered a park?

Mr. Randall: Well, we can talk about that part of it. That part of it was probably being... given the guidance that we were given from Mr. Harvey, recognizing that changes to the cluster ordinance specifically related to recreational amenities, we then also need to match what's currently in the county for the other or other areas and other locations and the fact that the county doesn't currently have a recreational amenity section in the ordinances. This wouldn't just necessarily apply to clusters, it would apply to all developments. And so, we wrote it to the idea that we want... we want developments in our County to be more than commuter developments. We want them to be family-oriented, family-generated, self-contained developments. And so to that end, we wanted to put something in here that talked about generating recreational facilities inside each development. And the decision was made by the subcommittee that to ensure that there was enough recreational amenities per development, that we put in here 10,000 square feet for every 10 lots, you know. So if you have 100 lots, that's 100,000 square feet of recreational amenities, right? Is that a lot? It depends on if you have kids and you want kids to be able to go around the corner to the park and not have to drive them to the park.

Ms. Vanuch: So, I have a quick question then on that. For by-right subdivisions, like A-1, the 3-acre lots that everybody builds on way out on Poplar Road for example. Would this now require all of the by-right subdivisions to also have this... these parks Mr. Harvey?

Mr. Harvey: Yes ma'am. The way this was discussed with the committee was this would apply to all subdivisions.

Mr. Randall: Yes.

Ms. Vanuch: Okay.

Mr. Randall: For the simple fact that, you know, if we're looking at long term, you know, and I've been in both. I've been in subdivisions where everything that you need to do recreational wise is literally right around the corner, to those that we've seen where they're, other than I got 200 units and the only thing in that area, the entire subdivision, is a tot lot half the size of this room.

Ms. Vanuch: And I agree with that probably on the premise especially of the by-right subdivisions. I don't think there are even any parks in those. But, one of the unintended consequences could be that it's going to now require all of those to have HOAs to maintain those parks. And then I think of like Poplar Estates for example, there are 3 to 5 acre lots, you have some that are 10 acres, and that would almost require a park in between 2 parcels of land the way it's written with the 1,320 square feet. So, I just think that we should allow some... I agree with the premise that we definitely need parks, especially in the by-right, because rezonings we have the ability to really kind of dictate some of that. And I think in the cluster by-rights, 50 homes or less, but I'm just really concerned with the number we might be gridlocking and creating an issue on the by-right A-1.

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Mr. Randall: Like I said, we went over this for an entire meeting on this alone.

Ms. Vanuch: I'm sure.

Mr. Randall: So, Mr. Harvey, could you remind me where the 1,300 square feet came... the 1,300 length came from? I can't remember exactly where it came from. It is in a County ordinance somewhere.

Mr. Harvey: Yes, Commissioner Randall, that was a recommendation that came out similar to what we see with our Urban districts where it recommends a pedestrian shed.

Mr. Randall: Yes.

Mr. Harvey: In other words, a reasonable distance to walk to a recreational amenity which that distance the 1,320 feet is a quarter of a mile.

Mr. Randall: Right. So, it's in the...

Mr. Harvey: It's used elsewhere in our zoning ordinance.

Mr. Randall: Okay, that's where we got it from.

Ms. Vanuch: Yeah, which makes sense what he's talking about because you want it like a... I'm thinking like Park Ridge, Hampton Oaks, where you'd want to be able to walk. But in A-1 they don't even have sidewalks and so I just... I personally cannot vote this forward just because I feel like that's gonna be... that's a hanging point for me. I just think that that's gonna cause a problem especially an A-1 by-right 3-acre lots.

Mr. English: It puts an extra burden, too, on the homeowner I think, too, because they have to maintain...

Ms. Vanuch: Yeah, and you'll see my Chairman's Report the issues that we have. Sorry, go ahead.

Mr. English: No, I'm just saying, I just think it's an extra burden on item the homeowners as far as by-right.

Mr. Randall: I recognize that there are always gonna be burdens associated or challenges associated with new additions to the process. I'm not interested in throwing the baby out with the bathwater, however. So, I would be very interested in hearing some ways that we can mitigate those particular instances in an A-1 and adding it to this rather than throwing it all out.

Ms. Vanuch: Yeah.

Mr. Randall: Because I think for the most part this is where we need to go to put the community in a situation where we have ingrown parks, ingrown recreational amenities, rather than having to drive somewhere to them. But I do recognize that this may not meet the requirement for every development. And so, if the intent is to meet the development... meets the requirement for every development, then we may need to go down through the process and say, okay, for an A-1, you know, how do we mitigate this into an A-1 development, right. We can definitely do that.

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Ms. Vanuch: Is that possible, Mr. Harvey? We can break it down per zoning category?

Mr. Harvey: Madam Chairman, we may have to look at that in more detail. Our ordinances are intended to be general and be administered uniformly. So, we'd have to see if we can distinguish between different zoning categories for this type of activity.

Ms. Vanuch: Okay. Do we have a feel on the Commission, I mean, I know this is just one issue so, do we want to put this back... do we want to do another... do you guys want to do another subcommittee meeting or do you think we need to just review this as a full Commission that the next meeting?

Mr. Randall: Well, I would prefer not to do another subcommittee meeting until I've got comments from all the Commissioners for the entire ordinance.

Ms. Vanuch: Okay.

Mr. Randall: And then if there are other things that we need to discuss as a subcommittee, we can then take them all in turn and talk to them.

Ms. Vanuch: So, does everybody feel, and I'm just gonna ask for like a nod of the head, does everybody feel as though we can get comments back to Bart no later than February 27th which is two weeks from now to review this, provide comments so that he can hold a subcommittee meeting? Or is that too aggressive? Should we wait a little longer?

Mr. English: Well, I've got two committees that we're working on, so yeah.

Ms. Vanuch: There's no deadline. I don't think.

Mr. Harvey: Yes there is.

Ms. Vanuch: Oh, there is?

Mr. Harvey: I believe it's the end of March.

Ms. Vanuch: It is? No, we have to send this to the... okay.

Mr. Randall: Yeah, we've done the map, now this is the addition to the...

Ms. Vanuch: Okay, gotcha. Okay, so then let's do that. So, let's all get our comments to Bart no later than February 27th, he'll hold his committee meeting and then we can have...

Mr. Randall: Well, what I would probably do on the 27th, if I could then, is I will summarize the comments so that we're all in in compliance with the comments, right, and then we will have a subcommittee hearing shortly thereafter, right, and then we will move... and then we'll probably by the 13th of March I believe is our next meeting...

Ms. Vanuch: Perfect. And that way we can set the public hearing for the 27th.

Mr. Apicella: Well, we may not necessarily need a subcommittee meeting. I mean, we just need to see where we are.

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Mr. Randall: Right, we may not and I'm generalizing that. But it may not, but we can definitely put the comments together and we may be able to... I may be able to put some language together...

Ms. Vanuch: Oh, hang on, I'm looking on here; it says that we have to authorize this by February 27th for a public hearing. So we have to take the vote by the 27th of February. So, there goes that out the window. What'd you say?

Mr. Harvey: Madam Chairman, my recollection was this was to be drafted and sent to the Board for their concurrence to start the public hearing process.

Ms. Vanuch: Oh, wait, yeah -- I'm looking at the landscaping thing. That's right. So we don't have a timeline on this.

Mr. Harvey: I believe it's the end of March that the Board asked for the Commission to finish phase 3 of the cluster.

Ms. Vanuch: Yeah, because we don't have to vote it to public hearing, that's right. We have to send it to the Board then they have to send it back down to us to vote to public hearing.

Mr. Randall: We send it to them and then it may come back to us for a public hearing.

Ms. Vanuch: That's right; I was looking at the landscaping one.

Mr. Randall: So, I think your initial plan would still work.

Ms. Vanuch: Perfect, let's do that. Comments to Bart, Mr. Randall, by the 27th then he'll summarize on the 27th, determine if you need another subcommittee meeting, and then we're gonna review it on the 13th and then we will be voting it hopefully to the Board of Supervisors on the 13th or the 27th.

Mr. Randall: The 13th or the 27th, either of those.

Mr. English: So have the comments by the 27th.

Mr. Randall: Yes please.

Ms. Vanuch: Have your comments if you...

Mr. Apicella: Madam Chairman, can I just take two minutes and ask a question?

Ms. Vanuch: Sure.

Mr. Apicella: So, we had a project... I have a project that we're still looking at where, and I hope I'm articulating that's the right way, where the applicant has suggested that people's own yards would qualify to meet their open space requirements. And I want to see if and how that was addressed.

Mr. Randall: That was absolutely addressed. One of the first things we addressed in our subcommittee, I think was the first meeting, was that open... and Jeff, you can probably paraphrase it better than I could or I can... but that open yards would no longer be counted.. yard space...

Mr. Apicella: People's private yards...

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Mr. Randall: People's private yards...

Mr. English: Not considered open space.

Mr. Randall: ... would not be considered as part of the open space requirement, would not meet the open space requirement.

Mr. Apicella: Could not be used...

Mr. Randall: Could not be used to meet the open space requirement.

Mr. Apicella: Can you just send me an email let me know where that is just so I can...

Mr. Harvey: I can clarify that for you, Madam Chairman and Commissioner Randall. The ordinance currently has a definition of lot coverage. So, to minimize the confusion between what's required open space for cluster development versus what's required open space for what you can build on your individual lot, we changed the standard to lot coverage. So, lot coverage is intended to describe how much impervious area you can have on your property. The current code speaks to open space, which is how much green area you can have on your property. And it's essentially the same concept but inverted in that you'll have a, instead of an open space ratio, you'll have a lot coverage ratio. So that'll make it clear that open space only is going to apply to cluster developments.

Mr. English: I think it's on page 5, Steve.

Mr. Apicella: Okay.

Ms. Vanuch: Alright, any other questions? Alright, deadlines -- get your comments to Mr. Randall by the 27th. Okay, landscaping subcommittee, you're up.

11. Landscaping Subcommittee
Meeting - TBD

Mr. English: Yeah, we have to reschedule that. I'm looking at February 20th, Jeff, and do it at 5 o'clock? Is that okay?

Mr. Harvey: Correct.

Mr. English: Because that gives us enough time to...

Mr. Harvey: Ms. Stinnette will be sending a notice request in shortly and we've checked and the ABC Conference Room is available so, that's what we'll be requesting.

Mr. English: Yeah, so the 20th at 5.

CHAIRMAN'S REPORT

Ms. Vanuch: Alright, perfect. Okay, Chairman's Report - I'm gonna be super fast because I know it's late. I had Stacie place at your desk the Section 28-57, Flood Hazard Overlay District. If you guys wouldn't mind taking a look at this; I don't want to put everybody on the spot to make a motion this evening to send this to the Board of Supervisors. But I've been contacted by several HOA presidents

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that their tennis courts, basketball courts, and recreational facilities are being built in flood zones and it is an astronomical cost annually to those HOAs in order to maintain and clean those once they flood every time it rains. And so they have asked me if there's anything we can do to prohibit additional subdivisions from being able to build those recreational facilities in the flood hazard overlay areas. What I'm asking for is the support from the Commission to just request to the Board of... to send a vote to the Board of Supervisors to request them to send this ordinance down to us to allow us to edit it so that we can hold a public hearing on it. Any questions?

Mr. Randall: So moved.

Mr. Apicella: Madam Chairman, I'm wondering if maybe sort of a problem statement at a minimum would be helpful.

Ms. Vanuch: Oh, I plan to go there -- no.

Mr. Apicella: If not, also maybe some suggested changes, so, that staff could look at and propose. So, just, you know, just sending them a problem statement without some potential fixes it might take some time for that to work its way through giving it to the Board to try to kind of work their way through suggested language changes. So, again, my suggestion would be number 1, creating a problem statement, and number 2, asking staff to come up with some potential fixes to the ordinance that address your concerns.

Ms. Vanuch: Mr. Harvey, is that doable by the next meeting do you think?

Mr. Harvey: Yes ma'am, we can come up with some suggested wording.

Ms. Vanuch: Perfect. You get the gist of what we're trying to fix?

Mr. Harvey: Yes.

Ms. Vanuch: And then what happens is the subdivisions actually have to come in with a proffer amendment which cost them \$10,000 if they want to remove their basketball courts or their tennis courts because it costs \$20,000 to clean every year. Okay, great; so that's the end of the Chairman's Report. I think we have one TRC in Widewater on February 27th. Do I have a motion for approval of minutes for December 19th?

OTHER BUSINESS

12. TRC Information - February 27, 2019
 - * Quantico Village - Widewater Election District

APPROVAL OF MINUTES

December 19, 2018

Mr. Boswell: So moved.

Ms. Vanuch: Alright, motion by Commissioner Boswell; do I have a second?

Mr. Bain: Second.

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Ms. Vanuch: Commissioner Bain. Any comment?

Mr. Apicella: Madam Chairman, I'm gonna abstain, I wasn't here.

Ms. Vanuch: Okie dokie. One abstention from Commissioner Apicella. Okay, go ahead and vote. Alright, motion carries 6-0 with 1 abstention. Do I have a motion for January 9th approval of meeting minutes?

January 9, 2019

Mr. English: So moved.

Ms. Vanuch: Commissioner English.

Mr. Randall: Second.

Ms. Vanuch: Second by Commissioner Randall. Go ahead... any comment?

Mr. English: No ma'am.

Mr. Randall: No.

Ms. Vanuch: Go ahead and vote. Tally the vote. Motion carries 7-0. Meeting adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:45 p.m.